ASARCO
GRUPO MEXICO

January 6, 2017

CERTIFIED MAIL: 7005 1820 0000 3674 8317
RETURN RECEIPT REQUESTED
Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Box 7611 Ben Franklin Station
Washington, D.C. 20044-7611
Re: DOJ No. 90-5-2-1-10459

CERTIFIED MAIL: 7005 1820 0000 3674 8300
RETURN RECEIPT REQUESTED
Director, Air Enforcement Division
Office of Civil Enforcement
U.S. EPA Headquarters, MC 2242A
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

CERTIFIED MAIL: 7005 1820 0000 3674 8294
RETURN RECEIPT REQUESTED
Chief, Air and TRI Section
Enforcement Division
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

RE: Consent Decree No. CV-15-02206-PHX-DLR – October 27, 2016 Notification of Emission Limit Exceedance and Subsequent Re-test

To whom it may concern:

A Reference Test Method 5B particulate test was conducted on the Hayden Smelter acid plant tail gas duct on Sept 19, 2016. Asarco received the results of that testing on October 26, 2016 and notified the Environmental Protection Agency ("EPA") and the U.S. Department of Justice ("DOJ") on October 27, 2016 that the 3-run average was 14.26 mg/dscm, above the 6.2 mg/dscm provided for in the Consent Decree (Paragraph 16).

The performance test results were inconsistent with observed performance of the acid plant and with prior Method 5B sampling at that location. Asarco therefore notified EPA/DOJ that a repeat performance test was scheduled for the week of November 28, 2016, following an 18-day maintenance outage of the Hayden Smelter. (The outage was incurred to perform routine maintenance and to tie in the new acid plant scrubber blowdown system as provided in

Appendix B, Paragraph 10 of the Consent Decree.) Asarco also committed to reviewing test parameters and calculations with the testing contractor, and to a comprehensive inspection/repair during the outage of all acid plant components that could contribute to a higher than normal particulate loading in the tail gas. Subsequently, Asarco communicated to EPA/DOJ in a November 30, 2016 letter that the re-test had been moved to the week of December 19, 2016 due to startup difficulties associated with the new acid plant scrubber blowdown system. As stated in Asarco's November 30, 2016 letter, the repeat testing occurred within 365 days of the Effective Date as provided in the Consent Decree (Paragraph 16).

Energy And Environmental Measurement Corporation ("EEMC") conducted the repeat testing on December 19 and 20, 2016. While the original testing consisted of three 1-hour runs, the repeat testing consisted of three 4-hour runs to ensure that ample particulate was collected to weigh accurately. The 3-run average was 1.20 mg/dscm, well within the 6.2 mg/dscm stipulated in the Consent Decree (Paragraph 16). The summary results are attached to this letter. Asarco will submit the entire test report to Region 9 when received from EEMC.

Asarco attributes the improved results to higher efficiency cleaning of the gas feed to the acid plant (including implementation of the new acid plant scrubber blowdown system), repairs to the acid distribution systems of the contact sections of the acid plant, and more accurate measurement of the sample weights afforded by the extended test runs, although it is not possible to quantify the relative contributions of each.

If there are any questions please contact Jack Garrity at (520) 356-3284.

Joseph A. Wilhelm
General Manager
Hayden Operations

JAW/rcg

Attachment

pc: S. Gasser, w/o enc.
J. Garrity, w/enc.
SM Engineer, "

Summary of ASARCO LLC Hayden Operations
Particulate Emission Data
Hayden Smelter - Acid Plant (S2)
12/19-20/16

EPA Method 5b Particulates				
Run	**Time**	**gr/dscf**	**lb/hr**	**mg/dscm**
1-PT	12:48-17:05	0.0006	0.46	1.31
2-PT	08:28-13:29*	0.0004	0.35	0.92
3-PT	14:14-18:25	0.0006	0.52	1.37
Mean		**0.0005**	**0.44**	**1.20**

EPA Methods 1-4 GAS STREAM CHARACTERISTICS								
Run	**Time**	**AWCFM**	**ADCFM**	**DSCFH**	**Ts °F**	**H_2O**	**CO_2**	**O_2**
						%v	**%vd**	
1-PT	12:48-17:05	143,988.2	143,887.4	5,685,810.0	291.6	0.07	0.28	13.94
2-PT	08:28-13:29*	154,643.5	154,597.1	6,187,556.0	282.8	0.03	0.30	14.89
3-PT	14:14-18:25	151,563.2	151,563.2	6,012,623.3	285.7	0.00	0.29	15.53
Mean		**150,065.0**	**150,015.9**	**5,961,996.4**	**286.7**	**0.03**	**0.29**	**14.79**

** Run Interrupted and Resumed: 08:28-08:31, 08:50-08:51, 08:57-09:00, 09:12-09:15, 09:24-13:29*