



# 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

**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# H-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

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Should you have any questions or concerns, please do not hesitate to contact me at (775) 687-9373 or [glovato@ndep.nv.gov](mailto: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  
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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  
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Rex Heppe, 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, TIMET  
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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