



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Kenny C. Guinn, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

March 16, 2006

Mr. John P. (Phil) Solaro, P.E., Principal
Best Energy, LLC
16440 Wedge Parkway
Reno, NV 89511

WRITTEN DETERMINATION

Dear Mr. Solaro:

The Division has reviewed your application initially dated July 14, 2005, with final revision (revision #3) dated December 9, 2005 for a written determination of hazardous waste recycling activity (Written Determination). Based on the Division's evaluation of the application, the used lubricating oil re-refining process you propose qualifies as recycling under NAC 444.8437 and is herein granted a Written Determination in accordance with NAC 444.8455 and NAC 444.84555. This facility is sited in Churchill County on Bango Road.

This Written Determination is limited to the re-refining of used oil and recycled fuel oil that may be designated as hazardous waste in their state of origin (i.e., California regulated "waste oil"), but are not regulated as hazardous waste as defined by 40 CFR 261. Waste oil accepted by Best Energy shall be treated to produce base lubricating oil stock, diesel fuel extenders and asphalt extenders saleable in the market place as described in the application. The provisions of this Written Determination notwithstanding, any inaccuracies found in the information submitted may be grounds for termination or modification of this determination and potential enforcement action.

The Written Determination does not convey any property rights of any sort or any exclusive privilege; nor does it authorize storage or treatment of any hazardous waste for which a permit is required in accordance with 40 CFR 270 as adopted by NAC 444.8632 through 444.8634, inclusive. Best Energy is responsible for the proper management of all incoming and onsite-generated waste streams in accordance with applicable state and federal regulations. Best Energy has claimed that no hazardous waste will be generated as a result of the recycling process. The issuance of this Written Determination does not preclude Best Energy from managing "non-hazardous" used oil from sources other than California in accordance with the provisions of 40 CFR 279.

