



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

August 17, 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 Background Issues
and Determination of Background Dataset for TRX

Dear Mr. Paque,

The NDEP has investigated the differences observed in metals concentrations between the data from the TRX RZ-A area collected by TRX in 2009 and the McCullough Range background samples collected by BRC-Timet in 2005. NDEP has discovered that the laboratories that analyzed the samples used various digestion methods that appear to have affected the reported metals results. NDEP observed that not all of the metals analyzed reacted in the same way to the variations in the digestion method and that some of the observed differences in the data may not be due to digestion method variations. Additionally, there may be other reasons for the differences observed between the datasets (e.g. geologic, etc.) that have not been investigated in detail in reports submitted by TRX to NDEP. Therefore, based on the observed results and the lack of other rationale or investigation and to further reduce potential for unacceptable exposure to soil contamination, NDEP has determined that the RZ-A dataset is appropriate for background comparisons regardless of the laboratory used for analysis at the TRX facility.

Please note that based on the current schedule for compliance with the December 14, 2010 Order, NDEP does not anticipate being able to review any other documents for the determination of the most appropriate background dataset for TRX. Therefore TRX is expected to abide by this decision and move forward with background comparisons as needed using the data from RZ-A as part of future health risk assessment documents. 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:gl:sh

EC: Jim Najima, Bureau of Corrective Actions, NDEP
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George Crouse, Syngenta Crop Protection, Inc.
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CC: Susan Crowley, C/O Tronox LLC, PO Box 55, Henderson, NV 89009
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