IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

REUSE PERMIT

WRU M-0012-02

(formerly LA-000012-01)

City of St. Maries (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 **(up to 120 months from issue date)**.

Signature

Date

Daniel Redline
Regional Administrator
Coeur d'Alene 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
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
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

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2. Facility Information

Information type	Information specific for this permit	
Type(s) of recycled water (check relevant boxes)	☒ Municipal ☐ Industrial	
Facility location address	602 College Avenue, St. Maries, Idaho, 83861, Benewah	
Facility mailing address and phone and fax	602 College Avenue, St. Maries, Idaho, 83861, Benewah (208) 245-2577	
Facility contact information	Tammi Holdahl, Mayor, (208) 245-2577	
Facility Operator Mailing Address License Numbers Office Phone Fax / Cell Phone Email	Fred Argelan (RCO) City of St. Maries 602 W College Avenue St. Maries, ID 83861 WWT1-14047, WWC2-16405, WWTLA-14137 (208) 245-2577 (208) 245-6579 / (208) 582-0822 smwastewater@smgazette.com	Marla Schauls (SRCO) City of St. Maries 602 W College Avenue St. Maries, ID 83861 WWT1-11439, WWC2-14325-GP, WWTLA-14136 (208) 245-2577 (208) 245-6579 / (208) 496-2939 smwastewater@smgazette.com
Facility Consultants Mailing Address Phone Fax Email	Welch-Comer Engineers and Surveyors 350 E. Kathleen Avenue Coeur d'Alene, ID 83815 (208) 664-9382 (208) 664-5946 WC@Welchcomer.com	

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3. Compliance Schedule for Required Activities

Compliance activity number and Completion due date	**Compliance activity description**
CA-012-01 Within Six (6) months of permit issuance	**Plan of Operation**: An updated Plan of Operation (Operation and Maintenance Manual or O&M Manual) for the wastewater land application facilities, incorporating the requirements of this permit, shall be submitted to DEQ for review and approval. The Plan of Operation 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 assess the adequacy of wastewater treatment facility operation. The Plan of Operation shall contain at a minimum all of the information in the latest revision of the Plan of Operation Checklist. The Plan of Operation shall also include the following: 1) Runoff Management Plan for control and mitigation of site runoff. This plan shall include administrative procedures and practices to avoid producing runoff from the site when irrigating; and 2) Quality Assurance Project Plan (QAPP) for monitoring required in this permit. The plan shall cover field activities; laboratory analytical methods and other activities; data verification and validation; data storage, retrieval and assessment; and monitoring program evaluation and improvement. Permittee shall submit to DEQ for review and approval a Plan of Operations (otherwise known as an Operation and Maintenance 'O&M' Manual). The Plan of Operations shall comply with requirements stated in IDAPA 58.01.17.300.05 and shall address the items in the latest revision of the Plan of Operation Checklist. The Plan of Operation shall be updated as necessary to reflect current operations.
CA-012-02 Within Six (6) months of permit issuance	**Water Balance Analysis Report**: The permittee shall prepare a "Water Balance Analysis Report" to determine why there have been substantial volumes of unaccounted wastewater reported. At a minimum, the report will evaluate the following: influent flows; effluent flows discharged to the St. Joe River under the NPDES permit and irrigated; precipitation into and evaporation out of the lagoons; lagoon volumes available for storage; influent and effluent flow meter accuracy; lagoon seepage rates; other pipe losses. The report will also evaluate the water balance for the projected flows for the five (5) year period covered by this permit.
CA-012-03 One hundred eighty (180) days prior to permit expiration	**Permit Renewal**: Submit an application to DEQ for permit renewal.

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4. Permit Limits and Conditions

4.1. Hydraulic Management Unit Descriptions

Serial Number	Description	Type of recycled water allowed	Irrigation System Type/Irrigation Efficiency (Ei) (a proportion)	Acres
MU-012-01	East Irrigation Pivot	Class C	Pivot/(Ei = 0.75)	87.5
MU-012-02	West Irrigation Pivot	Class C	Pivot/(Ei = 0.75)	87.5

4.2. Hydraulic Loading Limits, Vegetation and Grazing

Serial Number	Growing season hydraulic loading, see Notes [1] & [2])	Non-growing season maximum hydraulic loading	Allowed vegetation	Grazing (see Note [3]) / Waiting period between recycled water application & grazing
MU-012-01	Substantially at the irrigation water requirement For grass hay: April: 1.69 in/ac; 4.0 MG May: 4.31 in/ac; 10.2 MG June: 4.96 in/ac; 11.8 MG July: 5.00 in/ac; 11.9 MG August: 3.82 in/ac; 9.1 MG Sept: 2.16 in/ac; 5.1 MG Oct: 0.13 in/ac; 0.3 MG	Not allowed	Crops not grown for human consumption	Not allowed
MU-012-02	Substantially at the irrigation water requirement For grass hay: April: 1.69 in/ac; 4.0 MG May: 4.31 in/ac; 10.2 MG June: 4.96 in/ac; 11.8 MG July: 5.00 in/ac; 11.9 MG August: 3.82 in/ac; 9.1 MG Sept: 2.16 in/ac; 5.1 MG Oct: 0.13 in/ac; 0.3 MG	Not allowed	Crops not grown for human consumption	Not allowed

Notes [1]: Based on precipitation data from http://www.kimberly.uidaho.edu/ETIdaho/ for the Saint Maries and Coeur d'Alene.
[2]: Based upon conversion factor of 27,154 gallons per acre-inch.
[3]: Grazing is not allowed without prior DEQ approval of a Grazing Management Plan.

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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), see Note [2].	Other (lb/acre)
MU-012-01	150% of typical crop uptake (see Note [1]) or crop uptake calculated from crop tissue analysis results	None	None	None	
MU-012-02	150% of typical crop uptake (see Note [1]) or crop uptake calculated from crop tissue analysis results	None	None	None	

Note [1]: The nitrogen loading limit of 150% of typical crop uptake. Typical crop uptake is the median constituent crop uptake from the three (3) most recent years the crop has been grown. For crops having less than three years of on-site crop uptake data, regional crop yield data and typical nutrient content values, or other values approved by DEQ, may be used. Nitrogen loading rates specified in the University of Idaho Fertility Guides may also be used.
Note [2]: Limit expressed in lb/acre-day on a seasonal average.

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

Serial Number	Buffer distances (in feet) from Hydraulic Management Units				
	Inhabited dwellings or Areas accessible to the public	Fencing and Posting	Permanent and intermittent surface water	Irrigation ditches and canals	Private water supplies/ Public water supplies, see Note [2]
MU-012-01	300 / 50	No fencing required, for signs see Note [1]	100	50	500/1,000

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MU-012-02	300 / 50	No fencing required, for signs see Note [1]	100	50	500/1,000

Notes [1]: Signs shall read "Irrigated with Reclaimed Wastewater – Do not Drink" or equivalent signage both in English and Spanish. Signs shall be posted every 500 feet along the north boundary and every 250 feet along the west, south, and east boundaries. All corners and site access gates shall also be posted.

[2]: These buffer zone distances shall be maintained unless a Department-approved well location acceptability analysis indicates an alternative buffer zone is acceptable

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4.5. Other Permit Limits and Conditions

Category	Permit Limits and Conditions
Growing Season	April 1 through October 31 (214 days)
Non-growing Season	None
Reporting Year for Annual Loading Rates	November 1 through October 31
Operator Licensure Required	WWT1, WWC2, and WWTLA
Runoff	No runoff of wastewater allowed. Reuse water shall not be land-applied during precipitation events.
Wastewater Distribution	Wastewater shall be evenly distributed over irrigation site acreage.
Disinfection Limits in Recycled Water	
Class C: The median number of total coliform organisms does not exceed 23 CFU/100 mL, as determined from the bacteriological results of the last 5 days for which analyses have been completed. No sample shall exceed 230 CFU/100 mL in any confirmed sample.	

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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-012-01 Discharge point to irrigation	Recycled water to MU-012-01 and MU-012-02	Grab/Weekly (during periods of use)	- total coliform (CFU/100 mL)
		Grab/Monthly (during periods of use)	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total phosphorus

5.1.2. Flow Monitoring

Monitoring point serial number and location	Sample description	Sample type/Frequency	Measured Parameter
FM-012-01 Magnetic flow meter located upstream of LG-012-01 and LG-012-02	Flow from City collection system to LG-012-01 and LG-012-02	- Daily meter reading; - Monthly compilation of data;	- flow (gallons/month)
FM-012-02 Magnetic flow meter downstream of LG-012-03	Flow from LG-012-03 to MU-012-01 and MU-012-02	- Daily meter reading when irrigating; - Monthly compilation of data;	- flow (gallons/month)

Note: Document the flow measurement calibration of all flow meters used directly or indirectly to measure all wastewater flows applied to each management unit.

5.2. Ground Water Monitoring

5.2.1. Ground Water Monitoring Point Descriptions

Monitoring point serial number	Common designation	Well type	Gradient location	Compliance well? Yes/No; (If applicable)
GW-012-01A	Piezometer in MU-012-01	Piezometer		

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GW-012-01B	Piezometer in MU-012-01	Piezometer		
GW-012-02A	Piezometer in MU-012-02	Piezometer		
GW-012-02B	Piezometer in MU-012-02	Piezometer		
GW-012-03	Irrigation fields underdrain sampling point	Underdrain sampling point	Down Gradient	

5.2.2. Ground Water Monitoring, Sampling, and Analyses

Monitoring point serial number	**Sampling point description**	**Sample type/ Frequency**	**Constituents (units in mg/L unless otherwise specified)**
GW-012-01A GW-012-01B GW-012-02A GW-012-02B	Piezometers in MU-012-01 and MU-012-02	Depth measurement/Weekly (during periods of land application) (No wastewater shall be irrigated on an HMU unless the depth to groundwater from the ground surface is greater than three (3) feet as measured in the two (2) piezometers located in the HMU)	- water table depth (ft) measured from ground surface
GW-012-03	Irrigation fields underdrain	Grab/Monthly (during periods of land application)	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total phosphorus
		Grab/Annually (prior to beginning of land application season)	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total phosphorus

5.3. Soil Monitoring

5.3.1. Soil Monitoring Unit Descriptions

Monitoring point serial number	**Description**	**Associated MU**
SU-012-01	East Irrigation Pivot	MU-012-01
SU-012-02	West Irrigation Pivot	MU-012-02

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5.3.2. Soil Monitoring, Sampling and Analyses

Monitoring point serial number	Sample type	Sample frequency	Constituents (units in mg/kg soil unless otherwise specified)
SU-012-01 SU-012-02	Composite samples	Semi-annually (April and October)	- electrical conductivity (umhos/cm) - nitrate-nitrogen (mg/Kg) - ammonia nitrogen (mg/Kg) - total phosphorus (mg/Kg) - plant available phosphorus (mg/Kg) - pH
Five (5) locations in each soil monitoring unit (SU) shall be sampled. At each location, samples shall be obtained from three depths: 0 – 12 inches; 12 – 24 inches; and 24 – 36 inches or refusal. The five (5) subsamples obtained from each depth shall be composited by depth to yield three composite samples for each soil monitoring unit; one composite sample for each depth. For plant available phosphorus analysis: use Olsen Method if soil pH is 6.5 or greater; us Bray Method if soil pH is less than 6.5.			

5.4. Plant Tissue Monitoring

Monitoring point serial number PS-012			
Associated Hydraulic Monitoring Units	**Sample type**	**Sample frequency**	**Reporting parameter(s) (see Note [1] below)**
MU-012-01	Harvested portion	Each harvest	- yield (ton/ac) - total nitrogen (%) - total phosphorus (%) - ash (%) - moisture content (%)
MU-012-02	Harvested portion	Each harvest	- yield (ton/ac) - total nitrogen (%) - total phosphorus (%) - ash (%) - moisture content (%)

Note [1]: For each harvest, report the following in association with the plant tissue monitoring point serial number: a) associated management unit, b) sample collection date, c) crop type, d) harvested portion, e) reporting parameters in the table above.

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5.5. Lagoon Information

Serial number	Description
LG-012-01	East Primary Treatment Lagoon
LG-012-02	West Primary Treatment Lagoon
LG-012-03	Storage Lagoon

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 0 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-012-01 MU-012-02	Recycled water loading rate	Gallons/acre-month Acre inches/month
	Recycled water nitrogen and phosphorus loading rates	Pounds/acre-year
	Fertilizer nitrogen and phosphorus application rates	Pounds/acre-year

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Monitoring point serial number	Parameter (calculate for each MU)	Units
	Waste solids nitrogen and phosphorus application rates	Pounds/acre-year
	Crop type	Name(s)
	Crop yield (each harvest)	Pounds/acre Pounds/MU
	Crop constituent removal: nitrogen, phosphorus, and ash	Pounds/acre Pounds/MU
Other Reporting Requirements:		
- Visual observation of field conditions: areas of ponding, unusual conditions, etc. - Record daily as necessary when land applying. - Keep records at the facility and have records available for DEQ inspection.		

6.1.3. Submittal

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

John Tindall, Engineering Manager
Idaho Department of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
(208) 769-1422
John.Tindall@deq.idaho.gov

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)*

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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)*

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***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)

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- 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)*

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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)*

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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)*

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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*

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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.

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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

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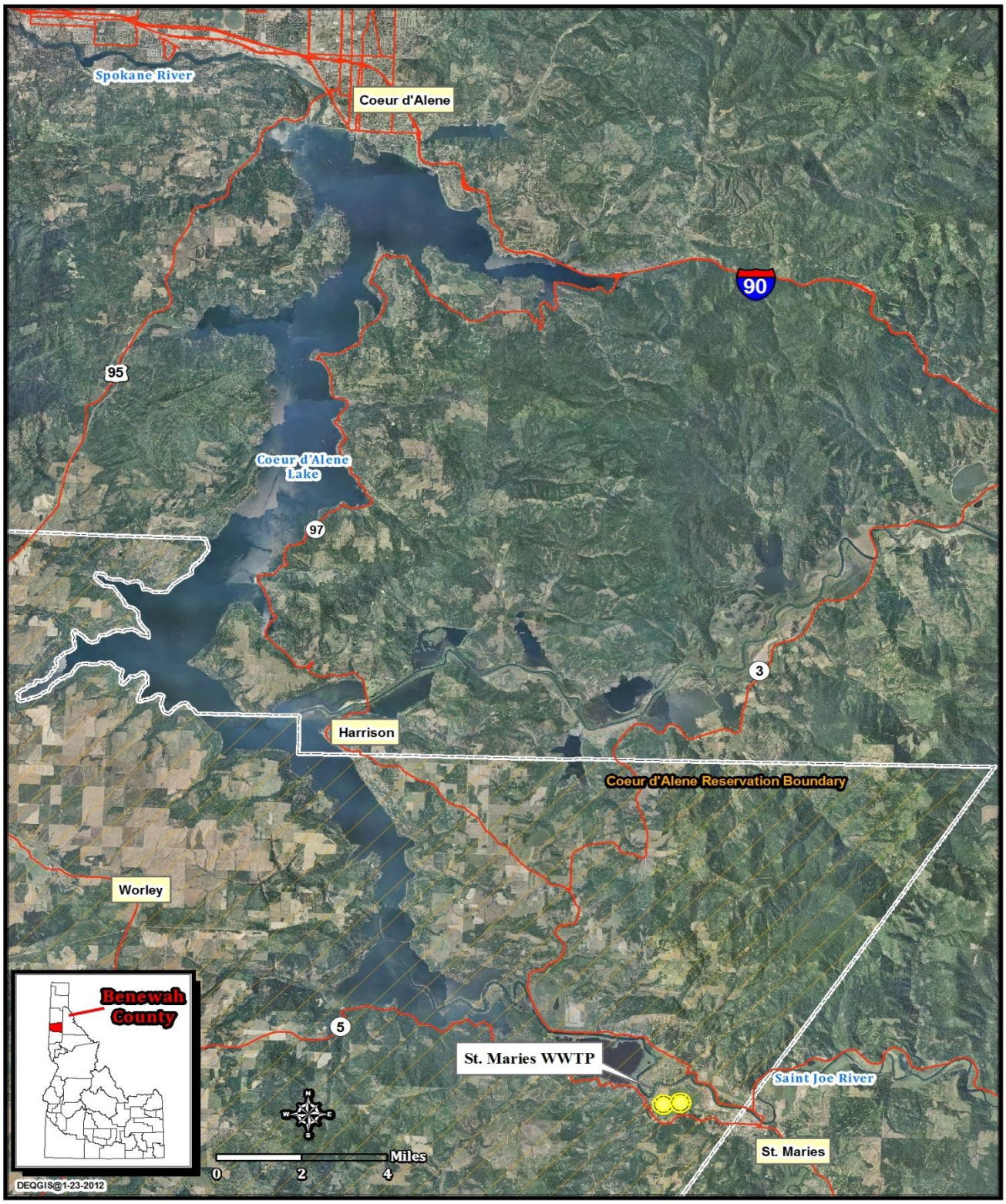
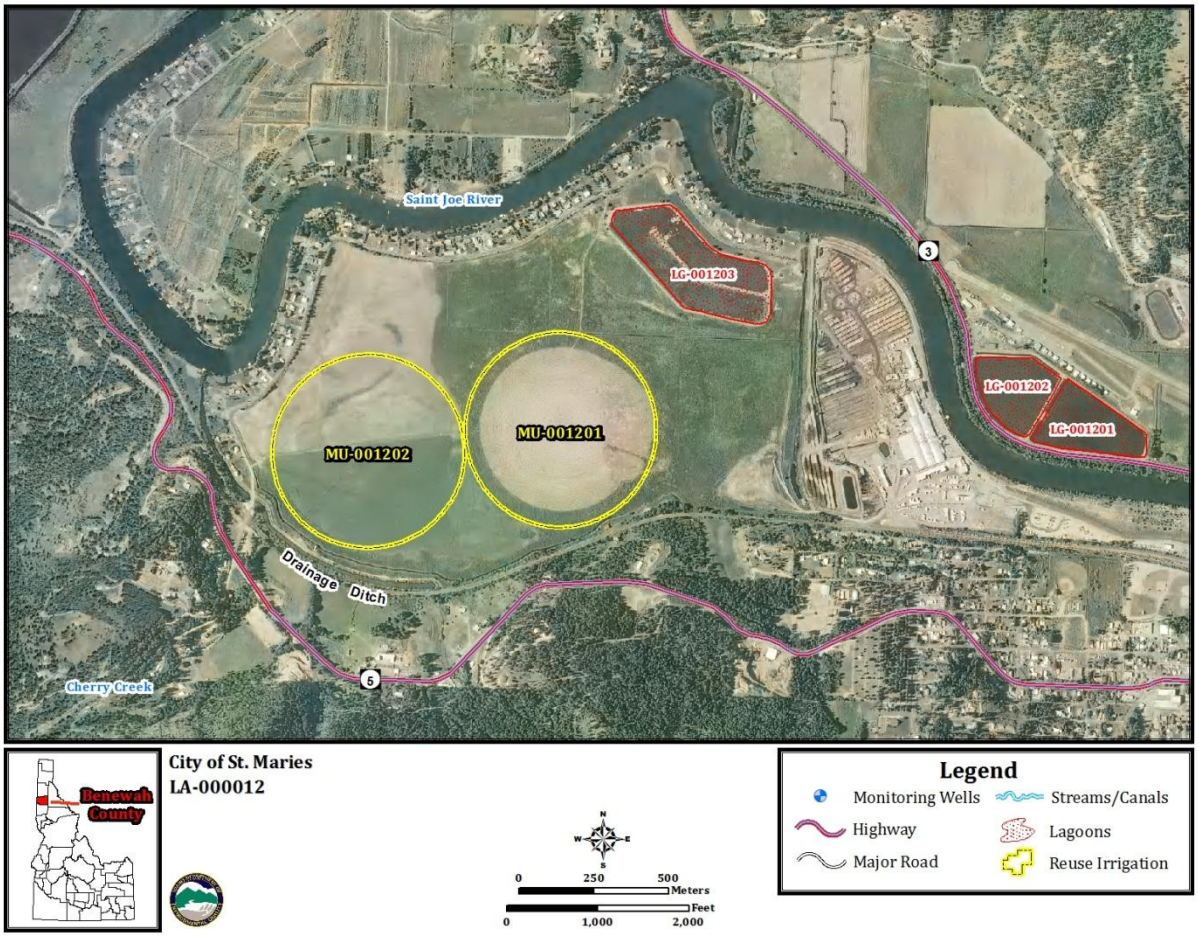
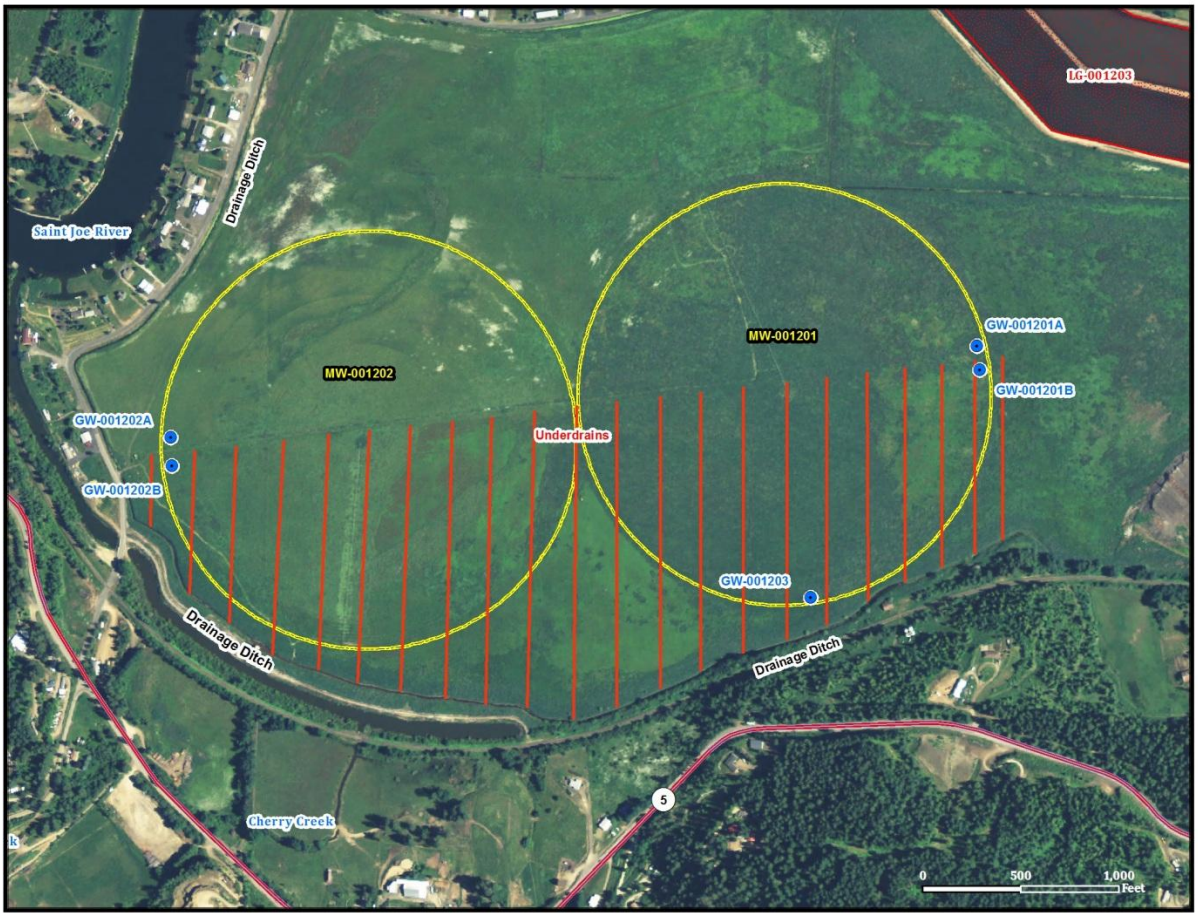
Site Map No. 1: Vicinity Map



Site Map No. 2: Management Unit Designations



Site Map 3: Management Units and Associated Monitoring Sites