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JOHNSON UTILITIES, L.

5230 East Shea Boulevard * Scottsdale, Arizona 852
PH: (480) 998-3300; FAX: (480) 483-7908

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April 14, 2008

Ernest Johnson, Director
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

RE: Johnson Utilities, H20, Diversified Water Utilities, Queen Creek Water Company: Compliance with Decision No. 65840
Notice of Violation from ADEQ
WS-02987A-99-0583; WS-02987A-00-0618; W-02234A-00-0371; W-02859A-00-0774; W-01395A-00-0784

Dear Mr. Johnson:

In follow up to Mr. Sallquist's letter dated March 21, 2008, I have enclosed our response to the NOV as Attachment 1. Pursuant to the decision we will continue to provide correspondence between ADEQ until closure of the NOV has been reached.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your time and consideration in this matter.

Sincerely,

Brian P. Tompsett
Johnson Utilities, LLC

Cc: Docket Control (15 copies)
Dick Sallquist, Sallquist, Drummond & O'Connor

Arizona Corporation Commission
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ATTACHMENT 1

JOHNSON UTILITIES, L.L.C

5230 East Shea Boulevard * Scottsdale, Arizona 85254
PH: (480) 998-3300; FAX: (480) 483-7908

April 1, 2008

Mr. William J. (Bill) Hare
Field Services Unit
Water Quality Field Service Compliance Unit, MC 5415B-1
Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

RE: Pecan Wastewater Reclamation Plant, Place ID 18583
Notice of Violation, Case ID #: 92021

Dear Mr. Hare:

On March 4, 2008 you sent us letter informing that ADEQ had issued a Notice of Violation (NOV), to Johnson Utilities, L.L.C. (JU)for a purported sanitary sewer overflow (SSO) from a manhole located upgradient from the Pecan WRP. The NOV was received by our office on March 10, 2008.

The initial spill was cleaned-up on December 24, 2007. Although the area was cleaned and disinfected immediately, the notification of ADEQ was not performed. It was simply an oversight on the part of our personnel. The operations manager, who is responsible for ADEQ notifications and correspondence with respect to these types of incidents, was unavailable at the time of the clean-up. A subsequent clean-up effort was performed on January 3, 2008 after ADEQ's inspection of the site. Pictures of the impacted area were taken on March 7, 2008. Copies of the attached photographs were emailed to ADEQ on March 14, 2008.

Johnson Utilities has renewed the training of our operators and maintenance crews and have re-emphasized the need to notify ADEQ within 24 hours of any potential sewer spills. The field supervisor has now been assigned the task of correspondence with ADEQ if the operations manager is unavailable. We do not anticipate any future spills but should one occur ADEQ will be notified within 24 hours.

I believe you are aware of the problems associated with securing a SCADA connection at this facility. JU will continue to work to provide a stable SCADA connection.

We believe this satisfies the documentation requirements of the NOV. If you have any questions or comments, please contact me at (480) 998-3300.

Sincerely,

Brian P. Tompsett
Executive Vice President
Johnson Utilities, L.L.C.

Cc: John T. Gibbons, Manager
Water Quality Field Service Compliance Unit

Brian

From: Brian [btompsett@qwest.net]

Sent: Friday, March 14, 2008 6:25 PM

To: Bill Hare (hare.william@azdeq.gov)

Cc: Gary Larsen

Subject: Johnson Utilities - Pecan WWTP

Attachments: Queen Creek Wash 051.jpg; Queen Creek Wash 039.jpg; Queen Creek Wash 040.jpg; Queen Creek Wash 041.jpg; Queen Creek Wash 042.jpg; Queen Creek Wash 043.jpg; Queen Creek Wash 044.jpg; Queen Creek Wash 045.jpg; Queen Creek Wash 046.jpg; Queen Creek Wash 047.jpg; Queen Creek Wash 048.jpg; Queen Creek Wash 049.jpg; Queen Creek Wash 050.jpg

Bill-
I received a NOV, case ID #92021 dated March 4, 2008 recently. I received the notice Monday March10, 2008 via certified mail. The notice required that we provide evidence "to ADEQ documenting that the paper debris located in the spillway and wash has been removed". Attached you will find pictures taken by my staff on March 8, 2008 of the area affected. I will follow-up with you next week on the remaining NOV items. I believe this satisfies item II (1) of the DOCUMENTING COMPLIANCE ITEMS.

Brian P. Tompsett, P.E.
(480) 998-3300
THIS EMAIL IS INTENDED TO BE A PRIVILEGED AND/OR CONFIDENTIAL COMMUNICATION.
IF YOU HAVE RECEIVED IT BY MISTAKE, PLEASE NOTIFY THE SENDER AND IMMEDIATELY DELETE IT.

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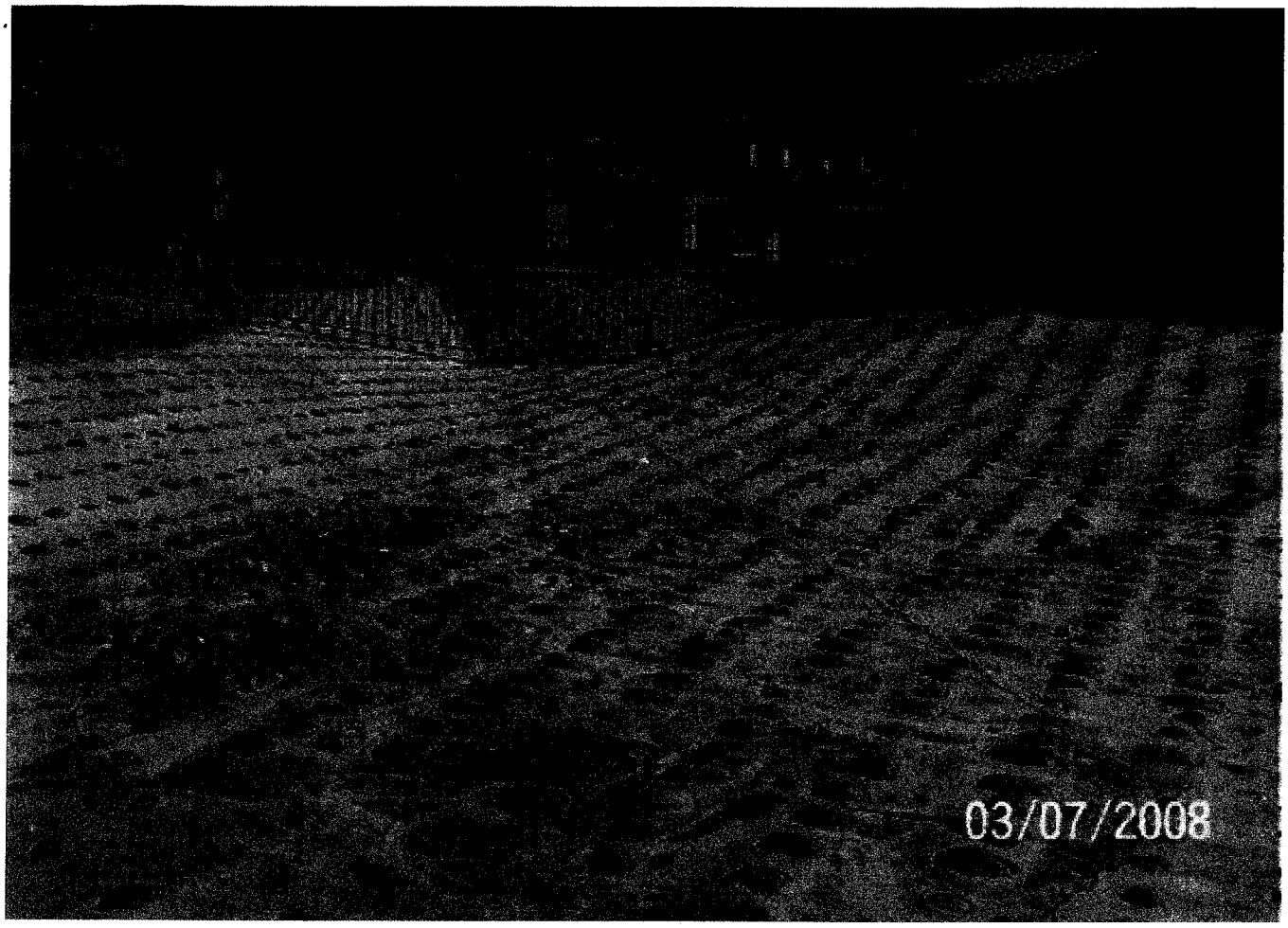
08/07/2008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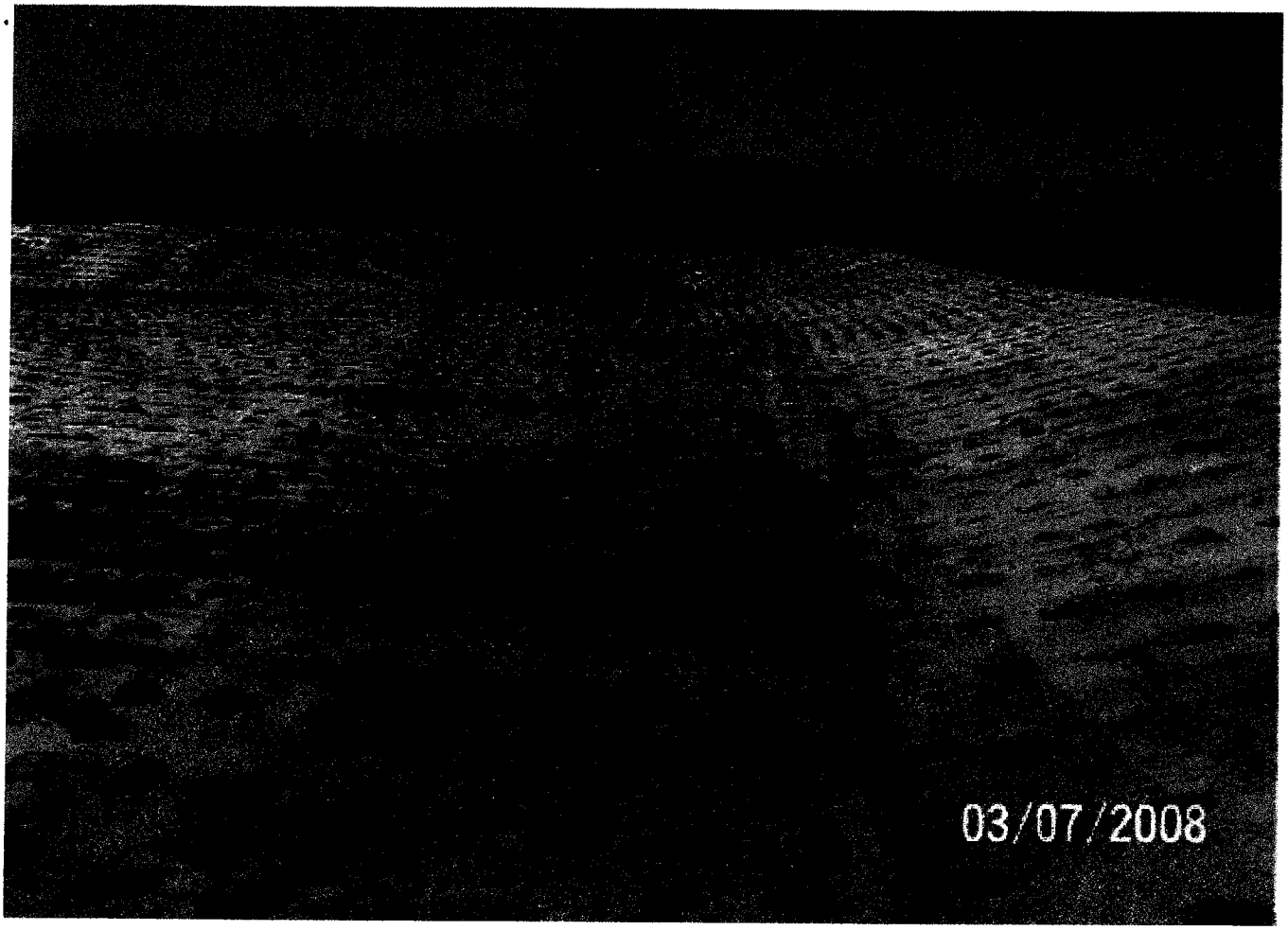
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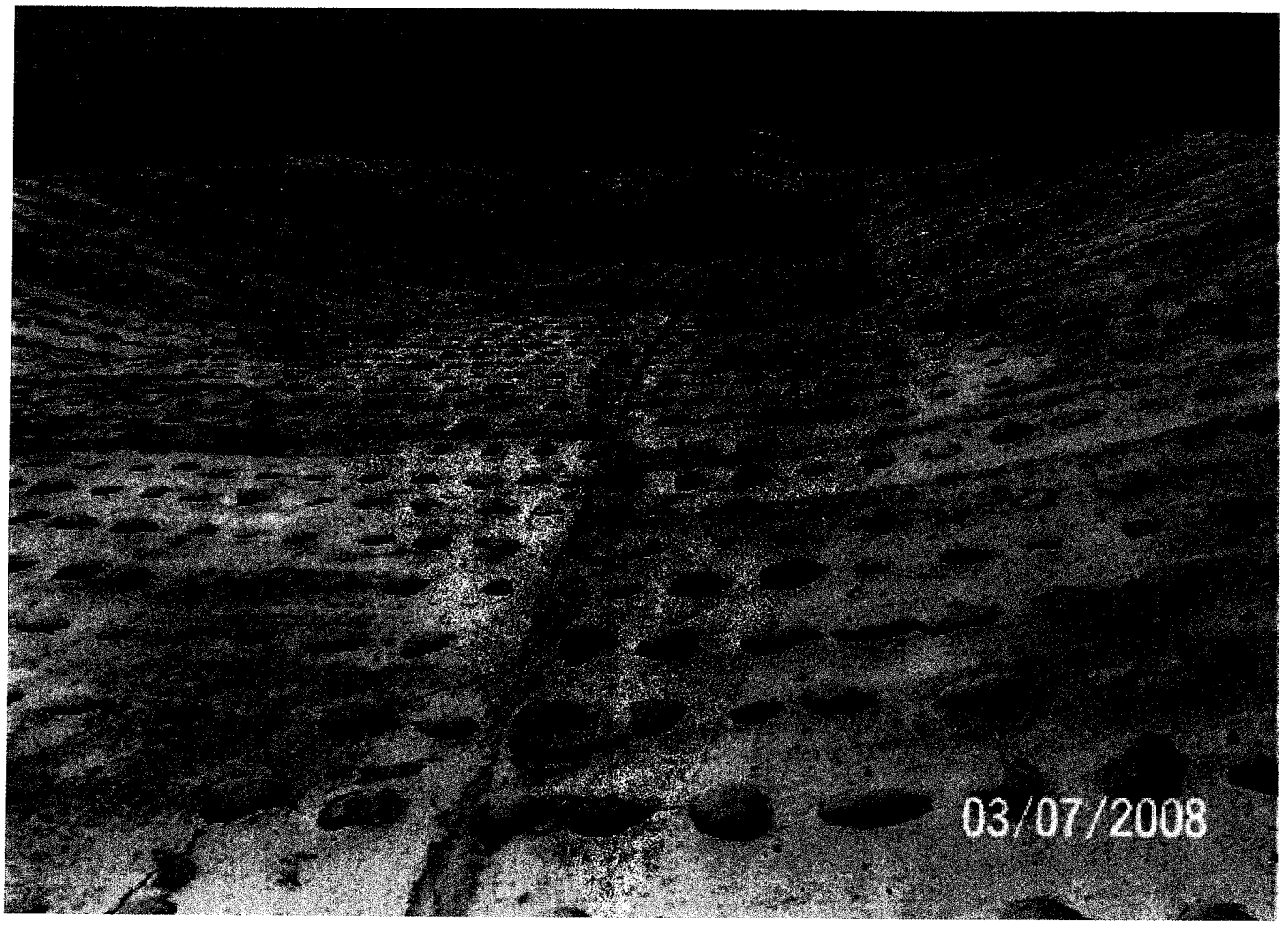
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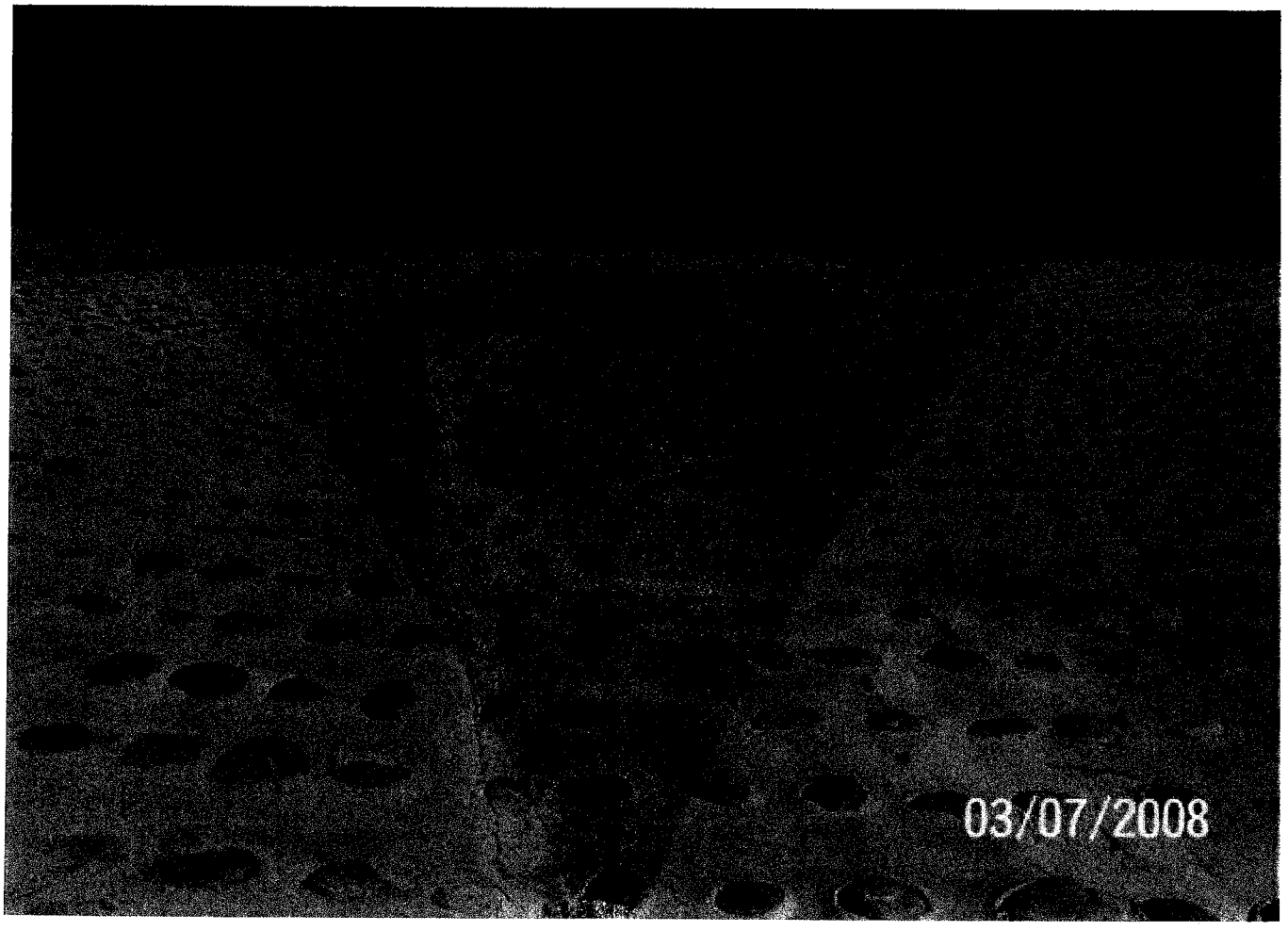
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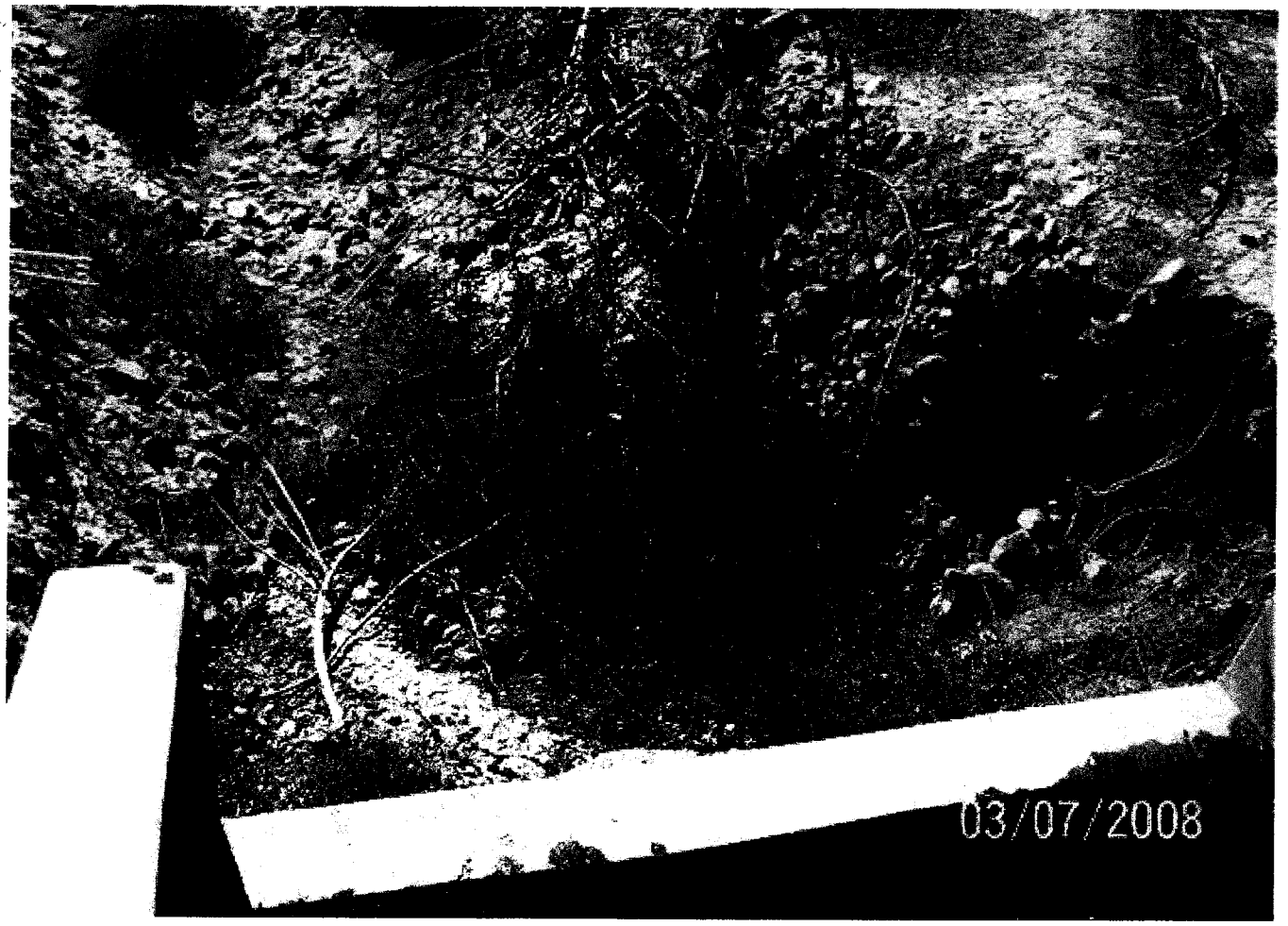
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