



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Department of Conservation & Natural Resources

Steve Sisolak, Governor
Bradley Crowell, Director
Greg Lovato, Administrator

November 12, 2019

Jay A. Steinberg
Nevada Environmental Response Trust
35 East Wacker Drive, Suite 690
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: *2018 Greener
Cleanup Best Management Practice Implementation Work Plan, Revision 1*

Dated: October 26, 2018

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 01/13/2020** 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.
Bureau of Industrial Site Cleanup
NDEP-Las Vegas City Office

WD:cp

EC:

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James Dotchin, NDEP BISC Las Vegas
Carlton Parker, NDEP BISC Las Vegas
Allan Delorme, Ramboll Environ
Alison Fong, U.S. Environmental Protection Agency, Region 9
Andrew Barnes, Geosyntec
Andrew Steinberg, Nevada Environmental Response Trust
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Betty Kuo Brinton, MWDH2O
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Brian Loffman, lepetomane
Brian Waggle, Hargis + Associates
Carol Nagai, MWDH2O
Carrie Hunt, Olin Corporation
Chris Ritchie, Ramboll Environ
Chuck Elmendorf, Stauffer Management Company, LLC
Dan Pastor, P.E. TetraTech
Dave Share, Olin
Dave Johnson, LVVWD
David Parker, Central Arizona Water Conservation District
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Marcia Scully, Metropolitan Water District of Southern California
Maria Lopez, Water District of Southern California
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Mark Paris, Landwell
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Michael Long, Hargis +
Mickey Chaudhuri, Metropolitan Water District of Southern California
Nicholas Pogoncheff, PES Environmental, Inc.
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Attachment A

1. In making the distinction between BMP Feasibility Analyses and the BMPs themselves, the report misses one very visible instance that should be corrected. In the Table at the top of p. 11, the upper left block in the table should be labeled "Renewable Energy", "Use of Renewable Energy" or "Implementing Renewable Energy", or something similar, rather than "Renewable Energy Plan".

2. Regarding the original request to emphasize 5 key BMPs for future evaluation in 2019, NERT acknowledged the request in their response to comments, but did not adjust the text in the workplan. This is important because 30 BMPs are identified as "long-term" that would be "further evaluated in 2019", and it's unlikely all 30 would be evaluated in one year. The most promising BMPs should be considered first. This concept may be lost without documentation in the workplan. To address this request, US EPA and NDEP recommend that NERT add text that lists the 5 key BMPs in one of the following locations (or in both locations): (1) after the 3rd sentence under "Implementation" on p. 4, or perhaps as a footnote to the 3rd sentence; and (2) in a similar manner to "Summary of BMP Process Results" on pp. 8 & 9. FYI, the 5 key BMPs we noted in our original comments were:
 - a. BMP #1 Water efficient plumbing
 - b. BMP #4 Energy efficient HVAC systems
 - c. BMP #6 "Greener" process chemicals
 - d. BMP #35 Reuse treated groundwater
 - e. New BMP Native planting & pollinator habitat

3. Aside from these two comments on the workplan and though not directly related to this Workplan, US EPA and NDEP recommend NERT keep in mind the possibility of making a "Self Declaration" under the ASTM Standard Guide for Greener Cleanups, as they continue with BMP selection and implementation. In the Self Declaration, NERT would document the benefits achieved through applying BMPs and post the results on ASTM's web page. The timing for the Self-Declaration would be after completion of the BMP Feasibility Analyses and implementation of BMPs. A description of the Self-Declaration process is found in Section 8 (Documentation and Reporting) of the ASTM Standard Guide.