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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 21, 2014

Mr. Roberto Puga, P.G.
Trustee, Texas Custodial Trust
Project Navigator, Ltd.
One Pointe Drive, Suite 320
Brea, CA 92821

Re: *Comments to Response to Comments to the Supplemental Remedial Investigation Report dated November 2013*, dated May 1, 2014
Former ASARCO Smelter site, El Paso, Texas
TCEQ SWR No. 31235; EPA ID No. TXD990757668; Customer No. CN603597782;
Regulated Entity No. RN100219021

Dear Mr. Puga:

The Texas Commission on Environmental Quality (TCEQ) and the US Environmental Protection Agency (USEPA) have reviewed the above referenced document submitted by Malcolm Pirnie on behalf of the Texas Custodial Trust in response to a letter issued by the TCEQ and USEPA dated March 11, 2014. The March 11, 2014 TCEQ/USEPA letter was issued in response to review of the *Supplemental Remedial Investigation (RI) Report*, dated November 12, 2013 for the former ASARCO Smelter site in El Paso. The May 1, 2014 document proposes to incorporate the responses into a *Revised Supplemental RI Report*. Based on our review, the response is acceptable as modified by the following:

- *Response to EPA Comment 1: Although information presenting the results of the additional PCB delineation work is provided, the response does not indicate if this information will be incorporated into the Revised Supplemental RI Report nor mention what will be done with the PCB investigative information in order to support proper closure/remediation of the areas.*

Please provide an original and one copy of the *Revised Supplemental RI Report* to the TCEQ Remediation Division at the letterhead address using mail code number MC-127 within sixty (60) days from the date of this letter.

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Additional copies should be submitted to the TCEQ Region 6 Office in El Paso and EPA Region VI Office in Dallas. Please call me at (512) 239-6542 if you need additional information or wish to discuss these comments or the due date. Thank you for your cooperation in this matter.

Sincerely,



Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division

ETW/mdh

cc: Mr. Scott M. Brown, P.E., Project Manager, Malcolm Pirnie, Inc., 410 N. 44th Street, Suite 1000, Phoenix, AZ 85008

Mr. Charles Fisher, Superfund Division, U.S. EPA Region 6, Mail Code 6SF-RA, 1445 Ross Ave, Dallas, TX 75202

Ms. Lorinda Gardner, Region Director, TCEQ Region 6 Office, El Paso