



Electronic Transmission

November 12, 2025

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

RE: Comments Regarding Lampbright Investigation Unit Feasibility Study, Lampbright Investigation Unit (LIU), Chino AOC

Dear Sherry Burt-Kested:

The Ground Water Quality Bureau (GWQB) of the New Mexico Environment Department (NMED) received the Lampbright Investigation Unit (LIU) Feasibility Study on August 8, 2025, from Freeport-McMoRan Chino Mines Company (Chino). NMED has reviewed the Feasibility Study and did not receive any additional comments from stakeholders. The following comments are provided to Chino for their incorporation into the Final LIU Feasibility Study. Please make the appropriate changes and edits and re-submit for final NMED review and approval by management.

NMED GWQB Comments:

Specific Comments:

1. P.2. (Sec 1.1). The letter referenced in the first footnote as NMED (2010) is misleading and mischaracterized. First, the reference should be changed to accurately refer to the letter from NMED dated 9/13/2010, that discusses the conditions of approval to the LIU FS Work Plan. Second, the NMED (2010) reference does not explicitly say what is discussed in the footnote. That information is provided in Section 2.2 of the final RI Work Plan from 2011. Please update the reference section and add the reference to the RI Work Plan to the footnote. Both the letter and the RI Work Plan should be referenced.
2. Figure 2-1, referenced on Page 11. The figure is missing the "2" in the figure name.
3. P.11. (Sec 2.1). Please change 'Avian' in the first bullet to 'Terrestrial Wildlife' to more accurately describe the receptors evaluated in the ERA.
4. P.11. (Sec 2.1). In the second sentence of the last full paragraph in Section 2.1, please add '(samples R-1 through R-4 as shown in Figure 2-2) after '...were used as reference soils' to make it clear which samples are being discussed.
5. P.12. (Sec 2.1.1). Delete the first two sentences of the 2nd paragraph of the LIU ERA findings. The sitewide abatement had no bearing on the conclusions of the ERA other than

for those sampling locations that were outside of the AOC boundaries. See Comment #11 for further discussion of this point in Section 2.2.

6. P.14. (Sec 2.1.1). Please change the first sentence of the first full paragraph from 'due to the...' to 'likely due to the...'.
7. P.14. (Sec 2.2.1). The second sentence in the first full paragraph indicates that there was a discussion of the dispersal distances of the CLF from Ash and Bolton Springs in the LIU ERA. NMED is unable to find such a discussion in the LIU ERA. Please confirm or edit the text to accurately show the discussions regarding the CLF in the LIU ERA.
8. P.14. (Sec 2.2.1). In the second to the last paragraph, the text indicates that the CLF survey confirmed the absence of CLF populations. The CLF survey supports the suspected absence, but additional data would be required to fully confirm the absence of CLF populations within dispersal distances of the LIU. Please modify the text for clarity.
9. P.22. (Sec 2.2). The second paragraph indicates that sediment sample location TS210 was photographed on November 1, 2024. It's not clear if that photograph is included in the document. Please add a reference to the photo or add the photo and reference if it is not included in this version of the document.
10. P.22. (Sec 2.2). In the third paragraph, please change 'might have' to 'is expected to have'.
11. P.23. (Sec 2.2). In the last paragraph, the sentence discussing sitewide abatement is awkwardly worded. Please update it to 'In general, no unacceptable risk to aquatic or wildlife populations were identified in the LIU ERA. Those conclusions are further supported based on the knowledge that the sitewide abatement and monitoring program (which covers Tributary 1 sediment exceedances) is fully in place and enforceable.'
12. P.27. (Sec 3.2). Please define RAO since this is the first reference to it in the document.
13. P.27. (Sec 3.2). In the third bullet, please change the second sentence to 'Where needed, RAOs should continue...'.
14. P 27. (Sec 3.2). In the last bullet, please add 'or maintain' after 'restore'.
15. P.44. (Sec 5.5.1). In the first full paragraph on the page, at the end of the second sentence, please add 'and selection of the No Action alternative would require that the sitewide abatement process is completed and enforceable under New Mexico regulations.'
16. P.44. (Sec 5.5.2). Please add 'and additional monitoring under this alternative could be used to provide expanded monitoring data under the sitewide abatement program.' to the last sentence of the first paragraph.
17. P.44. (Sec 5.5.2). Please change the sixth sentence from 'The additional monitoring is not needed' to 'The additional monitoring may not be needed'.
18. P45. (Sec 5.5.2). Please change the second to the last sentence to 'Therefore, monitoring could be conducted to provide more data to the ongoing sitewide abatement monitoring program, however, such monitoring may be duplicative with ongoing monitoring from the sitewide abatement program.'
19. P.45. (Sec 5.5.2). Please add 'Without additional monitoring under the AOC,' to the beginning of the last sentence.
20. P.45. (Sec 5.5.3). Please change the first sentence to 'The No Action alternative is recommended'.

Sherry Burt-Kested, Freeport-McMoRan Chino Mines Company
Comments for LIU Feasibility Study
November 12, 2025

If you have any questions, please contact me at (505) 372-8545.

Sincerely,

David W Mercer

David W. Mercer, Chino AOC Project Manager
Mining Environmental Compliance Section
Ground Water Quality Bureau

DM

cc: Erica Almance, USEPA (via email)
Joseph Fox, NMED (via email)
Mike Boulay, NMED (via email)
Davena Crosley, NMED SWQB (via email)
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