

**OFFICE OF THE NEVADA ENVIRONMENTAL RESPONSE TRUST TRUSTEE**

**Le Petomane XXVII, Inc., Not Individually, But Solely as the Nevada Environmental Response Trust Trustee**  
**35 East Wacker Drive - Suite 1550**  
**Chicago, Illinois 60601**  
**Tel: (312)498-2800**

October 15, 2016

Ms. Nikita Lingenfelter  
Bureau of Water Pollution Control  
Nevada Division of Environmental Protection  
2030 E. Flamingo Rd, Suite 230  
Las Vegas NV 89119

RE: 100 % Design Drawings for AP-5 Tank System  
Nevada Environmental Response Trust  
Henderson, Nevada

Dear Ms. Lingenfelter:

The Nevada Environmental Response Trust (NERT) appreciates the Nevada Division of Environmental Protection, Bureau of Water Pollution Control's (NDEP, BWPCs) expedited review and approval of the previously submitted 90% Design Drawings for the AP-5 Tank System planned for incorporation into the Permitted Treatment Works at the site in Henderson, Nevada. Please find enclosed the 100 % design drawings as requested by the NDEP, BWPC letter dated September 27, 2016. In addition, and as requested by the September 27, 2016 letter, NERT is in the process of preparing an AP-5 Pond Closure Plan which we anticipate submitting by November 14, 2016.

Transfer of the contents of the AP-5 Pond to the new AP-5 Tank System is anticipated to begin in late November 2016 in accordance with a work plan approved by NDEP, Bureau of Industrial Site Cleanup. Upon approval of the forthcoming AP-5 Pond Closure Plan by NDEP, BWPC, NERT will proceed with the pond closure activities including decontamination and removal of the pond liner system and grading the pond area surface to avoid the accumulation of standing, stagnant water.

The AP-5 Tank System is a critical component of NERT's plans to treat the residual ammonium perchlorate material in the pond, facilitate closure of the AP-5 pond, and reduce potential site risk. As such, NERT would greatly appreciate an expedited review of the design package.

If you have any questions or concerns regarding this matter, please feel free to contact me at (702) 960-4309 or at [steve.clough@nert-trust.com](mailto:steve.clough@nert-trust.com).

Office of the Nevada Environmental Response Trust



Stephen R. Clough, P.G., CEM  
Remediation Director  
CEM Certification Number: 2399, exp. 3/24/17

Cc (Hardcopy)

Joe Maez, P.E., NDEP, BWPC  
Weiquan Dong, NDEP Bureau of Industrial Site Cleanup

Cc (via NERT Sharefile Distribution):

Greg Lovato, Nevada Division of Environmental Protection  
James Dotchin, NDEP Bureau of Industrial Site Cleanup  
Carlton Parker, NDEP Bureau of Industrial Site Cleanup  
Christa Smaling, NDEP Bureau of Industrial Site Cleanup  
Micheline Fairbank, Nevada Attorney General's Office  
Alison Fong, U.S. Environmental Protection Agency, Region 9  
Katherine Baylor, U.S. Environmental Protection Agency, Region 9  
Jay Steinberg, as President of the Nevada Environmental Response Trust Trustee and not individually  
Andrew Steinberg, as Vice President of the Nevada Environmental Response Trust Trustee and not individually  
Tanya C. O'Neill, Foley and Lardner, LLP

Cc (via NERT Stakeholder Sharefile Distribution):

Betty Kuo, Metropolitan Water District of Southern California  
Brenda Pohlmann, City of Henderson  
Carol Nagai, Metropolitan Water District of Southern California  
David Johnson, Central Arizona Water Conservation District  
Dave Johnson, LV Valley Water District  
Eric Fordham, Geopentech  
Jill Teraoka, Metropolitan Water District of Southern California  
Kevin Fisher, LV Valley Water District  
Marcia Scully, Metropolitan Water District of Southern California  
Maria Lopez, Metropolitan Water District of Southern California  
Mickey Chaudhuri, Metropolitan Water District of Southern California  
Orestes Morfin, Central Arizona Water Conservation District  
Peggy Roefer, Colorado River Commission  
Scott Bryan, Central Arizona Project  
Steven Anderson, LV Valley Water District  
Sun Liang, Metropolitan Water District of Southern California  
Ted Wolff, Manatt, Phelps & Phillips LLP  
Todd Tietjen, Southern Nevada Water Authority  
Kirk Stowers, Broadbent Inc.  
Kurt Fehling, The Fehling Group