

LOWERRE, FREDERICK, PERALES & ALLMON

ATTORNEYS AT LAW
44 East Avenue, Suite 100
Austin, Texas 78701
(512) 469-6000 • (512) 482-9346 (facsimile)
Mail@LF-LawFirm.com

February 5, 2008

Ms. LaDonna Castañuela
Office of Chief Clerk (MC-105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

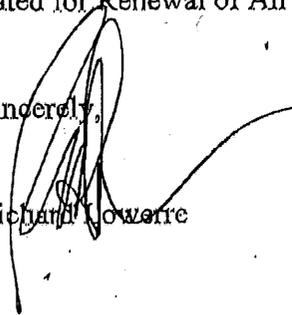
TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2008 FEB -5 PM 2:59
CHIEF CLERKS OFFICE

Re: *Sierra Club Alignment's Response Motion in Support of City of El Paso's Motion to Continue the Texas Commission on Environmental Quality's Consideration of the Application of Asarco Incorporated for Renewal of Air Quality Permit No. 20345; TCEQ Docket No. 2004-0049-AIR, SOAH Docket No. 582-05-0593*

Dear Ms. Castañuela:

Enclosed for filing in the above-referenced matter are an original and eleven copies of Protestants Sierra Club, Get the Lead Out Coalition, Quality of Life El Paso, Students Against ASARCO, UTEP Student Government Association, Debra Kelly and Senator Eliot Shapleigh's ("Protestants") Response in Support of City of El Paso's Motion to Continue the Texas Commission on Environmental Quality's Consideration of the Application of Asarco Incorporated for Renewal of Air Quality Permit No. 20345.

Sincerely,


Richard Lowerre

blood-lead concentrations that have arisen in the last thirty years. EPA is expected to conclude its review in March 2008 and to adopt more stringent lead NAAQS, if deemed necessary, by September 1, 2008. Because lead emissions is a major concern at the ASARCO El Paso Plant and in the El Paso area, Protestants urge the Commission to wait upon the enactment of these new standards to continue this proceeding, so that these more stringent standards can be incorporated into its consideration.

Finally, there is no need for a decision at this time. The application has been pending for years. Given ASARCO, LLC's bankruptcy and the length of time this proceeding has taken, the TCEQ should take the time needed for a full review of the financial, technical and other issues involved in the consideration of ASARCO's application to renew Air Quality Permit No. 20345.

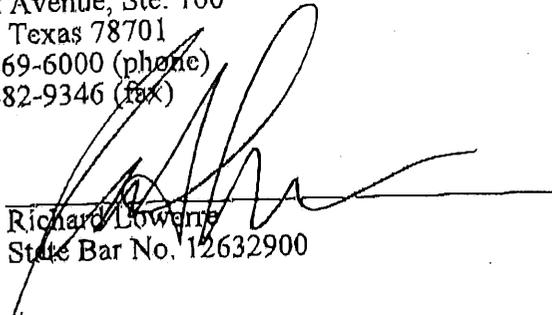
II. PRAYER

For the reasons stated above, Protestants respectfully request that the Commission grant the City of El Paso's Motion for Continuance and to delay this proceeding, including the consideration of ASARCO's application to renew Air Quality Permit No. 20345 at the February 13, 2008 Commissioners' Agenda, until a future date after the conclusion of EPA's new lead NAAQS and the determination of control and proprietorship of ASARCO, LLC and the ASARCO El Paso Plant.

Respectfully submitted,

LOWERRE, FREDERICK, PERALES, & ALLMON
44 East Avenue, Ste. 100
Austin, Texas 78701
(512) 469-6000 (phone)
(512) 482-9346 (fax)

By:

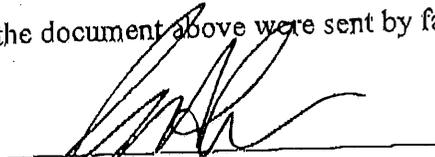


Richard Lowerre
State Bar No. 12632900

ATTORNEYS FOR PROTESTANTS

Certificate of Service

I hereby certify that on February 5, 2008, copies of the document above were sent by fax, and/or mail to the following as indicated below:


Richard Lowerre

STATE OFFICE OF ADMINISTRATIVE HEARINGS

The Honorable William G. Newchurch
Administrative Law Judge
300 W 15th Street, Suite 501 (78701)
PO Box 13025
Austin, Texas 78711-3025
Fax: (512) 475-4994

The Honorable Veronica S. Najera
Administrative Law Judge
401 East Franklin Avenue, suite 580
El Paso, Texas 79901
Fax: (915) 834-5657

FOR PUBLIC INTEREST COUNSEL

Ms. Emily A. Collins
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
Bldg. F, 4th Floor, Room 103 (78753)
PO Box 13087
Austin, Texas 78711-3087
Fax: (512) 239-6377

FOR TCEQ EXECUTIVE DIRECTOR

Mr. Brad Patterson
Ms. Stephanie Bergeron
Mr. Booker Harrison
Texas Commission on Environmental Quality
Environmental Law Division, MC 173
PO Box 13087
Austin, Texas 78711-3087
Fax: (512) 239-0606

FOR TCEQ INTERGOVERNMENTAL RELATIONS

Mr. Steve Niemeyer
Policy Analysis
Texas Commission on Environmental Quality
Intergovernmental Relations, MC 121
PO Box 13087
Austin, Texas 78711-3087

FOR SANDOVAL, ET AL GROUP

Mr. Taylor Moore
7108 Portugal
El Paso, Texas 79912

FOR ACORN, ET AL GROUP

Ms. Veronica Carbajal
Texas Rio Grande Legal Aid, Inc.
1331 Texas Avenue
El Paso, Texas 79901

Mr. Enrique Valdivia
Texas Rio Grande Legal Aid, Inc.
1111 N. Main Avenue
San Antonio, Texas 72212

FOR CITY OF EL PASO

Mr. Erich M. Birch
Angela K. Moorman
Birch, Becker & Moorman, LLP
7000 North MoPac Expressway
Plaza 7000, Second Floor
Austin, Texas 78731

Ms. Laura Prendergast Gordon
Deputy City Attorney
#2 Civic Center Plaza
El Paso, Texas 79901-1196

LOWERRE, FREDERICK, PERALES & ALLMON

44 East Avenue, Suite 100
Austin, TX 78701
(512) 469-6000 Phone
(512) 482-9346 FAX

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO:

To: LaDonna Castanuela
Fax: 239-3311
From: Rick Lowerre & Frederick
Date: February 5, 2008

2008 FEB -5 PM 2:59
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| DOCUMENTS | NUMBER OF PAGES (not including cover pg.) |
|---|---|
| Protestants response in support of City of El Paso's motion to continue the TCEQ's Consideration of the application of Asarco | 5 |
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COMMENTS:

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