



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 27, 2011

Irwin Kishner
Herman Kishner 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: **Revised Draft Schedule for the Corrective Action Plan for Groundwater, Maryland Square PCE Site**

Facility: Al Phillips the Cleaner (former)
3661 S. Maryland Parkway
Las Vegas, Nevada
Facility ID: **H-000086**

Dear Mr. Swickard and Mr. Kishner:

The Nevada Division of Environmental Protection (NDEP) received the **Revised Draft Schedule for the Corrective Action Plan for Groundwater**, prepared by Tetra Tech on behalf of the Herman Kishner Trust (Trust) and Maryland Square Shopping Center, LLC, (MSSC, LLC) dated December 16, 2011 and received via e-mail on December 16, 2011.

Overview

The Permanent Injunction (December 27, 2010) allows 180 days for the Correction Action Report for Groundwater to be submitted, after NDEP concurrence with the Corrective Action Plan (CAP) for Groundwater and the proposed schedule for implementation of the CAP. The NDEP has concurred with the CAP for Groundwater (June 14, 2011), following the receipt of the **Addendum to the Draft Corrective Action Plan for Groundwater** (August 25, 2011), but requested a revised implementation schedule.

The **Revised Draft Schedule for the Corrective Action Plan for Groundwater** proposes to begin field work at the site in mid-January, 2012. (The NDEP is aware that the Boulevard Mall requested no field work be conducted during the busy holiday shopping season.) As requested by the NDEP (December 2, 2011), the period of pilot testing has been compressed by conducting certain testing concurrently instead of consecutively. This places submittal of the Corrective Action Report on June 29, 2012 instead of July 15, 2012.



NDEP Requirements

This letter provides concurrence for the **December 16, 2011 Revised Draft Schedule for the Corrective Action Plan for Groundwater.**

According to the revised schedule, the Corrective Action Report is due on **June 29, 2012**. Due to site constraints over the holidays, the NDEP considers that the 180 days specified in the Permanent Injunction (issued December 27, 2010) would commence on January 2, 2012.

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

ec: Greg Lovato, Supervisor, Bureau of Corrective Actions, NDEP, Carson City, NV
Todd Croft, Supervisor, BCA, NDEP, Las Vegas, NV
Carolyn Tanner, State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, NV
Jasmine Mehta, State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, NV
Ebrahim Juma, Assistant Planning Manager ejuma@cleanwaterteam.com
Joseph R. Leedy, Principal Planner jleedy@cleanwaterteam.com
Kathryn L. Hoffmann, Planner khoffmann@cleanwaterteam.com
Dennis Campbell, Southern Nevada Health District campbell@snhdmail.org
Tim Swickard, Dongell Lawrence Finney LLP tswickard@dflawyers.com
Paul G. Roberts, Vice President and General Counsel, The Interface Group proberts@tigmass.com
Tamara Pelham, Tetra Tech EMI, 639 Isbell Road, Reno, NV 89509 tamara.pelham@tetrattech.com
Peter Krasnoff, P.E., WEST, Inc., 711 Grand Avenue, Suite 220, San Rafael, CA 94901 peterk@westenvironmental.com
Lynne S. Stella, Manager of Environmental Services, General Growth Properties, Inc., 110 N. Wacker Drive, Chicago, IL 60606 lynne.stella@ggp.com
Scott Telford, Clark County Development Services, Department, 4701 W. Russell Rd, Las Vegas, NV 89118
telfords@ClarkCountyNV.gov
Ric Jimenez, General Manager, The Boulevard Mall, 3528 S. Maryland Parkway, Las Vegas, NV 89169
ric.jimenez@ggp.com
Michael Houghtaling, P.E., Senior Engineer, Clark County Department of Development Services, 4701 Russell Rd, Las Vegas, NV 89118 mhoughta@co.clark.nv.us
Jack Stoberski, General Manager, Las Vegas National Golf Course jstoberski@lasvegasnational.com
Scott Taylor, Environmental Specialist, Sears Holdings Management Co., 3333 Beverly Road, B5-335A, Hoffman Estates, IL 60179 Scott.M.Taylor@searshc.com

Maryland Square Shopping Center, LLC
Mr. Tim Swickard and Mr. Irwin Kishner
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Page 3 of 3

Robert G. Russell, Procopio, Cory, Hargreaves & Savitch LLP, 525 B Street, Suite 2200, San Diego, CA 92101
bob.russell@procopio.com

Steven J. Parsons, Law Offices of Steven J. Parsons, 7201 W. Lake Mead Blvd., Suite 108, Las Vegas, Nevada 89128-8354
steve@sjplawyer.com

Andrew Stuart, Senior Project Manager, ATC Associates, 2925 E. Patrick Lane, Suite M, Las Vegas, NV 89120
andrew.stuart@atcassociates.com

cc: Joe Blagg, Project Manager, Diversified Real Estate Group, 4255 Dean Martin Rd, Ste J, Las Vegas, NV 89103
John Griffin, Kaempfer Crowell, 510 W Fourth St., Carson City NV 89703.
John Knott, CBRE, 3993 Howard Hughes Parkway, Suite 700, Las Vegas, NV 89169
Jan Greben, 1332 Anacapa, Suite 110, Santa Barbara, CA 93101
Alexander Robertson, 880 Hampshire Road, Suite B, Westlake Village, CA 91361
Tamara Williams, Clark County Community Liaison, 3900 Cambridge Suite #111, Las Vegas, NV 89119
Jan Villaire, Coordinator, Environmental Compliance, Safety & Environmental Services, 1700 Galleria Drive, Bldg C, Henderson, NV 89014
Jeffrey T. Oberman, Levin & Oberman, 361 N. Canon Dr., Beverly Hills, CA. 90210
Glenn D. Phillips, The Travelers Companies, Inc., SLCU-Suite 160, 4650 Westway Park Blvd., Houston Texas 77041