



STATE OF NEVADA
Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor
Allen Biaggi, Director
Leo M. Drozdoff, P.E., Administrator

July 20, 2010

Matt Paque
Tronox LLC
PO BOX 268859
Oklahoma City, OK 73134

Re: **Tronox LLC (TRX)**
NDEP Facility ID #H-000539
Nevada Division of Environmental Protection (NDEP) Response to:
*TRX Letter Report RE: Work Plan for Additional Sampling of a Portion of the Former
Trade Effluent Pond Berm Northwest Portion of Remediation Zone D*
Dated: July 9, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified Deliverable and provides comments in Attachment A. A revised Deliverable should be submitted **by July 28, 2010** based on the comments found in Attachment A. TRX should additionally provide an annotated response-to-comments letter as part of the revised Deliverable.

Please contact the undersigned with any questions at sharbour@ndep.nv.gov or 775-687-9332.

Sincerely,

Shannon Harbour, P.E.
Staff Engineer III
Bureau of Corrective Actions
Special Projects Branch
NDEP-Carson City Office
Fax: 775-687-8335

SH:sh

EC: Jim Najima, Bureau of Corrective Actions, NDEP
Greg Lovato, Bureau of Corrective Actions, NDEP
Mike Skromyda, Tronox LLC
Michael J. Foster, Tronox LLC
Keith Bailey, Environmental Answers LLC
Susan Crowley, Tronox LLC (Contractor)
Deni Chambers, Northgate Environmental
Brian Rakvica, McGinley and Associates



Barry Conaty, Holland & Hart LLP
Brenda Pohlmann, City of Henderson
Mitch Kaplan, U.S. Environmental Protection Agency, Region 9
Ebrahim Juma, Planning Manager, Air Quality and Environmental Management
Joe McGinley, McGinley & Associates
Ranjit Sahu, BRC
Rick Kellogg, BRC
Mark Paris, Landwell
Craig Wilkinson, TIMET
Kirk Stowers, Broadbent & Associates
Victoria Tyson, Tyson Contracting
George Crouse, Syngenta Crop Protection, Inc.
Nick Pogoncheff, PES Environmental
Lee Erickson, Stauffer Management Company
Michael Bellotti, Olin Corporation
Curt Richards, Olin Corporation
Paul Sundberg, Montrose Chemical Corporation
Joe Kelly, Montrose Chemical Corporation of CA
Jeff Gibson, AMPAC
Larry Cummings, AMPAC
Teri Copeland, Neptune and Company, Inc.
Kurt Fehling, The Fehling Group, LLC
Joanne Otani

CC: Ebrahim Juma, Planning Manager, Air Quality and Environmental Management
Susan Crowley, C/O Tronox LLC, PO Box 55, Henderson, NV 89009
Lee Erickson, Stauffer Management Company

Attachment A

1. TRX should provide background information on the berm based on the Conceptual Site Model (CSM) that includes where the soil for the berm came from, when the berm was constructed, and land use prior to the construction of the berm,.
2. TRX did not present justification based on the CSM that supports elimination of COPCs in the berm area. Additionally, NDEP has noted that berms in other areas of the BMI Complex have exhibited highly variable analytical results; as such, NDEP provides the following comments:
 - a. Unless a defensible CSM justification can be provided for the elimination of COPCs that results in the elimination of an analytical suite, all collected samples for this investigation should be analyzed for the same broad suite analyses proposed in the Phase B Source Area Investigation.
 - b. TRX should also sample through the sidewalls of the berm. NDEP suggests that additional samples be collected at each of the proposed sampling locations through the base of the berm on either side of the berm.
3. TRX should clarify whether any of the limits for excavation polygons adjacent to the berm subject to a 50 feet setback to protect the integrity of the berm similar to what was proposed for the active berms in RZ-D. If so, this would additionally support the rationale for sampling at the base of the berm.
4. Figure 1, TRX should provide the excavation depth and contaminant concentration data in this Figure.