

**PERMIT MODIFICATION 22-1 TO PERMIT NO. GR010RE
TYRONE MINE
EXISTING MINING OPERATION**

**MINING AND MINERALS DIVISION
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT**

Permit Modification 22-1 (Modification 22-1) to Permit No. GR010RE (Permit) is issued by the Director of the Mining and Minerals Division (MMD) of the New Mexico Energy, Minerals and Natural Resources Department to:

Freeport-McMoRan Tyrone Inc. (Tyrone)
P.O. Box 571
Tyrone, NM 88065

Whose correct address is:

(Permittee) for the Tyrone Mine, located in Grant County, New Mexico.

This modification defines and approves Reclamation Cover Material (RCM) for the Little Rock Mine described as "Precambrian Granite Overburden" found in the 9AX Waste stockpile, 9A Waste stockpile, NRW Waste stockpile, East In-Pit Waste stockpile, North In-Pit Waste stockpile, Historical North Stockpile, Historical West Canyon Stockpile, West In-Pit Waste stockpile, and the Northern Haul Road.

Additionally, this modification finds that the USNR Test Plots administered under Revision 10-1 to Permit No. GR007RE then amended under Modification 17-1 to Revision 14-1 to Permit No. GR007RE and Revision 09-1 of GR010RE, are considered successfully completed and hereby concluded.

In order to accomplish the approval contemplated by this Modification 22-1, the following subparagraphs are added to Permit No. GR010RE:

Section 1 (22-1). STATUTES AND REGULATIONS

- A. This Permit Modification is issued pursuant to the New Mexico Mining Act, NMSA 1978, §69-36-1, et seq. (1993, as amended) (Act) and New Mexico Mining Act Rules, Title 19, Chapter 10 of the New Mexico Administrative Code (NMAC" or "Rules" or "Regulations).
- B. This Permit Modification is subject to the Act, the Rules and any other regulations which are now or hereafter in force under the Act; and all such regulations are made a part of this Permit by this reference.

Section 1a (22-1). PERMIT APPLICATION PACKAGE

- A. The Permit Modification Package (PAP) is comprised of:
 - 1. Application titled *Modification to Tyrone Permit No. GR010RE Revision 09-1, Request for Approval of Precambrian Granite as a Reclamation Cover Material*

and Termination of USNR Test Plot Study, dated August 17, 2022.

2. Supplemental submittal *Little Rock Cover Material Characterization*, dated December 9, 2022
3. *Response to Comments on the Applications for Modification 22-1 to Little Rock Mine, Permit No. GR007RE; and Modification 22-1 to Tyrone Mine, Permit No. GR010RE; Freeport-McMoRan Tyrone Inc.*, dated December 21, 2022
4. *Response to Comments on the Applications for Modification 22-1 to Little Rock Mine, Permit No. GR007RE; and Modification 22-1 to Tyrone Mine, Permit No. GR010RE; Freeport-McMoRan Tyrone Inc.*, dated February 10, 2023
5. *Response to Comments on the Applications for Modification 22-1 to Little Rock Mine, Permit No. GR007RE; and Modification 22-1 to Tyrone Mine, Permit No. GR010RE; Freeport-McMoRan Tyrone Inc.*, dated May 18, 2023
6. *Modification 22-1 to Little Rock Mine, Permit No. GR007RE and Modification 22-1 to Tyrone Mine, Permit No. GR010RE; Freeport-McMoRan Tyrone Inc.; Final Report on Suitability of Precambrian Granite Overburden.*, dated March 13, 2025
7. *Interim Vegetation Success Monitoring, USNR Reclamation Area, 2024*, dated April 29, 2025
8. *New Mexico Environment Department Ground Water Quality Bureau Support for the Tyrone Mine with the NM Energy Minerals Natural Resource Department, Permits No. GR007RE & GR010RE*, dated July 1, 2025

Section 3 (22-1). FINDINGS OF FACT

Application

- A. The Permittee has paid the permit modification fee of \$1,000.00 as required by §19.10.2.201 NMAC.
- B. Pursuant to §19.10.5.505.B NMAC, the proposed change does not require public notice nor the opportunity for public hearing.
- C. Pursuant to §19.10.5.505.B(1) NMAC, the proposed changes would not have a significant environmental impact.
- D. Pursuant to §19.10.5.505.B(2) NMAC, the application was accompanied by sufficient information for the Director to determine whether any of the factors listed in §19.10.5.505 are present.

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- E. Pursuant to §19.10.5.505.B(3) NMAC, the Director consulted with the New Mexico Environment Department, the New Mexico Department of Game and Fish, the New Mexico State Forestry Department, and the U.S. Bureau of Land Management regarding the proposed modification.
- F. Pursuant to §19.10.5.505.C NMAC, the application for permit modification was in a format acceptable to the Director.
- G. The application for permit modification has been reviewed in accordance with §19.10.5.505 NMAC. The application for permit modification is complete, accurate, and complies with the requirements for permit modifications under §19.10.5.505 NMAC.

Brief History and Technical Elements of the USNR Test Plots

- H. The USNR Test plots (Test Plots) were constructed on the Copper Mountain Reclamation Area to evaluate cover, erosion and revegetation. The Test Plots were permitted through Revision 09-1 to the Tyrone Permit, and constructed and seeded in June of 2015 to demonstrate the suitability of Precambrian Granite Overburden excavated at the Little Rock Mine. Details of the test plot construction and monitoring can be found in the document entitled *United States Natural Resources (USNR) Test Plot-Annual Report No. 1 Little Rock and Tyrone Mines*, dated March 8, 2017.
- I. The USNR test plots were constructed from Precambrian Granite overburden cover material sourced from the Little Rock Mine which is a highly and deeply weathered igneous intrusive rock body that is inert and has no mineral value.
- J. The Final Annual Test Plot report titled *Interim Vegetation Success Monitoring, USNR Reclamation Area, 2024* was submitted on April 29, 2025.
- K. Permittee has adequately demonstrated that the Precambrian Granite Overburden material sourced from the 9AX Waste stockpile, 9A Waste stockpile, NRW Waste stockpile, East In-Pit Waste stockpile, North In-Pit Waste stockpile, Historical North Stockpile, Historical West Canyon Stockpile, Northern Haul Road, and the and the West In-Pit Waste stockpile and placed as cover on the USNR test plots and the Copper Leach Stockpile and P-Plant Area qualifies as “other suitable material” sufficient to demonstrate a trajectory toward meeting MMD revegetation success standards as well as resists erosion.
- L. Permittee has adequately demonstrated that the Precambrian Granite Overburden material meets Chemical and Physical Characteristics consistent with MMD’s *Guidance for Soil and Cover Material Handling and Suitability for Part 5 Existing Mines*, dated December 2022. Precambrian Granite is sufficiently uniform throughout all stockpile locations and the Little Rock Open Pit and is similar in rock fragment content and chemical nature to the cover material tested in the *Final Report on Suitability of Precambrian Granite Overburden*, dated March 13, 2025.

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- M. Permittee has adequately demonstrated that the soil water characteristic curves and water holding capacity of the Precambrian Granite overburden meet the requirements of the New Mexico Environment Dept's Copper Rule under §20.6.7.33.F.2 NMAC.
- N. Permittee has adequately demonstrated that the proposed method of ocular estimation of volumetric rock content/total volume is adequate for material handling in this situation.
- O. Permittee has adequately demonstrated the suitability of Little Rock Precambrian Granite and its uniformity throughout the Little Rock Pit and the proposed borrow locations.

Section 8 (22-1). GENERAL OBLIGATIONS AND CONDITIONS

- A. Reclamation Cover Material (RCM) is defined as Precambrian Granite, pre-mining salvaged soils, Gila conglomerate, and overburden from inert highly and deeply weathered igneous intrusive rock bodies. Precambrian Granite RCM:
 - 1. Can be sourced from the 9AX Waste stockpile, 9A Waste stockpile, NRW Waste stockpile, North-In Pit Waste stockpile, East In-Pit Waste stockpile, North Stockpile, West Canyon Stockpile, and the West In-Pit Waste stockpile.
 - 2. Precambrian Granite is approved as Reclamation Cover Material for the Tyrone Mine Permit No. GR010RE.
- B. The USNR test plot studies are hereby concluded. The Permittee is authorized to terminate the USNR test plots.
- C. Any new material stockpiled after the approval of this modification for use as RCM listed above in Section 8.A will require the same testing as materials approved in this modification. This testing will include but not limited to acid base accounting, sulfur content, and soil suitability.

Section 9 (22-1). CONCLUSIONS OF LAW

- A. The Director has jurisdiction over the Permittee and the subject matter of this proceeding.
- B. The application for permit modification is complete, accurate and complies with the requirements of the Act and §19.10.5.505 NMAC.

All other provisions, modifications, and revisions for mining and reclamation contained in the Tyrone Mine Permit No. GR010RE remain unchanged.

CERTIFICATION

I certify that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals responsible for obtaining the information; I believe the submitted information is true, accurate, and complete.

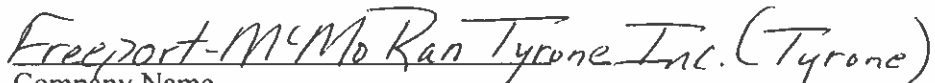
I certify that I have read, understand and will comply with the requirements of this Permit Modification. I also agree to comply with the performance and reclamation standards and requirements of the Permit, and Modifications and Revisions, the Rules, and the Act, and allow the Director to enter the permit area without delay for the purpose of conducting inspections.



Authorized Representative of the Permittee



Title



Company Name

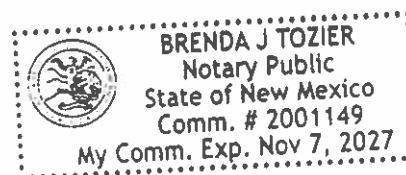
Subscribed and sworn to before me this 4th day of August, 20 25



Notary Public

My Commission Expires

Nov. 7, 20 27



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ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that Permit Modification 22-1 to Permit No. GR010RE defining Reclamation Cover Materials is approved and the USNR test plot studies are concluded.

The Permit may not be transferred without approval by the Director. The Permit is subject to all conditions set out in the Director's Findings of Fact, General Obligations and Conditions, and Order.

By Order of the Director, Mining and Minerals Division, Energy, Minerals and Natural Resources Department, of the State of New Mexico.

By:



Michael W. Thompson, Acting Director
Mining and Minerals Division
Energy, Minerals and Natural Resources Department

Date:

August 11, 2025