

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Melanie A. Kenderdine
Cabinet Secretary

Ben Shelton
Acting Deputy Secretary

Albert Chang, Director
Mining and Minerals Division



September 27, 2024

Ms. Sherry Burt-Kested, Manager
Freeport-McMoRan Chino Mines Company
Environmental Services
P.O. Box 10
Bayard, NM 88023

RE: Conditional Permission to Proceed, Modification 24-1 – Southwest Lampbright Waste Rock Stockpile Buttress, Chino Mine, Grant County, New Mexico, Permit No. GR009RE

Dear Ms. Burt-Kested:

On June 10, 2024, the New Mexico Mining and Minerals Division (“MMD”) received an application for a modification to Permit No. GR009RE for the construction of the Southwest Lampbright Waste Rock Stockpile Buttress (“Buttress”) at the Chino Mine (“Chino”). In further discussions with Chino, it is understood by MMD that the construction of the Buttress is time-sensitive due to the ongoing slope failure within the Southwest Lampbright Stockpile and the availability of Chino personnel and equipment for construction.

In consideration of the time-sensitive nature of the project, MMD gives Chino permission to proceed with initial construction of the Buttress with the following conditions:

- This shall not be considered a final approval of the modification of the Chino Closure/Closeout Plan considered under Modification 24-1. MMD shall proceed with normal processing of the application for Modification 24-1 as required under NMAC 19.10.5.505 during initial construction activities.
- MMD reserves the right to require changes to the final build-out of the Buttress or request further documentation on the nature of the project based on MMD’s review of the application and consultation with other agencies as required under NMAC 19.10.5.505.B(3).
- If, during the construction of the Buttress, Chino finds it necessary to adjust Buttress construction plans for whatever reason, MMD shall be notified in writing within 30 days as to the nature of these changes. This notification shall also include, but not be limited to, updated engineering plans outlining the construction changes, and a description of the changes to the Closure/Closeout Plan and associated financial assurance, if any.

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If you have any questions, please contact me at (505) 470-5354 or kevin.barnes@emnrd.nm.gov
Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin T. Barnes", with a long horizontal flourish extending to the right.

Kevin T. Barnes
Permit Lead
Mining Act Reclamation Program (MARP)

cc: David "DJ" Ennis, MARP Program Manager
Mine File (GR009RE)