



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

September 13, 2012

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

Maryland Square, LLC  
c/o Franklin H. Levy  
Lawson & Weitzen, LLP  
88 Black Falcon Avenue  
Boston, MA 02210

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

SBIC  
c/o Jeffrey T. Oberman  
Levin & Oberman  
361 N. Canon Dr.  
Beverly Hills, CA. 90210

Subject: **Request for Updated Schedule for Installation of Home Mitigation Systems**  
Facility: Al Phillips the Cleaner (former)  
3661 S. Maryland Parkway  
Las Vegas, Nevada  
Facility ID: **H-000086**

Dear Messrs. Kushner, Swickard, Levy and Oberman:

The Nevada Division of Environmental Protection (NDEP) notes that the indoor air sample results presented in a figure dated May 15, 2012 and submitted to the NDEP by Tetra Tech on your behalf, indicate that there are three additional homes that qualify for installation of subslab depressurization (SSD) systems.

In light of the time elapsed since the identification of those homes, the NDEP requires the following:

1. An updated schedule for the continued implementation of all components of the Work Plan for Mitigation of Indoor Air and Well Water be provided to the NDEP. Please provide this schedule by **September 28, 2012**.
2. Installation of the mitigation systems in the three additional homes be completed no later than **October 31, 2012**. (System designs to be submitted to the NDEP for review prior to system installation).

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](mailto:msiders@ndep.nv.gov).



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Kishner, Swickard, Levy and Oberman  
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Sincerely,



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Bureau of Corrective Actions  
Fax (775) 687-8335

cc: Greg Lovato, Bureau Chief, Bureau of Corrective Actions, NDEP, Carson City, NV  
Scott Smale, Supervisor, BCA, NDEP, Carson City, NV  
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cc: Joe Blagg, Project Manager, Diversified Real Estate Group, 4255 Dean Martin Rd, Ste J, Las Vegas, NV 89103  
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