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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 2, 2015

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

RE: TCEQ Acknowledgment of Receipt and Concurrence to Proceed regarding the following submittal:

- *Plant Site Utilities Abandonment-Expedited Review Request*, dated March 31, 2015

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 United States Environmental Protection Agency (USEPA) acknowledges receipt of the above referenced submittals dated March 31, 2015, submitted by Malcolm Pirnie on behalf of Project Navigator Ltd., the Texas Custodial Trust for the former ASARCO Smelter site (Site). The letter was submitted by Malcolm Pirnie to request expedited review of a proposal to abandon and properly close subsurface utilities on the Site in preparation of constructing a final cover system and drainage facilities. The TCEQ understands the abandonment actions will generally consist of plugging existing manholes that were associated with the Site's sanitary and storm sewers, capping of abandoned pipes daylighting to the site surface, and plugging of subsurface utility vaults associated with the Site's former water and electric systems. This letter provides Project Navigator, Ltd. with authorization and concurrence to proceed with the proposed utility abandonment activities as referenced in the March 31, 2015 submittal. A final report documenting the utilities abandonment activities is requested within sixty (60) days of completion.

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

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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,

Eleanor T. Wehner

Eleanor T. Wehner, P.G.
Project Manager
VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

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 Dallas

Ms. Lorinda Gardner, Regional Director, TCEQ Region 6 Office, El Paso
