

STATE OF ARIZONA  
AQUIFER PROTECTION PERMIT NO. P-100973  
PLACE ID 1218, LTF 78072  
SIGNIFICANT AMENDMENT

## 1.0 AUTHORIZATION

In compliance with the provisions of Arizona Revised Statutes (A.R.S.) Title 49, Chapter 2, Articles 1, 2, and 3, Arizona Administrative Code (A.A.C.) Title 18, Chapter 9, Articles 1 and 2, A.A.C. Title 18, Chapter 11, Article 4 and amendments thereto, and the conditions set forth in this permit, the Arizona Department of Environmental Quality (ADEQ) hereby authorizes Town of Clifton to operate the Town of Clifton Wastewater Treatment Plant located at on the east side of and adjacent to the San Francisco River, in Clifton, in Greenlee County over the groundwater of the Morenci Basin in Township 4S, Range 30E, Section 31, NE¼, SE¼, SW¼ 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:** Town of Clifton Wastewater Treatment Plant  
**Facility Address:** On the east side of and adjacent to the San Francisco River  
Clifton, AZ 85533

**County:** Greenlee

**Permitted Flow Rate:** 200,000 gallons per day

**Permittee:** Town of Clifton  
**Permittee Address:** PO Box 1415  
Clifton, AZ 85533

**Facility Contact:** Jerry Valezeula, Public Works Director  
**Emergency Phone No.:** 928-965-2288

**Latitude/Longitude:** 33° 02' 14" N / 109° 17' 57" W  
**Legal Description:** Township 4S, Range 30E, Section 31, NE¼, SE¼, SW¼, Gila and Salt River  
Baseline and Meridian

## 1.2. AUTHORIZING SIGNATURE

\_\_\_\_\_  
**Randall Matas, Deputy Director**  
Water Quality Division  
Arizona Department of Environmental Quality

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2021

**THIS AMENDED PERMIT SUPERCEDES ALL PREVIOUS PERMITS**

**TABLE OF CONTENTS**

**1.0 AUTHORIZATION ..... 1**

    1.1. PERMITTEE INFORMATION ..... 1

    1.2. AUTHORIZING SIGNATURE ..... 1

**2.0 SPECIFIC CONDITIONS..... 4**

    2.1. FACILITY / SITE DESCRIPTION ..... 4

        2.1.1. Annual Registration Fee ..... 4

        2.1.2. Financial Capability..... 4

    2.2. BEST AVAILABLE DEMONSTRATED CONTROL TECHNOLOGY (BADCT) ..... 5

        2.2.1. Engineering Design ..... 5

        2.2.2. Site-Specific Characteristics ..... 5

        2.2.3. Pre-Operational Requirements..... 5

        2.2.4. Operational Requirements ..... 5

        2.2.5. Reclaimed Water Classification ..... 5

        2.2.6. Certified Areawide Water Quality Management Plan Conformance ..... 5

    2.3. DISCHARGE LIMITATIONS ..... 5

    2.4. POINT OF COMPLIANCE (POC)..... 6

    2.5. MONITORING REQUIREMENTS ..... 6

        2.5.1. Pre-Operational Monitoring..... 6

        2.5.2. Routine Discharge Monitoring ..... 6

        2.5.3. Reclaimed Water Monitoring ..... 6

        2.5.4. Facility / Operational Monitoring..... 6

        2.5.5. Groundwater Monitoring And Sampling Protocols ..... 7

            2.5.5.1. POC Well Replacement ..... 3

        2.5.6. Surface Water Monitoring And Sampling Protocols ..... 7

        2.5.7. Analytical Methodology ..... 7

        2.5.8. Installation And Maintenance Of Monitoring Equipment ..... 7

    2.6. CONTINGENCY PLAN REQUIREMENTS ..... 7

        2.6.1. General Contingency Plan Requirements ..... 7

        2.6.2. Exceeding Of Alert Levels And Performance Levels ..... 8

            2.6.2.1. Exceeding Of Performance Levels Set For Operational Conditions ..... 8

            2.6.2.2. Exceeding Of Alert Levels (Als) Set For Discharge Monitoring..... 8

                2.6.2.2.1. Exceeding Permit Flow Limit ..... 9

            2.6.2.3. Exceeding Of Alert Levels In Groundwater Monitoring ..... 9

                2.6.2.3.1. Alert Levels For Indicator Parameters ..... 9

                2.6.2.3.2. Alert Levels For Pollutants With Numeric Aquifer Water Quality Standards..... 9

                2.6.2.3.3. Alert Levels To Protect Downgradient Users From Pollutants Without Numeric Aquifer Water Quality Standards ..... 3

                2.6.2.3.4. Alert Level For Groundwater Level ..... 9

        2.6.3. Discharge Limit Violation ..... 9

        2.6.4. Aquifer Quality Limit Exceedances ..... 10

        2.6.5. Emergency Response And Contingency Requirements For Unauthorized Discharges ..... 10

            2.6.5.1. Duty To Respond ..... 10

            2.6.5.2. Discharge Of Hazardous Substances Or Toxic Pollutants ..... 10

            2.6.5.3. Discharge Of Non-Hazardous Materials ..... 10

            2.6.5.4. Reporting Requirements ..... 10

        2.6.6. Corrective Actions ..... 10

    2.7. REPORTING AND RECORDKEEPING REQUIREMENTS ..... 11

        2.7.1. Self-Monitoring Report Form..... 11

        2.7.2. Operation Inspection / Log Book Recordkeeping ..... 11

        2.7.3. Permit Violation And Alert Level Status Reporting..... 11

- 2.7.4. Operational, Other Or Miscellaneous Reporting ..... 12
- 2.7.5. Reporting Location ..... 12
- 2.7.6. Reporting Deadline ..... 12
- 2.7.7. Changes To Facility Information In Section 1.0 ..... 13
- 2.8. TEMPORARY CESSATION ..... 13
- 2.9. CLOSURE..... 13
  - 2.9.1. Closure Plan..... 13
  - 2.9.2. Closure Completion ..... 14
- 2.10. POST-CLOSURE..... 14
  - 2.10.1. Post-Closure Plan..... 14
  - 2.10.2. Post-Closure Completion..... 14
- 3.0 COMPLIANCE SCHEDULE ..... 15**
- 4.0 TABLES OF MONITORING REQUIREMENTS ..... 16**
  - 4.1. PRE-OPERATIONAL MONITORING (OR CONSTRUCTION REQUIREMENTS) ..... 16
  - 4.2. COMPLIANCE OR OPERATIONAL MONITORING ..... 16
- 5.0 REFERENCES AND PERTINENT INFORMATION ..... 19**
- 6.0 NOTIFICATION PROVISIONS ..... 19**
  - 6.1. ANNUAL REGISTRATION FEES ..... 19
  - 6.2. DUTY TO COMPLY ..... 19
  - 6.3. DUTY TO PROVIDE INFORMATION ..... 19
  - 6.4. COMPLIANCE WITH AQUIFER WATER QUALITY STANDARDS ..... 19
  - 6.5. TECHNICAL AND FINANCIAL CAPABILITY ..... 20
  - 6.6. REPORTING OF BANKRUPTCY OR ENVIRONMENTAL ENFORCEMENT ..... 20
  - 6.7. MONITORING AND RECORDS ..... 20
  - 6.8. INSPECTION AND ENTRY ..... 20
  - 6.9. DUTY TO MODIFY ..... 20
  - 6.10. PERMIT ACTION: AMENDMENT, TRANSFER, SUSPENSION, AND REVOCATION ..... 20
- 7.0 ADDITIONAL PERMIT CONDITIONS ..... 20**
  - 7.1. OTHER INFORMATION ..... 20
  - 7.2. SEVERABILITY ..... 21
  - 7.3. PERMIT TRANSFER ..... 21

**TABLE OF TABLES**

- TABLE 1: DISCHARGING FACILITIES ..... 4
- TABLE 2: POINT(S) OF COMPLIANCE ..... 6
- TABLE 3: ACCELERATED MONITORING - ALERT LEVEL EXCEEDANCE ..... 3
- TABLE 4: ACCELERATED MONITORING - AQUIFER QUALITY LIMIT VIOLATION ..... 3
- TABLE 5: QUARTERLY REPORTING DEADLINES ..... 12
- TABLE 6: (SEMI-)ANNUAL REPORTING DEADLINES ..... 13
- TABLE 7: COMPLIANCE SCHEDULE ITEMS ..... 15
- TABLE 8: INITIAL START-UP PLAN ..... 3
- TABLE 9: ROUTINE DISCHARGE MONITORING ..... 17
- TABLE 10: RECLAIMED WATER MONITORING ..... 3
- TABLE 11: GROUNDWATER MONITORING ..... 3
- TABLE 12: FACILITY INSPECTION AND OPERATIONAL MONITORING ..... 18

**2.0 SPECIFIC CONDITIONS**

[A.R.S. §§ 49-203(4), 49-241(A)]

**2.1. FACILITY / SITE DESCRIPTION**

[A.R.S. § 49-243(K)(8)]

The permittee is authorized to operate Town of Clifton Wastewater Treatment Plant (WWTP) with a capacity to treat 0.2 million gallons per day (mgd) of flow upon construction of the Upgraded WWTP. The Existing WWTP is rated at 0.175 mgd.

Existing WWTP: The Existing WWTP is rated at 0.175 mgd. The Existing WWTP train included an influent pump station, a clarigester tank, a tricking filter and a lined storage pond. Currently, the clarigester tank and trickling filter is out of service and the Existing WWTP is not operating as originally approved. At present, the raw sewage is pumped and stored in storage pond and then diverted to Morenci Mine WWTP #100193 for treatment and disposal.

Upgraded WWTP: The Upgraded WWTP will be rated at 0.2 mgd and provide Moving Bed Bioreactor (MBBR) system. The treatment train will include a new parshall flume, an existing influent pump station with new upgraded pumps, a fine screen, a MBBR treatment tank partitioned to an equalization tank, MBBR tank, a clarifier, and an aerobic digester. The sludge from the digester will be dewatered in two existing concrete lined sludge drying beds. The effluent will be stored in a storage pond lined with 36-mil synthetic liner. The effluent from the storage pond is pumped to Morenci Mine #100193 using the existing pumps an associated transmission pipeline owned and operated by Freeport-McMoRan Copper & Gold, Inc. The effluent will be further treated at Morenci Mine WWTP and then disposed at the mine site.

The disposition of the effluent after it leaves the effluent pump station at Town of Clifton WWTP shall become the responsibility of Freeport McMoRan Copper & Gold, Inc.

All industrial hookups and other non-residential hookups to the treatment system shall be authorized according to the applicable federal, state or local regulations.

The site includes the following permitted discharging facilities:

Table 1: DISCHARGING FACILITIES		
Facility	Latitude	Longitude
Town of Clifton WWTP	33° 13' 49" N	111° 33' 45" W
Effluent Storage Pond	33° 13' 45" N	111° 33' 39" W

**2.1.1. 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 annual registration fee flow rate is established by the permitted flow rate identified in Section 1.1. If the facility is not constructed or is incapable of discharge, the permittee may be eligible for reduced fees pursuant to A.A.C. R18-14-104(A), Table 2. Send all correspondence requesting reduced fees to the Groundwater Protection Value Stream. Please reference the permit number, LTF number, and the reason for requesting reduced fees under this rule.

**2.1.2. Financial Capability**

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

The permittee has demonstrated financial capability under A.R.S. § 49-243(N) and A.A.C. R18-9-A203. The estimated dollar amount for facility closure is \$96,832. The financial capability was demonstrated through A.A.C. R18-9-A203(B)(1)and(2).

**2.2. BEST AVAILABLE DEMONSTRATED CONTROL TECHNOLOGY (BADCT)**

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

The WWTP is designed to meet the treatment performance criteria for under alternative BADCT as specified in Arizona Administrative Code R18-9-B204(D). The facility will not be discharging the effluent from the WWTP. All the tanks are constructed of concrete and the effluent storage pond is lined with 36-mil synthetic liner. The effluent will be discharged to the Morenci WWTP #100193 for further treatment.

The treatment facility shall not exceed a maximum seepage rate of 550 gallons per day per acre for all containment structures within the treatment works.

**2.2.1. Engineering Design**

The modifications at the WWTP was designed as per the design report and drawings prepared and stamped, dated, and signed (sealed) by Jessica Kwiatkowski, P.E., Bowman Consulting dated June 2020 and subsequent sealed submittals that served as additions to the design report.

**2.2.2. Site-Specific Characteristics**

Site specific characteristics were not used to determine BADCT.

**2.2.3. Pre-Operational Requirements**

Prior to initiating use of the Upgraded WWTP treatment components, the permittee shall submit a signed, dated, and sealed Engineer's Certificate of Completion in a format approved by the Department per the compliance schedule in Section 3.0. The certificate shall be submitted to the Groundwater Protection Value Stream.

**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 8: FACILITY INSPECTION AND OPERATIONAL MONITORING

**2.2.5. Reclaimed Water Classification**

[A.A.C. R18-9-B701(C)(2)(a), A.A.C. R18-11-303 through 307]

Not applicable

**2.2.6. Certified Areawide Water Quality Management Plan Conformance**

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

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

**2.3. DISCHARGE LIMITATIONS**

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

1. The permittee is authorized to operate the treatment facility with a maximum average monthly flow of 0.175 mgd for Existing WWTP and 0.2 mgd for Upgraded WWTP.
2. The permittee shall notify all users that the materials authorized to be disposed of through the treatment facility are typical household sewage and pre-treated commercial wastewater and shall not include motor oil, gasoline, paints, varnishes, hazardous wastes, solvents, pesticides, fertilizers or other materials not generally associated with toilet flushing, food preparation, laundry facilities and personal hygiene.

3. The permittee shall operate and maintain all permitted facilities to prevent unauthorized discharges pursuant to A.R.S. § 49-201(12) resulting from failure or bypassing of applicable BADCT.
4. Specific discharge limitations are listed in Section 4.2, Table 7: ROUTINE DISCHARGE MONITORING.

**2.4. POINT OF COMPLIANCE (POC)**

[A.R.S. § 49-244]

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

Table 2: POINT(S) OF COMPLIANCE			
POC #	POC Location	Latitude (North)	Longitude (West)
1 (Conceptual)	South of the WWTP at the property boundary	33° 02' 11"	109° 17' 56"

POC #1 well is a conceptual well, monitoring is not required at the POC well. The director may require an amendment of this permit to install a monitoring well if there is cause or concern that groundwater quality may be impacted at the POC.

**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 applicable.

**2.5.2. Routine Discharge Monitoring**

The permittee shall monitor the effluent according to Section 4.2, Table 7: ROUTINE DISCHARGE MONITORING. Representative samples of the effluent shall be collected at the point of discharge from the effluent pump station.

**2.5.3. Reclaimed Water Monitoring**

Not applicable.

**2.5.4. Facility / Operational Monitoring**

Operational monitoring inspections shall be conducted according to Section 4.2, Table 8: FACILITY INSPECTION AND OPERATIONAL MONITORING.

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 case of a violation or exceedance as per Section 2.7.3.

**2.5.5. Groundwater Monitoring and Sampling Protocols**

Not applicable.

**2.5.6. Surface Water Monitoring and Sampling Protocols**

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

**2.5.7. Analytical Methodology**

All samples collected for compliance monitoring shall be analyzed using Arizona state-approved methods. If no state-approved method exists, then any appropriate EPA-approved method shall be used. Regardless of the method used, the detection limits must be sufficient to determine compliance with the regulatory limits of the parameters specified in this permit. 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 state-certified laboratories in Arizona can be obtained at the address below:

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

**2.5.8. Installation and Maintenance of Monitoring Equipment**

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

**2.6. CONTINGENCY PLAN REQUIREMENTS**

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

**2.6.1. General Contingency Plan Requirements**

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

Any AL exceedance, or violation of a 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.

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. 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. The permittee is subject to enforcement action for the failure to comply with any contingency actions in this permit.

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

### **2.6.2.1. Exceeding Of Performance Levels Set For Operational Conditions**

For freeboard alert levels, the permittee shall comply with the requirements as specified in Section 4.2, Table 8: FACILITY INSPECTION AND OPERATIONAL MONITORING to prevent the overtopping of storage pond or sludge drying bed. If a storage pond or sludge drying bed is overtopped, the permittee shall follow the requirements in Section 2.6.5.3 and the reporting requirements of Section 2.7.3.

If an alert level set in Section 4.2, Table 8: FACILITY INSPECTION AND OPERATIONAL MONITORING has been exceeded the permittee shall:

1. Notify the Groundwater Protection Value Stream within five (5) days of becoming aware of the exceedance.
2. Submit a written report to the Groundwater Protection Value Stream within 30 days after becoming aware of the exceedance. The report shall document all of the following:
  - a. A description of the exceedance and the cause of the exceedance;
  - b. 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;
  - c. 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;
  - d. Any monitoring activity or other information which indicates that any pollutants would be reasonably expected to cause a violation of an AWQS; and
  - e. 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 a performance level is being exceeded. The permittee shall, however, complete all tasks necessary to return the facility to its pre-alert operating condition.

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

1. If an AL set in Section 4.2, Table 6 or Table 7 has been exceeded, the permittee shall immediately investigate to determine the cause. The investigation shall include the following:
  - a. Inspection, testing, and assessment of the current condition of all treatment or pollutant discharge control systems that may have contributed to the exceedance;
  - b. Review of recent process logs, reports, and other operational control information to identify any unusual occurrences; and
  - c. If the investigation procedures indicated in (a) and (b) above fail to reveal the cause of the exceedance, the permittee shall sample individual waste streams composing the wastewater for the parameter(s) in question, if necessary to identify the cause of the exceedance.
2. The permittee shall initiate actions identified in the approved contingency plan referenced in Section 5.0 and specific contingency measures identified in Section 2.6 to resolve any problems identified by the investigation which may have led to the AL exceedance. To implement any other corrective action the permittee shall obtain prior approval from ADEQ according to Section 2.6.6.



3. Within thirty days of an AL exceedance, the permittee shall submit the laboratory results to the Groundwater Protection Value Stream along with a summary of the findings of the investigation, the cause of the exceedance, and actions taken to resolve the problem.
4. Upon review of the submitted report, the Department may amend the permit to require additional monitoring, increased frequency of monitoring, amendments to permit conditions or other actions.

**2.6.2.2.1. Exceeding Permit Flow Limit**

If the AL for average monthly flow in Section 4.2, Table 7: ROUTINE DISCHARGE MONITORING – Upgraded WWTP has been exceeded, the permittee shall submit an application to the Groundwater Protection Value Stream for a permit amendment to expand the treatment facility, or submit a report detailing the reasons an expansion is not necessary. Acceptance of the report instead of an application for amendment requires ADEQ approval.

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

**2.6.2.3.1. Alert Levels For Indicator Parameters**

No ALs have been established for indicator parameters.

**2.6.2.3.2. Alert Levels for Pollutants With Numeric Aquifer Water Quality Standards**

Not required

**2.6.2.3.3. Alert Level For Groundwater Level**

Not applicable

**2.6.3. Discharge Limit Violation**

1. If a DL set in Section 4.2, Table 6 or Table 7 has been violated, the permittee shall immediately investigate to determine the cause. The investigation shall include the following:
  - a. Inspection, testing, and assessment of the current condition of all treatment or pollutant discharge control systems that may have contributed to the violation;
  - b. Review of recent process logs, reports, and other operational control information to identify any unusual occurrences;
  - c. If the investigation procedures indicated in (a) and (b) above fail to reveal the cause of the violation, the permittee shall sample individual waste streams composing the wastewater for the parameters in violation, as necessary to identify the cause of the violation.

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

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

#### **2.6.4. Aquifer Quality Limit Exceedances**

Not applicable.

#### **2.6.5. Emergency Response and Contingency Requirements for Unauthorized Discharges**

[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, AQL, DL, or other permit condition:

1. Control of the source of an unauthorized discharge;
2. Soil cleanup;
3. Cleanup of affected surface waters;

4. Cleanup of affected parts of the aquifer;
5. Mitigation to limit the impact of pollutants on existing uses of the aquifer.

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

**2.7. REPORTING AND RECORDKEEPING REQUIREMENTS**

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

**2.7.1. Self-Monitoring Report Form**

1. The permittee shall complete the Self-Monitoring Reporting Forms (SMRFs) provided by ADEQ, and submit the completed report through the myDEQ online reporting system. The permittee shall use the format devised by ADEQ.
2. The permittee shall complete the SMRF to the extent that the information reported may be entered on the form. If no information is required during a reporting period, the permittee shall enter “not required” on the form, include an explanation, and submit the form to the Groundwater Protection Value Stream.
3. The tables contained in Section 4.0 list the monitoring parameters and the frequencies for reporting results on the SMRF:
  - a. Table 6: ROUTINE DISCHARG MONITORING - Existing WWTP
  - b. Table 7: ROUTINE DISCHARGE MONITORING – Upgraded WWTP

The parameters listed in the above-identified tables from Section 4.0 are the only parameters for which SMRF reporting is required.

**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 shift 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).

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

1. The permittee shall notify the Groundwater Protection Value Stream within five (5) days (except as provided in Section 2.6.5) of becoming aware of an AL exceedance, or violation of any permit condition, or DL for which notification requirements are not specified in Sections 2.6.2 through 2.6.5.

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, or DL. The report shall document all of the following:
  - a. Identification and description of the permit condition for which there has been a violation and a description of the cause;
  - b. The period of violation including exact date(s) and time(s), if known, and the anticipated time period during which the violation is expected to continue;
  - c. Any corrective action taken or planned to mitigate the effects of the violation, or to eliminate or prevent a recurrence of the violation;
  - d. Any monitoring activity or other information which indicates that any pollutants would be reasonably expected to cause a violation of an AWQS;
  - e. Proposed changes to the monitoring which include changes in constituents or increased frequency of monitoring; and
  - f. Description of any malfunction or failure of pollution control devices or other equipment or processes.

**2.7.4. Operational, Other or Miscellaneous Reporting**

The permittee shall record the information as required in Section 4.2, Table 8: FACILITY INSPECTION AND OPERATIONAL MONITORING in the facility log book as per Section 2.7.2, and report to the Groundwater Protection Value Stream any violations or exceedances as per Section 2.7.3.

**2.7.5. Reporting Location**

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

All other documents required by this permit shall be mailed to:

The Arizona Department of Environmental Quality  
 Groundwater Protection Value Stream  
 Mail Code 5415B-3  
 1110 West Washington Street  
 Phoenix, Arizona 85007  
 Phone (602) 771-4571

**2.7.6. Reporting Deadline**

The following table lists the quarterly report due dates:

Table 3: QUARTERLY REPORTING DEADLINES	
Monitoring Conducted During Quarter:	Quarterly Report Due By:
January-March	April 30
April-June	July 30
July-September	October 30
October-December	January 30

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

Table 4: (SEMI-)ANNUAL REPORTING DEADLINES	
Monitoring Conducted:	Report Due By:
Semi-annual: January-June	July 30
Semi-annual: July-December	January 30
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 or, for any pollutant for which the AWQS was exceeded at the time this permit was issued, further action is necessary to prevent the facility from further degrading the aquifer at the applicable POC with respect to that pollutant;
3. Remedial, mitigative or corrective actions or controls are necessary to comply with A.R.S. § 49-201(30) and Title 49, Chapter 2, Article 3;
4. Further action is necessary to meet property use restrictions.
5. SMRF submittals are still required until Clean Closure is issued.

### **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.

Table 5: COMPLIANCE SCHEDULE ITEMS			
No.	Description	Due By:	Permit Amendment Required?
1	The permittee shall submit a signed, dated, and sealed Engineer’s Certificate of Completion in a format approved by the Department that confirms that the new components of Upgraded WWTP are constructed according to the Department-approved design report or plans and specifications, as applicable.	Prior to utilizing the new treatment components and within 90 days of completion of construction.	No
2	The permittee shall submit liner investigation report to ADEQ prior to commencement of the Upgraded WWTP. The permittee shall pump any settled material from the storage of the raw sewage and conduct a visual inspection of the storage pond liner to check for any sign of liner deterioration, any sign of sudden or quick drop in effluent level which may indicate any leaks, and any signs of moisture in the berm or the pond surrounding.	Prior to commencement of the Upgraded WWTP	No
3	The permittee submit liner investigation report to ADEQ. The facility shall conduct a visual inspection of the storage pond liner to check for any sign of liner deterioration, any sign of sudden or quick drop in effluent level which may indicate any leaks, and any signs of moisture in the berm or the pond surrounding.	By January 31 <sup>st</sup> every year	No

4.0 TABLES OF MONITORING REQUIREMENTS

4.1. PRE-OPERATIONAL MONITORING (OR CONSTRUCTION REQUIREMENTS)

Not applicable.

4.2. COMPLIANCE OR OPERATIONAL MONITORING

Table 6: ROUTINE DISCHARGE MONITORING - Existing WWTP					
Upon commencement of the Upgraded WWTP, the permittee shall discontinue monitoring under this table and commence monitoring under Table 7: ROUTINE DISCHARGE MONITORING – Upgraded WWTP.					
Sampling Point Number	Sampling Point Identification			Latitude	Longitude
1	At the line to Effluent storage pond			33° 02' 13" N	109° 17' 57.05" W
Parameter	Alert Level	Discharge Limit	Units	Sampling Frequency	Reporting Frequency
Total Flow <sup>1</sup> : Daily <sup>2</sup>	Not Established <sup>3</sup>	Not Established	mgd <sup>4</sup>	Daily	Quarterly
Total Flow: Monthly Average <sup>5</sup>	0.166	0.175	mgd	Monthly Calculation	Quarterly

<sup>1</sup> Total flow to the storage pond

<sup>2</sup> Total Daily Flow shall be measured using a continuous recording flow meter that totals the flows daily.

<sup>3</sup> Not Established means that monitoring is required, but no limits have been specified at the time of permit issuance

<sup>4</sup> mgd = million gallons per day

<sup>5</sup> Monthly Average means the calculated average of daily flow values in a month



4.2 COMPLIANCE OR OPERATIONAL MONITORING

Table 7: ROUTINE DISCHARGE MONITORING – Upgraded WWTP					
Sampling Point Number	Sampling Point Identification			Latitude	Longitude
1	At the line to Effluent storage pond			33° 02' 13" N	109° 17' 57.05" W
Parameter	Alert Level	Discharge Limit	Units	Sampling Frequency	Reporting Frequency
Total Flow <sup>6</sup> : Daily <sup>7</sup>	Not Established <sup>8</sup>	Not Established	mgd <sup>9</sup>	Daily	Quarterly
Total Flow: Monthly Average <sup>10</sup>	0.19	0.2	mgd	Monthly Calculation	Quarterly
Total Nitrogen <sup>11</sup>	Not Established <sup>12</sup>	Not Established	mg/l <sup>13</sup>	Annually	Annually
Metals (Dissolved)					
Antimony	0.0048	0.006	mg/l	Annually	Annually
Arsenic	0.04	0.05	mg/l	Annually	Annually
Barium	1.60	2.00	mg/l	Annually	Annually
Beryllium	0.0032	0.004	mg/l	Annually	Annually
Cadmium	0.004	0.005	mg/l	Annually	Annually
Chromium	0.08	0.1	mg/l	Annually	Annually
Cyanide (as free cyanide)	0.16	0.2	mg/l	Annually	Annually
Fluoride	3.2	4.0	mg/l	Annually	Annually
Lead	0.04	0.05	mg/l	Annually	Annually
Mercury	0.0016	0.002	mg/l	Annually	Annually
Nickel	0.08	0.1	mg/l	Annually	Annually
Selenium	0.04	0.05	mg/l	Annually	Annually
Thallium	0.0016	0.002	mg/l	Annually	Annually

<sup>6</sup> Total flow discharge to the effluent storage pond

<sup>7</sup> Total Daily Flow shall be measured using a continuous recording flow meter that totals the flows daily.

<sup>8</sup> Not Established means that monitoring is required, but no limits have been specified at the time of permit issuance

<sup>9</sup> mgd = million gallons per day

<sup>10</sup> Monthly Average means the calculated average of daily flow values in a month

<sup>11</sup> Total Nitrogen = Nitrate as N + Nitrite as N + Total Kjeldahl Nitrogen

<sup>12</sup> Not Established means monitoring is required but no limits have been specified.

<sup>13</sup> mg/l = milligrams per liter

Table 8: FACILITY INSPECTION AND OPERATIONAL MONITORING			
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.			
Pollution Control Structure/Parameter	Performance Level	Inspection Frequency	Reporting Frequency
Pump Integrity	Good working condition	Weekly	See Section 2.7.3
Treatment Plant Components	Good working condition	Weekly	
Sludge Drying Beds Freeboard	One (1) Linear Foot	Weekly	
Effluent Storage Pond Freeboard	Three (3) Linear Foot	Weekly	
Effluent Storage Pond Berm Integrity	No visible structural damage, breach, or erosion of embankments	Monthly	
Effluent Storage Pond Liner Integrity	No cracks or leaks that would exceed a leakage rate of 550 gpd/acre	Monthly	

DRAFT

**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:

APP Application, dated:	August 21, 2020
Contingency Plan, dated:	August 2020
Final Hydrologist Report, dated:	Not applicable
Final Engineering Report, dated:	December 22, 2020
Public Notice, dated:	XXXX
Public Hearing, dated:	Not applicable
Responsiveness Summary, dated:	Not applicable

**6.0 NOTIFICATION PROVISIONS**

**6.1. Annual Registration Fees**

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

**6.2. Duty to Comply**

[A.R.S. §§ 49-221 through 263]

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

**6.3. Duty to Provide Information**

[A.R.S. §§ 49-243(K)(2) and 49-243(K)(8)]

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

**6.4. Compliance with Aquifer Water Quality Standards**

[A.R.S. §§ 49-243(B)(2) and 49-243(B)(3)]

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

**6.5. Technical and Financial Capability**

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

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

**6.6. Reporting of Bankruptcy or Environmental Enforcement**

[A.A.C. R18-9-A207(C)]

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

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

**6.7. Monitoring and Records**

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

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

**6.8. Inspection and Entry**

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

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

**6.9. Duty to Modify**

[A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A211]

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

**6.10. Permit Action: Amendment, Transfer, Suspension, and Revocation**

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

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

**7.0. ADDITIONAL PERMIT CONDITIONS**

**7.1. Other Information**

[A.R.S. § 49-243(K)(8)]

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

**7.2. Severability**

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

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

**7.3. Permit Transfer**

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

DRAFT