

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 3, 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 RE: Nevada Division of Environmental Protection's November 23, 2010
Response to: TRX Letter RE: Remediation Status of RZ-D (includes attachment: Las
Vegas Paving Corp. Memorandum RE: Estimated Work Complete by 31 December
2010)
Dated: November 30, 2010

Dear Mr. Paque,


The NDEP has received the above-referenced letter and notes the following in response:

1. The schedule presented by TRX does not meet the December 31, 2010 deadline for demonstration of source control as required in the December 14, 2009 Finding of Alleged Violation (FOAV) and Order.
2. TRX states, "As NDEP is aware, Tronox has significantly ramped up efforts to meet this deadline." NDEP has also been notified by our contractors overseeing the excavation work that there has been on-Site equipment idle and work shifts have been eliminated.
3. Excavation plan submittals have been delayed and/or incomplete. Other important decision-making Deliverables, such as the Slope Stability Technical Memorandum, have been delayed in submittal and have required multiple revisions to be acceptable to the NDEP.
4. TRX has implemented set-backs in the field without contacting, discussing, or providing scientific rationale and back-up for the decision, which have resulted in excavation delays to approved plans.

TRX should note that in order to be compliant with the December 14, 2009 FOAV and Order, the December 31, 2010 deadline for demonstration of source control will need to be met. Please contact the undersigned with any questions at sharbour@ndep.nv.gov or 775-687-9332.



Sincerely,



Shamon 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
William Knight, Bureau of Corrective Actions, NDEP
Carolyn Tanner, AG's Office
Bill Frey, AG's Office
Brenda Pohlmann, City of Henderson
Stephen Tyahla, U.S. Environmental Protection Agency, Region 9
Jay A. Steinberg, Tronox Henderson Trust
Allan Delorme, ENVIRON
Mark Travers, ENVIRON
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
Joe McGinley, McGinley & Associates
Barry Conaty, Holland & Hart LLP
Ranajit Sahu, BRC
Rick Kellogg, BRC
Lee Farris, 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
Ebrahim Juma, Clean Water Team
Joe Leedy, Clean Water Team
Kathryn Hoffmann, Clean Water Team

CC: Susan Crowley, C/O Tronox LLC, PO Box 55, Henderson, NV 89009
Lee Farris, BRC, 875 W. Warm Springs Road, Henderson, NV 89011
Lee Erickson, Stauffer Management Company