ENVIRONMENTAL

No. 72189E

ENVIRONMENTAL
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office **FEB 03 2005**

Returned to applicant for correction

Corrected application filed

Map filed **FEB 03 2005**

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The applicant **Mohammad Ahmad c/o McGinley and Associates, Inc** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **underground source**

2. The amount of water applied for is **0.03** second-feet

   (a) If stored in reservoir give number of acre-feet **N/A**

3. The water to be used for **remediation – ground water treatment**

4. If use is for:

   (a) Irrigation, state number of acres to be irrigated - **N/A**

   (b) Stockwater, state number and kinds of animals to be watered - **N/A**

   (c) Other use (describe fully under No. 12. "Remarks") **groundwater remediation**

   (d) Power:
      (1) Horsepower developed - **N/A**

      (2) Point of return of water to stream - **N/A**

5. The water is to be diverted from its source at the following point **see attached table**

6. Place of Use **NW¼ of NW¼ of Section 20 T15N R20E, M.D.M. in Carson City, Nevada Site address: Gas-N-Save; 1360 S. Carson Street, Carson City, Nevada**

7. Use will begin about **January 1** and end about **December 31** of each year.

8. Description of proposed works **In-Situ Dual-Phase Extraction (DPE) system to include: Five DPE wells, convergence piping, equipment and onsite water treatment system.**

9. Estimated cost of works **$100,000**

10. Estimated time required to construct works **Approximately 3 months**

11. Estimated time required to complete the application of water to beneficial use **Approximately 5 years**

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12. Remarks: **Groundwater will be extracted from five DPE wells. Extracted water will be treated onsite using granular activated carbon and discharged into the Sanitary Sewer. (Carson City has issued a discharge permit), remediation of aquifer mandated by NDEP, NDEP Facility ID#1-00076 (see attached letters)**

Ronald L. Briggs
By **s/ Ronald L. Briggs**
5401 Longley Lane Suite 5
Reno, NV 89511

Compared **gkl/ sc** lt/gkl

Protested _____

****

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This environmental permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

This environmental permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from the completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

This environmental permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this environmental permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(PERMIT TERMS CONTINUED)

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.03** cubic feet per second, **but not to exceed 21.72 acre-feet annually**

Work must be prosecuted with reasonable diligence and be completed on or before: *

Proof of completion of work shall be filed on or before: *

Water must be placed to beneficial use on or before:
Proof of the application of water to beneficial use shall be filed on or before: *

Map in support of proof of beneficial use shall be filed on or before: *

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* **The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.**

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **20th** day of **April**, A.D. **2005**.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

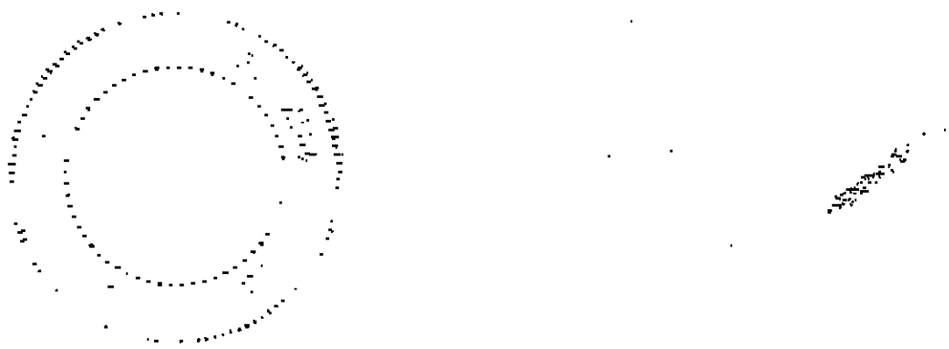

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Table 1
Diversion Points

Gas-N-Save
1360 Carson Street
Carson City, Nevada

Appropriations Permit No._____E

Well	Diversion Point
TB-1 DPE-1	NW ¼ of the NW ¼ of Section 20, Township 15 N, Range 20 E, M.D.M. or at a point from which the West ¼ corner of said section 20 bears S 27°14'09"W a distance of 1953.95 feet.
MW-2 DPE-2	NW ¼ of the NW ¼ of Section 20, Township 15 N, Range 20 E, M.D.M. or at a point from which the West ¼ corner of said section 20 bears S 27°58'16"W a distance of 1868.92 feet.
MW-3 DPE-3	NW ¼ of the NW ¼ of Section 20, Township 15 N, Range 20 E, M.D.M. or at a point from which the West ¼ corner of said section 20 bears S 28°48'25"W a distance of 1979.91 feet.
MW-4 DPE-4	NW ¼ of the NW ¼ of Section 20, Township 15 N, Range 20 E, M.D.M. or at a point from which the West ¼ corner of said section 20 bears S 27°47'59"W a distance of 1944.19 feet.
MW-5 DPE-5	NW ¼ of the NW ¼ of Section 20, Township 15 N, Range 20 E, M.D.M. or at a point from which the West ¼ corner of said section 20 bears S 29°52'35"W a distance of 1914.28 feet.

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Carson City Development Services

Environmental Control Authority
3505 Butti Way • (775) 887-2355
COMMERCIAL WASTEWATER DISCHARGE

PERMIT

NON-TRANSFERABLE

PERMIT NUMBER: 3021 RENEWAL DATE: 10/01/05

FIRM NAME: McGinley & Assoc./Gas & Save PHONE: 829-2245

ADDRESS: 1260 S. Carson St. HAZARD CLASS: 3

FIRM TYPE: Groundwater Remediation TRAP CLEANING FREQUENCY: N/A

CATEGORICAL: N/A SELF-MONITORING: N/A

SIU: N/A SIC: 1799

Requirements: Quarterly reporting of analytical data & discharge quantity.

Pretreatment:
Sediment Filter, Granular Activated Carbon and Air Stripper.

Type of Disposal:
Treatment system discharge to sewer.

In accordance with Carson City Municipal Code chapter 12.06
Firm Name: McGinley & Assoc./Gas & Save
is hereby authorized to discharge industrial wastewater from the above identified facility and through the outfalls identified herein into the Carson City sewer system in accordance with the conditions set forth in the permit. Permittee must comply with all applicable pretreatment regulations, standards, or requirements under local, State, and Federal laws.

Noncompliance with any term or condition of this permit shall constitute a violation of the Carson City Municipal Code, which can result in Civil and/or Criminal penalties of $1,000 per day per violation.

Call 887-2360 immediately in case of a slug discharge or any toxic/hazardous discharge that could interfere with the POTW and within 24 hours of becoming aware of a sampling violation. If no answer call 887-2007.

Darron Selby 9/30/04 Tracy Johnston 9/30/04
Environmental Control Date (Recipient) Date

PERMIT TO BE POSTED IN A CONSPICUOUS LOCATION

ALLEN BIAGGI, *Administrator*

(775) 687-4670

Administration
Facsimile 687-5856

Water Pollution Control
Facsimile 687-4684

ning Regulation and
clamation
cimile 684-5259

STATE OF NEVADA
KENNY C. GUINN
Governor

R. MICHAEL TURNIPSEED, *Director*

Waste Management
Corrective Actions
Federal Facilities

Air Pollution Control
Air Quality Planning
Water Quality Planning

Facsimile 687-6396

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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

July 29, 2003

Mohammad Ahmad
1360 S. Carson Street
Carson City, NV 89701

Re: Results of Phase II Site Assessment Activities & Corrective Action Plan (CAP) for Gas-N-Save, 1360 S. Carson Street, Carson City, NV. Facility I.D. No.: 1-000076

Dear Mr. Ahmad:

The Nevada Division of Environmental Protection (NDEP) has reviewed the above referenced report dated July 15, 2003, from McGinley & Associates. NDEP concurs with the CAP and the workplan to perform a hydrogen peroxide injection pilot test. These actions are being taken to address a gasoline plume (mainly MTBE - a gasoline additive) in the groundwater.

Please submit a CAP implementation schedule to NDEP by August 15, 2003. If you have any questions or comments, please do not hesitate to contact me at (775) 687-9386.

Sincerely,

Bob Stulac

Bob Stulac, M.S.
UST/LUST Branch
Bureau of Corrective Actions

BS:

cc: Jim Najima, NDEP
Quint Aninao, NDEP
✓ Tracy Johnson, McGinley & Associates, 5690 Riggins Court, Suite C, Reno, NV 89502
Ms. Linda Ritter, City Manager, City of Carson, 201 N. Carson Street, #2, Carson City, NV 89701
Mr. Ken Arnold, Deputy Health Director, City of Carson, 3770 Butti Way, Carson City, NV 89701
Mr. Daren Winkelman, Health Director, City of Carson, 3770 Butti Way, Building 1, Carson City, NV 89701
Walt Sullivan, Carson City Planning & Community Development, 2621 Northgate Lane, Suite 62, Carson City, NV 89706

RECEIVED
AUG 1 2003
BY:

Administrator - Acting
Jolaine Johnson & Leo Drozdoff
(775) 687-4670

Administration
Facsimile 687-5856

Water Quality Planning
Water Pollution Control
Facsimile 687-4684

Mining Regulations & Reclamation
Facsimile 684-5259

State of Nevada
KENNY C. GUINN
Governor

LLEN BIAGGI, Director -Acting

SEP 0 7 2004

Air Pollution Control
Air Quality Planning
Facsimile 687-6396

Waste Management
Federal Facilities

Corrective Actions
Facsimile 687-8335

NDEP.nv.gov

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

September 17, 2004

Mr. Mohammad Ahmad
1360 South Carson Street
Carson City, NV 89701

Re: Review of Second Quarter 2004 Monitoring Report / Results of Field Pilot Testing / Remediation Workplan; Gas-N-Save, 1360 South Carson Street, Carson City, NV; Facility ID #1-00076 / Petroleum Fund Case ID #2004000029

Dear Mr. Ahmad:

The Nevada Division of Environmental Protection (NDEP) has reviewed the above-referenced document prepared on your behalf by McGinley & Associates (McGinley). The document summarizes data obtained from the June 19, 2004 groundwater sampling event, presents results of the July 21 & 22, 2004 dual-phase extraction (DPE) field pilot test, and recommends interim remediation activities.

Analyses of groundwater samples recovered from onsite and offsite monitoring wells indicate that concentrations of benzene and MTBE continue to persist above state action levels. It is also apparent that the groundwater contamination plume continues to migrate offsite to the east. Results of the field pilot test indicate that DPE technology will be effective in remediating contaminated soil and groundwater. McGinley, therefore, recommends that weekly DPE events using a portable remediation unit be conducted as an interim measure until a full-scale treatment system can be designed and installed. McGinley indicates that interim DPE events will begin in September, 2004, and that the design for the final in-situ remediation system will be submitted to NDEP by the end of October, 2004. NDEP concurs with these recommendations.

If you have questions or require additional information, please contact me at (775) 687-9372.

Sincerely,

Hayden L. Bridwell
Environmental Scientist
LUST / Remediation Branch
Bureau of Corrective Actions

cc: Tracy Johnston, McGinley & Associates, 5690 Riggins Court, Suite C, Reno, NV 89502
Ray Masnyko, Mayor, 201 North Carson Street, #2, Carson City, NV 89701
Linda Ritter, Carson City Manager, 201 North Carson Street, #2, Carson City, NV 89701
Petroleum Fund File #2004000029

ALLEN BIAGGI, Administrator

(775) 687-4670

Administration
Facsimile 687-5856

Water Pollution Control
Facsimile 687-4684

Regulation and
Mitigation
Facsimile 684-5259

STATE OF NEVADA
KENNY C. GUINN
Governor

R. MICHAEL TURNIPSEED, Director

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Waste Management
Corrective Actions
Federal Facilities

Air Pollution Control
Air Quality Planning
Water Quality Planning

Facsimile 687-6396

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

January 17, 2003

Mohammad Ahmad
1360 S. Carson Street
Carson City, NV 89701

Re: Third Quarter 2002 Groundwater Monitoring Report for Gas-N-Save, 1360 S. Carson Street, Carson City, NV. Facility I.D. No.: 1000076

Dear Mr. Ahmad:

This case was recently re-assigned to the undersigned for case oversight. The Nevada Division of Environmental Protection (NDEP) has reviewed the above referenced report dated, October 21, 2002, from Broadbent & Associates, Inc. NDEP does not concur with the recommendations made in the report. The recommendations made in the report are inconsistent with the data. The recommendations state that downgradient wells (e.g., MW-5) will be observed for any migration, and if migration becomes evident, then appropriate corrective action may be considered. Migration has and is occurring now and has most likely gone offsite and no recommendations for any additional offsite wells or corrective action were proposed.

The data in the report shows a clear, increasing trend for MTBE and benzene in MW-5 from 492 ug/l (1999) to 2,580 ug/l (2002) for MTBE and from 2.1 ug/l (1999) to 149 ug/l (2002) for benzene. MW-4 which is located near the underground tanks (i.e., source area) has the highest concentration of MTBE at 5,020 ug/l. These MTBE concentrations are exceptionally high and exceed NDEP's interim action level of 200 ug/l; therefore, corrective action will be required pursuant to NAC 459.9977.

NDEP hereby requests the following:

1. Submit a workplan by February 7, 2003 that addresses fully characterizing the groundwater contamination. NDEP would anticipate at least one offsite monitoring well being proposed downgradient of MW-5.
2. A Corrective Action Plan (CAP) will need to be prepared and submitted after the groundwater plume is fully characterized.
3. By February 7, 2003, please submit copies of your tank leak detection records for the past three (3) months. Current line tightness test are already on file at NDEP.

Please submit the workplan and tank leak detection records to NDEP by February 7, 2003. If you have any questions, please contact me at (775) 687-9386.

Sincerely,

Bob Stulac, M.S.
UST/LUST Branch
Bureau of Corrective Actions

BS:

cc: Quint Aninno, Supervisor of UST/LUST Program, NDEP
Jennifer Carr, Supervisor of Remediation & Consultant Certification, NDEP
Scott Keesey, Broadbent & Associates, Inc., 2000 Kitman Ave, Reno, NV 89502

72189E

Please submit the workplan and tank leak detection records to NDEP by February 7, 2003. If you have any questions, please contact me at (775) 687-9386.

Sincerely,

Bob Stulac, M.S.
UST/LUST Branch
Bureau of Corrective Actions

BS:

cc: Quint Aninao, Supervisor of UST/LUST Program, NDEP
Jennifer Carr, Supervisor of Remediation & Consultant Certification, NDEP
Scott Keesey, Broadbent & Associates, Inc., 2000 Kirman Ave, Reno, NV 89502