

STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

April 1, 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:
Capture Zone Evaluation Work Plan, Tronox LLC, Henderson, Nevada
Dated: March 25, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified Deliverable and finds that the document is acceptable with the following comments and/or exceptions noted for the Administrative Record:

1. Section 2.2, pages 6 and 7, last bullet on Page 6, NDEP notes that all of the Upper Muddy Creek formation (UMCf) wells are downgradient of the barrier wall. Please provide rationale for the selection of these locations. TRX should also provide rationale why additional investigation is not being conducted up-gradient of the barrier wall. NDEP believes that horizontal delineation of the UMCf plume should additionally be investigated up-gradient of the barrier wall.
2. Figure 5, Proposed Schedule, please add the following:
 - a. Task start and stop dates
 - b. Monthly Status Memoranda
 - c. Schedule updates (the Schedule should be updated and submitted with the respective Monthly Status Memorandum).
3. Appendix A, response-to-comment (RTC), NDEP provides the following comments:
 - a. RTC3.b.ii, TRX should reference the third bullet of Section 2.2 instead of the fourth.
 - b. RTC 3.b.iii, NDEP disagrees that the revised proposal is adequate to address the eastern control of the perchlorate plume. It is not clear that this would address a capture zone delineated to 10 mg/l or 1 mg/l, which is a concern given that the provisional NDEP action level is 18 µg/l.
 - c. RTC 4.a.i, NDEP agrees with TRX's proposal to discuss this matter, however, it is not clear that dam seepage evaluations are an appropriate metric given the salinity of the water at the TRX site.
 - d. RTC 4.c, NDEP disagrees with TRX's proposal regarding well construction and notes that this is contrary to every other instance in the Deliverable. In all other

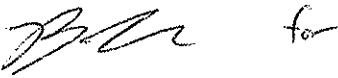


cases TRX proposes to construct wells that are readily convertible to extraction wells. It is not clear why TRX has taken a different position in this RTC. NDEP is concerned that TRX's proposal will waste time and resources.

- e. RTC 6, NDEP acknowledges that a groundwater modeling work plan will be submitted to NDEP by **April 30, 2010**.

TRX should contact the NDEP by **April 7, 2010** to schedule the meeting requested in TRX's RTC letter. Additionally, TRX should be prepared to discuss the above-comments and/or exceptions at this meeting. Errata should be submitted as necessary to address the comments and/or exceptions based on the discussions at the above-meeting. 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

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
Mike Skromyda, Tronox LLC, PO Box 55, Henderson, NV 89009
Michael J. Foster, Tronox LLC, P.O. Box 268859, Oklahoma City, OK 73126-8859
Deni Chambers, Northgate Environmental, 300 Frank H. Ogawa Plaza, Suite 510, Oakland, CA 94612
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
Ebrahim Juma, Planning Manager, Air Quality and Environmental Management, 500 S. Grand Central Pkwy, 1st floor, P.O. Box 555210, Las Vegas, NV 89155-5210
Joe McGinley, McGinley & Associates, 815 Maestro Dr, Reno, NV 89511
Joe McGinley, McGinley & Associates, 8275 S Eastern Ave, Ste 200, Las Vegas, NV 89123
Ranjit Sahu, BRC, 311 North Story Place, Alhambra, CA 91801
Rick Kellogg, BRC, 875 West Warm Springs, Henderson, NV 89011
Mark Paris, Landwell, 875 West Warm Springs, Henderson, NV 89011
Craig Wilkinson, TIMET, PO Box 2128, Henderson, Nevada, 89009-7003
Kirk Stowers, Broadbent & Associates, 8 West Pacific Avenue, Henderson, Nevada 89015
George Crouse, Syngenta Crop Protection, Inc., 410 Swing Road, Greensboro, NC 27409
Nick Pogoncheff, PES Environmental, 1682 Novato Blvd., Suite 100, Novato, CA 94947
Lee Erickson, Stauffer Management Company, P.O. Box 18890, Golden, CO 80402
Michael Bellotti, Olin Corporation, 3855 North Ocoee Street, Suite 200, Cleveland, TN 37312
Curt Richards, Olin Corporation, 3855 North Ocoee Street, Suite 200, Cleveland, TN 37312
Paul Sundberg, Montrose Chemical Corporation, 10733 Wave Crest Court, Stockton, CA 95209
Joe Kelly, Montrose Chemical Corporation of CA, 600 Ericksen Avenue NE, Suite 380, Bainbridge Island, WA 98110
Jeff Gibson, AMPAC, 3883 Howard Hughes Pkwy, Ste 700, Henderson, NV 89169
Larry Cummings, AMPAC, 3883 Howard Hughes Pkwy, Ste 700, Henderson, NV 89169