



DEPARTMENT OF ENVIRONMENTAL QUALITY
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Ursula Kramer, P.E.
Director

(520) 740-3340
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January 15, 2010

Case #: PC 0911-061 & 0912-067

ASARCO, LLC. – Mission Complex
Attn: Arturo Burgos, Sr. Environmental Engineer
4201 W. Pima Mine Road
Sahuarita, AZ 85629

RE: Amended Request for 30-Day Extension

Dear Mr. Burgos:

The Pima County Department of Environmental Quality (PDEQ) is in receipt of your request for an extension of the response deadlines for Notice of Violations (NOV) 0911-061 and 0912-067. Due to the seriousness of the violations and PDEQ's duty to address the regulatory compliance related issues as expeditiously as possible, your request is denied.

PDEQ would like to emphasize that ASARCO needs to respond to the NOV's by January 27, 2010 and February 6, 2010 respectively with a minimum of the immediate actions that were taken to correct the noncompliance conditions reported in the PDEQ November 12, 2009, Complaint Investigation Report, subsequent ASARCO Excess Emissions Report November 13, 2009, and the December 22, 2009, Complaint Investigation Report.

PDEQ will accept supplemental materials regarding ASARCO's proposed corrective actions and other additional measures to prevent recurring tailings dust problems. The regulatory review of the NOV response requires PDEQ to update ASARCO of the status of the enforcement action every 30 days thereafter. If you have any questions regarding this letter, please contact me at 740-3347.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Scott Porter".

P. Scott Porter
Enforcement Manager

cc: PDEQ Case File #: PC 0911-061 & 0912-067
Ursula Kramer, P.E., Director, PDEQ
Richard Grimaldi, Deputy Director, PDEQ