

OFFICE OF THE NEVADA ENVIRONMENTAL RESPONSE TRUST TRUSTEE

Le Petomane XXVII, Inc., Not Individually, But Solely as the Nevada Environmental Response Trust Trustee
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December 22, 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: Data Validation Summary Report, Indoor Air Quality Investigation, March through May 2022
Nevada Environmental Response Trust
Henderson, Nevada

Dear Dr. Dong:

The Nevada Environmental Response Trust (NERT) is pleased to present the annotated response to comments regarding the Nevada Division of Environmental Protection's (NDEP's) comment letter dated December 8, 2022. A revised Data Validation Summary Report (DVSR) has not been prepared since NDEP has accepted an explanation of the laboratory's former temperature reporting procedure via response to comments for both the 2021 Annual Performance Sampling and RI Phase 3 Mod 10 DVSRs.

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.

Office of the Nevada Environmental Response Trust



Stephen R. Clough, P.G., CEM
Remediation Director
CEM Certification Number: 2399, exp. 3/24/23

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Joe Leedy, Clark County Water Quality
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Roy Thun, GHD
Keenan Sanders, EMD
Sonia Lewandowski, EMD

NDEP Comment	Response to Comment
DVSR Review	
<p>1. <u>General Comment for Clarification:</u></p> <p>The case narratives for the water samples indicate that cooler temperatures are above 6 degrees Celsius for 5 of 7 SDGs. There are two temperature readings on 6 of 7 COCs. Why are there two readings and which one is correct? The Lab’s Login Sample Receipt Checklist does not identify cooler temperatures above the acceptable range. This has been discussed before and the lab was to revise how the erroneous value was used in their reports. The appearance is that samples are taken in the morning and not put on ice until ready to be shipped in the afternoon. Then possibly the shipper collects their own temperature prior to or after shipping to the lab/drop-off point. Then the next morning the cooler is officially received in the lab within acceptable temperature range.</p> <p>The appearance is that the lab is receiving multiple coolers for each of the SDGs where one cooler would be sufficient to contain all samples. Please explain where this higher temperature reading comes from and why it is not reported in the Login Sample Receipt Checklist.</p>	<p>The higher cooler temperature readings listed on each of the COCs are additional temperatures taken of the same cooler. They are the temperatures recorded at the time of drop-off at the laboratory service center in Las Vegas and not the temperature recorded at the time of receipt at the laboratory. Handwriting on the COCs can be used to determine which temperature is the correct temperature at the time of receipt at the laboratory (e.g., the “T” in the first received by company name and the “T” written before the higher recorded temperature in SDG 550-181883-1). When the samples are received at the service center, they are already packed on ice but have generally not had sufficient time to cool to below 6 degrees C. The service center measured temperature is not used to assess sample temperature preservation; therefore, they are not discussed in the case narrative as a receipt exception even though they are mentioned as an independent cooler temperature.</p> <p>It is agreed 1) that this has been discussed before, 2) that the number of coolers that that the laboratory appears to be receiving from the wording of these case narratives is erroneous, and 3) that the laboratory has revised their procedures so that the case narratives will not list temperatures measured at the service center in the future. However, this was first discussed and investigated in the 3rd quarter of 2022, and these reports were issued in the 2nd quarter of 2022. The laboratory is not able to revise every lab report with an erroneous case narrative issued prior to this discussion. Laboratory case narratives should be fixed with respect to this discussion in reports issued after approximately October 2022.</p> <p>Consistent with the prior NDEP acceptance of this explanation on the 2021 Annual Performance Sampling and RI Phase 3 Mod 10 DVSRs, no changes have been made to the DVSR.</p>

EDD Review	
1. <u>File "NERT 2202 EDD Rev 0.accdb"</u> The EDD is acceptable.	No response required.

Responses to NDEP Comments dated December 8, 2022 on the
Combined DVSR and EDD, Revision 0 for Indoor Air Quality Investigation,
March through May 2022
Nevada Environmental Response Trust Site
Henderson, Nevada

**Responses to NDEP Comments on the Indoor Air Quality
Investigation DVSR and EDD
March through May 2022**

**Nevada Environmental Response Trust
Site (Former Tronox LLC Site)
Henderson, Nevada**

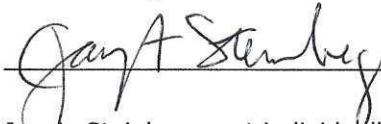
Nevada Environmental Response Trust (NERT) Representative Certification

I certify that this document and all attachments submitted to the Division were prepared at the request of, or under the direction or supervision of NERT. Based on my own involvement and/or my inquiry of the person or persons who manage the system(s) or those directly responsible for gathering the information or preparing the document, or the immediate supervisor of such person(s), the information submitted and provided herein is, to the best of my knowledge and belief, true, accurate, and complete in all material respects.

Office of the Nevada Environmental Response Trust

Le Petomane XXVII, Inc., not individually, but solely in its representative capacity as the Nevada Environmental Response Trust Trustee

Signature:



Not Individually, but Solely
as President of the Trustee

Name:

Jay A. Steinberg, not individually, but solely in his representative capacity as President of the Nevada Environmental Response Trust Trustee

Title:

Solely as President and not individually

Company:

Le Petomane XXVII, Inc., not individually, but solely in its representative capacity as the Nevada Environmental Response Trust Trustee

Date:

