



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Department of Conservation & Natural Resources

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

July 29, 2020

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: *Transmittal of RI/FS Work Plan Addendum: Phase 3 Remedial Investigation, Revision 1; Response to July 11, 2017 Letter and Comments from the Lower Colorado River Water Quality Partnership and Response to August 29, 2017 Comments from NDEP on the May 5, 2017 RI/FS Work Plan Addendum: Phase 3 Remedial Investigation*

Dated: October 27, 2017

Dear Mr. Steinberg,

The NDEP has received and reviewed the Trust's above-identified Deliverable and provides comments in Attachment A. This letter replaces the November 8, 2017 approval letter. A revised Deliverable should be submitted by 08/29/2020 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. The NDEP apologizes for any confusion this may have caused.

Please contact the undersigned with any questions at wdong@ndep.nv.gov or 702-668-3929.

Sincerely,

Song Weiquan

Weiquan Dong, P.E.
Bureau of Industrial Site Cleanup
NDEP-Las Vegas City Office

WD:cp

EC:

Jeffrey Kinder, Deputy Administrator NDEP
Frederick Perdomo, Deputy Administrator NDEP
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
Anna Springsteen, Neptune & Company Inc.
Betty Kuo Brinton, MWDH2O
Brenda Pohlmann, City of Henderson
Brian Loffman, lepetomaneBrian 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
Derek Amidon, Tetrattech
Ebrahim Juma, Clean Water Team
Ed Modiano, de maximis, inc.
Eric Fordham, Geopentech
Gary Carter, Endeavour
George Crouse, Syngenta Crop Protection, Inc.
Greg Kodweis, SNWA
Harry Van Den Berg, AECOM
Jay Steinberg, Nevada Environmental Response Trust
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Joe Kelly, Montrose Chemical Corporation of CA
Joe Leedy, Clean Water Team
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John Pekala, Ramboll Environ
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Kelly McIntosh,GEI Consultants
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Kim Kuwabara, Ramboll Environ
Kurt Fehling, The Fehling Group
Kyle.Hansen, Tetrattech
Lee Farris, BRC
Marcia Scully, Metropolitan Water District of Southern California
Maria Lopez, Water District of Southern California
Mauricio Santos, Water District of Southern California
Mark Duffy, U.S. Environmental Protection Agency, Region 9
Mark Paris, Landwell
Michael J. Bogle, Womble Carlyle Sandridge & Rice, LLP
Michael Long, Hargis +
Mickey Chaudhuri, Metropolitan Water District of Southern California
Nicholas Pogoncheff, PES Environmental, Inc.
Orestes Morfin, CAP
Paul Black, Neptune and Company, Inc.
Paul Hackenberry, Hackenberry Associates, LLC
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Steve Clough, Nevada Environmental Response Trust
Steven Anderson, LVVWD
Tanya O'Neill, Foley & Lardner L
Todd Tietjen, SNWA

Attachment

1. The NDEP has determined that the NERT has not completely characterized all of its groundwater COPCs that may have migrated from the NERT site in the groundwater pathway.
2. The NDEP's November 8, 2017 approval letter for the RI/FS Workplan Addendum: Phase 3 Remedial Investigation, Revision 1 including all responses to comments did not properly clarify the NERT's responsibility related to NERT's groundwater COPCs. The NDEP would like to correct this error now.
3. The NDEP would like to clarify that the 2006 BRC AOC III does not transfer responsibility for any BMI Complex companies' (inclusive of NERT) contaminants currently migrating in groundwater from the BMI Complex (including the NERT site). The NERT is responsible for the assessment of all NERT groundwater COPCs originating from the NERT site to include all downgradient areas.