



MEMORANDUM

Date: October 15, 2010

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: ASARCO, LLC Notices of Violation – Settlement Agreement

As you know, there have been ongoing air quality issues in the Green Valley and Sahuarita areas resulting from ASARCO, LLC's mining operations

The Pima County Department of Environmental Quality (PDEQ) issued several Notices of Violation (NOV) to ASARCO for blowing tailings dust in 2009 and 2010. PDEQ has been conducting settlement discussions with ASARCO to resolve these NOVs. As a result of those discussions, ASARCO has agreed to pay a \$100,000 civil penalty and to fund \$350,000 of supplemental environmental projects in the Canoa Ranch Conservation Park.

PDEQ is currently in the process of issuing ASARCO's air quality permit renewal. The new permit will include provisions to address the operational issues that resulted in the NOVs. PDEQ is working with the community and EPA throughout this process.

All information regarding the NOV's, settlement agreement, and the ongoing permit renewal process is posted on PDEQ's website at www.deq.pima.gov

We will continue to monitor ASARCO, LLC's compliance with Pima County's air quality rules and issued permit. Hopefully, the control measures undertaken by ASARCO will prevent future pollution episodes that resulted in the Notices of Violation and Settlement Agreement.

CHH/mjk

Attachment

c: John Bernal, Deputy County Administrator for Public Works
Ursula Kramer, Director, Environmental Quality
Christopher Straub, Chief Civil Deputy County Attorney