

**Basic Remediation Company Responses to
Nevada Division of Environmental Protection Response comments, dated May 27, 2009 to:
BMI Complex Off Site/ Phase IIIA Air Monitoring Summary Report Revision 1, 2009 and BMI
Complex Dry/Moisture-Conditioned Ponds Area/ Phase IIIB Air Monitoring Summary Report
Revision 1, NDEP Facility ID# H-000688**

General Comments

1. As noted to BRC on numerous occasions, please note that “work plan” is two words, not one.

Response: Acknowledged.

2. The definition of the acronym “BMI” is incorrect.

Response: Acknowledged. This has been corrected.

3. It is not clear that any of these documents comply with BRC’s standard operating procedure (SOP) 0 due to the apparent lack of quality control.

Response: Acknowledged. Quality control has been redoubled and all future documents will undergo an additional QC review before submission.

4. Regarding the Phase IIIC data that was provided as a Microsoft Excel work sheet, it appears that there are errors on the “April 2009” tab for the presentation of the minimum and average values for total suspended particulate. This is another example of a quality control problem

Response: The April 2009 data represented a partial month (through 4/14/09). An error in the formula did not account for minimum and average values. This error has been corrected and prior to submission of an actual data report, the work sheet will be reviewed for correct entries, formulas, etc.

NDEP Comments re: BMI Complex Vehicle Emission Monitoring Work plan

1. This work plan does not provide sufficient detail on the sampling method for the exhaust. While it mentions the standard United States Environmental Protection Agency (USEPA) methods for the specific compounds it does not address the complications introduced when trying to sample exhaust emissions. The sampling train required for sampling vehicle exhaust is quite different than that for ambient air monitoring and should be described in this plan.

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Response: BRC acknowledges the technical difficulties of executing this work. BRC looks forward to some additional discussions with the NDEP on this issue.

2. Section 1.0, page 1. It is not clear why BRC is proposing to analyze for organochlorine pesticides in the truck exhaust. Please clarify.

Response: If the work plan or some modification thereof will have to be implemented, BRC will not analyze for organochlorine pesticides in the truck exhaust.

NDEP Comments re: BMI Complex Industrial Plant Site Air Quality Monitoring Work plan

1. Section 1.0, page 1. BRC references the upwind sample location as the “BMI wastewater treatment plant”. This is incorrect. This location appears to be the Basic Water Company reservoir.

Response: The location of the upwind sample is located at the Basic Water Company Reservoir. This has been corrected in the revised work plan.

2. Section 2.1, page 2. BRC proposes to place the downwind sampling location at location “CAMU-S3”. The NDEP has the following comments:
 - a. NDEP requests that BRC explore the option to place a sampler downwind of the Tronox and TIMET facilities.

Response: After further discussion with NDEP, BRC has selected a revised downwind location south of Boulder Highway between Warm Springs Road and Water Street that should provide a representative downwind sample for the Tronox and TIMET facilities. This location is described in the revised work plan and associated Figure 1.

- b. BRC’s response to comments stated that BRC did not want to place a sampler near the intersection of Boulder Highway and Warm Springs due to the volume of traffic. This does not seem like a plausible justification given the amount of truck traffic within the CAMU near location CAMU-S3. There are locations near Boulder Highway and Warm Springs Road (closer to Water Street) where a sampler could be placed away from the haul roads and set back from the City streets.

Response: See response to comment above.

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3. Section 2.1, page 2, last paragraph. The dates of May and June are inconsistent with the dates of June and July mentioned on page 4.

Response: This error has been corrected. The revised work plan states that sampling is expected to begin approximately in mid-June 2009, assuming NDEP approval of the work plan in a relatively short time frame.

NDEP Comments re: Attachment A, Basic Remediation Company Follow-up Comments to Nevada Division of Environmental Protection Response comments, dated April 17, 2009 and BMI Complex Dry/Moisture Conditioned Ponds Area/ Phase IIIB Air Monitoring Summary Report Revision 1

1. Response-to-comment (RTC) 2. It appears that there is a typographical error, BRC states that “Any discussion regarding a statistical test to indicated if downwind results are higher than downwind results...” It appears that the second ‘downwind’ should be “upwind”.

Response: Acknowledged.

2. RTC 3. Please advise the NDEP when a formal report for the Phase IIIC data is expected. It is also requested that NDEP and BRC schedule a meeting (or conference call) to discuss the results of the Phase IIIC data collected to date.

Response: BRC will provide a Phase IIIC summary report when the Slit Trench Area (STA) excavation has been completed and two weeks after all air monitoring laboratory reports have been received. The STA excavation is expected to be completed by the end of June 2009. BRC will coordinate with NDEP to schedule a meeting to discuss the results of the Phase IIIC data collected to date.

3. RTC 4. It is NDEP’s understanding that the baseline sampling was done in 2008, not 2009. In addition, this RTC is not helpful. A reiteration of the baseline data without meaningful comparisons to the Phase IIIA, IIIB and IIIC data lacks context and places the onus on the NDEP to research this issue. This is not productive. Additional discussion should be provided in the RTC. It is requested that this discussion be supported with the appropriate figures and tables.

Response: NDEP is correct in that baseline sampling was done in 2008. However, as to the comparisons, BRC requests some additional discussion on this issue with the NDEP in order to clarify NDEP expectations.

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4. RTC 5. It appears that the quality control problems issue has still not been addressed. The *BMI Complex Industrial Plant Site Air Quality Monitoring Work plan* contains a Figure labeled “Attachment A, Figure1” which is located in the body of the text rather than in “Attachment A”.

Response: This error has been corrected.

5. RTC 14.b. Please see NDEP comments above on the *BMI Complex Industrial Plant Site Air Quality Monitoring Work plan*.

Response: Acknowledged. See response comment above.

6. RTC 17. Based upon BRC’s response it is not clear if BRC intends to continue with Phase IIIB of the sampling effort. It is NDEP’s expectation that this sampling will continue.

7.

Response: Based on discussions with NDEP, BRC intends to resume Phase IIIB sampling within one week after the completion of the STA sampling.

8. RTC 24: It is the NDEP’s belief that certain metals may be higher in the upwind samples (i.e., manganese) because there is a local source upwind. However, not all metals associated with site soils have a current local emission source, and therefore, we would not expect the trend for these metals to be consistent. Regardless, the lack of a trend is not justification for discontinuing sampling. It is the NDEP’s expectation that Phase IIIB and IIIC sampling will continue.

Response: BRC acknowledges that Phase IIIC sampling will continue until the STA excavation has been completed, at which time the air sampling stations will be relocated to the Eastside area within one week to resume Phase IIIB sampling.