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|---|---|
| Arizona Department of Environmental Quality AQUIFER PROTECTION PERMIT DETERMINATION OF APPLICABILITY | <i>Office Use Only</i> Facility Name: _____ _____ Engineering Review File #: _____ Site-op #: _____ Inventory #: _____ |
|---|---|

AN APPLICATION FEE OF \$2,000 IS REQUIRED AND IS NON-REFUNDABLE. MAXIMUM FEE IS \$15,000. Arizona Administrative Code R18-14-102 & 103.

NAME OF THE OPERATION

NAME OF OWNER

NAME OF OPERATOR

LOCATION OF OPERATION (STREET ADDRESS)

LATITUDE AND LONGITUDE

TOWNSHIP, RANGE, SECTION, QUARTER SECTION

| |
|-----------------|
| MAILING ADDRESS |
|-----------------|

NAME

NUMBER, STREET OR POST OFFICE BOX NUMBER

CITY, STATE, ZIP CODE

CONTACT PERSON NAME AND TELEPHONE NUMBER

Provide a detailed description of the operation (the nature of the business or activity), noting any potential discharges. See attached definitions. ADEQ will make its determination based only on the information provided in this application and any attachments. Please ensure that the information is correct, all questions are answered, and sufficient detail is provided to form a basis for a decision. ADEQ may conclude that no determination is possible if inadequate information is provided.

**Return to: Arizona Department of Environmental Quality
Groundwater Section
1110 West Washington Street, 5415B-3
Phoenix, Arizona 85007**

This form enables the staff of the ADEQ Groundwater Section to determine which, if any, regulatory Water Permits programs may apply to any discharging activity in which you are engaged or in which you may become engaged. The Department regulates many kinds of activities; therefore, many of the kinds of facilities or activities listed below may not apply to your operation or property. Please answer all questions and where applicable, explain with sufficient detail in the requested description. Attach additional sheets and reference sheets along with any design plans, site plans, maps, etc., that may assist us in this review.

| Is the operation involved in any of the following? | | | If yes, provide a brief description of the type, composition, quantity of any materials, used, stored, handled or disposed of. Attach additional sheets and references as needed |
|--|-----|----|--|
| ACTIVITY | | | |
| Chemical Use, Production or Storage | Yes | No | <hr/> |
| Fuel Storage | Yes | No | <hr/> |
| Generation, Storage or Use of Hazardous Wastes | Yes | No | <hr/> |
| Construction, Foundation or Underground Dewatering | Yes | No | <hr/> |
| Drilling | Yes | No | <hr/> |
| Groundwater or Vadose Zone Monitoring | Yes | No | <hr/> |
| Hydrostatic Testing | Yes | No | <hr/> |
| Hydrologic Tracer Study | Yes | No | <hr/> |
| Potable Water System Maintenance | Yes | No | <hr/> |
| Storm Water Control | Yes | No | <hr/> |
| Well Development or Redevelopment | Yes | No | <hr/> |
| Asphalt Production | Yes | No | <hr/> |
| Aircraft or Automobile Servicing | Yes | No | <hr/> |
| Dry Cleaning | Yes | No | <hr/> |
| Equipment Washing | Yes | No | <hr/> |
| Emergency Fire Event Water | Yes | No | <hr/> |
| Food Preparation | Yes | No | <hr/> |
| Golf Cart Washing | Yes | No | <hr/> |
| Manufacturing | Yes | No | <hr/> |
| Medical or Dental Services | Yes | No | <hr/> |
| Mortician Services | Yes | No | <hr/> |
| Operations that Add a Pollutant to a Drywell | Yes | No | <hr/> |
| Parts Assembly | Yes | No | <hr/> |
| Photographic Processing | Yes | No | <hr/> |
| Printing | Yes | No | <hr/> |
| Paint Stripping | Yes | No | <hr/> |
| Painting | Yes | No | <hr/> |
| Truck or Car Washing | Yes | No | <hr/> |

Is the operation involved in any of the following?

If yes, provide a brief description of the type, composition, quantity of any materials, used, stored, handled or disposed of. Attach additional sheets and references as needed

ACTIVITY

| ACTIVITY | Yes | No | |
|--|-----|----|--|
| Acid Rock Drainage Control | Yes | No | |
| Leaching Operations | Yes | No | |
| Mining | Yes | No | |
| Milling | Yes | No | |
| Operations that Add a Pollutant to a Salt Dome or Salt Bed Formation | Yes | No | |
| Operations that Add a Pollutant to an Underground Cave or Mine | Yes | No | |
| Ore Processing | Yes | No | |
| Placer Mining | Yes | No | |
| Sand and Gravel Extraction | Yes | No | |
| Hazardous Waste Treatment or Disposal | Yes | No | |
| Industrial Wastewater Treatment or Disposal | Yes | No | |
| Potable Water Treatment and Residue Disposal | Yes | No | |
| Sanitary Wastewater Treatment or Disposal | Yes | No | |
| Wetlands Treatment System | Yes | No | |
| Discharge to a Community Sewer System | Yes | No | |
| Disposal of Waste Solvents or Oil to a Ditch, Pit, Pond, or Land Surface | Yes | No | |
| Disposal of Water or Wastewater to Natural or Constructed Wetlands | Yes | No | |
| Groundwater Recharge Project | Yes | No | |
| Oil/Water Separations Systems | Yes | No | |
| Pre-treatment of Wastewater before Discharge to Sewer | Yes | No | |
| Land Treatment of Wastewater | Yes | No | |
| Release of Water or Wastewater to a Canal, Lake, Stream, River, Dry Wash or other Surface Water Body | Yes | No | |
| Release to, or Storage of Liquids or Semi-liquids in a Ditch, Pit, Pond, Land Surface or Wash | Yes | No | |
| Reuse of Industrial or Commercial Process Wastewater | Yes | No | |
| Reuse of Sanitary Wastewater | Yes | No | |
| Settling, Flocculation or Filtration | Yes | No | |
| Sewage Collection System | Yes | No | |
| Underground Storage and Recovery Project | Yes | No | |
| Application of Materials to the Land Surface | Yes | No | |

Is the operation involved in any of the following?

If yes, provide a brief description of the type, composition, quantity of any materials, used, stored, handled or disposed of. Attach additional sheets and references as needed

ACTIVITY

| | | | |
|---|-----|----|--|
| Bioremediation | Yes | No | |
| Burying of Wastes | Yes | No | |
| Disposal of garbage, trash, refuse, manure, process waste, rubbish, construction debris, or other solid waste | Yes | No | |
| Dust Control | Yes | No | |
| Sludge Disposal | Yes | No | |
| Waste Recycling | Yes | No | |
| Agricultural Application of Sludge | Yes | No | |
| Agricultural Production | Yes | No | |
| Animal Feeding Operations | Yes | No | |
| Aquiculture | Yes | No | |
| Boarding Animals | Yes | No | |
| Horticulture | Yes | No | |
| Irrigation | Yes | No | |
| Raising Livestock | Yes | No | |
| Silviculture | Yes | No | |
| Tick-Dipping of Animals | Yes | No | |
| Tree Farming | Yes | No | |
| Veterinary Services | Yes | No | |
| Other Activity (Other than Household Activity) | Yes | No | |

Does the Operation include any of the following features?

Indicate number, type, and design capacity process flow, if applicable. Describe briefly. Attach additional sheets and references as needed.

FEATURE

| | | | |
|--|-----|----|--|
| Boilers | Yes | No | |
| Cooling Tower | Yes | No | |
| Evaporation Cooler | Yes | No | |
| Heat Exchange System | Yes | No | |
| Refrigeration Unit | Yes | No | |
| Swimming Pool | Yes | No | |
| Storm Sewer | Yes | No | |
| Storm Water Diversion Features | Yes | No | |
| Storm Water Impoundments or Containment Features | Yes | No | |
| Drywell which receives storm water runoff | Yes | No | |

Does the Operation include any of the following features? Indicate number, type, and design capacity process flow, if applicable. Describe briefly. Attach additional sheets and references as needed.

FEATURE

| | | | |
|--|-----|----|--|
| Drywell which receives storm water from areas where fuels, wastes or other chemicals are used, stored, treated, handled, or manufactured | Yes | No | |
| Drywell or injection wells that receive other fluids in addition to storm water. | Yes | No | |
| Monitor Wells | Yes | No | |
| Oil, Gas, Geothermal or Helium Wells | Yes | No | |
| Vadose Wells | Yes | No | |
| Water Wells | Yes | No | |
| On-Site Wastewater Treatment Facility consisting of one or more of the following treatment and/or disposal technologies: | | | |
| Aerobic Treatment System | Yes | No | |
| Cap System | Yes | No | |
| Constructed Wetland | Yes | No | |
| Composting Toilets | Yes | No | |
| Disinfection Devices | Yes | No | |
| Chamber Technology | Yes | No | |
| Seepage Pits | Yes | No | |
| Earth Pit Privies | Yes | No | |
| Engineered Pad and Sand Bed Assembly | Yes | No | |
| Evaltranspiration Bed | Yes | No | |
| Gravelless Pipe or Trench | Yes | No | |
| Gray Water System | Yes | No | |
| Intermittent Sand Filter | Yes | No | |
| Leach Lines/Leach Field | Yes | No | |
| Peat Filter | Yes | No | |
| Pressurized Distribution System | Yes | No | |
| Nitrate Reactive Media | Yes | No | |
| Sand Lined Trench | Yes | No | |
| Septic Tanks | Yes | No | |
| Surface Drip Irrigation Disposal | Yes | No | |
| Sewage Vault | Yes | No | |
| Subsurface Drip Irrigation Disposal System | Yes | No | |
| Textile Filter | Yes | No | |
| Trench | Yes | No | |

Does the Operation include any of the following features? Indicate number, type, and design capacity process flow, if applicable. Describe briefly. Attach additional sheets and references as needed.

FEATURE

| | | |
|---|-----|----|
| Wastewater Treatment Pits | Yes | No |
| Wisconsin Mounds (Mound Disposal Systems) | Yes | No |
| Other (Describe) | Yes | No |
| Sewage Treatment Ponds or Lagoons | Yes | No |
| Wastewater Treatment Plant | Yes | No |
| Canals, Ditches or Other Facilities for Surface Transportation of Water or Wastewater | Yes | No |
| Evaporation Ponds | Yes | No |
| Holding, Storage or Retention Basins or Ponds | Yes | No |
| Percolation Ponds | Yes | No |
| Settling Ponds | Yes | No |
| Sludge Ponds | Yes | No |
| Surface Impoundments | Yes | No |
| Evapotranspiration Beds | Yes | No |
| Sludge Drying Beds | Yes | No |
| Above Ground Storage Tanks | Yes | No |
| Underground Storage Tanks | Yes | No |
| Other On-site Tanks or Sumps | Yes | No |
| Intermediate Stockpiles at Mining Sites | Yes | No |
| Mine Leaching Pads, Piles or Dumps | Yes | No |
| Mine Leaching Ponds | Yes | No |
| Mine Tailings Pads | Yes | No |
| Mine Tailings Pads, Piles or Dumps | Yes | No |
| Mine Tailings Ponds | Yes | No |
| Off-road Motor Vehicle Waste Tire Burial Site | Yes | No |
| Ore Stockpiles | Yes | No |
| Landfill or Solid Waste Disposal Facility | Yes | No |
| Other (Describe) | Yes | No |

Does the Operation include any of the following features?

If yes, describe each closed facility. Provide historical information for each closed facility, to include all inflows and outflows each facility received (solid or liquid), if applicable. Describe the source of inflows and outflows and attach a flow chart, if applicable. Provide dates of operation, discharge description, discharge characterization, discharge location, volumes, frequency, method of transfer, etc. and dates of closure, if applicable. Attach additional sheets and references as needed. Please provide a summary of the closed facility or facilities by completing DOA Attachment 1.

FEATURE

Closed Facility or Facilities

Yes No

Does each Closed Facility meet the following criteria?

Provide dates of clean closures, if applicable. Provide historical information for each new installation or modification, if applicable. Describe any remedial or reclamation activity/action, if applicable. Attach additional sheets and references as needed.

ACTIVITY

Facility ceased operation before Jan. 1, 1986

Yes No

As of August 13, 1986, facility was not engaged in any activity for which the facility was designed and that was previously operated with no intent to resume operation

Yes No

Facility has been approved as a clean closure by ADEQ

Yes No

Facility's post-closure monitoring and maintenance plan, notifications and approvals required in a permit have been completed

Yes No

Facility had new installations or modifications after January 1, 1986 to include liners, treatment systems, pump-back systems, storm water management systems, impoundments, sump and diversions

Yes No

Facility's new installations or modifications primary purpose is to manage, treat, or contain surface or subsurface flows

Yes No

Facility's new installations or modifications are used to produce a marketed commodity

Yes No

Facility was used as part of a remedial or reclamation activity/action or facility itself was involved with reclamation or remediation

Yes No

Facility received soil, solids, rock, solutions, or groundwater from an APP regulated facility, an APP closed facility, an APP exempt facility, or from any other State or Federally regulated program that may or may not have been involved as part of a remedial action

Yes No

Are there any wastes or by-products created in the operation or activity?

- a. If yes, what are they?
- b. How are they discharged or disposed?
- c. Where is the location of the discharge?
- d. What is the frequency and volume of discharge?
- e. Is there any treatment before discharge? If yes, describe.

Do you own or operate any land, building, installation, structure, conveyance, area or source associated with the discharging or disposal activity, operation, or facility in question?

If yes:

- a. When was it constructed?
- b. Have there been any modifications since the original construction?
- c. If yes, When?
- d. What was the nature of the change? (provide details regarding changes in quality or quantity)
- e. Are there any wastes or by-products that resulted from the modification?
- f. How are they disposed?

Are there any wastes or by-products stored on-site?

- a. If yes, describe type, quantity and nature of storage.

Does the operation or activity involve sewage disposal or reuse of reclaimed water? If yes, describe. Attach additional sheets as needed.

Are there any industrial or non-domestic sources of sewage or wastewater?

- a. If yes, describe.

How long has the facility operation or activity been at its present location?

Is the facility in operation now?

- a. If no, when did operations cease?

or:

- b. When are operations expected to begin?

List any environmental permits held for the operation, facility or activity. Provide the permit number and the name of the issuing entity.

What is the depth of groundwater beneath the operation or activity?

- a. Source and date of data:

Does the operation involve any groundwater monitoring or environmental remediation?

- a. If yes, describe.

- b. Attach most recent groundwater analyses

- c. Attach any wastewater or effluent analyses, waste characterization studies or ambient groundwater analyses.

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.

Signature, Date, Title

Revised July/2011

DEFINITIONS

AMBIENT - conditions as they currently exist in the specified environment.

AQUICULTURE - any operation direction toward the growth and harvest of life forms whose environment is within water.

AQUIFER - means a geologic unit that contains sufficient saturated permeable material to yield usable quantities of water to a well or spring.

AQUIFER PROTECTION PERMIT - means an individual or general permit issued under A.R.S. §§ 49-203, 49-241 through 252, and A.A.C. Title 18 Chapter 9, Articles 1, 2 and 3.

CLOSED FACILITY - means:

- (a) A facility that ceased operation before January 1, 1986, that is not, on August 13, 1986, engaged in the activity for which the facility was designed and that was previously operated and for which there is no intent to resume operation as provided by A.R.S. § 49-201.
- (b) A facility that has been approved as a clean closure by the director as provided by A.R.S. § 49-201.
- (c) A facility at which any post-closure monitoring and maintenance plan, notifications and approvals required in a permit have been completed as provided by A.R.S. § 49-201.
- (d) Any facility designed and operated to manage, treat or contain surface or subsurface flows at or from a closed facility (as defined in A.R.S. 49-201(7)(a)-(c)), to include liners, treatment systems, pump-back systems, storm water management systems, impoundments, sumps and diversions, even if such facilities were installed or modified after January 1, 1986, so long as the facility's primary purpose is to manage, treat, or contain surface or subsurface or subsurface flows and not for the production of a marketed commodity.

DESIGN CAPACITY - means the volume of a containment feature at a discharging facility that accommodates all permitted flows and meets all Aquifer Protection Permit conditions, including allowances for appropriate peaking and safety factors to ensure sustained reliable operation.

DESIGN FLOW - means the daily flow rate a facility is designed to accommodate on a sustained basis while satisfying all permit discharge limitations and treatment and operational requirements. The design flow incorporates peaking and safety factors to ensure sustained reliable operation.

DISCHARGE - means the direct or indirect addition of any pollutant to the waters of the state from a facility. For purposes of the Aquifer Protection Permit program prescribed by Title 49, Article 3, Chapter 2 of the Arizona Revised Statutes, discharge means the addition of a pollutant from a facility either directly to an aquifer or to the land surface or the vadose zone in such a manner that there is a reasonable probability that the pollutant will reach an aquifer.

DISPOSAL PIT (seepage pit) - a type of sidewall absorption system which uses a vertical, cylindrical underground receptacle, constructed so as to permit disposal of effluent or clear wastes by soil absorption through its walls.

DISPOSAL SYSTEM - means a system for disposing of wastes, either by surface or underground methods, and includes sewerage systems, treatment works, disposal wells, and other systems.

DISPOSAL TRENCH - a type of sidewall absorption system which uses an area excavated 1 to 3 feet in width and which contains a bedding of aggregate and a single disposal trench.

DISPOSE - means the deposit, injection, dumping, spilling, leaking or placing of any pollutants into or on any land or water so that the pollutant or any constituent of the pollutant may enter the environment or be discharge into any waters, including aquifers.

DRYWELL - means a well which is a bored, drilled or driven shaft or hole whose depth is greater than its width and is designed and constructed specifically for the disposal of storm water. Drywells do not include class 1, class 2, class 3 or class 4 injection wells as defined by the Federal Underground Injection Control Program (P.L. 93-523, part C), as amended. A.R.S. § 49-331(3).

EFFLUENT - means wastewater that has completed its passage through a wastewater treatment plant.

ENVIRONMENT - means navigable waters, any other surface waters, groundwater, drinking water supply, land surface or subsurface strata or ambient air, within or bordering on this state.

EVAPOTRANSPIRATION BED - an alternative on-site disposal system used to dispose of wastewater to the atmosphere so that no discharge to surface or groundwater occurs.

FACILITY - means any land, building, installation, structure, equipment, device, conveyance, area, source, activity or practice from which there is, or with reasonable probability may be, a discharge.

GARBAGE - means all animal and vegetable wastes resulting from the processing, handling, preparation, cooking, and serving of food or food materials.

GRAVELLESS TRENCH - is a disposal technology characterized by installation of a proprietary pipe, chamber and geocomposite or other substitute media into native soil instead of the distribution pipe and aggregate fill used in a conventional disposal field trench.

GROUNDWATER - water below the land surface in the zone of saturation and under pressure equal to or greater than atmospheric pressure.

HAZARDOUS SUBSTANCE - means:

- (a) Any substance designated pursuant to § 311(b)(2)(a) and 307(a) of the Clean Water Act.
- (b) Any element, compound, mixture, solution or substance designated pursuant to §102 of CERCLA.
- (c) Any hazardous waste having the characteristics identified under or listed pursuant to A.R.S. § 49-922.
- (d) Any hazardous air pollutant listed under § 112 of the Federal Clean Air Act (42 United States Code § 7412).
- (e) Any imminently hazardous chemical substance or mixture with respect to which the administrator has taken action pursuant to § 7 of the Federal Toxic Substances Control Act (15 United States Code § 2606).
- (f) Any substance which the director, by rule, either designates as a hazardous substance following the designation of the substance by the administrator under the authority described in subdivisions (a) through (e) of this paragraph or designates as a hazardous substance on the basis of a determination that such represents an imminent and substantial endangerment to public health.

INDUSTRIAL WASTEWATER - means all wastes that enter a collection, treatment or disposal system from an industrial process.

INJECTION WELL - means a well which receives a discharge through pressure injection or gravity flow.

INTERMEDIATE STOCKPILE - means an accumulation of in-process material not intended for long term storage and in transit from one process to another at a mining site. Intermediate stockpile does not include metallic ore concentrate stockpiles or feedstocks not originating at the mining site.

IRRIGATION - means the application of water or wastewater or both for growing agricultural crops or for landscaping purposes.

LAND TREATMENT - the operation whereby effluent or sludge are applied on, above or into the soil through spray irrigation, land spreading, or other methods for the purpose of treating wastes.

LAGOON - a shallow pond where sunlight, bacterial action and oxygen work to purify wastewater; also used to store wastewaters or to spend nuclear fuel rods.

MANURE - means animal excreta, including cleanings from barns, stables, corrals, pens, or conveyances used for stabling, transporting, or penning of animals or fowls.

NAVIGABLE WATERS - means the waters of the United States as defined by § 502(7) of the Clean Water Act (33 United States Code § 1362(7)).

ON-SITE WASTEWATER TREATMENT FACILITY - means a conventional septic tank system or an alternative system installed at a site to treat and dispose wastewater of predominantly human origin generated at that site. An on-site wastewater treatment facility does not include a pre-fabricated, manufactured treatment works that typically uses an activated sludge unit process and has a design flow of 3000 gallons per day or more.

PERCOLATION - the movement of water downward and radially through the sub-surface soil layers, usually continuing downward to the groundwater.

PESTICIDE - means any substance or mixture of substances intended to be used for defoliating plants or for preventing, destroying, repelling or mitigating insects, fungi, bacteria, weeds, rodents, predatory animals or any form of plant or animal life which is, or which may infest or be detrimental to vegetation, humans, animals or households or to be present in any environment.

POLLUTANT - means fluids, contaminants, toxic wastes, toxic pollutants, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and mining, industrial, municipal and agricultural wastes or any other liquid, solid, gaseous or hazardous substances.

RECHARGE PROJECT - means a facility designed and constructed for the purpose of adding water to an aquifer.

REFUSE - means all putrescible and nonputrescible solid and semisolid wastes, except human excreta, but including garbage, rubbish, ashes, manure, street cleanings, dead animals, abandoned automobiles, and industrial wastes.

REUSE OF RECLAIMED WASTEWATER - means the use of reclaimed wastewater transported from the point of treatment to the point of use without an intervening discharge to the surface waters of the state for which water quality standards have been established.

RUBBISH - means nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, waste metal, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

SALT BED - any stratified deposit of salt.

SALT DOME - a geologic structure resulting from the upward movement of a salt mass.

SEEPAGE TANK - see disposal pit.

SEPTIC TANK - a water tight container which receives raw sewage and discharges a settled, slightly treated effluent.

SEWAGE COLLECTION SYSTEM - means a system of pipelines, conduits, manholes, pumping stations, force mains, and all other structures, devices and appurtenances that collect, contain, and conduct sewage from its sources to the entry of a sewage treatment facility or on-site wastewater treatment facility serving sources other than a single residence.

SEWAGE TREATMENT FACILITY - means a plant or system for sewage treatment and disposal, except an on-site wastewater treatment facility, that consists of treatment works, disposal works, and appurtenant pipelines, conduits, pumping stations, and related subsystems and devices.

SILVICULTURE - management of forest land for timber.

SLUDGE - a semi-solid residue from any of a number of air or water treatment processes.

SLUDGE POND - a holding pond to contain semi-solid residue from any number of air or water treatment processes.

STORM SEWER - a system of pipes (separate from sanitary sewers) that carry only storm water runoff from building and land surfaces.

STORM WATER - means storm water runoff, snow melt runoff, and surface runoff and drainage.

SURFACE IMPOUNDMENT - means a pit, pond or lagoon, having a surface dimension that is equal to or greater than its depth, which is used for the storage, holding, settling, treatment or discharge of liquid pollutants or pollutants containing free liquids.

TRACER STUDY - means a study for the injection or distribution of a tracer.

TRACER - is a substance used to change the characteristics of water or some other fluid, to confirm hydrogeologic or hydraulic characteristics.

UNDERGROUND STORAGE AND RECOVERY PROJECT - means a facility designed and constructed to store water underground and recover that water pursuant to a permit issued by the Arizona Department of Water Resources.

UNDERGROUND STORAGE TANK - means a tank or combination of tanks and underground pipes connected to tanks used to contain regulated substance and which has at least ten per cent of its volume underground. Underground storage tank does not mean any of the following:

- (a) a farm or residential tank of one thousand one hundred gallons or less capacity used for storing motor fuel for non commercial purposes.
- (b) a tank used for storing heating oil for consumptive use on the premises where stored.
- (c) a septic tank.
- (d) a pipeline facility, including gathering lines, regulated under either:
 - (i) the natural gas pipeline safety act of 1968 (49 United States Code sections 1671 through 1686).
 - (ii) the hazardous liquid pipeline safety act of 1979 (49 United States Code section 2001).
- (e) an intrastate pipeline facility regulated under a state law comparable to the provisions of law referred to in subdivision (d), item (i) or (ii).
- (f) a surface impoundment, pit, pond or lagoon.
- (g) a storm water or wastewater collection system.
- (h) a flow-through process tank.
- (i) a liquid trap or associated gathering liner directly related to oil or gas production and gathering operations.
- (j) a storage tank situated in an underground area, such as a basement, cellar, mine working, drift, shaft or tunnel, if the storage tank is situated on or above the surface of the floor.
- (k) pipes connected to any of the structures described in subdivisions (a) through (j).

VADOSE ZONE - means the zone between the ground surface and any aquifer.

WASTES - means sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substance which may pollute or tend to pollute any water of the State. The term "wastes" does not include agricultural irrigation and drainage waters for which water quality standards shall have been established pursuant to A.A.C. R18-11-101 through 304.

WELL - means a bored, drilled or driven shaft, pit or hole whose depth is greater than its largest surface dimension.

