



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

25 March 2013

Ana Maria Contreras Vigil
Mexico Co-Chair, Joint Advisory Committee (JAC/CCC)
SEMARNAT

Dear Ana Maria,

Respecting Annex 5 of the La Paz Agreement, and the "One Basin Resolution" of the Joint Advisory Committee (JAC/CCC), I am writing to advise you that two smoke stacks at the ASARCO facility in El Paso, Texas will be demolished soon via a controlled implosion. This action will bring down the two stacks within a defined exclusion zone in a matter of seconds. The event is scheduled for Saturday, April 13, 2013. Similar procedures have been used successfully to bring down smelter stacks throughout the United States safely. This action is being carried out by the contractor for the Trustee managing the ASARCO bankruptcy and facility closure. Primary oversight is being provided by the state of Texas environmental agency, the Texas Commission for Environmental Quality (TCEQ). The U.S. Environmental Protection Agency (EPA) is also reviewing the demolition plans. No special environmental permits or licenses are required by state or federal laws.

In brief summary, the contractor has removed asbestos containing materials and analyzed samples of the brick and steel within the stacks for metal and organic pollutants. No elevated levels of contaminants were detected, and debris from the demolition will be handled as non-hazardous waste. Procedures include preparation of the ground and berms in the fall zone and use of water canons to minimize dust and to restrict it to the exclusion zone. The site contractor has performed air modeling to predict the impact of dust and contaminant dispersion. Air monitors will be established around the perimeter. If all goes as planned, we do not expect any harmful impact to Mexico.

In order to assist in more fully understanding the action that will be taken and its potential impacts, the site contractor and local El Paso emergency planning officials have been coordinating with local Mexican officials and sharing workplans with them. However, the EPA believes that there are several annexes to the La Paz Agreement for environmental cooperation between the United States and Mexico that must be honored through additional communication at the federal level. Specifically, to honor provisions of Annex 1 (water quality), we are working through the International Boundary and Water Commission to ensure that it's Mexican chapter, CILA is advised of potential impacts to water and groundwater and any seismic activity that might impact infrastructure. To honor Annex 2 (joint emergency response planning), the U.S. Chair to the Joint Response Team (JRT), Dana Tulis, is sharing information with her Mexican counterpart, Enrique Ortiz. And finally, to honor Annex 5 (Air Quality), as co-chair of the

Joint Advisory Committee (JAC) established by the La Paz Agreement, I will be sharing information with you as SEMARNAT's co-chair to the JAC and to the Air Work Group/Policy Forum.

As the demolition will be performed by a contractor working for the bankruptcy trustee, under the lead oversight of the TCEQ, the EPA is mostly focused on reviewing materials being prepared by the contractor, Project Navigator. Those materials are being posted by the contractor to a website to help inform the public which can be viewed at this URL: http://www.recastingthesmelter.com/?page_id=86 . In addition, EPA managers working with Mexico through the Border 2020 Program and La Paz Agreement, are providing their counterparts in SEMARNAT with electronic copies of the Demolition Workplan as it is revised. The latest version of the Demolition Workplan also includes an appendix with the air dispersion modeling results, and I will continue to share these electronically as they become available.

Please feel free to contact me if there is additional information that we might be able to provide to you.

Sincerely



Bill Luthans, U.S. Co-Chair
Joint Advisory Committee

cc: Sue Stendebach, U.S. Co-Chair to the Air Policy Forum
Victor Valenzuela, Executive Liaison to the JAC
Steve Niemeyer, TCEQ Border Program Manager