



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

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

November 29, 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:
Technical Memorandum: Response to Request for Description of Slope Cutting in the Vicinity of the PRP (Inlet/Outlet) Water Lines
Dated: November 22, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified Deliverable and find this Deliverable unacceptable. NDEP has provided comments in Attachment A. A revised Deliverable should be submitted **by December 6, 2010** based on the comments found in Attachment A. TRX should additionally provide an annotated response-to-comments letter as part of the revised Deliverable.

TRX should note that the cutlines established in NDEP's November 24, 2010 response letter to the *Revised Engineering Evaluation of Slope Stability, WC and GW-11 Pond Embankments, Phase B Soil Remediation of RZ-D, Tronox LLC, Henderson, Nevada* (dated October 18, 2010) and *Response to Comments on Revised Engineering Evaluation of Slope Stability, WC and GW-11 Pond Embankments, Phase B Soil Remediation of RZ-D Tronox LLC, Henderson, Nevada* (dated November 5, 2010) are still applicable. As such, TRX may choose to excavate to the approved excavation limits and not submit a revise Deliverable as specified above. If TRX opts to excavate to the currently approved excavation limits, please advise NDEP **by December 3, 2010**. 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
Carolyn Tanner, AG's Office, Reno, NV
Bill Frey, AG's Office, Carson City, NV
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

Attachment A

1. General comment: NDEP additionally reviewed the following Deliverables for information concerning the area in the vicinity of the “PRP lines”:
 - a. Section 2.2.15 and Figures 2, 3, and 19: *Environmental Covenants, Institutional and Engineering Control Plan, Tronox LLC, Henderson, Nevada* (dated November 19, 2010)
 - b. Figure 19: *Update to Environmental Covenants, Institutional and Engineering Control Plan, Tronox LLC, Henderson, Nevada* dated November 19, 2010 (dated November 24, 2010)
2. TRX should at a minimum provide the following information and data:
 - a. Depth to the PRP lines.
 - b. Calculations supporting a minimum setback of 10 feet from the PRP lines.
 - c. Calculations supporting a minimum slope of 3:1 for the PRP lines.
3. TRX should provide discussion on the feasibility of alternative excavation procedures or equipment that would allow for excavation to continue as approved. (e.g. air knifing, phased excavation, etc.)