



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

December 10, 2008

Mr. Mark Paris  
Basic Remediation Company (BRC)  
875 West Warm Springs  
Henderson, NV 89011

Re.: Nevada Division of Environmental Protection Response to:  
*Sampling and Analysis Plan for the Sunset North Commercial Sub-Area (SAP)*  
dated November 2008 (received November 7, 2008)  
NDEP Facility ID# H-000688

Dear Mr. Paris:

The NDEP has received and reviewed BRC's document identified above and provides comments in Attachment A. There are numerous comments in Attachment A, however, it appears that none of these comments will materially affect the SAP (specifically Figure 9, Table 4, Table 5 and Table 6). It is expected that the SAP will be implemented in a manner consistent with Figure 9, Table 4, Table 5 and Table 6. The comments provided in Attachment A are indicative of an overall lack of quality control and transparency in the document. These issues must be addressed in future Deliverables. Please note that a response to this letter is neither required nor desired.

Should you have any questions or concerns, please do not hesitate to contact me at (702) 486-2850 x247 or brakvica@ndep.nv.gov.

Sincerely,

Brian A. Rakvica, P.E.  
Supervisor, Special Projects Branch  
Bureau of Corrective Actions

BAR:s

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Barry Conaty, Holland & Hart LLP, 975 F Street, N.W., Suite 900, Washington, D.C. 20004  
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Michael Ford, Bryan Cave, One Renaissance Square, Two North Central Avenue, Suite 2200, Phoenix, AZ 85004

## Attachment A

1. Section 1.0, Page 1-1; Footnote 1. Please change the 2<sup>nd</sup> instance of “acreage” to “acres” in the first sentence.
2. Section 1.0, Page 1-1; last paragraph, 1<sup>st</sup> sentence. It is not clear what is meant here. It says that post-remediation investigation results are representative, but risk assessment will be based on the new data. As noted previously under separate cover, all data must be considered in the development of the risk assessment. Some clarification is needed.
3. Section 2.1, Page 2-2; Footnote 4. Some clarification is needed. It needs to be clarified that imported soil is expected to be from within the BMI Common Areas.
4. Section 2.1, Page 2-3; 6<sup>th</sup> sentence. Please incorporate a reference to footnote 5 for the Upper Ponds sub-area acreage correction.
5. Section 2.2, page 2-4, BRC should also note that overland transport is partially mitigated by the presence of storm water controls at the City of Henderson WRF.
6. Section 2.3, Page 2-5; 3<sup>rd</sup> paragraph. A reference needs to be added to the groundwater monitoring event in May 2008.
7. Section 2.3 Page 2-5; 4<sup>th</sup> paragraph. A reference to the aerial photo that shows these historical seeps is needed.
8. Section 2.4, Page 2-6. Please include a reference to Appendix B for those instances where a particular dataset is being referenced (e.g., Dataset 8b). This is a global comment that applies to all instances of this issue.
9. Section 2.4, Page 2-7 – Table. It is not clear why location PUO-07 is not included in this table. Figure C-1 has samples on the border of Sunset North that appear to have concentrations of interest for arsenic, for example. Please clarify.
10. Section 2.4, Page 2-8; Table. Thallium also exceeds the residential MSSL but is not indicated in bold face. This is the same issue for Uranium-238 in the same table.
11. Section 2.5, Page 2-8, 1<sup>st</sup> sentence. It is not clear where IRM ponds PUP-08 and PUO-07 are located on Figure 2. It is assumed that this is the area depicted in orange shading. This comment applies to numerous references but could be rectified by clarifying Figure 2.
12. Section 2.6, Page 2-10; Table. The pre-IRM table in Section 2.4 did not include pond ID PUO-07. Please clarify where the pre-IRM maximum detections in the table came from. For the same table on page 2-10, alpha-BHC is missing from the results for pond ID PUP-08. Please clarify.
13. Section 2.8, general comments.
  - a. The discussions of the various classes of chemicals are not consistent. For example, there is inconsistent discussion of comparisons to the different metrics (MSSLs and SSLs).
  - b. It is not clear how the chemicals that were chosen to be presented in Appendix C were selected. This should be clarified.
  - c. It appears that the discussions in this Section do not consider the IRM data. NDEP believes it is important to consider this data from a source characterization standpoint.
  - d. Chemical class subsections. Please reference Table 1 in these subsections.
14. Section 2.8, Page 2-12; 1<sup>st</sup> paragraph. It also appears that pond ID PUN-07 has an exceedance of the maximum background concentration for arsenic based on the figures in Appendix C – Figure C-3. Please clarify.
15. Section 2.8, Page 2-12; 2<sup>nd</sup> paragraph. How many surface and subsurface samples were analyzed for the category “Other Organics”? Is it the same as arsenic? Please clarify.

16. Section 2.8, Pages 2-12 to 2-13. Please provide specific sample location and depth information for all exceedances.
17. Section 2.8, Page 2-13; 2<sup>nd</sup> Bullet. Table 1 indicates that there were nine SSL exceedances for beta-BHC. Please clarify.
18. Section 2.8, Page 2-13; SVOCs. Note that bis(2-ethylhexyl)phthalate is a common laboratory contaminant.
19. Section 2.8, Page 2-14, Dioxins and Furans. It should be noted that Figure C-8 shows two exceedances of the 50 ppt screening level. NDEP notes that these samples appear to border the sub-area of interest.
20. Section 2.8, Page 2-15; 1<sup>st</sup> Bullet. It should be noted that there were two instances where arsenic exceeded background.
21. Section 2.8, Page 2-15; Some discussion of detection limits should be provided. It is not clear if the detection limits are adequate for all chemicals – are there chemicals for which non-detects have detection limits that exceed thresholds of interest? This comment is partially addressed at the end of Section 2.9, but no specifics are provided in the text. Regarding the sentence at the end of Section 2.9, it is not clear what actions might be taken as a consequence of the detection limit issues – please clarify. Please note that this comment applies to numerous areas of the SAP.
22. Section 2.9, general comment. The groundwater data should be compared to an applicable metric.
23. Section 2.9, Page 2-15. A reference to Figure 2 for locations of these wells would be helpful.
24. Section 2.9, Page 2-16; Bullets 4-6. To be consistent with the previous bullets, the maximum detection limits for aluminum, arsenic, and selenium should be provided.
25. Section 3.1, Page 3-2; 2<sup>nd</sup> line. Please delete one of the two consecutive instances of “that”.
26. Section 3.2, Page 3-5; paragraph after item 2. The list in this paragraph is numbered 1, 2, 3, 4B. It appears that this is a typographic error.
27. Section 3.3, Page 3-6, 1<sup>st</sup> paragraph. Item 2 should be reworded – change the dashed remark “that is, this SAP (Section 5)” by simply adding (see Section 5) to the end of the first part of the sentence.
28. Section 3.3, Page 3-6; 6<sup>th</sup> bullet. It would be helpful to make clear earlier that fill materials are not expected to be imported to the Site. See comment above.
29. Section 3.4.3, Page 3-8; last line. Change the first word to “an”.
30. Section 4.2, Page 4-5; 1<sup>st</sup> line. The word “additional” should probably be deleted from the end of this line, since no soil removal is planned initially.
31. Section 4.4, Page 4-6. A note should be added regarding which actions will be taken if the data do not come back as expected.
32. Section 4.5, page 4-7, 4<sup>th</sup> bullet. The basis for the 33 ppb cutoff should be discussed. It is noted for the Administrative Record that 33 pbb is the detection limit for the Arocolor method. Therefore, analyzing samples will PCBs less than 33 ppb would not be cost-effective.
33. Section 4.5, Page 4-8; 4<sup>th</sup> bullet. Please note that the back-quantitation might not be needed. If the radionuclides are similar to background, then back-quantitation will be unnecessary. Even if this is not the case, the main radionuclides might carry sufficient information to perform a risk assessment. This should be considered here.
34. Figure 4. Please label site features (e.g., Spray Wheel, power station, etc.).
35. Figure 7. There is no formal reference to Figure 7 in the text of this SAP. Please clarify. Also, please label additional site features (e.g., Spray Wheel, Upper Ponds).
36. Table 1. Summary statistics should be recalculated based upon the NDEP guidance issued on December 10, 2008 under separate cover.

37. Table 5; footnote g. Table 4 and the 3<sup>rd</sup> paragraph on page 4-2 indicate only two locations will be sampled for soil physical parameters. Footnote g indicates that three locations will be sampled for soil physical parameters. Based upon Figure 9, the NDEP assumes that two locations will be sampled as indicated on this Figure.