

STATE OF NEVADA
Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor
Allen Biaggi, Director
Leo M. Drozdoff, P.E., Administrator

November 23, 2010

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

RECEIVED
NOV 29 2010

BY: _____

Re.: No Further Action Determination – Warm Springs Road Right-of-Way Realignment

Nevada Division of Environmental Protection Response to:

Technical Memorandum - Data Review for the Warm Springs Road Right-of-Way Investigation

dated May 6, 2010

Technical Memorandum - Data Review for the Warm Springs Road Right-of-Way Investigation dated September 30, 2010

Summary of Discussions Between BRC and NDEP Relating to Warm Springs Road Realignment Right-of-Way NFA Request – Telephone Meeting Held on November 17, 2010 dated November 22, 2010

NDEP Facility ID# 11-000688

Dear Mr. Paris:

The NDEP has received and reviewed BRC's documents identified above and finds that No Further Action (NFA) is required at this time for the Warm Spring Road Right-of-Way Realignment, with the following conditions:

1. BRC retains the responsibility to address any environmental impacts to groundwater beneath the property referred to as the Warm Springs Road right-of-way. The limits of this NFA are shown on Figure 2 of the September 30, 2010 document referenced above. As such, additional investigation may be necessary on this property as it relates to BRC's responsibilities. BRC must be granted access to the site for activities such as well or soil boring installations or other investigative or remedial efforts.
2. The site soils beneath 10' below ground surface have not been evaluated to date. The property owner should note that these soils should not be disturbed without additional investigation or evaluation.
3. The property owner should ensure that activities at the property do not exacerbate existing, sub-surface, environmental conditions.
4. The site use is suitable for purposes of construction of Warm Springs Road.

This determination modifies and supersedes the May 12, 2010 NFA issued by NDEP for the prior alignment of Warm Springs Road Right-of-Way.



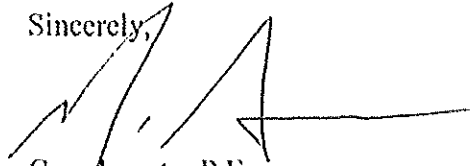
Mr. Mark Paris

11/23/2010

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, P.E.
Supervisor, Remediation Branch
Bureau of Corrective Actions
Fax: (775) 687-8335

GL:s

cc: Jim Najima, Bureau of Corrective Actions, NDEP
William Knight, Bureau of Corrective Actions, NDEP
Joe McGinley, McGinley & Associates
Brian Rakvica, McGinley and Associates
Dave Gratson, Neptune and Company, Inc.
Brenda Pohlmann, City of Henderson
Barry Conaty, Holland & Hart LLP
Steven Tyahla, U.S. Environmental Protection Agency, Region 9
Ebrahim Juma, Clark County Water Reclamation District, Clean Water Team
Kathryn Hoffmann, Clark County Water Reclamation District, Clean Water Team
Joseph R. Leedy, Clark County Water Reclamation District, Clean Water Team
Ranajit Sahu, BRC
Lee Farris, BRC
Mark Jones, ERM
Rex Heppie, ATC
Matt Paque, Tronox LLC
Roy Widmann, Tronox LLC
Mike Skromyda, Tronox LLC
Michael J. Foster, Tronox LLC
Keith Bailey, Environmental Answers LLC
Susan Crowley, Tronox LLC (Contractor)
Deni Chambers, Northgate Environmental
Craig Wilkinson, TIMEET
Kirk Stowers, Broadbent & Associates
Victoria Tyson, Tyson Contracting
George Crouse, Syngenta Crop Protection, Inc.
Nick Pogoncheff, PES Environmental
Lee Erickson, Stauffer Management Company
Michael Bellotti, Olin Corporation
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cc: Robert Williams, Clark County Fire Department, 575 East Flamingo Road, Las Vegas, Nevada 89119
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