



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:
Excavation Plan for Phase B Soil Remediation of RZ-E. Addendum to the Removal Action Work Plan. Tronox LLC, Henderson, Nevada
Dated: November 3, 2010

Errata pages for RZ-E Excavation Plan
Dated: November 4, 2010

Conference Call Minutes
Dated: November 9, 2010

And

Errata to RZ-E Excavation Plan: Figure 1 and Table 1
Dated: November 15, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified Deliverables and documentation and provides conditional approval so that TRX may proceed with implementation of this Excavation Plan without further delay. TRX should complete the excavation of RZ-E based on the comments found in Attachments A of this letter to prevent any delay to the remediation schedule. Delay in the remediation schedule will be considered non-compliance without prior NDEP concurrence. TRX should submit an annotated response-to-comments letter **by December 7, 2010** with any errata necessary to address NDEP's conditions/comments. 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: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. Section 1.3, page 5 and Section 4.4, page 10, TRX continues to defer the issue of how risk assessments will be conducted in areas where backfill is not proposed to be placed. Therefore, NDEP provides the following:
 - a. If excavation that will not be backfilled is less than or equal to 5 feet below ground surface (fbgs), TRX may use the current 10 fbgs data to represent the new 0 – 10 fbgs range.
 - b. Excavations greater than 5 fbgs either need to be backfilled to pre-excavation grades or a post-excavation 10 fbgs sample must be collected and used in the risk assessment.
2. Figure 1 (errata Figure 1 dated November 12, 2010): NDEP provides the following comments:
 - a. RZ-E-02: based on the additional data provided for SSAM3-02, the depth of excavation should be established at 19 feet below ground surface (fbgs).
 - b. RZ-E-08: the eastern excavation limit should be established at the mid-point between BDT-S-5 and SSAM5-04.
 - c. SSAL8-02: based on the data from this boundary sample, TRX should excavate as vertically as possible at the eastern property boundary to 5 fbgs.