



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

Brian Sandoval, Governor
Leo M. Drozdoff, P.E., Director
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October 30, 2012

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Las Vegas, NV 89109

Maryland Square Shopping Center, LLC
c/o Tim Swickard
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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: Third Quarter 2012 Groundwater Monitoring and Sampling Letter Report and Letter Request to Adjust Sampling Schedule for Fourth Quarter 2012 and First Quarter 2013
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 **Third Quarter 2012 Groundwater Monitoring and Sampling Letter Report** prepared by Cardno ATC Associates, Inc. (Cardno ATC) on behalf of the Herman Kishner Trust (Trust) and Maryland Square Shopping Center, LLC (MSSC LLC), dated October 15, 2012 and received via e-mail on October 23, 2012. On October 26, 2012, the NDEP also received a letter requesting an adjustment to the sampling schedule. Both documents are addressed in this letter.

The October 26, 2012 letter states that:

“The current groundwater sampling schedule for fourth quarter 2012 is as follows:

> MW-1 through MW-39 (with the exception of MW-4 which was abandoned), MW-14I, and MW-19I (plus any newly installed wells).

The current groundwater sampling schedule for first quarter 2013 is as follows:

> MW-1, MW-5, MW-6, MW-9, MW-14, MW-17, MW-27, MW-34, MW-35, MW-36, and MW-37 (plus any newly installed wells).”

The letter then proposes that fourth quarter 2012 monitoring be revised to include only wells MW-34 through MW-40, and that the sampling event for first quarter 2013 be revised to include all site wells (MW-1 to MW-3, MW-5 through MW-40, as well as MW-14I and MW-19I).



NDEP Comments

The sampling schedule for monitoring wells was further modified to reduce sampling of wells MW-28 and MW-29 to annual sampling only, because there are now results for more than eight samples (which was not the case at the time NDEP issued their December 22, 2009 letter on the groundwater sampling schedule). This modification will be considered for all new wells, after eight samples have been collected; however, the sampling frequency of wells that are deemed necessary for defining critical areas of the plume will likely be maintained at a quarterly or semiannual frequency. The revised sampling schedule from 2013 onward, and until otherwise modified by the NDEP, will be as follows:

Sampling Frequency	Monitoring Wells – Sampling Schedule as of October 30, 2012
Discontinued	MW-4 abandoned
4 th Quarter, 2012	MW-34, MW-35, MW-36, MW-37, MW-38, MW-39, MW-40
1 st Quarter	MW-1, MW-2, MW-3, MW-5, MW-6, MW-7, MW-8, MW-9, MW-10, MW-11, MW-12, MW-13, MW-14, MW-15, MW-16, MW-17, MW-18, MW-19, MW-20, MW-21, MW-22, MW-23, MW-24, MW-25, MW-26, MW-27, MW-28, MW-29, MW-30, MW-31, MW-32, MW-33, MW-34, MW-35, MW-36, MW-37, MW-38, MW-39, MW-40, MW-14I, MW-19I (plus any newly installed wells)
2 nd Quarter	MW-1, MW-5, MW-6, MW-9, MW-14, MW-17, MW-27, MW-34, MW-35, MW-36, MW-37, MW-38, MW-39, MW-40 MW-14I, MW-19I (plus any newly installed wells)
3 rd Quarter	MW-1, MW-5, MW-6, MW-9, MW-14, MW-17, MW-27, MW-34, MW-35, MW-36, MW-37, MW-38, MW-39, MW-40 MW-14I, MW-19I (plus any newly installed wells)
4 th Quarter	MW-1, MW-2, MW-5, MW-6, MW-7, MW-8, MW-9, MW-12, MW-13, MW-14, MW-17, MW-18, MW-19, MW-20, MW-23, MW-25, MW-26, MW-27, MW-30, MW-31, MW-32, MW-33, MW-34, MW-35, MW-36, MW-37, MW-38, MW-39, MW-40 MW-14I, MW-19I (plus any newly installed wells)

With regard to the performance of groundwater sampling, the NDEP notes that the sampling sheets for September 6, 2012 show that the well with the highest concentration of PCE (MW-6 at 3,000 micrograms per liter [$\mu\text{g/L}$]) was sampled immediately before sampling wells MW-9 (3.7 $\mu\text{g/L}$) and MW-38 (5.7 $\mu\text{g/L}$). As a standard recommendation, the NDEP suggests that sampling the wells with lower concentrations first and wells with the highest concentrations last would help minimize the potential for cross-contamination of wells with low levels of PCE; although the NDEP notes that there is no evidence of any cross-contamination here, and the analytical data show that equipment-blank samples contained no detectable contaminants, indicating that decontamination procedures were effectively applied.

The NDEP also notes than many of the “percent change” values are incorrect in Table 1 of the report, although the summary value of “-3.08%” provided on page 2 of the submittal is correct. The values for “Change in Groundwater Elevation” also appear to be incorrect in Table 1.

NDEP Requirements

The NDEP’s letter of August 17, 2012 requested: *“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 NDEP did not see any such recommendations in the Third Quarter Report; please provide these recommendations in the first quarter, 2013 monitoring report.

The Fourth Quarter 2012 Groundwater Monitoring Report is due **January 31, 2013**. The First Quarter 2013 Groundwater Monitoring Report is due **April 30, 2013**.

The NDEP concurs with the revised sampling schedule as presented in your October 26, 2012 letter. Please contact the NDEP case officer if, at any time, you wish to propose changes to the sampling frequency of any monitoring well. The NDEP will consider the proposal.

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,



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