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June 16, 2010

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File No. 3836-4

VIA ELECTRONIC & FIRST CLASS MAIL

Mr. Benjamin H. Grumbles
Director
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ 85007

Re: Roosevelt Irrigation District's proposed Early Response Action (ERA)
Request for Written Interim Decision

Dear Director Grumbles:

This Firm represents Penn Racquet Sports a member of the West Van Buren WQARF Registry Site stakeholder group.

By letter dated January 21, 2010, I sent a request to the Arizona Department of Environmental Quality (ADEQ) for ADEQ to require the Roosevelt Irrigation District (RID) complete a final Work Plan and that ADEQ conduct community involvement activities and a hearing as required under A.A.C. R18-16-405(H). ADEQ conducted a Public Hearing on the captioned matter on March 23, 2010, in which numerous negative comments on the ERA were expressed by a number of interested parties. To date, ADEQ has not completed a formal "Response to Comments" as required for any hearing under community involvement activity. I request that ADEQ complete this document prior to any decision on the ERA.

Mr. Benjamin H. Grumbles
Director
Arizona Department of Environmental Quality
June 16, 2010
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In addition, pursuant to A.R.S. § 49-116, we request that the ADEQ make a written interim decision that the Early Response Action proposed by Roosevelt Irrigation District does not meet the technical criteria set forth in A.A.C. RI8-16-405.

Sincerely,

GAMMAGE & BURNHAM P.L.C.

A handwritten signature in black ink, appearing to read "Jerry D. Worsham II", with a stylized flourish extending to the right.

Jerry D. Worsham II

JDW/clr

cc: Henry R. Darwin, Deputy Director (via electronic mail)
Amanda Stone, Waste Programs Division Director (via electronic mail)
Julie Riemenschneider, Manager, Remedial Projects Section (via electronic mail)
Jennifer Edwards Thies, Remedial Projects Unit Manager (via electronic mail)
Gefion Hauer, Esq. – Penn
Wayne Smith – Penn