

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 7, 2013

Mr. Roberto Puga, R.G.
Texas Custodial Trustee
Project Navigator, Ltd.
One Pointe Drive, Suite 320
Brea, California 92821

RE: Approval of the Construction Quality Assurance (CQA) Certification Report (dated June 11, 2013), CQA Addendum 1 (dated July 3, 2013), and CQA Addendum 2 (dated July 16, 2013)
Former ASARCO Smelter Site, El Paso, Texas

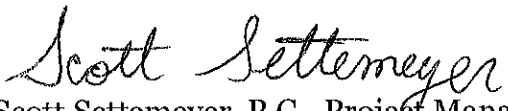
Dear Mr. Puga:

The Texas Commission on Environmental Quality, with concurrence from the U.S. Environmental Protection Agency, approves the CQA Certification Report inclusive of Addendums 1 and 2 at the former ASARCO Smelter Site.

At this time, placement of Category I material in the Cell 4 landfill may commence. Please ensure that all protective measures, including the approved perimeter air monitoring plan, are implemented when placing Category I material in Cell 4.

Please let me know should you have any questions or need additional information.

Sincerely,


Scott Settemeyer, P.G., Project Manager
Remediation Division

DSS/jdm

cc: Mr. Charles Barnes, Compliance Assurance and Enforcement Division, US EPA Region 6
Mr. Charles Fisher, Superfund Division, US EPA Region 6