



Douglas A. Ducey  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera  
Director

## Surface Water Inspection Report

<b>Facility Name:</b> Pecan Water Reclamation Facility (WRF)	<b>Sanitary Sewer Overflow:</b> Yes
<b>Physical Location:</b> 38359 N Gantzel Rd <b>City, State, Zip:</b> Queen Creek, AZ	<b>Inspection No.:</b> 300090
<b>County:</b> Pinal	<b>Inspection Date:</b> 03/28/2018
<b>Mailing Address:</b> 5230 E Shea Blvd, Ste. 200 <b>City, State, Zip:</b> Scottsdale, AZ 85254	<b>Inspector(s):</b> I. Valdez, J. Litt, & G. Gutierrez
<b>Coordinates (for new locations):</b> N/A Latitude: Deg.: Min.: Sec.: Longitude: Deg.: Min.: Sec.:	<b>Inspector Phone:</b> (602) 771-3958 <b>Inspector Email:</b> gutierrez.galileo@azdeq.gov
<b>Owner/Responsible Party:</b> Johnson Utilities, LLC	<b>Was Inspection Announced?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Onsite Contact Person(s)/Facility Operator(s):</b> Jed Lant, Wastewater Manager	<b>Weather:</b> Clear
<b>Nearest Receiving Water, if applicable (indicate distance):</b> Queen Creek	
<b>Inspection Report Issued:</b> Via email from ADEQ office	
<b>Results of Inspection:</b> <input type="checkbox"/> No deficiencies were noted during the course of the inspection. No ADEQ action will result from this inspection. <input checked="" type="checkbox"/> Potential deficiencies were noted during the course of the inspection. Additional correspondence regarding this inspection may be forthcoming.	
<b>Comments:</b> Johnson Utilities, LLC reported a sanitary sewer overflow (SSO) at their Pecan WRF, which was estimated to have occurred at 12:00 am of March 27, 2018.	
<b>PHOTOGRAPHS TAKEN DURING INSPECTIONS ARE INCLUDED IN THIS REPORT</b>	

<p><b>Description of the reported SSO:</b></p>	<p>As per Johnson Utilities' voicemail SSO reporting, which occurred on 03/27/2018, sanitary sewer was released and have reached Queen Creek with an approximate distance 500 feet from the concrete spillway with a reported approximate volume of 65,000 gallons.</p> <p>Pecan WRP staff became aware of the SSO at approximately around 12:30 am and cleaning/pumping/disinfecting activities was immediately initiated. Pecan WRF staff reported the SSO to ADEQ's contact telephone number. A contract pumping company was brought in to pump visible standing sewage from manhole, spillway, and Queen Creek areas. After a thorough pumping/cleanup of the mentioned areas, disinfection using sodium hypochlorite solution was applied to all the affected areas.</p>
<p><b>Observations:</b></p>	<p>At the time of the inspection, ADEQ personnel identified themselves to Mr. Lant and mentioned from which Value Stream they're associated with. Mr. Lant and other Johnson Utilities staff escorted ADEQ personnel to the areas where sewage was released starting from the concrete spillway and continuing to the affected area of Queen Creek.</p> <p>By the time of this inspection, sewage was no longer observed in the impacted areas and cleaning activities have been completed. However, yellow caution tapes were still present starting from the concrete spillway and continued to the affected area of the creek bed of Queen Creek (see photos). The furthest location where yellow caution tape had been observed has the coordinates of: 33° 13' 54" N; 111° 33' 37.3" W.</p>



Concrete Spillway





Portions of affected area of Queen Creek



<p><b>Comments and Potential Deficiencies:</b></p>	<p>The following are Surface Water potential issues:</p> <ul style="list-style-type: none"> <li>• This latest SSO, estimated 65,000 gallons of sewage release to Queen Creek. Johnson Utilities is not permitted to discharge untreated sewage into Queen Creek. Queen Creek is a Water of the US and a surface water listed in Appendix B of Arizona Administrative Code Title 18, Chapter 11, Article 1.</li> <li>• Previous reported SSO(s) from Pecan WRF that have reached Queen Creek.</li> </ul>
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# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

## NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	ADEQ INFORMATION
<b>Facility Name (Customer):</b> Pecan Water Reclamation Plant	<b>Date/Time of Inspection:</b> 03/28/2019
<b>Facility Location (Place):</b> 38539 N Gantzel Rd. Queen Creek, AZ	<b>County:</b> Pinal
	<b>Inspector:</b> Isa Valdez
<b>Mailing Address:</b> 5230 E Shea Blvd. Ste. 200 Scottsdale, AZ 85254	<b>Telephone:</b> 602-771-2302
	<b>Accompanied by:</b> Joshua Litt and Galileo Gutierrez
<b>Responsible Party:</b> Johnson Utilities, LLC	
<b>On-Site Representative:</b> Jed Lant	<b>ADEQ Follow-up Contact:</b> Luke Peterson
<b>Telephone:</b> Cellphone: 480-798-0413 Office: 480-987-9870	
<b>Title:</b> Wastewater Manager	<b>Title:</b> APP Unit Manager
<b>E-mail:</b> jed@johnsonutilites.com	<b>Telephone:</b> 602-771-2322

The ADEQ representative(s) identified above were present at the above address on the above listed date and time. Upon entry to the premises, the ADEQ representative(s) met with me, presented photo identification indicating that they are ADEQ employees and explained:

☐ **That the purpose of the inspection is to determine:**

- ☐ Compliance with Title 49 of the Arizona Revised Statutes, Title 18 of the Arizona Administrative Code\* and/or:

Arizona Revised Statutes: Title 49, Chapter 2 et seq, Article \_\_\_\_\_.

Arizona Administrative Code: Title 18, Chapter 9 et seq, Article \_\_\_\_\_.

Permit/Agreement Number: APP Permit #: P-105324, General APP Type 4.01.

- ☐ Qualification for a license issued pursuant to:

Arizona Revised Statutes: Title 49, Chapter 2, Article 10.

Arizona Administrative Code: Title 18, Chapter 5, Article 1 et. seq..

- ☐ That this inspection is conducted pursuant to the authority granted in Arizona Revised Statutes § 49-104(B)(8) and/or:

Arizona Revised Statutes: § 41-1009, 49-203(B)(1).

Arizona Administrative Code: R18-9-110.

Permit/Agreement Number: APP Permit #: P-105324, General APP Type 4.01.

- ☐ That the state shall not be barred by the statutes of limitations of actions, according to A.R.S. § 12-510, except as provided in A.R.S. § 12-529 concerning certain claims based on navigability of watercourses. According to 28 U.S.C. § 2462, the U.S. government must commence an action within 5 years after the date the claim first accrued.

- ☐ Possible applicability of Small Business Bill of Rights pursuant to Arizona Revised Statutes § 41-1001(21)

☐ **That the fee for this inspection is:** ZERO.

\*The Arizona Revised Statutes (A.R.S.) can be found on the internet: [www.azleg.state.az.us/ArizonaRevisedStatutes.asp](http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp) while the Arizona Administrative Code (A.A.C.) can be found at [www.azsosaz.gov/public\\_services/Table\\_of\\_Contents.htm](http://www.azsosaz.gov/public_services/Table_of_Contents.htm)

While I have the right to refuse to sign this form, the ADEQ representatives may still proceed with the inspection

- ☐ I have read this notice and discussed any questions or concerns with the ADEQ representatives and I have received the Small Business Bill of Rights.

Signature of Regulated Person or Authorized On-Site Representative

Date

- ☐ The regulated person or authorized on-site representative refused to sign.

Name of Regulated Person or Authorized On-Site Representative Title

- ☐ The regulated person or an authorized on-site representative was not present at the facility.

Signature of ADEQ Representative Date

## INSPECTION RIGHTS

- ☐ I understand that I can accompany the ADEQ representative(s) on the premises, except during confidential interviews.
- ☐ I understand that I have right , on request, to:
  - Copies of any original documents taken during the inspection, and that ADEQ will provide copies of those documents at ADEQ's expense;
  - A split of any samples taken during the inspection, if the split of the samples would not prohibit an analysis from being conducted or render an analysis inconclusive;
  - Copies of any analysis performed on samples taken during the inspection and that ADEQ will provide copies of this analysis at ADEQ's expense;
  - Copies of any documents to be relied on to determine compliance with licensure or regulatory requirements if the agency is otherwise permitted by law to do so.
- ☐ I also understand that:
  - Each person who is interviewed by an ADEQ inspector during the inspection must be informed that:
    - (1) participation in an interview is voluntary, unless legally compelled to participate;
    - (2) they have the right to have an attorney or other experts in their field present during the interview to represent or advise the regulated person;
    - (3) the ADEQ inspector may not take any adverse action or treat less favorably or draw any inference as a result of the regulated person's decision to be represented by an attorney or advised by any other experts in their field;
    - (4) statements made by the person may be included in the inspection report; and
    - (5) they have the right to 24 hours to review and revise any written witness statement drafted by the ADEQ inspector on which the ADEQ inspector requests that person's signature.
  - If the information and documents provided to the ADEQ inspector become a public record, trade secrets and proprietary and confidential information may be redacted, unless the information and documents are not confidential pursuant to statute.
  - Each person interviewed during the inspection must be informed that statements made by the person may be included in the inspection report;
  - Each person whose conversation is tape recorded during the inspection must be informed that the conversation is being tape recorded;
  - If an administrative order is issued or a permit decision is made based on the results of the inspection, I have the right to appeal that administrative order or permit decision. I understand that my administrative hearing rights are set forth in Arizona Revised Statutes § 41-1092 *et seq.* and my rights relating to an appeal of a final agency decision are found in Arizona Revised Statutes § 12-901 *et seq.*;
  - If I have any questions or concerns about this inspection, I may contact the person listed as the ADEQ Follow-up Contact on the front of this form; ADEQ's Ombudsman at (602) 771-4322 (toll free inside Arizona at (800) 234-5677, extension, 771-4322); or the Arizona Ombudsman-Citizens' Aid office at (602) 277-7292 (toll free at (800) 872-2879);
  - If I have any questions concerning my rights to appeal an administrative order or permit decision, I may contact ADEQ's Office of Administrative Counsel at (602) 771-2212 (toll free inside Arizona at (800) 234-5677, extension 771-2212).