



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 21, 2012

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

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

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

Subject: **Proposal for Changes to the Proposed Pilot Tests – Additional Vertical Delineation**
Facility: Al Phillips the Cleaner (former)
3661 S. Maryland Parkway
Las Vegas, Nevada
Facility ID: **H-000086**

Dear Messrs. Kishner, Swickard, Levy and Oberman:

The Nevada Division of Environmental Protection (NDEP) received the ***Proposal for Changes to the Proposed Pilot Tests – Additional Vertical Delineation (Proposal)*** prepared by Tetra Tech on behalf of the Herman Kishner Trust (Trust) and Maryland Square Shopping Center, LLC (MSSC LLC), dated August 20, 2012 and received via e-mail on August 20, 2012.

The Proposal describes selected findings from the recent vertical delineation work being conducted in support of the pilot testing and remedy selection. Specifically, Tetra Tech has stated that additional vertical delineation is necessary in order to select and design a groundwater remedy.

Tetra Tech has proposed the following modifications to the work being conducted under the Corrective Action Plan (CAP) for Groundwater:

1. Install a deep nested well near MW-6 in the western parking lot of the Boulevard Mall or in the sidewalk west of Boulevard Mall. This well will be drilled until three consecutive samples contain less than 100 micrograms per liter ($\mu\text{g/L}$) of PCE in three consecutive samples, or to a depth of 200 feet, whichever comes first. If the sample collected at 200 feet contains tetrachloroethylene (PCE) at a concentration greater than 1,000 $\mu\text{g/L}$, Tetra Tech will contact the NDEP and the pilot study will be reassessed.



2. Increase the depth of the two nested wells to be installed for the pilot tests in the eastern parking lot of the Boulevard Mall; these wells were originally proposed in the approved CAP for Groundwater. The total depth of these wells will be increased from the originally proposed depth of 60 feet, to a depth 100 feet or to a depth at which three consecutive samples contain PCE concentrations less than 100 µg/L, whichever depth is less.
3. Install two deep wells in the Paradise Palms neighborhood. These wells will be drilled to 100 feet or to a depth at which three consecutive samples contain PCE concentrations less than 100 µg/L, whichever depth is less.

Tetra Tech proposes to collect groundwater samples every 10 feet from all borings or with changes in lithology or from more-permeable layers, if they are present.

NDEP Requirements

The NDEP concurs with the proposed changes as described in the Proposal (and summarized above). These changes modify the approved CAP for Groundwater.

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
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