

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

February 21, 2013

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

Re: **Tronox LLC (TRX) Facility**
Nevada Environmental Response Trust (Trust) Property
NDEP Facility ID #H-000539
Nevada Division of Environmental Protection (NDEP) Response to:
Manganese Tailings Removal Technical Memorandum, Nevada Environmental Response
Trust Site, Henderson, Nevada
Dated: November 9, 2012

Dear Mr. Steinberg,

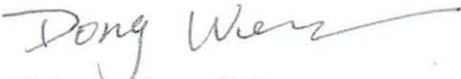
The NDEP has received and reviewed the Trust's above-identified Deliverable and finds that the document is acceptable with the following comments noted for the Administrative Record. NDEP requests that errata be submitted to address the following comments:

1. Section 3.4 Removal Activities, NDEP provides the following comments based on the information provided in Appendix F Daily Records for Manganese Tailings Release Incidents:
 - a. 1st bullet, the incident should be attributed to an electrical short and not to driver error.
 - b. 2nd bullet, the incident date was 05/20/10 not 05/21/10 and the incident should be attributed to a belly gate pin failure and not to a sticking belly gate.
 - c. 3rd bullet, the incident should be attributed to the intentional release by driver and not to driver error.
2. Section 6.0 References, NDEP provides the following comments:
 - a. The DVSR reports referenced in Section 4.3 Confirmation Sampling Results should be listed in the References section.
 - b. The NDEP approval status of all documents submitted to NDEP should be noted (i.e. date of NDEP approval or comment letter).

Please contact the undersigned with any questions at wdong@ndep.nv.gov or 702-468-2850 x252.



Sincerely,



Weiquan Dong, P.E.
Special Projects Branch
Bureau of Corrective Actions
NDEP-Las Vegas City Office

WD:sh

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