



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

August 23, 2011

Irwin Kishner
Herman Kishner Trust
294 Convention Center Drive
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: **Addendum to the Work Plan for Mitigation of Indoor Air and Well Water** (dated August 15, 2011)

Facility: Al Phillips the Cleaner (former)
3661 S. Maryland Parkway
Las Vegas, NV

Facility ID: H-000086

Dear Mr. Kishner and Mr. Swickard:

The Nevada Division of Environmental Protection (NDEP) has reviewed the August 15, 2011 *Addendum to the Work Plan for Mitigation of Indoor Air and Well Water* (IAWW Work Plan), prepared by Tetra Tech on behalf of the Herman Kishner Trust (Trust) and Maryland Square Shopping Center, LLC. (MSSC). This letter provides the NDEP's comments on the Addendum.

NDEP Comments

As requested in NDEP's comment letter of July 28, 2011, the addendum (Section 2.0) provides the standard operating procedure (SOP) and details of the quality assurance and quality control (QA/QC) measures to be followed for analytical method SW8021. This analytical method is proposed for use for the on-site analysis of "real-time" grab samples collected from homes included in the sampling program (and with the consent of the homeowner).

The addendum also provides a description of how the integrity of golf course irrigation well, PW-1, will be evaluated (Section 3.0). The addendum proposes a video survey of the well and, if this survey does not provide sufficient information, several down-hole geophysical techniques will be considered. The goal of this work is to determine if the well casing or seal are compromised and creating a preferential pathway for shallow groundwater to enter the well.



Maryland Square Shopping Center, LLC
Mr. Irwin Kishner
Mr. Tim Swickard
H-000086
August 23, 2011
Page 2 of 3

Thirdly, the addendum discusses how *“the vertical gradients and the interaction between the shallow groundwater and the deep aquifer in the vicinity of the golf course well PW-1 will be evaluated.”* Information provided by the analysis of pumping and water-level data for the golf course well and water-level data for nearby monitoring wells, along with the video/geophysical surveys of PW-1, will be used to evaluate whether PCE detected in PW-1 is related to well integrity issues or possibly reflects migration of the plume into the deep aquifer across the site.

NDEP Requirements

The NDEP concurs with the implementation of the IAWW work plan, as clarified in the August 15, 2011 addendum. Details related to public notification, access agreements, and schedule will need to be discussed and determined over the upcoming weeks.

Finally, the NDEP may require that summa sampling be offered to all tested homes if the correlation between real-time/Method SW8021 and summa-canister/Method TO-15 samples is poor. The NDEP cannot specify a value for a “minimum correlation coefficient” at this time, because such numbers can be misleading without a graphical appraisal of the data. The NDEP will evaluate the results of the comparison of two sampling/analytical methods and make a determination.

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
Bill Frey, State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, NV bfrey@ag.nv.gov
Jasmine Mehta, State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, NV jmehta@ag.nv.gov
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@dlflawyers.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@tetratech.com

Maryland Square Shopping Center, LLC
Mr. Irwin Kishner
Mr. Tim Swickard
H-000086
August 23, 2011
Page 3 of 3

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

cc: Travis Harmon, Boulevard Mall, 3528 S. Maryland Parkway, Las Vegas, NV 89109
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