

Ennis, David, EMNRD

From: Ohori, David, EMNRD
Sent: Friday, August 05, 2016 5:10 PM
To: Lewellin, Jeffrey, NMENV
Cc: Shepherd, Holland, EMNRD; Vollbrecht, Kurt, NMENV
Subject: RE: Chino Mod 16-4 - revised application and new information
Attachments: FMI Application Letter Mod 16-1 072516.pdf

Hi Jeff,

As you may know, Tyrone also requested to modify its permit to adjust the FA amounts in order to meet the third party financial soundness test for Tyrone. We're processing it as Modification 16-1 to Permit No. GR010RE. Attached is a copy of FMI's letter requesting the changes. We'll also be posting it on MARP's website next week.

As of the last (2nd Qtr.) report from Wells Fargo the Tyrone cash trust has a value of \$49,130,822.35, exceeding the \$48,200,000 that Tyrone is requesting to be counted towards the cash trust portion of the overall FA for Tyrone.

This is MARP's request for comment from NMED on the Modification 16-1 application by FMI.

Please contact me if you have any questions or need additional information. Please respond to this request within 30 days.

Thanks.

-David

David R. Ohori
Supervisor/Senior Reclamation Specialist
Mining and Minerals Division
New Mexico Energy, Minerals, & Natural Resources Dept.
1220 So. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3432
(505) 476-3402 FAX
david.ohori@state.nm.us

From: Ennis, David, EMNRD
Sent: Thursday, July 28, 2016 10:20 AM
To: Lewellin, Jeffrey, NMENV <Jeffrey.Lewellin@state.nm.us>
Cc: Shepherd, Holland, EMNRD <holland.shepherd@state.nm.us>; Ohori, David, EMNRD <david.ohori@state.nm.us>; Vollbrecht, Kurt, NMENV <kurt.vollbrecht@state.nm.us>
Subject: Chino Mod 16-4 - revised application and new information

Hi Jeff,

MMD received a revised request from Freeport Chino regarding Chino Modification 16-4 and the financial soundness of FCX. Attached is the amended application for Modification 16-4 to permit number GR009RE. MMD requests review and comment on this revised application from NMED within 20 days.

As an FYI, MMD confirms the claim from Chino that the net value in the Chino Trust is \$123,268,994 as of June 30, 2016 (end of 2Q16 value) and therefore confirms the statement from Chino that “there are sufficient funds in the Chino CCP Trust to cover the increase in the ‘cash contribution’” to \$121MM.

MMD will be evaluating whether FCX meets the Alternative I financial soundness test specified in 19.10.12.1208(G)(8) NMAC in the near future and will keep NMED apprised.

If you wish to discuss this latest request from FMI in person or by phone, we’d be happy to do so.

Thanks,
DJ

*David J (“DJ”) Ennis, P.G.
Mining and Minerals Division / 1220 S. St. Francis Drive / Santa Fe, NM 87505
(505) 476-3434 / david.ennis@state.nm.us*