

STATE OF ARIZONA
AQUIFER PROTECTION PERMIT NO. P-100176
PLACE ID 717, LTF 111354
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 Morton Salt, Inc. to operate the permitted discharging facilities within the Morton Salt – Glendale Facility located at 13000 West Glendale Avenue, Glendale, Maricopa County, Arizona, over groundwater of the Phoenix Active Management Area, West Salt River groundwater basin, in Township 2 North, Range 1 West, Section 2, W 1/2, of the Gila and Salt River Base Line and Meridian.

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

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

1.1. PERMITTEE INFORMATION

Facility Name: Morton Salt-Glendale Facility
Facility Address: 13000 West Glendale Avenue
Glendale, Arizona 85307-2200
County: Maricopa

Annual Registration Fee 650,000 gallons per day (gpd)
Flow Rate:

Permittee: Morton Salt, Inc.
Permittee Address: 13000 West Glendale Avenue
Glendale, Arizona 85307-2200

Facility Contact: Facility Manager, Blaine Godfrey
Emergency Phone No.: (623) 247-3000

Latitude/Longitude: 33° 32' 22" North / 112° 20' 14" West
Legal Description: Township 2 North, Range 1 West, Section 2, W1/2, Gila and Salt River Base Line and Meridian

1.2. AUTHORIZING SIGNATURE

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

Signed this _____ day of _____, 2026

THIS AMENDED PERMIT SUPERCEDES ALL PREVIOUS PERMITS

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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)]

Morton Salt, Inc. is authorized to operate the Morton Salt-Glendale Facility, with a maximum daily average flow of 650,000 gallons per day (gpd). The facility produces various crystallized salt products. The facility consists of three injection wells, regulated under separate UIC permits, a cavern at the base of each well, and 17 impoundments for solar evaporation, milling facilities, and an office/warehouse. The injection/recovery wells are used to extract brine from the Luke Salt Body. The extracted brine solution is discharged into the solar evaporation ponds. Naphthol Green dye (Acid Green1) is added to the brine solution to increase the evaporation rates in the solar ponds. The depth to the salt body is approximately 1000 feet below ground. The extracted saturated brine delivered to the impoundments for settling of clays and silts and then for solar evaporation. Salt crystallizes as the brine evaporates. The salt is harvested for processing into salt products.

All injection/recovery wells at the Morton Salt-Glendale Facility are constructed to Underground Injection Control (UIC) Class III injection well standards. The injection/ recovery wells are regulated under the UIC Program and are therefore exempt facilities under A.R.S. 49-250(B)(26). ADEQ issued three UIC Class III permits (P-515169 [Roach Baker #3], P-515170 [Roach Baker #4], and P-515171 [Roach Baker #5] for the monitoring and reporting of the integrity of the three-brine injection/recovery wells.

The site includes the following permitted discharging facilities:

Table 1: DISCHARGING FACILITIES				
ADEQ Facility No.	Morton Salt Facility No.	Facility Description	Latitude	Longitude
Processing Plant Facilities				
1	18	Wet Stockpile (Center Line Concrete Track ¹)	33° 32' 17" N	112° 20' 19" W
Non-Stormwater ² Impoundments:				
2	19	Reclaim Pit (SE Corner) ¹	33° 32' 17" N	112° 20' 20" W
3	20	Pond X (SE Corner) ¹	33° 32' 13" N	112° 20' 17" W
Solar Evaporation Ponds:				
4	21"A"	Brine Pond D (SE Corner ¹)	33° 32' 29" N	112° 20' 22" W
5	21"B"	Brine Pond C (SE Corner ¹)	33° 32' 20" N	112° 20' 21" W
6	21"C"	Brine Pond B (SE Corner ¹)	33° 32' 13" N	112° 20' 21" W
7	21"D"	Brine Pond A (SE Corner ¹)	33° 32' 18" N	112° 20' 17" W
8	21"E"	Brine Pond H (SE Corner ¹)	33° 32' 18" N	112° 20' 13" W
9	21"F"	Brine Pond E (SE Corner ¹)	33° 32' 29" N	112° 20' 13" W
10	21"G"	Brine Pond F (SE Corner ¹)	33° 32' 29" N	112° 20' 09" W
11	21"H"	Brine Pond G (SE Corner ¹)	33° 32' 17" N	112° 20' 08" W
12	21"I"	Brine Pond J (SE Corner ¹)	33° 32' 38" N	112° 20' 09" W
13	21"J"	Brine Pond L (SE Corner ¹)	33° 32' 43" N	112° 20' 14" W
14	21"K"	Brine Pond K (SE Corner ¹)	33° 32' 48" N	112° 20' 09" W
15	21"L"	Pond RN (SE Corner ¹)	33° 32' 33" N	112° 20' 20" W
16	21"M"	Pond RS (SE Corner ¹)	33° 32' 29" N	112° 20' 20" W
23	21 "N"	Brine Pond M (SE Corner ¹)	33° 32' 55" N	112° 20' 15" W
24	21 "O"	Brine Pond N (SE Corner ¹)	33° 32' 52" N	112° 20' 22" W
Salt Caverns:				

¹ Surveyed point of reference for facility latitude and longitude.

² A non-stormwater impoundment contains seepage or inflow, including, but not limited to, storm-event surface water run-off from the process area, driveways, parking lots, wet stockpile area, and general drainage from berms and roadways not reporting to brine ponds.

Table 1: DISCHARGING FACILITIES				
19	N/A	RB #3 Cavern (At Wellhead ¹)	33° 32' 35" N	112° 20' 21" W
20	N/A	RB #4 Cavern (At Wellhead ¹)	33° 32' 16" N	112° 20' 21" W
22	N/A	RB #5 Cavern (At Wellhead ¹)	33° 32' 29" N	112° 20' 13" 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 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 Permittee shall be required to maintain financial capability throughout the life of the facility. The estimated closure/post closure cost is \$6,531,407.00. The financial assurance mechanism was demonstrated through a Performance Surety Bond per A.A.C. R18-9-A203(C)(2).

2.2. BEST AVAILABLE DEMONSTRATED CONTROL TECHNOLOGY (BADCT)

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

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

The list of permitted facilities and a description of BADCT is included in Section 4.1, Table 5.

2.2.2. Site-Specific Characteristics

Not applicable.

2.2.3. Pre-Operational Requirements

Not applicable.

2.2.4. Operational Requirements

Operational requirements shall be performed at the frequencies indicated and the results recorded in a log as required by Section 2.7. The log shall be kept at the facility for 10 years from the date of each inspection and shall be available for review by ADEQ personnel.

If damage is identified during an inspection that could cause or contribute to an unauthorized discharge, proper repairs shall be promptly performed. A summary of the repairs, including a description of the procedures and materials used, shall be maintained with the inspection records noted above.

Monitoring for surface subsidence, cavern stability, fissuring, and water brine interface are required under Sections 2.5.2.1, **Error! Reference source not found.**, 2.5.2.2, and 2.5.2.3, respectively.

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 as defined in A.R.S. § 49-201(12) resulting from failure or bypassing of BADCT pollutant control technologies including liner failure, uncontrollable leakage, berm breaches that result in an unexpected loss of fluid, or accidental spills. Liner failure in a single-lined impoundment is any condition that would result in leakage exceeding 550 gallons per day per acre. The discharge limitations in this section are not applicable to any discharge caused by precipitation in excess of a single 100-year/24-hour storm event or process overflow during a power outage exceeding 24 hours in duration.

2.3.1. Non-Stormwater Impoundments

The Non-stormwater Impoundments (NSI) are designed and authorized to receive process solutions, stormwater, and stormwater impacted by brine as a result of storm events or process upset events. Flow through the spillway into an adjacent impoundment is not considered to be a discharge limitation violation.

2.3.2. Excess Solar Evaporation Impoundments

The Solar Evaporation Impoundments (SEI) are designed and authorized for the storage of process solutions (brine) and stormwater. Flows through the spillway into an adjacent impoundment are not considered to be a discharge limitation violation.

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	Longitude	ADWR Number
POC-SW	The POC well is located downgradient of the recharge wells near the northeast corner of the PMA	33° 32' 15.79" N	112° 20' 26.76" W	55-908315
POC-NW	Conceptual POC well is located downgradient southwest of Pond N	33° 32' 51.74" N	112° 20' 27.73" W	TBD
POC-NE	Conceptual POC well is located downgradient southeast of Pond M	33° 32' 51.16" N	112° 20' 14.29" W	TBD

Groundwater monitoring at POC-SW is required under the conditions of this permit per Section 4.2, Table 7, Table 8, Table 9, and Table 10. Groundwater monitoring is not required at POC-NW and POC-NE unless as contingency monitoring. The Director may amend this permit to designate additional POCs, if information on groundwater gradients or groundwater usage indicates the need.

2.5. MONITORING REQUIREMENTS

[A.R.S. § 49-243(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. Facility / Operational Monitoring

The permittee shall conduct operational monitoring as required in this section under paragraphs 2.5.2.1, **Error! Reference source not found.**, 2.5.2.2, 2.5.2.3, **Error! Reference source not found.**, **Error! Reference source not found.**, and **Error! Reference source not found.**, and shall report results to ADEQ as required in Section 2.7.4.1. If any damage of the monitoring equipment is identified during an inspection, proper repair procedures shall be performed. All repair procedures and material(s) used shall be documented in the annual report required under Section 2.7.4.1.

Operational monitoring inspections shall be conducted according to Section 4.2, Table 13. 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.

2.5.2.1. Surface Subsidence

Surface subsidence monitoring shall be performed annually by a state certified surveyor using high order leveling surveys tied into stable benchmarks both on and off the facility. The monitoring program was started by the permittee in 1988. Subsidence reporting is divided into subsidence resulting from solution mining compared to subsidence from regional groundwater withdrawal. Survey points used as monitoring stations to track the magnitude of local subsidence are listed in Section 4.2, Table 6. Included in this table are the reference points, generally U.S. Coast and Geodetic Survey control points representing stable ground conditions and local points at the facility.

Subsidence measurements shall be recorded annually from the stable reference points. The permittee shall provide copies of annual graphs in the annual report required under Section 2.7.4.1. The graphs shall show adjustments made to on-site subsidence points due to the use of stable, government reference points. Any exceedance of an alert level listed in Section 4.2, Table 6 shall trigger the contingency actions in Section 2.6.2.3.

2.5.2.2. Monitoring of Nitrate Concentration in Morton Brine Pond

The permittee shall sample the brine in Pond 1N annually for nitrates in the second quarter of each year. Results of the sampling shall be provided in the annual report required in Section 2.7.4.1.

2.5.2.3. Fissure Monitoring

During the lifetime of the facility, several fissures have been observed in the pond area. Data provided in the APP Application and subsequent submittals, support the conclusion that past fissuring has occurred as the result of regional subsidence. In the 15 years following the last reported incident of fissuring, the permittee has reported no new fissures have appeared on the property nor has there been evidence of growth in existing fissures on the property. The program involving a network of monitoring points for measuring horizontal movement across known fissure zones has been discontinued due to inaccessibility to the undeveloped neighboring property adjacent to the eastern boundary of the Morton Salt facility. Due to the presence of fissures east of the facility and lack of continued access of the fissure monitoring network, the permittee shall, as an alternative, visually monitor the eastern boundary block wall for cracking and nearby soil for any signs of fissure development per Section 4.2, Table 12.

2.5.3. Compliance Groundwater Monitoring and Sampling Protocols

Compliance groundwater monitoring is required under the terms of this permit. For all sampling methods, static water levels shall be measured and recorded prior to sampling.

Wells shall be purged of at least three borehole volumes (as calculated using the static water level) or until field parameters (pH, temperature, and conductivity) are stable, whichever represents the greater volume. If evacuation results in the well going dry, the well shall be allowed to recover to 80 percent of the original borehole volume, or for 24 hours, whichever is shorter, prior to sampling. If after 24 hours there is not sufficient water for sampling, the well shall be recorded as “dry” for the monitoring event. An explanation for reduced pumping volumes, a record of the volume pumped, and modified sampling procedures shall be reported and submitted with the Self-Monitoring Report Form (SMRF).

As an alternative method for sampling, the permittee may conduct the sampling using the low-flow purging method as described in the Arizona Water Resources Research Center, March 1995 *Field Manual for Water Quality Sampling*. The well must be purged until indicator parameters stabilize. Indicator parameters shall include dissolved oxygen, turbidity, pH, temperature, and conductivity.

2.5.3.1. POC Well Replacement

In the event that one or more of the designated POC wells should become unusable or inaccessible due to damage, exceedance of alert level (AL) for water level as required by Section 2.6.2.2.4, or any other event, a replacement POC well shall be constructed and installed upon approval by ADEQ. If the replacement well is 50 feet or less from the original well, the ALs and/or aquifer quality limits (AQLs) calculated for the designated POC well shall apply to the replacement well.

Not required at the time of permit issuance.

2.5.3.2. Compliance Groundwater Monitoring for POC Wells

Quarterly compliance monitoring shall include analysis of groundwater samples for the parameters listed in Section 4.2, Table 7 and Table 8. In addition to quarterly compliance groundwater monitoring, every 2 years (biennial) the permittee shall analyze samples from the POC wells for an expanded list of parameters listed in Section 4.2, Table 9 and Table 10. Compliance groundwater monitoring shall continue for the life of the facility.

2.5.3.3. Post-closure Groundwater Monitoring

The need for post-closure monitoring shall be assessed by the permittee and ADEQ at the time of closure of this facility.

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 contingency requirements of Section 2.6 and may propose “other actions” including amending the permit to set higher limits. Analyses shall be performed by a laboratory licensed by the Arizona Department of Health Services, Office of Laboratory Licensure and Certification unless exempted under A.R.S. § 36-495.02. For results to be considered valid, all analytical work shall meet quality control standards specified in the approved methods. A list of Arizona state-certified laboratories can be obtained at the address below:

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

Online: <https://ells-lab-search.azdhs.gov/ArizonaCertifiedLabs/LabSearchContentPage>

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

2.5.7. Supplemental Well Monitoring (MW-SE)

A supplement groundwater monitoring well has been established at the following location:

Table 3: SUPPLEMENTAL WELL MONITORING				
Sampling Point	Well Identification	Latitude	Longitude	ADWR #
6	MW-SE	33° 32' 16.46" N	112° 20' 11.99" W	55-924876

Groundwater monitoring at this location is required under the conditions of this permit per Section 4.2, Table 7 and Table 8.

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 an AQL, DL, or other permit condition shall be reported to ADEQ following the reporting requirements in Section 2.7.3, unless more specific reporting requirements are set forth in Sections 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 of a DL or AQL 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 pollutants 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

2.6.2.1.1. Performance Levels Set for Freeboard

In the event that freeboard performance levels required by Section 4.2 Table 11 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 of or recycle to other operations the excess fluid in the reservoir until the water level is restored at or below the permitted freeboard limit.
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 compliance with this permit or remove the affected system(s) from service as specified in Section 2.8 (Temporary Cessation) and Section 2.9 (Closure) of this permit. 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, 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 Section 4.2, Table 13 has been observed or noted during required inspection and operational monitoring, such that the result could cause or contribute to an unauthorized discharge, the permittee shall immediately investigate to determine the cause of the condition. 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 Department may amend the permit to require additional monitoring, increased frequency of monitoring, or other actions.
3. The permittee shall initiate actions identified in the approved contingency plan referenced in Section 5.0 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.

2.6.2.1.3. Performance Levels, Fissure Monitoring

1. If an operational AL listed in Section 4.2, Table 12 has been observed or noted during required inspection and operational monitoring, the permittee shall immediately investigate to determine the cause of the condition. 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; and
 - b. Review of recent process logs, reports, and other operational control information to identify any unusual occurrences.
2. The AL exceedance, results of the investigation, and any corrective action taken shall be reported to the ADEQ WQCS, within 30 days of the discovery of the condition. Upon review of the submitted report, ADEQ may amend the permit to require additional monitoring, increased frequency of monitoring, or other actions.
3. The permittee shall initiate actions identified in the approved contingency plan referenced in Section 5.0 and any specific contingency measures identified in Section 2.6 to resolve any problems identified by the investigation which may have led to an AL being exceeded. To implement any other corrective action the permittee shall obtain prior approval from ADEQ according to Section 2.6.6.

2.6.2.2. Exceeding of Alert Levels in Groundwater Monitoring

2.6.2.2.1. Alert Levels for Indicator Parameters

Not Applicable.

2.6.2.2.2. Alert Levels for Pollutants with Numeric Aquifer Water Quality Standards

1. If an AL for a pollutant set in Section 4.2, Table 7, Table 8, Table 9, and Table 10 has been exceeded, the Permittee may request that the laboratory verify the sample results within five (5) days of becoming aware of an AL exceedance. The permittee may use the results of another sample taken between the date of the last sampling event and the date of receiving the result as verification.
2. If verification sampling confirms the AL exceedance or if the Permittee opts not to perform verification sampling, then the permittee shall increase the frequency of monitoring for that parameter to Monthly. In addition, the permittee shall immediately initiate an investigation of the cause of the AL exceedance, including inspection of all discharging units and all related pollution control devices, review of any operational and maintenance practices that might have resulted in an unexpected discharge, and hydrologic review of groundwater conditions including upgradient water quality.
3. The Permittee shall initiate actions identified in the approved contingency plan referenced in Section 5.0 and specific contingency measures identified in Section 2.6 to resolve any problems identified by the investigation which may have led to an AL exceedance. To implement any other corrective action the permittee shall obtain prior approval from ADEQ according to Section 2.6.6. Alternatively, the permittee may submit a technical demonstration, subject to written approval by the ADEQ, that although an AL is exceeded, the pollutant(s) for which the AL is exceeded are not reasonably expected to cause a violation of an AQL at any POC. The demonstration may propose a revised AL or monitoring frequency for approval in writing by the ADEQ for any pollutant that exceeded its AL.
4. Within 30 days after confirmation of an AL exceedance, the permittee shall submit the laboratory results to the ADEQ along with a summary of the findings of the investigation, the cause of the AL exceedance, and actions taken to resolve the problem.
5. Upon review of the submitted report, the Department may amend the permit to require additional monitoring, increased frequency of monitoring, or other actions.
6. The increased monitoring required as a result of ALs being exceeded may be reduced to the regularly scheduled frequency, if the results of three (3) consecutive monthly sampling events demonstrate that the pollutant(s) which have been monitored for more frequently no longer exceed the AL(s).
7. If the increased monitoring required as a result of an AL exceedance continues for more than six (6) sequential sampling events, the Permittee shall submit a second (2nd) report documenting an investigation of the continued AL exceedance within 30 days of the receipt of laboratory results of the sixth (6th) sampling event.

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

Not Applicable

2.6.2.2.4. Alert Level for Groundwater Level

Not Applicable

2.6.2.3. Exceedance of Alert Levels for Regional Subsidence Monitoring

If an exceedance of an AL listed in Section 4.2, Table 6 has been observed or noted during normal operations, the permittee shall immediately investigate to determine the cause of the condition. The investigation shall include the following:

1. Repeat logging to confirm results;
2. Review of recent survey logs, reports, and any other operational control information to identify any unusual occurrences;
3. Corrective action may include, but is not limited to, increasing the frequency of subsidence monitoring, frequency of gamma survey, and/or conducting sonar logging of the cavern;
4. The permittee shall monitor and report on the stability of the salt caverns to assess the effects of the corrective action process relative to minimizing the potential for groundwater pollution; and
5. Within 30 days of the AL exceedance, results of the investigation and any corrective action taken shall be reported to the ADEQ at the address shown in Section 2.7.5.

2.6.3. Discharge Limitation Violation

2.6.3.1. Liner Failure, Containment Structure Failure, or Unexpected Loss of Fluid

In the event of liner failure, containment structure failure, or unexpected loss of fluid as described in Section 2.3, 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 to prevent further releases to the subsurface and/or to perform repairs.
2. Within 24 hours of discovery, notify the ADEQ,
3. Within five (5) days of discovery of a failure estimate the quantity released, collect representative samples of the fluid remaining in affected impoundments and drainage structures, analyze sample(s) according to Section 4.2, Table 14. In the 30-day report required under Section 2.7.3, 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 File).

5. Within 30 days of discovery of the incident, submit a report to ADEQ as specified in Section 2.7.3. 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.
6. Within 60 days of discovery, conduct an assessment of 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 AQL at the applicable point of compliance, submit to ADEQ, for approval, a corrective action plan to address such impacts, including identification of remedial actions and 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 the ADEQ.
3. Within five (5) days, collect representative samples of the fluid contained in the surface impoundment. Samples shall be analyzed for the parameters specified in Section 4.2, Table 14. Within 30 days of the incident, submit a copy of the analytical results to the 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 Table 11. Record in the facility log, the amount of fluid removed, a description of the removal method, and the disposal arrangements. The facility log/recordkeeping file shall be maintained according to Section 2.7.2 (Operation Inspection / Log/Recordkeeping File).
5. Within 30 days of discovery, evaluate the cause of the overtopping and identify the circumstances that resulted in the incident. Implement corrective actions and adjust operational conditions as necessary to resolve the problems identified in the evaluation. Repair any systems as necessary to prevent future occurrences of overtopping.
6. Within 30 days of discovery of overtopping, submit a report to the ADEQ, as specified in section 2.7.3.2 (Permit Violation and AL Status Reporting). Include a description of the actions performed in Subsections 1 through 5 listed above. Upon review of the report, the ADEQ, may request additional monitoring or remedial actions.
7. Within 60 days of discovery, and based on sampling in Subsection 3 above, conduct an assessment of the impacts to the subsoil and/or groundwater resulting from the incident.
8. If soil or groundwater is impacted such that it could cause or contribute to an exceedance of an AQL at the applicable point of compliance, submit to the 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 the ADEQ, the permittee shall implement the approved plan.

9. Within 30 days of completion of corrective actions, submit to the ADEQ, a written report as specified in Section 2.6.6 (Corrective Actions). Upon review of the report, the 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 Surface Impoundments is specified in Section 2.3 (Discharge Limitations). If any unexpected materials flow to the permitted surface impoundment, the permittee shall:

1. As soon as practicable, cease all unexpected inflows to the surface impoundment.
2. Within 24-hours of discovery, notify the ADEQ.
3. Within five (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 the 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, the ADEQ may amend the permit to require additional monitoring, increased frequency of monitoring, amendments to permit conditions, or other actions including remediation.

2.6.4. Aquifer Quality Limit Violation

1. If an AQL set in Section 4.2 Table 7, Table 8, Table 9, and Table 10 has been exceeded, the permittee may conduct verification sampling for those pollutant(s) that were above their respective AQL(s) within 5 days of becoming aware of an AQL exceedance. The permittee may use the results of another sample taken between the date of the last sampling event and the date of receiving the result as verification.
2. If verification sampling confirms that the AQL is violated for those pollutant(s) that were above their respective AQL(s) or if the permittee opts not to perform verification sampling, then the permittee shall increase the frequency of monitoring for those pollutant(s) that were above their respective AQL(s) to Monthly. In addition, the permittee shall immediately initiate an evaluation for the cause of the violation, including inspection of all discharging units and all related pollution control devices, and review of any operational and maintenance practices that might have resulted in unexpected discharge.

The permittee also shall submit a report according to Section 2.7.3(2), which includes a summary of the findings of the investigation, the cause of the violation, and actions taken to resolve the problem. A verified exceedance of an AQL will be considered a violation unless the permittee demonstrates within 90 days or a longer time period if agreed to by the ADEQ that the exceedance was not caused or contributed to by pollutants discharged from the facility. Unless the permittee has demonstrated that the exceedance was not caused or contributed to by pollutants discharged from the facility, the permittee shall consider and the ADEQ may require corrective action that may include control of the source of discharge, cleanup of affected soil, surface water or groundwater, and mitigation of the impact of pollutants on existing uses of the aquifer. Corrective actions shall either be specifically identified in this permit, included in the ADEQ approved contingency plan, or separately approved according to Section 2.6.6.

3. Upon review of the submitted report, ADEQ may amend the permit to require additional monitoring, increased frequency of monitoring, or other actions.
4. The permittee shall notify any downstream or downgradient users who may be directly affected by a verified exceedance of the AQL.
5. The permittee shall continue monitoring at the increased frequency until the contaminant(s) are below the AQL and AL for three consecutive quarters.

2.6.5. Emergency Response and Contingency Requirements for Unauthorized Discharges pursuant to A.R.S. § 49-201(12) and pursuant to A.R.S. § 49-241 That Are Not Addressed Elsewhere in Section 2.6

2.6.5.1. Duty to Respond

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

2.6.5.2. Discharge of Hazardous Substances or Toxic Pollutants

In the event of any unauthorized discharge as defined in 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 upon discovering the discharge of hazardous material which (a) has the potential to cause an AWQS or AQL to be exceeded, or (b) could pose an endangerment to public health or the environment.

2.6.5.3. Discharge of Non-hazardous Materials

In the event of any unauthorized discharge as defined in 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 AQL exceedance or could pose an endangerment to public health or the environment.

2.6.5.3.1. Reporting Requirements

The permittee shall submit a written report for any unauthorized discharges required to be 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(2). 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 ADEQ prior to implementing a corrective action to accomplish any of the following goals in response to exceedance of an AL or violation of an AQL, DL, or other permit condition:

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

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

2.6.7. Cavern Stability

If a catastrophic failure involving a solution mining cavern occurs or data analysis indicates failure is imminent, the permittee shall promptly notify ADEQ, close the active area in the vicinity of the failure, and conduct a field investigation of the failure to analyze its origin, extent, and its impact on local groundwater. The permittee shall inform ADEQ of changes in facility operations and describe temporary and permanent repairs as well as changes in operational plans, which are considered necessary.

2.7. Reporting and Recordkeeping Requirements

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

2.7.1. Self-Monitoring Report Form

1. The permittee shall complete the Self-Monitoring Reporting Forms (SMRFs) through the myDEQ online reporting system.
2. The permittee shall complete the SMRF to the extent that the information reported may be entered on the form. If no information is required during a reporting period, the permittee shall enter "not required" on the form, include an explanation, and submit the form to the ADEQ.
3. The tables contained in Section 4.2 list the monitoring parameters and the frequencies for reporting results on the SMRF:
 - Table 7 Quarterly Groundwater Compliance Monitoring (POC-SW)
 - Table 8 Quarterly Groundwater Supplemental Monitoring (MW- SE)

- Table 9 Biennial Groundwater Compliance Monitoring (POC-SW)
- Table 10 Biennial Groundwater Supplemental Monitoring (MW-SE)

The parameters listed in the above-identified tables from Section 4.2 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 time inspection was conducted;
3. Condition of applicable facility components;
4. Any damage or malfunction, and the date and time any repairs were performed;
5. Documentation of sampling date and time; and
6. Any other information required by this permit to be entered in the log book.

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 in writing within five (5) days (except as provided in Section 2.6.5) of becoming aware of a violation of any permit condition, discharge limitation or of an AL exceedance 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 discharge limitation. 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 13 in the facility log book as per Section 2.7.2, and report to the ADEQ any violations or exceedances as per Section 2.7.3.

2.7.4.1. Annual Report

The permittee shall submit to the ADEQ two copies of an annual report providing a summary of analysis of the monitoring results required under sections 2.5.2.1, **Error! Reference source not found.**, 2.5.2.2, and 2.5.2.3, and the quarterly groundwater elevations required by Section 2.5.2. The annual report for monitoring conducted during the previous year must be submitted by April 30th of the following year.

2.7.4.2. Well Abandonment Reports

If monitor wells associated with this permit are abandoned due to poor performance, casing collapse, or other reasons, or are abandoned at the end of the post-closure period, then within 90 days of completing abandonment, the permittee shall submit a well abandonment report to ADEQ, ADEQ. Each well abandonment report shall be completed in accordance with Arizona Department of Water Resources (ADWR) requirements and consist of the following:

1. Copy of ADWR Abandonment Completion Report (A.A.C. R18-12-816.E);
2. A description of the methods used to seal the well casing and the perforated or screened interval of the well.

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>. Contact at 602-771-4571 for any inquiry related to the SMRFs.

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 groundwaterpermits@azdeq.gov or the address listed below:

Arizona Department of Environmental Quality
ADEQ
Mail Code 5415B-3
1110 West Washington Street
Phoenix, Arizona 85007
Phone (602) 771-4449

2.7.6. Reporting Deadline

The following table lists the due dates:

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 due date for the Biennial report per Section 2.7.4.

Monitoring conducted Biennial:	Report due by:
January-December	January 30 of the following year

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 take the following measures upon temporary cessation:

- 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 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 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. 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 ADEQ, 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 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. Activities are necessary to verify that actions or controls specified as closure requirements in an approved closure plan or strategy are routinely inspected or maintained;

4. 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; and
5. Further action is necessary to meet property use restrictions.

2.10. Post-closure

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

Post-closure requirements shall be established based on a review of facility closure actions and will be subject to review and approval by the 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(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 ADEQ.

Table 4: COMPLIANCE SCHEDULE ITEMS			
No.	Description	Due By:	Permit Amendment Required?
3.1	The permittee shall submit the design drawings, specifications and quality assurance/quality control plan for ADEQ approval prior to re-lining existing ponds.	90 days prior to start of construction.	No
3.2	The permittee shall submit as-built drawings and construction completion report for relining existing ponds.	90 days after construction completion.	No
3.3	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 Section 3.0, No. 12 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)(8).	August 30, 2027 every 2 years thereafter.	No
3.4	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.	January 1, 2031, and every 6 years thereafter.	Yes
3.5	The permittee shall submit the Annual Reports providing a summary of analysis of the monitoring results required under Sections 2.5.2.1, Error! Reference source not found. , 2.5.2.2, and 2.5.2.3, , required by Section 2.7.4.1 of the permit.	By April 30 th of the following year.	No
3.6	An updated Contingency and Emergency Response Plan will be submitted to ADEQ and kept at the site as per A.A.C. R18-9-A204.	Within 30 days of amended permit issuance	No
3.7	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 Brine Pond M (SE Corner) to confirm that the facility was constructed in accordance with the design report, engineering plans and specifications submitted in the	Prior to discharging under this permit and within 90 days of completion of construction.	No

Table 4: COMPLIANCE SCHEDULE ITEMS

No.	Description	Due By:	Permit Amendment Required?
	application.		
3.8	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 Brine Pond N (SE Corner) to confirm that the facility was constructed in accordance with the design report, engineering plans and specifications submitted in the application.	Prior to discharging under this permit and within 90 days of completion of construction.	No

4.0 TABLES OF MONITORING REQUIREMENTS

4.1. FACILITY AND BADCT TABLES

Table 5: PERMITTED FACILITIES AND BADCT				
ADEQ Facility No.	Facility	Capacity Acre/ Gallons unless otherwise noted	Liner Type	BADCT description derived from permit Section 2.1 and current amendment application
Processing Plant Facilities				
1	Wet Stockpile	0.46 Acres 10,000 ton	Clay/salt	The Wet Stockpile receives the salt crystals harvested from the solar evaporation ponds. The salt crystals are screened by the equipment from the brine solution and conveyed to the top of the stockpile which has a normal operating capacity of 10,000 tons. This is the source material that is fed to the processing plant. The remaining brine is then piped to the Reclaim Pit for recycling at the solar evaporation ponds. The area beneath the equipment and wet stockpile is constructed of a contoured compacted clay/salt composite liner. A 48 foot 'L' shaped, 12-inch slotted, corrugated high-density polyethylene (HDPE) culvert is buried four feet below the stockpile to prevent seepage. Any equipment brine upsets, stormwater run-off, stockpile drain-down and solution collected from the culvert is gravity fed through an 8-inch HDPE pipe, to Pond 8.
Non-Stormwater Impoundments:				
2	Reclaim Pit	0.3 acre 110,000 gallon	Concrete and FML	The Reclaim Pit receives the underflow rinse water from the salt de-watering screen at the Wet Stockpile. Stormwater runoff from processing plan and office/warehouse is also pumped to this pit. The rinse water contains suspended solids (silts and clays). The 0.3-acre surface area reclaim pit has a normal 110,000-gallon operating capacity. One thousand gallons per minute (gpm) of brine solution is pumped from the reclaim pit to the North Reclaim Pond and in an emergency may be diverted to Brine Pond 2W through an overflow canal. This facility is designed to accept rainfall from a 100-year, 24-hour storm event. If necessary portable diesel/gasoline powered pumps may redirect brine between ponds.
3	Pond X	2.2 acre 478,000 gallon	Ethylene propylene diene monomer (EPDM)	Pond 8 receives equipment brine upsets from the Wet Stockpile. It may also receive stormwater from the processing plant and office/warehouse areas during heavy rain events. The 2.2-acre surface area impoundment has a 478,000-gallon operating capacity. The impoundment is constructed with an ethylene propylene diene monomer (EPDM) liner. If necessary portable diesel/gasoline powered pumps may redirect brine to Brine Pond 1SB.

Table 5: PERMITTED FACILITIES AND BADCT

Solar Evaporation Ponds (Brine Ponds):

4	Brine Pond D	9.2 acre 1,998,000 gallon	EPDM	Brine ponds receive brine flows from the injection wells (RB#3, RB#4 and RB#5) and are capable of receiving flows from other brine ponds. Brine ponds may receive 100-year 24-hour storm event flows if the following operational practices are implemented: the permittee ceases pumping of the brine from RB#3, RB#4 and RB#5; redirects brine flows between ponds; and diverts all surface water run-on from outside the facility away from the ponds. Portable diesel/gasoline powered pumps provide backup in the event of a power failure. The base of ponds is at ground level and embankments have a minimum height of 4 feet, which provides between 12 and 18 inches of depth for working room in the production of salt from brine evaporation. The sidewalls of the ponds are designed with a slope angle of 2:1 (horizontal to vertical) with the top of the berm between ponds varying from 8 to 10 feet wide and crowned with a 4:1 slope each way from the center line to deflect stormwater run-off into the ponds. The pond size, capacity and liner type are listed within this table. Brine Operational requirements shall be performed at the frequencies indicated in Section 4.2 and the results recorded in an onsite log as required by Section 2.7. The log shall be kept at the facility for 10 years from the date of each inspection and shall be available for review by ADEQ personnel. If damage is identified during an inspection that could cause or contribute to an unauthorized discharge, proper repairs shall be promptly performed. A summary of the repairs, including a description of the procedures and materials used, shall be maintained with the inspection records noted above. Monitoring for surface subsidence, cavern stability, fissuring, , are required under Sections 2.5.2.1, Error! Reference source not found., 2.5.2.2, and 2.5.2.3, respectively.
5	Brine Pond C	10.8 acre 2,346,000 gallon	EPDM	
6	Brine Pond B	Current: 5.5 acre 1,195,000 gallon	Clay	
7	Brine Pond A	9 acre 1,955,000 gallon	Clay	
8	Brine Pond H	7.9 acre 1,716,000 gallon	FML	
9	Brine Pond E	10.2 acre 2,216,000 gallon	EPDM	
10	Brine Pond F	6.4 acre 1,390,000 gallon	Clay	
11	Brine Pond G	9 acre 1,955,000 gallon	Clay	
12	Brine Pond J	8.2 acre 1,781,000 gallon	Clay	
13	Brine Pond L	6.1 acre 1,325,000 gallon	EPDM	
14	Brine Pond K	12.1 acre 2,628,000 gallon	Clay	
23	Brine Pond M	7 acre 1,528,000 gallon	Composite Clay and EPDM	

Table 5: PERMITTED FACILITIES AND BADCT

24	Brine Pond N	9 acre 1,955,000 gallon	Composite Clay and EPDM	
Sediment Ponds (North and South)				
15	Pond RN	0.5 acre 2,500 gpm	Clay	The North Sediment Pond receives brine pumped from the injection wells and the recycled brine from the Reclaim Pit. The pond receives underflow rinse water from the Reclaim Pit containing accumulated silt that settles out of the brine requiring the impoundment to be dredged as needed and the solids disposed to the Roach Baker Well #3. The South Sediment Pond receives brine pumped from the North Sediment Pond. The suspended solids (silts and clays) in the brine from the North Sediment Pond continue to settle in the South Sediment Pond. The accumulated suspended solids that settle out of the in the South Sediment Pond shall be dredged as needed and the solids disposed to the Roach Baker Well #3.
16	Pond RS	1 acre 2,500 gpm	FML	The North and South Sediment Ponds may receive 100-year 24-hour storm event flows if: the permittee ceases pumping of the brine from RB#3 and RB#4; redirects brine flows between ponds; and diverts all surface water run-on from outside the facility away from the ponds. Portable diesel/gasoline powered pumps provide backup in the event of a power failure.
Salt Caverns:				
19	N/A	RB #3 Cavern	NA	Minimum 200' cavern roof salt thickness.
20	N/A	RB #4 Cavern		To protect the salt layer or roof of the caverns, the permittee shall inject either a diesel oil or mineral oil pad through the injection/recovery wells, which prevents contact of the brine with the salt in the roof, thereby limiting vertical growth of the cavern.
22	N/A	RB #5 Cavern		Cavern formation is limited to development as follows: RB #3 between 1,290 feet and 3,700 feet bgs RB #4 between 1,110 feet and 5,000 feet bgs RB #5 between 1,110 feet and 5,000 feet bgs

4.2. COMPLIANCE OR OPERATIONAL MONITORING

Table 6: SURFACE SUBSIDENCE MONITORING

Table 6: SURFACE SUBSIDENCE MONITORING			
Monitoring Points			Regional Subsidence Alert Level (inches/year)
Monitoring Location	Latitude	Longitude	
Survey Monument 1	33°32'12.90626"N	112°20'26.82022"W	0.4
Survey Monument 2	33°32'28.47327"N	112°20'27.78742"W	0.4
Survey Monument 3	33°32'34.43303"N	112°20'21.46622"W	0.4
Survey Monument 4	33°32'15.56792"N	112°20'20.90464"W	0.4
Survey Monument 5	33°32'17.12941"N	112°20'07.94923"W	0.4
Survey Monument 5A	33°32'17.01391"N	112°20'07.72551"W	0.4
Survey Monument 6	33°32'36.55837"N	112°20'08.75171"W	0.4
Survey Monument 7	33°32'47.80712"N	112°20'09.22694"W	0.4
Survey Monument 8	33°32'34.58126"N	112°20'21.44927"W	0.4
Survey Monument 9	33°32'15.70872"N	112°20'20.90273"W	0.4
Survey Monument 10	33°32'28.59111"N	112°20'21.98942"W	0.4
BCHH 1 (Dysart & Glendale)	33°32'12.15901"N	112°20'27.61587"W	0.4
Alum/Brass Cap (1/4 S3/S2)	33°32'38.19764"N	112°20'28.84934"W	0.4
BCHH 2 (Dysart & Northern)	33°33'04.22153"N	112°20'30.06680"W	0.4
WWS1 (NE Corner Well Pad)	33°32'50.95612"N	112°20'23.60688"W	0.4
WWS2 (SW Corner Well Pad)	33°32'55.95849"N	112°20'30.79968"W	0.4
WWS3 (E Side Well Pad)	33°33'0.36168"N	112°20'30.88731"W	0.4
BCHH 3 (Litchfield & Glendale)	33°32'13.53689"N	112°21'30.35820" W	0.4

Table 7: GROUNDWATER MONITORING

Sampling Point Number	Sampling Point Identification			Latitude	Longitude
5	POC-SW			33° 32' 15.79" N	112° 20' 26.76" W
Parameter	AL ³	AQL ⁴	Units	Sampling Frequency	Reporting Frequency
Depth to Water	Monitor ⁵	Monitor	Feet	Quarterly	Quarterly
Water Level Elevation	Monitor	Monitor	feet amsl ⁶	Quarterly	Quarterly
pH-field	Monitor	Monitor	SU	Quarterly	Quarterly
Temperature-field	Monitor	Monitor	°F	Quarterly	Quarterly
Specific Conductance-field	Monitor	Monitor	(µmhos/cm)	Quarterly	Quarterly
Total Dissolved Solids (TDS)	Monitor	Monitor	mg/L ⁷	Quarterly	Quarterly
Calcium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Chloride	Monitor	Monitor	mg/L	Quarterly	Quarterly
Fluoride	3.2	4	mg/L	Quarterly	Quarterly
Magnesium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Nitrate	N/A	85 ⁸	mg/L	Quarterly	Quarterly
Potassium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Sodium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Sulfate	Monitor	Monitor	mg/L	Quarterly	Quarterly

³ AL = Alert Level

⁴ AQL = Aquifer Quality Limit

⁵ Monitoring required, but no limits established.

⁶ amsl = Height above mean sea level

⁷ mg/L = milligrams per liter

⁸ Calculated Alert Level is above AWQS

Table 8: GROUNDWATER MONITORING

Sampling Point Number	Sampling Point Identification			Latitude	Longitude
6	MW-SE			33° 32' 16.46" N	112° 20' 11.99" W
Parameter	AL ⁹	AQL ¹⁰	Units	Sampling Frequency	Reporting Frequency
Depth to Water	Monitor ¹¹	Monitor	Feet	Quarterly	Quarterly
Water Level Elevation	Monitor	Monitor	feet amsl ¹²	Quarterly	Quarterly
pH-field	Monitor	Monitor	SU	Quarterly	Quarterly
Temperature-field	Monitor	Monitor	°F	Quarterly	Quarterly
Specific Conductance-field	Monitor	Monitor	(µmhos/cm)	Quarterly	Quarterly
Total Dissolved Solids (TDS)	Monitor	Monitor	mg/L ¹³	Quarterly	Quarterly
Calcium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Chloride	Monitor	Monitor	mg/L	Quarterly	Quarterly
Fluoride	Monitor	Monitor	mg/L	Quarterly	Quarterly
Magnesium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Nitrate	Monitor	Monitor	mg/L	Quarterly	Quarterly
Potassium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Sodium	Monitor	Monitor	mg/L	Quarterly	Quarterly
Sulfate	Monitor	Monitor	mg/L	Quarterly	Quarterly

⁹ AL = Alert Level

¹⁰ AQL = Aquifer Quality Limit

¹¹ Monitoring required, but no limits established.

¹² amsl = Height above mean sea level

¹³ mg/L = milligrams per liter

Table 9: BIENNIAL GROUNDWATER MONITORING

Sampling Point Number	Sampling Point Identification			Latitude	Longitude
5	POC-SW			33° 32' 15.79" N	112° 20' 26.76" W
Parameter	AL ¹⁴	AQL ¹⁵	Units	Sampling Frequency	Reporting Frequency
Alkalinity	Monitor	Monitor	mg/L ¹⁶	Biennial	Biennial
Carbonate	Monitor	Monitor	mg/L	Biennial	Biennial
Bicarbonate	Monitor	Monitor	mg/L	Biennial	Biennial
Hydroxide	Monitor	Monitor	mg/L	Biennial	Biennial
Boron	Monitor	Monitor	mg/L	Biennial	Biennial
Hydrocarbon (C10-32 range)	Monitor	Monitor	mg/L	Biennial	Biennial
Oil and Grease	Monitor	Monitor	mg/L	Biennial	Biennial
Metals (Dissolved)					
Antimony	N/A	2.71*	mg/L	Biennial	Biennial
Arsenic	0.04	0.05	mg/L	Biennial	Biennial
Barium	N/A	6.8*	mg/L	Biennial	Biennial
Beryllium	0.0032	0.004	mg/L	Biennial	Biennial
Cadmium	0.004	0.005	mg/L	Biennial	Biennial
Chromium	N/A	0.98*	mg/L	Biennial	Biennial
Lead	0.04	0.05	mg/L	Biennial	Biennial
Mercury	N/A	0.0039	mg/L	Biennial	Biennial
Nickel	N/A	0.42*	mg/L	Biennial	Biennial
Selenium	N/A	0.17*	mg/L	Biennial	Biennial
Thallium	0.0016	0.002	mg/L	Biennial	Biennial
Zinc	Monitor	Monitor	mg/L	Biennial	Biennial
Radionuclides					
Adjusted Gross Alpha ¹⁷	N/A	174*	pCi/L ¹⁸	Biennial	Biennial
Radium 226+ Radium 228	N/A	21*	pCi/L	Biennial	Biennial
Uranium Isotopes ¹⁹	Monitor	Monitor	pCi/L	Biennial	Biennial

¹⁴ AL = Alert Level

* = Calculated Alert Level is above AWQS

¹⁵ AQL = Aquifer Quality Limit.

¹⁶ mg/L = milligrams per liter

¹⁷ The adjusted gross alpha particle activity is the gross alpha activity, including radium 226, minus radon and total uranium (the sum of uranium 238, uranium 235, and uranium 234 isotopes).

¹⁸ pCi/L = Picocuries per liter

¹⁹ Uranium Isotope activity results must be used for calculating Adjusted Gross Alpha

Table 10: BIENNIAL GROUNDWATER MONITORING
(in mg/L unless otherwise noted)

Sampling Point Number	Sampling Point Identification			Latitude	Longitude
6	MW-SE			33° 32' 16.46" N	112° 20' 11.99" W
Parameter	AL ²⁰	AQL ²¹	Units	Sampling Frequency	Reporting Frequency
Alkalinity	Monitor	Monitor	mg/L ²²	Biennial	Biennial
Carbonate	Monitor	Monitor	mg/L	Biennial	Biennial
Bicarbonate	Monitor	Monitor	mg/L	Biennial	Biennial
Hydroxide	Monitor	Monitor	mg/L	Biennial	Biennial
Boron	Monitor	Monitor	mg/L	Biennial	Biennial
Hydrocarbon (C10-32 range)	Monitor	Monitor	mg/L	Biennial	Biennial
Oil and Grease	Monitor	Monitor	mg/L	Biennial	Biennial
Metals (Dissolved)					
Antimony	Monitor	Monitor	mg/L	Biennial	Biennial
Arsenic	Monitor	Monitor	mg/L	Biennial	Biennial
Barium	Monitor	Monitor	mg/L	Biennial	Biennial
Beryllium	Monitor	Monitor	mg/L	Biennial	Biennial
Cadmium	Monitor	Monitor	mg/L	Biennial	Biennial
Chromium	Monitor	Monitor	mg/L	Biennial	Biennial
Lead	Monitor	Monitor	mg/L	Biennial	Biennial
Mercury	Monitor	Monitor	mg/L	Biennial	Biennial
Nickel	Monitor	Monitor	mg/L	Biennial	Biennial
Selenium	Monitor	Monitor	mg/L	Biennial	Biennial
Thallium	Monitor	Monitor	mg/L	Biennial	Biennial
Zinc	Monitor	Monitor	mg/L	Biennial	Biennial
Radionuclides					
Adjusted Gross Alpha ²³	Monitor	Monitor	pCi/L ²⁴	Biennial	Biennial
Radium 226+ Radium 228	Monitor	Monitor	pCi/L	Biennial	Biennial
Uranium Isotopes	Monitor	Monitor	pCi/L	Biennial	Biennial

²⁰ AL = Alert Level

²¹ AQL = Aquifer Quality Limit

²² mg/L = milligrams per liter

²³ The adjusted gross alpha particle activity is the gross alpha activity, including radium 226, minus radon and total uranium (the sum of uranium 238, uranium 235, and uranium 234 isotopes).

²⁴ pCi/L = Picocuries per liter

**Table 11: FREEBOARD,
FACILITY INSPECTION (OPERATIONAL MONITORING) - LOG BOOK²⁵**

Facility No.	Pollution Control Structure/Parameter	Performance Level	Inspection Frequency
2	Reclaim Pit	Minimum of one (1) foot	Weekly
3	Pond X	Minimum of 0.91 of a foot	Weekly
4	Brine Pond D	Minimum of 1.29 feet	Weekly
5	Brine Pond C	Minimum of 1.33 feet	Weekly
6	Brine Pond B	Minimum of 1.18 feet	Weekly
7	Brine Pond A	Minimum of 1.42 feet	Weekly
8	Brine Pond H	Minimum of 1.49 feet	Weekly
9	Brine Pond E	Minimum of 1.26 feet	Weekly
10	Brine Pond F	Minimum of 1.24 feet	Weekly
11	Brine Pond G	Minimum of 1.56 feet	Weekly
12	Brine Pond J	Minimum of 1.40 feet	Weekly
13	Brine Pond L	Minimum of 1.30 feet	Weekly
14	Brine Pond K	Minimum of 1.41 feet	Weekly
15	t Pond RN	Minimum of 0.89 of a foot	Weekly
16	Pond RS	Minimum of 0.93 of a foot	Weekly
23	Brine Pond M	Minimum of 1.12 feet	Weekly
24	Brine Pond N	Minimum of 1.41 feet	Weekly

Table 12: FISSURE MONITORING

Pollution Control Structure/Parameter	Performance Level	Inspection Frequency
Fissures	Visually monitor the eastern boundary block wall for cracking and the nearby soil for any signs of fissure development.	Weekly

²⁵ The permittee shall record the inspection performance levels in a log book as per Section 2.7.2. In the case of an exceedance, identify which structure exceeds the performance level in the log book.

Table 13: FACILITY INSPECTION (OPERATIONAL MONITORING)

Parameter	Performance Standards	Inspection Frequency
Wet Stockpile	Check for blockages, fissuring, and other conditions interfering with the handling of non-stormwater runoff or drain down.	Daily ²⁶
North and South Sediment Ponds ²⁷	Silt/slime removed as needed to maintain storage capacity	Quarterly
(Non-Stormwater Impoundments) ²⁸	Visual inspection of each impoundment shall be conducted looking for indications of leakage.	Quarterly
Brine Ponds (Solar Evaporation Ponds)	Visual inspection of each pond shall be conducted looking for indications of brine leakage, such as but not limited to, swirling action on the brine pond surface, drop in pond surface elevation, discoloration, wetness, or slumping of the ground adjacent to a facility where it is not expected to occur based on the intended function and design of the facility is indicative of a potential unauthorized discharge.	Daily
Clay or FML liners	Visually inspect liners for holes, tears, and anchor trench integrity	Quarterly
Pond Berm Integrity	No visible structural damage, breach, or seeps, erosion of embankments	Daily
Gravity flow control gates/pipes	Visually inspect and verify of performance	Daily
Pump and pipeline integrity	Proper operating condition, for emergency response capability to maintain freeboard in ponds and redirecting of brine during upset conditions, such as fissuring	Monthly

²⁶ Once per operating day, Monday-Friday, excluding holidays.

²⁷ Sediment Ponds (facilities 15 & 16), which receive salt brine directly from injection wells and are designed to provide settlement of contained silt/slimes from the received brine

²⁸ Facilities #2 and #3 contains seepage or inflow, including, but not limited to, storm-event surface water run-off from the process area, driveways, parking lots, wet stockpile area, and general drainage from berms and roadways not reporting to brine ponds.

Table 14: CONTINGENCY DISCHARGE CHARACTERIZATION FOR BADCT
FAILURES AND OVERTOPPING²⁹

Parameter	Units	Monitoring Frequency ³⁰
pH-field	SU	One sample
Temperature-field	°F	One sample
Specific Conductance-field	(µmhos/cm)	One sample
Alkalinity	mg/L ³¹	One sample
Carbonate	mg/L	One sample
Bicarbonate	mg/L	One sample
Hydroxide	mg/L	One sample
Total Dissolved Solids (TDS)	mg/L	One sample
Calcium	mg/L	One sample
Chloride	mg/L	One sample
Fluoride	mg/L	One sample
Magnesium	mg/L	One sample
Nitrate	mg/L	One sample
Potassium	mg/L	One sample
Sodium	mg/L	One sample
Sulfate	mg/L	One sample
Antimony	mg/L	One sample
Arsenic	mg/L	One sample
Barium	mg/L	One sample
Beryllium	mg/L	One sample
Boron	mg/L	One sample
Cadmium	mg/L	One sample
Chromium	mg/L	One sample
Lead	mg/L	One sample
Mercury	mg/L	One sample
Nickel	mg/L	One sample
Selenium	mg/L	One sample
Thallium	mg/L	One sample
Zinc	mg/L	One sample
Hydrocarbon (C10-32 range)	mg/L	One sample
Oil and Grease	mg/L	One sample
Adjusted Gross Alpha ³²	pCi/L ³³	One sample
Radium 226+ Radium 228	pCi/L	One sample
Uranium Isotopes	pCi/L	One sample

²⁹ Monitor under this table per Section 2.6.3.1, Liner Failure, Containment Structure Failure, or Unexpected Loss of Fluid and/or Section 2.6.3.2, Overtopping of a Surface Impoundment.

³⁰ One verification sample shall be taken within five (5) days of an event.

³¹ mg/L = milligrams per liter

³² The adjusted gross alpha particle activity is the gross alpha activity, including radium 226, minus radon and total uranium (the sum of uranium 238, uranium 235, and uranium 234 isotopes).

³³ pCi/L = Picocuries per liter

5.0 REFERENCES AND PERTINENT INFORMATION

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

1. Amendment Application, dated: March 17, 2026

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 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 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).