



LAKE HAVASU CITY

Community Investment Department

ENGINEERING ♦ PROCUREMENT ♦ BUILDING ♦ PLANNING & ZONING ♦ CODE ENFORCEMENT



June 14, 2019

John Patricki
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ 85007

Subject: No Further Action Request, Former Kiowa Ponds Site (VRP Site Code 512957-00)

Dear Mr. Patricki:

Lake Havasu City is requesting No Further Action (NFA) at the Former Kiowa Ponds Site in Lake Havasu City, Arizona. This request is for chromium (total, trivalent, and hexavalent), nitrate, and volatile organic compounds (VOCs).

On November 1, 2005, ADEQ granted an APP closure ("Permit Release") for metals, SVOCs, and other contaminants of concern. The November 1, 2005, Permit Release Notice for Aquifer Protection Permit (APP) No. P-101415 for the Kiowa Ponds was based on the data collected and analyzed pursuant to the May 2000 Brownfield Targeted Site Assessment Report, all samples were analyzed for metals and SVOCs. The Permit Release provided that, "... ADEQ... has determined that the above mentioned facility has met the clean closure criteria ... and now qualifies as a closed facility ... Post-closure monitoring and maintenance are not necessary. ..." By granting this No Further Action request, ADEQ is reaffirming the November 1, 2005, APP closure.

Subsection A of Arizona Revised Statutes (ARS) § 49-181 lists seven requirements for a report requesting NFA. These requirements are described below.

A description of specific contaminants for which a NFA determination is being sought.

The specific contaminants for which an NFA determination for soil is being sought include:

Inorganics

Chromium
Chromium (III)
Chromium (VI)
Nitrate

1,2-Dichloroethane
1,2-Dichloropropane
1,3,5-Trimethylbenzene
1,3-Dichlorobenzene
1,3-Dichloropropane
1,4-Dichlorobenzene

Volatile Organic Compounds

1,1,1,2-Tetrachloroethane
1,1,1-Trichloroethane
1,1,1,2-Tetrachloroethane
1,1,2-Trichloroethane
1,1-Dichloroethane
1,1-Dichloroethene
1,2,3-Trichloropropane
1,2,4-Trimethylbenzene
1,2-Dibromo-3-chloropropane
1,2-Dibromoethane
1,2-Dichlorobenzene

Acetone
Benzene
Bromobenzene
Bromodichloromethane
Bromoform
Bromomethane
Carbon disulfide
Carbon tetrachloride
Chlorobenzene
Chloroethane
Chloroform
Chloromethane

cis-1,2-Dichloroethene
Dibromochloromethane
Dichlorodifluoromethane
Ethylbenzene
Hexachlorobutadiene
Methylene chloride
Methyl-tert-butyl ether
Naphthalene
n-Butylbenzene
n-Propylbenzene
sec-Butylbenzene

Styrene
tert-Butylbenzene
Tetrachloroethylene
Toluene
Total xylenes
trans-1,2-Dichloroethene
Trichloroethene
Trichlorofluoromethane
Vinyl acetate
Vinyl chloride

A description of the actions taken to achieve remediation levels or controls determined in accordance with ARS § 49-175(B). Approximately 4,600 cubic yards of sludge were removed from the former ponds by a contractor for the City in 1998.

A description of any soil, water, or soil and water treatment systems, used as part of the remediation. No soil or water treatment systems were used for remediation at the Site.

If institutional or engineering controls have been placed on or constructed on site; (a) a demonstration that any engineering control(s) is/are functioning and will be maintained; and (b) a description of the proposed land-use for the site, and a demonstration that the use will not compromise the integrity of the engineering control(s), and will be in conformity with any institutional controls. There are no institutional or engineering controls on the site.

If post-remediation monitoring is proposed, a description of the type of monitoring, monitoring locations, contaminants to be monitored, monitoring frequency and sampling procedures. No post-remediation monitoring is proposed.

A description of community involvement activities undertaken at the site to meet the requirements of § ARS 49-176B. No community involvement activities have been required for this Site. After ADEQ approves this request, the City will issue a public notice announcing the request for NFA determination. The notice will be published for one day in the Today's News-Herald. The City will provide ADEQ with any comments received during the 30-day comment period.

A list of permits obtained for the remedial action or held by the applicant pertaining to the site. The Site previously operated under Aquifer Protection Permit Number P-101415, which was closed by ADEQ on November 1, 2005. A drilling permit was not required for the 2018 soil and soil gas sampling program.

The information presented above fulfills the requirements listed in Subsection A of ARS § 49-181 for requesting an NFA determination.

Sincerely,

 FOR
J. Greg Frosie, P.E.
Community Investment Director/City Engineer

Attachments: Figure 1. Site Location Map
Figure 2. No Further Action Area Boundary
Draft Public Notice

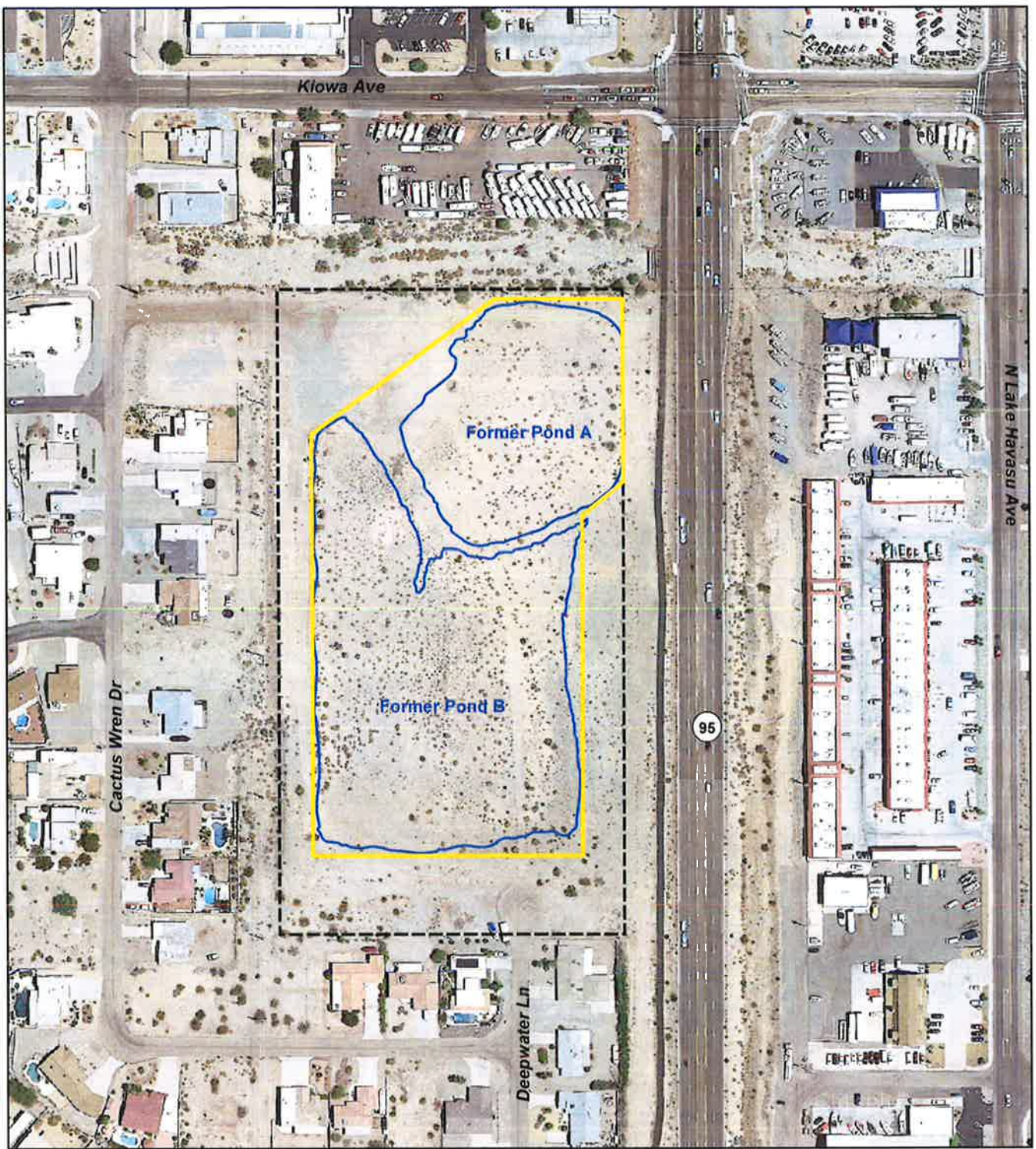


FIGURE 1
Site Vicinity Map
Former Kiowa Ponds Property
Lake Havasu City, Arizona

Source Information: USGS

proj\LakeHavasuCity\689931\NorthWalk\Kiowa Ponds\NFA Request and Support\NFA Request\Figure 1 Site Vicinity Map.pdf 05/03/2019





LEGEND

- No Further Action Area Boundary
- Former Pond
- Site Boundary

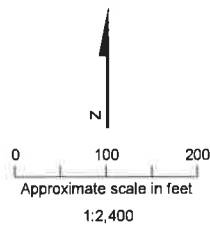


Figure 2. No Further Action Area Boundary
Former Kiowa Ponds Property
Lake Havasu City, Arizona

Source Information: Esri World Imagery

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**NOTICE OF 30-DAY PUBLIC COMMENT PERIOD
FORMER KIOWA PONDS
VOLUNTARY REMEDIATION PROGRAM SITE
REQUEST FOR NO FURTHER ACTION DETERMINATION**

Lake Havasu City has submitted a request for a No Further Action (NFA) determination to the Arizona Department of Environmental Quality (ADEQ) Voluntary Remediation Program (VRP) for the Former Kiowa Ponds VRP site. The NFA requests closure for soil and was submitted in accordance with Arizona Revised Statutes § 49-181.

The Former Kiowa Ponds VRP site consists of vacant land located in Lake Havasu City, Arizona. Contaminants of concern at the site are organic compounds, metals, and nitrate in soil. An investigation conducted in 2000 demonstrated that semivolatile organic compounds and metals are not present in Site soil at concentrations that exceed regulatory criteria. The ADEQ Aquifer Protection Permit Program granted closure of the site in 2005. A comprehensive site investigation in 2018 demonstrated that volatile organic compounds and nitrate are not present in Site soil at concentrations that exceed regulatory criteria.

The NFA Report and the VRP file are available for review at the ADEQ Records Center, 1110 W. Washington St., Phoenix, (602) 771-4380, or (800) 234-5677, ext. 6027714380; please call for hours of operation and to schedule an appointment.

PARTIES WISHING TO SUBMIT WRITTEN COMMENTS regarding the NFA request for Former Kiowa Ponds VRP site may do so to ADEQ, Attention: John Patricki, Voluntary Remediation Program, 1110 W. Washington St., Phoenix, AZ 85007 or Patricki.John@azdeq.gov; and reference this listing. **Comments must be postmarked or received by ADEQ by [day of week] [date], 2019.**

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities.

Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or idb@azdeq.gov.

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o idb@azdeq.gov.

Dated this [date] day of [month], 2019.