



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

Brian Sandoval, Governor
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March 6, 2015

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88 Black Falcon Avenue
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Maryland Square Shopping Center, LLC
c/o Thomas E. Vandenburg
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707 Wilshire Blvd, 45th Floor
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Neil Beller
7408 West Sahara
Las Vegas, Nevada 89117

Subject: **Fourth Quarter 2014 Groundwater Monitoring and Sampling Report**

Facility: Al Phillips the Cleaner (former)
3661 S. Maryland Parkway
Las Vegas, Nevada
Facility ID: **H-000086**

Dear Messrs. Kushner, Swickard, Levy and Beller:

The Nevada Division of Environmental Protection (NDEP) has reviewed the ***Fourth Quarter 2014 Groundwater Monitoring and Sampling Letter Report*** prepared by Cardno ATC Associates, Inc. (Cardno ATC) on behalf of the Herman Kushner Trust (Trust) and Maryland Square Shopping Center, LLC (MSSC LLC), dated January 27, 2015 and received in hard copy on January 30, 2015.

NDEP Comments

1. Text in Section 2 states that “*Cardno ATC may look to work with NDEP on a modified sampling procedure to ensure consistent groundwater sampling including establishing a consistent sampling depth for the pump to be placed in each well.*” The NDEP agrees that a constant depth is important to ensure comparability of the data from quarter to quarter. The NDEP had previously agreed to a “constant depth,” but this turned out to be a constant depth from the top of the water table,” which fluctuates. The depth from which the sample is collected should be constant relative to the ground surface, which does not fluctuate. This will ensure that the same hydrostratigraphic zone is sampled from quarter to quarter. Please provide a method for how this depth will be selected.



2. Following the unusually low concentrations seen for some wells in the third quarter of 2014 (MW-1, MW-5, MW-6, MW-13, MW-14, MW-18, MW-23, MW-26, MW-27, MW-32, etc.), wells resampled in the 4th quarter returned to concentrations typical for the well. For example, MW-6 went from 700 micrograms per liter ($\mu\text{g/L}$) to 3,300 $\mu\text{g/L}$; MW-25 went from 360 $\mu\text{g/L}$ to 890 $\mu\text{g/L}$, etc.
3. Text in Section 2.2 states that “*DO readings across the site ranged from 18.37 to 1.23 mg/L.*” A value of 18.37 milligrams per liter (mg/L) dissolved oxygen (DO) is far greater than the equilibrium solubility of oxygen in water under atmospheric conditions. At 2,000 feet elevation and 25 degrees C, no more than 8 mg/L DO is theoretically possible under equilibrium with atmospheric oxygen. Based on the 8 mg/L limit, the following values are questionable: MW-20D2 (12.19 mg/L), MW-40 CMT-60 (18.37 mg/L). Please review the field notes and meter calibration for clues to possible errors leading to these theoretically impossible values.
4. Table 2-4 summarizes the sample results for wells near the in situ chemical oxidation (ISCO) pilot testing area. Well MW-19I (screened from 31 to 51 feet below ground surface [bgs]), downgradient from the potassium permanganate injection site continues to show elevated concentrations of manganese and total chromium (hexavalent chromium could not be measured, due to interferences). The concentration of chromium (all species) increased from 1.6 $\mu\text{g/L}$ pre-test to as much as 370 $\mu\text{g/L}$ post-test. The November, 2014 sample contained no detectable PCE or arsenic, but did contain 94,000 $\mu\text{g/L}$ manganese and 260 $\mu\text{g/L}$ chromium. (No response necessary.)
5. The long-term effects of the ISCO pilot tests seem to indicate that that potassium permanganate has had a more persistent effect on the concentration of tetrachloroethylene (PCE) than has the Pulse-Ox test. However, high concentrations of chromium have persisted in the area where tens of thousands of $\mu\text{g/L}$ manganese remain (MW-19I). Elevated levels of hexavalent chromium were recently reported for MW-40 CMT-60, downgradient of the Pulse-Ox pilot test. (No response necessary.)
6. At all locations near the pilot test area, mobilization of naturally occurring arsenic does not appear to be a problem. (No response necessary.)
7. Text at the bottom of page 16 states “...*MW-19I had reported levels of manganese at 14,000 $\mu\text{g/L}$*” This appears to be text from the previous quarter. Table 2-4 shows the 4th quarter 2014 sample contained 94,000 $\mu\text{g/L}$ manganese. Please verify and correct.
8. Section 2.4 text states that an increasing trend was found for well MW-41; however, “...*concentrations at MW-41 have fluctuated between 1.7 and 3.7 over the span of five quarters*” and that the “... *low concentrations of PCE, small range of concentrations, and low amount of sampling events represent a low concern at the site.*” This text fails to mention, however, that well MW-41 is located at the current downgradient extent of the plume east of Eastern Ave. In this area, even though concentrations of PCE are

low, an increasing trend implies that the distal extent of the plume may still be advancing downgradient. This detail is worth noting in the discussion in future reports.

9. The latter few sentences on page 17 discuss increasing trends that have been consistently observed for PCE in wells MW-5 and MW-6, stating that: “*Based on their location, to the east of Maryland Parkway, it is possible that additional source material remains under the road and is continuing to contribute to the plume. The future remediation plan for the site should address the possibility of source material being present under Maryland Parkway and be prepared for the possible migration on to the Boulevard Mall Property.*” The NDEP agrees. (No response necessary.)

NDEP Requirements

Cardno ATC recommends continuing monitoring and sampling of the site monitoring wells in accordance with the NDEP-approved 2014 schedule for 2015. The NDEP concurs.

Cardno ATC recommends working with NDEP to evaluate and determine if modifications to the sampling methodology are warranted to support consistent sample results to allow for comparison over time. The NDEP concurs.

Cardno ATC will incorporate a system of custody seals on the listed monitoring wells using zip ties. The zip ties will be placed in a fashion so that if the cap is removed, the zip tie system will come apart and show if any tampering occurred between monitoring events. The NDEP notes that custom zip ties can be ordered on-line.

MW-5, MW-6, MW-19, and MW-20 will be analyzed for chlorinated disinfection by-products during the First Quarter 2015 monitoring event. The NDEP concurs.

The NDEP will submit the draft Record of Decision (ROD) document to District Court this week. A draft has already been submitted to the plaintiff's attorneys and representatives for the Trust. Following receipt of comments on the draft ROD, the NDEP will address comments and prepare a final ROD for cleanup of groundwater at the Maryland Square PCE Site.

Please provide responses to NDEP comments in the next quarterly report. Also, please feel free to evaluate the monitoring well network and monitoring frequency, and provide recommendations for changes to the monitoring program, with rationale to back up your recommendations.

The First Quarter 2015 Groundwater Monitoring Report is due by **April 30, 2015**.

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

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Sincerely,



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