UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 18 2018

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. Donovan Neese, Superintendent
Roosevelt Irrigation District
103 W. Baseline Road
Buckeye, Arizona 85326

Mr. David P. Kimball III
Gallagher & Kennedy
2575 E. Camelback Road, Suite 1100
Phoenix, Arizona 85016-9225

Dear Mr. Kimball and Mr. Neese:

This letter responds to your March 13 meeting with Region 9's Superfund Division Director Enrique Manzanilla and Mr. Kimball's correspondence of March 15, April 18, May 16, and May 29, 2018 regarding the Roosevelt Irrigation District's (RID's) remediation project. In addition, the Administrator has asked that Region 9 respond to Mr. Kimball's letter to him of April 26, 2018.

We understand RID is seeking to enter into a cooperative agreement with EPA to implement a groundwater remediation project, which has been developed under the auspices of the state of Arizona's WQARF program.

In a letter dated April 24, 2018, the Arizona Department of Environmental Quality has requested EPA evaluate either the extension of the Motorola 52nd Street Superfund site into the West Van Buren WQARF site or alternatively, evaluate the West Van Buren WQARF site for placement on the National Priorities List (NPL). The state's request provides a framework for EPA to assess the West Van Buren WQARF site for EPA involvement. Through a letter dated May 21, 2018, we requested data relevant to the West Van Buren WQARF from ADEQ.

Prior investigative work, as has occurred at the West Van Buren WQARF site, can aid in the site assessment process; nevertheless, before proposing any site or part thereof for listing on the NPL, EPA would evaluate site environmental conditions. This process has multiple phases, potentially culminating in a rulemaking with a public comment period prior to any final determination. In parallel with site assessment, there are opportunities for parties to conduct work on behalf of EPA under agreements, such as conducting an RI/FS. At that juncture, EPA usually turns to the PRPs to conduct that work. In some instances, non-liable parties may also play a role in performing a portion of the response action under EPA oversight once EPA has evaluated a site and determined that EPA involvement is appropriate.

Until EPA completes our evaluation of the West Van Buren WQARF site for NPL listing or as an operable unit of the Motorola 52nd Street Site, it is premature for us to enter into agreements with any party to conduct work on EPA's behalf at the Site, particularly remedial groundwater work. Your correspondence has raised proposals we can discuss with you once we have completed our evaluation.

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While EPA proceeds with our evaluation process, we encourage your cooperation in ensuring that the process moves as efficiently as possible. RID should continue to ensure its activities do not exacerbate pathways for contaminant exposure.

We appreciate your efforts to keep us informed of your project. We will keep you informed of our response to ADEQ's request. For any follow-up legal questions, please contact Bethany Dreyfus at Dreyfus.Bethany@epa.gov or (415) 972-3886, or Lewis Maldonado at Maldonado.Lewis@epa.gov or (415) 972-3926, of our Office of Regional Counsel.

Sincerely,

Michael Stoker

Michael Stoker
Regional Administrator

cc: M. Cabrera, Director, AZ Dept. of Environmental Quality
Buschatzke, Director, AZ Dept. of Water Resources