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January 30, 2014

AZ 00100  
DOCKET

Mr. Troy Day  
Vice President of Operations  
EPCOR Water  
2355 W. Pinnacle Peak Road, Suite 300  
Phoenix, Arizona 85027

WS-01303A-13-0446

Arizona Corporation Commission  
DOCKETED

Re: Comments and Concerns of The City of Litchfield Park Regarding the  
EPCOR Water Arizona Inc. MAG 208 Amendment Application  
for the West Valley Regional Water Reclamation Facility

JAN 31 2014

DOCKETED BY 

Dear Mr. Day:

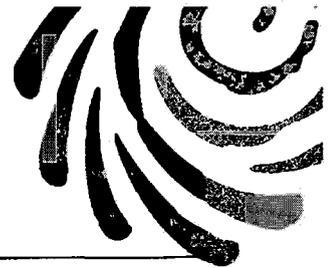
Thank you for your emailed draft letter of January 24, 2014 (attached), in response to comments and concerns raised by the City of Litchfield Park in our letters of January 17 and 22, 2014, regarding your company's application for an amendment to the MAG 208 Water Quality Master Plan and extension of your wastewater service area.

With respect to the potential nuisance issues, we appreciate your commitment to completely enclosing plant components, installing scrubbers and noise abatement equipment, and controlling dust at the site to mitigate the potential for such nuisances. We expect that this commitment will begin with the first acceptance of wastewater at your proposed facility and continue unabated for the entire life of the facility. We will monitor the progress of this project to ensure that your commitment is fulfilled and that only the best available equipment and practices to mitigate potential nuisances from the plant will be included in your plans.

Regarding vault and haul operations, we appreciate your commitment to transport the wastewater to existing EPCOR facilities located to the west of your proposed plant, thus eliminating the need to transport raw wastewater through the City of Litchfield Park. Again, we will monitor the initial start-up of the proposed plant to ensure that this commitment is also fulfilled. Should your concepts change as the project progresses, we would appreciate being informed as to your revised plans for transporting raw wastewater.

Likewise regarding disposal of sludge from the proposed facility, we appreciate your commitment to dispose of the sludge at the Northwest Valley Landfill and to commit to a route for hauling the sludge that eliminates trucks from travelling through the City of Litchfield Park. If the sludge may be applied to land in the vicinity of the proposed plant in the future, we expect that EPCOR and its successors will notify the City. We continue to be concerned that, if the sludge is inadequately treated and applied to the land, an unacceptable nuisance could be created for our citizens not only due to odors, but also as a result of birds, animals and insects being attracted to the sludge. For that reason, we reserve the right to intervene in the permitting process for such land application of sludge and to insist that the operation be stopped if a nuisance develops.

Mr. Troy Day  
EPCOR Water  
Comments and Concerns of The City of Litchfield Park  
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Regarding disposal of effluent, we appreciate EPCOR's commitment to re-use and recharge effluent as much as possible. However, we continue to be concerned about the discharge of effluent to washes in the vicinity of the plant. The area around the proposed plant site—especially the area downstream and south of Camelback Road—has developed rapidly over the last few years and is continuing to develop today. The only wash in the area that could accept effluent from this proposed plant is Bullard Wash, which has been constructed as a grass-lined linear park and amenity for the surrounding community. Bullard Wash extends for several miles through residential areas and undeveloped property until it reaches the Gila River. We do not understand how this wash, which provides recreational opportunities for thousands of people every day, could be used for the disposal of effluent. There would be numerous puddles along the way in which children might play.

Furthermore, we are concerned that emergency disposal of effluent could include inadequately treated wastewater, which would add to the potential of health issues. We have seen recent incidents in the Phoenix Metro area where inadequately treated effluent discharged to lakes within a community has created odor problems for the nearby residents. We continue to request that the issue of surficial discharge of effluent be addressed at this early stage of planning for this facility.

Regarding recharge of effluent to help control the spread of the Phoenix-Goodyear Airport North Superfund plume, we will participate in the aquifer protection permitting process for the EPCOR plant and encourage, through that process and other activities, the beneficial use of effluent recharge for that purpose.

We appreciate your quick response to our concerns and look forward to an ongoing and mutually beneficial resolution to the issues we have raised.

Sincerely,

Darryl H. Crossman  
City Manager

Attachment: 3 page emailed draft letter of 1/24/14 to D. Crossman from T. Day

cc: Chairman Bob Stump, Arizona Corporation Commission  
Commissioner Bob Burns, Arizona Corporation Commission  
Commissioner Brenda Burns, Arizona Corporation Commission  
Commissioner Gary Pierce, Arizona Corporation Commission  
Commissioner Susan Bitter Smith, Arizona Corporation Commission  
Mayor Thomas L. Schoaf  
Members of Council  
Woody Scoutten, City Engineer  
Susan Goodwin, City Attorney  
Dale Bodiya, Program Manager, Maricopa County Environmental Services Dept.  
Javier Setovich, Deputy Director for Plant Operations, City of Glendale  
Julie Hoffman, Environmental Planning Program Manager, MAG  
Shawn Bradford, Director, Central Division, EPCOR Water  
Tom Suriano, Principal Hydrogeologist, Clear Creek Associates  
Brian Dalke, City Manager, City of Goodyear

January 24, 2014

City of Litchfield Park  
Darryl Crossman, City Manager  
214 W. Wigwam Boulevard  
Litchfield Park, AZ 85340

Re: Comments and Concerns of The City of Litchfield Park Regarding the EPCOR Water Arizona Inc. MAG 208 Amendment Application for the West Valley Regional Water Reclamation Facility

Dear Mr. Crossman:

On January 22<sup>nd</sup> EPCOR Water Arizona Inc. (EPCOR) was provided an electronic copy of your letter (attached) to the Maricopa Association of Governments expressing Litchfield Park's comments and concerns with respect to the MAG 208 Amendment Application for EPCOR's proposed West Valley Regional Water Reclamation Facility (WVRWRF). EPCOR has reviewed your letter and offers the following responses in hopes we can reach a mutually satisfactory and timely resolution of your concerns and obtain a letter of no objection for the amendment application. Our staff looks forward to meeting with you at your earliest convenience to discuss your concerns and explain how we intend to address them to your satisfaction.

Comments 1 and 2 address the possibility of odor, noise and other potential nuisance conditions at the proposed WVRWRF and requests plant components at the facility be completely enclosed and that state-of-the-art technologies be used to control those conditions. EPCOR is fully committed to being a good neighbor and meeting or exceeding all relevant State requirements related to this issue, completely enclosing plant components, installing scrubbers and noise abatement equipment, and controlling dust at the site to mitigate the potential for such nuisance conditions. These efforts will commence with the construction phase and will be in place for the life of the facility.

Comments 3 and 4 address concerns related to interim "vault-and-haul" operations, the generation of sewage sludge and transport of same, and the potential application of sewage sludge to nearby agricultural lands. If vault-and-haul operations become necessary during the initial start-up of the WVRWRF, EPCOR will transport those materials westward to EPCOR's Russell Ranch Water Reclamation Facility near the intersection of Camelback Ave and Citrus Road, or to EPCOR's Verrado WRF farther west. EPCOR intends to deliver the sludge generated at the WVRWRF to the Northwest Valley Regional Landfill at 19401 West Deer Valley Road in Surprise, Arizona. Sludge would be transported west from the facility along Camelback Ave and then north along the Loop 303 to the landfill. All treatment and disposition of sewage sludge will be performed in compliance with ADEQ's Biosolids/Sewage Sludge Management Program. If, at some point in the future, EPCOR identifies a potential customer interested in the purchase and/or land application of biosolids from the WVRWRF, we

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will work with Litchfield Park to ensure the customer addresses the concerns of local stakeholders and that such activities do not create nuisance conditions.

Comment 5 expresses Litchfield Park's concerns about the ultimate disposition of treated effluent from the WVRWRF and requests a plan be developed now that specifically identifies the location of future reuse or discharge. In addition, Litchfield Park expresses concern that there are no suitable washes in the vicinity of the WVRWRF which could receive discharges from the facility. EPCOR is committed to developing beneficial reuse options that will maximize the efficient use of treated effluent and minimize the potential for negative impacts to our neighbors. EPCOR is currently in the initial planning phase of identifying the range of potential options for the reuse of the Class A+ treated wastewater that will be generated at the WVRWRF. Our highest priorities are providing beneficial reuse opportunities for our customers and conducting on-site recharge to the maximum extent practicable on the 40 acre site of the WVRWRF. While it is not possible to identify the specific reuse customers and volumes required within the proposed service area until the area begins to experience growth, we are exploring the opportunity to use the nearby Falcon Golf Club as an off-site point of reuse. In addition, EPCOR is also exploring the long-range possibility of off-site recharge opportunities with the Central Arizona Groundwater Replenishment District. We believe any water recharged in this area will be beneficial to declining water levels in the regional aquifer.

With respect to the potential for surficial discharges to a nearby wash, EPCOR plans to obtain an Arizona Pollutant Discharge Elimination Systems (AZPDES) permit now as a necessary tool to provide future operational flexibility in the event of an unforeseen emergency condition where on-site recharge, off-site recharge, and reuse capabilities become inadequate to handle all flows. EPCOR does not anticipate this emergency disposal option could be necessary until the facility reaches much higher flows, and any efforts by EPCOR to obtain a permit for surficial discharge will be conducted through the open public permitting process of the AZPDES program. EPCOR anticipates Litchfield Park will be actively involved in the AZPDES permitting process as we identify and evaluate the range of available effluent disposal options with full consideration for mitigating the potential for negative impacts on surrounding neighbors and communities. EPCOR would also like to engage Litchfield Park now to better understand your concerns about emergency surficial discharges and to identify a practical and mutually acceptable solution.

Comment 7 expresses Litchfield Park's concerns about the Phoenix-Goodyear Airport North Superfund plume of contaminated water and asks MAG to require EPCOR to conduct recharge operations in a manner that provides long-term resistance to the spread of the plume. EPCOR recognizes the importance to Litchfield Park of containment of the Phoenix-Goodyear Airport North Superfund contamination plume. During the Aquifer Protection Permit (APP) Process, Litchfield Park and the other interested parties will have the opportunity to express their respective concerns regarding the anticipated impact of EPCOR's recharge plans on the contamination plume. EPCOR will subsequently comply with all permitting requirements established in the APP for recharge operations associated with the WVRWRF.

January 24, 2014

City of Litchfield Park  
Darryl Crossman, Town Manager  
214 W. Wigwam Boulevard  
Litchfield Park, AZ 85340

In closing, EPCOR hopes our responses and assurances provided here adequately address your concerns about the WVRWRF and the MAG 208 amendment application. We are committed to constructing and operating the WVRWRF to support the future wastewater demands of the region, and we are also committed to doing this as a responsible neighbor to nearby residents and communities.

Please feel free to call me if you have any questions or would like to discuss these issues further.

Regards,

Troy Day  
Vice President of Operations

Enclosure

cc: Julie Hoffman, Maricopa Association of Governments  
Dale Bodiya, Maricopa County  
Javier Setovich, City of Glendale  
Mayor Thomas L. Schoaf  
Members of the Litchfield Park City Council  
Woody Scoutten, City Engineer  
Susan Goodwin, City Attorney