

Case ID #: 225764

April 3, 2025

Verde Glen Property Owners Association
Attention: David Owens
232 S Conifer Dr
Payson, AZ 85541

Subject: Verde Glen Domestic Water Improvement District, Place ID 15365, AZ0404040
LAT: 34d, 23', 45.0379" N LNG: 111d, 16', 12.6956" W

NOTICE OF VIOLATION

This Notice of Violation (NOV) is an informal compliance assurance tool used by the Arizona Department of Environmental Quality (ADEQ) to put a responsible party (such as a facility owner or operator) on notice that the Department alleges a significant violation of an environmental requirement has occurred and this notice describes the facts known to ADEQ at the time of issuance. ADEQ has reason to believe that Verde Glen Property Owners Association as the owner/operator of Verde Glen DWID 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, or administrative order. ADEQ identified the violations alleged below during an inspection or file review completed on March 26, 2025. See the Evidence of Compliance section below for the actions necessary to demonstrate resolution of the alleged violation(s).

ADEQ reserves the right to take a formal enforcement action, such as issuing an administrative order or filing a civil lawsuit, regardless of whether the Department has issued an NOV. Neither ADEQ's issuance of an NOV nor its failure to do so precludes the Department from pursuing these remedies. However, the timeliness of a complete response to this notice will be considered by ADEQ in determining if and how to pursue such remedies.

If this NOV is a result of an inspection then the NOV also serves as a monthly status update as required by A.R.S. § 41-1009(J).

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

1. **A.A.C. R18-4-215(F)**

Failure to test a backflow prevention assembly at least annually or as directed by ADEQ.

The backflow prevention assembly located at the wellhead has not been tested on an annual basis.

2. **40 CFR § 141.86(d)(1)(ii)(B) / A.A.C. R18-4-111**

Failure of a small water system to perform initial tap sampling by monitoring during each six-month monitoring period until the system meets the lead and copper action levels during two consecutive six-month monitoring periods.

To date, the system has not completed the proper initial sampling requirements for lead and

Main Office

1110 W Washington Street ● Phoenix, AZ 85007
(602) 771-2300

Southern Regional Office

400 W Congress Street ● Suite 433 ● Tucson, AZ 85701
(520) 628-6733

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copper monitoring. L&C sampling was completed Fall 2024, however, only 5/10 of the required samples were taken.

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

1. **A.A.C. R18-4-203**

Failure of a water supplier to maintain and keep in proper operating condition all facilities used in production, treatment, and distribution of the water supply.

At the time of the inspection ADEQ determined that the Verde Glen DWID water system was not maintained and kept in proper operating condition due to the following:

- a. The well head and the casing were not sealed.
- b. The well slab had deterioration around the base.
- c. The wellhouse had openings and insulation that was disintegrating.
- d. The vent or vent screens on each storage tank were not seen.

2. EVIDENCE OF COMPLIANCE

If you believe this Notice contains violations that did not occur, please submit evidence within 10 calendar days of receipt of this Notice demonstrating that the violation(s) never occurred. Upon receipt of such evidence, if ADEQ agrees that the violations(s) did not occur, ADEQ will either rescind or amend the Notice. ADEQ will provide you with the conclusion of its evaluation.

Otherwise, please provide evidence of compliance by meeting the conditions below. If ADEQ recommends a condition to assist you in achieving compliance, it will clearly note that the condition is recommended to be met and is not required by law.

1. Within 60 calendar days of receipt of this Notice, please submit documentation showing that the backflow prevention device at the wellhead has been tested and passed. If the BFD is proven not to be needed (no cross-contamination), install a check-valve in its place.
2. Within 30 calendar days of receipt of this Notice, please submit a commitment to sample letter for initial lead and copper monitoring from 10 approved sites within the distribution system once before June 30, 2025 and then between July 1 to December 31, 2025.
3. Within 60 calendar days of receipt of this Notice, please submit photographic evidence of the well head re-sealed to the casing.
4. Within 60 calendar days of receipt of this Notice, please submit photographic evidence of the deterioration at the well slab repaired.
5. Within 60 calendar days of receipt of this Notice, please submit photographic evidence of the well house restored.
6. Within 60 calendar days of receipt of this Notice, please submit photographic evidence of vents on each storage tank, each screened with #16 non-corrodible mesh.

IV. SUBMITTING COMPLIANCE EVIDENCE

Please send all compliance evidence and any other written correspondence regarding this Notice by email to jarrett.natalie@azdeq.gov or by mail to the following address:

Arizona Department of Environmental Quality, Attention: Natalie Jarrett, Safe Drinking Water Inspections, Compliance and Enforcement, 1110 W Washington St, Phoenix, AZ 85007 MC: 5415B-1

V. STATEMENT OF CONSEQUENCES

Timely and good faith efforts to achieve and provide evidence of compliance within the time frames established in this Notice will be considered in determining whether ADEQ will further pursue unilateral formal enforcement, including an administrative compliance order or civil action requiring compliance within a reasonable time frame, civil penalties, and/or the suspension or revocation of an applicable permit/license. If you cannot meet the time frames established in this Notice, negotiate a compliance schedule in an administrative consent order or judgment. Failure to do so will be cause for ADEQ to pursue unilateral formal enforcement.

VI. OFFER TO MEET

ADEQ is willing to meet regarding this Notice and can provide information on how to return to compliance. To obtain additional information about this Notice or to schedule a meeting to discuss this Notice, please contact Natalie Jarrett at (602) 647-8011.

DocuSigned by:



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Karen Shanafelt,
Manager Safe Drinking Water

DocuSigned by:



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Natalie Jarrett
Safe Drinking Water Inspections,
Compliance and Enforcement