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GENERAL UNDERGROUND INJECTION CONTROL PERMIT

AUTHORIZATION TO DISCHARGE SEWAGE INTO A CLASS 5C6 OR 5E5 SUBSURFACE FLUID DISTRIBUTION SYSTEM

PERMIT NUMBER: 5C6-5E5

In compliance with the provisions of the Wyoming Environmental Quality Act and Chapter 16 Wyoming Water Quality Rules and Regulations adopted thereunder, Class 5C6 or 5E5 Subsurface Distribution Systems located within the State of Wyoming which are discharging or may discharge waste water 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 5C6 or 5E5 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 operations 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 5C6 or 5E5 facilities are required to obtain coverage under this permit within two (2) years from the effective date of this general permit or make application to obtain an individual permit.

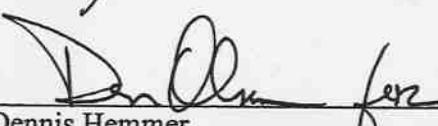
This permit shall will be reviewed every five (5) years, subject to public notice, and may be modified at these intervals.



Gary Beach
Administrator - Water Quality Division

12/24/01

Date



Dennis Hemmer
Director - Department of Environmental Quality

12/27/01

Date

PREAMBLE

The purpose of this preamble is to provide operators of Class 5C6 or 5E5 subsurface distribution systems with guidance for obtaining coverage under this permit and complying with the conditions of this permit.

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 evaluation of the potential to impact public health and downgradient groundwater users. In some cases, this evaluation may reveal that the permittee must obtain an individual permit to conduct the discharge. The ideal situation is to have this discharge disposed of into an aquifer that is not used for drinking water, and will not be used in the future for drinking water, one which will not surface and present potential health or environmental impacts.

The main pollution parameters of concern from these Class 5C6 or 5E5 facilities are ammonia, nitrates, and pathogenic bacteria. Other parameters may include hazardous and toxic wastes from household chemicals including household cleaners. Precautions should be taken to dispose of these chemicals at approved disposal sites and not in the permitted operation. Discharges to Class 5C6 or 5E5 facilities must be limited to domestic sewage as defined in Section VII of this permit or wastes which are similar in character to domestic sewage as defined in Section VII of this permit. Industrial waste which may contain high levels of metals or solvents are not allowed. Examples of 5C6 facilities which may be appropriate for coverage under this permit include but are not limited to: kennels, slaughterhouses, meat cutting operations, taxidermists, clinics, and veterinarian clinics. Examples of 5E6 facilities which may be covered by this permit include but are not limited to: churches, rodeo arenas, softball fields, county fairgrounds, city parks, and other facilities which may require high daily capacity, but which not used on a daily basis to that capacity.

Applicants should find the information fairly easy to obtain to allow them to complete the application forms. If you should need assistance, please contact Robert Lucht, UIC Program Supervisor, at (307) 777-7095.

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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 state does not have jurisdiction.

B. Facilities Covered Under This Permit

Class 5C6 facilities are defined as those commercial facilities which produce a wastewater which is very similar in character to domestic sewage but which does not meet the very stringent definition of domestic sewage found in Chapter 16. Wastewaters from slaughterhouses, meat cutting operations, kennels, clinics and veterinarian clinics meet this definition. 5E5 facilities are defined as: 1) domestic subsurface fluid distribution systems having a required design maximum flow rate of more than 2,000 gallons per day but less than 5,000 gallons per day of domestic sewage; 2) any combination of small wastewater facilities within any 5 acres of land under single ownership injecting a cumulative maximum peak design flow of more than 2,000 gallons per day and less than 5,000 gallons per day of domestic sewage; and 3) Are infrequently used so that the average flow from any peak week during the year is less than 2,000 gallons per day. Churches, rodeo arenas, softball fields, county fairgrounds, and city parks may meet this definition.

C. Facilities Not Covered Under This Permit

1. The following facilities are not required to obtain coverage under this general permit:
 - a. Any operator of an existing class 5C6 or 5E5 facility which fails to obtain coverage under this permit within two (2) years of the effective date of this permit cannot be covered by this general permit and must be covered by an individual permit.
 - b. Any operator of a new class 5C6 or 5E5 facility which fails to obtain coverage prior to construction must obtain an individual permit.
 - c. An existing 5C6 or 5E5 facility covered by an individual permit issued pursuant to Chapter 9 or Chapter 16, Water Quality Rules and Regulations.
2. The Administrator may deny coverage under this permit for any facility where the injection may adversely affect a drinking water source or where groundwater monitoring should be required.

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 discharge sewage associated with Class 5C6 or 5E5 subsurface fluid distribution systems into the vadose zone and/or uppermost aquifer pursuant to the provisions contained herein.

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 evaluation 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 (if a domestic use well is screened in the shallow uppermost aquifer and found close to the subdivision and is the first well found downgradient of the class V property, the accumulation of well data beyond that is not required);
- (c) All surface water bodies and springs;
- (d) All known potential sources of groundwater contamination or pollution;
- (e) Depth to groundwater table at the drainfield and the depth below ground surface of the distribution piping for the drainfield;
- (f) Any available information on the lithology, geology, hydrogeology, and groundwater quality of the shallowest groundwater;
- (g) A complete set of construction plans, signed and stamped by a registered professional engineer showing the details of all septic tanks, sewer lines, cleanouts, lift stations, buildings, drainfields, property lines, water lines and other utility lines, on the property to be developed. Existing leachfields and septic tanks must also be shown along with information about whether they are to be abandoned or if they are to be used after the coverage is granted;
- (h) A complete Engineering Design Report showing: the readings for all perc tests done, with at least three perc tests done within the boundaries of each proposed leachfield; the calculations done to convert the raw data to the percolation rate in minutes per inch; the design capacity of the system calculated in accordance with Chapter 11, Table 1, Section 34 and/or Chapter 16, Section 10; calculations of loading rate and size of the leachfield; calculations of the size of each septic tank, grease trap, and lift station; and the size, location and type of pipe for all sewer lines. For SE5 systems a calculation showing that the average daily flow for the peak week of the year is less than 5,000 gallons per day; and
- (i) A complete description of the wastes to be disposed of showing that they are either domestic sewage as defined by Chapter 16 or they are similar to domestic sewage in character, with no expected concentrations of solvents or heavy metals.

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 of 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.

C. 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.
2. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by one of the described principals;
 - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - c. The written authorization is submitted to the administrator.
3. 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 part, at the time monitoring reports are submitted. The reports shall contain the information listed in item (R) of this part.
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. 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. Proper operation and maintenance includes effective performance, adequate funding and operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.
3. Injection may not commence until construction is complete.
4. Injection volume shall not exceed the maximum peak design loading capacity calculated pursuant to Section 34 of Chapter 11 or the design capacity of the drainfield, whichever is less.

I. Abandonment

1. The permittee shall notify the administrator at least thirty (30) 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. The abandonment report must state that no hazardous, toxic, or radioactive waste has been discharged into the system and the basis for making that claim if the system is to be abandoned in place.

J. Change of Ownership

1. When the operator with responsibility for a permitted project is to change, the new operator shall submit a request to transfer the permit on forms provided by the department at least 48 hours prior to the change, and the preceding operator must sign the request acknowledging that termination of rights under the permit will cease when the department accepts the permit transfer. The new operator or owner shall 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 not transferable to any person except after notice to the Administrator. Any transfer of a permit shall first be approved by the administrator, and no transfer will be approved if the facility is not in compliance with the existing permit unless the proposed permittee agrees to bring the facility into compliance. 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 drainfield.

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 evaluation 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 related 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. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee when necessary to achieve compliance with the conditions of the permit.

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. For specific causes, the Administrator may require samples to be taken and analyzed by the operator, of the effluent discharged and of groundwater potentially affected. 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 within 24 hours from the time 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 if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
6. The permittee shall report all instances of noncompliance not reported otherwise, at the time monitoring reports are submitted; such reports shall contain the information listed in PART IV A 3 and 5 above.
7. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 30 days following each schedule date.

B. Requirements for Monitoring the Discharge

All facilities covered by this general permit discharge small volumes of sewage to septic tanks and leachfields which are designed to treat that sewage. No effluent or groundwater monitoring is required.

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. "Domestic sewage" means liquids or solid wastes obtained from humans and domestic activities including wastewater from activities such as showers, toilets, human wash basins, food preparation, clothes washing, and dishwashers.

- C. **"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.
- D. **"Septic system"** means a facility that is used solely to emplace domestic sewage below the surface and is comprised of a septic tank and subsurface fluid distribution system.
- E. **"Sewerage System"** means pipelines, conduits, storm sewers, pumping stations, force mains, and all other constructions, devices, appurtenances and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.
- F. **"Small Wastewater Facility"** means any sewerage system, disposal system, or treatment works having simple hydrologic and engineering needs which is intended for wastes originating from a single residential unit serving no more than four (4) families or which distributes two thousand (2,000) gallons or less of domestic sewage per day.
- G. **"Source water protection area"** means the area delineated for the protection of ground and surface water sources for a public water supply under a department approved plan developed pursuant to Section 1453 of the Safe Drinking Water Act.
- H. **"Subsurface fluid distribution system"** means an assemblage of perforated pipes or drain tiles used to distribute fluids below the surface of the ground. Subsurface fluid distribution systems include, but are not limited to, drain fields, leach fields, mounded leach fields, leach lines, bed type distribution systems, and gravel-less chamber type distribution systems.
- I. **"Wyoming Water Quality Standards"** refers to Wyoming Water Quality Rules and Regulations, Chapters 1 (surface water standards) and 8 (ground water standards).

/pjb
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DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
WATER QUALITY RULES AND REGULATIONS, CHAPTER 16 (1998)
Application for Coverage Under a General Permit
CLASS 5C6 OR 5E5 SUBSURFACE DISPOSAL FACILITY

Registration No.:
Date recd:

1. Name of the Facility: _____
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: _____
5. The disposal capacity of the facility in gallons per day: _____
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

Note: Permanently abandoned injection facilities are not required to be covered by this general permit. Operators of such facilities which were abandoned prior to April 14, 1998 may file this form to provide a record that the system has been abandoned. Operators of such facilities which were abandoned after April 14, 1998 shall file this form to show that the facility has been 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 than 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