



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

CERTIFIED MAIL
Return Receipt Requested

Case ID #: 178117

September 17, 2018

Johnson Utilities, Llc
Attention: Gary A. Drummond
5230 E Shea Blvd
Ste 200
Scottsdale, AZ 85254

Subject: Santan Water Reclamation Plant, Place ID 18584
200 E Hunt Hwy / Queen Creek, AZ 85143

NOTICE OF VIOLATION

The Arizona Department of Environmental Quality (ADEQ) has reason to believe that Johnson Utilities, Llc as the owner/operator of Santan Water Reclamation Plant has violated a requirement of the Arizona Revised Statutes (A.R.S.), a rule within the Arizona Administrative Code (A.A.C.), or an applicable permit/license, administrative order or civil judgment. ADEQ discovered the violations alleged below during an inspection completed on September 06, 2018.

I. LEGAL AUTHORITY and NATURE OF ALLEGED SIGNIFICANT VIOLATION(S)

1. Permit 69821 (105325) - Section 2.1 Facility / Site Description

Johnson Utilities, LLC is authorized to operate the San Tan Water Reclamation Plant (WRP). The treatment process consists of an influent lift station, two treatment trains, and a belt press. The treatment process in each train consists of headworks with bar screen, extended aeration with nitrification/denitrification, chemical feed facilities, clarifier, filters, ultraviolet (UV) disinfection with backup chlorine disinfection and an effluent pump station.

During the September 6, 2018 inspection, ADEQ observed the UV disinfection system not in operation as required in the permit. Jed Lant, San Tan WRP employee explained the primary mechanism for disinfection is sodium hypochlorite. According to Jed Lant, the UV equipment has not been operational for the last 6.5 years. Before the inspection, ADEQ conducted an office file review. Despite the change in disinfection method, San Tan WRP has met the discharge limits requirements for the last six reporting monitoring periods.

II. LEGAL AUTHORITY and NATURE OF OTHER ALLEGED VIOLATION(S)

1. Permit 69821 - Section 4.2 Compliance and Operational Monitoring - Table III

Pollution Control Structures, including vadose zone recharge wells, recharge basin freeboard, pumps integrity, and treatment plant components shall be inspected in a weekly frequency.

At the time of the inspection it was observed that the operator had failed to complete the inspection logs required by the permit. Missing parameters were observed for weekly self-inspection parameters, specifically the vadose one recharge wells performance levels. This

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is required in the APP P-105325 Section 4.2 Table III. The missing parameters consisted of continuous weeks of not inspecting the wells, refer to Inspection Photographic Log, Photo No.8.

III. DOCUMENTING COMPLIANCE

1. Within 7 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or a corrective action plan to return the facility to compliance with respect to current on-site disinfection practices. Refer to Violation I. This corrective action plan should fulfill one of the two following items:
 - (i) If San Tan WRP elects to return to utilizing UV as the primary disinfection method and repair the UV equipment, submit a plan with milestones to achieve compliance.
 - (ii) If San Tan WRP elects to continue to use chlorination as the primary disinfection method, submit a written notice in compliance with APP P-005325 Section 6.9. Duty to Modify [A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A211]
2. Within 21 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or submit a written response addressing the cause of the missed and/or cause for failure to complete the weekly inspections for the vadose zone recharge wells. Submit to the case manager a standard operating plan/procedure to prevent the recurrence of failure to self-inspect and log this reporting requirement. Refer to Violation II.
3. Within 60 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or submit documentation showing that the corrective plan has been implemented and the disinfection mechanism at San Tan WRP is in compliance.
 - (i) If San Tan WRP elects to return utilizing UV as the primary disinfection method and repair the Ultraviolet light equipment, submit documentation demonstrating compliance according to permitted process.
 - (ii) If San Tan WRP elects to continue to use chlorination as the primary disinfection method, submit an administratively complete APP amendment application.

Appropriate documentation includes invoices, photographs, logs, laboratory analyses, sealed engineering plans, technical drawings, permits, and any other document(s) necessary to establish that the deficiencies have been resolved.

IV. SUBMITTING COMPLIANCE DOCUMENTATION

Please send all compliance documentation and any other written correspondence regarding this Notice to ADEQ at the following address:

Arizona Department of Environmental Quality, Attention: Isa Valdez, GW/Reuse Inspections & Compliance, 1110 W Washington St, Phoenix, AZ 85007 MC: 5415B-3

V. STATEMENT OF CONSEQUENCES

Significant Violations

1. The time frames within this Notice for achieving and documenting compliance for the violation(s) alleged in Section I of this Notice are firm limits. Failure to achieve or document compliance for the violation(s) alleged in Section I of this Notice within the time frames established in this Notice will result in an administrative compliance order or civil action requiring compliance within a reasonable time frame, substantial civil penalties, and/or the suspension or revocation of an applicable permit/license. ADEQ will agree to extend the time frames for achieving and documenting compliance for the violation(s) alleged in Section I of this Notice only in a compliance schedule negotiated in the context of an administrative consent order or civil consent judgment.
2. Achieving compliance does not preclude ADEQ from seeking civil penalties, and/or suspending or revoking an applicable permit/license for the violation(s) alleged in Section I of this Notice as allowed by law.

Other Violations


3. ADEQ may take any enforcement action authorized by law for the violation(s) alleged in Section II of this Notice, if the violation(s) are not corrected, or if ADEQ determines that the violation(s) have not been corrected in the time frames within this Notice.

VI. OFFER TO MEET

ADEQ is willing to meet regarding this Notice. To obtain additional information about this Notice or to schedule a meeting to discuss this Notice, please contact Isa Valdez at (602) 771-2302.



Ethan Leiter, Manager
GW/Reuse Inspections & Compliance



Isa Valdez
GW/Reuse Inspections & Compliance

