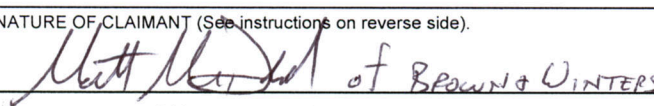


<b>CLAIM FOR DAMAGE, INJURY, OR DEATH</b>		<b>INSTRUCTIONS:</b> Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008	
1. Submit to Appropriate Federal Agency:  U.S. Nuclear Regulatory Commission Office of the General Counsel 11555 Rockville Pike Rockville, MD 20852			2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code.  Frazer/Exton Development, L.P. 15 South Bacton Hill Road Malvern, PA 19355 Representative: Brown & Winters (see attached form)		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN		4. DATE OF BIRTH	5. MARITAL STATUS	6. DATE AND DAY OF ACCIDENT	
7. TIME (A.M. OR P.M.)					
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary).  See Attachment #1					
9. <b>PROPERTY DAMAGE</b>					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code).					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side).  See Attachment #1					
10. <b>PERSONAL INJURY/WRONGFUL DEATH</b>					
STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT.  NONE					
11. <b>WITNESSES</b>					
NAME			ADDRESS (Number, Street, City, State, and Zip Code)		
Daniel M. Sevick  President  Frazer/Exton Development, L.P.			15 South Bacton Hill Road  Malvern, PA 19355		
12. (See instructions on reverse). <b>AMOUNT OF CLAIM</b> (in dollars)					
12a. PROPERTY DAMAGE		12b. PERSONAL INJURY		12c. WRONGFUL DEATH	
43000000				12d. TOTAL (Failure to specify may cause forfeiture of your rights).  43000000	
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side).  				13b. PHONE NUMBER OF PERSON SIGNING FORM  760-633-4485	
14. DATE OF SIGNATURE  04/27/2015					
<b>CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM</b>  The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).				<b>CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS</b>  Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)	

### INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.

15. Do you carry accident insurance? ☐ Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. ☐ No

N/A - this is not a subrogation claim

16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? ☐ Yes ☐ No

17. If deductible, state amount.

18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).

19. Do you carry public liability and property damage insurance? ☐ Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). ☐ No

### INSTRUCTIONS

**Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.**

**Complete all items - Insert the word NONE where applicable.**

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY

**Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.**

If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.

The claim may be filled by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.

DAMAGES IN A **SUM CERTAIN** FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN **TWO YEARS** AFTER THE CLAIM ACCRUES.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) **Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.**

### PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. **Authority:** The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

B. **Principal Purpose:** The information requested is to be used in evaluating claims.  
C. **Routine Use:** See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.  
D. **Effect of Failure to Respond:** Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."

### PAPERWORK REDUCTION ACT NOTICE

This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.



## Attachment #1

8. Frazer/Exton Development, L.P. ("Frazer") is a limited partnership organized and existing under the laws of the Commonwealth of Pennsylvania and is the owner of certain property located at 15 S. Bacton Hill Road, Frazer, Pennsylvania, 19355 ("Site"). The Site was previously owned and/or operated by the Reconstruction Finance Corporation ("RFC"), the Defense Plant Corporation ("DPC") and the Atomic Energy Commission ("AEC") and leased to Foote Mineral Company. Foote Mineral produced various lithium products, as well as imported exotic ores for ammunition production and other potential uses, as part of the wartime production for WWII. The soil and groundwater at and adjacent to the Site were contaminated with hazardous substances, as defined under applicable environmental statutes, including but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601, *et seq.*, and the Pennsylvania Hazardous Sites Cleanup Act (HSCA), 35 P.S. § 2060.101 *et seq.*, as a result of the discharge and deposit of wastes created during the production of various lithium and munitions products and the stockpiling of exotic ores at the Site. Additionally, the property damage caused by the discharge and deposit of hazardous substances constitute a taking under 28 U.S.C. §§ 1346(a), 1491(a) and 2401(a).

The DPC and RFC owned the Site from at least 1942 to 1946 during which it designed, constructed, improved, operated and leased the facilities for the production various lithium and munition products as well as the stockpiling and storage of exotic ores. The AEC continued to operate on the Site into the 1950's under various agreements with Foote Mineral. The United States Environmental Protection Agency ("EPA") filed a complaint against Frazer for the reimbursement of response costs and to conduct site investigation and remediation under CERCLA. The EPA and Frazer subsequently entered into a Consent Decree for the investigation and remediation of the Site. Claimant (Frazer) is requesting the General Services Administration contribute to past and ongoing costs for the investigation and cleanup of the Site.

9. The Site is located at and around 15 S. Bacton Hill Road, Frazer, Pennsylvania, 19355, and consists of approximately 79 acres as well as offsite groundwater impacts. Frazer is a limited partnership, organized and existing under the laws of the Commonwealth of Pennsylvania, and is the owner of the Site. The Site was historically used for the production and assembly of various lithium and munition products as well as stockpiling and storage of exotic ores as part of the war effort and subsequent operations for the AEC. The soils and groundwater both on and offsite were impacted by several hazardous substances, including: lithium, chromium, arsenic, antimony, tetrachloroethene, 1,2-dichloroethane, vinyl chloride, benzene, inorganic metals, boron, petroleum hydrocarbons, bromate, and radiation-contaminated soils. Frazer has completed the investigation and remediation of the soils on-site and is performing continued groundwater monitoring both on and offsite.

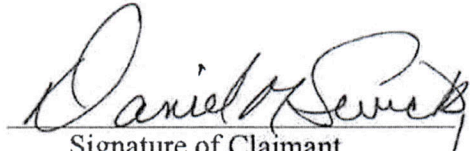
**Attorney Authorization**

I, Daniel M. Sevick, on behalf of Frazer/Exton Development, L.P. (Claimant), hereby designate and authorize the law offices of Brown & Winters to represent me in place and stead, and continue any and all claims which have been filed or will be filed arising from:

Contamination at 15 S. Bacton Hill Road, Frazer, Pennsylvania, 19355, as discussed in the  
(Incident)  
accompanying tort claim, which occurred on 1942 through present.

Executed on this 14 day of March, 20 16.

at 851 HOUSTON RUN DRIVE, GAD, PA 17527.

 President of G.P.  
Signature of Claimant