Administrative Record
SF File Number
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ASARCO

1262300 - R8 SDMS

EAST HELENA PLANT
J. B. Davis
MANAGER

ENVIRONMENTAL PROTECTION AGENCY
MAR 12 1990
MONTANA OFFICE

March 9, 1990

Site East Helena
File # 2.06
Confidential: Yes ____ No ✓
Admin. Record: Yes ✓ No ____
Key Words/Comments: ASARCO's initial response to EPA's special notice letter concerning process ponds
Copy to Sandra
MDHES
CH2M Hill
Dave S.

D. Scott Brown
Remedial Project Manager
U.S. Environmental Protection Agency
301 S. Park - Drawer 10096
Helena, MT 59626

Re: **ASARCO Incorporated**
Response to Special Notice Letter

Dear Mr. Brown:

This is in response to EPA's Special Notice letter concerning the Process Ponds operable unit at the East Helena Superfund Site ("Site") received by Asarco on February 26, 1990. Pursuant to this Special Notice letter, Asarco is requested to notify EPA in writing of its willingness to negotiate the performance of the remedial design/remedial action ("RD/RA") for the Process Ponds operable unit within fourteen (14) calendar days of receipt of the letter.

The purpose of this letter is to formally inform EPA that Asarco is willing to negotiate performing the RD/RA for the Process Ponds operable unit. Asarco, in voluntarily agreeing to participate in negotiations, does not admit to any liability including, but not limited to liability for response costs or for natural resources damages.

Asarco requests that EPA provide the Company with more detailed documentation to support EPA's demand for payment for past response costs. According to EPA, the costs incurred through January 1, 1989, totals $2,533,902.42. EPA has provided Asarco with no documentation or itemization of these response costs to support its recent demand for payment.

If you have any questions regarding this letter, please do not hesitate to contact me or Cindy Leap at Holland & Hart.

Very truly yours,

Jon C Nickel

JON C. NICKEL
Industrial Quality Manager

JCN/car
cc: WOHart
JBDavis
CSLeap

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