



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 1, 2011

Irwin Kushner
Herman Kushner Trust
252 Convention Center Drive, Ste 12A
Las Vegas, NV 89109

Maryland Square Shopping Center, LLC
c/o Tim Swickard
Dongell Lawrence Finney LLP
770 L St., Suite 950
Sacramento, CA 95814

Subject: **3rd Quarter 2011, Groundwater Monitoring Report, Maryland Square Shopping Center**
Facility: Al Phillips the Cleaner (former)
3661 S. Maryland Parkway
Las Vegas, Nevada
Facility ID: **H-000086**

Dear Mr. Swickard and Mr. Kushner:

The Nevada Division of Environmental Protection (NDEP) received the **Groundwater Monitoring Report for 3rd Quarter 2011**, prepared by Tetra Tech EM, Inc. (Tetra Tech) on behalf of the Herman Kushner Trust (Trust) and Maryland Square Shopping Center, LLC, (MSSC, LLC) dated October 28, 2011 and received in hard copy by the NDEP on November 2, 2011.

NDEP Comments

The NDEP notes that corrections have been made to misstatements in the previous quarterly report that had been commented on by the NDEP.

Modification to the frequency of future sampling and reporting for groundwater monitoring was proposed in a letter from Tetra Tech dated November 4, 2011. The NDEP evaluated this proposal and, with some modification (see NDEP letter dated November 10, 2011), concurred.

NDEP Requirements

Unless a schedule modification is agreed to by the NDEP, please provide future groundwater monitoring reports on the following schedule:



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- a. Groundwater Monitoring Report for the Fourth Quarter, 2011 - **January 30, 2012**
- b. First Semi-Annual Groundwater Monitoring Report for 2012 – **July 30, 2012**
- c. Second Semi-Annual Groundwater Monitoring Report for 2012 - **January 30, 2013**

If you have any questions or require additional information regarding this letter, contact me by telephone at (775) 687-9496 or e-mail at msiders@ndep.nv.gov.

Sincerely,



Mary A. Siders, Ph.D.
Bureau of Corrective Actions
Fax (775) 687-8335

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