

LINDON PARK NEIGHBORHOOD ASSOCIATION

January 4, 2010

Jennifer Edward Thies
Project Manager, Remedial Projects Unit
Waste Program Division
Arizona Department of Environmental Quality
1110 W. Washington St., MC4415B-1
Phoenix, AZ 85007

RE: Public Notice Arizona Department of Environmental Quality
Notice of Solicitation of Remedial Objectives for the West Van Buren Area
Water Quality Assurance Revolving Fund Site

Dear Ms. Thies:

I am submitting this letter on behalf of the Lindon Park Neighborhood Association (LPNA) to propose remedial objectives for the West Van Buren Area (WVBA) Water Quality Assurance Revolving Fund (WQARF) Site in response to the solicitation for remedial objectives issued by the Arizona Department of Environmental Quality (ADEQ) on November 30, 2009.

A Remedial Objective (RO) is a goal to be achieved by a selected remedy, which includes the following elements: protecting against the loss or impairment of identified uses of land and waters of the state; restoring, replacing, or otherwise providing for identified uses of land and waters of the state; time-frames when action is needed to protect against or provide for the impairment or loss of the use; and the projected duration of the action needed to protect or provide for the use.

In response to the solicitation from ADEQ, LPNA proposes the following ROs for the West Van Buren Area site:

- 1) That all ROs for this site meet the above elements by being integrated with the existing and future Motorola 52nd Street (M52) Superfund Site remedies to include, but not be limited to, the list of hazardous substances that are contaminants of concern (COCs) that are/will be treated at the M52 site, and the M52 treatment/clean-up standards to be met;
- 2) That any RO protect human health and the environment through the reduction/elimination of exposure to the COCs;
- 3) That community engagement and public involvement be prioritized and maximized throughout the identification, investigation, proposal and clean-up processes;
- 4) That any remedy chosen be coordinated with and integrated with the M52 Superfund Site, as it appears that continuation of M52 contamination beyond the current OU3 border is/has been a contributing factor at the WVBA site as documented in the Draft Remedial Investigation Report;
- 5) That any remedy chosen take into account operation of the M52 Operable Unit 2 (OU2) treatment facility and any future treatment remedy in the M52 Operable Unit 3 (OU3) area; and
- 6) That community engagement and public involvement activities include discussion of the impact of the M52 Superfund Site contamination and remedies as well as the West Central Phoenix Plume to fully understand the sources of contamination, source control activities, the remedies being employed, the time-frames involved and the projected duration of the actions.

In addition to these ROs, LPNA respectfully requests an extension to the 30-day Public Comment Period for the above referenced Solicitation of Remedial Objectives (ROs) for the West Van Buren Area WQARF Site. At the December 10, 2009 WVBA WQARF Community Advisory Board (CAB) meeting a verbal request for an extension to the comment period was made by the co-chair of the CAB, and declined by ADEQ.

LPNA requests that an extension be granted due to the following:

- 1) The end of the public notice period does not appear on the ADEQ online calendar – an irregularity that did not seem to occur in other public notices on the calendar
- 2) Minutes from the December 10, 2009 WVBA WQARF CAB meeting have not been posted on the ADEQ website as of this afternoon
- 3) The difficulties associated with the effective shortening of the 30-day public comment period due to the holiday season, and
- 4) The inaccuracy in the description of the ADEQ RI/RO process in the published Public Notice

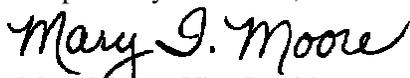
The Public Notice describes the process as, “After the 30-day public comment period for the proposed ROs has expired, ADEQ will prepare and provide notice of the availability of the Final Remedial Investigation (RI) Report. The Final RI Report will contain data gathered during the RI, the Final RO Report, and any responsiveness summaries compiled to address comments, issues or concerns raised in the community involvement process.” A community member reading the Public Notice would reasonably conclude that no additional public input would be accepted on the ROs being solicited.

However in response to a question about that conclusion, Julie Riemenschneider, ADEQ Manager Remedial Projects Unit, in an e-mail dated 12-2-09 states that, “ADEQ will gather the ROs from oral and written comments; make a decision on which ROs would be best for the West Van Buren WQARF site and (in this case) hold a second public CAB meeting. Subsequent meetings are warranted on sites where significant public interest exists.” During the December 10, 2009 WVBA WQARF CAB meeting, Ms. Riemenschneider reiterated the point that a public meeting would be held on the proposed ROs. Unfortunately anyone who was not in attendance at the CAB meeting would not be aware of this fact.

LPNA asks that this omission of important and relevant information be corrected in a new Public Notice for the Extension of the Public Comment Period. All members of the public should be in possession of accurate and complete information from the published notice. Members of the public should not be required to do independent research to verify and supplement information provided by ADEQ. If, as in this case, a Public Notice does not contain an accurate description of the process, ADEQ should extend the public comment period, correct the Public Notice, and republish it.

Thank you for your consideration of our comments. Please do not hesitate to contact LPNA if you have any questions regarding this matter.

Respectfully Submitted,



Mary Moore, Vice President
Lindon Park Neighborhood Association
4839 East Brill Street
Phoenix, AZ 85008

cc: Linda Mariner, ADEQ Community Involvement Coordinator
Janet Rosati, EPA Project Manager, Motorola 52nd Street Superfund Site OU3
Andria Benner, EPA Project Manager, Motorola 52nd Street Superfund Site OU2
Leah Butler, EPA Project Manager, Motorola 52nd Street Superfund Site OU1
Leana Rosati, EPA Community Involvement Coordinator