

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION DEPARTMENT OF ENVIRONMENTAL QUALITY

[M09-340]

2009 Water Quality Assurance Revolving Fund Registry

Pursuant to Arizona Revised Statute (A.R.S.) § 49-287.01(E), the Arizona Department of Environmental Quality (ADEQ) is providing this annual report of the location, remedial status, and score of the sites on the Water Quality Assurance Revolving Fund (WQARF) Registry as of December 31, 2008. The Registry includes those sites within the state that may pose risk to public health, welfare or the environment from the release of hazardous substances and for which there is current or planned investigation and cleanup. There are 35 sites on the WQARF Registry:

22 in Maricopa County,
7 in Pima County,
3 in Gila County,
1 in Graham County,
1 in La Paz County, and
1 in Yuma County

Sites on the Registry are scored based in part upon the type of contamination present, the location of the contamination, and the number of people that may be affected. The maximum score a site may receive is 120. Scores are used to help determine relative risk from the site and do not necessarily mean that there is direct exposure of contaminants to humans or the environment. Whether the site is currently being remediated or is being investigated, ADEQ takes steps to identify the contamination and to prevent exposure. The Registry and additional information regarding these sites is available on ADEQ's Web site at <http://www.azdeq.gov/environ/waste/sps/index.html>. With 24-hour notice, an appointment to review the Registry and additional information is available Monday through Friday from 8:30 a.m. to 4:30 p.m., at ADEQ, Records Management Center, 1110 W. Washington St., Phoenix, AZ. Please contact (602) 771-4380 or the toll-free number (800) 234-5677 in Arizona to schedule an appointment. Note: As an aside, there are 17 active National Priority List (NPL) sites, three delisted NPL sites, and one Superfund alternative site in Arizona, which are all federal Superfund cleanup sites. There are also seven Department of Defense (DoD) cleanup sites in Arizona with an additional 206 formerly used defense sites being investigated. Information on these sites is available at the following Web site link: <http://www.azdeq.gov/environ/waste/sps/siteinfo.html>.

7th Avenue and Bethany Home Road – This site was placed on the WQARF Registry on August 25, 2004 and has a score of 29. The site is located in Phoenix and is bounded to the north by W. Rose Lane, to the south by W. Bethany Home Road, to the east by N. 5th Avenue and to the west by N. 8th Avenue. It includes the 2.6-acre former shopping center that housed a dry cleaning facility. ADEQ initiated an Early Response Action (ERA) Evaluation on the site in October 2004 to collect data necessary to characterize the source area of tetrachloroethene (PCE) contamination. The ERA evaluation consisted of drilling 10 soil borings and the installation of five soil vapor extraction wells and two groundwater monitor wells at the site. Additional off-site groundwater monitor wells were installed in 2005. Based on the results of the ERA Evaluation, soil vapor extraction (SVE) was chosen for remediation of PCE contaminated soil beneath the site. The SVE system began operations in June 2005 and the SVE system was shut down in January 2006 after recovering approximately 380 pounds of volatile organic compounds (VOCs). Confirmation soil samples indicated that the source area soils had been successfully remediated to levels that are below ADEQ soil remediation levels and groundwater protection levels. ADEQ initiated an investigation of an additional dry cleaner in the area of the site. A dry cleaner operated at 6022 N. 7th Avenue from the 1960s to approximately 1990. Field investigations in the early 1990s indicated a release of PCE but the impact to the groundwater was not evaluated at that time. During March 2008, two monitor wells were installed on and near the property, and four additional borings were drilled and sampled adjacent to the building that housed the dry cleaner. Results of the investigation indicate PCE has been released to the soil and groundwater beneath the site but concentrations remaining in the soil at the property did not warrant further remediation. Concentrations of PCE in the groundwater range from 8.0 to 24 parts per billion. Trichloroethene (TCE) and vinyl chloride are also present above their respective Aquifer Water Quality Standards. In December 2008, ADEQ granted Bayless Investment and Trading Company a No Further Action (NFA) Determination for soil at the site located at 540 W. Bethany Home Road, Phoenix, AZ. The soil NFA is for VOCs in soil and does not address any other area of land, groundwater or any other contaminants. There are no drinking water production wells within the confines of the site, but ADEQ is closely monitoring the movement of the groundwater plume. Two Salt River Project irrigation wells near the site have been tested, and con-

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centrations of PCE were detected, but concentrations are below the drinking water regulatory standard. ADEQ will be establishing a community advisory board. ADEQ will complete the Draft Remedial Investigation Report in house. Contaminants of concern at the site include PCE and TCE.

7th Street and Arizona Avenue – This site was placed on the WQARF Registry in April 2000 and has a score of 40. The site is located in downtown Tucson, approximately 1/3 mile north of Broadway Boulevard and approximately 3/4 mile east of Interstate 10. The site boundary is a northwest-trending area extending approximately 1,200 feet from the former Oliver's Cleaners facility at 300 E. 7th Street to approximately 150 feet north of 6th Street and approximately 100 feet east of 7th Avenue. ADEQ operates the soil vapor extraction (SVE) system as an early response action for the site. Over 700 pounds of volatile organic compounds were removed by the SVE system. No drinking water wells have been impacted by the contamination from the site. The remedial investigation has not been initiated. Contaminants of concern at the site include tetrachloroethene (PCE), trichloroethene (TCE), and cis-1,2-dichloroethene (cis-1,2-DCE).

16th Street and Camelback Road – This site was placed on the WQARF Registry in April 1999 and has a score of 23. The site is located in Phoenix and is bounded approximately by Medlock Drive to the north, Highland Avenue to the south, 17th Street to the east, and 15th Street to the west. Based on the results of an Early Response Action Evaluation conducted in 2003, ADEQ determined that soil vapor extraction was not a feasible remedy for the site. ADEQ is currently evaluating other potential remedies for the site and groundwater monitoring activities are ongoing. The remedial investigation has not been initiated. Contaminants of concern at the site include tetrachloroethene (PCE), 1,2-dichloropropane and 1,2-dichloroethane (1,2-DCA).

20th Street and Factor Avenue – This site was placed on the WQARF Registry in March 2000, and has a score of 31. The site is located in Yuma, approximately 1/2 mile south of 16th Street and approximately 3/4 mile east of 4th Avenue. In 2002, ADEQ conducted a soil removal action and cleaned out sumps and septic tanks at an active facility as part of an early response action (ERA). As part of the ERA, ADEQ excavated and disposed of the upper foot of cyanide-contaminated surface soils. Approximately 1,700 tons of contaminated soils were removed. In 2003, soil vapor samples were collected at the site to help evaluate the vertical extent of tetrachloroethene (PCE) contamination. In 2007, installation of additional deep groundwater monitor wells indicated that groundwater was present in three distinct zones: shallow at 50 to 90 feet below ground surface (bgs); middle (105 to 170 feet bgs) and deep (starting at 170 feet bgs). Each zone is divided by separate clay units. Groundwater samples from each zone indicated that the majority of the contaminant plume was located within the middle zone. In 2008, ADEQ conducted a soil gas survey north and west of the Houston property to locate potential sources areas. Six permanent soil vapor monitoring probes were installed as part of the soil gas survey. Groundwater monitoring activities are ongoing and no drinking water wells have been impacted by the contamination from the site. The remedial investigation has been initiated. Contaminants of concern at the site include PCE, trichloroethene (TCE) and cyanide.

56th Street and Earll Drive – This site was placed on the WQARF Registry on June 2, 2004 and has a score of 40. The site is located in Phoenix near 56th Street and Earll Drive. The plume is bounded by Earll Drive to the north, Loop 202 (Red Mountain Freeway) to the south, 56th Street to the east and 32nd Street to the west. The site was originally investigated as part of the Motorola 52nd Street National Priorities List (NPL) Site. However, groundwater data from both sites indicate that the two trichloroethene (TCE) groundwater contaminant plumes are separate and distinct plumes. ADEQ is working cooperatively with a party potentially responsible for the contamination to further evaluate the site and develop a cleanup strategy. An early response action (ERA) evaluation has been completed, and the working party is currently designing an ERA groundwater pump and treat system that will include installation of two monitor wells and two extraction wells. ADEQ is in the process of negotiating a Consent Order with the working party. A community advisory board has been established for this site. Contaminants of concern at the site include TCE.

Broadway and Pantano – This site was placed on the WQARF Registry in December 1998 and has a score of 57. The site is located in the east-central part of Tucson and is bounded approximately by Speedway Boulevard to the north, Pantano Wash to the east, Broadway Boulevard to the south, and Sahuara Avenue to the west. The approximate groundwater flow direction is to the west. Four Tucson Water production wells have been removed from service as a result of groundwater contaminated with volatile organic compounds (VOCs). A groundwater containment system has been installed to prevent further westward migration of contaminated groundwater and impacts to additional wells. The groundwater system has removed 46.8 pounds of tetrachloroethene (PCE). Confirmed sources of the groundwater contamination are the former Broadway North and South Landfills. A soil vapor extraction system was installed at the Broadway North Landfill in 2000 to remove and treat contaminated VOC landfill gases contributing to the groundwater contamination. This system was operated until 2002 and removed over 5,000 pounds of VOCs. The groundwater Remedial Investigation (RI) Report is nearing completion. The landfill RI is still in progress and a community advisory board has been established for this site. Contaminants of concern at the site include PCE, trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), methylene chloride and vinyl chloride.

Central Avenue and Camelback Road – This site was placed on the WQARF Registry in June 2000 and has a score of 32. The boundaries of the site are approximately Missouri Avenue to the north, 1st Street to the east, Pierson Street to the south and 3rd Avenue to the west. In January 2003, ADEQ completed construction of a groundwater treatment system to remediate and control the migration of contaminated groundwater at the site as an early response action (ERA). The groundwater pump

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and treat system has been in operation since January 2003 and treats approximately 100 gallons per minute of groundwater. Cumulative tetrachloroethene (PCE) recovery is 271 pounds since the system began in January 2003. In June 2004, ADEQ initiated an ERA evaluation of a former dry cleaner facility. Based on the results of the ERA evaluation, soil vapor extraction (SVE) was proposed for remediation of PCE contaminated soil beneath the site. The SVE system was installed in November 2007 and is currently in operation. Cumulative PCE/ trichloroethene (TCE) recoveries as of December 2008 are 1,834 pounds. The remedial investigation was initiated in 2007, and a community advisory board has been established for this site. Contaminants of concern at the site include PCE, TCE, cis-1,2-dichloroethene (DCE) and vinyl chloride. Other contaminants present due to past releases from gasoline underground storage tanks in the area include benzene, toluene, ethylbenzene, total xylenes, methyl tertiary butyl ether, and 1,2-dichloroethane (DCA).

Cooper Road and Commerce Avenue – This site was listed on the WQARF Registry on June 14, 2004 and has a score of 33. The site is located in Gilbert near Guadalupe Road and Cooper Road and the plume is bounded to the north by West Encinas Street, to the south by the Neely Ranch Preserve, to the east by N. Neely Street and to the west by N. Ocotillo Drive. Tetrachloroethene (PCE) and trichloroethene (TCE) have been detected in the groundwater at the site. In 2001, groundwater samples collected from a Town of Gilbert monitoring well detected PCE concentrations above the Aquifer Water Quality Standard. A Town of Gilbert public supply well is located nearby. Installation of off-site monitor wells began in 2003 and quarterly groundwater monitoring has been conducted at the site since March 2005. ADEQ initiated an Early Response Action (ERA) Evaluation of the site in March 2006 to collect data necessary to characterize the source areas of volatile organic compounds and metals contamination at the site. The ERA Evaluation consisted of drilling and sampling 20 soil borings and installation of two soil vapor extraction (SVE)/air sparge (AS) wells, a groundwater extraction well and three soil vapor monitor wells. Construction of the SVE/AS and groundwater pump and treat remediation systems was completed in July 2008. Initial startup of the SVE system occurred on December 22, 2008. A community advisory board has been established for the site. Contaminants of concern at the site in groundwater include PCE and TCE. Contaminants of concern in the soils at the site include PCE, arsenic, chromium, copper, total petroleum hydrocarbons, mercury, and lead.

East Central Phoenix (ECP) 24th Street and Grand Canal – This site was placed on the WQARF Registry in May 2000 and has a score of 29. The current site boundary is a 400 foot diameter area centered around Salt River Project (SRP) Well 16E-6.8N. ADEQ prepared a fact sheet as part of the A.R.S. § 49-287.03 notification to begin the remedial investigation (RI) for the site. ADEQ sent all A.R.S. § 49-287.03 notices and fact sheets out in June 2007. A community advisory board has been established for this site. Contaminants of concern at the site include tetrachloroethene (PCE).

ECP 32nd Street and Indian School Road – This site was placed on the WQARF Registry in May 2000 and has a score of 29. The site has two separate areas of groundwater contamination. The plumes are bounded by E. Monterosa Street to the north, 30th Street to the west, E. Clarendon Avenue to the south, and 32nd Place to the east. ADEQ initiated a soil vapor extraction (SVE) early response action in December 2004 and approximately 3,100 pounds of PCE have been removed through December 2006. The SVE equipment has been dismantled at this site for use at another WQARF site. ADEQ prepared a fact sheet as part of the A.R.S. § 49-287.03 notification to begin the RI for the site. ADEQ sent all A.R.S. § 49-287.03 notices and fact sheets out in June 2007. A community advisory board has been established for this site. Contaminants of concern at the site include PCE.

ECP 38th Street and Indian School Road – This site was placed on the WQARF Registry in September 1998 and has a score of 25. The plume is bounded by Indian School Road to the north, 38th Street to the east, Picadilly Road to the south and 36th Street to the west. ADEQ prepared a fact sheet as part of the A.R.S. § 49-287.03 notification to begin the RI for the site. ADEQ sent all A.R.S. § 49-287.03 notices and fact sheets out in June 2007. A community advisory board has been established for this site. Contaminants of concern at the site include PCE.

ECP 40th Street and Indian School Road – This site was placed on the WQARF Registry in September 1998 and has a score of 25. The plume is bounded by Devonshire Avenue to the north, 41st Street to the east, Amelia Avenue to the south, and 38th Street to the west. ADEQ conducted an early response action, which consisted of a soil vapor extraction and air sparging system to remediate the source of PCE in the soil and groundwater. The system was started in December 2004 and extracted approximately 35 pounds of PCE from the subsurface. The system was shut down in June 2005. ADEQ prepared a fact sheet as part of the A.R.S. § 49-287.03 notification to begin the RI for the site. ADEQ sent all A.R.S. § 49-287.03 notices and fact sheets out in June 2007. A community advisory board has been established for this site. Contaminants of concern at the site include PCE and trichloroethene (TCE).

ECP 40th Street and Osborn Road – This site was placed on the WQARF Registry in May 2000 and has a score of 30. The current site boundary is an 800 foot diameter area centered around SRP Well 17.9E-7.5N. ADEQ prepared a fact sheet as part of the A.R.S. § 49-287.03 notification to begin the RI for the site. ADEQ sent all A.R.S. § 49-287.03 notices and fact sheets out in June 2007. A community advisory board has been established for this site. Contaminants of concern at the site include tetrachloroethene (PCE).

ECP 48th Street and Indian School Road – This site was placed on the WQARF Registry in March 1999 and has a score of 32. The plume is bounded by Devonshire Avenue to the north, 48th Street to the east, E. Fairmont Avenue to the south and 45th Place to the west. ADEQ and the SRP have entered into an agreement to conduct a source control interim remedial action (IRA). As part of the IRA, SRP constructed a soil vapor extraction system to remediate the source of PCE in soil at the site. Approximately 295 pounds of PCE have been removed since start-up in February 2006. Groundwater monitoring activities are currently being conducted at the site. ADEQ prepared a fact sheet as part of the A.R.S. § 49-287.03 notification to begin the RI for the site. ADEQ sent all A.R.S. § 49-287.03 notices and fact sheets out in June 2007. A community advisory board has been established for this site. The contaminant of concern at the site is PCE.

East Washington Fluff – This site was placed on the WQARF Registry in June 1999 and has a score of 34. The 10-acre site is located in Phoenix at 433 E. Buckeye Road. An early response action (ERA) was conducted to remove auto shredder fluff piles and install a protective cap to prevent exposure to contaminants. The ERA was completed in September 2001. The remedial investigation, feasibility study, and proposed remedial action plan have been completed. On May 18, 2007, a Declaration of Environmental Use Restriction (DEUR) was placed on the site that provides for a non-residential use restriction and acknowledges that there is an engineering control on the site. The pad was removed in 2008 and the cap was extended. A modified DEUR will be recorded for the property. Contaminants of concern in soil at the site include arsenic, lead, cadmium and polychlorinated biphenyls. The contaminants of concern have not been detected above aquifer water quality standards in groundwater beneath the site.

Estes Landfill – This site was placed on the WQARF Registry in April 1998 and has a score of 50. The site is located in Phoenix, south of Sky Harbor Airport, and is bounded approximately by the Salt River to the north, Magnolia Street to the south, State Route 153 to the east, and 40th Street to the west. The remedial investigation (RI), feasibility study (FS) and proposed remedial action plan (PRAP) have been completed. ADEQ is evaluating comments to the PRAP and is preparing a responsiveness summary. In January 2008, methane and VOC vapor samples were collected from the landfill. Contaminants of concern in groundwater at the site include vinyl chloride, cis-1,2-dichloroethene (DCE), trichloroethene (TCE), benzene, bis(2-ethylhexyl)phthalate, arsenic, barium, chromium, manganese, and lead. Contaminants in soil include lead, arsenic, and thallium.

Klondyke Tailings – This site was placed on the WQARF Registry in September 1998 and has a score of 69. The site is located in the unincorporated town of Klondyke, on the north bank of Aravaipa Creek, approximately 4.5 miles upstream of Aravaipa Canyon Wilderness Area. The site is comprised of two piles of mine tailings, the soil between and adjacent to these piles, and the area approximately 50 feet into the stream bed of Aravaipa Creek, directly adjacent to the tailings piles. The site is bounded to the east by Klondyke Road. ADEQ has completed several studies during the remedial investigation (RI) phase of the site investigation including a bioavailability study, biological, archeological and cultural resources surveys and an acid-base accounting study. Private wells in the area were sampled to help determine the impacts of the tailings on the groundwater. No contaminants were found in the groundwater above regulatory levels. Sampling to determine the extent of off-site soil contamination began in 2006. To date, approximately 2,500 soil samples have been collected from the site and adjacent properties and analyzed by x-ray fluorescence. The limits of the 400 mg/kg residential Soil Remediation Level for lead have been defined to extend approximately 1/2 mile from the site and impact nine properties adjacent to the site. Early response action activities continue at the site. These activities have included geophysical surveys to identify the presence of buried tanks or drums and minor repairs to the berms on the tailings piles to prevent erosion by rainfall. Aerial photography, topographic mapping, historic aerial photography analysis, floodplain delineation and analysis of the 10-, 25-, 50- and 100-year floodplains and a geomorphology study of Aravaipa and Laurel Creeks were done to evaluate possible remedies due to the site's location near these creeks. ADEQ selected gabion mattresses for erosion protection in October 2007. Erosion protection installation began in March 2008. As of June 30, 2008, erosion protection installation is complete on the upper tailings pile and the clean soil cap has been seeded. ADEQ, with the assistance of the EPA, is evaluating soil removal options on the residential properties located in the vicinity of the site. A draft of the RI Report was received from the contractor for ADEQ's review. ADEQ will work internally to finish the Draft RI Report. A community advisory board has been established for the site. Contaminants of concern at the site include lead, cadmium, antimony, beryllium, copper, manganese, arsenic, and zinc.

Los Reales Landfill – This site was placed on the WQARF Registry in April 1999 and has a score of 32. The site is an active municipal sanitary landfill approximately 380 acres in size located in southeast Tucson and has been in operation since 1967. The City of Tucson has implemented a groundwater pump and treat system as required by an existing remedial action plan. A portion of the treated water is re-injected into the aquifer and a portion is used for dust control at the landfill. The City has identified additional groundwater contamination at the landfill, has completed additional site characterization, and is in the process of expanding the groundwater treatment system to treat the additional contaminated water. Since 2000, the system has removed 10.7 pounds of tetrachloroethene (PCE) and 3.7 pounds of trichloroethene (TCE). Contaminants of concern at the site include PCE and TCE.

Miracle Mile – This site was placed on the WQARF Registry in September 1998 and has a score of 62. The site is located in Tucson and is bounded approximately by Wetmore Road to the north, Prince Road to the south, Flowing Wells Road to the east, and La Cholla Boulevard to the west. The local water provider is operating an ADEQ funded wellhead treatment system as an

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early response action for the regional aquifer. The Remedial Investigation Report is nearing completion. A community advisory board has been established for this site. Contaminants of concern at the site include trichloroethene (TCE) and chromium.

Park-Euclid – This site was placed on the WQARF Registry in April 1999, and has a score of 51. The site is in Tucson and is approximately bounded by 9th Street to the north, 14th Street to the south, Santa Rita Avenue to the east, and Park Avenue to the west. ADEQ is continuing to monitor groundwater conditions upgradient from the University of Arizona water supply wells. Mission Linen operates a multi-phase extraction system at its property. This system removes tetrachloroethene (PCE) from groundwater and diesel-free product. The remedial investigation is nearly complete, and a community advisory board has been established for this site. Contaminants of concern at the site include PCE, trichloroethene (TCE), and cis-1,2-dichloroethene (cis-1,2-DCE).

Payson PCE – This site was placed on the WQARF Registry in April 1998 and has a score of 63. The site is located in Payson and the plume is bounded approximately by Main Street to the north, Cedar Lane to the south, Beeline Highway (State Route 87) to the east, and McLane Road to the west. Two groundwater treatment systems have been constructed. The Interim Groundwater Treatment System (IGTS) was constructed to remediate the contamination in the source area. The IGTS was operated from October 1998 to January 2003 and was shut down as contaminants levels declined. The Expanded Groundwater Treatment System (EGTS) began operation in October 1998 and continues to operate at the site treating contaminated water and preventing the contamination plume from migrating further. Treated water from the EGTS is delivered to the Town of Payson drinking water system. A soil vapor extraction system was installed in August 2001, and has been shut down after contaminants were removed. The remedial investigation, feasibility study, and proposed remedial action plan have been completed. ADEQ completed the Record of Decision for the site in June 2007. The site is currently in the operation and maintenance phase. The contaminant of concern in the groundwater at the site is tetrachloroethene (PCE).

Pinal Creek – This site was placed on the WQARF Registry in October 1998 and has a score of 97. The site is located in Gila County in and around the communities of Globe, Miami, Claypool and Wheatfields. The site includes the BHP Copper and Freeport McMoRan (formerly Phelps Dodge) Miami mining properties, and the drainages and underlying aquifers of Miami Wash, Bloody Tanks Wash, Russell Gulch, and Pinal Creek. The site also includes the entire floodplain of Pinal Creek from the Old Dominion Mine to the Salt River, plus those portions of the communities atop contaminated groundwater. Since 1988, the Pinal Creek Group (PCG), which consists of BHP, Freeport McMoRan and Inspiration Copper, has been conducting remedial actions including source control and has completed remedial investigations, risk assessments, a feasibility study and a recommended remedial action plan. It has also conducted a well replacement program for contaminated private and public supply wells. The PCG has been conducting groundwater extraction and treatment from the alluvial and the regional aquifers since 1988. Contaminants of concern in groundwater at the site include heavy metals such as aluminum, iron, manganese, copper, cobalt, nickel, zinc, cadmium, and other contaminants such as sulfate, acidity and dissolved solids. Localized soil and stream sediment contamination are being investigated; contaminants of concern include arsenic, lead, copper, cadmium, manganese, nickel and zinc.

Shannon Road/El Camino del Cerro – The El Camino del Cerro Site was placed on the WQARF Registry in August 1998 and has a score of 71. The Shannon Road-Rillito Creek Site was placed on the WQARF Registry in April 1999 and has a score of 53. In January 2005, the El Camino del Cerro WQARF Site and Shannon Road-Rillito Creek WQARF Site were administratively combined into one site, the Shannon Road/El Camino del Cerro WQARF Site, based on sampling results showing there is a single site. This site is located in northwest Tucson and is bounded approximately by Meadowbrook Park on the east, the Santa Cruz River on the west, El Camino del Cerro Road on the south, and on the north, a quarter mile north of Rillito Creek. The site consists of industrial and residential properties, and a former landfill which occupies approximately 20 acres in the southwest portion of the site. The contaminant plume has impacted three community wells, which were removed from service. Metropolitan Domestic Water Improvement District is operating an ADEQ-funded wellhead treatment system as an early response action for the regional aquifer. The wellhead treatment system removes volatile organic compounds and arsenic in the groundwater in order to meet drinking water standards. The remedial investigation is in progress, and a joint community advisory board has been established for the site. Contaminants of concern at the site include tetrachloroethene (PCE), trichloroethene (TCE), 1,1-dichloroethene (1,1-DCE), vinyl chloride, benzene, and lead.

Silverbell Landfill – This site was placed on the WQARF Registry in April 1999 and has a score of 51. The site is located in Tucson at 3200 N. Silverbell Road in northwest Tucson. The site is bounded approximately by Sweetwater Drive on the north, Grant Road/Ironwood Hills Drive on the south, Interstate 10 on the east, and Silverbell Road on the west, and is comprised of a closed landfill of approximately 40 acres. In October 1999, the City began operation of a soil vapor extraction system to remove volatile organic compounds (VOCs) from the soil. This system was operated for VOC removal until December 2006, by which time it had removed 2,089 pounds of VOCs including 748 pounds of tetrachloroethene (PCE). From December 2006 until April 2008, it was operated intermittently to control methane migration. In April 2008, the system was shut down and the equipment removed. The City is currently evaluating alternative methods for groundwater remediation at the landfill. Contaminants of concern at the site include PCE, trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE) and vinyl chloride.

South Mesa – This site was placed on the WQARF Registry in August 1998 and has a score of 31. The site is located in Mesa and Gilbert and is bounded approximately by 10th Avenue to the north, the railroad south of Baseline Road to the south, Stapley Road to the east, and the railroad west of Center Street to the west. Two remedial action projects at the site have significantly reduced the contamination by treating pumped groundwater and extracting vapors from the soil. ADEQ began an early response action in June 2004, to address the remaining subsurface contamination. A soil vapor extraction (SVE) well was installed and connected to the existing SVE system and the system began operations in September 2004. ADEQ shutdown the SVE system in November 2007 and removed it from the site in June 2008. The remedial investigation (RI) work has been completed and Draft RI Report is undergoing ADEQ review. A community advisory board has been established for this site. Contaminants of concern at the site include tetrachloroethene (PCE), chromium, nickel, and manganese.

Tonto and Cherry – This site was placed on the WQARF Registry in June 2000 and has a score of 45. The site is located in Payson, approximately 400 feet west of the Beeline Highway and immediately north of Main Street. The plume is a northwest-trending area, bounded by W. Cherry Street to the north, S. Colcord Road to the east, S. Tonto Street to the west and W. Frontier Street to the south. Final reports include the Remedial Investigation Report completed May 21, 2007, the Feasibility Study Report completed July 6, 2007, the Proposed Remedial Action Plan completed June 20, 2008 and the Record of Decision (ROD) completed November 10, 2008. The community advisory board concluded its work and disbanded with the implementation of the ROD. Contaminants of concern at the site include tetrachloroethene (PCE).

Tyson Wash – This site was placed on the WQARF Registry in December 1998 and has a score of 46. The site is located in the Town of Quartzsite and the contaminated groundwater plume is bounded by W. Sunset Street to the north, Oregon Avenue to the west, Main Street (Business I-10) to the south, and N. Central Boulevard (SR-95) to the east. The known groundwater contamination exists northwest of the intersection of State Highway 95 and Business Route I-10 in the Town of Quartzsite. As part of an early response action, a groundwater treatment system was constructed and is currently being operated to prevent migration of the plume to private drinking water wells. The remedial investigation was completed June 30, 2003 with the feasibility study completed on June 23, 2007 and the Proposed Remedial Action Plan was completed in June 2008 with no comments received from the public. A community advisory board has been established for this site. Contaminants of concern at the site include tetrachloroethene (PCE) and trichloroethene (TCE).

Vulture Mill – This site was placed on the WQARF Registry in April 1998 and has a score of 65. The site is located east of U.S. Route 89/93 about one mile northwest of the center of the Town of Wickenburg. The eastern boundary of the site is approximately 1/4 mile west of the Hassayampa River channel. The Record of Decision was signed in September 1999 and ADEQ has implemented the remedy, which consists of excavation of contaminated soil, placement in a consolidation pile, installation of a clean soil cover, backfilling with clean soil, and groundwater monitoring and institutional controls for installation of new wells. Contaminants of concern at the site include lead, arsenic and mercury.

West Central Phoenix (WCP) East Grand Avenue – This site was placed on the WQARF Registry in April 1998 and has a score of 31. The site is bounded approximately by Whitton Avenue to the north, Osborn Road to the south, 29th Avenue to the east, and 30th Avenue to the west. The field investigative activities were completed in December 2001. The Remedial Investigation (RI) Report has been completed. In 2004, a working party constructed and still operates a soil vapor extraction system at the former Van Waters and Rogers facility. To date, over 1,000 pounds of volatile organic compounds (VOCs) have been removed. The working party is in the process of completing the Feasibility Study (FS). A community advisory board has been established for this site. Contaminants of concern at the site include tetrachloroethene (PCE) and trichloroethene (TCE).

WCP North Canal Plume – This site was placed on the WQARF Registry in June 1998 and has a score of 27. The approximate boundaries of this site are Indian School Road on the north, 36th Avenue on the east, Clarendon Avenue on the south, and 40th Avenue on the west. The RI was initiated in February 2001 and ADEQ conducted early response action evaluations in 2005. A Draft RI Report was completed for the project area, and the Final RI Report is in the process of completion. A community advisory board has been established for this site. Contaminants of concern at the site include PCE, TCE and chromium.

WCP North Plume – This site was placed on the WQARF Registry in April 1998 and has a score of 55. The site is bounded approximately by Turney Avenue to the north, Indian School Road to the south, 38th Avenue to the east, and 43rd Avenue to the west. The RI is underway and a soil vapor extraction (SVE) system was installed at the F and B Manufacturing facility as part of an early response action (ERA). To date, the SVE system has removed over 41,000 pounds of VOCs. Further ERA evaluations are being conducted to address groundwater contamination. Through a working party agreement an SVE system has been operating at the Hill Brothers Chemical Company. To date this system has removed over 250 pounds of VOCs from the soils below the surface. The Remedial Objectives (RO) Report was completed in July 2008. A community advisory board has been established for this site. Contaminants of concern at the site include PCE and TCE.

WCP West Grand Avenue – This site was placed on the WQARF Registry in April 1998 and has a score of 22. The site is bounded approximately by Osborn Road to the north, Earll Drive to the south, 33rd Avenue to the east, and 35th Avenue to the west. The RI Report was completed along with the ROs in March 2005 for the site. A community advisory board has been established for this site. The contaminant of concern at the site is TCE.

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WCP West Osborn Complex – This site was placed on the WQARF Registry in August 1998 and has a score of 52. The site is bounded approximately by the Grand Canal to the north, Pinchot Avenue to the south, 34th Drive to the east, and 39th Drive to the west. The RI Report was completed along with the ROs in May 2005 for the site. FS Reports for the deep and shallow plumes for the project site have been submitted and are being evaluated by ADEQ. A community advisory board has been established for this site. Contaminants of concern at the site include TCE and PCE.

West Van Buren – This site was placed on the WQARF Registry in April 1998 and has a score of 50. The site is located in Phoenix and is bounded approximately by Van Buren Street to the north, Buckeye Road to the south, 7th Avenue to the east, and 83rd Avenue to the west. Between 7th Avenue and 27th Avenue, there is an extension of the plume south to Lower Buckeye Road. Reynolds Metals Co. operated a SVE system periodically from 1989 to 1991. Approximately 3,100 tons of contaminated soil were excavated and hauled from the facility. A No Further Action (NFA) determination for 14 release areas was issued to Reynolds Metals Company in 2000. Maricopa County Materials Management operated a SVE system at its facility during the third and fourth quarter of 1997. In 2001, Maricopa County settled with ADEQ. Dolphin Incorporated began operation of a soil vapor extract (SVE)/air sparge (AS) system at its facility in October 1998. In December 2002, Dolphin received authorization from ADEQ for shut-down of the SVE/AS system. An SVE system was installed and operated periodically at the Van Waters and Rogers facility from 1992 to 1998. In August 2002, ADEQ issued a no further action (NFA) determination for the former Van Waters and Rogers facility. ChemResearch Company Inc. excavated and disposed of contaminated soil from beneath their facility. SVE/AS and groundwater pump and treat remediation systems began operation in March 2001 at the former American Linen Supply Company (ALSCo). This SVE/AS was discontinued in May 2003 because the response action objectives were attained. A groundwater pump and treat system continued operations until September 12, 2003 at which time ADEQ determined the system had reached its limit of effectiveness. ADEQ granted ALSCo an NFA determination for soil on March 24, 2008. Air Liquide America Specialty Gases, LLC and Prudential Overall Supply are currently conducting work under Consent Orders. Additional monitoring wells were installed by ADEQ to delineate the extent of the contamination and further investigate potential source areas. The remedial investigation was completed and the report was submitted for public comment on October 31, 2008. Five parties submitted comments within the 60-day comment period. The final remedial investigation report and remedial objectives is in progress. A community advisory board has been established for this site. Contaminants of concern at the site include tetrachloroethene (PCE), trichloroethene (TCE), 1,1-dichloroethene (DCE), 1,1-dichloroethane (DCA), cis-1,2-dichloroethene (cis-1,2-DCE) and chromium.

Western Avenue Plume – This site was placed on the WQARF Registry in December 1998 and has a score of 51. The site is located in Avondale and Goodyear, and is bounded approximately by Hill Drive to the north, 3rd Street to the east, and Litchfield Road to the west. The southern boundary proceeds on a southwesterly angle approximately 1,000 feet north of State Route 85 until it reaches the western boundary just north of the entrance to the Phoenix-Goodyear Airport. The Remedial Investigation Report along with the remedial objectives have been completed. A community advisory group has been established for this site in conjunction with the Phoenix-Goodyear Airport Superfund Site. The contaminant of concern at the site is tetrachloroethene (PCE).

Publication No.: EQR 09-03

NOTICE OF PUBLIC INFORMATION

OFFICE OF THE GOVERNOR

[M09-256]

TO: State Agency Directors and Acting Directors
FROM: Governor Janice K. Brewer
SUBJECT: Continuation of Regulatory Review Plan (Moratorium)
DATE: June 29, 2009

I am continuing the rulemaking moratorium issued January 22, 2009, which was extended to April 30, 2009, to October 16, 2009. The memorandum of January 22, 2009 and April 29, 2009 detailing the moratorium shall remain in effect until that date.

Agencies shall submit any requests for exceptions to the rulemaking moratorium in writing for rulemakings that impact critical public peace, health and safety functions of the agency, that address the state budget deficit, implement the ARRA, *or that are deregulatory*. The Governor's Office will review any such notification and determine whether exception is appropriate under the circumstances.

As stated in the previous moratorium of January 22, 2009 and the extension dates April 29, 2009, independent agencies are encouraged to participate voluntarily within the context of their own rulemaking processes.

Communications regarding exceptions to the moratorium, or questions regarding the moratorium generally, should be addressed to Jeri Kishiyama Auther, Policy Advisor, Rules and Regulations at jauther@az.gov.

Notices of Public Information

NOTICE OF PUBLIC INFORMATION

OFFICE OF THE GOVERNOR

[M09-179]

TO: State Agency Directors and Acting Directors
FROM: Janice K. Brewer
Governor
SUBJECT: Continuation of Regulatory Review Plan (Moratorium)
DATE: April 30, 2009

My staff is in the process of evaluating information received from the agencies, boards, and commissions regarding new and pending rulemakings during the rulemaking moratorium. In order to complete this process, I am extending the rulemaking moratorium issued January 22, 2009 from April 30, 2009 to June 30, 2009. During the moratorium, my staff identified some administrative rules that should have been repealed some time ago. Examples of administrative rules identified so far include:

Department of Economic Security, 6 A.A.C. 13, Articles 2,3,6,8,9, and 12; A.A.C.R6-1-501;
Arizona Department of Administration, 2 A.A.C.R2-1-604 and R2-1-605;
Department of Racing, A.A.C.R19-2-115.10;
Arizona State Retirement System, A.A.C.R2-8-104, R2-8-116, and R2-8-119; and
Department of Health Services, A.A.C.R9-19-115, R9-19-404, and R9-19-406.

During the continuation of the moratorium, I am requiring agencies to identify administrative rules that (1) are no longer necessary due to changes in state or federal law or case law, (2) are not effective, (3) are inconsistent with current agency practice, or (4) are not enforced. Agencies shall identify obsolete rules and submit the report to Jeri Kishiyama Auther, Policy Advisor, Rules and Regulations, no later than the close of business on May 25, 2009.

Regulatory Moratorium

In addition to the memorandum issued January 22, 2009, the following applies:

1. Agencies shall continue to comply with the Five-year Review requirements of A.R.S. § 41-1056 *et seq.* and the reporting requirements of A.R.S. § 41-1091; and
2. Agencies shall comply with the intent of the moratorium and ensure that substantive policy statements as defined in A.R.S. § 41-1001(20) do not violate A.R.S. § 41-1033.

Regulatory Moratorium – Clarifications

Additionally, the following clarifications to the moratorium issued January 22, 2009 apply:

1. Docket Openings and proposed rules filed with and published by the Secretary of State before January 22, 2009 need not be withdrawn. Docket openings and proposed rules are viable for a year after publication under A.R.S. § 41-1021. Agencies may, however, voluntarily file a Notice of Termination of Rulemaking with the Secretary of State. Agencies shall not conduct oral proceedings on the rulemakings subject to the moratorium and may file a Notice of Public Information with the Secretary of State to cancel any scheduled oral proceedings;
2. Agencies shall withdraw docket openings or proposed rulemakings filed with, but not yet published by, the Secretary of State; and
3. Agencies shall submit any requests for exceptions to the rulemaking moratorium in writing for rulemakings that impact critical public peace, health and safety functions of the agency, that address the state budget deficit, implement the ARRA, or that are deregulatory. The Governor's Office will review any such notification and determine whether exception is appropriate under the circumstances.

As stated in the previous moratorium of January 22, 2009, independent agencies are encouraged to participate voluntarily within the context of their own rulemaking processes.

Communications regarding exceptions to the moratorium, or questions regarding the moratorium generally, should be addressed to Jeri Kishiyama Auther, Policy Advisor, Rules and Regulations at jauther@az.gov.

This memorandum shall be published in the Arizona Administrative Register.

NOTICE OF PUBLIC INFORMATION
OFFICE OF THE GOVERNOR

[M09-19]

TO: State Agency Directors and Acting Directors
FROM: Janice K. Brewer
Governor
SUBJECT: Regulatory Review Plan
DATE: January 22, 2009

In order to ensure that my appointees have the opportunity to review any new or pending rules, I am asking that you immediately take the following steps, subject to the exception process as described in paragraph 9:

1. Send no proposed or final rule to the Secretary of State for the publication in the Arizona Administrative Register.
2. File no notice of proposed rule making with the Secretary of State or begin or continue any activities in preparation for the rule making, including informal rule making activities.
3. With respect to proposed rules that have been sent to the Secretary of State but not published in the Arizona Administrative Register, withdraw them from the Secretary of State.
4. With respect to proposed rules that are final but have not been submitted to the Governor's Regulatory Review Council (GRRC) for approval, postpone filing the rules with GRRC.
5. With respect to proposed rules that have been submitted to the GRRC for approval, postpone filing rules approved by GRRC with the Secretary of State.
6. With respect to proposed rules that are final but have not been submitted to the Attorney General for approval, postpone filing the rules with the Attorney General.
7. With respect to proposed rules that have been submitted to the Attorney General for approval, withdraw the rules from consideration by the Attorney General.
8. Provide the Governor's Office a list and brief summary of each rule making activity within your agency no later than February 16, 2009.
9. Notify the Governor's Office promptly in writing of any rule making activity that, in your view, impacts critical public peace, health and safety functions of the agency or that are needed to address the state budget deficit and therefore should be also excluded from the directives in paragraphs 1-7. The Governor's Office will review any such notifications and determine whether exception is appropriate under the circumstances.

The directives in paragraphs 1-7 shall remain in effect until April 30, 2009.

As used in this memorandum, "rule" has the meaning as defined in A.R.S. § 41-1001(17).

Finally, in the interest of sound regulatory practice and the avoidance of costly, burdensome, or unnecessary rules, independent agencies are encouraged to participate voluntarily within the context of their own rulemaking processes.

This regulatory review will be implemented by the Governor's Office. Communications regarding exceptions to the review, or questions regarding the review generally, should be addressed to Richard Bark, Deputy Chief of Staff for Policy at rbark@az.gov.

This memorandum shall be published in the Arizona Administrative Register.