

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 2, 2015

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

Re: TCEQ Approval of *Revised Supplemental Remedial Investigation Report*, dated October 17, 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 letters issued by the TCEQ and USEPA dated July 21, 2014 and March 11, 2014. The July 21, 2014 TCEQ/USEPA letter was issued in response to review of a response from Malcolm Pirnie dated May 21, 2014, regarding a TCEQ and USEPA comment letter issued March 11, 2014. The March 11, 2014 TCEQ/USEPA letter was issued in response to review of the *Supplemental Remedial Investigation (RI) Report* for the former ASARCO Smelter site in El Paso, dated November 12, 2013. The October 17, 2014 Revised Supplemental Remedial Investigation Report was submitted to satisfy the remedial investigation requirements of 30 Texas Administrative Code (TAC) §335.553(b)(1) of Risk Reduction Standard No. 3 of the TCEQ's Risk Reduction Rules (30 TAC 335, Subchapter S). Based on our review, the October 17, 2014 *Revised Supplemental Remedial Investigation Report* is acceptable. The report satisfies the requirements of 30 TAC 335.553(b)(1) of the TCEQ's Risk Reduction Rules.

Questions concerning this letter should be directed to me at (512) 239-6542. When responding by mail, please submit an original and one copy of all correspondence and reports to the TCEQ Remediation Division at Mail Code MC-127 with an additional copy submitted to the USEPA and local TCEQ Region 6 Office.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor T. Wehner".

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

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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