



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

*Kenny C. Guinn, Governor*

*Allen Biaggi, Director*

*Leo M. Drozdoff, P.E., Administrator*

## NOTICE OF PROPOSED ACTION PUBLIC NOTICE

Web re-posting date: 11/28/06

The Administrator, Division of Environmental Protection ("Division"), Department of Conservation and Natural Resources, Carson City, Nevada is issuing the following Notice of Proposed Action under the authority of the Nevada Revised Statutes, the Nevada Administrative Code, and the Safe Drinking Water Act.

The Administrator has received an application for an Underground Injection Control (UIC) permit, which has been drafted for public comment. Permit #UNEV2007200 has been applied for by the following applicants:

Montrose Chemical Corporation of California  
600 Ericksen Ave. NE, Suite 380  
Bainbridge Island, WA 98110

Pioneer Americas LLC  
8000 Lake Mead Parkway  
Henderson, Nevada 89009

The applicants have submitted an application for an UIC permit associated with groundwater remediation from the Pioneer Americas, former Montrose, and former Stauffer facilities in Henderson, Nevada. The application is in response to groundwater impacted by the past release of benzene, chlorobenzene, perchlorate, and other possible compounds including Volatile Organic Compounds (VOCs), Semivolatile Organic Compounds (SVOCs), and pesticides. The applicant proposes remediation efforts utilizing a pump and treat system called the Henderson Groundwater Treatment System (GWTS). The applicant proposes to extract contaminated groundwater from thirteen extraction wells located south of the GWTS at 303 Warm Springs Road in Henderson, pump it to a treatment system (filtration, biofouling control, air stripper, and two Liquid-phase Granular Activated Carbon vessels in series), and re-inject the treated groundwater into three subsurface fluid distribution systems (trenches). The trenches are located in the NE ¼ of NE ¼ of Section 11, T22S, R62E, MDB&M in Clark County.

Currently, the GWTS effluent that is injected into the three trenches does not meet Federal and State Primary Drinking Water Standards and State Action Levels. The GWTS shall be redesigned to meet these standards according to the following Schedule of Compliance:

Effective upon issuance of this permit, sample compositing shall not occur.

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By December 3, 2006, provide a proposal for two downgradient and one upgradient compliance monitoring transects to the Division.

By February 3, 2007, install a physical intercept wall and/or additional extraction wells to enable effective containment and capture of the plume of contaminants along the transect initially defined by the vertical area along the existing transect between extraction well "A" and extraction well "I" and the lower boundary of the alluvial aquifer.

By February 3, 2007, install a permanent physical barrier (above ground level) around each trench and install signage to prevent vehicular traffic.

By February 3, 2007, the air vents for the trenches shall be piped to an appropriate collection device (e.g., a sump). Water collected from these vents must be appropriately treated and disposed of.

By May 3, 2007, submit plans and specifications for upgrading the GWTS, stamped by a Professional Engineer licensed in the State of Nevada, that will: (1) bring the GWTS effluent into compliance with select Federal and State Primary Drinking Water Standards; (2) ensure containment of the plume of contaminants, and (3) ensure that treated groundwater will not pond in or near the trenches.

By May 3, 2007, submit a Contingency Plan to address capture, treatment and disposition of contaminated water, and submit an Operation and Maintenance (O&M) Manual, both stamped by a Professional Engineer licensed in the State of Nevada.

By August 3, 2007, the GWTS effluent must meet the select Federal and State Primary Drinking Water Standards, State Action Levels, and the lower of (1) the USEPA Region IX Drinking Water Health Advisory Levels (chronic) or (2) the USEPA Region IX Preliminary Remediation Goals (PRGs) for Tap Water.

Monitoring will be conducted to ensure the above Schedule of Compliance is met and that groundwater is adequately treated.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes, the Nevada Administrative Code, the Safe Drinking Water Act, and implementing regulations, the Administrator proposes to issue permit #UNEV2007200 as stated above.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance or to request a hearing pursuant to Nevada Administrative Code, Water Pollution Control, should submit their comments or request in writing by January 10, 2007 either in person or by mail to:

Attn: Becky Linvill  
Nevada Division of Environmental Protection  
Bureau of Water Pollution Control  
901 South Stewart Street; Suite 4001  
Carson City, NV 89701-5249  
(blinvill@ndep.nv.gov)

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All comments or objections received within thirty days of this newspaper publication will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty days prior to the hearing date.

The application, temporary permit, comments received, and other information are on file and may be copied at the office of the Division of Environmental Protection, or copies may be obtained by writing to the above address or by calling Becky Linvill of the Bureau of Water Pollution Control at (775) 687-9503.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

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