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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 28, 2016

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

RE: Acknowledgment of Receipt
2015 Groundwater and Surface Water Sampling Results Summary, dated May
4, 2016
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) acknowledges receipt of the above referenced submittal dated May 4, 2016, providing the results associated with the interim semi-annual groundwater and surface water monitoring events for 2015 performed during February/March (Spring) and August/September (Fall) at the Former Asarco Smelter Site (Site). Interim Site monitoring of groundwater and surface water are required to continue on a semi-annual basis until the final, approved, groundwater remedy is approved for implementation for the Site. As such, please continue with interim semi-annual Site monitoring activities and ensure the monitoring report for 2016 is submitted to the TCEQ and EPA for review on or before June 1, 2017.

Please be aware that it is the continuing obligation of persons associated with a site to ensure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 Texas Administrative Code (TAC) §335.4.

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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 additional copies submitted to the USEPA and local TCEQ Region 6 Office.

Sincerely,



Eleanor T. Wehner, P.G.

Sr. Project Manager

VCP-CA Section

Remediation Division

Texas Commission on Environmental Quality

ETW/mdh

cc: Mr. Scott M. Brown, P.E., Vice President, Principal-in-Charge, Malcolm Pirnie, Inc., 410 N. 44th Street, Suite 1000, Phoenix, AZ 85008

Mr. Chuck Barnes, Enforcement Division, U.S. EPA Region 6, 1445 Ross Avenue Suite 1200, Mail Code: 6EN, Dallas, TX 75202-2733

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