

JOHNSON UTILITIES COMP



0000090035

5230 East Shea Boulevard * Scottsdale, Arizona 85254
PH: (480) 448-3300; FAX: (480) 483-7908

ORIGINAL

October 28, 2008

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

Arizona Corporation Commission
DOCKETED

OCT 28 2008



RE: Johnson Utilities Company, H2O, Diversified Water Utilities,
Queen Creek Water Company: Compliance with Decision No. 65840
Notice of Violation from ADEQ dated October 8, 2008
WS-02987A-99-0583; WS-02987A-00-0618; W-02234A-00-0371; W-02859A-00-0774;
W-01395A-00-0784

Dear Mr. Johnson:

On October 21, 2008, Johnson Utilities filed with the Commission a Notice of Violation ("NOV") from the Arizona Department of Environmental Quality ("ADEQ"), regarding the alleged failure to provide the proper type and grade of operator. A copy of the response to ADEQ refuting the violation is attached hereto as Attachment 1.

Should you have any questions regarding this event or would like any additional information prior to receiving our response, please do not hesitate to contact me. Thank you for your time and consideration in this matter.

Sincerely,

Brian Tompsett
Johnson Utilities, LLC

Cc: Docket Control
Steve Olea, Assistant Director
Brian Bozzo, Compliance Manager

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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

CERTIFIED MAIL RETURN RECEIPT

October 28, 2008

Karen Berry
Water Quality Field Service Compliance Unit, MC 5415B-1
Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

RE: Notice of Violation, Case ID # 99135

Dear Ms. Berry:

On October 8, 2008, Arizona Department of Environmental Quality (ADEQ) issued Johnson Utilities, L.L.C. (JU) a Notice of Violation (NOV), Case ID #99135. The NOV was issued for failure to provide a certified operator of the proper type and grade to operate a water distribution system per A.A.C. R18-4-114. Previously, ADEQ issued a Notice of Opportunity to Correct (NOC), Case ID #87250, on October 15, 2007, that requested verification of employment of a certified Grade 3 Water Distribution and Water Treatment Operator.

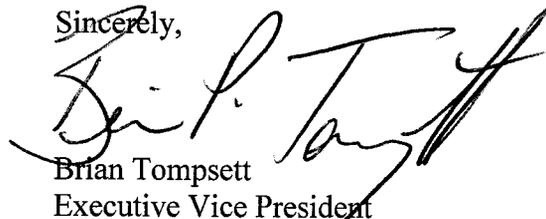
JUC informed ADEQ on November 5, 2007, that a Mr. Darryl Keane was the on-site operator who is a certified Grade 2 Water Distribution and Grade 4 Water Treatment Operator.

On January 1, 2008, JUC contracted with Mr. James Wright, Statewide Disinfection Service, Inc., to perform the duties of the on-site operator. Mr. Wright is a certified Grade 4 Water Distribution and Water Treatment Operator. A copy of his certifications is attached. In addition, JU hired Mr. Greg Brown as a consultant effective January 1, 2008. On August 4, 2008, JU employed Mr. Brown as the fulltime on-site operator. A copy of Mr. Brown's certifications as a Grade 4 Water Distribution and Water Treatment Operator is attached.

In accordance with the NOV, this letter provides the requested documentation verifying that JUC has employed an on-site operator with Grade 4 Water Distribution and Water Treatment Operator certifications.

If you have any questions or comments, please contact me at (480) 998-3300.

Sincerely,



Brian Tompsett
Executive Vice President

Enclosures: J. Wright Certification
D. Keane Certification
G. Brown Certification

This table was dynamically generated from the Water Quality Database.

Date/Time Generated: Oct. 17, 2008 @ 07:30

Operator ID:	OP009867		
City:			
Name:	DARRYL M KEANE		
E-mail:			
Mail Stop:			
Work Phone:			
Certification	Grade	Effective Date	Expiration Date
Grade 2 Water Distribution System Operator	2D		31-Jan-2011
Grade 4 Water Treatment Plant Operator	4T		31-Jan-2011

Results 1 - 1 of 1

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This table was dynamically generated from the Water Quality Database.

Date/Time Generated: Oct. 17, 2008 @ 07:30

Operator ID:	OP003563		
City:	MESA		
Name:	JAMES R WRIGHT		
E-mail:			
Mail Stop:	8469		
Work Phone:	(480) 312-5650		
Certification	Grade	Effective Date	Expiration Date
Grade 4 Wastewater Collection System Operator	4C	12-Apr-1997	31-Jul-2010
Grade 4 Water Distribution System Operator	4D	01-Jul-1990	31-Jul-2010
Grade 4 Water Treatment Plant Operator	4T	23-Mar-1988	31-Jul-2010
Grade 3 Wastewater Treatment Plant Operator	3W	18-Jul-1998	31-Jul-2010

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Date/Time Generated: Oct. 17, 2008 @ 07:30

Operator ID:	OP021857		
City:	FOUNTAIN HILLS		
Name:	GREGORY H BROWN		
E-mail:	fhaz4us@cox.net		
Mail Stop:	3067		
Work Phone:	(480) 596-6335		
Certification	Grade	Effective Date	Expiration Date
Grade 4 Wastewater Collection System Operator	4C	03-Mar-2006	28-Feb-2009
Grade 4 Water Distribution System Operator	4D	03-Mar-2006	28-Feb-2009
Grade 4 Water Treatment Plant Operator	4T	03-Mar-2006	28-Feb-2009
Grade 4 Wastewater Treatment Plant Operator	4W	03-Feb-2006	28-Feb-2009

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