

**STATE OF ARIZONA**  
**AQUIFER PROTECTION PERMIT NO. P-103617**  
**PLACE ID 8916, LTF 72657**  
**SIGNIFICANT AMENDMENT**

**1.0 AUTHORIZATION**

In compliance with the provisions of Arizona Revised Statutes (A.R.S.) Title 49, Chapter 2, Articles 1, 2 and 3, Arizona Administrative Code (A.A.C.) Title 18, Chapter 9, Articles 1 and 2, A. A. C. Title 18, Chapter 11, Article 4 and amendments thereto, and the conditions set forth in this permit, the Arizona Department of Environmental Quality (ADEQ) hereby authorizes Pima County to operate the Ed Pastor Kino Environmental Restoration Project located on 2725 E. Ajo Way, Tucson, Pima County, over groundwater of the Tucson Active Management Area (AMA), in Township 14 S, Range 14 E, Section 29 of the Gila and Salt River Baseline and Meridian.

This permit becomes effective on the date of the Water Quality Division Director’s signature and shall be valid for the life of the facility (operational, closure, and post-closure periods) unless suspended or revoked pursuant to A.A.C. R18-9-A213. The permittee shall construct, operate and maintain the permitted facilities:

1. Following all the conditions of this permit including the design and operational information documented or referenced below, and
2. Such that Aquifer Water Quality Standards (AWQS) are not violated at the applicable point(s) of compliance (POC) set forth below or if an AWQS for a pollutant has been exceeded in an aquifer at the time of permit issuance, that no additional degradation of the aquifer relative to that pollutant and as determined at the applicable POC occurs as a result of the discharge from the facility.

**1.1 PERMITTEE INFORMATION**

**Facility Name:** Ed Pastor Kino Environmental Restoration Project  
**Facility Address:** 2725 E. Ajo Way  
Tucson, Arizona 85713  
**County:** Pima  
**Permittee:** Pima County Stadium District  
**Permittee Address:** 2500 East Ajo Way  
Tucson, Arizona 85713  
**Permitted Flow Rate:** 2,000,000 gallons per day (gpd)  
**Facility Contact:** Trades Maintenance Supervisor  
**Emergency Phone No.:** (520) 940-7745  
**Latitude/Longitude:** 32° 10' 47" N/110°56' 13" W  
**Legal Description:** Township 14S, Range 14E, Section 29, of the Gila and Salt River Baseline and Meridian

**1.2 AUTHORIZING SIGNATURE**

\_\_\_\_\_  
**Trevor Baggione, Director, Water Quality**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2019

**THIS AMENDED PERMIT SUPERCEDES ALL PREVIOUS PERMITS**

**2.0 SPECIFIC CONDITIONS [A.R.S. §§ 49-203(4), 49-241(A)]**

**2.1 Facility / Site Description [A.R.S. § 49-243(K)(8)]**

The permittee is authorized to operate the Ed Pastor Kino Environmental Restoration Project (KERP) with a maximum monthly average inflow of 2.0 million gallons per day (mgd) of reclaimed water. The KERP consists of an Irrigation Pond, a Deep Pond, a Small Pond and various other lined water courses for storage and disposal of reclaimed water. All the KERP ponds are lined with 40 mil HDPE liners. The water courses are lined with a 4-inch rebar- reinforced gunite shell with embedded cobbles, lined with a HDPE liner, soil cement, or soil that will restrict infiltration to less than 550 gallons-per-acre per day.

The sources of inflow to the KERP includes:

Reclaimed water from the Tucson Reclaimed Water Treatment Plant (APP No. P-100147 (Class A)); Groundwater which is chlorinated prior to delivery to the KERP; Effluent from the Randolph Park Water Reclamation Plant (APP No. P-100635 (Class A)), and Stormwater from the site and adjoining properties.

Water in the KERP is disposed of by evapo-transpiration, irrigation, or incidentally disposed of via the Julian Wash under a valid AZPDES (AZ0025291) permit. Reclaimed water mixed with stormwater may enter the unlined portions of the basin during significant storm events.

Amendment Description

ADEQ reviewed and approved:

- removal of fecal coliform monitoring requirement from Table I of the permit
- addition of reporting requirement for *E.coli*. The permittee will obtain the analytical results for *E.coli* from Tucson Reclaimed WTP #100147 and report under this permit
- updated closure and post-closure cost

The site includes the following permitted discharging facilities:

| Facility        | Latitude        | Longitude         |
|-----------------|-----------------|-------------------|
| Small Pond      | 33° 10' 48.7" N | 110° 48' 03.57" W |
| Irrigation Pond | 32° 10' 46.9" N | 110° 55' 58.5" W  |
| Deep Pond       | 32° 10' 48.6"N  | 110° 55' 54.6" W  |

**Annual Registration Fee [A.R.S. § 49-242 and A.A.C. R18-14-104]**

The annual registration fee for this permit is payable to ADEQ each year. The permitted flow for fee calculation is 2,000,000 gallons per day (gpd).

**Financial Capability [A.R.S. § 49-243(N) and A.A.C. R18-9-A203]**

The permittee has demonstrated financial capability under A.R.S. § 49-243(N) and A.A.C. R18-9-A203. The estimated dollar amount for facility closure is \$120,207.00. The financial capability was demonstrated through A.A.C. R18-9-A203(B)(1)and(2).

**2.2 Best Available Demonstrated Control Technology (BADCT)**

**[A.R.S. § 49-243(B) and A.A.C. R18-9-A202(A)(5)]**

All water courses and ponds are lined as stated in Section 2.2.1.

**2.2.1 Engineering Design**

All of the KERP ponds are lined with 40 mil HDPE liners. The water courses are lined with a 4-inch rebar-reinforced gunite shell with embedded cobbles, HDPE liner, soil cement, or soil to restrict infiltration to less than 550 gallons per acre per day.

**2.2.2 Site-specific Characteristics**

Depth to groundwater at the site is approximately 220 feet and the direction of groundwater flow is north-northwesterly.

**2.2.3 Pre-operational Requirements**

Not required at time of permit issuance.

**2.2.4 Operational Requirements**

1. The permittee shall maintain a copy of the up-to-date operations and maintenance manual at the treatment facility site at all times; the manual shall be available upon request during inspections by ADEQ personnel.
2. The pollution control structures shall be inspected for the items listed in Section 4.2, Table III - Facility Inspection (Operational Monitoring).
3. If any damage of the pollution control structures is identified during inspection, proper repair procedures shall be performed. All repair procedures and materials used shall be documented in the facility log book as per Section 2.7.2 and reported to ADEQ in the event of a violation or exceedance as per Section 2.7.3.
4. Irrigation with Reclaimed Water
  - a) Application method shall reasonably preclude human contact of reclaimed water;
  - b) Prevent reclaimed water from standing on open access areas during normal periods of use;
  - c) Secure bibs discharging reclaimed water to prevent use by the public;
  - d) Providing or using reclaimed water for human consumption shall be prohibited;
  - e) Providing or using reclaimed water for swimming, water skiing, or other full-immersion water activity with potential of ingestion shall be prohibited; and,
  - f) Signage shall be required for irrigation site and shall be placed and located as indicated in A.A.C. R18-9-B702 (H), Table 1, Reclaimed Water Class A.

**2.2.5 Certified Area-wide Water Quality Management Plan Conformance**

**[A.A.C. R18-9-A201(B)(6)(a)]**

Facility operations must conform to the approved Certified Area-wide Water Quality Management Plan according to the 208 consistency determination in place at the time of permit issuance.

**2.3 Discharge Limitations [A.R.S. §§ 49-201(14), 49-243 and A.A.C. R18-9-A205 (B)]**

1. The permittee is authorized to operate the KERF with a maximum average monthly flow 2.0 mgd.
2. The permittee shall operate and maintain all permitted facilities to prevent unauthorized discharges pursuant to A.R.S. § 49-201(12) resulting from failure or bypassing of applicable BADCT.
3. Specific discharge limitations are listed in Section 4.2, Table I.

**2.4 Point of Compliance (POC) [A.R.S. § 49-244]**

The Points of Compliance (POC) have been established at the following locations:

| POC # | POC Location   | Latitude      | Longitude      |
|-------|--|---------------|----------------|
| 1     | Located downgradient, on the northern boundary of the KERF | 32° 11' 08" N | 110° 55' 59" W |

Groundwater monitoring is NOT required at the POC well. The Director may designate additional points of compliance if information on groundwater gradients or groundwater usage indicates the need.

**2.5 Monitoring Requirements [A.R.S. § 49-243(K)(1), A.A.C. R18-9-A206(A)]**

Unless otherwise specified in this permit, all monitoring required in this permit shall continue for the duration of the permit, regardless of the status of the facility. Unless otherwise provided, monitoring shall

commence the first full monitoring period following permit issuance. All sampling, preservation and holding times shall be in accordance with currently accepted standards of professional practice. Trip blanks, equipment blanks and duplicate samples shall also be obtained, and Chain-of-Custody procedures shall be followed, in accordance with currently accepted standards of professional practice. Copies of laboratory analyses and Chain-of-Custody forms shall be maintained at the permitted facility. Upon request, these documents shall be made immediately available for review by ADEQ personnel.

**2.5.1 Pre-Operational Monitoring**

Not required under the terms of this permit.

**2.5.2 Routine Discharge Monitoring**

The permittee shall monitor the effluent for the parameters listed under Section 4.2, Table I. Flows will be measured at the point of discharge to the KERP at sampling point #1. A representative sample of the wastewater shall be collected at sampling point #2 - reclaimed water booster pump station located at the Tucson Reclaimed Water Treatment Plant under APP No. P-100147.

**2.5.3 Reclaimed Water Monitoring**

Not required under the terms of this permit.

**2.5.4 Facility / Operational Monitoring**

Operational monitoring inspections shall be conducted according to Section 4.2, Table III.

**2.5.5 Groundwater Monitoring and Sampling Protocols**

Groundwater monitoring is not required under the terms of this permit.

**2.5.6 Surface Water Monitoring and Sampling Protocols**

Routine surface water monitoring is not required under the terms of this permit.

**2.5.7 Analytical Methodology**

All samples collected for compliance monitoring shall be analyzed using Arizona state-approved methods. If no state-approved method exists, then any appropriate EPA-approved method shall be used. Regardless of the method used, the detection limits must be sufficient to determine compliance with the regulatory limits of the parameters specified in this permit. Analyses shall be performed by a laboratory licensed by the Arizona Department of Health Services, Office of Laboratory Licensure and Certification. For results to be considered valid, all analytical work shall meet quality control standards specified in the approved methods. A list of state-certified laboratories in Arizona can be obtained at the address below:

Arizona Department of Health Services  
Office of Laboratory Licensure and Certification  
250 North 17<sup>th</sup> Avenue  
Phoenix, Arizona 85007  
Phone: (602) 364-0720

**2.5.8 Installation and Maintenance of Monitoring Equipment**

Monitoring equipment required by this permit shall be installed and maintained so that representative samples required by the permit can be collected. If new groundwater wells are determined to be necessary, the construction details shall be submitted to the Groundwater Protection Value Stream for approval prior to installation and the permit shall be amended to include any new monitoring points.

**2.6 Contingency Plan Requirements**

[A.R.S. § 49-243(K)(3), (K)(7) and A.A.C. R18-9-A204 and R18-9-A205]

**2.6.1 General Contingency Plan Requirements**

At least one copy of this permit and the approved contingency and emergency response plan shall be maintained at the location where day-to-day decisions regarding the operation of the facility are made. The permittee shall be aware of and follow the contingency and emergency plans.

Any AL exceedance, or violation of an AQL, DL, or other permit condition shall be reported to ADEQ following the reporting requirements in Section 2.7.3.

Some contingency actions involve verification sampling. Verification sampling shall consist of the first follow-up sample collected from a location that previously indicated a violation or the exceedance of an AL. Collection and analysis of the verification sample shall use the same protocols and test methods to analyze for the pollutant or pollutants that exceeded an AL or violated an AQL or DL. The permittee is subject to enforcement action for the failure to comply with any contingency actions in this permit. Where verification sampling is specified in this permit, it is the option of the permittee to perform such sampling. If verification sampling is not conducted within the timeframe allotted, ADEQ and the permittee shall presume the initial sampling result to be confirmed as if verification sampling had been conducted. The permittee is responsible for compliance with contingency plans relating to the exceedance of an AL or violation of a DL, AQL or any other permit condition.

## **2.6.2 Exceeding of Alert Levels and Performance Levels**

### **2.6.2.1 Exceeding of Performance Levels Set for Operational Conditions**

1. If an operational performance level set in Section 4.2, Table III has been exceeded the permittee shall:
  - a. Notify the Groundwater Protection Value Stream (see Section 2.7.5) within five (5) days of becoming aware of the exceedance.
  - b. Submit a written report to the Groundwater Protection Value Stream within 30 days after becoming aware of the exceedance. The report shall document all of the following:
    - (1) A description of the exceedance and the cause of the exceedance;
    - (2) The period of the exceedance, including exact date(s) and time(s), if known, and the anticipated time period during which the exceedance is expected to continue;
    - (3) Any action taken or planned to mitigate the effects of the exceedance or spill, or to eliminate or prevent recurrence of the exceedance or spill;
    - (4) Any monitoring activity or other information which indicates that any pollutants would be reasonably expected to cause a violation of an AWQS; and
    - (5) Any malfunction or failure of pollution control devices or other equipment or process.
2. The facility is no longer on alert status once the operational indicator no longer indicates that a performance level is being exceeded. The permittee shall, however, complete all tasks necessary to return the facility to its pre-alert operating condition.

### **2.6.2.2 Exceeding of Alert Levels (ALs) Set for Discharge Monitoring**

1. If an AL set in Section 4.2, Table I has been exceeded, the permittee shall immediately investigate to determine the cause of the AL exceedance. The investigation shall include the following:
  - a. Inspection, testing, and assessment of the current condition of all treatment or pollutant discharge control systems that may have contributed to the AL exceedance;
  - b. Review of recent process logs, reports, and other operational control information to identify any unusual occurrences; and
  - c. If necessary to identify the cause of the AL exceedance, sampling of individual waste streams composing the wastewater for the parameters being exceeded.

2. The permittee shall initiate actions identified in the approved contingency plan referenced in Section 5.0 and specific contingency measures identified in Section 2.6 to resolve any problems identified by the investigation, which may have led to an AL exceedance. To implement any other corrective action the permittee shall obtain prior approval from ADEQ according to Section 2.6.6.
3. Within 30 days of an AL exceedance, the permittee shall submit the laboratory results to the ADEQ Groundwater Protection Value Stream, along with a summary of the findings of the investigation, the cause of the AL exceedance, and actions taken to resolve the problem.
4. Upon review of the submitted report, the Department may amend the permit to require additional monitoring, increased frequency of monitoring, amendments to permit conditions or other actions.

#### **2.6.2.3 Exceeding of Alert Levels in Groundwater Monitoring**

Groundwater monitoring is not required under the terms of this permit.

#### **2.6.3 Discharge Limit Violation**

1. If a DL set in Section 4.2, Table I has been violated, the permittee shall immediately investigate to determine the cause. The investigation shall include the following:
  - a. Inspection, testing, and assessment of the current condition of all treatment or pollutant discharge control systems that may have contributed to the violation;
  - b. Review of recent process logs, reports, and other operational control information to identify any unusual occurrences;
  - c. If the investigation procedures indicated in (a) and (b) above fail to reveal the cause of the violation, the permittee shall sample individual waste streams composing the wastewater for the parameters in violation, as necessary to identify the cause of the violation.

The permittee shall submit a report to the Groundwater Protection Value Stream according to Section 2.7.3, which includes a summary of the findings of the investigation, the cause of the violation, and actions taken to resolve the problem. The permittee shall consider and ADEQ may require corrective action that may include control of the source of discharge, cleanup of affected soil, surface water or groundwater, notification of downstream or downgradient users who may be directly affected by the discharge, and mitigation of the impact of pollutants on existing uses of the aquifer. Corrective actions shall either be specifically identified in this permit, included in an ADEQ-approved contingency plan, or separately approved according to Section 2.6.6.

2. Upon review of the submitted report, the Department may amend the permit to require additional monitoring, increased frequency of monitoring, amendments to permit conditions, or other actions.

#### **2.6.4 Aquifer Quality Limit Violation**

Groundwater monitoring is not required under the terms of this permit.

#### **2.6.5 Emergency Response and Contingency Requirements for Unauthorized Discharges pursuant to A.R.S. § 49-201(12) and pursuant to A.R.S. § 49-241**

##### **2.6.5.1 Duty to Respond**

The permittee shall act immediately to correct any condition resulting from a discharge pursuant to A.R.S. § 49-201(12) if that condition could pose an imminent and substantial endangerment to public health or the environment.

##### **2.6.5.2 Discharge of Hazardous Substances or Toxic Pollutants**

In the event of any unauthorized discharge pursuant to A.R.S. § 49-201(12) of suspected hazardous substances (A.R.S. § 49-201(19)) or toxic pollutants (A.R.S. § 49-243(I)) on the facility site, the permittee shall promptly isolate the area and attempt to identify the discharged material. The permittee shall record information, including name, nature of exposure and follow-up medical treatment, if necessary, on persons who may have been exposed during the incident. The permittee shall notify the Groundwater Protection Value Stream within 24 hours of discovering the discharge of hazardous material which (a) has the potential to cause an AWQS or AQL exceedance, or (b) could pose an endangerment to public health or the environment.

#### **2.6.5.3 Discharge of Non-hazardous Materials**

In the event of any unauthorized discharge pursuant to A.R.S. § 49-201(12) of non-hazardous materials from the facility, the permittee shall promptly attempt to cease the discharge and isolate the discharged material. Discharged material shall be removed and the site cleaned up as soon as possible. The permittee shall notify the Groundwater Protection Value Stream within 24 hours of discovering the discharge of non-hazardous material which has the potential to cause an AQL exceedance, or could pose an endangerment to public health or the environment.

#### **2.6.5.4 Reporting Requirements**

The permittee shall submit a written report for any unauthorized discharges reported under Sections 2.6.5.2 and 2.6.5.3 to the Groundwater Protection Value Stream within 30 days of the discharge or as required by subsequent ADEQ action. The report shall summarize the event, including any human exposure, and facility response activities and include all information specified in Section 2.7.3. If a notice is issued by ADEQ subsequent to the discharge notification, any additional information requested in the notice shall also be submitted within the time frame specified in the notice. Upon review of the submitted report, ADEQ may require additional monitoring or corrective actions.

#### **2.6.6 Corrective Actions**

Specific contingency measures identified in Section 2.6 have already been approved by ADEQ and do not require written approval to implement.

With the exception of emergency response actions taken under Section 2.6.5, the permittee shall obtain written approval from the Groundwater Protection Value Stream prior to implementing a corrective action to accomplish any of the following goals in response to exceedance of an AL or violation of an AQL, DL, or other permit condition:

1. Control of the source of an unauthorized discharge;
2. Soil cleanup;
3. Cleanup of affected surface waters;
4. Cleanup of affected parts of the aquifer;
5. Mitigation to limit the impact of pollutants on existing uses of the aquifer.

Within 30 days of completion of any corrective action, the operator shall submit to the Groundwater Protection Value Stream, a written report describing the causes, impacts, and actions taken to resolve the problem.

### **2.7 Reporting and Recordkeeping Requirements**

[A.R.S. § 49-243(K)(2) and A.A.C. R18-9-A206(B) and R18-9-A207]

#### **2.7.1 Self-Monitoring Report Form**

1. The permittee shall complete the Self-Monitoring Reporting Forms (SMRFs) through the myDEQ online reporting system.

2. The permittee shall complete the SMRF to the extent that the information reported may be entered on the form. If no information is required during a reporting period, the permittee shall enter “not required” on the form, include an explanation.
3. The table contained in Section 4.2 list the monitoring parameters and the frequencies for reporting results on the SMRF:
  - Table I, Discharge MonitoringThe parameters listed in the above-identified tables from Section 4.2 are the only parameters for which SMRF reporting is required.
4. Within the eSMRF comments fields, or in addition to the SMRF, the information contained in A.A.C. R18-9-A206(B)(1) shall be included for exceeding an AL or violation of an AQL or DL, or any other permit condition being reported in the current reporting period.

### **2.7.2 Operation Inspection / Log Book Recordkeeping**

A signed copy of this permit shall be maintained at all times at the location where day-to-day decisions regarding the operation of the facility are made. A log book (paper copies, forms, or electronic data) of the inspections and measurements required by this permit shall be maintained at the location where day-to-day decisions are made regarding the operation of the facility. The log book shall be retained for ten years from the date of each inspection, and upon request, the permit and the log book shall be made immediately available for review by ADEQ personnel. The information in the log book shall include, but not be limited to, the following information as applicable:

1. Name of inspector;
2. Date and time inspection was conducted;
3. Condition of applicable facility components;
4. Any damage or malfunction, and the date and time any repairs were performed;
5. Documentation of sampling date and time; and
6. Any other information required by this permit to be entered in the log book.
7. Monitoring records for each measurement shall comply with A.A.C. R18-9-A206(B)

### **2.7.3 Permit Violation and Alert Level Status Reporting**

1. The permittee shall notify the Groundwater Protection Value Stream in writing within five days (except as provided in Section 2.6.5) of becoming aware of a violation of any permit condition, discharge limitation, or of an AL exceedance.
2. The permittee shall submit a written report to the Groundwater Protection Value Stream within 30 days of becoming aware of the violation of any permit condition, AQL, or DL. The report shall document all of the following:
  - a. Identification and description of the permit condition for which there has been a violation and a description of the cause;
  - b. The period of violation including exact date(s) and time(s), if known, and the anticipated time period during which the violation is expected to continue;
  - c. Any corrective action taken or planned to mitigate the effects of the violation, or to eliminate or prevent a recurrence of the violation;
  - d. Any monitoring activity or other information which indicates that any pollutants would be reasonably expected to cause a violation of an AWQS;
  - e. Proposed changes to the monitoring which include changes in constituents or increased frequency of monitoring; and
  - f. Description of any malfunction or failure of pollution control devices or other equipment or processes.



**2.7.4 Operational, Other or Miscellaneous Reporting**

The permittee shall record the information as required in Section 4.2, Table III in the facility log book as per Section 2.7.2, and report to the Groundwater Protection Value Stream any violations or exceedances as per Section 2.7.3.

**2.7.5 Reporting Location**

All Self-Monitoring Report Forms (SMRFs) shall be submitted through the myDEQ portal accessible on the ADEQ website at: <http://www.azdeq.gov/welcome-mydeq>

All other documents required by this permit to be submitted to the Groundwater Protection Value Stream shall be directed to:

Arizona Department of Environmental Quality  
Groundwater Protection Value Stream  
Mail Code 5415B-3  
1110 West Washington Street  
Phoenix, Arizona 85007  
Phone (602) 771-4999

**2.7.6 Reporting Deadline**

The following table lists the quarterly report due dates:

| <b>Monitoring conducted during quarter:</b> | <b>Quarterly Report due by:</b> |
|---|---------------------------------|
| January-March                               | April 30                        |
| April-June                                  | July 30                         |
| July-September                              | October 30                      |
| October-December                            | January 30                      |

**2.7.7 Changes to Facility Information in Section 1.0**

The Groundwater Protection Value Stream shall be notified within ten days of any change of facility information including Facility Name, Permittee Name, Mailing or Street Address, Facility Contact Person, or Emergency Telephone Number.

**2.8 Temporary Cessation [A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A209(A)]**

The permittee shall give written notice to the Groundwater Protection Value Stream before ceasing operation of the facility for a period of 60 days or greater. The permittee shall take the following measures upon temporary cessation:

1. If applicable, direct the wastewater flows from the facility to another state-approved wastewater treatment facility;
2. Correct the problem that caused the temporary cessation of the facility; and
3. Notify the Groundwater Protection Value Stream with a monthly facility status report describing the activities conducted on the treatment facility to correct the problem.
4. Submittal of Self-Monitoring Report Forms (SMRFs) is still required; report “temporary cessation” in the comment section.

At the time of notification, the permittee shall submit for ADEQ approval a plan for maintenance of discharge control systems and for monitoring during the period of temporary cessation. Immediately following ADEQ approval, the permittee shall implement the approved plan. If necessary, ADEQ shall amend permit conditions to incorporate conditions to address temporary cessation. During the period of temporary cessation, the permittee shall provide written notice to the Groundwater Protection Value Stream of the operational status of the facility every three years. If the permittee intends to permanently

cease operation of any facility, the permittee shall submit closure notification, as set forth in Section 2.9 below.

**2.9 Closure [A.R.S. §§ 49-243(K)(6), 49-252 and A.A.C. R18-9-A209(B)]**

For a facility addressed under this permit, the permittee shall give written notice of closure to the Groundwater Protection Value Stream of the intent to cease operation without resuming activity for which the facility was designed or operated. Submittal of SMRFs is still required; report “closure in process” in the comment section.

**2.9.1 Closure Plan**

Within 90 days following notification of closure, the permittee shall submit for approval to the Groundwater Protection Value Stream, a closure plan which meets the requirements of A.R.S. § 49-252 and A.A.C. R18-9-A209(B)(3).

If the closure plan achieves clean-closure immediately, ADEQ shall issue a letter of approval to the permittee. If the closure plan contains a schedule for bringing the facility to a clean-closure configuration at a future date, ADEQ may incorporate any part of the schedule as an amendment to this permit.

**2.9.2 Closure Completion**

Upon completion of closure activities, the permittee shall give written notice to the Groundwater Protection Value Stream indicating that the approved closure plan has been implemented fully and providing supporting documentation to demonstrate that clean-closure has been achieved (soil sample results, verification sampling results, groundwater data, as applicable). If clean-closure has been achieved, ADEQ shall issue a letter of approval to the permittee at that time. If any of the following conditions apply, the permittee shall follow the terms of post-closure stated in this permit:

1. Clean-closure cannot be achieved at the time of closure notification or within one year thereafter under a diligent schedule of closure actions;
2. Further action is necessary to keep the facility in compliance with the AWQS at the applicable POC;
3. Continued action is required to verify that the closure design has eliminated discharge to the extent intended;
4. Remediation or mitigation measures are necessary to achieve compliance with Title 49, Ch. 2; and
5. Further action is necessary to meet property use restrictions.

**2.10 Post-closure [A.R.S. §§ 49-243(K)(6), 49-252 and A.A.C. R18-9 A209(C)]**

Post-closure requirements shall be established based on a review of facility closure actions and will be subject to review and approval by the Groundwater Protection Value Stream.

In the event clean-closure cannot be achieved pursuant to A.R.S. § 49-252, the permittee shall submit for approval to the Groundwater Protection Value Stream a post-closure plan that addresses post-closure maintenance and monitoring actions at the facility. The post-closure plan shall meet all requirements of A.R.S. §§ 49-201(30) and 49-252 and A.A.C. R18-9-A209(C). Upon approval of the post-closure plan, this permit shall be amended or a new permit shall be issued to incorporate all post-closure controls and monitoring activities of the post-closure plan.

**2.10.1 Post-Closure Plan**

A specific post-closure plan may be required upon the review of the closure plan.

**2.10.2 Post-Closure Completion**

Not required at the time of permit issuance.

- 3.0 COMPLIANCE SCHEDULE [A.R.S. § 49-243(K)(5) and A.A.C. R18-9-A208]**  
Not required under the terms of this permit.

#### **4.0 TABLES OF MONITORING REQUIREMENTS**

##### **4.1 PRE-OPERATIONAL MONITORING (OR CONSTRUCTION REQUIREMENTS)**

Not applicable at permit issuance

4.2 COMPLIANCE (or OPERATIONAL) MONITORING

TABLE I  
ROUTINE DISCHARGE MONITORING

| Sampling Point Number  | Sampling Point Identification   |                          |                     | Latitude            | Longitude           |
|--|---|--------------------------|---------------------|---------------------|---------------------|
| 1 <sup>1</sup>   | Point of discharge into the KERP  |                          |                     | 32° 11' 08" N       | 110° 55' 59" W      |
| Parameter  | AL <sup>2</sup>   | DL <sup>3</sup>          | Units               | Sampling Frequency  | Reporting Frequency |
| Flow to reuse: Daily <sup>4</sup>                                      | Not Established <sup>5</sup>  | Not Established          | mgd <sup>6</sup>    | Daily               | Quarterly           |
| Flow to reuse: Monthly Average <sup>7</sup>                            | 1.6   | 2.0                      | mgd                 | Monthly Calculation | Quarterly           |
| Total Nitrogen <sup>8</sup>  | Reserved <sup>9</sup>   | Reserved                 | mg/ l <sup>10</sup> | Monthly             | Quarterly           |
| Sampling Point Number  |   |                          |                     |                     |                     |
| 2 <sup>11</sup>  | Located at Tucson Reclaimed Water Treatment Plant APP No. P-100147 - reclaimed water booster pump station |                          |                     | 32° 09' 55.3" W     | 111° 00' 43.8" W    |
| Parameter  | AL  | DL                       | Units               | Sampling Frequency  | Reporting Frequency |
| <i>E. Coli</i> : Single sample maximum                                 | Not Established   | 15.0                     | CFU <sup>12</sup>   | Daily               | Quarterly           |
| <i>E. Coli</i> : Four (4) of seven (7) samples in a week <sup>13</sup> | Not Established   | Non-detect <sup>14</sup> | CFU                 | Daily Evaluation    | Quarterly           |

<sup>1</sup>Only flow and total nitrogen will be monitored at this sampling point (Sampling Point #1).

<sup>2</sup>AL = Alert Level

<sup>3</sup>DL = Discharge Limit

<sup>4</sup>Flow shall be measured using a continuous recording flow meter which totals the flow daily.

<sup>5</sup>Not Established means monitoring is required but no limits are specified.

<sup>6</sup>mgd = million gallons per day

<sup>7</sup>Monthly average of daily flow values.

<sup>8</sup>Total Nitrogen = Nitrate as N + Nitrite as N + Total Kjeldahl Nitrogen

<sup>9</sup>Reserved = No limits are specified

<sup>10</sup>mg/l = milligrams per liter

<sup>11</sup>Sampling point for *E. Coli* shall be at the Tucson Reclaimed Water Treatment Plant #100147, located at reclaimed water booster pump station. Analytical results will be obtained by the permittee from Tucson Reclaimed WTP and reported under this permit.

<sup>12</sup>CFU = Colony Forming Units per 100 ml: For CFU, a value of <15.0 shall be considered to be non-detect.

<sup>13</sup>Week means a seven-day period starting on Sunday and ending on the following Saturday. The reporting form for this parameter consists of 13 weeks per quarter.

<sup>14</sup>Requires entering "Compliance" or "Non-compliance" on the SMRF for each day of the reporting period. Evaluate the daily *E. Coli* result along with the six (6) previous sample results. If four (4) or more of those results are non-detect, report "Compliance" for that day's entry on the SMRF. If four (4) or more of those results have detections of *E. Coli*, report "Non-compliance" for that day's entry.

**4.2 COMPLIANCE (or OPERATIONAL) MONITORING**

**TABLE II  
GROUNDWATER MONITORING**

Not required under this permit

**TABLE III  
FACILITY INSPECTION (OPERATIONAL MONITORING) - LOG BOOK<sup>15</sup>**

| <b>Pollution Control Structure/Parameter</b>  | <b>Performance Level</b>  | <b>Inspection Frequency</b>   |
|---|---|---|
| Freeboard in ponds  | Minimum one (1) foot  | Monthly or after storm event that results in a discharge to the Tucson Diversion Channel. |
| Deep Pond Berm Integrity  | No visible cracks, erosion, sloughing or seepage that results in leaks or impairs structural integrity.     | Monthly or after storm event that results in a discharge to the Tucson Diversion Channel  |
| Small Pond Liner Integrity<br>- Sealing around penetrations<br>- Anchoring<br>- Coverage      | No visible leaks, tears, cracks or perimeter erosion that results in leaks or impairs structural integrity. | Monthly or after storm event that results in a discharge to the Tucson Diversion Channel  |
| Irrigation Pond Liner Integrity<br>- Sealing around penetrations<br>- Anchoring<br>- Coverage | No visible leaks, tears, cracks or perimeter erosion that results in leaks or impairs structural integrity. | Monthly or after storm event that results in a discharge to the Tucson Diversion Channel  |
| Watercourse Shells  | No visible cracks, spalling, or erosion that results in leaks or impairs structural integrity               | Monthly or after storm event that results in a discharge to the Tucson Diversion Channel  |

<sup>15</sup> The permittee shall record the inspection performance levels in a log book as per Section 2.7.2, and report any violations or exceedances as per Section 2.7.3. In the case of an exceedance, identify which structure exceeds the performance level in the log book.

## **5.0 REFERENCES AND PERTINENT INFORMATION**

The terms and conditions set forth in this permit have been developed based upon the information contained in the following, which are on file with the Department:

1. APP Application dated: April 30, 2019
2. Contingency Plan, dated: April 2019
3. Final Engineering Memo dated: August 1, 2019
4. Final Hydrologist Memo dated: Not applicable
5. Public Notice date: TBD

## 6.0 NOTIFICATION PROVISIONS

### 6.1 Annual Registration Fees

The permittee is notified of the obligation to pay an Annual Registration Fee to ADEQ. The Annual Registration Fee is based on the amount of daily influent or discharge of pollutants in gallons per day (gpd) as established by A.R.S. § 49-242.

### 6.2 Duty to Comply [A.R.S. §§ 49-221 through 263]

The permittee is notified of the obligation to comply with all conditions of this permit and all applicable provisions of Title 49, Chapter 2, Articles 1, 2 and 3 of the Arizona Revised Statutes, Title 18, Chapter 9, Articles 1 through 4, and Title 18, Chapter 11, Article 4 of the Arizona Administrative Code. Any permit non-compliance constitutes a violation and is grounds for an enforcement action pursuant to Title 49, Chapter 2, Article 4 or permit amendment, suspension, or revocation.

### 6.3 Duty to Provide Information [A.R.S. §§ 49-243(K)(2) and 49-243(K)(8)]

The permittee shall furnish to the Director, or an authorized representative, within a time specified, any information which the Director may request to determine whether cause exists for amending or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

### 6.4 Compliance with Aquifer Water Quality Standards [A.R.S. §§ 49-243(B)(2) and 49-243(B)(3)]

The permittee shall not cause or contribute to a violation of an Aquifer Water Quality Standard (AWQS) at the applicable point of compliance (POC) for the facility. Where, at the time of issuance of the permit, an aquifer already exceeds an AWQS for a pollutant, the permittee shall not discharge that pollutant so as to further degrade, at the applicable point of compliance for the facility, the water quality of any aquifer for that pollutant.

### 6.5 Technical and Financial Capability [A.R.S. §§ 49-243(K)(8) and 49-243(N) and A.A.C. R18-9-A202(B) and R18-9-A203(E) and (F)]

The permittee shall have and maintain the technical and financial capability necessary to fully carry out the terms and conditions of this permit. Any bond, insurance policy, trust fund, or other financial assurance mechanism provided as a demonstration of financial capability in the permit application, pursuant to A.A.C. R18-9-A203(C), shall be in effect prior to any discharge authorized by this permit and shall remain in effect for the duration of the permit.

### 6.6 Reporting of Bankruptcy or Environmental Enforcement [A.A.C. R18-9-A207(C)]

The permittee shall notify the Director within five days after the occurrence of any one of the following:

1. the filing of bankruptcy by the permittee; or
2. the entry of any order or judgment not issued by the Director against the permittee for the enforcement of any environmental protection statute or rule.

### 6.7 Monitoring and Records [A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A206]

The permittee shall conduct any monitoring activity necessary to assure compliance with this permit, with the applicable water quality standards established pursuant to A.R.S. §§ 49-221 and 49-223 and §§ 49-241 through 49-252.



**6.8 Inspection and Entry [A.R.S. §§ 49-1009, 49-203(B), and 49-243(K)(8)]**

In accordance with A.R.S. §§ 41-1009 and 49-203(B), the permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to enter and inspect the facility as reasonably necessary to ensure compliance with Title 49, Chapter 2, Article 3 of the Arizona Revised Statutes, and Title 18, Chapter 9, Articles 1 through 4 of the Arizona Administrative Code and the terms and conditions of this permit.

**6.9 Duty to Modify [A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A211]**

The permittee shall apply for and receive a written amendment before deviating from any of the designs or operational practices authorized by this permit.

**6.10 Permit Action: Amendment, Transfer, Suspension, and Revocation  
[A.R.S. §§ 49-201, 49-241 through 251, A.A.C. R18-9-A211, R18-9-A212 and R18-9-A213]**

This permit may be amended, transferred, suspended, or revoked for cause, under the rules of the Department. The permittee shall notify the Groundwater Protection Value Stream in writing within 15 days after any change in the owner or operator of the facility. The notification shall state the permit number, the name of the facility, the date of property transfer, and the name, address, and phone number where the new owner or operator can be reached. The operator shall advise the new owner or operators of the terms of this permit and the need for permit transfer in accordance with the rules.

**7.0 ADDITIONAL PERMIT CONDITIONS**

**7.1 Other Information [A.R.S. § 49-243(K)(8)]**

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, the permittee shall promptly submit the correct facts or information.

**7.2 Severability  
[A.R.S. §§ 49-201, 49-241 through 251, A.A.C. R18-9-A211, R18-9-A212 and R18-9-A213]**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. The filing of a request by the permittee for a permit action does not stay or suspend the effectiveness of any existing permit condition.

**7.3 Permit Transfer**

This permit may not be transferred to any other person except after notice to and approval of the transfer by the Department. No transfer shall be approved until the applicant complies with all transfer requirements as specified in A.A.C. R18-9-A212(B) and (C).