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Freeport-McMoRan Sierrita Inc. to Pay \$105,000 For Air Quality Violations in Pima County

PHOENIX (March 31, 2009) – The Arizona Department of Environmental Quality and Arizona Attorney General’s Office announced today that Freeport-McMoRan Sierrita Inc. will pay \$105,000 to the state under a consent judgment with ADEQ for air quality violations in Pima County.

In August and September 2006, many residents in the Green Valley area complained to ADEQ and the Pima (County) Department of Environmental Quality about excessive amounts of visible dust emissions released from the tailings impoundment at the Sierrita facility, a violation of the company’s permit. During their investigation, ADEQ inspectors also discovered that the company had observed previous dust emissions, but failed to document the cause or note potential improvements.

ADEQ issued two Notices of Violation (NOVs) in 2006 to the company for excessive dust emissions on five occasions and record-keeping violations at the Sierrita facility. The settlement also resolves two dust violations that occurred in August and October of 2008.

The \$105,000 includes a \$45,000 penalty for violations of the company’s air quality permit and \$60,000 to fund a Supplemental Environmental Project that will help purchase a full-size, diesel-electric hybrid school bus for the Sahuarita Unified School District.

“Freeport-McMoRan Sierrita’s failure to comply with its permit put the citizens of Green Valley at risk,” said ADEQ Acting Director Patrick J. Cunningham. “The company must operate its facility in accordance with the law and ensure that its tailings do not become airborne and present a risk for citizens who live near this facility. These were serious violations.”

“The Attorney General’s Office and ADEQ are committed to protecting Arizonans from the health problems and degradation of our quality of life that results when our state’s environmental statutes are violated,” Attorney General Terry Goddard said. “We encourage all business owners to promote the health of their communities by upholding these standards and will take vigorous enforcement action when they are violated.”

The consent judgment is subject to court approval.

In addition to the civil penalty, Freeport-McMoRan Sierrita Inc. advised ADEQ that it spent more than \$170,000 to clean, or reimburse home owners for cleaning, more than 600 homes immediately after the dust events occurred in 2006.

Sierrita
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Freeport-McMoRan Sierrita Inc. is an open pit metals mine and concentrator that also handles molybdenum byproducts. The facility is located about 20 miles southwest of Tucson near Green Valley.

ADEQ's high wind forecast for the Green Valley area is posted at <http://www.azdeq.gov> . The forecast allows residents to see potential high wind events and risks for particulate matter.