

ORIGINAL



0000104492

47

MARY C. RILEY
7556 E. CLUB VILLA CIRCLE, SCOTTSDALE, AZ 85266

Docket Control Number SW-02361A-08-0609

October 28, 2009

Please vote to decommission the Black Mountain Sewer Plant in The Boulders community.

It has a negative effect on home values. An industrial facility like this does not belong in a residential community.

Mary C. Riley
Mary C. Riley

Arizona Corporation Commission
DOCKETED
NOV - 2 2009

DOCKETED BY 

RECEIVED
2009 NOV - 2 P 1: 01
AZ CORP COMMISSION
DOCKET CONTROL

Donna L. Murphy

HOME PHONE AND FAX: 480-488-3136 MOBILE PHONE: 480-291-2554

MAIL TO: BOX 5607, CAREFREE, AZ 85377 E-MAIL: CFMURPHY@COX.NET

PHYSICAL ADDRESS: 1607 QUARTZ VALLEY DR., SCOTTSDALE AZ, 85266

Docket Control No. SW-0236108-0609

October 21, 2009

Arizona Corporation Commission
Docket Control
1200 W Washington St.
Phoenix, AZ 85007

To the Commissioners:

Please vote to remove the Black Mountain Sewer Plant from the Boulders.
For the twenty five years we have lived here is has diminished our quality of life.
It has been twenty five years of noise and odors.

A handwritten signature in black ink that reads "Donna Murphy". The signature is written in a cursive, flowing style with a large initial "D".

Oct 21, 2009

Arizona Corp. Comm.
Docket Control
1200 W. Washington St
Phoenix AZ, 85007

Ref: NO SW-02361A-08-0609

Gentlemen,

We have lived next (100yds) to the lower plant for 20 yrs. The odor in the evenings is so bad we can not sit on front porch & not open bedroom windows at night.

It is a hazard having the processing plant in the neighborhood. It should be closed down. None of you would live next to it. 20 yrs ago, it was a non issue - expansion of surrounding areas has created the problem -

Sincerely

Ulm Fisher
1035 Boulders
Cave Creek AZ 85329

Robert A. Mullen

7770 East Cassia Circle – The Boulders

P.O. Box 891 – Carefree, AZ 85377 - Phone 480-488-1175 - rambob2@cox.net

October 23, 2009

Arizona Corporation Commission
Hearings Division
1200 West Washington
Phoenix, AZ 85007

RE: Black Mountain Sewer - Docket Control No. SW-02361A-08-0609

Dear Commissioners:

I am writing about a very serious matter which is severely impacting a number of residents as well as local tourism business. Specifically, we are respectfully requesting the decommissioning and removal of the Black Mountain Sewer Processing Plant which is centrally located within a relatively high density residential area here at The Boulders. The plant is foul-smelling, noisy, antiquated and overloaded. It was designed as an interim facility 30 years ago but is still here as a blight upon our community. In this respect, I would like to call your attention to the following:

- The plant emits strong and nauseating odors which are offensive to both Boulders residents and guests at The Boulders Resort.
- A number of residents have expressed serious health concerns relating to harsh chemicals which are used in an attempt to mitigate the odors.
- Loud noises from the plant can be heard frequently over an extended residential area.
- Residents have had to endure heavy, excessive and dangerous traffic created by frequent repair and pumper trucks.
- Property values, already damaged by our bad economy, have been made worse by a processing plant of this age, ill repair and faltering efficacy operating within and in such close proximity to residential neighborhoods.

In sincere respect for the Commission, its Commissioners and your governmentally ordained mission of consumer and environmental protection, we urge you to decommission the plant now rather than squander funds each year for costly repairs when the plant's ultimate demise is inevitable.

Sincerely,



Robert A. Mullen

Charles F. Murphy , Jr.

CELL PHONE: 602-291-4743 HOME PHONE AND FAX: 480-488-3136

MAIL TO: BOX 5607, CAREFREE, AZ 85377 E-MAIL: CFMURPHY@COX.NET

PHYSICAL ADDRESS (NO MAIL DELIVERY): 1607 QUARTZ VALLEY DR., SCOTTSDALE, AZ, 85266

Docket Control No. SW-0236108-0609

October 21, 2009

Arizona Corporation Commission
Docket Control
1200 W Washington St.
Phoenix, AZ 85007

To the Commissioners:

I am support the decommissioning of the Black Mountain Sewer Plant in the Boulders Community. I live within an eighth of a mile of the plant and we are frequently plagued with strong sewer odors.

This plant has a detrimental effect on the value of my property.

CF Murphy, Jr.

Ted Wojtasik

From: John Chestnut [jchestnut5@cox.net]
Sent: Monday, October 26, 2009 8:46 AM
To: mailmaster@AZCC.gov
Subject: Black Mountain Sewer Docket Control No. SW-02361A-08-0609

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Re. **Black Mountain Sewer**
Docket Control No. SW-02361A-08-0609

Dear Commissioners:

This letter is written to encourage you to support our Community in their efforts to de-commission the Black Mountain Sewer Processing Plant located in the residential community in Carefree, AZ known as The Boulders. This plant produces strong and disgusting odors, loud noises disturbing what should be our tranquil evenings, frequent repair and pumper trucks driving through our residential area, parking on narrow roads interfering with traffic.

Black Mountain Sewer has tried for years to mitigate this situation, but with minimal success. They have torn up our roads, installed new piping, replaced equipment, installed new equipment, added chemicals, cleaned out pipes and manholes. Nothing has solved the problem. Continued patch-work repairs and modifications are not going to solve the problem and will just be money wasted. We realize that the de-commissioning will result in additional costs to the users, and I am willing to accept this additional burden.

In addition to the bad living conditions, with this plant so close to our homes and recreation areas, we also fear that our property values will suffer if it remains.

Thank you for your consideration.

John W. Chestnut
3070 Ironwood Road
P.O. Box 2150
Carefree, AZ 85377

10/26/2009

Ted Wojtasik

From: Maureen Chestnut [maureenchestnut@cox.net]
Sent: Monday, October 26, 2009 8:52 AM
To: mailmaster@AZCC.gov
Subject: Black Mountain Sewer Docket Control No. SW-02361A-08-0609

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Re. **Black Mountain Sewer**
Docket Control No. SW-02361A-08-0609

Dear Commissioners:

This letter is written to encourage you to support our Community in their efforts to de-commission the Black Mountain Sewer Processing Plant located in the residential community in Carefree, AZ known as The Boulders. This plant produces strong and disgusting odors, loud noises disturbing what should be our tranquil evenings, frequent repair and pumper trucks driving through our residential area, parking on narrow roads interfering with traffic.

Black Mountain Sewer has tried for years to mitigate this situation, but with minimal success. They have torn up our roads, installed new piping, replaced equipment, installed new equipment, added chemicals, cleaned out pipes and manholes. Nothing has solved the problem. Continued patch-work repairs and modifications are not going to solve the problem and will just be money wasted. We realize that the de-commissioning will result in additional costs to the users, and I am willing to accept this additional burden.

In addition to the bad living conditions, with this plant so close to our homes and recreation areas, we also fear that our property values will suffer if it remains.

Thank you for your consideration.

Maureen Chestnut
3070 Ironwood Road
P.O. Box 2150
Carefree, AZ 85377

10/26/2009

BRUCE FINE
1711 STAGHORN LANE
Box 761
CAREFREE, ARIZONA 85377
(480) 488-3679
FINEB@COX.NET

Arizona Corporation Commission
Docket Control
1200 West Washington St.
Phoenix, AZ 85007
RE: Black Mountain Sewer
Docket Control No. SW—02361A—08-0609

Gentlemen,

I have been a resident in the Boulders community since 1973, and I am writing this in support of the de-commissioning the Black Mountain Sewer Processing Plant in the middle of our community, less than 100 feet from adjacent residences.

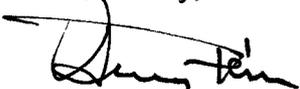
Continuing problems from the plant have been increasing in recent years, especially since a larger sewer pipeline had been built from Mule Train Road into our community. Whereas the plant had originally been constructed to handle the sewage from the Boulders community, and to provide so-called "gray water" to be used for watering the golf course, it is now our understanding that it now takes in additional flow from commercial properties in the town of Carefree.

As a result, we in the community are subject to strong odors frequently emanating from the plant, noises from the operating of the plant, large trucks driving through our community and parking in front of the plant, and potential health concerns from the chemicals used in trying to control the odors. All of this has resulted in decreasing home and property values.

It would be more efficient to de-commission the processing Plant *now* instead of continuing to spend more funds on repairs every year and then de-commissioning the Plant and remediating the land at a later date. I understand that there will be some costs to Black Mountain Sewer involved in this effort, and I am willing to accept my share of these costs.

Thank you for your consideration.

Sincerely,



Bruce Fine

Judith J. Roberson

1120 Ocotillo Circle
Box 5131
Carefree, AZ 85377
jcr24739@gmail.com
480 595 8602

October 26, 2009

Arizona Corporation Commission
Docket Control
1200 West Washington Street
Phoenix, AZ 85007

Re: Docket Control Number SW-02361-A-08-0609

Ladies and Gentlemen:

The Black Mountain Sewer Processing plant located in a residential neighborhood in the Boulders Subdivision must be decommissioned due to:

Offensive nauseating odor pervading the adjacent houses and the neighborhood

Occasionally loud noises are made by the plant

Chemicals are inserted into this system which may be dangerous

Trucks drive through our neighborhoods frequently to service and try to repair the plant

Our home values have been decreased

Let's do this now rather than waiting so we will not continue to incur expensive repairs and have to do it later.

Please imagine your reaction if this plant was near to your home.

We have been working on this problem for about six years which is ridiculous. It is time to finally resolve it with your help.

Very truly yours,

Judith Roberson

John Roberson
1120 Ocotillo Circle
Box 5131
Carefree, AZ 85377
jcr24739@gmail.com
480 595 8602

October 26, 2009

Arizona Corporation Commission
Docket Control
1200 West Washington Street
Phoenix, AZ 85007

Re: Docket Control Number SW-02361-A-08-0609

Ladies and Gentlemen:

The Black Mountain Sewer Processing plant located in a residential neighborhood in the Boulders Subdivision must be decommissioned due to:

Offensive nauseating odor pervading the adjacent houses and the neighborhood

Occasionally loud noises are made by the plant

Chemicals are inserted into this system which may be dangerous

Trucks drive through our neighborhoods frequently to service and try to repair the plant

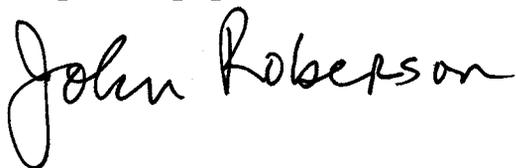
Our home values have been decreased

Let's do this now rather than waiting so we will not continue to incur expensive repairs and have to do it later.

Please imagine your reaction if this plant was near to your home.

We have been working on this problem for about six years which is ridiculous. It is time to finally resolve it with your help.

Very truly yours,



Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

October 26, 2009

Ref: **Black Mountain Sewer Docket Control No. SW-02361A-08-0609**

Dear Commissioners,

I have a serious concern for the neglect you have shown regarding the many problems associated with the operation of the Black Mountain Sewer plant located in the Boulders Resort.

Having personally attended past sessions at your offices covering our objections to the operation of this plant it was disturbing to see the lack of attendance by most of the commissioners. I can only conclude that you are more interested in supporting the utility without regard to the community. This attitude strikes even deeper resentment considering the fact that Black Mountain Sewer is wholly owned and operated by a nondomestic company that has demonstrated minimal care for the affects of its local operation.

The burden to correct the problems of this operation is squarely in your court, or if need be, upon your future replacements if you continue to support the profit of this utility over that of the victims in this neighborhood.

It should be clear that the de-commissioning and removal of this plant can be the only solution to eliminate the reoccurring pollution.

Respectfully,



Michael Terry Denton
1042 Boulder Dr.
Carefree, AZ 85377

CARPENTER LIPPS & LELAND LLP

TELEPHONE: (614) 365-4100

FACSIMILE: (614) 365-9145

WASHINGTON, DC:

900 19TH STREET, NW, 4TH FLOOR

WASHINGTON, DC 20006

ATTORNEYS AT LAW

280 PLAZA, SUITE 1300

280 NORTH HIGH STREET

COLUMBUS, OHIO 43215

WWW.CARPENTERLIPPS.COM

WRITER'S DIRECT NUMBER:

(614) 365-4111

leland@carpenterlipps.com

October 27, 2009

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

RE: Black Mountain Sewer; Docket Control No. SW-02361A-08-0609

Dear Commissioners:

I strongly support the efforts by the Boulder Community to de-commission the Black Mountain Sewer Processing Plant.

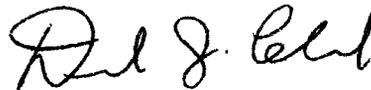
I became a part-time resident of the Boulders Community, and hence a tax-payer in Arizona, because of all the beauty, charm and serenity that being a part of the Boulders provides. This outdated facility is a direct-assault on all of those wonderful attributes... not to mention health concerns.

It seems prudent to solve this problem now as opposed to trying to fix a system that is beyond repair... only to have to de-commission the plant at a later, more expensive date.

I fully recognize that there will be an immediate cost if this is done now. However, I am willing to bear my fair share of this cost to maintain the vitality of our community.

Thank you for your consideration of my request.

Very Truly Yours,



David J. Leland
1010 Boulder Dr.
Carefree, AZ 85377

Mailed 10/27

October 26, 2009

Arizona Corporation Commission
Docket Control
1200 W. Washington
Phoenix, AZ 85007

Dear Commissioners:

The purpose of this letter is to ask you to support the efforts of The Boulders community to get the Black Mountain Sewer Processing Plant de-commissioned.

This plant is located in our residential community and should not be there because it continuously smells and is noisy to operate. The problems with this plant have been going on for years and previous efforts to fix the problems have failed. We are frustrated and believe that it's now time to terminate its existence.

Please help us to do this. Thank you.

Sincerely,

Robert W. Kroyer
P.O.Box 3406
3072 Ironwood Road
Carefree, AZ 85377
(480)488-1022

Bert Reisman
7735 East Old Paint Trail
Scottsdale, Arizona 85266

November 22, 2009

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners:

I urge you to de-commission the Black Mountain Sewer Processing Plant located in the gated community known as The Boulders.

The plant is foul-smelling and noisy. It is antiquated and overloaded. It was designed as an interim facility thirty years ago and it's still there, a blight on our beautiful community, dragging down our home values.

More than a thousand people a week drive by it when playing our North golf course. Residents, family, friends and resort guests are revolted by its smell. It's a disastrous memory to take away from the otherwise idyllic Boulders and worse to live with.

Countless dollars and effort have been expended over the years to "fix" the problem. They haven't worked. There are excellent solutions available for sewage processing if the plant is decommissioned. Please get help us get rid of this eye-ear-and-nose-sore.

I'm told there will be a modest cost involved in de-commissioning the plant. That's fine with me. Paying the cost now would be a wise investment for the future.

Sincerely,



Bert Reisman
7735 E. Old Paint Trail
Scottsdale, AZ 85266

LOUISE REISMAN
7735 EAST OLD PAINT TRAIL
SCOTTSDALE, ARIZONA 85266

November 22, 2009

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, AZ 85007

Docket Control No. SW-02361A-08-0609

Dear Commissioners:

I am writing in support of the effort to de-commission the Black Mountain Sewer Processing Plant in The Boulders.

This facility is terribly outdated, is operating beyond its capacity and never was intended to be a permanent operation. It is ruining the lives of hundreds of Boulders residents – my friends who smell its awful emissions and hear its grinding noise. It is affecting everyone in our community who must pass it by and know it is devaluing our homes.

My grandchildren think I live in Shangri-La in The Boulders. When they visit and smell the Black Mountain Sewer facility it's hard to explain to them why it has been permitted to operate over the years in the midst of a lovely residential area. It's shameful.

We understand there will be a modest cost to shut this plant down. It will be well worth it. Please act now!

Sincerely,



Louise Reisman
7735 E. Old Paint Trail
Scottsdale, AZ 85266

Kathleen V. Rudy and Raymond B. Rudy

7498 E. High Point Drive, Scottsdale, AZ, 85266

480 488-5088

► **Arizona Corporation Commission**
Docket Control

1200 West Washington
Phoenix, AZ 85004

Re: Black Mountain Sewer, Docket Control No. SW-02361A-08-0609

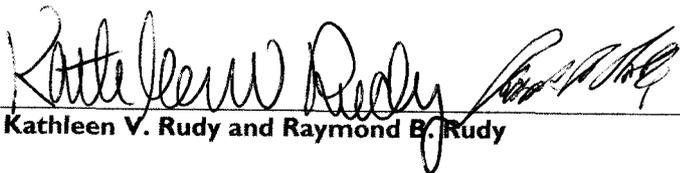
Dear Commissioners:

We are writing to support de-commissioning the Black Mountain Sewer Processing plant located in the Boulders community where we own a home. We fully understand that there are costs connected with this de-commissioning and remediation that will be passed on to us and to other residents. We are willing to accept our fair share of these costs.

The plant in question is located in an established and attractive residential community in close proximity to adjacent residences. Our belief is that such a location would not be acceptable under current environmental standards and continuing its operation imposes real hardships on the neighborhood. The plant frequently emits noxious and offensive odors, it risks pollution from chemicals used in an effort to suppress odors, there is frequently loud and objectionable noise from the processing plant and heavy repair and/or pumper trucks make frequent visits to the plant. It is an unacceptable situation.

Continuing to put money into efforts to improve the plant seems to us to be a pointless and wasteful exercise. The plant is old, probably of obsolete technology and in any event its location is thoroughly inappropriate. It is much preferable to confront the issue and close it down now.

We hope you will act to put an end to this problem. Thank you for your consideration


Kathleen V. Rudy and Raymond B. Rudy

Leslie Rist
33985 N. Ironwood Road
Scottsdale, AZ 85266
480-488-0208

Arizona Corporation Commission
Docket Control
1200 West Washington St.
Phoenix, AZ 85007

Re: Docket Control No. SW-02361A-08-0609
Black Mountain Sewer

Dear Commissioners,

I support the de-commissioning of the Black Mountain Sewer Processing Plant located in The Boulders Resort and Residential Community in Carefree and Scottsdale, AZ.

This plant produces strong and obnoxious odors and is very much out of place in a high-end residential community. I have lived in this community for twenty years, during which time Black Mountain Sewer has tried to limit the odors, but with limited success. Let's stop wasting time and money in an attempt to correct the problems associated with placing a processing plant in the wrong place. De-commission it now.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Rist". The signature is written in black ink and is positioned below the word "Sincerely,".

**Doris Rist
33985 N. Ironwood Road
Scottsdale, AZ 85266
480-488-0208**

Arizona Corporation Commission
Docket Control
1200 West Washington St.
Phoenix, AZ 85007

**Re: Docket Control No. SW-02361A-08-0609
Black Mountain Sewer**

Dear Commissioners,

I support the de-commissioning of the Black Mountain Sewer Processing Plant located in The Boulders Resort and Residential Community in Carefree and Scottsdale, AZ.

This plant produces strong and obnoxious odors and is very much out of place in a high-end residential community. I have lived in this community for twenty years, during which time Black Mountain Sewer has tried to limit the odors, but with limited success. Let's stop wasting time and money in an attempt to correct the problems associated with placing a processing plant in the wrong place. De-commission it now.

Sincerely,

Doris Rist

Ethel B. Kilbridge

7501 E. Thompson Peak Pkwy.

Unit 231

Scottsdale, AZ 85255

10/27/09

AZ Corporation Commission
Hocket Control
1200 W. Washington
Phoenix, AZ 85007

Black Mountain Sewer
Docket Control No.
SW-02361A-08-0609

Dear Commissioners:

I own property at 3066 Ironwood Road in the Boulders and I support decommissioning the Black Mountain Sewer Processing Plant located in the Boulders. The reasons for this request include strong and nauseating odors caused by the present plant, health concerns, loud noises, necessity of frequent repairs and decreased home and property values.

I thank you for consideration of this request.

Ethel Kilbridge

October 26, 2009

Arizona Corporate Commission
Docket Control
1200 West Washington Street
Phoenix, AZ 25007

Reference Docket Control Number: SW-02361A-08-0609

Dear Sir or Madam:

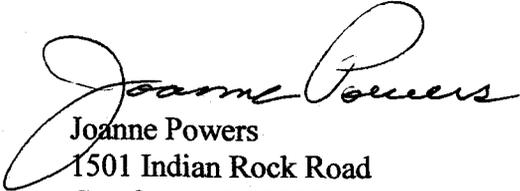
Please decommission the old and outdated sewage treatment plant located in our residential community at the Boulders in Carefree.

Our house is just 3 lots west of the site and it presents a continual nuisance with its odor and all of the repairs and maintenance activity it generates.

I understand there is ample surplus capacity in Scottsdale system to easily handle the need and that little if any cost would be involved in shutting it down.

Please decommission it now.

Regards,


Joanne Powers
1501 Indian Rock Road
Carefree, AZ 85377

~~BE. Ted Wojcik~~