**PURPOSE**

This document provides guidelines for Freeport-McMoRan Morenci Inc. (FMMI) employees in the event of potential excess air emissions.

**WHAT ARE EXCESS AIR EMISSIONS AND HOW SHOULD THEY BE REPORTED?**

Excess air emissions are exceedences of emission limits, opacity standards, or other air quality permit conditions listed in the Freeport-McMoRan Morenci Inc. Title V Air Quality Permit.

Operations are responsible for notifying Morenci Management and the Environmental Services Department of any suspected excess air emission limits, opacity standards, or other air quality permit conditions listed in the FMMI Title V Air Quality Permit.

The Environmental Services Department will evaluate the potential excess air emissions and report excess emissions to Arizona Department of Environmental Quality (ADEQ) following review of the incident with Morenci management and the Freeport-McMoRan Copper & Gold Corporate Legal Department.

**BACKGROUND**

Arizona Administrative Code (AAC) R18-2-702, 702.B.3 and 702.B.4 and the specific conditions of FMMI’s Title V operating permit limits the amount of emissions allowed based on the approved emission opacity range for a given source. Some general opacity limits include 20% for point sources and 40% for non-point sources; however other limits or restrictions may exist depending on the equipment. Visual opacity is determined by conducting an EPA Reference Method 9 Visual Emission Observation (VEO) and requires observers to be certified. A point source, for the purposes of R18-2-702, means a source of air contaminants that has an identifiable plume and includes, but is not limited to, screening and crushing operations, conveyor transfer and stacker discharge points and stack emissions. A non-point source, for the purposes of R18-2-702, means a source of air contaminants that do not have an identifiable plume and includes, but is not limited to; fugitive sources (such as haul roads), heavy equipment operation, drills, shovels, stockpiles and tailings impoundments. FMMI’s Title V permit requires the facility to report all excess emissions, including opacity, in the time frame specified by Federal and State regulations and Morenci’s current operating permit.

All violations of Arizona air quality statutes, permits, and other compliance requirements may be prosecuted as criminal offenses against businesses, managers, officers, and others. Many such violations could be felonies if they are knowingly and willfully committed.

An emission source that exceeds an emission limit or opacity standard can obtain an affirmative defense to criminal prosecution by:

1) Verbally reporting the exceedences to ADEQ within 24-hours of discovering it; and

2) Following up with written notification within 72-hours after giving the initial telephone notice.

These defenses do not protect against prosecution for civil penalties, however, the air permit regulations do treat certain excess emissions incidents as non-violations for civil purposes if the source notifies ADEQ and takes certain follow-up steps.

**RESPONSIBILITIES**

| **Individual** | **Responsibility** |
| --- | --- |
| General Manager | * Overall air quality compliance for the Administration, Processing and Mine Divisions
* Supporting appropriate actions necessary to maintain compliance
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| Division Manager | * Overall air quality compliance for each Division
* Supporting appropriate actions necessary to maintain compliance
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| Superintendent | * Supporting appropriate actions necessary to maintain compliance
* Holding supervisors accountable for taking appropriate actions that are necessary to maintain compliance
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| Supervisor | * Recognizing & responding immediately to dust or excess emission concerns. Taking appropriate actions to maintain air quality compliance at all times, and contacting Environmental Services Department when excess emissions are suspected. The information provided to the Environmental Services Department shall include location and time of the suspected excess emissions as well as a summary of the corrective action taken and the time of implementation
* Participating and ensuring that incident analysis’ are performed when required
* Holding operators accountable for following this BMP.
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| Operators | * Following the BMP at all times
* Monitoring all dust control equipment on a daily basis to ensure FMMI is operating within permit parameters
* Responsible for notifying Supervisors of air quality concerns
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| Environmental Services | * Performing required Method 9 visible emission opacity readings
* Reporting any excess emission events to the Arizona Department of Environmental Quality
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**EMPLOYEE TRAINING**

All personnel shall receive training or at the least have access to this BMP when dealing with excess emissions on Morenci property. Training will be provided by Supervisors and/or Team Environmental Representative.

**QUESTIONS OR NEED HELP? CONTACT:**

**Your Division Representatives/Environmental Rep**

**Enviro Service Office: 865-6000**