

STATE OF ARIZONA
AQUIFER PROTECTION PERMIT NO. P-515173
PLACE ID 251311, LTF 112620

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 Arizona Electric Power Cooperative, Inc. (AEPCO) to operate the Mohave Energy Park located in Mohave Valley, Mohave County, Arizona, over the groundwater of the Lake Mohave Groundwater Basin, in Section 19, Township 18 North, Range 21 West, of the Gila and Salt River Base Line and Meridian.

This permit is effective upon signature and payment of the final bill. The effective date is the date the final bill is paid, and entered below. The permit 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:	Mohave Energy Park
Facility Address:	2897 E. King Street, Mohave Valley, Arizona 86440
County:	Mohave County
Annual Registration Fee Flow Rate:	45,000 gallons per day (gpd)
Permittee:	Arizona Electric Power Cooperative, Inc.
Permittee Address:	P.O. Box 670, Benson Arizona 85602
Facility Contact:	Michelle Freeark
Emergency Phone No.:	(520) 686-0167 (mobile)
Latitude/Longitude:	34° 55' 45" N, 114° 32' 58" W
Legal Description:	Section 19, Township 18 North, Range 21 West, of the Gila and Salt River Base Line and Meridian

1.2. AUTHORIZING SIGNATURE

Randall Matas, Acting Director
Water Quality Division
Arizona Department of Environmental Quality

Effective date: _____ day of _____, 2026

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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)]

Mohave Energy Park (MEP) is a new peaking natural gas-fired electric generating facility located in Mohave Valley, Arizona. MEP will operate up to four natural gas-fired, simple-cycle, LM6000 combustion turbine generators (CTG), each capable of producing approximately 49 megawatts of electricity. Excess water generated as a byproduct of reverse osmosis (RO) treatment of raw water will be stored and evaporated within an 8.3-acre, two-cell lined Evaporation Pond located on Site. AEPCO anticipates a facility lifespan of approximately 40 years.

The site includes the following permitted discharging facilities:

Table 1: Discharging Facilities			
Facility	Evaporation Pond Cell	Latitude (N)	Longitude (W)
Evaporation Pond	1	34° 55' 46.2"	114° 32' 55.4"
	2	34° 55' 47.3"	114° 32' 59.8"

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 Permittee Information. If the facility is not constructed or is incapable of discharge, the permittee may be eligible for reduced fees pursuant to Table 2 under A.A.C. R18-14-104(A). Send all correspondence requesting reduced fees to ADEQ. 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 \$3,786,955.00. The permittee shall maintain financial capability throughout the life of the facility. The financial assurance mechanism was demonstrated through a financial test for self-assurance per A.A.C. R18-9-A203(C)(1).

2.2. BEST AVAILABLE DEMONSTRATED CONTROL TECHNOLOGY (BADCT)

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

Facilities regulated by this permit shall be designed, constructed, operated, and maintained to meet requirements specified by A.R.S. §49-243(B) and A.A.C. R18-9-A202(A)(5).

2.2.1. Engineering Design

BADCT description for the permitted facilities is presented in Section 4.1, Table 5: Permitted Facilities and BADCT.

2.2.2. Site-Specific Characteristics

Not applicable.

2.2.3. Pre-Operational Requirements

Provide the construction documentation as required by Section 3.0 COMPLIANCE SCHEDULE, Table 4: Compliance Schedule Items.

2.2.4. Operational Requirements

A description of required inspections, operational monitoring, and related performance levels is included in Section 4.2, Table 6: Leak Collection and Removal System Monitoring, and recorded in a log as required by Section 2.7.2 Operation Inspection / Log Book Recordkeeping. If damage is identified during an inspection that is reasonably likely to cause or contribute to an unauthorized discharge pursuant to A.R.S. § 49-201(12), proper repairs shall be promptly performed in accordance with Section 2.6 Contingency Plan Requirements of this permit and recorded in a log.

2.3. DISCHARGE LIMITATIONS

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

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 BADCT pollutant control technologies including liner failure, uncontrollable leakage, overtopping (e.g., exceeding the maximum storage capacity, defined as a fluid level exceeding the crest elevation of a permitted impoundment), berm breaches that result in an unexpected loss of fluid, and/or accidental spills.

2.3.1. Evaporation Pond

The Evaporation Pond shall receive only the following sources from the onsite water treatment processing facilities: 1) concentrated reject water from the reverse osmosis system, 2) pre-filter backwash, 3) incidental volumes of chemical additives used to enhance mineral removal and prevent scaling in the water treatment process, including, but not limited to, bleach and sulfuric acid bisulfite.

2.4. POINT OF COMPLIANCE (POC)

[A.R.S. § 49-244]

The POC is established by the following location:

Table 2: Point of Compliance				
POC #	POC Location	ADWR Registration Number	Latitude (North)	Longitude (West)
POC -1 (Conceptual)	Southern edge of Evaporation Pond Cells 1 and 2	Not applicable	34° 55' 42.9"	114° 32' 57.8"

Routine groundwater monitoring is not required. POC #1 is a conceptual well location, and monitoring is not required except as a contingency action. 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. The Director may amend this permit to 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 readily available for review by ADEQ personnel.

2.5.1. Discharge Monitoring

2.5.1.1. Initial Discharge Monitoring

The applicant shall collect a one-time representative sample at the inflow to the Evaporation Pond. The sample shall be analyzed for parameters listed in Table 7: Initial and Contingency Discharge Monitoring.

The results of this discharge monitoring shall be submitted to the ADEQ in accordance with Table 4: Compliance Schedule Items.

2.5.1.2. Routine Discharge Monitoring

Not Applicable.

2.5.2. Facility / Operational Monitoring

The Evaporation Pond leak collection and removal system (LCRS) shall be monitored according to Table 6: Leak Collection and Removal System Monitoring and if the Alert Level 1 or Alert Level 2 are exceeded, the permittee shall follow contingency actions in accordance with Sections 2.6.2.2 and 2.6.2.3, respectively. Additionally, the Evaporation Pond shall be inspected for performance levels listed in Table 8: Facility Inspection and Operational Monitoring. If damage is identified during an inspection that is reasonably likely to 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 Operation Inspection / Log Book Recordkeeping.

2.5.3. Groundwater Monitoring and Sampling Protocols

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

2.5.4. Surface Water Monitoring and Sampling Protocols

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

2.5.5. Analytical Methodology

All samples collected for compliance monitoring shall be analyzed using Arizona state-approved methods. If no state-approved method exists, then any appropriate EPA-approved method shall be used. Regardless of the method used, the detection limits must be sufficient to determine compliance with the regulatory limits of the parameters specified in this permit. If all methods have detection limits higher than the applicable limit, the permittee shall follow the applicable contingency requirements of Section 2.6 Contingency Plan Requirements 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, AZ 85007
Phone: (602) 364-0720

2.5.6. Installation and Maintenance of Monitoring Equipment

Monitoring equipment required by this permit shall be installed and maintained so that representative 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 ADEQ 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

The permittee shall prepare and implement a contingency plan consistent with the circumstances and actions described in Sections 2.6.2 through 2.6.5 and with A.A.C. R18-9-A204. At least one copy of this permit and the contingency plan shall be maintained at the location where day-to-day decisions regarding the operation of the facility are made. The permittee shall revise the contingency plan upon any significant change to the information contained in the plan.

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 Permit Violation and Alert Level Status Reporting, 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 a 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 actions relating to the exceedance of an AL or violation of a DL 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

2.6.2.1.1. Performance Levels Set for Freeboard

In the event that freeboard performance levels established in Table 8: Facility Inspection and Operational Monitoring in a surface impoundment are not maintained, the permittee shall:

1. As soon as practicable, cease or reduce discharging to the impoundment to prevent overtopping. Remove and properly dispose or recycle to other operations the excess fluid in the reservoir until the water level is restored at or below the freeboard performance level.
2. Within 5 days of discovery, evaluate the cause of the incident and adjust operational conditions or identify design improvements to the affected system as necessary to avoid future occurrences.
3. Within 30 days of discovery, initiate repairs to the affected system, structure, or other component as necessary to return the system to the established performance levels. Record any repair procedures, methods, and materials used to restore the facility to operating condition in the facility log/recordkeeping file.
4. If design improvements are necessary and if they trigger a permit amendment, submit an

amendment application within 90 days of discovery.

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

2.6.2.1.2. Performance Levels, other than Freeboard

1. If an operational performance level (PL) listed in Table 8: Facility Inspection and Operational Monitoring has not been maintained during required inspection and operational monitoring, such that the result is reasonably likely to cause or contribute to an unauthorized discharge pursuant to A.R.S. § 49-201(12), the permittee shall investigate to determine the cause of the condition within 24 hours, or as soon as practicable. 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 operational performance condition.
 - b. Review of recent process logs, reports, and other operational control information to identify any unusual occurrences.
2. The PL exceedance, results of the investigation, and any corrective action taken shall be reported to the ADEQ, within 30 days of the discovery of the condition. Upon review of the submitted report, the ADEQ may amend the permit to require additional monitoring, increased frequency of monitoring, or other actions.
3. Within 30 days, the permittee shall initiate actions identified in the contingency plan referenced in Section 2.6.1 General Contingency Plan Requirements and any necessary contingency measures to resolve problems identified by the investigation which may have led to a PL being exceeded. To implement any other corrective action the permittee may choose to obtain prior approval from ADEQ according to Section 2.6.6 Corrective Actions.

2.6.2.2. Exceedance of Alert Level 1 for Normal Liner Leakage

At a minimum, the permittee shall initiate the following actions within 3 days of becoming aware of an exceedance of an Alert Level 1 (AL1) as specified in Table 6: Leak Collection and Removal System Monitoring. All information shall be recorded in a log book as described in Section 2.7.2. The permittee shall:

1. Drain and/or pump out all fluid collected in the leak collection and removal system (LCRS) to reduce head on the liner system;
2. Quantify and record the amount of fluid pumped from the leak collection and removal system on a weekly basis until the leakage rate is no longer exceeded;
3. Assess the potential for migration of liquids out of the containment system; and,
4. Assess the current condition of the liner system.
5. Take appropriate corrective action to mitigate the cause(s) of the exceedance.

2.6.2.3. Exceedance of Alert Level 2 for Liner Failure or Rips

If an Alert Level 2 (AL2) specified in Table 6: Leak Collection and Removal System Monitoring, has been exceeded, the permittee shall:

1. Notify the ADEQ within 24 hours of becoming aware of the exceedance,

2. Reduce the hydraulic head on the liner including emptying of the portion of the impoundment over the affected liner,
3. Conduct visual inspection to identify areas of leakage,
4. Repair all identified areas of leakage within 90 days of discovery,
5. Initiate closure, temporary cessation, or partial closure of the impoundment if identified areas of leakage cannot be repaired within 90 days of discovery,
6. After repairs have been made, monitor the leakage rate on a weekly basis while the impoundment is being filled, and for a period of 3 months after filling.

Within 30 days of a confirmed AL2 exceedance, the permittee shall submit a written report to ADEQ. The written report shall include a description of the exceedance and its potential causes, the period of exceedance and the anticipated time period during which the exceedance is expected to continue, and a description of any actions taken or planned to be taken to eliminate or prevent recurrence of the exceedance and to mitigate the impacts of the exceedance. Upon ADEQ approval, the permittee shall initiate the actions necessary to mitigate the impacts of the exceedance.

2.6.2.4. Exceedance of Alert Levels Set for Discharge Monitoring

Not applicable.

2.6.2.5. Exceedance of Alert Levels in Groundwater Monitoring

Not applicable.

2.6.3. Discharge Limit Violation

2.6.3.1. Liner Failure, Containment Structure Failure, or Unexpected Loss of Fluid for reasons other than Overtopping

In the event of liner failure, containment structure failure, or unexpected loss of fluid as described in Section 2.3 Discharge Limitations, the permittee shall take the following actions:

1. As soon as practicable, cease all discharges as necessary to prevent any further releases to the environment, including removal of any fluid remaining in the impoundment as necessary, and capture and containment of all escaped fluids.
2. Within 24 hours of discovery, notify ADEQ.
3. Within 24-hours of discovery of a failure, or as soon as practicable, estimate the quantity released, collect representative samples of the fluid remaining in affected impoundments and drainage structures, and analyze sample(s) according to Table 7: Initial and Contingency Discharge Monitoring. Should the permittee determine that these actions cannot be performed within 24 hours of discovery, as practicable, document the reasons in the log book and the subsequent 30-day report, as necessary. In the 30-day report required under Section 2.7.3 Permit Violation and Alert Level Status Reporting, include a copy of the analytical results and forward the report to ADEQ.
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 discharging facility 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 discharging facility. The permittee shall not resume discharge to the facility 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. Record in the facility log/recordkeeping file the amount of fluid released, a description of any removal method and volume of any fluid removed from the impoundment and/or captured from the release area. The facility log/recordkeeping file shall be maintained according to Section 2.7.2 Operation Inspection / Log Book Recordkeeping.

5. Within 30 days of discovery of the incident, submit a report to ADEQ as specified in Section 2.7.3 Permit Violation and Alert Level Status Reporting. Include a description of the actions performed in Subsections 1 through 4 listed above. Upon review of the report, ADEQ may request additional monitoring or remedial actions.
6. Within 60 days of discovery, assess the impacts to soil and/or groundwater resulting from the incident. If soil or groundwater is impacted such that it could or did cause or contribute to an exceedance of an AWQS 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 a schedule for completion of activities. At the approval of ADEQ, the permittee shall implement the approved plan.
7. Within 30 days of completion of corrective actions, submit to ADEQ, a written report as specified in Section 2.6.6 Corrective Actions.
8. 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.

2.6.3.2. Overtopping of a Surface Impoundment

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

1. As soon as practicable, cease all discharges to the surface impoundment to prevent any further releases to the environment.
2. Within 24 hours of discovery, notify ADEQ.
3. Within 24 hours, or as soon as practicable, collect representative samples of the fluid contained in the surface impoundment. Should the permittee determine that these actions cannot be performed within 24 hours of discovery, as practicable, document the reasons in the log book and the subsequent 30-day report, as necessary. Samples shall be analyzed for the parameters specified in Table 7: Initial and Contingency Discharge Monitoring. Within 30 days of the incident, submit a copy of the analytical results to ADEQ.
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 Table 8: Facility Inspection and Operational Monitoring. Record in the facility log/recordkeeping file the amount of fluid released, a description of the removal method and volume of any fluid removed from the impoundment and/or captured from the release area. The facility log/recordkeeping file shall be maintained according to Section 2.7.2 Operation Inspection / Log Book.
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 Alert Level 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 Item No. 3 above, assess the impacts to the subsoil and/or groundwater resulting from the incident.
8. If soil or groundwater is impacted such that it is reasonably likely to cause or contribute to an exceedance of an AWQS 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.
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, or other actions.

2.6.3.3. Inflows of Unexpected Materials to a Surface Impoundment

The types of materials that are expected to be placed in the permitted surface impoundments are specified in Section 2.3 Discharge Limitations. If any unexpected materials flow to a permitted surface 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 ADEQ.
3. Within 5 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(2) Permit Violation and Alert Level Status Reporting. Include a description of the actions performed in Subsections 1 through 3 listed above.
5. 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 including remediation.

2.6.3.4. Slope and Berm Failures

If a slope or berm failure occurs which affects the ability of the facility to operate in accordance with this permit 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 2.7.3 Permit Violation and Alert Level Status Reporting. The permittee shall initiate the actions necessary to mitigate the impacts of the failure, consistent with ADEQ approval.

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

Within 24 hours, or as soon as practicable, the permittee shall act 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 ADEQ within 24 hours of discovering the discharge of hazardous material which (a) has the potential to cause an AWQS 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 ADEQ within 24 hours of discovering the discharge of non-hazardous material which has the potential to cause an AWQS 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 ADEQ 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 Permit Violation and Alert Level Status Reporting. 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 Contingency Plan Requirements and actions identified in the contingency plan referenced in Section 2.6.1 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 Emergency Response and Contingency Requirements for Unauthorized Discharges, the permittee shall obtain written approval from the ADEQ prior to implementing a corrective action to accomplish any of the following goals in response to exceedance of an AL, 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 not specified in Sections 2.6.1 through Section 2.6.5, the operator shall submit to the ADEQ, 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

Not applicable.

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 readily 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 the 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;
6. Any other information required by this permit to be entered in the log book; and
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 ADEQ within 5 days (except as provided in Section 2.6.5 Emergency Response and Contingency Requirements for Unauthorized Discharges) 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 ADEQ within 30 days of becoming aware of the violation of any permit condition or DL for which notification requirements are not specified in Sections 2.6.2 through 2.6.5. 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 Table 8: Facility Inspection and Operational Monitoring in the facility log book as per Section 2.7.2 Operation Inspection / Log Book Recordkeeping.

2.7.4.1. Annual Report

If an Alert Level 1 has been exceeded discussed in Section 2.6.2.2 Exceedance of Alert Level 1 for Normal Liner Leakage, the permittee shall submit an annual report that summarizes the results of the liner assessment. The Liner Leakage Assessment Report shall also include information including but not limited to the following: number and location of holes identified; and a table summarizing alert level exceedances including the frequency and quantity of fluid removed, and corrective actions taken.

2.7.5. Reporting Location

5-day and 30-day contingency notification and reports, laboratory reports, and verification sampling results required by this permit should be submitted through the myDEQ portal accessible on the ADEQ website at:

<http://www.azdeq.gov/welcome-mydeq>.

If the required reports cannot be submitted, or require further documentation that cannot be submitted on the myDEQ portal, then submit items to APPContingencyreports@azdeq.gov or the address listed below:

The Arizona Department of Environmental Quality
Groundwater Protection Mining and Industrial Section
1110 West Washington Street
Phoenix, Arizona 85007
Phone (602) 771-4999

2.7.6. Reporting Deadline

The following table lists the due date for the annual report per Section 2.7.4.1:

Table 3: Annual Report Deadlines	
Annual period:	Annual Report due by:
January-December	April 30 th of year following the calendar year in which an Alert Level has been exceeded

2.7.7. Changes to Facility Information in Section 1.0

The ADEQ 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 ADEQ before ceasing operation of the facility for a period of 60 days or greater. The permittee shall implement the following action(s) upon initiation of temporary cessation.

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. Following ADEQ approval, the permittee shall promptly 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 ADEQ 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 Closure 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 ADEQ of the intent to cease operation without resuming activity for which the facility was designed or operated.

2.9.1. Closure Plan

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

If results of the implemented closure plan achieve clean-closure, ADEQ will 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 ADEQ 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(36) and Title 49, Chapter 2, Article 3;
4. 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 ADEQ.

In the event clean-closure cannot be achieved pursuant to A.R.S. § 49-252, the permittee shall submit for approval to the ADEQ 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(36) 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 ADEQ.

NOTE: Arizona law requires that engineering and geological documents such as cost estimates, drawings, specifications, maps, plans, and reports be signed and sealed by an Arizona registered professional engineer or an Arizona registered geologist, pursuant to the Arizona Board of Technical Registration statutes, unless a statutory exclusion or exemption applies. See A.R.S. § 32-101 to -152; A.A.C. R4-30-101 to -306.

Table 4: Compliance Schedule Items			
No.	Description	Due By:	Permit Amendment Required?
1	The permittee shall submit a construction report along with as-built drawings and QA/QC documentation sealed by an Arizona registered professional engineer for the Evaporation Pond Cells 1 and 2 to confirm that the facility was constructed in accordance with the design report, engineering plans and specifications submitted in the application. In the cover letter, provide a list of all deviations from the ADEQ approved design. If there were deviations from the approved design, provide a red-line mark-up of the drawings showing deviations.	Prior to discharging under this permit and within 90 days of completion of construction.	No
2	The applicant shall collect a one-time representative sample at the inflow to the Evaporation Pond ¹ . The sample shall be analyzed for parameters listed in Table 7: Initial and Contingency Discharge Monitoring. The results of the sample analysis shall be submitted in a report to ADEQ, including sample collection documentation, laboratory reports, and a summary table of results.	Within 90 days of discharge to the pond	No
3	The permittee shall submit a demonstration that the financial assurance mechanism listed in Section 2.1, Financial Capability, is being maintained as per A.R.S. 49-243.N.4 and A.A.C. R18-9-A203(H) for all estimated closure and post-closure costs including updated costs submitted under CSI 4, below. 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 in a manner that would affect the closure and post-closure costs, and discharging facilities have not been added. The demonstration shall also include information in support of the Self-Assurance demonstration as required in A.A.C. R18-9-A203(C)(1). NOTE: The financial assurance mechanism due on the date specified in CSI No. 4, may be provided following ADEQ's approval of the closure and post-closure costs. When submitting the closure and post-closure costs, permittee may provide a statement for the type of mechanism intended to be provided.	August 1, 2028 and every two (2) years, for the duration of the permit.	No
4	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.	By August 1, 2032 and every 6 years thereafter.	Yes

¹ One representative sample of Evaporation Pond (Cell 1 or Cell 2) influent shall be collected for initial discharge characterization.

4.0 TABLES OF MONITORING REQUIREMENTS

4.1. PERMITTED FACILITIES AND BADCT

Table 5: Permitted Facilities and BADCT

Evaporation Pond:

The Evaporation Pond consists of two individual cells (Cell 1 and Cell 2) that are each capable of independently managing RO treatment byproduct inflows. The design consists of a double-lined system with a leak collection and removal system between the two liners. The liner system from top to bottom shall consist of a 60 mil HDPE geomembrane upper liner, a leak collection and removal system (LCRS), and a lower liner consisting of a 60 mil HDPE geomembrane liner installed over a geosynthetic clay liner (GCL). The GCL will meet or exceed a saturated hydraulic conductivity requirement of 10^{-6} centimeters per second (cm/s) and will be placed over a prepared subgrade.

The LCRS for each cell consists of free draining aggregate drainage material, geonet between the two geomembranes at a 3 percent slope to the sump, two perforated HDPE riser pipes, for redundancy and to facilitate pumping the leak detection sump and level instrumentation, and a flow meter with a total volume readout. Additionally, strip drains will be installed at the hinge points of the pond slope/floor and a perforated drain pipe will be installed within the drainage media of the floor sump, all to accentuate the performance of the LCRS.

Side slopes of the Evaporation Pond shall be no steeper than two and one half feet horizontal run to one-foot vertical rise (2.5H:1V slope). The HDPE liner shall be secured in an engineered anchor trench excavated to be at least 2 feet deep and 2 feet wide. The liners will extend across the anchor trench and at least 1 foot up the outside trench wall. Backfilling of anchor trenches will occur in lifts not to exceed 6 inches with ½-inch minus material compacted to a minimum of 95 percent of the maximum dry density per ASTM D698.

The Evaporation Pond is approximately 8.3 acres, with individual cell dimensions of approximately 632 feet X 385 feet – 5.6 acres (Cell 1) and 408 feet X 290 feet – 2.7 acres (Cell 2). Cell 1 has a storage capacity of approximately 40.7 acre-feet; Cell 2 has a storage capacity of approximately 21.8 acre-feet, and the combined storage capacity is approximately 62.5 acre-feet.

The Evaporation Pond provides containment to manage excess water generated as a byproduct of reverse osmosis (RO) treatment of raw water. Pond sizing is based on the volume required to manage the projected influent rate. The influent rate of RO treatment reject water to the Evaporation Pond while operating at full capacity is anticipated to be 50 gallons per minute (gpm) based on information provided by the water treatment vendor. Because the MEP will be a peaking facility, it will have an indeterminate operating schedule based on energy demand. A Water Balance Calculation indicates the Evaporation Pond has sufficient capacity to store and dispose of inflows via evaporative flux while maintaining 2-foot freeboard. The 100-year, 24-hour rainfall event at the site is estimated to be 3.32 inches (0.27 feet) which can be accommodated within the required 2-foot freeboard.

4.2. Compliance and Operational Monitoring

Table 6: Leak Collection and Removal System Monitoring					
LCRS Sump	Parameter ²	Alert Level 1 ³ (gpd)	Alert Level 2 ⁴ (gpd)	Monitoring Frequency	Reporting Frequency
Cell 1 – Sump 1	Liquid Pumped	5,818	44,754	Daily	Record in Log Book per Section 2.7.2, follow contingency requirements in Sections 2.6.2.2 and 2.6.2.3, for an exceedance of AL1 or AL 2, respectively.
Cell 2 – Sump 1	Liquid Pumped	2,722	20,938	Daily	

Note: An exceedance of AL1 or AL2 is not a violation of the permit unless the permittee fails to perform actions as required under the Sections referenced above.

² The volume of liquid pumped from the LCRS shall be monitored on a continuous basis using a totalizer and entered in a facility log book on a daily basis.

³ The Alert Level 1 (AL1) shall be exceeded when the amount of leakage pumped from the sump is greater than the volume indicated.

⁴ The Alert Level 2 (AL2) shall be exceeded when the amount of leakage pumped from the sump is greater than the volume indicated.

Table 7: Initial and Contingency Discharge Monitoring

Facility	Latitude	Longitude
Evaporation Pond Cell 1	34° 55' 46.2"	114° 32' 55.4"
Evaporation Pond Cell 2	34° 55' 47.3"	114° 32' 59.8"
Parameter ⁵	Units	Monitoring Frequency ⁶
Inorganics		
pH (field)	Standard Units	One sample
Specific Conductance (lab) Sample	Standard Units	One sample
Total Dissolved Solids	mg/L	One sample
Alkalinity	mg/L	One sample
Hardness	mg/L	One sample
Antimony	mg/L	One sample
Arsenic	mg/L	One sample
Asbestos	Fibers/L	One sample
Barium	mg/L	One sample
Beryllium	mg/L	One sample
Cadmium	mg/L	One sample
Chromium	mg/L	One sample
Cyanide (Free)	mg/L	One sample
Fluoride	mg/L	One sample
Lead	mg/L	One sample
Mercury	mg/L	One sample
Nickel	mg/L	One sample
Nitrate (N)	mg/L	One sample
Nitrite (N)	mg/L	One sample
Total Nitrogen	mg/L	One sample
Selenium	mg/L	One sample
Thallium	mg/L	One sample
Uranium	mg/L	One sample
Organics		
Benzene mg/L	mg/L	One sample
Benzo (a) pyrene	mg/L	One sample
Carbon tetrachloride	mg/L	One sample
o-Dichlorobenzene	mg/L	One sample
para-Dichlorobenzene	mg/L	One sample
1,2-Dichloroethane	mg/L	One sample
1,1-Dichloroethylene	mg/L	One sample
cis-1,2-Dichloroethylene	mg/L	One sample
trans-1,2-Dichloroethylene	mg/L	One sample
1,2-Dichloropropane	mg/L	One sample
Dichloromethane	mg/L	One sample
Di (2-ethylhexyl) adipate	mg/L	One sample
Di (2-ethylhexyl) phthalate	mg/L	One sample
Ethylbenzene	mg/L	One sample
Hexachlorobenzene	mg/L	One sample
Hexachlorocyclopentadiene	mg/L	One sample
Monochlorobenzene	mg/L	One sample
Pentachlorophenol	mg/L	One sample
Styrene	mg/L	One sample

⁵ Metals shall be analyzed as total metals in discharge samples and dissolved metals in groundwater samples.

⁶ One representative sample of Evaporation Pond (Cell 1 or Cell 2) influent shall be collected for initial discharge characterization.

2,3,7,8-TCDD (Dioxin)	mg/L	One sample
Tetrachloroethylene	mg/L	One sample
Toluene	mg/L	One sample
1,2,4-Trichlorobenzene	mg/L	One sample
1,1,1-Trichloroethane	mg/L	One sample
1,1,2-Trichloroethane	mg/L	One sample
Trichloroethylene	mg/L	One sample
Vinyl Chloride	mg/L	One sample
Xylenes	mg/L	One sample
Radionuclides		
Gross Alpha	pCi/L	One sample
Radium 226 +228	pCi/L	One sample

Table 8: Facility Inspection and Operational Monitoring

Pollution Control Element	Performance Standard	Inspection Frequency	Reporting Frequency
Evaporation Pond Freeboard	Minimum of 2 feet	Weekly and after a significant rainfall or other natural disaster	Record in Log Book per Section 2.7.2, follow contingency requirements in 2.6.2.1.1 Performance Levels Set for Freeboard
Evaporation Pond Fluid Level	No unexpected or sudden loss	Weekly and after a significant rainfall or other natural disaster	2.6.2.1.2 Performance Levels, other than Freeboard
Upper Liner Integrity	No visible structural weakness, seepage, erosion, or other hazardous condition	Weekly and after a significant rainfall or other natural disaster	
Berm Integrity	No visible structural damage, breach, erosion of embankments, or seepage	Weekly and after a significant rainfall or other natural disaster	
Evidence of Evaporation Pond Overtopping	No discharge to the land surface surrounding the pond	Weekly and after a significant rainfall or other natural disaster	
Leak Collection and Removal System	No obstructions in the sump, fluid level below sump capacity, pump is in good operational condition	Weekly and after a significant rainfall or other natural disaster	
Flow Meter or Other Measuring Device	Good operational condition	Weekly and after a significant rainfall or other natural disaster	

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 ADEQ:

APP Application, dated: December 9, 2025

Contingency Plan, dated: December 9, 2025

6.0 NOTIFICATION PROVISIONS

6.1. 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.

6.2. 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.

6.3. 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 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.

6.4. 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.

6.5. 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.

3.

6.6. Inspection and Entry

[A.R.S. §§ 41-1009, 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.

6.7. Duty to Modify

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

The permittee shall apply for a permit amendment prior to making changes to the design or operational practices as required under A.R.S. § 49-243(K)(8) and A.A.C. R18-9-A211.

6.8. 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 ADEQ. The permittee shall notify the ADEQ 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 ADEQ. 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).