

T: 17 R: 13 Sec: 15
Latitude: 31.950431
Longitude: -111.003845
Parcel No.: 303-33-013A
SD: 4



DEPARTMENT OF ENVIRONMENTAL QUALITY
33 N. Stone Avenue, Suite 700
Tucson, Arizona 85701-1429
www.deq.pima.gov

April 27, 2010

CERTIFIED MAIL
Return Receipt Requested

ASARCO LLC
Attn: Mr. Richard Rhoades
4201 W. Pima Mine Road
Sahuarita, AZ 85629

Permit #: 2026

NOTICE OF VIOLATION # PC 1004-134

The Pima County Department of Environmental Quality (PDEQ) has reason to believe that ASARCO LLC - Mission Complex, located at 4201 W. Pima Mine Road, Sahuarita, Arizona, has violated requirements of the Arizona Revised Statutes (ARS), rules within the Pima County Code (PCC), and an applicable permit. The PDEQ authorized representative discovered the violations alleged below during an inspection conducted on April 21, 2010, at the facility. The findings were reported to Arturo Burgos, Senior Environmental Engineer.

I. FINDINGS OF FACT

ALLEGED VIOLATION #1

SIP Rule 321

PCC 17.16.040.A and 17.16.050.B

Permit Condition, Part "B", Section I.C.2

No person shall cause or permit the effluent from a single emission point, multiple emission points, or fugitive emissions source to have an average optical density greater than 20 percent subject to the following provisions:

[SIP Rule 321, PCC 17.16.040, and PCC 17.16.050.B]

- a. Opacities (optical densities) of an effluent shall be measured by a certified visible emissions evaluator with his natural eyes, approximately following the procedures which were used during his certification, or by an approved and precisely calibrated in-stack monitoring instrument.

b. A violation of an opacity standard shall be determined by measuring and recording a set of consecutive, instantaneous opacities, and calculating the arithmetic average of the measurements within the set unless otherwise noted herein. The measurements shall be made at approximately fifteen-second intervals for a period of at least six minutes, and the number of required measurements shall be 25. Sets need not be consecutive in time, and in no case shall two sets overlap. If the average opacity of the set of instantaneous measurements exceeds the maximum allowed by any rule, this shall constitute a violation.

Findings

On April 21, 2010, ASARCO LLC - Mission Complex caused and allowed fugitive emissions from tailings dam #4 to have an average optical density greater than 20 percent.

Requested Corrective Action(s)

- Immediately employ all necessary control measures required to prevent effluent from fugitive emissions sources from exceeding the applicable opacity standard.
- Immediately develop and implement all necessary control methods to be employed to prevent recurrence of emissions in excess of the opacity standard from tailings dam #4.

ALLEGED VIOLATION #2

PCC 17.16.050.D

Permit Condition, Part “B”, Section I.C.3

No person shall cause, suffer, allow, or permit diffusion of visible emissions, including fugitive dust, beyond the property boundary line within which the emissions become airborne, without taking reasonably necessary and feasible precautions to control generation of airborne particulate matter. Sources may be required to cease temporarily the activity or operation which is causing or contributing to the emissions until reasonably necessary and feasible precautions are taken.

[SIP Rule 343 and PCC 17.16.050.D]

- a. Sources required to obtain an air quality permit under ARS § 49-426, § 49-480 or Rule 17.12.470 may request to have the actions constituting reasonably necessary and feasible precautions approved and included as permit conditions. Compliance with such permit conditions shall be considered compliance with this provision.
- b. This subsection shall not apply when wind speeds exceed twenty-five (25) miles per hour (using the Beaufort Scale of Wind-Speed Equivalents, or as recorded by the National Weather Service). This exception does not apply if control measures have not been taken or were not commensurate with the size or scope of the emission source.

Findings:

On April 21, 2010, ASARCO LLC - Mission Complex caused and permitted the diffusion of visible emissions from tailings dam #4 beyond the property boundary of Pima Mine Road without taking reasonably necessary and feasible precautions to control the fugitive emissions. The control measures taken by ASARCO LLC – Mission Complex were not commensurate with the size and scope of the emission source.

Requested Corrective Action(s)

- Immediately employ all necessary control measures commensurate with the size and scope of tailings dam #4 to prevent diffusion of visible emissions beyond the property boundary line.
- Immediately develop and implement all necessary control methods to prevent diffusion of visible emissions from tailings dam #4 from recurring.

II. CITATION OF AUTHORITY

ARS § 49-471 et seq

17.28.010, PCC Title 17, Violations and Order of Abatement

III. REQUESTED COMPLIANCE DOCUMENTATION

ASARCO LLC – Mission Complex shall submit a written response to PDEQ within **thirty (30)** calendar days of receipt of this notice. The response shall include:

- A thorough explanation of those actions that led to each violation
- The corrective actions taken to meet compliance
- The corrective measures taken to prevent future violations of this type

The above documentation shall be deemed "submitted" when received by PDEQ at the following address:

Pima County Department of Environmental Quality
Air Program
Attn: James M. Jones
33 N. Stone Avenue, Suite 700
Tucson, AZ 85701-1429

IV. STATEMENT OF CONSEQUENCES

Failure to achieve compliance or enter into a Consent Order will result in PDEQ initiating a unilateral enforcement action. Achieving compliance does not preclude PDEQ from seeking civil penalties. A unilateral enforcement action may result in a civil penalty. A civil penalty may be imposed for each violation for the entire non-compliance period.

PDEQ believes that alleged violations identified in a Notice of Violation (NOV) are significant and advises you they may be used to determine a pattern of non-compliance or used to determine civil penalties pursuant to ARS § 49-513. As such, PDEQ believes that an NOV is an appealable agency action as defined in ARS § 49-471(4).

A person whose legal rights, duties or privileges were determined by an appealable agency action or who will be adversely affected by an appealable agency action and who exercised any right to comment on the action provided by law, rule or ordinance may appeal the action to the air pollution hearing board established pursuant to ARS § 49-478.

V. ADMINISTRATIVE INFORMATION

OFFER TO MEET

PDEQ personnel are willing to schedule a meeting to discuss the NOV and corrective action. If you would like to meet, please contact me at (520) 243-7400. Before meeting, please submit the following:

- An agenda that specifies the objectives you wish to discuss.
- The names and affiliations of the participants that will be accompanying you.

COMPLIANCE ASSISTANCE

PDEQ personnel are also willing to help you achieve and maintain compliance. If you need assistance complying with the regulations please contact our department at (520) 243-7400.

NOTICE OF NON-DISCRIMINATION

The Pima County Department of Environmental Quality does not discriminate on the basis of race, color, national origin, sex, disability religion, or age in its programs or activities in accordance with applicable laws and regulations. Further, any person who is in need of special services (e.g., written material in large type, signer for the hearing impaired, or for free assistance in Spanish), please contact PDEQ's Environmental Justice Program Manager, Beth Gorman, 33 N. Stone Avenue, Suite 700, Tucson, Arizona, 85701, Phone (520) 243-7446, email beth.gorman@deq.pima.gov.

AVISO DE NO DISCRIMINACIÓN

El Departamento del Condado de Pima de Calidad Ambiental no discrimina en base de la raza, el color, el origen nacional, el sexo, la religión, discapacidad, o la edad en sus programas o actividades de acuerdo con leyes y regulaciones aplicables. Además, cualquier persona que esté necesitando los servicios especiales (e.g., material escrito en letra grande, intérpretes de lenguaje con señas, o para obtener asistencia gratuita en español), por favor contacte a la encargada del Programa de Justicia Ambiental del Departamento Calidad Ambiental del Condado de Pima, Beth Gorman, 33 N. Stone Avenue, Suite 700, Tucson, Arizona, 85701, teléfono (520) 243-7446, email beth.gorman@deq.pima.gov.

Sincerely,



James M. Jones
Civil Engineering Assistant

Attachment: Complaint Investigation Report dated April 21, 2010

cc: Permit File #: 2026



PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR PROGRAM

33 NORTH STONE AVE., SUITE 700
TUCSON, ARIZONA 85701-1429
PHONE (520) 243-7400 FAX (520) 243-7370
www.deq.pima.gov

Site Inspection Report

Tracking ID: 2026-181

Permit #: 2026

Source: ASARCO LLC - Mission Complex

Location: 4201 W. Pima Mine Rd., Sahuarita, AZ

Date Start/Stop: 4/21/2010

Inspector: James M. Jones

Arrival Time: 11:50 am

Spoke With: Arturo Burgos

Departure Time: 3:00 pm

Phone #: (520) 648-4588

Reason for Inspection: Surveillance during high wind advisory

I. INSPECTION NARRATIVE

Off-site Inspection

The inspector conducted an inspection of the above referenced location in response to a high wind advisory for 4/21/2010. The inspector observed fugitive particulate emissions from tailings dam #4 and took a position on the west side of the Pima Mine Rd. overpass at I-19 to make observations. The inspector observed emission plumes from the north side of tailings dam #4 that diffused across the Pima Mine Rd. property boundary between 11:55 am and 12:30 pm. The inspector observed that the plumes endured between 3-6 minutes. The windspeed was measured to be 21 mph average and 30 mph maximum near the overpass at the time the off-site observations were made (Attachment 1, Photo No.'s 1-4).

On-site Inspection

The inspector entered the facility and spoke with Mr. Arturo Burgos, a senior environmental engineer about the off-site observations. Mr. Burgos signed the Notification of Inspection Rights Form (Attachment 2). The inspector requested to be taken to the top of tailings dam #4 in order to perform Method 9 Visible Emission (VE) Observations of the emission plumes. The inspector offered that Mr. Burgos might accompany and take Method 9 VE observations alongside the inspector. Mr. Burgos informed the inspector that Jamie Ekholm, an environmental engineer, had been out on tailings dam #4 all morning and that berm construction activity had been canceled and all efforts had been directed at employing fugitive particulate emission control with the water and polymer trucks.

Mr. Burgos drove the inspector to the north slope of tailing dam #4. The inspector looked at the overall condition of the tailings dam #4 from a look-out area on the west side of the dam (Attachment 1, Photo No. 5). The inspector proceeded with Mr. Burgos to the northeast area on the access roadway of tailings dam #4, accessed the upper berm to the tailings dam, and observed

the area from which the plumes were generating. The inspector observed particulates generated and swept from a light colored dry area of the tailings dam surface adjacent to the northeast corner of the tailings dam. Emissions were also observed generating from an approximate 200' wide disturbed area of the dam surface showing equipment tracks. The area extended around the outer edge of the dam surface (Attachment 1, Photo No. 6).

The inspector observed plumes lasting several minutes each that appeared to be predominantly generated from the light colored dry surface areas of the northeast section towards the interior of the tailings impoundment. The inspector took some photographs and examined the plume direction, sun angle, and background features and took a position and began Method 9 VE observations. Mr. Burgos assisted the inspector in measuring the windspeed with the Kestrel meter. The inspector took three Method 9 VE measurements between 1:11 pm and 1:47 pm. The measured average opacities were 36%, 18%, and 28% respectively. Average wind speeds measured, at the time the VE readings were taken, were 20-25 mph, with gusts ranging from 30-40 mph (Attachment 3).

The inspector observed a water truck making passes and applying water and polymer to the outer area of the dam to curb and control some of the fugitive dust emissions. The outer area was disturbed by equipment tracks and not fully encrusted. The inspector observed some areas in the outer area that exhibited green coloration from the application of polymer dust suppressant and could smell the characteristic latex odor of the polymer dust suppressant being applied as the water truck made a pass. At one point, while taking photos in the area, the inspector's camera began to malfunction as a result of particulates entering the lens zoom mechanism (Attachment 1, Photo No.'s 8-9).

The inspector was later met by Jamie Ekholm, an environmental engineer and Louis Arrabello, a field supervisor coordinating the fugitive dust control efforts. The inspector took a moment to examine the readings and informed them that preliminary calculations of the Method 9 VE readings yielded opacities above the opacity standard.

The inspector continued to inspect tailings dam #7 and #8 from a high vantage with Mr. Burgos. The Dams were predominantly wet or moist and were not observed generating any fugitive emission plumes at the time of inspection.

The inspector asked Mr. Burgos for the available information on the windspeed records from their weather station and on the controls implemented on the tailings dam.

II. REVIEW OF PERMIT CONDITIONS AND APPLICABLE REGULATIONS

To determine compliance with Air Quality Control Permit #2026, which has been issued to your facility, the following review of your permit conditions was performed. The design of this report is in a specific format to facilitate the reader's understanding of the inspection and compliance determinations. The results of the investigation are documented below under a "Findings" heading that is preceded by the applicable permit condition from your permit. Permit conditions transcribed directly from your permit are provided in a smaller size font for clarity.

Permit Condition(s):

Part “B”, Section, I.C.2

No person shall cause or permit the effluent from a single emission point, multiple emission points, or fugitive emissions source to have an average optical density greater than 20 percent subject to the following provisions: [SIP Rule 321, PCC 17.16.040, and PCC 17.16.050.B]

- a. Opacities (optical densities) of an effluent shall be measured by a certified visible emissions evaluator with his natural eyes, approximately following the procedures which were used during his certification, or by an approved and precisely calibrated in-stack monitoring instrument.
- b. A violation of an opacity standard shall be determined by measuring and recording a set of consecutive, instantaneous opacities, and calculating the arithmetic average of the measurements within the set unless otherwise noted herein. The measurements shall be made at approximately fifteen-second intervals for a period of at least six minutes, and the number of required measurements shall be 25. Sets need not be consecutive in time, and in no case shall two sets overlap. If the average opacity of the set of instantaneous measurements exceeds the maximum allowed by any rule, this shall constitute a violation.

Findings:

During the on-site inspection, the inspector documented Method 9 VE average opacity readings of 38% and 28% from fugitive particulates emitted from the surface of tailings dam #4 between 1:11 pm and 1:47 pm.

Deficiency:

ASARCO LLC – Mission Complex caused and permitted the effluent from tailings dam #4 to have an average optical density greater than 20 percent, as prohibited by Permit Condition, Part B, Section I.C.2 and Pima County Code Title 17, Chapter 17.16.040 and 17.16.050.B.

Permit Condition(s):

Part “B”, Section, I.C.3

No person shall cause, suffer, allow, or permit diffusion of visible emissions, including fugitive dust, beyond the property boundary line within which the emissions become airborne, without taking reasonably necessary and feasible precautions to control generation of airborne particulate matter. Sources may be required to cease temporarily the activity or operation which is causing or contributing to the emissions until reasonably necessary and feasible precautions are taken. [SIP Rule 343 and PCC 17.16.050.DI]

- a. Sources required to obtain an air quality permit under ARS § 49-426, § 49-480 or Rule 17.12.470 may request to have the actions constituting reasonably necessary and feasible precautions approved and included as permit conditions. Compliance with such permit conditions shall be considered compliance with this provision.
- b. This subsection shall not apply when wind speeds exceed twenty-five (25) miles per hour (using the Beaufort Scale of Wind-Speed Equivalents, or as recorded by the National Weather Service). This exception does not apply if control measures have not been taken or were not commensurate with the size or scope of the emission source.

Findings:

During off-site observations, the inspector observed emission plumes from the north side of tailings dam #4 near the northeast corner that diffused across the Pima Mine Rd. property boundary between 11:55 am and 12:30 pm. During the on-site inspection the inspector did not observe effective control measures taken to control emissions on the dry interior surface area of the tailings surface. The outer tailings area was disturbed by equipment tread tracks and not fully encrusted in the northeastern area where the inspector made observations.

Deficiency:

ASARCO LLC – Mission Complex caused and permitted diffusion of visible emissions from tailings dam #4 beyond the property boundary line of Pima Mine Road, as prohibited by Permit Condition, Part B, Section I.C.3 and Pima County Code Title 17, Chapter 17.16.050.D.

III. EXIT INTERVIEW

The inspector reviewed the findings of the site inspection with Mr. Burgos and stated that a compliance determination would be made after the findings were reviewed with PDEQ management. Mr. Burgos agreed to E-mail the requested controls employed and windspeed information (Attachment 4). The inspector thanked Mr. Burgos and concluded the inspection.

IV. COMPLIANCE SUMMARY

Upon review of the inspection results and compliance history for this source, PDEQ management determined that the facility will be issued a Notice of Violation for the above listed deficiencies.

Attachments:

1. Inspection Photo Log
2. Notification of Inspection Rights Form
3. Method 9 VE
4. E-mail from Arturo Burgos dated 4/22/2010

ATTACHMENT 1
Inspection Photo Log

Site Location: ASARCO LLC – Mission Complex
4201 W. Pima Mine Road

Photographer:
Jones

Camera:
Canon A620

Photo No. 1

Date:
04-21-2010

Photo Description:

View of tailings dam # 4. Fugitive particulate plume was observed over the northeast slope for a duration of approximately 3-6 minutes.

Time 11:55 am



Photo No. 2

Date:
04-21-2010

Photo Description:

View of tailings dam # 4 emission plume.

Time 12:04 pm



<p>Photo No. 3 a, b</p>	
<p>Date: 04-21-2010</p>	
<p>Photo Description:</p> <p>View of emission plume crossing the property boundary at Pima Mine Rd.</p> <p>Time: 12:05 pm</p>	<div data-bbox="685 107 1287 558" data-label="Image"> </div> <p data-bbox="662 537 685 558">a</p> <div data-bbox="690 562 1282 1003" data-label="Image"> </div> <p data-bbox="667 982 690 1003">b</p>
<p>Photo No. 4</p>	
<p>Date: 04-21-2010</p>	
<p>Photo Description:</p> <p>View of an emission plume on the northeast slope of tailings dam # 4.</p> <p>Time: 12:23 pm</p>	<div data-bbox="457 1058 1494 1839" data-label="Image"> </div>

Photo No. 5

Date:
04-21-2010

View of the tailings dam from the mine area to the west overlooking the northeast area.

Time: 12:58 pm



Photo No. 6

Date:
04-21-2010

Photo Description:

View of the dry surface area towards the interior of the northeast area of tailings dam #4 in the background.

The area in the foreground is the approximately 200' wide area where equipment has disturbed the outer edge of the tailings surface.

Time: 1:26 pm



<p>Photo No. 7</p>	
<p>Date: 04-21-2010</p>	
<p>Photo Description:</p> <p>A particulate emission plume generated from the surface of the dam. Taken prior to Method 9 VE observations.</p> <p>Time: 1:10 pm</p>	
<p>Photo No. 8</p>	
<p>Date: 04-21-2010</p>	
<p>Photo Description:</p> <p>View of water truck applying suppressant to the outer area of the dam.</p>	

Photo No. 9

Date:
04-21-2010

Photo Description:

View of a water truck on the outer area of the dam.



ATTACHMENT 2
Notification of Inspection Rights Form



PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY

33 North Stone Avenue • Tucson, Arizona • 85701

PHONE (520) 243-7400 • FAX (520) 243-7370

NOTIFICATION OF INSPECTION RIGHTS

REGULATED PERSON INFORMATION

Regulated Person ASARCO, LLC Permit # 2026
Site Location 4201 W. Pima Mine Rd.
Site Contact Jamie Ekholm & Arturo Burgos Phone
Mailing Address

PDEQ INFORMATION

Inspector Name James M. Jones Phone 243-7348
Inspection Date 4/21/2010 Time 12:45
Accompanied by

INSPECTION RIGHTS

Upon entry to the premises, the Pima County Department of Environmental Quality (PDEQ) inspector(s) met with the regulated person, presented photo identification indicating that they are PDEQ employees and explained:

- The purpose of the inspection is to determine compliance with Air Quality Regulations or Pima County Code (PCC) Title 17. The inspection is being conducted pursuant to Arizona Revised Statutes §49-471 et seq. and PCC 17.20.050.
Inspection fee: \$ or A portion of Activity Permit Fee or A portion of your annual emission fee
Regulated person or on-site representative may accompany the PDEQ inspector(s) on the premises, except during confidential interviews.
Each person interviewed during the inspection will be informed that statements made by the person may be included in the inspection report.
The regulated person has the right to copies of any original documents taken by PDEQ during the inspection. A split of any samples taken during the inspection if the split of any samples would not prohibit an analysis from being conducted or render an analysis inconclusive. Copies of any documents will be provided at PDEQ expense.
Each person whose conversation is tape-recorded will be informed that the conversation is being tape-recorded.
Administrative hearing rights to appeal an administrative order or permit decision that was made as a result of the inspection are set forth in Arizona Revised Statutes A.R.S. §49.511, 49.490, 49.496 and 49.497 et seq. Rights relating to an appeal of a final agency decision are found in A.R.S. §49.480.02 and 49.482 et seq.

I have read this notification and discussed any questions or concerns with the PDEQ inspector(s).

X

Date: 4/21/2010

refused to sign the Notification.

No authorized on-site representative is present at the facility.

* NOTE: PDEQ inspectors may still proceed with the inspection even if regulated person or on-site representative declines to sign this form.

ATTACHMENT 3
Method 9 VE

VISIBLE EMISSION OBSERVATION FORM

Company Name ASARCO - Mission Complex	
Location 4201 W. Pima Mine Rd - TD #4	
City Sahuarita	State AZ
Zip 85629	
Process Equipment TD #4: Berm Building Phase B	Operating Mode No Berm Building
Control Equipment Encrustation Application Water & Polymer Dust Suppl.	Operating Mode High Wind Event
Describe Emission Point Plumes of Tailings Swept from northeast surface across North Slope	
Height of Emission Point ~150'	Height Relative to Observer Start level End -(same)
Distance to Emission Point Start 500'-800' End -	Direction to Emission Point Start 90-100° End -
Vertical Angle to Observation Pt. Start level End -	Direction to Observation Point Start 80° End -
Describe Emissions Start Fugitive Particulate Plume End -	
Emission Color Tan	If Water Droplet Plume (Circle) Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/> (N/A)
Point In The Plume At Which Opacity Was Determined Start 100-800' Downwind of plume End -	
Describe Plume Background Start Vegetation End -	
Background Color Start Dark Green End -	Sky Condition Start Partly Cloudy End -
Wind Speed Start 20-25 avg End 30-40	Wind Direction Start S/SW End -
Ambient Temp Start 78° End -	Wet Bulb Temp N/A
	RH Percent N/A
<p>Background</p> <p>SOURCE LAYOUT SKETCH</p> <p>The sketch shows an 'OBSERVER'S POSITION' at the bottom center. A vertical line goes up to an 'EMISSION OBSERVATION POINT' marked with an 'X'. A line labeled 'Plumes' extends from the 'X' to the right. A line labeled 'Wind' points from the top left towards the center. A dashed line labeled 'SUN LOCATION LINE' extends from the observer's position to the right, forming a 140-degree angle with the vertical line. A legend on the left shows symbols for 'STACK WITH PLUME', 'SUN', and 'WIND'. A north arrow is on the right.</p>	
Additional Information	

Observation Date 4/21/2010		Start Time 1:11 pm		End Time 1:47 pm		
Min	Sec	0	15	30	45	Comments
1		30	50	100	50	
2		100	70	20	20	
3		20	30	15	15	36% Opacity
4		10	10	10	10	
5		0	5	10	5	
6		15	15	70	80	
7		80	90	40	-	windspeed 20-25 Avg
8		-	-	-	-	30-40 max
9		-	-	-	-	
10		5	5	5	5	1:24 pm ^{WS} 24-25 mph
11		5	-	-	-	stopped; Water Truck
12		-	-	-	-	applying water polymer
13		-	-	-	-	
14		50	25	15	15	1:29 pm
15		20	15	15	15	
16		30	15	10	15	18% Opacity
17		10	15	10	15	
18		15	10	10	15	
19		20	20	40	20	
20		15	-	-	-	1:35 pm
21		-	-	-	-	
22		100	50	70	60	1:40 pm
23		50	30	20	10	
24		10	35	20	15	28% Opacity
25		10	10	5	30	
26		40	20	40	15	
27		15	10	15	15	
28		10				
29						
30						

Observer's Name (Print) James M. Jones	
Observer's Signature <i>James M. Jones</i>	Date 4/21/2010
Organization Pima County DEQ	
Certified by ASU Smoke School	Date 3-9-2010
Continue on reverse side	

ATTACHMENT 4
E-mail from Arturo Burgos dated 4/22/2010

Dustin Fitzpatrick

From: Burgos, Arturo [ABurgos@asarco.com]
Sent: Thursday, April 22, 2010 1:41 PM
To: James Jones
Cc: Ekholm, Jamie; Arrebollo, Louis
Subject: Mission Mine information
Attachments: 042110.xls

James;

Sorry for the delay. Today has been a very busy day for us. As you requested, attached is a partial summary of yesterday weather's conditions. Also below is a summary of the amounts of water and polymer used yesterday on tailings Dam # 4:

Three water trucks were used:

1-5500 Gal. Cap
1-2000 Gal. Cap.
1- 6000 Gal. Cap.

Water/Polymer ratio = 10/1

Mixture =22500 gallons water/2250 gall polymer Plus 123,000 gallons of water

Also, consistent with the proposed berm building dust control plan, no berm building activity was performed yesterday. Please see the e-mail Jamie distributed to Louis Arrebollo.

Let me know if you have any question

From: Ekholm, Jamie
Sent: Tuesday, April 20, 2010 3:15 PM
To: Arrebollo, Louis
Cc: Burgos, Arturo
Subject: Weather Forecast for 4/21
Importance: High

The weather forecast for tomorrow says:

Wednesday: A 20 percent chance of showers after 11am. Partly cloudy, with a high near 73. Breezy, with a south southwest wind between 18 and 26 mph, with gusts as high as 41 mph.

As discussed, no berm building will take place tomorrow instead; all efforts will be focused on dust suppression.

Jamie

Jamie Ekholm
Environmental Engineer
ASARCO LLC, Mission Complex
4201 West Pima Mine Road
Sahuarita, Arizona 85629
Tel: 520-393-4671
Fax: 520-648-0802

4/27/2010

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