



STATE OF NEVADA

Department of Conservation & Natural Resources

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

DIVISION OF ENVIRONMENTAL PROTECTION

Colleen Cripps, Ph.D., Administrator

NOTICE OF PROPOSED ACTION

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action in accordance with the Nevada Revised Statutes (NRS) and implementing regulations. The Administrator has received a complete application for a major modification to Groundwater Discharge Permit NEV2001516 for discharge from:

**Tronox LLC (Tronox)
560 West Lake Mead Parkway
Henderson, NV 89009**

The Permittee, Tronox LLC (Tronox) operates an inorganic chemical processing facility located in the Black Mountain Industrial (BMI) Complex in Henderson, Nevada. The Permittee operates three holding ponds for the storage of process water and other waters. The holding ponds are double-lined, leak-detected holding systems to protect State groundwater resources. The engineered evaporation ponds as constructed, and when operated and maintained properly, prevent discharge to groundwater of the State, as all liquid contained inside the ponds is reclaimed for reuse in the facility, or evaporates. Two of the current ponds have developed leaks in their primary (upper) liners and are in the process of being repaired. Being double-lined ponds, leaks from the primary (upper) liner are designed to be contained by the secondary (lower) liner to prevent discharge to groundwater. In order to have adequate water storage, Tronox is proposing to construct an additional evaporation pond, MN-2. MN-2 will accept all the flow from MN-1 and enough flow from WC-West to accomplish the necessary liner repairs. Tronox is also proposing to construct a concrete-lined (with secondary synthetic liner) solids drying bed on the western end of MN-2. Currently wastewater held in the WC-East Pond is processed through an on-site wastewater treatment plant. The clean, solids-free material is normally recycled within the factory as make-up water for the process or boilers.

Tronox has applied for a major modification to Groundwater Discharge Permit, NEV2001516, to allow for continued operation of evaporation ponds, WC-West, WC-East, and MN-1, and to allow construction and operation of MN-2 and the MN-2 residual solids drying pad, and also to allow for some of the distillate from the facility's wastewater treatment plant to be used as dust control water on site. Based on a review of the groundwater discharge permit application, the Division has made the tentative determination to issue the permit for a period of five (5) years.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand-delivered or postmarked no later than **5:00 P.M. on October 28, 2012**, either in person or by mail to:

**Nevada Division of Environmental Protection
Bureau of Water Pollution Control
901 S. Stewart St., Ste. 4001
Carson City, NV 89701**

Comments and/or hearing requests received via facsimile or e-mail before **5:00 P.M. October 28, 2012** will also be accepted. All requests for hearings must indicate the interest of the person filing the request and the reason(s) why a hearing is warranted. All comments or objections received within the thirty (30) day comment period will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. The public notice of such hearings will be issued not less than thirty (30) days prior to the public hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The application, proposed permit, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Jeryl Gardner, P.E., Bureau of Water Pollution Control at (775) 687-9423, or at jgardner@ndep.nv.gov. The office facsimile number is (775) 687-4684. This notice and the Fact Sheet for this facility are also available on the NDEP website at www.ndep.nv.gov/admin/public.htm.

Please bring the foregoing notice to the attention of all persons who may be interested in this matter.