



# COMMENT FORM

To comment on the proposed  
Roosevelt Irrigation District's ERA Work Plan for the  
West Van Buren Water Quality Assurance Revolving Fund (WQARF) Site

Please provide the following:

Name: Glenn Hamer  
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Please summarize your major comments or concerns below (use additional sheet if needed):

We ask the Department to disapprove of ARI's  
Plan & consider other a Hornative, effective solution,  
created with the input of affected stakeholders  
which will result in a regime solution to  
The West Van Buren WQARF site.

You may also submit this and any attachments to:  
Jennifer Thies, Remedial Projects Unit,  
Arizona Department of Environmental Quality  
1110 W. Washington St., Mail Code 4415-B  
Phoenix, AZ 85007

Deadline: Comments must be submitted to ADEQ by 5:00 p.m., Wednesday, April 7, 2010.

(Please Sign)

date



STATEMENT OF GLENN HAMER  
PRESIDENT, ARIZONA CHAMBER OF COMMERCE AND INDUSTRY  
IN OPPOSITION TO ROOSEVELT IRRIGATION DISTRICT'S PROPOSED  
EARLY RESPONSE PLAN  
ADEQ WEST VAN BUREN WQARF PUBLIC MEETING  
MARCH 23, 2010 6:00 P.M.

Good evening, my name is Glenn Hamer and I am the President of the Arizona Chamber of Commerce and Industry. The Chamber is pleased to have the opportunity to provide comments tonight on the Roosevelt Irrigation District's Proposed Early Response Action (ERA) which purports to address contamination in the West Van Buren WQARF Study area in a necessary and cost-effective manner.

As background, the Arizona Chamber has been the leading statewide advocate for business since 1974. The Chamber's diverse membership employs at least 250,000 Arizonans in all business sectors from manufacturing to service industries and includes small, medium and large employers. The Arizona Chamber is now through its Arizona Manufacturers Council the state affiliate of the National Association of Manufacturers. For decades, the Chamber has worked tirelessly with State government to improve Arizona's economy and environment. Indeed, a primary mission of the Chamber is to represent the interests of commerce and industry



in a manner which enhances Arizona's economy. In these trying economic times, it is critical that all sectors of government promote plans and policies that maintain, if not improve, Arizona's economy by retaining existing businesses and workforces, while promoting business creation and job growth.

The Chamber is present this evening because a number of the Chamber's members own businesses in the West Van Buren WQARF area and employ scores of area residents. Our members will be negatively impacted if ADEQ approves RID's proposed Early Response Action. In short, the Chamber is here to register its strong opposition to RID's proposed ERA.

In late December 2009, RID requested that ADEQ approve its ERA regarding the groundwater cleanup of the West Van Buren WQARF Site. Since that time, RID filed a lawsuit against at least 85 companies, including Chamber members. The Complaint alleges that these companies should be jointly and severally liable for the funding of RID's proposed ERA. Concurrently with the filing of the lawsuit, RID presented a revised ERA to the Department seeking expedited approval of the ERA because such approval by the Department would be advantageous to RID in its lawsuit against Chamber members.

The Chamber is opposed to RID's proposed ERA because it is unreasonably broad, technically flawed, extremely costly, and would have significant and unnecessary consequences on Chamber members. Specifically, RID proposes the construction of a costly groundwater treatment system which would treat both clean and contaminated groundwater, treat such water to drinking water standards and transport that water out of the West Van Buren area to West Valley cities for consumption. Further, the unreasonably broad and costly ERA is neither required by law nor needed to protect public health, especially given the fact that there is no contact or ingestion risks. Indeed, the ERA proposed by RID goes beyond any rational remedial

goals and is a thinly-veiled attempt by RID to compel others to pay for a new water infrastructure project and facilitate a scheme by RID to transition its current irrigation business into a potable water business.

Approval of RID's plan by ADEQ will also be used by RID advantageously in its litigation against Chamber members and certainly has the potential to hamper the ability of some of these businesses to survive in these difficult times. In fact, an approval of the RID ERA by ADEQ would be the equivalent to the State's approval of the RID litigation. This could force the stakeholders who are defendants in the suit to direct their available dollars to lawyers rather than to remedial activities. This is bad public policy. The State should support its own policy under WQARF to encourage transparent collaboration rather than litigation.

Make no mistake – the Chamber is extremely supportive of a plan to remediate contaminated groundwater in West Van Buren WQARF area. However, the Chamber believes that a more effective, remedial plan is necessary. The Chamber believes that a more realistic plan would fully comply with WQARF rules, be appropriately scaled, targeted as a cleanup remedy and would be fully protective of human health and the environment. The Chamber understands that the ADEQ WQARF program traditionally works with all affected stakeholders to develop necessary and cost effective remedies at sites. We encourage the Department to do so here.

We therefore ask the Department to disapprove of RID's plan and consider other alternative, effective remedies, created with the input of affected stakeholders, which will result in a regional solution to the West Van Buren WQARF site.