

State of New Mexico
Energy, Minerals and Natural Resources Department

Michele Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd E. Leahy, JD, PhD
Deputy Cabinet Secretary

Albert Chang, Director
Mining and Minerals Division



Electronic Transmission

July 19, 2023

Erich J. Bower, President, and General Manager
Freeport-McMoRan Tyrone Inc.
P.O. Box 571
Tyrone, NM 88065

RE: Follow-up to MMD Comments on the Closure/Closeout Plan, Tyrone Mine Emma Expansion Project, Revision 21-1, Permit No. GR010RE

Dear Mr. Bower,

The New Mexico Mining and Minerals Division (MMD) is currently processing an application to revise Permit No. GR010RE, Tyrone Mine and Mill (Revision 21-1) operated by Freeport-McMoRan Tyrone Operations (Tyrone). Revision 21-1, referred to as the Emma Pit Expansion, proposes to mine a new open pit unit and develop three new stockpiles. MMD has sent several technical comment letters to Tyrone regarding Revision 21-1, including a most recent letter on June 13, 2023. Staff from MMD and Tyrone met to discuss the contents of this letter on July 6, 2023. This letter serves as a follow-up to the June 13, 2023 letter to provide clarification on MMD's comments number 4 and 11.

MMD will draft a permit condition based on comment number 4 rather than be required as an additional submittal prior to the Closure/Closeout Plan being deemed technically approvable. In addition, MMD will work with the New Mexico Environment Department (NMED) to jointly review the site-wide feasibility analysis submitted to NMED on September 20, 2022, titled *Open Pit Highwall Risk Analysis Work Plan – Tyrone* (Work Plan). This joint review of the Work Plan will address MMD comment number 11 and will be reviewed by MMD as it relates to wildlife and human health and safety for the Emma Pit, pursuant to §19.10.5.508 NMAC.

If you have any questions, concerns, or would like to meet again regarding these comments, please contact me at (505) 216-8399 or at carmen.rose@emnrn.nm.gov.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Carmen Rose".

Carmen Rose, Permit Lead
Mining Act Reclamation Program (MARP)
Mining and Minerals Division

CC: DJ Ennis, Program Manager, MARP, MMD
Joe Fox, Program Manager, NMED
Brad Reid, Permit Lead, NMED
Tom Shelley, Environmental Manager, Tyrone
Raechel Roberts, Environmental Scientist, Tyrone
Allyson Siwik, Executive Director, GRIP