

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 28, 2013

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

RE: TCEQ Approval on Liner System Installation for Category I Landfill – Cell 4 Former ASARCO Smelter site, El Paso, Texas

Dear Mr. Puga:

The Texas Commission on Environmental Quality (TCEQ), with concurrence from the US Environmental Protection Agency (USEPA), previously approved the following two documents:

- Initial base grading for the base of Category I landfill - Cell 4 prepared by Beth Ann Gross, P.E. dated September 1, 2011.
- "Material Specifications and Construction Quality Assurance Plan" prepared by Beth Ann Gross, P.E. dated September 9, 2011.

With this letter, both agencies approve three more documents associated with liner installation:

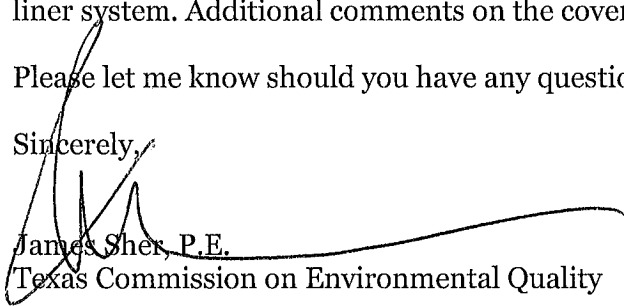
- One-dimensional leakage analysis prepared by Malcolm Pirnie dated July 9, 2012;
- Three-dimensional leakage analysis prepared by Malcolm Pirnie dated March 27, 2013;
- Category I Landfill – Cell 4 Operation and Monitoring Procedure [3 pages] prepared by Malcolm Pirnie dated March 27, 2013.

The installation of the liner system may commence as described in the approved documents. Please provide me and the TCEQ regional office at least seven days advance notice prior to the starting date of the field activities.

Waste cannot be deposited in the cell until both agencies are satisfied with the installation of the liner system. Additional comments on the cover configuration will be provided in a later date.

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

Sincerely,


James Sher, P.E.
Texas Commission on Environmental Quality

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