



Thomas L. Aldrich
Vice President
Environmental Affairs

Direct Dial: (520) 798-7749
taldrich@asarco.com

February 6, 2009

VIA HAND DELIVERY

Mr. Richard A. Hyde, P.E.
Director, Air Permits Division (MC-163)
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building C
Austin TX 78753

Re: ASARCO LLC El Paso Copper Plant
Regulated Entity No. RN100219021
Air Programs Account No. EE0007G

Dear Mr. Hyde:

With this letter, I wish to confirm that ASARCO LLC ("Asarco") has suspended its efforts to restart the El Paso, Texas Copper Plant. Because of conditions resulting from the world-wide economic downturn, Asarco is not able to allocate the resources necessary to restart the Plant at this time. Accordingly, Asarco requests that the TCEQ Air Permits Division void the following air permits and pending applications:

- Air Quality Permit No. 20345
- Air Quality Permit No. 4151
- Pending Application to Renew Air Quality Permit No. 4151
- Pending Application for Federal Operating Permit No. 2871

For the immediate future, Asarco will continue to maintain personnel on-site to oversee remediation and plant closure activities. Asarco has been communicating regularly with TCEQ's Remediation Division about on-site remediation efforts, and the Company will continue to do so.

Please do not hesitate to contact me if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Aldrich", written in a cursive style.

Thomas L. Aldrich

cc: Ms. Caroline Sweeney (*via hand delivery*)
Senior Attorney, Litigation Division (MC-175)
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building A
Austin TX 78753