



Douglas A. Ducey  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera  
Director

*Sent via US Mail*

December 17, 2015  
VRP 16-148

Mr. Chad Fretz  
Freeport-McMoRan Inc. - Sierrita Operations  
Post Office Box 527  
Green Valley, Arizona 85622-0527

**RE: Review of Revised Former CLEAR Plant Area Paving Project Soil Removal and Confirmation Sampling Report**  
Freeport-McMoRan Inc. Sierrita Operations  
Green Valley, Arizona  
VRP Site Code: 100073-03

Dear Mr. Fretz:

The Arizona Department of Environmental Quality (ADEQ) Voluntary Remediation Program (VRP) has completed review of the document titled *Revised Former CLEAR Plant Area Paving Project Soil Removal and Confirmation Sampling Report* (the Report) dated December 3, 2015. Freeport-McMoRan Inc. Sierrita Operations (FMI) completed the work documented in the Report pursuant to the *Revised Work Plan for Paving Project in Former CLEAR Plant Area*, approved by the VRP on May 22, 2015. In addition, the Report includes revisions requested by the VRP after the VRP completed an initial review of the Report in September 2015.

The VRP concurs with the assertions made in the Report. FMI may now proceed with preparing and submitting a No Further Action (NFA) Report for the "paving project" areas identified in the Report, pursuant to the requirements of Arizona Revised Statute (A.R.S.) § 49-181.

### **How to Proceed**

The following information must be included in the NFA Report:

1. A summary that adequately addresses the seven requirements listed in A.R.S. § 49-181(A). All seven requirements must be addressed in writing. If a component is not applicable to the site, please state "not applicable" for that statutory requirement.
2. A general site location map.
3. A scaled map of the NFA boundary area (clearly defined and labeled).
4. A digital NFA boundary map. Instructions for preparing the digital submittal are located on the ADEQ VRP website.
5. A table of the compounds of concern for which the NFA is sought. Only constituents for which an SRL exists and characterization has been completed may be included.

6. A draft NFA Public Notice and the name of the newspaper where the notice will be published.

Upon receipt of the NFA Report:

- The VRP will review the NFA Report pursuant to A.R.S 49-181(B).
- The VRP will review the draft NFA Public Notice and will either provide comment or approval for publication.
- Once the draft NFA Public Notice has been approved by the VRP, it must appear for at least one day in a daily local newspaper of general circulation, or for two days in weekly newspaper of general circulation. The public will have 30 days to provide written comments to FMI and/or ADEQ. The VRP must be notified of the day(s) of publication, and must be provided with an Affidavit of Publication.
- Upon completion of the 30-day public comment period, the Volunteer must provide the VRP with a *Public Comment Notification Letter* and the original, wet copy of a signed *Certification for No Further Action Form* (located on the ADEQ VRP website). The certification form must be signed by the Volunteer of Record (either Mr. Chad Fretz or Mr. Stuart Brown).
- Once all of the required documentation is received by the VRP, the documents will be reviewed and if no modifications are required, the VRP will issue an NFA for soil.

### **How to Submit**

The VRP site name (Freeport Sierrita Inc.) and site code (100073-03) should be used consistently on all correspondence and reports relating to this site to ensure accuracy of file identification. With regards to the above-referenced documentation, please submit to:

Arizona Department of Environmental Quality  
Remedial Projects Section, Voluntary Remediation Program  
Attn: Ms. Joey Pace, Project Manager  
1110 West Washington Street, Mailcode 4415B-1  
Phoenix, AZ 85007

If you have any questions, please do not hesitate to contact me by electronic mail at [jp8@azdeq.gov](mailto:jp8@azdeq.gov) or by telephone at (602) 771-4818.

Regards,



Joey Pace, Project Manager  
Voluntary Remediation Program

cc: Stuart Brown, FMI – *sent via email*  
Deborah Chismar, FMI – *sent via email*  
Diana Kelts, FMI – *sent via email*  
Katy Brantingham, ARCADIS – *sent via email*