

**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

October 24, 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: **2012 Schedule for SSD System Installation**  
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 **2012 Schedule for SSD System Installation** prepared by Tetra Tech on behalf of the Herman Kishner Trust (Trust) and Maryland Square Shopping Center, LLC (MSSC LLC), received via e-mail on October 19, 2012. The schedule lists the tasks to be performed to complete the installation of subslab depressurization (SSD) systems to mitigate homes for vapor intrusion of tetrachloroethylene (PCE) from the Maryland Square PCE Plume.

**NDEP Comments**

Initial tasks include requesting bids from qualified Nevada-licensed contractors, followed by selection of a contractor and submittal of system design plans to the building department (Department of Development) for Clark County. There is no task listed for obtaining access agreements from the residents, or having the contractor visit the homes to gather the information necessary to design the systems.



The NDEP advises that obtaining an access agreement from the home owner should be one of the initial steps in the process. Additionally, it is recommended that Tetra Tech and the contractor plan to meet with residents in each home to discuss placement of the drop, piping, manometer and fan. System designs should be submitted to the NDEP as well as each homeowner. Working closely with each homeowner, and explaining the installation process and system function is important to assure that residents are part of the process and that they understand how to read the manometer, in order to be able to report any possible system malfunction.

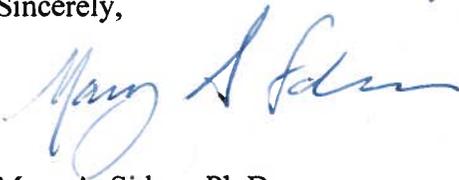
In addition to residents who will be receiving mitigation systems, the NDEP had required that existing SSD systems be fitted with manometers. This work will also require access agreements with the home owners and in-home meetings to explain the purpose and function of the manometers.

### **NDEP Requirements**

Please revise the schedule to include tasks for obtaining access agreements from the home owners who will be receiving new SSD systems and those who will have manometers installed. Additionally, add tasks for in-home meetings with these residents. Also, please plan for the possibility that some systems may require optimization if the verification samples show that concentrations of PCE in the indoor air have not been sufficiently reduced. Submit the revised schedule to the NDEP by **November 1, 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](mailto:msiders@ndep.nv.gov).

Sincerely,



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Fax (775) 687-8335

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