



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

March 26, 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:  
*Tronox Phase B Remediation Program Schedule (Revision 4)*  
Dated: March 19, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified Deliverable and finds that the Deliverable is acceptable with the following comments provided in Attachment A. TRX should address these comments in the **April 5, 2010** Remediation Schedule update discussed in the following comments. A response-to-comments letter addressing the attached comments should be included with the updated Schedule.

Please contact the undersigned with any questions at [sharbour@ndep.nv.gov](mailto: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



EC: Jim Najima, NDEP, BCA, Carson City  
Brian Rakvica, NDEP, BCA, Las Vegas  
Greg Lovato, Bureau of Corrective Actions, NDEP, Carson City, NV

CC: Keith Bailey, Environmental Answers LLC, 3229 Persimmon Creek Drive, Edmond, OK 73013  
Susan Crowley, C/O Tronox LLC, PO Box 55, Henderson, NV 89009  
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Barry Conaty, Holland & Hart LLP, 975 F Street, N.W. Suite 900, Washington, D.C. 20004  
Brenda Pohlmann, City of Henderson, PO Box 95050, Henderson, NV 89009  
Mitch Kaplan, U.S. Environmental Protection Agency, Region 9, mail code: WST-5, 75 Hawthorne Street, San Francisco, CA 94105-3901  
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Joanne Otani, 2160 Santa Cruz Avenue, # 20, Menlo Park, CA 94025  
Brian Giroux, McGinley and Associates, 815 Maestro Drive, Reno, NV 89511  
Dave Gratson, Neptune and Company, Inc., 1505 15<sup>th</sup> Street, Suite B, Los Alamos, NM 87544

Attachment A

1. General comment: the schedule does not contain a task for the periodic update of this schedule. TRX should submit a revised, updated schedule monthly by the 5<sup>th</sup> day of each month commencing on April 5, 2010. The schedule should be updated with actual dates as appropriate through the 30<sup>th</sup> day of the preceding month. (e.g. The Phase B Area III Data Validation Summary Report (DVSR) was approved by NDEP on March 17, 2010. The updated April schedule should reflect this date so that any tasks that are linked to this approval will be updated accordingly.)
2. Lines 252 – 280, DVSRs for Remediation Zone (RZ) sampling, NDEP has the following comments:
  - a. TRX should add a line between “Submit to Tronox/Chartis” (Lines 255, 262, 269, and 276) and “Submit to NDEP (Lines 256, 263, 270, and 277) for the “Revise and Finalize DVSR”.
  - b. For consistency the “Revise and Finalize DVSR” should be set at 5 days and the “Submit to NDEP” should be set at 0 days.
  - c. Please note that NDEP will establish milestones in a subsequent letter for the submittal of the RZ DVSRs. The milestones will be set at the end date of the current lines for “NDEP Review” (Lines 257, 264, 271, and 278) so the submittal dates in the revised schedule should be consistent with these milestones.
3. Line 193, please identify this Task as Pre-Confirmation Sampling for consistency with the actual Deliverable.
4. Lines 291, 300, 309, and 318 (EP Preparation), should not have a predecessor of Line 289FF (RAW Approval); Line 288FF would be a more appropriate predecessor for EP Preparation. Please move the predecessor of RAW Approval to Lines 293, 302, 311, and 320 (Revise and Finalize EP). Please note that this will move up the start and end dates of these Tasks. For example, the submittal date for the EP for RZ-B will become May 27, 2010.)
5. Lines 375 and 390, please check and revise the start date as appropriate. There appears to be a typo in the year (2009)
6. Line 428, please change predecessors 378 and 379 to 387 and 389, respectively so that demolition of Area RZ-D is referenced.
7. Lines 478 – 523, NDEP has the following comments:
  - a. TRX should consider running column studies in conjunction with the pilot test demonstration.
  - b. At a minimum, TRX should begin the necessary sampling and analysis of the pilot study area as there are only a couple of remediation polygons that were generated because of perchlorate only; other areas will not be able to be used for the pilot study because of the excavation timeline delaying the commencement of the test.
  - c. TRX has not added a decision alternative to full-scale implementation. Please add an alternative pathway and schedule for the scenario where flushing is not a feasible remediation method.
  - d. TRX should note that source control of the perchlorate impacted soils needs to be demonstrated by December 31, 2010 per the December 14, 2009 FOAV and Order.
  - e. TRX may schedule a conference call if necessary to discuss this issue prior to the submittal of the updated Schedule.