



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

December 2, 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:  
*Letter RE: Request for Schedule Extension: Capture Zone Evaluation Report*  
Dated: November 30, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified letter requesting an extension of the December 3, 2010 submittal deadline for the *Capture Zone Evaluation Report*. The following is the timeline to date for the development of the *Capture Zone Evaluation Report*:

- October 6, 2008: NDEP issues comments to Appendix A: Groundwater Capture Evaluation as part of a response letter to the *Annual Remedial Performance Report for Chromium and Perchlorate, Tronox LLC, Henderson, Nevada, July 2007 – June 2008* (dated August 25, 2008) requesting that TRX submit a revised groundwater capture evaluation as a stand-alone document.
- October 14, 2008: TRX submits a schedule via email for the submittal of a revised groundwater capture evaluation by February 27, 2009.
- October 20, 2008: NDEP agrees to February 27, 2009 submittal deadline for a revised groundwater capture evaluation during a conference call (minutes issued). NDEP stressed during the conference call that no extensions would be given for this submittal.
- February 27, 2009: TRX did not submit the required groundwater capture evaluation or request and receive an extension to the deadline from NDEP.
- August 13, 2009: TRX informs NDEP that field work commenced for field work needed to complete the revised groundwater capture evaluation.
- November 24, 2009: TRX submits a schedule via email for the submittal of a *Capture Efficiency Evaluation Report* by December 23, 2009.



- November 24, 2009: NDEP accepts the December 23, 2009 submittal deadline for a “Groundwater Evaluation Report for the On-Site and Athens (Galleria) Road Well Fields”.
- December 23, 2009: TRX submits *Interim Groundwater Capture Evaluation and Vertical Delineation Report* (dated December 23, 2009).
- January 26, 2010: NDEP issues comments to the *Interim Groundwater Capture Evaluation and Vertical Delineation Report* with a submittal deadline of February 25, 2010 for a work plan to address capture zone data gaps and a request for a submittal deadline for a revised evaluation report.
- February 4, 2010: TRX submits *TRX Letter Re: Schedule for Capture Zone Evaluation Submittals* (dated February 4, 2010).
- February 9, 2010: NDEP response to *TRX Letter Re: Schedule for Capture Zone Evaluation Submittals* with approval for a submittal deadline of March 26, 2010 for a Revised *Interim Groundwater Capture Evaluation and Vertical Delineation Report*.
- February 25, 2010: TRX submits *Capture Zone Work Plan* (dated February 24, 2010).
- March 10, 2010: NDEP issues comments to the *Capture Zone Work Plan* for revision and resubmittal by March 26, 2010.
- March 24, 2010: TRX submits *Interim GW Capture Evaluation and Vertical Delineation Report* (dated March 23, 2010).
- March 26, 2010: TRX submits *Capture Zone Evaluation Work Plan* (dated March 25, 2010).
- April 1, 2010: NDEP conditional approval granted for the *Capture Zone Evaluation Work Plan*. Includes approval of the submittal deadline for a groundwater modeling work plan by April 30, 2010.
- April 30, 2010: NDEP issues preliminary comments to the *Interim GW Capture Evaluation and Vertical Delineation Report* with the understanding that the *Capture Zone Evaluation Work Plan* approved by NDEP on April 1, 2010 would modify the final document; therefore, instead of setting another revised document submittal deadline, NDEP required TRX to submit a schedule for a revised groundwater capture evaluation report that would incorporate the work plan activities by May 17, 2010.
- April 30, 2010: TRX submits *Hydrogeologic Modeling Work Plan* (dated April 29, 2010).
- May 17, 2010: TRX submits *Response to NDEP April 30, 2010 Comments on Interim Groundwater Capture Evaluation and Vertical Delineation Report dated: March 23, 2010* (dated May 17, 2010).
- May 20, 2010: NDEP approves submittal deadline of December 3, 2010 for a revised groundwater capture evaluation report.

- May 25, 2010: NDEP and TRX hold a conference call to discuss pending NDEP comments (minutes issued). NDEP issues comments to the *Hydrogeologic Modeling Work Plan* for revision and resubmittal by June 8, 2010.
- June 7, 2010: TRX submits *Revised Hydrogeologic Modeling Work Plan* (dated June 7, 2010).
- July 27, 2010: NDEP issues conditional approval of the *Revised Hydrogeologic Modeling Work Plan*.
- November 30, 2010: TRX request for extension to the submittal date for a revised groundwater capture evaluation report.

Additionally, NDEP and TRX have held weekly conference calls since 2009 to discuss Site issues. Groundwater capture activities have been an ongoing agenda item especially since the approval of the December 3, 2010 deadline. NDEP notes that TRX has indicated during these calls that the groundwater capture evaluation was on schedule and has not discussed any potential for delay of the schedule.

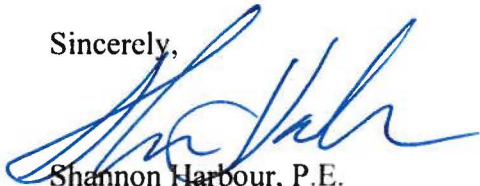
Based on the above-listed items, NDEP does not approve the extension of the submittal deadline for the Capture Zone Evaluation Report. However, NDEP issued comments on November 23, 2010 to the *Technical Memorandum: Hydrogeologic Groundwater Model Inputs* (dated October 29, 2010) that will affect the Capture Zone Evaluation Report; therefore, NDEP will allow for the submittal of the response-to-comments (RTC) and any necessary errata to the Report by December 10, 2010 that address the NDEP's November 23, 2010 comments.

In summary, NDEP responds as follows:

- Capture Zone Evaluation Report – submittal deadline: **December 3, 2010**.
- RTC and resulting errata in response to NDEP's November 23, 2010 letter – submittal deadline: **December 10, 2010**.

Please contact the undersigned with any questions at [sharbour@ndep.nv.gov](mailto:sharbour@ndep.nv.gov) or 775-687-9332.

Sincerely,



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SH:sh

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