



## INSTRUCTIONS FOR THE AQUIFER PROTECTION PROGRAM PERMIT AMENDMENT FORM

### INSTRUCTIONS

Please fill out and submit this Permit Amendment Form to amend an Individual Aquifer Protection Permit (APP). (Note: General Permits cannot be amended and this form is not to be used in association with General Permits.) An amended permit supersedes the previous permit upon the effective date of the amendment. **Please use the APP Application Form, if you do not currently have an APP.**

This document is divided into three main parts.

- 1) **Instructions** – The instructions are intended to give you basic information regarding the application process, how long the process may take, and how much it will cost. More detailed information can be obtained by referencing the specific rule citation listed with each application item. Please do not submit the instructions with your application.
- 2) **General Information** – This section includes basic applicant and facility information.
- 3) **Specific Amendment Information** – This section requires information regarding the changes to your permit. In order to save yourself time and money, ADEQ recommends that you organize all the attachments using a Table of Contents that references the application item number (Ex. “Attachment 1 – Certificate of Disclosure (Item 11)”).

### GENERAL APPLICATION PROCESS

- 1) Applicant submits **three bound (comb or spiral) copies** of the application including attachments, the initial fee, and a cover letter that provides a general overview of the project (briefly describe nature of business, list discharging facilities, describe treatment and disposal). **At least one copy of the application must be submitted with the original signature.**
- 2) Applicant satisfies any administrative deficiencies.
- 3) Applicant satisfies any substantive deficiencies.
- 4) Internal/external review of draft permit and fact sheet.
- 5) 30 day public participation period (as per R18-9-A211[E])
- 6) Public hearing (only for significant amendments, if needed)
- 7) ADEQ sends a Decision to Grant the permit or deny the application
- 8) ADEQ sends the final bill
- 9) Applicant pays the bill
- 10) ADEQ signs the permit (if not denied)
- 11) ADEQ mails the permit

### FEES

The permit team assigned to your project will bill at a rate of \$122.00 per hour. The maximum fee will be set depending on the type and complexity of the amendment with A.A.C. R-18-14-102, Table 1.

ADEQ will provide monthly invoices for the interim permit fees. If full payment is not received within the prescribed timeframe on the invoice, ADEQ will consider the nonpayment as “willful neglect” pursuant to A.R.S. § 49-113(B). As provided by A.R.S. § 49-113(B), ADEQ will, in addition to any applicable interest rate, collect an additional five percent penalty of up to twenty five percent of the amount due for each month or fraction of a month the amount is past due. ADEQ may also refer this matter to the Office of the Attorney General for appropriate legal action. ADEQ will also cease any and all work on your application and initiate a denial of the pending application at that time.

### PERMITTEE

The permittee shall be the person responsible for complying with the terms and conditions of the APP.

### APPLICANT

The applicant shall be the person signing the application.

**HOW LONG DOES THE PROCESS TAKE?**

Licensing Time Frames (LTF) are specified for the Arizona Department of Environmental Quality (ADEQ) in A.A.C. R18-1-525 which limits the number of business days ADEQ can review your project without a penalty.

License Type	Administrative Completeness Review	Substantive Review	Overall Time Frame
Minor Amendment	NA	NA	NA
Other Amendment	35	100	135
Significant Amendment	35	186	221

NA = Not applicable

**WHERE DO I SUBMIT MY APPLICATION?**

Submit your application to:

Arizona Department of Environmental Quality  
 Water Permits Section  
 Attn: LTF Application Clerk  
 1110 West Washington Street, Mail Code 5415B-3  
 Phoenix, AZ 85007

**AMENDMENT TYPES AND SUPPLEMENTAL INFORMATION**

Amendments to an individual aquifer protection permit can range from correcting an administrative error to transferring the permit to upgrading BADCT. Each type of amendment has its own specific submittal requirements based on the changes being made to the permit. In every case “General Information” sections provided in this form must be completed. The items in the “Specific Information” section may not be applicable to your particular amendment. Please check with ADEQ regarding what items need to be submitted for a particular amendment.

ADEQ typically updates the language of the permit during the amendment process. ADEQ may also amend other permit items such as permit limits or contingency language if needed.

Typical Amendment Requests and Required Documentation:

- 1) Permit Transfer. A permit transfer is one of the most common types of amendments. Current and new owners have specific responsibilities when transferring an aquifer protection permit. Specific requirements are listed in A.A.C. R18-9-A212.
- 2) Closure. Closure of one or all discharging facilities at a site is also a common permit amendment. Specific requirements for closure are listed in A.A.C. R18-9-A209(B).



**AQUIFER PROTECTION PROGRAM  
PERMIT AMENDMENT FORM**

**GENERAL INFORMATION**

**1 Applicant [A.A.C. R18-1-503(1)] – Person signing the application**

(Check One)  Owner     Operator     Owner and Operator    Email \_\_\_\_\_  
 Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Title \_\_\_\_\_ Business \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**2 Permittee – Person responsible for complying with the terms and conditions of the APP**

Check this box if the person listed below is not the applicant, include a copy of the Lease or Contract  
 (Check One)  Owner     Operator     Owner and Operator    Email \_\_\_\_\_  
 Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Title \_\_\_\_\_ Business \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**3 Landowner(s)**

Check this box if the person listed below is not the applicant, include a copy of the Lease or Contract  
 (Check One)  Owner     Operator     Owner and Operator    Email \_\_\_\_\_  
 Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Title \_\_\_\_\_ Business \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**4 Facility Name [A.A.C. R18-1-503(2)]**

Facility Name \_\_\_\_\_

**5 Authorized Agent [A.A.C. R18-1-503(3)]**

Check this box if the person listed below is authorized to act as an “Agent” on behalf of the applicant  
 Email \_\_\_\_\_  
 Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Title \_\_\_\_\_ Firm Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**6 Completed Form [A.A.C. R18-1-503(5)]**

I have completed and signed the APP amendment form.

**7 Initial Fee [A.A.C. R18-1-503(6) and R18-14-103]**

Check this box if an initial fee of \$2,000 is attached.  
 Check this box if no initial fee is required (see instructions)

**8 Permit Number and Issue Date [A.A.C. R18-9-A202(A)(11)]**

Aquifer Protection Permit Number \_\_\_\_\_

**9 Facility Address and Location Information [A.A.C. R18-9-A201(B)(1)]**

Address \_\_\_\_\_  
 \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 County \_\_\_\_\_

PERMIT AMENDMENT FORM

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Qtr1 \_\_\_\_\_ Qtr2 \_\_\_\_\_ Qtr3 \_\_\_\_\_  
 Latitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ "N Longitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ "W  NAD27  NAD83

**10 Emergency Contact [A.A.C. R18-9-A202(A)(11)]**

Name \_\_\_\_\_ Phone \_\_\_\_\_

**11 Certificate of Disclosure [A.A.C. R18-9-A201(B)(2) and A.R.S. § 49-109]**

Are you required to file a Certificate of Disclosure?  Yes (attached)  No

**SPECIFIC AMENDMENT INFORMATION**

**12 Amendment Description [A.A.C. R18-9-A211(A)(1)]**

I have attached an itemized list of all amendment requests with a justification for each request.

**13 Design Flow [A.A.C. R18-9-101(13)]  Not Applicable**

Please provide the design flow in gallons per day for all the discharging facilities located at the Site. Calculations for determining design flow must be attached as part of this application. "Design flow" means the daily flow rate a facility is designed to accommodate on a sustained basis while satisfying all Aquifer Protection Permit discharge limitations and treatment and operational requirements. The design flow either incorporates or is used with appropriate peaking and safety factors to ensure sustained, reliable operation. The design flow will be used to calculate the Annual Registration Fee in accordance with Arizona Revised Statutes § 49-242.

Design Flow \_\_\_\_\_ gallons per day

**14 Cost Estimates [A.A.C. R18-9-A201(B)(5)]  Not Applicable**

Description	Cost Estimate
Construction	\$ _____
Operation	\$ _____
Maintenance	\$ _____
Closure	\$ _____
Post-closure	\$ _____

I have attached documentation supporting the cost estimates listed above?  Yes (include as attachment)

**15 Financial Demonstration [A.A.C. R18-9-A203]  Not Applicable**

**If this application is for a Significant Amendment, or if this application is for an Other Amendment to a permit that has not been amended in the last 5 years, updated cost estimates and a demonstration of financial assurance are required.**

- A) I have attached a letter by the Chief Financial Officer stating that the applicant is financially capable of meeting the costs listed in Item 14.  Yes (include as attachment)
- B) For government entities, submit a statement that indicates how the entity is capable of meeting the costs in Item 14 above.  Yes (include as attachment)

C) For non-government entities, submit the information required for at least one of the financial assurance mechanisms listed below that covers the closure and post-closure costs submitted in Item 14, including:

1. The selected financial mechanism or mechanisms;
2. The amount covered by each financial mechanism;
3. The institution or company that is responsible for each financial mechanism used in the demonstration; and
4. Any other details that demonstrate how the applicant is financially capable of meeting the costs described in Item 14.

Select Financial Mechanism (Check all that apply)	
<input type="checkbox"/> Financial Test for Self-Assurance	<input type="checkbox"/> Letter of Credit
<input type="checkbox"/> Performance Surety Bond	<input type="checkbox"/> Insurance Policy
<input type="checkbox"/> Certificate of Deposit	<input type="checkbox"/> Cash Deposit
<input type="checkbox"/> Trust Fund	<input type="checkbox"/> Guarantees

Note: Please reference A.A.C. R18-9-A203 for specific financial mechanism requirements.

**16 Technical Capability [A.A.C. R18-9-A202(B)]  Not Applicable**

I have attached evidence that the applicant has the ability to carry out the terms of the permit (design, construction, operation, closure). The attached evidence includes:

- A) Pertinent licenses or certifications held by the person.
  - B) Professional training relevant to the design, construction, or operation of the facility.
  - C) Work experience relevant to the design, construction, or operation of the facility.
- Yes (include as attachment)

**17 Facility Compliance History (List all Notices of Violation, Consent Orders or Compliance Orders)  None Issued**

Insert additional rows if needed.

**18 Process Flow Diagram  Not Applicable**

**19 Technical Requirements (Check all that have been attached or indicate "Not Applicable" or "NA". See Rule Citation for Specific Requirements)**

Description	Page #	NA or Attached?
A) Maps [A.A.C. R18-9-A202(A)(1)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
B) Site Plan [A.A.C. R18-9-A202(A)(2)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
C) Design Documents [A.A.C. R18-9-A202(A)(3)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
D) Characterization of Discharge [A.A.C. R18-9-A202(A)(4)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
E) Description of Best Available Demonstrated Control Technology [A.A.C. R18-9-A202(A)(5)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
F) Compliance with Aquifer Water Quality Standards at the Point of Compliance [A.A.C. R18-9-A202(A)(6)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
G) Contingency Plan [A.A.C. R18-9-A202(A)(7) and R18-9-A204]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
H) Hydrogeologic Study or <input type="checkbox"/> Justification that a limited study or no hydrogeologic study is required [A.A.C. R18-9-A202(A)(8)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
I) Detailed proposal indicating alert levels, discharge limitations, aquifer quality limits, monitoring requirements (discharge, groundwater and operational monitoring), and compliance schedule items. [A.A.C. R18-9-A202(A)(9)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
J) Closure and post-closure plans [A.A.C. R18-9-A202(A)(10)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
<b>SEWAGE TREATMENT FACILITIES (STF) ONLY</b>		
K) For a STF provide a map demonstrating that setbacks have been met [A.A.C. R18-9-B201(I)]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
L) Design Report [A.A.C. R18-9-B202]		<input type="checkbox"/> NA <input type="checkbox"/> Attached
M) Engineering Plans and Specifications [A.A.C. R18-9-B203]		<input type="checkbox"/> NA <input type="checkbox"/> Attached

**20 Other Information**

List any additional information that is attached as part of this permit amendment.

(Insert additional rows if needed)

**21 Certification Statement (To be completed by the applicant in item 1 above)**

I certify under penalty of law that this Aquifer Protection Permit application and all attachments were prepared under my direction or authorization and all information is, to the best of my knowledge, true, accurate and complete. I also certify that the APP discharging facilities described in this form is or will be designed, constructed, operated, and/or closed in accordance with the terms and conditions the Aquifer Protection Permit and applicable requirements of Arizona Revised Statutes Title 49, Chapter 2, and Arizona Administrative Code Title 18, Chapter 9 regarding aquifer protection permits. I am aware that there are significant penalties for submitting false information, including permit revocation as well as the possibility of fine and imprisonment for knowing violations.

Name (Print) \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Pursuant to A.R.S. § 41-1030:

- (1) ADEQ shall not base a licensing decision, in whole or in part, on a requirement or condition not *specifically* authorized by statute or rule. General authority in a statute does not authorize a requirement or condition *unless* a rule is made pursuant to it that specifically authorizes the requirement or condition.
- (2) Prohibited licensing decisions may be challenged in a private civil action. Relief may be awarded to the prevailing party against ADEQ, including reasonable attorney fees, damages, and all fees associated with the license application.
- (3) ADEQ employees may not intentionally or knowingly violate the requirement for specific licensing authority. Violation is cause for disciplinary action or dismissal, pursuant to ADEQ's adopted personnel policy. ADEQ employees are still afforded the immunity in A.R.S. §§ 12-821.01 and 12-820.02.