

April 21, 2010

Ms. Jennifer Thies  
Remedial Projects Unit  
Arizona Department of Environmental Quality  
1110 West Washington Street, 4415B-1  
Phoenix, AZ 85007

Dear Ms. Thies:

Please accept this letter as additional public comment on the issue of the Roosevelt Irrigation District Early Response Action application.

On March 23, 2010, I read aloud into the public comments, the following italicized text.

*Milum Textile Services is primarily a commercial laundry started in 1893 by its predecessor in downtown Phoenix. Between 1961 and 1978, the company processed dry cleaning of garments using low volumes of perchlorethylene cleaning solvent. The perchlorethylene was used to the point of requiring distillation repeatedly until the material finally evaporated or was stuck in carbon filters which were then discarded as solid waste. The perchlorethylene was received and stored in 55 gallon drums and transferred as needed into one of two dry cleaning machines with above ground integral tanks. There is not recollection nor record indicating a spill during those seventeen years.*

*In 1990, the ADEQ investigated the Milum Textile Services' facility at 333 North Seventh Avenue to determine if the past perchlorethylene dry cleaning solvent processing had contributed to PCE contamination in the water table. Most likely points to detect PCE contamination if present were determined and vapor extract samples taken. One sample was taken on the east property line on Sixth Avenue upgradient of the dry cleaning processing area yielding a 5 parts per billion PCE reading. Two samples were taken downgradient near the west property line on Seventh Avenue one yielding 4 parts per billion and one yielding 1 part per billion, basically background readings. The supervisor of the contracted vapor extract test crew told me that the property was essentially at "background" levels. All samplings were in the range expected due to the area's contaminated water table. The contamination molecules made their way from the underground water table up through the soil and into the atmosphere.*

*In comparison, the American Linen Supply site which also had processed perchlorethylene solvent dry cleaning had "screaming hot" PCE numbers at the downstream property sampling point.*

*For the ADEQ our property remained a "property of interest" due to the history of perchlorethylene use and because there had been readings at a site about a half a mile or so downgradient that were appreciably higher than readings approximately a similar distance upgradient. Because the property was and is "of interest" to the ADEQ, it was listed as a "Potentially Responsible Party" in the RID lawsuit.*

*Should the ADEQ approve the narrow interest RID Early Response Application, we anticipate years of litigation which would be potentially devastating to Milum Textile Services and largely wasteful of RID, State, and Milum resources. Denial of the RID ERA and instead approval of a well thought out process led by the ADEQ would give us and all other affected parties the opportunity to contribute directly to characterizing risks, identifying actual sources, and planning for full remediation through the WQARF process which is exactly why WQARF law exists to address fairly and efficiently serious environmental problems.*

*The RID's ERA is an attempt to have nearly 100 businesses like ours pay RID's cost to change from a provider of irrigation water in the Roosevelt Irrigation District to a seller of drinking water to west side communities. If the RID's ERA is approved, we and each of the nearly 100 businesses involved will be forced to learn the details of state and federal environmental law, develop a comprehensive understanding of relevant hydrology and geology science, and spend substantial sums on legal and technical expertise to survive a seriously flawed process. If RID's ERA is approved, it will provide the basis for the lawsuit that RID has filed which seeks joint and several liability upon each of our companies. Therefore, approval of the RID ERA poses a potentially fatal threat to our 117 year old business, each of our ninety employees, and our \$2,000,000.00 plus annual payroll.*

*Thank you.*

During the April 15 CAB meeting which was adjourned early due to a lack of quorum, Mr. John Saccoman, a CAB member, stated before the adjournment that the CAB had received sufficient information from the March 23 meeting to no longer need additional information on the issues. He went on to say that despite having enough information, the CAB had difficulty in determining which information given to the CAB was accurate and which was not. Mr. Saccoman stated that everyone who gave input during the March 23 meeting had a direct financial stake in the matter and clearly inferred that the information was therefore suspect as possibly distorted. Mr. Saccoman stated that the reason for the April 15 meeting was so that the CAB could have a quiet meeting among themselves to discuss this concern for discerning what was factual and what was not.

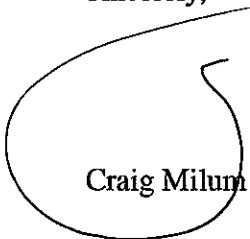
I hope that the ADEQ staff is an available resource to the CAB and can be relied upon by the CAB members for assisting in exactly that process, distinguishing fact from non-facts. My personal experiences with the ADEQ lead me to believe that most or all of the staff is well intentioned and tries to be objective and accurate, generally even when it may not be politically popular with people outside the Department who may try to exercise substantial influence over the careers of those same people.

Much of what was said at the March 23 meeting were statements of fact that could easily be verified by ADEQ staff to the CAB members. Mr. David Kimball near the end of the public comments period stated that a lot of what was said during the public comments in opposition to the RID ERA was inaccurate and that many of those statements were inconsistent with the ADEQ records. I hope that the CAB members will follow up on Mr. Kimball's tip and ask the ADEQ staff to identify these

inconsistencies. I am sure my statements were accurate and I heard no statements from the RID ERA opposition that were inconsistent with what I believe the facts are.

Further, despite Mr. Kimball's assertions, it appears that the question is not so much distinguishing the facts from the non-facts, but, rather determining whether an Early Response Action proposed by a single affected party is the appropriate vehicle under WQARF law to plan and execute an approximate \$150,000,000.00 resolution of this site. It cannot be overemphasized that there is no evidence that this site will significantly or imminently affect the public health if the RID ERA is not granted, but the granting of the RID ERA would have a serious negative impact on Milum Textile Services, approximately one hundred other employers, and the thousands of employees employed by these companies in precarious economic times. In response to Mr. Saccoman's legitimate concerns for being manipulated by either side into making the wrong recommendation, it should be noted that no one has as large of stake in the outcome of the ERA application as Roosevelt Irrigation District which, if successful, would garner \$150,000,000.00 of capital expenditures in assets that would be the exclusive property of the Roosevelt Irrigation District.

Sincerely,

A handwritten signature in black ink, appearing to be "Craig Milum", enclosed within a hand-drawn oval shape. The signature is written in a cursive style.

Craig Milum