

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, 2023

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, 2022.

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 reports, the RAP for the CAMU has been renewed for a period of 10 years. BRC is now exploring the possibility of installing an on-site tank to simplify the management and the disposal of leachate from the CAMU. BRC is discussing a proposed approach with the NDEP.

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 will continue to submit new reports as they are completed. BRC implemented the 2022 CAMU groundwater monitoring. Laboratory analysis has been completed and validation is underway. BRC has begun preparation for the 2023 CAMU groundwater sampling event.

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 and discussed a draft of this work plan to the NDEP. At NDEP's request, BRC has included additional wells covering the Hook/Open Space area into this proposed monitoring plan. NDEP has reviewed and is close to approving this combined workplan.

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 is awaiting the details of the contours from NDEP's consultants and expects that this ROD will be combined with the ROD for the Eastside and both will be finalized in the next two quarters.

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 CAMU groundwater monitoring reports, as needed;;
- (b) NDEP approval of the combined Eastside and Hook/Open Space Groundwater Sampling and Analysis Plan and implementation;
- (c) continued discussions on the combined CSM/RAS for Eastside and Hook/Open Space with the NDEP; and
- (d) discussions with NDEP on the regional chloroform data, as pertinent to the CSM/RAS noted above.

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.