

STATE OF NEVADA
Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor
Allen Biaggi, Director
Leo M. Drozdoff, P.E., Administrator

December 22, 2009

Herman Kishner Trust and
Maryland Square Shopping Center, LLC
c/o Bryan Garrie
P.O. Box 2731
La Jolla, CA 92038

Subject: **Groundwater Monitoring Report, 3rd Quarter 2009, Maryland Square Shopping Center**
Facility: Al Phillips the Cleaner (former)
3661 S. Maryland Pkwy
Las Vegas, NV
NDEP ID#: **H-000086**

Dear Mr. Garrie:

The Nevada Division of Environmental Protection (NDEP) has reviewed the *Groundwater Monitoring Report for 3rd Quarter 2009*, provided by the environmental consultant for Maryland Square Shopping Center, LLC, Converse Consultants (Converse), with the hard copy received by the NDEP on November 5, 2009.

NDEP Comments

1. The "Sampling Schedule" provided on page 4 of the 2nd Quarter 2009 Report incorrectly omits well MW-22, which is scheduled for annual sampling. The NDEP's letter of December 14, 2007 contained the following table for sampling frequency, with newer wells added later (MW-31 through MW-33). Please include MW-22 for annual sampling. Tetrachloroethylene (PCE) has never been detected in well MW-22 at a concentration exceeding the maximum contaminant level (MCL) of 5 micrograms per liter ($\mu\text{g/L}$), and therefore constrains the northern boundary of the PCE plume at Algonquin Drive.

Sampling Frequency	Monitoring Wells
Discontinue	MW-11
Annual	MW-3, MW-7, MW-8, MW-10, MW-12, MW-15, MW-16, MW-21, MW-22 , MW-24
Semi-annual	MW-1, MW-2, MW-4, MW-5, MW-6, MW-9, MW-13, MW-14, MW-17, MW-28, MW-29
Quarterly	MW-18, MW-19, MW-20, MW-23, MW-25, MW-26, MW-27, MW-30; MW-31; MW-32, MW-33

2. The NDEP concurs that well MW-4 is no longer fit for sampling due to an obstruction in the well. Well MW-4 contained a maximum detected concentration of 220 $\mu\text{g/L}$ of PCE in January, 2004. Wells MW-3 and MW-10 are downgradient of MW-4, so the NDEP concurs that a replacement well is not needed for MW-4 at this time. Well MW-4 should be properly abandoned.



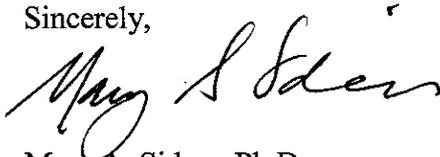
NDEP Requirements

1. Please continue to follow the agreed-upon sampling frequency for the monitoring wells.
2. Please continue to conduct the statistical trend analysis and include results in the quarterly reports.
3. Please continue to provide electronic copies (pdf file) of all reports submitted to the NDEP, so that the NDEP can post these on the Maryland Square website: <http://www.ndep.nv.gov/pce/foia.htm>. Submittal of a "print-to-pdf" file is appreciated, because this generates a smaller file than does a scanned pdf file.
4. Unless a schedule modification is agreed to by the NDEP, please provide future quarterly reports on the following schedule:

Groundwater Monitoring Report for Fourth Quarter, 2009	January 20, 2010
Groundwater Monitoring Report for First Quarter, 2010	April 19, 2010
Groundwater Monitoring Report for Second Quarter, 2010	July 23, 2010
Groundwater Monitoring Report for Third Quarter, 2010	October 22, 2010

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
Nevada Division of Environmental Protection
Fax (775) 687-8335

cc: Greg Lovato, Supervisor, Bureau of Corrective Actions, NDEP, Carson City, NV
Todd Croft, BCA, NDEP, Las Vegas, NV
William Frey, State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, NV 89701
Carolyn Tanner, State of Nevada, Office of the Attorney General, 100 N. Carson Street, Carson City, NV 89701
Andrea Havens, Converse Consultants, 731 Pilot Road Suite H, Las Vegas, NV 89119
Steve Geyer, Tetra Tech EMI, 1230 Columbia Street, Suite 1000, San Diego, CA 92101
Lynne S. Stella, Manager of Environmental Services, General Growth Properties, Inc., 110 N. Wacker Drive, Chicago, IL 60606
Travis Harmon, Boulevard Mall, 3528 S. Maryland Parkway, Las Vegas, NV 89109
Irwin Kishner, Herman Kishner Trust, 294 Convention Center Drive, Las Vegas, NV 89109
Ebrahim Juma, Planning Manager, Air Quality and Environmental Management, 500 S. Grand Central Pkwy, 1st floor, P.O. Box 555210, Las Vegas, NV 89155-1741
Dennis Campbell, Southern Nevada Health District, PO Box 3902, Las Vegas, NV 89127
Tamara Williams, Clark County Community Liaison, 3900 Cambridge Suite #111, Las Vegas, NV 89119

Mr. Bryan Garrie
H-000086
December 22, 2009
Page 3 of 3

John Duggan, Coordinator, Environmental Compliance, Safety & Environmental Services, 1700 Galleria Drive, Bldg C, Henderson, NV 89014

Nick Till, Prudential KRES-IPG, 127 E. Warm Springs Road, Las Vegas, NV 89119

Joe Blagg, Project Manager, Diversified Real Estate Group, 145 E. Warm Springs, Las Vegas, NV 89119

Paul G. Roberts, Vice President and General Counsel, The Interface Group, 300 First Avenue, Needham, MA 02494

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

Kevin A. Brown, Thagard, Reiss & Brown, LLP, 5528 South Fort Apache Road, Las Vegas NV 89148