



ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	ADEQ INFORMATION
Facility Name (Customer): Morning Suns Farm Lift Station (LS)	Date/Time of Inspection: 12/24/18 @ 1320
Facility Location (Place): W. Chinook Ct San Tan Valley, AZ 85143	County: Pinal
Mailing Address: N/A	Inspector: Joshua Litt
Responsible Party: Johnson Utilities/EPCOR US	Telephone: 602-771-4805
On-Site Representative: Spoke to John Calkins at EPCOR	Accompanied by: N/A
Telephone: 623-445-2406	ADEQ Follow-up Contact: Ethan Leiter
Title: Director of Compliance	Title: Unit Manager
E-mail: JCalkins@epcor.com	Telephone: 602-771-4479

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-.

- ☐ 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-.

- ☐ 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 while the Arizona Administrative Code (A.A.C.) can be found at 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

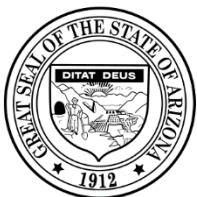
Title

- ☒ 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).



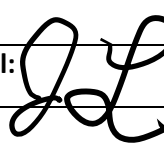
Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

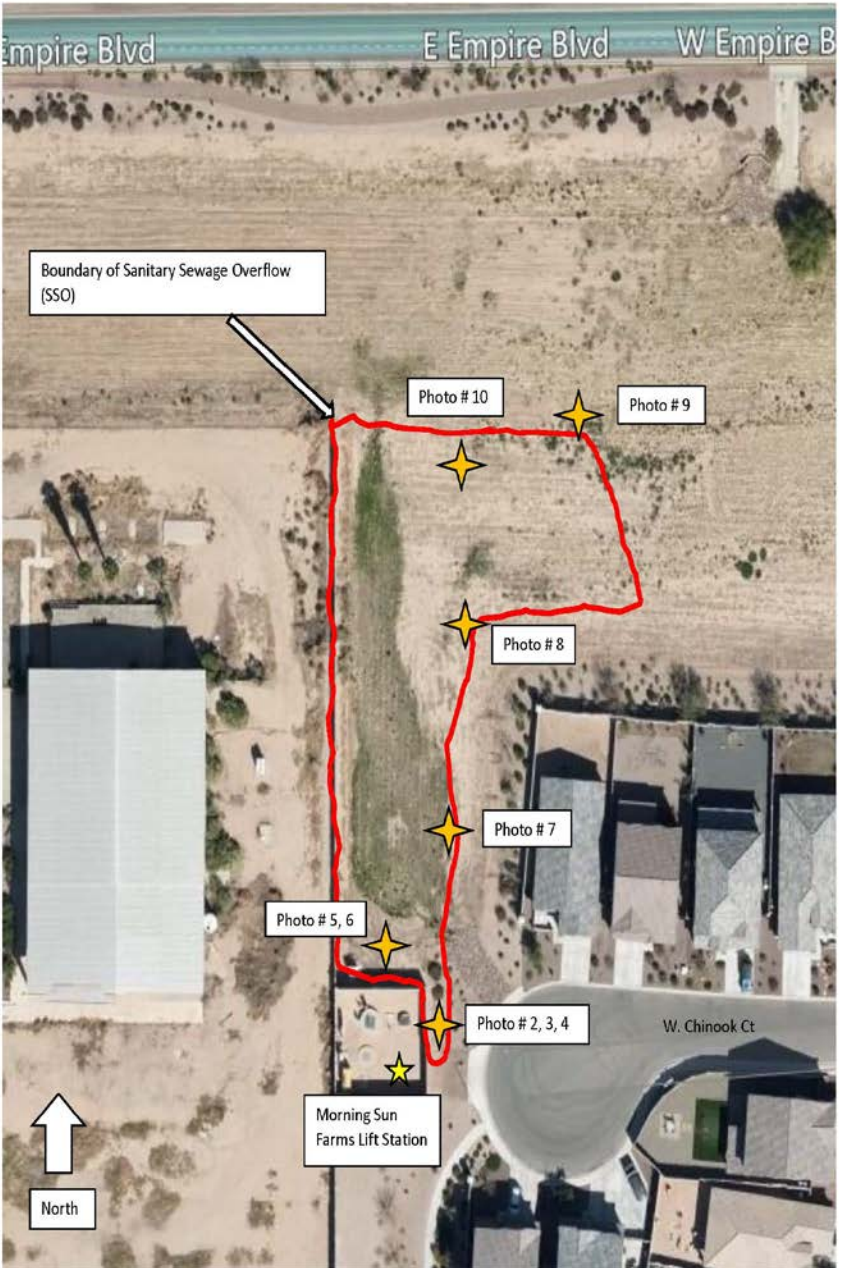
Water Quality Complaint Inspection Report

Facility Name: Morning Suns Farms Lift Station (LS)	Complaint No: SSO Follow-up	
Physical Location: W. Chinook Ct City, State, Zip: San Tan Valley, AZ 85143	Inspection No.: 314865	
County: Pinal	Arrival Date and Time: 12/24/2018 1:20 PM	
Mailing Address: 2355 W. Pinnacle Peak Rd, Suite 300 City, State, Zip: Phoenix, AZ 85027	Inspector(s): Joshua Litt	
Coordinates (for new locations): Latitude: Deg.: Min.: Sec.: Longitude: Deg.: Min.: Sec.:	Inspector Phone: 602-771-4805 Inspector Email: JL16@azdeq.gov	
Owner/Responsible Party: Johnson Utilities/EPCOR US Click here to enter text.	Was Inspection Announced? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Onsite Contact Person(s)/Facility Operator(s): John Calkins 623-445-2406	Weather: Sunny	
Nearest Receiving Water, if applicable (indicate distance):		
Inspection Report Issued: Via email from ADEQ office	Facility Initial:	ADEQ Initial: 
Results of Inspection: <input checked="" type="checkbox"/> No deficiencies were noted during the course of the inspection. No ADEQ action will result from this inspection. <input type="checkbox"/> Potential deficiencies were noted during the course of the inspection. Additional correspondence regarding this inspection may be forthcoming.		
Comments: At approximately 1:20 pm, I arrived at the Morning Suns Farm LS located at the west end of W. Chinook Court (See Attachment A – Photo #1). I immediately noticed that there was caution tape surrounding the LS and the spill area. When I approached the LS, I noticed the Johnson Utilities signage provided the incorrect address for this LS (Attachment A – Photo #2). Below the LS gate (to the right), was the pathway where the SSO flowed northerly to the dirt retention area (Attachment A – Photo #3). The white areas are from crystallized calcium hypochlorite (solid bleach, Attachment A – Photo #10). Flow follows along the LS wall and there is more solid bleach crystals (Attachment A – Photo #4). At the end of the LS wall, the SSO flow splits from its' northerly path and begins flowing westerly (Note: SSO flow path still flows northerly). The westerly area has a considerable amount of solid bleach crystals and is still moist (Attachment A – Photos #5 and 6). This area is likely still moist/wet due to it being in the shade. As I walked along the east side of the retention basin, the grassy vegetation appeared to be dry with more bleach crystals present along the edge of SSO (Attachment A – Photo #7). As I walked along the northern and northeastern side of the boundary of the SSO, I observed spotty bleach areas, and dry soil and vegetation (Attachment A – Photos #8 and 9). Throughout the site, I did not observe any SSO residue or remnants including solids, paper, and rags.		
Attachments: Attachment A – Photograph Log		

PHOTOGRAPHS TAKEN DURING INSPECTIONS ARE AVAILABLE ON REQUEST

Description of the Incident	On December 22, 2018, there was a mechanical failure at the Morning Suns Farm LS. Approximately 1,000 gallons spilled with approximately 500 entering into the dirt retention area adjacent to the LS. The site was cleaned and disinfected.
Observations:	See comments section above.
Comments and Potential Deficiencies:	ADEQ received an initial email detailing the SSO. ADEQ is awaiting a 30 day report.

Field Inspection Photograph Log


Site Location: Morning Suns Farm Lift Station (LS)		Photographer/Inspector: Joshua Litt
Weather: Sunny		
Photo No. 1	Date: 12/24/18	
Photo Description: Site Map		

Field Inspection Photograph Log

Photo No. 2	Date: 12/24/18
Direction Photo Taken: Facing west	
Photo Description: Lift station sign for Morning Sun Farms (Johnson Utilities). Note the LS is actually on W. Chinook Ct.	



Field Inspection Photograph Log

Photo No. 3	Date: 12/24/18	
Direction Photo Taken: Facing north		
Photo Description: Drainage underneath the gate of the LS. Flow is to the north. Remnants of crystallized calcium hypochlorite (solid bleach).		

Field Inspection Photograph Log

Photo No. 4	Date: 12/24/18
Direction Photo Taken: Facing west	
Photo Description: Flow path of the SSO along the LS wall. Note the residue of bleach.	



The photograph captures the base of a grey concrete block wall. A dark, wet area at the wall's base indicates a recent liquid spill. From this area, a thick, orange-brown slurry has flowed down the ground, creating a visible path. The slurry is uneven and textured, with some areas appearing more saturated. To the right of the flow path, there is a large, dense, dry bush with yellowish-brown foliage. The ground in the foreground is covered with a layer of dry, brown grass and some small rocks. The overall scene suggests an environmental or safety inspection of a potential sewage overflow.

Photo No. 5	Date: 12/24/18
Direction Photo Taken: Facing west	
Photo Description: Flow path of SSO flows from north to west along the wall. Ground was moist due to shade.	

A photograph showing a concrete block wall corner. A flow path of SSO is visible along the wall, with wet ground and some vegetation in the foreground. A building with a red roof is visible in the background.


Field Inspection Photograph Log

Photo No. 6	Date: 12/24/18	
Direction Photo Taken: Facing west		
Photo Description: Ground was still moist from being in shade. Crystallized bleach is seen.		


Photo No. 7	Date: 12/24/18	
Direction Photo Taken: Facing north		
Photo Description: Along the east side of the containment, the field was clear of debris. Disinfectant can be seen at the edge of the SSO.		

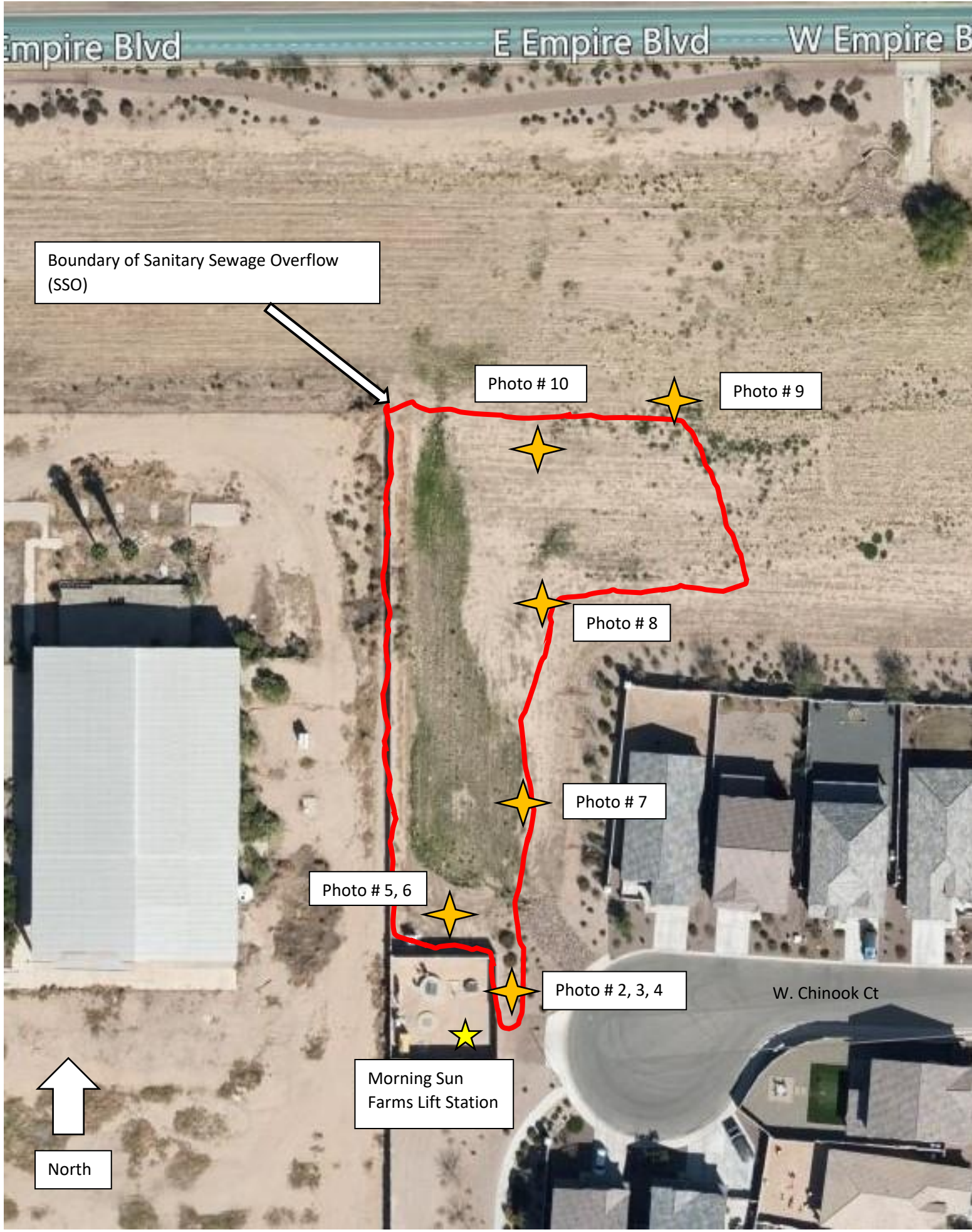
Field Inspection Photograph Log

Photo No. 8	Date: 12/24/18	
Direction Photo Taken: Facing northwest		
Photo Description: In the middle of the field, there is visible bleach. No debris from SSO noticed.		

Photo No. 9	Date: 12/24/18	
Direction Photo Taken: Facing west		
Photo Description: At the northern most extent of the SSO, the majority of the ground was dry. Some bleach is present.		

Field Inspection Photograph Log

Photo No. 10	Date: 12/24/18	
Direction Photo Taken: Looking down		
Photo Description: Close-up of crystallized bleach.		



Empire Blvd

E Empire Blvd

W Empire B

Boundary of Sanitary Sewage Overflow (SSO)

Photo # 10

Photo # 9

Photo # 8

Photo # 7

Photo # 5, 6

Photo # 2, 3, 4

W. Chinook Ct

Morning Sun Farms Lift Station



North