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Environment Department Reaches \$276,000 Settlement with Freeport-McMoRan Chino Mines Co. Regarding Acid Spill that Contaminated Groundwater in Silver City

(Santa Fe, NM) The New Mexico Environment Department reached a \$276,000 settlement with Freeport-McMoRan Chino Mines Co. for a spill of acidic mine waters that contaminated groundwater in 2007 at the company's Chino copper mine in Silver City.

The spill involved one million gallons of acidic mine waters that overflowed a containment sump into a storm water diversion channel and traveled more than two and a half miles down a surface water tributary near the mine in the summer 2007.

"Freeport should have been more cautious in monitoring its leaching operations to protect groundwater from such a large spill," said New Mexico Environment Department Water and Waste Management Division Director Marcy Leavitt. "The company violated groundwater quality regulations by failing to be more vigilant in ensuring its operations were safe. However, Chino did take immediate action to clean up contamination once the spill was discovered."

The company violated the Water Quality Act and Water Quality Control Commission Regulations because of the spill at the Mine's Lampbright Leach System. The system's operations include discharges of up to 26,000 gallons a day of an acidic solution called raffinate that is discharged onto leach ore stockpiles. That acid is used to leach copper.

The company's four violations, which occurred between Aug. 8 and Sept. 27, 2007, included allowing the acidic mine waters to move into groundwater without a discharge permit; failing to report that spill on time; degrading groundwater quality with that discharge by allowing the spill to flow into a clean storm water diversion ditch; and failing to lessen impacts from that contamination on time. The Chino Mine lies on 9,000 acres of land about 10 miles west of Silver City in Grant County.

The company, which said it discovered the spill Oct. 23, 2007, reported the incident to the department the next day. Chino removed 16,000 cubic yards of impacted sediment from a contaminated channel to reduce

contamination from the spill and installed three monitoring wells to detect contamination in the aquifer. Groundwater at the site lies between five and 30 feet below ground.

The settlement and final order, which includes the penalty payment, resolves the company's alleged violations. Chino must also submit within 60 days of receiving the order a corrective action proposal to prevent future unauthorized discharges at Lampbright. The company is also required to train its staff to prevent future spills and ensure the proper implementation of the contingency plan.

For more information, call Marissa Stone at (505) 827-0314.

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