

APPENDIX 5*

LANDOWNER CONCURRENCE (INCLUDED ON THUMB DRIVE)



Appendix 5 - Landowner Concurrence

Response Action Plan – August 2016

Former ASARCO Smelter Site, El Paso, Texas

Appendix 5 summarizes how adjacent property owners and other stakeholders have been made aware of Site conditions, construction activities and the proposed remedy to be implemented at the former ASARCO Smelter. Table 5-1 lists the adjacent land owners for each main Site area and entities or stakeholders that have been contacted and the method of contact used to provide information about the Site. Several public meetings have been held at the City of El Paso library to discuss the project during its various phases. A website, recastingthesmelter.com, has also been available to the public since the Trustee began managing the site. Important site characterization information, regulatory documents, designs and approval letters are provided on the website for public review. In addition, each entity or stakeholder has been in contact with Texas Custodial Trust (TCT) representatives via telephone calls, conference calls, meetings and/or door to door outreach as shown in Table 5-1.

TCT will send letter notifications with the preliminary draft institutional controls (ICs) to key personnel at TxDOT, UPRR, BNSF, and IBWC regarding the requirement to place ICs on their parcels. Upon confirmation of receipt we will work with each adjacent land owner to finalize the IC for subsequent recordation at El Paso County.

Table 5-1

Summary of Notifications Made By Texas Custodial Trust to Adjacent Landowners and Stakeholders

Site Area	Entity or Stakeholder	Type
East Mountain and East Property	Business Park to North of East Property	(1)
	Terrace Hill and other Apartments (residents) to East	(1)
	University of Texas at El Paso	(2)
	Texas Department of Transportation (TxDOT)	(2)
	City of El Paso	(2)
	El Paso Electric Co.	(2)
	Texas Gas Co.	(2)
La Calavera, Fines Pile, Ephemeral Pond and Triangle Areas	City of El Paso	(2)
	TxDOT	(2)
	Union Pacific Railroad	(2)
	Catholic Diocese Cemetary	(1)
	Business Owner adjacent to cemetary	(1)
	La Calavera Residents (residents)	(1)
	El Paso Electric Co.	(2)
	Texas Gas Co.	(2)
	Kinder Morgan	(2)
El Paso Water Utility	(2)	
Plant Site	Union Pacific Railroad	(2)
	Burlington Northern and Santa Fe Railway	(2)
	El Paso Electric Co.	(2)
	El Paso Water Utility	(2)
Smelter Town	International Boundry Water Commission (American Canal)	(2)
	Texas Department of Transportation	(2)

(1) Public Meetings, Recastingthesmelter.com, telephone or door to door contact.

(2) Meetings, Recastingthesmelter.com, conference calls.