THE STATE OF WYOMING

JIM GERINGER
GOVERNOR

Department of Environmental Quality

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002

ADMINISTRATION	ABANDONED MINES	AIR QUALITY	INDUSTRIAL SITING	LAND QUALITY	SOLID & HAZARDOUS WASTE	WATER QUALITY
(307) 777-7758	(307) 777-6145	(307) 777-7391	(307) 777-7368	(307) 777-7756	(307) 777-7752	(307) 777-7781
FAX 777-7682	FAX 634-0799	FAX 777-5616	FAX 777-6937	FAX 634-0799	FAX 777-5973	FAX 777-5973

GENERAL UNDERGROUND INJECTION CONTROL PERMIT

AUTHORIZATION TO OPERATE A GROUND SOURCED HEAT PUMP AS A CLASS 5A1 OR 5A2 INJECTION WELL

PERMIT NUMBER: **5A1-5A2**

In compliance with the provisions of the Wyoming Environmental Quality Act and Chapter 16 Wyoming Water Quality Rules and Regulations adopted thereunder, Class 5A1 or 5A2 Heat Pump/Air Conditioner Return Flow Systems located within the State of Wyoming which are used to heat or cool a building by injecting water or heat only into into an underground receiver are hereby authorized to discharge to ground waters of the State of Wyoming in accordance with the requirements of this permit. The operator of a Class 5A1 or 5A2 facility shall submit the information required within Part II of this permit to provide notice of intent to be covered under this permit. Coverage under this permit is allowed when the department issues a written authorization for acceptance of perations to the permit applicant. This permit consists of this page, all pages of the preamble and table of contents and pages 1 through 7 of permit conditions and Appendix A.

This permit becomes effective on the date of issuance. Owners or operators of existing Class 5A2 facilities are required to obtain coverage under this permit within six (6) months from the effective date of this general permit or make application to obtain an individual permit.

This permit shall will be reviewed every five (5) years, subject to public notice, and may be modified at these intervals.

Gary Beach
Administrator - Water Quality Division

April 16, 2002
Date

Dennis Hemmer
Director - Department of Environmental Quality

4-16-02
Date

PREAMBLE

The purpose of this preamble is to provide operators of Class 5A2 facilities, heat pump/air conditioner return flow systems, who obtain coverage under this permit with guidance for complying with the conditions of this permit.

The most basic point to keep in mind is that any discharge to groundwater is required to have a permit. Obtaining coverage under this permit does not provide authority to pollute groundwater or surface water or cause public health impacts. As well as allowing a person covered under this permit to discharge to groundwater, this permit allows the department to obtain information from the permittee to conduct an environmental assessment of the potential to impact public health and downgradient groundwater users. In some cases, this assessment may reveal that the permittee must obtain an individual permit to conduct the discharge.

Pollution concerns from open loop Class 5A1 facilities include groundwater class of use violations caused by injection of lower quality geothermal waters into higher quality aquifers. Temperature changes could also be significant with this type of system.

Pollution concerns from open loop Class 5A2 facilities include temperature changes that may cause precipitation or dissolution of salts or dissolved solids, metals leached from pipes or pumps, bacteria (where oxygen nutrients and a source of bacteria is present), precipitated ferric iron solids and chemical additives (which are used for disinfection or corrosion prevention). Pollution concerns from closed loop Class 5A2 facilities include temperature changes that may cause precipitation or dissolution of salts or dissolved solids and heat exchanging chemicals such as glycols. Precautions should be taken to ensure that leaks from heat exchanger media are not discarded to groundwater. Discharges from Class 5A2 facilities must be limited so that the chemical quality of the water in the injected formation is not altered either directly or through temperature changes which affect chemical quality of the water. The parameters of lead, copper, chloride and TDS should not be degraded to the extent that they exceed Safe Drinking Water Act Maximum Contaminant Levels (MCL) or Secondary MCLs of 0.015 mg/L for lead, 1.3 mg/L for copper, 200 mg/L for chloride or 500 mg/L for TDS.

Applicants should find the information fairly easy to obtain to allow them to complete the application forms. If you should need assistance, please contact the UIC Program Supervisor, at (307) 777-7781.

TABLE OF CONTENTS

Part I. COVERAGE UNDER THIS PERMIT 1
- A. Permit Area 1
- B. Facilities Covered Under This Permit 1
- C. Facilities Not Covered Under This Permit 1
- D. Operator May Choose Coverage By An Individual Permit 1
- E. Authorized Operations 1

Part II. COVERAGE APPLICATION CONTENT 1

Part III. STANDARD PERMIT CONDITIONS 1
- A. Property Rights 1
- B. Right to Access 1
- C. Signatory Requirements 2
- D. Certification 2
- E. Advance Notice of Changes or Modifications 2
- F. Noncompliance 2
- G. Relevant Facts Omitted in Application 3
- H. Construction and Performance Requirements 3
- I. Abandonment 3
- J. Change of Ownership 3
- K. Duty to Comply 4
- L. Toxic or Hazardous Substances 4
- M. Penalties 4
- N. Continuation of the Expired General Permit 4
- O. Need to Halt or Reduce Activity Not a Defense; Stay of Permit Conditions 4
- P. Duty to Mitigate 4
- Q. Duty to Provide Information 4
- R. Other Information 5
- S. Severability 5
- T. State Laws 5
- U. Proper Operation and Maintenance 5
- V. Reopener Clause 5

PART IV. MONITORING PROGRAM; RECORDS AND REPORTS 5
- A. General Requirements 5
- B. Requirements for Monitoring the Discharge 6

Part VII. DEFINITIONS 7
- A. **"Administrator"** 7
- B. **"Aquifer"** 7
- C. **"Circulation Fluids"** 7
- D. **"Closed Loop System"** 7
- E. **"Dual Aquifer System"** 7
- F. **"Heat Exchanger "** 7
- G. **"Infiltration Galleries"** 7
- H. **"Non-toxic"** 7
- I. **"Open Loop System"** 7
- J. **"Operator"** 7
- K. **"Refrigerant "** 7
- L. **"Well"** 7
- M. **"Wyoming Water Quality Standards"** 7

Part I. COVERAGE UNDER THIS PERMIT

A. Permit Area

This permit covers all areas within the State of Wyoming except areas within the Wind River Indian Reservation where the stat does not have jurisdiction.

B. Facilities Covered Under This Permit

This permit covers existing 5A2 facilities and will cover new 5A2 facilities as they are constructed. Class 5A2 facilities are defined as heat pump / air conditioner return flow facilities which reinject groundwater used to heat or cool a building in a ground based heat pump system or used to reinject heat only using a closed loop heat pump system.

C. Facilities Not Covered Under This Permit

1. The following facilities are not required to obtain coverage under this general permit:

   a. An existing 5A1-5A2 facility covered by an individual permit issued pursuant to Chapter 9 or Chapter 16, Water Quality Rules and Regulations.

D. Operator May Choose Coverage By An Individual Permit

Any operator covered by a general permit may at any time apply for and obtain an individual permit for the same facility. Once issued, an individual permit will eliminate coverage by the general permit for that facility.

E. Authorized Operations

This permit provides authorization to the facility operator to reinject groundwater used to heat or cool a building in a ground based heat pump system, or inject heat only using a closed loop heat pump system. This permit may also provide authorization for a facility operator to inject fluids used to directly heat a building using a geothermal source.

Groundwater of Class I, II, III, IV or Special A shall not be degraded so as to make it unusable as a source of water for its class designation. Any parameters which do not meet the class of use standard shall not be degraded whatsoever.

Part II. COVERAGE APPLICATION CONTENT

The applicant shall complete the application form and sign the certification and agreement sections of the application contained in Appendix A and provide any additional supporting information required in this Part II for the department to make an assessment of coverage. Application information shall include:

(a) All property boundaries and adjacent property land use;
(b) All water wells within 1/4 mile of the facility and the use of these wells;
(c) All surface water bodies and springs within 1/4 mile of the facility;
(d) All known potential sources of groundwater contamination or pollution within 1/4 mile of the facility;
(e) Provide design information for the system including well depth and design, system design, maximum flow, heat exchanger design, heat exchange fluids, leak detection and prevention;
(f) Depth to groundwater table at the injection well and the depth below ground surface of the distribution piping for the injection well; and
(g) Any available information on the lithology, geology, hydrogeology, and groundwater quality of the groundwater in the injection and withdrawal intervals. All operators of open loop systems must provide an analysis of the groundwater to be affected sufficient to classify the groundwater under Chapter 8, Wyoming Water Quality Rules and Regulations.

Part III. STANDARD PERMIT CONDITIONS

A. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

B. Right to Access

The permittee shall allow the administrator, or an authorized representative of the administrator, upon the presentation c credentials, during normal working hours, to enter the premises where a regulated facility is located, or where records are kept

under the conditions of this permit, and inspect the discharge and related facilities, review and copy reports and records required by the permit, collect fluid samples for analysis, measure and record water levels, and perform any other function authorized by law or regulation.

Signatory Requirements

1. All applications, reports, and other information submitted to the administrator shall be signed by a person who meets the following requirements:

   a. For a corporation -- by a principal executive officer of at least the level of vice-president;

   b. For a partnership or sole proprietorship -- by a general partner or the proprietor, respectively;

   c. By a duly authorized representative for any of the above. A person is a duly authorized representative only if:

2. The authorization is made in writing by one of the described principals;

3. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and

   a. The written authorization is submitted to the administrator.

4. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the administrator prior to or together with any reports or information, to be signed by an authorized representative.

D. Certification

Any person signing documents required by this permit shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

E. Advance Notice of Changes or Modifications

1. The permittee shall give advance notice to the administrator as soon as possible of any planned physical alteration or additions, other than authorized operation and maintenance, to the permitted facility and receive authorization prior to implementing the proposed alteration or addition;

2. Any modification which may result in a violation of a permit condition shall be reported to the administrator, and any modification that will result in a violation of a permit condition shall be reported to the administrator through the submission of a new or amended permit application;

F. Noncompliance

1. Reports of compliance or non-compliance with, or any progress reports on interim and final requirements contained in any compliance schedule, if one is required by the administrator, shall be submitted no later than 30 days following each schedule date;

2. Confirmed noncompliance resulting in the migration of injected fluid into any zone outside of the permitted receiver must be orally reported to the administrator within 24 hours, and a written submission shall be provided within five (5) days of the time the permittee becomes aware of the excursion. The written submission shall contain:

   A description of the noncompliance and its cause;

   The period of noncompliance, including exact dates and times, and, if the noncompliance has not been controlled, the anticipated time it is expected to continue; and

Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3. The permittee shall report all instances of noncompliance not already required to be reported under items (P) through (R) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in item (R) of this section.

4. The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit.

G. Relevant Facts Omitted in Application

In the situation 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 administrator, the permittee shall promptly submit such facts or information.

H. Construction and Performance Requirements

1. The injection facility shall meet construction requirements outlined in Section 10 of Chapter 16 or the permittee shall furnish certification that the facility has been designed and constructed to meet the requirements of this section.

2. Wells must met the design standards in Chapter 11, Part G. Open loop systems must be constructed to allow the use of testing devices and to provide for the metering of the injectate volume. Design requirements include sealing the annular space, surface construction, casing, sealing strata, plugging and abandonment.

3. The permittee shall properly operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the conditions of this permit.

4. Injection may not commence until construction is complete.

5. Signage must be present in a conspicuous place in the building near the heat exchanger stating the limitations of materials that can be used in the system. The signage must also state that leaks and/or releases must be reported to the WDEQ. The telephone number for reporting releases is 307-777-7095. Lettering on signage must be at least one (1) inch high. The signage shall state:

"This heating and cooling system utilizes an underground injection well. In case of any coolant leak you are required to report this fact immediately upon discovery to the Water Quality Division, by telephone at 307-777-7095. This report shall be followed by a written report within five (5) days addressed to:

Underground Injection Control Supervisor
Water Quality Division
Herschler Building 4th Floor West
122 West 25th Street
Cheyenne, WY 82002"

6. At the time of a property transfer, this permit shall be transferred to the new owner of the building on the same day as the closing for the sale. The new owner must notify the WDEQ and apply for transfer of the permit.

7. For Open Loop systems, the injection well will not receive any material other than cooling/heating water. No corrosion inhibitors, scale inhibitors, antifreeze agents, salts or refrigerants shall be added to the water prior to injection.

8. For Closed Loop systems, the circulating fluid shall be non-toxic. The department may grant approval for any non-toxic circulating fluid. The following fluids have been reviewed and approved for use as of the date of this permit:

   a. Propylene Glycol mixtures with water in any proportion;

   b. Formulations of Ethanol with other non-toxic additives.

   c. Systems which existed prior to this permit and using Ammonia may continue to operate. New systems shall not use Ammonia.

9. For closed loop systems circulating fluid formulations containing Methanol and/or ethylene glycol are specifically prohibited.

I. Abandonment

1. The permittee shall notify the administrator at least seven (7) days before conversion or abandonment of the facility;

2. An abandonment report, detailing the compliance with abandonment procedures shall be submitted as soon as practicable after abandonment.

J. Change of Ownership

1. When ownership of the permitted return flow operation changes, the permit shall be transferred to the new owner at the time of sale. The new owner shall notify the Water Quality Division and sign the transfer form agreeing to be bound by all of the terms and conditions of the permit.

2. Coverage under this general permit is only transferable after notice to the Water Quality Division. The Administrator may require the operator to apply for and obtain an individual permit pursuant to Chapter 16.

K. Duty to Comply

The permittee shall comply with all conditions of the permit. Any permit noncompliance constitutes a violation of these regulations and may be resolved by enforcement action, permit termination, revocation, or modification.

L. Toxic or Hazardous Substances

The permittee shall not discharge any biological, hazardous, toxic or potentially toxic materials or substances in concentrations above allowable standards contained in Chapter 8, Water Quality Rules and Regulations into the discharge well.

M. Penalties

Article 9 of the Wyoming Environmental Quality Act provides significant penalties for any person who violates a permit condition. Any person who violates any condition of this permit is subject to a civil penalty not to exceed $10,000 per day of such violation, as well as any other appropriate sanction provided by the Act. Knowingly or willfully violating the permit may result in criminal penalties of up to $25,000 per day of violation and/or imprisonment for up to one year. Criminal penalties for subsequent knowing or willful violations of the permit may be up to $50,000 per day of violation and/or imprisonment for up to two years. Article 9 of the Wyoming Environmental Quality Act provides that any person who knowingly makes any false statement, representation or certification in any application, report, record, plan, or other document filed or required to be maintained under the act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method shall, upon conviction, be fined not more than ten thousand dollars ($10,000) per day for each violation or imprisoned for not more than one (1) year, or both.

N. Continuation of the Expired General Permit

An expired general permit continues in force and effect until a new general permit is issued or this permit is terminated.

O. Need to Halt or Reduce Activity Not a Defense; Stay of Permit Conditions

1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. The filing of a request by the permittee, or at the instigation of the administrator, for a permit modification, revocation, termination, or notification of planned changes or anticipated non-compliance, shall not stay any permit condition.

P. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. Should groundwater become polluted or affect groundwater uses, the permittee shall take corrective actions to restore polluted groundwater to pre-contamination quality of use.

Q. Duty to Provide Information

1. The permittee shall furnish to the Administrator within a reasonable time, any information which the Administrator may request to determine compliance with this permit. The permittee shall also furnish to the Administrator upon request, copies of records required to be kept by this permit.

2. The permittee shall furnish to the administrator, within a specified time, any information which the administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. The permittee shall also furnish to the administrator, upon request, copies of records required to be kept by the permit.

3. The permittee shall furnish any information necessary to make an assessment of the effect of this discharge on the environment as required in this permit.

R. Other Information

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in any report to the Administrator, he or she shall promptly submit such facts or information.

S. Severability

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.

T. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

U. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and relate appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.

V. Reopener Clause

For good cause the Administrator may, at any time, require a permittee covered under this permit to obtain an individual permit, coverage under an alternative general permit, or this permit may be modified to include different limitations and/or requirements. Permit modification or revocation will be conducted according to Wyoming Water Quality Rules and Regulations, Chapter 16. The Administrator shall inform the operator in writing that coverage under this permit will cease six (6) months from the date of receipt of the notice. The notice will provide that operation of the facility after that date without an individual permit under Chapter 16, Water Quality Rules and Regulations is prohibited.

PART IV. MONITORING PROGRAM; RECORDS AND REPORTS

A. General Requirements

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. The permittee shall retain records of all monitoring information including copies of the reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample measurement, report, or application. This period may be extended by request of the Administrator at any time.

3. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;
   b. The initials or name(s) of the individual(s) who performed the sampling or measurements;
   c. The date(s) analyses were performed;

d. The time(s) analyses were initiated;
e. The initials or name(s) of the individual(s) who performed the analyses;
f. References and written procedures for the analytical techniques or methods used; and
g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

4. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

The permittee shall retain all records concerning the nature and composition of injected fluids until 5 years after completion of any specified plugging and abandonment procedures. The administrator may require the owner/operator to deliver the records to the administrator at the conclusion of the retention period.

5. The permittee shall report any noncompliance which may endanger health or the environment, orally as soon as the operator becomes aware of the circumstances. The report should include:

a. Any monitoring or other information which indicates that any contaminant may cause an endangerment to a usable groundwater of the state.

b. Any noncompliance with a permit condition or malfunction of the discharge (injection) system which may cause fluid migration into or between usable groundwaters of the state.

c. A written submission shall be provided within 5 days of the time the operator becomes aware of the circumstances. This written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

B. Requirements for Monitoring the Discharge

1. For open loop systems, the permittee shall monitor the quality of the fluid being injected on the following schedule. Samples shall be taken at a point prior to the subsurface injection system. The following parameters shall be analyzed by the listed methods and reported:

SAMPLING SCHEDULE	ANALYTICAL METHOD	PARAMETER ANALYZED
One Time Analysis during the design stage of the system & One Time Analysis more than 6 months of receiving coverage, and less than 12 months after receiving coverage.	EPA 170.1	Temperature
	EPA 160.1	TDS
	EPA 300.3	Chloride
	Meter	Flow
	EPA 360.2	Dissolved oxygen
	EPA 200 Series Methods	Cadmium
		Chromium
		Copper
		Lead

2. In the event that an open loop system has a source water well which may be contaminated, the department may require additional parameters to be analyzed as needed during the above sampling event.

3. In the event that any of the above sampling indicates that a groundwater standards violation may be caused by the operation of the system then the department may required that a monitoring plan be developed and implemented by the permittee. In the event that a groundwater standards violation is confirmed then the operation of the system must be discontinued immediately.

4. Operators of all open loop systems, and all closed loop systems using ammonia as a circulating fluid, shall develop a groundwater monitoring plan and shall implement the plan as written after obtaining department approval.

Part VII. DEFINITIONS

A. **"Administrator"** means the Administrator of the Water Quality Division, Wyoming Department of Environmental Quality or his or her authorized agent.

B. **"Aquifer"** means a zone, stratum, or group of strata that can store and transmit water in sufficient quantities for a specific use.

C. **"Circulating Fluid"** means the fluid circulated in the subsurface piping in a closed loop system.

D. **"Closed Loop System"** means completely closed systems in which circulating fluid are circulated continuously through a loop of pipes that pass underground and through the heat exchanger of the heating/air conditioner system.

E. **"Dual Aquifer System"** means that water is withdrawn from one aquifer and injected into another aquifer.

F. **"Heat Exchanger"** means a device (such as a radiator) used to transfer heat between one fluid (i.e. water or refrigerant) to another fluid, or between one fluid and the ground.

G. **"Infiltration Galleries"** means one or more vertical pipes leading to an array of horizontal, perforated pipes laid below the ground surface, designed to release water underground.

H. **"Non-toxic "** means that the substance does not exhibit the presence of substances or combinations of substances including disease causing agents.

I. **"Open Loop System"** means a geothermal heat pump system that withdraws water from an underlying aquifer or a surface water source, pass it one or more times through a heat exchanger (with or without a heat pump) and then discharge the water to a recharge well.

J. **"Operator"** means the permittee or the party, person, corporation or other entity that has operational control over a class V injection facility. The operator is responsible for ensuring compliance with all conditions of the permit.

K. **"Refrigerant"** means the working fluid in a vapor-compression heat pump.

L. **"Well"** means a bored, drilled, or driven shaft; a hole dug whose depth is greater than the largest surface dimension; an improved sinkhole or a subsurface fluid distribution system.

M. **"Wyoming Water Quality Standards"** refers to Wyoming Water Quality Rules and Regulations, Chapters 1 (surface water standards) and 8 (ground water standards).

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APPENDIX A: APPLICATION FORM FOR COVERAGE UNDER THIS PERMIT

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
WATER QUALITY RULES AND REGULATIONS, CHAPTER 16 (2001)
Application for Coverage Under General Permit 5A1 - 5A2

Heatpump Return Flow

Registration No.:
Date recd:

1. Name of the Injection Well:
Location: T__N, R___W, Section ___ (¼___¼____) which is located in _____ County, Wyoming. This facility is located _____feet FNL and _____ FEL of Section ____**or** (bearing and distance) from the _____ corner of Section _____.
or Latitude: _____°_____'_____" North and
Longitude: _____°_____'_____" West (preferably within a (ten) 10 meter accuracy)
Company Name: _____
Street Address:_____
_____
Mailing Address: _____
_____
_____
_____
Street address where records will be kept:
_____

Telephone Number: ( ) _____ - _____

Name and title of responsible individual, address and telephone number if different from above: _____

Telephone Number: ( ) _____ - _____

2. Name address and telephone number of the operator on site:
_____

Telephone Number: ( ) _____ - _____

3. A brief description of the nature of the business and the activities to be conducted that require the applicant to obtain coverage under this chapter:
_____
_____

4. Depth of injection zone(s) (perforated interval(s)) below ground surface (open-loop systems only):
from _____ feet to _____ feet. (_____ Formation)
from _____ feet to _____ feet. (_____ Formation)
from _____ feet to _____ feet. (_____ Formation)

5. The disposal capacity of the facility in gallons per day (open loop systems only): _____

6. Owner of the surface rights where facility is located:_____
_____

Telephone Number: ( ) _____ - _____

7. Copies of access agreement between above owners and the operator if the operator is not the owner shall be attached. This requirement may be met by having the owner of the property write a letter stating that he consents to the construction covered by this application.

8. Map showing the facility and all property lines, water wells, springs, lakes, ponds, streams, rivers, and all points of injection within 1/4 mile of the facility.

9. Ownership Status:

____ Federal ____ State ____ Private ____ Public or other entity

10. Operational Status of Facility:

____ Operating ____ Temporarily abandoned____ Permanently abandoned

11. Additional information required by Part II of this general permit must be attached. This includes a description of the pretreatment plan to be used to insure that toxic materials (substances) are not discharged to the groundwater at concentrations higher that the class of use standards.

12. CERTIFICATION OF THE OPERATOR OF THE FACILITY:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

_____ _____
Printed name of person signing Title

_____ _____
Signature of Applicant Date Signed