



Douglas A. Ducey  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera  
Director

## Aquifer Protection Permit Field Inspection Report

*This checklist is provided as a tool for permit holders and ADEQ staff to have a consistent understanding of the major compliance expectations under this permit. This checklist is designed to be easy to read and follow. It is intended only to address the permit requirements that ADEQ feels are the most important to protect human health and the environment. This list does not include every permit condition and permit holders should ensure they understand the full requirements of their permit. This list does not supplant or supersede any legal requirement and is not binding on the permit holder or ADEQ staff.*

<b>Facility Name:</b> Pine Creek Canyon Domestic WWTS <b>Place ID:</b> 278	<b>Inspection No:</b> 379700 <b>Inspection Date:</b> 08/20/2021
<b>Inventory/Permit #:</b> 102949 <b>Current LTF#:</b> 28565	<b>Inspector(s):</b> Ashley Devore
<b>Facility Address:</b> T12N, R8E, S25 <b>City, State, Zip:</b> Pine, AZ <b>County:</b> Gila	<b>Inspector Phone:</b> 602-693-2008 <b>Inspector Email:</b> devore.ashley@azdeq.gov
<b>Permittee/Responsible Party:</b> Pine Creek Canyon Domestic Water Improvement District <b>Contact:</b> Pat Carpenter <b>Mailing Address:</b> P.O. Box 190 <b>City, State, Zip:</b> Pine, AZ 85544 <b>Phone:</b> 928-606-0498 <b>Email:</b> pataqualitywater@gmail.com	<b>WWTP Population Served:</b> 130 <b>Treatment Plant Grade:</b> 2 <b>Collection System Grade:</b> 1
<b>Operator/ID:</b> Jim Bossert/OP025312, Pat Carpenter/OP007600 <b>Phone:</b> 928-606-0498 (Pat) <b>Email:</b> <a href="mailto:caddpharm@yahoo.com">caddpharm@yahoo.com</a> (Jim) and <a href="mailto:pataqualitywater@gmail.com">pataqualitywater@gmail.com</a> (Pat) <b>Op. Cert. Grade/Expiration:</b> 3C, 3D, 3T, 2W (Jim) and 2C, 2D, 3T, 3W (Pat)	<b>Compliance Summary:</b> Certified Operator <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Physical Facilities <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Monitoring and Reporting <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Results of Inspection:</b> <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. <input type="checkbox"/> Notice of Opportunity to Correct Deficiencies (NOC) <input type="checkbox"/> Notice of Violation (NOV)	
<b>Inspection Report Issued:</b> Choose an item.	<b>Facility Initial:</b> _____ <b>ADEQ Initial:</b> _____
<b>Potential Deficiencies:</b> -Disch Line UV Process -12064: Nitrogen – Nitrate Total as N on 01/27/2021 -Disch Line UV Process -12064: Total Nitrogen as N 1 on 01/27/2021	

**PHOTOGRAPHS TAKEN DURING INSPECTIONS ARE AVAILABLE ON REQUEST**

**Requirements: C: Compliance, NC: Non-Compliance, P: Pending, N/A: Not Applicable**

<b>Documentation:</b>	<b>Requirement met?</b>	<b>Comments</b>
Non-submittals or exceedances within the last six quarters of SMRF reporting.	<input type="checkbox"/> C <input checked="" type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	At the time of the File Review conducted on 07/23/21 – two potential deficiencies were found. See the Potential Deficiencies section on page 1.
The required notifications provided for violation of any permit condition, discharge limit, or exceedance of an alert level. <i>(list notifications in Comments)</i>	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	For the potential deficiencies listed on page one, notifications were provided for the violations listed.  Exceedances due to the blowers being out and not enough methanol added. Blower has been fixed since then, and methanol levels adjusted. No further exceedances have been reported.
SMRFs and monitoring requirements were discussed with the facility.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	Person in charge of SMRF reporting: Pat Carpenter
Facility has any outstanding or overdue compliance schedule items. (Section 3.0 in the permit)	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
A copy of the current signed permit on-site.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
A copy of the operations and maintenance manual on-site.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
A copy of the approved contingency/emergency response plan on-site.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	A copy of the contingency/emergency response plan will be emailed to inspector after the inspection.
Unauthorized discharge of suspected hazardous, toxic, or non-hazardous materials. If so list corrective actions taken. (Section 2.6.5)	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
<b>Facility Description and Operational Monitoring Requirements</b>	<b>Requirement met?</b>	<b>Comments</b>
Log book of the inspections and measurements required by this permit updated and current.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
Facility treatment processes match what is in the current permit.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	WWTS operates 40,460 GPD: <ul style="list-style-type: none"> <li>• Equalization basin</li> <li>• Reactors where effluent is nitrified, denitrified, and disinfected with UV radiation</li> <li>• Percolation Pond</li> <li>• Sludge holding tank</li> </ul>
Facility being maintained according to the Operations and Maintenance Manual.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	Performed a sludge judge test during inspection which produced good results.
Freeboard in percolation pond: Minimum 2 ft. measured from elevation 5516 MSL	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
Freeboard in Evaporation Pond: Minimum 3 ft.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
Treatment plant components appear to be in working order.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
Berm integrity: no visible erosion	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	

Pump integrity: appears to be in good working condition	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
<b>Compliance Monitoring</b>	<b>Requirement met?</b>	<b>Comments</b>
<b>POC #1 – Southeast corner of the facility boundary and downgradient of the WWTP</b> Loc: 34° 23' 32" N 111° 27' 28" W <ul style="list-style-type: none"> <li>• Location verified?</li> <li>• Does the well appear to be in working order?</li> </ul>	<input type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input checked="" type="checkbox"/> N/A <input type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input checked="" type="checkbox"/> N/A	Compliance samples are taken after UV disinfection.
Field Methods – Facility is using applicable on-site calibrations and quality assurance for BOD, T, pH, and turbidity?	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
Facility has a written QA manual for all analysis done on-site.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
ADHS approved methods used for all analyses.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
Facility has a method detection limit study for lab methods?	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
On-site lab instruments properly calibrated.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
On-site calibration and baseline reagents within expiration dates.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	
On-site flow meters properly calibrated.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	Calibrated according to specs.
Facility has bench log sheets.	<input checked="" type="checkbox"/> C <input type="checkbox"/> NC <input type="checkbox"/> P <input type="checkbox"/> N/A	

**RECOMMENDATIONS AND POTENTIAL DEFICIENCIES:**



## ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	ADEQ INFORMATION
Facility Name (Customer): Pine Creek Canyon Domestic WWTS	Date/Time of Inspection:
Facility Location (Place): Pine, AZ	County: Gila
Mailing Address: P.O. Box 190, Pine, AZ 85544	Inspector: Ashley Devore
	Telephone: 602-693-2008
Responsible Party: Pine Creek Canyon Domestic Water Improvement District	Accompanied by:
	ADEQ Follow-up Contact:
On-Site Representative: Pat Carpenter	Ethan Leiter
Telephone: 928-606-0498	Title: Unit Manager
Title: <u>Lead operator</u>	Telephone: 602-771-4479
E-mail: <u>pat.aquality@gmail.com</u>	

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 #: 102949, LTF#: 28565.
  - Qualification for a license issued pursuant to:  
 Arizona Revised Statutes: Title 49, Chapter 2, Article \_\_\_\_\_  
 Arizona Administrative Code: Title 18, Chapter 5, Article \_\_\_\_\_
- 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 #102949; LTF#: See above.
- 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.
- The applicability of the 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

5/20/21

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 authorized on-site representative was not present at the facility.

Ashley Gervard  
Signature of ADEQ Representative

08/20/21  
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 would 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 statements 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 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 7714322); 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 Administrative Counsel Edwin Slade at (602) 771-2242 (toll free inside Arizona at (800) 234-5677, extension 7712242).

## Arizona Revised Statutes: Small Business Bill of Rights

### 41-1001.01. Regulatory bill of rights; small businesses

#### A. To ensure fair and open regulation by state agencies, a person:

1. Is eligible for reimbursement of fees and other expenses if the person prevails by adjudication on the merits against an agency in a court proceeding regarding an agency decision as provided in section 12-348.
2. Is eligible for reimbursement of the person's costs and fees if the person prevails against any agency in an administrative hearing as provided in section 41-1007.
3. Is entitled to have an agency not charge the person a fee unless the fee for the specific activity is expressly authorized as provided in section 41-1008.
4. Is entitled to receive the information and notice regarding inspections and audits prescribed in section 41-1009.
5. May review the full text or summary of all rulemaking activity, the summary of substantive policy statements and the full text of executive orders in the register as provided in article 2 of this chapter.
6. May participate in the rulemaking process as provided in articles 3, 4, 4.1 and 5 of this chapter, including:
  - (a) Providing written comments or testimony on proposed rules to an agency as provided in section 41-1023 and having the agency adequately address those comments as provided in section 41-1052, subsection D, including comments or testimony concerning the information contained in the economic, small business and consumer impact statement.
  - (b) Filing an early review petition with the governor's regulatory review council as provided in article 5 of this chapter.
  - (c) Providing written comments or testimony on rules to the governor's regulatory review council during the mandatory sixty-day comment period as provided in article 5 of this chapter.
7. Is entitled to have an agency not base a licensing decision in whole or in part on licensing conditions or requirements that are not specifically authorized by statute, rule or state tribal gaming compact as provided in section 41-1030, subsection B.
8. Is entitled to have an agency not make a rule under a specific grant of rulemaking authority that exceeds the subject matter areas listed in the specific statute or not make a rule under a general grant of rulemaking authority to supplement a more specific grant of rulemaking authority as provided in section 41-1030, subsection C.
9. May allege that an existing agency practice or substantive policy statement constitutes a rule and have that agency practice or substantive policy statement declared void because the practice or substantive policy statement constitutes a rule as provided in section 41-1033.
10. May file a complaint with the administrative rules oversight committee concerning:
  - (a) A rule's, practice's or substantive policy statement's lack of conformity with statute or legislative intent as provided in section 41-1047.
  - (b) An existing statute, rule, practice alleged to constitute a rule or substantive policy statement that is alleged to be duplicative or onerous as provided in section 41-1048.
11. May have the person's administrative hearing on contested cases and appealable agency actions heard by an independent administrative law judge as provided in articles 6 and 10 of this chapter.
12. May have administrative hearings governed by uniform administrative appeal procedures as provided in articles 6 and 10 of this chapter and may appeal a final administrative decision by filing a notice of appeal pursuant to title 12, chapter 7, article 6.
13. May have an agency approve or deny the person's license application within a predetermined period of time as provided in article 7.1 of this chapter.
14. Is entitled to receive written notice from an agency on denial of a license application:
  - (a) That justifies the denial with references to the statutes or rules on which the denial is based as provided in section 41-1076.
  - (b) That explains the applicant's right to appeal the denial as provided in section 41-1076.
15. Is entitled to receive information regarding the license application process before or at the time the person obtains an application for a license as provided in sections 41-1001.02 and 41-1079.

16. May receive public notice and participate in the adoption or amendment of agreements to delegate agency functions, powers or duties to political subdivisions as provided in section 41-1026.01 and article 8 of this chapter.
  17. May inspect all rules and substantive policy statements of an agency, including a directory of documents, in the office of the agency director as provided in section 41-1091.
  18. May file a complaint with the office of the ombudsman-citizens aide to investigate administrative acts of agencies as provided in chapter 8, article 5 of this title.
  19. Unless specifically authorized by statute, may expect state agencies to avoid duplication of other laws that do not enhance regulatory clarity and to avoid dual permitting to the extent practicable as prescribed in section 41-1002.
  20. May have the person's administrative hearing on contested cases pursuant to title 23, chapter 2 or 4 heard by an independent administrative law judge as prescribed by title 23, chapter 2 or 4.
- B. The enumeration of the rights listed in subsection A of this section does not grant any additional rights that are not prescribed in the sections referenced in subsection A of this section.
- C. Each state agency that conducts audits, inspections or other regulatory enforcement actions pursuant to section 41-1009 shall create and clearly post on the agency's website a small business bill of rights. The agency shall create the small business bill of rights by selecting the applicable rights prescribed in this section and section 41-1009 and any other agency-specific statutes and rules. At the request of an authorized on-site representative of the regulated small business, the agency shall provide a written document of the small business bill of rights. In addition to the rights listed in this section and section 41-1009, the agency notice of the small business bill of rights shall include the process by which a small business may file a complaint with the agency employees who are designated to assist members of the public or regulated community pursuant to section 41-1006. The notice must provide the contact information of the agency's designated employees. The agency notice must also state that if the regulated person has already made a reasonable effort with the agency to resolve the problem and still has not been successful, the regulated person may contact the office of ombudsman-citizens aide.