

Considered: _____

WATER PERMIT NO. 1553-1

6238
Phone: 293-4141

Name of Applicant: Champion International Corp. Ralph Heinert

Post Office Address: 952 Spruce St. Libby MT 59923-2399

Amount of Water Claimed: 0.067 cfs Total Acres: NA

Source of Water Supply: groundwater (up to three wells)

Water to be used for: groundwater remediation County: Lawrence

About 1/2 miles east of Whitewood

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 5-18-92 Fee: \$50 Remarks _____

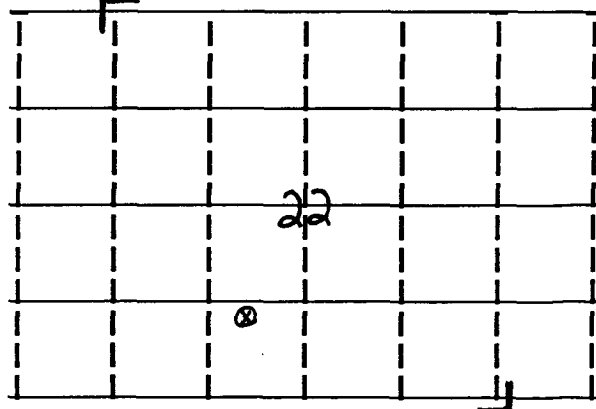
Corrected Application Received 6-10-92 Period of Annual Use January 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: SW 1/4 SW 1/4 Sec 22-T6N-R4E

Land to be Irrigated: _____



Well Log: Driller: Lewis Drilling Licensed YES X NO _____

Depth of Well: 50' REMARKS _____

Type of Map: topo PREPARED BY: D. E. Palmer, P.E. Reviewed and the Number

Assigned on 6-10-92 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT No. 1553-1**

Date of first receipt of application May 18, 1992.

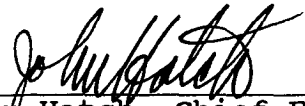
Date of return to applicant for corrections, amendments or changes May 19, 1992.

Date of receipt of corrected application June 10, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1553-1 to Champion International Corporation, 952 Spruce St., Libby MT 59923-2399 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

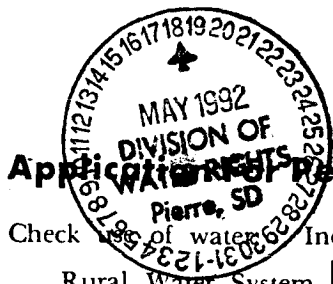
1. Water Permit No. 1553-1 authorizes 0.067 cubic feet of water per second (30 gallons per minute) from up to three wells 50 feet deep (Quaternary Alluvium) located in the SW 1/4 SW 1/4 Section 22-T6N-R4E.
2. The water appropriated shall be used for the purpose of intercepting and treating groundwater containing wood preservative chemical contamination and may not exceed the amount of water needed for beneficial use for groundwater remediation purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 1553-1 is September 1, 1992.
5. The date from which applicant may claim right is May 18, 1992.
6. One-fifth of the construction is to be completed on or before March 1, 1995.
7. All construction is to be completed on or before September 1, 1997.
8. Water is to be put to beneficial use on or before September 1, 2001.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

NOV 17 1992

date

523 E. Capitol.
Pierre, SD 57501
(605) 773-3352No. 1553-1 Hydrologic Unit 10120202
Map No. _____ Basin Belle Fourche R.
Newspaper Spearfish Daily Queen City Mail**Application for Permit To Appropriate Water Within The State Of South Dakota**

Check ☐ of water _____ Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☒ **Groundwater pump-out and treatment system**

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant Ralph Heinert Champion International Corp. Phone No. (406) 293-4141Post Office Address 952 Spruce St., Libby State MT 59923-2399
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 6.7×10^{-2} cubic feet per second (0.067)3. Source of water supply Groundwater in the alluvial aquifer located in Whitewood Creek Valley.4. Location of point of diversion ~~NE 1/4~~ SW 1/4 SW 1/4 Section 22, T.6N., R.4E, existing well referred
to as monitoring well W11 and any additional new wells necessary to achieve the
desired capture zone. (up to 2 add'l wells) County Lawrence5. Counties where water will be used Lawrence6. Annual period during which water is to be used continuous operation Jan 1 - Dec 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The purpose of this project is to intercept and treat groundwater containing wood preservative chemicals (i.e., pentachlorophenol). The groundwater will be filtered to substantially remove the chemicals, then will be reinfiltreated in an area above the existing plume of contaminated groundwater.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA MONTANA
County of Lincoln ^{SS}I, RALPH HEINERT the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Signed Ralph HeinertSubscribed and sworn to before me this 24th day of April 1992

Notary Public

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413240

Pierre, _____ June 10, 19 92

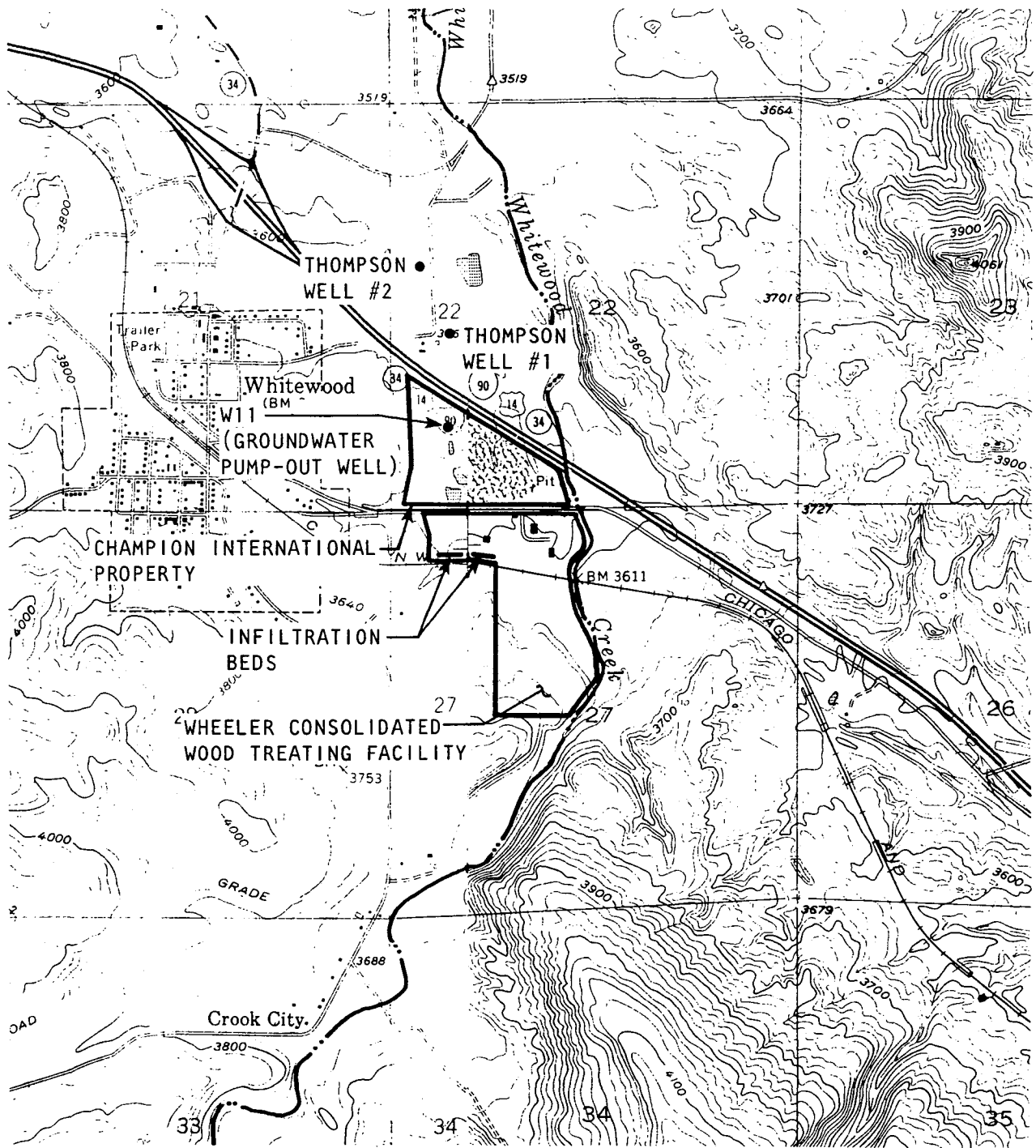
RECEIVED OF Champion, 252 E Spruce, Libby, MT 59923

the following amount in fees for services rendered as provided for by law:

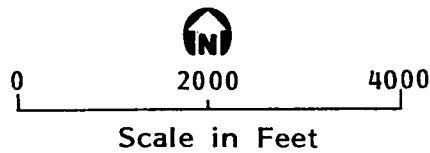
Fee for Application for Permit No. <u>1553-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By *Johanna Haddock*
Chief Engineer

WI 11 155-1



Base Maps: West: USGS Deadwood North, SD, 7½ Min. Series
East: USGS Sturgis, SD, 7½ Min. Series



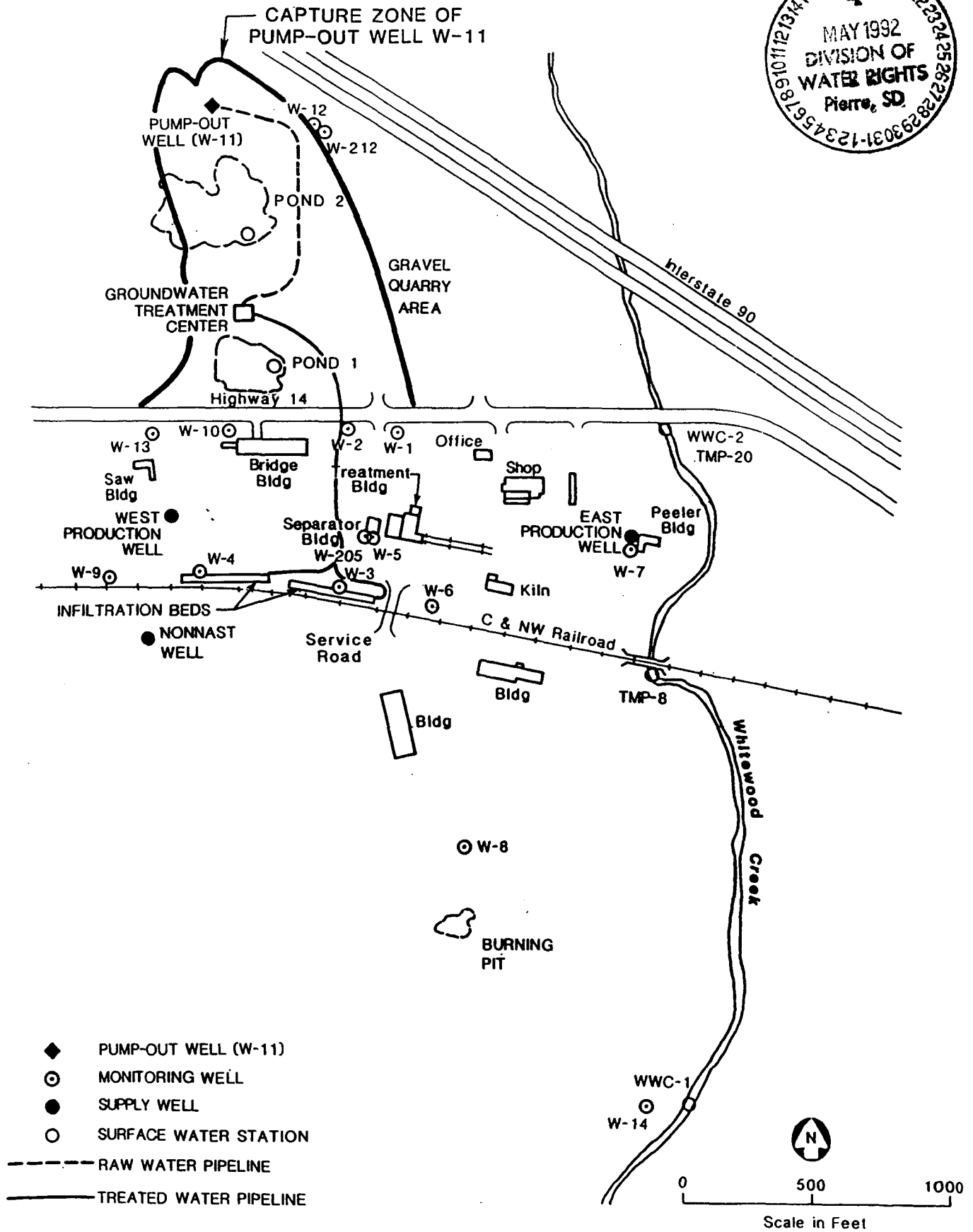
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered Professional Engineer under the laws of the State of South Dakota.

D. Palma

Date 4/21/92 Reg. No. 2887



ATTACHMENT 1
SITE MAP



Attachment 2

ESTIMATED CAPTURE ZONE AND AREA OF INFLUENCE OF
PUMP-OUT AND INFILTRATION SYSTEM, 10 gpm

BORING LOG

Project Champion/WhitewoodBoring No. W-11Date Started 3/2/87Date Completed 3/7/87Riser Pipe Elevation 3571.63Field Inspector S. Lorentz-BECCrew Chief D. Lewis, Sr.-LewisGround Surface Elevation 3569.7Drilling

DEPTH (FEET)	BLOWS PER 6"	SAMPLE TYPE	WELL CON- STRUCTION	WATER TABLE	PROFILE	DESCRIPTION OF MATERIALS AND REMARKS
0						Topsoil
5		B				 2' Brown silty gravel; Alluvium.
10		B				
15		B				
20		B				 18' Brown coarse gravel and cobbles; Alluvium.
25		B				
30		B				 26' Brown medium sand and cobbles; Alluvium.

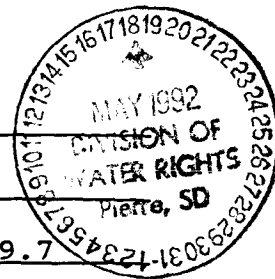


COMMENTS: Drilled with cable tool rig; all samples were collected using a bailer.

Sheet 1 of 2
W11/316,15

BORING LOG

Project Champion/Whitewood Boring No. W-11
 Date Started 3/2/87
 Date Completed 3/7/87 Riser Pipe Elevation 3571.63
 Field Inspector S. Lorentz-BEC
 Crew Chief D. Lewis, Sr.-Lewis Ground Surface Elevation 3569.7
Drilling



DEPTH (FEET)	BLOWS PER 6"	SAMPLE TYPE	WELL CON- STRUCTION	WATER TABLE	PROFILE	DESCRIPTION OF MATERIALS AND REMARKS
30		B				Brown medium sand and cobbles; Alluvium.
35		B				
40		B				
45		B				----- 45' -----
50		B				Spearfish Formation; red sandy shale.
55						----- 51.0' -----

COMMENTS:

BARR ENGINEERING CO.
Minneapolis, Minnesota

BOREHOLE CONSTRUCTION NOTES	LITHOLOGY	WELL CONSTRUCTION	WELL CONSTRUCTION NOTES
Cable tool method			
8" diameter casing driven 0-47.0 ft. (3569.7-3522.7) ¹	Brown Silty Gravel		8" diameter casing 0-26.0 ft. (3569.7- 3548.7) 1.8 ft. stick- up
8" casing retracted 21 ft.			4" diameter casing 0- 31.0 ft. (3569.7- 3538.7) 1.9 ft. stick- up
Water level elevation 3/12/87 3537.3			20 ft. long 4" diameter galvanized steel screen 31.0-51.0 ft. (3538.7- 3518.7)
			Annulus between 8" and 4" casings filled with neat cement grout down to 21.0 ft. (3548.7)
			Remainder of annulus and 8" borehole filled with sand pack 21.0-51.0 ft. (3548.7-3518.7)
	3524.7— Spearfish Formation		Protective locking 10" diameter cap Fitted to 8" diameter casing
	EOB 3518.7		



SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 22 Twp 6N Rg 4E
County Lawrence

Please mark well location with an "X"

W

E

Well Completion Date

7-7-1998

1 Mile

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1000 ft. from Wood Treatment Plant (source).

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☒ Monitoring well

METHOD OF DRILLING:

Cable tool drivenCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
28.55 LB/FT	8 IN	+1 FT	35 FT	12 IN
22 LB/FT	8 IN	45 FT	50 FT	12 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>cement</u>	<u>24</u>	<u>18</u> lb./gal	<u>0</u> ft	<u>25</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure tremiSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8 IN Length 10 FEETMaterial stainless steelSlot Size 15 Set From 35 Feet to 45 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

_____ YES, How: _____

☒ NO, Why Not? _____monitor well

Laboratory sent to for water quality analysis _____

Well Owner: Champion International

Business Name: _____

Address: KnightBridge Drive, Hamilton
Oh., 45020

WELL LOG:

DEPTH

FORMATION

FROM

TO

gravel and clay05coarse gravel520gravel and cobbles2032gravel and clay3238gravel and water3841gravel and sand4145Red shale4550STATIC WATER LEVEL 26 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: 12 g.p.m.☒ Bailed☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

Well # 11AThis well was drilled under license # 492

And this report is true and accurate.

Drilling firm Lewis Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

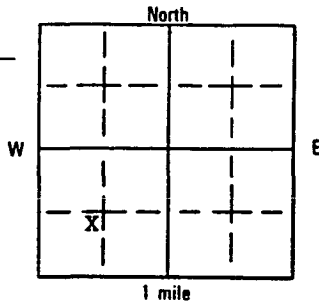
Date: 7-8-1998

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 SW 1/4 Sec 22 Twp 6N Rg 4E

County

LawrencePlease mark well
location with
an "X"Well Completion Date 03/07/87

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock
☒ Monitor Well

Method of Drilling:

Cable Tool/Driven

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>28.55</u> LB/FT	<u>8</u> IN	<u>+2</u> FT	<u>26</u> FT	<u>8</u> IN
<u>10.79</u> LB/FT	<u>4</u> IN	<u>+2</u> FT	<u>31</u> FT	<u>8</u> IN
<u>Screen</u> ~~X~~ <u>1000</u>	<u>4</u> IN	<u>31</u> FT	<u>51</u> FT	<u>8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOat what depth? 21 FEETWhat is grouting material? Cement & BentoniteIf cement, number of sacks? 7 - 4Describe grouting procedure Tremi - cement grout
between 4" & 8" casing. Bentonite
outside 8" as driven.What was grout weight? 18 LB/GALSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 4" IN Length 20' FEETMaterial Galvanized steelSlot 18 Set From 31 Feet To 51 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☒ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Champion International CorporationAddress Knightbridge Drive, Hamilton, OH 45020

Well Log:

Depth

Formation

From

To

Top Soil

0'

2'

Gravel

2'

18'

Course gravel & Cobbles

18'

26'

Medium sand & gravel

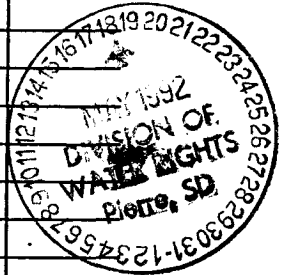
26'

45'

Red Shale (Spearfish)

45'

51'

STATIC WATER LEVEL 36' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other: specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

37 ft. After 4 Hrs. pumped 10 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

Well # W11This well was drilled under license # 492

And this report is true and accurate.

Drilling firm Lewis Drilling

Signature of License Representative:

Dwaine D Lewis

Signature of Well Owner:

Date _____

Barr

Engineering Company

8300 Norman Center Drive
Minneapolis, MN 55437-1026
Phone: (612) 832-2600
Fax: (612) 835-0186

May 13, 1992

Mr. Kent Woodmansey
Point Source Control Program
South Dakota Department of Environment
and Natural Resources
Joe Foss Building
523 East Capitol Ave.
Pierre, SD 57501



RE: Application for NPDES permit, Wheeler Consolidated Wood Treating Facility, Whitewood, South Dakota

Dear Mr. Woodmansey:

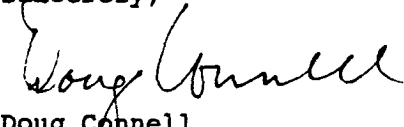
Enclosed is Champion International's Application for a Permit to Discharge Process Wastewater under the National Pollutant Discharge Elimination System. The application is for a groundwater pump-out and treatment system for control of contaminants released to groundwater from the Wheeler Consolidated Wood Treating Facility east of Whitewood, South Dakota. Champion International is the former owner of the facility. Although the facility will not discharge to the waters of the United States, NPDES Form 2D has been completed along with the General Form at the request of the South Dakota Department of Environment and Natural Resources.

A Request for Temporary Permit to Use Public Waters for Highway Construction Purposes and an Application for Permit to Appropriate Water Within the State of South Dakota have also been prepared for this project and submitted to Mr. Eric Gronlund of the Division of Water Rights of the SD DENR.

We have asked Gary Haag of the SD DENR to clarify whether construction of the treatment facility may proceed before issuance of the NPDES permit. We would appreciate your assisting Mr. Haag on this issue.

Please contact me at (612) 832-2722 or Ralph Heinert of Champion International at (406) 293-4141 if you have any questions on the permit application.

Sincerely,


Doug Connell

/dec

Enclosures

c: Gary Haag, SD DENR
Ralph Heinert
Jim Carraway
41\40\002\WWPERMIT.LTR

FORM 1 GENERAL	U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION <i>Consolidated Permits Program</i> <i>(Read the "General Instructions" before starting.)</i>	I. EPA I.D. NUMBER
---------------------------------	---	--

LABEL ITEMS

I. EPA I.D. NUMBER

III. FACILITY NAME

V. FACILITY MAILING ADDRESS

VI. FACILITY LOCATION

PLEASE PLACE LABEL IN THIS SPACE

GENERAL INSTRUCTIONS

If a preprinted label has been provided, it in the designated space. Review the information carefully; if any of it is incorrect, through it and enter the correct data in appropriate fill-in area below. Also, if the preprinted data is absent (the area to left of the label space lists the information that should appear), please provide it in proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B must be completed regardless). Complete items if no label has been provided. Refer to the instructions for detailed item definitions and for the legal authorizations under which this data is collected.

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column. If the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

SPECIFIC QUESTIONS	MARK "X"			SPECIFIC QUESTIONS	MARK "X"		
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		X		B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)		X	
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)		X		D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)		X		F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X	

III. NAME OF FACILITY

1 CHAMPION INTERNATIONAL PO SYSTEM

IV. FACILITY CONTACT

A. NAME & TITLE (last, first, & title)		B. PHONE (area code & no.)		
2 HEINERT, RALPH MGR SPEC PROJECT		406	293	4141

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX		B. CITY OR TOWN	C. STATE	D. ZIP CODE
3 952 SPRUCE ST.		LIBBY	MT	59923

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER		B. COUNTY NAME	C. CITY OR TOWN	D. STATE	E. ZIP CODE	F. COUNTY CODE (if known)
5 OLD HIGHWAY 14 EAST		LAWRENCE	WHITEWOOD	SD	57793	

VII. SIC CODES (4-digit, in order of priority)

A. FIRST				B. SECOND			
7	9	9	9	7			
(specify) Groundwater pump-out system				(specify)			
C. THIRD				D. FOURTH			
7				7			
(specify)				(specify)			

VIII. OPERATOR INFORMATION

A. NAME										B. Is the name listed Item VIII-A also owner?	
CHAMPION INTERNATIONAL ATTN: J. CARRAWAY										☒ YES ☐ NO	
C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box. If "Other", specify.)										D. PHONE (area code & no.)	
F = FEDERAL S = STATE P = PRIVATE M = PUBLIC (other than federal or state) O = OTHER (specify)										A 203 358 6935	
E. STREET OR P.O. BOX											
ONE CHAMPION PLAZA											
F. CITY OR TOWN					G. STATE		H. ZIP CODE		IX. INDIAN LAND		
STAMFORD					CT		06921		Is the facility located on Indian lands?		
									☐ YES ☒ NO		

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)				D. PSD (Air Emissions from Proposed Sources)			
9	N		NA	9	P		NA
B. UIC (Underground Injection of Fluids)				E. OTHER (specify)			
9	U		NA	9			NA
C. RCRA (Hazardous Wastes)				F. OTHER (specify)			
9	R		NA	9			NA

XI. MAP

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in the map area. See instructions for precise requirements. (See Attachment XI)

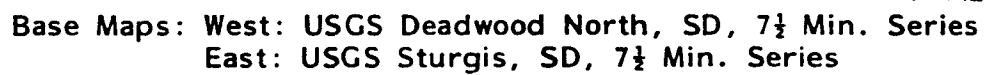
XII. NATURE OF BUSINESS (provide a brief description)

Champion International proposed facility in Whitewood, South Dakota, is a groundwater pump-out and treatment facility. The facility is designed to remove wood preservative products (i.e., pentachlorophenol) that have been detected in the groundwater beneath Champion International's current property. The groundwater contamination is believed to originate from an adjacent wood preserving facility formerly owned by Champion International.

XIII. CERTIFICATION (see instructions)

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

A. NAME & OFFICIAL TITLE (type or print)		B. SIGNATURE		C. DATE SIGNED	
JIM CARRAWAY DIRECTOR, ENVIRONMENTAL-PROJECTS		<i>[Signature]</i>		5/7/92	
COMMENTS FOR OFFICIAL USE ONLY					
C					



Form
2D
NPDES



New Sources and New Dischargers Application for Permit to Discharge Process Wastewater

For each outfall, list the latitude and longitude, and the name of the receiving water.

II. Discharge Date (When do you expect to begin discharging?)

A. For each outfall, provide a description of (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and stormwater runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

EPA Form 3510-2D (9-86)

- C. Except for storm runoff, leaks, or spills, will any of the discharges described in item III-A be intermittent or seasonal?

X **No (go to item IV)**

Outfall Number	1. Frequency		2. Flow		
	a. Days Per Week (specify average)	b. Months Per Year (specify average)	a. Maximum Daily Flow Rate (in mgd)	b. Maximum Total Volume (specify with units)	c. Duration (in days)

IV. Production

Year	a. Quantity Per Day	b. Units of Measure	c. Operation, Product, Material, etc (specify)
------	---------------------	---------------------	--

Year	a. Quantity Per Day	b. Units of Measure	c. Operation, Product, Material, etc (specify)
			NA

V. Effluent Characteristics

A, and B: These items require you to report estimated amounts (*both concentration and mass*) of the pollutants to be discharged from each of your outfalls. Each part of this item addresses a different set of pollutants and should be completed in accordance with the specific instructions for that part. Data for each outfall should be on a separate page. Attach additional sheets of paper if necessary.

General Instructions (See table 2D-2 for Pollutants)

Each part of this item requests you to provide an estimated daily maximum and average for certain pollutants and the source of information. Data for all pollutants in Group A, for all outfalls, must be submitted unless waived by the permitting authority. For all outfalls, data for pollutants in Group B should be reported only for pollutants which you believe will be present or are limited directly by an effluent limitations guideline or NSPS or indirectly through limitations on an indicator pollutant.

1. Pollutant	2. Maximum Daily Value (include units)	3. Average Daily Value (include units)	4. Source (see instructions)
Discharge to both Outfall 001 and Outfall 002 originate from the treatment system, consequently, estimated concentrations are the same.			
<u>Group A</u>	Influent concentration and mass		
Biochemical Oxygen Demand	30.2 mg/l 4.9 kg	22.1 mg/l 3.6 kg	4 Estimated discharge
Chemical Oxygen Demand	43.2 mg/l 7.1 kg	31.5 mg/l 5.2 kg	4 concentrations will be based
Total Organic Carbon	54.2 mg/l 8.9 kg	36.8 mg/l 6.0 kg	4 on removal efficiency of
Total Suspended Solids	1 mg/l 0.16 kg	1 mg/l 0.16 kg	4 the filtration media.
Flow	30 gal/min	30 gal/min	1 Anticipated influent concen-
Ammonia (as N)	BDL	BDL	4 trations are shown in this
Temperature (winter)	13.0 °C	9.0°C	1 table. Effluent reduction
Temperature (summer)	20.0°C	17.0°C	1 is expected to be 90%
pH	6.9 to 7.2	7.1	1 removal for organic
<u>Group B</u>			compounds and 60%
Oil and Grease	12.6 mg/l 2.1 kg	10.6 mg/l 1.7 kg	1 removal for oil and grease.
<u>Group B, Section 1</u>			Based on discussions with
Arsenic, Total	BDL	BDL	1 the SD DENR, a percent
Chromium, Total	20. Ug/l 3.3x10 ⁻³ kg	2.0 Ug/l 3.3x10 ⁻⁴ kg	1 removal efficiency shall
Copper, Total	2.0 Ug/l 3.3x10 ⁻⁴ kg	1.5 Ug/l 2.5x10 ⁻⁴ kg	1 be used as a performance
<u>Group B, Section 2</u>			standard.
2,3,7,8,Tetrachlorodibenzo- p-Dioxin	4.5x10 ⁻⁶ Ug/l 7.4x10 ⁻⁴ kg	BDL* BDL	1
*Because of anticipated removal efficiency, dioxin is not expected in measurable quantities in the effluent.			

A, and B: These items require you to report estimated amounts (*both concentration and mass*) of the pollutants to be discharged from each of your outfalls. Each part of this item addresses a different set of pollutants and should be completed in accordance with the specific instructions for that part. Data for each outfall should be on a separate page. Attach additional sheets of paper if necessary.

Each part of this item requests you to provide an estimated daily maximum and average for certain pollutants and the source of information. Data for all pollutants in Group A, for all outfalls, must be submitted unless waived by the permitting authority. For all outfalls, data for pollutants in Group B should be reported only for pollutants which you believe will be present or are limited directly by an effluent limitations guideline or NSPS or indirectly through limitations on an indicator pollutant.

CONTINUE ON REVERSE

C. Use the space below to list any of the pollutants listed in Table 2D-3 of the instructions which you know or have reason to believe will be discharged from any outfall. For every pollutant you list, briefly describe the reasons you believe it will be present.

1. Pollutant

NA

2. Reason for Discharge

NA

VI. Engineering Report on Wastewater Treatment

A. If there is any technical evaluation concerning your wastewater treatment, including engineering reports or pilot plant studies, check the appropriate box below.



Report Available



No Report

B. Provide the name and location of any existing plant(s) which, to the best of your knowledge, resembles this production facility with respect to production processes, wastewater constituents, or wastewater treatments.

Name

NA

Location

NA

VII. Other Information (Optional)

Use the space below to expand upon any of the above questions or to bring to the attention of the reviewer any other information you feel should be considered in establishing permit limitations for the proposed facility. Attach additional sheets if necessary.

The groundwater pump-out and treatment system does not discharge to any "waters of the United States" as defined in 40 CFR 122.2.

Groundwater samples from proposed pump-out well (W11) have been analyzed for many of the compounds listed in Table 2D-2, GC/MS Fraction-Base/Neutral Compounds and Tables 2D-3 and 2D-4. Only those compounds reported in concentrations above the detection limit are listed in Item V of this form. A summary table of the complete analyses is included in Attachment VII.

VIII. Certification

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

A. Name and Official Title (type or print)

JIM GARRAWAY
DIRECTOR, ENVIRONMENTAL PROJECTS

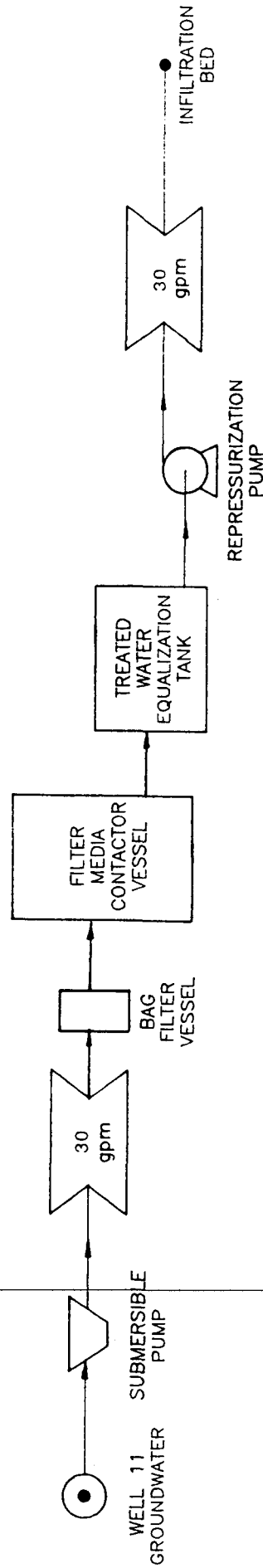
B. Phone No

(203)
358-6935

C. Signature

D. Date Signed

5/7/92



Attachment III-B-1
 SCHEMATIC FLOW DIAGRAM
 GROUNDWATER PUMP-OUT SYSTEM
 WHITEWOOD, SOUTH DAKOTA
 LAWRENCE COUNTY

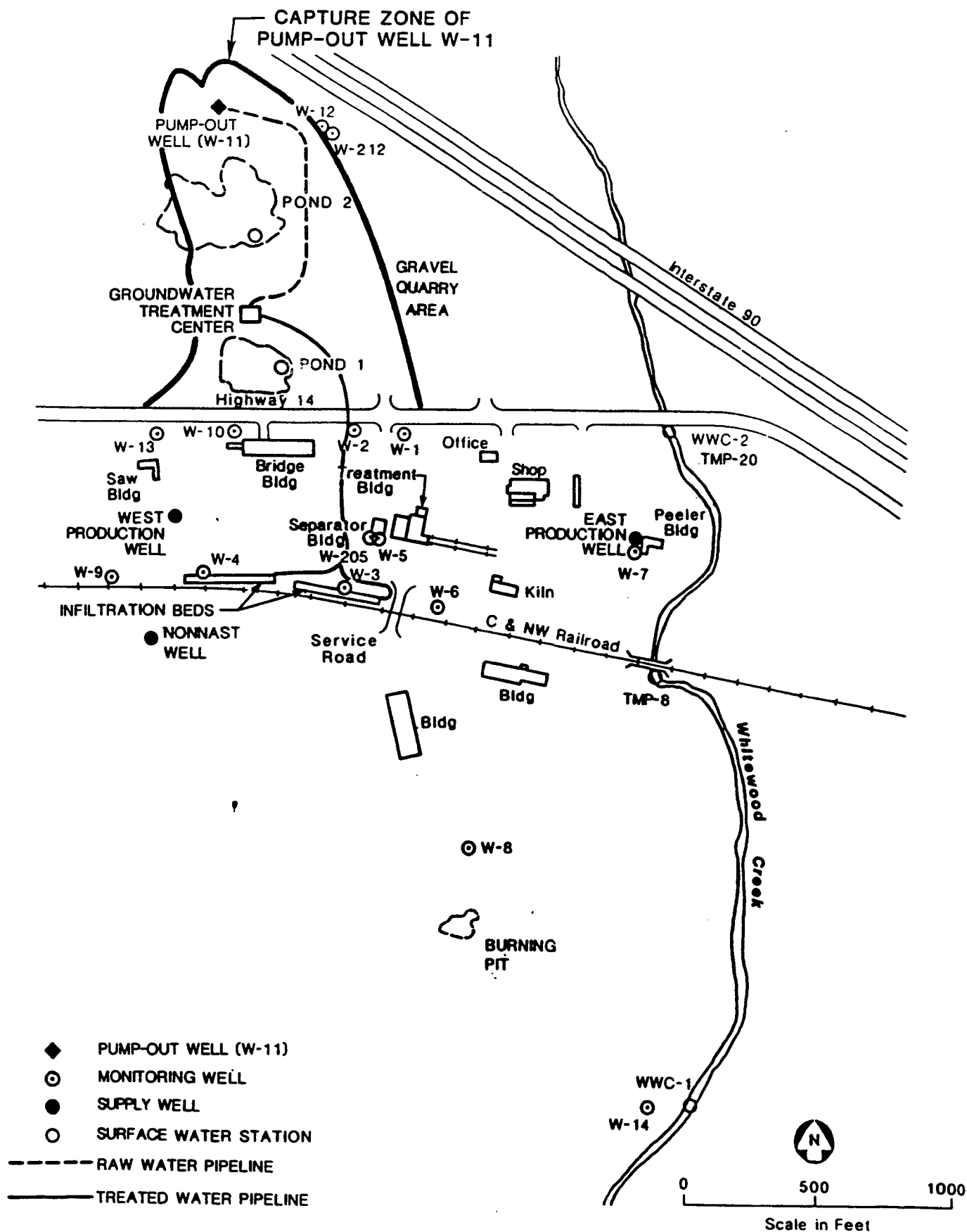


Figure III-B-2
ESTIMATED CAPTURE ZONE AND AREA OF INFLUENCE OF
PUMP-OUT AND INFILTRATION SYSTEM, 10 gpm

ATTACHMENT VII

GROUNDWATER QUALITY
PAH AND PHENOLICS

(concentrations in ug/L)

W11

GROUP B GC/MS FRACTION
BASE/NEUTRAL COMPOUNDS

	03/12/87	09/12/89	11/18/89	02/08/90	06/13/90
Benzo(a)anthracene	<0.0010	<0.10	<0.040	<0.060	<0.10
Benzo(b)fluoranthene	<0.0010	<0.10	<0.040	<0.060	<0.10
Benzo(ghi)perylene	<0.0010	<0.10	<0.040	<0.060	<0.10
Benzo(a)pyrene	<0.0010	<0.10	<0.040	<0.060	<0.10
Chrysene	<0.0010	<0.10	<0.040	<0.060	<0.10
Dibenzo(ah)anthracene	<0.0014	<0.14	<0.056	<0.084	<0.14
Indeno(1,2,3,cd)pyrene	<0.0017	<0.17	<0.068	<0.10	<0.17
Quinoline	<0.0010	<0.10	<0.040	<0.060	<0.10
Sum List 1	ND	ND	ND	ND	ND
Acenaphthene	<0.0013	4.6	2.1	2.3	3.1
Acenaphthylene	0.0021	0.18	<0.040	0.098	0.14
Acridine	<0.0018	<0.18	<0.072	<0.11	<0.18
Anthracene	0.013	<0.10	0.041	0.15	<0.10
Benzo(k)fluoranthene	<0.0010	<0.10	<0.040	<0.060	<0.10
2,3-Benzofuran	0.030	0.58	0.82	0.24	0.25
Benzo(e)pyrene	<0.0010	<0.10	<0.040	<0.060	<0.10
Benzo(b)thiophene	0.037	2.9	2.6	1.5	2.6
Biphenyl	<0.0010	0.35	<0.040	0.28	0.27
Carbazole	<0.0011	<0.11	2.5	2.2	0.27
Dibenzothiophene	DLND	0.11	DLND	0.13	DLND
Dibenzofuran	<0.0020	2.6	2.2	1.2	1.1
2,3-Dihydroindene	0.0041	0.87	1.2	0.74	1.1
7,12-Dimethylbenz(a)anthracene	DLND	DLND	DLND	DLND	DLND
3-Methylcholanthrene	DLND	DLND	DLND	DLND	DLND
Fluoranthene	<0.0010	<0.10	<0.040	<0.060	<0.10
Fluorene	0.0085	2.6	3.2	1.4	1.1
Indene	0.0091	2.0	2.9	<0.060	1.1
Indole	<0.0029	<0.29	<0.12	<0.17	<0.29
Isoquinoline	DLND	DLND	DLND	DLND	DLND
1-Methylnaphthalene	<0.0012	1.2	0.39	1.4	2.2
2-Methylnaphthalene	<0.0020	<0.20	<0.080	0.26	0.31
Naphthalene	0.0038	<0.19	<0.076	5.4	9.9
Perylene	<0.0010	<0.10	<0.040	<0.060	<0.10
Phenanthrene	<0.0010	0.44	0.18	0.59	0.24
Phenanthridine	<0.0014	<0.14	<0.056	<0.084	<0.14
Pyrene	<0.0010	<0.10	<0.040	<0.060	<0.10
Triphenylene	<0.0010	<0.10	<0.040	<0.060	<0.10
Sum List 2	0.11	18	18	18	24

GROUP B GC/MS FRACTION
ACID COMPOUNDS

4-Chloro-3-methylphenol	<6	<120	<240	<6	<290
2-Chlorophenol	<6	<120	<240	<6	<290
o-Cresol	<6	<120	<240	<6	<290
m-Cresol	<6	--	--	--	--
p-Cresol	<6	<120	<240	<6	<290
2,4-Dichlorophenol	<6	<120	<240	<6	<290
2,4-Dimethylphenol	<6	<120	<240	<6	<290
2,4-Dinitrophenol	<29	<600	<1200	<30	<1500
2-Methyl-4,6-dinitrophenol	<29	<600	<1200	<30	<1500
2-Nitrophenol	<6	<120	<240	<6	<290
4-Nitrophenol	<29	<600	<1200	<30	<1500
Pentachlorophenol	<6	1100	820	630	3200
Phenol	<6	<120	<240	<6	<290
2,4,6-Trichlorophenol	<6	<120	<240	<6	<290

-- Not analyzed.

ND Not Detected.

DLND Detection Limit Not Determined.

.003

ATTACHMENT VII (Continued)

GROUNDWATER QUALITY
PAH AND PHENOLICS

(concentrations in ug/L)

GROUP B GC/MS FRACTION BASE/NEUTRAL COMPOUNDS	W11				
	09/18/90	02/12/91	06/12/91	09/25/91	12/04/91
Benzo(a)anthracene	--	--	--	--	<6
Benzo(b)fluoranthene	--	--	--	--	<6
Benzo(ghi)perylene	--	--	--	--	<6
Benzo(a)pyrene	--	--	--	--	<6
Chrysene	--	--	--	--	<6
Dibenzo(ah)anthracene	--	--	--	--	<6
Indeno(1,2,3,cd)pyrene	--	--	--	--	<6
Quinoline	--	--	--	--	<6
Sum List 1	--	--	--	--	ND
Acenaphthene	--	--	--	--	26
Acenaphthylene	--	--	--	--	1 j
Acridine	--	--	--	--	<6
Anthracene	--	--	--	--	2 j
Benzo(k)fluoranthene	--	--	--	--	<6
2,3-Benzofuran	--	--	--	--	3 bj
Benzo(e)pyrene	--	--	--	--	<6
Benzo(b)thiophene	--	--	--	--	15
Biphenyl	--	--	--	--	3 j
Carbazole	--	--	--	--	15
Dibenzothiophene	--	--	--	--	<6
Dibenzofuran	--	--	--	--	7
2,3-Dihydroindene	--	--	--	--	7
7,12-Dimethylbenz(a)anthracene	--	--	--	--	<6
3-Methylcholanthrene	--	--	--	--	<6
Fluoranthene	--	--	--	--	4 j
Fluorene	--	--	--	--	15
Indene	--	--	--	--	6
Indole	--	--	--	--	<6
Isoquinoline	--	--	--	--	<6
1-Methylnaphthalene	--	--	--	--	13
2-Methylnaphthalene	--	--	--	--	5 j
Naphthalene	--	--	--	--	100
Perylene	--	--	--	--	<6
Phenanthrene	--	--	--	--	14
Phenanthridine	--	--	--	--	<6
Pyrene	--	--	--	--	3 j
Triphenylene	--	--	--	--	<6
Sum List 2	--	--	--	--	220
GROUP B GC/MS FRACTION ACID COMPOUNDS					
4-Chloro-3-methylphenol	<400	--	--	<150	<410
2-Chlorophenol	<400	--	--	<150	<410
o-Cresol	<400	--	--	<150	<410
m-Cresol	--	--	--	--	--
p-Cresol	<400	--	--	<150	<410
2,4-Dichlorophenol	<400	--	--	<150	<410
2,4-Dimethylphenol	<400	--	--	<150	<410
2,4-Dinitrophenol	<2000	--	--	<750	<2100
2-Methyl-4,6-dinitrophenol	<2000	--	--	<750	<2100
2-Nitrophenol	<400	--	--	<150	<410
4-Nitrophenol	<2000	--	--	<750	<2100
Pentachlorophenol	7100	260	7600	4000	11000
Phenol	<400	--	--	<150	<410
2,4,6-Trichlorophenol	<400	--	--	<150	<410

-- Not analyzed.

ND Not Detected.

b Potential false positive based on data validation procedures.

j Reported value is less than detection limit.

ATTACHMENT VII (Continued)

GROUNDWATER QUALITY
FIELD MEASUREMENTS

	W11				
	03/12/87	09/12/89	11/18/89	02/08/90	06/13/90
Temperature, degrees C	9.0	12.0	13.0	11	10.0
Specific Conductance, umhos/cm @ 25 oC	850	1100	1000	1100	1200
pH, standard units	7.0	6.9	7.2	7.2	7.2

	W11			
	09/18/90	02/12/91	06/12/91	12/04/91
Temperature, degrees C	20	13	15	--
Specific Conductance, umhos/cm @ 25 oC	1500	1200	1100	--
pH, standard units	7.0	6.9	7.0	7.2

-- Not measured.

.006

Date : 04/05/92
Time : 11:28am

ATTACHMENT TO NPDES FORM 2D

Pursuant to the note under Item V-C of the instructions for Form 2D, the following compounds from Table 2D-4 may be present in the effluent from the water treatment system: naphthalene and pentachlorophenol.

The estimated concentrations of these compounds in the influent to the water treatment system are as follows:

<u>Pollutant</u>	<u>Maximum Daily Influent Concentration</u>	<u>Average Daily Influent Concentration</u>
Naphthalene	9.9 Ug/l	3.8 Ug/l
Pentachlorophenol	11.0 mg/l	4.0 mg/l

These compounds have been detected in the groundwater at monitoring well W11 which will be a groundwater pump-out well. The compounds likely originated from the release of wastes from the adjacent wood treating facility.

The treatment system for groundwater consists of filtration of the water through a medium consisting of mixed anthracite coal and surface modified clays and is expected to remove these compounds at an efficiency of 90 percent.

The treated groundwater will be reinfiltrated in an area located primarily within the capture zone of the pump-out system, above an existing plume of contaminated groundwater.

Barr

Engineering Company

8300 Norman Center Drive
Minneapolis, MN 55437-1026
Phone: (612) 832-2600
Fax: (612) 835-0186

May 15, 1992



Mr. Eric Gronlund
Natural Resources Engineer
Division of Water Rights
South Dakota Department of Environment
and Natural Resources
Joe Foss Building
523 East Capitol Ave.
Pierre, SD 57501

RE: Request for Water Appropriations, Wheeler Consolidated Wood Treating
Site, Whitewood, South Dakota

Dear Mr. Gronlund:

Enclosed is a Request for Temporary Permit to Use Public Waters for Highway Construction Purposes and an Application for Permit to appropriate Water Within the State of South Dakota. Both permit applications are for the proposed groundwater pump-out and treatment system for control of contaminants released to groundwater from the Wheeler Consolidated Wood Treating Facility east of Whitewood, South Dakota. The permit applications are being submitted by Champion International, the former owner of the Wheeler facility.

An NPDES Permit Application has also been prepared for this project and submitted to Mr. Kent Woodmansey of the Point Source Control Program of the SD DENR.

It is our understanding that modification of the existing well and construction of possible new wells may proceed before issuance of the required permits. Please contact me at (612) 832-2722 or Ralph Heinert of Champion (406) 293-4141 if you have any questions on the applications.

Sincerely,


Doug Cornell

/dec

Enclosures

c: Gary Haag, SD DENR
Ralph Heinert
Jim Carraway

41\40\002\WWPERMIT.LTR



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

May 19, 1992

Champion International Corp.
Ralph Heinert
952 Spruce St
Libby MT 59923-2399

Dear Mr. Heinert:

In regard to the water permit application received on May 18, 1992, the filing fee for this application will be \$50.00.

Item No. 4 of the application requests the location of the diversion points. The number of additional wells needs to be specific. Please list the maximum number of wells that may be used in the remediation efforts and the legal descriptions of those wells. Wells can be moved within 600 feet of the quarter-quarter to which they are described.

Upon receipt of the above, further processing of the application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

Check Request

THIS NUMBER MUST BE ON ALL
PACKAGES, SHIPPING PAPERS,
INVOICES AND CORRESPONDENCEORIGINATOR'S
NAME
ADDRESSCHECK
REQ. NO. 1675

DATE 5/22/92			
ORIGINATED BY			
APPROVED BY <i>Ralph Heinert</i>			
LOCATION 5130	DEPT. 0000	ACCOUNT 21477	DETAIL WW
VOUCHER NO.		DATE	TAX STATUS

PAYABLE
TO

WATER RIGHTS DIVISION
DEPT. OF ENVIRONMENT &
NATURAL RESOURCES
STATE OF SOUTH DAKOTA
523 E. CAPITOL
PIERRE, S.D. 57501

565160002

SUBJECT: TRANSMITTAL OF CHECK IN LIEU OF PURCHASE ORDER
ATTACHED IS OUR CHECK IN PAYMENT FOR:

QUANTITY	DESCRIPTION	UNIT COST
	FILING FEE FOR APPLICATION FOR PERMIT TO APPROPRIATE WATER WITHIN THE STATE OF SOUTH DAKOTA. NOTE: WHITEWOOD SITE Application Date - 4/24/92 Rec'd by STATE - 5/18/92	
		TOTAL \$ 50.00
SERVICE/ITEM REC'D. ☐ YES ☐ NO	FROM	PURCHASING APPROVAL <i>Stan Barnes</i>

White — Accounting

Canary — Vendor

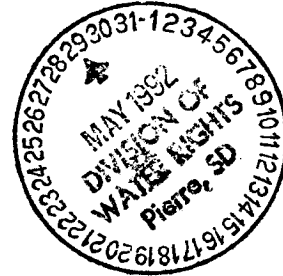
Pink — Originator

Barr

Engineering Company

8300 Norman Center Drive
Minneapolis, MN 55437-1026
Phone: (612) 832-2600
Fax: (612) 835-0186

May 27, 1992



Ms. Karen Schlaak
Natural Resources Analyst
Dept. of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Application for Permit to Appropriate Water, Wheeler Consolidated Wood Treating Site, Whitewood, South Dakota

Dear Ms. Schlaak:

Enclosed is a map indicating the proposed location of additional pump-out wells for the pump-out system to be installed near Whitewood, South Dakota. Up to two additional wells may be installed to achieve the desired capture zone indicated in the original permit application. Any additional pump-out wells will be installed in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T. 6N., R. 4E. in Lawrence County.

The \$50 application filing fee will be sent directly by Ralph Heinert of Champion International Corporation. Please contact me at (612) 832-2722 if you have any questions.

Sincerely,

Douglas E. Connell

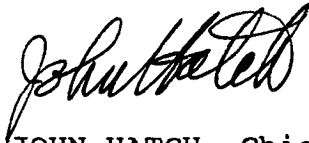
DEC/kmh
Enclosure
c: Ralph Heinert
James Carraway
41\40\002\KS27.LTR

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1553-1, Champion International Corp.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1553-1, Champion International Corp., c/o Ralph Heinert, 952 Spruce Street, Libby, MT 59923-2399.

The Chief Engineer is recommending APPROVAL of Application No. 1553-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use and because groundwater available at the points of diversion may contain contamination, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest because failure to pump water at these points of diversion may result in additional pollution or otherwise impair the use of the alluvium for other uses.

See report on application for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
July 20, 1992

REPORT ON
WATER PERMIT APPLICATION No. 1553-1
CHAMPION INTERNATIONAL CORP.
July 17, 1992

Water permit application No. 1553-1 proposes to appropriate 0.067 cubic feet of water per second (30 gallons per minute) from up to three wells, 50 feet deep located in the SW 1/4 SW 1/4 Sec. 22, T6N-R4E. The water is to be used to intercept and treat groundwater containing wood preservative chemical contamination.

AQUIFER: Quaternary Alluvium

The Quaternary alluvium in this area consists of sands, gravel and clays restricted to the Whitewood Creek floodplain. According to the well completion report filed with this application the alluvium is approximately 45 feet thick with a static water level approximately 33 feet below ground surface. The alluvium is under unconfined hydrologic conditions.

The project proposed by this application involves withdrawing ground water which contains wood preservative chemicals (i.e., pentachloropenol), filtering the water, and returning it to the aquifer. The treated water will be returned to the aquifer via infiltration beds in an area located primarily within the capture zone of the pumping well(s), above an existing plume of contaminated groundwater.

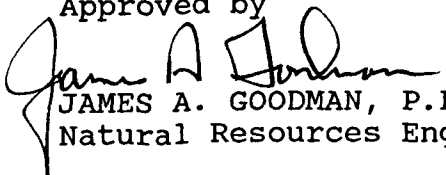
CONCLUSIONS:

1. The purpose of the diversion is to recover contaminated water and conduct remedial action.
2. This is basically a non consumptive use of water and will not effect the amount of unappropriated water available for use from the aquifer.
2. A temporary permit has been issued by the Chief Engineer for this project. The temporary permit is effective August 1, 1992 through December 31, 1992 . The temporary permit will expire upon approval of this application.



KEN BUHLER
Natural Resources Engineer

Approved by



JAMES A. GOODMAN, P.E.
Natural Resources Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

July 29, 1992

Ralph Heinert
Champion International Corp.
952 Spruce Street
Libby, MT 59923-2399

Dear Mr. Heinert:

Water Permit Application No. 1553-1 for groundwater mediation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Spearfish Daily Queen City Mail printed at Spearfish, SD (Ph # 642-2761). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Grönlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

cc: Douglas Connell, Barr Engineering Co., 8300 Norman Center Dr, Minneapolis, MN 55437-1026



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

July 29, 1992

Spearfish Daily Queen City Mail
Box 7
Spearfish, SD 57783

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1553-1 to be published twice. Please publish the first notice on August 5, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Champion International Corp., Ralph Heinert, 952 Spruce Street, Libby, MT 59923-2399 (Ph # 293-4141).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on August 5, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1553-1 to Appropriate Water

Notice is given that Champion International Corp., Ralph Heinert, 952 Spruce St., Libby, MT 59923-2399 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (30 gallons per minute) from up to three wells 50 feet deep (Quaternary Alluvium) located in the SW 1/4 SW 1/4 Section 22-T6N-R4E. The water is to be used to intercept and treat groundwater containing wood preservative chemical contamination.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1553-1 because 1) unappropriated water is available and because groundwater available at the points of diversion may contain contamination, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest because failure to pump water at these points of diversion may result in additional pollution or otherwise impair the use of the alluvium for other uses. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 24, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1553-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 1, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the September 1, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 1, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 24, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by August 24, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE

SS.

OK

Billy T. Masterson, Jr. of said County and State being first duly sworn, on his oath says: That The QUEEN CITY MAIL is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Billy T. Masterson, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and That I, Billy T. Masterson, Jr., the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Hearing

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 5 day of Aug 19 92 and the last publication on the 12 day of Aug 19 92 that the full amount of fees charged for publishing same, to-wit: The sum of \$68.62 insures solely to the benefit of the publisher of the QUEEN CITY MAIL, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 12 day of Aug 19 92.



Ardith Johnson
Notary Public, Lawrence County, South Dakota

My commission expires: 10-24-96



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Robert L. Roberts, Secretary
Department of Environment and
Natural Resources

753
August 5, 1992

128



NOV 17 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Ralph Heinert
Champion International Corporation
952 Spruce St
Libby, MT 59923-2399

Dear Mr. Heinert:

Enclosed is Water Permit No. 1553-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

cc: Douglas Connell, Barr Engineering Co., 8300 Norman Center Drive,
Minneapolis, MN 55437-1026



NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date July 26, 1993

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Champion International Corporation 952 East Spruce Street
(name) (address)
Libby MT 59923 (406) 293-4141
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have ^{not} put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 1553-1.

Water Permit No. 1553-1 states that the diversion system is to be constructed by September 1, 1997, and that the water is put to beneficial use by September 1, 2001.
(date) (date)

The diversion system was completed on July 2, 1993.
(date)

Applying the water to beneficial use was completed on July 6, 1993.
(date)

You may schedule an inspection so that the Water License may be issued.

Ralph Heinert
(signature)

DATE: July 21, 1994

MEMO TO: File

FROM: M. Rassool Ahadi *MDA*

SUBJECT: Completion of Works-Water Permit Application No. 1553-1

Today, I contacted Mr. Ralph Heinert to schedule inspection of Water Permit No. 1553-1. Mr. Heinert stated that the company may still have plans to drill other two wells in the permit. I said that 1/5th of the work must be completed prior to March 1, 1995. Since it has already drilled one well, the company is in compliance with the permit qualification. The whole work must be completed before September 1, 1997. I said I will then postpone inspection of the permit till next year.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

DEC 30 1999

1628-1

Champion International Corp.
%Ralph Heinert
P.O. Box 1590
Libby, MT 59923

Dear Mr. Heinert:

Enclosed is Water License No. 1628-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416300 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1628-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of No. 1553-1 are incorporated into No. 1628-1.