

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
UNDERGROUND INJECTION CONTROL



DRAFT PERMIT

CO52329-10798

Industry-Other (5A24)

Petro Waste Solutions
Denver County, Colorado

Issued To

Nwestco, LLC
4995 York Street
Denver, Colorado 50216

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AUTHORIZATION TO CONSTRUCT AND OPERATE

Under the authority of the Safe Drinking Water Act (SDWA) and Underground Injection Control (UIC) Program regulations of the U. S. Environmental Protection Agency (EPA) codified at Title 40 of the Code of Federal Regulations (40 CFR) parts 2, 124, 144, 146, and 147, and according to the terms of this permit (Permit),

Nwestco, LLC
4995 York Street
Denver, Colorado 50216

hereinafter referred to as the "Permittee," is authorized to operate the following Class V well(s):

Petro Waste Solutions
4995 York Street
Denver County, Colorado
Latitude 39.787349, Longitude -104.959770

This Permit is based on representations made by the Permittee and other information contained in the administrative record. Misrepresentation of information or failure to fully disclose all relevant information may be cause for termination, revocation and reissuance, or modification of this Permit, and/or formal enforcement action. It is the Permittee's responsibility to read and understand all provisions of this Permit.

EPA UIC permit conditions are based on authorities set forth at 40 CFR parts 144 and 146 and address potential impacts to Underground Sources of Drinking Water (USDWs). Under 40 CFR part 144, subparts D and E, certain conditions apply to all UIC permits and must be incorporated either expressly or by reference. Regulations specific to Colorado injection wells are found at 40 CFR § 147.305. The Permittee is authorized to engage in underground injection in accordance with the conditions of this Permit. Any underground injection activity not authorized by this Permit into the above referenced well(s) is prohibited. Compliance with the terms of this Permit does not constitute a defense to any enforcement action brought under the provisions of Section 1431 of the SDWA. Nothing in this Permit relieves the Permittee of any duties under any other applicable federal, tribal, state, or local law or regulations.

This Permit is issued for ten (10) years from the Effective Date, until it expires under the terms of the Permit, or unless modified, revoked and reissued, or terminated under 40 CFR §§ 124.5, 144.12, 144.39, 144.40 or 144.41.

Issued Date _____ **DRAFT** _____

Effective Date _____ **DRAFT** _____

Sarah Bahrman, Director
Water Division

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SECTION A. WELL CONSTRUCTION REQUIREMENTS

The EPA-approved well construction plan is in ATTACHMENT I of this Permit. The Permittee must comply with ATTACHMENT I, as approved by the Director. The Permittee must notify the Director within 30 days of beginning any construction authorized by this Permit.

After initial construction of the well, the Permittee may make changes consistent with permit conditions as specified in ATTACHMENT I. The Permittee must give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. If these changes result in changes to the well construction schematic, the notification to the Director must identify the changes and include a revised schematic. Such changes must be approved via written correspondence from the Director. Upon approval, the Permittee must comply with such changes, and such changes constitute enforceable requirements of this Permit. The Director may determine that a permit modification is needed to implement a proposed change if it is not within the scope of changes allowed under the Permit or if other Permit changes may be required. Changes to the well construction must not be implemented until after the Permittee has received approval from the Director.

1. Postponement of Construction or Conversion to Injection Wells (New Wells Only¹)

(a) If well construction or conversion has not commenced:

- (i) The Permit expires two years from the “Effective Date” unless the Permittee requests and receives written approval for an extension from the Director. The Permittee is allowed a maximum of two extensions at the Director’s discretion, not to exceed six years after the “Effective Date” to construct the well. The Director may further limit the number of and/or duration of extensions.
- (ii) A request for extension must be in writing and received prior to the applicable permit expiration date. The request must state the reasons for the delay, provide an estimated well completion date.
- (iii) For requests submitted in accordance with this section, the Permit remains in effect unless the Permittee receives written notice from the Director stating that the Permit has expired or is otherwise not extended.
- (iv) Once the Permit has expired, the Permittee must reapply for a UIC permit and restart the complete permit application process, including opportunity for public comment, if intending to use the well(s) for the purposes of injection.

(b) If well construction or conversion has begun before the Permit has expired in accordance with this section and the Permittee has not received authorization to commence injection, the Permittee may elect to convert the well to a non-UIC well found in Section E.2. Injection Well Conversion.

¹ New Wells are defined as wells that have not been constructed.

SECTION B. WELL OPERATION

1. Requirements Prior to Receiving Initial Authorization to Commence Injection (New Wells Only)

Well injection for new wells or previously permitted wells that have ceased injection is prohibited until the Permittee has met all well construction and pre-injection requirements and received written authorization to inject from the Director. Requirements include the following:

- (a) The Permittee has:
 - (i) submitted to the Director a notice of completion of construction and a completed EPA Form 7520-18 and required attachments or its equivalent. If the well construction is different than the approved construction found in ATTACHMENT I, the Permittee must also provide a revised well diagram and a description of any previously approved modification to the well construction.
 - (ii) conducted all applicable requirements found in ATTACHMENT III and submitted required records to the Director.
- (b) The Director has received and reviewed the documentation associated with the requirements in paragraph 1(a) of this section and finds it is in compliance with the conditions of the Permit.
- (c) The Director has inspected the injection well and finds it is in compliance with the conditions of the Permit. Such inspection is waived if the Permittee has not received notice from the Director of intent to inspect the injection well within 13 days of the date of the notice provided in paragraph 1(a) above.

2. Injection Fluid Limitation

Injected fluids are limited to those fluids described in ATTACHMENT II and must comply with the prohibition of fluid movement described in Section I.1. The Permittee must notify the Director in advance of any changes to the injected fluid or modifications in procedures that might result in changes in chemical composition of the injection fluids. The analytical results of the fluid sample must be provided to the Director prior to injection.

After reviewing the proposed changes, the Director may allow the injection fluid change by modifying this Permit in accordance with Section E.1. Additional monitoring requirements may be deemed necessary for the protection of USDWs.

The Permittee must not inject any hazardous substances, as defined by 40 CFR part 261, at any time during the operation of the facility.

Any unauthorized injection or any exceedance of a permit limit or requirement will be considered noncompliance with this permit and may result in an enforcement action.

3. *Alteration and Workover*

Alterations and workovers must meet all conditions of the Permit. Alterations and workovers include any activity that physically changes the well construction. An alteration includes any work performed that affects the quantity or quality of the fluid being injected, or any changes in the design of the injection system.

The Permittee must give advance notice to the Director prior to beginning an alteration to the injection well(s). This notice must be provided at least 30 days prior to the date of the planned alteration. Alterations that fall outside of the minimum construction requirements in ATTACHMENT I will require a permit modification and may require additional testing or monitoring requirements.

The Permittee must record all alterations on a Well Rework Record (EPA Form 7520-19) and submit a revised well schematic and closure plan, if necessary, when the well construction has been modified. The Permittee must submit these documents and other records of alterations, or test data to the Director within 30 days of completion of the activity.

The Permittee must complete any alteration within 90 days of beginning the activity. If the Permittee is unable to complete work within the specified time period, the Permittee must propose an alternative schedule for the Director's approval prior to end of the 90 days.

4. *Surfacing of Fluids*

Operation of the Class V injection well with surfacing fluid visible at the ground surface is prohibited. Upon discovery, the injection of fluid into the injection well must cease immediately. Notification to the Director must be provided within twenty-four (24) hours after discovery.

5. *Site Security and Manifest System Requirements*

The Permittee must implement the site security and manifest system requirements as described in ATTACHMENT VIII. These measures must be put into place and documentation of compliance with the measures must be provided to EPA prior to receiving authorization to inject.

SECTION C. SAMPLING, REPORTING OF RESULTS, AND NOTIFICATION REQUIREMENTS

1. *Injection Well Sampling Program*

The Permittee must collect fluid samples from the last accessible point before the fluids enters the injection well (e.g. vertical well, subsurface fluid distribution system). The samples taken must be representative of the injected fluid. The analyzing laboratory or field analyst must utilize EPA approved methods indicated in ATTACHMENT III – SAMPLING

REQUIREMENTS, or other methods that have been approved by the Director. Any unauthorized injectate or any exceedance of a permit limit or requirement is considered a noncompliance with this permit and may result in an enforcement action.

2. *Sampling Parameters and Frequency*

Sampling parameters are specified in ATTACHMENT III. The listed parameters are to be sampled and reported at the frequency indicated in ATTACHMENT III. In the event the well has not injected or is no longer injecting, the report must reflect that status. Required sampling data must be submitted if the well has injected any time during the reporting period.

Records for sampling and analysis must include:

- (a) the date, exact place, and time of sampling;
- (b) the individual(s) who performed the sampling;
- (c) the date(s) of analyses and individuals who performed the analyses;
- (d) a description of both sampling methodology and the handling of samples;
- (e) the analytical technique or method used; and
- (f) the results of such analyses.

3. *Submission of Sampling Reports*

The Permittee must submit sampling reports to the Director at the frequency required in ATTACHMENT III in accordance with Section I.12 of this Permit. EPA Form 7520-8 or 7520-11 or their equivalents may be used or adapted to submit the reports along with any additional information required in ATTACHMENT III. The Permittee must submit the report to the Director as required in ATTACHMENT III. Reporting requirements begin once the permit becomes effective and are required even when injection activity has not begun.

SECTION D. CLOSURE REQUIREMENTS

1. *Notification of Well Closure Requirements*

The Permittee must notify the Director in writing at least 30 days prior to closure of an injection well. If the Permittee intends on deviating from the previously approved closure plan, the Director must be notified of the intended deviation no less than 45 days prior to the start of the closure work. The Director may allow a shorter notification period if it provides EPA with sufficient time to review and comment on the proposed changes.

2. *Approved Closure Plan Requirements*

The approved closure plan and required tests are incorporated into this Permit as

ATTACHMENT IV. Changes to the approved closure plan must be submitted using EPA Form 7520-19 at least 45 days prior to closure, or less if approved by the Director. The Director may determine that a permit modification is needed to implement a proposed change. Changes to the approved closure plan must not be implemented until after the Permittee has received approval from the Director. Upon approval, the Permittee must comply with such changes, and such changes constitute enforceable requirements of this permit. The Director also may require revision of the approved closure plan at any time prior to closing the well.

3. Closure Requirements.

The Permittee must close the well in a manner that complies with the prohibition of fluid movement in Section I.1. Any soil, gravel, sludge, liquids, or other materials removed from or adjacent to the well must be disposed or otherwise managed in accordance with all applicable Federal, State, and local regulations and requirements.

- (a) Unless converted to a non-UIC well, the well(s) must be closed in accordance with all requirements in this section prior to expiration or termination of this Permit.
- (b) If the Permittee does not reapply, the Permittee must close the well in accordance with ATTACHMENT IV either prior to or upon expiration of the Permit. This requirement is enforceable in the event of permit expiration or termination.

4. Closure Report Requirements

Within 60 days after closing a well, or at the time of the next quarterly report (whichever is less), the owner or operator must submit a closure report to the Regional Administrator. The Permittee must submit a completed EPA Form 7520-19 to the Regional Administrator or an authorized representative. The closure report must be certified as accurate by the person who performed the closure operation. Such report must consist of either:

- (a) a statement that the well was closed in accordance with the approved closure plan; or
- (b) where actual closure differed from the approved closure plan found in ATTACHMENT IV, an updated version of the plan that specifies the differences must be provided. The plan must closely follow the proposed plan. Any significant deviation must be pre-approved by EPA. Failure to follow all closure requirements may lead to enforcement action.

SECTION E. CHANGES TO PERMIT CONDITIONS

1. Modification, Revocation and Reissuance, or Termination

The Director may, for cause, modify, revoke and reissue, or terminate this Permit in accordance with 40 CFR §§ 124.5, 144.12, 144.39, 144.40, and 144.41. The filing of a request for modification, revocation and reissuance, termination, or notification of planned changes

or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any condition of this Permit.

2. Injection Well Conversion

The Permittee must provide a 30-day notice prior to planned well conversion to another type of UIC or non-UIC well. The notification must include the following:

- (a) The type of well to which the authorized well will be converted, and
- (b) A completed 7520-19 form or its equivalent.

The Permittee must receive prior written approval from the Director to proceed with conversion. After conversion work has been completed, the Permittee must provide to the Director:

- (a) Documentation that another agency has regulatory authority over the proposed type of well.

The Permittee must convert the well(s) in a manner that will not allow movement of fluids into or between USDWs. The Permittee must also ensure that the conversion meets all applicable federal, tribal, state, and local requirements. The Permittee must continue to meet all permit requirements until written confirmation of permit expiration is received from the Director.

3. Transfer of Permit

This Permit is not transferable to any person except after notice to the Director. Consistent with 40 CFR § 144.38, this Permit may be transferred by the Permittee to a new owner or operator only if:

- (a) the Permit has been modified or revoked and reissued (under 40 CFR § 144.39(b)(2)), or a minor modification made (under 40 CFR § 144.41(d) to identify the new Permittee and incorporate such other requirements as may be necessary under the SDWA, or
- (b) the Permittee provides written notification (EPA Form 7520-7) to the Director at least 30 days in advance of the proposed transfer date and submits a written agreement between the existing and proposed new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them, and the notice demonstrates that any applicable financial responsibility requirements of 40 CFR § 144.52(a)(7) will be met by the new permittee. If the Director does not notify the Permittee and the proposed new permittee of his or her intent to modify or revoke and reissue, the transfer is effective on the date specified in the written agreement.

Until and unless either of these requirements are met, the Permittee remains liable for all permit compliance and the transferee has no authority to operate or control any well pursuant to this Permit.

4. *Permittee Change of Address*

Upon the Permittee's change of address, or whenever the operator changes the address where monitoring records are kept, the Permittee must provide written notice to the Director within 30 days.

SECTION F. CONTINUATION OF EXPIRING PERMIT

1. *Duty to Reapply*

If the Permittee wishes to continue an activity regulated by this Permit after the expiration date of this Permit, the Permittee must submit a complete application for a new permit at least 180 days before this Permit expires.

2. *Permit Extensions*

The conditions of an expired permit continue in force in accordance with 5 U.S.C. 558(c) until the effective date of a new permit, if:

- (a) The Permittee has submitted a timely application, which is a complete application for a new permit; and
- (b) The Regional Administrator or his/her authorized representative, through no fault of the Permittee, does not issue a new permit with an effective date on or before the expiration date of the previous permit.

3. *Enforcement*

When the Permittee is not in compliance with the conditions of the expiring or expired permit, the Regional Administrator or his/her authorized representative may choose to do any or all of the following:

- (a) Initiate enforcement action based upon the permit which has been continued.
- (b) Issue a notice of intent to deny the new permit. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit.
- (c) Issue a new permit under 40 CFR part 124 with appropriate conditions.
- (d) Take other actions authorized by these regulations.

4. *Tribal or State Continuation*

An EPA issued permit does not continue in force beyond its expiration date under Federal law if at that time a State or Tribe has primary enforcement authority. A State or Tribe authorized to administer the UIC program may continue EPA issued permits until the effective date of

the new permits, if State or Tribal law allows. Otherwise, the facility or activity is operating without a permit from the time of expiration of the old permit to the effective date of the State or Tribal-issued new permit.

SECTION G. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this Permit will not be affected thereby. Additionally, if a permit modification is required, then only those conditions to be modified will be reopened. All other aspects of the existing permit modification will remain in effect for the duration of the permit.

SECTION H. CONFIDENTIALITY

Any information that the Permittee may claim as Confidential Business Information (CBI) or Proprietary Business Information (PBI) in accordance with 40 CFR part 2 and 40 CFR § 144.5 must be asserted at the time of submission by stamping the words "Confidential Business Information" on each page containing such information. Alleged confidential portions of otherwise non-confidential documents should be clearly identified. The Permittee should also indicate a date or event, if any, after which the information no longer needs to be treated as CBI or PBI.

The Permittee is prohibited from claiming confidentiality for the following information:

- (a) the name and address of the Permittee; and
- (b) information which deals with the existence, absence, or level of contaminants in drinking water.

All confidentiality claims submitted to EPA are subject to EPA verification in accordance with 40 CFR § 2.208. The Permittee bears the burden of substantiating the claim. Generalized or conclusory statements will be given little or no weight in the determination on the confidentiality of the claimed information.

If no claim is made at the time of submission, EPA will deem the information to be releasable to the public without further notice.

SECTION I. CONDITIONS APPLICABLE TO ALL PERMITS

1. Prohibition on Movement of Fluid Into a USDW

The Permittee must not construct, operate, maintain, convert, close, plug, abandon, or

conduct any other injection activity in a manner that allows the movement of a fluid containing any contaminant into USDWs, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR part 141, other health based standards, or may otherwise adversely affect the health of persons.

2. *Duty to Comply*

The Permittee must comply with all conditions of this Permit and attachments. Any permit noncompliance constitutes a violation of the SDWA and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application; except that the Permittee need not comply with the provisions of this Permit to the extent and for the duration as such noncompliance is authorized in an emergency permit under 40 CFR § 144.34. All violations of the SDWA may subject the Permittee to enforcement for compliance, civil penalties, and/or criminal prosecution as specified in Section 1423 of the SDWA.

3. *Need to Halt or Reduce Activity Not a Defense*

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

4. *Duty to Mitigate*

The Permittee must take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Permit.

5. *Proper Operation and Maintenance*

The Permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of this Permit.

6. *Permit Actions*

This Permit may be modified, revoked and reissued, or terminated for cause. 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.

7. *Property and Private Rights; Other Laws*

This Permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of any other applicable federal, tribal, state, or local law or regulations.

8. *Duty to Provide Information*

The Permittee must furnish to the Director, within the time specified, any information that the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee must also furnish to the Director, upon request, copies of records required to be kept by this Permit.

9. *Inspection and Entry*

The Permittee must allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- (a) 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;
- (b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- (d) sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the SDWA, any substances or parameters at any location.

10. *Records Retention*

The Permittee must retain records of all monitoring information, including the following:

- (a) Copies of all records required by this Permit;
- (b) Records of all data used to complete the application for this Permit; and
- (c) Other records related to the construction, operation, and closure of a well.

These records must be retained for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

The Permittee must retain records of the nature and composition of all injected fluids until three years after the completion of any closure or plugging and abandonment procedures in accordance with ATTACHMENT IV of this Permit. The Permittee must continue to retain the records after the three-year retention period unless the Permittee delivers the records to the

Regional Administrator, or an authorized representative, or obtains written approval from the Regional Administrator, or an authorized representative, to discard the records.

11. Signatory and Certification Requirements

All applications, reports, or other information submitted to the Regional Administrator or an authorized representative, must be signed and certified according to 40 CFR § 144.32. This regulation explains the requirements for persons duly authorized to sign documents and provides the required certification statement below that must accompany every submitted report:

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

This certification statement is required, unless an EPA approved 7520 form is used.

12. Reporting Requirements

Copies of all reports and notifications required by this Permit must be signed and certified in accordance with the requirements under Section I.11. *Signatory and Certification Requirements* of this Permit and submitted in a manner approved by the Director. All correspondence must reference the well name, well location, and EPA Permit number.

Reports and notifications required by this Permit should follow the Procedures for Submitting Required Reports and Notifications found at: <https://www.epa.gov/uic/underground-injection-control-epa-region-8-co-mt-nd-sd-ut-and-wy#contact>.

- (a) *Sampling Reports.* Sampling results must be reported at the intervals specified in ATTACHMENT III.
- (b) *Planned changes.* The Permittee must give notice to the Director as soon as possible of any planned changes, physical alterations, or additions to the permitted well, and prior to commencing such changes.
- (c) *Anticipated noncompliance.* The Permittee must give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with Permit requirements.
- (d) *Compliance schedules.* Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit must be submitted no later than 30 calendar days

following each schedule date.

- (e) *Twenty-four-hour reporting.* The Permittee must report to the Director any circumstance that may endanger human health or the environment, including:
 - (i) any monitoring or other information indicating that any contaminant may cause an endangerment to a USDW; or
 - (ii) any noncompliance with a permit condition or malfunction of the injection system that may cause unauthorized fluid migration into or between USDWs.

Information must be provided, either directly or by leaving a message, within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances by telephoning (800) 227-8917 and requesting EPA Region 8 UIC Program SDWA Enforcement Supervisor, or by contacting EPA Region 8 Emergency Operations Center at (303) 293-1788.

In addition, a follow up written report must be provided to the Director within five calendar days of the time the Permittee becomes aware of the circumstances. The written submission must contain a description of the event, the causes of the event, the period of the event (i.e., exact dates and times). If the noncompliance has not been corrected, the anticipated time it is expected to continue and the steps taken or planned to reduce, eliminate, and prevent recurrence.

- (f) *Other Noncompliance.* The Permittee must report all instances of noncompliance not reported under paragraphs 11(a), 11(d), or 11(e) of this section at the time that monitoring reports are submitted. The reports must contain the information listed in paragraph 11(e) of this section.
- (g) *Other information.* Where the Permittee becomes aware of a failure to submit any relevant facts in a permit application, submitted incorrect information in a permit application, or submitted incorrect information in any report to the Director, the Permittee must submit such facts and corrections to the Director within 30 days of discovery of failure.
- (h) *Oil Spill and Chemical Release Reporting.* The Permittee must comply with all reporting requirements related to the occurrence of oil spills and chemical releases that may endanger USDWs by contacting the National Response Center (NRC) at (800) 424-8802 or NRC@uscg.mil. This requirement is independent of and does not relieve the permittee from any other applicable reporting obligations under other federal, state or local laws.

ATTACHMENT I - WELL CONSTRUCTION REQUIREMENTS

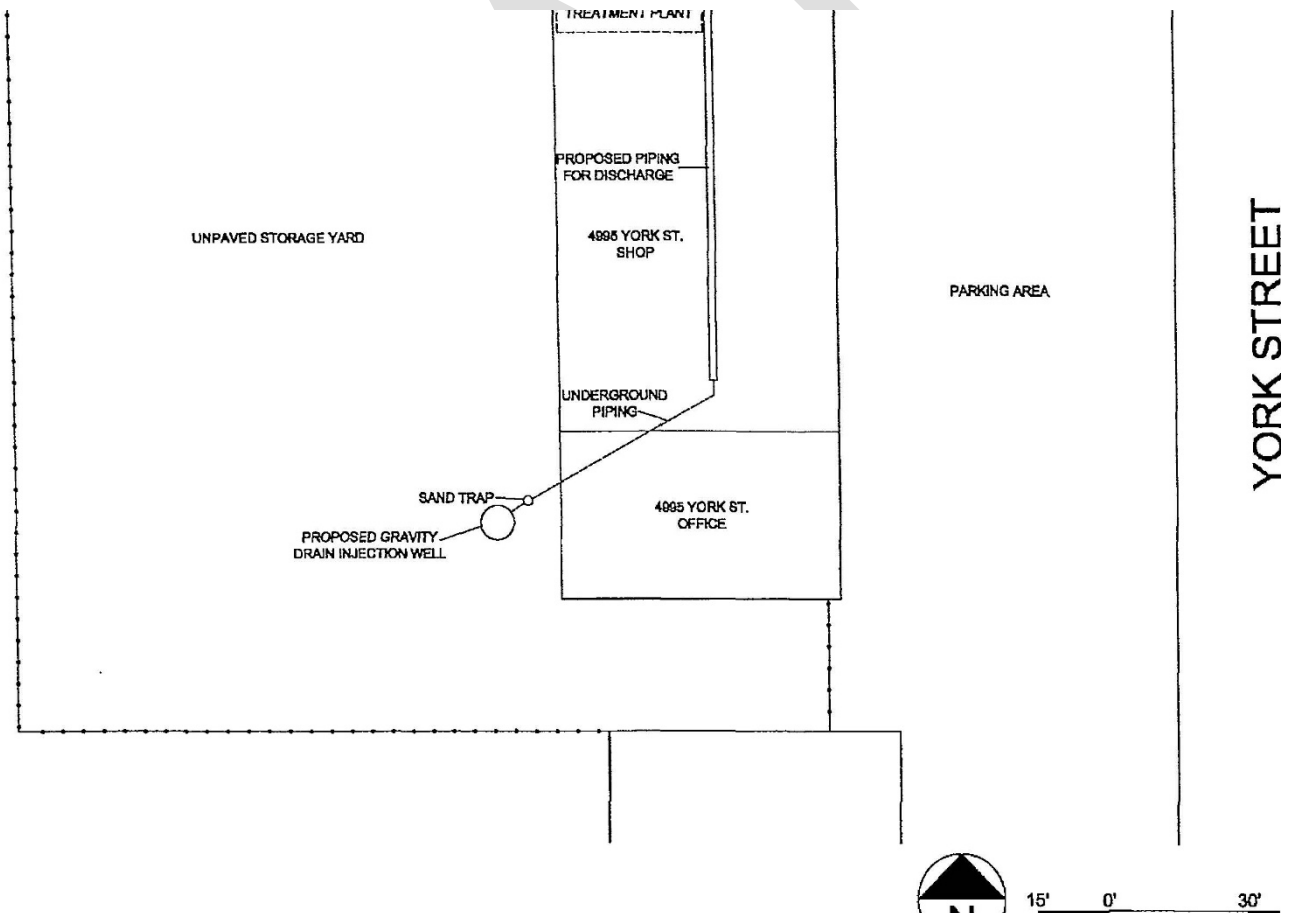
Well Construction Requirements

The approved well construction includes the minimum requirements listed below and is depicted in the well schematics.

- The injection well consists of a dry well that extends to a depth of twelve (12) feet below land surface and is seven (7) feet in diameter with an open bottom to the surficial aquifer. A manhole cover caps the top opening of the dry well.

This Permit allows the Permittee to make changes to the well construction, only if the well maintains the minimum requirements. This means that additions to the well construction that make the well more protective for USDWs are within the scope of authorized actions in this Permit, but the Permittee cannot remove any of the approved required minimum elements described above and detailed in the well construction schematic.

SITE MAP WITH WELL LOCATION



DRY WELL CONSTRUCTION DIAGRAM

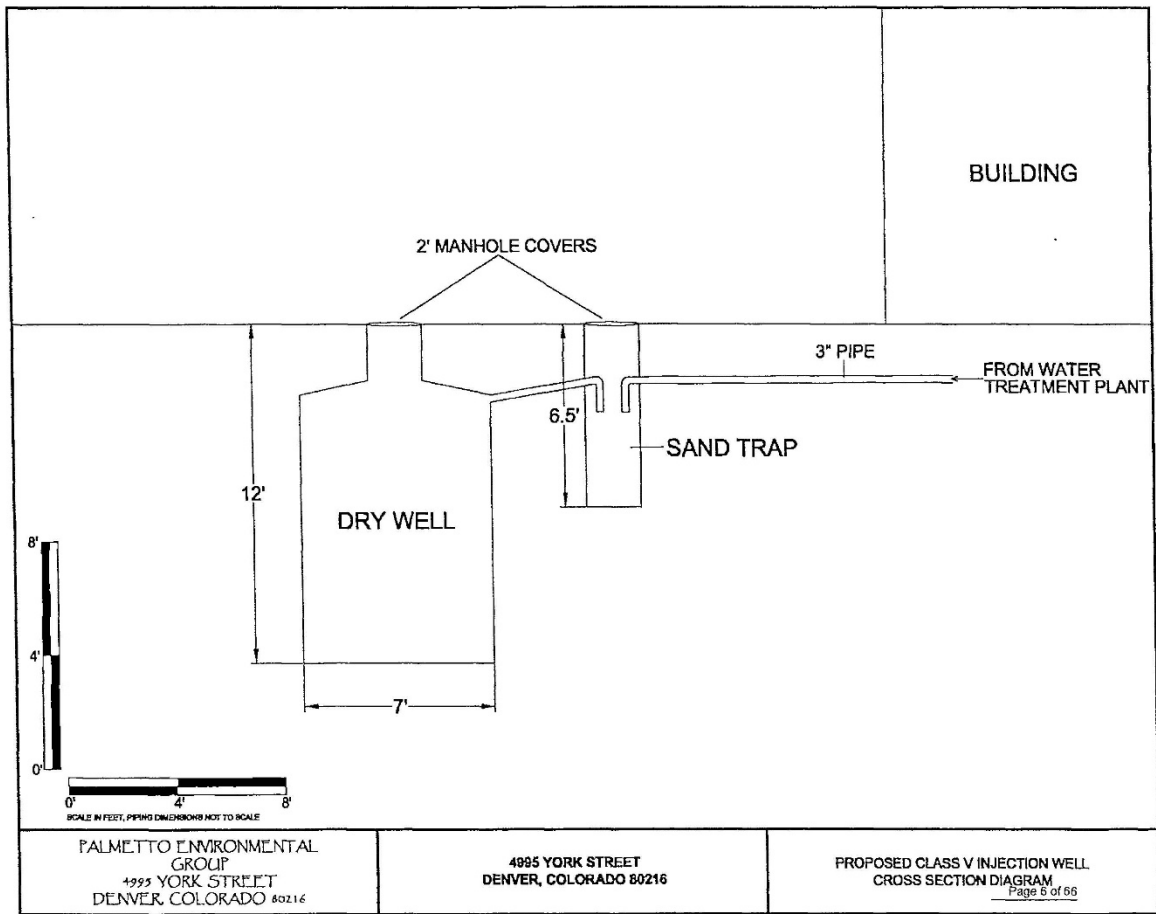


Figure 5

ATTACHMENT II - OPERATING REQUIREMENTS

1. Injection Fluid Limitation

The injectate is limited to treated wastewater from the on-site treatment system. Any discharge into the dry well must meet the primary drinking water standards prior to injection. Nwestco receives fluids that are contaminated with VOC based compounds and may only inject these fluids from petroleum testing and contaminated petroleum sites regulated by the State of Colorado. These fluids are treated to remove these compounds prior to discharge into the dry well.

Changes to the injected fluid may be permitted when following the procedure described in Section B.2.

The burden of ensuring that only fluids authorized by the Permit are disposed of into the well is on the Permittee.

ATTACHMENT III – SAMPLING REQUIREMENTS

Sampling requirements, units for reporting, permit limitations (if applicable), analytical methods, and reporting frequencies are listed below. If analytical methods are not provided in the table below, sampling analytical methods must comply with those found in 40 CFR §136.3 and APPENDIX II of 40 CFR 261. Alternative analytical methods may be used if pre-approved by the Director.

Results of the sampling requirements must be provided:

- At the sampling reporting frequency described in the table below.
- At the request of the Director.

Analyte	Maximum Permit Limit (mg/L)	Analytical Method	Sampling Frequency	Reporting Frequency
1,1,1-Trichloroethane	0.2		Monthly	Quarterly
1,1,2-Trichloroethane	0.005		Monthly	Quarterly
1,1-Dichloroethylene/1,1-Dichloroethene	0.007		Monthly	Quarterly
1,2,4-Trichlorobenzene	0.07		Monthly	Quarterly
1,2-Dichloroethane	0.005		Monthly	Quarterly
1,2-Dichloroethylene/1,2-Dichloroethene (DCE)	0.1		Monthly	Quarterly
1,2-Dichloropropane	0.005		Monthly	Quarterly
Benzene	0.005		Monthly	Quarterly
Carbon tetrachloride	0.005		Monthly	Quarterly
Chlorobenzene	0.1		Monthly	Quarterly
cis-1,2-Dichloroethylene	0.07		Monthly	Quarterly
Dichloromethane	0.005		Monthly	Quarterly
Ethylbenzene	0.7		Monthly	Quarterly
Ethylene dibromide (1,2-Dibromomethane)	0.00005	EPA 524.2, 8260	Monthly	Quarterly
o-Dichlorobenzene (1,2-Dichlorobenzene)	0.6	EPA 524.2	Monthly	Quarterly
p-Dichlorobenzene (1,4-Dichlorobenzene)	0.075	EPA 524.4	Monthly	Quarterly
Styrene	0.1		Monthly	Quarterly
Tetrachloroethylene	0.005		Monthly	Quarterly
Toluene	1.		Monthly	Quarterly
Trichloroethylene	0.005		Monthly	Quarterly
Vinyl chloride	0.002		Monthly	Quarterly
Xylenes (total)	10		Monthly	Quarterly
Bromodichloromethane*	0.08		Monthly	Quarterly
Bromoform*	0.2		Monthly	Quarterly
Chloroform*	0.07		Monthly	Quarterly
Total Trihalomethanes (TTHM)	0.08		Monthly	Quarterly

1,1,1,2-Tetrachloroethane*	0.07	EPA 524.2, 8260	Monthly	Quarterly
1,1,2,2-Tetrachloroethane*	0.04	EPA 524.2, 8260	Monthly	Quarterly
1,2,3-Trichloropropane*	0.02	EPA 524.2, 8260	Monthly	Quarterly
2-Chlorotoluene (o-)*	0.1	EPA 524.2, 8260	Monthly	Quarterly
4-Chlorotoluene (p-)*	0.1	EPA 524.2, 8260	Monthly	Quarterly
Acetone*	6	EPA 524.2, 8260	Monthly	Quarterly
Acrylonitrile	0.006	EPA 524.2, 8260	Monthly	Quarterly
Bromobenzene*	0.06	EPA 524.2, 8260	Monthly	Quarterly
Bromochloromethane*	0.08	EPA 524.2, 8260	Monthly	Quarterly
Bromomethane*	0.01	EPA 524.2, 8260	Monthly	Quarterly
Dibromochloromethane (THM)*	0.06	EPA 524.2, 8260	Monthly	Quarterly
Chloromethane*	0.4	EPA 524.2, 8260	Monthly	Quarterly
Hexachlorobutadiene*	0.002	EPA 524.2, 8260	Monthly	Quarterly
Isopropylbenzene (cumene)*	0.8	EPA 524.2, 8260	Monthly	Quarterly
Methyl Ethyl Ketone*	4	EPA 524.2, 8260	Monthly	Quarterly
Naphthalene*	0.1	EPA 524.2, 8260	Monthly	Quarterly
Trichlorofluoromethane*	2	EPA 524.2, 8260	Monthly	Quarterly
Hexachloroethane*	0.001	EPA 524.2, 8260	Monthly	Quarterly
1,3-Dichlorobenzene m-*	0.6	EPA Method 524.2 or 8260	Monthly	Quarterly
Dichlorodifluoromethane*	1	EPA Method 524.2 or 8260	Monthly	Quarterly
Iron (Total) (Fe)	NA	EPA 200.7, 200.9	Monthly	Quarterly
Antimony (Sb)	0.00600		Monthly	Quarterly
Arsenic (As)	0.01000		Monthly	Quarterly
Barium (Ba)	2.00000		Monthly	Quarterly
Beryllium (Be)	0.00400		Monthly	Quarterly
Boron (B)	NA		Monthly	Quarterly
Cadmium (Cd)	0.00500		Monthly	Quarterly
Chromium (total)	0.10000		Monthly	Quarterly
Copper (Cu)	1.30000		Monthly	Quarterly
Lead (Pb)	NA		Monthly	Quarterly

Manganese (Mn)	NA		Monthly	Quarterly
Mercury (inorganic) (Hg)	0.00200		Monthly	Quarterly
Molybdenum (Mo)	NA		Monthly	Quarterly
Nickel (Ni)	NA		Monthly	Quarterly
Selenium (Se)	0.05000		Monthly	Quarterly
Silver (Ag)	NA		Monthly	Quarterly
Strontium (Sr)	NA		Monthly	Quarterly
Thallium (Tl)	0.00200		Monthly	Quarterly
Zinc (Zn)	NA		Monthly	Quarterly

Note – all constituents with an * following the name are either health advisories or secondary MCLs

ATTACHMENT IV - CLOSURE REQUIREMENTS

The approved plan is provided in this attachment. Should the Permittee need to modify the approved plan, the following standards, at a minimum, must be satisfied in any submission in accordance with Section D. *Closure Requirements*.

Petro Waste Solutions (injection well) must be abandoned according to 40 CFR § 146.10(c) and the following requirements to prevent pathways into the subsurface. This includes:

The drywell is approximately 7 feet in diameter and 12 feet deep.

- Pump water/ liquid debris from dry well
- Disinfect well with a chlorine solution
- Fill the well with concrete to within approximately 1-foot of the surface.
- Replace the manhole cover after the dry well is plugged (the manhole cover is in place during operation) and mark as abandoned and seal the cover by welding in place.

Document the process with photos and written procedures involving the processes used including:

- Receipts showing the pumping of water/liquid debris.
- The type of chlorine solution used for disinfection.
- The amount of concrete and the mixture used.
- Photos of the well with no water.
- Photos of the concrete fill.
- Photos of the welded manhole lid and abandonment markings.
- Date of abandonment

ATTACHMENT V - SITE SECURITY AND MANIFEST REQUIREMENTS

Within 90 days of permit issuance, the Permittee must provide evidence that the *Site Security* measures have been implemented and a copy of the Facility Manifest that contains the information provided below under *Facility Manifest for Injection Fluids*.

Site Security

Signage

Waterproof sign(s) must be maintained and readily visible at the entrance from public roads leading to the commercial disposal well. The sign(s) must indicate the property is private, that no trespassing is allowed, and the name of the operator and emergency contact phone number.

Building

The facility operates a wastewater treatment facility, which only takes waste delivered to the building. The injection well is only accessible through the building. The building is a cinderblock construction. All entry points must be locked when the facility is unattended. Only authorized personnel will have access to the site and ability to open the doors.

Tamper Proof Locks

All facility access and injection points, including but not limited to individual well and building must be secured when the facility is unattended.

Facility Manifest for Injection Fluids

It is the responsibility of the Permittee to ensure that prohibited fluids are not injected into the well. Therefore, the Permittee is required to do the following to ensure that prohibited fluids are not injected for every disposal load received from various sites.

1. The Permittee must establish and maintain a three-party custody record between the Generator (responsible party from where the fluids were generated), Transporter and Disposal Facility (Permittee):
 - a. Generator: company name, company address, company telephone number, the name and location from where fluids were produced, fluid type (source of fluid);
 - b. Transporter: company name, company address, company telephone number, truck driver name, truck identification number, location, and date of pick up, volume of fluids picked up from the Generator; fluid type (source of fluid); and
 - c. Disposal Facility: facility name, facility address, facility telephone number, date, time, volume of fluids unloaded at the Disposal Facility, and fluid type (source of fluid)
2. The Permittee must certify as follows:

I certify under the penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel

properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

3. The Permittee must obtain certification from the Transporter that states:

I certify under penalty of law that the fluids that I am transporting have not been mixed with hazardous or radioactive fluids, and I have transported the fluids in compliance with Department of Transportation requirements for injection into a well subject to the requirements in this Permit and applicable Underground Injection Control Program regulations under the Safe Drinking Water Act.

The Facility Manifest records must be kept for a minimum of three (3) years after date of disposal on site at the facility and must be made available upon request. Additionally, each delivery and its volume injected must be logged and available for EPA to review.

4. Requirements if Discrepancies are Found Between Manifest and Permit Requirements

- a. The Permittee must review the manifest monthly:
 - i. To ensure that the volume of fluids that the Transporter picked up matches the volume of fluids unloaded by the Disposal facility;
 - ii. To ensure that the place of origin of the fluids are only petroleum testing and petroleum contaminated sites and injection fluid limitations are met consistent with Attachment II of the Permit;
 - iii. To ensure that the fluid type listed in the manifest are authorized by the Permit.
- b. If the following discrepancies are found in the manifest review, the Permittee must immediately investigate the discrepancy to determine whether there is reason to believe that the injectate may not be a type of injectate authorized by the permit. The Permittee must also provide written notification to the Director within 24 hours of discovery. The Permittee must write a report describing the investigation and conclusions and submit it to the Director within 30 days of discovery.
 - i. If the difference between the volume of fluids unloaded by the Disposal facility and the volume of fluids the Transporter picked up is greater than 5%;
 - ii. If the source of origin of the fluids is not a source of injectate authorized by the Permit;
 - iii. If the fluid type listed in the manifest is not authorized by the Permit.
- c. If the Permittee's investigation concludes that there is reason to believe that the injectate may not be authorized by the Permit, the Permittee must take action to prevent the delivery of unauthorized fluids.
- d. The Permittee must also submit a quarterly report describing the review in 4.a above. If the Permittee does not identify any discrepancies described in 4.b, the report must state this.