



Environmental Services

Quality & Compliance Division Enforcement Program

301 W. Jefferson St., Suite 170 - Phoenix, Arizona 85003
602.372.6688 – Maricopa.gov/enviro

CONSENT ORDER

IN THE MATTER OF:
City of Goodyear
Water Services Department
Barbara Chappell, Director
4980 S. 157th Avenue
Goodyear, AZ 85338

Cause Number: EF2600419

Public Water System ("PWS"): 07-094
Arizona Parcel Number ("APN"): N/A
PWS Address: 4980 S. 157th Avenue
Goodyear, AZ 85338

Date of Violation: May 5, 2026

The Maricopa County Environmental Services Department ("Department") and the City of Goodyear, owner of the Public Water System PWS registered with the ADEQ as AZ0407094 and operating under Maricopa County Permit Number 07-094 ("PWS"), located at 4980 South 157th Avenue, in Goodyear, AZ 85338, hereby enter into this Consent Order regarding the settlement of existing enforcement action by the Department against the City of Goodyear. IT IS HEREBY STIPULATED AND AGREED by the City of Goodyear and the Department as follows:

I. RECITALS AND AUTHORITY

The Department, acting under the authority of the Arizona Revised Statutes ("ARS") §49-354(A) and §49-354(B) through Delegation Agreement EV24-0020, between the Arizona Department of Environmental Quality ("ADEQ") and Maricopa County, is responsible for enforcing drinking water laws, codes and/or regulations outlined in the Maricopa County Environmental Health Code ("MCEHC"), the Arizona Administrative Code ("AAC"), ARS, and the Code of Federal Regulations ("CFR"). Drinking water regulations pertaining to drinking water systems are found in MCEHC Chapter V. The Department is empowered to regulate drinking water systems, and the Director has jurisdiction over this matter and is authorized to issue this Consent Order.



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A. Barbara Chappell, Water Services Director of the City of Goodyear Water Services Department, certifies that she is fully authorized to execute this Consent Order on behalf of the City of Goodyear, to legally bind the City of Goodyear, to this Consent Order, and no later than the Effective Date, defined below, will provide documentation to the satisfaction of the Department indicating such authority.

B. This Consent Order contains the full terms of the agreement between the parties.

C. The City of Goodyear voluntarily agrees to this Consent Order based only on the terms contained in the Consent Order.

D. The City of Goodyear understands that agreeing to this Consent Order does not resolve any liability that it may have for civil penalties for a violation of any state, federal, or local law.

E. Except in a proceeding to implement or enforce this Consent Order, both the Department and the City of Goodyear retain the right to dispute the validity of any findings contained in this Consent Order in any future proceeding.

F. Except as stated in Recital E above, City of Goodyear agrees to the terms of this Consent Order and agrees not to dispute the validity or terms of this Consent Order in any future proceeding.

II. FINDINGS

On May 5, 2026, the City of Goodyear was notified by ADEQ that during the second quarter of the 2026 monitoring period, the PWS exceeded the Maximum Contaminant Level ("MCL") as a Locational Running Annual Average ("LRAA") of 0.080mg/L for Total Trihalomethanes ("TTHM") at two (2) disinfection byproduct compliance sampling locations within the PWS's distribution system, sampling location 02-A and sampling location 08-A. For 02-A, the LRAA is 0.081 mg/L, and for 08-A, the LRAA for TTHM is 0.084 mg/L for the monitoring period.



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On June 12, 2026, the Department issued a Letter of Outstanding Violation to the City of Goodyear, informing the City of Goodyear of outstanding violations of the PWS for exceeding the MCL for disinfection byproducts, specifically, TTHM, and requiring the City of Goodyear to develop a plan and correct the violation.

The City of Goodyear, the owner of a PWS in Goodyear, AZ, is in violation of the following laws, codes, or regulations of the MCEHC, AAC, and CFR:

A. MCEHC, Chapter V, Section I, Regulation 1(a)

The following provisions of the Arizona Administrative Code ("AAC"), including all revisions, technical corrections, and supplements published as of March 31, 2010 are incorporated by reference:

Title 18, Chapter 4, Article 1. Primary Drinking Water Rules

Title 18, Chapter 4, Article 2. State Drinking Water Rules

Title 18, Chapter 5, Article 5. Minimum Design Criteria

Title 12, Chapter 15 Sections 811, 816 and 822 (R12-15-811, R12-15-816 and R12-15-822).

B. AAC R18-4-109. Primary Drinking Water Regulations: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels – 40 CFR 141, Subpart G

40 CFR 141, Subpart G (40 CFR 141.60 through 141.66), is incorporated by reference as of the date specified in R18-4-102; this incorporation does not include any later amendments or editions.

C. 40 CFR §141.64(b) Maximum contaminant levels for disinfection byproducts.

(b) TTHM [Disinfection byproduct], 0.080 [MCL (mg/L)]

III. SETTLEMENT OF ENFORCEMENT ACTION AND COMPLIANCE SCHEDULE

It is therefore stipulated by and between the parties above-named that the City of Goodyear, the owner/operator of PWS, shall maintain the PWS in compliance with all applicable sections of the MCEHC, AAC, ARS, and CFR from the date this Consent Order



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is signed by the Director ("Effective Date"), and the City of Goodyear further agrees to the following:

A. Within one hundred and twenty (120) days from the Effective Date, the City of Goodyear shall submit and obtain Department approval for **expedited** Approval to Construct (ATC) permits and Approval of Construction (AOC) permits for trailer-mounted Granulated Activated Carbon (GAC) vessels at both Site Thirteen and Site Twenty-Three ("Sites") of the PWS.

B. Within one hundred and twenty (120) days from the Effective Date, the City of Goodyear shall install and activate trailer-mounted GAC vessels at the Sites.

C. From the date of approval of the AOC for the trailer-mounted GAC vessels at the Sites, the City of Goodyear shall conduct monthly TTHM sampling at the Sites within the first seven (7) calendar days of each month and submit the results to the Department within forty-eight (48) hours of receiving the results. Each of the Site's shall be sampled in two (2) locations. The first sampling location will be pre-treatment prior to the trailer-mounted GAC vessels. The second sampling location will be post-treatment of the trailer-mounted GAC vessels. The PWS will communicate with the Department on the technique being utilized for monthly TTHM sampling. This sampling of the Site's is in addition to the required quarterly compliance sampling TTHM compliance sampling through an Arizona certified lab.

D. From the date of approval of the AOC for the trailer-mounted GAC vessels at the Sites, all monthly post-treatment trailer-mounted GAC vessel samples collected under item C at the Sites shall be below the MCL of 0.080mg/L TTHM.

E. From the date of approval of the AOC and until four (4) quarterly compliance samples are submitted to the Department, the LRAA for TTHM at disinfection byproduct compliance sampling locations 02-A and 08-A shall be below the MCL of 0.080mg/L TTHM.

F. The Consent Order shall be in effect from the Effective Date and until Section III (E)



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is completed.

IV. STATEMENT OF CONSEQUENCES

If the City of Goodyear fails to complete any of the requirements in Section III of this Consent Order, the Consent Order may be enforced by appropriate legal action, including a civil action filed in the Maricopa County Superior Court. In that action, the County may ask the Court for, among other things, a civil penalty against the City of Goodyear Water Services Department of up to \$1,000.00 per day, but not to exceed \$10,000.00 for each violation. In addition, the County and/or Department may take any other action against the City of Goodyear under law that the Director and/or the County deems appropriate.

IT IS FURTHER STIPULATED BY AND BETWEEN THE PARTIES that the City of Goodyear PWS shall be operated at all times in accordance with the MCEHC, AAC, ARS, and CFR. If, at any time or during any inspection made within the period of the Consent Order, a violation of the MCEHC, AAC, ARS, and CFR is observed, the Department shall have the right to require further action in accordance with applicable law. This Consent Order does not relieve the City of Goodyear in any manner of its obligation to apply for, obtain, and comply with all applicable permits. Nothing in this Consent Order shall in any way alter, modify, or revoke federal, state, or local law or relieve the City of Goodyear in any manner of the obligation to comply with such laws. Compliance with the terms of this Consent Order shall not be a defense to any action to enforce any such permits or laws. All equipment and construction must be of proper and approved design, again as defined by current laws, codes and regulations found in the MCEHC, AAC, ARS, and CFR.

V. SITE ACCESS

Department personnel may at any time enter the PWS in order to observe and monitor compliance with the provisions of this Consent Order. This right of entry is in addition to the Department's rights under applicable law.



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VI. RESERVATION OF RIGHTS

A. This Consent Order is based solely on currently available information. If additional information is discovered indicating that the actions under this Consent Order are or will be inadequate to protect human health, safety, or the environment, or to conform with applicable federal, state, or local laws, the Department has the right to require further action.

B. The Department has the right to:

1. Seek civil penalties for any and all violations of ARS Title 36 or other applicable statutes, rules, laws, regulations, and ordinances;
2. Disapprove of the City of Goodyear's work that fails to comply with this Consent Order;
3. Take enforcement action for any and all violations of this Consent Order; and
4. Take enforcement action for any and all violations of ARS Title 36 or other applicable statutes, rules, laws, regulations, and ordinances occurring before and/or after the Effective Date of this Consent Order.

C. With respect to this Consent Order, the City of Goodyear waives all rights to the appeals process under the MCEHC and ARS §41-1061 et seq.

VII. SEVERABILITY

If a court of law declares that any provision of this Consent Order is invalid or unenforceable, all other provisions of this Consent Order remain in full force and effect.

VIII. MODIFICATIONS

Any modifications of this Consent Order must be in writing and signed by both parties.

IX. PARTIES BOUND



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The City of Goodyear is responsible, and will remain responsible, for carrying out all activities required under this Consent Order, regardless of change in ownership, corporate status, or partnership status, or transfer of assets or real or personal property relating to the subject of this Consent Order, unless:

- A. The party to whom the right, title, or interest has been sold, transferred, or assigned agrees in writing to fulfill the obligations of this Consent Order; and
- B. The Department approves such sale, transfer, or assignment for a change in ownership.

X. TERMINATION

A. The Department will notify the City of Goodyear in writing that this Consent Order is ended when the Department determines that the City of Goodyear has demonstrated that all terms of this Consent Order have been completed and satisfied.

B. If the Department denies the City of Goodyear's request for termination, the Department will notify the City of Goodyear Water Services Department in writing and describe which terms of the Consent Order have not been completed to the Department's satisfaction.

C. The Department reserves the right to terminate this Consent Order unilaterally at any time if the City of Goodyear breaches or is not in compliance with the terms and conditions of this Consent Order, as solely determined by the Department. The Department will notify the City of Goodyear in writing as to the reasons for termination.

XI. VIOLATIONS OF ORDER

If the City of Goodyear fails to comply with this Consent Order, the City of Goodyear may be liable for other administrative or judicial sanctions, including civil penalties.

XI. SIGNATURES



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Barbara Chappell, Water Services Director of the City of Goodyear Water Services Department, on behalf of the City of Goodyear, acknowledges that [he/she] has read and been advised of all terms of this Consent Order and agrees:

A. The City of Goodyear consents that the City of Goodyear is in violation of the MCEHC, AAC, ARS, and CFR through statements made in this Consent Order and for which this Department has authority,

B. The City of Goodyear willingly enters into this Consent Order with the Department, and

C. The City of Goodyear will comply with this Consent Order and waives any right to appeal.

D. By signing this agreement, the City of Goodyear waives the right to monthly updates for this agreement as required in ARS 11-1603(H). Updates can be obtained at any time upon request by calling (602) 372-6688.

_____, Date _____
Barbara Chappell
Water Services Director of the City of Goodyear Water Services Department.

_____, Date _____
Andy Linton, R.S., Director
Maricopa County Environmental Services Department

Copy of this Consent Order sent certified mail and first-class mail this ____ day of _____, 2026, to:

The City of Goodyear
Water Services Department
Barbara Chappell, Director
4980 S. 157th Avenue
Goodyear, AZ 85338



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Approved as to form

Roric Massey
City Attorney, City of Goodyear

Attest:

Jasmine Pernicano
City Clerk, City of Goodyear