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RYAN FLYNN
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February 4, 2015

CERTIFIED MAIL NO. 7013 0600 0001 7377 6938
No Return Receipt Required

Frederick Ennin
Air Quality Engineer
Freeport-McMoRan Chino Mines Co
PO Box 10
Bayard, NM 88023

Re: Air Quality Permit Application No. 0298-M7 (IDEA ID No. 526 - PRN20140004)

Dear Mr. Ennin:

This letter is in response to your air quality permit application dated December 29, 2014 to modify the Chino Mine near Vanadium, New Mexico. The application was received by the Department on January 7, 2015. This letter addresses the Completeness Determination, Public Notice and Comment, and Invoice for Permit Fee and is intended for use by the applicant, interested individuals and groups, and the appropriate NMED Field Office.

Completeness Determination

A preliminary review has been completed and the information provided is sufficient to complete an evaluation of your permit application. Therefore, your application was ruled administratively complete on February 4, 2015. Under the requirements of 20.2.72 NMAC, the Department anticipates issuing or denying this permit on or before May 5, 2015.

Public Notice and Comment

The Department will publish a public notice that will be sent to the NMED district or field office nearest the source (see enclosed). It describes the proposed facility, a summary of estimated emissions and ambient impact, the Department's preliminary intent to issue the permit, and the provisions for public comment.

The Department's analysis includes the Statement of Basis and is prepared as part of the technical review of the permit application. All interested persons have thirty (30) days from the date the public notice is published to notify the Department in writing of their interest in the permit application. The Department will notify all such persons of when and where the Department's analysis may be reviewed. Interested persons may review the Department's analysis for thirty (30) days after it becomes available at the NMED district or field office nearest the source. Written comments on the analysis or permit application and requests for a public hearing may be submitted to the Department during this second thirty (30) day period or any time before the permit is issued or denied.

The Department will hold a public hearing if the Secretary determines there is significant public interest in the permit application. The Department will also determine the time, date, and place of the hearing and shall notify the applicant and the public. At the hearing, all interested persons shall be given a reasonable chance to submit data, views or arguments orally or in writing, and to examine witnesses testifying at the hearing.

After the permit is issued or denied, the Department will mail written notice of the action taken on a permit application to all persons who submitted written comments or evidence on the application.

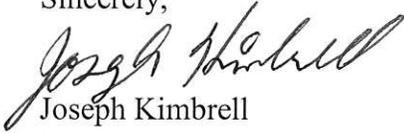
Invoice for Permit Fee

In accordance with 20.2.75 NMAC, this letter includes an invoice for the required permit fee in the amount of \$11,350.00. This fee is due within thirty (30) days of the date ruled administratively complete. 20.2.75 NMAC states that the Department shall deny any permit application or request for permit revision if the required permit fee has not been paid. This fee is not refundable. An enforcement/compliance fee will also be assessed annually. All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the New Mexico Environment Department, and shall be accompanied by the enclosed remittance slip. Fees shall be submitted to NM Environment Department, AQB at the address shown on the invoice.

20.2.72.200.E NMAC states: "for all sources subject to this regulation applications for permits shall be filed prior to the commencement of construction, modification, or installation. Regardless of the anticipated commencement date, no construction, modification, or installation shall begin prior to issuance of the permit."

If you have any questions please contact me in Santa Fe at 505-476-4347.

Sincerely,



Joseph Kimbrell
Permit Section
Air Quality Bureau

cc: Adam Erenstein, Trinity Consultants, aerenstein@trinityconsultants.com
Silver City NMED District/Field Office
20.2.72.206 NMAC, Section A(4) List (public notice only)
Public Notice only to EPA Region 6 via email to r6airpermits@epa.gov

Enclosures:

Public Notice – Attachment A
Permit fee invoice (applicant only)
Compact Disk (CD) Copy of Application (NMED district or field office)
NMED District or Field Office Request (NMED district or field office) – Attachment B

LEGAL NOTICE
and
Preliminary Determination for an Air Quality Permit for

Freeport-McMoRan Chino Mines Co

Freeport-McMoRan Chino Mines Co, PO Box 10, Bayard, NM has submitted an air quality permit application to the Air Quality Bureau (AQB), New Mexico Environment Department (NMED) for an air quality permit to modify Chino Mine. The application file has been assigned Permit No. 0298M7 and TEMPO Agency Interest ID No. 526. The exact location of the facility is at latitude 32 degrees, 48 minutes, 2.2 seconds and longitude -108 degrees, 3 minutes, 12.3 seconds. To aid in locating this facility, the approximate location is adjacent to the town of Hurley in Grant County, New Mexico.

The proposed modification will consist of resumption of operation at the Cobre mine portion of the facility and will include construction of a new haul road.

Total air pollutant emissions to the atmosphere are estimated to be approximately Nitrogen Oxides (NO_x) at 253.5 tons per year (tpy)(193.8 from Non-Fugitive Sources (NFS) (decrease of 91.7)); Carbon Monoxide (CO) at 1444.6 tpy (97.4 from NFS) (increase of 142.9); Volatile Organic Compounds (VOC) at 18.0 tpy (16.3 from NFS) (-0.9); Sulfur Dioxide (SO₂) at 3.8 tpy (3.7 from NFS) (-51.9); Total Suspended Particulate Matter (TSP) at 10,185 tpy (34.1 from NFS) (increase of 197.7), Particulate Matter 10 microns or less (PM₁₀) at 2,593.2 tpy (31.5 from NFS) (increase of 511.2), and Particulate Matter 2.5 microns or less (PM_{2.5}) at 284.9 tpy (24.2 from NFS) (increase of 50.1). The facility is a major, > 75,000 tpy CO₂e, source of green house gas emissions. These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and applicant's dispersion modeling analysis indicates that the facility's air emissions will meet the ambient air quality standards for NO_x, CO, SO₂, TSP, and PM₁₀. A full review will evaluate the estimated emission rates and the air quality dispersion modeling analysis to determine compliance with ambient air standards.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 3, 7, 22, 61, 72, and 73; 40 CFR 50; 40 CFR 60 Subparts Dc, GG, and LL; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before October 23, 2011. This source is a minor source according to 20.2.74 NMAC, PSD.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions and conditions that will require record keeping and reporting to the Department.

The permit application is available for review in electronic or hard copy at the Air Quality Bureau Office, 525 Camino de los Marquez Suite 1, Santa Fe, New Mexico. To arrange viewing of this application contact Teri Waldron, at 505-476-4355 or teri.waldron@state.nm.us. The permit application is also available at the NMED Silver City Office, located at 3082 32nd Street By-Pass Rd, Suite D, Silver City, NM 8806 for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, facility name and Permit No. (or send a copy of this notice along with your comments).

Attachment A – Public Notice

The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Joseph Kimbrell, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816.

The Department will notify all persons, who have provided written comments as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing before the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment before the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Joseph Kimbrell at 505-476-4347. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.

Attachment B –Field Office Request

District or Field Office Request

- The permit application available in Tempo and on the enclosed electronic disk and the attached Legal Notice are being sent to your office in accordance with 20.2.72.206 NMAC - Public Notice and Participation, which states: "the Department shall make available for public inspection the permit application, the Department's analysis, and the Department's preliminary determination. This material shall be available both at the Department's central office and the district or field office nearest to the proposed source." The Legal Notice contains the Department's preliminary determination.
- Please make these records available to public for a period one (1) year unless otherwise requested by the Air Quality Bureau.