



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 9  
Underground Storage Tanks Program Office  
75 Hawthorne Street (LND-4-3)  
San Francisco, CA 94105-3901

SCANNED

FEB 26 2016

CERTIFIED MAIL: 7013 1090 0000 1618 9662  
RETURN RECEIPT REQUESTED

Mr. Robert A. Piekarz  
Supervisor II, Hazardous Materials  
Nevada Department of Transportation  
1263 South Stewart Street  
Carson City, NV 89712

Subject: No Further Action Determination  
Leaking Underground Storage Tank ("LUST") Site  
Former NDOT-Nixon Facility  
State Route 447, Nixon, NV (EPA ID# PYRA007)

Dear Mr. Piekarz:

The U.S. Environmental Protection Agency ("EPA") Region 9 Underground Storage Tanks ("UST") Program Office issued a Notice of Violation Information Request letter, dated June 5, 2014, requiring permanent closure and site assessment of the UST systems at the Former NDOT-Nixon Facility ("Site"). This facility had been out of service for nearly 14 years. The Nevada Department of Transportation ("NDOT") submitted a work plan on August 12, 2014 and completed the removal of the 8,000 gallon diesel UST and 2,000 gallon gasoline UST and associated release determination investigation in April 2015.

EPA reviewed the document entitled *Former Nixon Maintenance Station UST Closure Report* ("Report") dated June 4, 2015. Based on the findings of the Report, a past release was identified below the 2,000 gasoline UST at the Site. Although only total petroleum hydrocarbons ("TPH"), and not MTBE or BTEX, was analyzed in samples taken at and below the area of greatest total petroleum hydrocarbon ("TPH") contamination, the data does not indicate the need for further investigation because TPH was non-detect from 19-20 feet below ground surface ("bgs") and NDOT over excavated to 24 feet.

Due to the low probability that petroleum contaminated soil ("PCS") remains at the site after the over-excavation and the low current probability for human exposure, EPA requires no further action ("NFA") at the Site at this time. The attachment provides background on the Site and documentation supporting the NFA determination.

If information becomes available in the future regarding hydrocarbon contamination in soil and/or groundwater at the Site, or the planned use of the Site changes, EPA may require additional site assessment and/or corrective action.

Please note that this NFA letter, as well as all supporting documentation, will be available to the general public. If you have any questions regarding this letter, please contact Alison Fong of my staff at (415) 972-3065, or you can contact me directly at (415) 972-3369.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven C. Linder', written over a horizontal line.

Steven C. Linder, P.E., Manager  
Underground Storage Tanks Program Office

Electronic Cc: Vinton Hawley, Chairman, Pyramid Lake Paiute Tribe  
Donna Noel, Natural Resources Director, Pyramid Lake Paiute Tribe

Attachments: Site Chronology and Investigation

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**Attachment**  
**No Further Action Summary**  
Former NDOT-Nixon Facility LUST in Nixon, NV  
(EPA ID# PYRA007)

**A. Site History**

NDOT leased the maintenance yard from the Pyramid Lake Paiute Tribe beginning in 1965. Based on information provided in the EPA Form 7530-1 Notification for Closure of USTs dated May 1999, NDOT operated four USTs at the facility on land leased from the Tribe. A 5,000 gallon UST and 5,000 gallon diesel UST were installed in September 1966 and removed in June 1990. Subsequently, an 8,000 gallon diesel UST and 2,000 gallon gasoline UST were installed in August 1990.

NDOT utilized the maintenance yard past their lease expiration in December 1989 until June of 2001. NDOT was evicted by the Tribe for non-payment and a Settlement Agreement was reached on September 2004 for unpaid rent. The two USTs remained on site and according to the Tribe were not used after 2001.

In 2014, EPA, upon review of Site files, determined that NDOT remained the responsible party for the permanent closure and site assessment for the remaining two USTs improperly in temporary closure. In 2015, EPA helped facilitate agreement between the Tribe and NDOT to allow NDOT access back to the Site to complete permanent closure of the USTs.

**B. UST Removal, Petroleum Release Confirmation, and Over-excavation**

In April 2015, NDOT and its contractor Bramco Construction Corporation removed the two USTs and associated piping at the Site and transported them to Waste Management's Lockwood Regional Landfill for disposal.

Visual inspections of the UST system showed no holes, or rust spots. However, at 17 feet bgs, the loose sand/clay soil interface, a diesel-related hydrocarbon odor was detected. Nine samples collected on April 23, 2015 during UST removals were analyzed for metals, TPH, and VOCs. The samples were collected beneath each end of the 8,000 gallon diesel UST, at the center of 2,000 gallon gasoline UST, below the dispenser island, below the diesel piping chase, below the gasoline piping chase, and three stockpile samples.

The samples were all Non-Detect ("ND") for MTBE and BTEX. TPH was detected above the 100 mg/kg action level in three samples – two stockpile samples and one sample 15 to 16 feet bgs under the gasoline UST

Based on the TPH concentrations from the initial sampling, additional over-excavation was completed laterally beyond the footprint of the gasoline UST, and vertically into the clay to 24 feet bgs. No odors were detected in the clay material beyond 17 feet bgs. Three samples collected on April 27, 2015 during over excavation – at 17 to 18, 18 to 9, and 19 to 20 feet bgs – were analyzed for only TPH. TPH was

detected above the 100 mg/kg action level in the two shallower samples decreased to ND at the deepest sample.

### **C. Potential Residual Hydrocarbon Contamination in Soil**

TPH contamination decreases significantly from 17-18 feet bgs to 18-19 feet bgs, and is non-detect at 19-20 feet. Because loose sand extended from ground surface to approximately 17 feet, and low-permeability clay extended from that depth to the maximum depth of excavation of 24 feet, the contamination likely did not migrate far vertically. Since there was over-excavation of the impacted area laterally past the footprint of the UST and vertically to a depth 24 feet – 6 feet past the depth of greatest contamination, 4 feet past the depth at which TPH contamination was non-detect – there is a high probability that the source area was removed and significant contamination does not remain.

### **D. Land Use and Site Receptor Evaluation**

The current land use and foreseeable future land use is a paved parking lot for Emergency Response Department vehicles and excess tribal vehicles. Site structures include an office trailer and a shop for storing fire engines.

Groundwater was not encountered as part of any of the closure activities. According review of existing well logs in the area, depth to groundwater is approximately 30 feet. Because of the low permeability clay between deepest non-detect sample and groundwater, which was not encountered during closure activities, there is a low probability for groundwater contamination.

Within a 1 mile radius of the site, there are two tribal public supply wells (both currently in use and located on the opposite end of the Truckee River; the closest is 0.43 miles north-east), one State Highway Department public supply well (0.13 miles north), and 8 domestic wells (the closest is 0.17 miles E). The latest VOC sampling results for the two tribal public supply wells were ND for BTEX. The probability of the LUST site threatening drinking water is a low risk.