



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

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

August 20, 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:
Response to August 10, 2010 Nevada Division of Environmental Protection (NDEP)
Comments on Tronox Phase B Remediation Program Schedule, Dated August 4, 2010
Dated: August 13, 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 and conditions noted for the Administrative Record (Please note that all references to "days" in this letter refer to "business days"):

1. RTC 1, Milestone 3: TRX's August 4, 2010 *Phase B Remediation Schedule Update* (Remediation Schedule) plans for 20 days for the preparation, review, and issuance of excavation plans and specifications for bidding purposes. Additionally, TRX has generally proposed 10 days for bidding submittal, review, and award of contract. NDEP established a Milestone of September 1, 2010 for the submittal of the Revised RZ-C Excavation Plan (EP). Based on NDEP's past reviews of EPs, 10 days minimum is required to complete a review of RZ-C EP. Using these durations, a September 1, 2010 submittal deadline equates to a October 27, 2010 commencement of excavation for RZ-C, which is already later than the TRX's excavation commencement date of October 21, 2010. If this Milestone is pushed further back to September 20, 2010, it appears more likely that commencement of excavation in RZ-C will be delayed beyond October 21, 2010. Therefore, the Milestone for the submittal of the RZ-C EP will remain at **September 1, 2010**.
2. RTC 1, Milestones 4 and 6: TRX stated that these two Milestones will be revised from September 7, 2010 (RZ-B) and October 21, 2010 (RZ-D) as established by NDEP based on TRX's August 4, 2010 Remediation Schedule to after October 30, 2010 based on the contractor bid schedule for the removal of both these Remediation Zones. NDEP concurs with the combining of the schedules for these two areas; however, TRX does not provide any justification for the delay in completion of excavation of these areas. The August 4, 2010 Remediation Schedule stated that separately RZ-B and RZ-D excavation would be



complete by October 20, 2010. However, since TRX states in this RTC document that the excavation at RZ-C will still commence on October 21, 2010, NDEP will revise the Milestone date for the submittal of the Completion of Excavation of RZ-D and RZ-B to **November 1, 2010**.

3. RTC 7: TRX should note that NDEP will not accept delays based on the receipt of analytical data for the reduction of excavation limits. Additionally, any changes to the limits of excavation must be approved by NDEP before implementation.
4. RTC 8: please provide justification for the delay in the soil flushing and percolation tests proposed by TRX. The soil flushing soil column studies were to be completed by July 21, 2010 and the percolation tests were scheduled (June 4, 2010 Remediation Schedule) to commence by August 2, 2010. Please note that NDEP is referencing the June 4, 2010 Remediation Schedule for this Task because this Task was removed from the Remediation Schedule in the July 2, 2010 and August 4, 2010 Remediation Schedules.

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
Carolyn Tanner, AG's Office, Carson City, NV
Brenda Pohlmann, City of Henderson
Mitch Kaplan, U.S. Environmental Protection Agency, Region 9
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
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
Paul Hackenberry, Hackenberry Associates, LLC
Paul Black, Neptune and Company, Inc.
Kelly Black, Neptune and Company, Inc.
Teri Copeland, Neptune and Company, Inc.
Kurt Fehling, The Fehling Group, LLC
Joanne Otani

CC: Susan Crowley, C/O Tronox LLC, PO Box 55, Henderson, NV 89009
Lee Erickson, Stauffer Management Company