

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

Brian Sandoval, Governor
Leo M. Drozdoff, P.E., Director
Colleen Cripps, Ph.D., Administrator

November 26, 2013

Jay A. Steinberg
Nevada Environmental Response Trust
35 East Wacker Drive, Suite 1550
Chicago, IL 60601

Subject: No Further Action Determination – NERT Parcels A and B

Facility: Tronox LLC (TRX) Facility
Nevada Environmental Response Trust (Trust) Property
Clark County, Nevada
Portion of APNs 1781415001, 17812110004
NDEP Facility ID #H-000539

Dear Mr. Steinberg,

The Nevada Division of Environmental Protection (NDEP) has received and reviewed the August 23, 2013 Compilation of Select Health Risk Assessment Documents for Parcels A and B: 2008 to 2013 (Deliverable). This Deliverable was prepared under the responsible charge of Mr. John M. Pekala, CEM of Environ International Corporation on behalf of Nevada Environmental Response Trust (Trust) for the above-referenced areas. The Deliverable contains a request for a no further action determination from the NDEP.

The NDEP has reviewed the following information and has determined that no further assessment or remediation of soil is required:

1. A voluntary Environmental Covenant (“EC”) has been prepared and executed in accordance with Nevada Revised Statutes 445D relating to the prospective use of the subject property;
2. A formal human health risk assessment; and
3. Supporting technical data.

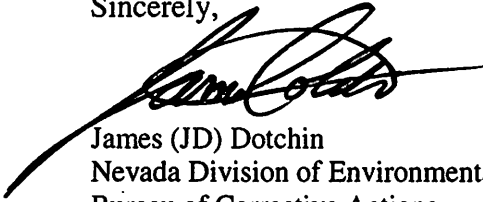
The EC was recorded as of November 20, 2013 with the Clark County Recorder office for the areas designated above, and therefore the EC (as may be amended in the future by agreement of NDEP and the owner of the property) is a matter of public record.

Parcels A and B are further depicted and described in the attachment of this letter. (Legal descriptions and map for Tronox Parcels A and B)

Should you have any questions or concerns, please do not hesitate to contact me at (702) 486-2850 x 235 or jdotchin@ndep.nv.gov.



Sincerely,



James (JD) Dotchin
Nevada Division of Environmental Protection
Bureau of Corrective Actions
2030 E. Flamingo Rd, Suite 230
Las Vegas, NV. 89119
Phone: 702-486-2850 Ext 235

Attachment (Legal Description and Map of Parcel A and B)

JD:jd

EC: Greg Lovato, Bureau of Corrective Actions, NDEP
James Dotchin, NDEP, BCA LV
Weiquan Dong, NDEP, BCA LV
Adam Baas, Edgcomb Law Group
Allan Delorme, ENVIRON
Andrew Barnes, Geosyntec
Andrew Steinberg, Nevada Environmental Response Trust
Ashley Katri, McGinley & Associates
Betty Kuo, MWDH2O
Brenda Pohlmann, City of Henderson
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Brian Waggle, Hargis + Associates
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Catherine Sties, MWDH2O
Charles K. Hauser, Esq., Southern Nevada Water Authority
Chuck Elmendorf, Stauffer Management Company, LLC
David Johnson, Central Arizona Water Conservation District
Ebrahim Juma, Clean Water Team
Ed Modiano, de maximis, inc.
Eric Fordham, Geopentech
George Crouse, Syngenta Crop Protection, Inc.
Jay Gear, Olin Co
Jeff Gibson, AMPAC
Scott Bryan, Central Arizona Project
Jill Teraoka, MWDH2O
Joanne Otani
Joe Kelly, Montrose Chemical Corporation of CA
Joe Leedy, Clean Water Team
Joe McGinley, McGinley & Associates
John Pekala, Environcorp
Kirk Stowers, Broadbent & Associates
Kurt Fehling, The Fehling Group
Kyle Gadley, Geosyntec
Lee Farris, BRC

Marcia Scully, Metropolitan Water District of Southern California
Mark Paris, Landwell
Matt Pocernich, Neptune & Company Inc
Michael Long, Hargis + Associates
Mickey Chaudhuri, Metropolitan Water District of Southern California
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Paul Black, Neptune and Company, Inc.
Paul Hackenberry, Hackenberry Associates, LLC
Peggy Roefer, Southern Nevada Water Authority
Ranajit Sahu, BRC
Rebecca Shircliff, Neptune and Company, Inc.
Richard Pfarrer, TIMET
Rick Kellogg, BRC
Ron Zegers, Southern Nevada Water Authority
Scott Bryan, Central Arizona Project
Stephen Tyahla, U.S. Environmental Protection Agency, Region 9
Susan Crowley, Crowley Environ.
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Teri Copeland
Wayne Klomp, AG's Office



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LEGAL DESCRIPTION
NFA - PARCEL 1 (A/B)

THAT PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 1 AND THAT PORTION OF THE NORTH HALF (N1/2) OF SECTION 12, ALL IN TOWNSHIP 22 SOUTH, RANGE 62 EAST, M.D.M., DESCRIBED AS FOLLOWS:

PARCEL 1

LOT ONE (1) OF THE FINAL MAP OF NORTH GATE (A COMMERCIAL SUBDIVISION), AS SHOWN BY MAP THEREOF ON FILE IN BOOK 139 OF PLATS, PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

PARCEL 2

A PORTION OF LOT 2 OF NORTH GATE, AS SHOWN IN BOOK 139 OF PLATS, PAGE 11, OFFICIAL RECORDS, CLARK COUNTY, NEVADA, LOCATED IN A PORTION OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 62 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

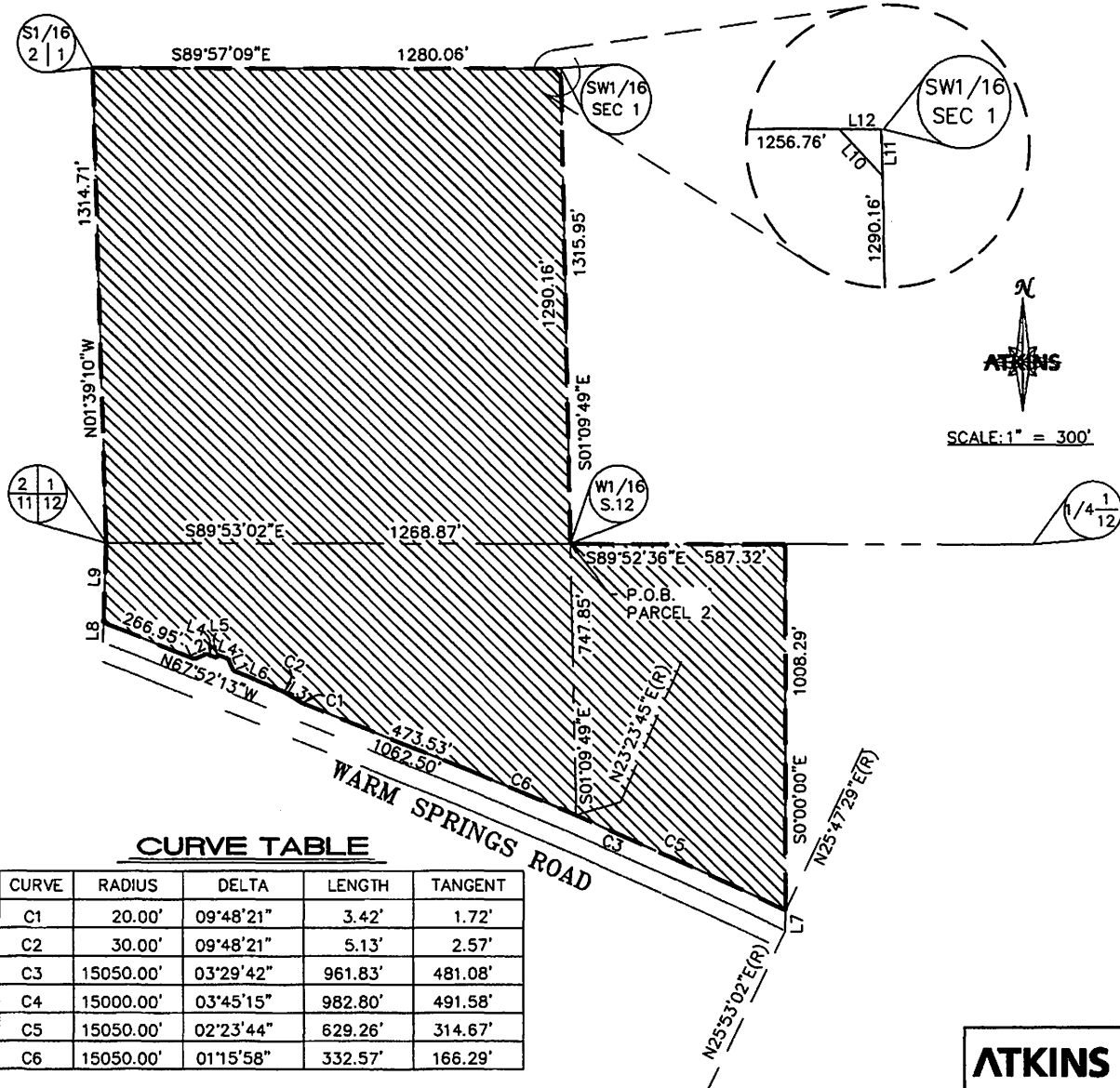
BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 12, SAME BEING THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 89°52'36" EAST, ALONG THE NORTH LINE THEREOF, COINCIDENT WITH THE NORTH BOUNDARY OF SAID LOT 2, A DISTANCE OF 587.32 FEET; THENCE SOUTH 00°00'00" EAST, DEPARTING SAID NORTH LINE AND SAID NORTH BOUNDARY, 1008.29 FEET TO BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15050.00 FEET, SAME BEING THE NORTHEASTERLY RIGHT-OF-WAY OF W. WARM SPRINGS ROAD, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 25°47'29" EAST; THENCE ALONG SAID CURVE AND SAID NORTHEASTERLY RIGHT-OF-WAY TO THE LEFT THROUGH A CENTRAL ANGLE OF 02°23'44", AN ARC LENGTH OF 629.26 FEET TO THE WEST BOUNDARY OF SAID LOT 2, THENCE NORTH 01°09'49" WEST, DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY AND ALONG SAID WEST BOUNDARY, 747.85 FEET TO THE POINT OF BEGINNING.

FURTHER DEPICTED AS LOT 2-3 ON THAT RECORD OF SURVEY ON FILE IN FILE 173 OF SURVEYS, PAGE 95, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.



PARCEL 1 (A/B)

A PORTION OF SECTION 1 AND A PORTION OF SECTION 12, TOWNSHIP 22 SOUTH,
RANGE 62 EAST, M.D.M., CITY OF HENDERSON, CLARK COUNTY, NEVADA.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N23°17'24"W	35.10'
L2	S66°42'36"W	35.61'
L3	N58°03'51"W	54.43'
L4	S68°42'36"E	30.00'
L5	N21°17'24"E	8.39'
L6	N67°52'13"W	150.00'
L7	N00°00'00"W	55.00'
L8	S01°46'08"W	53.33'
L9	N01°46'08"E	221.45'
L10	S42°42'43"E	35.12'
L11	N01°09'49"W	25.79'
L12	N89°57'09"W	23.30'

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	20.00'	09°48'21"	3.42'	1.72'
C2	30.00'	09°48'21"	5.13'	2.57'
C3	15050.00'	03°29'42"	961.83'	481.08'
C4	15000.00'	03°45'15"	982.80'	491.58'
C5	15050.00'	02°23'44"	629.26'	314.67'
C6	15050.00'	01°15'58"	332.57'	166.29'

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