

## NOTICE OF PROPOSED ACTION AND 30-DAY COMMENT PERIOD

by the

Arizona Department of Environmental Quality (ADEQ), on a request for a variance of the boron standard to discharge treated water containing naturally occurring boron to Waters of the United States. ADEQ is issuing this notice of proposed action under the Clean Water Act (CWA) and in accordance with Arizona Administrative Code (A.A.C.) R18-9-A907, and A.A.C. R18-16-301.

Pursuant to Section 121(e) of the Comprehensive Environmental Response, Compensation, And Liability Act (CERCLA) no Federal, State, or local permit shall be required for the portion of any removal or remedial action conducted entirely onsite, where such remedial action is selected and carried out in compliance with CERCLA. However, even without a permit, the substantive provision of the Arizona Pollution Discharge Elimination System (AZPDES) and the standards of the CWA must be achieved. The Director, in this action, proposes to issue a variance to the boron standard to discharge to the following applicant, subject to certain effluent limitations and special conditions:

Motorola 52<sup>nd</sup> Street Superfund Site – Operable Unit 2  
1110 West Washington Street  
Phoenix, Arizona 85007

The applicant requested permission to discharge up to 3.6 mg/L of boron from groundwater from a treatment system in Maricopa County, Arizona. Treated groundwater will be discharged into the Salt River Project Grand Canal at approximately East Roosevelt Street and North 34<sup>th</sup> Street in the Middle Gila River Watershed Basin. The point of discharge will be in T1N, R3E, and Section 11. The extracted groundwater is part of the operable Unit 2 (OU2) of the Motorola 52<sup>nd</sup> Street Superfund site, and naturally contains boron in levels ranging from 0.86 mg/L to 3.6 mg/L. There is currently a groundwater treatment system consisting of a series of eight (four sets of two), 20,000 pound activated carbon vessels removing Volatile Organic Compounds (VOCs) from the area. Pursuant to A.A.C. 18-11 Article 1, Appendix B, AZPDES effluent limitations are based on the designated uses of agricultural irrigation (Agl), agricultural livestock watering (AgL), and the drinking water standard (DWS). The discharge will be monitored for VOCs, petroleum hydrocarbons, cadmium, chromium (total), chromium VI, lead, and boron. This proposed action approves a variance for boron.

With 24-hour notice, the draft permit and related documentation is available for public review Monday through Friday from 8:30 a.m. to 4:30 p.m. at the ADEQ Phoenix office. To review the file, contact the Records Management Center, 24 hours in advance at (602) 771- 4380. A copy of the pertinent documents may also be obtained by calling or writing ADEQ as follows. Persons may submit comments or request a public hearing on the proposed action, in writing, to:

Justin Bern  
Arizona Department of Environmental Quality  
1110 W. Washington - 5415A-1  
Phoenix, AZ 85007  
Telephone: 602-771-4371

All written comments received by ADEQ by the close of business on the date 30 days after publication of this notice will be considered in the final decision. Requests for a hearing must be in writing and must state the issues proposed to be raised in a hearing. If there is a significant degree of public interest, the Director will hold a hearing in accordance with A.A.C. R18-9-908(B). Additional notice of such hearing would be published at least 30 days prior to the hearing date.

Please bring the foregoing notice to the attention of all persons you know would be interested in this matter.

Published this 1 day of October 2008  
Sherri Zendri, Project Manager  
OU# 09-035