



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

BY: _____

March 27, 2013

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

Subject: **No Further Action Determination** – Phase 1 Development Sub-Area

Facility: BMI Common Areas (Eastside Site)
Clark County, Nevada
Portion of APNs
179-05-301-004, 179-05-401-001, 179-06-301-004, and 179-07-501-009
NDEP Facility ID: H-000688

Dear Mr. Paris:

The Nevada Division of Environmental Protection (NDEP) has reviewed the January 9, 2013 *Human Health Risk Assessment and Closure Report for the Phase 1 Development Sub-Area* as revised by March 1, 2013, March 20, 2013 and March 27, 2013 correspondence from ERM on behalf of BRC ("Phase 1 HHRA"). This document was prepared under the responsible charge of Dr. Ranajit Sahu, CEM of Basic Remediation Company ("BRC") on behalf of BRC for the above-referenced areas and more specifically as depicted on Figures 1, 2 and Appendix K (legal description) of the Phase 1 HHRA. The Phase 1 HHRA contains a request for a no further action determination from the NDEP.

The NDEP has reviewed the following information and has determined that no further assessment or remediation of soil is required:

1. A voluntary Environmental Covenant ("EC") has been prepared and executed in accordance with Nevada Revised Statutes 445D relating to the prospective use of the subject property;
2. A formal human health risk assessment; and
3. Supporting technical data.

The EC is recorded as of February 3, 2011 (and as subsequently amended by NDEP and BRC) with the Clark County Recorder office for the areas designated above and therefore is a matter of public record.



Mr. Mark Paris
March 27, 2013
Page 2

Should you have any questions or concerns, please do not hesitate to contact me at (775) 687-9373 or glovato@ndep.nv.gov.

Sincerely,



Greg Lovato
Chief, Bureau of Corrective Actions

GL:gl

cc: Shannon Harbour, NDEP, BCA, Carson City
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George Crouse, Syngenta Crop Protection, Inc.
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Mr. Mark Paris
March 27, 2013
Page 3

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