



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

THREE KIDS MINE

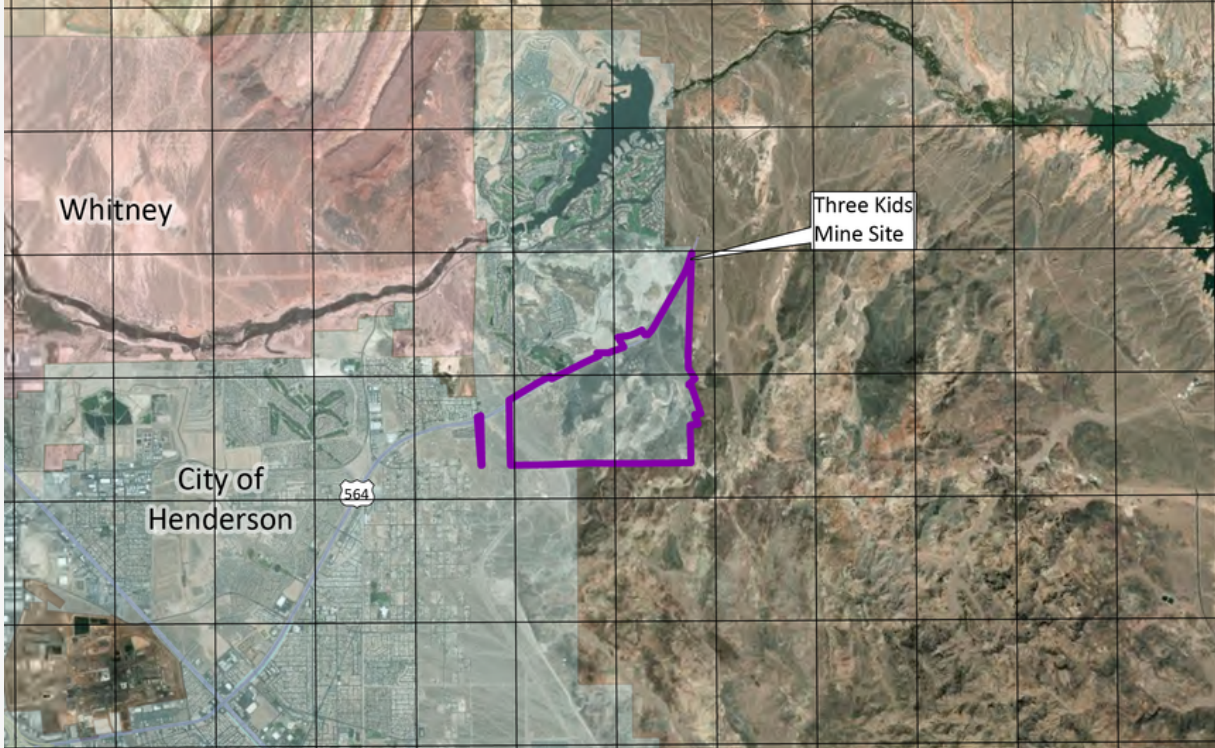
PROPOSED PLAN



FEBRUARY 2023

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INTRODUCTION

The Nevada Division of Environmental Protection (NDEP) is the lead agency overseeing the remediation of historical contamination at the Three Kids Mine in Henderson, Nevada. In consultation with the Bureau of Land Management (BLM), NDEP is issuing this Proposed Plan to obtain public input on NDEP's proposed solution to environmental contamination at the Three Kids Mine. This Proposed Plan also meets public participation requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). While Three Kids Mine is not a CERCLA site, the general CERCLA process is being followed to ensure the cleanup will benefit the community and protect human health and the environment.

The purpose of this Proposed Plan is to:

- Provide site background information;
- Describe the remedial alternatives considered;
- Identify the Preferred Alternative;
- Solicit public review and comments on the Preferred Alternative; and
- Provide information on how community members can be involved in the remedy selection process.

INTRODUCTION (CONTINUED)

This Proposed Plan also summarizes key information from the Remedial Investigation Report, which identifies the nature and extent of contamination at the site, and the Feasibility Study Report, which compares and evaluates remedial alternatives. These and other reports are part of the Administrative Record and can be found at <https://bit.ly/3PVadvE>.

Because public input is an important part of the remedy selection process, NDEP encourages the public to review the reports to gain a more comprehensive understanding of the site; review and comment on the remedial alternatives and Preferred Alternative outlined in this Proposed Plan; and participate in the scheduled public meeting. Details about the public meeting and public comment period are provided in the Community Participation section on page 25 of this Proposed Plan.

Before the final remedy for the site is selected, NDEP will evaluate all comments submitted during the public meeting and the 30-day public comment period. The proposed remediation process can change based on new information or comments from the public. After all options are considered, NDEP will determine a final remedial method, which will be detailed in a document known as the Record of Decision (ROD).

THE PROBLEM

Tailings, waste rock, and soil at the former Three Kids Mine site contain elevated amounts of potentially harmful metals and chemicals. Asbestos is also scattered throughout the site. Additionally, the open pits and remaining structures continue to present physical dangers to the public long after the mine closed in 1961.

THE SOLUTION

This Proposed Plan outlines the preferred method of remediation, which includes consolidating contaminated materials by placing them into the open pits, covering the backfilled pits and other disturbed areas of the site with 10 feet of clean soil, and removing asbestos and municipal solid waste from the surface of the site.

SITE BACKGROUND

The Three Kids Mine site is located south of the Lake Las Vegas community, and about five miles northeast of Henderson, Nevada (along Lake Mead Parkway). The site is 1,165 acres in size, which includes federally-owned and privately-owned parcels.

- Federally-owned: **851 acres**
- Privately-owned: **314 acres**

All the federal land at the site is owned by BLM, and 295 of the 314 privately-owned acres are controlled by Lakemoor Ventures, LLC, the private developer who will remediate the site. The remaining 19 privately-owned acres are controlled by two entities; these 19 acres are being addressed separately by NDEP and are not considered in this Proposed Plan.

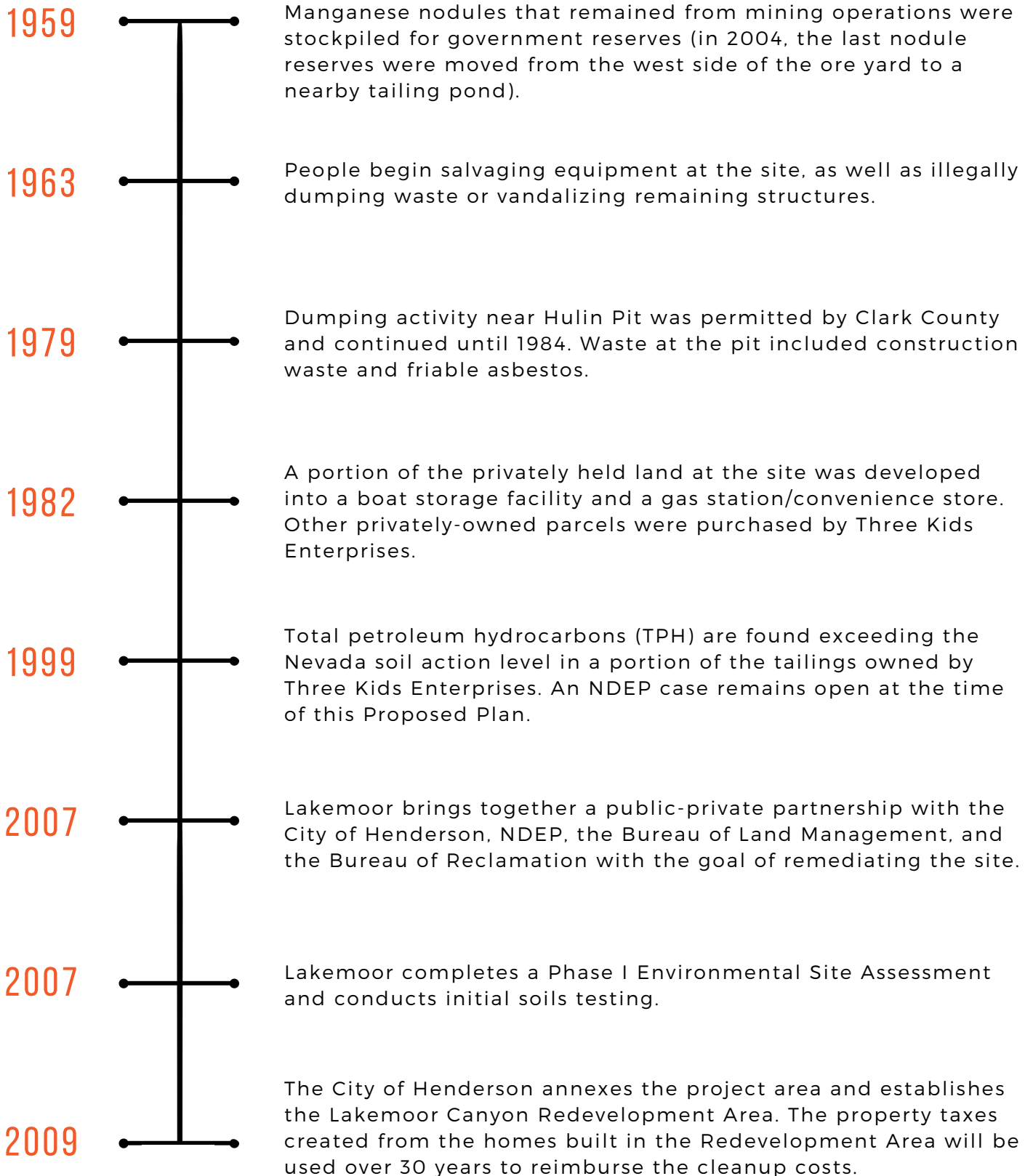
411 acres of the site are considered disturbed from mining operations, and 754 acres of the site are considered undisturbed.

- Disturbed Land: **411 acres**
- Undisturbed Land: **754 acres**

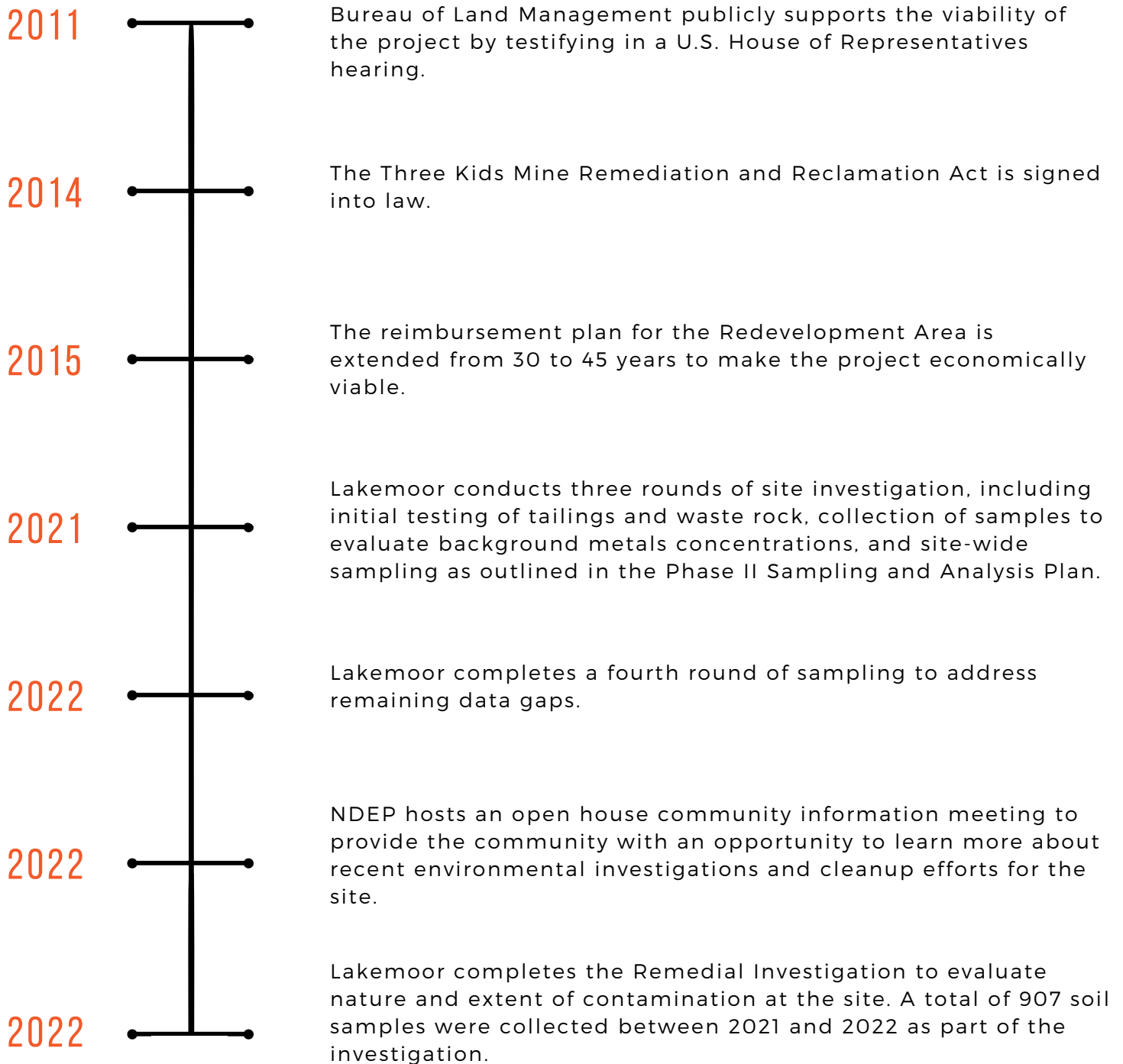
The Three Kids Mine site was used for mining manganese from 1917 to 1961. Site operations were permanently discontinued in 1961, when the open pits were economically exhausted. Those mining operations caused the soil at the site to be contaminated with metals, particularly arsenic, lead, and manganese.



TIMELINE



TIMELINE (CONTINUED)



A series of site investigation and studies were conducted to characterize the contamination. Details of previous and recent site investigation activities can be found in the Phase II Sampling and Analysis Plan and Remedial Investigation Report. Both reports are available at <https://bit.ly/3PVadvE>.

WORK AT THE SITE

Plans to clean up the site for residential development began in the 1990s. In 2007, Lakemoor started discussions with governmental agencies about the property and about developing a plan to complete the remediation. Previous proposals have been modified to optimize the scale of the cleanup and accommodate the mix of private (Lakemoor) and federal (BLM-managed) land ownership at the site.

Lakemoor's proposal offered a favorable outcome for all parties involved:

- **Federal government:** Potentially resolves liability of mine cleanup without additional appropriations
- **State government:** Enables cleanup of an area with long-standing soil contamination and physical hazards
- **Lakemoor:** Able to construct homes with cleanup efforts being reimbursed over 45 years via property taxes from development in the Lakemoor Canyon Redevelopment Area
- **City of Henderson Redevelopment Agency:** Gains a substantial tax base increase upon completion of the redevelopment efforts

While work began in 2007, progress was heavily impacted in late 2009 during the recession. By 2010, all parties stopped funding for the project. In 2014, the federal Three Kids Mine Remediation and Reclamation Act was enacted, providing a framework for the federally-owned land within the project area to be conveyed from the BLM to the City of Henderson Redevelopment Agency to be assessed, remediated, and reclaimed.

As a result of this law, Lakemoor will receive the project area for residential development of a master-planned community, with the provision of financial guarantees for the remediation of the mine site.

WORK AT THE SITE (CONTINUED)

To meet federal site assessment requirements, multiple investigations were conducted. The investigations are described in the following reports:

- **Phase I Environmental Site Assessment:** identifies recognized environmental conditions via records reviews, interviews, and a site inspection
- **Remedial Investigation Report:** establishes nature and extent of mining-related impacts (approved by NDEP on October 17, 2022)
- **Background Soil Report:** presents background threshold values (BTVs), or naturally occurring levels of metals at the site. Soil with levels of metals at or below these BTVs is considered to be suitable for use as clean cover over the mine waste (approved by NDEP on April 12, 2022).
- **Asbestos Survey Report:** describes asbestos sampling and results (approved by NDEP on May 17, 2022)
- **Focused Feasibility Study Report – Soil and Mine Wastes:** evaluates remedial alternatives for the site (approved by NDEP on July 21, 2022)
- **Leaching Analysis Report:** provides modeling results that consider the potential for leached materials to be generated from the mine waste (approved by NDEP on September 26, 2022)
- **Screening Level Ecological Risk Assessment:** assesses risk for current at-risk plants or animals in disturbed portions of the site (approved by NDEP on October 25, 2022)
- **Screening Level Human Health Risk Assessment** (for downwind volcanic units): demonstrates no potential human health concerns on the volcanic ridge east of the site (approved by NDEP on August 22, 2022)

The listed reports are available at <https://bit.ly/3PVadvE>.

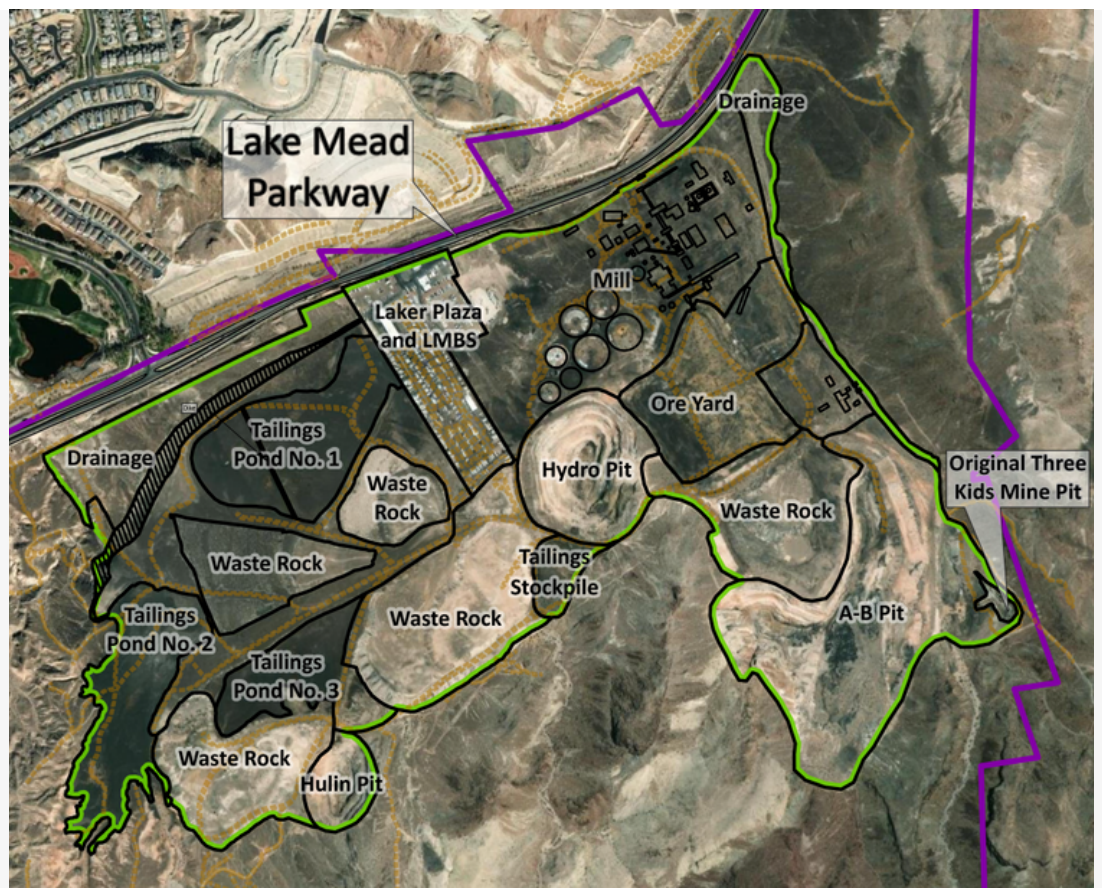
SITE CHARACTERISTICS

The site has three major open pits, several waste rock piles, an ore yard, a mill site, and three tailings ponds. The three major open pits are the combined A and B Pits (A-B Pit), Hydro Pit, and Hulin Pit. A smaller open pit, the Original Three Kids Mine Pit, is located east of the A-B Pit. The three large pits can hold approximately nine million cubic yards of materials. Soil and waste rock left over from mining activities were kept in piles near the pits (waste rock is comprised of sandstone or siltstone, together with gypsum and low-grade wad - a dark brown or black impure mixture of manganese and other oxides).

To the northeast of the site are mill building foundations and what remains of eight circular flotation cells that were used in the manganese beneficiation process. The three tailings ponds on the west side of the site were used to dispose of tailing slurry produced from the beneficiation process.

Most of the site has been impacted by erosion. The mill site, mine pits, and waste piles are also poorly vegetated, causing visible dust storms during windy conditions. Furthermore, despite efforts to close off the site, people continue to trespass and illegally dump waste - including trash, debris, appliances, and even boats and cars.

Mine site layout.



NATURE AND EXTENT OF CONTAMINATION

Most of the waste at the site is soil and waste rock stripped from the surface to get to the ore underground. There are about 7 million cubic yards of soil and waste rock at the site. Waste rock contains high concentrations of naturally-occurring metals, such as arsenic, cadmium, lead, and manganese, that typically exceed background levels or U.S. Environmental Protection Agency (EPA) Regional Screening Levels (RSLs) and are therefore classified as contaminants of potential concern (COPCs).

Tailings, the material left over after separating out the manganese ore during the milling process, also make up much of the mine waste - approximately 1.6 million cubic yards. They were left in tailings ponds, at the mill, or were spread out across the site by wind and water. The COPCs present in the tailings include:

- Metals (arsenic, lead, and manganese)
- Total petroleum hydrocarbons (TPH)
- Polycyclic aromatic hydrocarbons (PAHs), including benzo(a)pyrene, benzo(b)fluoranthene, and naphthalene

Wastes in and around the mill site also contain elevated metals, TPH, and PAHs, including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenz(a,h)anthracene, chrysene, and indeno(1,2,3 cd)pyrene. At a thermal processing area at the mill, testing also found Chromium VI and dioxins at elevated levels within a limited quantity of soil.

Native soil underlying waste rock piles and tailings have some indication of elevated metals; however, the occurrence of elevated metals (principally arsenic, lead, and manganese) at depth and below horizons where metals were low in concentration indicate that those metals are naturally occurring and are related to elevated metals proximal to the ore deposition in the area. Hydrothermal fluids likely enriched subsurface metals throughout the mine site.

NATURE AND EXTENT OF CONTAMINATION (CONTINUED)

In summary, mine site wastes exceed background levels and RSLs for certain metals (primarily arsenic, lead, and manganese), and in the case of tailings and some mill site soil, TPH and PAHs. Minor occurrences of other COPCs are present. Subsurface native soils and rock have a highly variable distribution of metals - arsenic, lead and manganese - which suggest concentrations are elevated in rock proximal to ore emplacement.

Varying amounts of asbestos-containing material are also found around the site, including on the surface of the ground and on structures.

SCOPE AND ROLE OF REMEDIAL ACTION

The proposed remedial action addresses the waste and soil at the site. Source materials (tailings, waste rock, and contaminated soil) pose exposure risks to people, so remediating the site is crucial to protect human health and the environment. Because of how much contaminated soil and waste is at the site, removing the source materials is not a feasible option. Instead, the proposed remedial action includes consolidating and placing the tailings, waste rock, and contaminated soil into the open pits, and then covering the backfilled pits and other disturbed areas of the site with 10 feet of clean soil.

The soil layer will help protect construction workers and future residents, as well as keep contaminants from being blown around by the wind or coming into contact with surface water. Asbestos and municipal solid waste from the surface of the site will be taken to a landfill. Concrete structures will be demolished and then used to fill in the pits. Asbestos and municipal solid waste currently in the pits will remain in place.

SITE RISKS

The mine waste and soil at the site pose a direct exposure risk for people and the environment. However, the arid climate helps limit the amount of contamination that could be leached from the soil into the groundwater. Groundwater is also about 500-700 feet below the surface, and is not a source of drinking water, further limiting any contamination risk to people.

Asbestos also poses a health risk, as do the open pits and eroded structures left behind after mining operations ended.

CHEMICALS OF POTENTIAL CONCERN

Chemicals of potential concern (COPCs) are chemicals that significantly contribute to unacceptable risks to humans. COPCs were identified by screening sample results against EPA Regional Screening Levels (RSLs) and site Background Threshold Values (BTVs). Chemicals with concentrations that exceeded the RSL and the BTV are considered COPCs. COPCs at the site primarily include arsenic, lead, and manganese. Other COPCs include cadmium, chromium VI, TPH, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, naphthalene, and dioxins.

Based on current site risks, and in support of planned future site development, remedial action is necessary to protect public health and the environment from site contamination.

PRIMARY COPCS

Arsenic

A naturally occurring element, arsenic is highly toxic to humans in both small and large amounts, and can cause cancer, cardiovascular disease, and diabetes.

Lead

A naturally occurring element that is sometimes concentrated in fuel and paints, lead is particularly harmful to young children. In adults, it can cause hypertension, poor kidney function, and reproductive issues.

Manganese

A naturally occurring element and an important nutrient for plants and animals, manganese can be toxic in large amounts, affecting the central nervous system.

REMEDIAL ACTION OBJECTIVES

Site cleanup goals known as remedial action objectives (RAOs) were developed for mine wastes and contaminated soil to address unacceptable risks and protect human health and the environment. Future residential land use and contaminant exposure pathways were included in the RAO development. The following describes the RAOs for the site soil and mine wastes.

- Prevent exposure to the mining wastes and soil that pose an unacceptable risk to human health and the environment
- Minimize migration of soil contaminants and waste into the groundwater, surface water, and other site soil
- Prevent direct human exposure to asbestos
- Restore the site to beneficial reuse as appropriate

Adequacy of cleanup will be demonstrated through as-built documentation of the remedial action and post-remediation chemical concentrations in site soils will be no greater than background concentrations or human health cancer risks below 10^{-4} and noncancer hazards less than or equal to 1.

REMEDIAL ALTERNATIVES

Four remedial alternatives were considered to address waste and contaminated soil at the site. These alternatives include:

- **Alternative S-1:** No action
- **Alternative S-2:** Consolidate waste, 2-foot cover, offsite asbestos disposal
- **Alternative S-3:** Consolidate waste, 10-foot cover, onsite asbestos disposal
- **Alternative S-4:** Consolidate waste, 10-foot cover, offsite asbestos disposal

Cost estimates described do not include site characterization and design costs.

REMEDIAL ALTERNATIVES (CONTINUED)

ALTERNATIVE S-1

Estimated capital cost: \$0

Estimated time to construct: No construction

Estimated time to meet RAOs: Not applicable

- No cleanup action would be taken, and the site would remain in its present state.
- A no-action alternative is required by EPA guidance to serve as a baseline for comparison with other alternatives.

ALTERNATIVE S-2

Estimated capital cost: \$129,884,000

Estimated time to construct: 1.5 years

Estimated time to meet RAOs: 1.5 years

- Asbestos, municipal solid waste, and concrete would be removed from the site and taken to a landfill.
- Tailings, waste rock, and impacted soil would be placed into the open pits.
- The Hulin and A-B Pits would be covered with 2 feet of clean soil, and the Hydro Pit would be covered by an impermeable liner, 2 feet of clean soil, and a detention basin to control stormwater.
- Other disturbed areas of the site would also be covered with 2 feet of clean soil.
- Control measures would be used to protect construction workers and the public from the covered waste materials that could potentially be exposed during construction activities deeper than 2 feet.
- Limited site development (i.e., commercial rather than residential development) would not produce enough property taxes to pay for the cleanup.

REMEDIAL ALTERNATIVES (CONTINUED)

ALTERNATIVE S-3

Estimated capital cost: \$184,924,000

Estimated time to construct: 5 years

Estimated time to meet RAOs: 5 years

- Tailings, waste rock, and impacted soil would be placed into the open pits.
- Asbestos, municipal solid waste, and concrete would also be buried in the pits.
- The Hulin and A-B Pits would be covered with 10 feet of clean soil, and the Hydro Pit would be covered by an impermeable liner, a minimum of 2 feet of clean soil, and a detention basin to control stormwater.
- Other disturbed areas of the site would also be covered with 10 feet of clean soil.
- Digging below 10 feet would require NDEP approval.
- The site would be converted to full residential use, and the property taxes from development in the Lakemoor Canyon Redevelopment Area would be used to pay for the cleanup.

REMEDIAL ALTERNATIVES (CONTINUED)

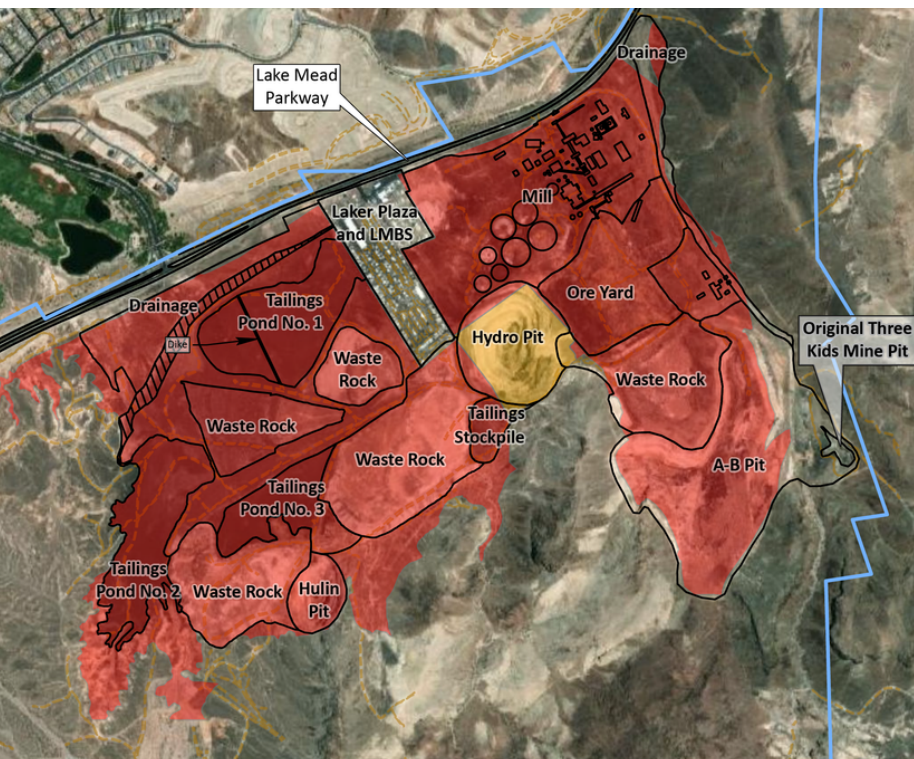
ALTERNATIVE S-4

Estimated capital cost: \$185,559,000

Estimated time to construct: <5 years

Estimated time to meet RAOs: <5 years

- Asbestos, municipal solid waste, and concrete would be removed from the site and taken to a landfill.
- Tailings, waste rock, and impacted soil would be placed into the open pits.
- The Hulin and A-B Pits would be covered with 10 feet of clean soil, and the Hydro Pit would be covered by an impermeable liner, a minimum of 2 feet of clean soil, and a detention basin to control stormwater.
- Other disturbed areas of the site would also be covered with 10 feet of clean soil.
- Digging below 10 feet would require NDEP approval.
- The site would be converted to full residential use, and the property taxes from development in the Lakemoor Canyon Redevelopment Area would be used to pay for the cleanup.



Areas in red to receive a 10ft clean cover.

Areas in yellow to receive a liner plus a minimum of 2ft of clean cover.

EVALUATION OF ALTERNATIVES

Following the CERLCA process and EPA guidance, nine criteria were used to evaluate the remedial alternatives:

THRESHOLD CRITERIA

1. Overall protection of human health and the environment
2. Compliance with Applicable, Relevant and Appropriate Requirements (ARARs)

BALANCING CRITERIA

3. Long-term effectiveness and permanence
4. Reduction of contaminant toxicity, mobility, or volume (TMV) through treatment
5. Short-term effectiveness
6. Implementability
7. Cost

MODIFYING CRITERIA

8. State acceptance
9. Community acceptance

EVALUATION OF ALTERNATIVES (CONTINUED)

1. OVERALL PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT

Each alternative is evaluated on its ability to protect human health and the environment by remediating risks at the site.

All alternatives – except Alternative S-1 (No Action) – would provide protection from contamination. However, Alternative S-2 requires controls that would be difficult to enforce and maintain. Alternative S-4 would also present some risks from transporting asbestos and concrete offsite. Because Alternative S-3 would bury these materials onsite, it is considered the best alternative for this criteria.

2. COMPLIANCE WITH ARARS

Acceptable alternatives must comply with Applicable, Relevant and Appropriate Requirements (ARARs).

ARARs are local, state, and federal environmental regulations that deal with site cleanups. Any remedial action must comply with ARARs. With the exception of Alternative S-1, all alternatives would comply with ARARs.

3. LONG-TERM EFFECTIVENESS AND PERMANENCE

The Preferred Alternative would continue to be effective long after the cleanup is completed.

Alternative S-2 would only cover the contaminated materials with two feet of clean soil. This cover would require maintenance to ensure it is protected from erosion or construction activities. Alternatives S-3 and S-4 would provide the best long-term effectiveness, as contaminated materials are consolidated and covered in 10 feet of clean soil.

EVALUATION OF ALTERNATIVES (CONTINUED)

4. REDUCTION OF CONTAMINANT TMV THROUGH TREATMENT

Another criteria for comparing the alternatives is evaluating how each alternative will reduce contaminant toxicity, mobility, or volume (TMV).

According to CERCLA, reduction in contaminant TMV includes:

- Destruction of toxic contaminants
- Reduction in contaminant mobility
- Reduction in total mass of toxic contaminants
- Reduction in total volume of contaminated media

Alternatives S-2, S-3, and S-4 would help prevent the spread of contaminated materials. However, no alternative would reduce the toxicity and volume of the contaminated soil and waste. Since Alternative S-4 would move asbestos, municipal solid waste, and concrete to an offsite landfill, it is considered the best alternative for reducing the mobility of the contaminants.

5. SHORT-TERM EFFECTIVENESS

It is important that human health and the environment are also protected during the cleanup process.

Several factors are considered for an alternative's short-term effectiveness:

- Exposure to the community during cleanup
- Exposure to workers during construction
- Environmental impacts
- Time to achieve remediation goals

All alternatives (except Alternative S-1) pose short-term impacts to workers, communities, and the environment during cleanup. Proper personal protective equipment and best management practices will be used to mitigate the impacts. Alternative S-3 would take more time to complete than Alternative S-2 and Alternative S-4, since Alternative S-3 would place asbestos, municipal solid waste, and concrete in open pits, rather than moving them offsite. The longer construction continues, the more risk there is of environmental impacts, such as air pollution, noise, and dust. Therefore, Alternative S-2 is the best alternative in terms of short-term effectiveness.

EVALUATION OF ALTERNATIVES (CONTINUED)

6. IMPLEMENTABILITY

An effective plan is one that can be put into action with little to no barriers.

Several factors are considered to determine whether an alternative can be effectively implemented:

- Ability to construct the technology
- Monitoring requirements
- Availability of equipment and specialists

Each alternative only requires typical construction methods and equipment. However, Alternative S-3 requires more processes (i.e., requesting a waiver for an onsite landfill), and Alternatives S-3 and S-4 require more materials for a 10-foot cover. Therefore, Alternative S-2 is more implementable regarding construction. Institutional controls for Alternative S-2, however, would be less implementable.

7. COST

The total cost and funding feasibility was considered when evaluating each alternative.

Alternative S-4 is highest in total cost, followed by Alternative S-3, then S-2. Alternatives S-3 and S-4 can feasibly be funded while S-2 cannot.

Alternative S-1: \$0
Alternative S-2: \$129,884,000
Alternative S-3: \$184,924,000
Alternative S-4: \$185,559,000

8. STATE ACCEPTANCE

The Preferred Alternative is one that is deemed most appropriate by NDEP, the lead state agency providing environmental oversight for remediation of the site.

NDEP will document the Preferred Alternative and post the Proposed Plan online for the public to provide comment. NDEP will consider all public comments provided during the public comment period before issuing its final decision on the Preferred Alternative.

EVALUATION OF ALTERNATIVES (CONTINUED)

9. COMMUNITY ACCEPTANCE

As the project will have benefits and impacts to nearby residents, community acceptance is also evaluated. Public input during the comment period will provide information for this criterion and will be presented in the forthcoming ROD.

PREFERRED ALTERNATIVE

Based on the criteria described above, the current Preferred Alternative for cleanup at the Three Kids Mine site is a combination of Alternatives S-3 and S-4.

The Preferred Alternative will meet RAOs and achieve substantial risk reduction by consolidating the mine tailings, waste rock, contaminated soil, and concrete, and placing them in the open pits with a 10-foot soil cover. Asbestos and municipal solid waste currently in the pits will remain in place, while any that is currently on the surface of the site will be taken to an offsite landfill.

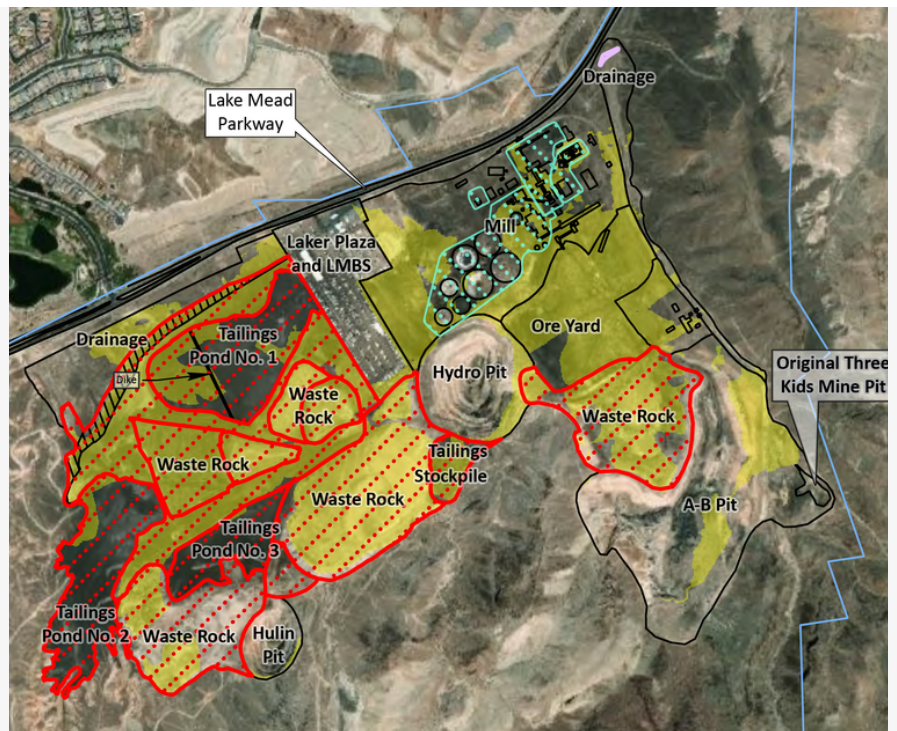
EXCAVATION AREAS

Red: mine waste

Teal: soil with PAHs

Yellow: additional excavation needed

Light Purple: impacted soil in northeast drainage

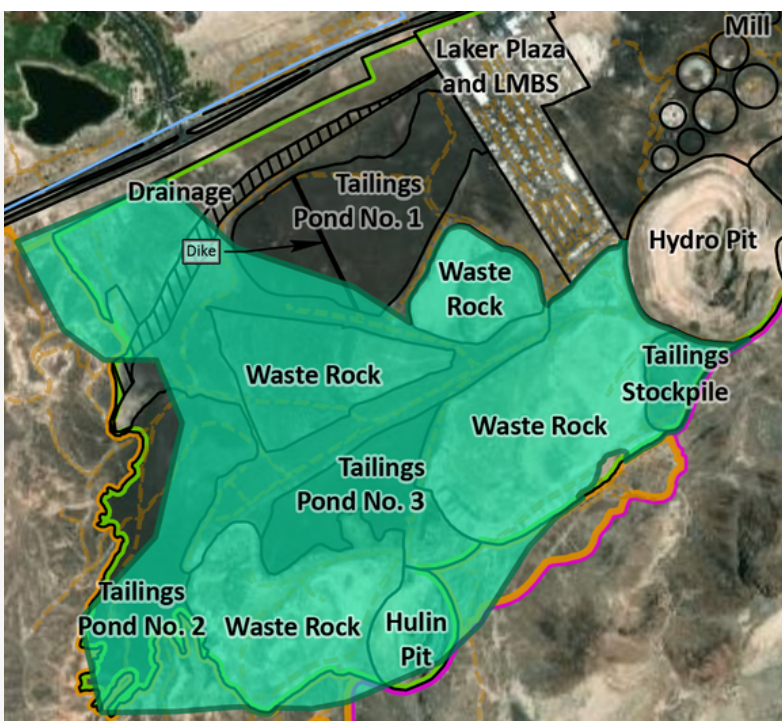


PREFERRED ALTERNATIVE (CONTINUED)

The major baseline elements of the Preferred Alternative include:

1. Removing asbestos from the surface of the site and taking it to an offsite landfill (asbestos currently in the pits will remain in place).
2. Taking inventory of other municipal solid waste from the surface and taking it to an offsite landfill (municipal solid waste currently in the pits will remain in place).
3. Demolishing former mine structures and placing concrete in the Hulin and A-B Pits.
4. Digging up tailings and placing them in the Hydro Pit. Some tailings may be placed deep in the A-B Pit if they do not all fit in the Hydro Pit.
5. Constructing a clean 2-foot cover across the site using soil from undisturbed areas to the east, south, and west of the site.
6. Constructing a stormwater basin over the Hydro Pit (including an impermeable liner) to control stormwater.
7. Grading the site.

The Preferred Alternative will also include reclamation measures to return the land to a suitable condition to support residential use. NDEP will require that the site meets residential cleanup standards before any residential development at the site can begin.



The Central Valley area is shaded in teal

PREFERRED ALTERNATIVE (CONTINUED)

Reclamation elements of the Preferred Alternative include:

1. Digging up waste rock and impacted soil.
2. Placing a mixture of waste rock and impacted soil in the Hydro Pit, and placing waste rock in the Hulin Pit, A-B Pit, and Central Valley area. Some impacted soil may be placed deep in the A-B Pit if it does not all fit in the Hydro Pit.
3. Constructing a clean 8-foot cover across the site in addition to the 2-foot cover using soil from undisturbed areas to the east, south, and west of the site.
4. Constructing a stormwater basin to the east of the A-B Pit to control stormwater.
5. Grading the site for residential development.
6. Requiring NDEP approval before any construction activities that will impact soil deeper than 10 feet below ground surface.

After careful and thorough evaluation, and based on information currently available, NDEP believes that the Preferred Alternative meets the threshold criteria and provides the best balance of tradeoffs among the other alternatives with respect to the balancing and modifying criteria, and satisfies the following statutory requirements of CERCLA §121(b):

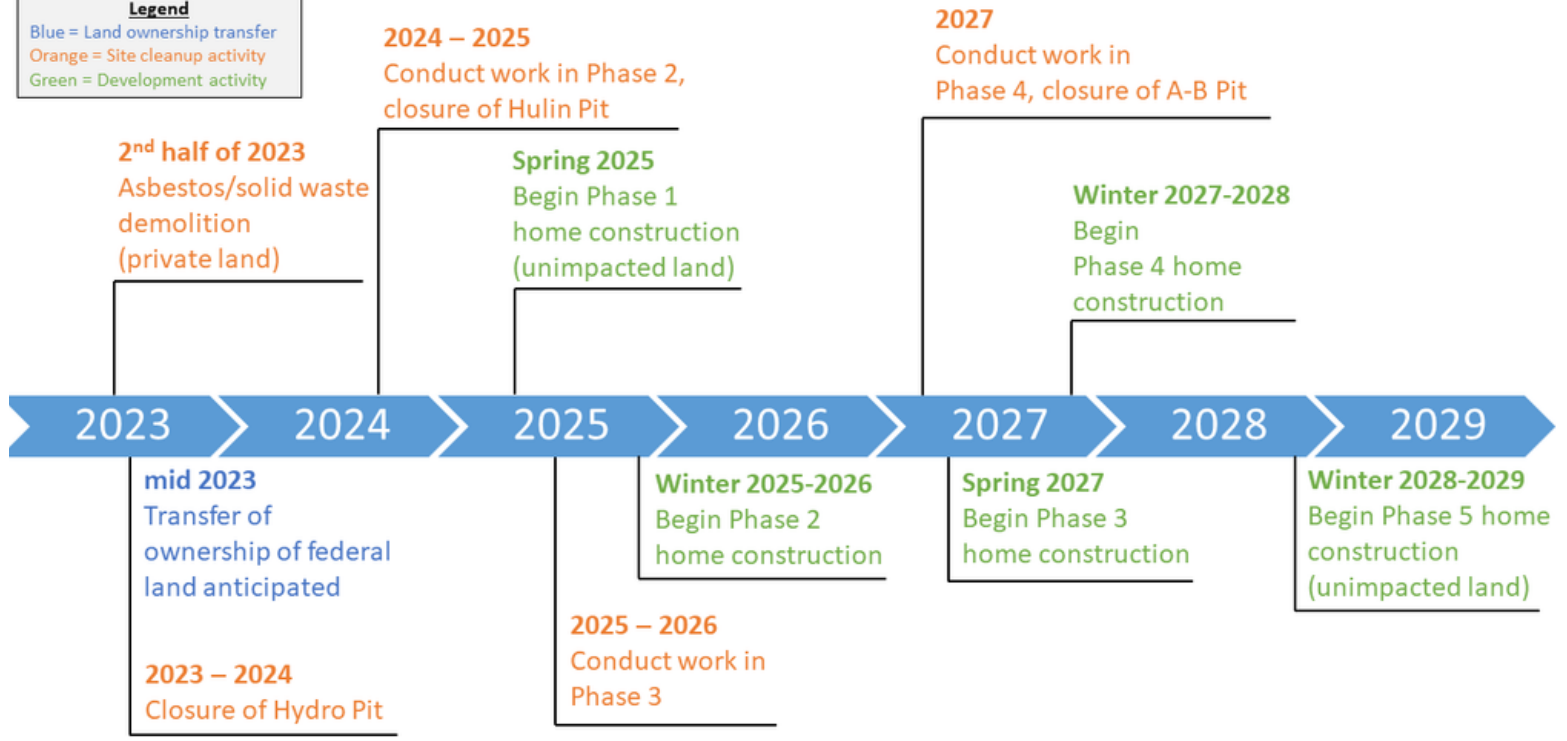
1. Be protective of human health and the environment.
2. Comply with ARARs.
3. Be cost-effective.
4. Use permanent solutions and alternative treatment technologies or resource recovery technologies to the maximum extent practicable.
5. Satisfies the preference for treatment as a principal element.

The Preferred Alternative, which can change in response to public comment or new information, is described in more detail in the Corrective Action Plan available on NDEP's website:

<https://bit.ly/3PVadvE>.

NEXT STEPS

Legend
 Blue = Land ownership transfer
 Orange = Site cleanup activity
 Green = Development activity



Development phases are outlined in red

COMMUNITY PARTICIPATION

NDEP will accept public comments for thirty (30) days following the release of this Proposed Plan. Comments will be accepted by mail or email. Comments will also be accepted during the public meeting. The Preferred Alternative may be changed or modified in response to public comment submitted during the public comment period.

Public Comment Period

February 23 – March 25, 2023

Public Meeting

March 9, 2023

5:30 p.m. – 7:00 p.m.

The Pass Casino

140 S Water St

Henderson, NV 89015

Comments on the Proposed Plan should be submitted to the following contact:

Alan Pineda

NDEP Case Officer

375 East Warm Springs Road, Suite 200

Las Vegas, NV 89119

alan.pineda@ndep.nv.gov

(702) 668-3925

Key documents from the Administrative Record can be found at <https://bit.ly/3PVadvE>.

To review the Administrative Record at our office, contact Danielle Ward at (702) 668-3931 or d.ward@ndep.nv.gov.

GLOSSARY OF TERMS

Applicable, Relevant and Appropriate Requirements (ARARs) – Federal, state, or local requirements or regulations that would apply to a remedial action if it were not being conducted under the Comprehensive Environmental Response, Compensation, and Liability Act, or that while not strictly applicable, are relevant in the sense that they regulate similar situations or actions and are appropriate to be followed in implementing a particular remedial action.

Beneficiation – The process by which the economic value of ore is increased by removing the non-economic fraction. Products produced by beneficiation include the ore concentrate (to be sold or further refined) and a waste stream (referred to as tailings).

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) – Also known as Superfund. CERCLA is a federal law passed in 1980 and modified in 1986 by the Superfund Amendments and Reauthorization Act. The Acts created a special tax that goes into a trust fund, commonly known as Superfund, to investigate and clean up abandoned or uncontrolled hazardous waste sites. Under the program, EPA can either: 1) Pay for site cleanup when parties responsible for the contamination cannot be located or are unwilling or unable to perform the work; or 2) Take legal action to force parties responsible for site contamination to clean up the site or pay back the federal government for the cost of the cleanup.

National Contingency Plan (NCP) – The National Oil and Hazardous Substances Pollution Contingency Plan is composed of the federal regulations that guide the Superfund program.

Record of Decision (ROD) – The final Remedial Action plan for a site. The purpose of the ROD is to document the remedy selected, provide a rationale for the selected remedy, and establish performance standards or goals for the Site.

Regional Screening Levels (RSLs) – Risk-based concentrations derived from standardized equations combining exposure information assumptions with EPA toxicity data.

Remedial Action Objectives (RAOs) – Objectives established for a CERCLA remedial action that define the extent to which sites require cleanup to meet the objective of protecting human health and the environment.

