



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

Jim Gibbons, Governor

Allen Blaggi, Director

Leo M. Drozdoff, P.E., Administrator

November 8, 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 Report RE: Tronox Facility Beta Ditch Burrowing Owl Survey
Dated: November 5, 2010

Dear Mr. Paque,

The NDEP has received the above-identified Deliverable. NDEP acknowledges that TRX has investigated the burrowing owl siting and has submitted the conclusion that the proposed remediation activities in the RZ-E area will not impact burrowing owls or their habitat. NDEP expects that TRX will continue to monitor for burrowing owls as remediation continues in the RZ-E and other areas. In the event that burrowing owls are sighted again, NDEP expects that TRX will evaluate potential impacts of remediation activities and propose necessary modifications to remediation activities.

Additionally, NDEP would like to note for the Administrative Record that Mr. Derrick Willis of Northgate Environmental Management, Inc. was notified via e-mail that NDEP designated Mr. Devin Gordon of McGinley and Associates to attend a meeting with a biologist only to point out where he had sighted the burrowing owl. NDEP has not designated Mr. Gordon to accept or approve any conclusions on behalf of NDEP at this meeting or in regards to this issue.

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
Greg Lovato, Bureau of Corrective Actions, NDEP
William Knight, Bureau of Corrective Actions, NDEP
Brenda Pohlmann, City of Henderson
Mitch Kaplan, U.S. Environmental Protection Agency, Region 9
Jay A. Steinberg, Tronox Henderson Trust
Allan Delorme, 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