

8.3.2

Monsanto Enviro-Chem

Monsanto Enviro-Chem Systems Inc.
Corporate Square Office Park
Box 14547
St. Louis, Missouri 63178
Phone: (314) 694-1000

February 6, 1979

Mr. R. H. Hunt
ASARCO, Incorporated
P. O. Box 1111
El Paso, Texas 79999

RECEIVED FEB 7 1979

Reference: ASARCO Order No. 17H 0711

Subject : EA-26-EP, NY-3954, Plt. 623
MEC Letter No. 2102-232
PLANT ACCEPTANCE
ASARCO File No. 8.3

Dear Rod:

This confirms our telephone conversation of February 2 pertaining to your qualifications to the letter of acceptance for the acid plant.

Your request that all guarantees referred to in Article 6 of the contract be extended until such time as the intended source of supply is established is not consistent with the terms of our present contract, articles 6, 1c and 6, 1d. We will, however, accept your qualification provided it can be re-written as follows:

"When the intended source of gas to the plant is established (i.e., lead sintering and copper roasting plants), another acceptance test will be performed and witnessed by Enviro-Chem. The performance and other guarantees referenced in Article 6 of the contract will apply provided the final acceptance test is performed before July 1, 1979. If the acceptance test is not performed before July 1, 1979, the performance guarantees shall be deemed to have been fulfilled."

PLAINTIFF'S EXHIBIT

ASA-1130

ASARCO ELP 0007969

Mr. R. H. Hunt

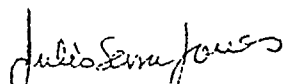
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JLS-J
2/6/79

If you are in agreement with the foregoing, please sign one copy of this letter and return to me at your earliest convenience.

Sincerely,

MONSANTO ENVIRO-CHEM SYSTEMS INC.

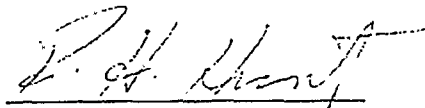

Julio Serra-Jones
Estimating & Control Director

JLS-J:jkb

cc: Julio Serra-Jones
M. F. Ernhart

File No. 2102.2

AGREED BY:


R. H. Hunt

DATE

: February 12, 1979