



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

October 7, 2020

Jack Fields, Assistant County Administrator
1015 Fair St.
Prescott, AZ 86305

RE: Yavapai County Criminal Justice Center (YCCJC)

Dear Mr. Fields,

The Arizona Department of Environmental Quality (ADEQ) has received over 50 letters from citizens of the City of Prescott who oppose development at 1200 Prescott Lakes Parkway in Prescott, Arizona (Property). In response to these complaints, ADEQ reviewed the Phase I Environmental Site Assessment (Phase 1 ESA) conducted by Speedie and Associates on behalf of Yavapai County with a final report dated July 31, 2020. The Phase 1 ESA covered past and present environmental conditions at the Property (currently vacant land); provided details on the west adjacent property (a closed landfill); and presented several recommendations.

The purpose of this letter is to provide the County with concerns raised from our review of the Phase 1 ESA as well as from complaints received and to provide recommendations ADEQ thinks would be beneficial in resolving these concerns. These recommendations do not supersede current permits or landfill post-closure requirements.

Underground Storage Tanks (USTs) and Jurisdiction

Two historical UST systems were present at the Property:

UST Facility No. 0-000783 (Keith Bunker, Inc.)

The Phase I ESA describes that a Phase II soil boring investigation was conducted at the former UST zone in 2015 which identified one 25 foot deep soil sample with concentrations of trimethyl-benzene (TMB) compounds above Arizona Soil Remediation Levels (SRLs).

Information about the TMB exceedances to SRLs was reported by an environmental consultant to ADEQ as evidence of a historical fuel release. However, because the UST was reportedly used for residential purposes only and the tank systems were below the 1,100 gallon capacity threshold, ADEQ determined that the tanks and any related release are exempt from UST regulations.

Main Office

1110 W. Washington Street • Phoenix, AZ 85007
(602) 771-2300

Southern Regional Office

400 W. Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

www.azdeq.gov

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Recommendation

Based on the anticipated development plans, ADEQ recommends that Yavapai County conduct a soil gas sampling survey of the excavation zone of the former residential UST Facility No. 0-000783. The data can be used in an appropriate model to assess the potential risk of Soil Vapor Intrusion into a structure that potentially would be constructed over the UST excavation zone.

UST Facility No. 0-010578

ADEQ's UST file is incomplete and does not include a notice of closure. Email correspondence between ADEQ and an environmental consultant indicates that during the removal of 3 USTs at the Property, a tar-like substance spilled into the tank pit that was not removed (e.g., the substance was buried in place).

According to the consultant, laboratory results showed the soil did not contain any volatile organic compounds (VOCs) or semi-volatile organic compounds (SVOCs) above applicable SRLs. Based on sampling results for the tar-like substance itself (toxicity characteristic leaching procedure analysis), the consultant indicated that there were no exceedances to any maximum contaminant concentration levels for characteristic hazardous waste. However, no report of the sampling procedures or laboratory results exists in the UST facility file that can confirm this information.

Recommendation

The results of limited samples determined that no VOCs or SVOCs were present above SRLs. However, based on the planned development of the property, ADEQ recommends that additional samples be collected from the area to confirm the results.

Closed Solid Waste Landfill

The City of Prescott Sundog Ranch Closed Landfill is located adjacent to the west side of the Property. A portion of the Property at the north end (parcel 105-06-003H) is also part of the closed landfill but no waste is known to have been buried there. Based on information in ADEQ's file, the landfill does not have a liner system and it accepted inert construction and demolition debris, landscape waste, and bio-solids during its operational period. File information indicates that groundwater monitoring was performed by the City but no landfill gas (LFG) monitoring was performed to assess the potential presence and migration of methane. LFG monitoring was not required by the ADEQ permit based on the reported nature of wastes accepted at the landfill.

Recommendation As a precaution, conduct a LFG sampling survey along the west end of the Property to assess whether or not methane gas, possibly generated from the landfill, has migrated onto the Property. If present in sufficient concentrations, this could represent a potential flammability or explosive risk at the YCCJC that will need to be addressed.

Drinking Water Wells

Two (2) domestic drinking water wells previously registered to Keith L. Bunker, Inc. exist at the southern end of the Property. Yavapai County reportedly capped and sealed the wells and changed ownership of the wells in lieu of abandoning them in accordance with the Arizona Department of Water Resources (ADWR) requirements. The ADWR registration numbers for the wells are 55-602172 and 55-602178. ADEQ does not regulate domestic drinking water wells, and consequently, cannot require Yavapai County or others to sample them to evaluate groundwater quality at the YCCJC.

Recommendation

If use of the wells changed to a potable public water supply, the wells would be regulated by ADEQ's Water Quality Division. If the wells are indeed capped and sealed, ADEQ recommends properly abandoning them in accordance with ADWR regulations.

Storm Water Management and Jurisdiction

Coverage under an Arizona Pollutant Discharge Elimination System (AZPDES) Construction Activity General Permit (CGP) for storm water required for this project was submitted by Yavapai County on August 14, 2020 and approved by ADEQ on August 24, 2020. Yavapai County is required to monitor activities at the Property to ensure compliance with the requirements of the AZPDES permit.

Air Quality/Dust Control and Jurisdiction

Although there is no ADEQ dust control permit obligation from Yavapai County, ADEQ reminds Yavapai County of the general duty obligations in state law which limit opacity (visible emissions) below 40% and recommends that Yavapai County undertake reasonable precautions to limit dust generation.

Septic Tank Systems and Jurisdiction

The Phase I ESA noted that due to the historical presence of structures on the Property, the potential exists for the presence of unknown/undocumented septic systems. Yavapai County has been delegated authority by ADEQ to regulate septic tank systems in the County. If any septic tank systems are identified during the YCCJC project construction, properly abandon them in accordance with closure requirements of Arizona Administrative Code R18-9-A309D.

ADEQ Communications with Community

ADEQ plans to conduct a virtual community meeting with the interested residents on October 22nd at 6:00 pm to better understand their environmental concerns and to communicate ADEQ's role and jurisdiction of the issues raised. A notice to the residents that have sent letters to ADEQ will be sent out this week and ADEQ will ensure to copy Yavapai County on the meeting invite. We invite you to attend to help address the issues.

Potential Grant Opportunities

ADEQ would also like to bring to your attention the possibility of seeking a Brownfields Grant to Yavapai County to help assist with the cost of additional work at the Property. There is an application process and limited funding but it might be worthwhile for the County to contact ADEQ for more information. Our Brownfields Coordinator is Travis Barnum and he can be reached at barnum.travis@azdeq.gov.

Please let me know if you have any questions or need additional information. I can be reached at 602-771-4567 or Malone.laura@azdeq.gov.

Sincerely,

A handwritten signature in cursive script that reads "Laura Malone".

Laura Malone, Director
Waste Programs Division