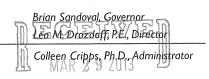


STATE OF NEVADA

Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION



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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.



in de la companya de la co 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

ec: Shannon Harbour, NDEP, BCA, Carson City

Michael Friend, NDEP, BCA, Las Vegas

Adam Bass, Edgcomb

Allan Delorme, ENVIRON International Corporation

Andrew Barnes, GeoSyntec

Ashley Katri, McGinley and Associates

Brenda Pohlmann, City of Henderson

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Brian Waggle, Hargis & Associates

Chuck Elmendorf, Stauffer Management Company LLC

Curt Richards, Olin Corporation

David Hadzinsky, PCC Airfoils, LLC

Ebrahim Juma, Clark County Water Reclamation District, Clean Water Team

George Crouse, Syngenta Crop Protection, Inc.

Jay Gear, Olin Corporation

Jay Steinberg, Nevada Environmental Response Trust

Jeff Gibson, AMPAC

Joe Kelly, Montrose Chemical Corporation of CA

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Mr. Mark Paris March 27, 2013 Page 3

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