



Copper Queen Branch/Freeport-McMoRan Corporation
36 West Highway 92
Bisbee, Arizona 85603

SENT VIA UPS NEXT DAY A559 180 498 6

February 26, 2009

Ms. Cynthia Campbell
Water Quality Compliance Section
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, Arizona 85007

Re: Mitigation Order on Consent No. P-121-07 – December 1, 2008 through February 28, 2009 Status Report

Dear Ms. Campbell,

In accordance with Section V.A. of Mitigation Order on Consent No. P-121-07, by this letter, Freeport-McMoRan Corporation, Copper Queen Branch (CQB) is submitting the fifth Status Report. It covers the period from December 1, 2008 through February 28, 2009, in accordance with ADEQ's February 12, 2008, approval of the schedule for submission of quarterly Status Reports.

Since December 1, 2008, the following measures have been taken under Section III of the MO:

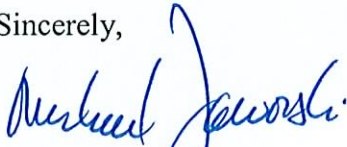
- On December 19, 2008, submitted an interim action report for four drinking water supply wells found to contain sulfate at concentrations greater than or just below 250 mg/L.
- On January 27, 2009, submitted the Groundwater Monitoring Report for the Fourth Quarter 2008 prepared by Hydro Geo Chem.
- Held a CAG meeting on January 27, 2009.
- On February 6, 2009, submitted an evaluation of monthly sulfate monitoring and trend analysis for the Schwartz well, and a recommendation to reduce the sampling frequency to quarterly.
- Completed well installation and hydraulic testing for Task 2.3 – New Monitoring Well Installation and Testing.
- Completed aquifer testing for Task 2.4 – Additional Hydraulic Testing.
- Continued work on Task 3, Sulfate Fate and Transport Evaluation.
- Initiated preparation of the Aquifer Characterization Report.

During the next quarter, the following activities will be conducted:

- Conduct a site visit with ADEQ on February 27, 2009.
- Complete first quarter 2009 groundwater monitoring.
- Submit Aquifer Characterization Report by April 30, 2009.
- Hold the next CAG meeting on May 5, 2009.
- Continue identification and screening of mitigation actions and development, and screening of mitigation alternatives as part of the feasibility study.

If you have any questions regarding this Status Report, please contact me or our project manager Stuart Brown.

Sincerely,



Michael Jaworski
Site Manager
Freeport-McMoRan Copper Queen Branch

cc: Joan Card/ADEQ
Rebecca Sawyer, Freeport
Ned Hall, Freeport
Stuart Brown/Bridgewater Group, Inc.
Jim Norris/Hydro Geo Chem, Inc.