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April 29, 2013

VIA E-MAIL

Ms. Laura L. Malone
Waste Programs Division Director
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, Arizona 85007

Dear Ms. Malone:

Unfortunately, I was unable to attend the recent WVBA CAB meeting held on April 15th, 2013. I was advised, however, by members of our RID Team that were in attendance that the meeting was quite positive and that two new members have joined the CAB, which is encouraging.

I was also informed that the ADEQ website document repository was discussed and that Ms. Flood advised the CAB meeting attendees that all documents provided during CAB meetings are distributed in the meeting minutes. Having reviewed the CAB minutes from the meeting of 12/6/2012, I would like to note that the 20-page comment letter from the City of Phoenix (and Other PRPs) addressing RID's Modified ERA Work Plan was not included in those minutes. Since this document was introduced by Mr. Philip McNeely of the City of Phoenix during the "call to the public" and distributed in hard copy to attendees, RID requests that this document be made available on the ADEQ WVBA website.

As we've discussed previously, there are a number of relevant documents that are not presently available through the ADEQ on-line document repository. These include:

- The comment letter from the City of Phoenix (and Other PRPs), dated December 3, 2012 (noted above);
- The "Agreement to Conduct Work between ADEQ and the West Van Buren (WVB) Working Group", dated January 15, 2013;
- The "ADEQ Letter to RID", dated February 1, 2013, approving the RID Modified ERA Work Plan;
- The initial "Feasibility Study Work Plan, dated September 6, 2011," from the WVB Working Group and RID's numerous comments citing multiple deficiencies in the WVB Working Group's FS Work Plan. These documents have been removed from the website,

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despite early drafts of RID's similar reports (e.g., RID's Draft Implementation Plan, dated September 25, 2009; RID's Draft ERA, dated October 5, 2009) and PRP comments to those reports still being on the website.

- The ADEQ letter to the WVB Working Group, dated February 1, 2013, regarding the initial "Feasibility Study Work Plan" submitted by the WVB Working Group.
- The "ADEQ Letter to the WVB Working Group", dated March 7, 2013, citing deficiencies in the WVB Working Group request for approval of their FS Work Plan; and,

In addition to these significant documents, RID has also made available numerous other technical documents related to the ERA such as:

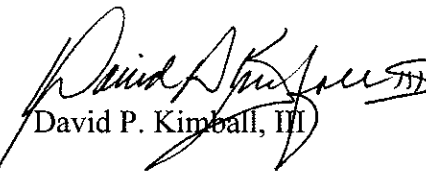
- The RID WVBA Health and Safety Plan, dated December 20, 2010;
- The 1-Month Technology/Design Demonstration Report: RID-95 Pilot System;
- The Operations and Maintenance Plan for the Wellhead Treatment Systems, latest revision dated May 3, 2012;
- Pilot Treatment Systems Monthly Progress Reports (covering February through October 2012, inclusive); and,
- The "Long-Term Operational Assessment Report for the RID-95 Wellhead Pilot Treatment Systems", dated April 5, 2013

While this last document has just recently been made available, it is included for the sake of completeness.

RID believes that it is important to provide full public access to all of these project documents. Should you need electronic copies of any of these documents, please feel free to contact us, or you can access and download these documents directly from the West Valley Groundwater Cleanup Coalition website maintained by RID (www.wvgroundwater.org).

Very truly yours,

GALLAGHER & KENNEDY, P.A.

By: 
David P. Kimball, III

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