

**STATE OF ARIZONA
AQUIFER PROTECTION PERMIT NO. P-103989.01 (LTF # 64388, Place ID 833)
CENTRAL AVENUE LANDFILL**

1.0 AUTHORIZATION

In compliance with the provisions of Arizona Revised Statutes (A.R.S.) Title 49, Chapter 4, Article 1; Arizona Administrative Code (A.A.C.) Title 18, Chapter 13, Articles 2, 3, and 8; A A.C. Title 18, Chapter 11, Article 4; and amendments thereto; and the conditions set forth in this permit, CEMEX Construction Materials South, LLC (CEMEX) is hereby authorized to conduct post-closure activities at the Central Avenue Landfill, a non-municipal solid waste landfill, located at 211 West Watkins Road, Phoenix, AZ, over groundwater of the Salt River Valley sub-basin of the Phoenix Active Management Area, in the southwest quarter of Section 17, Township 1 North, Range 3 East of the Gila and Salt River Base Line and Meridian.

This permit amendment becomes effective on the date of the Waste Program Division Director's signature and shall be valid for the life of the facility (the post-closure care period), 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: Central Avenue Landfill
Facility Address: 211 West Watkins Road, Phoenix, AZ 85004
Facility Contact: Agustin Figueroa, Director (602) 416-2934

Permittee: CEMEX Construction Materials South, LLC
Corporate Address: 5555 East Van Buren St, Suite 155, Phoenix, AZ 85008

Latitude: 33° 25' 32" North
Longitude: 112° 04' 39" West

1.2 AUTHORIZING SIGNATURE

**Laura L. Malone, Director
Waste Programs Division**

Signed this _____ day of _____, 2016

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

This Aquifer Protection Permit (APP) is issued to update the owner and operator name, financial assurance mechanism, groundwater monitoring POC well replacement details, and monitoring plan in accordance with the type “Significant” Amendment Application, Central Avenue Landfill, Aquifer Protection Permit No. P-103989.00, Place ID # 833, Submitted by CEMEX on July 15, 2016.

Landfill Summary

The Central Avenue Landfill (CALF) is a closed 19.5-acre non-municipal solid waste landfill. The landfill operated from 1966 to 1988 and accepted approximately 1.4 million cubic yards of solid waste including construction and demolition debris, sand and gravel, clays and silts, broken concrete, asphalt, bricks, dirt, glass, wood, metal, paper, plastic, and cardboard. The landfill stopped accepting waste in 1988, and closure activities were completed in 2001. The elevation of the landfill is approximately 1,085 feet above mean sea level.

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

The site includes the following permitted discharging facility:

Facility	Latitude	Longitude
CEMEX Central Avenue Landfill	33° 25’ 32” North	112° 04’ 39” West

2.1.1 Annual Registration and Disposal Fees [A.A.C. R18-13-2102 and A.R.S. § 49-836]

Reserved. The landfill is closed and does not receive any waste for disposal.

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

The permittee must demonstrate and maintain financial capability throughout the post-closure care of the facility under A.R.S. § 49-243(N) and A.A.C. R18-9-A203. The estimated cost for post-closure care, as of August 23, 2016, is \$619,000. The financial capability was demonstrated through a performance surety bond.

2.1.3 Periodic Update of Post-Closure Cost Estimate [A.R.S. § 49-243(N)(2)(a)]

For the duration of the permit, the cost estimate shall be updated every six (6) years to adjust for inflation or as necessary to reflect increased costs resulting from changes to the facility or to the Post-Closure Plan, or to any other relevant conditions related to the facility.

2.1.4 Periodic Demonstration of Responsibility and Reporting [A.R.S. § 49-243(N)(4)]

The permittee shall maintain its demonstration of financial responsibility prescribed in this subsection for the duration of the permit. The permittee shall demonstrate financial responsibility by reporting the status of the financial assurance mechanism with documentation every six (6) years.

2.2 Best Available Demonstrated Control Technology [A.R.S. § 49-243(B) and A.A.C. R18-9-A202(A)(5)]

In addition to the design specifications described below, the permittee shall maintain surface water run-on and run-off diversions. Surface water run-on diversions shall be maintained to direct at least the stormwater flows from the peak flow generated by a 25-year storm event away from the landfill. The facility shall be designed to collect, convey, and control, within the facility property boundary, at least the stormwater runoff generated by a 24-hour, 25-year rainfall event. The facility shall provide adequate protection from inundation or intrusion of water into the waste management area from the 100-year peak flow of the Salt River. Stormwater discharged from the facility site shall be regulated in accordance with

A.R.S. §49-141, and the Clean Water Act National Pollutant Discharge Elimination System (NPDES) Permit.

2.2.1 Engineering Design

1. The landfill is covered by a surface layer of at least 12 inches soil with a permeability of 1×10^{-4} centimeters per second (cm/sec). This layer is capable of supporting native vegetation and retard erosion, underlain by 12-inches of infiltration barrier layer soil compacted to achieve measured hydraulic conductivity of no greater than 1×10^{-5} cm/sec. Below the compacted soil is a foundation layer that is 12-inches in thickness, with an in-place permeability equal to or less than 1×10^{-5} cm/sec.
2. Any changes to the approved final cover system or the final approved stormwater control system must be approved in writing by ADEQ prior to implementation of the changes.
3. If a modified post-closure plan is deemed to be necessary, the modified plan shall describe all of the following:
 - a. The duration of the post-closure care period.
 - b. The monitoring procedures to be implemented by the permittee, including monitoring frequency, type, and location.
 - c. A description of the operating and maintenance procedures to be implemented for pollution control devices, such as final cover, drainage structures, gas monitoring systems, and groundwater monitoring wells.
 - d. A schedule and description of physical inspections to be conducted at the facility following closure.

2.2.2 Site-specific Characteristics

Not applicable.

2.2.3 Pre-Operational Requirements

Not applicable.

2.2.4 Operational Requirements

The CALF is a closed landfill. All requirements in this permit are presented in Section 2.10 Post-Closure Plan. Requirements for inspections, landfill gas monitoring, and groundwater monitoring are provided in Section 4.3 Post-Closure Monitoring, Tables 1A Facility Inspection, 1B Methane Monitoring, 2A Groundwater Monitoring Points, 2B Groundwater Monitoring, and 2C Groundwater Sampling and Reporting Frequency.

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

The permittee is authorized to conduct post-closure activities at the facility, within the area delineated on the plans submitted with the Aquifer Protection Permit (APP) application referenced in Section 5.0 of this Permit.

2.4 Point of Compliance [A.R.S. § 49-244]

The points of compliance (POC) are established by the following monitoring locations:

POC Locations	Latitude	Longitude
MW-3(R)	33° 25' 32.55"N	112° 04' 44.52"W
MW-4 (R)	33° 25' 24.87"N	112° 04' 46.69"W

2.4.1 Monitoring requirements for the POC are listed in Section 4.3, Tables 2B and 2C.

2.4.2 The Director may amend this permit to designate additional POCs if information on groundwater gradients or groundwater usage indicates the need.

2.5 Monitoring Requirements [A.R.S. § 49-243(B), (K)(1) and (K)(6), A.A.C. R18-9-A206(A) and R18-9-A209(C)]

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. 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.

Operational and monitoring requirements are presented in Section 2.10 Post-closure.

2.5.1 Discharge Monitoring

Leachate detection and monitoring is not required for this facility. There is no leachate collection system.

2.5.2 Facility / Operational Monitoring

The CALF is a closed non-municipal solid waste landfill. Operational requirements are presented in Section 2.10 Post-closure.

2.5.3 Groundwater Monitoring and Sampling Protocols

The CALF is a closed non-municipal solid waste landfill. Groundwater monitoring requirements and sampling protocols are presented in Section 2.10 Post-closure.

2.5.4 Surface Water Monitoring and Sampling Protocols

Not applicable.

2.5.5 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. If all methods have detection limits higher than the applicable limit, the permittee shall follow the contingency requirements of Section 2.6 and may propose “other actions” including amending the permit to set higher limits. 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 Arizona state-certified laboratories can be obtained at the address below:

Arizona Department of Health Services
Office of Laboratory Licensure and Certification
250 North 17th Avenue
Phoenix, Arizona 85007-3231
Phone: (602) 364-0720

2.5.6 Installation and Maintenance of Monitoring Equipment

Monitoring equipment required by this permit shall be installed and maintained so that representative groundwater and methane gas samples can be collected. If new groundwater or methane gas monitoring wells are determined to be necessary, the construction details shall be submitted to the ADEQ Solid Waste Unit for approval prior to installation and the permit shall be amended to include any new 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 Considerations

At least one copy of this permit and the approved contingency plan submitted in the APP application (referenced in Section 5 of this permit) shall be maintained at the location where day-to-day decisions regarding management of the facility are made. The permittee shall be aware of and follow the contingency plan.

Any AL that is exceeded or any violation of an AQL 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. 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 has 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.

In addition to the information contained in the contingency plan referenced above, at a minimum, the following contingency requirements shall be implemented:

2.6.2 Exceeding of Alert Levels

2.6.2.1 Exceeding of Alert Levels and Performance Levels

1. If the operational performance level set in Section 4.3, Table 1A has been exceeded, the permittee shall promptly perform repairs. A summary of the repairs, including a description of the procedures and materials used, shall be maintained at the location where day-to-day decisions regarding the management of the facility are made.
2. The facility is no longer on alert status once the operational indicator no longer indicates a performance level exceedance. 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 Set for Discharge Monitoring

Not applicable.

2.6.2.3 Exceeding of Alert Levels in Groundwater Monitoring

2.6.2.3.1 Alert Levels for Indicator Parameters

Not applicable.

2.6.2.3.2 Alert Levels for Pollutants with Numeric Aquifer Water Quality Standards

1. If an AL for a pollutant set in Section 4.3, Table 2B has been exceeded, the permittee may conduct verification sampling within 5 days of becoming aware of an AL exceedance. The permittee may use the results of another sample taken between the date of the last sampling event and the date of receiving the result as verification.
2. If verification sampling confirms the AL exceedance or if the permittee opts not to perform verification sampling, then the permittee shall increase the frequency of monitoring in the well to quarterly. In addition, the permittee shall immediately initiate an investigation of the cause of the AL exceedance, including inspection of all discharging units and all related pollution control devices, review of any operational and maintenance practices that might have resulted in an unexpected discharge, and hydrologic review of groundwater conditions.
3. The permittee shall initiate actions identified in the contingency measures of the 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. Alternatively, the permittee may submit a technical demonstration, subject to written approval by the Solid Waste Unit, that although an AL is exceeded, pollutants are not reasonably expected to cause a violation of an AQL. The demonstration may propose a revised AL or monitoring frequency for approval in writing by the Solid Waste Unit.
4. Within 30 days after confirmation of an AL exceedance, the permittee shall submit the laboratory results to the Solid Waste Unit along with a summary of the findings of the investigation, the cause of the AL exceedance, and actions taken to resolve the problem.
5. Upon review of the submitted report, the Department may amend the permit to require additional monitoring, increased frequency of monitoring, or other actions.
6. The increased monitoring required as a result of an AL exceedance may be reduced to annual if the results of four (4) sequential sampling events demonstrate that no parameters exceed the AL.
7. If the increased monitoring required as a result of an AL exceedance continues for more than six (6) sequential sampling events, the

permittee shall submit a second report documenting an investigation of the continued AL exceedance within 30 days of the receipt of laboratory results of the sixth sampling event.

2.6.2.3.3 Alert Levels to Protect Downgradient Users from Pollutants Without Numeric Aquifer Water Quality Standards

Not applicable.

2.6.3 Discharge Limitations (DL) Violations

Not applicable.

2.6.4 Aquifer Quality Limit (AQL) Violation

1. If an AQL set in Section 4.3 Table 2B has been exceeded; the permittee may conduct verification sampling within five (5) days of becoming aware of an AQL being exceeded. The permittee may use the results of another sample taken between the date of the last sampling event and the date of receiving the result as verification.
2. If verification sampling confirms that the AQL is violated for any parameter or if the permittee opts not to perform verification sampling, then the permittee shall increase the frequency of monitoring in the well to quarterly. In addition, the permittee shall immediately initiate an evaluation for the cause of the violation, including inspection of all discharging units and all related pollution control devices, and review of any operational and maintenance practices that might have resulted in unexpected discharge.
3. The permittee also shall submit a report 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. A verified exceedance of an AQL will be considered a violation unless the permittee demonstrates within thirty (30) days that the exceedance was not caused or contributed to by pollutants discharged from the facility. Unless the permittee has demonstrated that the exceedance was not caused or contributed to by pollutants discharged from the facility, 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, and mitigation of the impact of pollutants on existing uses of the aquifer. Corrective actions shall either be specifically identified in this permit, or separately approved according to Section 2.6.5.
4. Upon review of the submitted report, the Department may amend the permit to require additional monitoring, increased frequency of monitoring, or other actions.
5. The permittee shall notify any downstream or downgradient users who may be directly affected by the discharge.

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 That Are Not Addressed Elsewhere in Section 2.6

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(18)] 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 ADEQ Emergency Response Unit at (602) 771-2300 and the ADEQ Solid Waste Unit—Inspections and Compliance within twenty-four (24) hours upon discovering the discharge of hazardous material that: (a) has the potential to cause an Aquifer Water Quality Standard (AWQS) or AQL to be exceeded; 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 nonhazardous 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 ADEQ Solid Waste Unit- Inspections and Compliance within twenty-four (24) hours upon discovering the discharge of non-hazardous material which: (a) has the potential to cause an AQL to be exceeded; or (b) 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 ADEQ Solid Waste Unit within thirty (30) days of the discharge or as required by subsequent ADEQ action. The report shall summarize the event, including any human exposure, 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 that 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, and actions identified in the approved contingency plan referenced in Section 5.0 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 Solid Waste Unit prior to implementing a corrective action to accomplish any of the following goals in response to exceeding an AL or violation of an AQL 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 thirty (30) days of completion of any corrective action, the permittee shall submit to the Solid Waste Unit 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 Forms (SMRF)

Self-monitoring report forms are not required under this permit. Groundwater monitoring conducted under Section 2.10 Post-closure shall be recorded and reported as follows:

1. The permittee shall maintain groundwater data and submit them to the Solid Waste Unit in accordance with the frequencies listed in Section 4.3 Table 2C Groundwater Sampling and Reporting Frequency. Data shall also be submitted in an electronic format (diskette, electronic mail, or other commonly used format);
2. AL and AQL exceedances shall be reported in accordance with the frequencies listed in Section 2.6;
3. All reports shall include the information contained in Section 2.7.2.

2.7.2 Operation Inspection / Operating Record

A signed copy of this permit shall be maintained at all times at the location where decisions regarding the operation of the facility are made. An operating record (paper copies, log book, forms or electronic data) of the inspections and measurements required by this permit shall be maintained at the location where decisions are made regarding the operation of the facility. The operating record shall be retained for ten (10) years from the date of each inspection and, upon request, the permit and the operating record shall be made immediately available for review by ADEQ personnel. The information in the operating record 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; including all repair procedures and materials used;
5. Documentation of date and time for any sampling;
6. Any other information required by this permit to be entered in the operating record; and
7. Monitoring records for samples shall comply with R18-9-A206(B)(2) and R18-9-A209(C).

2.7.3 Permit Violation and Alert Level Status Reporting

1. The permittee shall notify the Solid Waste Unit in writing within five (5) days (except as provided in Section 2.6.5) of becoming aware of a violation of any permit condition or of an AL exceedance.
2. The permittee shall submit a written report to the Solid Waste Unit within thirty (30) days of becoming aware of the violation of any permit condition. 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 its 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 that indicates that any pollutants would be reasonably expected to cause a violation of an AWQS if a discharge occurred;
- 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 and Post-Closure Reporting

2.7.4.1 Methane Gas Exceedance Reporting

The following notifications are required if there is a methane gas exceedance:

1. Within twenty-four (24) hours or one (1) business day of any methane gas exceedance where the gas concentration in facility structures exceeds twenty-five percent (25%) of the lower explosive limit or gas concentrations at the landfill boundary exceed the lower explosive limit, the permittee shall notify the Solid Waste Unit.
2. Within seven (7) days of detection, the permittee shall place in the operating record a description of the steps taken to protect human health and public safety. A copy of this description shall be sent to the Solid Waste Unit.
3. Within sixty (60) days of detection of any methane gas exceedance, a remediation plan shall be implemented and a copy of the plan placed in the operating record. A copy of the plan, accompanied by a notification that the plan has been implemented, shall be sent to the Solid Waste Unit.

2.7.4.2 Operational and Closure/Post-Closure Reporting of Groundwater/Methane Monitoring and Inspections

1. The results of groundwater monitoring shall be submitted to the Solid Waste Unit in accordance with report deadlines set forth in Sections 2.7.6.1 and 2.7.6.2.
2. Methane monitoring reports shall be submitted to the Solid Waste Unit in accordance with report deadlines set forth in Sections 2.7.6.1 and 2.7.6.2.
3. At least semiannually and after every significant rain event, the landfill cover, surface water drainage structures and erosion control features shall be inspected. A significant rain event is defined as 0.50 inches or greater of precipitation within a 24-hour period. All damage to wells, probes, fencing, drainage structures, etc. shall be recorded so that it can be properly repaired promptly and by the next inspection date as required in Table 4.2.2. Facility inspection reports covering events shall be kept in a facility file and submitted to the Solid Waste Unit in accordance with the report deadlines set forth in Sections 2.7.6.1 and 2.7.6.2.

2.7.5 Reporting Location

All documents required by this permit to be submitted to the Solid Waste Unit shall be directed to:

Arizona Department of Environmental Quality
Solid Waste Unit
Waste Programs Division
1110 W. Washington Street

Phoenix, AZ 85007
 Phone (602) 771-4123

2.7.6 Reporting Deadline

2.7.6.1 The following table lists the report due dates¹ for quarterly monitoring:

Monitoring conducted during quarter	Report due by:
January-March	July 30
April-June	
July-September	January 30
October-December	

The following table lists the semi-annual and annual monitoring report due dates:

Monitoring conducted	Report due by:
Semiannual: January-June	July 30
Semiannual: July-December	January 30
Annual: January-December	January 30

2.7.6.2 Reports on any repairs shall be submitted semiannually and be received by the dates specified in 2.7.6.1, above, and shall report on repair events of the prior semiannual period.

2.7.7 Changes to Facility Information in Section 1.1

The Solid Waste Unit shall be notified within ten (10) days of any change of facility information shown in Section 1.1 of this Permit, including the Facility Name, Permittee Name, Mailing or Street Address, Facility Contact Person, or Telephone Number.

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

Not applicable.

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

The CALF is a closed solid waste landfill and is operating under post-closure requirements.

2.10 Post-Closure [A.R.S. §§ 49-243(K)(6), 49-252, 49-767(E), and A.A.C. R18-9-A209(C)]

Post-closure requirements have been established based on a review of facility closure actions. Changes to Post-closure requirements are subject to review and approval by the Solid Waste Unit.

The CALF is a closed solid waste landfill. Clean closure cannot be achieved pursuant to A.R.S. §49-252. The permittee shall maintain post-closure controls and conduct monitoring activities in this section and meet all requirements of A.R.S. §§ 49-201(30) and 49-252 and A.A.C. R18-9-A209(C), and 40 CFR 257.3-8.

2.10.1 Post-Closure Plan

The Post-closure care program shall ensure that any reasonable probabilities of further discharge from the facility and of exceeding AQLs at the POCs are eliminated to the greatest extent practicable. The post-closure care program will maintain the effectiveness and integrity of the final cover, including making repairs to the final cover as necessary to correct the effects of

¹ A post-mark date no later than the due date is considered meeting the due date requirements under this Section.

settlement, subsidence, erosion, or other events. The length of the post-closure care program is 30 years from the date of Aquifer Protection Permit No. P-103989.00 signed April 5, 2000. The length of the post-closure care period may be:

1. Increased if the Director determines that the lengthened period is necessary to protect human health and the environment;
2. Decreased if the permittee demonstrates to the Director that the reduced period is sufficient to protect human health and the environment.

2.10.1.1 Post-Closure Monitoring

Post-closure operational requirements shall be performed at the frequencies indicated in Section 4.3 and the results recorded in the log required by Section 2.7.2. In the case of a violation or exceedance, a report to ADEQ shall be made as per Section 2.7.3. Permittee shall:

1. Conduct inspections as described in Section 4.3, Table 1A. If damage is identified during an inspection that could cause or contribute to an unauthorized discharge, proper repairs shall be promptly performed. A summary of the repairs, including a description of the procedures and materials used, shall be maintained with the inspection records noted above;
2. Maintain and operate the landfill gas monitoring system in accordance with the requirements of 40 CFR § 257.3–8 and Section 2.10.1.3 of this Permit;
3. Maintain and operate the groundwater monitoring wells in accordance with the requirements of R18-9-A206 and Section 2.10.1.2 of this Permit;
4. Maintain the perimeter fence and repair and/or replace as necessary. The gate shall remain locked during non-business hours. All signage shall be maintained.
5. Comply with the recordkeeping requirements specified in Section 2.7 of this permit.
6. The permittee shall provide and maintain financial assurance for the costs associated with post-closure maintenance and any necessary corrective action as a result of known releases from the landfill facility in accordance with Section 6.5 of this permit.

2.10.1.2 Groundwater Monitoring and Sampling Protocol

Groundwater monitoring shall be conducted for the parameters and at the locations and frequencies in Section 4.3 Tables 2A, 2B, and 2C. Static water levels shall be measured and recorded prior to sampling. Wells shall be purged of at least three borehole volumes (as calculated using the static water level) or until field parameters (pH, temperature, conductivity) are stable, whichever represents the greater volume. If evacuation results in the well going dry, the well shall be allowed to recover to 80 percent of the original borehole volume, or for 24 hours, whichever is shorter, prior to sampling. If after 24 hours there is not sufficient water for sampling, the well shall be recorded as “dry” for the monitoring event. An explanation for reduced pumping volumes, a record of the volume pumped, and modified sampling procedures shall be reported and submitted with reports required under Section 2.7.1.

The permittee may conduct the sampling using the low-flow purging method as described in the Arizona Water Resources Research Center, March 1995 Field Manual for Water Quality Sampling. The well must be purged until indicator parameters

stabilize. Indicator parameters shall include dissolved oxygen, turbidity, pH, temperature, and conductivity.

2.10.1.2.1 Point of Compliance Well Replacement

In the event that a designated POC well should become unusable or inaccessible due to damage or any other event, the well shall be repaired, or if not repairable, a replacement POC well shall be constructed and installed upon approval by ADEQ. If the replacement well is fifty (50) feet or less from the original well, the alert levels (ALs) and/or aquifer quality limits (AQLs) calculated for the designated POC well shall apply to the replacement well. Otherwise, the ALs and/or AQLs shall be recalculated and set following standard protocols.

2.10.1.3 Methane Gas Monitoring

1. Routine methane gas monitoring shall be conducted quarterly during the post-closure period of the CALF.
2. Methane gas monitoring shall be conducted in accordance with Section IV.B of the Closure/Post-Closure Plan referenced in Section 5.0 of this Permit.
3. The permittee shall operate and maintain methane gas monitoring equipment to ensure that the standards of 40 CFR § 257.3-8 are met. A landfill gas remediation system or other control mechanism may be designed and submitted to ADEQ if methane concentrations are detected above the levels indicated in Section 2.10.1.3(4) of this permit.
4. The permittee must ensure, in accordance with 40 CFR § 257.3-8, that the concentration of methane gas does not exceed:
 - a. Twenty-five percent (25%) of the lower explosive limit for gases in facility structures, (excluding gas control or recovery system components); and
 - b. The lower explosive limit for the gases at the property boundary.
5. If a methane gas exceedance occurs at facility structures or at the facility property boundaries, as described above, the permittee shall immediately report the exceedance to ADEQ Solid Waste Unit as specified in Section 2.7.4.1.
6. The permittee shall initiate actions identified in Section 2.7, and in Section 6.0 of the Methane Monitoring Plan referenced in Section 5.0 of this Permit to resolve any problems identified by the investigation that may have led to an LEL exceedance. To implement the corrective action the permittee shall obtain prior approval from the Director according to Section 2.6.6.
7. Upon review of the submitted report, the Director may require additional monitoring, increased frequency of monitoring, amendments to permit conditions, or other actions

2.10.2 Post-Closure Completion

The Permittee shall notify ADEQ in writing within thirty (30) calendar days of completion of all post-closure care activities. The written notice shall include a certification, signed by an independent Arizona registered professional engineer hired by the permittee, verifying that post-closure care has been completed in accordance with the approved Post-Closure Plan.

3.0 COMPLIANCE SCHEDULE [A.R.S. § 49-243(K)(5) and A.A.C. R18-9-A208]

For each compliance schedule item listed below, the permittee shall submit the required information, including a cover letter that lists the compliance schedule items, to the Solid/Hazardous Waste Section, Solid Waste Unit.

No	Description	Due by	Amend. Required
1	The permittee shall submit a demonstration that the financial assurance mechanism listed in Section 2.1.2, Financial Capability, is being maintained as per A.R.S. 49-243.N.4 and A.A.C. R18-9-A203(H) for all estimated post-closure costs including updated costs submitted under Section 3.0, No. 2 below. The demonstration shall include a statement that the post-closure plan has not changed, the discharging facilities listed in the permit have not been altered in a manner that would affect the post-closure costs, and discharging facilities have not been added. The demonstration shall also include information in support of a performance surety bond as required in A.A.C. R18-9-A203(C)(2).	Within 60 days of date of permit signature and every 6 years thereafter.	No
2	The permittee shall submit updated cost estimates for facility post-closure, as per A.A.C. R18-9-A201(B)(5) and A.R.S. 49-243.N.2.a.	Every 6 years from the date of permit signature, for the duration of the permit.	Yes

4.0 Tables of Monitoring Requirements

4.1 Pre-Operational Monitoring

Pre-operational monitoring is not a condition of this Permit.

4.2 Compliance (or Operational) Monitoring

The CALF is closed and operational monitoring is not a condition of this Permit.

4.3 Post-Closure Monitoring

Table 1A Facility Inspections

Parameter	Performance Level	Inspection Frequency ¹
Perimeter channels and berms	No visible erosion that would affect the integrity of the structure, no evidence of seepage, cracking, piping, sloughing, or sliding.	Semiannually and after every significant rain event ²
Final cover, including side slopes	No significant visible erosion, desiccation, subsidence, rilling, or settlement; No significant ponding of rainwater; No debris, litter, waste or vehicle fluid leakage;	Semiannually and after every significant rain event ²

Parameter	Performance Level	Inspection Frequency ¹
	No digging or excavation; No deep-rooted undesirable plant species	
Storm water run-on/run-off system, including drainage control structures perimeter roads, down drain structures, and riprap channels	No signs of erosion or sediment buildup; Side slope pipes free of blockages; Pipe inlets and outlets free of sediment buildup; Drainage collection ditches free of sediment buildup and blockages; Retention basins free of erosion or sediment buildup.	Semiannually and after every significant rain event ²
Groundwater monitoring system – integrity and operability	No visible damage; Surface seals intact; Surrounding area is free of standing water and/or excess vegetation.	Semiannually
Public access control	No visible damage; Gates locked during non-business hours; Facility is secure; No trespassing signage is maintained and visible at all approaches to the landfill.	Semiannually
Landfill gas monitoring system - integrity and operability	Probe labels are in place; Protective cover in good condition; Probe depth is maintained; Surrounding area free of standing water and/or excess vegetation.	Quarterly

¹ Post-closure inspection frequency may be reduced to semiannually following a demonstration to ADEQ that the reduced frequency is sufficient to protect human health and the environment.

² A significant rain event is defined as 0.50 inches or greater of precipitation within a 24-hour period.

Table 1B Landfill Gas Monitoring

Probe ID	Performance Level ¹	Sampling Frequency ³	Reporting Frequency ³
SG-1	5%	Quarterly	Semiannually
SG-2	5%	Quarterly	Semiannually
SG-3	5%	Quarterly	Semiannually
SG-4	5%	Quarterly	Semiannually
SG-5	5%	Quarterly	Semiannually

SG-6	5%	Quarterly	Semiannually
SG-7	5%	Quarterly	Semiannually
SG-8	5%	Quarterly	Semiannually
Facility structures (if any)	1.25% ²	Quarterly	Semiannually

¹ Lower Explosive Limit (LEL) in percent methane by volume.

² 25 percent of the LEL in percent methane by volume.

³ Post-closure monitoring frequency may be reduced to semiannually following a demonstration to ADEQ that the reduced frequency is sufficient to protect human health and the environment.

Table 2A Proposed Groundwater Monitoring Points

Well ID	Type	Location		Screened Interval (ft bgs ¹)
		Latitude	Longitude	
MW-2(R)	Monitor	33° 25' 24.05"N	112° 04' 27.09"W	90-140
MW-3(R)	POC ²	33° 25' 32.55"N	112° 04' 44.52"W	90-140
MW-4(R)	POC	33° 25' 24.87"N	112° 04' 46.69"W	90-140

¹ ft bgs = feet below ground surface

² POC = Point of Compliance

Table 2B Groundwater Monitoring

Parameter	AL ¹	AQL ²	Units	Analytical Method ⁶
Temperature	Monitor ³	Monitor	°F	EPA 170.1
Specific Conductance	Monitor	Monitor	µmhos/cm ⁴	EPA 120.6
pH	Monitor	Monitor	SU	EPA 150.1
Alkalinity (total)	Monitor	Monitor	mg/L ⁵	SM 2320
Nitrate (as N)	8.0	10.0	mg/L	EPA 300.0
Antimony	0.0048	0.006	mg/L	EPA 200.7
Arsenic	0.04	0.05	mg/L	EPA 200.7
Barium	1.6	2.0	mg/L	EPA 200.7
Cadmium	0.004	0.005	mg/L	EPA 200.7
Chromium	0.08	0.1	mg/L	EPA 200.7
Iron	Monitor	Monitor	mg/L	EPA 200.7
Mercury	0.0016	0.002	mg/L	EPA 200.7
Lead	0.04	0.05	mg/L	EPA 200.7
Selenium	0.04	0.05	mg/L	EPA 200.7
Fluoride	3.2	4.0	mg/L	EPA 300.0
Benzene	0.004	0.005	mg/L	EPA 8260
Carbon Tetrachloride	0.004	0.005	mg/L	EPA 8260

Parameter	AL ¹	AQL ²	Units	Analytical Method ⁶
Chlorobenzene	0.08	0.1	mg/L	EPA 8260
o-Dichlorobenzene; 1,2-Dichlorobenzene	0.48	0.6	mg/L	EPA 8260
p-Dichlorobenzene; 1,4-Dichlorobenzene	0.06	0.075	mg/L	EPA 8260
1,2-Dichloroethane; Ethylene dichloride	0.004	0.005	mg/L	EPA 8260
1,1-Dichloroethylene; 1,1-Dichloroethene; Vinylidene chloride	0.0056	0.007	mg/L	EPA 8260
1,2-Dichloropropane; Propylene dichloride	0.004	0.005	mg/L	EPA 8260
trans-1,2-Dichloroethene; 1,2-Dichloroethylene; 1,2-DCE	0.08	0.1	mg/L	EPA 8260
cis-1,2-Dichloroethene	0.056	0.07	mg/L	EPA 8260
trans-2,2-Dichloroethene	0.08	0.1	mg/L	EPA 8260
Dichloromethane; Methylene Chloride	0.004	0.005	mg/L	EPA 8260
Ethylbenzene	0.56	0.7	mg/L	EPA 8260
Styrene	0.08	0.1	mg/L	EPA 8260
Tetrachloroethylene; Tetrachloroethene; Perchloroethylene	0.004	0.005	mg/L	EPA 8260
Toluene	0.8	1.0	mg/L	EPA 8260
1,1,1-Trichloroethane; Methylchloroform	0.16	0.20	mg/L	EPA 8260
1,1,2-Trichloroethane	0.004	0.005	mg/L	EPA 8260
Trichloroethylene; Trichloroethene	0.004	0.005	mg/L	EPA 8260
Trihalomethanes (Total) ⁷	0.08	0.10	mg/L	EPA 8260
Vinyl Chloride	0.0016	0.002	mg/L	EPA 8260
Xylenes (total)	8.0	10.0	mg/L	EPA 8260

¹ AL = Alert Level

² AQL = Aquifer Quality Limit

³ Monitor = Monitoring required, but no limits established

⁴ μmhos/cm = micro mhos per centimeter

⁵ mg/L = milligrams per liter

⁶ The permittee shall use only Arizona State-approved methods unless ADEQ authorizes the use of another method. The permittee may substitute any EPA approved method for any other, if the substituted method provides detection limits that are equal to or lower than the limits of the originally approved method. All laboratory analyses shall have detection limits that are adequate for detection of the regulatory limits of the parameter in question. ADEQ reserves the right to determine the adequacy of the laboratory results based on the detection limits used.

⁷ The total trihalomethane (TTHM) standard is exceeded when the sum of the four individual constituents (Bromodichloromethane, Bromoform, Chloroform, and Dibromochloromethane) exceeds 0.10 mg/L.

Table 2C Groundwater Sampling and Reporting Frequency

Well ID	Parameter	Sampling and Reporting Frequency	
		Year 1 and 2 from the date of permit issuance	Year 3 and thereafter from the date of permit issuance

MW-2(R)	Listed in Table 2B	Semiannually	Annually
MW-3(R)	Listed in Table 2B	Semiannually	Annually
MW-4 (R)	Listed in Table 2B	Semiannually	Annually

4.4 Contingency Monitoring

Table 1 Contingency Groundwater Monitoring

Parameter	AL ¹	AQL ²	Units	Analytical Method ⁶	Sampling Frequency	Reporting Frequency
Temperature	Monitor ³	Monitor	°F	EPA 170.1	Quarterly	Semiannually
Specific Conductance	Monitor	Monitor	µmhos/cm ⁴	EPA 120.6	Quarterly	Semiannually
pH	Monitor	Monitor	SU	EPA 150.1	Quarterly	Semiannually
Alkalinity (total)	Monitor	Monitor	mg/L ⁵	SM 2320	Quarterly	Semiannually
Nitrate (as N)	8.0	10.0	mg/L	EPA 300.0	Quarterly	Semiannually
Arsenic	0.04	0.05	mg/L	EPA 200.7	Quarterly	Semiannually
Barium	1.6	2.0	mg/L	EPA 200.7	Quarterly	Semiannually
Cadmium	0.004	0.005	mg/L	EPA 200.7	Quarterly	Semiannually
Chromium	0.08	0.1	mg/L	EPA 200.7	Quarterly	Semiannually
Iron	Monitor	Monitor	mg/L	EPA 200.7	Quarterly	Semiannually
Mercury	0.0016	0.002	mg/L	EPA 200.7	Quarterly	Semiannually
Lead	0.04	0.05	mg/L	EPA 200.7	Quarterly	Semiannually
Selenium	0.04	0.05	mg/L	EPA 200.7	Quarterly	Semiannually
Fluoride	3.2	4.0	mg/L	EPA 300.0	Quarterly	Semiannually
Benzene	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually
Carbon Tetrachloride	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually
Chlorobenzene	0.08	0.1	mg/L	EPA 8260	Quarterly	Semiannually
o-Dichlorobenzene; 1,2-Dichlorobenzene	0.48	0.6	mg/L	EPA 8260	Quarterly	Semiannually
p-Dichlorobenzene; 1,4-Dichlorobenzene	0.06	0.075	mg/L	EPA 8260	Quarterly	Semiannually
1,2-Dichloroethane; Ethylene dichloride	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually

Parameter	AL ¹	AQL ²	Units	Analytical Method ⁶	Sampling Frequency	Reporting Frequency
1,1-Dichloroethylene; 1,1-Dichloroethene; Vinylidene chloride	0.0056	0.007	mg/L	EPA 8260	Quarterly	Semiannually
1,2-Dichloropropane; Propylene dichloride	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually
trans-1,2-Dichloroethene; 1,2-Dichloroethylene; 1,2-DCE	0.08	0.1	mg/L	EPA 8260	Quarterly	Semiannually
cis-1,2Dichloroethene	0.056	0.07	mg/L	EPA 8260	Quarterly	Semiannually
trans-2,2-Dichloroethene	0.08	0.1	mg/L	EPA 8260	Quarterly	Semiannually
Dichloromethane; Methylene Chloride	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually
Ethylbenzene	0.56	0.7	mg/L	EPA 8260	Quarterly	Semiannually
Styrene	0.08	0.1	mg/L	EPA 8260	Quarterly	Semiannually
Tetrachloroethylene; Tetrachloroethene; Perchloroethylene	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually
Toluene	0.8	1.0	mg/L	EPA 8260	Quarterly	Semiannually
1,1,1-Trichloroethane; Methylchloroform	0.16	0.20	mg/L	EPA 8260	Quarterly	Semiannually
1,1,2-Trichloroethane	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually
Trichloroethylene;Trichloroethene	0.004	0.005	mg/L	EPA 8260	Quarterly	Semiannually
Trihalomethanes (Total) ⁷	0.08	0.10	mg/L	EPA 8260	Quarterly	Semiannually
Vinyl Chloride	0.0016	0.002	mg/L	EPA 8260	Quarterly	Semiannually
Xylenes (total)	8.0	10.0	mg/L	EPA 8260	Quarterly	Semiannually

¹ AL = Alert Level

² AQL = Aquifer Quality Limit

³ Monitor = Monitoring required, but no limits established

⁴ μmhos/cm = micro mhos per centimeter

⁵ mg/L = milligrams per liter

⁶ The permittee shall use only Arizona State-approved methods unless ADEQ authorizes the use of another method. The permittee may substitute any EPA approved method for any other, if the substituted method provides detection limits that are equal to or lower than the limits of the originally approved method. All laboratory analyses shall have detection limits that are adequate for detection of the regulatory limits of the parameter in question. ADEQ reserves the right to determine the adequacy of the laboratory results based on the detection limits used.

⁷ The total trihalomethane (TTHM) standard is exceeded when the sum of the four individual constituents (Bromodichloromethane, Bromoform, Chloroform, and Dibromochloromethane) exceeds 0.10 mg/L.

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. *Aquifer Protection Permit, Closure of Central Avenue Landfill*, Prepared for United Metro Materials Inc.(UMM), Prepared by SECOR International Incorporated (SECOR), dated October 23, 1998.
2. *Closure/ Post-Closure Plan, Central Avenue Landfill, Maricopa County, Arizona*, Volume 1 of 3, Prepared for UMM, Prepared by SECOR dated October 23, 1998.
3. *Contract Drawings, Landfill Closure, Central Avenue Landfill, Maricopa County, Arizona*, Volume 2 of 3, prepared for UMM, prepared by SECOR, dated October 23, 1998.
4. *Engineering Specifications, Landfill Closure, Central Avenue Landfill, Maricopa County, Arizona*, Volume 3 of 3, Prepared for UMM, Prepared by SECOR, dated October 23, 1998.
5. *Letter to Aolad Hossain, ADEQ from SECOR*, dated May 13, 1999, providing responses to ADEQ technical review comments, dated April 7, 1999.
6. *Letter to Aolad Hossain, ADEQ from SECOR*, dated June 25, 1999, providing responses to ADEQ technical review comments, dated May 25, 1999.
7. *Letter to Aolad Hossain, ADEQ from SECOR*, dated July 30, 1999, providing responses to ADEQ technical review comments dated July 9, 1999.
8. *Letter to William Peck, UMM from Aolad Hossain, ADEQ* dated August 5, 1999, providing review comments to SECOR's responses, dated July 30, 1999.
9. *Letter to Aolad Hossain, ADEQ from SECOR*, dated August 30, 1999, providing a revised schedule of landfill closure and justifications.
10. *Letter to William Peck, UMM from Aolad Hossain, ADEQ* dated September 1, 1999, providing comments to SECOR's responses, dated August 30, 1999.
11. *Letter to Aolad Hossain, ADEQ from SECOR*, dated September 17, 1999, providing responses to review comments dated September 1, 1999.
12. *Letter to William Peck, UMM from Aolad Hossain, ADEQ* dated September 20, 1999, providing responses to SECOR's comments dated September 17, 1999.
13. *Letter to Aolad Hossain, ADEQ from SECOR*, dated September 30, 1999, providing responses to technical review comments dated September 20, 1999.
14. *Letter to William Peck, UMM from Aolad Hossain, ADEQ*, dated October 8, 1999 providing responses to closure review comments prepared by SECOR, dated September 30, 1999.
15. *Letter to Aolad Hossain, ADEQ from SECOR* dated October 26, 1999, providing responses to technical review comments dated October 8, 1999.
16. *Letter to William Peck, UMM from Aolad Hossain, ADEQ*, dated November 8, 1999, providing responses to SECOR's comments dated October 26, 1999.
17. *Letter to Aolad Hossain, ADEQ from SECOR* dated November 19, 1999, providing responses to technical review comments dated November 8, 1999.
18. *Aquifer Protection Permit Number P103989.00*, David Esposito, Director of Waste Programs Division, April 5, 2000.

19. *Fourth Quarterly Progress Report, Central Avenue Landfill, APP P-103989, Attachments Contingency Plan and Methane Gas Monitoring Plan, SECOR dated April 30, 2001.*
20. *Significant Amendment Application, CEMEX Construction Materials South, LLC, Aquifer Protection Permit Number P103989.00 Place ID # 833, July 15, 2016.*
21. *Response to Notice of Deficiency for CEMEX Construction Materials South, LLC, Significant Aquifer Amendment Application Dated August 5, 2016, APP No. P-103989, by CEMEX, August 23, 2016.*
22. *Aquifer Protection Permit No. P-103989.01, incorporating changes in ownership, ground water monitoring POC well, financial assurance mechanism, and post-closure cost estimates; Laura L. Malone, Director of Waste Programs Division, November XX, 2016.*

6.0 NOTIFICATION PROVISIONS

6.1 Annual Registration Fees [A.R.S. §§ 49-747(C), 49-836]

The CALF is a closed non-municipal solid waste landfill, and does not pay Annual Registration Fees to ADEQ. See also Section 2.1.1 of this permit.

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

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 and 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 that 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 at the applicable point of compliance for the facility. Where, at the time of issuance of the permit, an aquifer already exceeds an aquifer water quality standard 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(D) 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.
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 and A209(C)]

The permittee shall conduct any monitoring activity necessary to assure compliance with this permit and 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 specified by this permit.

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

This permit may be amended, transferred, renewed or revoked for cause, under the rules of the Department.

The permittee shall notify the ADEQ Solid Waste Unit in writing within fifteen (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 will be approved until the applicant complies with all transfer requirements as specified in A.A.C. R18-9-A212(B) and (C).