
**IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
REUSE PERMIT**

I-091-03

(formerly LA-000091-02)

Sorrento Lactalis, Inc. (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 **(60 months from issue date)**.

DRAFT

Signature

Date

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

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Abbreviations and Definitions

CA	compliance activity
COD	chemical oxygen demand
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
MW	monitoring well
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
TDIS	total dissolve inorganic solids
TDS	total dissolved solids
VDS	volatile dissolved solids
WW	wastewater

1. Facility Information

Information type	Information specific for this permit
Type(s) of recycled water (check relevant boxes)	<input type="checkbox"/> Municipal <input checked="" type="checkbox"/> Industrial
Facility location address	4912 Franklin Rd. Nampa, ID 83687
Facility mailing address and phone and fax	P.O. Box 1280 Nampa, ID 83651 Canyon County (t) 208-467-4424, (f) 208-467-9987
Facility contact information	John Prigge, 208-463-6610, john.prigge@lactalis.us

2. Compliance Schedule for Required Activities

Compliance activity number and Completion due date	Compliance activity description
CA-091-01 24 months after permit issuance	Wastewater Facilities Planning Study: Updates shall be made as necessary to the Wastewater Facilities Planning Study submitted on September 9, 2011 to reflect any changes in plans for the Wastewater Treatment Plant expansion. The facility shall provide a schedule for completion of the phases of treatment plant expansion, so that the facility can accommodate flows from current and future production expansions. The plan shall include an analysis of the removal or reduction of Total Dissolved Solids (TDS).
CA-091-02 24 months after permit issuance	TDIS (Total Dissolved Inorganic Solids) Management Plan: Permittee shall characterize all known sources of TDIS, analyze process and treatment alternatives to isolate and reduce the TDIS being generated or land applied, and determine the current and anticipated loading rates and the anticipated effect that the loading rates will have on ground water (i.e. what the TDS concentration increase will be at the site boundary).
CA-091-03 (continued on next page) Nine (9) months after permit issuance	<p>Plan of Operations: Permittee shall submit to DEQ for review and approval a Plan of Operations. 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 as well as the following items:</p> <ul style="list-style-type: none"> • Quality Assurance Project Plan (QAPP) for monitoring required by this permit. The QAPP shall include all sampling, monitoring and reporting requirements of this permit, as well as a description of approved sample collection methods, appropriate analytical methods, and companion quality assurance /quality control (QA/QC) protocols. The QAPP shall also address procedures to ensure that samples arrive at the laboratory for analysis within the required holding time(s). The plan shall cover field activities; data verification and validation; and data storage, retrieval and assessment. • A Site Management Plan shall include a discussion of ditch maintenance and prevention of recycled water entry to surface waters that leave the site. • A Waste Solids Management Plan shall completely describe solids management at all times, and must be regularly updated to reflect modifications or changes in management processes. DEQ must be provided with the proposed modifications and updates to the plan prior to implementation, and such proposals must be approved by DEQ prior to implementation. This plan shall include discussion of the treatment, generation, and transportation of the solids, the recipient responsibilities, and safety considerations such as spill response and any sampling and analysis that will be conducted. The plan shall include a contract with the recipient outlining what will be done with the solids. • Wellhead Protection of on-site monitoring wells, including maintenance and BMPs to prevent surface water intrusion to ground water.

Compliance activity number and Completion due date	Compliance activity description
	<ul style="list-style-type: none">• The Sampling and Analysis Plan shall include procedures for taking representative samples of the land applied wastewater.• A cropping plan for uptake of currently and previously applied nutrients.• A Contingency Plan shall be included for diversions of water to the recycled water reuse site that is untreated or partially treated, or water that would cause a violation of the NPDES permit. The Contingency plan shall discuss the following:<ul style="list-style-type: none">○ typical or likely causes of upsets in the wastewater treatment plant (WWTP) that lead to portions of or all of the effluent to be discharged to the recycled water reuse site,○ upsets that occur upstream of the WWTP that cause problems in treatment, the characteristics of the aberrant influent, a discussion of the problems this causes in the WWTP, and procedure when this happens,○ management and procedures for when common or potential WWTP emergencies and problems arise,○ avoidance procedures of common causes of upsets,○ the characteristics of common or potential discharges to the site and the resultant loadings, and○ a discussion of management for even application of effluent during or following a diversion. <p>If diversions result in a non-compliance with any Reuse Permit condition, report to DEQ according to Section 6 of the Reuse Permit, and if the diversion is the result of, results in, or is to avoid non-compliance with the NPDES permit, report to EPA in accordance with the NPDES permit. Include in the report a discussion of the quantity of water diverted as related to the non-compliance, analytical results, reason for the diversion, and corrective action taken.</p> <p>The Plan of Operations shall be updated as necessary to reflect current operations.</p>

Compliance activity number and Completion due date	Compliance activity description
<p>CA-091-04 Six (6) months after permit issuance - Ground Water Study Plan due</p> <p>Eighteen (18) months after Ground Water Study Plan approval – Ground Water Study, Monitoring Well Network Analysis, Well Location Acceptability Analysis and Surface Water Analysis due</p>	<p>Ground Water Study, Monitoring Well Network Analysis, Well Location Acceptability Analysis, Surface Water Analysis: The permittee shall submit to DEQ for review and approval a Ground Water Study Plan. The Plan shall propose data collection and analysis to be used to determine if the Ground Water Monitoring Well Network is adequately capturing the influences of effluent application on the ground water at this site, to complete a Well Location Acceptability Analysis to determine if Wells 24 and 25 (also referred to as the Baune Wells) are being influenced by activities at the site, and to determine the extent to which a ground water – surface water interconnection exists. The Ground Water Study, Monitoring Well Network Analysis and Well Location Acceptability Analysis would be due 18 months after approval of the Plan.</p> <p>It is expected that the Ground Water Study Plan will recommend a common ion analysis* to be evaluated on a trilinear diagram, a stable isotope analysis with hydrogen and oxygen as tracers, or other robust analysis to be reviewed by DEQ. Analysis of ground water, surface water (drains and irrigation water), and wastewater should be included. A Quality Assurance Project Plan shall be prepared to document the planning, implementation and assessment procedures for the project. It is expected that the study will include a minimum of quarterly sample events for a duration of one year in order to capture seasonality.</p> <p>At a minimum, the following items shall be addressed as part of the Ground Water Monitoring Well Network Analysis:</p> <ul style="list-style-type: none"> • The condition of the monitoring well casing and screens should be assessed. • Determine if the surface seals are intact and adequate. • Determine if the current monitoring wells are capturing the ground water flow from the land application site, if any wells are influenced by outside sources, if any wells should be removed or replaced, and if additional wells are needed. • Determine if the wells are capturing the effects of the onsite lagoon. <p>The Well Location Acceptability Analysis shall include a discussion of the well construction and screening depth of these wells. If it is determined that the wells are being influenced by activities at this site, the facility shall submit for DEQ review and approval a remediation plan, and propose a schedule for completion of remediation.</p> <p>A ground water - surface water interconnection shall also be investigated.</p> <p>*Common ion analysis would measure the concentrations of Ca²⁺, Mg²⁺, Na⁺, K⁺, HCO₃⁻, CO₃²⁻, SO₄²⁻, and Cl⁻ in meq/L.</p>

3. Permit Limits and Conditions

3.1. Hydraulic Management Unit Descriptions

Serial Number	Description	Type of recycled water allowed	Irrigation System Type/Irrigation Efficiency (Ei) (a proportion)	Acres
MU-009102	West Field	Cheese Processing Wastewater	Furrow Irrigation/ (Ei = 0.60)	32.1
MU-009103	East Field		Furrow Irrigation/ (Ei = 0.60)	101

3.2. Hydraulic Loading Limits, Vegetation and Grazing

Serial Number	Growing season hydraulic loading	Non-growing season maximum hydraulic loading (see Note [1])	Grazing / Waiting period between recycled water application & grazing
MU-009102	Substantially at the irrigation water requirement (IWR)	7.36 Inches	See Note [2]
MU-009103	Substantially at the irrigation water requirement (IWR)	7.36 Inches	

Note [1]: Record daily visual observations of field conditions including areas of ponding, ice, unusual circumstances, etc. as necessary when irrigating.

Note [2]: Prior to any grazing activities, a grazing management plan must be submitted to and approved by DEQ.

3.3. Constituent Loading Limits

Serial Number	Constituent loading (from all sources)			
	Nitrogen	Phosphorus	Salt (Non-volatile dissolved solids, NVDS) See Note [2]	COD: growing season / non-growing season (lb/ac-day) See Note [3]
MU-009102	150% of typical crop uptake (see Note [1])	100% of typical crop uptake (see Note [1])	No limit unless deemed necessary following completion of the compliance activities in Section 2.	50 / 50
MU-009103				

Note [1]: 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. Loading rates specified in the University of Idaho Fertility Guides may also be used.

Note [2]: Crop ash content shall be used to estimate crop uptake of NVDS.

Note [3]: Limit expressed in lb/acre-day on a seasonal average.

3.4. 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
MU-009102	100 / 0	No fencing required, see Note [1] for posting	N/A	N/A	500/1,000
MU-009103	100 / 0	No fencing required, see Note [1] for posting	N/A	N/A	500/1,000

Note [1]: Signs shall read “Caution: Recycled Water– Do not Drink”, or equivalent signage both in English and Spanish. Signs to be posted at each access point and each corner of the outer perimeter of the buffer zone(s) of the site.

3.5. Other Permit Limits and Conditions

Category	Permit Limits and Conditions
Growing Season	April 1 through October 31 (214 days)
Non-growing Season	November 1 through March 31 (151 days)
Reporting Year for Annual Loading Rates	November 1 through October 31
Operator Licensure Required	None
Backflow Prevention Testing	Annual testing of backflow prevention devices on all wastewater/supplemental irrigation water interconnection is required. Documentation of this testing shall be submitted as specified in Section 7.1.1.
Flow Measurement Calibration	Flow measurement devices used to directly or indirectly measure all wastewater and supplemental irrigation water flows applied to each HMU shall be calibrated annually. Provide documentation of this calibration in the annual report required by Section 5.1.

4. Monitoring Requirements

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

4.1.1. Microbial and Constituent Monitoring

Monitoring point serial number and location	Sample description	Sample type/Frequency	Constituents (units in mg/L unless otherwise specified)
WW-009101 Final Effluent to LG-009101 or directly to irrigation. See Note [1,2]	Recycled water to LG-009101, MU-009102, or MU-009103	Grab/Weekly (during periods of use)	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - ammonia-nitrogen - total phosphorus - Total Dissolved Solids - Volatile Dissolved Solids - COD - sodium - chloride - potassium - pH
WW-009102 Untreated or Partially Treated wastewater discharged to LG-009101 or directly to irrigation. See Note [1,2]	Wastewater to LG-009101, MU-009102, or MU-009103	Grab/Daily when discharging	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - ammonia-nitrogen - total phosphorus - Total Dissolved Solids - Volatile Dissolved Solids - COD - sodium - chloride - potassium - pH

Monitoring point serial number and location	Sample description	Sample type/Frequency	Constituents (units in mg/L unless otherwise specified)
WW-009103 Wastewater Treatment Plant Effluent to outfall	NPDES Discharge	24-hr Composite / Twice Annually (April and October)	Total Dissolved Inorganic Solids (TDIS) individual analysis and summation of the following: - calcium - magnesium - potassium - sodium - chloride - sulfate - 0.6 times alkalinity (alkalinity expressed as calcium carbonate) - nitrate* - silica* - fluoride* * include in the sum if present at >5 mg/L each.
			- SAR
IW-009101 Irrigation Water	Irrigation water not mixed with recycled water	Grab/ Monthly during the Growing Season	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total phosphorus - Total Dissolved Solids - Volatile Dissolved Solids

Note [1]: "Final Effluent" is fully treated effluent that has been treated through the entire WWTP (clarification, SBR treatment, chemical clarification, filtration, disinfection). Final Effluent may be off-specification with regard to the NPDES permit. "Untreated Effluent" or "Partially Treated Effluent" is water that has not been treated by the entire WWTP.

Note [2]: Record the following: (1) dates and cause of the discharge of untreated or partially treated water, and water that is diverted because it does not meet NPDES discharge requirements (2) the actions taken to correct the situation, and (3) conduct an annual analysis of diversions to determine if preventative measures must be implemented to prevent recurrent untreated and partially treated water discharge situations from continuing in the future.

4.1.2. Flow Monitoring

Monitoring point serial number and location	Sample description	Sample type/Frequency	Measured Parameter
FM-009101 Propeller type flow meter of effluent to LG-009101	Recycled Water Flow to LG-009101, MU-009102 or MU-009103	- Daily meter reading; - Monthly compilation of data;	- flow (MG/month)

Monitoring point serial number and location	Sample description	Sample type/Frequency	Measured Parameter
FM-009102 Propeller type flow meter of effluent from LG-009101	Flow from LG-009101 to MU-009102 and MU-009103	- Daily meter reading; - Monthly compilation of data;	- flow (MG/month)
FM-009103 Allotment of Irrigation Water at the diversion	Irrigation Water volume from diversion to MU-009102 and MU-009103 or directly to LG-009101	- Daily reading - Monthly compilation of data	- flow (MG/month)

4.2. Ground Water Monitoring

4.2.1. Ground Water Monitoring Point Descriptions

Monitoring point serial number	Common designation	Well type	Gradient location	Compliance well? Yes/No; (If applicable)
GW-009101	MW 1	Monitoring well	Down gradient. West of MU-009102 and north of old wastewater treatment ponds.	Yes
GW-009102	MW 2	Monitoring well	Down gradient, on-site. Located within MU-009102	Yes
GW-009103	MW 3	Monitoring well	Up gradient. South of MU-009103.	No
GW-009104	MW 4	Monitoring well	Mid gradient. Central MU-009103.	Yes
GW-009105	MW 5	Monitoring well	Up gradient. Southeast of site.	No
GW-009106	MW 6	Monitoring well	Up gradient. South of MU-009103.	No
GW-009107	MW 7	Monitoring well	Down gradient. North of MU-009102.	Yes
GW-009108	MW 8	Monitoring well	Down gradient. Northwest corner of property, near Rachel Drain.	Yes
GW-009109	MW 9	Monitoring well	Down gradient. Northwest corner of property, near Star Road.	Yes

4.2.2. 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-009101 GW-009102 GW-009103 GW-009104 GW-009105 GW-009106 GW-009107 GW-009108 GW-009109	Monitoring wells	Grab sample / Twice annually: April, October	- water table elevation (ft) - water table depth (ft) - nitrate-nitrogen - total phosphorus - TDS - chloride - total and dissolved iron - total and dissolved manganese - chemical oxygen demand (COD) - pH (SU) - specific conductance/electrical conductivity (umhos/cm) - temperature (°C) - dissolved oxygen

4.3. Soil Monitoring

4.3.1. Soil Monitoring Unit Descriptions

Monitoring point serial number	Description	Associated MU
SU-009102	Field 2	MU-009102
SU-009103	Field 3	MU-009103

4.3.2. Soil Monitoring, Sampling and Analyses

Monitoring point serial number	Sample type	Sample frequency	Constituents (units in mg/kg soil unless otherwise specified)
SU-009102 SU-009103	Composite samples See Note [1]	Annually - March	- electrical conductivity (umhos/cm in saturated paste extract) - nitrate-nitrogen - ammonium nitrogen - plant available phosphorus - Sodium Adsorption Ratio (SAR) - pH

Monitoring point serial number	Sample type	Sample frequency	Constituents (units in mg/kg soil unless otherwise specified)
SU-009102 SU-009103	Composite samples See Note [1]	March of first permitting year and March of last permitting year	- DTPA Fe - DTPA Mn - sodium - potassium - calcium - magnesium - sulfur - cation exchange capacity - lime percent

Note [1]: 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.

4.4. Plant Tissue Monitoring

Monitoring point serial number PS-0091 (one serial number for plant tissue monitoring)			
Associated Hydraulic Monitoring Units	Sample type	Sample frequency	Reporting parameter(s) (see Note [1] below)
MU-009102 MU-009103	Harvested portion (each MU)	Each harvest	- Yield in customary harvested units (ton/ac; bushels/ac, etc.) - acres used - moisture content (%) - ash (%) - total Kjeldahl nitrogen (%) - NO ₃ -N + NO ₂ -N (ppm) - phosphorus (ppm)

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.

4.5. Lagoon Information

Serial number	Description
LG-009101	Wastewater and Irrigation Water Equalization Lagoon

5. Reporting Requirements

5.1. 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.

5.1.1. Due Date

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

5.1.2. Required Contents

The Annual Report shall include the following:

- 5.1.2.1. 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 3.5.
- 5.1.2.2. the results of the required monitoring as described in Section 4 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.
- 5.1.2.3. written status of all work described in Section 2 of this permit.
- 5.1.2.4. written summary of all noncompliance events that occurred during the reporting year.
- 5.1.2.5. 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-009102 MU-009103	Recycled water loading rate (report each recycled water or wastewater source separately)	- Million gallons/month - Inches/month
	Irrigation water loading rate	- Million gallons/month - Inches/month
	COD loading rate: Growing season seasonal average	- Pounds/acre-day
	COD loading rate: Non-growing season seasonal average	- Pounds/acre-day
	Recycled water nitrogen, phosphorus and NVDS loading rates (using data from WW-009101 and WW-009102)	- Pounds/acre-year

Monitoring point serial number	Parameter (calculate for each MU)	Units
	Irrigation water nitrogen, phosphorus and NVDS loading rates (using data from IW-009101)	- Pounds/acre-year
	Fertilizer nitrogen and phosphorus application rates	- Pounds/acre-year
	Waste solids nitrogen and phosphorus application rates	- Pounds/acre-year
	Crop type	- Name(s)
	Crop yield (each harvest)	- Pounds/acre /MU - Pounds/MU
	Crop constituent removal: nitrogen, phosphorus, and ash	- Pounds/acre/MU - Pounds/MU
Other Reporting Requirements (enter these here)		
<ul style="list-style-type: none"> - Visual observation of field conditions: areas of ponding, ice, unusual conditions, etc. Record daily as necessary when land applying. - Keep records at the facility and have records available for DEQ inspection. - Conduct an annual analysis of diversions to determine if preventative measures must be implemented to prevent recurrent untreated and partially treated water discharge situations from continuing in the future (Section 4.1.1). 		

5.1.3. Submittal

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

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

5.2. Emergency and Non-compliance Reporting

Report noncompliance incidents to the DEQ Regional Office. See Section 5.1.3 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 6, Standard Permit Conditions and IDAPA 58.01.17.500.06 for reporting requirements for facilities.

All instances of unpermitted discharges of wastewater to Surface Waters of the United States shall also be reported to the Environmental Protection Agency by telephone within 24 hours

from the time the permittee becomes aware of the discharge and in writing within five days at this address:

NPDES/Stormwater Coordinator
USEPA Idaho Operations Office
950 W Bannock, Ste. 900
Boise, ID 83702
208-378-5746 / 208-378-5744

6. 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)

7. 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.

7.1. Operations

7.1.1. 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.

7.1.2. 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).

7.1.3. 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)

7.1.4. 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.

7.1.5. 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)

7.1.6. 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)

7.1.7. 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)

7.1.8. Ground Water Quality (IDAPA 58.01.11)

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

7.2. Administrative

Requirements for administration of the permit are defined as follows.

7.2.1. 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)

7.2.2. 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)

7.2.3. 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)

7.2.4. 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)

7.2.5. 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.

8. 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.

8.1. Owners Responsibilities for Well Use and Maintenance

8.1.1. 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.

8.1.2. Well Maintenance

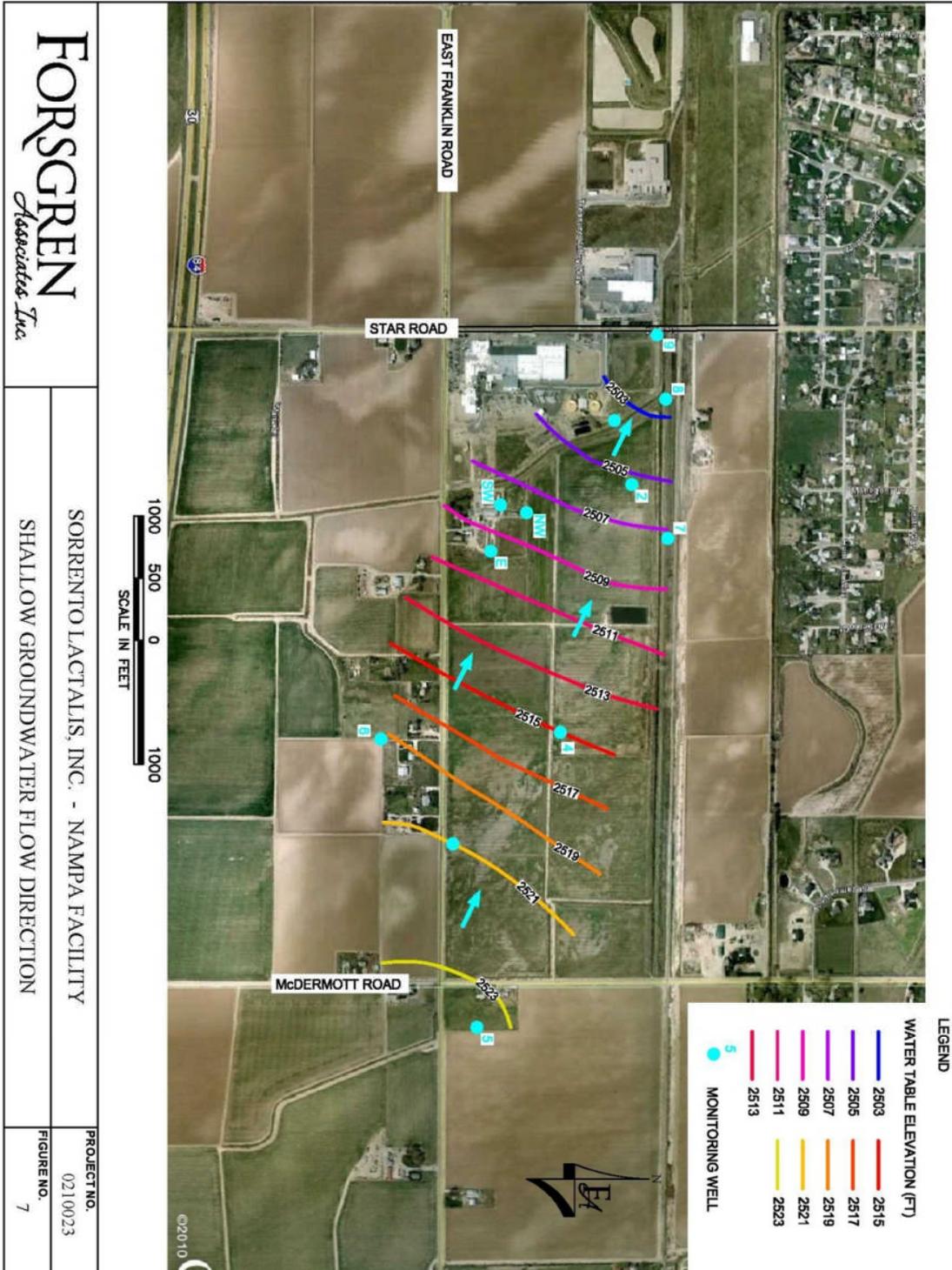
The well owner must maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals or through leakage around the outside of the casings, whether the leakage is above or below the land surface. Any person owning or controlling a non-compliant 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.

8.1.3. 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.

9. Site Maps

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9.2. General Area Map

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