

STATE OF WYOMING  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
UNDERGROUND INJECTION CONTROL PERMIT ISSUED UNDER  
WYOMING WATER QUALITY RULES AND REGULATIONS  
CHAPTER 27

CLASS V INJECTION WELL

- ( X ) New
- ( ) Modified
- ( ) Renewal

Permit Number: **19-134**  
Previous Permit: None  
Facility Number: WYS-039-00204

In compliance with the Wyoming Environmental Quality act (W.S. 35-11-101 through 1104, specifically 301(a)(i) through 301 (a)(iv), Laws 1973, Ch. 250, Section 1) and Wyoming Water Quality Rules and Regulations, Chapter 27.

Applicant: Grand Teton National Park-AMK Ranch  
Attn: Ms. Isabell Loe  
PO Box 170  
Moose, WY 83012

GTNP-AMK Ranch, hereafter referred to as the permittee, is authorized to operate the septic system located in the SE<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub> Section 22, Township 46 North, Range 115 West, of the 6<sup>th</sup> Principal Meridian, Teton County, Wyoming, according to the procedures and conditions of application 19-134, including the requirements and conditions of this permit.

**This permit shall become effective on the date of issuance and is authorized until XXX xx, 2029.** Permittees seeking to renew a permit should submit a renewal application one-hundred and eighty (180) days prior to permit expiration.

---

Kevin Frederick, Administrator  
Department of Environmental Quality, Water Quality Division  
200 West 17<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Cheyenne, WY 82002

---

Date

---

Todd Parfitt, Director  
Department of Environmental Quality  
200 West 17<sup>th</sup> Street, 4<sup>th</sup> Floor  
Cheyenne, WY 82002

---

Date

**Table of Contents**

A. Discharge Zone ..... 3

B. Well and Area of Review ..... 3

C. Groundwater Classification ..... 4

D. Authorized Operations ..... 4

E. Hazardous Waste ..... 5

F. Proper Operation and Maintenance ..... 5

G. Entry and Inspection ..... 5

H. Environmental Monitoring Program for Groundwaters of the State ..... 6

I. Requirements for Monitoring Groundwaters of the State ..... 9

J. Test Procedures ..... 10

K. Records and Reports ..... 10

L. Permit Actions ..... 11

M. Abandonment ..... 11

N. Duties of the Permittee ..... 11

O. Signatories Requirement ..... 1122

P. Noncompliance ..... 13

Q. Permit Transfer ..... 13

R. Property Rights ..... 13

S. Severability ..... 13

### A. Discharge Zone

This injection facility (consisting of two (2) sanitary leachfields) is authorized to inject 3,318 gallons per day (gpd) average and 5,530 gpd maximum. The primary treated wastewater is injected into the local glacial till deposits. Depth to groundwater in the vicinity of the leachfield is approximately 30 to 72 feet (ft) below the surface (bgs), based on static water levels reported by the Wyoming State Engineer's Office (SEO) for nearby supply wells.

**Table 1 (Septic Systems)**

Description	Inputs	Septic Tank Size (gal)	Leach Field	Maximum Discharge (gpd)*	Average Discharge (calculated as 60% of maximum)
Building A (Berol Lodge)	Domestic sewage from Event Hall	3 x 3,000 gallon	West	500	300
	Domestic sewage from 2 BR			280	168
Building B (Johnson Lodge)	Domestic sewage from 4 BR			470	282
	Domestic sewage from 3 BR			390	234
Building C (Directors Cabin)	Domestic sewage from 2 BR			280	168
Building D (Lawrence House)	Domestic sewage from 3 BR			390	234
Building F (Sunroom Cabin)	Domestic sewage From 1 BR		East	150	90
Building H (Boise-Cascade Cabin)	Domestic sewage from 4 BR			470	282
Building K (TackRoom/Cabin)	Domestic sewage from 1 BR			150	90
Building L (Paint Shop/Cabin)	Domestic sewage from 1 BR			150	90
Building M (Shop/Cabin)	Domestic sewage from 1 BR			150	90
Building X (Proposed Dorm)	Domestic sewage from 25 BR			2,150	1,290
<b>Totals</b>				<b>5,530</b>	<b>3,318</b>

\* Based on information in the Underground Injection Control (UIC) permit application 19-134 and for the maximum design capacity of the Advanced Enviro-septic Wastewater treatment system, and construction requirements in Chapter 25 of the Wyoming Water Quality Rules & Regulations (WQRR).

BR Bedroom

**B. Well and Area of Review**

The injection wells authorized by this permit are located as follows:

SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 22, Township 46 North, Range 115 West, of the 6<sup>th</sup> Principal Meridian, Teton County

The Area of Review (AOR) is defined as a circular area of 360 acres with the injection facility located near its center. For permits with a designed injection capacity of 10,000 gpd or less, an AOR which includes the quarter-quarter section (40 acre tract) where the facility is located and all of the adjacent quarter-quarter sections may be used. In this instance, the AOR consists of nine quarter-quarter sections:

**Table 2 (Area of Review Description)**

Township	Range	Section	Quarter-Quarter	Quarter
46 North	115 West	22	SE*	NE*
			SW, NW, NE	NE
			NE, NW	SE
		23	NW, SW	NW
			NW	SW

\* Denotes facility location

**C. Groundwater Classification**

The groundwater in the Alluvial Aquifer beneath the permittee’s property is classified as Class I according to WQRR, Chapter 8. This classification is made because the groundwater in this formation is currently being used for domestic purposes at nearby points of withdrawal. Ground water of Class I shall not be degraded to make it unusable as a source of water for this purpose. There is one (1) well with a permit on file with the SEO located within the AOR. **Table 3** summarizes wells on file with the SEO located within the AOR, along with known unpermitted wells and proposed new supply wells within the AOR.

**Table 3 (Wyoming SEO Well Permits Located within the Area of Review)**

SEO Permit	Township (N)	Range (W)	Sec.	Quarter-Quarter	Well Name	Use	Well Depth (ft)	Distance From Site (ft)
*Unpermitted	46N	115W	22	NESE	Johnson House Well	DOM GW	Unknown	~450
**Unpermitted	46N	115W	22	NESE	Berol House Well	DOM GW	Unknown	824
**P28265.0W	46N	115W	22	NESE	AMK Ranch #5	DOM GW	137	597
***Proposed	46N	115W	22	NESE	AMK Ranch #6	DOW GW	~150	~500
***Proposed	46N	115W	22	NESE	AMK Ranch #7	DOW GW	~150	~600

\* Well to be abandoned.

\*\* Wells will be converted to irrigation use only, will not be connected to potable water system.

\*\*\* Wells have not been drilled yet, distances and depths are approximate.

#### **D. Authorized Operations**

The operator is authorized to inject at a pressure of no more than atmospheric pressure as measured at the leachfield. This pressure is controlled by gravity drainage and is not required to be monitored. The permittee is authorized to inject 3,318 gpd average and 5,530 gpd maximum, of wastewater into two (2) sanitary leachfields. The wastewater is produced from a seasonal research center that at completion of construction will consist of an event hall, two (2) two-bedroom cabins, two (2) four-bedroom cabins, two (2) three-bedroom cabins, four (4) one-bedroom cabins, and one (1) twenty five-bedroom dormitory. The wastewater is injected into the unconfined morainal debris. The wastewater is described as primary treated domestic sewage from septic tanks.

If additional sewage flows are added beyond those identified in the permit application, the leach field and/or treatment system may need to be enlarged in which case the permittee must submit a revised application and receive a new permit prior to modification of the leach field or treatment system.

#### **E. Hazardous Waste**

This permit does not allow for the injection of any hazardous waste as defined in 40 CFR 261.3 and in WQRR, Chapter 27, Section 2(y). Injection of any substance defined as a hazardous waste, whether hazardous by listing or by characteristic is a violation of this permit.

#### **F. Proper Operation and Maintenance**

The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit. The permittee shall 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 the permit. Proper operation and maintenance includes: effective performance, adequate funding, operator staffing and training, and 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 this permit. The injection wells covered by this permit shall meet all construction requirements outlined in Wyoming WQRR, Chapters 25 and 27.

All Class V facilities must meet or exceed design standards established in WQRR Chapters 11, 26, and 27. The permittee is required to operate in accordance with statements, representations and procedures presented in the complete permit application and supporting documents as accepted and approved by the Administrator. Any modifications which will result in a violation of permit conditions shall be reported by submission of a new or amended permit application and shall not be implemented until a new or modified permit has been issued. Injection into a well may not begin until construction is complete and the permit is approved.

#### **G. Entry and Inspection**

The permittee shall allow Department of Environmental Quality (DEQ) personnel and their invitees to enter the premises where the facility is located, or where records are kept under the conditions of this permit, and collect resource data as defined by Wyoming Statute § 6-3-414, inspect and photograph the facility, collect samples for analysis, review records, and perform any

other function authorized by law or regulation. The permittee shall secure and maintain such access for the duration of the permit.

If the facility is located on property not owned by the permittee, the permittee shall also secure and maintain from the landowner upon whose property the facility is located permission for DEQ personnel and their invitees to enter the premises where a regulated facility is located, or where records are kept under the conditions of this permit, and collect resource data as defined by Wyoming Statute §6-3-414, inspect and photograph the facility, collect samples for analysis, review records, and perform any other function authorized by law. The permittee shall secure and maintain such access for the duration of the permit.

If the facility cannot be directly accessed using public roads, the permittee shall also secure and maintain permission for DEQ personnel and their invitees to enter and cross all properties necessary to access the facility. The permittee shall secure and maintain such access for the duration of the permit

## **H. Environmental Monitoring Program for Groundwaters of the State**

### **General Requirements:**

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. A groundwater sample is considered representative of the aquifer being monitored when the well has been purged to remove stagnant water prior to collection of a sample for laboratory analysis. Purging can be considered complete when a sufficient volume of water has been removed from the well and stabilization of select groundwater parameters has been achieved. It is important to record the circumstances surrounding each sample collection event at your facility. These records can help resolve analytical discrepancies. One or both purging methods below shall be used prior to sample collection:

#### **a. Purge by Volume Method**

Removal of a *minimum* of three (3) casing volumes of water from the well should be completed prior to collecting a groundwater sample. Minimum purge volume can be calculated by the following equation:

$$\text{Minimum Purge Volume} = 3 * ((\text{Total Well Depth in feet} - \text{Depth to Water in feet}) * \text{Well Capacity})$$

Where Well Capacity (gallons per foot) is based on well diameter:

2 inch well = 0.163

6 inch well = 1.47

4 inch well = 0.653

8 inch well = 2.61

#### **b. Low-Flow Stabilization of Parameters Method**

Purging of groundwater at a rate between 0.1 and 0.5 Liters/minute with the pump intake set at the middle of the screen interval of the well and until all parameters have stabilized for three (3) consecutive readings after removal of one (1) well volume, demonstrating that a representative sample was collected. Field parameters measured during purging should include: temperature, pH, conductivity, oxidation-reduction potential, dissolved oxygen, depth to water, and turbidity. Field parameters should be measured after removal of every quarter casing volume of water.

Quarter Casing Volume

$$= 0.25 * ((\text{Total Well Depth in feet} - \text{Depth to Water in feet}) * \text{Well Capacity})$$

Where Well Capacity (gallons per foot) is based on well diameter:

2 inch well = 0.163

6 inch well = 1.47

4 inch well = 0.653

8 inch well = 2.61

2. The permittee shall retain records of all monitoring information including all calibration and maintenance records, 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 (3) 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. The permittee is strongly encouraged to submit data, report(s), and laboratory bench sheets on line at <http://gem.wqd.apps.deq.wyoming.gov/default.sapx>, which requires user registration prior to use.
4. 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;
  - g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.
  - h. Copies of chain of custody forms for all samples.
5. Monitoring must be conducted according to test procedures approved under Code of Federal Regulations (CFR) Title 40 Part 136, unless other test procedures have been specified in this permit.
6. The permittee shall retain all records concerning the nature and composition of injected fluids until three (3) 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.
7. The permittee shall report any noncompliance which may endanger health or the environment within twenty-four (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 ground waters of the state;

- c. A written submission shall be provided within five (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.
  - d. The Administrator may require remediation and/or site cleanup in the event of groundwater or soil contamination attributed to injection activities occurring at the permitted facility.
8. The permittee shall report all instances of noncompliance not reported otherwise, at the time monitoring reports are submitted.
9. The monitoring reports shall be submitted on forms provided by the Department. 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 forty-five (45) days following each schedule date.
10. The permittee is required to construct three (3) monitor wells (MW-1, MW-2, MW-3) at the facility within one (1) year of permit issuance. MW-1 will be between the leachfields and the proposed new water supply wells, MW-2 will be between the leachfields and Jackson Lake, and MW-3 will be downgradient of the leachfields. The monitor wells shall be constructed at locations approved by the UIC Program, and shall be drilled until saturated groundwater is reached, or until a depth approved by consultation with UIC Program staff is reached. The wells shall be drilled and completed using approved methods (see Wyoming WQRR, Chapter 26) for monitor well construction and completion.



**I. Requirements for Monitoring Groundwaters of the State**

The groundwater in the receiving formation shall be sampled and the following parameters analyzed according to the schedule identified in **Table 4**. The following parameters shall be analyzed semi-annually and reported annually:

**Table 4 (Annual Groundwater Monitoring Schedule)**

WELL NAME OR NUMBER	SAMPLING SCHEDULE	PARAMETER ANALYZED	EPA METHOD	STANDARD METHOD	PERMIT LIMIT or UCL <sup>1</sup>	HOLD TIME & TEMPERATURE
Proposed MW-1	Semi-Annually (January-June and July-December)	Ammonia as N	350.1	4500-NH3	0.50 mg/L	28 days / 4°C
Proposed MW-2		Chloride	300.0 or 300.1	4110 B, 4140 B, or 4500-Cl	250 mg/L	28 days / no specified temperature
Proposed MW-3		Nitrate as N	353.2	4500-NO3	10 mg/L	48 hours / 4°C
		pH (standard units: s.u.)	150.1 or 150.2	4500-H+B	6.5-8.5 s.u.	Measure as soon as possible (field parameter)
		Depth to static water level <sup>2</sup>	N/A	N/A	N/A	N/A
Septic Tanks	Monthly	Total Volume Injected, gallons per month	Flow Meter Reading <sup>3</sup>		N/A	N/A
	Monthly	Sludge depth in tank (ft)	Visual		2 ft	N/A

**NOTES:**

- 1 All applicable chemical concentrations in this permit are expressed as total (not dissolved) in milligrams per liter (mg/L) unless otherwise noted.
  - 2 The static depth to water shall be measured on the north side at the top of well casing and with a measured accuracy to the nearest 0.01 feet, such as can be achieved with steel tape or electronic water level indicator.
  - 3 The septic tanks serving this facility are to be inspected, at a minimum, annually and must be pumped as necessary based on sludge depth at bottom of each septic tank, and at least once every five (5) years. A copy of the invoice for pumping the tanks is to be included with the first quarter report. Sludge depth is not to exceed two (2) feet in the septic tanks.
  - 4 Flow volumes may be measured by installing a flow totalizer on water lines connected to each building discharging to the septic systems or on the main water supply well/line.
- s.u. standard units  
 °C Degrees Celcius

All annual reports are to be reported within forty-five (45) days of the last day of each year (February 14<sup>th</sup>).

The upper control limits (UCL) in **Table 4** cannot be exceeded in any sample, including any sample collected during periods where the sampling schedule in **Table 4** is not effective. Exceedance of these values is a violation of this permit and shall require notification under Section K of this permit. If the UCL is exceeded in a sample, additional monitoring wells may be required to determine whether groundwater has been impacted and to delineate the nature and extent of any contamination resulting from operation of the permitted facility.

#### **J. Test Procedures**

All samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples taken shall include a trip blank of distilled water for each sampling date and a duplicate sample at least once per year. All required analyses shall be conducted in compliance with Wyoming WQRR, Chapter 8, Section 7.

#### **K. Records and Reports**

The permittee shall furnish to the Administrator within a specified time any information which the Administrator may request relating to the operation of the facility, including copies of records required to be kept by this permit. The permittee shall retain copies of all records and reports required by this permit for a period of five (5) years following permanent well abandonment. After that time, those records shall be delivered to the Administrator for disposal or archive at his discretion. Confirmed noncompliance resulting in the migration of injected fluid into any zone outside the permitted receiver shall be reported to the Administrator within twenty-four (24) hours, and a written submission (via certified mail) 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; 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 a list of the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance, including any remediation and/or cleanup activities required in Section H(7)(d) of this permit. Confirmed noncompliance not already reported under this section shall be reported at the time monitoring reports are submitted. The reports shall contain the same information as required by the paragraph above. The permittee shall notify the Administrator thirty (30) days in advance of any planned alteration, conversion, or abandonment of the well covered by this permit.

The permittee shall maintain in its records documentation that demonstrates that the permittee has secured permission for DEQ personnel and their invitees to access the permitted facility, including (i) permission to access the land where the facility is located, (ii) permission to collect resource data as defined by Wyoming Statute §6-3-414, and (iii) permission to enter and cross all properties necessary to access the facility if the facility cannot be directly accessed from a public road. The permittee shall also maintain in its records a current map of the access route(s) to the facility and contact information for the owners or agents of all properties that must be crossed to access the facility. The permittee shall ensure that the documentation, map, and contact information are current at all times. The permittee shall provide the documentation, map, and contact information to DEQ personnel upon request. On closure of a facility, the permittee shall maintain such records for a period of five (5) years.

## **L. Permit Actions**

This permit is authorized for a period of ten (10) years. If the permittee wishes to continue injection after the authorization period of this permit, the permittee shall apply to the Administrator and request a permit renewal. The application should be submitted at least one-hundred and eighty (180) days before the end of the authorization period of this permit. Under this permit, the Department may consider injection after the authorization period a violation of the permit if the permittee has not submitted a timely request for permit renewal.

The filing of a request by the permittee, or at the instigation of the Administrator, for permit modification, revocation, termination, or notification of planned changes or anticipated noncompliance shall not stay any condition of this permit.

This permit shall be reviewed at least once every five (5) years for continued validity of all permit conditions and permit content and may be reviewed more frequently. A permit may be modified at any time as may be required, including for conformity with changes in regulations or standards which occur after the permit was issued. A permit may be modified in whole or part in order to apply more or less stringent standards; or prohibitions for toxic or other substances present in the permittees discharge as may be ordered by the Environmental Quality Council.

### **a. Governor's Executive Order 2015-4 on Greater Sage-Grouse Core Area Protection**

The Permittee shall ensure that all activities and habitat disturbances related to injection well(s) authorized by this permit comply with stipulations under the Governor's Executive Order 2015-4 on Greater Sage-Grouse Core Area Protection and are conducted in accordance with Wyoming Game and Fish Department Wildlife Environmental Review recommendations to protect sage-grouse habitat

This facility is not located in an area mapped as Sage Grouse Core Area.

## **M. Abandonment**

General Requirements:

1. The permittee shall notify the administrator at least thirty (30) days prior to abandonment of the facility.
2. An abandonment report, detailing the compliance with abandonment procedures outlined in the original application for coverage under this permit, or describing any deviations from the original plan, shall be submitted as soon as practicable after abandonment. The abandonment shall include reclamation of the well site.
3. Injection and monitor wells covered by this permit shall be abandoned in accordance with Wyoming WQRR, Chapter 27, Section 18.

## **N. Duties of the Permittee**

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. The permittee shall furnish the Administrator within a reasonable time any information which the Administrator may request to determine whether cause exists for modifying, revoking, or

reissuing, or terminating this permit, or to determine compliance with this permit; and to furnish to the Administrator upon request, copies of records required to be kept by this permit. Any modification which may result in a violation of a permit condition shall be reported to the Administrator in writing as soon as the permittee becomes aware of the potential for a permit condition violation, and any modification that will result in a violation of any permit conditions shall be reported to the Administrator through the submission of a new or amended permit application as soon as possible after the permittee becomes aware of the permit condition violation. The permittee shall report all instances where he/she becomes aware that he/she failed to submit any relevant facts in the permit application, or where he/she submitted incorrect information in a permit application or in any report to the Administrator, and shall promptly submit such facts or information.

If any cultural materials are discovered during construction, work in the area should halt immediately. The Administrator and the Wyoming State Historic Preservation Office shall be contacted (307-777-7697) and the materials shall be evaluated by an archaeologist or historian meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, Sept. 1983).

#### **O. Signatories Requirement**

All reports filed in conjunction with this permit shall contain 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 gather and evaluate 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."

All reports required by this permit and other requested information shall be signed as follows:

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

For a partnership or sole proprietorship – by a general partner or the proprietor, respectively;

For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official; or

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

1. The authorization is made in writing by one of the prescribed principals;
2. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
3. The written authorization is submitted to the Administrator.

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 the new authorized representative.

#### **P. Noncompliance**

The permittee shall comply with all conditions of the permit. Any permit noncompliance constitutes a violation of Wyoming WQRR, Chapter 27 and is grounds for enforcement action, permit termination, revocation, or modification. Confirmed noncompliance resulting in an excursion shall be reported to the Administrator orally 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 report shall contain the sections specified in Sections K and H(7)(d) of this permit. Any permit noncompliance constitutes a violation of this permit.

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

After notice and opportunity for a hearing, a permit may be modified, suspended or revoked in whole or part during its term for cause which includes, but is not limited to any of the following:

1. Violation of this permit; or
2. Obtaining a permit by misrepresentation of facts in the application.

The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

#### **Q. Permit Transfer**

Any transfer of this permit shall be accomplished by the submission of the proper forms for permit transfer to the Administrator. Transfer of this permit must first be approved by the Administrator and the Director. No transfer shall be approved unless the proposed permittee agrees to bring any and all noncompliance issues into compliance with this permit. The permittee is alone responsible for the operation of the facility covered by this permit. Sale of the facility and subsequent operation of this facility by another is a violation of this permit unless a transfer of this permit has first been accomplished.

#### **R. Property Rights**

This permit does not convey any property rights of any sort or any exclusive privilege. This permit does not authorize injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

#### **S. Severability**

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

**-End of Permit-**

DRAFT