

Douglas A. Ducey  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera  
Director

## Water Quality Inspection Report

<b>Facility Name:</b> Morning Sun Farms	
<b>Physical Location:</b> 35901 N. Village Lane <b>City, State, Zip:</b> San Tan Valley, AZ 85143	<b>Inspection No.:</b> 321471
<b>County:</b> Pinal	<b>Arrival Date and Time:</b> 4/2/2019 12:00 PM
<b>Mailing Address:</b> 968 E Hunt Hwy <b>City, State, Zip:</b> San Tan Valley, AZ 85143	<b>Inspector(s):</b> Oliver Navo
<b>Coordinates (for new locations):</b> Latitude: Deg.: Min.: Sec.: Longitude: Deg.: Min.: Sec.:	<b>Inspector Phone:</b> 602-771-8708 <b>Inspector Email:</b> on2@azdeq.gov
<b>Owner/Responsible Party:</b> Johnson Utilities	<b>Was Inspection Announced?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Onsite Contact Person(s)/Facility Operator(s):</b> Jacob Rogers – EPCOR Operation Manager Bert Dana – Johnson Utilities Foreman	<b>Weather:</b> sunny
<b>Nearest Receiving Water, if applicable (indicate distance):</b>	
<b>Inspection Report Issued:</b> Choose an item.	<b>Facility Initial:</b> JYR <b>ADEQ Initial:</b> ON
<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> Potential deficiencies were noted during the inspection.	
<b>Attachments:</b> Attachment A – Notice of Inspection Rights Attachment B – Photograph Log Attachment C – Site Map	
<b>PHOTOGRAPHS TAKEN DURING INSPECTIONS ARE AVAILABLE ON REQUEST</b>	

<b>Description of the Complaint</b>	<p>Complaint that Johnson Utilities' lift station was experiencing an SSO, flowing into a retention basin and potentially into a working area.</p>
<b>Observations:</b>	<p>At the time of the inspection, ADEQ observed moisture on the ground where the Sanitary Sewage Overflow (SSO) and cleanup operation had taken place. Jacob Rogers of EPCOR stated the reason for the SSO was due to matting of solids that built up in the Johnson Utilities' lift station causing the float in the lift station to indicate incorrect water level data. The ADEQ inspector observed the retention basin was taped off with caution tape in order to keep the public out. The SSO estimated to occur at 00:30 Monday April 1, 2019. A maintenance foreman responded at 07:30 to manually prevent the SSO from continuing via manual controlling pumps. EPCOR estimated 50,000 – 90,000 gallons overflowed based off flow rates. The overflow flowed through the gate, into a retention basin, through a storm drain covert, into an active working trench. Jacob of EPCOR stated that the SSO could have possibly flowed into a wash at the end of the storm covert. The ADEQ inspector observed a trench where the SSO had reached. At the time of the SSO, The Town of Queen Creek was performing realignment of drinking water lines near the storm culvert, thus, the SSO reached The Town of Queen Creek's trench where drinking water lines were being realigned. Johnson Utilities vacuumed the raw sewage, laid down chlorine granules, sprayed a disinfection solution in the retention basin, in the trench, in the storm covert, and in the wash where the covert drains. The ADEQ inspector observed moisture throughout the retention basin and at the bottom of the trench. Johnson Utilities hauled off contaminated dirt from the trench and collected soil samples to confirm the presence or absence of fecal coliform in the soil. The Queen Creek representative on site, Jason Heiney, stated there was roughly 8 inches of sewage at the bottom of the trench when workers first arrived on site.</p>

<b>Comments and Potential Deficiencies:</b>	Due to the SSO occurrence, this is a violation of R18-9-E301 (B). Which indicates the how a collection system should perform to remain in compliance.
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# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

## NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	ADEQ INFORMATION
<b>Facility Name (Customer):</b> Morning Sun Farms Lift Station	<b>Date/Time of Inspection:</b> 4/2/19 12:00
<b>Facility Location (Place):</b> Morning Sun Farms Lift Station 35901 N. Village Lane ,San Tan Valley, AZ 85143	<b>County:</b> Pinal
<b>Mailing Address:</b> 968 E Hunt Hwy San Tan Valley, AZ 85143	<b>Inspector:</b> Oliver Navo
<b>Responsible Party:</b> Johnson Utilities	<b>Telephone:</b> 602-771-8708
<b>On-Site Representative:</b> Jacob Rogers	<b>Accompanied by:</b> N/A
<b>Telephone:</b> 602-338-7582	<b>ADEQ Follow-up Contact:</b> Oliver Navo
<b>Title:</b> Operation Manager	<b>Title:</b> Environmental Science Specialist
<b>E-mail:</b> jrogers@epcor.com	<b>Telephone:</b> 602-771-8708

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](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).

## Field Inspection Photograph Log


<b>Site Location:</b> Morning Sun Farms Lift Station		<b>Photographer/Inspector:</b> Oliver Navo	
<b>Weather:</b> Sunny			
<b>Photo No.</b> 1	<b>Date:</b> 4/2/19		
<b>Direction Photo Taken:</b>			
<b>Photo Description:</b>  One of the two locations the SSO discharged from.			

<b>Photo No.</b> 2	<b>Date:</b> 4/2/19		
<b>Direction Photo Taken:</b>			
<b>Photo Description:</b>  Second location the SSO discharged from.			





## Field Inspection Photograph Log

<b>Photo No.</b> 3	<b>Date:</b> 4/2/19	
<b>Direction Photo Taken:</b>		
<b>Photo Description:</b>  SSO flowed under gate and into retention basin.		

<b>Photo No.</b> 4	<b>Date:</b> 4/2/19	
<b>Direction Photo Taken:</b>		
<b>Photo Description:</b> Retention Basin on left side of Empire Blvd and the working trench is on the right side of Empire Blvd.		

## Field Inspection Photograph Log

<b>Photo No.</b> 5	<b>Date:</b> 4/2/19	
<b>Direction Photo Taken:</b>		
<b>Photo Description:</b>  Trench the town of Queen Creek has been performing work in that the SSO impacted via storm culvert.		

<b>Photo No.</b> 6	<b>Date:</b> 4/2/19	
<b>Direction Photo Taken:</b>		
<b>Photo Description:</b>  Storm culvert leads to wash which potentially could have been impacted by the SSO.		



