

**STATE OF ARIZONA
AQUIFER PROTECTION PERMIT NO. P-502585
PLACE ID 15476, LTF 77806
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) is hereby authorizes Love's Travel Stops and Country Stores is hereby authorized to discharge wastewater to the two surface impoundments located in Kingman, Mohave County, Arizona, over groundwater of the San Simone Valley sub-basin of the Safford basin, in Section 17, Township 21 North, Range 15 West of the Gila and Salt River Base Line 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: Love's Travel Stops and Country Stores

Facility Address: 6035 East Minerva Lane
Kingman, Arizona 86401

County: Mohave

Permittee: Love's Travel Stops and Country Stores

Permittee Address: 10601 North Pennsylvania Ave.
Oklahoma City, Oklahoma 73126

Annual Registration Fee Flow Rate: 750 gallons per day (gpd)

Facility Contact: Jesse Diaz, West Coast Environmental Manager

Emergency Phone No.: (405) 302-6794

Latitude/Longitude: 35° 11' 59" N / 113° 54' 14" W

Legal Description: Township 21N, Range 15W, Section 17, W/2, SW/4, of the Gila and Salt River Baseline and Meridian

1.2 AUTHORIZING SIGNATURE

Trevor Baggio, Director, Water Quality Division
Arizona Department of Environmental Quality

Signed this _____ day of _____, 2020

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)]

Loves Travel Stops and Country Stores is a fueling center. The subject of this permit is the operation of the two (2) existing evaporation ponds (EP1 and EP2). EP1 functions as the primary disposal pond. EP2 is used as a backup pond and receives flows when EP1 is out of commission for maintenance or is coming close to exceeding its required freeboard, then EP2 could become the primary evaporation pond for a short period of time until normal conditions return. The wash water generated from power washing the diesel fueling bay areas and contact stormwater from the above ground storage tank (AST) area is treated in an oil/water separator prior to being discharged to the evaporation ponds. The facility is also operating under a type 4 general permit for their septic system.

The evaporation ponds cover an area of 15,190 square foot (sq. ft.). Evaporation pond EP1 covers an area of 7,710 sq. ft., the discharge from the oil/water separator into the evaporation pond is estimated to be approximately 750 gallons per day. Evaporation pond EP2 covers an area of 7,480 sq. ft., the discharge from the oil/water separator into the evaporation pond is estimated to be approximately 750 gallons per day.

Permit Amendment

This permit amendment is to update the engineering design of the evaporation ponds. The earthen berms surrounding evaporation pond EP1 has been replaced with concrete wall. The liner system beneath the evaporation ponds has been secured to the concrete wall with water-proof adhesive. The closure cost was updated under this permit amendment. In addition reduced the monitoring from weekly to monthly in Section 4.2, Table 4.2.1, Facility Inspections.

The site includes the following permitted discharging facilities:

Discharging Facility	Latitude	Longitude
Evaporation Pond 1 (EP1)	35° 11' 59" N	113° 54' 18" W
Evaporation Pond 2 (EP2)	35° 11' 57" N	113° 54' 17" 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 750 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 Groundwater Protection Value Stream approved the closure costs of \$118,000.00. The financial capability was demonstrated through a performance surety bond demonstration as required in A.A.C. R18-9-A203(C)(2).

2.2 Best Available Demonstrated Control Technology (BADCT)

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

The facility has be designed, constructed, operated, and maintained to meet the treatment performance criteria for existing facilities as specified in Arizona Administrative Code R18-9-B205.

2.2.1 Engineering Design

The facility was designed and constructed according to plans approved by the ADEQ APP & Reuse Unit. EP1 is three (3) feet (ft) deep with a volume of 23,130 cu ft and a capacity of 173,012 gallons. EP2 is six (6) ft deep with a volume of 44,880 cu ft and a capacity of 335,702 gallons.

2.2.1.1 Engineering Design - Evaporation Ponds

The evaporation ponds are constructed in accordance with ADEQ approved plans containing the following design:

2.2.1.1.1 The subgrade consists of native or natural materials compacted to 90 percent of maximum dry density according to the Standard Proctor Test.

2.2.1.1.2 Concrete Walls

Pond EP1 is surrounded by a continuous pour concrete wall. The liner is securely attached and sealed to the concrete wall above the maximum pool elevation and secured in a way that will prevent water from seeping between the wall and the liner.

2.2.1.1.3 The liner system of the ponds consists of six (6) inches of sand below the one 40 mil High Density PolyEthylene - (HDPE) Ultra Violet (UV) resistant liner that is covered with twelve (12) inches of sand to provide protection for the liner.

2.2.1.1.4 The calculated freeboard and holding capacity of the evaporation ponds include containment of the 100-year, 24-hour storm event. Run-on from the 100-year, 24-hour storm event shall be diverted around the evaporation ponds.

2.2.1.1.5 An oil/water separator has been installed at the site to receive power washing from the diesel fueling bay areas and contact stormwater released from the AST secondary containment. The sludge from the separator shall be cleaned as necessary and will be disposed of off-site in accordance with local, state and federal waste disposal requirements. The separator maintenance shall meet the requirements of the manufacturer's specifications.

2.2.1.1.6 The manually operated valve for draining the AST secondary containment area shall be kept in the closed position at all times when draining uncontaminated storm water to the oil/water separator.

2.2.2.1.7 Wastewater and Liner System Compatibility

All solutions discharged to the lined evaporation ponds shall be compatible with the synthetic liner.

2.2.2 Site-specific Characteristics

BADCT is not based on site specific characterization.

2.2.3 Pre-operational Requirements

Not Required.

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 4.2.1 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.

2.2.5 Reclaimed Water Classification
 [A.A.C. R18-9-703(C)(2)(a), A.A.C. R18-11-303 through 307]
 Not Required.

2.2.6 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)]

2.3.1 Holding Capacity and Freeboard
 A freeboard of two (2) feet shall be maintained in the evaporation ponds at all times. Total maximum design holding capacity for the Evaporation Pond 1 (EP1) shall be 173,012 gallons allowing two (2) feet of freeboard and the total maximum design holding capacity for Evaporation Pond 2 (EP 2) shall be 335,702 gallons allowing two (2) feet of freeboard.

2.3.2 Authorized and Unauthorized Materials
 Authorized discharge to the evaporation ponds shall consist of and be restricted to Wash water used to wash the diesel fueling bays and storm water within the above ground storage tank (AST) containment area. The discharge to the evaporation pond shall not contain any organic solvents, or hazardous substances (A.R.S. § 49-201(19)) that are not associated with aforementioned routine operations and the authorized waste streams. In the event of an unauthorized discharge or accidental spill, the permittee shall initiate the contingency requirements as described in Section 2.6.3 (Discharge Limit Violations) and 2.6.5 (Emergency Response and Contingency Requirements for Spills and Unauthorized Discharges).

2.3.3 Evaporation Pond (s) Maintenance
 The permittee shall maintain the evaporation ponds to the maximum extent practicable to ensure that there are no liner failures, uncontrollable leaks, overtopping, berm breaches, accidental spills, or other unauthorized discharges into the environment.

2.3.4 Evaporation Pond Monitoring Requirements
 The evaporation ponds shall be inspected and the discharge monitored in accordance with Section 2.5 (Monitoring Requirements) and Section 4.0 (Tables of Monitoring Requirements) of this permit

2.3.5 Oil/Water Separator
 The Oil/Water Separator shall be inspected and monitored in accordance with Section 2.5 (Monitoring Requirements) and Section 4.2 (Tables of Monitoring Requirements) of this permit. Treated effluent from the oil/water separator shall be directed to the evaporation pond. Sludge collected from the oil/water separator shall be properly characterized and disposed of at a state approved facility. Discharge water from the separator shall contain less than 50 mg/L in oil and grease or total petroleum hydrocarbons (TPH) content. Discharge monitoring is not required for this permit. Discharge quality is subject to verification by ADEQ inspectors.

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

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

POC #	POC Location	Latitude	Longitude
POC # 1 (Conceptual)	Adjacent to the Evaporation Pond 1	35° 11' 59" N	113° 54' 18" W
POC # 2 (Conceptual)	Adjacent to the Evaporation Pond 2	35° 11' 57"N	113° 54' 17" W

The POC is conceptual; groundwater monitoring is not required at the POCs at permit issuance. 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 Discharge Monitoring

None required by this permit.

2.5.3 Facility / Operational Monitoring

At a minimum, permitted facilities shall be inspected for performance levels listed in Section 4.2, Table 4.2.1. If damage is identified during an inspection that could cause or contribute to an unauthorized discharge pursuant to A.R.S. § 49-201(12), proper repairs shall be promptly performed. Results of these inspections and monitoring activities shall be documented and maintained at the facility location for at least 10 years, and as required by Section 2.7.2 of this permit.

2.5.4 Groundwater Monitoring and Sampling Protocols

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

2.5.5 Surface Water Monitoring and Sampling Protocols

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

2.5.6 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 applicable 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 unless exempted under A.R.S. § 36-495.02. 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
Phone: (602) 364-0720

2.5.7 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 and 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 plan.

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, unless more specific reporting requirements are set forth in Section 2.6.2 through 2.6.5 below.

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. For freeboard operational performance levels, the permittee shall comply with the requirements as specified in Section 4.2, Table 4.2.1 (Facility Inspections) to prevent the overtopping of an impoundment. If an impoundment is overtopped, the permittee shall follow the requirements in Section 2.6.5.3 and the reporting requirements of Section 2.7.3.
2. If another operational performance level set in Section 4.2, Table 4.2.1 has been exceeded, the permittee shall:
 - a. Notify the Groundwater Protection Value Stream within five (5) days of becoming aware of the exceedance.
 - b. Submit a written report within 30 days after becoming aware of the exceedance. The report shall document all of the following:
 - (1) A description of the exceedance and its cause;
 - (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.

3. The facility is no longer on alert status once the operational indicator no longer indicates that the performance level is being exceeded. The permittee shall, however, complete all tasks necessary to return the facility to its pre-alert operating condition.

2.6.2.1.1 Exceeding Performance Level Set for Operation of the Oil/Water Separator

If a performance level specified in Section 4.2, Table 4.2.2 has been exceeded the permittee shall:

1. Within five (5) days of the discovery, investigate the cause of the incident, including an evaluation of the facility operational practices, and an inspection of the oil/water separator.
2. Immediately correct or modify any operational or maintenance problems identified by the investigation and perform activities as necessary to return the facility to its pre-alert operating condition and to avoid future exceedances.
3. If performance standards for the operation of the oil/water separator are exceeded for more than one week and have not been corrected the permittee shall cease discharging to the evaporation pond, properly characterize the effluent and begin disposal of the wastewater to an approved waste disposal facility in accordance with federal, state, and local rules and regulations. No discharges shall be directed to the evaporation pond until the condition that led to the exceedance of the performance standard is corrected and the permittee is no longer exceeding the performance standard.
4. Record in the facility log the findings of the investigation, and a description of the activities performed to correct the problem. The facility log shall be maintained according to Section 2.7.2. Records documenting each incident and actions taken to correct the problem shall be included in the annual report as required in Section 2.7.4 of this permit.
5. Upon review of the report, the ADEQ may request additional monitoring or remedial actions.

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

Routine discharge monitoring is not required at time of permit issuance.

2.6.3 Discharge Limit Violation

2.6.3.1 Discharge of Unauthorized Materials

If unauthorized materials are discharged to the oil/water separator or the evaporation pond the permittee shall follow the requirements of Section 2.7.3 and shall take the following actions:

1. Within 24 hours of discovery, notify the ADEQ Groundwater Protection Value Stream of the incident.
2. Within 5 days, sample the evaporation pond and characterize for the parameters listed in Section 4.3, (Contingency Monitoring) Table 4.3.1 (and additional parameters if needed for the specific discharge), identify the source of the unauthorized material and eliminate the discharge immediately. Repair equipment if applicable and necessary, or adjust the operation to avoid future occurrences. The permittee shall evaluate the ability of the oil/water separator to treat the discharge with respect to the oil/water separator's treatment performance capacity and specifications for discharges to the evaporation pond.
3. Within 60 days submit a report describing the actions taken in (1) and (2) above, and the information specified in Section 2.7.3, to the ADEQ Groundwater Protection Value Stream. Upon review of the report, the ADEQ may request additional monitoring or corrective action that the permittee shall perform.

2.6.3.2 Evaporation Impoundments: Liner Failure, Containment Structure Failure, or Unexpected Loss of Fluid for a Reason other than Overtopping Not Required.

In the event of liner failure, containment structure failure, or unexpected loss of fluid resulting in an unauthorized discharge pursuant to A.R.S. § 49-201(12) as described in Section 2.3, the permittee shall take the following actions:

1. As soon as practicable, cease or minimize all discharges to the surface impoundment as necessary to prevent any further releases to the environment.
2. Within 24-hours of discovery, notify the Groundwater Protection Value Stream.
3. Within five days of discovery of a failure that resulted in a discharge to the subsurface, collect a representative sample of the fluid remaining in the surface impoundment. Samples shall be analyzed for the parameters specified in Section 4.3, (Contingency Monitoring) Table 4.3.1. Within 30 days of the incident, submit a copy of the analytical results to the Groundwater Protection Value Stream.
4. Within 15 days of discovery, initiate an evaluation to determine the cause for the incident. Identify the circumstances that resulted in the failure and assess the condition of the surface impoundment and liner system. Implement corrective actions as necessary to resolve the problems identified in the evaluation. Initiate repairs to any failed liner, system, structure, or other component as needed to restore proper functioning of the surface impoundment. The permittee shall not resume discharging to the surface impoundment to normal operating volumes until repairs of any failed liner or structure are performed. Repair procedures, methods, and materials used to restore the system(s) to proper operating condition shall be described in the facility log/recordkeeping file and available for ADEQ review.
5. As soon as practicable, remove fluid remaining in the surface impoundment as necessary to prevent further releases to the subsurface and/or to perform repairs. Record in the facility log/recordkeeping file the amount of fluid removed a description of the removal method, and other disposal arrangements. The facility log/recordkeeping file shall be maintained according to Section 2.7.2 (Operation Inspection / Log/Recordkeeping File).
6. Within 30 days of discovery of the incident, submit a report to ADEQ as specified in Section 2.7.3.2 (Permit Violation and AL Status Reporting). Include a description of the actions performed in Subsections 1 through 5 listed above. Upon review of the report, ADEQ may request additional monitoring or remedial actions.
7. Within 60 days of discovery, conduct an assessment of the impacts to the subsoil and/or groundwater resulting from the incident. If soil or groundwater is impacted such that it could cause or contribute to an exceedance of an AQL at the applicable point of compliance, submit to ADEQ, for approval, a corrective action plan to address such impacts, including identification of remedial actions and/or monitoring, and a schedule for completion of activities. At the direction of ADEQ, the permittee shall implement the approved plan.
8. Within 30 days of completion of corrective actions, submit to ADEQ, a written report as specified in section 2.6.6 (Corrective Actions). Upon review of the report, ADEQ may amend the permit to require additional monitoring, increased frequency of monitoring, amendments to permit conditions, or other actions.

2.6.3.3 Overtopping of a Evaporation Impoundment

If overtopping of fluid from a permitted evaporation impoundment occurs, and results in a discharge pursuant to A.R.S. § 49-201(12), the Permittee shall:

1. As soon as practicable, cease or minimize all discharges to the surface impoundment to prevent any further releases to the environment.
2. Within 24-hours of discovery, notify the ADEQ Groundwater Protection Value Stream.
3. Within five days, collect a representative sample of the fluid contained in the surface impoundment. Samples shall be analyzed for the parameters specified in Section 4.3, Table 4.3.1. Within 30 days of the incident, submit a copy of the analytical results to the Groundwater Protection Value Stream.

4. As soon as practicable, remove and properly dispose of excess water in the impoundment until the water level is restored at or below the appropriate freeboard as described in Section 4.2, Table 4.2.1. Record in the facility log, the amount of fluid removed a description of the removal method, and the disposal arrangements. The facility log/recordkeeping file shall be maintained according to Section 2.7.2 (Operation Inspection / Log/Recordkeeping File).
5. Within 30 days of discovery, evaluate the cause of the overtopping and identify the circumstances that resulted in the incident. Implement corrective actions and adjust operational conditions as necessary to resolve the problems identified in the evaluation. Repair any systems as necessary to prevent future occurrences of overtopping.
6. Within 30 days of discovery of overtopping, submit a report to ADEQ as specified in section 2.7.3.2 (Permit Violation and AL Status Reporting). Include a description of the actions performed in Subsections 1 through 5 listed above. Upon review of the report, ADEQ may request additional monitoring or remedial actions.
7. Within 60 days of discovery, and based on sampling in Subsection 3 above, conclude an assessment of the impacts to the subsoil and/or groundwater resulting from the incident.
8. If soil or groundwater is impacted such that it could cause or contribute to an exceedance of an AQL at the applicable point of compliance, within 120 days of discovery Permittee shall submit to ADEQ for approval, a corrective action plan to address such impacts, including identification of remedial actions and/or monitoring, and a schedule for completion of activities. At the direction of ADEQ, the Permittee shall implement the approved plan.
9. Within 30 days of completion of corrective actions, submit to ADEQ, a written report as specified in Section 2.6.6 (Corrective Actions). Upon review of the report, ADEQ may amend the permit to require additional monitoring, increased frequency of monitoring, amendments to permit conditions, mitigation, or other actions.

2.6.3.4 Inflows of Unexpected Materials to an Evaporation Impoundment

The types of materials that are expected to be placed in the permitted evaporation impoundments are specified in Section 2.3 (Discharge Limitations). If any unexpected materials flow to a permitted evaporation impoundment, the Permittee shall:

1. As soon as practicable, cease all unexpected inflows to the surface impoundment(s).
2. Within 24-hours of discovery, notify the ADEQ Groundwater Protection Value Stream.
3. Within five days of the incident, identify the source of the material and determine the cause for the inflow. Characterize the unexpected material and contents of the affected impoundment, and evaluate the volume and concentration of the material to determine if it is compatible with the surface impoundment liner. Based on the evaluation of the incident, repair any systems or equipment and/or adjust operations, as necessary to prevent future occurrences of inflows of unexpected materials.
4. Within 30 days of an inflow of unexpected materials, submit a report to ADEQ as specified in Section 2.7.3 Permit Violation and AL Status Reporting). Include a description of the actions performed in Subsections 1 through 3 listed above. Upon review of the report, ADEQ may request additional monitoring or remedial actions.
5. Upon review of the report, ADEQ may amend the permit to require additional monitoring, increased frequency of monitoring, amendments to permit conditions, mitigation, or other actions.

2.6.3.5 Slope and Berm Failures

If a slope or berm failure involving the liners, surface impoundments or retention structures (dams) occurs that affects the ability of the facility to operate safely or results in an unauthorized discharge, the permittee shall promptly close the active area in the vicinity of the failure, and conduct a field investigation of the failure to analyze its origin and extent, its impact on the facility operations, temporary and permanent repairs and changes in operational plans considered necessary. Within 30 days of a slope or berm failure, the permittee shall submit a written report which includes the documentation specified in Section 2.7 of this

permit. The permittee shall initiate the actions necessary to mitigate the impacts of the failure, consistent with Department approval.

2.6.4 Aquifer Quality Limit Violation

Not applicable - Groundwater monitoring is not required under 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

No SMRFs are required by this permit.

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 requested in Section 4.2, Table 4.2.1 in the facility log book as per Section 2.7.2, and report to ADEQ any violations or exceedances as per Section 2.7.3.

2.7.4.1 Annual Report

The permittee shall submit an annual report in narrative and/or tabular form to the Groundwater Protection Value Stream that briefly summarizes the status of compliance under this permit. The report shall identify any contingency actions taken, violations of this permit, any Alert Levels or Discharge Limitations, or Aquifer Quality Limits that have been exceeded; shall summarize the findings of the monitoring required by Section 2.5, Section 2.6, and Section 4.2; and shall include any information specifically required by permit condition to be submitted in the annual report. The annual report is to be submitted by January 30 of each year to cover activities from January 1 through December 31st of the previous year, consistent with Section 2.7.6.

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> - Not Required

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 report due dates:

Monitoring conducted:	Report due by:
Annual: January- 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]

Unless otherwise indicated, for each compliance schedule item listed below, the permittee shall submit the required information to the Groundwater Protection Value Stream.

No.	Description	Due by:	Permit Amendment Required?
3.1	The permittee shall submit a demonstration that the Self-assurance financial assurance mechanism listed in Section 2.1, Financial Capability, remains viable. The demonstration shall include a statement that the closure and post-closure strategy has not changed, the discharging facilities listed in the permit have not been altered and discharging facilities have not been added. The demonstration shall also include information in support of the performance surety bond demonstration as required in A.A.C. R18-9-A203(C)(2).	By June 30, 2026, and every six (6) years thereafter, for the duration of the permit.	No
3.2	The permittee shall submit updated cost estimates for facility closure and post-closure, as per A.A.C. R18-9-A201(B)(5) and A.R.S. 49-243.N.2.a, and an updated financial assurance demonstration for the updated cost estimate as per A.A.C. R18-9-A203.	By June 30, 2026, and every six (6) years thereafter, for the duration of the permit.	Yes

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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 4.2.1 Facility Inspection Monitoring (Log Book)

Table 4.2.2 Performance Level for Operation of the Oil/Water Separator (Log Book)

4.3 Contingency Monitoring

Table 4.3.1 Compliance Discharge Characterization for BADCT Failures

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4.2 COMPLIANCE (or OPERATIONAL) MONITORING

**TABLE 4.2.1
 FACILITY INSPECTION - LOG BOOK¹**

Pollution Control Structure/Parameter	Performance Level	Inspection Frequency
Evaporation Pond Freeboard	Minimum of two (2) feet	Monthly or after a significant rainstorm or other natural disaster
Evaporation Pond Fluid Level	No unexpected or sudden loss	Monthly and after a significant storm or other natural disaster
Liner Integrity	No visible structural weakness, seepage erosion, or other hazardous conditions	Monthly and after a significant storm or other natural disaster
Berm Integrity	No visible structural damage, breach, erosion of embankments, or seepage	Monthly and after a significant storm or other natural disaster
Evidence of Overtopping of the Evaporation Pond	Discharge to the land surface surrounding the pond	Monthly and after a significant storm or other natural disaster

¹ 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.

4.2 COMPLIANCE (or OPERATIONAL) MONITORING

TABLE 4.2.2

PERFORMANCE LEVEL FOR OPERATION OF THE OIL/WATER SEPARATOR (Log Book) ²

Parameter	Performance Level	Monitoring Method	Monitoring Frequency
Oil/Water Separator Integrity	No Damage or Leakage	Observation	Monthly
Sediment Removal	Sludge accumulation shall not impede effective operation	Observation	Monthly
Oil/Water Separator effluent	No oil sheen or petroleum odor	Observation	Monthly
All Piping, pumps, valves, controls and gauges as applicable.	Documented to be in proper working order	Observation	Monthly

² The Permittee shall report annually for the Oil/Water Separator monitoring if there is an event as per Section 2.7.4.1. If no event occurred, the Permittee shall state the fact in the Log Book.

4.3 COMPLIANCE (or OPERATIONAL) MONITORING

**TABLE 4.3.1
CONTINGENCY DISCHARGE CHARACTERIZATION FOR BADCT FAILURES AND
OVERTOPPING³**

Parameter	Units	Monitoring Frequency ⁴
pH (field)	Standard Units	One sample
Alkalinity	mg/L	One sample
Total Dissolved Solids (TDS)	mg/L	One sample
Specific Conductance (lab)	umhos/cm	One sample
Hardness ⁵	Standard Units	One sample
Nitrate + Nitrite	mg/L	One sample
Calcium	mg/L	One sample
Chloride	mg/L	One sample
Fluoride	mg/L	One sample
Magnesium	mg/L	One sample
Potassium	mg/L	One sample
Sodium	mg/L	One sample
Sulfate	mg/L	One sample
Antimony	mg/L	One sample
Arsenic	mg/L	One sample
Barium	mg/L	One sample
Beryllium	mg/L	One sample
Cadmium	mg/L	One sample
Chromium	mg/L	One sample
Lead	mg/L	One sample
Mercury	mg/L	One sample
Nickel	mg/L	One sample
Selenium	mg/L	One sample
Thallium	mg/L	One sample
Zinc	mg/L	One sample

³ Monitor under this table for Discharge of Unauthorized Materials per Section 2.6.3.1, Evaporation Impoundments, Liner Failure, Containment Structure Failure, Unexpected Loss of Fluid Other than overtopping per Section 2.6.3.2, or Overtopping of an Impoundment 2.6.3.3.

⁴ One sample shall be taken within five (5) days of an event.

⁵ Hardness may be expressed as the sum of calcium plus magnesium as calcium carbonate (CaCO₃)
mg/L = milligrams per liter umhos/cm = micromhos per centimeter

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: October 22, 2019
2. Contingency Plan, dated: 2002
3. Final Engineering Memo dated: February 4, 2020
4. Final Hydrologist Memo dated: NA
5. Financial Review Memo dated: February 24, 2020
6. Public Notice date: TBD

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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. Based on the flows of 750 gallons per day, no Annual Fee is required under the terms of this permit.

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.

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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).