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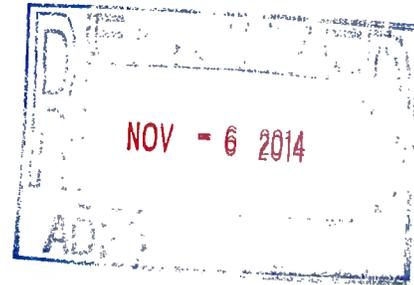


November 6, 2014



Our File No.: 23787-0001

Arizona Department of Environmental Quality
ATTN: Danielle Taber
ADEQ Project Manager
1110 W Washington Street
Phoenix, Arizona 85054



Re: Comments on the Roosevelt Irrigation District (RID's) **“Operation and Maintenance Plan – RID Wellhead Treatment Systems”**
(Synergy October 2013-Revision 3)

Dear Danielle:

On behalf of Meritor, Inc., I previously submitted comments on the captioned document. My comments suggested that the Arizona Department of Environmental Quality (ADEQ) should require significant revisions by RID prior to issuing the required certification under the Arizona Administration Code Regulations (AACR) at R18-16-411(E)(1) which states “Certification by the Department that the elements of the operation and maintenance plan adequately protect public health against treatment system failure.” In general my comments were submitted to assure that ADEQ can document the benefits (if any) of the four wellhead treatment systems and to assure the public health against treatment system failures.

By letter dated September 5, 2014, ADEQ provided comments to the RID requiring modification of the captioned Operation and Maintenance Plan. By letter dated October 20, 2014, the RID responded to the ADEQ and to the public comments in the record and submitted a revised document **“Operation and Maintenance Plan – RID Wellhead Treatment Systems”** (Synergy October 2014-Revision 4). The following **two issues** identified in Meritor, Inc.'s original comments still **remain unresolved** based upon the RID's recent response:

Issue:



Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Cayman Islands, Columbia, Cyprus, Denmark, England, Estonia, France, Germany, Greece, India, Ireland, Israel, Italy, Japan, Malaysia, Mauritius, Mexico, Netherlands, New Zealand, Peru, Portugal, Romania, Singapore, Spain, Sweden, Switzerland, Thailand, UAE, USA

Issue:

- 2.) In the O&M Plan, RID cites the MERA Proposal and MERA Work Plan. In the MERA, RID submitted a proposal for 8 wells **not just the four wells listed in the O&M document** (Phase 1 lists RID-89, RID-92, RID-95 and RID-114). What is the fate of the four other wells which were submitted to ADEQ under the MERA? RID listed in Phase 2 four additional wells (RID-100, RID-106, RID-112 and RID-113) and states, “Phase 2 well head treatment systems installation is anticipated to begin in late 2013 upon availability of project funds.” (See Modified Early Response Action p.29 (October 22, 2012)) **Comment: ADEQ has indicated in the past that the MERA would not be approved based upon the “availability of funds.” It would seem that RID has abandoned MERA Phase 2 and the four additional LGAC systems proposed and previously approved by ADEQ. ADEQ should document this fact in a modification of the ADEQ’s conditional approval of the MERA dated February 1, 2013.**

RID’s Response: RID is unaware of ADEQ statements that might suggest the MERA would not be approved based on the availability of funds. Any such statement would be inconsistent with the express terms of RID’s *Agreement to Conduct Work* with ADEQ dated October 8, 2009, and amended February 27, 2014. This agreement specifies that RID will conduct all work required by approved work plans and that these obligations are legally enforceable when adequate funds are available from potential responsible parties (PRP’s) cost recovery actions to third parties. Such a request is not only contrary to the facts, but is outside the scope of the O&M Plan.

RID has not “abandoned” the installation of additional treatment systems documented in the MERA Work Plan. Indeed, RID has taken substantial steps at considerable expense to initiate the MERA and installed four of the proposed weight wellhead treatment systems. RID also has conducted a Feasibility Study (FS) pursuant to its Agreement to Conduct Work with ADEQ to develop and analyze remedial alternatives to address regional groundwater contamination in the WVBA WQARF Site. RID is prepared to implement the more cost-effective recommend groundwater remedy from the RID FS Report as an alternative to the full implementation of the MERA Work Plan. Otherwise, RID is prepared to install and operate the remaining four treatment systems approved by ADEQ, in the Modified Work Plan. We anticipate that ADEQ, like RID will require that parties such as Meritor, who are PRP’s for the groundwater contamination being addressed by RID response actions, will pay the full cost of addressing the pollution for which they are liable.

Issue:

- 3.) To date, RID has not submitted the required Schedule of Implementation for the MERA as required under AACR 18-16-405 (D) (3). **Comment: ADEQ should require RID to comply with ADEQ regulation.**

RID's Response: RID identified a schedule for implementation of the MERA Work Plan in terms of approximate task frequency for recurring tasks and estimated task duration for non-recurring tasks. RID clearly stated there was uncertainty associated with the time required to secure project funding that would allow the schedule to proceed. This remains true today, and there is currently no reasonable basis to define a specific timeline for project execution. Once project funding is available from PRP cost recovery actions or third parties and ADEQ has made a determination on RID's FS Report, RID will, if necessary, submit a detailed project schedule which will become a legally enforceable component of the MERA Work Plan, in accordance with RID's Agreement to Conduct Work with ADEQ. Regardless, this request is outside the scope of the O&M Plan.

Comment/Conclusion

The RID's revised Operation and Maintenance Plan (Synergy, October 2014-Revision 4) must address all the wells in the MERA. If RID has no plans or a "Schedule of Implementation" required under AACR 18-16-405(D)(3) then the presumption is that those four Phase 2 MERA wells are not getting the wellhead treatment systems. The RID has already disclosed to the ADEQ that the Phase 2 MERA wells are no longer part of the MERA and states as follows:

- **RID-100, RID-106, RID-109 and RID-112: Wellhead treatment at these four (4) impacted water supply wells was authorized by ADEQ in the Modified ERA Work Plan. The wellhead treatment systems were to be installed in Phase 2 of the Modified ERA Work Plan, but now have been incorporated into the FS. (Draft Feasibility Study Report - West Van Buren WQARF Site, p. 131 (Synergy Environmental, LLC (July 2014)) (See Exhibit "1")**

Therefore, ADEQ should require RID to comply with the ADEQ regulation under AACR 18-16-405(D)(3) or determine that RID has abandoned MERA Phase 2 and the four additional LGAC systems proposed and previously approved by ADEQ. ADEQ should document this fact in a modification of the ADEQ's "conditional approval" of the MERA dated February 1, 2013. ADEQ should not issue the required certification at this time until this issue is resolved.

Danielle Taber
November 6, 2014

Please call me at (602) 744-5763 with any questions.

Sincerely,

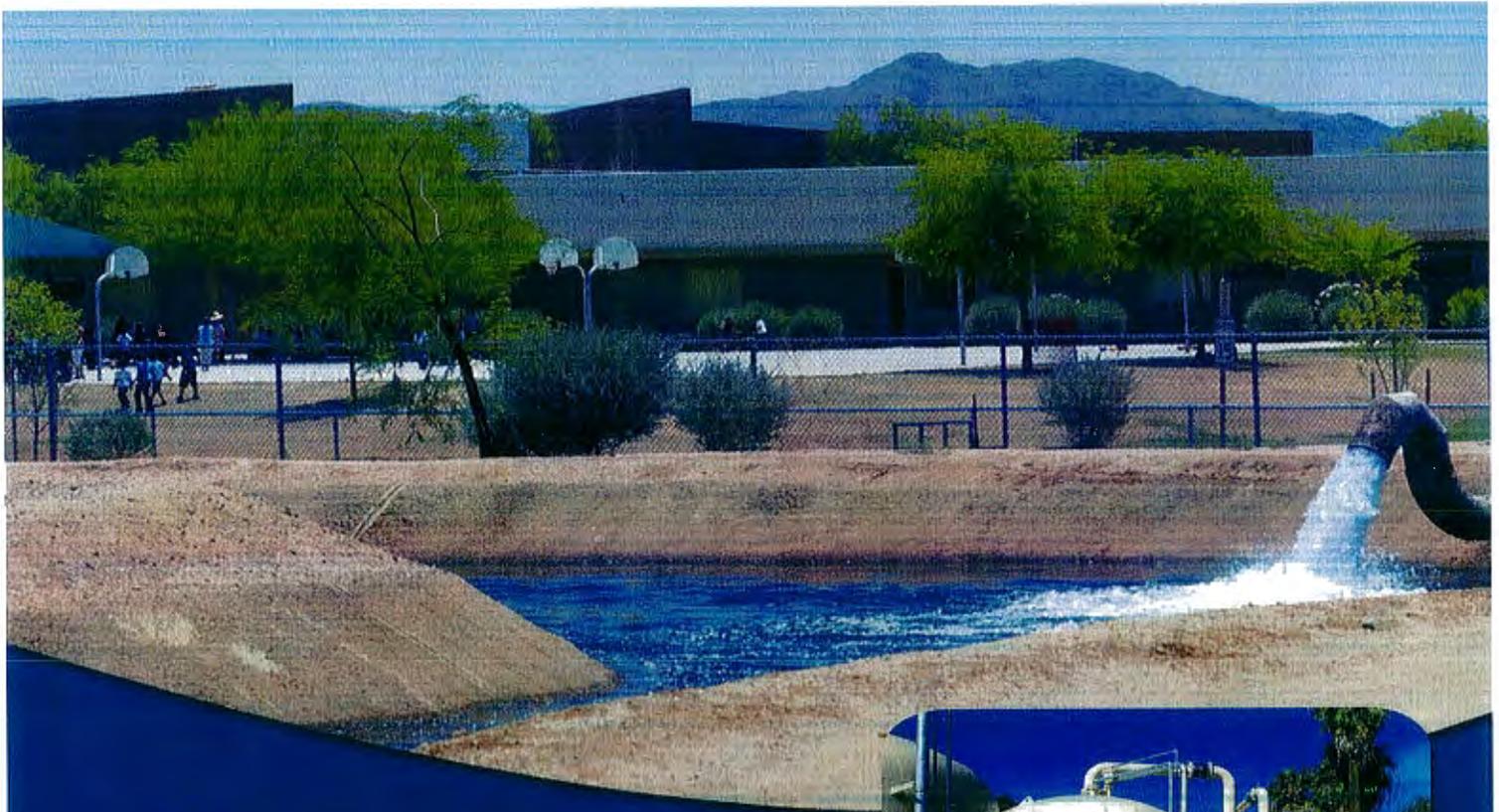


Jerry D. Worsham II
For the Firm

JDW/pjb

cc: Henry Darwin, ADEQ Director
Laura Malone, ADEQ Waste Program Director
Anthony Young, Esq., Assistant Attorney General
Linda Furlough, Esq., Meritor, Inc.

EXHIBIT “1”



DRAFT FEASIBILITY STUDY REPORT

July 2014
West Van Buren Area WQARF Site
Phoenix, Arizona



Prepared for: Arizona Department of Environmental Quality
On behalf of: Roosevelt Irrigation District

Prepared by:



SYNERGY
ENVIRONMENTAL, LLC



MONTGOMERY
& ASSOCIATES

- RID-100, RID-106, RID-109 and RID-112: Wellhead treatment at these four (4) impacted water supply wells¹⁶⁵ was authorized by ADEQ in the Modified ERA Work Plan. The wellhead treatment systems were to be installed in Phase 2 of the Modified ERA Work Plan, but now have been incorporated into the FS.
- RID-84: This water supply well currently exceeds the AWQS/MCL for PCE and also contains TCE and 1,1-DCE. The well discharges directly to the Main Canal, precluding the possibility of blending with an uncontaminated well prior to discharge.

Installation and operation of LGAC wellhead treatment systems result in an increase in pressure head and a corresponding loss of pumping capacity at these wells. This is reflected both in the decrease of overall water production and an increase in the electrical costs. Both of these impacts will be addressed in the Reference Remedy through well replacement (replacing water losses) and as a line item in the projected O&M annual cost estimates.

Table 5 presents information on the water supply wells to be treated with wellhead treatment systems under the Reference Remedy, including the targeted well production capacity, the number of LGAC skids required and the anticipated well production losses for each well.

Treatment through blending will be utilized for three (3) existing impacted water supply wells on the Salt Canal (RID-107, RID-110 and RID-113). These water supply wells will be blended with remediated water from the four (4) wells along the Salt Canal with treatment systems to ensure that the water quality of the combined flows will be remediated to concentrations less than AWQSs/MCLs. Similarly, well RID-99 will be blended with remediated water from the treatment system at RID-100 to achieve and maintain AWQSs/MCLs. These “to be blended” wells currently exceed AWQSs/MCLs for one or more target COC, but will be combined with remediated water or with uncontaminated/lower contaminated wells “in pipe”, remediating the combined contaminant concentrations to below AWQSs/MCLs.

Well Replacement

Well replacement will be included in the Reference Remedy in order to enhance groundwater extraction and contaminant removal at RID-92 and RID-106.

- RID-92 is the highest contaminated RID water supply well, and has historically operated at about 1,500 to 2,000 gpm. The current well site is only large enough for a single skid

¹⁶⁵ The Modified ERA Work Plan anticipated wellhead treatment would be added to RID-100, RID-106, RID-112, and RID-113. In implementing Task 3 of this Work Plan, *Data Collection and Analysis*, it became evident that RID-109 was a better candidate well for treatment than RID-113 due to the occurrence of higher and more persistent COC concentrations at RID-109.