
IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
REUSE PERMIT
I-181-02
(formerly LA-000181-01)

Environmental Maintenance, 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 120 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
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
N/A	not applicable
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

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	Approximately 3 miles south of Bruneau, ID Owyhee County
Facility mailing address and phone and fax	475 West 100 South, Jerome, ID 83338 (208) 539-6248; (208) 324-7660
Facility contact information	Clinton E. McCord, Manager (208) 539-6248

2. Compliance Schedule for Required Activities

Compliance activity number and Completion due date	Compliance activity description
CA-181-01 Six (6) months after permit issuance	Updated Lease Agreement: Permittee is required to enter into a lease agreement to cover a term of no less than ten (10) years. A copy of the lease agreement shall be submitted to DEQ within six (6) months of permit issuance.
CA-181-02 Three (3) months after permit issuance	Waste Solids Management Plan: The permittee shall revise the draft Waste Solids Management Plan submitted March 31, 2011 to include the items in the DEQ comment letter dated January 9, 2012. The revised plan shall be submitted for DEQ review and approval within three (3) months of permit issuance. The Waste Solids Management Plan shall be enforceable as part of this permit upon approval.

Compliance activity number and Completion due date	Compliance activity description
CA-181-03 Three (3) months after permit issuance	<p>Plan of Operations: Permittee shall submit to DEQ for review and approval a Plan of Operations (PO). 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 requirements of this permit, as well as the following items:</p> <ul style="list-style-type: none">✓ Irrigation Plan that details the criteria that must be met before the permittee needs to irrigate on the proposed management units. For example, these criteria may include decreased storage volume, excessive odors or vector complaints. In addition, this plan should briefly describe the irrigation method(s) to be used (i.e. spreader truck, center pivot tie-in, etc.) as well as the associated irrigation efficiency, E_i.✓ Lagoon 2 Waste Characterization for the waste streams that are approved to be contained in this pond. The characterization shall include analytical results representing each of the waste streams and discussion of any potential chemical incompatibilities and hazards.✓ Methods to be used to ensure that each shipment of waste is compliant with state and federal regulations. This section shall include annual inspection procedures for hauling vehicles, maintenance of all onsite facility operations structures and equipment, and record-keeping procedures demonstrating cradle-to-grave responsibility. <p>The Plan of Operations shall be updated as necessary to reflect current operations and shall be enforceable as part of this permit upon approval. The site management plans required by compliance activities CA-181-05 through CA-181-07 below shall be incorporated by reference into the Plan as they are approved by DEQ.</p>

Compliance activity number and Completion due date	Compliance activity description
CA-181-04 Three (3) months after permit issuance	<p>Quality Assurance Project Plan (QAPP): The permittee shall prepare and implement a Quality Assurance Project Plan (QAPP) that incorporates all monitoring and reporting required by this permit. A copy of the QAPP along with written notice that the permittee has implemented the QAPP shall be provided to DEQ within three (3) months of permit issuance.</p> <p>The QAPP shall be designed to assist in planning for the collection, analysis, and reporting of all monitoring in support of this permit and in explaining data anomalies when they occur. At a minimum, the QAPP must include the following:</p> <ol style="list-style-type: none"> 1. Details on the number of measurements, number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements. 2. Maps indicating the location of each monitoring, and sampling point. 3. Qualification and training of personnel. 4. Names, addresses and telephone numbers of the laboratories used by or proposed to be used by the permittee. 5. Example formats and tables that will be used by the permittee to summarize and present all data in the Annual Report. <p>The format and the content of the QAPP should adhere to the recommendations and references provided in DEQ’s Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater, available on DEQ’s website.</p> <p>The permittee shall amend the QAPP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAPP. A copy of the amended QAPP shall be submitted to DEQ.</p>
CA-181-05 Three (3) months after permit issuance	<p>Recycled Water Assessment: A Recycled Water Assessment shall be submitted to DEQ for review and approval. The plan shall address salinity and metals levels in the recycled water as well as the criteria that will be used to determine which fallow field to irrigate. Salinity and metals data shall be used to determine loading rate limits, as applicable.</p>

Compliance activity number and Completion due date	Compliance activity description
CA-181-06 Submit 30 days prior to application	Soil Assessment: A Soil Assessment shall be submitted to DEQ for review and approval. The report shall be submitted with the annual report prior to the season wherein the permittee intends or may need to irrigate and shall include available water-holding capacity (AWC) and sodium absorption ratio (SAR) data for the soils of the MU(s) selected for irrigation during the upcoming season. The AWC data shall be used to determine recycled water application loading rate limits for the MU(s). Soil SAR data shall be used with the recycled water salinity data from CA-181-05 to determine acceptable salt loading rates for the MU(s).
CA-181-07 Three (3) months after permit issuance	Vector and Odor Management Plan: The wastes delivered to the site have the potential to create odors and attract flies and other vectors. A Vector and Odor Management Plan shall be submitted to DEQ for review and approval. The plan shall cover all recycled water and solids handling systems, recycled water facilities, and other operations associated with the facility. The plan shall include specific design considerations, operation and maintenance procedures, and management practices to be employed to minimize the potential for or limit vectors and odors. The plan shall also include procedures to respond to a vector or odor incident if one occurs, including notification procedures.
CA-181-08 Twelve (12) months after issuance	Fencing of Treatment Area: Within twelve (12) months of permit issuance, the permittee shall install and/or maintain an adequate fence to prevent entering of livestock and discourage trespassing around the perimeter of the recycled water treatment area. The treatment area includes the lagoons and associated solids separation and storage areas. Signs shall read "Warning: Recycled Water – Do Not Enter," or equivalent signage both in English and Spanish. Signs are to be posted every 500 feet and at each corner and access point of the outer perimeter of the treatment site.

3. Permit Limits and Conditions

3.1. Hydraulic Management Unit Descriptions

Serial Number	Description	Type of recycled water allowed	Irrigation System Type/Irrigation Efficiency (E_i) (a proportion)	Acres
MU-018101	Field 101	Industrial	See PO	31
MU-018102	Field 41	Industrial	See PO	35
MU-018103	Field 23	Industrial	See PO	21
MU-018104	Field 26 West	Industrial	See PO	40
MU-018105	Field 26	Industrial	See PO	43
MU-018106	Field 19	Industrial	See PO	55
MU-018107	Field 32	Industrial	See PO	64
MU-018108	Field 38	Industrial	See PO	27
MU-018109	Field 40	Industrial	See PO	38
MU-018110	Field 47	Industrial	See PO	40
MU-018111	Field 100	Industrial	See PO	77
MU-018112	Field 49	Industrial	See PO	38
MU-018113	Field 102	Industrial	See PO	71
MU-018114	Field 103	Industrial	See PO	45
MU-018115	Field 104	Industrial	See PO	39
MU-018116	Field 105	Industrial	See PO	49
MU-018117	Field 106	Industrial	See PO	32

3.2. Hydraulic Loading Limits, Vegetation and Grazing

Serial Number	Growing season hydraulic loading (see Note [1])	Non-growing season maximum hydraulic loading (see Note [1])	Allowed vegetation	Grazing / Waiting period between recycled water application & grazing
MU-018101 MU-018102 MU-018103 MU-018104 MU-018105 MU-018106 MU-018107 MU-018108 MU-018109 MU-018110 MU-018111 MU-018112 MU-018113 MU-018114 MU-018115 MU-018116 MU-018117	As set by Section 2, CA-181-06	As set by Section 2, CA-181-06	Fallow Ground Application Only	See Note [2]

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

Note [2]: A grazing management plan shall be submitted to DEQ for review and approval prior to any grazing activities that occur on an MU where recycled water is applied during the reporting year. No grazing is allowed within thirty (30) days of application of recycled water.

3.3. Constituent Loading Limits

Serial Number	Constituent loading (from all sources)				
	Nitrogen (lbs/acre)	Phosphorus (lbs/acre)	Salt (Non-volatile dissolved solids, NVDS) (lbs/acre)	COD: growing season / non-growing season (lbs/ac-day) See Note [2].	Other (lbs/acre)
MU-018101 MU-018102 MU-018103 MU-018104 MU-018105 MU-018106 MU-018107 MU-018108 MU-018109 MU-018110 MU-018111 MU-018112 MU-018113 MU-018114 MU-018115 MU-018116 MU-018117	150% of typical crop uptake (see Note [1])	N/A	As set by Section 2, CA-181-05	50 / 50	N/A

Note [1]: The nitrogen loading limit is usually set at 150% of typical crop uptake for the crop being grown. For crops grown on these units, regional crop yield data and typical nutrient content values, or other values approved by DEQ, should be used. Nitrogen loading rates specified in the University of Idaho Fertility Guides may also be used.

Note [2]: Limit expressed in lbs/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-018101 MU-018102 MU-018103 MU-018104 MU-018105 MU-018106 MU-018107 MU-018108 MU-018109 MU-018110 MU-018111 MU-018112 MU-018113 MU-018114 MU-018115 MU-018116 MU-018117	Application via spreader truck: 300 / 50 Application via sprinklers: 1,000 / 1,000	N/A	100	50	500/1,000

3.5. Other Permit Limits and Conditions

Category	Permit Limits and Conditions
Growing Season	March 15 through October 31 (231 days)
Non-growing Season	November 1 through March 14 (134 days)
Reporting Year for Annual Loading Rates	November 1 through October 31
Application Limitation	Recycled water application is allowed only on fallow fields
Seepage Testing (for existing lagoons)	Permittee shall conduct seepage testing in accordance with requirements specified in IDAPA 58.01.16.493.02. Procedures for performing a seepage test shall be submitted to DEQ for review and approval prior to conduction of seepage testing as required in IDAPA 58.01.16.493.02.e. Testing of both lagoons shall be completed with results submitted within three (3) years of permit issuance.
Septage Restriction	Direct application of 100% municipal septage to any recycled water area is prohibited.
Supplemental Irrigation Water Protection	For systems with wastewater and fresh irrigation water inter-connections, approved backflow prevention devices are required.
Recycled Water Type(s)/Source(s)	Septage, Grease trap wastes, Fish processing wastes, Cheese processing wastewater

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-018101 Outlet pump from LG-018101	Recycled water from LG-018101	Grab/Each batch (during periods of use)	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total phosphorus - chemical oxygen demand - ammonia-nitrogen - total dissolved solids - volatile dissolved solids
WW-018102 Outlet pump from LG-018102	Recycled water from LG-018102	Grab/Each batch (during periods of use)	- total Kjeldahl nitrogen - nitrite + nitrate-nitrogen - total phosphorus - chemical oxygen demand - ammonia-nitrogen - total dissolved solids - volatile dissolved solids

4.1.2. Flow Monitoring

Monitoring point serial number and location	Sample description	Sample type/Frequency	Measured Parameter
FM-018101 Influent volume calculation for Lagoon 1	Tanker truck volume(s) or flow (meter or pump time)	- Daily/batch volume; - Monthly compilation of data;	- flow (MG/month) - volume of each waste type
FM-018102 Influent volume calculation for Lagoon 2	Tanker truck volume(s) or flow (meter or pump time)	- Daily/batch volume; - Monthly compilation of data;	- flow (MG/month) - volume of each waste type
FM-018103 'Hour' meter at pump or batch volume	Flow from LG-018101	- Daily pump run times or effluent volume; - Monthly compilation of data;	- flow or volume (MG/month)
FM-018104 'Hour' meter at pump or batch volume	Flow from LG-018102	- Daily pump run times or effluent volume; - Monthly compilation of data;	- flow or volume (MG/month)

4.2. Soil Monitoring

4.2.1. Soil Monitoring Unit Descriptions

Monitoring point serial number	Description	Associated MU
SU-018101	Field 101	MU-018101
SU-018102	Field 41	MU-018102
SU-018103	Field 23	MU-018103
SU-018104	Field 26 West	MU-018104
SU-018105	Field 26	MU-018105
SU-018106	Field 19	MU-018106
SU-018107	Field 32	MU-018107
SU-018108	Field 38	MU-018108
SU-018109	Field 40	MU-018109
SU-018110	Field 47	MU-018110
SU-018111	Field 100	MU-018111
SU-018112	Field 49	MU-018112
SU-018113	Field 102	MU-018113
SU-018114	Field 103	MU-018114
SU-018115	Field 104	MU-018115
SU-018116	Field 105	MU-018116
SU-018117	Field 106	MU-018117

4.2.2. Soil Monitoring, Sampling and Analyses

Monitoring point serial number	Sample type	Sample frequency	Constituents (units in mg/kg soil unless otherwise specified)
SU-018101 SU-018102 SU-018103 SU-018104 SU-018105 SU-018106 SU-018107 SU-018108 SU-018109 SU-018110 SU-018111 SU-018112 SU-018113 SU-018114 SU-018115 SU-018116 SU-018117	Composite samples	One set of samples required prior to first application of recycled water (See Note [1]) Two samples (April and October) in the year following application of recycled water (only required for those MUs that were used for effluent application)	- electrical conductivity (umhos/cm in saturated paste extract) - sodium absorption ratio (no units) - nitrate-nitrogen - ammonium nitrogen - plant available phosphorus - pH (standard units)
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.			

4.3. Lagoon Information

Serial number	Description
LG-018101	Transfer basin no. 1 lagoon (for all other waste streams)
LG-018102	Transfer basin no. 2 lagoon (for cheese wastewater)

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:

1. A brief interpretive discussion of all required monitoring data. The discussion shall address data quality objectives, validation, and verification; permit compliance; and facility environmental impacts. The reporting year for this permit is specified in Section 3.5.
2. The results of the required monitoring as described in Section 4 of this permit. If the Permittee monitors any parameter for compliance purposes 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. The report shall present all monitoring data in organized data summary tables to expedite review.
3. Written status of all work described in Section 2 of this permit.
4. Written summary of all noncompliance events that occurred during the reporting year, in accordance with Section 7 of this permit. Examples of noncompliance events include, but are not limited to, complaints, missed monitoring events, incorrect monitoring dates or frequencies, ‘dry’ monitoring wells, uncontained wastewater spills to unpermitted ground, pipeline breaks, runoff, and construction without DEQ engineering.
5. Copies of laboratory reports and chain of custody forms for all monitoring samples.
6. Submittal of the calculations and observations for HMUs specified in the table below:

Monitoring point serial number	Parameter (calculate for each MU)	Units
MU-018101	Recycled water loading rate, each season	Million gallons/month
MU-018102		Inches/month
MU-018103		
MU-018104	Irrigation water loading rate	Million gallons/month
MU-018105		Inches/month
MU-018106		
MU-018107	COD loading rate: Growing season seasonal average	Pounds/acre-day
MU-018108		
MU-018109	COD loading rate: Non-growing season seasonal average	Pounds/acre-day
MU-018110		
MU-018111	NVDS loading rate	Pounds/acre-year
MU-018112		
MU-018113	Recycled water nitrogen and phosphorus loading rates	Pounds/acre-year
MU-018114		
MU-018115	Fields used for fertilizer/waste solids application	MU serial number(s) Acres, if not applied to entire MU
MU-018116		
MU-018117		
	Fertilizer nitrogen and phosphorus application rates	Pounds/acre-year

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 uptake calculation (used to determine nitrogen loading limit as specified in Section 3.3)	Pounds/acre
Other Reporting Requirements:		
<ul style="list-style-type: none"> - Visual observation of field and storage area 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. 		

5.1.2.1. submittal of the calculations and observations for the lagoons as specified in the table below:

Monitoring point serial number	Description	Parameters
LG-018101 LG-018102	Water balance (annual basis)	<ul style="list-style-type: none"> - inflow to each lagoon - outflow from each lagoon - volume (Nov 1 and Oct 31) - evaporation (estimate) - seepage (estimate)

5.1.2.2. submittal of the following additional items:

	Description	Parameters:
Waste Solids	Report Waste Solids management activities and application.	As specified in Waste Solids Management Plan.
Soil Analysis	Documentation of soil analysis for each unit to which recycled water will be applied in the next reporting year.	As specified in CA-181-06.
Sources	Volume of wastewater accepted for each source listed in Section 3.5 of this permit.	Volume (MG) of: <ul style="list-style-type: none"> - Septage - Grease trap wastes - Fish processing wastes - Cheese processing wastewater

5.1.3. Submittal

The annual report shall include the following certification statement and be signed, dated and certified by the permittee's Responsible Official:

“I certify under penalty of law that this report and all attachments were prepared under my direction or supervision and the data and information presented in this report was collected, evaluated and prepared in conformance with the Quality Assurance Project Plan required by the permit. I also certify that the information provided in this submission is, to the best of my knowledge, true, accurate and complete and I acknowledge that knowing submission of false or incomplete information may result in permit revocation as provided for in IDAPA 58.01.17.920.01 or other enforcement action as provided for under Idaho law.”

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 North Orchard
Boise, Idaho 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 7, 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, Suite 900
Boise, ID 83702
208-378-5746 / 208-378-5744

6. Permit for Use of Industrial Recycled Water

The following are permit requirements for industrial recycled water and are included as terms of this permit as required by the “Recycled Water Rules,” (IDAPA 58.01.17.616).

616. PERMIT FOR USE OF INDUSTRIAL RECYCLED WATER.

Industrial recycled water shall only be used in accordance with a permit issued pursuant to these rules. Permit conditions and limitations shall be developed by the Department on a case-by-case basis taking into account the specific characteristics of the wastewater to be recycled, the treatment necessary to ensure the use of such recycled water is in compliance with IDAPA 58.01.11, “Ground Water Quality Rule” and IDAPA 58.01.02, “Water Quality Standards.” Unless otherwise indicated in this section, the permit application, processing and issuance procedures

provided in this rule shall apply to industrial reuse permits. (4-7-11)

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 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 or devices as required by applicable rule or regulation and approved by DEQ. The assemblies shall be adequately maintained, and shall be tested annually by a certified backflow tester, and repaired or replaced as necessary to maintain operational status. Records of backflow-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 that municipal 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. Ground Water Quality (IDAPA 58.01.11)

The permittee shall comply with the requirements of "Ground Water Quality Rule" (IDAPA 58.01.11).

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

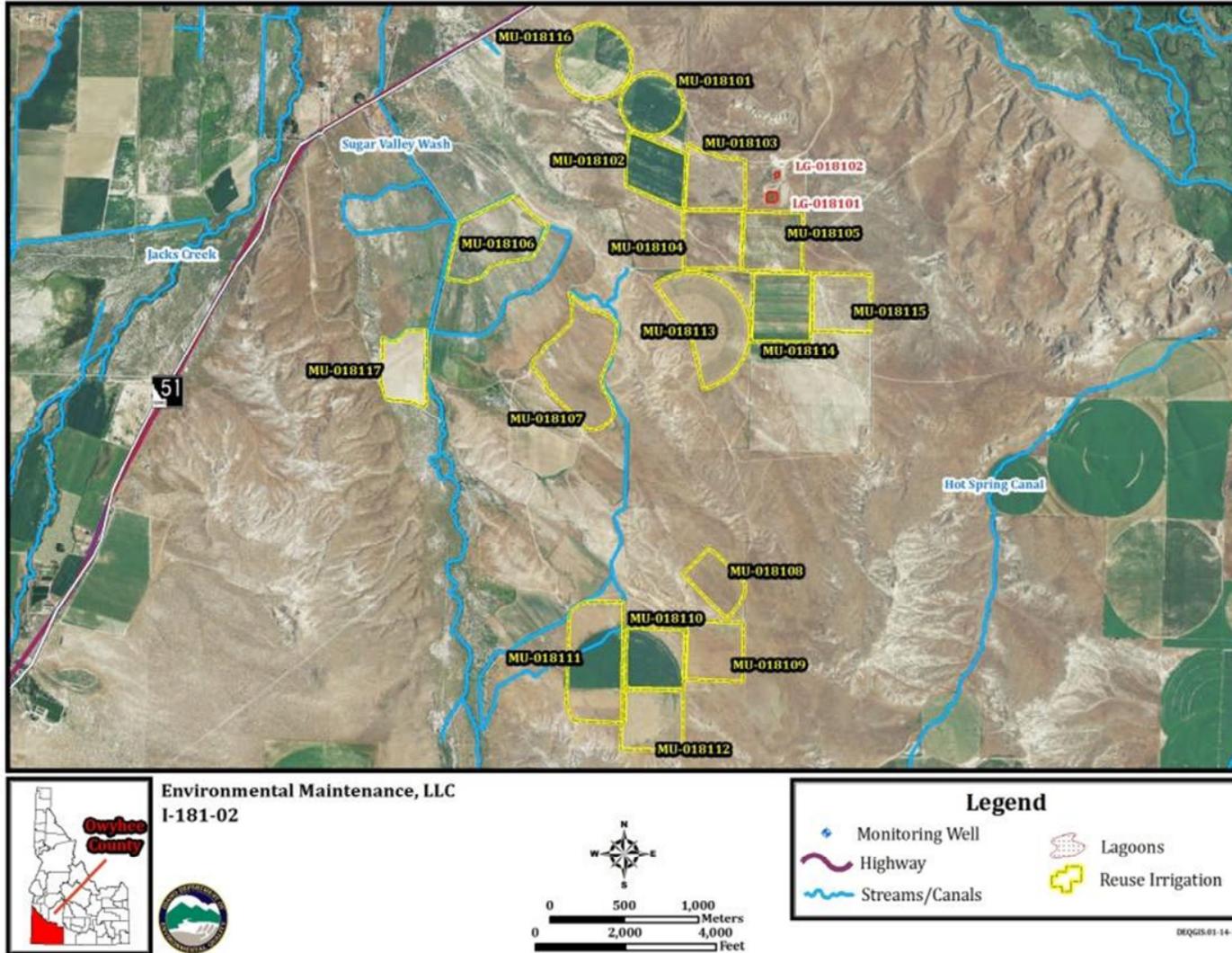
The well owner must maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals or through leakage around the outside of the casings, whether the leakage is above or below the land surface. Any person owning or controlling a noncompliant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



10.2. General Area Map(s)

