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6
7 **BEFORE THE ARIZONA CORPORATION COMMISSION**

8 IN THE MATTER OF THE
9 APPLICATION OF VALLEY UTILITIES
10 WATER COMPANY, AN ARIZONA
CORPORATION, FOR A
11 DETERMINATION OF THE FAIR
VALUE OF ITS UTILITY PLANT AND
12 PROPERTY AND FOR INCREASES IN
ITS RATES AND CHARGES FOR
13 UTILITY SERVICE BASED THEREON.

DOCKET NO: W-01412A-08-0586

NOTICE OF COMPLIANCE

14 Valley Utilities Water Company (the "Company") hereby files this Notice of
15 Compliance pursuant to Decision No. 71482 (February 3, 2010) ("Order"). The Order
16 requires the Company to file copies of Approvals of Construction received for its arsenic
17 treatment facilities.

18 Attached as **Exhibit 1** is the Certificate of Approval of Construction with
19 Stipulations for the Bethany Home Road Arsenic Treatment Facility, issued on
20 February 15, 2011.

21 DATED this 23rd day of February, 2011.

22 FENNEMORE CRAIG, P.C.

23
24 By:

Patrick J. Black
Attorneys for Valley Utilities Water Company

1 **ORIGINAL** and 13 copies of the foregoing filed
this 23rd day of February, 2011 with:

2
3 Docket Control
4 Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

5 **COPY** of the foregoing hand-delivered
this 23rd day of February, 2011 to:

6
7 Steven M. Olea, Director
Utilities Division
8 Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

9
10 Compliance Division
Arizona Corporation Commission
1200 West Washington Street
11 Phoenix, AZ 85007

12
13 By: Sandra Baker
2398004.1/24964.003

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EXHIBIT

1



Maricopa County

Environmental Services
Water and Waste Management Division

1001 N. Central Ave., Suite 150
Phoenix, AZ 85004
Phone: (602) 506-6666
Fax: (602) 506-6925
TDD: 602 506 6704
www.maricopa.gov/envsvc

CERTIFICATE OF APPROVAL OF CONSTRUCTION WITH STIPULATIONS

PROJECT DESCRIPTION: Valley Utilities Water Company, Bethany Home Road Arsenic Treatment Facility (ATF). The project included construction of a 938-gpm capacity Severn Trent ATF that uses Bayoxide® E33 granular ferric oxide adsorption media. The treatment process includes two 12-ft diameter by 5.50-ft sideshell height vessels that will operate in series to remove arsenic from the well water to comply with the 10 ppb Maximum Contaminant Level (MCL). There is also: a self-cleaning filter ahead of the ATF that will remove contaminants down to 50 microns in size; a new sodium hypochlorite disinfection system with a 300-gallon tank and dual metering pumps that will maintain a 2.0 mg/L chlorine residual at maximum flow; and a 51,700-gallon backwash equalization tank.

There are three existing wells on the site (Numbers 4, 5, and 6) that have arsenic concentrations as shown below. There is an existing 200,000-gallon reservoir at the site. The site also includes an existing booster station and hydropneumatic tank.

Of the total 1,250-gpm maximum total flow from the three wells, 938 gpm is treated to a maximum of 6.0 ppb and blended with a maximum 312 gpm of untreated water that bypasses treatment. Blending is controlled with a flow control valve on the bypass line to provide treated water with a maximum arsenic level of 8.0 ppb.

The Maricopa County Planning and Development Department has issued a Special Use Permit for the project (Zoning Case Number Z2008128).

LOCATION:

Glendale, Maricopa County
6031 N. 126th Avenue, Litchfield Park
T2N, R1W, Sec 11SE

PROJECT OWNER:

Attn: Bob Prince
Valley Utilities Water Company
6808 N. Dysart Road, Suite 112
Glendale, AZ 85037

Well 4 (not in service)

ADWR #55-639722
Well capacity = 125 gpm
Arsenic concentration = 12 ppb

Well 5:

ADWR #55-503273
Well capacity = 375 gpm
Arsenic concentration = 13 ppb

Well 6:

ADWR #55-580082
Well capacity = 310 gpm
Arsenic concentration = 11 ppb

Pursuant to AAC Title 18, Chapter 4, Article 5, or Chapter 9, Article 8, and Maricopa County Environmental Health Code (MCEHC) Chapters II and V, approval of construction of the above-described facilities as represented in the approved plan documents on file with the Maricopa County Environmental Services Department (MCESD) is hereby given subject to the following provisions:

1. This certificate is issued based on submission of: an Application for Approval of Construction dated 12/6/10; an Engineer's Certificate of Completion prepared by Ramesh Narasimhan, P.E. (28112), of Narasimhan Consulting Services, Inc. dated 12/6/10; as-built drawings and a document *Bethany Home Road Arsenic Treatment Facility Operations Manual, November 2010*, prepared by Ramesh Narasimhan, P.E. (#28112) and sealed on 12/6/10; and the results of commissioning testing for the period 12/20/10 through 1/25/11 performed by Legend Technical Services, Inc., and submitted on 2/11/11. The Department inspected the facilities on 12/3/10.
2. Any change in the approved design that may affect capacity, quality, flow, location or operational performance of the system shall be submitted to this Department for review, and Department approval shall be obtained prior to undertaking the work affected by the change.
3. This approval is void if major modifications occur to this facility without the knowledge and consent of the Department.

4. This approval is based on the following conditions:
 - No other sources shall be connected to the facility or be blended with the treated water without Department approval,
 - Raw water shall be only be allowed to bypass treatment in conformance with the approved blending strategy,
 - Regenerated media shall not be used unless approved by the Department,
 - No other types or formulas of media shall be installed in the vessels without Department approval.
5. The Owner shall send the Department a report whenever there is a media change-out, vessel reconfiguration, or other process change. Provide the reasons for the change and relevant data that support the decision, such as laboratory test results and the number of bed volumes treated. Submit the reports to MCESD on approved forms within 10 days of the process change.
6. Failure to comply with all conditions of this certificate may result in forfeiture and cancellation of this permit and may require the treatment facility to be immediately taken out of service.
7. A Grade 2 water treatment plant operator, certified by the Arizona Department of Environmental Quality, shall be in direct responsible charge of this facility. The responsible operator shall make daily visits to the ATF to check the status of operations.
8. The water treatment facility shall meet all applicable sampling and reporting requirements under the Safe Drinking Water Act Rule, Title 18, Chapter 4 of the Arizona Administrative Code, and subsequent amendments.
9. All materials or products that come into contact with drinking water or with water treatment chemicals shall conform to ANSI/NSF 60 and 61 in accordance with AAC R18-4-119.
10. No connection may exist between potable water and non-potable water unless an approved backflow prevention device is installed in accordance with AAC R18-4-115.
11. Provide appropriate signage for all hose bibb connections (both potable and non-potable).
12. Provide hoses and hose racks at all hose bibb locations (both potable and non-potable).
13. Representative(s) of MCESD shall be allowed access to the site to conduct inspections of this facility during reasonable hours.
14. MCESD reserves the right to modify this approval pursuant to future state regulations.

WATER AND WASTE MANAGEMENT DIVISION

By *Kenneth R. James, P.E. for*
Dale G. Bodiya, PE
Manager Water / Wastewater Treatment Program

Plan Approval Date: February 15, 2011

cc: ADEQ Drinking Water Section, 1110 West Washington Street, Phoenix, AZ 85007
Kevin Chadwick, PE, Manager, MCESD Water and Waste Management Division
Korissa Entringer, RS, MCESD, Manager, Drinking Water Program
Ramesh Narasimhan, P.E., NCS Engineers, 3660 N. 3rd Street, Phoenix, AZ 85012
Utilities Division - Engineering Section, Arizona Corporation Commission, 1200 W. Washington
Phoenix, AZ 85007-2996
MCESD File