



NL INDUSTRIES, INC.

THREE LINCOLN CENTRE

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Kevin Lombardozi

Director, Environmental Management

(972) 448-1480

August 29, 2012

Michael B. Davis, OSC

U.S. Environmental Protection Agency, Region 7

Superfund Division

Emergency Response and Removal South Branch

901 N. 5th Street

Kansas City, KS 66101

Re: Time Critical Removal Action Work Plan-Request for Approval of Modification
Former Carter White Lead Site

Dear Mr. Davis:

NL Industries, Inc. ("NL") has discussed with you proposed changes that have been requested by the Open Door Mission ("ODM") to the Time Critical Removal Action Work Plan for the Former Carter White Site (the "Work Plan"). The Work Plan was approved by EPA pursuant to the Administrative Order on Consent CERCLA-07-2012-0053 between NL, EPA and Moweco, Inc. effective August 7, 2012 ("AOC"). NL has considered and agreed to certain changes and now requests your formal approval of modifications to the Work Plan as noted below to incorporate those changes and other refinements into the approved Work Plan to address issues discussed with you during the project kick-off site walk.

- "Figure 3 – revised (8/30/2012)" enclosed herewith shall replace "Figure 3" every place in the Work Plan and AOC where it is referenced and shall depict the agreed removal work pursuant to the Work Plan and AOC.
- "Section 3.0 Removal Action" of the Work Plan is modified by replacing the first paragraph with the following:

"Even though the Site is zoned General Industrial District rather than Residential, this TCRA Work Plan proposes a removal action consistent with the protections for residential properties by conforming to the EPA's *Superfund Lead-Contaminated Residential Sites Handbook* (OSWER9285.7-50 August 2003). The Work Plan will remove exposed soils to a depth of one foot bgs in all areas that are not capped by intact asphalt or concrete or covered by a current or historic building foundation or pad, and will remove exposed soil to a depth of two feet bgs in an area not to exceed 14,000 square feet. The general location of this two foot excavation area is shown on Figure 3 – revised (8/30/2012) and the exact location will be depicted after completion of all TCRA Work Plan activities in a surveyed as-built figure.

The area identified as Phase 3 work will be divided into two components as identified on Figure 3 – revised (8/30/2012). The eastern portion of that Phase 3 area will be excavated to a depth of one foot, backfilled, and capped with a 6 inch asphalt cover (four inches of base and 2 inches of compacted asphalt). The western portion of that Phase 3

area will not be excavated, but the existing asphalt surface will be restored in-place with a tack layer, a leveling course of asphalt and a new surface course of 2 inches of compacted asphalt as a final cover, except that a former utility corridor (approximately 4 feet wide) through the existing asphalted area will be excavated to a depth of one foot and backfilled prior to placement of the new cover, and a small portion at the southwest corner of the Phase 3 area that is not covered with asphalt will be excavated to a depth of one foot and restored with topsoil and revegetated. The location of these areas are shown on Figure 3 - revised (8/30/2012).

Within the area identified as Phase 1 NL will excavate that portion of the Phase 1 area at the southern side of the site to the curblin as shown on Figure 3 - revised (8/30/12), which is presumed to be consistent with the curblin of the properties to the east and west of the site, but not any part of the active roadway. NL will excavate those open areas of the Phase 1 and Phase 2 areas between the Fleetpride building and the fenceline behind that building to a depth of one foot to the extent that those areas are machine accessible, but will not disturb the building foundation, covered surfaces, equipment, or utilities in this area, or the soil at the fenceline. Work in the Phase 1 area will not disturb or otherwise jeopardize the integrity of the underground oil/water separator west of the Fleetpride wash rack area."

- Although the Work Plan and Figure 3 – revised (8/30/2012) retain the terms Phase 1, Phase 2 and Phase 3, the work at the Site with these modifications above to accommodate ODM will be carried out by the project contractor to most effectively use the available resources. Therefore, the work may not move from one Phase area to the next as originally contemplated. This became necessary due to scheduling constraints with the asphalt subcontractors and in order to complete the project within the original schedule.

We would appreciate your prompt attention to this request so that we can continue to move without any further project interruptions or delays. Please acknowledge your agreement to the modification in the signature block provided below. Please call me if you have questions or need additional information.

Sincerely yours,


Kevin Lombardozzi

Enclosures: Figure 3 - revised (8/30/2012)

Agreed US EPA Region 7

cc: Steven L. Sanders, Esq., USEPA Region 7
Chris Gibson, Archer & Greiner
Courtney Riley
Greg Dambold

Michael Davis, OSC

Date

FIGURE 3 - REVISED (8/30/12)

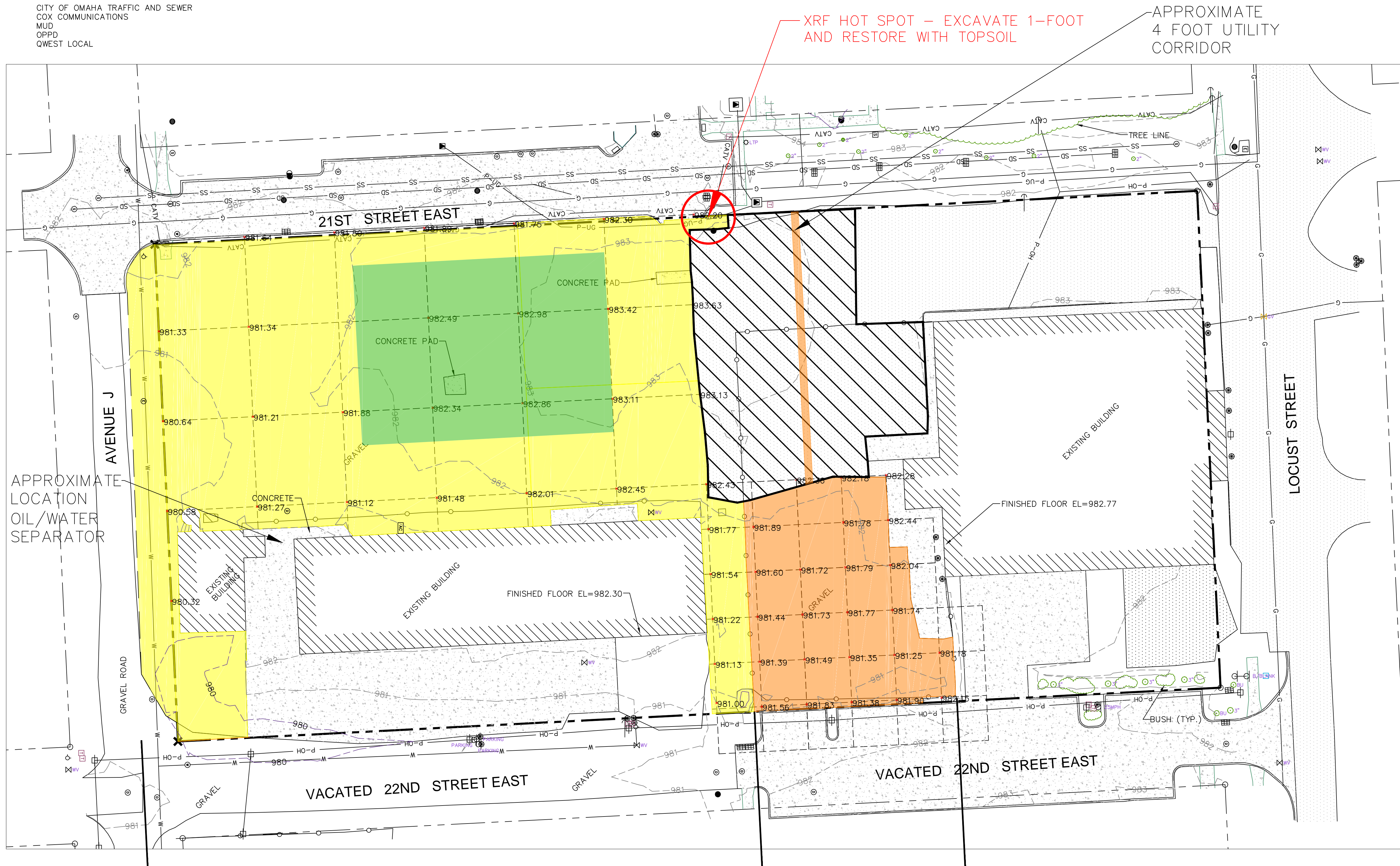
UTILITY LOCATE NOTE

UTILITY LOCATE
WENESDAY 8-16-2012
STEVE VAN VOLTENBERG
OLSSON ASSOCIATES

INTERSECTION OF EAST LOCUST STREET AND
NORTH 22ND STREET
DOUGLAS COUNTY, NEBRASKA

WORK TO BEGIN DATE:
08/20/2012 4:30 P.M.

CITY OF OMAHA TRAFFIC AND SEWER
COX COMMUNICATIONS
MUD
OPPD
QWEST LOCAL



NOTE:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN DO COMPREHENSIVE SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. THIS INCLUDES PRIVATE AND PUBLIC UTILITIES.

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- | | |
|--|----------------------------------------------------|
| | PROPERTY LINE |
| | CURB AND GUTTER |
| | SANITARY SEWER LINE |
| | STORM SEWER LINE |
| | CHAIN LINK FENCE |
| | OVERHEAD POWER LINE |
| | UNDERGROUND POWER LINE |
| | WATER LINE |
| | GAS LINE |
| | ASPHALT |
| | CONCRETE |
| | EXCAVATION DEPTH 1-FOOT |
| | EXCAVATION DEPTH 2-FOOT |
| | EXCAVATION DEPTH 1-FOOT
AND NEW ASPHALT SURFACE |
| | NO EXCAVATION -
RE-SURFACE OF ASPHALT
AREA |
| | FOUND PROPERTY CORNER |
| | CALCULATED PROPERTY CORNER |
| | AREA INLET |
| | BOLLARD |
| | CONIFEROUS TREE |
| | DECIDUOUS TREE |
| | FIRE HYDRANT |
| | GAS VALVE |
| | GRATE INLET |
| | GUY WIRE |
| | LIGHT POLE |
| | POWER POLE |
| | SANITARY SEWER CLEANOUT |
| | STORM DRAIN MANHOLE |
| | SIGN |
| | SPRINKLER BOX |
| | SANITARY SEWER MANHOLE |
| | TRANSFORMER |
| | TELEPHONE RISER |
| | WATER MANHOLE |
| | WATER VALVE |

BENCHMARK NOTE

BENCHMARK
ORIGINATING BENCHMARK NGS
RESET NAVD-88. EL=1033.61

WOLSSON[®]
ASSOCIATES

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drawn by:	EDF
checked by:	SMV
approved by:	SMV
QA/QC by:	SMV/EDF
project no.:	12-1730
drawing no.:	121730_TOPO.DWG
date:	08/30/12

SHEET
1 OF 1