

STATE OF NEVADA

Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Calleen Cripps, Ph.D., Administrator

April 9, 2013

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: *Soil Gas Investigation and Human Health Risk Assessment Work Plan for Parcels C, D, F, G, and H*, Dated: March 18, 2013

Dear Mr. Steinberg,

The NDEP has received and reviewed the Trust's above-identified Deliverable and finds that the document is acceptable with the following comments noted for the Administrative Record:

1. Section 1.1 Overview, first paragraph, page 2. The Deliverable states that the Parcels will either be evaluated as a group or as individual Parcels depending on the results of the additional soil gas sampling. The criterion or criteria for this decision should be provided to NDEP prior to implementation so that the Division can either approve or disapprove the methodology.
2. Section 1.1 Overview, document list on pages 2 and 3. The NDEP recommends that the following references be evaluated and referenced in preparation of the Human Health Risk Assessment:
 - a. U.S. EPA, 2009. Office of Inspector General's Evaluation Report: Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks. December 14.
 - b. U.S. EPA, 2010. Review of the Draft 2002 Subsurface Vapor Intrusion Guidance. Office of Solid Waste and Emergency Response.
 - c. U.S. EPA, 2012. EPA's Vapor Intrusion Database: Evaluation and Characterization of Attenuation Factors for Chlorinated Volatile Organic Compounds and Residential Buildings. Office of Solid Waste and Emergency Response, EPA 530-R-10-002 March 16.

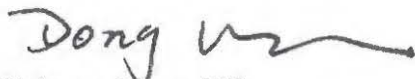


Bullets (a) and (b) refer to the use of multiple lines of evidence. Bullet (c) refers to evaluation and use of the attenuation factor for both soil gas and groundwater. Response to the forgoing comment does not require re-submittal of the subject Deliverable.

3. Section 5.1 Selection of Chemicals of Potential Concern. As soil gas risk and hazard estimates are conducted on a sample-by-sample basis, elimination of chemicals based solely on frequency of detection is not warranted. Each chemical detected (with the exception of TICs) should be retained for evaluation in the HRA.
4. Figure 4 Soil Gas, Groundwater, and Soil Property Sampling Locations, Nevada Environmental Response Trust Site, Henderson, Nevada. The NERT should add additional sample locations as marked Figure 4 in case that the soil gas investigation and human health risk assessment needs to be done parcel by parcel.
5. In future submittals, the response to NDEP comments should be included within the Deliverable as Appendix A.

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

Sincerely,

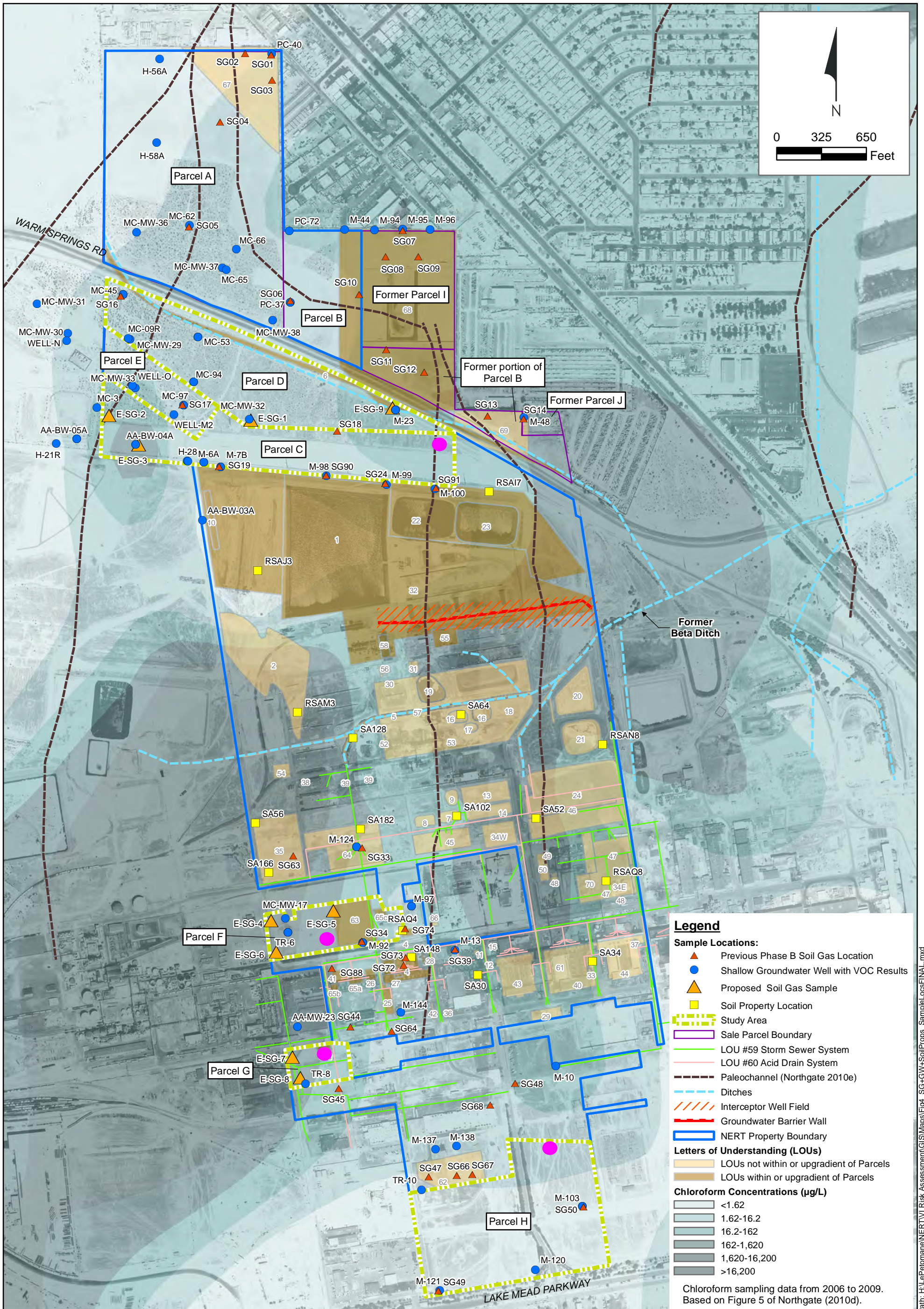


Weiquan Dong, P.E.
Special Projects Branch
Bureau of Corrective Actions
NDEP-Las Vegas City Office

WD:sh

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Scott Bryan, Central Arizona Project
Stephen Tyahla, U.S. Environmental Protection Agency, Region 9
Tanya O'Neill, Foley & Lardner LLP
Teri Copeland
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Soil Gas, Groundwater, and Soil Property Sampling Locations

Nevada Environmental Response Trust Site, Henderson, Nevada

Drafter: EA/RS

Date: 3/7/2013

Contract Number: 21-32100GA

Approved by:

Revised:

Figure
4

Path: H:\Perotmane\NERT\VI Risk Assessment\GIS\Maps\Fig4_SG+GW+SoilProps_SampleLocsFINAL.mxd