

Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

June 30, 2008

RECEIVED

VRP 08:200

Ms. Nancy Petersen, Deputy Director
City of Tucson Environmental Services
100 N. Stone Avenue, 2nd Floor
Tucson, AZ 85701

JUL 07 2008

ENVIRONMENTAL SERVICES
100 N. STONE AVE., 2ND FLOOR

RE: No Further Action Determination
35 E. Toole Avenue VRP Site in Tucson,
Site Code: 505721-00

Dear Ms. Petersen:

The Arizona Department of Environmental Quality (ADEQ) Voluntary Remediation Program (VRP) hereby grants the City of Tucson - Environmental Services (COT-ES) a No Further Action (NFA) determination for soil for the area (see map) which is located at 35 East Toole Avenue in Tucson, Arizona (the Site). ADEQ has determined the Site has met all the requirements specified in Arizona Revised Statute (A.R.S.) §49-181 for volatile organic compounds (VOCs) and polyaromatic hydrocarbons (PAHs). The soils have been remediated to below the residential Soil Remediation Levels (SRLs) according to the requirements specified in Arizona Administrative Code Title 18, Chapter 7, Article 2 (R18-7-201 et seq.). The NFA determination is based on remedial activities and results from confirmation soil sampling detailed in the following documents:

- *A Confirmation Soil Sampling Report* dated February 9, 2007;
- *A Confirmation Soil Assessment Report* dated September 26, 2007;
- *A February 14, 2008 Response to ADEQ Comments Dated October 15, 2007 and No Further Action Request;*
- *A March 17, 2008 electronic Response To ADEQ Request For Additional Information.*

The soil NFA is for the area depicted on the attached figure and for the constituents listed on the attached table. The NFA determination is based on the following:

1. In October 2004, three soil borings were advanced at the site. Exceedences of benzene were detected in the second boring at 4 mg/kg and 6.8 mg/kg, respectively, and in the third boring at 0.85 mg/kg. All three borings were completed as soil vapor extraction (SVE) wells. In September 2005, an SVE system was installed at the Site using these three wells.

Northern Regional Office
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

2. In July 2006, COT-ES conducted a soil remediation confirmation assessment. Confirmation borings were drilled in the vicinity of the SVE wells and soil samples were collected and analyzed for VOCs. Concentrations of benzene were detected at 4 mg/kg near one SVE well. Due to the benzene concentration, and because PAH analysis was not available for some of the sample locations, the VRP requested the SVE system remain active for another year.
3. In June 2007, COT-ES conducted confirmation VOC and PAH sampling. No exceedences of the residential SRLs or applicable Groundwater Protection Levels (GPLs) were detected.
4. On page 25 of the May 2008 *Downtown Tucsonan Magazine*, COT-ES issued a Notice for a Request for No Further Action Determination. This notice began the 30-day public comment period required by Arizona Revised Statute §49-176. No public comments were received by COT or ADEQ.

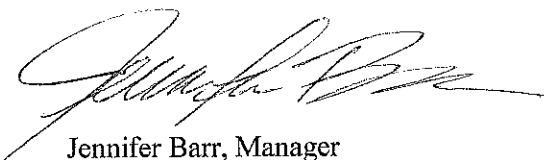
Please note that the NFA is granted with the limitations described at A.R.S. §49-181(E) and A.R.S. §49-181(F) and does not address any other area of land, groundwater or any other contaminants.

Pursuant to A.R.S. §49-181(F), a NFA determination under this section means that no further action shall be taken by the Department under this title to remediate or require remediation of the site or portion of the site covered by the NFA determination, unless the NFA determination is rescinded or amended pursuant to A.R.S. § 49-181(E). A NFA determination does not release or discharge any person from liability for a release of contaminants not covered by the work plan approved pursuant to A.R.S. §49-177 or outside the boundary of the site or portion of the site covered by the determination. A NFA determination shall not preclude the Director from obtaining access to the area covered by the determination under this section or any other law.

Pursuant to A.R.S. §49-181(E), the Department may rescind or amend the NFA determination for any of the following reasons: 1) On discovery of new information that would result in the potential denial of an NFA request; 2) Information originally submitted to the Director was inaccurate, misleading or incomplete; 3) The reopening of an investigation or the taking of a remedial action is necessary to respond to a release or the threat of a release of a contaminant that may present an imminent and substantial danger to the public health or welfare or the environment. Pursuant to A.R.S. §49-184, the ADEQ reserves the right to recover penalties or to take any action authorized by law for any violation of A.R.S. Title 49.

If you have any questions, please contact me at (602) 771-4809.

Respectfully,



Jennifer Barr, Manager
Voluntary Remediation Program
Waste Programs Division


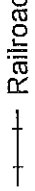
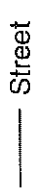

C: Mr. Jeffrey Drumm, City of Tucson Environmental Services
Ms. Molly Collins, City of Tucson Environmental Services

Attachments: Table - NFA Constituents of Concern
Approved NFA Area Map




Area of No Further Action
 35 E. Toole Ave, Tucson Arizona
 Tax Parcel ID # 117-16-0130

Explanation

-  Area of NFA (Length in feet)
-  Railroad
-  Street
-  Approximate Parcel Boundary

0 30 60 120 Feet



Drawn By: AGR
 Checked: MC
 Approved: JD
 Date: 2/28/2008
 File: See Below
 J:\GIS\Brownsfield\2007\Toole_NFA.mxd

Requested Area of No Further Action
35 E. Toole, Tucson Arizona
VRP # 505721-00



Table 1

Confirmation Sampling for NFA Determination
 Constituents of Concern
 35 E. Toole Avenue
 Tucson, Arizona

Contaminant	Analytical Method	Analysis Date	Name of Laboratory
Acenaphthene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Acenaphthylene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Anthracene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Benz(a)anthracene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Benzo(a)pyrene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Benzo(b)fluoranthene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Benzo(k)fluoranthene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Benzo(ghi)perylene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Chrysene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Dibenzo(a,h)anthracene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Fluoranthene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Fluorene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Indeno(1,2,3-c,d)pyrene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Methyl Naphthalene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Naphthalene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Phenanthrene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133
Pyrene	8310	June 2007	TransWest GeoChem ADHS-AZM133/AZ0133

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Confirmation Sampling for NFA Determination
 Constituents of Concern
 35 E. Toole Avenue
 Tucson, Arizona

Contaminant	Analytical Method	Analysis Date	Name of Laboratory
Acetone	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Benzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Bromobenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Bromochloromethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Bromodichloromethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Bromoform	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Bromomethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
2-Butanone (MEK)	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
n-Butylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
sec-Butylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
tert-Butylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Carbon disulfide	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Carbon tetrachloride	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Chlorobenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Dibromochloromethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Chloroethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
2-Chloroethyl vinyl ether	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Chloroform	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Chloromethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
2-Chlorotoluene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
4-Chlorotoluene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2-Dibromo-3-chloropropane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2-Dibromoethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Dibromomethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2-Dichlorobenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,3-Dichlorobenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,4-Dichlorobenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Dichlorodifluoromethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,1-Dichloroethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2-Dichloroethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,1-Dichloroethene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
cis-1,2-Dichloroethene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
trans-1,2-Dichloroethene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2-Dichloropropane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,3-Dichloropropane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
2,2-Dichloropropane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,1-Dichloropropene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
cis-1,3-Dichloropropene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
trans-1,3-Dichloropropene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Ethylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Hexachlorobutadiene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
2-Hexanone	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133

Table 1

Confirmation Sampling for NFA Determination
Constituents of Concern
35 E. Toole Avenue
Tucson, Arizona

<i>Contaminant</i>	<i>Analytical Method</i>	<i>Analysis Date</i>	<i>Name of Laboratory</i>
Iodomethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Isopropylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
4-Isopropyltoluene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Methylene chloride	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
4-Methyl-2-pentanone (MIBK)	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Methyl-t-butyl ether	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Naphthalene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
n-Propylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Styrene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,1,1,2-Tetrachloroethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,1,2,2-Tetrachloroethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Tetrachloroethene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Toluene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2,3-Trichlorobenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2,4-Trichlorobenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,1,1-Trichloroethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,1,2-Trichloroethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Trichloroethene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Trichlorofluoromethane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2,3-Trichloropropane	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,2,4-Trimethylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
1,3,5-Trimethylbenzene	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Vinyl acetate	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Vinyl chloride	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133
Total Xylenes	SW8260B	July 2006	TransWest GeoChem ADHS-AZM133/AZ0133