

Drip Irrigation Systems Permit Application

Introduction:

This permit application is for drip irrigation systems. Any applicant submitting this permit application shall comply with all of the General Information (Part I), Procedural Information (Part II), Technical Requirements (Part III), and the Complete Application listed below.

Part I **General Information**

Please read the following prior to completing the application:

1. The applicant is advised to review all applicable State and Federal regulations, including, but not limited to: Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 et seq.), Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation No. 2, APC&EC Regulation No. 17, and Arkansas Department of Health (ADH) Rules and Regulations Pertaining to Drip Dispersal Systems.
2. Applications may be submitted by one of the following methods:
 - a. Electronically at <https://eportal.adeq.state.ar.us/>
 - b. Emailed to Water-Permit-Application@adeq.state.ar.us
 - c. Mailed to:

Arkansas Department of Environmental Quality
Permits Branch, Office of Water Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

3. The application must be signed by an individual authorized to bind the applicant, such as the individual owner, an authorized corporate officer, a partner, a principal, member, manager or someone delegated with signatory authority by any of the above individuals. In all cases, the person signing the application should be authorized to do so by the applicant.
 - a. For the purposes of this section, an authorized corporate officer is defined as:
 - i. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
 - ii. the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. In the case of a partnership or sole proprietorship, the application must be signed by a general partner or the proprietor, respectively.
 - c. In the case of a limited liability company (LLC), the application must be signed by an individual authorized to bind the LLC under the terms of that LLC's operating agreement.
 - d. For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer

- having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- e. For any entity above, those applications signed by an authorized person other than those described above must also include appropriate documentation delegating such signatory authority.
4. APC&EC Regulation No. 9 requires that, if applicable, a fee be paid by the applicant prior to the issuance of a permit, a permit modification or a renewal of a permit. Permit fees are payable by check or money order and must be received before the permit can be issued. The Department will issue an invoice when the draft permit is sent to public notice.
 5. All construction and operating information contained in the waste management plan and permit application, as well as any change, modification or alteration of the waste management plan or permit application submitted in writing and approved by the Department in writing shall become an integral part of the permit. All information supplied to the Department shall be available for public inspection unless the information is submitted to the Department as confidential and the Director determines that the information is entitled by law to protection as confidential (Ark. Code Ann. § 4-75-601 *et seq.*). Waste analysis data cannot be considered confidential.
 6. Prior to implementation of any changes in operational procedures of a permitted facility, the permittee must make a written or electronic request for Department approval describing the proposed changes. A change in operational procedures includes, but is not limited to, the following:
 - a. A change in waste source, composition or volume. (This change may require a permit modification.)
 - b. A change in waste treatment, handling or disposal. (The Department may require a permit modification, construction plans and specifications, an amended waste management plan, and any other pertinent information.)
 7. Permits are issued with a 5-year expiration date. **An application to renew an existing permit must be submitted no less than 180 days prior to the expiration date of the existing permit.** A timely renewal application will allow the permitted facility to continue operations subject to the existing permit until the effective date of the new permit. If the new permit has an effective date past the existing permit's expiration date, then the existing permit will be administratively extended. Permittees applying for a renewal must go through the same process as obtaining a new permit, including fee payment and public notice requirements. If any operational changes coincide with a permit renewal, a revised waste management plan must be submitted to the Department with the renewal application.
 8. APC&EC Regulation No. 3 Chapter 3 requires that, if applicable, every owner of a wastewater treatment plant is required to employ a licensed operator with his/her license classification at least equivalent to the treatment plant's classification. See APC&EC Regulation No. 3.
 9. If a change of ownership or control of a permitted facility occurs, the permit may be transferred to the new owner(s) by submitting a completed **"Request for Permit Transfer"** form signed by the current Permittee and the prospective permittee's responsible official. A permit may be automatically transferred if the prospective permittee notifies the Department thirty (30) days in advance of the proposed transfer date by submitting a completed **"Request for Permit Transfer"** form signed by the current Permittee and the prospective permittee and submits a completed **"Disclosure Statement"** form. The required forms are available on the Department website:

<https://www.adeq.state.ar.us/water/permits/nodischarge/individual.aspx>

Part II

Procedural Information

Procedures for permit applications are governed by APC&EC Regulation No. 8. Any conflict or ambiguity between APC&EC Regulation No. 8 and the subsequent procedural information is subject to APC&EC Regulation No. 8 and any relevant Federal and State statutes, regulations and applicable case law.

1. Upon receipt of an individual permit application, the Department will review the application for administrative completeness. The Department will not process any application until all information required to properly classify the application as administratively complete has been received. During the review, the Department may contact the applicant or consultant for clarification or to request additional information. **If an application is severely lacking in detail or requested information is not submitted in a timely manner, the application may be returned or placed in an inactive status.**
2. After receiving an administratively complete application, the Department will prepare a public notice of the application and forward it directly to an appropriate newspaper for publication. A public notice of an administratively complete application is required for an individual permit application (new, renewal, or major modification) to construct or operate a subsurface wastewater disposal facility. The notice must be published for one day in a newspaper of general circulation in the county in which the proposed facility or activity is to be located. Any interested person may request a public hearing on the proposed permit by giving the Department a written request within ten (10) business days of the publication of the notice. APC&EC Regulation No. 8 requires the applicant to bear the expense of all public notices. **Once the public notice has been published, an affidavit and proof of payment for the public notice of the administratively complete application must be submitted to the Department by the applicant.**
3. After the administratively complete application public notice expires, the Department will conduct a technical review of the submitted permit application.
4. Following the technical review, the Director will issue a proposed decision to grant the permit and issue a draft permit or deny the permit application. A second public notice will be prepared and forwarded directly to an appropriate newspaper for publication by the Department regarding the Director's decision. A thirty (30) day comment period must follow publication of this notice. Any interested person may submit written comments or request a public hearing on the proposed permit. APC&EC Regulation No. 8 requires the applicant to bear the expense of all public notices. **Once the public notice has been published, an affidavit and proof of payment for the public notice of the draft publication must be submitted to the Department by the applicant.**
5. If the Director makes a final decision to issue the permit, the applicant may commence construction once the permit becomes effective. The facility must be constructed, modified and/or operated in accordance with the final design plans and specifications prepared by an Arkansas Licensed Professional Engineer or Arkansas Department of Health Designated Representative (DR) and approved by the Department. The Project Engineer or DR shall submit to the Arkansas Department of Environmental Quality (ADEQ) two notifications: the first shall be 24 hours before the start of construction; the second shall be within 24 hours of completion. Operations shall not commence for the new or modified waste removal facility until the permittee has obtained written or electronic authorization from the Department. If the permit does not include any type of construction, the applicant may commence operation on the effective date.

Part III
Technical Requirements

Below are the Department's technical requirements for drip irrigation systems. Any applicant submitting a permit application for drip irrigation systems shall comply with all of the technical requirements listed below.

All permit applications shall include the following

1. **Completed Permit Application** – In accordance with APC&EC Regulation No. 8.203, an applicant shall file a permit application with the Office of Water Quality.
2. **Disclosure Statement** - In accordance with APC&EC Regulation No. 8.204 (B), all applicants for the **issuance (new, modification, and renewal) or transfer** of any permit under the environmental laws of Arkansas shall submit a “**Disclosure Statement**” to the Department.
3. **Proof of Ownership/Control of Land** - Proof of ownership or control of land must be submitted to the Department for all land to be permitted for the drip irrigation system.
 - a. For land owned by the applicant, a copy of the deed (or other legal document proving ownership) must be submitted.
 - b. For land leased by the applicant, a copy of the signed lease agreement with the landowner granting control of the land for the purpose proposed in the application must be submitted.
4. **Arkansas Department of Health Notification** - Applicants for new permits or permit modifications must notify the Arkansas Department of Health Division of Engineering that a permit application has been submitted to the Department of Environmental Quality. This notice must include a complete set of maps (**as described in Part III.5.b**) indicating the location of the facility and a description (type, size, etc.) of the operation. The notice should be mailed to:

Arkansas Department of Health
Engineering Division, Slot # 37
4815 West Markham
Little Rock, AR 72205

A copy of the letter transmitting the above documents to the Arkansas Department of Health must be submitted with your application.

5. **Waste Management Plan** - Design and implementation of the waste management plan shall be in accordance with all applicable State and Federal regulations. The waste management plan, construction plans, specifications, and design calculations must be prepared and certified by an Arkansas Licensed Professional Engineer. The waste management plan must include, but is not limited to, the following information:
 - a. **System Design Information:**
 - i. Description of waste-generating process
 - ii. Design daily flow in gallons per day
 - iii. Type of system and manufacturer name
 - iv. Type of collection system
 - v. Description and sizing of primary treatment (i.e. individual septic tanks), if applicable

- vi. Number and type of connections based on Arkansas Department of Health Rules and Regulations Pertaining to Onsite Wastewater Systems
- vii. Engineering drawings of the system
- viii. Sizing of all components
- ix. Drip Irrigation Field
 - 1. Number of Zones
 - 2. Total length (ft) of drip line in each zone
 - 3. Total Area (ft²) of each zone
 - 4. Total Area (ft²) of Drip Irrigation Field
 - 5. Total Area (ft²) of Reserve Drip Irrigation Field
 - 6. Type of soil(s) in Drip Irrigation Field
 - 7. Soils Report signed and stamped by a Professional Soil Classifier in Arkansas
 - 8. Design soil loading rate (gpd/ft²) for each zone. The design loading rate for each zone must be approved by the Department and the ADH.
 - 9. Depth and duration of seasonal water table
 - 10. Site map showing location of each zone, reserve zones, and soil test pit(s) for each zone
- x. Required System Components based on ADH Rules and Regulations Pertaining to Drip Dispersal Systems
 - 1. Filters and Screens
 - 2. Control Panel – Timed dosing must be used to control the dose cycles and volumes.
 - 3. Flow Meters and Pressure Gauges – Flow meters must be installed after the filter system but prior to the drip dispersal field. Pressure gauges must be located before the filter, after the filter, and on the return line from the drip dispersal field.
 - 4. Supply Line and Manifold
 - 5. Return Manifold and Line
 - 6. Flexible Hose and Tubing
 - 7. Air/Vacuum Relief Valves
 - 8. Flushing Valves
 - 9. Pipe and Specialty Connectors and Fitting Standard
 - 10. Headworks Boxes
 - 11. Zones and Related Components
 - 12. Pressure Regulators

b. Maps:

- i. Aerial Map - Copies (8 ½" X 11") of an aerial map (e.g. Google Earth) which shows the locations of system, the nearest potentially affected stream(s), and required setbacks. All features (such as buildings, ponds, etc.) in existence but not shown on the map(s) must be noted. In addition, approximate soil series boundaries, water supplies, streams, ponds, property lines, dwellings, roads, field slopes, buffer zones and any other information deemed relevant by the applicant should be indicated.
 - ii. Topographic Map and County map(s) - Copies (8 ½" X 11") of both USGS topographic map(s) (quad sheet) and county map(s) showing the location of the facility, the nearest potentially affected streams, and the distance and directions from the nearest State Highway intersection or community. All features (such as buildings, ponds, etc.) in existence but not shown on the map(s) must be noted. Maps may be obtained from the Arkansas Department of Transportation and the Arkansas Geological Survey in Little Rock. The name of the USGS topographic map(s) used for each map submitted in the waste management plan must be indicated.
- c. Cover Crop - The proposed cover crop of the drip irrigation field(s) must be provided, including the corresponding nitrogen uptake rate. The drip irrigation field shall be maintained with 100%

vegetative cover with a minimum 80% density for additional treatment, minimize erosion and to ensure the nitrogen uptake rate of the cover crop. Below are the most commonly used cover crops. If you want to use a different cover crop than what is listed below, you shall provide the nitrogen uptake rate with scientific justification.

Crop Name	Uptake (lbs/acre)	Crop Name	Uptake (lbs/acre)
Bermuda	300	Wheat	143
Fescue	138	Ryegrass	178
Sorghum	185		

6. **Nonmunicipal Domestic Sewage Treatment Works** – Ark. Code Ann. § 8-4-203(b)(1)(A) forbids the Arkansas Department of Environmental Quality from issuing, modifying, renewing, or transferring a permit for a nonmunicipal domestic sewage treatment works without the applicant first fulfilling the trust fund requirements set forth in that section. Ark. Code Ann. § 8-4-203(b)(1)(B) defines “nonmunicipal domestic sewage treatment works” as a device or system operated by an entity other than a city, town, or county that treats, in whole or in part, waste or wastewater from humans or household operations and must continually operate to protect human health and the environment despite a permittee’s failure to maintain or operate the device or system. NDSTW’s can include, but are not limited to:

- Sewer Improvement Districts;
- Subdivisions,
- Mobile Home Parks,
- Property Owner’ Associates,
- RV parks, and
- Apartments

Exclusions Excluded from these requirements for trust fund contribution fees are: • State or federal facilities,

- Schools,
- Universities and colleges,
- Entities that continuously operate due to a connection with a city, town, or county, and
- Commercial or industrial entity that treats domestic swage from its operations and does not accept domestic sewage from other entities or residences.

The trust fund form may be obtained from the ADEQ web site at:

PDF: <https://www.adeg.state.ar.us/water/permits/pdfs/ndstw-trust-fund-certification-form.pdf>
 Word: <https://www.adeg.state.ar.us/water/permits/pdfs/ndstw-trust-fund-certification-form.doc>

7. **Wastewater Operator License** – A licensed operator is required for the operation of the system in accordance with Ark. Code Ann. § 8-5-205 et seq. and APC&EC Regulation No. 3.

8. **System Maintenance** – A complete “Operations and Maintenance (O&M) Manual” of the wastewater treatment system shall be maintained and followed.

9. **Sanitary Sewer Overflow (SSO)** – Any drip irrigation system that has a collection system for multiple sites will be required to follow the SSO conditions outlined in your individual permit. A SSO is any overflow, whether it discharges to Waters of the State or not, or any overflow of wastewater, including a wastewater backup into a building (other than a backup caused solely by a blockage or other malfunction in a privately owned septic tank or building lateral). A SSO could occur as a result of equipment or power failure from any component of your collection system, such as a lift stations. Any SSO from a drip irrigation system must be reported based the permit conditions outlined in your permit.
10. **Bypassing** – Bypassing of the waste management system is prohibited and may result in the revocation of the permit and/or other appropriate enforcement action.
11. **Surfacing/No-Discharge** – Wastewater shall not be discharged from the operation of the waste management system to Waters of the State or dispersed to the land in any manner that may result in pooling, ponding, or runoff to Waters of the State.
12. **Closure** – Should the facility under this permit cease operations, the permittee shall submit to the Department, for approval, a closure plan for the system's storage and treatment structures within sixty (60) days of the final day of operation.

Arkansas Department of Environmental Quality

No-Discharge Section Permit Application

Drip Irrigation

Permit No.: <small>(Office Use Only)</small>	AFIN: <small>(Office Use Only)</small>	SIC Code:	NAICS Code:
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1. Permit Action and Type *(Please check one of the following):*

Operator Type: <input type="checkbox"/> Corporation (State of Incorporation: _____) <input type="checkbox"/> Limited Liability Company (State of LLC: _____)	
<input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship/Private <input type="checkbox"/> Public Entity (Type: _____)	
<input type="checkbox"/> New Permit <input type="checkbox"/> Renewal <input type="checkbox"/> Modification of Permit, Describe: _____	

2. Permittee Legal Name and Mailing Address: *(Must Match Arkansas's Secretary of State)*

Owner Name:		
Address:		Phone Number:
City:	State:	Zip Code:
Contact Person: <i>(Mr. / Mrs. / Ms.)</i>		Email:
Title:	Phone Number:	Cell Number:

3. Facility Location *(physical address is required; NO P.O. BOX):*

Facility Name:			
Address <i>(911 Address):</i>			Phone Number:
City:	State:	Zip Code:	
1/4 Sec.:	Section:	Township:	Range:
Latitude: ____ Deg ____ Min ____ Sec.		Longitude ____ Deg ____ Min ____ Sec.	
County:		Nearest Town:	
Nearest Stream:		Distance: (ft)	Stream Segment:
Licensed Operator Name (if applicable):			Lic. # and Class:

4. Consultant Information:

Name:		Consulting Firm:	
Email:		Phone Number:	
Address:		Cell Number:	
City:	State:	Zip Code:	

Please read the following carefully and sign below.

I certify under penalty of law that this document and all attachments were prepared under my direction and 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, which may include fines and/or imprisonment.

SIGNATORY REQUIREMENTS:

The information contained in this form must be certified by a **responsible official** as defined below:

Corporation: principal officer at least the level of vice president (must be an officer or register agent with the secretary of state)

Partnership: a general partner

Sole Proprietorship: the proprietor/owner

Municipal, state, federal, or other public facility: principal executive officer, or ranking elected official

Responsible Official: _____ Title: _____

Responsible Telephone: _____ Email: _____

Responsible Signature: _____ Date: _____

Cognizant Official is an individual that is given signature authority from the Responsible Official

Cognizant Official: _____ Title: _____

Cognizant Telephone: _____ Email: _____

Cognizant Signature: _____ Date: _____

PERMIT REQUIREMENT VERIFICATION (Please check the following to verify the completion of permit requirements.)

- | Yes | No | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Complete Application
Does the Owner name match the Secretary of State (Corporation or Limited Liability Company)?
Does the Responsible Official match the Secretary of State? |
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Waste Management Plan
Stamped & Signed by an Arkansas Licensed PE
Are maps and site description included? |
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Disclosure Statement (completed and executed)
Not required for public entity |
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Deed/Lease |
| <input type="checkbox"/> | <input type="checkbox"/> | Arkansas Department of Health notification letter (letter transmitting documents to ADH)
(New permits or modified permits) |
| <input type="checkbox"/> | <input type="checkbox"/> | Provide Certificate of Good Standings with the Arkansas Secretary of State
(If foreign corporation, provide Certificate of Good Standings from the state of Origin) |