

OFFICE OF THE NEVADA ENVIRONMENTAL RESPONSE TRUST TRUSTEE

Le Petomane XXVII, Inc., Not Individually, But Solely as the Nevada Environmental Response Trust Trustee

35 East Wacker Drive - Suite 1550

Chicago, Illinois 60601

Tel: (702) 357-8149, x104

November 3, 2017

Mr. Weiquan Dong, Ph.D.
Bureau of Industrial Site Cleanup
Nevada Division of Environmental Protection
2030 E. Flamingo Rd, Suite 230
Las Vegas NV 89119

RE: Response to September 18, 2017 Comments from NDEP on the July 31, 2017 *Health Risk Assessment for Parcels C, D, and G*
Nevada Environmental Response Trust Site
Henderson, Nevada

Dear Mr. Dong:

The Nevada Environmental Response Trust (NERT or the Trust) is pleased to present the *Health Risk Assessment (HRA) for Parcels C, D, and G, Revision 1* for Nevada Division of Environmental Protection (NDEP) review. This revised HRA report for Parcels C, D, and G is submitted as requested by NDEP and addresses comments on the July 31, 2017 *Health Risk Assessment for Parcels C, D, and G* provided by NDEP on September 18, 2017.

A response to the comments included in Attachment A of the NDEP's September 18, 2017 letter is provided in Attachment 1. NDEP approval letters for soil and soil gas DVSRs are provided in Attachment 2.

As you will recall, this submittal is one of three health risk assessments for the parcels pending transfer to Treco. The Health Risk Assessment for Parcel H was submitted to NDEP for your review on October 20, 2017. The Health Risk Assessment for Parcel F is under development and will be submitted in December 2017 for NDEP review.

If you have any questions or concerns regarding this matter, feel to contact me at (702) 960-4309 or at steve.clough@nert-trust.com.

Office of the Nevada Environmental Response Trust



Stephen R. Clough, P.G., CEM
Remediation Director

CEM Certification Number: 2399, exp. 3/24/19

Attachment 1: Response to the NDEP's September 18, 2017 Comments on the July 31, 2017 *Health Risk Assessment for Parcels C, D, and G*

Attachment 2: NDEP Approval Letters for Soil and Soil Gas DVSRs

Cc (via NERT Sharefile Distribution):

Jeff Kinder, NDEP, Deputy Administrator
James Dotchin, NDEP, Chief, Bureau of Industrial Site Cleanup
Carlton Parker, NDEP, Bureau of Industrial Site Cleanup
Alan Pineda, NDEP, Bureau of Industrial Site Cleanup
Christa Smaling, NDEP, Bureau of Industrial Site Cleanup
Micheline Fairbank, Nevada Attorney General's Office
Alison Fong, U.S. Environmental Protection Agency, Region 9
Mark Duffy, U.S. Environmental Protection Agency, Region 9
Jay Steinberg, as President of the Nevada Environmental Response Trust Trustee and not individually
Andrew Steinberg, as Vice President of the Nevada Environmental Response Trust Trustee and not individually
Tanya C. O'Neill, Foley and Lardner, LLP
Allan DeLorme, Ramboll Environ
John Pekala, Ramboll Environ
Derek Amidon, Tetra Tech
Dan Pastor, Tetra Tech

Cc (via NERT Stakeholder Sharefile Distribution):

Betty Kuo, Metropolitan Water District of Southern California
Brenda Pohlmann, City of Henderson
Carol Nagai, Metropolitan Water District of Southern California
David Johnson, Central Arizona Water Conservation District
Dave Johnson, LV Valley Water District
Eric Fordham, Geopentech
Jill Teraoka, Metropolitan Water District of Southern California
Kevin Fisher, LV Valley Water District
Marcia Scully, Metropolitan Water District of Southern California
Maria Lopez, Metropolitan Water District of Southern California
Mickey Chaudhuri, Metropolitan Water District of Southern California
Peggy Roefer, Colorado River Commission
Scott Bryan, Central Arizona Water Conservation District
Steven Anderson, LV Valley Water District
Todd Tietjen, Southern Nevada Water Authority

Cc (via NERT BMI Companies Sharefile Distribution):

Anna Springsteen, Neptune Inc.
Kirk Stowers, Broadbent Inc.
Kristen Lockhart, Neptune Inc.
Kurt Fehling, The Fehling Group
Patti Meeks, Neptune Inc.
Paul Black, Neptune Inc.
Paul S. Hackenberry, Hackenberry Associates
John Edgcomb, Edgcomb Law Group
Andrew Barnes, Geosyntec
Brian Waggle, Hargis + Associates
Chinny Esakkiperumal, Olin Corporation
Chuck Elmendorf, Stauffer
Curt Richards, Olin Corporation
Dave Share, Olin Corporation
Ebrahim Juma, Clean Water Team
Ed Modiano, de maximus
Gary Carter, Endeavour LLC
George Crouse, Syngenta
Harry Van Den Berg, AECOM
Jeff Gibson, Endeavour LLC
Joanne Otani, Joanne M. Otani LLC

Joe Kelly, Montrose Chemical
Joe Leedy, Clean Water Team
Kelly McIntosh, GEI Consultants
Kevin Lombardozi, Valhi
Kyle Gadley, Geosyntec
Lee C. Farris, Landwell
Mark Paris, Landwell
Michael Bogle, Womble Carlyle Sandridge & Rice, LLP
Michael Long, Hargis + Associates
Nick Pogoncheff, PES Environmental, Inc.
Ranajit Sahu, BRC
Richard Pfarrer, TIMET
Rick Kellogg, BRC

ATTACHMENT 1

Response to the NDEP's September 18, 2017 Comments
on the July 31, 2017 *Health Risk Assessment for Parcels C, D, and G*

Response to the NDEP's September 18, 2017 Comments on the July 31, 2017
Health Risk Assessment for Parcels C, D, and G
 Nevada Environmental Response Trust Site, Henderson, Nevada

| NDEP Comment | Response to Comment |
|--|--|
| <p>1. Section 5.4.1.3 Dioxin TEQ, states, p. 85. According to this section, dioxins failed the screening process but were still eliminated as a COPC as the UCL was less than the site-specific action level of 0.0027 mg/kg. As a general rule, the NDEP does not allow screening using the UCL. However, a review of the data indicate there is only one sample greater than the action level; that of TSB-CJ-09 with a concentration of 0.0039 mg/kg. It is recommended that: 1) NERT remediate the area associated with this sample and if the resulting confirmation sample is less than the action level, then dioxins would no longer be considered COPCs for this evaluation or 2) Revise the calculation of health risk factors with including TSB-CJ-09 with dioxin concentration of 0.0039 mg/kg.</p> | <p>The risk calculation in Appendix Q-1 has been revised to include dioxin TEQ as a COPC for Parcel C. The relevant text and tables have also been updated. The resulting evaluation indicates that the estimated cancer risks for this constituent for the onsite workers area within the NDEP acceptable cancer risk range of 10^{-6} to 10^{-4} (NDEP 2017).</p> |
| <p>2. NDEP Specific Comment #14 stated, "Please verify the calculation for sample pairs as they do not appear to be correct (Table 4 Field Duplicate Qualifications)." NERT Response (Appendix A-2) states "All calculation for field duplicates were updated." A review of the precision discussion included for the 2013 soil gas investigation (page 47) indicates that "no field duplicates was collected during the 2013 investigation near the Study Area." As such, tabulation of field duplicate qualifications is no longer included in this report. The NDEP cannot verify whether the calculations were updated.</p> | <p>No field duplicate samples were collected during the 2013 soil gas investigation in or near Parcels C, D and G. The 2013 soil gas field duplicate sample referred in NDEP Specific Comment #14, E-SG-6-030813, was collected in Parcel F. Therefore tabulation of field duplicate qualifications (Appendix L, Table L-1) in the HRA for Parcel C, D, and G did not include the 2013 soil gas sample duplicates, but only the 2007 soil gas samples which have field duplicates collected on or near Parcels C, D and G. The response to NDEP Specific Comment #14 in Appendix A-2 has been modified as below:</p> <p>"Soil gas sample E-SG-6-030813 collected in 2013 is located in Parcel F. The calculations for field duplicates for this sample are updated and included in the Parcel F HRA Report which is anticipated to be submitted to NDEP by the end of 2017."</p> |
| <p>3. Appendix A-1 Response to Comment Letter - Responses to NDEP Comments on Soil HRA Revision 3, General Comment #5, Asbestos risk calculation workbooks. In the response, it was noted that "... the asbestos cancer risks based on the primary samples only are presented in the uncertainty section ... "The NDEP was not able to confirm. Please identify the location in the uncertainty section for this discussion.</p> | <p>The asbestos cancer risks based on the primary samples only are presented in Section 6.1.7, the last bullet on page 103.</p> |

Response to the NDEP's September 18, 2017 Comments on the July 31, 2017
Health Risk Assessment for Parcels C, D, and G
 Nevada Environmental Response Trust Site, Henderson, Nevada

| NDEP Comment | Response to Comment |
|--|---|
| 4. Executive Summary, top of page, first paragraph, last two sentences, p. ES-4. "In all parcels, chloroform ..." Please delete. It appears to be a duplicate. | This sentence has been deleted in accordance with NDEP's suggestion. |
| 5. Table 5-23. HIs for Parcel D, Indoor Worker (0.006), Parcel C, Outdoor Worker (0.0006), and Parcel G, Outdoor Worker (0.00005) do not match the main body of the text, page 88. The significant figures do not match. This does not change the overall conclusions of the report. | The HI values in the text have been updated to be consistent with Table 5-23. |
| 6. Table 5-24. HI for Parcel G, Construction Worker (0.000002) does not match the main body of the text, page 90. There is an extra "O" but this does not change the overall conclusions of the report. | The HI for construction worker for Parcel G in the text has been updated to be consistent with Table 5-24. |
| 7. DVSRs (Sections 4.1.1.2, 4.2.1.2, and 4.3.1): The NDEP could not confirm that the following DVSRs had been reviewed by Neptune: I. All three soil gas DVSRs II. Henderson_Offsite_Relational_062807 DVSR for groundwater III. Soil DVSRs: Parcels C, D, F, G from February 2008, Parcels C, D, F, G, H Supplemental January 2009, Parcels C, D, F, G, and H Soil Confirmations | <p>The NDEP approval letters for the 2007 and 2008 soil gas DVSRs are included in Attachment 2. The DVSR for the 2013 soil gas investigation is presented in Appendix L-3 of this report and it is anticipated that the DVSR for the 2013 soil gas investigation will be approved with this document.</p> <p>Only one groundwater sample M-7B collected on 12/18/2007 is from Henderson_Offsite_Relational_062807 DVSR. Because only the most recent two years of groundwater data at each well are used in the risk calculations and more recent groundwater samples are available from 2014 and 2015, M-7B from the 2007 groundwater sampling investigation was not used in the risk calculations for Parcel C. Therefore it has no impact on the groundwater risk results for this HRA. Discussion on uncertainty associated with this sample has been added in Section 6.1.1 of the revised HRA report.</p> <p>The NDEP approval letters for the three soil DVSRs are included in Attachment 2.</p> |

Response to the NDEP's September 18, 2017 Comments on the July 31, 2017
Health Risk Assessment for Parcels C, D, and G
 Nevada Environmental Response Trust Site, Henderson, Nevada

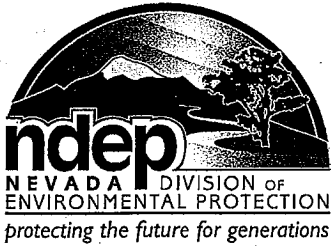
| NDEP Comment | Response to Comment | | | | | | |
|---|---|----------------|-----------|----|----|----|--|
| <p>8. Table 5-1, page 2 of 3, 2,3,7,8-TCDD TEQ reports:</p> <table border="1" data-bbox="170 345 789 475"> <thead> <tr> <th>No. of Samples</th> <th>No. of Detects</th> <th>% Detects</th> </tr> </thead> <tbody> <tr> <td>50</td> <td>50</td> <td>82</td> </tr> </tbody> </table> <p>Please correct the percent detects.</p> | No. of Samples | No. of Detects | % Detects | 50 | 50 | 82 | <p>The numbers in Table 5-1 have been checked and corrected.</p> |
| No. of Samples | No. of Detects | % Detects | | | | | |
| 50 | 50 | 82 | | | | | |
| <p>9. Table 5-9A and Table 5-9B. "Note [2]: 2,3,7,8-TCDD TEQ was not carried through the risk calculation, but evaluated by comparing the soil EPC to the site-specific action level of 0.0027 mg/kg." The data included the tables are not attributed with a comment "[2]". Under COPC column 2,3,7,8-TCDD TEQ entry is annotated with a [1] note which should likely be changed to [2].</p> | <p>Note [2] has been removed from Tables 5-9A and 5-9B since 2,3,7,8-TCDD TEQ is included in the risk calculation per response to Comment #1.</p> | | | | | | |

Reference:

Nevada Division of Environmental Protection (NDEP). 2017. User's Guide and Background Technical Document for NDEP Basic Comparison Levels (BCLs) for Human Health for the BMI Complex and Common Areas. Revision 14 – July 2017.

ATTACHMENT 2

NDEP Approval Letters for Soil and Soil Gas DVSRs



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

April 3, 2008

Susan Crowley
Tronox LLC
PO Box 55
Henderson, Nevada 89009

Re: **Tronox LLC (TRX)**

NDEP Facility ID #H-000539

Nevada Division of Environmental Protection (NDEP) Response to:

*Data Validation Summary Report (DVSR) for the Tronox Parcels C, D, F, and G
Investigation - November 2007, BMI Industrial Complex, Clark County, Nevada*

(Revised)

Dated March 28, 2008

Dear Ms. Crowley,

The NDEP has received and reviewed TRX's above-identified DVSR revision and finds that the document is acceptable. Please contact the undersigned with any questions at sharbour@ndep.nv.gov or (702) 486-2850 extension 240.

Sincerely,

Shannon Harbour, P.E.

Staff Engineer III

Bureau of Corrective Actions

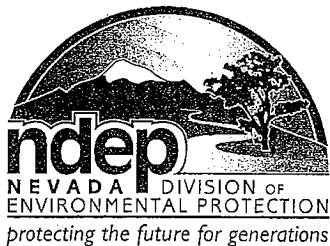
Special Projects Branch

NDEP-Las Vegas Office

SH:bar:sh



CC: Jim Najima, NDEP, BCA, Carson City
Brian Rakvica, NDEP, BCA, Las Vegas
Keith Bailey, Environmental Answers LLC, 3229 Persimmon Creek Drive, Edmond, OK 73013
Sally Bilodeau, ENSR, 1220 Avenida Acaso, Camarillo, CA 93012-8727
Barry Conaty, Akin, Gump, Strauss, Hauer & Feld, L.L.P., 1333 New Hampshire Avenue, N.W.,
Washington, D.C. 20036
Brenda Pohlmann, City of Henderson, PO Box 95050, Henderson, NV 89009
Mitch Kaplan, U.S. Environmental Protection Agency, Region 9, mail code: WST-5, 75 Hawthorne Street,
San Francisco, CA 94105-3901
Ebrahim Juma, Clark County Comprehensive Planning, PO Box 551741, Las Vegas, NV, 89155-1741
Ranjit Sahu, BRC, 311 North Story Place, Alhambra, CA 91801
Rick Kellogg, BRC, 875 West Warm Springs, Henderson, NV 89011
Mark Paris, Landwell, 875 West Warm Springs, Henderson, NV 89011
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Kirk Stowers, Broadbent & Associates, 8 West Pacific Avenue, Henderson, Nevada 89015
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Lee Erickson, Stauffer Management Company, P.O. Box 18890, Golden, CO 80402
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Joe Kelly, Montrose Chemical Corporation of CA, 600 Ericksen Avenue NE, Suite 380, Bainbridge Island,
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Dave Gratson, Neptune and Company, 1505 15th Street, Suite B, Los Alamos, NM 87544



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

January 12, 2009

Susan Crowley (Contractor)
C/O Tronox LLC
PO Box 55
Henderson, NV 89009

Re: **Tronox LLC (TRX)**

NDEP Facility ID #H-000539

Nevada Division of Environmental Protection (NDEP) Response to:

Data Validation Summary Report (DVSR), Tronox Parcels C, D, F, G and H

Supplemental Investigations, - June-July 2008, BMI Industrial Complex, Clark County, Nevada

Dated January 7, 2009

Dear Ms. Crowley,

The NDEP has received and reviewed TRX's above-identified DVSR and finds that the document is acceptable.

Please contact the undersigned with any questions at sharbour@ndep.nv.gov or (702) 486-2850 extension 240.

Sincerely,

Shannon Harbour, P.E.

Staff Engineer III

Bureau of Corrective Actions

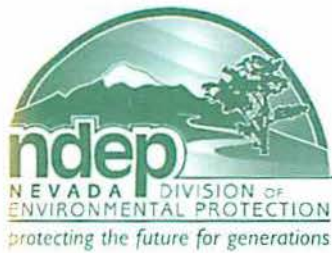
Special Projects Branch

NDEP-Las Vegas Office

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CC: Jim Najima, NDEP, BCA, Carson City
Brian Rakvica, NDEP, BCA, Las Vegas
Keith Bailey, Environmental Answers LLC, 3229 Persimmon Creek Drive, Edmond, OK 73013
Mike Skromyda, Tronox LLC, PO Box 55, Henderson, NV 89009
Barry Conaty, Holland & Hart LLP, 975 F Street, N.W. Suite 900, Washington, D.C. 20004
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Mitch Kaplan, U.S. Environmental Protection Agency, Region 9, mail code: WST-5, 75 Hawthorne Street,
San Francisco, CA 94105-3901
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WA 98110
Paul Black, Neptune and Company, Inc., 8550 West 14th Street, Suite 100, Lakewood, CO 80215
Dave Gratson, Neptune and Company, 1505 15th Street, Suite B, Los Alamos, NM 87544



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

Jim Gibbons, Governor
Allen Biaggi, Director
Leo M. Drozdoff, P.E., Administrator

July 28, 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:
*Revised Electronic Data Deliverable for Data Validation Summary Report: Parcel "C",
"D", "F", "G" and "H" Soil Confirmation, Tronox LLC, Henderson, Nevada: NDEP
Facility ID # 000539*
Dated: July 21, 2010

Dear Mr. Paque,

The NDEP has received and reviewed TRX's above-identified Deliverable and finds that the document is acceptable with the following comments noted for the Administrative Record:

1. In correcting data issue b from the original comments (229 results which have a final_validation_qualifier but no reason code), it appears that all records where final_validation_reason_codes was NULL have now been filled in with the new code "nd" (not detected). This means that V2 of the EDD now has 7 results for which final_validation_qualifier is NULL and detect_flag_fod = T which have final_validation_reason_codes set to "nd", which is clearly incorrect. Neptune has set final_validation_reason_codes back to NULL for these records in V3.
2. In addressing data issue e (location_id S3-PG-1-1, which is found in the samples table, is missing from the locations table), the location S2-PG-1-1 (which appears in the samples table) appears to have been inadvertently deleted from the locations table. Neptune has copied the location information for this location from the locations table of the previously reviewed version of the database into the location table for the newest version (V3).

The revised version, V3, of the database will be provided electronically to TRX and Northgate Environmental Management, Inc. under separate cover. 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

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EC: Jim Najima, Bureau of Corrective Actions, NDEP
Greg Lovato, Bureau of Corrective Actions, NDEP
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
Barry Conaty, Holland & Hart LLP
Brenda Pohlmann, City of Henderson
Mitch Kaplan, U.S. Environmental Protection Agency, Region 9
Ebrahim Juma, Planning Manager, Air Quality and Environmental Management
Joe McGinley, McGinley & Associates
Ranajit Sahu, BRC
Rick Kellogg, BRC
Mark Paris, Landwell
Craig Wilkinson, TIMET
Kirk Stowers, Broadbent & Associates
Victoria Tyson, Tyson Contracting
George Crouse, Syngenta Crop Protection, Inc.
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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
Dave Gratson, Neptune and Company, Inc.

CC: Ebrahim Juma, Planning Manager, Air Quality and Environmental Management
Susan Crowley, C/O Tronox LLC, PO Box 55, Henderson, NV 89009
Lee Erickson, Stauffer Management Company

April 3, 2008

Susan Crowley
Tronox LLC
PO Box 55
Henderson, Nevada 89009

Re: **Tronox LLC (TRX)**
NDEP Facility ID #H-000539
Nevada Division of Environmental Protection (NDEP) Response to:
Data Validation Summary Report (DVSR) for the Tronox Parcels C, D, F, and G
Investigation - November 2007, BMI Industrial Complex, Clark County, Nevada
(Revised)
Dated March 28, 2008

Dear Ms. Crowley,

The NDEP has received and reviewed TRX's above-identified DVSR revision and finds that the document is acceptable. Please contact the undersigned with any questions at sharbour@ndep.nv.gov or (702) 486-2850 extension 240.

Sincerely,

Shannon Harbour, P.E.
Staff Engineer III
Bureau of Corrective Actions
Special Projects Branch
NDEP-Las Vegas Office

SH:bar:sh

CC: Jim Najima, NDEP, BCA, Carson City
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Dave Gratson, Neptune and Company, 1505 15th Street, Suite B, Los Alamos, NM 87544

October 20, 2008

Susan Crowley
Tronox LLC
PO Box 55
Henderson, Nevada 89009

Re: **Tronox LLC (TRX)**
NDEP Facility ID #H-000539
Nevada Division of Environmental Protection (NDEP) Response to:
Revised Data Validation Summary Report (DVSR), Phase B Source Area Investigation
Soil Gas Survey – Tronox LLC Facility, Henderson, Nevada
Dated October 13, 2008

Dear Ms. Crowley,

The NDEP has received and reviewed TRX's above-identified DVSR and finds that the document is acceptable.

Please contact the undersigned with any questions at sharbour@ndep.nv.gov or (702) 486-2850 extension 240.

Sincerely,

Shannon Harbour, P.E.
Staff Engineer III
Bureau of Corrective Actions
Special Projects Branch
NDEP-Las Vegas Office

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CC: Jim Najima, NDEP, BCA, Carson City
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