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July 30, 2012

Mr. James S.H. Sher, P.E.
Texas Commission on Environmental Quality
12100 Park 35 Circle, Bldg. C
Austin, Texas 78753

Re: Texas Custodial Trust
Former ASARCO Smelter Site, El Paso, Texas
Category II Placement Plan

Dear Mr. Sher:

Category II materials have temporarily been stockpiled on the smelter site pad at the former ASARCO Smelter Site, in El Paso, Texas. The Texas Commission on Environmental Quality (TCEQ) has requested Malcolm Pirnie, Inc. (MP) develop a placement plan for these materials. This letter summarizes the locations and estimated volumes of Category II materials generated to date from remediation activities. This letter further describes the plan that will be used for placement of Category II materials. MP requests written approval of this placement plan by TCEQ prior to proceeding with the placement plan.

CATEGORY II MATERIALS

Category II materials have been excavated from Parker Brothers Arroyo (PBA) to accommodate the construction of the Category I – Cell 4 landfill and future site drainage. Additional Category II materials, including crushed concrete, have been stockpiled separately during demolition of various smelter facilities. The current location of these materials is shown in Figure 1. Figure 1 includes estimated excess volumes at each location that need to be placed. The total volume of excess stockpiled Category II materials is approximately 146,000 cubic yards (cy).

PLACEMENT APPROACH

MP has reviewed the site and initially selected five surface areas and three basements to receive Category II materials. The areas and estimated volumes are shown in Figure 2. The total volume available in these areas for fill is approximately 149,000cy. Additional



fill locations were identified during the review, but were not considered to be appropriate locations for Category II material at this time.

Not all areas proposed for the placement of Category II materials are currently ready to accept these materials. Several general challenges need to be resolved prior to placement of Category II fill in these areas.

Site data has been previously collected to characterize the site. This placement plan has selected several areas for Category II fill over areas based on initial characterization. Additional evaluation and data collection is on-going to verify the initial characterization. Completion of the characterization and implementation of remediation work, if necessary, will be completed prior to placement of Category II material.

Significant portions of the site facilities have been demolished, but several facilities remain in place, require additional demolition, or completion of on-going work. Allowance for future areas to drop the smokestacks has been considered in this plan. Concrete basement floors that currently remain intact will need to be rubblized in place prior to backfill. Assets recovered during demolition remain stored onsite and need to be scheduled for removal.

Existing and final geotechnical conditions for future land use have been initially identified for further evaluation. The placement of Category II materials over rubblized in place basement floors and existing intact asphalt will be coordinated with future land use concepts as they are further developed. The blending and or placement of crushed concrete with other Category II materials will be coordinated with future land use concepts.

A conceptual final site grading plan has been considered in this placement plan. The placement of Category II materials will be coordinated with the final site grading plan as the plan is further developed.

PLACEMENT PLAN

Category II materials will be placed as follows:

1. Basements: Three basements have been identified for backfill with Category II material. Upon completion of rubblizing the concrete basement floors, Category II material can be placed in these basements per the site backfill specification (attached). The unloading and warehouse basements will be available to fill upon approval of this plan. Backfill of the Contop basement will be scheduled once the asset recovery portion of the project is complete.



2. The locations of Stockpile 1 and 2 are within portions of Areas 1 and 2 that are currently available for fill. Stockpile 1 and 2 will be regraded and redistributed based on the site backfill specification as the remaining portions of Areas 1 and 2 become available.
3. Area 3 is currently available to fill. Area 3 will be filled as necessary to complete the overall sequencing of site demolition and asset recovery.
4. Areas 4 and 5 will be filled once the environmental sampling activities described above are complete.

We trust the information presented in this letter is sufficient to facilitate your review and approval of these activities. Please let us know if you need additional information or have any questions.

Very truly yours,

MALCOLM PIRNIE, INC.

A handwritten signature in blue ink that reads "Scott M. Brown".

Scott M. Brown, P.E.
Vice President

cc:

Roberto Puga (Project Navigator)
Lorinda Gardner (TCEQ Region 6)
Seth Matters
Alicia Fogg
Gaston Leone

Attachments:

Figure 1 – Category II Material
Figure 2 – Category II Material Placement
Site grading Plan – Backfill Specifications