

Tom Wentland → Plymouth



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10 October 2008

Mr. Ross del Rosario
Remedial Project Manager (HSRW-6J)
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, IL 60604

WESTON Work Order No.: 13741.003.002.0030
Tronox Work Order No.: 40-50-01-AKW-AH

Re: Monthly Progress Report for September 2008
Moss-American Site, Milwaukee, Wisconsin

Dear Mr. del Rosario:

Weston Solutions, Inc. (WESTON®) has prepared this monthly progress report on behalf of the Settling Defendant for the Moss-American Superfund site, Tronox LLC (Tronox), formerly Kerr-McGee Chemical LLC. This monthly progress report has been prepared to document progress during September 2008.

Progress During September 2008

Progress during this reporting period includes:

- The semi-annual groundwater monitoring event was conducted during the week of 8 September.
- Tronox received a letter from U.S. EPA dated 16 September 2008 which indicated that U.S. EPA accepted Tronox's statistical analyses for mapping exceedences of the sediment cleanup level in Reach 4/5 Area of Concern. Tronox will use this mapping to identify sediments for removal, and prepare a Work Plan addressing the removal.
- A draft report documenting the results of the 2008 sediment sampling was submitted to the Agencies on 16 September.

Activities Anticipated During October 2008

During October Tronox anticipates the following activities:

- Work will continue with the Draft Remedial Work Plan.
- The annual re-vegetation survey will be performed during the week of 13 October.



TRONOX

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October 9, 2008

U.S. Environmental Protection Agency
Attn: Mr. Ross del Rosario – SR-6J
77 West Jackson Boulevard
Chicago, IL 60604

Re: Moss-American Superfund Site 05M7
Milwaukee, Wisconsin
LMR Sediment - Background Contribution

Dear Mr. del Rosario:

I am writing to follow up on the telephone call we had earlier today. As you recall, in our meeting on August 21, 2008 at the WDNR office in Sturtevant, I expressed Tronox's concern that the sediment results from the Reach 4/5 Area of Interest (AOI) sampling were atypical (analytical-wise) from sediment results seen previously from Little Menomonee River (LMR). Since our August meeting, preliminary results provided to me by Scott Stout of NewFields give strong support to the concepts that:

- Creosote-derived carcinogenic polycyclic aromatic hydrocarbons (CPAHs) are a minor contributor to overall CPAH levels in LMR sediments found in the Reach 4/5 AOI (Station 48+50 to 94+00).
- The sediment CPAH background level for this project (15 mg/kg) is inappropriately low for the Reach 4/5 AOI.

As a result of these preliminary findings, Tronox wishes to meet with the Agencies in the near future to present our analyses and discuss the path forward. It is Tronox's position that the new information leads us to conclude that a remedial action based upon a background level of 15 mg/kg is likely to be unjustified for the Reach 4/5 AOI, which appears more heavily impacted by urban sources than Reaches 1, 2, and 3. Tronox does not believe it was the intent of the Consent Decree to clean up sediment that is predominantly background within the LMR, nor would I hope that it is EPA's intent to cause Tronox to remediate sediments that are predominantly impacted by non-creosote sources.

Preliminary Findings

In the interest of providing you with a general description of our recent work and results, we offer the following narrative. A more detailed discussion will be presented to the Agencies at our meeting.

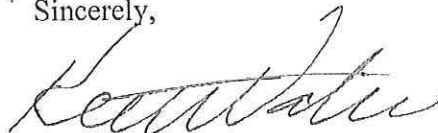
2. Tronox will need time for NewFields complete its analyses. We started with a small subset to provide a cost-effective review of the CPAH contributors in this area. Now that we see the degree and extent to which non-creosote background exists in this part of the LMR, we have tasked NewFields to assess a larger sample group. This starts with NewFields using PMF to assess all of the Reach 4/5 CPAH data they have in hand. If that data is not sufficient to give a definitive source apportionment, NewFields can then perform advanced forensic (Tier 2) fingerprinting analyses on the samples, re-apply PMF with the Tier 2 data, and conduct a TPH-to-CPAH-based mass balance approach to source apportionment as an alternative to the EPA's PMF model. This will give us two lines of evidence for any mixing of creosote- and LMR background-derived CPAHs.

4. Tronox has directed Weston Solutions to continue with the development of the Remedial Work Plan. This work plan is due to be submitted by November 1, 2008, per our previously-submitted schedule. Weston will flesh out the work plan based on the sediment identified in the August 21 meeting and thereafter. However, Tronox expects that the sediment to be removed must be recalculated based on forensic findings. It will not be difficult to delete a sediment removal location from the draft report, as opposed to waiting until Tronox and EPA decide on the ramifications of the forensic studies.

NewFields is working as we speak on the initial aspects of Task 2 and we anticipate the work to be completed some time after Thanksgiving. This, of course conflicts directly with the scheduled start date for sediment removal of December 1, 2008.

If you have any questions or comments, please call me at 405-775-5475.

Sincerely,



A. Keith Watson
Project Manager

Copy: Thomas Graan – Weston Solutions
Scott Stout – Newfields
Thomas Wentland - WDNR