

Tyrone Operations P.O. Box 571 Tyrone, NM 88065

June 11, 2020

Certified Mail #9171999991703580051034 Return Receipt Requested

Mr. Jerry Schoeppner Mining and Minerals Division Mining Act Reclamation Program 1220 South St. Francis Drive Santa Fe, NM 87505

Dear Mr. Schoeppner:

Re: Permit GR007RE – Little Rock Mine Existing Mining Operation, Permit Revision Application for Expansion of the Little Rock Mine

Freeport-McMoRan Tyrone, Inc. (Tyrone) is currently operating the Little Rock open pit mine under the conditions of Revision 14-1 to Permit No. GR007RE. This revision to the permit became effective on March 8, 2016. Tyrone hereby requests an additional revision to mine permit GR007RE for the Little Rock Mine (Little Rock).

The proposed revision will facilitate the expansion of the Little Rock Mine, extending the same land uses and activities that have previously been approved. Mineable ore from Little Rock will continue to be transferred to the adjacent Tyrone Mine facility for copper extraction.

Overburden rock will continue to be managed as currently approved. It will either be transported to the Tyrone Mine where it will be stockpiled at permitted facilities, and/or used to create additional stockpiles within a portion of the Little Rock permit area in accordance with 2020 Little Rock Closure/Closeout Plan.

The permit revision will expand the design limit to enable:

- Construction, operation, and reclamation of the open pit, stockpiles, infrastructure and other miscellaneous facilities, and haul roads
- Expansion of existing stockpiles
 - North In-Pit Waste
 West In-Pit Waste
- New stockpiles
 - East In-Pit Waste
 - o CLW Waste
 - o NRW Waste

- Modify the timing of the construction of Deadman Canyon Diversion
- Removal of the Reclaimed Copper Leach Stockpile
- Access to facilities and components

Currently, the approved design limit incorporates approximately 468 acres of land. The proposed permit revision will increase the design limit to a total of approximately 1,025 acres. In addition, the mine permit boundary would expand from approximately 681 acres to a total of approximately 1,025 acres (Figure 1).

Currently, the approved North In-Pit Waste and West In-Pit Waste stockpiles cover an area of approximately 60 and 67 acres respectively. The proposed permit revision will increase the North In-Pit Waste and West In-Pit Waste stockpiles to a total of approximately 61 and 82 acres respectively.

The East In-Pit, CLW Waste, and NRW Waste stockpiles will encompass an area of approximately 26 (21 for stockpile area and 5 for Deadman Canyon Diversion), 32, and 107 acres respectively.

A MPO Amendment will be submitted to the Bureau of Land Management (BLM) and Forest Service (FS), and a copy will be sent to the Mining and Minerals Division (MMD) Mining Act Reclamation Program.

Specific information required under Section 19.10.5.502 NMAC for this permit revision application are included in Attachment 1 to this letter. Additionally, as part of this permit revision application, Tyrone also submits an updated Closure/Closeout Plan (CCP) for the Little Rock Mine (see Attachment 2 to this letter). A cost estimate will be submitted after the Technical Scope of Work is approved.

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 this information; I believe the submitted information is true, accurate, and complete.

Please contact Ms. Mandy Lilla at (575) 912-5388 if you have questions.

Sincerely,

Erich J. Bower

President & General Manager Freeport-McMoRan Tyrone Inc.

EJB:mjl Attachments 20200611-100

c. Holland Shepherd – MMD (1 hard copy & CD w/electronic copy)
David Ohori – MMD (1 hard copy & CD w/electronic copy)

Amount:

\$6,000.00

Sequence Number: 8892035017

Account:

3299998445

Capture Date:

05/27/2020

Bank Number:

Check Number:

947952

FREEPORT MINERALS CORPORATION 333 NORTH CENTRAL AVE PHOENIX, AZ 85004-2121

0000947952 May 15, 2020

64-1278/611 VOID AFTER 180 DAYS PAY IN US DOLLARS

Amount: **Six Thousand dollars and 00 cents**

\$6,000.00

Pay to the

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT.

order of

STATE OF NEW MEXICO NM ENRGY MNRLS & NAT RES DPT

Bank of America N.A. Atlanta, Dekalb County, Georgia

AUTHORIZED SIGNATURE

CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

#0000947952# #061112788# 3299998445#

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Section 19.10.5.502 NMAC Requirements:

A. A minimum of six copies of each application for a permit under this Part shall be submitted to the Director. The Director may require additional copies for distribution by the Director to other governmental agencies with an interest in, or jurisdiction over, elements of the proposed operation.

Tyrone Response:

Six copies of this Request to Revise Permit GR007RE (Attachment 2: 3 paper and 6 electronic copies) of the Little Rock CCP for Expansion of the Little Rock Mine are being submitted to the Director.

B. All information submitted to the Director shall be made available for public inspection and copying at the Director's office, except as designated confidential. Information in the application which the applicant desires to keep confidential shall be clearly indicated and submitted separately from the rest of the application.

Tyrone Response:

No information included within this application is considered by Tyrone to be confidential.

(1) If the operator designates as confidential an exploration map, financial information, information concerning the grade or location of ore reserves or trade secret information, the Director shall maintain the information as confidential and not subject to public records or disclosure laws.

Tyrone Response:

Not applicable. No information included within this application is considered by Tyrone to be confidential.

(2) If a request is made for public review of the information held confidential, the Director shall notify the operator and provide a reasonable opportunity for substantiation of the claim that public disclosure of the information could harm the competitive position of the operator. If the claim is not substantiated to the satisfaction of the Director, the information shall be released.

Tyrone Response:

Not applicable. No information included within this application is considered by Tyrone to be confidential.

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(3) When a request is made for public review of information designated as confidential, the Director shall attempt to notify the operator within 24 hours of the request, and shall provide written notification by certified mail.

Tyrone Response:

Not applicable. No information included within this application is considered by Tyrone to be confidential.

C. Each application shall be signed by an applicant or authorized agent of the applicant for the operation with the following certification made: 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.

Tyrone Response:

This permit revision application is signed and certified by Tyrone's authorized agent in accordance with this requirement.

- D. Each application under this Part shall be in a format acceptable to the Director and contain the following:
 - (1) The name of the applicant to whom the permit will be issued.

Tyrone Response:

Freeport-McMoRan Tyrone Inc. (Tyrone) is the applicant to whom the permit will be issued.

(2) A map(s) and list, including names and addresses, of all owners of surface and mineral estates within the proposed permit area, as shown by the most recent county assessor's property tax schedule.

Tyrone Response:

Both private and BLM managed land ownership within the proposed mine permit area will be discussed in the MPO Amendment. As part of the MPO Amendment, Tyrone will seek approval from the BLM and FS for the proposed disturbances or changes in use to lands managed by the BLM and FS. A map of the owners of surface and mineral estates within the proposed permit area is included in **Figure 1**. A list, including names and addresses of all owners of surface and mineral estates within the proposed permit area, is provided in **Table 1**.

(3) A statement of the basis on which the applicant has the right to enter the property to conduct the mining and reclamation. The applicant will allow the Director to examine, if necessary, the documents which establish such basis.

Tyrone Response:

Tyrone is a legal entity authorized to do business in the state of New Mexico. Tyrone has the right to enter and conduct mining and reclamation activities on the proposed expanded Little Rock Mine Permit area, based either on Tyrone's ownership of the patented mining claims (surface and minerals) and current mining claims (unpatented claims) in the area or through the BLM's approval of the MPO Amendment (Tyrone, 2013), for Tyrone's proposed activities on federal lands administered by the BLM in this area. As this portion of the rules require, the Director will have the opportunity to examine the documents, which establish such basis.

(4) The site assessment previously submitted pursuant to Section 69-36-5 of the Act shall be considered part of the application. If information in the site assessment requires updates to provide information necessary for evaluation of the permit or if the site-specific conditions at the time of the assessment significantly deviate from conditions at the time of submittal of the permit application, such updated information or deviations must be described in the application.

Tyrone Response:

Updated information on the existing facilities and environmental conditions, within the proposed mine permit area, is provided in Section 2.0 of the Updated Little Rock CCP (Tyrone, 2020).

(5) A map(s) showing all existing and proposed pits, shafts, adits, stockpiles, waste units, impoundments, leach piles, processing facilities, and support facilities such as office buildings. The map(s) shall identify the proposed permit area and design limits of each unit of the operation.

Tyrone Response:

The existing topography, site features, proposed permit boundary, haul roads, proposed stockpiles, and section lines are shown on **Figure 2**, and the proposed revised mine permit area and mining area design limit are shown on **Figure 3**. There are no existing shafts or adits within the proposed revised mine permit boundary.

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(6) A description of undisturbed vegetation including a comprehensive list of species and their relative abundance with regards to cover and production.

Tyrone Response:

Site-specific soil and vegetation surveys were conducted in and around Tyrone in 1997 as part of the closure/closeout studies (DBS&A 1997). Based on the surveys, which included the Little Rock Mine area, four soil-vegetation associations were identified within the survey area including the: (1) alluvial grassland association; (2) piedmont scrub savanna association; (3) mountain slope scrub savanna association; and (4) mountain slope mixed evergreen woodland association was identified as the soil-vegetation association represented within the Little Rock Mine area.

The soils in the mountain slope mixed evergreen woodland association are mostly loamy-skeletal Haplustolls. These soils are shallow, noncalcareous, and medium- to coarse-textured with moderate to high amounts of coarse fragments. These soils formed in residuum and colluvium from competent igneous rocks composed of quartz monzonite and granite. Minor areas of bedrock are exposed at the surface in this map unit. This association occupies the very steep backslopes and ridges of the Big Burro Mountains.

Vegetation at Little Rock is characterized by mixed evergreen woodland dominated by pinyon pine (*Pinus edulis*), emory oak (*Quercus emoryi*), gray oak (*Quercus grisea*), various shrubs and scattered warm season grasses. The plant species identified in the mountain slope mixed evergreen woodland association and their relative occurrence are listed in **Table 2**. A total of 28 species were recognized in the mountain slope mixed evergreen woodland association, including 5 forbs, 10 shrubs, 5 grasses, and 8 trees. (DBS&A, 1997).

(7) Evidence that other applicable state and federal permits to be obtained either have been or will be issued before the activities subject to those permits begin.

Tyrone Response:

Tyrone holds the state and federal permits and authorizations necessary to produce copper from the existing facilities at Little Rock. Current permits include a New Mexico Mining Act (NMMA) permit from the MMD as an existing mining operation (Mining Act Permit No. GR007RE). The Little Rock Mine is also subject to Discharge Permit 1236 (DP-1236), issued by the New Mexico Environment Department (NMED). Because a portion of the lands at Little Rock are managed by the BLM and FS, the mine also maintains a Mine Plan of Operations in conformance with the BLM Surface Management Regulations (43 CFR 3809). A full description of the applicable state and federal permits, under which the Little Rock Mine currently operates, is included in Section 2.4 of the Updated Little Rock CCP (Tyrone, 2020). A summary list of these permits is included herein in **Table 3**.

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(8) The applicant shall designate an agent and provide the agent's street address for the service of notices and orders in writing from the Director. This information shall be kept current if a permit is granted.

Tyrone Response:

The designated agent for the service of notices and orders in writing from the Director is as follows:

mation			
Erich J. Bower			
President and General Manager			
Freeport-McMoRan Tyrone Inc.			
(575) 912-5101			
Highway 90 South, Tyrone Mine Road, Tyrone, NM 88065			
PO Drawer 571, Tyrone, NM 88065			

(9) A copy of the proposed form of notices required under 19.10.9 NMAC.

Tyrone Response:

Tyrone will distribute and publish a public notice in regards to this permit revision application for expansion of the Little Rock Mine, in the next 30 days. The public notice and evidence of its distribution as required under 19.10.9 NMAC will be sent under a separate letterhead. The documentation will include a list of individuals and government agencies (landowners of record within half a mile of the property, state and federal agencies, local municipalities and interested parties) that Tyrone has provided the public notice to via certified mail. An affidavit documenting that the public notice for this application was published in the Silver City Daily Press in English and Spanish and a list of public areas with photographs showing where the notice was posted will be included.

(10) A permit fee as determined pursuant to 19.10.2 NMAC

Tyrone Response:

A receipt of the cleared certified check in the amount of \$6,000 is included within this permit application in accordance with 19.10.2 NMAC.

(11) Any additional information necessary for evaluation of the permit application as required by the Director.

Tyrone Response:

No additional information has been requested at this time. Tyrone will review any requests from the Director for additional information necessary to evaluate this permit revision application, and will provide the pertinent information in a timely manner.

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E. To avoid duplication and conflicting requirements, the applicant may include information from environmental permits relevant to the application. Permits issued by other governmental agencies shall be accepted by the Director to the extent such permits satisfy the requirements of the Act and 19.10 NMAC.

Tyrone Response:

The attached Updated Little Rock CCP (Tyrone, 2020) and the renewal application for Discharge Permit 1236 are being submitted to the agencies concurrent with this application; provide supporting documentation regarding this permit revision application. A modification to the BLM and FS MPO will be submitted at a later date and Tyrone will send a copy to MMD.

F. Where physically separate but interrelated mining operations are located in close proximity to each other and are under the control of the same owner or operator, the applicant may request or the Director may determine to issue one permit for all of the operations and require only one permit application and closeout plan.

Tyrone Response:

The Tyrone Mine (MMD Permit GR010RE) is adjacent to the Little Rock Mine permit area (**Figure 3**) and is currently under a revision process to incorporate an updated CCP. The Tyrone permit boundary, for permit no. GR010RE, will be updated as part of that ongoing permit revision.

References:

- Daniel B. Stephens & Associates, Inc. (DBS&A). 1997. Closure/ Closeout Plan. Prepared for Phelps Dodge Tyrone, Inc., Tyrone, New Mexico. December 19.
- Freeport-McMoRan Tyrone Inc. (Tyrone). 2011. Little Rock Mine Exploration Drillhole Plugging Report. Letter to MMD and NMED. May 31.
- Tyrone. 2013. Little Rock Mine Amendment to Mine Plan of Operations (NMNM091644). Submitted to the Bureau of Land Management Las Cruces District Office. September 11.
- Tyrone. 2014. Updated Closure/Closeout Plan for the Little Rock Mine, Grant County, New Mexico. May.
- MMD. 2004. Permit Revision 01-1 to Permit No. GR010RE Tyrone Mine Existing Mining Operation. Mining and Minerals Division Energy, Minerals and Natural Resources Department. April 12.
- Tyrone. 2020. Updated Closure/Closeout Plan for the Little Rock Mine, Grant County, New Mexico. June.

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Table 1: Property Ownership Information Permit GR007RE - Permit Revision Application (June 2020)

The state of the s	Total Colors (Suite 2020)				
Property Ownership and Point	of Contact Information				
Full Name:	Erich J. Bower				
Title:	President and General Manager				
Business Name:	Freeport-McMoRan Tyrone Inc.				
Telephone Number:	(575) 912-5101				
Street Address:	Highway 90 South, Tyrone Mine Road, Tyrone, NM 88065				
Business Address:	PO Drawer 571, Tyrone, NM 88065				
Claim Owner's Address:	Same as above				
Federal Tax Identification No.:	87-0694174				
Project Location:					
County/State:	Grant County/New Mexico				
Claim Type:	Patented and Unpatented Lode				
Primary Commodity:	Copper				
Meridian:	New Mexico Principal Meridian				
Sections:	8, 9, 16, 17, 18, 20, and 21				
Township, Range:	19 South, 15 West				
BLM (Public Land Ownership) C	ontact Information				
Name:	Bureau of Land Management, Las Cruces District Office				
Address:	1800 Marquess Street, Las Cruces, NM 88005				
Telephone Number:	(575) 525-4300				
USFS (Public Land Ownership) C	Contact Information				
Name:	U.S.D.A. Forest Service				
Address:	100 Sun Ave NE UNIT 330, Albuquerque, NM 87109				
Telephone Number:	(877) 372-7248				

Notes:

See Table 1 for property ownership map of the Little Rock Mine area.

Table 2. Plant Species Occurrence at the Little Rock Mine

Table 2. Plant Species Occurrence at the Little Rock Mine						
Scientific Name	Common Name					
Trees						
Juniperus deppeana	Alligator juniper					
Juniperus monosperma	Oneseed juniper					
Juniperus scopulorum	Rock mountain juniper					
Pinus edulis	Pinyon pine					
Pinus ponderosa	Ponderosa pine					
Querqus emeryori	Emory oak	7.30				
Quercus grisea	Gray Oak	77 27.Yz				
Shrubs						
Arctostaphylos pungens	Point-leaf manzanita					
Brickellia californica	California brickelbush					
Brickellia grandifloria	Tasselflower brickelbush					
Cercocarpus montanus	Mountain mahogany					
Eriogonum corymbosum	Buckwheat bush					
Fallugia paradoxa	Apache plume					
Gutierrezia sarothrae	Broom snakeweed					
Nolina microcarpa	Beargrass	- 300				
Opuntia engelmannii	Engelmann prickly pear					
Quercus gambelii	Gambel oak					
Rhus trilobata	Squawberry					
Grasses		* -				
Aristida divaricata	Poverty three-awn					
Aristida purpurea	Purple threeawn					
Aristida orcuttiana	Single threeawn					
Bothriochloa barbinodes	Cane bluestem					
Bouteloua curtipendula	Sideoats grama					
Bouteloua gracilis	Blue grama					
Bouteloua hirsuta	Hairy grama					
Cyperus escalantus	Nutgrass					
Eragrostis intermedia	Plains lovegrass					
Leptochloa dubia	Green sprangletop					
Muhlenbergia fragilis	Delicate muhly					
Muhlenbergia rigens	Deergrass					
Forbs						
Achilea millefolium	Western yarrow					
Artemesia carruthii	Flat sage					
Astragulas nuttallii	Nuttall's milkvetch					
Dalea albiflora	White dalea					
Erigeron neomexicanus	New Mexico fleabane					
Eriogonum pharnaceoides	Wirestem buckwheat					
Glandularia wrightii	Vervain					
Grindelia aphinactus	Curlycup gumweed					
Lotus plebeius	New Mexico bird's-foot trefoil					
Schkuhria wislizenii	Threadleaf					
Solidago wrightii	Wright's goldenrod					
Sphearalcea fendleri	Scarlet globemallow	$\overline{}$				

Table 3: Summary of Applicable Permits and Regulatory Framework for the Little Rock Mine Permit GR007RE - Permit Revision Application (June 2020)

Permit GR007RE - Permit Revision Application (June 2020)								
Environmental Media/Regulatory Framework	Permit Number	Description	Issuing Agency	Status				
Operations on land managed by BLM (43 CFR 3809)	NMMN091644	1993 MPO - approved in 1997 2013 MPO Amendment for an Expansion to Little Rock Mine with related EA/FONSI	BLM	Current 02/26/16				
New Mexico Mining Act	GR007RE	Original permit, effective 12/21/1998		Current				
Thew Mexico Milling Act	Rev 14-1	CCP and financial assurance update	MMD	Approved 03/08/16				
Groundwater New Mexico Administrative Code 20 Chapter 6, Water Quality	DP-1236	Groundwater Discharge Permit		Approved 12/27/00				
	Revised Discharge Permit Amendment	Groundwater Discharge Permit Renewal and Modification	NMED	Approved 03/08/16				
Surface Water Quality/ Federal Clean Water Act	NMR053073	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MULTI- SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY (MSGP) - Sectror G - Metal Mining (Ore Mining and Dressing) and Sector J - Mineral Mining and Dressing Authorization	EPA	NOI acknowledgement issued by the EPA on 09/27/15				
	Oil Pollution Prevention	Spill Prevention and Control and Countermeasures Plan	EPA	Current; maintained on-site				
	SPA-2009-0062- 8-ELP	Individual section 404 permit	Corps	Current; expires 12/31/20				
Hazardous Waste Management	HW EPA ID NMD035806405	Notification of status as generator of hazardous waste	EPA/NMED	Acknowledgment of notification from EPA; dated 01/21/91; no expiration date				
Air Quality	NSK2448 IVI4	Air Quality Construction Permit - Tyrone Mine	NMED	Current; no expiration date				
	P147-R7M1 I	Air Quality Construction Permit - Tyrone Mine	NMED	Current; expires 07/18/21				

Figures

ATTACHMENT 2 UPDATED CLOSURE/CLOSEOUT PLAN FOR THE LITTLE ROCK MINE





