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KRISTIN K. MAYES  
GARY PIERCE



0000086327

ARIZONA CORPORATION COMMISSION

Direct Line: (602)542-3935  
Fax: (602)542-0752  
E-Mail [wmundell@azcc.gov](mailto:wmundell@azcc.gov)

ORIGINAL

June 20, 2008

Brian Tompsett  
Johnson Utilities, LLC  
5230 East Shea Blvd  
Scottsdale, AZ 85254

Re: Application of Johnson Utilities, LLC for an increase in its water and wastewater rates for customers within Pinal County; Docket No. WS-02987A-08-0180

ADEQ Notice of Violation to Johnson Utilities, LLC

Dear Mr. Tompsett:

I am docketing all the material that Johnson Utilities has provided to the Commissioners regarding the sanitary sewer overflows from the Pecan Water Reclamation Plant during the weekend of May 17-18. You have met with my office to explain the situation and I believe that the public should also have access to this information.

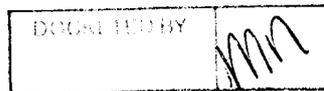
Sincerely,

  
William A. Mundell, Commissioner  
Arizona Corporation Commission

cc: Chairman Gleason  
Commissioner Hatch-Miller  
Commissioner Mayes  
Commissioner Pierce  
Brian McNeil  
Rebecca Wilder  
Ernest Johnson  
Lyn Farmer  
Janice Alward  
Johnson Utilities, LLC  
Steve Owens, ADEQ

Arizona Corporation Commission  
DOCKETED

JUN 23 2008



AZ CORP COMMISSION  
DOCKET CONTROL

2008 JUN 23 P 2:46

RECEIVED

# *JOHNSON UTILITIES, L.L.C*

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

## **VIA EMAIL AND HAND DELIVERY:**

John Gibbons, Manager  
Water Quality Field Services Unit  
Arizona Department of Environmental Quality  
1110 West Washington Street  
Phoenix, AZ 85007

June 13, 2008

RE: Pecan Water Reclamation Plant (WRP)  
Inventory No. 105324, Place ID 18583, APP No. P105324  
AZPDES Permit AZ0025445  
Inspection ID No. 121176, Case No. 97512  
Queen Creek Wash

Dear Mr. Gibbons:

On June 5, 2008 you emailed a copy of a Notice of Violation ("NOV") and an Inspection Report for the Pecan Water Reclamation Plant (WRP). We like to take this opportunity to answer the NOV by referenced section. Some of the sections within the NOV seem to require no response or action because they are documentation submittal deadlines. We would also like to add that we will supplementing this response within the other documentation submittal deadlines.

### **Section I. (1) A.R.S. 49-255.01(A)**

The NOV references spills during the weekend of May 17 and May 18. It is the opinion of JU, based on observances at the site that the incident was one continuous occurrence and did not approach 10,000 gallons or more. At approximately 7:00 PM on May 17, 2008 debris was discovered in the influent pumps at the Pecan Creek wastewater plant. The debris clogged and damaged one of the pumps causing wastewater to begin backing up into the wastewater gravity system in the subdivision. At approximately 7:00 AM on May 18, 2008 the continued debris flow had once again clogged the influent pumps. By noon on Sunday, May 18, 2008, the continued debris flow once again clogged the pump. JU reported to ADEQ that it was approximately 3:00 PM on Sunday May 18, 2008 when the clean-up had been completed. The spill was reported to ADEQ on Monday May 19, 2008.

### **Section I. (2) A.R.S. 49-241(A)**

Since receiving the original request from ADEQ dated May 23, 2008 numerous water quality samples have been taken of the standing storm water since that time. (see attachment 3)

### **Section I. (3) A.A.C. R18-11-109(A)**

Johnson Utilities received a letter from ADEQ dated May 23, 2008 requesting among other things, that Johnson Utilities post the perimeter of the area of standing water. JU reacted immediately and posted the standing water area before dusk that same day. The wash has

experienced standing storm water since January 2008. You also indicated that the sample results indicated fecal Coliform and E. Coli levels in excess of 1600 MPN/100mL.

JU has attached, in Section III. (1) of this response the test results obtained on the standing water. The ability to eliminate the limited standing water at this time, prior to the arrival of the monsoon season, would be greatly appreciated and go far to ease the concerns of local residents and concerned citizens. The elimination of the standing water and immediate construction of the subsurface recharge facility will also provide additional protection to the health and welfare of the community.

The underlying truth of this matter is that if the developer for the Pecan Creek subdivision, a company by the name of PENTAD DEVELOPMENT, L.L.C., had completed their commitments to the community, there would be no standing water in the Queen Creek Wash. The other consideration that has never been addressed is that Pinal County Health Department rules for subdivision design require that all retention areas dissipate or "perk" storm water within 36 hour of the rain event. The Pecan Creek subdivision is discharging storm water into the Queen Creek Wash from the north and the south and it is not dissipating. The "hole" is the result of gravel mining and was completed without restoring the wash to its original condition.

**Section II. (1) Permit 41570 – P1053285, Section 2.6.5.3**

Our records indicate that the spill was ongoing and was ultimately contained on the afternoon of Sunday, May 18, 2008 at approximately 3:00 PM. Gary Larsen arrived at the local office at approximately 8:00 AM on Monday May 19, 2008 but had already attempting leaving a voice message for Bill Hare at ADEQ notifying him of the spill the previous weekend from his cell phone while traveling to the office. Mr. Larsen did not view the emails from Mr. Hare on his office computer until after arriving at the office sometime at approximately 8:25 AM. Never the less multiple emails and calls were exchanged between ADEQ and JU the morning of Monday May 19 with respect to the spill. JU does not feel that we failed our obligation to report to ADEQ orally within 24 hours of the incident. We also do not feel that we were prompted by ADEQ to report the occurrence.

**Section II. (2) Permit 41570 – P1053285, Section 2.6.5.3**

Our records indicate that the original lift-station at the Pecan WRP was approved by ADEQ under file number 2004-0214. The 75 HP pumps were part of a 40 page set of plans that included a lift-station and approximately 5 miles of forcemain. When the as-built was provided to ADEQ in 2004 the 75 HP pumps were in the lift-station. The larger pumps were required to pump wastewater to the south for treatment. Attached is a photo of the 75 HP pump that was originally installed in 2004. (see Attachment 1) The pump is still onsite at the Pecan WRP.

The pumps in the lift-station were changed, based on engineering recommendations, when the Pecan WRP design and construction had been completed. The 35 HP Flygt pumps were placed in the Pecan lift station only when they were required to pump into the WRP. The ability of 75 HP pumps to supply large volumes of wastewater was no longer required at that time. The change and analysis of the existing and new pumps was made as part of the wastewater plant analysis and design. Our records indicate that the pumps were purchased in late 2006 and installed. The plant has also been inspected numerous times by ADEQ personnel since that time. It was our belief that ADEQ had been supplied with this information as part of the APP amendments that have occurred since 2004, but have been unable to confirm it at this time. If the change to the pumps has not been supplied to ADEQ it was an oversight. The smaller pumps

were more efficient and required less power to supply the small flow of wastewater being experienced by the new WRP at that time. The 35 HP pumps also provided for fewer pump cycles that help increase the life of the pumps. The smaller pumps also help provide the wastewater a more consistent flow to the plant. We can confirm that a 47 HP pump was exchanged with one of the 35 HP pumps after weekend of May 17, and May 18. The 47 HP has subsequently been replaced per Section III. (4) of this response.

**Section II. (3) Permit 37536 – AZ0025445, Part II, Section C**

Our records indicate that the spill was ongoing and was ultimately contained on the afternoon of Sunday, May 19, 2008 at approximately 3:00 PM. Please refer to Section II. (1) response. JU does not feel that we failed our obligation to report to ADEQ orally within 24 hours of the incident.

**Section III. (1). DOCUMENTING COMPLIANCE:**

Attached are copies of the test results that we have received to date from the state certified laboratory. (see Attachment 3) Since the test results continue to be sporadic, as of Wednesday, May 11, 2008 JU has elected to sample the standing water on a daily basis. JU has attached final test results taken 5/27/2008, 5/30/2008 and 6/4/2008. JU has received preliminary results from samples of the standing water taken 6/5/2008, 6/10/2008 and 6/11/2008 that indicate elevated fecal Coliform levels in some areas of the standing water. We do not have the final reports at this time but we will continue to forward the results to Bill Hare of ADEQ as the final results become available to us.

**Section III. (2). DOCUMENTING COMPLIANCE:**

Our records indicate that ADEQ performed inspections and subsequently provided inspection reports on June 27, 2007, April 23, 2007, December 12, 2007 and February 11, 2008. The February 11, 2008 report was generated in association with the SSO that occurred on December 24, 2007. We will supplement this portion of the response with the additional documentation in the timeframe indicated.

**Section III. (3). DOCUMENTING COMPLIANCE:**

The documentation regarding the occurrence over the weekend of May 17, 2008 and May 18, 2008 was that has been referenced was submitted to ADEQ, attention Bill Hare via email on May 27, 2008. If additional information is required please advise and we will supplement the documentation.

**Section III. (4). DOCUMENTING COMPLIANCE:**

Attached is a copy of a letter that was sent to Mr. David A. Burchard of ADEQ regarding the installation of two (2) FLYGT 100 HP pumps in the influent lift station at the Pecan Water Reclamation Plant (WRP). The installation of the pumps and the associated piping has been completed. Attached are a few photographs of the pumps that have been installed and are operational. (See Attachment 4)

**IV. SUBMITTING COMPLIANCE DOCUMENTATION:**

All compliance documentation and other written correspondence regarding this notice will be sent to the attention of ADEQ, Attention: William J. (Bill) Hare.

John Gibbons  
June 13, 2008  
Page 4

**V. STATEMENT OF CONSEQUENCES:**

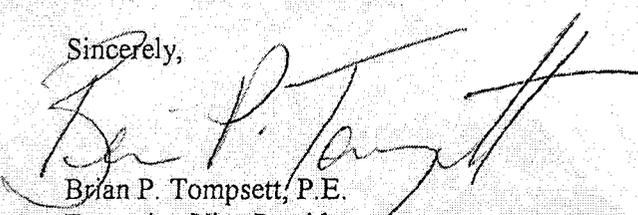
Not applicable at this time.

**VI. OFFER TO MEET:**

We are more than willing and anxious to meet regarding this notice as soon as possible. We have already suggested a meeting to Cynthia Campbell of ADEQ last week and were under the impression she would gather the necessary people on ADEQ's side. We are available at your convenience.

We welcome the opportunity to provide you with the information that we have available at this time but will continue to research our files for supplemental information and will provide that documentation when it becomes available. If you have any questions, please contact me directly at (480) 998-3300.

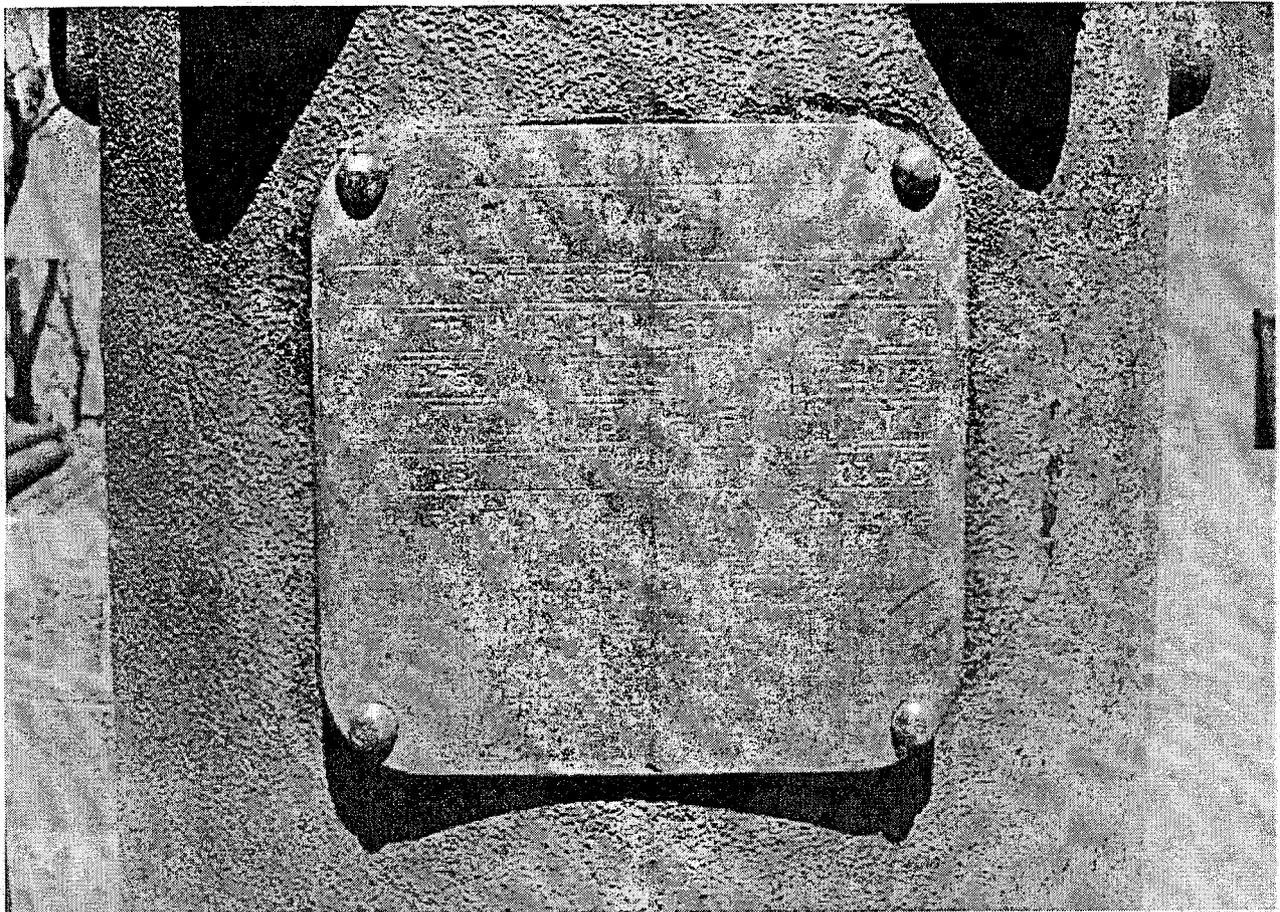
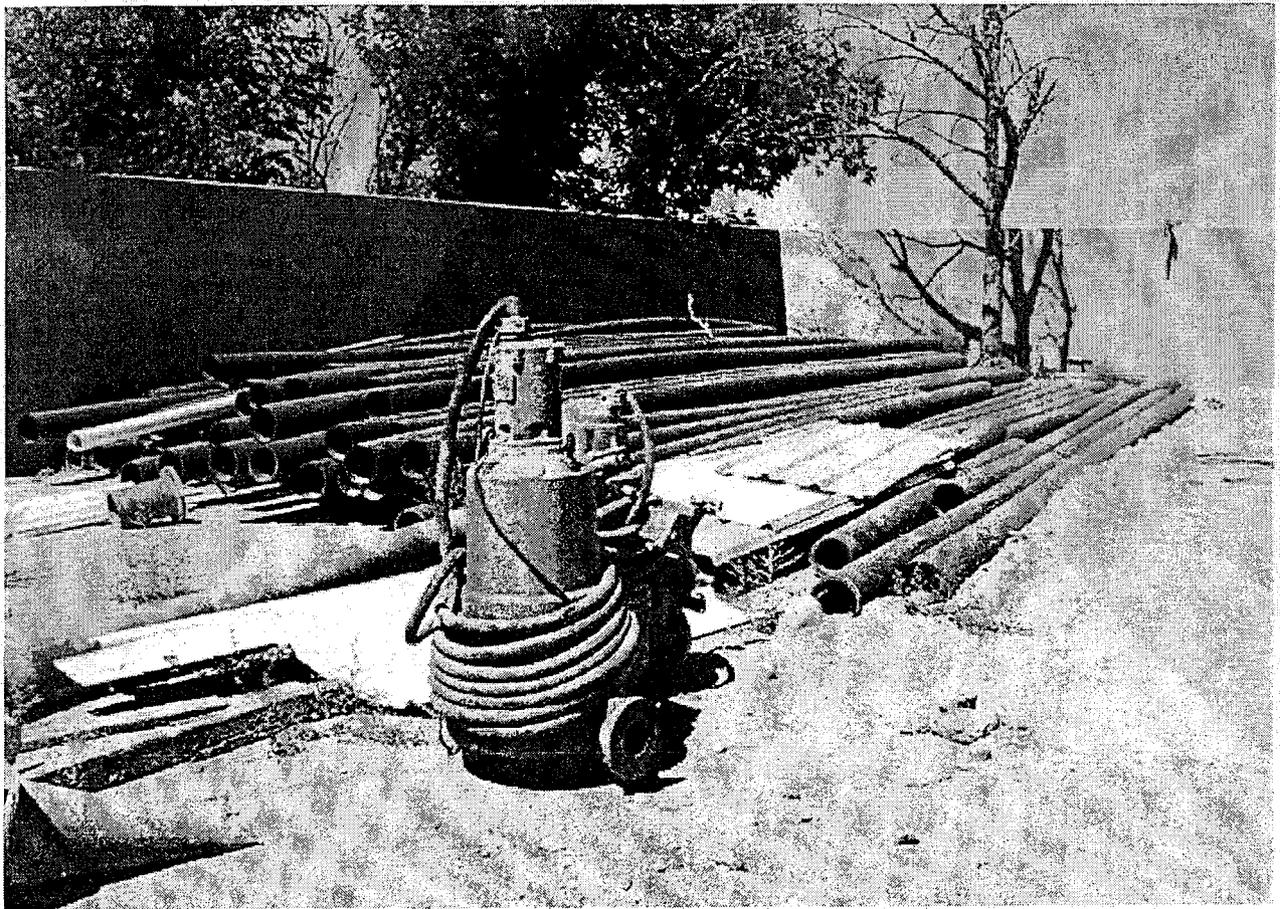
Sincerely,



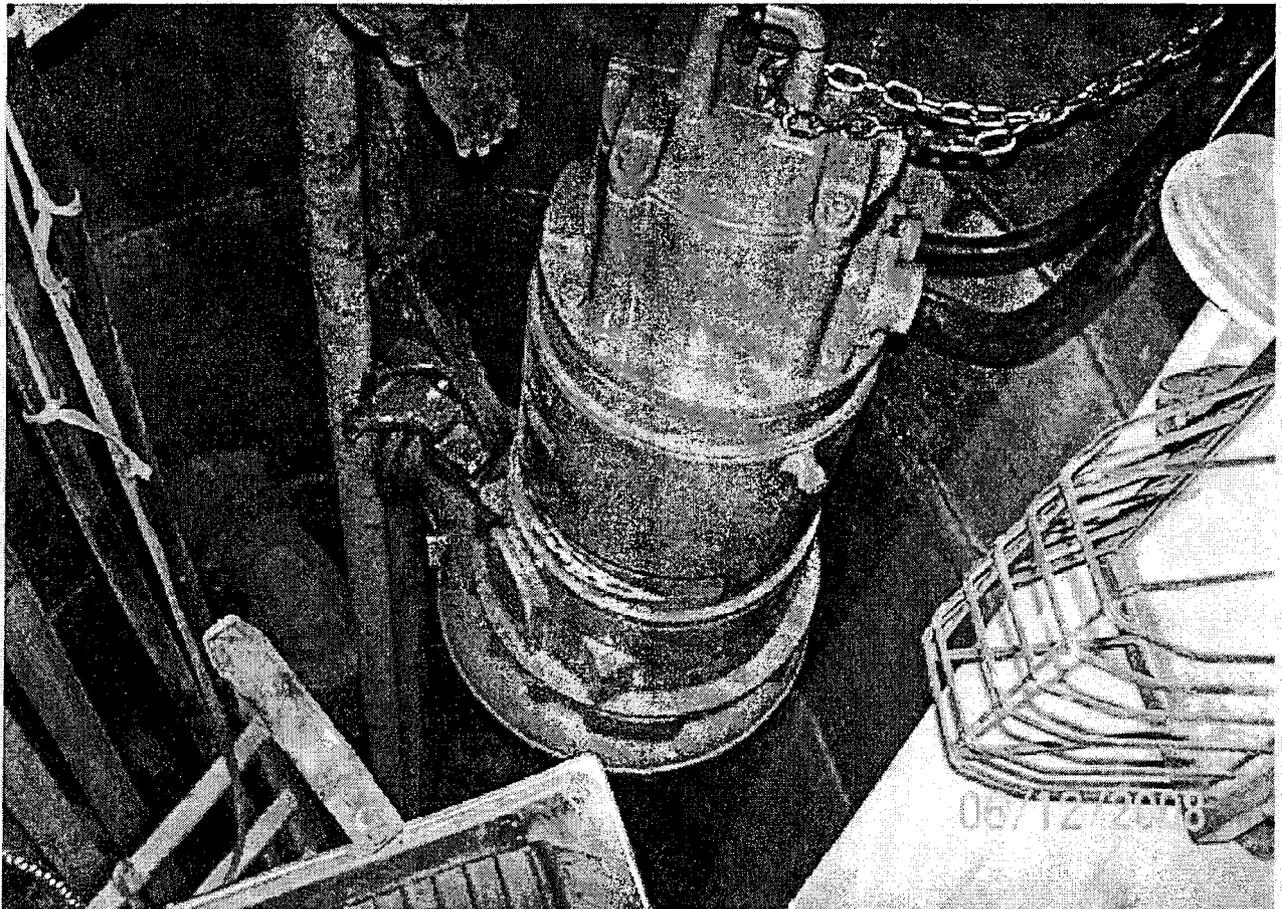
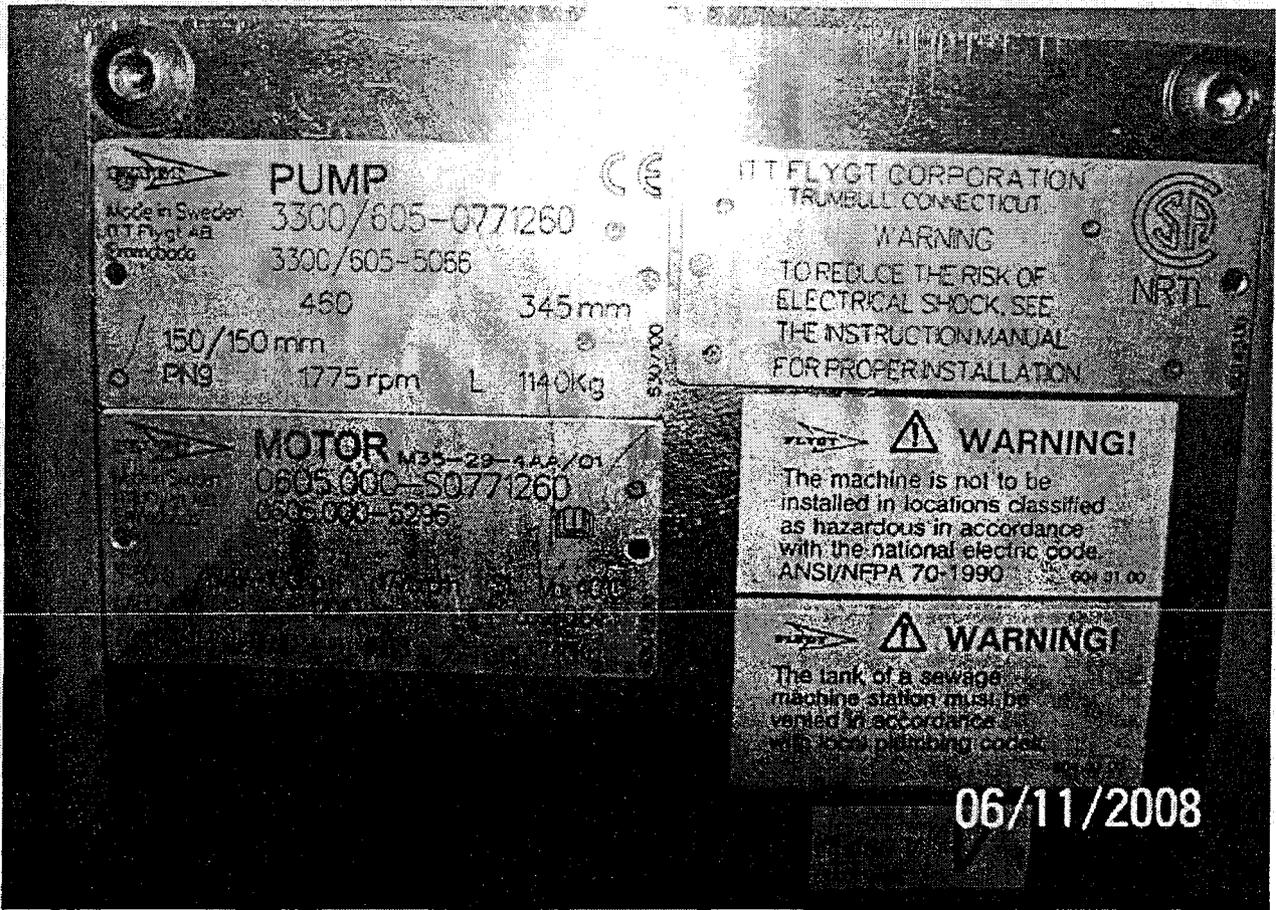
Brian P. Tompsett, P.E.  
Executive Vice President

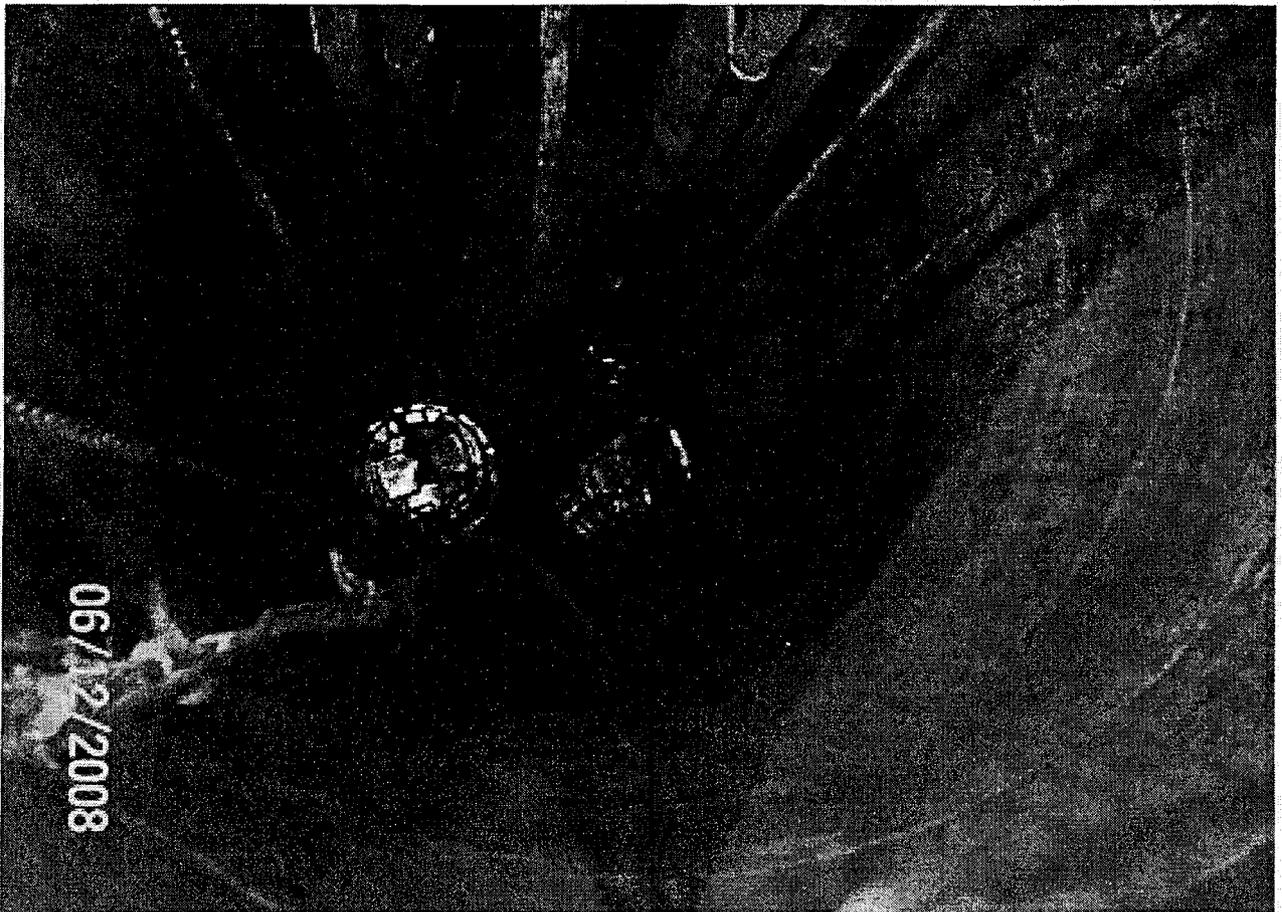
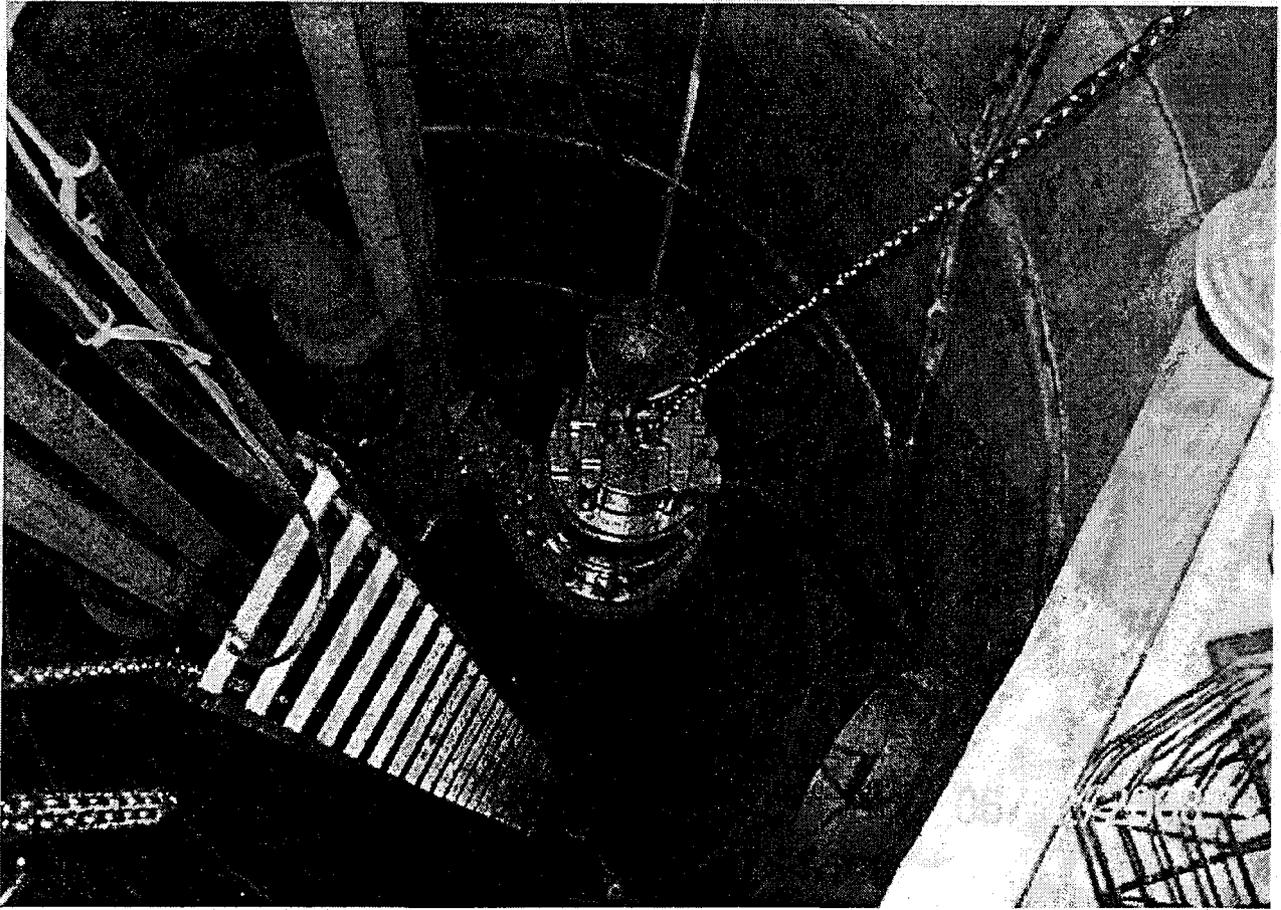
Cc: Cynthia Campbell (Manager, ADEQ)  
Steve Olea (Arizona Corporation Commission)  
Reg Glos (Pinal County Environmental Health Dept.)  
Debra Daniel (Manager ADEQ)

**ATTACHMENT 1**

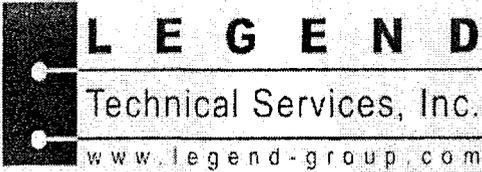


**ATTACHMENT 2**





**ATTACHMENT 3**



17631 N. 25th Avenue • Phoenix, AZ 85023  
 P (602) 324-6100 • F (602) 324-6101  
 4585 S. Palo Verde Rd., Ste. 423 • Tucson, AZ 85714  
 P (520) 327-1234 • F (520) 327-0518  
 ADHS#0004

Gary Larsen Johnson Utilities Co., LLC 968 E. Hunt Hwy Queen Creek, AZ85242	Project: Daily Fecal Section 11 Project Number: Queen Creek Wash (5/27/08)	Reported: 06/03/08 17:09
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**Q.C. Wash (North) (8051623-01) Wastewater (Grab) Sampled: 05/27/08 08:15 Received: 05/27/08 11:25**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	90		10 CFU/100 mL	10	B8E0772	05/27/08 12:55	05/27/08 12:55	SM 9222D	

**Q.C. Wash (South) (8051623-02) Wastewater (Grab) Sampled: 05/27/08 08:15 Received: 05/27/08 11:25**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	20		10 CFU/100 mL	10	B8E0772	05/27/08 12:55	05/27/08 12:55	SM 9222D	

**Q.C. Wash (East) (8051623-03) Wastewater (Grab) Sampled: 05/27/08 08:15 Received: 05/27/08 11:25**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	420		10 CFU/100 mL	10	B8E0772	05/27/08 12:55	05/27/08 12:55	SM 9222D	

**Q.C. Wash (West) (8051623-04) Wastewater (Grab) Sampled: 05/27/08 08:15 Received: 05/27/08 11:25**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	180		10 CFU/100 mL	10	B8E0772	05/27/08 12:55	05/27/08 12:55	SM 9222D	

**Case Narrative:**

**Holding Times:** All holding times were met unless otherwise qualified.  
**QA/QC Criteria:** All analyses met method requirements unless otherwise qualified.  
**Comments:** There were no problems encountered during the processing of the samples, unless otherwise noted.  
 Verbal results to Gary on 5/28/08- LDS

**Notes and Definitions**

Legend Technical Services of Arizona, Inc.

*Aixa Sutherland*

Client Services Representative

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.



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 P (602) 324-6100 • F (602) 324-6101  
 4585 S. Palo Verde Rd., Ste. 423 • Tucson, AZ 85714  
 P (520) 327-1234 • F (520) 327-0518  
 ADHS#0004

Gary Larsen Johnson Utilities Co., LLC 968 E. Hunt Hwy Queen Creek, AZ85242	Project: Daily Fecal Section 11 Project Number: Queen Creek Wash (5/30/08)	Reported: 06/03/08 17:08
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**Q.C. Wash (South) (8051890-01) Wastewater (Grab) Sampled: 05/30/08 08:00 Received: 05/30/08 11:20**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	180		10 CFU/100 mL	10	B8F0022	05/30/08 12:40	05/30/08 12:40	SM 9222D	

**Q.C. Wash (West) (8051890-02) Wastewater (Grab) Sampled: 05/30/08 08:05 Received: 05/30/08 11:20**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	150		10 CFU/100 mL	10	B8F0022	05/30/08 12:40	05/30/08 12:40	SM 9222D	

**Q.C. Wash (North) (8051890-03) Wastewater (Grab) Sampled: 05/30/08 08:10 Received: 05/30/08 11:20**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	40		10 CFU/100 mL	10	B8F0022	05/30/08 12:40	05/30/08 12:40	SM 9222D	

**Q.C. Wash (East) (8051890-04) Wastewater (Grab) Sampled: 05/30/08 08:20 Received: 05/30/08 11:20**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									
<b>Microbiology</b>									
Fecal Coliforms, MF	40		10 CFU/100 mL	10	B8F0022	05/30/08 12:40	05/30/08 12:40	SM 9222D	

**Case Narrative:**  
**Holding Times:** All holding times were met unless otherwise qualified.  
**QA/QC Criteria:** All analyses met method requirements unless otherwise qualified.  
**Comments:** There were no problems encountered during the processing of the samples, unless otherwise noted.  
 Verbal results to Gary on 6/2/08 and Emailed results on 6/3/08- LDS

**Notes and Definitions**

Gary Larsen Johnson Utilities Co., LLC 968 E. Hunt Hwy Queen Creek, AZ85242	Project: Daily Fecal Section 11 Project Number: Queen Creek Wash (6/4/08)	Reported: 06/10/08 13:08
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**Q.C. Wash (North) (8060271-01) Wastewater (Grab) Sampled: 06/04/08 08:15 Received: 06/04/08 12:10**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									

**Microbiology**

E. coli, MPN (WW-Colilert)	57	1 MPN/100 mL		1	B8F0179	06/04/08 12:50	06/04/08 12:50	SM 9223B	
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**Q.C. Wash (South) (8060271-02) Wastewater (Grab) Sampled: 06/04/08 08:15 Received: 06/04/08 12:10**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									

**Microbiology**

E. coli, MPN (WW-Colilert)	53	1 MPN/100 mL		1	B8F0179	06/04/08 12:50	06/04/08 12:50	SM 9223B	
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**Q.C. Wash (East) (8060271-03) Wastewater (Grab) Sampled: 06/04/08 08:15 Received: 06/04/08 12:10**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									

**Microbiology**

E. coli, MPN (WW-Colilert)	50	1 MPN/100 mL		1	B8F0179	06/04/08 12:50	06/04/08 12:50	SM 9223B	
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**Q.C. Wash (West) (8060271-04) Wastewater (Grab) Sampled: 06/04/08 08:15 Received: 06/04/08 12:10**

Analyte	Result	PQL	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Legend Technical Services of Arizona, Inc.									

**Microbiology**

E. coli, MPN (WW-Colilert)	B1	1 MPN/100 mL		1	B8F0179	06/04/08 12:50	06/04/08 12:50	SM 9223B	
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**Case Narrative:**

**Holding Times:** All holding times were met unless otherwise qualified.  
**QA/QC Criteria:** All analyses met method requirements unless otherwise qualified.  
**Comments:** There were no problems encountered during the processing of the samples, unless otherwise noted.

**Notes and Definitions**

Legend Technical Services of Arizona, Inc.  
*Sara Sutherland*  
 Client Services Representative

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.

Brian

---

From: Gary Larsen [glarsen@johnsonutilities.com]  
Sent: Monday, June 09, 2008 9:29 AM  
To: 'Bill J. Hare'  
Subject: FW: 6/5 Wash Results:

Importance: High

East Fecal= 580 CFU  
East E.coli= 410.6 MPN

Southwest Fecal= 150 CFU  
Southeast Fecal= 120 CFU  
Northeast Fecal= 150 CFU  
Northwest Fecal= 1970 CFU  
West E.Coli= 344.8 MPN  
North E.coli= 155.3 MPN  
South E.coli= 96.0 MPN

Thank you,  
Lisa Sutherland  
Client Services Manager

ACCESS AND CHECK THE STATUS OF YOUR DATA VIA THE INTERNET 24 HOURS/DAY, 7 DAYS/WEEK!!!  
CONTACT ME TO SET UP YOUR LOG-IN AND PASSWORD TODAY!!!

Legend Technical Services of Arizona, Inc.  
17631 N. 25th Avenue  
Phoenix, AZ 85023  
602-324-6110 direct line  
legend-group.com  
602-324-6101 fax  
[lsutherland@legend-group.com](mailto:lsutherland@legend-group.com)

CONFIDENTIALITY NOTICE:

If you have received this e-mail in error, please immediately notify the sender by e-mail at the address shown. This e-mail transmission may contain confidential information. This information is intended only for the use of the individual(s) or entity to whom it is intended even if addressed incorrectly. Please delete it from your files if you are not the intended recipient.

Thank you for your compliance.

-----Original Message-----

From: Lisa Sutherland [mailto:[lsutherland@legend-group.com](mailto:lsutherland@legend-group.com)]  
Sent: Wednesday, June 11, 2008 4:41 PM  
To: Jessica Bloomfield; Gary Larsen  
Subject: 6/10 Queen Creek Wash  
Importance: High

Northeast E.coli= 129.1 MPN  
Northeast Fecal= 370 CFU

Southeast E.coli= 25.6 MPN  
Southeast Fecal= 70 CFU

Southwest E.coli= 48.7 MPN  
Southwest Fecal= 90 CFU

Thank you,

Lisa Sutherland

Client Services Manager

ACCESS AND CHECK THE STATUS OF YOUR DATA VIA THE INTERNET 24 HOURS/DAY, 7 DAYS/WEE  
CONTACT ME TO SET UP YOUR LOG-IN AND PASSWORD TODAY!!!

Legend Technical Services of Arizona, Inc.

17631 N. 25th Avenue

Phoenix, AZ 85023

602-324-6110 direct line

[legend-group.com](http://legend-group.com)

602-324-6101 fax

[lsutherland@legend-group.com](mailto:lsutherland@legend-group.com)

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Thank you for your compliance.

-----Original Message-----

From: Lisa Sutherland [mailto:[lsutherland@legend-group.com](mailto:lsutherland@legend-group.com)]  
Sent: Thursday, June 12, 2008 5:12 PM  
To: Jessica Bloomfield; Gary Larsen  
Subject: 6/11 QC Wash

NE Fecal= 80 CFU  
NE ECQ= 46.5 MPN

NW Fecal= 230 CFU  
NW ECQ= 123.6 MPN

SE Fecal= 530 CFU  
SE ECQ= 218.7 MPN

SW Fecal= 520 CFU  
SW ECQ= 231.0 MPN

Thank you,  
Lisa Sutherland  
Client Services Manager  
ACCESS AND CHECK THE STATUS OF YOUR DATA VIA THE INTERNET 24 HOURS/DAY, 7 DAYS/WEEK!!!  
CONTACT ME TO SET UP YOUR LOG-IN AND PASSWORD TODAY!!!

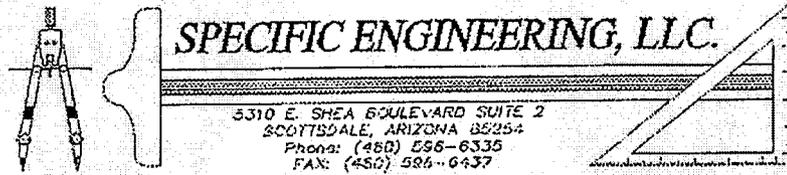
Legend Technical Services of Arizona, Inc.  
17631 N. 25th Avenue  
Phoenix, AZ 85023  
602-324-6110 direct line  
[legend-group.com](http://legend-group.com)  
602-324-6101 fax  
[lsutherland@legend-group.com](mailto:lsutherland@legend-group.com)

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Thank you for your compliance.

**ATTACHMENT 4**



**VIA E-MAIL AND US MAIL:**

June 12, 2008

David A. Burchard  
Water Quality Division  
Arizona Department of Environmental Quality  
1110 W. Washington Street  
Phoenix, Arizona 85012

Re: Emergency Upgrade/Repair of the Pecan WRP Influent Pump Station

Dear Mr. Burchard,

This letter is to notify you we are requiring a waiver of the Notice of Intent for a Construction Authorization for an emergency upgrade/repair and pump replacement for the Pecan WRP influent lift-station. The upgrade will also include larger discharge piping. Pursuant to the Notice of Violation dated June 5, 2008, addressed to Johnson Utilities, L.L.C. ("JU") and our communications with Bill Hare, ADEQ is requiring an emergency replacement of the existing pumps in the lift station with larger, more efficient pumps immediately. Per the email exchange between Mr. Burchard, Mr. Hare both of ADEQ and Gary Larsen of JU it is our understanding that Mr. Hare and yourself decided to have Johnson Utilities, LLC submit this letter for waiver of the NOI, so that Johnson Utilities can complete the emergency upgrade/repairs immediately. Attached is a copy of the performance curve for the proposed pumps. Once these emergency upgrade/repairs are completed, we will then proceed with the NOI process, submit design data, pump specifications, and other pertinent data as required by ADEQ to issue a Construction Authorization, followed up with an engineer's Certification of Completion, and a request for an updated discharge Authorization.

If you have any further questions regarding this subject, please call 480-596-6335.

Sincerely,

Specific Engineering, LLC

Grant Hinderer  
Project Manager

Cc: William Hare, (ADEQ)  
Steve Olea (ACC)  
Pinal County Health Department

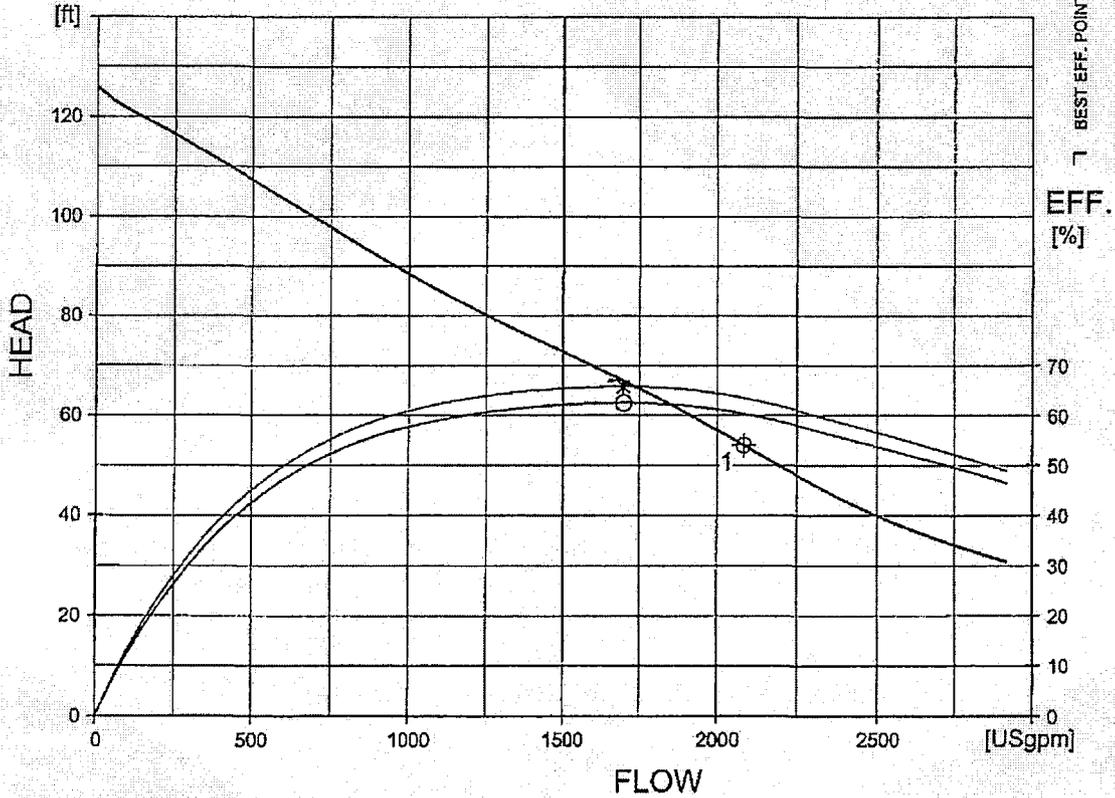
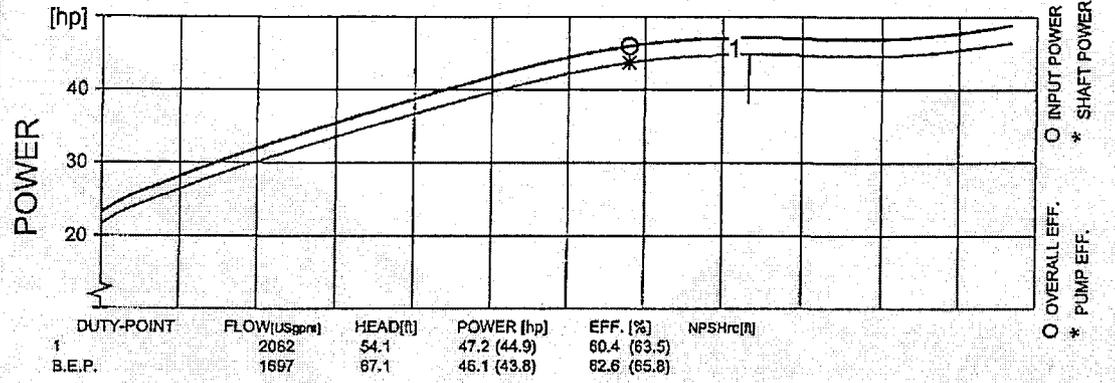


# PERFORMANCE CURVE

PRODUCT	TYPE
CP 3300 /605	HT

DATE	PROJECT	CURVE NO	ISSUE
2008-06-12		63-460	7

POWER FACTOR	1/1-LOAD	3/4-LOAD	1/2-LOAD	RATED POWER ..... 100 hp	IMPELLER DIAMETER 275 mm
	0.84	0.80	0.71		
EFFICIENCY	93.5 %	94.5 %	95.0 %	STARTING CURRENT ... 560 A	MOTOR #
				RATED CURRENT ... 120 A	35-29-4AA
MOTOR DATA	INLET/OUTLET			RATED SPEED ..... 1775 rpm	STATOR
	- / 6 inch			TOT. MOM. OF INERTIA ... 0.95 kgm2	01D
COMMENTS	IMP. THROUGHLET			NO. OF BLADES	2
	3.0 inch				
FREQ.		PHASES	VOLTAGE	POLES	
60 Hz		3	460 V	4	
GEARTYPE		RATIO			
---		---			



FLYPS3.1.5.8 (20080531)

Performance with clear water and ambient temp 40 °C



HI B Curve

# *JOHNSON UTILITIES, L.L.C*

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

## **VIA EMAIL AND HAND DELIVERY:**

John Gibbons, Manager  
Water Quality Field Services Unit  
Arizona Department of Environmental Quality  
1110 West Washington Street  
Phoenix, AZ 85007

June 19, 2008

RE: **DOCUMENT COMPLIANCE**  
Pecan Water Reclamation Plant (WRP)  
Inventory No. 105324, Place ID 18583, APP No. P105324  
AZPDES Permit AZ0025445  
Inspection ID No. 121176, Case No. 97512  
Queen Creek Wash

Dear Mr. Gibbons:

On June 5, 2008 you emailed a copy of a Notice of Violation ("NOV") and an Inspection Report for the Pecan Water Reclamation Plant (WRP). Our initial response to the NOV was emailed to you on June 13, 2008. Some of the sections within the NOV seem to require no response or action because they are documentation submittal deadlines. We would also like to add that we will continue to supplement this response with additional documentation within the submittal deadlines outlined in the NOV or as requested by ADEQ.

### **Section III. (1). DOCUMENTING COMPLIANCE:**

Attached are copies of the latest test results from 6/11/08, 6/13/08, 6/16/08 and 6/17/08 that we have received to date from the state certified laboratory. (see Attachment 1) Since the test results continue to be sporadic we have continued to sample the standing water in the Queen Creek Wash. It appears that we now have four (4) days worth of test results below the Surface Water Quality Standard for Partial Body Contact for E. coli of 576 cfu/100ml. We would therefore again request that ADEQ allow us to pump the standing water from its existing location to the west side of Gantzel Road. We do not have the final reports at this time but these results were previously emailed to Mr. Bill Hare. We will continue to forward the results to Bill Hare of ADEQ as the final results become available to us. The signs that ADEQ requested be posted around the standing water are still "in-place".

### **Section III. (2). DOCUMENTING COMPLIANCE:**

As previously reported our records indicate that ADEQ performed inspections and subsequently provided inspection reports on June 27, 2007, April 23, 2007, December 12, 2007 and February 11, 2008. The February 11, 2008 report was generated in association with the SSO that occurred on December 24, 2007. The volume of the discharges was calculated by observing the amount of wastewater that was recovered by the pumper truck at each event. The location of these discharges was provided to ADEQ prior to each inspection. The cause of the discharge was also provided to ADEQ. For each wastewater spill the area was disinfected with approximately

John Gibbons  
June 19, 2008  
Page 2

3-5 lbs of 12.5% sodium hydrochlorite per ADEQ approved protocol. We are not aware of any direct human exposure to the discharged materials prior to clean-up. The personnel that were assigned to the cleanup activity were wearing protective clothing. We will continue to supplement this portion of the response with the additional documentation if you require.

**Section III. (3). DOCUMENTING COMPLIANCE:**

The documentation regarding the occurrence over the weekend of May 17, 2008 and May 18, 2008 was previously submitted to ADEQ, attention Bill Hare, via email on May 27, 2008. The volume of the discharges was calculated by observing the amount of wastewater that was recovered by the pumper truck at each event. The location of these discharges was provided to ADEQ prior to each inspection. The cause of the discharge was also provided to ADEQ. The wastewater spill area was disinfected with approximately 3-5 lbs of 12.5% sodium hydrochlorite per ADEQ approved protocol. We are not aware of any direct human exposure to the discharged materials prior to clean-up. The personnel that were assigned to the cleanup activity were wearing protective clothing. We will continue to supplement this portion of the response with the additional documentation if you require.

**Section III. (4). DOCUMENTING COMPLIANCE:**

We previously attached a copy of a letter that was sent to Mr. David A. Burchard of ADEQ regarding the installation of two (2) FLYGT 100 HP pumps in the influent lift station at the Pecan Water Reclamation Plant (WRP). As we indicated in the response on June 13, 2008 the installation of the 100 HP pumps and the associated piping was completed last week. We will be filing the required NOI with ADEQ in the next few days. We have however continued to see an unusual amount of debris within the system that continues to clog the 100 HP pumps. Attached is a log of the number of times the pumps in the influent lift-stations have been pulled and cleared of debris over the last few days (see attachment 2). We will continue to monitor the pumps and keep you advised of the progress. We have previously attached photographs of the 100 HP pumps that have been installed and are operational. If you require additional photographs, please advise.

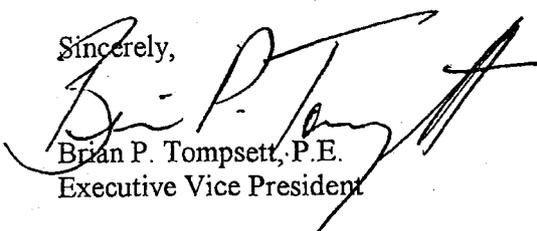
John Gibbons  
June 19, 2008  
Page 3

**VI. OFFER TO MEET:**

We are still more than willing and anxious to meet regarding this notice as soon as possible. We are available at your convenience.

We welcome the opportunity to provide you with the information that we have available at this time, but will continue to research our files for supplemental information and will provide that documentation when it becomes available. If you have any questions, please contact me directly at (480) 998-3300.

Sincerely,



Brian P. Tompsett, P.E.  
Executive Vice President

Cc: Cynthia Campbell (Manager, ADEQ)  
Steve Olea (Arizona Corporation Commission)  
Reg Glos (Pinal County Environmental Health Dept.)  
Debra Daniel (Manager ADEQ)

**ATTACHMENT 1**

Brian

---

**From:** Gary Larsen [glarsen@johnsonutilities.com]  
**Sent:** Thursday, June 12, 2008 3:37 AM  
**To:** btompsett@qwest.net  
**Subject:** FW: 6/11 Queen Creek Wash

**Importance:** High

-----Original Message-----

**From:** Lisa Sutherland [mailto:lsutherland@legend-group.com]  
**Sent:** Wednesday, June 11, 2008 4:41 PM  
**To:** Jessica Bloomfield; Gary Larsen  
**Subject:** 6/11 Queen Creek Wash  
**Importance:** High

Northeast E.coli= 129.1 MPN  
Northeast Fecal= 370 CFU

Southeast E.coli= 25.6 MPN  
Southeast Fecal= 70 CFU

Southwest E.coli= 48.7 MPN  
Southwest Fecal= 90 CFU

Thank you,

Lisa Sutherland

Client Services Manager

ACCESS AND CHECK THE STATUS OF YOUR DATA VIA THE INTERNET 24 HOURS/DAY, 7 DAYS/WEEK!!!  
CONTACT ME TO SET UP YOUR LOG-IN AND PASSWORD TODAY!!!

Legend Technical Services of Arizona, Inc.

17631 N. 25th Avenue

Phoenix, AZ 85023

602-324-6110 direct line

legend-group.com

602-324-6101 fax

[lsutherland@legend-group.com](mailto:lsutherland@legend-group.com)

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Thank you for your compliance.

**Brian**

---

**From:** Gary Larsen [glarsen@johnsonutilities.com]  
**Sent:** Monday, June 16, 2008 5:12 PM  
**To:** 'Bill J. Hare'  
**Subject:** FW: 6/13 QC Wash

The following has been received by the lab today

-----Original Message-----

**From:** Lisa Sutherland [mailto:lsutherland@legend-group.com]  
**Sent:** Monday, June 16, 2008 5:08 PM  
**To:** Gary Larsen  
**Cc:** Jessica Bloomfield  
**Subject:** 6/13 QC Wash

NE Fecal MF= 140 CFU  
NE ECQ= 63.8 MPN

NW Fecal MF= 130 CFU  
NW ECQ= 70.3 MPN

SE Fecal MF= 440 CFU  
SE ECQ= 130.1 MPN

SW Fecal MF= 120 CFU  
SW ECQ= 85.5 MPN

Thank you,  
Lisa Sutherland  
Client Services Manager  
ACCESS AND CHECK THE STATUS OF YOUR DATA VIA THE INTERNET 24 HOURS/DAY, 7  
DAYS/WEEK!!! CONTACT ME TO SET UP YOUR LOG-IN AND PASSWORD TODAY!!!

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Phoenix, AZ 85023  
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legend-group.com  
602-324-6101 fax  
[lsutherland@legend-group.com](mailto:lsutherland@legend-group.com)

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Thank you for your compliance.

Brian

---

From: Gary Larsen [glarsen@johnsonutilities.com]  
Sent: Tuesday, June 17, 2008 1:52 PM  
To: 'Bill J. Hare'  
Subject: FW: 6/16 QC Wash

Bill

We have received our results for the samples pulled on 6-16-08

I believe your samples should be completed by tomorrow, could you forward those when received?

Thx  
Gary

-----Original Message-----

From: Lisa Sutherland [mailto:lsutherland@legend-group.com]  
Sent: Tuesday, June 17, 2008 1:51 PM  
To: Gary Larsen  
Cc: Jessica Bloomfield  
Subject: 6/16 QC Wash

NE Fecal MF= 320 CFU  
NE ECQ= 60.2 MPN

NW Fecal MF= 230 CFU  
NW ECQ= 57.4 MPN

SE Fecal MF= 440 CFU  
SE ECQ= 172.3 MPN

SW Fecal MF= 360 CFU  
SW ECQ= 62.4 MPN

Thank you,  
Lisa Sutherland  
Client Services Manager  
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**Brian**

---

**From:** Gary Larsen [glarsen@johnsonutilities.com]  
**Sent:** Wednesday, June 18, 2008 5:09 PM  
**To:** 'William Hare'  
**Subject:** FW: 6/17

Bill

Test results from Tuesday below, I believe this will satisfy the NOV requirements although I will continue sampling until I receive conformation from you.

I never did hear from you with your results from Monday have you received them yet??

Gary

-----Original Message-----

**From:** Lisa Sutherland [mailto:lsutherland@legend-group.com]  
**Sent:** Wednesday, June 18, 2008 5:08 PM  
**To:** Jessica Bloomfield; Gary Larsen  
**Subject:** 6/17

NE Fecal= 390 CFU  
NE ECQ= 105 MPN  
NW Fecal= 250 CFU  
NW ECQ= 98.5 MPN  
SE Fecal= 90 CFU  
SE ECQ= 161.6 MPN  
SW Fecal= 470 CFU  
SW EDQ= 104.6 MPN

Thank you,

Lisa Sutherland

Client Services Manager

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Thank you for your compliance.

**ATTACHMENT 2**

Pecan Creek influent lift-station - Pump Log of 100 HP's pumps.

<u>Date:</u>	<u>Time:</u>	<u>Activity:</u>
6/14/08	7:00 AM	Pulled and cleared debris from both influent pumps
	2:00 PM	Pulled and cleared debris from both influent pumps
	3:00 PM	Pulled and cleared debris from both influent pumps
6/15/08	11:00 PM	Pulled and cleared debris from single influent pump
6/16/08	6:00 AM	Pulled and cleared debris from both influent pumps
6/17/08	5:00 AM	Pulled and cleared debris from both influent pumps
	1:30 AM	Pulled and cleared debris from both influent pumps
6/18/08	7:00 AM	Pulled and cleared debris from both influent pumps
	11:30 AM	Pulled and cleared debris from both influent pumps
6/19/08	6:30 AM	Pulled and cleared debris from both influent pumps
	10:00 AM	Pulled and cleared debris from single influent pumps

✓ **Adam Stafford**

**From:** Brian [btompsett@qwest.net]  
**Sent:** Friday, June 20, 2008 12:52 PM  
**To:** Adam Stafford  
**Subject:** FW: Johnson Utilities & Pecan  
**Attachments:** Pecan Pump Clog 6-13-08 006.jpg; Pecan Pump Clog 6-13-08 007.jpg; Pecan Pump Clog 6-13-08 010.jpg; Pecan Pump Clog 6-13-08 033.jpg; Pecan Pump Clog 6-14-08 003.jpg; Pecan Pump Clog 6-14-08 005.jpg

This is from last Saturday.

Brian P. Tompsett, P.E.  
 (480) 998-3300

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 DELETE IT.

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**From:** Brian [mailto:btompsett@qwest.net]  
**Sent:** Saturday, June 14, 2008 12:25 PM  
**To:** Mike Gleason (gleason-web@azcc.gov); Jeff Hatch-Miller (hatch-web@azcc.gov); William Mundell (mundell-web@azcc.gov); Kristin K. Mayes (mayes-web@azcc.gov); Gary Pierce (pierce-web@azcc.gov)  
**Cc:** Brian C. McNeil (bcmneil@azcc.gov); Steven Olea; Vicki Wallace; Connie Walczak (cwalczak@azcc.gov); Rebecca Wilder (rwilder@azcc.gov); John LeSueur (jlesueur@azcc.gov)  
**Subject:** Johnson Utilities & Pecan

Commissioners-

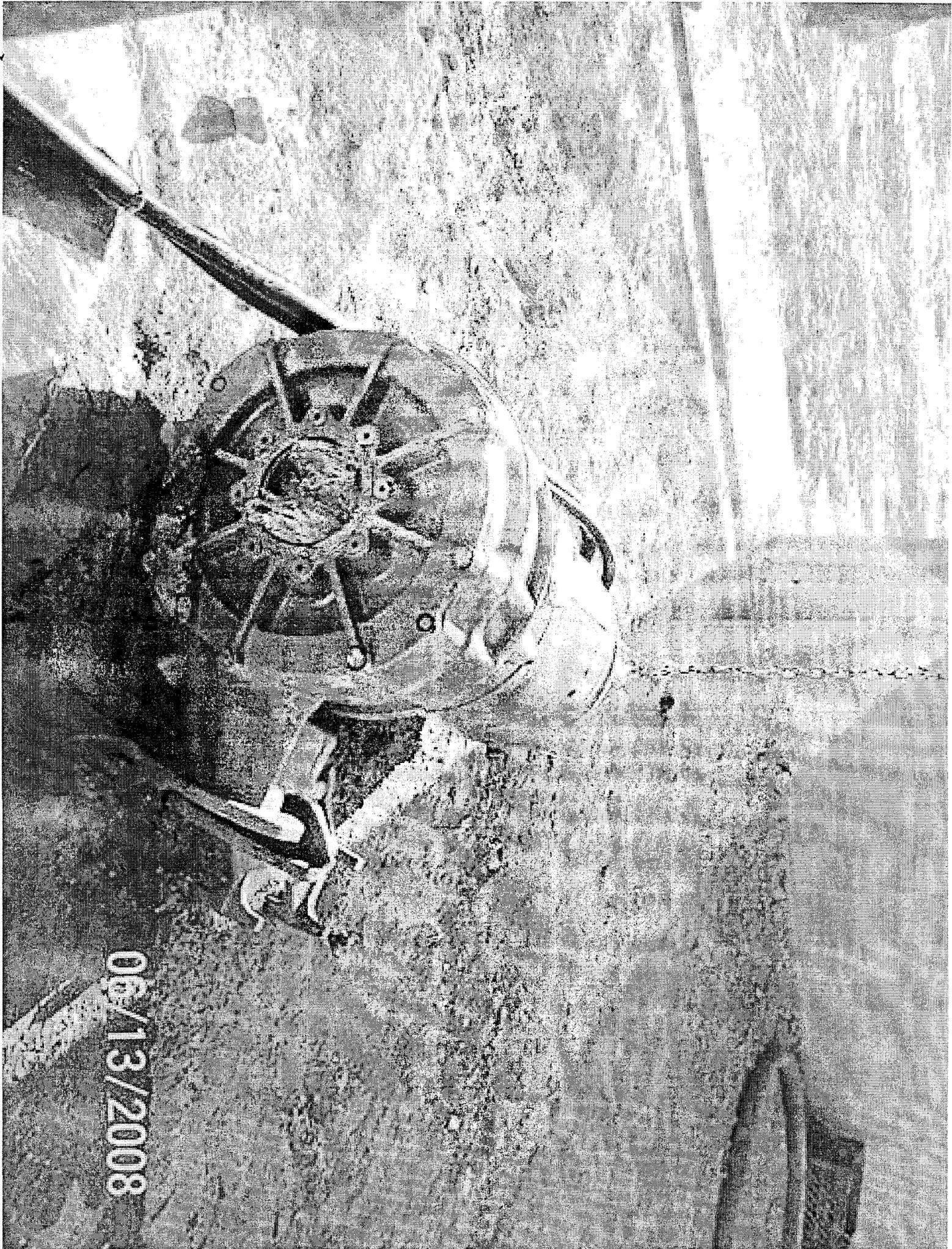
The unusually large amount of debris coming out of the Pecan Creek subdivision into the Pecan Creek lift station continues. Attached are a few photographs of what we have been experiencing. At approximately 5:00 PM yesterday both of the 100 HP pumps became completely clogged with debris. (see photos dated 6/13/08 numbers 006, 007 & 010) There is an abundance of rags and cloth. In picture 033 you can even see the teddy bear on the wipes. At approximately 7:00 AM today both of the 100 HP pumps became fully clogged with debris again. (see photos dated 6/14/2008 numbers 003 & 005)

In both instances the pumps were pulled by JU personnel, the debris was cleared and the pumps were re-installed. There were no sewage spills in either incident. The backup pump is still available for bypass and JU personnel are still onsite 24 hours a day to monitor the debris flow. We are very anxious to complete the community awareness program and hopefully stop the debris flow. I plan on asking the media to help get the word out about debris. Earlier today we filed a complaint with the Pinal County Sheriff's Department for vandalism and possible sabotage. We have also asked the Sheriff's department to begin an investigation.

Please call if you have any questions. I will keep you updated as things progress.

Brian P. Tompsett, P.E.  
 (480) 998-3300

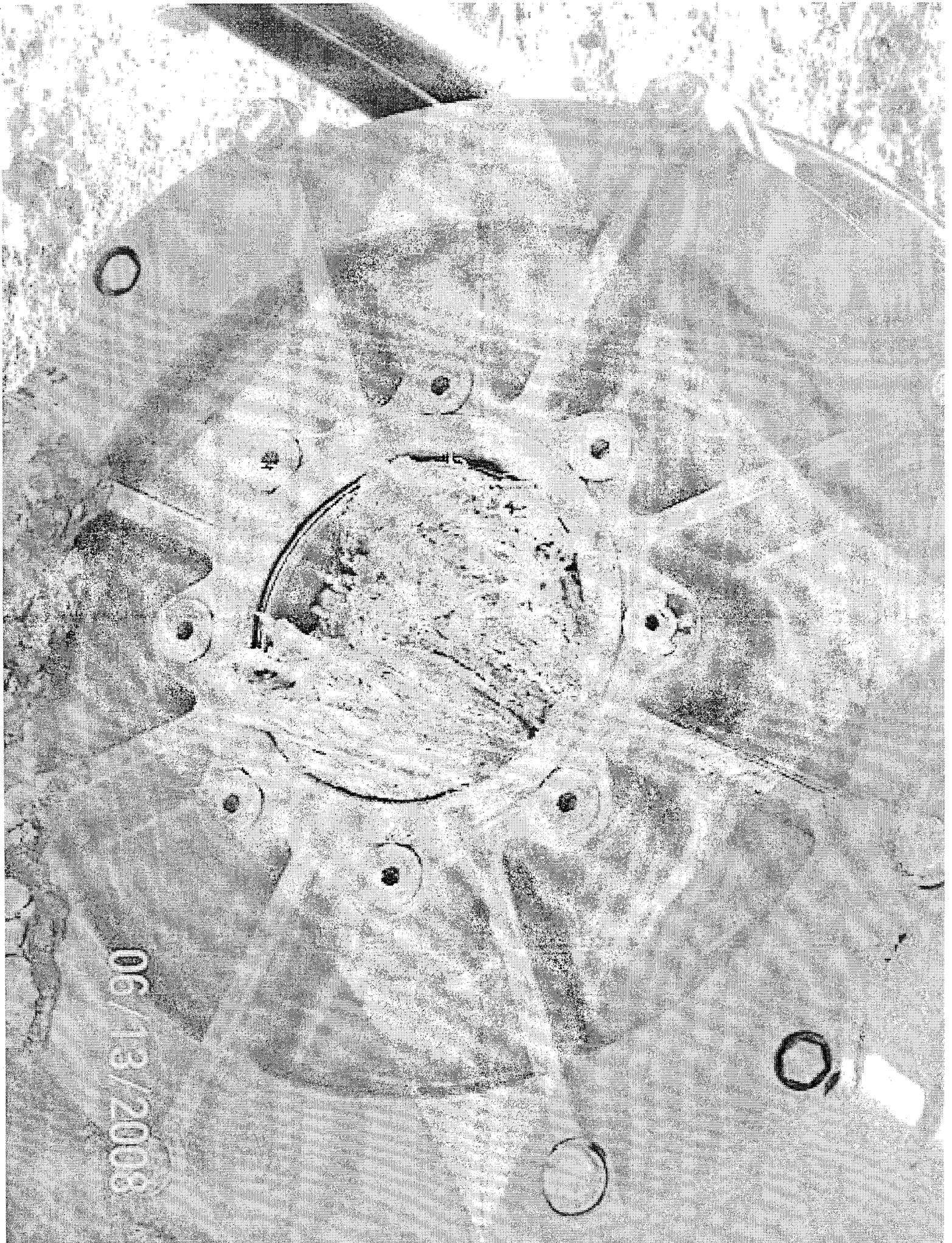
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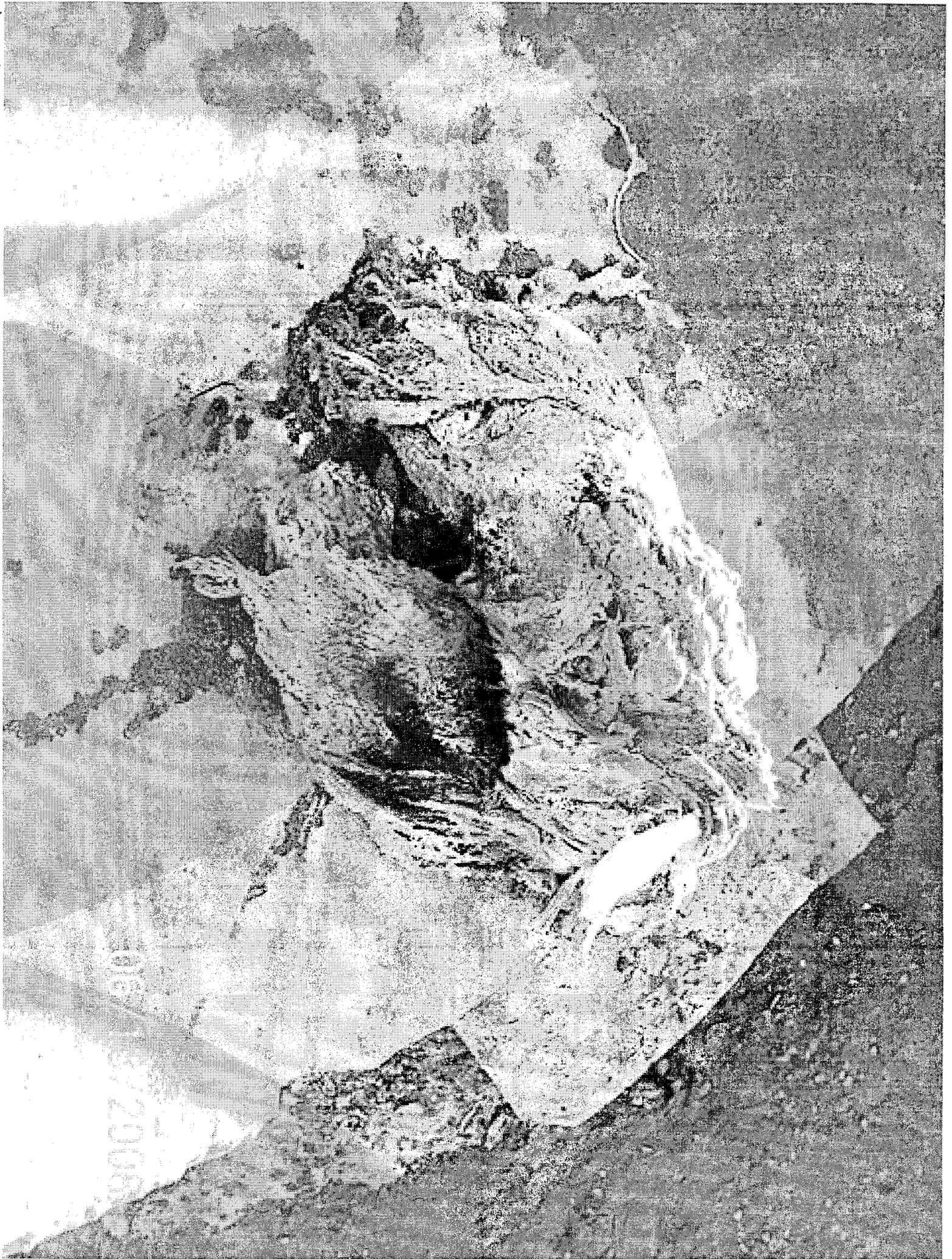
06/13/2008



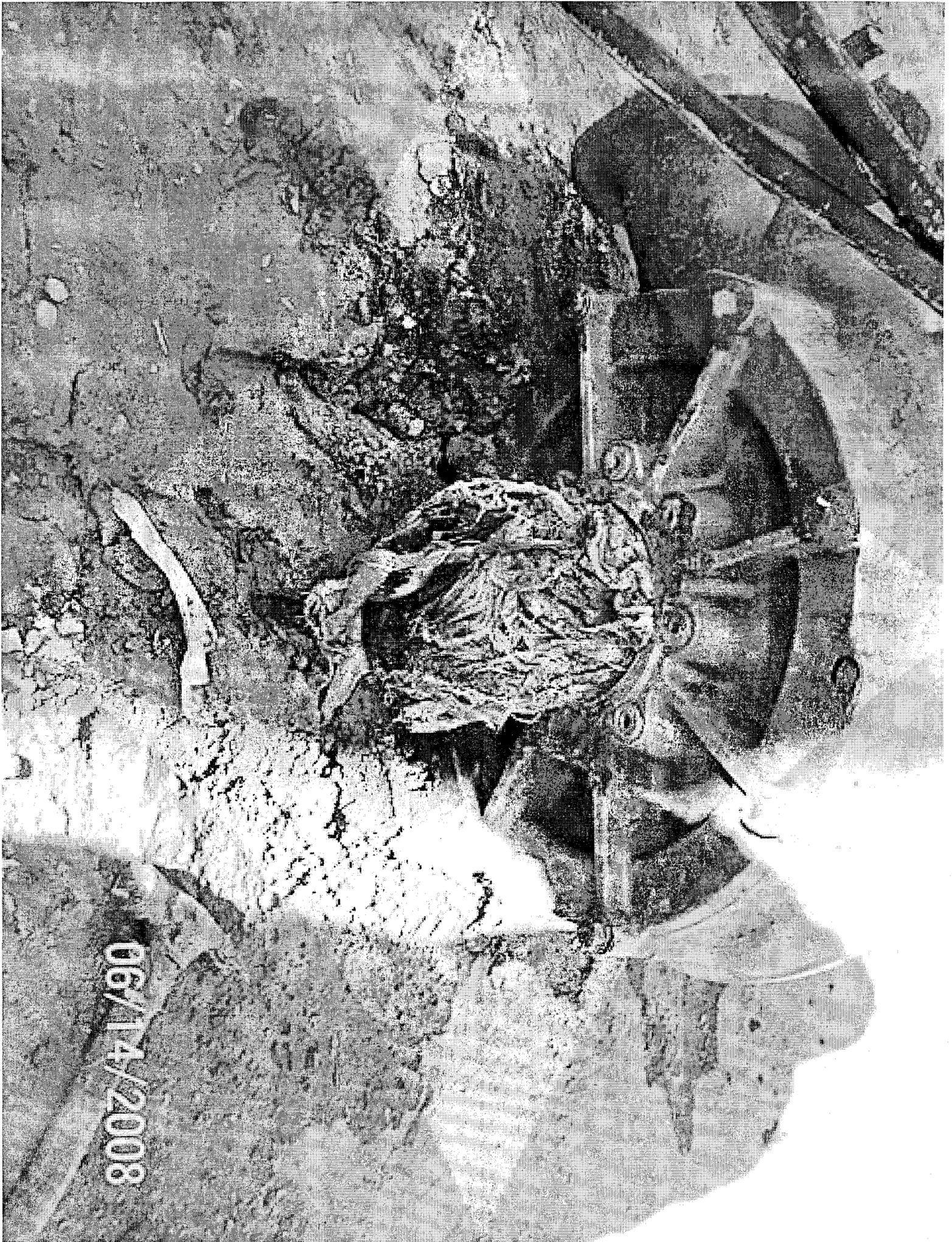
09/14/2008



06/13/2008







06/14/2008