Manzanilla, Enrique

From: Kimball III, David P. <DPK@gknet.com>
Sent: Tuesday, May 29, 2018 1:39 PM
To: Manzanilla, Enrique
Cc: Strauss, Alexis; Maldonado, Lewis; Herrera, Angeles
Subject: RE: Roosevelt Irrigation District
Attachments: ATT00001.txt

Mr. Manzanilla:

We look forward to EPA's response regarding EPA's involvement in implementing the RID remedial action at the West Van Buren Area (WVBA) Water Quality Assurance Revolving Fund (WQARF) Site that has been approved by the Arizona Department of Environmental Quality (ADEQ) as "reasonable, necessary, cost-effective and technically feasible" under applicable Arizona law and by a federal judge as "substantially compliant" with the federal National Contingency Plan.

As you mentioned in San Francisco at our March 13, 2018 meeting, EPA has approved interim remedial actions prior to a site being included on the National Priorities List (NPL) or as an operable unit of an existing NPL site. In fact, it appears that the interim groundwater extraction, containment and treatment remedial action at the Motorola 52nd Superfund Street Site was approved by EPA in 1988 even though the site was not added to the NPL until October 1989. Therefore, we look forward to working with EPA to address one of the largest groundwater contaminant plumes in the United States by implementing the government-approved RID remedial action and utilizing the existing RID infrastructure that RID, ADEQ, OU3 and WVBA PRPs and a federal judge have determined is necessary to meet ADEQ's applicable remedial action criteria and objectives for the WVBA WQARF Site and EPA's remedial action objectives for the Motorola 52nd Street Superfund Site.

Best regards,

David Kimball

From: Kimball III, David P.
Sent: Wednesday, May 16, 2018 5:21 PM
To: 'Manzanilla, Enrique' <Manzanilla.Enrique@epa.gov>
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>; Maldonado, Lewis <Maldonado.Lewis@epa.gov>; Herrera, Angeles <Herrera.Angeles@epa.gov>
Subject: RE: Roosevelt Irrigation District

Director Manzanilla:

Thank you for the quick response. We look forward to your responses by the end of May.

Best regards,

David Kimball

From: Manzanilla, Enrique [mailto:Manzanilla.Enrique@epa.gov]
Sent: Wednesday, May 16, 2018 3:52 PM
To: Kimball III, David P. <DPK@gknet.com>
Cc: Strauss, Alexis <Strauss.Alexis@epa.gov>; Maldonado, Lewis <Maldonado.Lewis@epa.gov>; Herrera, Angeles

<Herrera.Angeles@epa.gov>
Subject: Re: Roosevelt Irrigation District

Mr. Kimball – We have received your letter and your email to our region in support of the State of Arizona's April 24th request that EPA evaluate the Motorola 52nd Street Site western boundary and the West Van Buren WQARF Site for listing on EPA's National Priorities List. We have also been provided your April 26 letter to Administrator Pruitt for response. We are in the process of providing an initial reply to the State and will share that with you once it is sent.

Additionally, following up on our March 13thmeeting in our offices as well as your correspondence from March 15th and April 18th, we plan to respond to you regarding your request for EPA to enter into an agreement with RID for a West Van Buren proposed remedy. We expect to provide a response to you by the end of this month.

Thank you.

Enrique Manzanilla

Director, Superfund Division

US EPA REGION IX

Sent from my iPhone

On May 16, 2018, at 8:30 AM, Kimball III, David P. <DPK@gknet.com> wrote:

> Dear Ms. Strauss:
>
> Thank you for your prompt response. We very much would appreciate an update on EPA's next steps, process and timing in addressing ADEQ's formal request to EPA to evaluate extending the boundaries of the Motorola 52nd Street federal Superfund Site to include most of the current WVBA WQARF Site. Of course, as we have discussed with EPA and as described and justified in ADEQ's April 24, 2018 request, we strongly believe that extending the boundaries of the Motorola 52nd Street federal Superfund Site to cover the portions of the WVBA WQARF Site as depicted in ADEQ's April 24, 2018 letter is fully consistent with applicable Superfund program policies and procedures. Furthermore, such action by EPA is the most expeditious means to contain and restore contaminated groundwater in the largest contamination site in the State and protect the local low income, minority community from further direct exposure to releases of harmful VOCs.
>
> We also would appreciate feedback on the various procedural options to expedite RID's remedial actions as presented and discussed in our recent meeting and prior correspondence with EPA, assuming EPA were to extend the Motorola 52nd Street Superfund Site boundaries.

As mentioned in our last correspondence, RID is in the process of restarting the existing RID wellhead treatment systems and would like to discuss our current thinking on how best to fully implement the ADEQ-approved and NCP-compliant RID groundwater pump and treat remedial action in the WVBA WQARF Site. As we have explained previously, full remediation can be performed using private funds without any costs to EPA beyond necessary and appropriate oversight.

Let us know potential dates and times your team would be available for a meeting or conference call.

David Kimball

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David P. Kimball III
Attorney Profile
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602-530-8221

From: Strauss, Alexis [mailto:Strauss.Alexis@epa.gov]
Sent: Wednesday, May 09, 2018 1:02 PM
To: Kimball III, David P. <DPK@gknet.com>; Manzanilla, Enrique <Manzanilla.Enrique@epa.gov>
Subject: RE: Roosevelt Irrigation District

Dear Mr. Kimball,
Thank you for the update. We've been working closely with Arizona DEQ on this matter and would be glad to update you on next steps.
Kind regards,
Alexis Strauss

Alexis Strauss
Acting Regional Administrator
E.P.A. Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3572

From: Kimball III, David P. [mailto:DPK@gknet.com]
Sent: Wednesday, May 9, 2018 1:00 PM
To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Manzanilla, Enrique <Manzanilla.Enrique@epa.gov>
Cc: Pruitt, Scott <Pruitt.Scott@epa.gov>
Subject: Roosevelt Irrigation District

Please see attached letter.

2575 E. Camelback Road, Suite 1100
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David P. Kimball III
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