



Janice K. Brewer  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

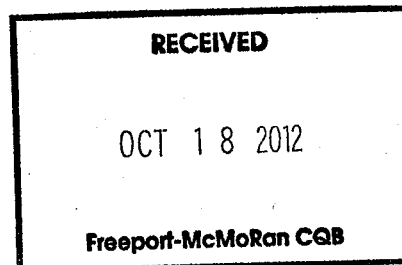
1110 West Washington Street • Phoenix, Arizona 85007  
(602) 771-2300 • [www.azdeq.gov](http://www.azdeq.gov)



Henry R. Darwin  
Director

October 10, 2012

Freeport-McMoRan  
Copper Queen Branch  
Attention: Rebecca Sawyer  
36 West Highway 92  
Bisbee, Arizona 85603



Re: Seventeenth Status Report for Mitigation Order on Consent No. P-121-07;  
Freeport-McMoRan Corporation, Copper Queen Branch August 17, 2012 response letter for travel time analysis for the sulfate plume and proposed schedule for the Feasibility Study and Mitigation Plan; and Feasibility Study and Mitigation Plan for Drinking Water Supplies Affected By Sulfate Mitigation on Consent Docket No. 121-07, prepared by Clear Creek Associates, P.L.C., dated March 28, 2012.

Dear Ms. Sawyer:

The Arizona Department of Environmental Quality (ADEQ) has reviewed the above referenced documents submitted by Freeport-McMoRan Corporation, Copper Queen Branch (CQB) and will comment on each of the documents in the following three separate sections:

Seventeenth Status Report for Mitigation Order on Consent No. P-121-07

ADEQ reviewed the measures taken and work completed as outlined in the Seventeenth Status Report for Mitigation Order on Consent No. P-121-07 and has no comments.

August 17, 2012 response letter for travel time analysis for the sulfate plume and proposed schedule for the Feasibility Study and Mitigation Plan

ADEQ is in agreement that submittal of the Mitigation Plan for the plume is dependent on the approval of the Feasibility Study (FS) for drinking water supply wells as stated in the Freeport-McMoRan Corporation, CQB August 17, 2012 letter. ADEQ understands that the FS will include the detailed analysis of plume migration that is being conducted and agrees for Freeport-McMoRan Corporation, CQB to provide the travel time calculation at the time of submittal of the FS in July 2013.

Feasibility Study and Mitigation Plan for Drinking Water Supplies Affected By Sulfate Mitigation on Consent Docket No. 121-07, prepared by Clear Creek Associates, P.L.C., dated March 28, 2012.

Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ 85701  
(520) 628-6733

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ADEQ has reviewed the above referenced report and agrees with the proposed Mitigation Plan for domestic wells impacted by the sulfate plume and Naco Water well NWC-03. In addition, ADEQ has the following comments:

1. Section 2.1 Site History provides a brief discussion on the Concentrator Tailing Storage Area, the former evaporation pond and Horseshoe Pond. The last paragraph of this section states that the sulfate plume developed primarily due to infiltration of excess mine water discharged to the former evaporation pond. ADEQ understands that the FS for the sulfate groundwater plume that is to be completed by July 2013 will discuss comments previously noted by ADEQ in the Aquifer Characterization Report (ACR) approval that seepage from significant historical tailing impoundments and other facilities are potential source areas.
2. The report in Appendix B Travel Time Analysis for Leading Edge of the Sulfate Plume provided a copy of the technical memorandum for travel time dated January 16, 2012. ADEQ understands that Freeport-McMoRan Corporation, CQB will modify the technical memorandum based upon previous comments noted by ADEQ and the meeting that took place between ADEQ and Freeport-McMoRan Corporation, CQB on August 23, 2012.

If you any questions regarding this correspondence, please do not hesitate to call me at (602) 771-2209.

Sincerely,



Mindi Cross, Manager

Water Quality Compliance Section

Cc: Stuart Brown, Freeport-McMoRan Copper & Gold  
Jim Norris, Clear Creek Associates  
Michael A. Fulton, Director, Water Quality Division, ADEQ  
Jerry Smit, Manager, Groundwater Section, ADEQ  
David Haag, Senior Hydrologist, Groundwater Section, ADEQ