



## Electronic Transmission

### MEMORANDUM

Date: May 11, 2023

To: David Ennis, Program Manager, Mining Act Reclamation Program

Through: Anne Maurer, Mining Act Team Leader, Mining Environmental Compliance Section (MECS)

From: Jordan Anderson, MECS  
John Moeny, Surface Water Quality Bureau (SWQB)  
Sufi Mustafa, Air Quality Bureau (AQB)

Subject: **New Mexico Environment Department (NMED) Comments, Freeport-McMoRan (FMI) Chino Mine, North Lampbright Leach Stockpile Closure/Closeout Plan Response to Comments, FMI Chino Mines Company, Grant County, New Mexico, New Mexico Mining Act Permit No. GR009RE**

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The New Mexico Environment Department (NMED) received correspondence from the Mining and Minerals Division (MMD) on April 12, 2023, requesting that NMED review and provide comments on the above-referenced MMD permitting action. Pursuant to the Mining Act, this is a regular existing mine. MMD requested comments on the memorandum by March 12, 2023. NMED has the following comments.

#### **Background**

MMD and NMED received an email with a Response to Agency Comments (RTC) dated April 6, 2023, from Sherry Burt-Kested from Freeport-McMoRan Chino Mines Company (Chino Mine) addressing closure/closeout requirements in Mining Act Permit No. GR009RE and DP-376. MMD is requesting NMED's review of the RTC, which addresses closure/closeout of the North Lampbright Leach Stockpile.

Mr. David Ennis  
FMI Chino Mine, North Lampbright Leach Stockpile  
May 11, 2023

**Air Quality Bureau**

The Air Quality Bureau has no comments.

**Surface Water Quality Bureau**

The Surface Water Quality Bureau has no comments.

**Mining Environmental Compliance Section (MECS)**

MECS has the following comment:

Comment No. 4 - The 120-acre footprint shown in Figure 1-2 of the North Lampbright Leach Stockpile Extension Closure /Closeout Plan does not match the proposed 187-acre North Lampbright Leach Stockpile footprint shown in Drawing 11 of the North Lampbright Leach Stockpile Design Report by Golder Associates dated October 7, 2021 or Drawing 21 submitted in the DP-376 Renewal and Modification Third Request for Additional Information Response dated February 10, 2023. The North Lampbright Leach Stockpile area in the Closure Closeout Plan should match the DP-376 application materials.

**NMED Summary Comment**

NMED is withholding issuance of the environmental determination until such time as all response to comments have been deemed satisfactory and all financial assurance has been addressed.

If you have any questions, please contact Anne Maurer at (505) 660-8878.

cc: David Ennis, Permit Lead, EMNRD-MMD  
Joseph Fox, Program Manager, NMED-MECS  
Shelly Lemon, Bureau Chief, NMED-SWQB  
Elizabeth Bisbey-Kuehn, Bureau Chief, NMED-AQB