

AS-BUILT
PERMIT TO CONSTRUCT

New
 Renewal
 Modified

PERMIT NO. 94-001
SPECIAL CONDITIONS

Haven Bar & Grill

This permit hereby authorizes the applicant:

Haven Bar & Grill (Jim & Cindy Packard)
2 Hays Blvd.
Pine Haven, WY 82721
Underground Storage Tank Facility No. 3702

to have constructed, installed or modified one vapor leak detection well according to the procedures and conditions of the application number 94-001. The facility is located in NE SW Section 32, T51N, R66W in the county of Crook, in the State of Wyoming.

The issuance of this permit confirms that the Department of Environmental Quality (DEQ) has evaluated the application submitted by the permittee and determined that it meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the engineer's design are the responsibility of the permittee, owner, and/or operator.

Granting this permit does not imply that the Wyoming DEQ guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements. Compliance with discharge standards remains the responsibility of the permittee.

Nothing in this permit constitutes an endorsement by the DEQ of the construction or the design of the facility described herein. This permit verifies only that the submitted application meets the design and construction standards imposed by the DEQ statutes, rules and regulations. The DEQ assumes no liability for, and does not in any way guarantee or warrant the performance or operation of the permitted facility. The permittee, owner and/or operator are solely responsible for any liability arising from the construction or operation of the permitted facility. By issuing this permit, the state does not waive its sovereign immunity.

The permittee shall allow authorized representatives from the DEQ, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

Nothing in this permit shall be construed to preclude the institution of any legal action or other proceeding to enforce any applicable provision of law or rules and regulations. It is the duty of the permittee, owner and/or operator to comply with all applicable federal, state and local laws or regulations in the exercise of its activities authorized by this permit.

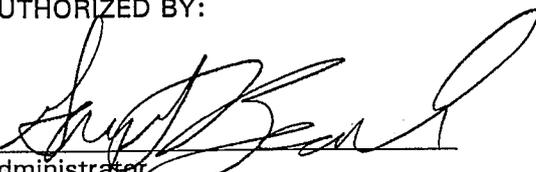
The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

The permittee has constructed and shall operate the permitted facility in accordance with the statements, representations, procedures, terms and conditions of the permit application, supporting documents and permit. This permit does not relieve the permittee from any duty to obtain any other permit or authorization that may be required by any provision of federal, state or local laws.

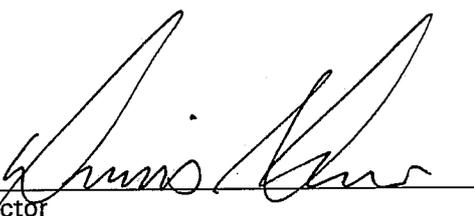
In carrying out its activities authorized by this permit, the permittee, owner and/or operator shall comply with all of the following permit conditions:

- 1 of 9. The vapor detection wells shall be installed in accordance with the conditions of this permit and the plans and specifications submitted in permit to construct application number 94-001. Additional wells meeting the requirements of the application and this permit may be installed if prior approval is received from the Water Quality Division (WQD).
- 2 of 9. Pursuant to Wyoming Water Quality Rules and Regulations, Chapter XI, Section 63(A), a deviation is hereby granted for those wells prevented by physical limitations to adherence to the requirements on minimum depths of seal below ground surface as detailed in Chapter XI, Part G. However a sufficient seal shall be installed according to normal engineering practice.
- 3 of 9. After the monitoring wells have fulfilled their useful purpose, they shall be abandoned according to procedures specified in Chapter XI, Part G, Section 70 of Wyoming Water Quality Rules and Regulations. Within 15 days after a well has been plugged and abandoned, the owner shall file a plugging record with the WQD.
- 4 of 9. Well caps shall be kept locked at all times other than for monitoring purposes. Any tampering with the monitor wells shall be reported immediately to the division. The wells shall be clearly numbered.
- 5 of 9. Automatic vapor detection equipment specifications shall be made available to the department for review.
- 6 of 9. Keys for the locked vapor detection wells shall be kept on-site at all times.
- 7 of 9. The vapor leak detection wells must be sampled at least every thirty (30) days as required under Chapter XVII, Section 14 of the Water Quality Rules and Regulations (WQRR). The measurement of vapors in the vapor leak detection wells must be capable of detecting any significant increase in concentration above background of the regulated substance stored in the tank system. The measurement of vapors must not be rendered inoperative by groundwater, rainfall, or soil moisture.
- 8 of 9. The results of any sampling, testing, or monitoring must be maintained for at least three (3) years. All testing records shall be made available to the Department for review upon request.
- 9 of 9. If monitoring results from the vapor leak detection wells indicate a release may have occurred, the owner or operator of the underground storage tank (UST) system must notify the department orally within 24 hours. The owner or operator must take measures to investigate and confirm all suspected releases within seven (7) days of detection as required under Chapter XVII, Section 21 of the WQRR.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

6/14/95

Date of Issuance.

WJC/b/52483.ltr

AS-BUILT STATEMENT OF BASIS
VAPOR MONITOR WELL (LEAK DETECTION)

This statement of basis for Permit Number 94-001 is for the purpose of constructing a vapor monitor well for leak detection at UST Facility ID # 3702, Haven Bar & Grill, Pine Haven, Wyoming. The UST facility is a gas station with one 10,000 gallon gasoline UST that retails gasoline to local residents and visitors. The review of the application indicates that the proposed facility will be in compliance with applicable regulations identified in Chapter XI, Part G (Well Construction Standards). Vapor monitor wells must not be placed within the water table (the soil must be dry). The optimum depth for a vapor well is at least as deep as the bottom of the tank, preferably one or two feet deeper (typically 12 feet to 14 feet deep). Therefore, regulations in Chapter XI, Part G, Section 63, stipulate that deviation to adherence of the requirements on minimum depths of seal below the ground surface is granted for wells prevented by physical limitations (shallow depths) from meeting those requirements. Location of the monitor well is required to be in the original UST installation excavation where it can detect all potential UST releases.

The vapor well at Haven Bar & Grill conforms to the above conditions. The vapor monitoring well must be capable of detecting any significant increase in concentration above background of the regulated substance stored in the tank system. The vapor leak detection well must be sampled at least every thirty (30) days as required under Chapter XVII, Section 14 of the Water Quality Rules and Regulations (WQRR). If monitoring results indicate a release may have occurred, the owner or operator of the underground storage tank system must notify the department orally within 24 hours. The owner or operator must take measures to investigate and confirm all suspected releases within seven (7) days of detection as required under Chapter XVII, Section 21 of the WQRR.

Review of the application to determine groundwater impacts in accordance with Chapter III, Section 15, requires that the construction adhere to the standard conditions for vapor monitor wells in the permit to construct. Furthermore, the monitor well is required to have a locked cap marked "monitor well" and "no fill" to prevent accidental contaminant discharge through the wellbore.

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CERTIFICATION

The issuance of this permit is based upon a review of the application package submitted in accordance with the requirements of Section 6, Chapter III, Wyoming Water Quality Rules and Regulations. This review was performed by Joe Carlisle, Sr. Environmental Analyst, and completed on June 9, 1995. Permit issuance is recommended based upon statements, representations, and procedures presented in the permit application and supporting documents, permit conditions, and the items identified in this "Statement of Basis."

WJC/b/52483.ltr

THE STATE



OF WYOMING



JIM GERINGER
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-7682	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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June 9, 1995

Jim and Cindy Packard
Haven Bar & Grill
2 Hays Blvd.
Pine Haven, WY 82721

RE: As-Built Permit To Construct, WQD Reference Number 94-001

Dear Mr. & Ms. Packard:

The Department of Environmental Quality/Water Quality Division (DEQ/WQD) has reviewed the referenced As-Built Application submitted by yourselves. Our review indicates that the application appears to meet DEQ/WQD regulations and the enclosed As-Built Permit To Construct is hereby issued.

Please be advised that the system must be constructed, installed and operated in accordance with the statements, representations and procedures presented in the application and all supporting documentation as well as the terms and conditions of the permit. You are urged to be familiar with all aspects of the permit application, permit and permit conditions. Any person objecting to a permit issued by the DEQ and desiring affirmative relief may request a hearing before the Environmental Quality Council in accordance with the Rules of Practice and Procedure for the Department of Environmental Quality and the Wyoming Administrative Procedures Act.

Sincerely,

Dennis Hemmer
Director
Department of Environmental Quality

DH\WJC\b\52482.ltr

Enclosure

PERMIT TO CONSTRUCT

New
 Renewal
 Modified

PERMIT NO. 94-002R
SPECIAL CONDITIONS

Buffalo CENEX Truck Stop

This permit hereby authorizes the applicant:

CENEX Petroleum, Inc.
P.O. Box 80907

Billings, MT 59108-0907

to construct, install or modify pilot-scale soil-vapor-extraction system according to the procedures and conditions of the application number 94-002R. The facility is located in Section 26, T51N, R82W in the county of Johnson, in the State of Wyoming. This permit shall be effective for a period of five (5) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: NE District Supervisor, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

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.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

3-18-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

1. of 3 Prior to excavation and construction of the SVE trench, the following steps are required:
 - a. On-site storing, treating and disposal procedures for contaminated soils must be authorized by the DEQ/Solid and Hazardous Waste Division (SHWD) prior to initiation. Please contact the WDEQ/SHWD Environmental Analyst in this region, John Kleinschmidt, Cheyenne, (307)777-7752.
 - b. Soil samples will be required by WDEQ/SHWD (i.e., as described in the enclosed Solid Waste Guideline #2).
2. of 3 The workplan's proposed performance monitoring (application, p. 4, 5) shall be adhered to for the duration of the pilot-scale test. Additional sampling and monitoring requirements are summarized in the following comments.
 - a. A pressure gauge shall be placed at the top of the trench (i.e., to measure air

PERMIT NO. 94-002R

vacuums in the SVE system at the trench wellhead). The air vacuums shall be monitored and documented every 2 hours during the pilot-scale test.

- b. Groundwater samples from monitoring wells (MW-2, MW-3, MW-4, MW-5, RW-1) shall be sampled quarterly and analyzed for BTEX and TPH. TPH shall be analyzed in the gasoline and diesel ranges by the two EPA 8015 Modified Methods.
- c. Static water levels and thickness of floating hydrocarbons (LNAPL) shall be measured concurrently with groundwater quality sampling events.
- d. The first groundwater sampling event shall occur prior to start-up of the pilot-scale SVE system.
- e. The groundwater sampling results shall be submitted in an annual report before December 31 of each year. The annual report shall summarize and document all monitoring and sampling data. The report shall include an evaluation of the effectiveness of corrective actions and describe plans and schedules for future work.
(NOTE: After one (1) year of sampling events, WDEQ/WQD may alter the sampling frequency and number of monitoring wells.)

3. of 3 Within sixty (60) days after completion of the SVE pilot-scale test, the following shall be submitted to WDEQ/WQD:

- a. the summary report (application, p. 5) that contains the items described in **Comments 6 a..c.** of the previous WDEQ/WQD's review dated January 26, 1994;
- b. Chapter III Permit to Construct application materials and schedule for conducting a subsurface investigation (i.e., installing boreholes and monitoring wells) to delineate on-site soil and groundwater contamination;
- c. a plan and schedule for implementing corrective actions to prevent contaminated groundwater from migrating off-site (i.e., groundwater extraction system or an alternate method). **NOTE:** The existing groundwater extraction system may contain the off-site migration of contaminated groundwater. Please submit cone of influence calculations, data, and results from any previous pump tests of the recovery well.

PBS/mad 41179.LTR

Kevin Frederick, Supervisor, GPC Program, WQD/Cheyenne
File, WQD Permit Reference #94-002R



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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March 16, 1994

William Haggerty
CENEX Petroleum, Inc.
P.O. Box 80907
Billings, MT 59108-0907

**Re: Permit to Construct #94-002R
Pilot-Scale SVE System
CENEX Truck Stop
Buffalo, WY**

Dear Mr. Haggerty:

The Water Quality Division (WQD) has reviewed the referenced Permit to Construct application materials. The enclosed Permit to Construct authorizes CENEX Petroleum to construct the pilot-scale soil vapor extraction (SVE) system. Additional comments and requirements are summarized on the enclosed Groundwater Pollution Control (GPC) Program review.

Please address future correspondence to the attention of the Northeast District Supervisor, Mr. Don Fischer, WDEQ/WQD, 2161 Coffeen Avenue, Sheridan, WY 82802.

Sincerely,

Phillip Stump
Phillip Stump
GPC Program Engineer
Water Quality Division

PS/mad 41180.LTR

enclosures: Groundwater Section Review
WDEQ/SHWD Guideline #2
Permit to Construct

xc: 1994 Northeast District Review Forms
Kevin Frederick, Supervisor, GPC Program, WQD/Cheyenne
Chester A. Hitchens, DRT Environmental Consultants, Inc.
IPS Section, Cheyenne
Don Fischer, WQD

GROUNDWATER POLLUTION CONTROL PROGRAM
REVIEW COMMENTS:
PLANS/SPECIFICATIONS/PROPOSALS/REPORTS

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION

Herschler Bldg., 4 West
Cheyenne, Wyoming 82002

PROJECT: Pilot-Scale Soil-Vapor Extraction System

APPLICANT: CENEX Petroleum, Inc.
P.O. Box 80907
Billings, MT 59108-0907
(406) 655-6415

**APPLICANT'S
CONSULTANT:** Chester Hitchens
DRT Environmental Consultants, Inc.
736 Whalers Way, Suite F-230
Fort Collins, CO 80525
(303) 226-0842

WATER QUALITY DIVISION REFERENCE (PERMIT) NUMBER: **94-002R**

EXISTING NEW AS BUILT

TITLE: Application for Permit to Construct Pilot-Scale Soil-Vapor Extraction System

PROPOSAL PLANS REPORT

DATE ON PROPOSAL/PLANS/REPORT: February 10, 1994

IS THIS PROPOSAL SUBMITTED PURSUANT TO:

'CONDITIONS' TO ANY WQD PERMIT? NO YES

AN LOV, NOV OR OTHER ENFORCEMENT? NO YES

REVIEWING ENGINEER: Phillip Stump
Phillip Stump, E.I.T., GPC Program Engineer

AUTHORIZING ENGINEER: Jake Stroffman
Jake Stroffman, P.E., Groundwater Section Manager

DATE OF LAST REVIEW: January 26, 1994

DATE OF THIS REVIEW: March 16, 1994

ACTION: AUTHORIZED FOR CONSTRUCTION

I. CONCLUSION OF ADEQUACY OF WORK COMPLETED TO DATE:

WDEQ/WQD is also concerned that the migration of contaminated groundwater has not been controlled. The groundwater sampling indicates that contaminated groundwater has and continues to migrate off-site.

II. REQUIREMENTS/RECOMMENDATIONS:

- A. The issuance of this permit does not relieve CENEX Petroleum from addressing the groundwater contamination that has migrated off-site.
- a. Within sixty (60) days from the issuance of this permit, CENEX Petroleum shall submit a plan and schedule to define the extent and levels of off-site groundwater contamination.
- B. If the pilot-scale SVE system is found effective in remediating soil contamination, CENEX Petroleum shall propose a full-scale SVE system. An Operation & Maintenance (O & M) Manual of the facility shall be submitted to WDEQ/WQD for approval approximately 30 days after full-scale system start-up. Items to be included in the O & M Manual are outlined in Section 24 of Chapter XI, Wyoming Water Quality Rules and Regulations and additional items are as follows:
- a. specific operating information for each of the components of the system;
- b. routine scheduled maintenance and any other required maintenance;
- c. performance monitoring plan (i.e., sampling and monitoring frequencies, parameter lists, operational monitoring of flow rates and pressures, etc.);
- d. reporting schedules for submitting results to WDEQ/WQD;
- e. contingency plans in the event of any equipment failure;
- f. contingency plans to remedy any short circuiting or inefficient vacuums that are measured at wellheads of the SVE system (i.e., adjusting the flow valves, increasing the operating vacuums or flow rates, etc.); and
- g. if the system is out of service for more than 24 hours for reasons other than for routine maintenance (i.e., shut-off or downtime), a plan to document and report to WDEQ/WQD the problems encountered and the responses taken.
- C. WDEQ/WQD authorizes Permit to Construct #94-002R under the following **CONDITIONS:**

PILOT-SCALE SVE SYSTEM CONDITIONS

1. Prior to excavation and construction of the SVE trench, the following steps are required:

- a. On-site storing, treating and disposal procedures for contaminated soils must be authorized by the DEQ/Solid and Hazardous Waste Division (SHWD) prior to initiation. Please contact the WDEQ/SHWD Environmental Analyst in this region, John Kleinschmidt, Cheyenne, (307)777-7752.
 - b. Soil samples will be required by WDEQ/SHWD (i.e., as described in the enclosed Solid Waste Guideline #2).
2. The workplan's proposed performance monitoring (application, p. 4, 5) shall be adhered to for the duration of the pilot-scale test. Additional sampling and monitoring requirements are summarized in the following comments.
- a. A pressure gauge shall be placed at the top of the trench (i.e., to measure air vacuums in the SVE system at the trench wellhead). The air vacuums shall be monitored and documented every 2 hours during the pilot-scale test.
 - b. Groundwater samples from monitoring wells (MW-2, MW-3, MW-4, MW-5, RW-1) shall be sampled quarterly and analyzed for BTEX and TPH. TPH shall be analyzed in the gasoline and diesel ranges by the two EPA 8015 Modified Methods.
 - c. Static water levels and thickness of floating hydrocarbons (LNAPL) shall be measured concurrently with groundwater quality sampling events.
 - d. The first groundwater sampling event shall occur prior to start-up of the pilot-scale SVE system.
 - e. The groundwater sampling results shall be submitted in an annual report before December 31 of each year. The annual report shall summarize and document all monitoring and sampling data. The report shall include an evaluation of the effectiveness of corrective actions and describe plans and schedules for future work.
(NOTE: After one (1) year of sampling events, WDEQ/WQD may alter the sampling frequency and number of monitoring wells.)
3. Within sixty (60) days after completion of the SVE pilot-scale test, the following shall be submitted to WDEQ/WQD:
- a. the summary report (application, p. 5) that contains the items described in **Comments 6 a..c.** of the previous WDEQ/WQD's review dated January 26, 1994;
 - b. Chapter III Permit to Construct application materials and schedule for conducting a subsurface investigation (i.e., installing boreholes and monitoring wells) to delineate on-site soil and groundwater contamination;
 - c. a plan and schedule for implementing corrective actions to prevent contaminated groundwater from migrating off-site (i.e., groundwater extraction system or an alternate method). **NOTE:** The existing groundwater extraction system may contain the off-site migration of contaminated groundwater. Please submit cone of influence calculations, data, and results from any previous pump tests of the recovery well.



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-8145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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January 26, 1994

William Haggerty
CENEX Petroleum, Inc.
P.O. Box 80907
Billings, MT 59108-0907

**Re: Permit to Construct #94-002
Pilot-Scale SVE System
CENEX Truck Stop
Buffalo, WY**

Dear Mr. Haggerty:

The Water Quality Division (WQD) has reviewed the referenced Permit to Construct application materials for the pilot-scale soil vapor extraction (SVE) system. Comments and requirements are summarized on the enclosed Groundwater Pollution Control (GPC) Program review form.

Please contact me directly should you have any questions.

Sincerely,

Phillip Stump
Phillip Stump
GPC Program Engineer
Water Quality Division

PS/jn - 40386.ltr

enclosures: Groundwater Section Review Form

xc: 1994 Northeast District Review Forms
Kevin Frederick, Supervisor, GPC Program, WQD/Cheyenne
IPS Section, Cheyenne

ps: BUFF-CEN\94-002.RV1

GROUNDWATER SECTION REVIEW OF PROPOSALS/PLANS

**WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION**

Herschler Bldg., 4 West
Cheyenne, Wyoming 82002
(307) 777-7781

PROJECT: Pilot-Scale Soil-Vapor Extraction System

APPLICANT: CENEX Petroleum, Inc.
P.O. Box 80907
Billings, MT 59108-0907
(406) 655-6415

**APPLICANT'S
ENGINEER:** DRT Environmental Consultants, Inc.
736 Whalers Way, Suite F-230
Fort Collins, CO 80525
(303) 226-0842

WATER QUALITY DIVISION REFERENCE (PERMIT) NUMBER: **94-002**

TITLE: Application for Permit to Construct Pilot-Scale Soil-Vapor Extraction System

PROPOSAL **PLANS** **REPORT**

DATE ON PROPOSAL/PLANS/REPORT: December 29, 1993

**IS THIS PROPOSAL SUBMITTED PURSUANT TO 'CONDITIONS' TO ANY
WDEQ/WQD PERMIT?**

YES **NO**

REVIEWING GEOLOGIST: *Kevin Frederick*
Kevin Frederick, GPC Program Supervisor

REVIEWING ENGINEERS: *Phillip Stump*
Phillip Stump, E.I.T., GPC Program Engineer
Jake Strohan
Jake Strohan, P.E., Groundwater Section Manager

DATE OF LAST REVIEW: N/A

DATE OF THIS REVIEW: January 26, 1994

ACTION: NOT AUTHORIZED FOR CONSTRUCTION

COMMENTS: GROUNDWATER SECTION

I. SUMMARY OF EXISTING CONTAMINATION:

Refer to previous report, "Groundwater Monitoring Report," prepared by DRT Environmental Consultants, dated November 29, 1993.

II. CONCLUSION OF ADEQUACY OF WORK COMPLETED TO DATE:

1. WDEQ/WQD is concerned that additional sources of groundwater contamination continue to exist in the form of **contaminated soils**, near the dispensing line leaks and in other areas of the site as residually adsorbed contamination. No active soil treatment has occurred.
2. WDEQ/WQD is also concerned that the migration of contaminated groundwater has not been controlled. The groundwater sampling indicates that contaminated groundwater has and continues to migrate northeast of the site.
3. The dissolved benzene plume in the center area of the site has not been fully delineated.

III. REQUIREMENTS/RECOMMENDATIONS:

1. The workplan suggests implementing groundwater extraction in conjunction with soil-vapor extraction and concludes that air sparging is not applicable due to site-specific reasons. The basis for implementing a full-scale SVE system to the areas of the highly contaminated soils will need to be verified by empirical data attained during the pilot-scale tests.
2. **AIR QUALITY.** A separate Permit may have to be issued by WDEQ/Air Quality Division for all air emissions associated with this pilot-scale SVE system. Contact WDEQ/AQD, Sheridan (307) 672-6457 for permitting requirements.
3. The workplan's proposed monitoring plan does not address certain monitoring requirements. Within 45 days, please submit a plan to perform the pilot-scale SVE test that includes the following additional monitoring:
 - a. perform the SVE pilot-scale tests at various operating flow rates and vacuums to determine the most efficient operating conditions and the zone of influence of the SVE trench;
 - b. during operation of the SVE pilot-scale system pressure/vacuum levels at the trench wellhead shall be monitored and documented at system start-up and periodically thereafter, and;
 - c. prior to and during the SVE pilot-scale tests, monitoring well (MW-4) shall be monitored as follows:

CENEX Petroleum, Inc.

Pilot-Scale Soil-Vapor Extraction System

Application for Permit to Construct #94-002

Page 3

- (1) measure static water levels prior to, during, and immediately following each pilot-scale test to detect any mounding or collapse of the water table;
- (2) measure VOC concentrations in the headspace of groundwater samples prior to and during each pilot-scale test, and;
- (3) dissolved contaminant levels (i.e., BTEX and TPH by EPA Methods 8020 and 8015 Modified, respectively) two to four weeks after completion of the pilot-scale test.

[NOTE: Background levels of VOC concentrations and dissolved contaminant levels shall be determined prior to the pilot-scale SVE test start-up.]

4. Provide a process and instrumentation diagram that illustrates and identifies all pipes, ports, valves, manifolds, instrumentation/controls, blowers, knockout pots, treatment units, and any other external components.
5. The ten soil-vapor monitoring points located at right angles to the trench shall be illustrated and monitored as follows: (NOTE: Monitoring wells/piezometers with screens extending into the vadose zone can be used as soil-vapor points for monitoring vadose zone pressures/vacuums.)
 - a. Provide a cross-section of soil-vapor monitoring probes in a schematic drawing illustrating the following details:
 - (1) Illustrate and identify the depth of the well, depth of screened interval, type of material in annular seals and surface seals, depth of the present water table and the anticipated high and low water table elevations.
 - (2) Only one cross-section is required for all monitoring probes which are constructed in the same manner, but identify the depth of the screened interval and depth of sampling in the plan view.
 - b. The monitoring plan at the soil-vapor probes shall include the following:
 - (1) at the well head, the air pressure/vacuum within the soil vapor probe shall be monitored during each pilot scale test.

6. Please propose the contents of a report that evaluates the system's performance and provides predictions and recommendations for full-scale SVE implementation. At a minimum, the report shall contain the following:
- a. A description of the pilot-scale SVE system operation and an analysis of the empirical data from the operation which includes:
 - (1) performance results (zone of influence, volatilization effects on dissolved contaminants, etc.), and;
 - (2) documentation of any downtime (problems encountered and responses taken).
 - b. Empirical data shall be presented in tabular form (dissolved benzene and TPH concentrations, etc.) and in graphical form (the concentration of extracted vaporous constituents and the mass of extracted vapors vs. time of operation), and;
 - c. Plan view maps of the site illustrating:
 - (1) the zone of influence of the SVE trench;
 - (2) iso-concentrations lines of dissolved contaminants;
 - (3) static water levels during pilot-scale tests, and;
 - (4) locations of the existing SVE trench, monitoring wells, piezometers, and soil-vapor probes.

[NOTE: This report must be submitted to WDEQ/WQD within 60 days of completion of the SVE pilot-scale test.]

7. Additional subsurface investigations are required to define the areas that contain high levels of residual soil contamination. Within 45 days, please submit a plan and schedule to delineate soil and groundwater contamination.
8. Within 45 days, please submit a plan and schedule to prevent contaminated groundwater from migrating off-site and to restore the quality of groundwater underlying the site.

PERMIT TO CONSTRUCT

- New
 Renewal
 Modified

Permit No. 94-003
* **CONDITIONED** *

Country Club Villas
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

Ken Morgan

P.O. Box 1967

Rock Springs, WY 82901

to construct a water distribution system and sewage collection system according to the procedures and conditions of the application No. 94-003. The facility is located in NW 1/4, Section 1, T18N, R105W in the County of Sweetwater, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or insures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the State does not in any way waive its sovereign immunity.

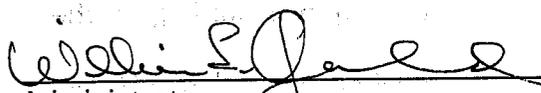
The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, 250 Lincoln, Lander, WY 82520; telephone, 332-3144.

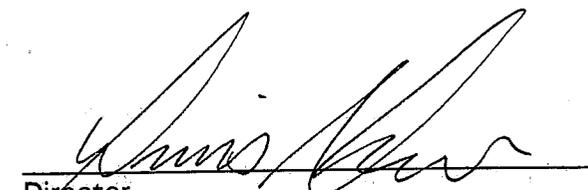
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

2-15-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

KLE - 40704.ltr

STANDARD CONDITIONS 1 through 4

1. of 4 The applicant will notify the appropriate district office of the Department of Environmental Quality, Water Quality Division, by the attached post card of the date construction will begin and the estimated completion date.
2. of 4 The applicant will provide immediate oral and/or written notice to Water Quality Division, 250 Lincoln, Lander, WY 82520, (307) 332-3144, in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.

3. of 4 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Water Quality Division, 250 Lincoln, Lander, WY 82520, on the form provided (CERTIFICATION OF COMPLETION), the following information.
- a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
 - d. Certification the facility was completed with changes or modifications. Submittal of as- constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.
4. of 4 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

STATEMENT OF BASIS

- I. General information.
 - A. Permit Number: 94-003
- II. Application reviewed for compliance with the following regulations.
 - A. Chapter XI. YES
 - B. Chapter XII. YES
- III. Basis for issuing permit.
 - A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.
YES
 - B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.
NO
 - C. Permit based on deviation from applicable regulations in accordance with approved policy statement.
NO
- IV. Facilities not specifically covered by regulations.
 - A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.
N/A
 - B. Briefly state the basis for the deviation.
N/A
 - C. Permit based on general or statewide deviation contained in approved policy statement.
N/A

Statement of Basis
94-003
January 31, 1994

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. *See footnote*¹

N/A

VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected.

N/A

VII. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

¹ Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

PERMIT TO CONSTRUCT

- New
- Renewal
- Modified

Permit No. 94-004R
* **CONDITIONED** *

Riverton - Mary Dr. Waterline Extension
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

City of Riverton

P.O. Box 1700

Riverton, WY 82501

to construct approximately 480 lineal feet of waterline according to the procedures and conditions of the application No. 94-004R. The facility is located in SW1/4, Section 29, T1N, R4W, Riverton, WY in the County of Fremont, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or insures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third

parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the State does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, 250 Lincoln, Lander, WY 82520; telephone, 332-3144.

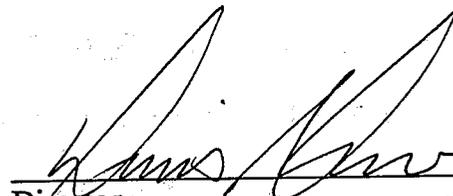
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

3-4-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

STANDARD CONDITIONS 1 through 4

1. of 4 The applicant will notify the appropriate district office of the Department of Environmental Quality, Water Quality Division, by the attached post card of the date construction will begin and the estimated completion date.

2. of 4 The applicant will provide immediate oral and/or written notice to Water Quality Division, 250 Lincoln, Lander, WY 82520, (307) 332-3144, in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.

3. of 4 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Water Quality Division, 250 Lincoln, Lander, WY 82520, on the form provided (CERTIFICATION OF COMPLETION), the following information.
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
 - d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4. of 4 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-004R

II. Application reviewed for compliance with the following regulations.

A. Chapter XI. No

B. Chapter XII. Yes

III. Basis for issuing permit.

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No

IV. Facilities not specifically covered by regulations.

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement.

N/A

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III.

N/A

VI. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

GL/nc 40953.LTR

PERMIT TO CONSTRUCT

New

Renewal

Modified

PERMIT NO. 94-005

REFERENCE 78-526

(SEE SPECIAL PERMIT CONDITIONS)

4K SUBDIVISION WATER AND SEWER EXTENSIONS

(Name of Facility)

This permit hereby authorizes the applicant (name and address):

Klondike Hills LLC
P.O. Box 696
Buffalo, Wyoming 82834

to construct, install or modify water and sewer system facilities according to the procedures and conditions of the application No. 94-005 and 78-526. The facility is located in the NE¼ of Section 3 in Township 50 North Range 82 West in the County of Johnson in the State of Wyoming. This permit shall be effective for a period of one (1) year from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

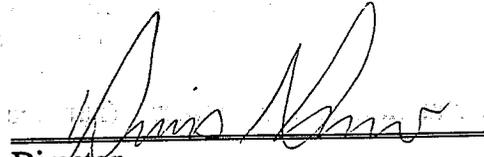
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Dept. of Environmental Quality

1-27-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL PERMIT CONDITIONS

- 1 of 4. The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division, the day construction commences and give an estimate of completion of the project on the attached post card. The authorized representative in your area can be contacted at the following address: Wyoming DEQ/WQD, Sheridan District Office, 2161 Coffeen Avenue, Annex, Sheridan, Wyoming 82801; telephone, 672-6457.
- 2 of 4. The permittee shall provide immediate oral and/or written notification, in accordance with Section 9, Chapter III, to the Sheridan District Office of any changes or modifications to the approved permit package.
- 3 of 4. Within sixty days of completion of the authorized facility, the applicant will submit to Sheridan District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and

PERMIT #94-005

4K SUBDIVISION WATER & SEWER EXTENSIONS

- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
 - d. Certification the facility was completed with changes or modifications. Submittal of as-built plans and specifications for the system as it was constructed, certified by an engineer if appropriate.
- 4 of 4. The review and approval of this permit is based upon the items identified in the attached Statement of Basis.

DRM/pr:01/26/94
bb/40415.ltr

Attachments: Notification Post Card
Certification of Completion Form
Statement of Basis

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-005

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. Yes.

B. Chapter XII. Yes.

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes.

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No.

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No.

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

N/A

- V. Application requires review to determine groundwater impacts in accordance with Section 15, ~~Chapter~~
See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from
the Statement of Basis.)

N/A

VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement
of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are
exempt from the requirements of Section 15.

DRM/pr:01/26/94
bb/40415.ltr

PERMIT TO CONSTRUCT

- New
 Renewal
 Modified

PERMIT NO. 94-006
REFERENCE 92-419
(SEE SPECIAL CONDITIONS)

CEDAR HILLS SEWER MAIN EXTENSIONS
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

Town of Pine Haven
24 Waters Drive
Pine Haven, Wyoming 82721

to construct, install or modify sewer main extensions according to the procedures and conditions of the application No. 94-006 and 92-419. The facility is located in the SW/4 Section 32 Township 51 North Range 66 West in the County of Crook in the State of Wyoming. This permit shall be effective for a period of one (1) year from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

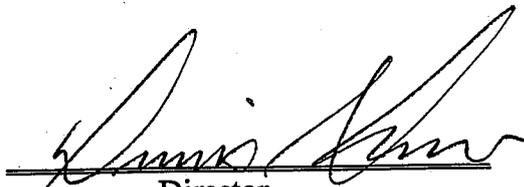
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Dept. of Environmental Quality

1-24-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL PERMIT CONDITIONS

- 1 of 4. The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division, the day construction commences and give an estimate of completion of the project on the attached post card. The authorized representative in your area can be contacted at the following address: Wyoming DEQ/WQD, Sheridan District Office, 2161 Coffeen Avenue, Annex, Sheridan, Wyoming 82801; telephone, 672-6457.
- 2 of 4. The permittee shall provide immediate oral and/or written notification, in accordance with Section 9, Chapter III, to the Sheridan District Office of any changes or modifications to the approved permit package.
- 3 of 4. Within sixty days of completion of the authorized facility, the applicant will submit to Sheridan District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and

Permit #94-006

Cedar Hills Sewer Main Extensions

- b. Date the facility was placed in operation; and
- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system, certified by an engineer if appropriate.

4 of 4. The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

DRM/pr:01/20/94

Attachments: Notification Post Card
Certification of Completion Form
Statement of Basis

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-006

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. Yes.

B. Chapter XII. No.

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes.

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No.

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No.

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

Not Applicable.

B. Briefly state the basis for the deviation.

Not Applicable.

C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

Not Applicable.

Permit #94-006
Cedar Hills Sewer Main Extensions

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

Not Applicable.

- VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected. (Fill out only the applicable sections and indicate sections that are not applicable.)

- A. Facility will not allow a discharge to groundwater. Briefly describe:

Not Applicable.

- B. Quality of wastewater is such that it will not cause a violation of groundwater standards. Briefly describe:

Not Applicable.

- C. Existing soils or geology will not allow a discharge to groundwater. Briefly describe:

Not Applicable.

- D. Basis of facility design is that it will be operated so as not to violate groundwater standards (example: maintenance of manure pack at animal waste treatment facility). Briefly describe:

Not Applicable.

- E. Discharge will result in groundwater concentrations in excess of standards but post discharge water quality can be returned to standards in accordance with Section 4 (d)(vi), Chapter VIII. Briefly describe:

Not Applicable.

- F. If water quality exceedances are allowed, briefly describe the parameter limits, property boundaries, places of withdrawal and any other information documenting that any users of affected aquifer will not be impacted.

Not Applicable.

- G. Briefly describe monitoring system (parameters, frequency, etc.). Clearly state the parameters to be utilized for determining compliance, what constitutes a violation and steps to be followed by the permittee in the event of a violation.

Not Applicable.

VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

DRM/bb/40289.LTR

PERMIT TO CONSTRUCT

- New
 Renewal
 Modified

Permit No. 94-007R
*** CONDITIONED ***

Harper Septic Tank/Leach Field
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

Thad Harper

2682 Horseshoe Lane

Greybull, WY 82426

to construct a residential septic tank and leach field according to the procedures and conditions of the application No. 94-007R. The facility is located in Section 9 (Lot 4), T52N, R93W in the County of Big Horn, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or insures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the State does not in any way waive its sovereign immunity.

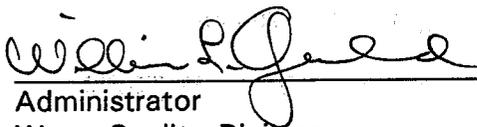
The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, 250 Lincoln, Lander, WY 82520; telephone, 332-3144.

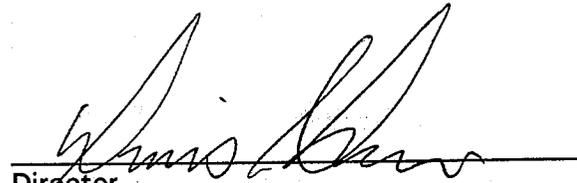
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

2-25-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

GL - 40876.ltr

STANDARD CONDITIONS 1 through 4

1. of 4 The applicant will notify the appropriate district office of the Department of Environmental Quality, Water Quality Division, by the attached post card of the date construction will begin and the estimated completion date.

2. of 4 The applicant will provide immediate oral and/or written notice to Water Quality Division, 250 Lincoln, Lander, WY 82520, (307) 332-3144, in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.

3. of 4

Within sixty days of completion of construction of the authorized facility, the applicant will submit to Water Quality Division, 250 Lincoln, Lander, WY 82520, on the form provided (CERTIFICATION OF COMPLETION), the following information.

- a. Date that construction of the facility was completed; and
- b. Date that the facility was placed in operation; and
- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4. of 4

The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-007R

II. Application reviewed for compliance with the following regulations.

A. Chapter XI. Yes

B. Chapter XII. No

III. Basis for issuing permit.

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No

IV. Facilities not specifically covered by regulations.

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement.

N/A

Statement of Basis
94-007R
February 23, 1994

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III.

N/A

- VI. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.



THE STATE OF WYOMING

RECEIVED

JAN 19 1994



MIKE SULLIVAN
GOVERNOR

WATER QUALITY DIVISION
WYOMING

Department of Environmental Quality

250 Lincoln Street • Lander, Wyoming 82520-2848 • Fax (307) 332-7726

ABANDONED MINES (307) 332-5085	AIR QUALITY (307) 332-6755	LAND QUALITY (307) 332-3047	SOLID & HAZARDOUS WASTE (307) 332-6924	WATER QUALITY (307) 332-3144
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January 18, 1994

Mr. Glenn Sugano
City of Rock Springs
212 D Street
Rock Springs, WY 82901

Re: Reference Number 94-008, Application Withdrawn
Bitter Creek Crossings

Dear Glenn:

Thank you for submitting the permit application for the flood and erosion control of the Bitter Creek sewer line crossings. As we discussed on the phone, I have reviewed the plans with Bill Locke of this office who stated that this is the design that he had previously discussed with you. Both Bill and I agree that this project does not need to be permitted by the DEQ. However, I would appreciate notification upon completion of the project. Enclosed, I am returning the permit applications.

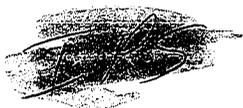
If you have any questions concerning this matter, please feel free to call me.

Sincerely,

Keith L. Estenson
Engineering Evaluator
Water Quality

KLE

COPY: John Wagner, NPDES, Cheyenne
COPY: File - Sweetwater Co., City of Rock Springs



RF



THE STATE OF WYOMING

MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

Administration
(307) 777-7937

Air Quality Division
(307) 777-7391

Land Quality Division
(307) 777-7756
FAX (307) 634-0799

Solid Waste Management Program
(307) 777-7752

Water Quality Division
(307) 777-7781
FAX (307) 777-5973

January 12, 1994

Jim Gill, Executive Vice President
Jackson Hole Ski Corporation
P.O. Box 290
Teton Village, Wyoming 83025

RE: Vehicle Maintenance Shop Wastewater System
As Built Approval: 94-009
Teton County, Wyoming

Dear Mr. Gill:

This letter constitutes the Water Quality Division's approval of the industrial pre-treatment system on an as-built basis. Nothing in this approval guarantees that the system will operate as intended or that discharge limitations will be met. This approval indicates only that the system meets the minimum design requirements found in Water Quality Rules and Regulations.

This approval carries with it the following conditions:

- 1 of 7. The wastewater being discharged by this facility, and the waste being delivered to this facility shall be sampled and analyzed in January, February, and March, of each year for the following listed parameters:
 - a. Cadmium using EPA 200 series methods;
 - b. Chromium using EPA 200 series methods;
 - c. Iron using EPA 200 series methods;
 - d. Lead using EPA 200 series methods;

- e. Zinc using EPA 200 series methods;
- f. Purgeable Aromatic and Halogenated Hydrocarbons using EPA Method 624;
- g. Total Petroleum Hydrocarbons using EPA Method 418.1;
- h. Total Phenolic Hydrocarbons using EPA Method 420.1;
- i. Following review of the first seasons monitoring data, the WQD may substitute a shorter list for the above parameters, depending on the submitted results. WQD may substitute less expensive methods for the above listed methods depending on the results of the first season's monitoring. WQD may substitute less frequent monitoring after the first season's operations; and
- j. The results of these analyses shall be submitted to the Cheyenne office of the Water Quality Division by the last day of the month following the end of each operating season. This one report will constitute all reporting required for this system for each year's operations. The first set of results are due by the last day of April, 1994.

2 of 7. The Upper Control Limits for the discharge from this system shall be the limitations for class I groundwater of the state as found in Chapter VIII, Water Quality Rules and Regulations. Discharge of any contaminant in excess of class I groundwater standards is a violation of this approval. Jackson Hole Ski Corporation shall report any such violation in writing within 5 days of its becoming aware of the violation.

3 of 7. In the event that this system is hooked into the Teton Village Water and Sewer District's sewer lines, the Water Quality Division will require that pretreatment monitoring be conducted. The monitoring program to be used in that event shall be approved by the Teton Village Water and Sewer District and the Water Quality Division.

4 of 7. In the event that the use of the system changes in the future to more year round use, this department shall be notified and appropriate changes shall be made to the monitoring program at that time.

5 of 7. In the event that this treatment system becomes non-operational at any time for more than 48 hours, Jackson Hole Ski Corporation shall notify the Water Quality

Jim Gill, Executive Vice President

January 12, 1994

Page 3

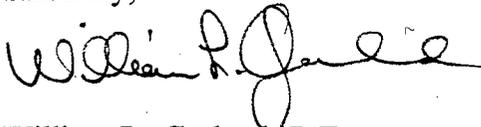
Division immediately by telephone to 777-7095. This report shall include steps being taken to put the system back into operation and steps taken to prevent groundwater contamination until the system returns to operation.

6 of 7. Jackson Hole Ski Corporation shall submit one complete copy of the Operation and Maintenance Manual to the Cheyenne Office of Water Quality Division for approval within 60 days of this as-built approval. This manual shall include the name and address of the company to be used to regenerate the carbon from this plant.

7 of 7. The issuance of this as-built approval for an industrial pretreating system in no way relieves the Jackson Hole Ski Corporation from the requirements to perform a complete extent of contamination study on this site and restore any contaminated groundwater to predischarge quality. It is known that soils and groundwater under this site are contaminated by past operations of the industrial drainfield without pretreatment.

In the event that further modifications are needed to this system, including the removal of the existing drainfield if necessary, Jackson Hole Ski Corporation shall obtain Water Quality Division approval for those modifications in writing and in advance of the work.

Sincerely,



William L. Garland, P.E.

Administrator

Water Quality Division

WLG/RFL/nc 40140.LTR



MIKE SULLIVAN
GOVERNOR



Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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May 9, 1994

ANITA SIMON-LAYCOCK
1716 YELLOWSTONE HWY
CHEYENNE WY 82009

RE: PERMIT CONDITION COMPLIANCE - Construction Schedule Card
Facility: SIMON-LAYCOCK DOG KENNEL
Permit Number: 94-010

Dear Facility Owner:

According to our records it has been over 60 days since the above referenced "Permit To Construct" was issued. One of the specified permit requirements was that the applicant/owner notify the appropriate district office of the Water Quality Division (WQD) via the post card attached to the permit, of the estimated dates that construction will begin and end. Please complete the attached post card and return it to the WQD right away. If the project has already been completed, please complete the required "CERTIFICATION OF COMPLETION" form which was included with the permit when issued.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,

Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 42011.LTR

Enclosure: Replacement Schedule Card
cc: Permit Compliance Tracking File

PERMIT TO CONSTRUCT

X New
 Renewal
 Modified

PERMIT NO. 94-010
 SPECIAL CONDITIONS

Simon-Laycock Dog Kennel

This permit hereby authorizes the applicant:

Anita Simon-Laycock
1716 Yellowstone Highway
County Road 124
Cheyenne, Wyoming 82009

to construct, install or modify a commercial septic system according to the procedures and conditions of the application number 94-010. The facility is located in Section 24 T15N R67W in the county of Laramie, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

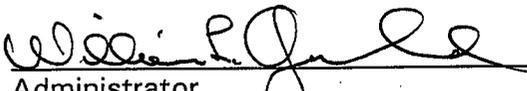
The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following

address: Southeast District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

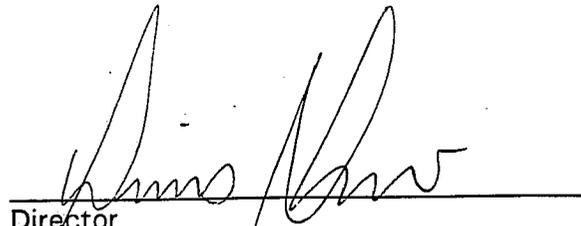
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

1-21-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 5. The applicant will notify the appropriate district office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 5. The applicant will provide immediate oral and/or written notice to Southeast District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 5. Within sixty days of completion of construction of the authorized facility, the applicant will submit to the Southeast District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or

PERMIT NO. 94-010

- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.
- 4 of 5. The permittee shall notify the Laramie County Environmental Health Division at least two (2) days prior to installation of this system to arrange for required inspections. Inspection of the installed system is required prior to backfilling. Laramie County Environmental Health charges a fee for these inspection services. Their offices are located at 100 Central Avenue, Cheyenne, Wyoming 82007; or they can be reached by phone at (307) 633-4090.
- 5 of 5. The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

RLE/nc 40212.LTR

STATEMENT OF BASIS

I. General information.

- A. Permit Number: 94-010
- B. Facility Name: Simon-Lacock Dog Kennel

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

- A. Chapter XI. Yes
- B. Chapter XII. No

III. Basis for issuing permit. (Indicate yes or no for each section.)

- A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

- B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No

- C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

- A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

NOT Applicable

- B. Briefly state the basis for the deviation.

NOT Applicable

- C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

NOT Applicable

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. Note that sediment ponds, public water supplies, sewerage systems, and small wastewater systems are exempt from the requirements of Section 15. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

NOT Applicable

VI. Deleted

VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

RLE/nc 40212.LTR

cc: Laramie County Environmental Health

PERMIT TO CONSTRUCT

- New
- Renewal
- Modified

Permit No. 94-011
* **CONDITIONED** *

Bridger Valley Joint Powers Board
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

Bridger Valley Joint Powers Board

P.O. Box 295

Lyman, WY 82937

to install a valve to allow wasting of the filter effluent after flushing of the filter according to the procedures and conditions of the application No. 94-011. The facility is located in SE 1/4 S27, T15N, R115W in the County of Uinta, in the State of Wyoming. This permit shall be effective for a period of 1 year from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or insures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third

parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the State does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, 250 Lincoln, Lander, WY 82520; telephone, 332-3144.

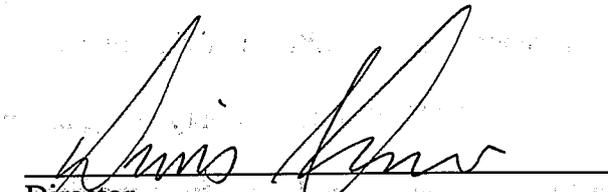
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

1-26-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

STANDARD CONDITIONS 1 through 4

1. of 4 The applicant will notify the appropriate district office of the Department of Environmental Quality, Water Quality Division, by the attached post card of the date construction will begin and the estimated completion date.

2. of 4 The applicant will provide immediate oral and/or written notice to Water Quality Division, 250 Lincoln, Lander, WY 82520, (307) 332-3144, in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.

3. of 4 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Water Quality Division, 250 Lincoln, Lander, WY 82520, on the form provided (CERTIFICATION OF COMPLETION), the following information.
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
 - d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4. of 4 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-011

II. Application reviewed for compliance with the following regulations.

A. Chapter XI. no

B. Chapter XII. yes

III. Basis for issuing permit.

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

no

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

NA

IV. Facilities not specifically covered by regulations.

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

NA

B. Briefly state the basis for the deviation.

NA

C. Permit based on general or statewide deviation contained in approved policy statement.

NA

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. *See footnote¹*

Not Applicable

VI. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

RRT/nc 40364.LTR

¹ Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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May 9, 1994

RIVERBEND NURSERY
7300 YELLOWSTONE
CHEYENNE WY 82001

RE: PERMIT CONDITION COMPLIANCE - Construction Schedule Card

Facility: RIVERBEND NURSERY

Permit Number: 94-012

Dear Facility Owner:

According to our records it has been over 60 days since the above referenced "Permit To Construct" was issued. One of the specified permit requirements was that the applicant/owner notify the appropriate district office of the Water Quality Division (WQD) via the post card attached to the permit, of the estimated dates that construction will begin and end. Please complete the attached post card and return it to the WQD right away. If the project has already been completed, please complete the required "CERTIFICATION OF COMPLETION" form which was included with the permit when issued.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,

Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 42011.LTR

Enclosure: Replacement Schedule Card

cc: Permit Compliance Tracking File

PERMIT TO CONSTRUCT

X New
Renewal
Modified

PERMIT NO. 94-012
SPECIAL CONDITIONS

Riverbend Nursery

This permit hereby authorizes the applicant:

Riverbend Nursery
7300 Yellowstone Road
Cheyenne, WY 82001

to construct, install or modify wastewater facility according to the procedures and conditions of the application number 94-012. The facility is located in NE 1/4 Section 12, T14N, R67W in the county of Laramie, in the State of Wyoming. This permit shall be effective for a period of 2 years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the

project. The authorized representative in your area can be contacted at the following address: Southeast District, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

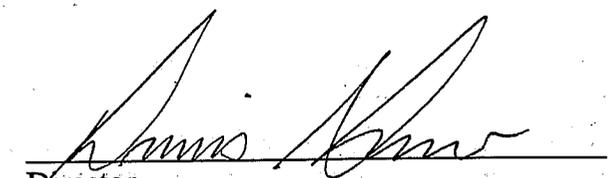
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

1/19/94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 6 The applicant will notify the appropriate district office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 6 The applicant will provide immediate oral and/or written notice to Southeast District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 6 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Southeast District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and

- b. Date that the facility was placed in operation; and
- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4 of 6 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

5 of 6 The permittee shall notify the Laramie County Environmental Health Division at least (2) days prior to installation of this system to arrange for required inspections. Inspection of the installed system is required prior to backfilling. Laramie County Environmental Health charges a fee for these inspection services. Their offices are located at 100 Central Ave, Cheyenne, Wyoming 82007; or they can be reached by phone at (307) 633-4090

6 of 6 The septic tank shall be placed a minimum of 10 feet from any property line and 5 feet from any building foundation. The soil absorption field is to be placed a minimum of 10 feet from any property line and 25 feet from any building. The septic tank risers shall be extended to the ground surface.

GLS/nc 40126.LTR

cc: Laramie County Environmental Health

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-012

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. yes

B. Chapter XII. no

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

N/A

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

N/A

VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected. (Fill out only the applicable sections and indicate sections that are not applicable.)

N/A

VII. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

GS/nc 40126.LTR



THE STATE OF WYOMING



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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May 9, 1994

BANNER COUNTY FARMS INC
RT 1 BOX 90
TORRINGTON WY 82240

RE: PERMIT CONDITION COMPLIANCE - Construction Schedule Card
Facility: NORTHPOINTE SUBDIVISION
Permit Number: 94-013

Dear Facility Owner:

According to our records it has been over 60 days since the above referenced "Permit To Construct" was issued. One of the specified permit requirements was that the applicant/owner notify the appropriate district office of the Water Quality Division (WQD) via the post card attached to the permit, of the estimated dates that construction will begin and end. Please complete the attached post card and return it to the WQD right away. If the project has already been completed, please complete the required "CERTIFICATION OF COMPLETION" form which was included with the permit when issued.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,

Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 42011.LTR

Enclosure: Replacement Schedule Card
cc: Permit Compliance Tracking File

PERMIT TO CONSTRUCT

New
 Renewal
 Modified

PERMIT NO. 94-013
SPECIAL CONDITIONS

Northpointe Subdivision

This permit hereby authorizes the applicant:

Banner County Farms, Inc.
Rt. 1 Box 90
Torrington, WY 82240

to construct, install or modify public water supply and wastewater facility according to the procedures and conditions of the application number 94-013. The facility is located in NE 1/4 Section 10, T24N, R61W in the county of Goshen, in the State of Wyoming. This permit shall be effective for a period of 2 years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: Southeast District, State of Wyoming, Department of Environmental Quality, Water

Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

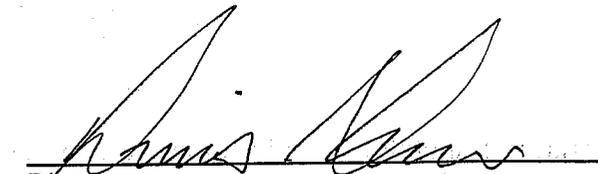
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

1-26-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 8 The applicant will notify the appropriate district office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 8 The applicant will provide immediate oral and/or written notice to Southeast District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 8 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Southeast District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or

d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

- 4 of 8 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".
- 5 of 8 The construction of the sanitary sewer main is to include wyes or tees for the service connections for all of the lots of the subdivision.
- 6 of 8 The water main is to be placed a minimum of 18 inches above the sewer main at the crossing on East I street.
- 7 of 8 The existing house is to be connected to the sewer collection system in accordance with the Wastewater Construction Grant Conditions. The septic system is to be properly abandoned which should include the removal of the contents of the septic tank and either removal of the septic tank or filling the tank with sand.
- 8 of 8 All service connections to the distribution system are to have the proper backflow prevention devices on them in accordance with Chapter XII of the Water Quality Rules and Regulations. If the existing house is connected to the distribution system the house either has to be disconnected from all well service lines or the service line from the distribution system must contain a cross connection protection device in accordance with AWWA Manual M-14. The information on the protection device is to be submitted to this office for approval prior to installation.

GLS/nc 40367.LTR

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-013

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. Yes

B. Chapter XII. Yes

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

- C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

N/A

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

N/A

- VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected. (Fill out only the applicable sections and indicate sections that are not applicable.)

N/A

- VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

GLS/nc 40367.LTR



THE STATE OF WYOMING

MIKE SULLIVAN
GOVERNOR



Department of Environmental Quality

Herschler Building ● 122 West 25th Street ● Cheyenne, WY 82002

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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April 26, 1994

Arland Carlson, Mayor
City of Lander
240 Lincoln
Lander, Wyoming 82520

RE: City of Lander Wastewater Treatment Plant Modifications; WY DEQ 94-014; Review of Plans and Specifications

Dear Mayor Carlson:

The plans and specifications for the construction of the Fort Laramie Wastewater Treatment Project have been reviewed by the State of Wyoming Department of Environmental Quality. This office hereby approves the plans and specifications with conditions, and is enclosing a permit to construct. The conditions of the approval are as follows:

1. The dates for the bid opening and the pre-bid conference need to be in the specifications.
2. Remove the reference to Section B and DOL assistance in the Advertisement for Bids. The appropriate goals are Female - 6.9% and Minority - 7.5%.
3. Add, "The undersigned bidder hereby expressly acknowledges his understanding of and his agreement to comply during the performance of any work under any contract resulting from this bid with all equal opportunity obligations as set forth in 40 CFR Part 8 and 41 CFR Part 60-1 and 60-4" to the Bid Document.
4. Add the enclosed sections regarding "Anti-Kickbacks" and "Labor Standards" to the Federal and State Requirements.

This permit does not supersede the requirements for obtaining any permit from local or state agencies.

The procedures for submission and approval of modifications to the approved plans and specifications is the same as for the original set; i.e., five copies of any proposed modifications, together with an explanation of the reasons therefore should be forwarded to us. Unauthorized

Arland Carlson, Mayor
April 26, 1994
Page 2

modifications of approved sets of plans and specifications may result in suspension of federal participation in the project.

We are sending the approved plans and specifications for the referenced project which must be kept available at all times so that personnel from this office may have access to them during inspection activities.

This letter shall act as confirmation of our verbal authorization for the project to be advertised and bids opened. You are requested to furnish this office with the date the project is advertised and the date on which bids will be opened as soon as possible. You are reminded to complete the enclosed checklist and associated documentation when bids are opened.

The following points should be brought to your attention at this time:

1. Contracts may not be awarded until authorization has been given by the Department of Environmental Quality.
2. Prior DEQ approval is required for rejection of bids on any contract on this project.
3. Contact DEQ if any questions arise concerning MBE/WBE utilization on this project.

Following approval of the enclosed checklist and associated documentation by the State of Wyoming Department of Environmental Quality, you will be notified that the construction contract may be awarded.

Sincerely,



William L. Garland
Administrator
Water Quality Division

WLG/MAE/nc 41854.LTR

Enclosure

cc: Roger Jacobson, Engineering Associates, Cody, WY
Jeff Hermansky, NW District, WDEQ
SRF File

PERMIT TO CONSTRUCT

New
 Renewal
 Modified

PERMIT NO. 94-014
SPECIAL CONDITIONS

Lander Wastewater Treatment Facility Improvements

This permit hereby authorizes the applicant:

City of Lander
240 Lincoln Street
Lander, Wyoming 82520

to construct, install or modify Lander Wastewater Treatment Facility Rehabilitation Project according to the procedures and conditions of the application number 94-014. The facility is located in Section 8; Section 9, NW 1/4 Section; T33N, R99W in the county of Fremont, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion

of the project. The authorized representative in your area can be contacted at the following address: Program Manager, UST/LUST/SRF Section, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

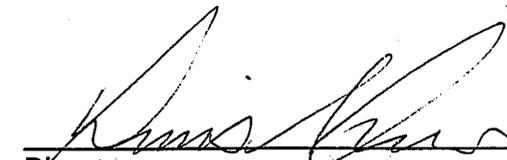
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

5/2/94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 4. The applicant will notify the Northwest District Office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 4. The applicant will provide immediate oral and/or written notice to Northwest District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 4. Within sixty days of completion of the construction of the authorized facility, the applicant will submit to Northwest District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and

PERMIT NO. 94-014

- c. Certification that the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4 of 4. A deviation is hereby granted from Wyoming Water Quality Rules and Regulations, Chapter XI, Section 18(a)(vii)(A). Interconnecting piping is prevented by construction limitations from adherence to the requirements that a pipe discharge at least ten feet from the toe of slope on the lagoon bottom and shall terminate on a concrete apron that is at least four feet by four feet. The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

MAE/nc 41855.LTR

cc: Engineering Associates, P.O. Box 1900, Cody, WY 82414

STATEMENT OF BASIS

NEW

APPLICANT NAME: City of Lander
MAILING ADDRESS: 240 Lincoln Street
Lander, Wyoming 82520
FACILITY LOCATION: Fremont County
PERMIT NUMBER: WY DEQ 94-014

The wastewater treatment facility serving the City of Lander, Wyoming consists of a five cell stabilization pond system in which the first two cells are aerated. Modifications to the existing facility are required in order to meet compliance with National Secondary Treatment Standards and Wyoming's in-stream water quality standards effective August 31, 1994.

A variance to deviate from Water Quality Rules and Regulations, Chapter XI, Section 18(a)(vii)(A), pertaining to interconnecting piping has been requested. The existing primary lagoons are being retrofitted with a second pipe between lagoons to handle high flows which occur for a limited time period. The new interconnecting piping will be used in parallel during the high flow periods. The proposed second interconnecting pipe is on the primary lagoons which are currently in service. The regulations for interconnecting piping require that the pipe discharge at least ten feet from the toe of the slope on the lagoon bottom and shall terminate on a concrete apron that is at least four feet by four feet. There is no practical method to construct this second interconnecting piping. It would be difficult to dewater either of these cells completely and remove the sludge accumulation in the pond bottom in order to meet the regulations.

The existing interconnecting pipe will be utilized much of the year without problem. The second interconnecting pipe will be utilized for a limited time period during peak flows. Due to the construction difficulties associated with retrofitting the existing lagoons with a second interconnecting pipe which comply with the above mentioned regulation, the request for a variance is warranted.

Mark A. Escobedo
Wyoming DEQ
April 27, 1994

Labor Standards:

To the extent that this contract involves "construction" (as defined by the Secretary of Labor), CONTRACTOR agrees that such construction work shall be subject to the following labor standards provisions to the extent applicable:

- A. For contract work which meets the definition of construction under Wyoming prevailing Wage Act (W.S. 27-4-401 through 27-4-413) the CONTRACTOR shall pay not less than the prevailing wage in conformance with W.S. 27-4-403. The CONTRACTOR shall also conform with W.S.27-4-410, which requires CONTRACTOR and all subcontractors to maintain accurate records of employee names, occupations and wages paid to employees. These records shall be sent to the Deputy Commissioner of Labor; 122 West 25th Street; Herschler Building; Cheyenne, WY 82002, no later than 30 days after each pay period. Failure to comply with this section may result in the DEQ suspending all further payments until compliance is achieved. Violation of this section is subject to criminal sanctions.
- B. The CONTRACTOR shall conform with W.S. 116-6-201 through 116-6-206, which requires the CONTRACTOR and Subcontractors to utilize Wyoming laborers as defined by W.S. 16-6-202(a). Provisions of these statutes will be enforced by the Wyoming Department of Labor.
- C. Copeland Anti-Kickback Act (18 U.S.C. 874) as supplemented by Department of Labor regulations, 29 CFR Part 3;
- D. Executive Order 11246 (Equal Employment Opportunity) as supplemented by Executive Order 11375 and by Department of Labor regulations, 41 CFR Part 60;
- E. Implementing rules, regulations, and relevant orders of the State, the Secretary of Labor or the Federal Grantor Agency.

Anti-Kickbacks:

CONTRACTOR shall comply with the Copeland "Anti-Kickback" Act (18 USC 874) as supplemented in the Department of Labor Regulations (29 CFR, Part 3). This Act provides that CONTRACTOR is prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled.

The CONTRACTOR certifies and warrants that no gratuities, kickbacks and contingency fees were paid in connection with this contract, nor were any fees, commissions, gifts, or other considerations made contingent upon the award of this contract.

PERMIT TO CONSTRUCT

- New
- Renewal
- Modified

Permit No. 94-015R
* **CONDITIONED** *

Riverton North 15th Sewer Extension
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

City of Riverton

Harry C. LaBonde Jr., P.E.

P.O. Box 1700

Riverton, WY 82501

to construct approximately 1750 lineal feet of fifteen (15) inch diameter sanitary sewer according to the procedures and conditions of the application No. 94-015R. The facility is located in SE1/4SW1/4, Section 28, T1N, R4E, City of Riverton in the County of Fremont, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or insures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction

required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the State does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, 250 Lincoln, Lander, WY 82520; telephone, 332-3144.

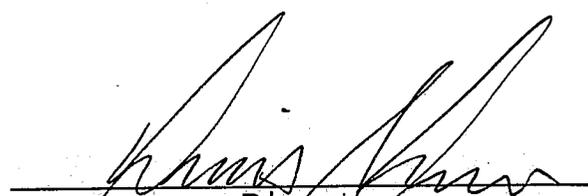
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Dept. of Environmental Quality

2-15-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

GL/bb/40744.LTR

STANDARD CONDITIONS 1 through 4

1. of 4 The applicant will notify the appropriate district office of the Department of Environmental Quality, Water Quality Division, by the attached post card of the date construction will begin and the estimated completion date.
2. of 4 The applicant will provide immediate oral and/or written notice to Water Quality Division, 250 Lincoln, Lander, WY 82520, (307) 332-3144, in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
3. of 4 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Water Quality Division, 250 Lincoln, Lander, WY 82520, on the form provided (CERTIFICATION OF COMPLETION), the following information.
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
 - d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.
4. of 4 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-015R

II. Application reviewed for compliance with the following regulations.

A. Chapter XI. Yes

B. Chapter XII. No

III. Basis for issuing permit.

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No

IV. Facilities not specifically covered by regulations.

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement.

N/A

Statement of Basis
94-015R
February 10, 1994

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III.

N/A

VI. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

b/40744.LTR

THE STATE



OF WYOMING

MIKE SULLIVAN
GOVERNOR



Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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April 19, 1994

Mr. Bruce Wacker
Georgia-Pacific Corporation
P.O. Box 756
Lovell, Wyoming 82431

RE: As-Built Authorization, WQD Reference Number 94-016R

Dear Mr. Wacker:

The Department of Environmental Quality/Water Quality Division (DEQ/WQD) has reviewed the referenced As-Built Application submitted by your engineer, Curry-Riehl & Associates.

The wash pad and settling basin appears to meet the applicable DEQ/WQD regulations and is hereby granted as-built authorization. Since the facilities are already constructed, a Permit to Construct will not be issued. This letter and the stamped plans will serve as your notification of DEQ/WQD authorization.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. The State assumes no liability for and does not in any way guarantee the performance of the applicant in the exercise of its activities allowed under this permit. The applicant understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this letter, the State does not in any way waive its sovereign immunity.

Sincerely,

William L. Garland
Administrator
Water Quality Division

JH/bb/41736.ltr

cc: Plans (3)
File (2)

STATEMENT OF BASIS

- I. General information.
- A. Permit Number: 94-016R
- II. Application reviewed for compliance with the following regulations.
- A. Chapter XI. YES
- B. Chapter XII. NO
- III. Basis for issuing permit.
- A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.
- YES
- B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.
- NO
- C. Permit based on deviation from applicable regulations in accordance with approved policy statement.
- NO
- IV. Facilities not specifically covered by regulations.
- A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.
- N/A
- B. Briefly state the basis for the deviation.
- N/A
- C. Permit based on general or statewide deviation contained in approved policy statement.
- N/A
- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III.

APPLICABLE

- VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected.
- A. Facility will not allow a discharge to groundwater. Briefly describe:
Wastewater will be contained within concrete basin with no discharge to groundwater.
- B. Quality of wastewater is such that it will not cause a violation of groundwater standards. Briefly describe:
N/A
- C. Existing soils or geology will not allow a discharge to groundwater. Briefly describe:
N/A
- D. Basis of facility design is that it will be operated so as not to violate groundwater standards. Briefly describe:
N/A
- E. Discharge will result in groundwater concentrations in excess of standards but post discharge water quality can be returned to standards in accordance with Section 4 (d)(vi), Chapter VIII. Briefly describe:
N/A
- F. If water quality exceedances are allowed, briefly describe the parameter limits, property boundaries, places of withdrawal and any other information documenting that any users of affected aquifer will not be impacted.
N/A
- G. Briefly describe monitoring system. Clearly state the parameters to be utilized for determining compliance,

Statement of Basis
94-016R
April 13, 1994

what constitutes a violation and steps to be followed
by the permittee in the event of a violation.

N/A

VII. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate
documentation of all sections of this Statement of
Basis.

PERMIT TO CONSTRUCT

New
 Renewal
 Modified

PERMIT NO. 94-017
SPECIAL CONDITIONS

Guernsey Industrial Park - Water & Sewer

This permit hereby authorizes the applicant:

Town of Guernsey
81 W. Whalen
Box 667
Guernsey, Wyoming 82214

to construct, install or modify water and sewer utility improvements according to the procedures and conditions of the application number 94-017. The facility is located in SE & SW 1/4 Section 36 T27N R66W in the county of Platte, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: Southeast District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

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.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:

Administrator
Water Quality Division

Director
Department of Environmental Quality

11/4/94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 5. The applicant will notify the appropriate district office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 5. The applicant will provide immediate oral and/or written notice to Southeast District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 5. Within sixty days of completion of construction of the authorized facility, the applicant will submit to the Southeast District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:

PERMIT NO. 94-017

- a. Date that construction of the facility was completed; and
- b. Date that the facility was placed in operation; and
- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4 of 5. Industrial Pretreatment Program - If, in the future, a user applies to hook up to the town sewer system whose waste stream is other than domestic in nature and may be incompatible with the proper operation, function, and maintenance of the sewer system (including the lagoons), then the Town of Guernsey must implement an industrial pretreatment program, as needed, to ensure that all wastewater discharged into the sewer system will be compatible with the sewer system. Additionally, if and when this need arises, the Water Quality Division (NPDES Section) shall be notified and provided details of the proposed program.

5 of 5. The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

RLE/nc 45091.LTR

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-017

B. Facility Name: Guernsey Industrial Park - Water & Sewer

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. Yes

B. Chapter XII. Yes

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

NOT Applicable

B. Briefly state the basis for the deviation.

NOT Applicable

PERMIT NO. 94-017

- C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

NOT Applicable

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. Note that sediment ponds, public water supplies, sewerage systems, and small wastewater systems are exempt from the requirements of Section 15. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

NOT Applicable

VI. Deleted

VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

RLE/nc 45090.LTR

cc: John Wagner, NPDES Section

REVIEW OF PLANS AND SPECIFICATIONS

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
Herschler Bldg., 4 West
Cheyenne, Wyoming 82002

PROJECT: Guernsey Industrial Park - Water & Sewer

ENGINEER: John T. Baker
Baker & Associates
215 East 21st Ave., Suite 111
P.O. Drawer E
Torrington, Wyoming 82240

APPLICANT: Town of Guernsey
81 West Whalen
P.O. Box 667
Guernsey, Wyoming 82214

WATER QUALITY REFERENCE NUMBER: 94-017

REVIEWING ENGINEER: Ronald L. Ewald *RLE*

APPROVING ENGINEER: Gary Steele *GS*

DATE OF REVIEW: August 22, 1994

ACTION: NOT AUTHORIZED FOR CONSTRUCTION

COMMENTS, PROBLEMS, INADEQUACIES, and QUESTIONS:

- Item 2. Response OK - with the condition that the casing pipe shall be one continuous piece of pipe at least 18 feet long and centered over the water pipe crossing.
- Item 4. Response OK
- Item 5. Response OK - with the condition that a complete and accurate set of as-built drawings will be required which contain all of the information left off of the original drawings along with any necessary corrections to make the plans accurate and complete.

- Item 7. Flow and Pressure Analysis (KYPIPE Program) - The flow and pressure analysis presented with the booster station in place and operating is satisfactory to meet the DEQ requirements for fire flow and normal operating conditions. However, the specifications for the booster station itself leave a few questions unanswered.

BOOSTER STATION QUESTIONS

- a. Is the booster station a full 3 feet above the 100 year flood elevation or the highest recorded flood elevation, which ever is higher? Chapter XII, Section 12(b)(i).
- b. Does the station have adequate security to prevent vandalism and entrance by unauthorized persons or animals? Section 12(b)(iv).
- c. Does the building have adequate heating provisions to maintain at least 40 degrees F? Section 12(g).
- d. The plans do not show if the booster station building has adequate ventilation. Section 12(h).
- e. Is adequate lighting provided inside of the building? Section 12(j).
- f. Booster Pumps - are the requirements of Section 12(o)(i, and ii) concerning pressures, and the cycling of individual pumps on and off met?
- g. Is the booster station equipped with an alarm system should it go down? Section 12(p).
- h. Are the requirements of Section 12(q)(i)(A, B, C, and D) for the system valves concerning the number, type, and placement of valves, check valve requirements, and manifolding properly met by this proposed booster station design? Additionally, are pressure gauges as required by Section 12(q)(ii) provided?
- i. How is the system set up to be controlled electronically? Section 12(q)(iv).
- j. General Comment - If you believe some of the concerns identified above are covered by the specifications submitted, please identify the specific parts of the specifications which cover the various aspects so that DEQ personnel can find and review them as needed.

- Item 10. Letter of Verification - The Letter of Verification submitted is acceptable.

RF

REVIEW OF PLANS AND SPECIFICATIONS

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
Herschler Bldg., 4 West
Cheyenne, Wyoming 82002

PROJECT: Guernsey Industrial Park - Water & Sewer Improvements

ENGINEER: John T. Baker
Baker & Associates
215 E. 21st Ave., Suite 111
P.O. Drawer E
Torrington, Wyoming 82240

APPLICANT: Town of Guernsey
81 West Whalen
P.O. Box 667
Guernsey, Wyoming 82214

WATER QUALITY REFERENCE NUMBER: 94-017

REVIEWING ENGINEER: Ronald L. Ewald *RL E*

APPROVING ENGINEER: Gary Steele *GS*

DATE OF REVIEW: March 17, 1994

ACTION: NOT AUTHORIZED FOR CONSTRUCTION

COMMENTS, PROBLEMS, INADEQUACIES, and QUESTIONS:

Review of responses to original review concerns:

1. Response acceptable.
2. Water lines parallel to or crossing transmission leg of sewer line - The response indicates that a water main in Colorado Street was discovered and it is intended to lower this water main at the sewer crossing. This crossing detail needs to be shown on new drawings. Also, please include the parallel water main on the new drawings.
3. Response acceptable.
4. Location of Manhole #11 - The response indicates that the correct location is at station 36+48.54 which seems wrong since a change in alignment occurs at station 37+48.54,

and manholes are required at all alignment changes. Please recheck this location and include the correction on the new drawings.

5. Valve spacings on water main - The response indicates that valves will be placed at 800 foot intervals. The exact proposed locations need to be indicated and the valves should be shown on the new drawings. Additionally, the valve at the intersection of Road "A" and Road "C" needs to be included on the new drawings.
6. Response acceptable - project specifications received.
7. Flow and Pressure Analysis (KYPIPE Program) - The revised KYPIPE program runs still do not adequately simulate a fire event in the new industrial park area. A fire flow of 1500 gpm should be simulated at several of the worst node locations within the industrial park to determine if minimum pressures of 20 psi can be maintained. This office projects that if a proper analysis is done the resulting residual pressures within the industrial park may be less than 10 psi, which is not adequate for fire protection. This situation would then require some sort of booster pump to keep the pressures high enough to provide proper fire protection. Please rework these simulations again.
8. Response acceptable - water report received.
9. Response acceptable - However, because this area is intended to be an industrial park a condition similar to the following will be included in the eventual permit. If, in the future, a user applies to hook up to the town sewer system whose waste stream is other than domestic in nature and may be incompatible with the proper operation and maintenance of the sewer system (including the lagoons), then the Town of Guernsey must implement an industrial pretreatment program, if needed, to ensure that all wastewater discharged from the industrial park will be compatible with the sewer system. Additionally, if and when this need arises, the Water Quality Division shall be notified.
10. Notwithstanding the planned groundwater monitoring and subsequent new wastewater facility plan which will follow; a "**Letter of Verification**" still needs to be submitted by the town which clearly states that the town's sewer system (including the lagoons) as currently configured and operated can handle the added hydraulic and organic loads from the industrial park.

/nc 41242.LTR



THE STATE OF WYOMING

MIKE SULLIVAN
GOVERNOR



Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-7682	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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August 3, 1994

CHEYENNE BOPU
2100 PIONEER
CHEYENNE WY 82001

RE: **PERMIT CONDITION COMPLIANCE** - Certification of Completion
Facility: VILLAGE CREEK SOUTH 2ND FILING
Permit Number: 94-018

Dear Facility Owner:

According to our records it has been more than 60 days past the estimated completion date for the above referenced project, and as of this date, this office has not yet received the required CERTIFICATION OF COMPLETION form. If the project has been completed, please fill out and return the enclosed Certification of Completion form as soon as possible. If your construction schedule has been delayed, please notify this office of the revised schedule and the best estimate of the new completion date.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,

Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 43272.LTR

Enclosure: Certification of Completion form
cc: Permit Compliance Tracking File

PERMIT TO CONSTRUCT

New
 Renewal
 Modified

PERMIT NO. 94-018
SPECIAL CONDITIONS

Village Creek South 2nd Filing

This permit hereby authorizes the applicant:

Cheyenne Board of Public Utilities
2100 Pioneer
Cheyenne, WY 82001

to construct, install or modify public water supply and wastewater facility according to the procedures and conditions of the application number 94-018. The facility is located in NW 1/4 Section 6, T13N, R66W in the county of Laramie, in the State of Wyoming. This permit shall be effective for a period of 2 years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: Southeast District, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

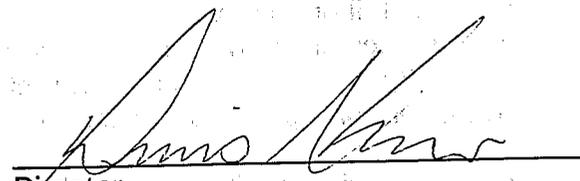
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

1-27-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 4 The applicant will notify the appropriate district office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 4 The applicant will provide immediate oral and/or written notice to Southeast District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 4 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Southeast District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and

Permit #94-018

- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4 of 4 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

GLS/bb/40422.LTR

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-018

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. Yes

B. Chapter XII. Yes

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

N/A

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

N/A

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

N/A

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

N/A

- VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected. (Fill out only the applicable sections and indicate sections that are not applicable.)

N/A

- VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

GLS/bb/40422.LTR

PERMIT TO CONSTRUCT

New

PERMIT NO. 94-019
(SEE SPECIAL CONDITIONS)

Renewal

Modified

OIL CREEK WATERLINE EXTENSION

(Name of Facility)

This permit hereby authorizes the applicants (name and address):

D&W Livestock, Dora Hayward, Wanda Lamos, Livingston Ranch
425 Morrissey Road
Newcastle, Wyoming 82701

to construct, install or modify a waterline extension according to the procedures and conditions of the application No. 94-019. The waterline is located in Sections 2, 11, 13, 14, 15, 22, 23, 25, and 26 of Township 44 North Range 62 West and Sections 35 and 36 of Township 45 North Range 62 West in the County of Weston in the State of Wyoming. This permit shall be effective for a period of one (1) year from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third

parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

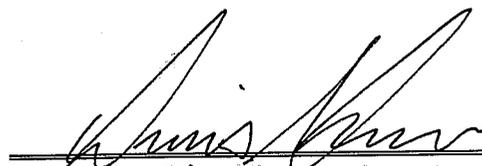
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Dept. of Environmental Quality

1-26-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL PERMIT CONDITIONS

- 1 of 4. The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division, the day construction commences and give an estimate of completion of the project on the attached post card. The authorized representative in your area can be contacted at the following address: Wyoming DEQ/WQD, Sheridan District Office, 2161 Coffeen Avenue, Annex, Sheridan, Wyoming 82801; telephone, 672-6457.
- 2 of 4. The permittee shall provide immediate oral and/or written notification, in accordance with Section 9, Chapter III, to the Sheridan District Office of any changes or modifications to the approved permit package.

Permit #94-019
Oil Creek Waterline Extension

- 3 of 4. Within sixty days of completion of the authorized facility, the applicant will submit to Sheridan District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
- a. Date that construction of the facility was completed; and
 - b. Date the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
 - d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system, certified by an engineer if appropriate.
- 4 of 4. The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

DRM/pr:01/24/94 /nc 40359.LTR

Attachments: Notification Post Card
Certification of Completion Form
Statement of Basis

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-019

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. No.

B. Chapter XII. Yes.

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

No.

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

No.

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

No.

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

1) Section 14 (b) (iv) of Chapter XII of the Wyoming Water Quality Rules and Regulations (WWQRR) requires a least a 6 inch diameter watermain unless hydraulic analysis indicates minimum line pressures at design flows can be maintained.

2) Section 14 (c) of Chapter XII of the WWQRR requires valves at 500 foot intervals on watermains servicing commercial districts and 800 feet for other districts to minimize inconvenience and sanitary hazards during repairs.

3) Section 14 (h) (ii) (B) of Chapter XII of the WWORR requires the installation of a manhole on the supply side of stream crossings.

B. Briefly state the basis for the deviation.

1) The permit application package contains adequate information to determine that the proposed small diameter waterline will satisfy the intent of the regulations.

2) The system is located in a rural location and the number of users per length of waterline is low. The placement of valves at 800 foot intervals would substantially increase the cost of the project without realizing significant benefits. However, if the number of users on the system increases to a level which warrants additional valving, the department reserves the authority to require the system to be modified.

3) The installation of a manhole in this application will not increase the probability of gaining access to the supply side valve during a flood event. Valves will be located appropriately on both sides of the stream crossing in boxes.

C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

1, 2, & 3) A general or statewide deviation does not exist in an approved policy statement. These variances are allowed by the respective Water Quality Division districts on a site specific basis.

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

Not Applicable.

VII. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

PERMIT TO CONSTRUCT

[X] New
Renewal
Modified

PERMIT NO. 94-020
SEE PERMIT CONDITIONS

GREEN VALLEY WASTEWATER TREATMENT FACILITY

This permit hereby authorizes the applicant:

Green Valley Estates Improvement & Service District
111 Arrow Blvd
Gillette, WY 82716

to construct, install or modify a wastewater treatment facility according to the procedures and conditions of application number 94-020. The facility is located in the SE/4 of Section 14 in Township 52 North Range 73 West in the County of Campbell, in the State of Wyoming. This permit shall be effective for a period of one (1) year from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the permittee's engineer's design are the responsibility of the permittee, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: Wyoming Department of Environmental Quality, Water Quality Division, 1043 Coffeen Avenue, Suite D, Sheridan, Wyoming 82801; telephone (307) 672-6457.

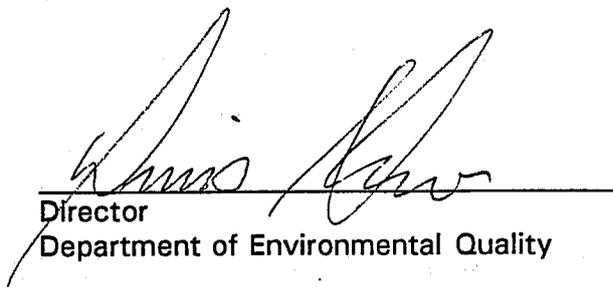
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

9-6-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

PERMIT CONDITIONS

- 1 of 7 The permittee will notify the Sheridan District Office of the Department of Environmental Quality, Water Quality Division (DEQ/WQD) by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 7 The permittee will provide immediate oral and/or written notice to the Sheridan District Office in accordance with the provisions of Section 9 of Chapter III of the Wyoming Water Quality Rules and Regulations (WWQRR) of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 7 Within sixty days of completion of construction of the authorized facility, the permittee will submit to the Sheridan District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and

Green Valley
Permit 94-020

- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications, certified by an engineer if appropriate.

4 of 7 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

5 of 7 Monitor well MW2 may be kept available for monitoring the integrity of the wastewater treatment facility if the permittee so desires. Static water level, ammonia, and nitrates are suggested sampling parameters for detecting a release from the wastewater treatment facility.

However, once monitor well MW2 has fulfilled its useful purpose, it shall be abandoned according to procedures specified in Section 70 of Part G of Chapter XI of the WWQRR. Within 15 days after a well has been plugged and abandoned, the owner shall file a plugging record with DEQ/WQD.

Monitor wells MW3 and MW4 shall be abandoned and a plugging record filed with the DEQ/WQD as indicated above prior to the construction of the approved wastewater treatment facility.

6 of 7 The existing package treatment plant shall be disconnected and abandoned once the approved wastewater treatment facility is operational. An abandonment report shall be submitted to the Sheridan Office within 90 days of the completion of the abandonment activities. The abandonment report shall address at minimum the final disposition of the sludge and equipment.

7 of 7 A wastewater treatment facility operation and maintenance manual shall be submitted to the Sheridan District Office for approval prior to start-up of the wastewater treatment facility.

Enclosures: Post Card
Certification of Completion Form
Statement of Basis

STATEMENT OF BASIS

- I. General information.
- A. Permit Number: 94-020
- II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)
- A. Chapter XI. Yes.
- B. Chapter XII. No.
- III. Basis for issuing permit. (Indicate yes or no for each section.)
- A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.
- No.
- B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.
- No.
- C. Permit based on deviation from applicable regulations in accordance with approved policy statement.
- No.
- IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)
- A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.
- Monitor wells require a permit to construct. Section 62 (a) of Part G of Chapter XI of the Wyoming Water Quality Rules and Regulations (WWQR).
- B. Briefly state the basis for the deviation.
- Three monitor wells were constructed at the proposed facility site by the permittee without first obtaining a permit to construct. The construction of the wells satisfy the intent of Part G of Chapter XI of the WWQR. However, the monitor wells now serve no purpose as the only groundwater encountered appears to be perched and Class II in quality. Abandonment is appropriate for at least MW3 and MW4, which are located within the construction area of the wastewater treatment facility. Monitor well MW2 could be kept to confirm the integrity of the wastewater treatment facility if the permittee so desires. As-built approval is granted for the construction of these three monitor wells.

(see next page)

- C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

There is no existing approved district policy on the above deviation.

- V. Application requires review to determine groundwater impacts in accordance with Section 15 of Chapter III of the WWQRR. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

Yes.

- VI. If Section 15 of Chapter III of the WWQRR is applicable, indicate the basis of determining groundwater will be protected. (Fill out only the applicable sections and indicate sections that are not applicable.)

- A. Facility will not allow a discharge to groundwater. Briefly describe:

N/A.

- B. Quality of wastewater is such that it will not cause a violation of groundwater standards. Briefly describe:

Discharge from the wastewater treatment facility should not cause a violation of the quality of water that is present in an apparent perched aquifer located below the proposed wastewater treatment facility. The quality of the perched water is Class II according to data collected from three unpermitted monitor wells. The most likely source of the water is from the NPDES surface discharge from the existing package treatment plant which has percolated into the ground over the years. Groundwater was not found upgradient of the existing package plant. There are currently no Class II limits on the anticipated primary pollutants from the wastewater treatment facility, specifically ammonia and nitrates. Perched aquifer monitoring is not justified at this time, unless the permittee desires to monitor the integrity of the wastewater treatment facility.

- C. Existing soils or geology will not allow a discharge to groundwater. Briefly describe:

N/A.

- D. Basis of facility design is that it will be operated so as not to violate groundwater standards (example: maintenance of manure pack at animal waste treatment facility). Briefly describe:

N/A.

- E. Discharge will result in groundwater concentrations in excess of standards but post discharge water

(see next page)

quality can be returned to standards in accordance with Section 4 (d) (vi) of Chapter VIII of the WWQRR. Briefly describe:

N/A.

- F. If water quality exceedances are allowed, briefly describe the parameter limits, property boundaries, places of withdrawal and any other information documenting that any users of affected aquifer will not be impacted.

N/A.

- G. Briefly describe monitoring system (parameters, frequency, etc.). Clearly state the parameters to be utilized for determining compliance, what constitutes a violation and steps to be followed by the permittee in the event of a violation.

N/A.

VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15 of Chapter III of the WWQRR.

PERMIT TO CONSTRUCT

- New
 Renewal
 Modified

Permit No. 94-021
* **CONDITIONED** *

Schaffer Reserve Pit Monitor Wells
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

Dick Schaffer
916 Road 56
Pasko, WA 99301

to construct groundwater monitoring wells according to the procedures and conditions of the application No. 94-021. The facility is located in SWSE Section 21, T28N, R113W in the County of Sublette, in the State of Wyoming. This permit shall be effective for a period of two (2) years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or insures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the State does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: District Engineer, State of Wyoming, Department of Environmental Quality, Water Quality Division, 250 Lincoln, Lander, WY 82520; telephone, 332-3144.

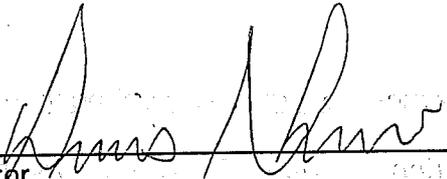
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

1-27-94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

KLE - 40393.ltr

STANDARD CONDITIONS 1 through 19

- 1 of 19 The applicant will notify the appropriate district office of the Department of Environmental Quality, Water Quality Division, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 19 The applicant will provide immediate oral and/or written notice to Water Quality Division, 250 Lincoln, Lander, WY 82520, (307) 332-3144, in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.

- 3 of 19 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Water Quality Division, 250 Lincoln, Lander, WY 82520, on the form provided (CERTIFICATION OF COMPLETION), the following information.
- A. Date that construction of the wells were completed; and
1. Date that the wells were placed in operation; and
 2. Certification the wells were constructed in accordance with the terms and conditions of the permit; or
 3. Certification the wells were completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.
- 4 of 19 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".
- 5 of 19 The groundwater monitoring wells shall be installed in accordance with the conditions of this permit and the plans and specifications submitted in Permit to Construct application number 94-021. Additional monitoring wells meeting the requirements of this permit may be installed if prior approval is received from the Water Quality Division (WQD).
- 6 of 19 The issuance of this permit does not relieve the permittee from obligations to complete the extent of contamination study and any further remedial work which may be required. A sufficient number of wells shall be installed to adequately define the groundwater gradient and extent of contamination, should contamination be encountered.
- 7 of 19 DEQ/WQD personnel shall be given at least two (2) weeks notice prior to the installation of monitoring wells and sample collection so that DEQ/WQD personnel may be on site if deemed necessary.
- 8 of 19 Within sixty (60) days of the issuance of this permit, a report of investigation shall be submitted to WQD. This report shall contain at a minimum:
- a. A chronology of events leading up to the investigation;
 - b. A site map showing the physical features, monitoring well/borehole locations, and mean sea level elevations of the top of casing/measuring point;

- c. The permittee shall provide the exact latitude and longitude for each of the monitoring wells being constructed under this permit. These figures shall be accurate to the nearest one (1) second of latitude and longitude;
- d. Final location, construction details and lithologic logs of monitoring wells/boreholes;
- e. Geohydrologic maps and/or cross sections that clearly describe the subsurface distribution of geologic materials and groundwater occurrence;
- f. Depth to water and product thickness measurements;
- g. Sample collection procedures;
- h. Sampling analytical results;
- i. A map delineating the extent of the subsurface contamination including LNAPL (free product), soil and dissolved groundwater contamination and concentrations;
- j. A potentiometric surface map showing the direction and gradient of groundwater flow; and
- k. Interpretation of the data and conclusions of the investigation, including additional recommended investigation and remedial measures, and a schedule for implementation of these measures.

9 of 19

Groundwater shall be collected and analyzed for the parameters listed in the workplan on a quarterly basis. The results of these analyses shall be submitted to the Lander office by the last day of the month following the end of each quarter. The parameters and frequency of sampling may be re-evaluated by the DEQ/WQD, based on the results of the initial groundwater sampling and analyses.

10 of 19

Monitoring well construction must meet the requirements of Chapter XI Wyoming Water Quality Rules and Regulations. Monitoring well casings shall meet the conditions provided in Chapter XI, Section 67. All monitoring wells must be constructed from materials free of material having the potential to contaminate groundwater samples.

- 11 of 19 The applicant is responsible for obtaining any permits required by the State Engineer's Office (777-7354).
- 12 of 19 All downhole equipment shall be de-contaminated between monitoring wells (borings) to minimize the potential for cross-contamination.
- 13 of 19 Borehole cuttings must be screened and disposed of properly. Contaminated cuttings must be disposed of at a site approved by the DEQ's Solid and Hazardous Waste Management Division.
- 14 of 19 Pursuant to Wyoming Water Quality Rules and Regulations, Chapter XI, Section 63(A), a deviation is hereby granted for those monitoring wells prevented by physical limitations to adherence to the requirements on minimum depths of seal below the ground surface as detailed in Chapter XI, Part G. However, a sufficient seal shall be installed according to normal engineering practice.
- 15 of 19 Monitoring well caps shall be kept locked at all times other than for monitoring purposes. Any tampering with the monitoring wells shall be reported immediately to the division. The monitoring wells shall be clearly numbered using either a stamp to permanently engrave the number into the steel top or by writing the number in the wet concrete of the base.
- 16 of 19 In addition to the monitoring well construction information submitted with the permit application, the following items relating to monitoring well construction shall be implemented when the monitoring wells are constructed, installed and developed:
- a. The borehole diameter shall be at least four (4) inches larger in diameter than the casing diameter;
 - b. For water table (unconfined) aquifers, the screened interval shall extend at least two (2) feet above the highest expected groundwater level. Monitoring wells installed in confined and semi-confined aquifers shall be constructed in accordance with Chapter XI, Section 68 of Water Quality Division Rules and Regulations. Factory screen or slotted casing is recommended for the perforated interval;
 - c. When PVC casing is used, the casing shall be installed using threaded joints, couplings, or mechanical connectors without the use of solvents or glues to hold the casing sections together;

- d. To minimize the entrance of fine grained material into the monitoring well, the filter pack shall be designed to be compatible with the perforation size and the geologic materials encountered within the perforated interval. The filter pack shall extend to a minimum of one (1) foot above the screened interval;
- e. Filter pack, annular seal, and surface seal material shall be entered into the monitoring well in a manner such that no voids or bridging occur;
- f. A minimum two (2) foot thickness of bentonite or bentonite grout is required at the top of the filter pack to serve as an annular seal. After the bentonite has been placed in the annular space, it shall be hydrated to insure a proper seal.
- g. The annular space above the bentonite seal to within one foot (1') of the surface will be sealed with Portland cement, sand-cement grout, or bentonite grout.
- h. A protective casing shall be cemented into place when the upper one (1) foot of the annular space is completed with cement, forming a concrete apron sloping away from the monitoring well;
- i. A top and bottom cap of the same material as the monitoring well casing shall be installed to prevent sediment and surface water from entering the monitoring well;
- j. The monitoring well shall be developed by the use of a pump or bailer so that representative groundwater samples can be collected;

17 of 19

Proper monitoring well evacuation shall include removal of a minimum of three (3) casing volumes prior to sampling or pumping the monitoring well dry once, whichever occurs first. Sample collection, preservation, transportation and chemical analytical procedures shall be completed in accordance with WQD and EPA standard procedures.

18 of 19

Water which is collected during monitoring well development or sampling must be disposed of properly. The applicant must contact the city for authorization to dispose into the local storm sewer, sanitary sewer, wastewater treatment plant, or other facility.

19 of 19

After the monitoring wells have fulfilled their useful purpose, they shall be abandoned according to procedures specified in Chapter XI, Part G, Section 70 of Wyoming Water Quality Rules and Regulations. In addition, borings in public use areas, particularly paved streets and alleys, shall be abandoned in accordance with city and/or highway department requirements. No monitoring well shall be abandoned without prior approval from the Water Quality Division.

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-021

II. Application reviewed for compliance with the following regulations.

A. Chapter XI. YES

B. Chapter XII. NO

III. Basis for issuing permit.

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

YES

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

NO

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

NO

IV. Facilities not specifically covered by regulations.

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement.

N/A

Statement of Basis
94-021
January 25, 1994

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. *See footnote*¹

N/A

- VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected.

N/A

- VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

¹ Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

PERMIT TO CONSTRUCT

New
- Renewal
 Modified - Change of Owner

PERMIT NO. 96-030
SPECIAL CONDITIONS
95-348, 94-021, 90-204, and 83-22

Schaffer Reserve Pit

This permit hereby authorizes the applicant:

Wyoming Finance Company Inc., dba Piney Co.
P.O. Box 133
Evanston, WY 82931-0133

to construct groundwater monitoring wells according to the procedures and conditions of the application number 94-021. The facility is located in SWSE Section 21, T28N R113W in the county of Sublette, in the State of Wyoming. This permit shall be effective for a period of two years from the date of issuance of this permit.

The issuance of this permit confirms that the Department of Environmental Quality (DEQ) has evaluated the application submitted by the permittee and determined that it meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the engineer's design are the responsibility of the permittee, owner, and/or operator.

Granting this permit does not imply that the Wyoming DEQ guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements. Compliance with discharge standards remains the responsibility of the permittee.

Nothing in this permit constitutes an endorsement by the DEQ of the construction or the design of the facility described herein. This permit verifies only that the submitted application meets the design and construction standards imposed by the DEQ statutes, rules and regulations. The DEQ assumes no liability for, and does not in any way guarantee or warrant the performance or operation of the permitted facility. The permittee, owner and/or operator are solely responsible for any liability arising from the construction or operation of the permitted facility. By issuing this permit, the state does not waive its sovereign immunity.

The permittee shall allow authorized representatives from the DEQ, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the DEQ, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: Lander Office, State of Wyoming, DEQ, Water Quality Division, 250 Lincoln, Lander, Wyoming 82520; (307) 332-3144; FAX (307) 332-7726.

Nothing in this permit shall be construed to preclude the institution of any legal action or other proceeding to enforce any applicable provision of law or rules and regulations. It is the duty of the permittee, owner and/or operator to comply with all applicable federal, state and local laws or regulations in the exercise of its activities authorized by this permit.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

The permittee shall construct and operate the permitted facility in accordance with the statements, representations, procedures, terms and conditions of the permit application, supporting documents and permit. This permit does not relieve the permittee from any duty to obtain any other permit or authorization that may be required by any provision of federal, state or local laws.

In carrying out its activities authorized by this permit, the permittee, owner and/or operator shall comply with all of the following permit conditions:

- 1 of 19 The applicant will notify the appropriate district office of the Department of Environmental Quality, Water Quality Division (DEQ/WQD), by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 19 The applicant will provide immediate oral and/or written notice to Water Quality Division, 250 Lincoln, Lander, WY 82520, (307) 332-3144, in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 19 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Water Quality Division, 250 Lincoln, Lander, WY 82520, on the form provided (CERTIFICATION OF COMPLETION), the following information.
 - A. Date that construction of the wells was completed; and
 1. Date that the wells were placed in operation; and
 2. Certification the wells were constructed in accordance with the terms and conditions of the permit; or
 3. Certification the wells were completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.
- 4 of 19 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis."
- 5 of 19 The groundwater monitoring wells shall be installed in accordance with the conditions of this permit and the plans and specifications submitted in Permit to Construct application number 94-021. Additional monitoring wells meeting the requirements of this permit may be installed if prior approval is received from the Water Quality Division (WQD)).
- 6 of 19 The issuance of this permit does not relieve the permittee from obligations to complete the extent of contamination study and any further remedial work which may be required. A sufficient number of wells shall be installed to adequately define the groundwater gradient and extent of contamination, should contamination be encountered.
- 7 of 19 DEQ/WQD personnel shall be given at least two (2) weeks notice prior to the installation of monitoring wells and sample collection so that DEQ/WQD personnel may be on site if deemed necessary.

- 8 of 19 Within sixty (60) days of completion of the issuance of this permit, a report of investigation shall be submitted to WQD. This report shall contain at a minimum:
- a. A chronology of events leading up to the investigation;
 - b. A site map showing the physical features, monitoring well/borehole locations, and mean sea level elevations of the top of casing/measuring point;
 - c. The permittee shall provide the exact latitude and longitude for each of the monitoring wells being constructed under this permit. These figures shall be accurate to the nearest one (1) second of latitude and longitude;
 - d. Final location, construction details and lithologic logs of monitoring wells/boreholes;
 - e. Geohydrologic maps and/or cross sections that clearly describe the subsurface distribution of geologic materials and groundwater occurrence;
 - f. Depth to water and product thickness measurements;
 - g. Sample collection procedures;
 - h. Sampling analytical results;
 - i. A map delineating the extent of the subsurface contamination including LNAPL (free product), soil and dissolved groundwater contamination and concentrations;
 - j. A potentiometric surface map showing the direction and gradient of groundwater flow; and
 - k. Interpretation of the data and conclusions of the investigation, including additional recommended investigation and remedial measures, and a schedule for implementation of these measures.
- 9 of 19 Groundwater shall be collected and analyzed for the parameters listed in the workplan on a quarterly basis. The results of these analyses shall be submitted to the Lander office by the last day of the month following the end of each quarter. The parameters and frequency of sampling may be re-evaluated by the DEQ/WQD, based on the results of the initial groundwater sampling and analyses.
- 10 of 19 Monitoring well construction must meet the requirements of Chapter XI, Wyoming Water Quality Rules and Regulations. Monitoring well casings shall meet the conditions provided in Chapter XI, Section 67. All monitoring wells must be constructed from materials free of material having the potential to contaminate groundwater samples.
- 11 of 19 The applicant is responsible for obtaining any permits required by the State Engineer's Office (777-7354).
- 12 of 19 All downhole equipment shall be de-contaminated between monitoring wells (borings) to minimize the potential for cross-contamination.
- 13 of 19 Borehole cuttings must be screened and disposed of properly. Contaminated cuttings must be disposed of at a site approved by the DEQ's Solid and Hazardous Waste Management Division.

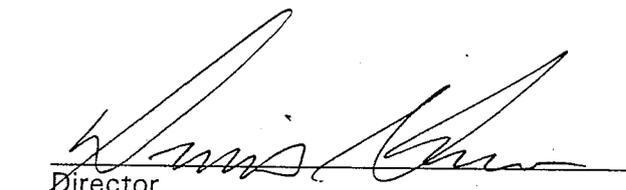
- 14 of 19 Pursuant to Wyoming Water Quality Rules and Regulations, Chapter XI, Section 63(A), a deviation is hereby granted for those monitoring wells prevented by physical limitations to adherence to the requirements on minimum depths of seal below the ground surface as detailed in Chapter XI, Part G. However, a sufficient seal shall be installed according to normal engineering practice.
- 15 of 19 Monitoring well caps shall be kept locked at all times other than for monitoring purposes. Any tampering with the monitoring wells shall be reported immediately to the division. The monitoring wells shall be clearly numbered using either a stamp to permanently engrave the number into the steel top or by writing the number in the wet concrete of the base.
- 16 of 19 In addition to the monitoring well construction information submitted with the permit application, the following items relating to monitoring well construction shall be implemented when the monitoring wells are constructed, installed and developed:
- a. The borehole diameter shall be at least four (4) inches larger in diameter than the casing diameter;
 - b. For water table (unconfined) aquifers, the screened interval shall extend at least two (2) feet above the highest expected groundwater level. Monitoring wells installed in confined and semi-confined aquifers shall be constructed in accordance with Chapter XI, Section 68 of Water Quality Division Rules and Regulations. Factory screen or slotted casing is required for the perforated interval.
 - c. When PVC casing is used, the casing shall be installed using threaded joints, couplings, or mechanical connectors without the use of solvents or glues;
 - d. To minimize the entrance of fine grained material into the monitoring well, the filter pack shall be designed to be compatible with the perforation size and the geologic materials encountered within the perforated interval. The filter pack shall extend to a minimum of one (1) foot above the screened interval;
 - e. Filter pack, annular seal, and surface seal material shall be entered into the monitoring well in a manner such that no voids or bridging occur;
 - f. A minimum two (2) foot thickness of bentonite or bentonite grout is required at the top of the filter pack to serve as an annular seal. After the bentonite has been placed in the annular space, it shall be hydrated to insure a proper seal;
 - g. The annular space above the bentonite seal to within one foot (1') of the surface will be sealed with Portland cement, sand-cement grout, or bentonite grout;
 - h. A protective casing shall be cemented into place when the upper one (1) foot of the annular space is completed with cement, forming a concrete apron sloping away from the monitoring well;
 - i. A top and bottom cap of the same material as the monitoring well casing shall be installed to prevent sediment and surface water from entering the monitoring well;
 - j. The monitoring well shall be developed by the use of a pump or bailer so that representative groundwater samples can be collected.

- 17 of 19 Proper monitoring well evacuation shall include removal of a minimum of three (3) casing volumes prior to sampling or pumping the monitoring well dry once, whichever occurs first. Sample collection, preservation, transportation and chemical analytical procedures shall be completed in accordance with WQD and EPA standard procedures.
- 18 of 19 Water which is collected during monitoring well development or sampling must be disposed of properly. The applicant must contact the city for authorization to dispose into the local storm sewer, sanitary sewer, wastewater treatment plant, or other facility.
- 19 of 19 After the monitoring wells have fulfilled their useful purpose, they shall be abandoned according to procedures specified in Chapter XI, Part G, Section 70 of Wyoming Water Quality Rules and Regulations. In addition, borings in public use areas, particularly paved streets and alleys, shall be abandoned in accordance with city and/or highway department requirements. No monitoring well shall be abandoned without prior approval from the Water Quality Division.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

January 27, 1994

Date of Issuance

RRT/bb/60519.ltr

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-021

II. Application reviewed for compliance with the following regulations.

A. Chapter XI. YES

B. Chapter XII. NO

III. Basis for issuing permit.

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

YES

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

NO

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

NO

IV. Facilities not specifically covered by regulations.

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement.

N/A

Statement of Basis
94-021
January 25, 1994

- V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. *See footnote*¹

N/A

- VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected.

N/A

- VII. Documentation of Statement of Basis.

- A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

¹ Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.



THE STATE

OF WYOMING

MIKE SULLIVAN
GOVERNOR



Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-7682	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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August 3, 1994

TOWN OF CHUGWATER
P O BOX 234
CHUGWATER WY 82210

RE: **PERMIT CONDITION COMPLIANCE** - Construction Schedule Card
Facility: HWY DEPT TO CHUGWATER 8" SWR
Permit Number: 94-022

Dear Facility Owner:

According to our records it has been over 60 days since the above referenced "Permit To Construct" was issued. One of the specified permit requirements was that the applicant/owner notify the appropriate district office of the Water Quality Division (WQD) via the post card attached to the permit, of the estimated dates that construction will begin and end. Please complete the attached post card and return it to the WQD right away. If the project has already been completed, please complete the required "CERTIFICATION OF COMPLETION" form which was included with the permit when issued.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,

Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 43271.LTR
Enclosure: Replacement Schedule Card
cc: Permit Compliance Tracking File



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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May 9, 1994

TOWN OF CHUGWATER
P O BOX 234
CHUGWATER WY 82210

RE: **PERMIT CONDITION COMPLIANCE** - Construction Schedule Card
Facility: HWY DEPT TO CHUGWATER 8" SWR
Permit Number: 94-022

Dear Facility Owner:

According to our records it has been over 60 days since the above referenced "Permit To Construct" was issued. One of the specified permit requirements was that the applicant/owner notify the appropriate district office of the Water Quality Division (WQD) via the post card attached to the permit, of the estimated dates that construction will begin and end. Please complete the attached post card and return it to the WQD right away. If the project has already been completed, please complete the required "CERTIFICATION OF COMPLETION" form which was included with the permit when issued.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,

Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 42011.LTR

Enclosure: Replacement Schedule Card
cc: Permit Compliance Tracking File

PERMIT TO CONSTRUCT

X New
Renewal
Modified

PERMIT NO. 94-022
SPECIAL CONDITIONS

Highway Department to Chugwater 8" Sewer Line

This permit hereby authorizes the applicant:

Town of Chugwater
P.O. Box 234
Chugwater, WY 82210

to construct, install or modify publicly-owned collection system according to the procedures and conditions of the application number 94-022. The facility is located in NWSE & NESW 1/4 Section 30, T21N, R66W in the county of Platte, in the State of Wyoming. This permit shall be effective for a period of 2 years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

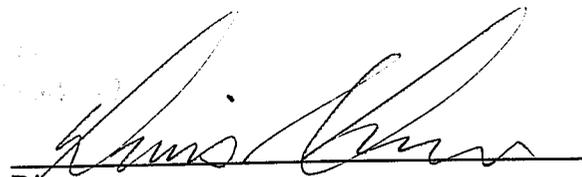
The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: Southeast District, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

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.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:


Administrator
Water Quality Division


Director
Department of Environmental Quality

1/31/94
Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 4 The applicant will notify the appropriate district office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 4 The applicant will provide immediate oral and/or written notice to Southeast District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 4 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Southeast District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and

Permit #94-022

- c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
- d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

4 of 4 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

GLS/bb/40423.LTR

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-022

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. Yes

B. Chapter XII. No

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

Yes

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

N/A

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

N/A

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

N/A

B. Briefly state the basis for the deviation.

N/A

C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

N/A

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

N/A

VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected. (Fill out only the applicable sections and indicate sections that are not applicable.)

N/A

VII. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

GLS/bb/40423.ltr

PERMIT TO CONSTRUCT

New

Renewal

Modified

PERMIT NO. 94-023
(SEE SPECIAL PERMIT CONDITIONS)

DAMPIER LODGE MONITOR WELL (UST FAC ID# 5005)
(Name of Facility)

This permit hereby authorizes the applicant (name and address):

James E. Dampier
25135 US Highway 85
Newcastle, Wyoming 82701

to construct, install or modify monitoring well facilities according to the procedures and conditions of the application No. 94-023. The facility is located in the NWNWNE Section 24, Township 48 North, Range 61 West, in the County of Weston in the State of Wyoming. This permit shall be effective for a period of one (1) year from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The State assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental

Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

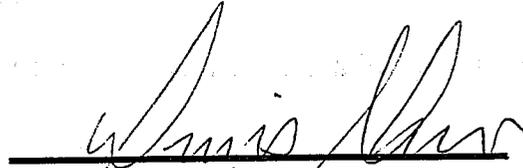
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation.

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Dept. of Environmental Quality

4/20/94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

Standard UST/LUST Monitoring Well (Release Detection) Conditions

- 1 of 12. The groundwater monitoring wells shall be installed in accordance with the conditions of this permit and the plans and specifications submitted in Permit to Construct application number **94-023**. Additional wells meeting the requirements of this permit may be installed during the term of this permit if prior approval is received from the Water Quality Division (WQD).
- 2 of 12. The applicant is responsible for obtaining any permits required by the State Engineer's Office (307/777-7354).
- 3 of 12. DEQ/WQD district personnel shall be given at least two (2) weeks notice prior to the scheduled installation of monitor wells and prior to the baseline groundwater sample collection event to allow DEQ/WQD personnel to be on site if deemed necessary.
- 4 of 12. Monitoring well construction must meet the requirements of Chapter XI Wyoming Water Quality Rules and Regulations. Monitoring well casings shall meet the conditions provided in Chapter XI, Section 67. All

Permit #94-023

Dampier Lodge Monitor Well (FAC ID# 5005)

monitoring wells must be constructed from materials free of material having the potential to contaminate groundwater samples.

- 5 of 12. All downhole equipment shall be de-contaminated between wells (borings) to minimize the potential for cross-contamination. Decontamination water and well development water shall be collected and disposed of at a facility approved by the WQD.
- 6 of 12. Borehole cuttings must be screened and disposed of properly. Cuttings containing petroleum hydrocarbon contaminants with concentrations greater than the Wyoming UST/LUST allowable limits must be disposed of at a site approved by the DEQ's Solid and Hazardous Waste Management Division (307/777-7752).
- 7 of 12. In addition to the well construction information submitted with the permit application, the following items relating to well construction shall be implemented when the wells are constructed, installed, and developed:
- a. The borehole diameter shall be at least four (4) inches larger in diameter than the casing diameter;
 - b. When PVC casing is used, the casing shall be installed using threaded joints, couplings, or mechanical connectors without the use of solvents or glues to hold the casing sections together;
 - c. To minimize the entrance of fine grained material into the well, the filter pack shall be designed to be compatible with the perforation size and the geologic materials encountered within the perforated interval. The filter pack shall extend to a minimum of one (1) foot above the screened interval;
 - d. Filter pack, annular seal, and surface seal material shall be entered into the annular space in a manner such that no voids or bridging occur;
 - e. A minimum two (2) foot thickness of bentonite or bentonite grout is required at the top of the filter pack to serve as an annular seal. After the bentonite has been placed in the annular space, it shall be hydrated to insure a proper seal;
 - f. The annular space above the bentonite seal to within one foot (1') of the surface will be sealed with Portland cement, sand-cement grout, or bentonite grout;

- g. A protective casing shall be cemented into place when the upper one (1) foot of the annular space is completed with cement, and a concrete apron will be formed around the protective casing that slopes away from the well;
- h. A top and bottom cap of the same material as the well casing shall be installed to prevent sediment and surface water from entering the well casing;
- i. Well caps shall be kept locked at all times other than for monitoring purposes. Any tampering with the monitor wells shall be reported immediately to the Water Quality Division. The wells shall be clearly numbered using either a stamp to permanently engrave the number into the steel top or by writing the number in the wet concrete at the base; and
- j. The monitoring well shall be developed by the use of a pump or bailer so that representative baseline groundwater samples can be collected.

8 of 12. Groundwater monitoring wells installed for release detection for underground storage tank (UST) systems shall:

- a. not be used for release detection if soil and/or groundwater encountered during well installation is found to contain petroleum hydrocarbon contaminants above Wyoming UST/LUST allowable limits;
- b. be used for monitoring loss of a regulated substance that is immiscible in water and has a specific gravity of less than one;
- c. be used for monitoring groundwater that is never more than 20 feet from the ground surface and the hydraulic conductivity of the soil(s) between the UST system and the monitoring wells or devices is not less than 0.01 cm/sec (e.g., the soil should consist of gravels, coarse silts or other permeable materials);
- d. have the slotted portion of the monitoring well casing designed to allow entry of regulated substance on the water table into the well under both high and low groundwater conditions;
- e. have the monitoring wells or devices intercept the UST original installation excavation zone or be as close to it as is technically feasible;
- f. utilize continuous monitoring devices or manual methods that can detect the presence of at least one-eighth of an inch of free

Permit #94-023
Dampier Lodge Monitor Well (FAC ID# 5005)

product on top of the groundwater in the monitoring wells;

- g. be sufficient in number and positioned relative to the anticipated groundwater flow direction to be capable of detecting releases from any portion of the UST system that routinely contains product;
- h. be used to collect baseline groundwater samples to be analyzed for:

LOCATIONS WHERE UNLEADED GASOLINE IS STORED:

1. TPH for gasoline range organics (EPA Method 8015)
2. BTEX (EPA Method 8020)

LOCATIONS WHERE LEADED GASOLINE IS STORED:

1. TPH for gasoline range organics (EPA Method 8015)
2. BTEX (EPA Method 8020)
3. Total Lead (EPA Method 239.2)

LOCATIONS WHERE FUEL OILS ARE STORED (Incl. Diesel):

1. TPH for diesel rang organics (EPA Method 8015)

LOCATIONS WHERE USED/WASTE OIL IS STORED:

1. TPH for diesel rang organics (EPA Method 8015)
2. BTEX (EPA Method 8020)
3. Total Lead (EPA Method 213.9)
4. Total Cadmium (EPA Method 213.2)
5. Total Chromium (EPA Method 218.1)

- i. be utilized to detect releases from the UST system by regular monthly visual examination for petroleum hydrdocarbon sheen on groundwater from the monitoring wells. Time, date, observer's name, and sheen (or lack of sheen) will be recorded for each well. Observation records for the previous one year time interval must be kept on the premises .

9 of 12. Proper monitoring well evacuation for baseline groundwater sample collection shall include removal of a minimum of three (3) casing volumes prior to sampling or pumping the well dry once, whichever occurs first. Sample collection, preservation, transportation, and chemical analytical procedures shall be completed in accordance with WQD and EPA standard procedures.

10 of 12. Water collected during monitoring well development or well evacuation which contains petroleum hydrocarbon concentrations above the Wyoming UST/LUST allowable limits must be disposed of properly. The

permittee must contact the city for authorization to dispose into the local storm sewer, sanitary sewer, wastewater treatment plant, or other facility.

11 of 12. Within ninety (90) days of the issuance of this permit the permittee shall submit an installation/investigation report to the appropriate WQD district office. This report shall contain at a minimum:

- a. A chronology of events leading up to the well installations;
- b. A site map showing the physical features, monitoring well/borehole locations, and mean sea level elevations of the top of casing and/or measuring points to the nearest 0.10 of a foot;
- c. Documentation demonstrating that contaminated soil and water from wells and from drilling operations has been disposed of at approved sites;
- d. A listing of the exact surveyed locations of the center of monitoring well casings being installed under this permit. The locations will be given using the Wyoming State Coordinate System and shall provide horizontal accuracy to the nearest 0.10 of a foot;
- e. The final surveyed location, construction details, and lithologic logs of monitor wells/ boreholes;
- f. Geohydrologic maps and/or cross sections that clearly describe the subsurface distribution of geologic lithology, depth to water, and groundwater occurrence;
- g. Sample collection and QA/QC procedures used;
- h. Photocopies of laboratory reports; and
- i. A potentiometric surface map showing the direction and gradient of groundwater flow.

12 of 12. After the monitoring wells have fulfilled their useful purpose, they shall be abandoned according to procedures specified in Chapter XI, Part G, Section 70 of Wyoming Water Quality Rules and Regulations. In addition, borings in public use areas, particularly paved streets and alleys, shall be abandoned in accordance with city, county, and/or highway department requirements. No monitoring well shall be abandoned without prior approval from the Water Quality Division.

WJC:4/6/94

STATEMENT OF BASIS
GROUNDWATER MONITOR WELL (LEAK DETECTION)

This statement of basis for Permit Number 94-023 is for the purpose of constructing a groundwater monitor well for leak detection at UST Facility ID # 5005, Dampier Lodge, Newcastle, Wyoming. The UST facility is a single 3000 gallon gasoline UST associated with the lodge involving snowmobiling activities. The review of the application indicates that the proposed facility will be in compliance with applicable regulations identified in Chapter XI, Part G (Well Construction Standards). Groundwater monitor wells for leak detection require that depth to groundwater be less than twenty (20) feet below ground surface. Therefore, regulations in Chapter XI, Part G, Section 63, stipulate that deviation to adherence of the requirements on minimum depths of seal below the ground surface is granted for wells prevented by physical limitations (shallow depths) from meeting those requirements. Location of the monitor well is required to be in the original UST installation excavation and downgradient from all potential UST releases. A well completion submittal report is required within 90 days of well completion.

Review of the application to determine groundwater impacts in accordance with Chapter III, Section 15, requires that the construction adhere to the standard conditions for groundwater monitor wells in the permit to construct. Furthermore, the monitor well is required to have a locked cap marked "monitor well" and "no fill" to prevent accidental contaminant discharge through the wellbore.



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-7682	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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August 3, 1994

FLYING J TRAVEL PLAZA
2250 ETCHEPARE DRIVE
CHEYENNE WY 82007

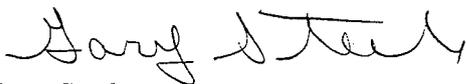
RE: **PERMIT CONDITION COMPLIANCE** - Construction Schedule Card
Facility: FLYING J TRAVEL PLAZA
Permit Number: 94-024

Dear Facility Owner:

According to our records it has been over 60 days since the above referenced "Permit To Construct" was issued. One of the specified permit requirements was that the applicant/owner notify the appropriate district office of the Water Quality Division (WQD) via the post card attached to the permit, of the estimated dates that construction will begin and end. Please complete the attached post card and return it to the WQD right away. If the project has already been completed, please complete the required "CERTIFICATION OF COMPLETION" form which was included with the permit when issued.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,



Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 43271.LTR

Enclosure: Replacement Schedule Card

cc: Permit Compliance Tracking File



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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May 9, 1994

FLYING J TRAVEL PLAZA
2250 ETCHEPARE DRIVE
CHEYENNE WY 82007

RE: PERMIT CONDITION COMPLIANCE - Construction Schedule Card
Facility: FLYING J TRAVEL PLAZA
Permit Number: 94-024

Dear Facility Owner:

According to our records it has been over 60 days since the above referenced "Permit To Construct" was issued. One of the specified permit requirements was that the applicant/owner notify the appropriate district office of the Water Quality Division (WQD) via the post card attached to the permit, of the estimated dates that construction will begin and end. Please complete the attached post card and return it to the WQD right away. If the project has already been completed, please complete the required "CERTIFICATION OF COMPLETION" form which was included with the permit when issued.

To be in compliance with the permit these requirements must be followed. If you have any questions please call me at 777-7088.

Sincerely,

Gary Steele
SE District Supervisor
Water Quality Division

GS/nc 42011.LTR

Enclosure: Replacement Schedule Card
cc: Permit Compliance Tracking File

PERMIT TO CONSTRUCT

X New
Renewal
Modified

PERMIT NO. 94-024
SPECIAL CONDITIONS

Flying J Travel Plaza

This permit hereby authorizes the applicant:

Flying J Travel Plaza
2250 Etchepare Drive
Cheyenne, WY 82007

to construct, install or modify wastewater facility according to the procedures and conditions of the application number 94-024. The facility is located in NE 1/4 Section 14, T13N, R67W in the county of Laramie, in the State of Wyoming. This permit shall be effective for a period of 2 years from the date of issuance of this permit.

The issuance of this permit provides that the Department of Environmental Quality has evaluated and determined that the application meets minimum applicable construction and design standards. The compliance with construction standards and the operation and maintenance of the facility to meet the applicant's engineer's design are the responsibility of the applicant, owner, or operator.

The authority to construct granted by this permit does not mean or imply that the Wyoming Department of Environmental Quality guarantees or ensures that the permitted facility, when constructed, will meet applicable discharge permit conditions or other effluent or operational requirements.

Nothing in this permit constitutes an endorsement of the construction or the design of the facility described herein. This permit indicates only that standards of design and construction required by the Environmental Quality Act have been met. The state assumes no liability for, and does not in any way guarantee the performance of, the permittee in the exercise of its activities allowed under this permit. The permittee understands that it is solely responsible to any third parties for any liability arising from the construction or operation of the facility described herein. By the issuance of this permit, the state does not in any way waive its sovereign immunity.

The permittee shall allow authorized representatives from the Department of Environmental Quality, Water Quality Division, upon the presentation of credentials and during working hours, to have access to inspect the facilities, at the above location, for the purpose of compliance with the provisions of this construction permit.

The permittee shall notify representatives from the Department of Environmental Quality, Water Quality Division the day construction commences and give an estimate of completion of the project. The authorized representative in your area can be contacted at the following address: Southeast District, State of Wyoming, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002; telephone (307) 777-7781.

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.

The issuance of this permit does not convey any property rights in either real or personal property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

AUTHORIZED BY:



Administrator
Water Quality Division



Director
Department of Environmental Quality

2/10/94

Date of Issuance

This permit does not supersede the requirements for obtaining any permit from local agencies.

SPECIAL CONDITIONS

- 1 of 5 The applicant will notify the appropriate district office of the Water Quality Division, Department of Environmental Quality, by the attached post card of the date construction will begin and the estimated completion date.
- 2 of 5 The applicant will provide immediate oral and/or written notice to Southeast District Office in accordance with the provisions of Section 9, Chapter III, Wyoming Water Quality Rules and Regulations of any changes or modifications which are not consistent with the terms and conditions of this permit.
- 3 of 5 Within sixty days of completion of construction of the authorized facility, the applicant will submit to Southeast District Office on the form provided (CERTIFICATION OF COMPLETION), the following information:
 - a. Date that construction of the facility was completed; and
 - b. Date that the facility was placed in operation; and
 - c. Certification the facility was constructed in accordance with the terms and conditions of the permit; or
 - d. Certification the facility was completed with changes or modifications. Submittal of as-constructed plans and specifications for the system as it was constructed, certified by an engineer if appropriate.

Permit to Construct 94-024
Page 3

- 4 of 5 The review and approval of this permit is based upon the items identified in the attached "Statement of Basis".

- 5 of 5 Within 6 months after completion of Phase I of the project Phase II shall be completed.

GLS/jn - 40590.ltr

STATEMENT OF BASIS

I. General information.

A. Permit Number: 94-024

II. Application reviewed for compliance with the following regulations. (Indicate yes or no for each section.)

A. Chapter XI. Yes

B. Chapter XII. No

III. Basis for issuing permit. (Indicate yes or no for each section.)

A. Review of application package indicates proposed facility will be in compliance with applicable regulations identified in Section II.

No

B. Permit includes deviation from applicable regulations in accordance with Section 5, Chapter XI, or XII.

Yes

C. Permit based on deviation from applicable regulations in accordance with approved policy statement.

N/A

IV. Facilities not specifically covered by regulations. (Indicate the section number of the regulations and briefly summarize the regulation.)

A. Identify specific sections of the regulations for which a deviation is approved and briefly summarize the regulation.

Chapter XI Section 9(d)(i) requires that manholes be placed at all vertical and horizontal changes in grade and the minimum spacing for manholes is 400 feet for a 6 inch sewer line.

B. Briefly state the basis for the deviation.

The sewer line is an existing line that was constructed with cleanouts at 2 locations where there is a slight horizontal and vertical change in the alignment. The cleanouts are located between 2 manholes which are spaced approximately 710 feet apart. The deviation is being granted because the changes in the alignment are slight, the line has minimal bury depth, and the grade on the line is greater than .05 ft/ft.

C. Permit based on general or statewide deviation contained in approved policy statement (indicate the policy number and briefly summarize the nature of the deviation).

N/A

V. Application requires review to determine groundwater impacts in accordance with Section 15, Chapter III. See footnote. (Indicate either applicable or not applicable. If not applicable delete all of section VI. from the Statement of Basis.)

N/A

VI. If Section 15 of Chapter III is applicable, indicate the basis of determining groundwater will be protected. (Fill out only the applicable sections and indicate sections that are not applicable.)

N/A

VII. Documentation of Statement of Basis.

A. The archives file for this permit will include adequate documentation of all sections of this Statement of Basis.

Footnote: Sediment ponds, public water supplies, sewerage systems and small wastewater systems are exempt from the requirements of Section 15.

33954.DOC

RF

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING
GROUNDWATER POLLUTION CONTROL PERMIT
AUTHORIZATION TO DISCHARGE INTO UNDERGROUND RECEIVERS
(Permit to Inject)

(XX) New
() Modified

Permit Number UIC 94-025
UIC Class 5X13

In compliance with the Wyoming Environmental Quality Act (W.S. 35-11-101 through 1104, specifically 301(a)(i) through (iv), Laws 1973, Ch. 250, Section 1) and Water Quality Rules and Regulations Chapter IX (September 4, 1980),

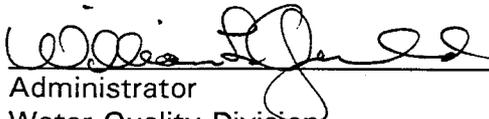
Rhone Poulenc of Wyoming, LP
P.O. Box 513
Green River, WY 82935

is authorized to operate

an underground tailings disposal system in the mined out sections of the Big Island Trona Mine

according to procedures and conditions of the application UIC 94-025 and requirements and other conditions of this permit.

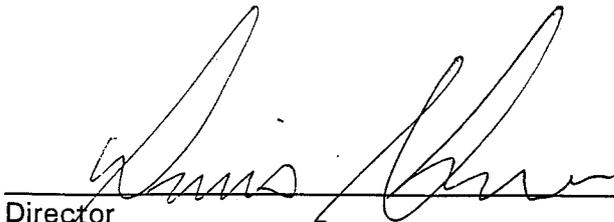
This permit shall become effective on date of issuance.



Administrator
Water Quality Division
Herschler Building, 122 West 25th Street
Cheyenne, WY 82002
Phone: (307) 777-7781

2-28-94

Date



Director
Department of Environmental Quality
Herschler Building, 122 West 25th Street
Cheyenne, WY 82002

2-28-94

Date

A. Discharge (Injection) Zone and Area of Review

The Area of Review is limited to the following legal description:

TOWNSHIP 20 NORTH, RANGE 109 WEST, SIXTH PRINCIPLE MERIDIAN

Section 2: All
Section 3: All
Section 9: All
Section 10: All
Section 11: All
Section 12: All
Section 13: All
Section 14: All
Section 15: All
Section 16: All
Section 21: All
Section 22: All
Section 23: All
Section 24: All
Section 26: All

TOWNSHIP 21 NORTH, RANGE 108 WEST, SIXTH PRINCIPLE MERIDIAN

Section 31: All

The receiver for this permit is limited to the mined out portions of the wilkins peak member of the Green River Formation. It has been demonstrated that the wilkins peak member is not in hydrologic communication with any aquifer. This is evidenced by the fact that the mine, containing soluble salts, is completely dry except for water which may have been introduced in the course of mining the trona.

B. Groundwater Classification

There is no water present in the intended receiver. For this reason, it is not possible to make any groundwater classification for the wilkins peak member of the Green River Formation.

C. Authorized Operations

The permittee is authorized to inject up to 400 gallons per minute or 576,000 gallons per day (9.52 barrels per minute or 13,714 barrels per day) of tailings paste containing any percentage of solids which is desired by the permittee. The tailings paste will contain a commercial flocculent. The flocculent specified in the application is RP Clarifloc N 103. The permittee may use other flocculents from time to time with no prior approval required. The permittee shall report the type of flocculent used with each annual report.

The permittee is authorized to drill, complete, and operate up to 10 injection wells and 10 decant wells at any given time. Replacement wells may be drilled as-needed. Under this permit a well is counted as an active well until such time as it has been permanently abandoned in accordance with Section L of this permit. Wells which have been converted to decant water return wells have not yet been permanently abandoned.

The tailings that are to be injected consist of shale breaks from within the ore itself, suspended in a saturated or nearly saturated solution of sodium carbonate and water. The shale breaks themselves

may contain low grade oil shale. As of the writing of this permit, mine wastes are exempt from regulation as hazardous waste by the Resource Conservation and Recovery Act.

The injection pressure shall not exceed 2,000 psig as measured at the wellhead. The pressure limitations in this permit are based on the strength of the casing and the anticipated most extreme operating condition. The decision of use pressure injection has been made by Rhone Poulenc and Rhone Poulenc shall assume all risk and responsibility for damages caused by the operation.

Flyash may also be injected into this system at any concentration that the permittee sees fit. Prior to injection of any flyash, a standard TCLP test, or a test for the total concentration of the same constituents listed for TCLP shall be run. This test shall be submitted to the Water Quality Division for approval prior to injection of flyash. If at any time the source of coal used in the power plant that produced the flyash should change, this approval step shall be repeated prior to injecting flyash from the new source.

The permittee is specifically not authorized under this permit to introduce any waste stream other than tailings and/or flyash. Specifically prohibited acts include the introduction of any hazardous waste as defined by 40 CFR 261.31 through 40 CFR 261.33. No waste from any other source may be introduced to this system on a commercial basis.

Tailings from the plant presently located on this site or from any tailings cell presently at the subject operation may be introduced to this system without the necessity of documenting exactly which plant or pond the tailings came from. Tailings from any expansion of the plant which uses a different chemical process shall not be introduced prior to obtaining authorization from the WQD. Application shall consist of a description of process changes affecting the chemical composition of the tailings, the estimated chemical composition of the tailings, and its compatibility with existing equipment, conveyance, and injection systems. A discussion of any potential hydraulic or structural problems with placement of the tailings in mined out cavities shall be submitted at the time of any process change which affects the physical properties of the emplaced tailings.

If the application is deemed as "minor change" and authorized, the authorization will be provided by a letter without the necessity of reissuing this permit.

D. Proper Operation and Maintenance

The permittee is required to conduct the operation in accordance with statements, representations and procedures presented in the complete permit application and supporting documents, as accepted and approved by the administrator.

The permittee is required at all times to 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 permit compliance. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures.

The subsurface discharge (injection) authorized by permit shall be consistent with the conditions and content of the permit; 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.

E. Entry and Inspection

The permittee shall allow the administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), and practice, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate rules and regulations of the Department, any substances or parameters at any location.

F. Environmental Monitoring Program for Groundwaters of the State

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. The permittee shall prepare records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation to be retained for a period of at least 3 years after closure of the facility.
3. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The name(s) of individual(s) who performed the sampling or measurements;
 - c. The date(s) analyses were performed;
 - d. Names of individuals who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
4. The prescribed program for this permitted activity is as follows:

Because of the lack of water in the receiver, no monitoring of the state's groundwater is required under this permit at this time. In the event that leakage is detected from the injection system, the Water Quality Division reserves the right to require monitoring in the future as the need arises.

G. Requirements for Monitoring the Discharge

Discharge (injection) volume and/or pressure shall be controlled and monitored to prevent fracturing of confining strata.

Rhone Poulenc shall monitor the injection pressure at the pump on a continuous basis. This may be accomplished by the installation of a strip chart or circular chart recorder on the tailings line at the plant. If the tailings (paste) plant is equipped with a computer controller, printouts or digital data from this system will meet the requirement to continuously monitor the discharge pressure providing that at least one data point is recorded for each 15 minutes of operation. In the event that Rhone Poulenc is required to submit data under this permit, and elects to submit this data by electronic transfer, then Rhone Poulenc shall arrange for the transfer in a computer format readable and useable by the Water Quality Division.

Rhone Poulenc shall monitor the discharge volume on a continuous basis. Meters for this purpose shall include instantaneous readout and a totalizer. Readout shall be in gallons per minute or standard barrels (42 gallons) per minute.

Rhone Poulenc shall monitor the volume of water reclaimed from the mine (if any) on a continuous basis. This volume meter shall also include an instantaneous readout and a totalizer. Readout shall be in the same units as the meter on the injection volume.

Rhone Poulenc shall keep records of the percentage of total solids in the injected paste and shall prepare an annual estimate of the tons of tailings emplaced into the mined out sections of the Big Island Mine. The results of this annual estimate shall be included in the annual report submitted to the Land Quality Division.

Within 90 days of the construction of this system, Rhone Poulenc shall run an analyses of the water fraction of the tailings paste from a sample taken from the flow line. This analyses shall include all metals listed on Land Quality Division Guideline 8 for trona in-situ mines. This analysis shall be repeated whenever there is a major change in the composition of the tailings caused by process changes. Within 90 days of each 5 year anniversary of the last previous analysis, this analysis shall be repeated. These analyses shall be submitted directly to the UIC section, Water Quality Division, 122 West 25th Street, Cheyenne, WY 82002.

H. Test Procedures

Test procedures for the determination of water quality parameters and constituents shall be in accord with provisions of Water Quality Rules and Regulations Chapter VIII, Section 7.

I. Records and Reports

1. The permittee shall retain copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the report or application.
2. The permittee shall give notice to the administrator as soon as possible of any planned physical alterations or additions to the permitted facility.
3. The permittee shall give advance notice to the administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
4. Monitoring results shall be reported at intervals specified in section C and/or Section G of this permit.
5. 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 14 days following each schedule date.

6. The permittee shall report any noncompliance which may endanger health or the environment, orally within 24 hours from the time the permittee 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.

A written submission shall be provided within 5 days of the time the permittee 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.

7. 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 6. above.
8. When 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, it shall promptly submit such facts or information.
9. The permittee shall retain all records concerning the nature and composition of injected fluids until 5 years after completion of any specified plugging and abandoned procedures. The administrator may require the owner/operator to deliver the records to the administrator at the conclusion of the retention period.
10. A subsurface discharge (injection) well may not commence subsurface discharge (injection) until, following public notice and an opportunity for hearing, a groundwater pollution control permit has been issued by the department for the proposed operation, and:
 - a. Well construction is complete and the permittee has submitted notice of completion of construction to the administrator,
 - b. The administrator has inspected or otherwise reviewed the subsurface discharge (injection) well and finds it in compliance with the conditions of the permit; or the permittee has not received notice from the administrator of intent to inspect or otherwise review the facility within 13 days of the notice of a. above, in which case prior inspection or review is waived, and
 - c. Well mechanical integrity testing has been proven or demonstrated to the satisfaction of the administrator.
11. Annual reports shall be submitted to the administrator within 30 days following the end of each calendar year following issuance of the permit. Submission of the required information as part of the Land Quality Division annual report will satisfy the requirement for an annual report under this permit. As part of the Annual Report, the maximum, and minimum injection pressure as measured at the pump for each month of operation; the total volume injected for each month of operation; the total volume reclaimed (if any) for each month of operation; and the total tonnage emplaced in the mine for the year.

12. A comprehensive report for an aborted or curtailed operation authorized by this permit shall be submitted to the administrator within 30 days of complete termination of the injection (discharge) or associated activity, in lieu of an annual report.

J. Permit Actions

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 the permit;
2. Obtaining a permit by misrepresentation or failure of the discharge well or system.

Each permit is reviewed at least once every 5 years, 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 is issued.

A permit may be modified in whole or part in order to apply more, or less, stringent standards; or prohibitions for a toxic or other substance present in the permittee's discharge, as may be ordered by the council.

This operation (permit) can be terminated by authority of the administrator for one or more permit violations.

Public notice of the permit review and request for public comment will be made every 10 years by the administrator.

K. Mechanical Integrity

Each discharge well and associated discharge facilities is required to have mechanical integrity which demonstrates the unimpaired condition of the well and facilities. The approved procedures for demonstrating the mechanical integrity for the well and facilities handling the discharge authorized by this permit consist of:

Once every 5 years, or more often if required by the Administrator the injection well or wells covered by this permit shall have their continued mechanical integrity demonstrated. Since this injection will be done without a tubing string, this will require that the bottom of the injection well be closed in and the casing string tested to 1,800 psig for 15 minutes. Before the initial injection is begun for each new well, a similar pressure test shall be completed.

Abrasion of the well casing may or may not be a significant factor. For this reason, and because it is not possible to project abrasive properties of the tailings paste when acting directly on J-55 casing, a logging program is required. At the time of construction of the first well under this permit, a high sensitivity caliper log shall be run from the bottom of the casing to the top. After 9 months of operation this log shall be repeated. If the results of this logging show more than 20% reduction in the wall thickness of the casing after 9 months of operation, this log shall be repeated every 6 months thereafter. The caliper log run shall be accurate enough to measure changes in diameter of the casing of less than 1/10 of the wall thickness of the casing when new. At the conclusion of the test, a report shall be prepared dealing with the results of the logging. The report shall be submitted to the Water Quality Division within 30 days of the 9 month anniversary of this permit. Based on the results

submitted, the Water Quality Division may require that this logging program continue, that it be deleted from this permit, or that additional permit requirements are necessary.

After the installation of each injection or tailings water reclaim well, the well shall be logged from top to bottom by Cement Bond Logging. The logging tool shall be a standard oilfield tool and shall include a microsesismogram as part of the output. This log shall be submitted to the Water Quality Division within 90 days of the completion of each new well. At each 5 year anniversary of each well, the cement bond log shall be repeated and a casing caliper log shall be run to demonstrate the continued sound condition of each well. These logs shall be submitted to the Water Quality Division within 30 days of the date when they are run.

Anytime Rhone Poulenc becomes aware, by any method whatsoever, that any injection well has lost mechanical integrity (has a hole in the casing), Rhone Poulenc shall immediately shut the well in and report by telephone to the Water Quality Division at 777-7095 as well as to the Land Quality Division district office in Lander at 332-3047. The Water Quality Division and the Land Quality Division will decide jointly with Rhone Poulenc what remedial measures may be required if this should happen.

The operation (discharge) of any well or system will terminate immediately if mechanical integrity of the well or system fails and/or a leak or unauthorized fluid movement occurs. The discharge shall be discontinued until mechanical integrity has been restored and permission to continue the discharge has been obtained from the administrator.

L. Abandonment

The permittee shall notify the administrator at least 180 days before well abandonment. Immediately following the permit cessation of subsurface discharge or related activity, or where a well has not been completed, the applicant/permittee shall notify the director and follow the procedures prescribed by the director for plugging and abandonment or the discontinuance of related activities.

At the time of final abandonment of any well under this permit, the bottom of the well shall be permanently sealed from below, or if the bottom has become inaccessible, a cast iron bridge plug shall be set within 50 feet of the bottom of the J-55 casing. Type H cement shall be placed in the casing by pumping through a tubing string as that tubing string is withdrawn. This procedure shall be followed until the entire casing string is full of cement. At the surface, the casing shall be cut off 5 feet below grade and the surface reclaimed in accordance with applicable provisions of the Land Quality Division permit to mine.

M. Duties of the Permittee

It is a duty of the permittee to:

1. Comply with all permit conditions;
2. Halt or reduce activity -- it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permittee activity in order to maintain compliance with the permit conditions;
3. Take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit; and
4. Furnish to the administrator within a reasonable time, any information which the administrator may request to determine whether cause exists for modifying, revoking and reissuing, or

terminating this permit, or to determine compliance with this permit; and furnish to the administrator, upon request, copies of records required to be kept by this permit.

N. Financial Responsibility

The permittee is required to maintain financial responsibility and resources in a form approved by the director, to close, plug and abandon the discharge operation in a manner prescribed by the director.

Rhone-Poulenc shall include the cost of abandonment for all wells drilled under this permit in with the bond calculation under its Land Quality Division permit to mine. Under this provision, these costs shall be automatically updated each year if more wells are drilled, or if other changes are made which significantly alter the cost of reclamation.

O. Special Measures the Director Finds Necessary

The discharge pipeline from the tailings preparation plant to the injection well will operate under a significant pressure. An alarm shall be placed on this discharge line that will alert plant personnel any time the pressure falls to less than 90% of the total pressure required to overcome operational line losses. Such a condition is indicative of a breached pipe on the surface. Rhone Poulenc shall take immediate action to minimize the size of any such breach and to mitigate environmental damage caused by such a breach. Spills not contained in secondary containment structures are reportable occurrences under section I.6. of this permit.

P. Special Permit Conditions

Pollution or waste which migrates into an aquifer containing a usable groundwater of the state is a violation of the permit.

Mechanical integrity -- operations terminate immediately if mechanical integrity of well or system fails and/or a leak or unauthorized fluid movement occurs.

Q. Signatories Requirement

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 described 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 an authorized representative.

Any person signing a report or other requested information shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

R. Noncompliance

Any permit noncompliance constitutes a violation of the permit.

The filing of a 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.

S. Permit Transfer

The owner/operator of record (permittee) is always responsible for permit compliance. A permit holder cannot transfer his permit without approval of the department director.

T. Responsibilities

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. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

V. Severability

The provisions of this permit are severable, and if any provision of the 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.

RL/nc 40555.LTR



MIKE SULLIVAN
GOVERNOR

Department of Environmental Quality

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

ADMINISTRATION (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 634-0799	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 634-0799	SOLID & HAZARDOUS WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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February 4, 1994

Fred Parady
Rhone Poulenc of Wyoming, LP
P.O. Box 513
Green River, WY 82935

RE: Underground Tailings Injection
DRAFT Permit UIC 94-025
Sweetwater County, Wyoming

Dear Mr. Parady:

Enclosed please find one copy of the draft permit for this project. This draft is sent to you for review prior to issuance of the permit. If there are reasons to change some of the language of the permit, this department is willing to make changes providing that the resulting permit complies with existing regulations. You will note that the language of the permit is very similar to the existing permit at FMC.

If this department has heard no comment from you after two weeks from the date of this letter, the permit will be sent to the Administrator and Director for signature.

Sincerely,

Robert Lucht, P.E.
UIC Program Supervisor
Water Quality Division

RL/nc 40556.LTR

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING
GROUNDWATER POLLUTION CONTROL PERMIT
AUTHORIZATION TO DISCHARGE INTO UNDERGROUND RECEIVERS
(Permit to Inject)

(XX) New
() Modified

Permit Number UIC 94-025
UIC Class 5X13

In compliance with the Wyoming Environmental Quality Act (W.S. 35-11-101 through 1104, specifically 301(a)(i) through (iv), Laws 1973, Ch. 250, Section 1) and Water Quality Rules and Regulations Chapter IX (September 4, 1980),

Rhone Poulenc of Wyoming, LP
P.O. Box 513
Green River, WY 82935

DRAFT

is authorized to operate

an underground tailings disposal system in the mined out sections of the Big Island Trona Mine according to procedures and conditions of the application UIC 94-025 and requirements and other conditions of this permit.

This permit shall become effective on date of issuance.

Administrator
Water Quality Division
Herschler Building, 122 West 25th Street
Cheyenne, WY 82002
Phone: (307) 777-7781

Date

Director
Department of Environmental Quality
Herschler Building, 122 West 25th Street
Cheyenne, WY 82002

Date

A. Discharge (Injection) Zone and Area of Review

The Area of Review is limited to the following legal description:

TOWNSHIP 20 NORTH, RANGE 109 WEST, SIXTH PRINCIPLE MERIDIAN

Section 9: All
Section 10: All
Section 11: All
Section 12: All
Section 13: All
Section 14: All
Section 15: All
Section 16: All
Section 21: All
Section 22: All
Section 23: All
Section 24: All

The receiver for this permit is limited to the mined out portions of the wilkins peak member of the Green River Formation. It has been demonstrated that the wilkins peak member is not in hydrologic communication with any aquifer. This is evidenced by the fact that the mine, containing soluble salts, is completely dry except for water which may have been introduced in the course of mining the trona.

B. Groundwater Classification

There is no water present in the intended receiver. For this reason, it is not possible to make any groundwater classification for the wilkins peak member of the Green River Formation.

C. Authorized Operations

The permittee is authorized to inject up to 400 gallons per minute or 576,000 gallons per day (9.52 barrels per minute or 13,714 barrels per day) of tailings paste containing any percentage of solids which is desired by the permittee. The tailings paste will contain a commercial flocculent. The flocculent specified in the application is RP Clarifloc N 103. The permittee may use other flocculents from time to time with no prior approval required. The permittee shall report the type of flocculent used with each annual report.

The permittee is authorized to drill, complete, and operate up to 10 injection wells and 10 decant wells at any given time. Replacement wells may be drilled as needed. Under this permit a well is counted as an active well until such time as it has been permanently abandoned in accordance with Section L of this permit. Wells which have been converted to decant water return wells have not yet been permanently abandoned.

The tailings that are to be injected consist of shale breaks from within the ore itself, suspended in a saturated or nearly saturated solution of sodium carbonate and water. The shale breaks themselves may contain low grade oil shale. As of the writing of this permit, mine wastes are exempt from regulation as hazardous waste by the Resource Conservation and Recovery Act.

The injection pressure shall not exceed 2,000 psig as measured at the wellhead. The pressure limitations in this permit are based on the strength of J-55 casing and the anticipated most extreme operating condition. The decision of use pressure injection has been made by Rhone Poulenc and Rhone Poulenc shall assume all risk and responsibility for damages caused by the operation.

Flyash may also be injected into this system at any concentration that the permittee sees fit. Prior to injection of any flyash, a standard TCLP test, or a test for the total concentration of the same constituents listed for TCLP shall be run. This test shall be submitted to the Water Quality Division for approval prior to injection of flyash. If at any time the source of coal used in the power plant that produced the flyash should change, this approval step shall be repeated prior to injecting flyash from the new source.

The permittee is specifically not authorized under this permit to introduce any waste stream other than tailings and/or flyash. Specifically prohibited acts include the introduction of any hazardous waste as defined by 40 CFR 261.31 through 40 CFR 261.33. No waste from any other source may be introduced to this system on a commercial basis.

Tailings from the plant presently located on this site or from any tailings cell presently at the subject operation may be introduced to this system without the necessity of documenting exactly which plant or pond the tailings came from. Tailings from any expansion of the plant which uses a different chemical process may be introduced into this system with prior Water Quality Division approval. This approval will be granted by letter without the necessity of reissuing this permit.

D. Proper Operation and Maintenance

The permittee is required to conduct the operation in accordance with statements, representations and procedures presented in the complete permit application and supporting documents, as accepted and approved by the administrator.

The permittee is required at all times to 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 permit compliance. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures.

The subsurface discharge (injection) authorized by permit shall be consistent with the conditions and content of the permit; 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.

E. Entry and Inspection

The permittee shall allow the administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), and practice, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate rules and regulations of the Department, any substances or parameters at any location.

F. Environmental Monitoring Program for Groundwaters of the State

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. The permittee shall prepare records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation to be retained for a period of at least 3 years after closure of the facility.
3. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The name(s) of individual(s) who performed the sampling or measurements;
 - c. The date(s) analyses were performed;
 - d. Names of individuals who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
4. The prescribed program for this permitted activity is as follows:

Because of the lack of water in the receiver, no monitoring of the state's groundwater is required under this permit at this time. In the event that leakage is detected from the injection system, the Water Quality Division reserves the right to require monitoring in the future as the need arises.

G. Requirements for Monitoring the Discharge

Discharge (injection) volume and/or pressure shall be controlled and monitored to prevent fracturing of confining strata.

Rhone Poulenc shall monitor the injection pressure on a continuous basis. This may be accomplished by the installation of a strip chart or circular chart recorder on the tailings line, either at the plant or at the wellhead. If the tailings (paste) plant is equipped with a computer controller, printouts or digital data from this system will meet the requirement to continuously monitor the discharge pressure providing that at least one data point is recorded for each 15 minutes of operation. In the event that Rhone Poulenc is required to submit data under this permit, and elects to submit this data by electronic transfer, then Rhone Poulenc shall arrange for the transfer in a computer format readable and useable by the Water Quality Division.

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Rhone Poulenc shall monitor the volume of water reclaimed from the mine on a continuous basis. This volume meter shall also include an instantaneous readout and a totalizer. Readout shall be in the same units as the meter on the injection volume.

Rhone Poulenc shall keep records of the percentage of total solids in the injected paste and shall prepare an annual estimate of the tons of tailings emplaced into the mined out sections of the Big Island Mine. The results of this annual estimate shall be included in the annual report submitted to the Land Quality Division.

Within 90 days of the construction of this system, Rhone Poulenc shall run an analyses of the water fraction of the tailings paste from a sample taken from the flow line. This analyses shall include all metals listed on Land Quality Division Guideline 8 for trona in-situ mines. This analysis shall be repeated whenever there is a major change in the composition of the tailings caused by process changes. Within 90 days of each 5 year anniversary of the last previous analysis, this analysis shall be repeated. These analyses shall be submitted directly to the UIC section, Water Quality Division, 122 West 25th Street, Cheyenne, WY 82002.

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2. The permittee shall give notice to the administrator as soon as possible of any planned physical alterations or additions to the permitted facility.
3. The permittee shall give advance notice to the administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
4. Monitoring results shall be reported at intervals specified in section C and/or Section G of this permit.
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continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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8. When 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, it shall promptly submit such facts or information.
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10. A subsurface discharge (injection) well may not commence subsurface discharge (injection) until, following public notice and an opportunity for hearing, a groundwater pollution control permit has been issued by the department for the proposed operation, and:
 - a. Well construction is complete and the permittee has submitted notice of completion of construction to the administrator,
 - b. The administrator has inspected or otherwise reviewed the subsurface discharge (injection) well and finds it in compliance with the conditions of the permit; or the permittee has not received notice from the administrator of intent to inspect or otherwise review the facility within 13 days of the notice of a. above, in which case prior inspection or review is waived, and
 - c. Well mechanical integrity testing has been proven or demonstrated to the satisfaction of the administrator.
11. Annual reports shall be submitted to the administrator within 30 days following the end of each calendar year following issuance of the permit. Submission of the required information as part of the Land Quality Division annual report will satisfy the requirement for an annual report under this permit. As part of the Annual Report, the maximum, and minimum injection pressure for each month of operation; the total volume injected for each month of operation; the total volume reclaimed for each month of operation; and the total tonnage emplaced in the mine for the year.
12. A comprehensive report for an aborted or curtailed operation authorized by this permit shall be submitted to the administrator within 30 days of complete termination of the injection (discharge) or associated activity, in lieu of an annual report.

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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:

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2. Obtaining a permit by misrepresentation or failure of the discharge well or system.

Each permit is reviewed at least once every 5 years, 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 is issued.

A permit may be modified in whole or part in order to apply more, or less, stringent standards; or prohibitions for a toxic or other substance present in the permittee's discharge, as may be ordered by the council.

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Abrasion of the well casing may or may not be a significant factor. For this reason, and because it is not possible to project abrasive properties of the tailings paste when acting directly on J-55 casing, a logging program is required. At the time of construction of the first well under this permit, a high sensitivity caliper log shall be run from the bottom of the casing to the top. After 9 months of operation this log shall be repeated. If the results of this logging show more than 20% reduction in the wall thickness of the casing after 9 months of operation, this log shall be repeated every 6 months thereafter. The caliper log run shall be accurate enough to measure changes in diameter of the casing of less than 1/10 of the wall thickness of the casing when new. At the conclusion of the test, a report shall be prepared dealing with the results of the logging. The report shall be submitted to the Water Quality Division within 30 days of the 9 month anniversary of this permit. Based on the results submitted, the Water Quality Division may require that this logging program continue, that it be deleted from this permit, or that additional permit requirements are necessary.

After the installation of each injection or tailings water reclaim well, the well shall be logged from top to bottom by Cement Bond Logging. The logging tool shall be a standard oilfield tool and shall include a microsiestmogram as part of the output. This log shall be submitted to the Water Quality Division within 90 days of the completion of each new well. At each 5 year anniversary of each well, the cement bond log shall be repeated and a casing caliper log shall be run to demonstrate the continued sound condition of each well. These logs shall be submitted to the Water Quality Division within 30 days of the date when they are run.

Anytime Rhone Poulenc becomes aware, by any method whatsoever, that any injection well has lost mechanical integrity (has a hole in the casing), Rhone Poulenc shall immediately shut the well in and report by telephone to the Water Quality Division at 777-7095 as well as to the Land Quality Division district office in Lander at 332-3047. The Water Quality Division

and the Land Quality Division will decide jointly with Rhone Poulenc what remedial measures may be required if this should happen.

The operation (discharge) of any well or system will terminate immediately if mechanical integrity of the well or system fails and/or a leak or unauthorized fluid movement occurs. The discharge shall be discontinued until mechanical integrity has been restored and permission to continue the discharge has been obtained from the administrator.

L. Abandonment

The permittee shall notify the administrator at least 180 days before well abandonment. Immediately following the permit cessation of subsurface discharge or related activity, or where a well has not been completed, the applicant/permittee shall notify the director and follow the procedures prescribed by the director for plugging and abandonment or the discontinuance of related activities.

At the time of final abandonment of any well under this permit, the bottom of the well shall be permanently sealed from below, or if the bottom has become inaccessible, a cast iron bridge plug shall be set within 50 feet of the bottom of the J-55 casing. Type H cement shall be placed in the casing by pumping through a tubing string as that tubing string is withdrawn. This procedure shall be followed until the entire casing string is full of cement. At the surface, the casing shall be cut off 5 feet below grade and the surface reclaimed in accordance with applicable provisions of the Land Quality Division permit to mine.

M. Duties of the Permittee

It is a duty of the permittee to:

1. Comply with all permit conditions;
2. Halt or reduce activity -- it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permittee activity in order to maintain compliance with the permit conditions;
3. Take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit; and
4. Furnish to the administrator within a reasonable time, any information which the administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit; and furnish to the administrator, upon request, copies of records required to be kept by this permit.

N. Financial Responsibility

The permittee is required to maintain financial responsibility and resources in a form approved by the director, to close, plug and abandon the discharge operation in a manner prescribed by the director.

Rhone-Poulenc shall include the cost of abandonment for all wells drilled under this permit in with the bond calculation under its Land Quality Division permit to mine. Under this provision, these costs shall be automatically updated each year if more wells are drilled, or if other changes are made which significantly alter the cost of reclamation.

O. Special Measures the Director Finds Necessary

The discharge pipeline from the tailings preparation plant to the injection well will operate under a significant pressure. An alarm shall be placed on this discharge line that will alert plant personnel any time the pressure falls to less than 90% of the total pressure required to overcome operational line losses. Such a condition is indicative of a breached pipe on the surface. Rhone Poulenc shall take immediate action to minimize the size of any such spill and to mitigate environmental damage caused by such a spill. Spills are reportable occurrences under section I.6. of this permit.

P. Special Permit Conditions

Pollution or waste which migrates into an aquifer containing a usable groundwater of the state is a violation of the permit.

Mechanical integrity -- operations terminate immediately if mechanical integrity of well or system fails and/or a leak or unauthorized fluid movement occurs.

Q. Signatories Requirement

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 described 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 an authorized representative.

Any person signing a report or other requested information shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

R. Noncompliance

Any permit noncompliance constitutes a violation of the permit.

The filing of a 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.

S. Permit Transfer

The owner/operator of record (permittee) is always responsible for permit compliance. A permit holder cannot transfer his permit without approval of the department director.

T. Responsibilities

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. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

V. Severability

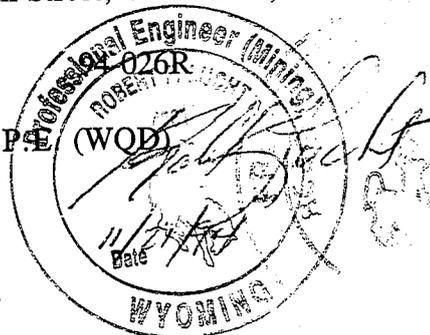
The provisions of this permit are severable, and if any provision of the permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

RL/nc 40555.LTR

REVIEW OF PLANS AND SPECIFICATIONS
WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION

Herschler Bldg., 4 West
Cheyenne, Wyoming 82002

PROJECT: Energy Fuels Nuclear, Reno Creek ISL Project Land Application System
ENGINEER: George L. Hoffman, Hydro-Engineering, 4685 S. Magnolia, Casper, WY 82604
APPLICANT: Energy Fuels Nuclear, Inc., 1200 17th Street, Suite 2500, Denver, CO 80202
WATER QUALITY DIVISION REFERENCE NUMBER:
REVIEWING ENGINEER: ROBERT F. LUCHT, P.E. (WQD)
DATE OF REVIEW: November 21, 1994
ACTION: NOT AUTHORIZED FOR CONSTRUCTION.



COMMENTS: This review includes responses to previous reviews dated March 29, 1994 and May 20, 1994. Comments not listed on this review have been resolved. All comments from all reviewers are listed and have been renumbered in this document.

Comment 1. Energy Fuels has proposed to only commit to remediate the upper aquifer if changes are caused "large enough to change the water classification." This is unacceptable. Action limits are required based on the background concentrations at this point in the aquifer. Energy Fuels, by FAX on November 9, 1994 has committed to establish action limits after one year of baseline monitoring and prior to any land application of wastewater. This response is acceptable. **Robert Lucht**

Comment 2. Energy Fuels has committed to installing two monitor wells in the first sandstone unit underlying the land application system. Energy Fuels is proposing that there should be no action level for the groundwater quality in these wells, if and when water appears in them. This is **not** acceptable. Energy Fuels, by FAX on November 9, 1994 has committed to establish action limits after one year of land application of wastewater. With one condition, this is acceptable. During the first year of land application, during the time when data is being developed allow calculation of final action limits, there should be an action limit set at the concentration of the wastewater for Selenium, Arsenic, Total Dissolved Solids, Radium, Uranium and SAR. If water appears in these monitor wells within the first year at concentrations higher than the concentrations in the wastewater itself, it indicates that reactions are occurring which differ markedly from the projection. **Robert Lucht**

Comment 3. Section 15.10.3.2, Soils (Land Application Site), Page 15-46, Attachment 11.1, Plate 11.1 - Baseline Soils Inventory.

Energy Fuel's description of the soils here points out several problems and discrepancies:

- a. On Plate 11.1 in an area mapped as 336B, Forkwood Cushman Loam Complex, an area was mapped as Shingle. However, in the description of this complex on Page ATT 11.1-53, this complex is not listed as having Shingle soil as a member. Please explain.

No response to this comment was found in the September 9, 1994, submittal.

- b. In Section 15.10.7.2.3, Soil Reclamation, Page 15-60, one possible method of cleansing the soils of salt buildup would be to flush them with an application of up to four feet of clean water. It is hoped this water would flush the salts to depths of four feet or greater.

No response to this comment was found in the September 9, 1994, submittal.

Energy Fuels discusses flushing of salt-affected areas in Section 9.0, Reclamation, on Page 68 of the September 9, 1994, submittal. However the section does not go into any detail.

Several of the soil types mapped in the irrigation site have depths less than four feet. The Cushman soils commonly have a "soft, effervescent shale" at a depth of 29 inches and the Theedle soils have a soft shale at a depth around 36 inches. Additionally the Shingle soils mapped have depths among 0 and 6 inches.

What will the effects such shallow soils have on the retention of the applied water and on any necessary soil reclamation methods? The possible collection of irrigation water and concentration of salts behind the water retention berms will greatly affect any attempt at flushing. Would the berms be removed before flushing?

Energy Fuels should reconsider both the installation of water retention berms and the practice of flushing saline soils with fresh water. **Glenn Mooney**

Comment 4. Section 15.10.6.2, Land Grading, Page 15-56

- b. Alternative to Grading

In Section 6 of the September 9, 1994, submittal, Energy Fuels has committed to even more extensive grading and disturbance of the site. For additional comments on the additional disturbance and construction of retaining berms, see Comment 9 below.
Glenn Mooney

Comment 5. Section 2.4, Waste Stream Description. Energy Fuels has recalculated the amount of selenium and arsenic that may occur in the waste stream. This has resulted in significantly lower levels of selenium and arsenic.

Experience leads me to suspect that the amount of selenium and arsenic the waste stream cannot be accurately predicted. It may well be that it is impossible to accurately predict as so many factors enter into their concentration in the waste stream. Factors such as the location of the monitor well completion interval in the uranium roll front, local concentrations of lixiviant, time of lixiviant contact with the lithology, etc. may all affect heavy metal concentrations in the waste stream.

Perhaps the tactic Energy Fuels should take is not to try to predict accurately the unpredictable, but instead to try to manage whatever concentrations are encountered and prevent permanent damage to the topsoil resource. I feel the best way to do this would be for the operator and DEQ to agree on action limits for the allowable buildup of salts and selenium in the site soils. See Comment 8 below for further details. **Glenn Mooney**

Comment 6. Section 6.0, Irrigation Management Practices

The switch to a lixiviant system that will not require the addition of sodium results in irrigation water that will have an SAR that should not result in any salinity damage to the topsoil resource.

Close monitoring of the selenium and arsenic concentrations in the irrigation water and topsoil should be adequate to spot any trends in the buildup of these elements that would enable a switch to an alternative mode of water disposal before any excessive damage to the topsoil resource or hazardous buildup in site vegetation occurred. See Comment 8 below. **Glenn Mooney**

Comment 7. Section 8.2, Surface Water and Sediment Monitoring

Energy Fuels proposes to monitor for possible off-site surface water pollution with two surface monitoring stations located at some distance from the irrigation site. They state that with the construction of the surface retention berms on the site, surface monitoring stations to monitor only the irrigation site are not necessary.

This is **not** acceptable. The berms may serve to retain normal irrigation and storm events up to the fifty-year, 24-hour storm event. Without surface water monitoring stations below the irrigation areas, there will be no way to determine the effectiveness of the containment berms or the possibility that subsurface flows are allowing irrigation water to leave the permit area on the surface or near-surface.

Energy Fuels must design surface monitoring stations to monitor drainages downstream and near the Land Application Area. **Glenn Mooney**

Comment 8. Conclusions. The new information contained in the September 9, 1994, submittal leads me to believe that a land application system can be operated if the surface, groundwater, and topsoil monitoring programs are set up and operated as outlined in the operation. This monitoring, along with setting of regulatory cut-off limits for the presence of undesirable constituents in the waters and topsoil of the site, should be adequate to prevent any permanent damage or unallowable contamination of the site.

These limits should be set to give Energy Fuels enough time to switch to an alternative method of water disposal. This could be in the form of an absolute Cut-off Level which, when reached, would not allow any further irrigation activity. An intermediate Action Level could be set that if reached, would put the operator on notice that the time for operation of the irrigation system was running out and an application for an alternative means of water disposal must be made.

With safeguards such as the one described above, the Land Quality Division could possibly approve a mine permit application that relied upon land application of waste water.

Energy Fuels is requested to propose a plan that would incorporate the elements outlined above. The levels and parameters should be based upon technically defensible criteria such as widely acceptable studies or government publications such as USDA Handbook 60, EPA standards, etc. **Glenn Mooney**

Comment 9. Section 6, Irrigation Management Practices

i. Berms. Energy Fuels states they will grade and build earthen bridges across some of the deeper channels on the Land Application site to allow the irrigation equipment to cross. They will also use these berms as containment structures to prevent surface water and applied irrigation water from leaving the site.

Construction of these berms introduces at least two groups of additional problems:

a. Construction of Berms. The construction of these berms, presumably from topsoil, will present a problem in areas of thin topsoil. Constructing a berm two to four feet high in areas of thin topsoil could have several undesirable consequences:

1. Construction of the berm could result in the mixing and contamination of topsoil with subsoil and substrate. This would be contrary to Land Quality Division Non-Coal Rules and Regulations, Chapter III, Section 2.(c)(i).

2. Construction of the berms strictly out of topsoil could result in the removal of topsoil from sizable areas next to the berms. These areas would then be difficult to revegetate and consequently

susceptible to erosion. Construction of the berms only from subsoil would leave them difficult to revegetate and also susceptible to erosion.

- b. **Water Impoundments.** Construction of the berms would cause water to impound behind them and then evaporate, concentrating salts and heavy metal behind the berms. Instead of the salts and selenium being spread over the entire area in relatively low concentration, they would tend to be concentrated in relatively few areas above the berms.
- ii. **Inspections.** Energy Fuels must commit to a periodic inspection program for the water retention berms. They are small enough to be vulnerable to damage from small burrowing animals such as ground squirrels and badgers that could create holes leading to breaching. An inspection for such damage before the start of the irrigation season should be mandatory. **Glenn Mooney**

Comment 10 Grazing, Page 38. Energy Fuels proposes to exclude both livestock and antelope from the site. This may be both unnecessary and counter-productive.

If the sampling of soils and vegetation has shown there are no toxic levels of selenium and heavy metals in the vegetation there should be no hazard to grazing animals. If salt concentrations have not negatively influenced the amount of vegetative growth, the vegetative cover should not be harmed by limited grazing. Limited grazing may also have a beneficial effect in the reduction of salts. Some salts accumulated in plant tissues would be removed from the site through their consumption by grazing animals.

Grazing could be allowed as long as it is monitored to insure that sufficient vegetation remains to prevent erosion. Grazing animals should not cause any damage to the irrigation equipment as grazing is routinely carried out in agricultural settings on fields occupied by center-pivot irrigation systems without damage to the equipment.

Two other potential arguments for continued grazing are:

- i. Grazing prevents the excessive buildup of dead plant material that can eventually "choke out" living grasses and forbs.
- ii. The buildup of excessive amounts of dead plant material may lead to a rodent population explosion living under the dead plant material. The rodents can kill the living plants by eating roots and seedlings. Planting grains like barley will increase the likelihood of attracting rodents to the site. **Glenn Mooney**

Comment 11 Section 3.1 states that the slopes range up to 6%. The surface runoff water should be controlled in such a manner that it does not contribute salts and trace metals to lands beyond the permit boundary. Please present a detailed plan to prevent surface runoff from leaving the site.

The response is acceptable. However, the location of the surface water monitoring site shown in the permit application is still to far from the permit boundary. **Steve Ingle**

Comment 12 Figures 2.3 and 2.4 indicate that the RO brine is recombined with the waste water stream in the radium settling ponds. Please discuss the effect that this brine will have on the irrigation water quality.

The response is **not** acceptable. Page 46 of Attachment D indicates that the reject fraction is anticipated to be 40%. The text of the Amendment application on Page 15-42 indicates that the reject fraction is anticipated to represent 35%. The reject fraction presented in other reports generally ranges between 20 and 30%. This would change the overall water balance and because the reject fraction would contain a higher concentration of salts the quality of the water to be applied would be affected. Please correct the discrepancy. **Steve Ingle**

Comment 13 Plate 8.1. The contour designation for the 5250 line on the east side of the irrigation area appears to be incorrect. Please change the designation to 5200.

The response is **not** acceptable. The map has been replaced and the 5250 contour is shown, but the map should have a contour interval listed in the legend and the only contour interval labelled on the map is the 5250. At least one additional contour line should be labelled. **Steve Ingle**

Comment 14 Section 8.1, page 37. Semi-annual monitoring of the shallow monitor wells is not acceptable. Monitoring should be on a monthly basis during the irrigation season.

The response is **not** acceptable. There are 2 purposes for monitoring the shallow unsaturated zone. One of the reasons, as stated by the company, is to monitor for migration into the Upper Aquifer. The second reason is to monitor for lateral movement, which may result in groundwater discharge beyond the permit boundary. This discharge may reach the Belle Fourche on the west, the private stockpond on the east or other points of discharge. Discharges of this nature are not allowed under 35-11-416 of the Environmental Quality Act. **Steve Ingle**

Comment 15 Section 7.4. The LEACHM model was run for an application area of 70 acres. The stated irrigation area is 93 acres. Please justify the 70 acre number.

The response is **not** acceptable. The information contained on Table 2.1 and information contained in Section 6.1.4 do not appear to support this assumption. Use of an arithmetic average of acres per year under irrigation does not address volume of fluid applied to specific acreage. For example, 1/3 of the field will be irrigated for 7 continuous years and during one of those years would receive all irrigation water. Table 2.1 indicates that the irrigation rate is a constant (500 gpm) over the life of the circle and the %/Qtr column is the same for the life of the circle. This indicates that some portions of the field will receive a much higher percentage of the irrigation fluid. This does not

appear to have been considered in the modelling. Please correct these assumptions in the model. **Steve Ingle**

Comment 16 Section 7.4. The simulation was run for an average application rate of 3.84 gpm. However, the planned irrigation rate is 500 gpm. Please justify the 3.84 gpm. Also, the company has stated that their intent is to irrigate approximately 1/4 of the circle per season. Was this considered in the modelling effort?

The response is **not** acceptable. First, see response to comment 15. Secondly, water will be applied to approximately 1/3 of the field not 1/4 as stated, or the entire field. Please correct. Also, see Comment 21. **Steve Ingle**

Comment 17 In Section 3, Page 31 the company indicates that the shallow unsaturated zone sands that will be monitored are at depths of 60 to 80 feet below surface. The top of the sandstone unit of concern is at depths from 0 to 15 feet (and the base of the unit may correlate with the paralithic contact). **Steve Ingle**

Comment 18 From the crosssections it appears that uranium mineralization is present below the irrigation circle. This would indicate that there may be an appreciable number of abandoned exploration holes within the irrigation circle. Please include a discussion of how these holes were abandoned, with particular emphasis on the possibility that these holes would provide a pathway for vertical migration. **Steve Ingle**

Comment 19 Are there any plans to mine the area?

Comment 20 Column 3, Table 2.1 is unclear. The heading indicates %/Qtr and the column numbers are 0, 1, 1, 0.33. Does this refer to 0%, 1%, 1%, and 0.33% and does this refer to quarter circle or quarter year. Please correct the table. Also, the acreage being irrigated will not match the irrigated acres presented in Section 6.1.4. **Steve Ingle**

Comment 21 The documentation for the LEACHM model states that the model is used to predict infiltration to depths of 2 meters, but it was used to predict infiltration to much greater depths. Please provide discussion and justification for the use of the model to predict infiltration to the much greater depths used. **Steve Ingle**

Comment 22 Where in the field is the location of the stratigraphy used in the modelling located?
Steve Ingle

Comment 23 What information was used to determine the permeabilities input into the LEACHM model? **Steve Ingle**

- Comment 24** CONCLUSION. The application is much more thorough and specific than the previous application. In general the most significant outstanding problems appear to be with the LEACHM model and the non uniform irrigation sequence, which results in some areas receiving far more fluid than others. **Steve Ingle**
- Comment 25** All sampling of Selenium in soils should be done in accordance with Standard Operating Procedures For The Sampling And analyses of Selenium in Soil and Overburden/Spoil Material published by the University of Wyoming and revised March 1994. **Don Crecelius**
- Comment 26** The application must: specify how the pipeline will cross Wyoming Highway 387; specify the type of road associated with the pipeline using terminology from the 1993 Non-Coal Rules and Regulations, Chapter I, Section 2(ay); and specify that all surface disturbance associated with the pipeline corridor will be reclaimed according to specific Reclamation Plan procedures. **Bob Giurgevich**
- Comment 27** Sections 7.2 and 10.1, in part, discuss procedures for sampling and analyzing vegetation for selenium concentration. Section 10.0 apparently has conflicting commitments to selenium methodology for vegetation sampling. The LQD prefers that Energy Fuels reference and commit to use the methodology outlined in Steward, D.G. et. al. 1994. Standard Operating Procedures For Sampling Selenium in Vegetation, Publication MP-77 from the University of Wyoming, Agricultural Experiment Station. **Bob Giurgevich**