

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 21, 2016

Ms. Mary W. Koks  
Munsch Hardt Kopf & Harr, PC  
700 Milam Street, Suite 2700  
Houston, TX 77002-2806

Re: TCEQ approval of the Sale of the Former ASARCO Plant Site located in El Paso, Texas

Dear Mary:

On behalf of the Executive Director of the Texas Commission on Environmental Quality, I approve the sale of the former ASARCO property to the University of Texas. As we have previously discussed with the ASARCO Trustee, it is very important to the agency that the purchaser of this property be an entity or individual who can be a longtime steward of the property with appropriate knowledge and resources to address the continuing environmental obligations that remain at the site. We think the University of Texas fits these qualifications very well.

Many thanks to both you and Roberto Puga of Project Navigator for all the work y'all have done to get us to this point in the process. If you have any questions, please don't hesitate to contact me at 512/239-0665.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Sweeney".

Caroline M. Sweeney  
Deputy Director  
Office of Legal Services

cc: Jay Przyborski, Assistant Regional Counsel, EPA Region 6  
Roberto Puga, Project Navigator