

QUARTERLY PROGRESS REPORT

AS REQUIRED BY

**SETTLEMENT AGREEMENT AND
ADMINISTRATIVE ORDER ON CONSENT
(AOC3)**

SECTION XIII, PARAGRAPHS 1 and 2.

SUBMITTED BY

BASIC REMEDIATION COMPANY

DATED JANUARY 15, 2022

1. Introduction

This Quarterly Progress Report is being submitted to the Nevada Division of Environmental Protection (NDEP) pursuant to the requirements of Paragraphs 1 and 2 of Section XIII of the AOC3 executed between the Parties and NDEP on February 15, 2006. The format of this report is based on the requirements stated in Paragraph 1 of Section XIII. This report covers activities between October 1 and December 31, 2021.

2. Actions Taken Towards Achieving Compliance

Maintenance activities at the CAMU continued as needed, including leachate collection and offsite disposal. As noted in the prior report, the RAP for the CAMU has been renewed for a period of 10 years. BRC is also exploring the possibility of installing an on-site lined impoundment for the disposal of leachate from the CAMU. BRC is attempting to discuss this issue with EPA – however, due to EPA distractions and COVID-19, these discussions are proceeding slowly. BRC has renewed this effort and will continue to do so.

BRC and NDEP have resolved most issues on all outstanding DVSRs relating to CAMU groundwater monitoring as well as targeted sampling of groundwater conducted at the Eastside. BRC expects all of these to be resolved in the next quarter. BRC has submitted the DVSR for the 2021 CAMU groundwater monitoring event to the NDEP for review.

NDEP has conditionally approved the CSM/RAS for the shallow groundwater in the Eastside, including a chloroform-focused supplement as well as soil gas/groundwater data on chloroform collected from several perimeter wells along Pabco Road and the northern boundary of Eastside Main. This approval contains a reopener depending on the findings of a regional chloroform CSM being prepared by NDEP. NDEP has requested that BRC prepare a groundwater monitoring plan for the Eastside and BRC has provided a draft of this work plan to the NDEP. The workplan will be implemented after the CSM/RAS for the Eastside shallow groundwater is approved and a ROD for this groundwater is in place. As of the date of preparation of this progress report, NDEP has prepared a draft regional chloroform report for public comment. BRC is reviewing this report.

BRC submitted a CSM for the Hook/Open Space area shallow groundwater, in support of an Administrative NFA. NDEP has indicated that it intends to work towards a ROD for this shallow groundwater instead of an Admin NFA. Discussions were held between NDEP, BRC and respective consultants and BRC has received comments on the CSM and has submitted responses to the NDEP. BRC has agreed to contour interpretations by NDEP's consultants.

BRC and NDEP held meetings and telephone calls in order to achieve progress on project activities. Telephone meetings were held between the BRC management, the BRC Project Manager and the NDEP Project Manager (occasionally along with representatives from the City of Henderson as well as consultants representing the prospective property buyer) roughly monthly. Minutes of these meetings are maintained separately.

3. Sampling Conducted

None in this period.

4. Work Plans and Other Deliverables Submitted Including Modifications

Due to the very few document exchanges occurring between the NDEP and BRC at the present time, BRC is not including the document lists previously provided as Attachments A (documents submitted to the NDEP by BRC) and B (documents received from the NDEP by BRC) in prior versions of this quarterly progress report. Should activity levels change in the future, BRC will reinitiate including Attachments A and B in the future.

5. Actions Scheduled for Next Quarter

Activities planned and expected include:

- (a) addressing comments on outstanding DVSRs, including that for the 2021 CAMU groundwater monitoring event, if any;
- (b) preparation of the 2021 CAMU groundwater monitoring data report once the DVSR is approved;
- (c) NDEP approval of Hook/Open Space CSM/RAS;
- (d) continued discussions on the draft Eastside Groundwater Work Plan with the NDEP;
- (e) discussions with NDEP on the regional chloroform report, followed by progress on the Eastside groundwater ROD; and
- (f) preparation for the 2022 CAMU groundwater monitoring event.

Additional documents may also be submitted depending on project needs.

6. Completions, Delays and Mitigations

None at this time.

7. Planned Modifications to Remedial Actions

None planned.

8. Community Relations Plan Actions Taken

None.

9. Community Relations Plan Actions for Next Quarter

The project website is updated periodically, as needed, to include documents submitted to the NDEP.