



Director
Environmental Services and Compliance Assurance
Environmental Affairs Department

February 12, 2010

Mr. Dustin Fitzpatrick
Pima County Department of Environmental Quality
33 N. Stone Avenue, Suite 700
Tucson, AZ 85701

Re: PDEQ Response to NOV # PC0911-061 and PC0912-067 and Request to meet
(February 5, 2010).
PDEQ Response to Notice of Opportunity to Correct # PC0910-122
(February 9, 2010).

Dear Mr. Fitzpatrick:

On behalf of Mr. Richard Rhoades, ASARCO LLC Mission Complex (Asarco) this letter is to acknowledge receipt of the above referenced letters from the Pima County Department of Environmental Quality (PDEQ). As requested in our response to NOV # PC0911-061 and PC0912-067 and based on subsequent conversations I had with Mr. Richard Grimaldi, we request a meeting with PDEQ to discuss Asarco's proposed Berm Construction Dust Control Plan, which was included as part of our response to the NOV's. The purpose of the meeting is to answer any questions PDEQ has on the Plan and to discuss PDEQ's recommendations. Asarco participants in the meeting beside me are: Jamie Ekholm, Arturo Burgos and Chris Pfahl, Asarco engineer with expertise in tailings dam design and construction. We would like to propose February 23rd or 26th or March 4th or 5th at 10.00 AM at your office as possible dates for the meeting.

Please let me know if these dates work for you, who from PDEQ will be participating in the meeting and call me at 520-798-7792 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Krishna Parameswaran".

Dr. Krishna Parameswaran
Director - Environmental Affairs Department
ASARCO LLC
5285 E. Williams Circle, Suite 2000
Tucson, AZ 85711
Phone: (520) 798-7792