

STATE OF NEVADA

Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

January 22, 2010

Susan Crowley (Contractor)
C/O Tronox LLC
PO Box 55
Henderson, NV 89009

Re: **Tronox LLC (TRX)**
NDEP Facility ID #H-000539
Nevada Division of Environmental Protection (NDEP) Response to:
Data Validation Summary Report Schedule Request (e-mail)
Dated: January 21, 2010

Dear Ms. Crowley,

The NDEP has received and reviewed TRX's above-identified Data Validation Summary Report (DVSR) Schedule in an e-mail dated January 21, 2010. During a December 17, 2009 Phase B meeting between NDEP, TRX and our respective consultants, TRX stated that the Area II DVSR would be submitted by mid-January, 2010. Additionally, TRX stated that the Area III and IV DVSRs would be submitted by mid-February. These deadlines were memorialized (after receiving and incorporating TRX's comments) in the final minutes issued for the December 17, 2009 meeting. NDEP assigned a date of January 22, 2010 for the Area II DVSR submittal based on the TRX "mid-January" schedule and February 19, 2010 for the Areas III and IV DVSRs based on the TRX "mid-February" schedule.

In the above-reference e-mail, TRX requested the following extensions for the remaining DVSRs (Deliverables) for the Phase B Environmental Conditions Assessment:

- Area II DVSR from January 22, 2010 to February 15, 2010 (24 days)
- Area III DVSR from February 19, 2010 to March 18, 2010 (28 days)
- Area IV DVSR from February 19, 2010 to March 8, 2010 (17 days)

NDEP will not extend the deadlines for the submittal of the above Deliverables as no basis has been provided to justify such an extension; therefore, the **January 22, 2010** (Area I DVSR) and **February 19, 2010** (Areas III and IV DVSRs) deadlines are still in effect. Please note that the Phase B data has been in analysis and validation by TRX for over five months.

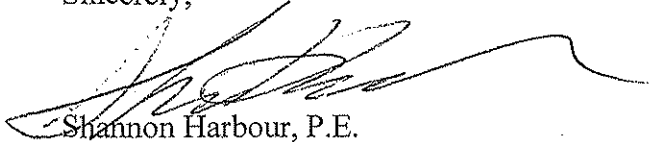
As no deadline for the Groundwater DVSR has been established yet and since TRX states that the groundwater summary tables will be delivered to them by February 8, 2010, the Groundwater DVSR submittal deadline is **February 22, 2010**.



If the submitted DVSRs do not adequately follow NDEP Guidance and previously-issued NDEP comments (RE: Phase B, Area I DVSR), then the document will be rejected and Stipulated Penalties may apply.

If any of these Deliverables are not submitted to the NDEP by the close of business on their respective deadlines, then Stipulated Penalties may also apply as the Deliverable will be late. Please contact the undersigned with any questions at sharbour@ndep.nv.gov or (702) 486-2850 extension 240.

Sincerely,



Shannon Harbour, P.E.
Staff Engineer III
Bureau of Corrective Actions
Special Projects Branch
NDEP-Las Vegas Office
Fax: 702-486-5733

SH:bar:sh

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