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December 5, 2022

Dr. Weiquan Dong, P.E.  
Bureau of Industrial Site Cleanup  
Nevada Division of Environmental Protection  
375 E. Warm Springs Road, Suite 200  
Las Vegas, Nevada 89119

RE: Baseline Health Risk Assessment Work Plan for OU-3, Revision 1  
Nevada Environmental Response Trust  
Henderson, Nevada

Dear Dr. Dong:

The Nevada Environmental Response Trust (NERT) is pleased to present the Baseline Health Risk Assessment Work Plan for OU-3, Revision 1 for Nevada Division of Environmental Protection (NDEP) review. This work plan has been revised in accordance with NDEP's comments dated June 29, 2022. As requested, an annotated response to comments is also attached for NDEP's review.

If you have any questions or concerns regarding this matter, feel to contact me at (702) 960-4309 or at [steve.clough@nert-trust.com](mailto:steve.clough@nert-trust.com).

Office of the Nevada Environmental Response Trust



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**Attachment 1**

	<b>GENERAL COMMENTS</b>	<b>RESPONSE</b>
1.	<p><u>Data Adequacy and Associated Risk</u></p> <p>The Department’s primary concern is that the data may not be adequate to assess risk and may not represent worst case or Reasonable Maximum Exposure (RME) conditions. For example, there are only 16 soil gas borings for the area west of Pabco Road and these appear to be predominantly located outside the chloroform plume. Assuming this area on Figure 4-1 with the chloroform plume west of Pabco Road is within the area impacted by the NERT core plumes, it is suggested to add at least two more soil gas sampling locations within the interior of each of the two plume areas shown. Figure 4-1 from the Deliverable with example points in red circles is provided as an attachment.</p> <p>It is also noted that the risk assessment is limited to two chemicals on the eastern OU-3 of Pabco Road - perchlorate and chlorate, which is understood that other chemicals are administratively out of scope.</p> <p>The Deliverable would benefit from a more robust discussion about the uncertainties associated with using concentration measurements from depth to perform a risk assessment that presumably involves contact with water at the top of the aquifer (e.g., the utility trench scenario mentioned often in the text). For example, Table 4-2 suggests that the water level depth at well NERT5.98S2 is 9 ft bgs, while the well screen spans depths from 60 to 70 ft bgs. If the water truly is 9 ft bgs, there is 51 ft of water between the water table and the well screen. The work plan should clarify whether the risk assessment will use concentration measurements from depth to represent the hypothetical exposure concentrations at the water table. Doing so would assume that concentrations in the aquifer are uniform with</p>	<p>At the request of NDEP, additional soil gas samples on the western portion of OU-3 outside of the Open Space Sub-Area were collected to characterize the concentrations of VOCs in soil gas in the vicinity of the chloroform plume in groundwater west of Pabco Road and north of Galleria Drive. Sampling was conducted at 5 and 15 feet (ft) below ground surface (bgs) at two new soil gas probe locations (RISG-91 and RISG-92) and at 10 existing soil gas probe locations (RISG-35, RISG-36, RISG-37, RISG-38, RISG-39, RISG-40, RISG-42, RISG-43, RISG-44, and RISG-45) that were previously installed as part of Phase 3 RI Modification 7 and are south of the Open Space Area. The scope of work for this investigation was detailed in the <i>Phase 3 RI Modification No. 15 Technical Memorandum</i>, which was submitted to NDEP on August 2, 2022, and approved by NDEP on August 9, 2022. The soil gas data collected during this investigation will be incorporated in the OU-3 BHRA. Section 4.1 and Figure 4-1 of the Baseline Health Risk Assessment (BHRA) Work Plan for OU-3, Revision 1 (Revised Work Plan) have been updated to reflect this information.</p> <p>The screen depth interval and depth to groundwater information for each monitoring well in OU-3 were reviewed. Wells with the minimum depths to groundwater shallower than or at approximately 10 ft bgs are excluded if their top screen depths are significantly (30 ft or more) deeper than the depths to groundwater and there are nearby well(s) with shallower top screen depths (more representative of shallow groundwater conditions in the area) which have available</p>

	<p>respect to depth; the text should provide support for this assumption, if applicable.</p>	<p>data for use in the BHRA. If there are no nearby wells with data more representative of shallow groundwater conditions, then the data from wells with top screen depths greater than 30 ft below the water table will be conservatively included in the BHRA. Discussions of the uncertainties associated with using concentration measurements from depth to perform a risk assessment that presumably involves contact with shallow groundwater was added in Section 4.2 of the Revised Work Plan and will be discussed in further detail in the upcoming OU-3 BHRA.</p>
	<p><b>SPECIFIC COMMENTS</b></p>	<p><b>RESPONSE</b></p>
<p>1.</p>	<p><u>Section 6.3.</u>          This section states that trivalent chromium toxicity values will be used as a surrogate for total chromium. However, footnote 17 in Section 6.1.2 and Table 6-1 state that all chromium at the facility has been found to be hexavalent chromium so total chromium will be considered hexavalent chromium. Therefore, the use of trivalent chromium toxicity values as a surrogate is inappropriate. Please use an appropriate value or justify this choice.</p>	<p>Discussions have been added to clarify how chromium and hexavalent chromium data will be used in the BHRA in Section 3.5. With NDEP approval, hexavalent chromium was generally eliminated from NERT's on-going groundwater monitoring program in 2016. Therefore, total chromium and hexavalent chromium are not regarded as separate COPCs in groundwater and interpretations of the lateral and vertical extent of chromium in groundwater will primarily rely on total chromium data (rather than hexavalent chromium data). Hexavalent chromium was not detected in any soil, surface water, or sediment samples in OU-3.<sup>1</sup> Therefore, for these media, if only total chromium was analyzed for a sample, total chromium will be treated as trivalent chromium. Section 6.3 of the Revised Work Plan has been modified accordingly.</p>

<sup>1</sup> For soil and sediment samples included in the BHRA data set for OU-3, all samples that were analyzed for total chromium were also analyzed for hexavalent chromium. For surface water samples included in the BHRA data set for OU-3, approximately 75% of the samples that were analyzed for total chromium were also analyzed for hexavalent chromium. Hexavalent chromium was not detected in the soil, sediment, or surface water BHRA data set for OU-3 indicating that chromium in these media is predominately trivalent chromium.

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<p>2.</p>	<p><u>Section 6.6.</u></p> <p>In the first paragraph it states: "Data quality assessment is an analysis that will be performed after the risk assessment is complete to determine whether enough data have been collected to support the risk-based decisions that are recommended by the risk assessment." Does this mean the data quality assessment will not be reported in the risk assessment? Data quality assessment should be reported in the risk assessment. The data quality assessment should be completed as part of the risk assessment, not after. Please clarify.</p>	<p>The text in Section 6.6 of the Revised Work Plan has been revised to clarify that data quality assessment will be completed as part of the risk assessment after the risk characterization step since the data quality assessment relies on inputs from the risk characterization results.</p>
<p>3.</p>	<p><u>Section 4.2.1.</u></p> <p>The work plan should cite the guiding regulation that states that direct contact with groundwater is possible for certain workers to a depth of 10 feet below ground surface, and that groundwater exposure below this depth does not need consideration.</p>	<p>We do not believe a cite to a regulation is necessary. To clarify, there are two populations who could potentially be directly exposed to groundwater in OU-3, construction workers excavating to 10 feet bgs and maintenance/utility workers in a 5-foot utility trench. The assumption for the construction workers is that they could only be exposed directly to groundwater in areas where construction may take place and groundwater is shallower than 10 ft. Similarly, the maintenance/utility workers could only be exposed directly to groundwater in areas where they may trench and groundwater is shallower than 5 ft (i.e., near the Wash). Section 6.2 of the Revised Work Plan has been revised to clarify this statement. However, as justified above, a cite was not required.</p>
<p>4.</p>	<p><u>Section 4.1, Section 5.1.1, and Figure 4-1.</u></p> <p>These sections state that there are 16 soil gas sampling locations and a total of 13 soil gas probe locations and refers to Figure 4-1. Please explain the difference between the 16 sampling locations and the 13 soil gas probe locations. Based upon the database,</p>	<p>The soil gas samples from the Open Space Area are not included in the BHRA soil gas data set because NDEP has already issued a No Further Action (NFA) determination for the Open Space Sub-Area for both direct contact with soil to a depth of 7 ft bgs and vapor intrusion assuming no future</p>

	<p>there are soil gas data available for 16 locations; however, Figure 4-1 appears to only depict 11 due to some locations having multiple depths. Please clarify the apparent discrepancies by making it easier to identify each sample and depth location on the map. Find a way to show the depth information where appropriate, whether by labeling or making each depth square a different size in addition to the different colors, paying attention to rendering order. In addition, please provide information regarding the quantity of samples and choice of sampling locations, as they do not appear to be sufficient to assess risk and they do not appear to represent worst case conditions.</p>	<p>residential development will occur in these areas . One soil gas sampling location, RISG-51, which is located just outside the OU-3 boundary was added to the Revised Work Plan. Of the 17 locations sampled during the Phase 3 RI Modification No. 7 investigation, five are located in the Open Space Sub-Area and will not be included in the OU-3 BHRA. Therefore, only 12 of the 17 soil gas probe locations sampled in this investigation are to be included in the OU-3 BHRA (i.e., RISG-35 through RISG-40, RISG-42 through RISG-45, RISG-50, and RISG-51). The text in Section 4.1 of the Revised Work Plan has been updated to clarify and justify the soil gas data selection. The numbers of soil gas sample locations have been checked and corrected for consistency throughout the report text, Figure 4-1, and the analytical data for soil gas in Appendix A. Additional soil gas samples outside of the Open Space Sub-Area were collected to characterize the concentrations of VOCs in soil gas in the vicinity of the chloroform plume in groundwater west of Pabco Road and north of Galleria Drive, as described in the Phase 3 RI Modification No. 15 approved by NDEP on August 9, 2022.</p>
<p>5.</p>	<p><u>Section 6.2.1 and Figure 6-1.</u></p> <p>While direct contact with sediment and surface water within Wetlands Park are prohibited, given the Park usage and the numbers of visitors, it is likely that some users disregard Park rules and encounter bank soils, sediment, and surface water. Therefore, it is appropriate to include a trespasser scenario to evaluate this type of exposure. Please revise the workplan accordingly.</p>	<p>In accordance with NDEP’s recommendation,<sup>2</sup> a trespasser scenario has been added that assumes an adolescent between 7-18 years old may visit the Wetlands Park for 2 hours/event, once a month, and may disregard the Park rules and contact surface water, sediment, or bank soil through:</p> <ol style="list-style-type: none"> <li>1. Dermal contact with surface water and sediment; and</li> <li>2. Inhalation of resuspended particulates form bank soil.</li> </ol> <p>The CSM figure, exposure table, and text in Section 6.2 of the Revised Work Plan have been updated to reflect this addition.</p>

<sup>2</sup> As recommended in NDEP’s email received on July 21, 2022.

<p>6.</p>	<p><u>Section 7.</u></p> <p>Throughout the Deliverable (for example, section 6.1.2), it is explained that volatile preliminary COPCs in shallow groundwater will be evaluated for vapor intrusion from screen depths of 60 feet or less, and non-volatile preliminary COPCs will be evaluated for direct contact at locations with a screen depth of 10 feet or less. As such, it is surprising to see VOCs evaluated for the 10 feet or less shallow groundwater. It would help the reader to interpret this if throughout the report, it was stated that VOCs would also be evaluated for direct contact at 10 feet or less for shallow groundwater. Additionally, it is not clear why VOCs at 10 feet or less were excluded from the evaluation of vapor intrusion at 60 feet or less (footnote 1 of table D-4). It is not clear why the VOCs are separated for vapor intrusion or if the VOCs in the second bullet are preliminary COPCs due to vapor intrusion or direct contact. Please clarify the text here.</p>	<p>The groundwater wells to be used in the vapor intrusion evaluation and direct contact evaluations are now presented separately into two Tables of the Revised Work Plan (i.e., Tables 4-2a and 4-2b, respectively). Additional text was also added to Sections 3 through 6 to clarify the different chemical groups and wells from different depth intervals used for evaluating these two pathways.</p>
<p>7.</p>	<p><u>Table 4-2.</u></p> <p>In Table 4-2, many of the well screens are positioned at considerable depth (up to 70 ft below ground surface) and the water level measurements from these screens are taken to be indicative of the depth of the water table. The associated text should acknowledge that this is true only under the assumption of zero vertical hydraulic gradient and provide support for that assumption.</p>	<p>Please see response to General Comment #1.</p>
<p>8.</p>	<p><u>Section 5.1.3, Figure 4-3.</u></p> <p>The logic behind the location selection for soil samples needs to be discussed beyond the availability of environmental investigations. It is understood that the soil samples represent the potential exposure via seeps, and hence are clustered around a previous seep field. However, it is not clear that this pathway is linked to the sampling plans when stated in Section 5.1.3 or</p>	<p>Text was added to Section 5.1.3 of the Revised Work Plan to explain the rational for the soil BHRA data set selection near the former seep area.</p>

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	when previewing Figures 4-3. Please add some text to help explain why a highly clustered soil sample pattern around SWF is appropriate.	
9.	<p><u>Appendices.</u></p> <p>Samples in the soil gas, groundwater, and soil data sets are classified as non-detects based on the reporting detection limit. It should be clarified if the reporting detection limit is the same as the sample quantitation limit, which NDEP recommends for risk assessment. There are several nondetects in the data sets; it should be clear how non-detects will be treated in the risk assessment.</p>	<p>The reporting detection limit (RDL) column is not the same as the sample quantitation limit (SQL). The quantitation limit column contains the SQL. The RDL column contains the practical quantitation limit (PQL). No results are classified as non-detects based on the RDL/PQL. All results presented in the report_numeric column for non-detects are equal to the values in the quantitation_limit column (the SQL). For analytes where the detection frequency is less than 100%, the SQLs from the BHRA data set will be compared to risk-based screening levels to confirm that they are sufficiently low for risk characterization in the BHRA. Chemicals with SQLs above risk-based screening levels will be summarized in DUE tables and discussed in both the DUE and Uncertainty Analysis sections of the BHRA. Accordingly, footnote 30 has been added to Sec 5.2 of the Revised Work Plan to clarify this.</p>
10.	<p><u>Section 5-3.</u></p> <p>The first two bullets on page 5-4 should be combined.</p>	<p>The two bullets referenced in this comment have been combined in the Revised Work Plan.</p>
11.	<p><u>Appendices A - C.</u></p> <p>The BMI Regional Database does not have results for:</p> <p>a) Nitrate for samples WMW6.55S-20160217 and WMW6.15S-20160217</p> <p>b) Nitrate as NO3 for sample PC-97-20160208</p> <p>c) Twenty-three samples from 2021: LVWPS-MW102A-20210427, MW-3-20210428, MW-4-20210428, MW-K5-20210428, NERT3.80S1-20210504, NERT3.98S1-20210505, PC-103-20210429, PC-155A-20210719, PC-155B-20210719, PC-156A-</p>	<p><u>Appendices A - C.</u></p> <p>a) Nitrate as N results for these two samples (as well as sample WMW5.58SI-20160217, which is not used in this analysis) were inadvertently left out of the EDD for DVSR ID NERT 2016-1610 because they were subcontracted results and not included in laboratory EDDs, though they were validated at the time. An EDD with these results is attached (note: sample information in the BMI database can be overwritten with the information in this EDD). The only change to</p>



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	<p>20210723, PC- 156B-20210723, PC-157A-20210716, PC-157B-20210716, PC-191-20210428, PC-191- 20210428-FD5, PC-2-20210428, PC-4-20210528, PC-53-20210428, PC-74-20210505, PC-77-20210504, PC-96-20210714, PC-97-20210714, PC-98R-20210428.</p> <p>Table B-1. Samples PC-156A-20150506, PC-156B-20150506, PC-157A-20150506, and PC- 157B-20150506 have duplicate results in Table B-1 for Nitrate Nitrite as N where one result has a qualifier, and one result does not have a qualifier. The BMI Regional DB has the result with the qualifier. Please review and address as necessary.</p>	<p>that DVSR is the result counts: there should now be 3,427 wet chemistry results and 9,780 total results.</p> <p>b) Data for nitrate in sample PC-97-20160208 was submitted as two results, one as N and one as NO3, in DVSR NERT-2016-1610. It is not clear why the BMI database only has the result reported as N. However, as the updated data set only considers nitrate with a reporting basis of N, this result is found in the BMI database.</p> <p>c) These samples were submitted to NDEP in the EDD for DVSR ID NERT 2102 on May 27, 2022. NDEP comments were received on August 4, 2022, and a revised DVSR (no EDD changes were required) and RTC document were submitted to NDEP on September 14, 2022. The samples will be found in the BMI database once the DVSR is approved by NDEP and the EDD is loaded into the BMI database.</p> <p><u>Table B-1.</u></p> <p>The duplicated Nitrate Nitrite as N results have been fixed in the NERT project database such that the unqualified results will be ignored. However, none of these duplicated results are in the revised Table B-1 as the revised analysis considers Nitrate and Nitrite separately, and does not include any Nitrate Nitrite as N results; additional details have been provided in footnote 26 in Section 5.1.2 of the Revised Work Plan.</p>
12.	<p><u>Table B-1.</u></p> <p>Location IDs. Some location IDs differ between Table B-1 and the BMI Regional Database:</p>	<p><u>Table B-1 of the Revised Work Plan has been updated as follows:</u></p> <p>a. The original WMW5.58S was replaced by a well cluster (where WMW5.58SI was one of three wells installed) and the nomenclature has varied over time</p>

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	<p>a. Samples: WMW5.58S-20150115 and WMW5.58S-20160505, Table B-1 has location WMW5.58SI, but the BMI database has location WMW5.58S.</p> <p>b. Samples: MW-1-20180411, MW-1-20180411-FD, Table B-1 has location MW-1, but the BMI database has location MW-1[CHIM].</p> <p>c. Samples: MW-3-20190705 and MW-4-20190705, Table B-1 has location MW-3 and MW-4, but the BMI database has location MW-03 and MW-04.</p> <p>Please review and address as necessary.</p>	<p>and by party. The location for these samples was changed in the NERT project database for accuracy after the data were submitted to the BMI database. However, these samples are not in the revised Table B-1 as this location was destroyed during SNWA weir construction and is now located in the middle of the Las Vegas Wash. The groundwater results from this well in 2015-2016 are likely therefore no longer representative of groundwater concentrations beneath the Las Vegas Wash and should not have been included in Table B-1.</p> <p>b. These samples now have the sys_loc_code of "MW-1(CHIM)" in Table B-1.</p> <p>c. These samples now have the sys_loc_code of "MW-3(CHIM)" and "MW-4(CHIM)" in Table B-1, respectively. The "(CHIM)" designation denotes ownership by the Chimera Golf Course and is included in the location ID solely to avoid confusion with similarly named wells owned by other parties. A review of Figure 6 in the <i>Data Gap Investigation – Phase II Groundwater Quality Assessment</i> by AECOM indicates that the wells named "MW-3" and "MW-4" are located on the Chimera Golf Course. These wells should not be confused with the nearby MW-03 and MW-04, which are owned by the City of Henderson, nor with the MW-03 and MW-04 that are owned by Montrose and located on the OSSM site. The location ID in the BMI database should be updated for these samples.</p>
13.	<p><u>Table B-1, Censoring Limits.</u></p> <p>For multiple records with non-detected results, there is a discrepancy between the limit used to report the non-detected</p>	<p><u>Table B-1, Censoring Limits.</u></p> <p>The table has been verified and we do not believe there are any discrepancies. All results presented in the</p>

result. Table B-1 usually presents the result at the Quantitation Limit (which was translated to the PQL in the BMI database) and the BMI database presents the result at the SQL (which was translated from the original Reporting Detection Limit). There are some cases where the Table B-1 result is equivalent to the Reporting Detection Limit instead of the Quantitation Limit.

For example:

Source	Sample ID	Analyte	Result	MDL	SQL	PQL	Detect flag	Qualifier
BMI Database	WMW5.7N-20180717	Chlorate	50	10	50	100	U	U
Table B-1	WMW5.7N-20180717	Chlorate	25	5	100	25	N	U
BMI Database	PC-76-20160429	Chlorate	10	50	10	100	U	U
Table B-1	PC-76-20160429	Chlorate	50	10	100	50	N	mill

Per the EDD Guidance, “for non-radionuclide non-detected results, the result\_reported should equal the SQL.” In addition, the EDD Guidance references the December 3, 2008, NDEP Guidance “Detection Limits and Data Reporting” for the definition of MDL, SQL, and PQL. This guidance document also states

“In effect, the DVSRs and databases, agree concerning the use of the term MDL; RDL appears to be the same as SQL; and RL appears to be the same as PQL. QL is also the same as PQL. It is requested that the discrepancy in the nomenclature be resolved. Most sampling and analysis plans, risk assessment reports and other relevant documents describe the censoring limit to be used for statistical data analysis as the SQL. Consequently, NDEP suggests that the MDL, SQL, PQL nomenclature be adopted in the databases as well as in the DVSRs and all other Deliverables”.

Table B-1. Table B-1 is not consistent between the columns “detect\_flag” and “interpreted\_qualifier”, although most discrepancies are for records that are not currently found in the

report\_numeric column for non-detects are equal to the values in the quantitation\_limit column, which contains the SQL. This is consistent with the EDD guidance. The examples provided show that the columns in Table B-1 were interpreted incorrectly as the SQL and PQL. It is not plausible to have an SQL of 100 and a PQL of either 25 or 50, and the result from Table B-1 is equal to the lower value (i.e., the SQL) in both cases. In the limited cases where the Table B-1 report\_numeric result is equivalent to the reporting\_detection\_limit column value (the PQL), the results are either detections that happen to be equivalent to the PQL, or they are non-detects where the PQL and SQL are equivalent.

Both examples provided are from AECOM’s investigations. In the case of PC-76-20160429, it appears that the method detection limit and sample quantitation limit columns were switched for every result in DVSR ID “AECOM-0001-2016GW”, as the value in the method detection limit column is consistently equal to the value in the sample quantitation limit column multiplied by the dilution factor (it should be the exact opposite). The result presented in Table B-1 is therefore correct.

In the case of WMW5.7N-20180717, the reason for the discrepancy between the detection limits other than the PQL (and therefore the result used) is unclear. AECOM provided data to NERT at different times and in different formats from the DVSR submissions to NDEP, which may account for the discrepancy. While acknowledging that NERT did not review AECOM data prior to submittal to NDEP, Ramboll will review all AECOM data in the NERT and BMI databases for consistency prior to use in the OU-3 BHRA.

Table B-1.

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	<p>BMI Regional Database. These two fields should be verified for consistency.</p>	<p>The inconsistency between the detect_flag and interpreted_qualifier columns was mostly for records that were not found in the BMI database, as they had not yet been validated or submitted to NDEP (see response to Comment 11c). Table B-1 of the Revised Work Plan contains validation information for these samples and there should be no inconsistencies between these columns. The remaining inconsistencies between these columns is in data provided from AECOM. As mentioned above, Ramboll will review all AECOM data in the NERT and BMI databases for consistency prior to use in the OU-3 BHRA.</p>
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