



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

Brian Sandoval, Governor
Leo M. Drozdoff, P.E., Director
Colleen Cripps, Ph.D., Administrator

April 1, 2014

Jay A. Steinberg
Nevada Environmental Response Trust
35 East Wacker Drive, Suite 1550
Chicago, IL 60601

Re: **Tronox LLC (TRX) Facility**
Nevada Environmental Response Trust (Trust) Property
NDEP Facility ID #H-000539
Nevada Division of Environmental Protection (NDEP) Response to: *NERT Response to NDEP September 30, 2013 Comments on DVSR, Post-Remediation Screening Health Risk Assessment Report for Parcels C, D, F, G and H, Reversion 2, Dated June 27, 2013, Nevada Environmental Response Trust Site, Henderson, Nevada*

Dated: December 20, 2013

Dear Mr. Steinberg,

The NDEP has received and reviewed the Trust's above-identified Deliverable and provides comments in Attachment A. A revised Deliverable should be submitted by **05/30/2014** based on the comments found in Attachment A. The Trust should additionally provide an annotated response-to-comments letter as part of the revised Deliverable.

Please contact the undersigned with any questions at wdong@ndep.nv.gov or 702-486-2850 x252.

Sincerely,

Weiquan Dong, P.E.
Special Projects Branch
Bureau of Corrective Actions
NDEP-Las Vegas City Office

WD:jd

EC: Greg Lovato, Bureau of Corrective Actions, NDEP
James Dotchin, NDEP, BCA LV
Dave Emme, NDEP
Adam Baas, Edgcomb Law Group
Allan Delorme, ENVIRON
Andrew Barnes, Geosyntec



Andrew Steinberg, Nevada Environmental Response Trust
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Charles K. Hauser, Esq., Southern Nevada Water Authority
Chuck Elmendorf, Stauffer Management Company, LLC
Dave Share, Olin
David Johnson, Central Arizona Water Conservation District
Ebrahim Juma, Clean Water Team
Ed Modiano, de maximis, inc.
Eric Fordham, Geopentech
George Crouse, Syngenta Crop Protection, Inc.
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Rebecca Shircliff, Neptune and Company, Inc.
Richard Pfarrer, TIMET
Rick Kellogg, BRC
Ron Zegers, Southern Nevada Water Authority
Scott Bryan, Central Arizona Project
Stephen Tyahla, U.S. Environmental Protection Agency, Region 9
Susan Crowley, Crowley Envirn.
Tanya O'Neill, Foley & Lardner LLP
Teri Copeland
Wayne Klomp, AG's Office

Attachment A

1. General comment. The NDEP suggest that the response to this letter and the reversion of the text wait for the issues on the DVSR of the asbestos data cleared out.
2. #4: Can the referenced RAW be provided electronically with the deliverable for completion?
3. #5: Please provide, again if necessary, the folder named DVSRs so the review can be completed.
4. #9: Note that following NDEP guidance the SQLs should be used for data analysis, including calculation of UCLs for EPCs. If the SQLs are used instead, then this issue goes away. It might be reasonable to compare BCLs to PQLs, but this will not be the basis for any decision-making – the SQLs are used for decision making instead.
5. #10: The report will also need to discuss the MS/MSD RPD issues that listed in Table C-1.
6. #13: There needs to be some discussion about blank contamination within the data validation section. This discussion can be brief and can provide a reference to Section 5.6, but it does need to be addressed with the other data quality issues.
7. #14: Please include this discussion in the main text.
8. #16: Please reference the revised text back to any revised text for RTC #9 as well.
9. #17: Amphibole fibers cannot be removed from the risk assessment, per NDEP guidance. The rationale behind this is that amphibole has been found at the BMI Complex, in which case a zero response could simply imply that analytical sensitivity is not sufficient to identify fibers in the samples collected. Note, however, that analytical sensitivity might be low enough that the risk from potential amphibole fibers is sufficiently small.
10. #18: The intent of the comment is to change the description that “the asbestos unit risk factor used in the assessment as a high level of conservative bias when applied to short-term exposures”. Please revise that part of the description to reflect that all risk estimates are less than 10^{-6} .
11. #19: The explanation is helpful. However, it is not clear what the last column in the table represents. Is this the actual sample size (since it’s not clear how this can be pooled sample size unless all analytical sensitivities are identical)? It might be preferable to include the pooled analytical sensitivity.
12. #22: The responses to Comments #17 and #19 help, but please also connect the dots regarding differences between Parcel results for asbestos. Presentation of pooled analytical sensitivity for each Parcel would help.