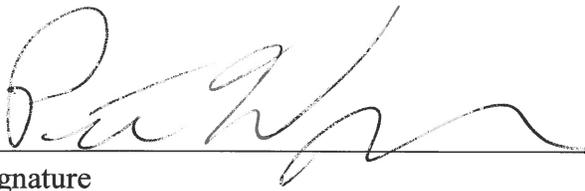

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
REUSE PERMIT
WRU M-0199-02
(formerly LA-000199-01)

Rivervine Water and Sewer, LLC (hereafter "permittee") is hereby authorized to construct, install, and operate a reuse facility in accordance with 1) this permit; 2) IDAPA 58.01.17-*Recycled Water Rules*; 3) an approved plan of operation; and 4) all other applicable federal, state, and local laws, statutes and rules. This permit is effective from the date of signature and expires on **April 30, 2017**.



Signature



Date

Pete Wagner
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

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1. Abbreviations and Definitions

CA	compliance activity
CFU	colony forming units
COD	chemical oxygen demand
CQA	construction quality assurance
DEQ	Idaho Department of Environmental Quality
Director	Director of the Idaho Department of Environmental Quality or the Director's Designee unless otherwise specified
Ei	irrigation efficiency
FM	flow monitoring
GS	growing season
GW	ground water
GWQR	Ground Water Quality Rule
HMU	hydraulic management unit
IDAPA	Idaho Administrative Procedures Act.
IWR	irrigation water requirement
LG	lagoons
MG	million gallons
MU	management unit
NGS	non growing season
NTU	nephelometric turbidity unit
NVDS	non-volatile (fixed) dissolved solids
PS	point serial (plant tissue monitoring)
PO	plan of operation
QAPP	quality assurance project plan
SU	soil monitoring unit
WW	wastewater

2. Facility Information

Information type	Information specific for this permit
Type of recycled water	<input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Industrial
Facility location address	Approximately 3.5 miles west of Eagle, ID, 0.25 miles south of Highway 44, bounded on the north side by Moon Valley Road, and bounded by Pioneer Canal on the south side
Facility mailing address and phone and fax	1017 S. Arbor Island Way, Eagle, ID 83616, Ada (208) 938-4845 / (208) 938-4156
Facility contact information	Mr. Reed DeMordaunt, (208) 938-4845

3. Compliance Schedule for Required Activities

Compliance activity number and Completion due date	Compliance activity description
CA-0199-01 One year after permit issuance	<p>Plan of Operation: An updated Plan of Operation (Operation and Maintenance Manual or O&M Manual) for the wastewater reuse facilities, incorporating the requirements of this permit, shall be submitted to DEQ for review and approval. The O&M manual shall be designed for use as an operator guide for actual day-to-day operations to meet permit requirements and shall include daily sampling and monitoring requirements to insure proper operation of the wastewater treatment and reuse facilities.</p> <p>The O&M manual shall generally include or address all of the information in the latest revision of the Plan of Operation Checklist, found in Section 1.9.3, page 1-72, of DEQ's guidance document. The guidance is available online at: http://www.deq.idaho.gov/water-quality/wastewater/wastewater-disposal-options.aspx.</p> <p>The plan shall include a Quality Assurance Project Plan (QAPP) for monitoring required in this permit. The plan shall cover field activities; data verification and validation; data storage; retrieval and assessment; and monitoring program evaluation and improvement.</p> <p>The approved Plan of Operation will be included by reference and shall be an enforceable part of this permit.</p>

Compliance activity number and Completion due date	Compliance activity description
CA-0199-02 One year after permit issuance	<p>Ground Water Impact Assessment: Within 12 months of permit issuance, submit a Ground Water Impact Assessment, such as a Nutrient-Pathogen (NP) Evaluation to DEQ for review and approval. The assessment is required to demonstrate that the addition of treated wastewater to the unlined irrigation pond (Pond #2) during the non-growing season meets the requirements of IDAPA 58.01.11, <i>Ground Water Quality Rule</i>, for all anticipated flow conditions. The assessment must address current wastewater flows as well as projected flows at build out for the subdivision.</p> <p>If the assessment indicates that discharge to Storage Pond #2 does not meet the requirements of the <i>Ground Water Quality Rule</i>, the permittee must submit a facility plan that proposes measures that the facility will take to ensure that the facility becomes compliant with the <i>Ground Water Quality Rule</i>. The facility plan is due to be submitted to DEQ within twelve months of approval of the assessment, if required based on the results of the assessment, and shall include a schedule for implementation of any necessary actions required for compliance with the <i>Ground Water Quality Rule</i>. Upon approval, the permittee shall implement the items in accordance with the approved schedule. Ground water monitoring may also be required based on the results of the ground water impact assessment.</p> <p>The approved Facility Plan and the Implementation Schedule will be included by reference and shall be enforceable as part of this permit.</p>
CA-0199-03 Plans and Specifications due within 18 months of permit issuance	<p>Treated Effluent Storage: The permittee must submit a preliminary engineering report (PER) and plans and specifications for the storage vessel to DEQ for review and approval. The PER must demonstrate that a sufficient amount of storage capacity will be provided to allow for storage of treated effluent during the day when the public has access to the driving range. The amount of storage must be able to handle peak day demand during build out conditions. The storage tank must be watertight, constructed of durable materials and not subject to excessive corrosion, decay, frost damage, or cracking.</p> <p>The PER and plans and specifications must be submitted within 18 months of permit issuance. Construction must be completed prior to the addition of another connection to the wastewater system.</p>
CA-0199-04 Six (6) months prior to permit expiration date	<p>Permit Renewal Application: Submit an application package to DEQ for permit renewal</p>

4. Permit Limits and Conditions

4.1. Hydraulic Management Unit Descriptions

Serial Number	Description	Type of recycled water allowed	Irrigation System Type/Irrigation Efficiency	Acres
MU-0199-01	Land application site bounded by Pond #2 on the east, Moon Valley Road on the north, and Rivervine subdivision property boundary on the west and Pioneer Canal on the south	Class B	Commercial in-ground turf sprinkler system/ NA, see Note [1]	5.0

Note [1]: No hydraulic loading limit at this time.

4.2. Hydraulic Loading Limits, Vegetation and Grazing

Serial Number	Growing season hydraulic loading	Non-growing season maximum hydraulic loading	Allowed vegetation	Grazing/Waiting period between recycled water application & grazing
MU-0199-01	No hydraulic loading limit at this time	Not allowed	See Plan of Operation	No grazing is allowed without a DEQ-approved Grazing Management Plan.

4.3. Constituent Loading Limits

Serial Number	Constituent loading (from all sources)				
	Nitrogen (lb/acre)	Phosphorus (lb/acre)	Salt (Non-volatile dissolved solids, NVDS) (lb/acre)	COD: growing season / non-growing season (lb/ac-day)	Other (lb/acre)
MU-0199-01	No GS nitrogen loading limit at this time See Note [1]	N/A	N/A	N/A	N/A

Note [1]: In the event that DEQ determines that nitrogen limits are necessary, DEQ shall issue a draft modification to the permit and a staff analysis, and shall process the modifications as provided in IDAPA 58.01.17.700

4.4. Hydraulic Management Unit Buffer Zones, Fencing, and Posting

Serial Number	Buffer distances (in feet) from Hydraulic Management Units				
	Inhabited dwellings/ Areas accessible to the public	Fencing and Posting	Permanent and intermittent surface water	Irrigation ditches and canals	Private water supplies/ Public water supplies
MU-0199-01	100 / 0	<p>Warning signs shall be installed on each side of irrigated public areas and around Pond #2. See Note [1].</p> <p>Warning labels shall be installed on the fire hydrants connected to Pond #1 See Note [1].</p> <p>All valves shall have locking valve covers that are non-interchangeable with potable water valve covers. See Note [2]</p>	No application to surface waters	No application to surface waters	100/100

Note [1]: The signs shall read "Caution: Recycled Water – Do Not Drink" or equivalent in both English and Spanish.

Note [2]: Covers shall have an inscription cast on the top surface stating "Reclaimed Wastewater", or equivalent.

4.5. Other Permit Limits and Conditions

Category	Permit Limits and Conditions
Growing Season (GS)	March 15 through October 31 (230 days)
Non-growing Season (NGS)	November 1 through March 14 (135 days)
Reporting Year for Annual Loading Rates	January 1 through December 31
Wastewater Treatment and Reuse System Operation Requirements	The wastewater treatment facility and reuse systems shall be operated by personnel certified and licensed in the State of Idaho wastewater operator training program at the operator class level specified in IDAPA 58.01.16.203 of the <i>Wastewater Rules</i> and properly trained to operate and maintain the system. Operation of the wastewater treatment system shall be monitored on a 24-hour basis for alarm conditions, including notification of the qualified operating personnel under alarm conditions.

Total Coliform Limit, CFU/100 ml	The median number of total coliform organisms shall not exceed 2.2 per 100 milliliters, as determined from the results of the last seven (7) days for which analyses have been completed, and shall not exceed 23 per 100 milliliters in any confirmed sample.	
Discharge to Pond #2	Discharge to Storage Pond #2 allowed during the non-growing season only in accordance with this permit and IDAPA 58.01.11, Ground Water Quality Rule,	
Fire Suppression	Fire suppression allowed from dedicated, marked hydrants pulling from Pond #1 and only by trained fire employees	
Irrigation Period	Irrigation with recycled water only allowed during periods of non-use by the public	
NGS Wastewater Treatment System Effluent, Total Nitrogen (Total Kjeldahl Nitrogen + Nitrate-N + Nitrite-N) Concentration Limit, mg/L	Monthly average shall not exceed 10 mg/L during periods of discharge to the Storage Pond #2 (NGS). This limit may be lowered based on the ground water impact assessment required by CA-0199-02.	
Wastewater Treatment System Effluent, Turbidity Limit, Nephelometric Turbidity Units (NTUs)	<u>Growing Season</u> <ul style="list-style-type: none"> Instantaneous maximum shall not exceed 10 NTU 24-hour average shall not exceed 5 NTU 	<u>Non Growing Season</u> <ul style="list-style-type: none"> Instantaneous maximum shall not exceed 5 NTU 24-hour average shall not exceed 2 NTU
NGS Wastewater Treatment System Effluent, Biological Oxygen Demand (BOD ₅) Concentration Limit, mg/L	Monthly average shall not exceed 5 mg/L	
NGS Wastewater Treatment System Effluent, pH Limit	6.0-9.0	
Disinfection Requirements	Chlorine disinfection that provides a residual chlorine at the point of compliance of not less than one (1) mg/L total chlorine residual after a contact time of thirty (30) minutes at peak flow	
Runoff and Ponding Restrictions	The permittee shall, to the maximum extent reasonably possible, operate the land application site to prevent ponding and runoff.	
Ground Water Quality Requirement	Wastewater reuse activities conducted by permittee shall not cause a violation of the <i>Ground Water Quality Rule</i> , IDAPA 58.01.11.	

Construction Plans	Prior to construction, modification, or expansion of any wastewater facilities associated with the reuse systems, detailed plans and specifications shall be submitted to and approved by DEQ. Within 30 days of completion of construction, the permittee shall submit record plans and specifications to DEQ.
Declining Balance Report	Provide an updated declining balance report each year in the annual report required by Section 6.1 of this permit. The declining balance report must include the capacity of treatment system as equivalent dwelling units (EDUs), number of EDUs connected to the system, and number of EDUs remaining for each year
Flow Measurement Calibration	Provide documentation in the annual report required by Section 6.1 of annual flow measurement calibration of all flow meters and pumps used directly or indirectly to measure all wastewater, tail water, flushing water, and supplemental irrigation water flows applied to each HMU
Backflow Testing	Provide documentation in the annual report required by Section 6.1 of annual testing of all backflow prevention devices for all supplemental irrigation pumps directly connected to the wastewater distribution system. Report the testing date(s) and results of the test (pass or fail). If any test failed, report the date of repair or replacement of backflow prevention device, and if the repaired/replaced device is operating correctly.

5. Monitoring Requirements

5.1. Recycled Water and Irrigation Water Monitoring, Sampling, and Analyses

5.1.1. Microbial and Constituent Monitoring

Monitoring point serial number and location	Sample description	Sample type/Frequency	Constituents (units in mg/L unless otherwise specified)
WW-0199-01 Filtered Effluent	Wastewater treatment plant effluent, prior to disinfection	In-line monitoring and recording turbidimeter/ continuously	Turbidity (NTU)
WW-0199-02 Disinfected Effluent	Recycled water to MU-0199-01 or LG-0199-01	Grab/ Three times per Week (when discharging effluent)	- total coliform (CFU/100 mL) - total chlorine residual
		Grab sample or continuous monitoring/ Three times per week during NGS	pH
		Composite sample/ Weekly during GS	BOD ₅
		Grab/ Monthly during GS	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total phosphorus - total dissolved solids - electrical conductivity - pH
		Grab/ Twice per month during NGS	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total dissolved solids

5.1.2. Flow Monitoring

Monitoring point serial number and location	Sample description	Sample type/Frequency	Measured Parameter
FM-0199-01 Treated Effluent	Flow from the wastewater treatment plant to MU-0199-01 or LG-0199-01	- Daily meter reading; - Monthly compilation of data;	<ul style="list-style-type: none"> Gallons/day (compiled monthly and monthly values reported annually) Document where the wastewater was discharged

5.2. Lagoon Information

Serial number	Description
LG-0199-01	Pond #2

6. Reporting Requirements

6.1. Annual Report Requirements

The permittee shall submit to DEQ an annual report prepared by a competent environmental professional covering the previous reporting year. The report shall be in the format as prescribed by DEQ.

6.1.1. Due Date

The annual report is due no later than January 31 of each year, which shall cover the previous reporting year.

6.1.2. Required Contents

The Annual Report shall include the following:

- 6.1.2.1. an interpretive discussion of all required monitoring data. The report shall address data quality objectives and facility environmental impacts. The reporting year for this permit is specified in Section 0.
- 6.1.2.2. the results of the required monitoring as described in Section 5 of this permit. If the Permittee monitors any parameter more frequently than required by this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the annual report.
- 6.1.2.3. written status of all work described in Section 3 of this permit.
- 6.1.2.4. written summary of all noncompliance events that occurred during the reporting year.
- 6.1.2.5. submittal of the calculations and observations for HMUs specified in the table below:

Hydraulic Management Unit Reporting

Monitoring point serial number	Parameter (calculate for each MU)	Units
MU-0199-01	Recycled water loading rate	Million gallons/month Inches/month
Other Reporting Requirements		
Declining Balance Report	<ul style="list-style-type: none"> • capacity of treatment system as equivalent dwelling units (EDUs) • number of EDUs connected to the system, and • number of EDUs remaining for each year 	

Flow Measurement Calibration	Provide documentation of calibration of all flow measurement devices associated with the reuse system
Backflow Testing	<ul style="list-style-type: none">• Testing date(s)• Results of the test (pass or fail),• If any test failed, report the date of repair or replacement of backflow prevention device, and• If the repaired/replaced device is operating correctly, device was repaired or replaced.

6.1.3. Submittal

The annual report shall be submitted to the following DEQ Regional Office at this address:

Engineering Manager
Idaho Department of Environmental Quality
Boise Regional Office
1445 N. Orchard St.
Boise, ID 83706
(208) 373-0550/ (208) 373-0287

6.2. Emergency and Non-compliance Reporting

Report noncompliance incidents to the DEQ Regional Office. See Section 6.1.3 for the Regional Office phone number.

In case of emergencies, call the Emergency 24 Hour Number: 1-800-632-8000 as well as the DEQ Regional Office.

See also Section 7, Standard Permit Conditions and IDAPA 58.01.17.500.06 for reporting requirements for facilities.

7. Standard Permit Conditions

The following Standard Permit Conditions are included as terms of this permit as required by the Recycled Water Rules, IDAPA 58.01.17.500.

500. STANDARD PERMIT CONDITIONS.

The following conditions shall apply to and be included in all permits. (4-1-88)

01. Compliance Required. *The permittee shall comply with all conditions of the permit.* (4-1-88)

02. Renewal Responsibilities. *If the permittee intends to continue operation of the permitted facility after the expiration of an existing permit, the permittee shall apply for a new permit in accordance with these rules.* (4-1-88)

03. Operation of Facilities. *The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, control and monitoring, which are installed or used by the permittee to achieve compliance with the permit or these rules.* (4-1-88)

04. Provide Information. *The permittee shall furnish to the Director within a reasonable time, any information including copies of records, which may be requested by the Director to determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these rules.* (4-1-88)

05. Entry and Access. *The permittee shall allow the Director, consistent with Title 39, Chapter 1, Idaho Code, to:* (4-1-88)

a. *Enter the permitted facility.* (4-1-88)

b. *Inspect any records that must be kept under the conditions of the permit.* (4-1-88)

c. *Inspect any facility, equipment, practice, or operation permitted or required by the permit.* (4-1-88)

d. *Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility.* (4-1-88)

06. Reporting. *The permittee shall report to the Director under the circumstances and in the manner specified in this section:* (4-1-88)

a. *In writing at least thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any significant change in information that was submitted during the permit application process. When the alteration or addition results in a need for a major modification, such alteration or addition shall not be made prior to Department approval issued in accordance with these rules.* (4-7-11)

b. *In writing thirty (30) days before any anticipated change which would result in noncompliance with any permit condition or these rules.* (4-1-88)

c. *Orally within twenty-four (24) hours from the time the permittee became aware of any noncompliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director.* (4-1-88)

d. *In writing as soon as possible but within five (5) days of the date the permittee knows or should know of any noncompliance unless extended by the Department. This report shall contain:* (4-1-88)

i. *A description of the noncompliance and its cause;* (4-1-88)

ii. *The period of noncompliance including to the extent possible, times and dates and, if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and* (4-7-11)

iii. *Steps taken or planned, including timelines, to reduce or eliminate the continuance or reoccurrence of the noncompliance.* (4-7-11)

e. *In writing as soon as possible after the permittee becomes aware of relevant facts not submitted or incorrect information submitted, in a permit application or any report to the Director. Those facts or the correct information shall be included as a part of this report.* (4-1-88)

07. Minimize Impacts. *The permittee shall take all necessary actions to eliminate and correct any adverse impact on the public health or the environment resulting from permit noncompliance.* (4-1-88)

08. Compliance with "Ground Water Quality Rule." *Permits issued pursuant to these rules shall require compliance with IDAPA 58.01.11, "Ground Water Quality Rule."* (4-7-11)

8. General Permit Conditions

The following General Permit Conditions are identical to the cited rules at the time of issuance and are enforceable as part of this permit. Note that the rules cited in this section, and elsewhere in this permit, are supplemented by the rules themselves. Rules applicable to your facility are enforceable whether or not they appear in this permit.

8.1. Operations

8.1.1. Backflow Prevention

Reuse facilities with existing or planned cross-connections or interconnections between the recycled water system and any water supply (potable or non-potable), shall have backflow prevention assemblies as required by applicable rule or regulation and approved by DEQ. Such assemblies shall be adequately maintained, and shall be tested annually by a certified backflow assembly tester, and repaired or replaced as necessary to maintain operational status. Records of backflow assembly test results, repairs, and replacements shall be kept at the reuse facility along with other operational records, and shall be discussed in the Annual Report and made available for inspection by DEQ. Other approved means of backflow prevention, such as siphons and air-gap structures that cannot be tested, shall be maintained in operable order.

Backflow prevention may be required on a case-by-case basis, as determined by DEQ, to isolate different classes of recycled water.

8.1.2. Restricted to Premises

Wastewater(s) or recharge waters applied to the land surface must be restricted to the premises of the application site. Wastewater discharges to surface water that require a permit under the Clean Water Act must be authorized by the U.S. Environmental Protection Agency (IDAPA 58.01.16.600.02).

8.1.3. Health Hazards, Nuisances and Odors Prohibited

Health hazards, nuisances, and odors are prohibited as follows:

- Wastewater must not create a public health hazard or nuisance condition. (IDAPA 58.01.16.600.03)
- No person shall allow, suffer, cause or permit the emission of odorous gases, liquids or solids into the atmosphere in such quantities as to cause air pollution, (IDAPA 58.01.01.776.01)
- Air Pollution. The presence in the outdoor atmosphere of any air pollutant or combination thereof in such quantity of such nature and duration and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property. (IDAPA 58.01.01.006.06)

8.1.4. Solids Management

Solids must be managed as follows:

- Solid waste regulated under *IDAPA 58.01.06 - Solid Waste Management Rules and Standards* shall be managed to comply with such rules and, where applicable, this permit.
- Sludge usage regulated under *IDAPA 58.01.16.650 – Wastewater Rules* shall be managed to comply with such rules and, where applicable, this permit.

Note: Biosolids use is regulated by federal law, and may be regulated by local ordinances.

8.1.5. Temporary Cessation of Operations and Closure (IDAPA 58.01.17.801)

Temporary cessation of operations and closure must be addressed as follows:

01. Temporary Cessation. *A permittee shall implement any applicable conditions specified in the permit for temporary cessation of operations. When the permit does not specify applicable temporary cessation conditions, the permittee shall notify the Director prior to a temporary cessation of operations at the facility greater than sixty (60) days in duration and any cessation not for regular maintenance or repair. Cessation of operations necessary for regular maintenance or repair of a duration of sixty (60) days or less are not required to notify the Department under this section. All notifications required under this section shall include a proposed temporary cessation plan that will ensure the cessation of operations will not pose a threat to human health or the environment.* (4-7-11)

02. Closure. *A closure plan shall be required when a facility is closed voluntarily and when a permit is revoked or expires. A permittee shall implement any applicable conditions specified in the permit for closure of the facility. Unless otherwise directed by the terms of the permit or by the Director, the permittee shall submit a closure plan to the Director for approval at least ninety (90) days prior to ceasing operations. The closure plan shall ensure that the closed facility will not pose a threat to human health and the environment. Closure plan approval may be conditioned upon a permittee's agreement to complete such site investigations, monitoring, and any necessary remediation activities that may be required.* (4-7-11)

8.1.6. Plan of Operation (IDAPA 58.01.17.300.05)

The Plan of Operation must comply with the following:

05. Reuse Facility Operation and Maintenance Manual or Plan of Operations. *A facility's operation and maintenance manual must contain all system components relating to the reuse facility in order to comply with IDAPA 58.01.16 "Wastewater Rules," Section 425. Manuals and manual amendments are subject to the review and approval provision therein. In addition to the content required by IDAPA 58.01.16.425, manuals for reuse facilities shall include, if applicable: operation and management responsibility, permits and standards, general plant description, operation and control of unit operations, land application site maps, wastewater characterization, cropping plan, hydraulic loading rate, constituent loading rates, compliance activities, seepage rate testing, site management plans, monitoring, site operations and maintenance, solids handling and processing, laboratory testing, general maintenance, records and reports, store room and inventory, personnel, an emergency operating plan, and any other information required by the Department.* (4-7-11)

8.1.7. 10-Year Lagoon Seepage Testing (IDAPA 58.01.16.493.02)

Seepage testing must meet the following requirements:

c. Subsequent Tests. All lagoons covered under these rules must be seepage tested by an Idaho licensed professional engineer, an Idaho licensed professional geologist, or by individuals under their supervision every ten (10) years after the initial testing. (5-8-09)

e. Procedures for Performing a Seepage Test. The procedure for performing a seepage test or alternative analysis must be approved by the Department, and the test results must be submitted to the Department. If an existing lagoon has passed a seepage test before April 15, 2012 and submitted the results to the Department, the owner of that lagoon has ten (10) years from the date of the testing to comply with this requirement. (5-8-09)

8.1.8. Ground Water Quality (IDAPA 58.01.11)

The permittee shall comply with the requirements of IDAPA 58.01.11 – Ground Water Quality Rule.

8.2. Administrative

Requirements for administration of the permit are defined as follows.

8.2.1. Permit Modification (IDAPA 58.01.17.700)

01. Modification of Permits. A permit modification may be initiated by the receipt of a request for modification from the permittee, or may be initiated by the Department if one (1) of more of the following causes for modification exist: (4-7-11)

a. Alterations. There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit. (4-7-11)

b. New standards or regulations. The standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued. (4-7-11)

c. Compliance schedules. The Department determines good cause exists for modification of a compliance schedule or terms and conditions of a permit. (4-7-11)

d. Non-limited pollutants. When the level of discharge of any pollutant which is not limited in the permit exceeds the level which may cause an adverse impact to surface or ground waters. (4-7-11)

e. To correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions. (4-7-11)

f. When a treatment technology proposed, installed, and properly operated and maintained by the permittee fails to achieve the requirements of the permit. (4-7-11)

02. Minor Modifications. Minor modifications are those which if granted would not result in any increased hazard to the environment or to the public health. If a permit modification satisfies the criteria for "minor modifications," the permit may be modified without issuance of a draft permit or public review. Minor modifications are normally limited to: (4-7-11)

- a. *The correction of typographical errors or formatting changes;* (4-7-11)
 - b. *Transfer of ownership or operational control, or responsible official;* (4-7-11)
 - c. *A change in monitoring or reporting frequency requirements, or revision of a laboratory method;* (4-7-11)
 - d. *Change compliance due date in a schedule of compliance, provided the new date does not exceed six (6) months;* (4-7-11)
 - e. *Change or add a sampling location;* (4-7-11)
 - f. *Change to a higher level of treatment without a change in end uses;* (4-7-11)
 - g. *Change in terminology;* (4-7-11)
 - h. *Removal of an allowed use;* (4-7-11)
 - i. *Correct minor technical errors, such as citations of law, and citations of construction specifications;* (4-7-11)
 - j. *Change in a contingency plan resulting in equal or more efficient responsiveness; or* (4-7-11)
 - k. *Removal of acreage from irrigation without an increase in loadings.* (4-7-11)
- 03. Major Modifications.** *All modifications not considered minor shall be considered major modifications. The procedure for making major modifications shall be the same as that used for a new permit under these rules. Some examples of the major modifications are:* (4-7-11)
- a. *Changes in the treatment system;* (4-7-11)
 - b. *Adding an allowed use;* (4-7-11)
 - c. *Changes to a lower (less treated) class of water;* (4-7-11)
 - d. *Addition of acreage used for irrigation; or* (4-7-11)
 - e. *Changes to less stringent discharge limitations.* (4-7-11)

8.2.2. Permit Transfer (IDAPA 58.01.17.800)

01. General. *A permit may be transferred only upon approval of the Department. No transfer is required for a corporate name change as long as the secretary of state can verify that a change in name alone has occurred. An attempted transfer is not effective for any purpose until approved in writing by the Department.* (4-7-11)

02. Request for Transfer. *Either the permit holder (permittee) or the person to whom the permit is proposed to be transfer (transferee) shall submit to the department a request for transfer at least thirty (30) days before the proposed transfer date. The request for transfer shall include:* (4-7-11)

- a. *Legal name and address of the permittee;* (4-7-11)
- b. *Legal name and address of the transferee;* (4-7-11)

- c. Location and the common name of the facility; (4-7-11)*
- d. Date of proposed transfer; (4-7-11)*
- e. Sufficient documentation for the Department to determine that the transferee will meet the requirements listed in IDAPA 58.01.16 "Wastewater Rules," Section 409, relating to technical, financial and managerial capacity; (4-7-11)*
- f. A signed declaration by the transferee that the transferee has reviewed the permit and understands the terms of the permit; (4-7-11)*
- g. A sworn statement that the request is made with the full knowledge and consent of the permittee if the transferee is submitting the request; (4-7-11)*
- h. Identification of any judicial decree, compliance agreement, enforcement order, or other outstanding obligating instrument, the terms of which have not been met, along with legal instruments sufficient to address liabilities under such decree, agreement, order, or other obligating instrument; and (4-7-11)*
- i. Any other information the director may reasonably require. (4-7-11)*
- 03. *Effective Date of Transfer.*** Responsibility for compliance with the terms and conditions of the permit and liability for any violation associated therewith is assumed by the transferee, effective on the date indicated in the approved transfer. (4-7-11)
- 04. *Compliance with Permit Conditions Pending Transfer Approval.*** Prior to a transfer approval, the permittee shall continue to be responsible for compliance with the terms and conditions of the permit and be liable for any violation associated therewith, regardless of whether ownership or operational control of the permitted facility has been transferred. (4-7-11)
- 05. *Transferee Liability Prior to Transfer Approval.*** If a proposed transferee causes or allows operation of the facility under his ownership or control before approval of the permit transfer, such transferee shall be considered to be operating without a permit or authorization required by these rules and may be cited for additional violations as applicable. (4-7-11)
- 06. *Compliance Record of Transferee.*** The director may consider the prior compliance record of the transferee, if any, in the decision to approve or disapprove a transfer. (4-7-11)

8.2.3. Permit Revocation (IDAPA 58.01.17.920)

- 01. *Conditions for Revocation.*** The Director may revoke a permit if the permittee violates any permit condition or these rules, or the Director becomes aware of any omission or misrepresentation of condition or information relied upon when issuing the permit. (4-7-11)
- 02. *Notice of Revocation.*** Except in cases of emergency, the Director shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within thirty-five (35) days of receipt of the notice by the permittee, unless within that time the permittee requests an administrative hearing in writing. The hearing shall be conducted in accordance with IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality." (5-3-03)
- 03. *Emergency Action.*** If the Director finds the public health, safety or welfare requires emergency action, the Director shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the permittee. Thereafter, if requested by the permittee in writing, the Director shall provide the permittee a revocation hearing and prior notice

thereof. Such hearings shall be conducted in accordance with IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality.” (3-15-02)

04. Revocation and Closure. A permittee shall perform the closure requirements in a permit, the closure requirements of these rules, and complete all closure plan activities notwithstanding the revocation of the permit. (4-7-11)

8.2.4. Violations (IDAPA 58.01.17.930)

Any person violating any provision of these rules or any permit or order issued thereunder shall be liable for a civil penalty not to exceed ten thousand dollars (\$10,000) or one thousand dollars (\$1,000) for each day of a continuing violation, whichever is greater. In addition, pursuant to Title 39, Chapter 1, Idaho Code, any willful or negligent violation may constitute a misdemeanor. (4-1-88)

8.2.5. Severability

The provisions of this permit are severable, and if a provision or its application is declared invalid or unenforceable for any reason, that declaration will not affect the validity or enforceability of the remaining provisions.

9. Other Applicable Laws

The Department may refer enforcement of the following provisions to the state agency authorized to enforce that rule. The permittee shall comply with all applicable provisions identified in this section, as well as all other applicable federal, state, and local laws, statutes and rules.

9.1. Owners Responsibilities for Well Use and Maintenance

9.1.1. Well Use

The well owner must not operate any well in a manner that causes waste or contamination of the ground water resource. Failure to operate, maintain, knowingly allow the construction of any well in a manner that violates these rules, or failure to repair or properly decommission (abandon) any well as herein required will subject the well owner to civil penalties as provided by statute. See IDAPA 37.03.09.036.01 and consult the Idaho Department of Water Resources (IDWR) for more information.

9.1.2. Well Maintenance

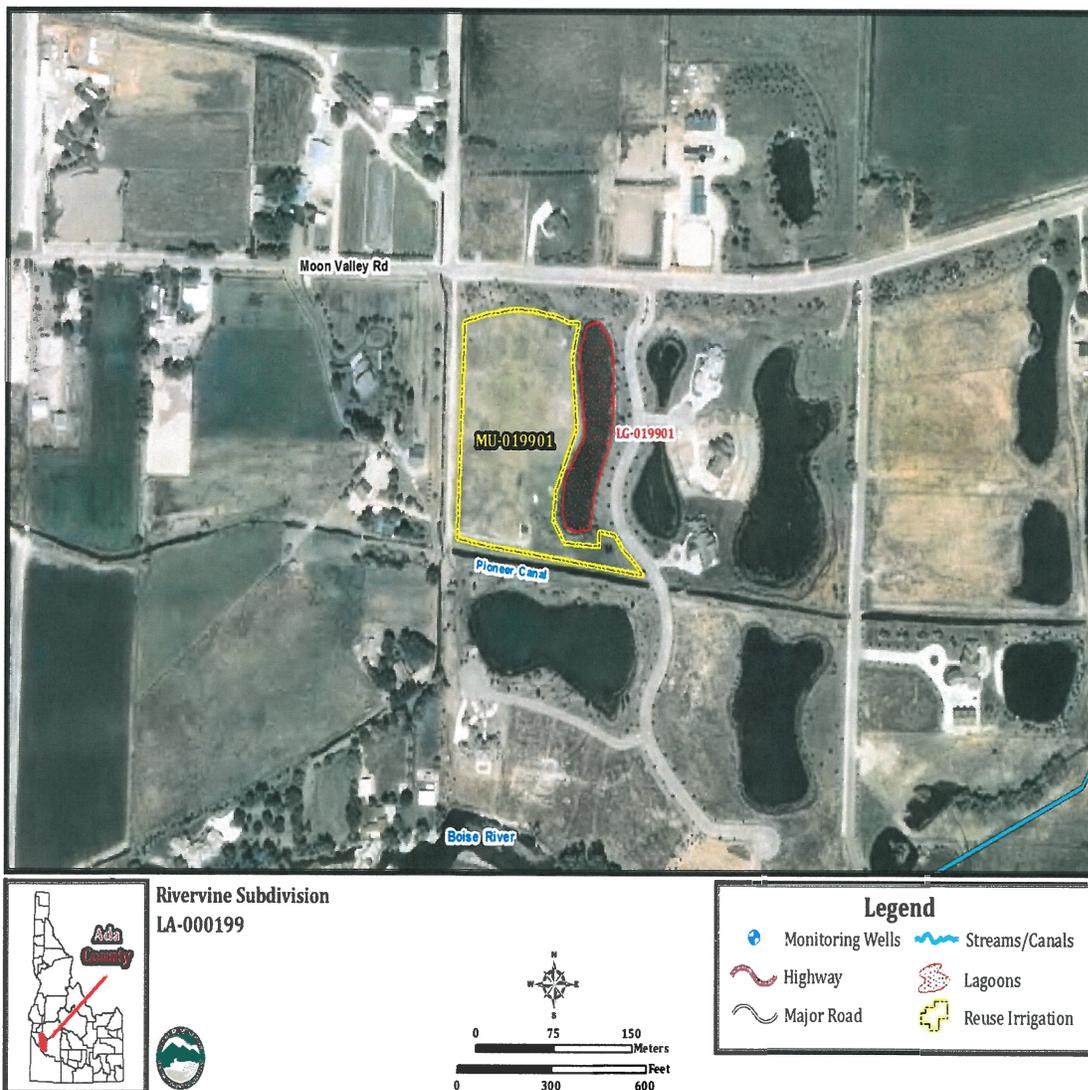
The well owner must maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals or through leakage around the outside of the casings, whether the leakage is above or below the land surface. Any person owning or controlling a non-compliant well must have the well repaired by a licensed well driller under a permit issued by the Director of the IDWR in accordance with the applicable rules. See IDAPA 37.03.09.036.02 and consult the IDWR for more information.

9.1.3. Wells Posing a Threat to Human Health and Safety or Causing Contamination of the Ground Water Resource

The well owner must have any well shown to pose a threat to human health and safety or cause contamination of the ground water resource immediately repaired or decommissioned (abandoned) by a licensed well driller under a permit issued by the Director of the IDWR in accordance with the applicable rules. See IDAPA 37.03.09.036.06 and consult the IDWR for more information.

10. Site Maps

10.1. Facility Map



10.2. General Area Map

