



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

February 9, 2010

Matt Paque
Tronox LLC
3301 NW 150th
Oklahoma City, OK 73134

Re: **Tronox LLC (TRX)**
NDEP Facility ID #H-000539

Nevada Division of Environmental Protection (NDEP) Response to:
*Technical Memo – Justification for using an Adjustment Factor for Dioxin
Bioavailability in Soil, Tronox LLC, Henderson Nevada: NDEP Facility ID # 000539*
Dated: February 3, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified Deliverable and finds it unacceptable for reasons discussed at a meeting on February 5, 2010 including a lack of backup data and information to show comparability with the cited studies. It is noted, however, on a subsequent phone call held today that TRX presented congener analysis data and discussed what other information needed to be collected to show comparability to the Findley et al. study. Based on this discussion, TRX will submit a protocol for the bioavailability study as follows:

- Congener profile analysis for identifying that there are two separate sources of dioxin.
- Targeted sampling in the areas of where dioxin/furan TEQ ranges from 1,000 – 3,000 ppb.
- Organic carbon (foc) will be analyzed from un-impacted areas.
- Composite samples will be collected from 0 – 24 inches.
- Analysis of at least five (5) samples from each of the different dioxin/furan TEQ sources based on the congener analysis. (TRX has stated that additional samples will be collected and stockpiled in the event that a more robust dataset is needed due to variability.)

This protocol should be submitted to the NDEP by close of business on **February 11, 2010**. 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



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