



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 17, 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: **Second Quarter 2012 Groundwater Monitoring and Sampling Letter Report**
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 ***First Quarter 2012 Groundwater Monitoring and Sampling Letter Report*** prepared by ATC Associates, Inc. (ATC) on behalf of the Herman Kishner Trust (Trust) and Maryland Square Shopping Center, LLC (MSSC LLC), dated July 30, 2012 and received in hard copy on August 1, 2012.

The second quarter report notes that some well maintenance work was performed in June. ATC replaced thirteen old well vaults with new locking vaults well vaults throughout the Boulevard Mall property and well MW-4 was properly abandoned on June 8, 2012. Four damaged well vaults were replaced at the site of the former Maryland Square Shopping Center. In addition, the report documents the installation of six monitoring wells since the 4th quarter of 2011. New wells include MW-34 and MW-35 at the former shopping center and wells MW-36 through MW-39 in the residential area.

NDEP Comments

Analytical results for new well MW-38 show that this well appears to lie near the downgradient boundary of the plume delineated to the 5 micrograms per liter ($\mu\text{g/L}$) contour, some 6,000 ft downgradient from the source area. However, the axis of the plume is not clearly defined in the area near Eastern Avenue and additional



borings will be needed to confirm that domestic wells in the area east of Eastern Avenue do not lie within the 5 µg/L boundary. New well MW-39, located on the grounds of Ruby S. Thomas Elementary School, shows that the northern boundary of the plume is not defined at the 100 µg/L boundary at this location. These results indicate that additional borings are necessary to constrain plume boundaries in the vicinity of the school. Grab groundwater samples collected from the borings can be used to select locations for additional monitoring wells.

As a minor comment, the NDEP notes that the top of casing (TOC) elevation provided on the borelog for well MW-38 is incorrect (see Appendix D). The borelog incorrectly shows the TOC elevation as 1991.4 feet above mean sea level (ft amsl) for MW-38, instead of 1908.38 ft amsl (Table A-2).

NDEP Requirements

Please evaluate possible locations for additional borings and grab groundwater samples as described above, based on analytical results obtained for samples collected from new wells MW-38 and MW-39. Please provide recommendations for the location of additional borings in the next letter report, due October 31, 2012.

The Third Quarter 2012 Groundwater Monitoring Letter Report is due **October 31, 2012**. The Fourth Quarter 2012 Groundwater Monitoring Report is due **January 31, 2013**.

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.
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Fax (775) 687-8335

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