

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

Brian Sandoval, Governor
Leo M. Drozdoff, P.E., Director
Colleen Cripps, Ph.D., Administrator

December 9, 2013

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

Subject: **No Further Action Determination** – Galleria North of ROW Sub-Area

Facility: BMI Common Areas (Eastside Site)
Clark County, Nevada
Portion of APNs
160 31 401 003, 160 31 801 003, 160 31 801 002, 179 05 301 004
NDEP Facility ID: H-000688

Dear Mr. Paris:

The Nevada Division of Environmental Protection (NDEP) has reviewed the June 21, 2013 *Human Health Risk Assessment and Closure Report for the Galleria North of ROW Sub-Area* as revised by the November 8, 2013 correspondence from ERM on behalf of BRC (“Galleria North of ROW HHRA”) These documents were prepared under the responsible charge of Dr. Ranajit Sahu, CEM of Basic Remediation Company (“BRC”) on behalf of BRC for the above-referenced areas and more specifically as depicted on Figure 1 and Appendix K (legal description) of the Galleria North of ROW HHRA. The Galleria North of ROW HHRA contains a request for a no further action determination from the NDEP.

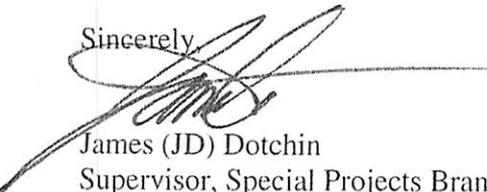
The NDEP has reviewed the following information and has determined that no further assessment or remediation of soil is required:

1. A voluntary Environmental Covenant (“EC”) has been prepared and executed in accordance with Nevada Revised Statutes 445D relating to the prospective use of the subject property;
2. A formal human health risk assessment; and
3. Supporting technical data.

The EC is recorded as of February 3, 2011 (and as subsequently amended by NDEP and BRC) with the Clark County Recorder office for the areas designated above and therefore is a matter of public record.

Should you have any questions or concerns, please do not hesitate to contact me at (702) 486-2850 Ext. 235 or jdotchin@ndep.nv.gov.

Sincerely,



James (JD) Dotchin
Supervisor, Special Projects Branch
Bureau of Corrective Actions

JD/jd



cc: Greg Lovato, Chief, BCA, NDEP CC
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Andrew Barnes, GeoSyntec
Brenda Pohlmann, City of Henderson
Brian Waggle, Hargis & Associates
Chuck Elmendorf, Stauffer Management Company LLC
Curt Richards, Olin Corporation
Dave Share, Olin
Ebrahim Juma, Clark County Water Reclamation District, Clean Water Team
George Crouse, Syngenta Crop Protection, Inc.
Jay Gear, Olin Corporation
Jay Steinberg, Nevada Environmental Response Trust
Jeff Gibson, AMPAC
Joe Kelly, Montrose Chemical Corporation of CA
Joe McGinley, McGinley & Associates
John Pekala, Environcorp
Joseph R. Leedy, Clark County Water Reclamation District, Clean Water Team
Kirk Stowers, Broadbent & Associates
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