Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov

Stephen A. Owens
Director

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AQD:PS:CTS: 126708

December 7, 2007

FILE

John R. Shaw, General Manager
ASARCO, LLC
P.O. Box 8
Hayden, AZ 85235

Re: ASARCO Hayden Concentrator and Smelter Permit Renewal Applications

Dear Mr. Shaw:

The Arizona Department of Environmental Quality (ADEQ) is currently processing renewal permits for the Hayden concentrator and smelting operations. The concentrator Title V permit (#M070399P1-99) is being renewed as Permit #38459. The smelter Title V permit (#1000042) is being renewed as Permit #39948. As you may be aware, for the purposes of air permitting determinations, the two operations are categorized as a single "stationary source" in accordance with Arizona Administrative Code R18-2-101(113). The two sources were issued separate Title V permits in the past with the understanding that all permitting determinations (like Title V and New Source Review/Prevention of Significant Deterioration) would be evaluated for the two operations on a combined basis. At this time, the Department has determined that processing the renewal applications for the two operations as a single permit will help better facilitate public review and comment on issues relating to the Hayden operations. Please note that the Department has closed the record for Permit #38459 and will process the renewal permit for the combined facility under Permit #39948.

For the Department to continue the processing of the comprehensive permit, please provide the information requested in ADEQ's December 11, 2006, letter relating to Compliance Assurance Monitoring (CAM) plans for the R&R Cottrell electrostatic precipitator and the secondary hoods baghouse. Please note that the time frames relating to the application will remain suspended till the requested information is provided.

Please contact me at (602) 771-2308 or Trevor Baggiore, Air Permits Section Manager, at (602) 771-2321 if you have questions regarding this letter.

Sincerely,

Nancy C. Wrona, Director
Air Quality Division

cc: Jack Garrity, Technical Services Manager