

COMMUNICATION PLAN  
North Indian Bend Wash  
Scottsdale, Arizona

# North Indian Bend Wash Superfund Site



*Prepared for:*

U.S. Environmental Protection Agency  
Region IX

*Prepared by:*

NIBW Participating Companies

*In cooperation with:*

City of Scottsdale

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## **1.0 INTRODUCTION**

In accordance with the Statement of Work (SOW), Appendix B to the Amended Consent Decree of the North Indian Bend Wash (NIBW) Superfund Site, Final Operable Unit, this Communication Plan presents the process for informing the public of potential public health concerns associated with the NIBW remedy. In particular, this Communication Plan provides a summary of public notification steps to be taken in the event a malfunction in the water treatment process at the Central Groundwater Treatment Facility or Miller Road Treatment Facility results in water that contains volatile organic compounds (VOCs) from the NIBW Superfund Site at concentrations greater than drinking water standards being released into public drinking water supplies.

This plan would be implemented following the agency notifications required by the Safe Drinking Water Act, the Amended Consent Decree, and applicable Operation and Maintenance Plans.

## **2.0 BACKGROUND**

Groundwater extraction and treatment of VOCs is the selected remedial action for restoration of the aquifer at the NIBW Superfund Site. Treated groundwater from two NIBW treatment systems, the Central Groundwater Treatment Facility (CGTF) and the Miller Road Treatment Facility (MRTF), is distributed for beneficial use as a drinking water supply. The City of Scottsdale (COS) takes treated groundwater from the CGTF and Salt River Project (SRP) and the Arizona American Water Company (AAWC) accepts treated groundwater from the MRTF.

Treatment removes VOCs, specifically five NIBW contaminants of concern (COCs) including trichloroethene, tetrachloroethene, 1,1,1-trichloroethane, 1,1-dichloroethene, and chloroform that may be present in contaminated groundwater. Cleanup levels for the NIBW COCs are identified in Table 3 of the September 2001 Record of Decision Amendment for the NIBW Superfund Site (Amended ROD) and are shown below:



<b>NIBW COCs</b>	<b>MCL (µg/l)</b>
Trichloroethene	5.0
Tetrachloroethene	5.0
1,1-Dichloroethene	7.0
1,1,1- Trichloroethane	200
Chloroform	6.0*

\* Chloroform produced as a byproduct of municipal water supply disinfection is exempt from the treatment standard for chloroform identified in Table 3 of the Amended ROD.

This section provides a brief summary of the rationale and requirements for public notification that may occur during operation of the CGTF and MRTF. Public water providers have additional compliance obligations for treatment, monitoring, and reporting of drinking water quality aside from NIBW COCs that are not within the scope of this document.

The public notification described in this Communication Plan originates from two distinct regulatory sources: 1) notification provided to water system customers required by the Safe Drinking Water Act (SDWA) and 2) notification provided to the NIBW Community Involvement Group as required by the Amended Consent Decree and accompanying SOW.

## **2.1 General Overview of SDWA Requirements for Public Water Systems**

All water suppliers that provide water for public drinking water systems are regulated by the SDWA. The U.S. Environmental Protection Agency (EPA) or states that have the delegated authority for the SDWA, set standards for drinking water quality and oversee the water suppliers who implement those standards. For public drinking water systems operating within Maricopa County such as those associated with NIBW water providers, the EPA and Arizona Department of Environmental Quality (ADEQ) have delegated the program authority for the SDWA to the Maricopa County Environmental Services Department (MCESD).

Drinking water rule requirements in the SDWA are approved by the State of Arizona and codified in the Arizona Administrative Code (A.A.C.). The SDWA and state rules require that a public water system notify the appropriate regulatory agencies of



any violation, followed by notice to the public. The requirements specify timing, method, and content of the notices. The following summary is a general overview of the public notification requirements. For specific requirements, please see the SDWA and the A.A.C.

As part of the SDWA requirements, public drinking water systems must notify their customers when they violate primary EPA or state drinking water Maximum Contaminant Levels (MCLs) or otherwise provide drinking water that might pose a risk to consumers' health. For VOCs, an MCL violation is defined in A.A.C. R-18-4 (the denotation means Title 18, Chapter 4), which states the water system is out of compliance if the running annual average of samples taken at each sample point of entry to the public water system exceeds the MCL.

Public notice requirements are also specified in A.A.C R-18-4. The requirements are divided into three categories depending on the severity of the situation and any potential adverse health effects that may be involved. In the following description, the term "tier" is used in accordance with the federal public notice regulation.

The first tier is for SDWA violations posing acute health risks due to short-term exposure such as disinfection interruptions or presence of microbial pathogens that could cause an outbreak of waterborne disease. Tier 1 violations require notice within 24 hours via broadcast media or other immediate postings needed to reach the persons served.

The second tier of notification is for situations when a water system provides water with levels of contaminants that exceed a primary MCL or that has not been properly treated, but that does not pose an immediate risk to public health. A violation of the drinking water MCL for TCE and other VOCs defined as NIBW COCs in a public drinking water system would typically constitute a Tier 2 public notice event. Tier 2 violations are considered less urgent than Tier 1 violations or situations because there is little immediate risk to consumers, or because the system may have already returned to compliance by the time the notice is issued. Tier 2 notices must be made as soon as practical but within 30 days of the violation and may be provided via the media, posting, or direct mail to the full service area affected by the event.

Tier 3 notices are required for lesser violations of the SDWA that do not have a direct impact on human health. Water providers have up to a year to provide notice of this situation to its customers.

Each public water system must also issue an Annual Consumer Confidence Report (CCR). The CCR includes a summary of the results from all water quality compliance samples taken during the year. The CCR is mailed directly to each customer of the water system. The CCR can also be found on the website of the water provider.



### 2.1.1 Notice to Public Water System Customers

SDWA rules prescribed in 40 CFR Part 141, Subpart Q (Public Notification Regulations for Public Water Systems) and A.A.C. R-18-4 specify the form, content, manner, and frequency of public notification for violations of national primary drinking water regulations. With respect to this Plan, the rules require public notice in the event concentrations of NIBW COCs exceed the MCL at the point of entry into the drinking water system. For the City, the point of entry into the drinking water system has been designated by MCESD as Reservoir 80, a potable water reservoir that is supplied in part by water treated at the CGTF. For the AAWC, the point of entry into the drinking water system has been designated by MCESD as the 24 inch effluent piping from the MRTF that is supplied in part with water treated at the MRTF.

As defined in A.A.C. R-18-4, where sampling is conducted quarterly or more frequently, an MCL violation is determined based on the running annual average of samples taken at the compliance point. Any sample result that causes the running annual average to exceed the MCL is immediately out of compliance. As the primacy agency, MCESD has the authority to make determinations regarding compliance with drinking water standards.

Typically, any confirmed MCL violation for TCE or other NIBW COCs require the water provider to issue a Tier 2 public notice. MCESD has the discretion to elevate the Tier level of a public notice, however, and may make a case by case determination. Tier 2 public notices must contain, at a minimum, the following information in a written notice format:

- A description of the violation;
- When the violation occurred;
- Potential adverse health effects, using mandatory health effects language;
- Population at risk;
- Whether alternative water supplies should be used;
- Actions consumers should take, including when they should seek medical help, if known;
- What the water provider is doing to correct the violation;
- When the water provider expects to return to compliance;
- Name, business address, and phone number for additional information; and
- Standard language encouraging distribution to all persons served

SDWA and state regulations and guidance in the EPA Public Notification Handbook prescribe the following responses for circumstances where the drinking water violation is attributed to TCE and other NIBW COCs. First, as a Tier 2 notice, the



water supplier should be clear to explain that the situation is not an emergency and that consumers would have been notified immediately if it had been. The EPA-provided health effects language, as specified in Section 141.205(d), must be included exactly as given in the regulations, such as in the following standard response mandated for a violation of the TCE MCL:

Some people who drink water containing TCE in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer.

Second, the water supplier should clarify that it is not necessary to seek other sources of drinking water. In making this recommendation the notice may suggest that individuals consult with their doctor if they have specific health concerns.

Tier 2 notices must be made as soon as practical but within 30 days after a violation is discovered. Unless directed otherwise by the MCESD, the notice must be delivered by direct mail to each service connection and each customer receiving a bill. Additionally, the water provider must provide notice by any other method reasonably calculated to reach others regularly served by the water system that would not normally be reached by mailing.

The COS and AAWC will be responsible for communications to their respective customers of public notices associated with the SDWA requirements.

### **3.0 NIBW COMMUNITY INVOLVEMENT GROUP COMMITMENT**

Beginning in 1996, the EPA began conducting periodic meetings with a small group of citizens to provide updates on Site activities. The group of citizens became known as the Community Involvement Group (CIG). CIG meetings were held to provide interested community members from Scottsdale and neighboring areas with a forum to meet with the agencies, the COS, and the NIBW PCs to gather information and develop a background and understanding of the NIBW cleanup actions. At least 40 meetings were convened with the CIG from 1996 through 2002 for the purpose of informing and updating interested citizens and addressing their concerns and issues related to the NIBW Site. The CIG has asked to be informed at any time treated water from the CGTF or MRTF is found to contain NIBW COCs above the cleanup levels.



### **3.1 Notice to the Community Involvement Group**

The CIG has asked to be informed at any time treated water at the common sump for the CGTF or the air stripper column effluent for the MRTF is found to contain NIBW COCs above the cleanup level set forth in the Amended ROD, exclusive of start up water that is sent to the SRP water system. With respect to this Plan, the NIBW PCs or the COS, as appropriate, will take the following steps to notify and inform the CIG of any such event. The CIG notification will be independent of public notification defined in the previous section for customers or consumers of the water systems that provide treated groundwater from the NIBW site.

The NIBW PCs or COS, as appropriate, will contact the CIG and provide notice of any confirmed sample results above the cleanup levels set forth in the Amended ROD for the NIBW COCs. In such an event, the CIG will be notified as soon as practicable, but no later than seven days after oral notifications have been made to the EPA, ADEQ Remedial Projects, and MCESD according to the water quality response procedures specified in the CGTF or MRTF O&M Plans. The notification will consist of a factual accounting of the sampling results and information known regarding the event.

The NIBW PCs will be responsible for communications to the CIG for the MRTF, and the City or the NIBW PCs, at the City's request, will make contact regarding the CGTF. The contact will be made verbally to the designated primary and alternative representatives of the CIG<sup>1</sup>. If either the primary or alternate CIG representatives are not available, a facsimile or email transmittal will be provided within this same time frame in lieu of oral notification. During the same time period at the latest, the NIBW PCs and the City will undertake to notify orally each other's respective technical representative of an event described above.

Within seven days of implementation of the water quality response procedures identified in the O&M Plans, the NIBW PCs or COS will provide a copy of the written incident report that is generated for EPA and ADEQ to the designated primary representative of the CIG. The written report will include a description of the event and its apparent cause; the period of the event including dates and times, if known; the anticipated time it is expected to continue if the situation has not been corrected; and steps taken or planned to reduce, eliminate, and prevent recurrence of such an event.

The NIBW PCs will further provide contact information for an Environmental Program Specialist at the Arizona Department of Health Services (ADHS) to answer

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<sup>1</sup> The Community Involvement Group will be asked to designate a primary and alternative representative of the CIG to receive verbal notification and written documentation provided by the COS and NIBW PCs. The designated representatives and their contact information will be confirmed or updated annually.



questions concerning the potential risk to public health resulting from the event. The NIBW PCs will coordinate with the CIG representatives to assure other interested CIG members are informed and arrange a meeting upon request to answer questions regarding the situation.

If requested by a CIG representative, a meeting of the CIG will be convened at the earliest opportunity following submittal of the written report and once sufficient information has been compiled to document the situation that caused the event and corrective actions taken. The NIBW PCs, with the cooperation of the City, will coordinate with EPA, ADEQ to develop a fact sheet for discussion at the CIG meeting. The fact sheet will provide information in a question and answer format to respond to the potential public health concerns. An ADHS Environmental Program Specialist will be invited to answer specific questions on the health risks associated with the level of exposure to any NIBW COCs.

#### **4.0 CONTACT INFORMATION**

The attached chart depicts the current roles and responsibilities of key individuals and organizations involved with the NIBW Superfund Site response action. As follows is contact information for currently-assigned EPA, ADEQ, COS, and the NIBW PCs project coordinators.

##### **U.S. Environmental Protection Agency:**

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**NIBW Participating Companies:**

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Scottsdale, AZ 85254  
phone: 480-948-7747  
fax: 480-948-8737  
email: dshirley@elmontgomery.com

Contact information for the Community Information Group will be obtained through EPA Region 9 Community Involvement Coordinator, currently Vicki Rosen, at phone: 415-972-3244, fax: 415-947-3528, or email: rosen.vicki@epa.gov.

**5.0 REFERENCE DOCUMENTS**

**Amended Consent Decree, CV 91-1835-PHX-WPC**  
Prepared by the Environmental Protection Agency  
June 5, 2003

**Arizona Administrative Code, Title 18 Environmental Quality, Chapter 4  
Department of Environmental Quality Safe Drinking Water**  
Prepared by the Arizona Secretary of State  
Supplement 02-3

**Central Groundwater Treatment Facility Operation and Maintenance Plan,  
North Indian Bend Wash Superfund Site, Scottsdale, Arizona**  
Prepared by the City of Scottsdale  
Approved by EPA January 2003; revised April 2006; approved by EPA June 26,  
2006

**Revised Public Notification Regulations for Public Water Systems, 65 FR  
25981**  
Prepared by the Environmental Protection Agency  
May 4, 2000



**Miller Road Treatment Facility Operation and Maintenance Plan, North Indian Bend Wash Superfund Site, Scottsdale, Arizona**

Prepared by the NIBW Participating Companies

Draft issued February 28, 2003, approved by EPA June 26, 2006

**Public Notification Handbook, EPA 816-R-00-010**

Prepared by the Environmental Protection Agency Office of Water

June 2000

**Record of Decision Amendment for the North Indian Bend Wash Superfund Site, Final Operable Unit, Scottsdale, Arizona**

Prepared by the Environmental Protection Agency

September 2001

**Statement of Work for Remedial Design and Remedial Action, Appendix A to the Amended Consent Decree**

Prepared by the Environmental Protection Agency

February 2003 (Amended Consent Decree approved on June 5, 2003)



**REMEDIAL PROJECT MANAGER**  
Robert Peebles Don Atkinson



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**EPA RESPONSE ACTION CONTRACTOR**  
Phil Whitmore, P.G.



**REMEDICATION MANAGER**  
Gary Jones, Esq



**REMEDICATION PROGRAM MANAGER**  
Terry Lockwood



**REMEDICATION MANAGER**  
Tom Beggs



**City of Scottsdale**  
**PROJECT COORDINATOR**



**NIBW Participating Companies**  
**PROJECT COORDINATOR** Dennis Shirley, P.G.  
**PROJECT ENGINEER** James Lutton, P.E.



**PROJECT COORDINATOR**  
Karol Wolf



**GROUNDWATER REMEDIATION PROGRAM**  
**SUPERVISING LABORATORY CONTRACTOR**



**GROUNDWATER MONITORING PROGRAM**  
**SUPERVISING LABORATORY CONTRACTOR**  
Linda Johnson



**City of Scottsdale**  
**CGTF**  
Brian Paulson



**AREA 7 GWETS COORDINATOR**  
Sean Coury, E.I.T.

**EnSolutions**  
**AREA 12 GWETS COORDINATOR**  
Larry Lynch



**MRTF COORDINATOR**



**Groundwater Monitoring & Extraction Well Services**

- COS-71
- COS-72
- COS-75A

- 7EX-1UA
- 7EX3aMa
- 7EX-4MA
- 7EX-5MA

- MEX-1

- AAWC-15

- Monitor Well Network
- COS-31
- PCX-1
- Granite Reef Well