

---

**IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**REUSE PERMIT**  
**I-050-03**  
**(previous permit LA-000050-02)**

**The Amalgamated Sugar Company LLC (TASCO), Mini-Cassia Facility** (hereafter “permittee”) is hereby authorized to construct, install, and operate a reuse facility in accordance with (1) this permit; (2) “Recycled Water Rules” (IDAPA 58.01.17); 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)**.

---

Signature

---

Date

Bill Allred  
Regional Administrator  
Twin Falls Regional Office  
Idaho Department of Environmental Quality

*This page intentionally left blank for correct double-sided printing.*

## Contents

1. Commonly Used Acronyms and Abbreviations .....	5
2. Facility Information .....	6
3. Compliance Schedule for Required Activities.....	7
4. Permit Limits and Conditions .....	10
4.1 Hydraulic Management Unit Descriptions .....	10
4.2 Hydraulic Loading Limits, Vegetation, and Grazing <sup>a</sup> .....	10
4.3 Constituent Loading Limits .....	11
4.4 Hydraulic Management Unit Buffer Zones, Fencing, and Posting.....	12
4.5 Other Permit Limits and Conditions .....	12
5. Monitoring Requirements .....	13
5.1 Recycled Water and Irrigation Water Monitoring, Sampling, and Analyses .....	13
5.1.1 Constituent Monitoring .....	13
5.1.2 Flow Monitoring .....	14
5.2 Ground Water Monitoring .....	16
5.2.1 Ground Water Monitoring Point Descriptions.....	16
5.2.2 Ground Water Monitoring, Sampling, and Analyses.....	17
5.3 Soil Monitoring.....	17
5.3.1 Soil Monitoring Unit Descriptions.....	17
5.3.2 Soil Monitoring, Sampling, and Analyses .....	18
5.4 Plant Tissue Monitoring.....	19
5.5 Lagoon Information .....	19
6. Reporting Requirements .....	19
6.1 Annual Report Requirements.....	19
6.1.1 Due Date .....	20
6.1.2 Required Contents.....	20
6.1.3 Submittal .....	22
6.2 Emergency and Noncompliance Reporting .....	22
7. Permit for Use of Industrial Wastewater .....	23
8. Standard Permit Conditions .....	23
9. General Permit Conditions.....	24
9.1 Operations .....	24
9.1.1 Backflow Prevention.....	24
9.1.2 Restricted to Premises .....	25
9.1.3 Health Hazards, Nuisances, and Odors Prohibited .....	25
9.1.4 Solid Waste and Waste Solids Management .....	25
9.1.5 Temporary Cessation of Operations and Closure (IDAPA 58.01.17.801) .....	25
9.1.6 Plan of Operation (IDAPA 58.01.17.300.05) .....	26
9.1.7 Ground Water Quality (IDAPA 58.01.11).....	26
9.2 Administrative.....	26
9.2.1 Permit Modification (IDAPA 58.01.17.700) .....	26
9.2.2 Permit Transfer (IDAPA 58.01.17.800).....	28

9.2.3 Permit Revocation (IDAPA 58.01.17.920).....	29
9.2.4 Violations (IDAPA 58.01.17.930).....	29
9.2.5 Severability .....	29
10. Other Applicable Laws .....	29
10.1 Owners Responsibilities for Well Use and Maintenance .....	29
10.1.1 Well Use.....	29
10.1.2 Well Maintenance .....	30
10.1.3 Wells Posing a Threat to Human Health and Safety or Causing Contamination of the Ground Water Resource .....	30
11. Site Maps .....	31
11.1 Facility Map .....	31
11.2 General Area Map.....	32
11.3 Soils Map .....	33
11.4 Ground Water Contour Map, October 2010 .....	34
11.5 Ground Water Contour Map, April 2011.....	35
11.6 Lime Storage Area, MU-050-11 .....	36

## 1. Commonly Used Acronyms and Abbreviations

<b>CA</b>	compliance activity
<b>COD</b>	chemical oxygen demand
<b>DEQ</b>	Idaho Department of Environmental Quality
<b>DEQ Guidance</b>	DEQ Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater, latest revision
<b>Director</b>	Director of the Idaho Department of Environmental Quality or the Director's designee unless otherwise specified
<b>E<sub>i</sub></b>	irrigation efficiency
<b>ft</b>	foot
<b>gpd</b>	gallons per day
<b>gpm</b>	gallons per minute
<b>GS</b>	growing season
<b>GW</b>	ground water
<b>GWQR</b>	Ground Water Quality Rule
<b>HMU</b>	hydraulic management unit
<b>IDAPA</b>	Idaho Administrative Procedures Act
<b>IDWR</b>	Idaho Department of Water Resources
<b>IW</b>	irrigation water
<b>IWR</b>	irrigation water requirement
<b>lb</b>	pound
<b>LG</b>	lagoon
<b>mg/L</b>	milligram per liter
<b>MG</b>	million gallons
<b>MU</b>	management unit
<b>MW</b>	monitoring well
<b>NGS</b>	non-growing season
<b>NVDS</b>	non-volatile (fixed) dissolved solids
<b>PO</b>	plan of operation
<b>ppm</b>	parts per million
<b>QAPP</b>	quality assurance project plan
<b>SU</b>	soil monitoring unit
<b>TASC0</b>	The Amalgamated Sugar Company LLC
<b>TDIS</b>	total dissolved inorganic solids
<b>TDS</b>	total dissolved solids
<b>µmhos/cm</b>	micromhos per centimeter
<b>VDS</b>	volatile dissolved solids
<b>WLAA</b>	well location acceptability analysis
<b>WW</b>	wastewater

## 2. Facility Information

Information type	Information specific for this permit
Type(s) of recycled water	Industrial wastewater from sugar beet processing
Facility location	Processing facility is located in Township 9 South, Range 23 East, Section 27 Reuse fields are located in Township 9 South, Range 23 East, Sections 21, 22, 25, 26, and 27
Facility address	50 South 500 West Paul, ID 83347
Facility mailing address, county and phone and fax	PO Box 700 Paul, ID 83347 Minidoka County Telephone: (208) 438-2115, Fax: (208) 438-5485
Site Elevation	4,155 feet, Agrimet weather station, Rupert, Idaho
Ground Water	Shallow aquifer ground water table, 4-29 feet depth, average saturated thickness of 23 feet, flow direction is predominantly to the north with localized northeast and northwest vectors. The regional aquifer occurs in underlying basalt with a static water level between 150 to 300 feet below ground surface and a westerly flow direction. Principal ground water uses are public water supply, domestic and commercial, and agricultural
Surface Water	The C Canal is an irrigation water supply originating in Lake Walcott flowing east to west along the north border of the north lagoons and mud ponds. The Main Drain is an agricultural drain operated by the Minidoka Irrigation District flowing east to west along the north border of the plant process area and with eventual discharge into the Snake River. The Snake River is located approximately 5 miles south of the facility.
Facility contact information	Karen Cummings, Environmental Manager, (208) 438-7125 <a href="mailto:kcummings@amalsugar.com">kcummings@amalsugar.com</a> Dean DeLorey, Director of Environmental Affairs, (208) 383-6500 <a href="mailto:ddelorey@amalsugar.com">ddelorey@amalsugar.com</a> Larry Lloyd, Plant Manager, (208) 438-2115 <a href="mailto:llloyd@amalsugar.com">llloyd@amalsugar.com</a>

### 3. Compliance Schedule for Required Activities

Compliance Activity Number and Completion Due Date	Compliance Activity Description
CA-050-01 12 months after permit issuance	<p><b>Plan of Operations:</b> The permittee shall submit for review and approval a Plan of Operation (PO) that reflects current operations and incorporates the requirements of this permit. The PO shall comply with the applicable requirements stated in IDAPA 58.01.17.300.05 and shall address applicable items in the Plan of Operation Checklist in the DEQ Guidance.</p> <p>The PO shall include the following site management plans or the permittee may submit the site management plans individually:</p> <ol style="list-style-type: none"> <li>1. An updated waste solids management plan. The plan shall describe all solids management activities. The current plan shall be updated to reflect modifications or changes in management processes. DEQ must be provided with the proposed modifications to the plan prior to implementation, and such proposals shall be approved by DEQ prior to implementation. This plan shall include the following:                         <ol style="list-style-type: none"> <li>a. Detailed management practices for each type of waste solid</li> <li>b. Typical generation amount</li> <li>c. Storage locations and typical inventory amounts</li> <li>d. Transportation of waste solids</li> <li>e. An on-site solids management plan if waste solids are used or applied within the facility or application sites</li> <li>f. Final disposition of all waste solids types.</li> </ol> </li> <li>2. An updated buffer zone plan that delineates the buffer zones from the land application sites to inhabited dwellings; areas accessible to the public; public roads; natural and man-made surface waters; and private, public, and irrigation wells. The plan shall include a scaled map of the land application sites and the buffer objects. Justification for buffer zone distances shall be included in the plan. In addition, the buffer zone plan shall outline the process and procedures for addressing complaints when they are received and describe how these complaints will be reported to DEQ. The buffer zone plan shall be implemented no later than six (6) months after departmental approval.</li> <li>3. Odor control/management plan.</li> <li>4. An updated well location acceptability analysis (WLAA) that evaluates all current domestic wells within one-quarter mile of the processing facility, wastewater lagoons, and application fields. The evaluation shall incorporate ground water data for all of the monitoring wells, with emphasis on monitoring wells, MW-120 and 121, installed to assist in the WLAA, the effects of source reduction projects that have been implemented during the previous permit period, and surrogate well analysis, if any, done to evaluate domestic wells.</li> </ol> <p>The Plan of Operations shall be updated as necessary to reflect current operations. The permittee shall notify DEQ of material changes to the PO within 30 days of the change(s).</p>

<b>Compliance Activity Number and Completion Due Date</b>	<b>Compliance Activity Description</b>
<p>CA-050-02 6 months after permit issuance</p>	<p><b>Quality Assurance Project Plan:</b> 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.</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"> <li>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.</li> <li>2. Maps indicating the location of each monitoring, and sampling point.</li> <li>3. Qualification and training of personnel.</li> <li>4. Names, addresses and telephone numbers of the laboratories used by or proposed to be used by the permittee.</li> <li>5. Example formats and tables that will be used by the permittee to summarize and present all data in the Annual Report.</li> </ol> <p>The format and the content of the QAPP should adhere to the recommendations and references in the Quality Assurance and Data Processing sections of the DEQ Guidance.</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. TASCO shall notify DEQ of QAPP modifications and the content of the modifications within 30 days of the change(s).</p>
<p>CA-050-03 24 months after permit issuance</p>	<p><b>Wastewater Lagoon Seepage Assessment:</b> Permittee shall submit to DEQ for review and approval, an assessment based on the results of ground water sampling and analyses and/or modeling that estimates the combined effect of seepage from all lagoons on the local ground water. The latest seepage rate testing results and wastewater quality of the material stored in each of the lagoons shall be incorporated into the assessment.</p> <p>If the actual or predicted impacts of the seepage assessment do not comply with the “Ground Water Quality Rule” (IDAPA 58.01.11), the permittee shall submit, for DEQ review and approval, a plan and schedule to retest, repair, replace, or decommission the structure causing the noncompliance. If the plan includes repair, replacement, or decommissioning lagoons, the facility shall prioritize improvements based on the consequences of continued seepage from each lagoon.</p>

<b>Compliance Activity Number and Completion Due Date</b>	<b>Compliance Activity Description</b>
CA-050-04 Plan due six (6) months after completing soil tests on the Manning property	<p><b>Manning Property Solids Management:</b> The permittee shall collect and analyze composite samples representative of the area where waste solids are managed (minimum of two samples during the first six months of the permit) for nitrate-nitrogen and electrical conductivity. Sample methodology shall follow Table 5.3.2, footnote <sup>a</sup>. If the results of soil testing on the Manning property indicate high levels of nitrate-nitrogen and and/or salinity in the upper 3 feet of the soil column, the permittee shall submit a plan for addressing the elevated concentrations. The plan shall describe how revised solids management activities and /or best management practices will reduce the concentrations and the associated time frame to achieve the reduction. The soil interpretation guide or values used for determining low, medium, and high values for nitrate-nitrogen and salinity shall be approved by DEQ. The DEQ-approved plan shall be implemented within 12 months of the approval date.</p>
CA-050-05 Three (3) months after permit issuance	<p><b>Supplemental Irrigation Water Measurement:</b> The permittee shall submit to DEQ a plan for measurement of supplemental irrigation water. If flow meters are specified, plans and specifications shall be submitted to DEQ for review and approval. The method for supplemental irrigation measurement shall be sufficient to accurately measure the daily flow rate of supplemental irrigation water to each of the on-site management units used to grow agricultural crops: MU-05001, MU-05002, MU-05004, MU-05005, MU-05007, MU-05009, and MU-05010.</p> <p>The DEQ approval of the plan shall provide a completion date for implementing the flow measurement method.</p>
CA-050-06 As specified	<p><b>Determine Aquifer Properties:</b> The permittee shall submit to DEQ for review and approval, a plan for providing aquifer properties for the following hydraulic management units: MU-05004, MU-05005, and MU-05007. If specific capacity testing is specified, the testing shall be conducted at least once in March and once in August to determine aquifer properties at low and high ground water conditions. The plan shall be submitted three (3) months after permit issuance.</p> <p>Aquifer testing and reporting to DEQ shall be completed three (3) months after the final aquifer tests to determine aquifer properties are completed.</p>

## 4. Permit Limits and Conditions

### 4.1 Hydraulic Management Unit Descriptions

Serial Number	Description	Type of Recycled Water Allowed	Irrigation System Type	Acres
MU-05001	East Farm	Process and condensate wastewater	Hand/wheel lines	56
MU-05002	South Farm	Process and condensate wastewater	Hand/wheel lines	27
MU-05003	Wilkins <sup>a</sup>	Condensate wastewater	Hand/wheel lines	160
MU-05004	Goitiandia	Process and condensate wastewater	Hand/wheel lines	87
MU-05005	East Gillette	Process and condensate wastewater	Hand/wheel lines	89
MU-05007	Seedall	Process and condensate wastewater	Hand/wheel lines	35
MU-05008	West Gillette <sup>a</sup>	Condensate wastewater	Center pivot and hand/wheel lines	155
MU-05009	South Schow	Process and condensate wastewater	Hand/wheel lines	65
MU-05010	North Schow	Process and condensate wastewater	Hand/wheel lines	155
MU-05011	Lime storage area	Process and/or condensate wastewater	Hand lines	23.2

a. Off-site management units owned by third parties. Permitted for condensate wastewater application only.

### 4.2 Hydraulic Loading Limits, Vegetation, and Grazing<sup>a</sup>

Serial Number	Growing Season Hydraulic Loading	Non-growing Season Hydraulic Loading (inches) <sup>b</sup>
MU-05001	Substantially at the irrigation water requirement (IWR) <sup>c</sup>	7.8
MU-05002	Substantially at the IWR	8.5
MU-05003	Substantially at the IWR	10.2
MU-05004	Substantially at the IWR	10.2
MU-05005	Substantially at the IWR	10.2
MU-05007	Substantially at the IWR	8.2
MU-05008	Substantially at the IWR	10.1

Serial Number	Growing Season Hydraulic Loading	Non-growing Season Hydraulic Loading (inches) <sup>b</sup>
MU-05009	Substantially at the IWR	7.9
MU-05010	Substantially at the IWR	9.4
MU-05011 <sup>e</sup>	Process and/or condensate wastewater at three times the bare soil irrigation rate for the period of application using an irrigation efficiency of 75% <sup>d</sup>	Not allowed

- a. No grazing is currently allowed. A DEQ-approved grazing management plan is required prior to grazing.
- b. Non-growing season hydraulic loading limit is equal to the soil available water-holding capacity + non-growing season evaporation – non-growing season precipitation.
- c. Irrigation Water Requirement - Any combination of wastewater and supplemental irrigation water applied at rates commensurate to the moisture requirements of the crop, and calculated monthly during the growing season (GS). The equation used to calculate the IWR is:  

$$IWR = P_{def} / E_i$$
 where  
 $P_{def}$  is the precipitation deficit and is synonymous with the net irrigation water requirement of the crop. The  $P_{def}$  can be found at the following website: <http://data.kimberly.uidaho.edu/ETIdaho/>  
 $E_i$  is the irrigation system efficiency
- d. Bare soil irrigation rate is equal to the bare soil evaporation rate divided by an irrigation efficiency of 75%. Use bare soil evaporation data from ET Idaho <http://data.kimberly.uidaho.edu/ETIdaho/> using Rupert weather station data
- e. Maximize process wastewater to the lime storage area to reduce NVDS loading rates on the agricultural management units.

### 4.3 Constituent Loading Limits

Serial Number	Constituent Loading (from all sources) <sup>a</sup>			
	Nitrogen	Salt as Nonvolatile Dissolved Solids (lb/acre-year) <sup>b</sup>	Chemical Oxygen Demand, Growing Season (lb/acre-day)	Chemical Oxygen Demand, Non-growing Season (lb/acre-day)
MU-05001 East Farm	150% of typical crop uptake <sup>c</sup>	1,200	50	25
MU-05002 South Farm	150% of typical crop uptake <sup>c</sup>	1,000	50	25
MU-05003 Wilkins	150% of typical crop uptake <sup>c</sup>	642	50	25
MU-05004 Goitiandia	150% of typical crop uptake <sup>c</sup>	1,900	50	25
MU-05005 East Gillette	150% of typical crop uptake <sup>c</sup>	1,900	50	25
MU-05007 Seedall	150% of typical crop uptake <sup>c</sup>	1,600	50	25

Serial Number	Constituent Loading (from all sources) <sup>a</sup>			
	Nitrogen	Salt as Nonvolatile Dissolved Solids (lb/acre-year) <sup>b</sup>	Chemical Oxygen Demand, Growing Season (lb/acre-day)	Chemical Oxygen Demand, Non-growing Season (lb/acre-day)
MU-05008 West Gillette	150% of typical crop uptake <sup>c</sup>	642	50	25
MU-05009 South Schow	150% of typical crop uptake <sup>c</sup>	2,200	50	25
MU-05010 North Schow	150% of typical crop uptake <sup>c</sup>	1,500	50	25
MU-05011 Lime storage area	No limit	No limit	No limit	No limit

- a. Includes waste solids, fertilizer, soil amendments, and any other material that would add to the constituent application amount.
- b. Loading rate from process and condensate wastewater only. Contribution from supplemental irrigation water (SIW) has been factored into the limits shown.
- c. Typical crop uptake is the median constituent crop uptake from the 3 most recent years the crop has been grown. For crops having less than 3 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.

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

The existing buffer zones specified in the previous permit LA-00050-02 and all permit modifications associated with that permit shall remain in effect until DEQ review and approval of the updated buffer zone plan specified in compliance activity CA-050-01.

#### 4.5 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
Lime Storage Area, MU-05011	Process wastewater application on the lime storage area, MU-05011 shall be applied in accordance with the following sections of the April 27, 2011, Management Plan for Process Water Evaporation, Dry Lime Storage Area: 3.2.2 Irrigation Frequency, 3.2.3 Dry Lime Management, 3.2.4 Buffer Zones, 3.2.5 Site Personnel, and 3.2.6 Odor Management with the following exception: The requirements specified in sections 4 and 5 of this permit shall supersede if different from the requirements contained in the management plan.
Backflow prevention and testing requirements	Backflow prevention is required to protect surface water and ground water from discharge of wastewater. Refer to section 9.1.1 of this permit.

Category	Permit Limits and Conditions
Plans and Specifications	The construction, alteration or expansion of any wastewater treatment, disposal, or reuse facility shall not begin before plans and specifications for the proposed facility have been submitted to and approved by the Department. The permittee shall comply with the plan and specification, and construction inspection requirements specified in the Wastewater Rules, IDAPA 58.01.16.401 and the Recycled Water Rules, IDAPA 58.01.17.606.
Flow measurement calibration/verification	Flow measurement devices used to directly or indirectly measure wastewater and supplemental irrigation water flows applied to each hydraulic management unit shall be calibrated or verified annually. Provide documentation for flow measurement calibration/verification in the annual report as specified in section 6.
Runoff and ponding	No runoff of wastewater from land application sites and factory grounds is allowed. To the maximum extent possible, the facility shall be operated to prevent ponding of wastewater.
Permit Renewal Application	The permittee shall submit a complete permit renewal application 180 days prior to the expiration date of this permit. DEQ recommends a pre-application conference one year prior to the expiration date of this permit to discuss current procedures and application requirements.

## 5. Monitoring Requirements

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

#### 5.1.1 Constituent Monitoring

Monitoring Point Serial Number and Location	Sample Description	Sample Type/Frequency	Constituents (units in mg/L unless otherwise specified)
WW-05001 Process wastewater	Process wastewater to agricultural management units: MU-05001, MU-05002, MU-05004, MU-05005, MU-05007, MU-05009, and MU-05010	24-hour composite each month during periods of application	Total Kjeldahl nitrogen; nitrite + nitrate-nitrogen; ammonia-nitrogen; total phosphorus; total dissolved solids; volatile dissolved solids; nonvolatile dissolved solids (calculated); chemical oxygen demand; chloride; and pH

<b>Monitoring Point Serial Number and Location</b>	<b>Sample Description</b>	<b>Sample Type/Frequency</b>	<b>Constituents (units in mg/L unless otherwise specified)</b>
WW-05002 Condensate wastewater	Condensate wastewater to agricultural management units: MU-05001, MU-05002, MU-05003, MU-05004, MU-05005, MU-05007, MU-05008, MU-05009, and MU-05010	24-hour composite each month during periods of application	Total Kjeldahl nitrogen; nitrite + nitrate-nitrogen; ammonia-nitrogen; total phosphorus; total dissolved solids; volatile dissolved solids; nonvolatile dissolved solids (calculated); chemical oxygen demand; chloride; and pH
WW-05003 Process and/or condensate wastewater	Wastewater to lime storage area: MU-05011	Monthly grab sample during application	Total Kjeldahl nitrogen; nitrite + nitrate-nitrogen; chemical oxygen demand; total dissolved solids; volatile dissolved solids; nonvolatile dissolved solids (calculated)
WW-05004	Coal fly ash wastewater from storage lagoon	Composite sample while transferring from coal fly ash storage lagoon to process wastewater lagoon, annually in first and last year of permit	Arsenic, Cadmium, Chromium, Lead, Mercury, and Thallium
IW-05001	Supplemental irrigation water from the C Canal	Grab samples in May, July, and September	Total Kjeldahl nitrogen; nitrite + nitrate-nitrogen; ammonia-nitrogen; total dissolved solids; volatile dissolved solids; nonvolatile dissolved solids (calculated); and chloride

### 5.1.2 Flow Monitoring

<b>Monitoring Point Serial Number and Location</b>	<b>Sample Description</b>	<b>Sample Type/Frequency</b>	<b>Measured and/or Reporting Requirements</b>
Flow meters used to measure process wastewater	Process wastewater volume to each agricultural management unit <sup>a</sup>	- Daily meter reading(s) as needed to calculate volume to each MU - Monthly compilation of data to report monthly volume to each MU	MG/month; inches/month; MG during growing season; inches during growing season; MG during non-growing season; inches during non-growing season

<b>Monitoring Point Serial Number and Location</b>	<b>Sample Description</b>	<b>Sample Type/Frequency</b>	<b>Measured and/or Reporting Requirements</b>
Flow meters used to measure condensate wastewater	Condensate volume to each agricultural management unit <sup>a</sup>	- Daily meter reading(s) as needed to calculate volume to each MU - Monthly compilation of data to report monthly volume to each MU	MG/month; inches/month; MG during growing season; inches during growing season; MG during non-growing season; inches during non-growing season
Flow meters used to measure process and/or condensate wastewater to the lime storage area	Process and/or condensate wastewater volume to lime storage area MU-05011	Daily meter readings as needed to calculate the volume in MG and inches for each zone used during each application event for each type of wastewater	Area of each irrigation zone in acres; flow volume in inches and MG for each zone used during each application event; flow volume in inches and MG for entire growing season; date application started and ended; bare soil evaporation rate for the actual application period; and daily observation log and management report during application season
Supplemental irrigation water	Supplemental irrigation water to each agricultural management unit <sup>a</sup>	Pump and/or irrigation equipment run times to estimate monthly volume of supplemental irrigation water to each agricultural management unit until completion of compliance activity CA-050-05.  After completion of CA-050-05, daily meter reading(s) as needed to calculate volume to each MU and monthly compilation of data to report monthly volume to each MU	MG/month; inches/month; inches during growing season
Coal fly ash wastewater	Coal fly ash wastewater transferred to the process wastewater system	Estimate using pump run time	Flow volume (MG/year)

a. Agriculture management units are all management units except for MU-05011.

## 5.2 Ground Water Monitoring

### 5.2.1 Ground Water Monitoring Point Descriptions

Monitoring Point Serial Number	Common Designation	Well Type	Location
GW-05024	MW-107	Monitoring well	North of mud ponds, between southern border of Goitiandia and Gillette East. North of C Canal
GW-05025	MW-108	Monitoring well	Approximately 1,000 feet south of East Farm and Seedall, south of Main Drain
GW-05026	MW-A	Monitoring well	Northeast corner of easternmost mud pond, south of C Canal. Dry at times
GW-05030	MW-E	Monitoring well	Downgradient well for East Farm
GW-05033	MW-H	Monitoring well	Upgradient well for East Farm
GW-05034	MW-I	Monitoring well	Downgradient well for South Farm
GW-05035	MW-J	Monitoring well	Upgradient well for South Farm
GW-05039	MW-N	Monitoring well	Upgradient of former lime ponds and existing dry lime storage area (ponds decommissioned in 2007)
GW-05046	MW-102	Monitoring well	Near northwest corner of Goitiandia and southeast corner of Gillette West. Dry at times
GW-05050	MW-109	Monitoring well	Southeast corner of Seedall, upgradient well for Seedall and South Schow
GW-05052	MW-112	Monitoring well	1 miles north of northeast corner of East Gillette field on 400 West road. Approximately 1-1/4 miles north of mud ponds. Dry at times
GW-05054	Seedall	Monitoring well	Downgradient well for Seedall
GW-05059	MW-M	Monitoring well	Downgradient of former lime ponds and existing dry lime storage area. Upgradient of fly ash pond and fly ash solids storage area
GW-05060	MW-C	Monitoring well	Located between west and northwest lagoons
GW-05062	MW-105	Monitoring well	Dry at times
GW-05063	MW-114	Monitoring well	Upgradient well for South Schow
GW-05064	MW-115	Monitoring well	Downgradient well for South Schow, upgradient for North Schow
GW-05065	MW-116	Monitoring well	Upgradient well for North Schow
GW-05066	MW-117	Monitoring well	Downgradient well for North Schow
GW-05067	MW-118	Monitoring well	Downgradient well for North Schow
GW-05068	MW-119	Monitoring well	Sidegradient well for North Schow
GW-05069	MW-120	Monitoring well	Downgradient well for Goitiandia
GW-05070	MW-121	Monitoring well	Downgradient well for Gillette East

### 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)
All ground water monitoring wells in section 5.2.1	Monitoring wells	Grab sample / twice annually: April and October	Water table elevation (feet); water table depth (feet); nitrate-nitrogen; total phosphorus; total dissolved solids; chloride, total and dissolved iron; total and dissolved manganese; chemical oxygen demand; pH (SU); electrical conductivity (umhos/cm); temperature (°F); dissolved oxygen

### 5.3 Soil Monitoring

#### 5.3.1 Soil Monitoring Unit Descriptions

Monitoring Point Serial Number	Description or Field Name	Acres <sup>a</sup>	Associated MU	Notes
SU-05001	East Farm	56	MU-05001	Original field
SU-05002	South Farm	27	MU-05002	Original field
SU-05003	Wilkins	160	MU-05003	Off-site field used for condensate only application
SU-05005	Goitiandia	87	MU-05004	Purchased in 2003. Permitted as on-site management unit in 2006
SU-05006	Gillette East	89	MU-05005	Purchased in 2002. Permitted as on-site management unit in 2006
SU-05011	Seedall	35	MU-05007	Purchased in 1995
SU-05008	Gillette West	155	MU-05008	Off-site field used for condensate only application starting in 1996
SU-05009	South Schow	65	MU-05009	Purchased in 1998
SU-05010	North Schow	155	MU-05010	Purchased in 1998
SU-05012	Manning Area	35	None	Purchased in 1999, used for mud solids staging and sugar beet storage

Monitoring Point Serial Number	Description or Field Name	Acres <sup>a</sup>	Associated MU	Notes
SU-05013	Lime storage area	Report acres used as specified section 6	MU-05011	Dry lime storage area is a stockpile of spent lime produced in the sugar refining process. As of 2012, it has a surface area of approximately 39 acres of which 23.2 acres were used for application of process wastewater.

a. Total acres available for cropping. If less than the maximum acres are used for wastewater application, the loading rates shall be based on the actual acres used. SU-05013 is not used for agricultural production.

### 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-05001, SU-05002, SU-05003, SU-05005, SU-05006, SU-05008, SU-05009, SU-05010, and SU-05011	Composite samples <sup>a</sup>	Annually, March	Electrical conductivity (µmhos/cm), nitrate-nitrogen, ammonium nitrogen, plant available phosphorus, pH
SU-05013 (5 irrigation zones within soil unit)	Composite samples <sup>b</sup>	Prior to starting application, after the first application, after every fourth subsequent application	Moisture content, %

a. A minimum of 10 locations in each soil monitoring unit 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 three 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.

b. A minimum of three locations for each zone used for application. At each location, samples shall be obtained from three depths: 0–6 inches, 6–12 inches, and 12–18 inches. The three 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.

## 5.4 Plant Tissue Monitoring

Associated Hydraulic Monitoring Units	Sample Type	Sample Frequency	Reporting Parameter(s) <sup>a</sup>
MU-05001, MU-05002, MU-05003, MU-05004, MU-05005, MU-05007, MU-05008, MU-05009, and MU-05010	Harvested portion (each MU)	Each harvest	Yield in customary harvested units (ton/acre; bushels/acre); moisture content (%); ash (%); total Kjeldahl nitrogen (%); NO <sub>3</sub> -N + NO <sub>2</sub> -N (ppm)

a. For each harvest, report the following for each management unit: sample collection date, crop type, harvested portion, and reporting parameters in the table above.

## 5.5 Lagoon Information

Serial Number	Description	Capacity (million gallon)	Surface Area (acres)	Notes
LG-05001	Condensate surge pond	2	1	Condensate
LG-05002	Sanitary lagoon	3	2	Total evaporation system, no discharge
LG-05003	Mud ponds, three ponds operated in series	4	15	Bentonite added after periodic mud removal
LG-05004	Fly ash pond	2	3	Coal fly ash settling pond
LG-05005	Flume excess pond	9	22	Process wastewater, aerated
LG-05006	Northwest lagoon	73	18	Condensate, installed 2011, seepage rate test planned for 2013
LG-05007	Northeast lagoon	81	19	Condensate
LG-05008	West lagoon	20	5.2	Process wastewater, aerated
LG-05009	East lagoon	22	5.2	Process wastewater
LG-05010	South lagoon	66	13.25	Condensate

## 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 3.5.
- 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 2, Compliance Schedule for Required Activities.
- 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 management units specified in the table below.

<b>Monitoring Point Serial Number</b>	<b>Parameter (Calculate for each MU)</b>	<b>Units</b>
MU-05001; MU-05002; MU-05003; MU-05004; MU-05005; MU-05007; MU-05008; MU-05009; and MU-05010	Process and condensate wastewater loading rate (report each separately)	- MG/month - Inches/month - MG during growing season - Inches during growing season - MG during non-growing season - Inches during non-growing season
	Supplemental irrigation water loading rate	- MG/month - Inches/month - Inches during growing season
	COD loading rate: growing season seasonal average	- Pounds/acre-day
	COD loading rate: non-growing season seasonal average	- Pounds/acre-day
	Process wastewater loading rates for nitrogen	- Pounds/acre-month - Pounds/acre-year
	Condensate wastewater loading rates for nitrogen	- Pounds/acre-month - Pounds/acre-year
	Process wastewater loading rates for NVDS	- Pounds/acre-month - Pounds/acre-year

Monitoring Point Serial Number	Parameter (Calculate for each MU)	Units
	Condensate wastewater loading rates for NVDS	- Pounds/acre-month - Pounds/acre-year
	Nitrogen fertilizer application	- Date of application(s) - Pounds/acre-year
	Phosphorus fertilizer application	- Date of application(s) - Pounds/acre-year
	Waste solids application rates	- Pounds of solids /acre-year - Pounds of nitrogen/acre-year - Pounds of phosphorus/acre-year
	Crop type	- Name(s)
	Crop IWR estimate	- IWR by month for each crop type - Source of data
	Crop yield (each harvest)	- Customary harvested units (tons/acre, bushels/acre and pounds/bushel)
	Crop constituent removal: nitrogen, phosphorus, and ash	- Pounds/acre - Pounds
MU-05011 (Process wastewater to lime storage area)	Process wastewater loading rate	- Date(s) of each application - Gallons/application for each irrigation zone - Inches/application for each zone - Annual gallons and inches for each application zone
	Application period	Start and end date of application
	Application area	Irrigation zone and acres
	Annual application	- Million gallons - Inches
MU-05011 (Condensate to lime storage area)	Condensate loading rate	- Date(s) of each application - Gallons/application for each irrigation zone - Inches/application for each zone - Annual gallons and inches for each application zone
	Application period	Start and end date of application
	Application area	Irrigation zone and acres
	Annual application	- Million gallons - Inches
Other Reporting Requirements: <ol style="list-style-type: none"> <li>1. MU-05011: Daily observation and management report during application season.</li> <li>2. Flow meter calibration/verification records and/or documentation</li> </ol>		

### **6.1.3 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  
Twin Falls Regional Office  
1363 Fillmore St  
Twin Falls, ID 83301  
Telephone: (208) 736-2190  
Fax: (208) 736-2194

## **6.2 Emergency and Noncompliance Reporting**

Report noncompliance incidents to DEQ's regional office in accordance with Section 7, "Standard Permit Conditions" and IDAPA 58.01.17.500.06.c&d. See section 5.1.3 for the regional office phone number.

In case of emergencies, call the emergency 24-hour number at 1-800-632-8000 and DEQ's regional office.

See 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; and EPA Hot Line: (206) 553-1846

## 7. Permit for Use of Industrial Wastewater

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)

## 8. 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)*

## **9. 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.

### **9.1 Operations**

#### **9.1.1 Backflow Prevention**

Reuse facilities with existing or planned cross-connections or interconnections between the recycled water system and any water supply (potable or nonpotable), shall have backflow prevention assemblies, devices, or methods as required by applicable rule or as specified in this permit and approved by DEQ.

For potable water systems, 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 as specified in IDAPA 58.01.08.543 and 552. 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.

### **9.1.2 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 United States Environmental Protection Agency (IDAPA 58.01.16.600.02).

### **9.1.3 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)

### **9.1.4 Solid Waste and Waste Solids Management**

Solid waste must be managed as follows:

- Solid waste regulated under “Solid Waste Management Rules and Standards” (IDAPA 58.01.06) shall be managed to comply with such rules and, where applicable, this permit.

Waste solids must be managed as follows:

- Sludge usage regulated under “Wastewater Rules” (IDAPA 58.01.16.650) shall be managed to comply with such rules and, where applicable, this permit.

Note that biosolids use is regulated by federal law, and may be regulated by local ordinances.

### **9.1.5 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)

### **9.1.6 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)

### **9.1.7 Ground Water Quality (IDAPA 58.01.11)**

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

## **9.2 Administrative**

Requirements for administration of the permit are defined as follows.

### **9.2.1 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)*

### **9.2.2 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)*
- 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)

### **9.2.3 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)*

### **9.2.4 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)*

### **9.2.5 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.

## **10. Other Applicable Laws**

DEQ 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.

### **10.1 Owners Responsibilities for Well Use and Maintenance**

#### **10.1.1 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.

### **10.1.2 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.

### **10.1.3 Wells Posing a Threat to Human Health and Safety or Causing Contamination of the Ground Water Resource**

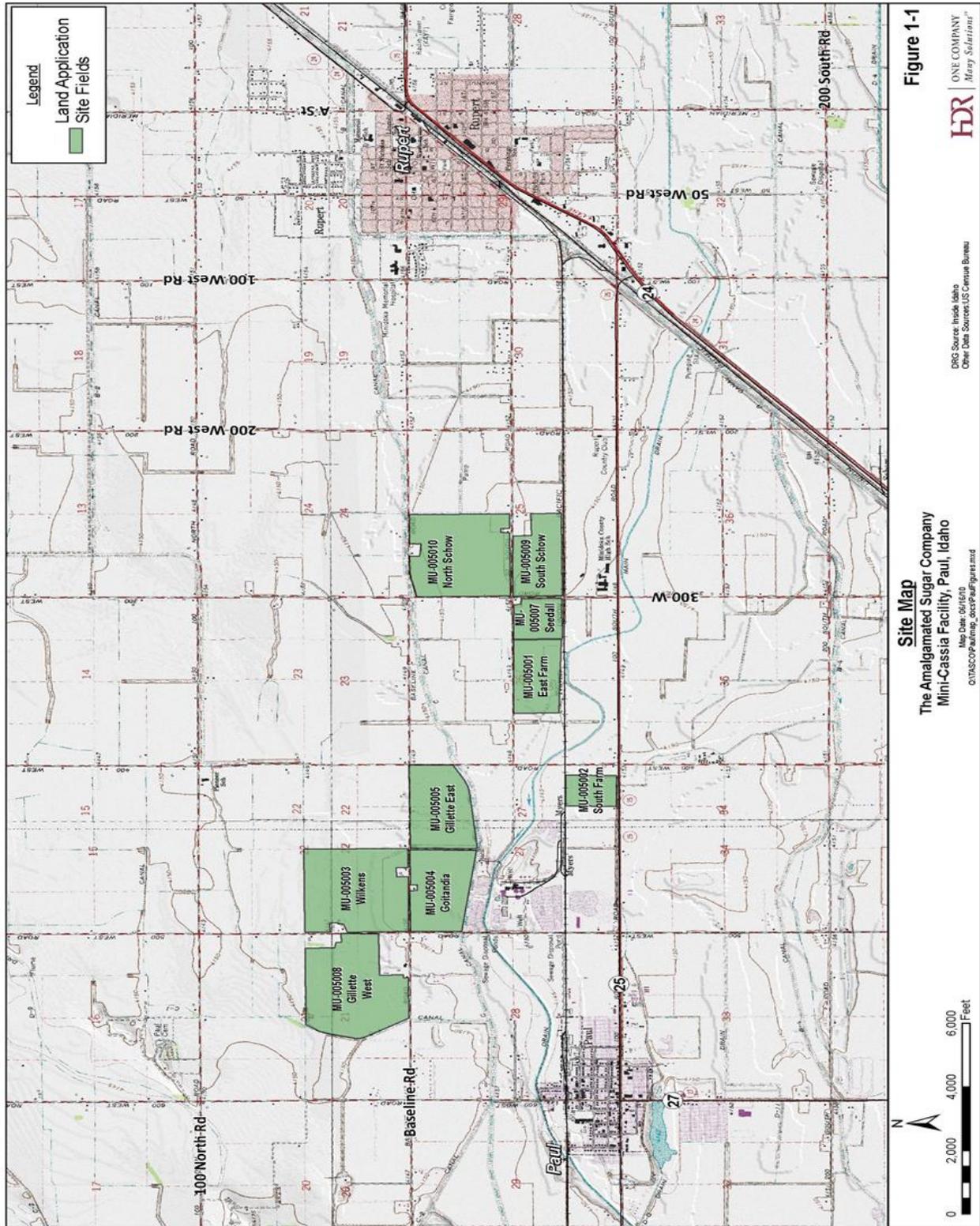
The well owner must have any well shown to pose a threat to human health and safety or cause contamination of the ground water resource immediately repaired or decommissioned (abandoned) by a licensed well driller under a permit issued by the IDWR director in accordance with the applicable rules. See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

# 11. Site Maps

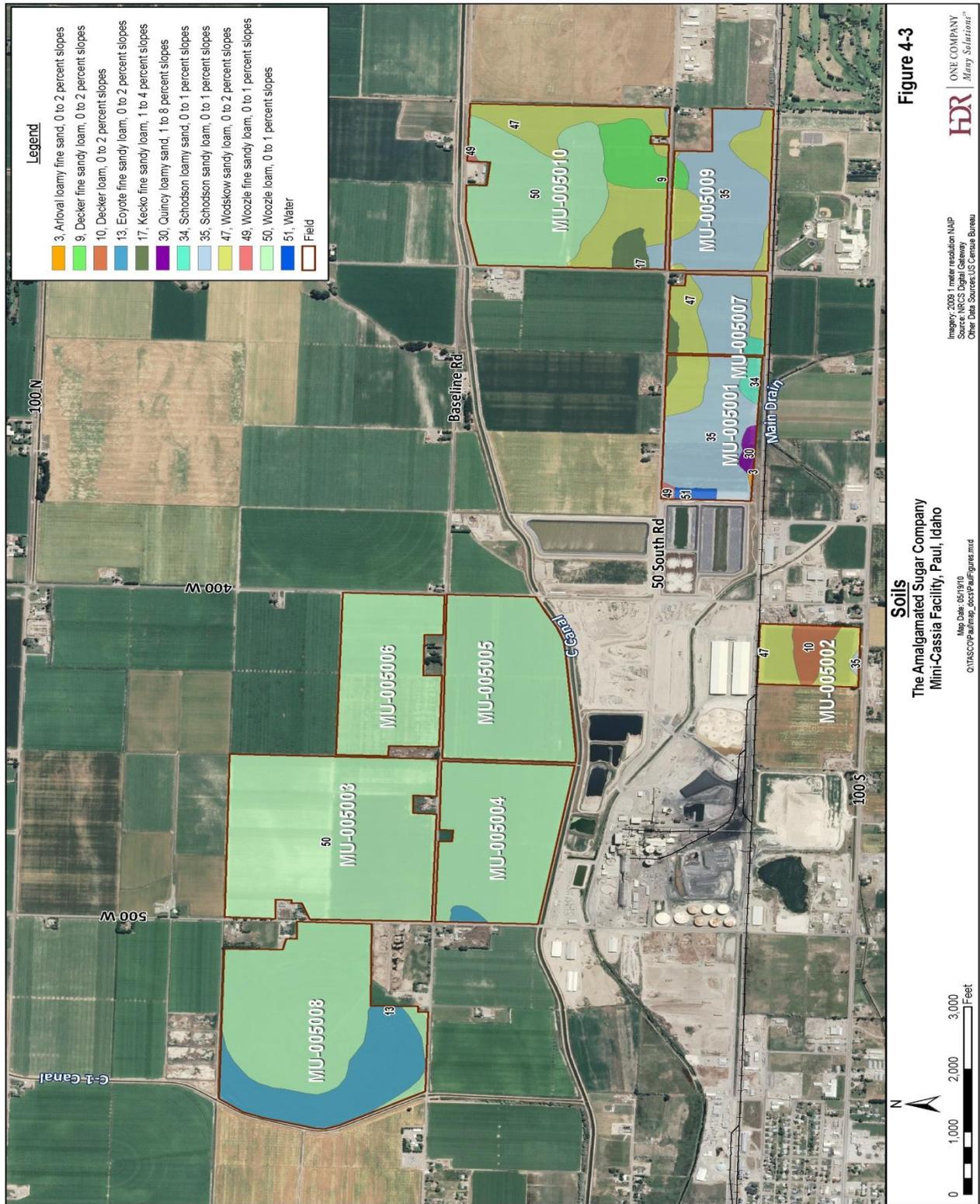
## 11.1 Facility Map



### 11.2 General Area Map



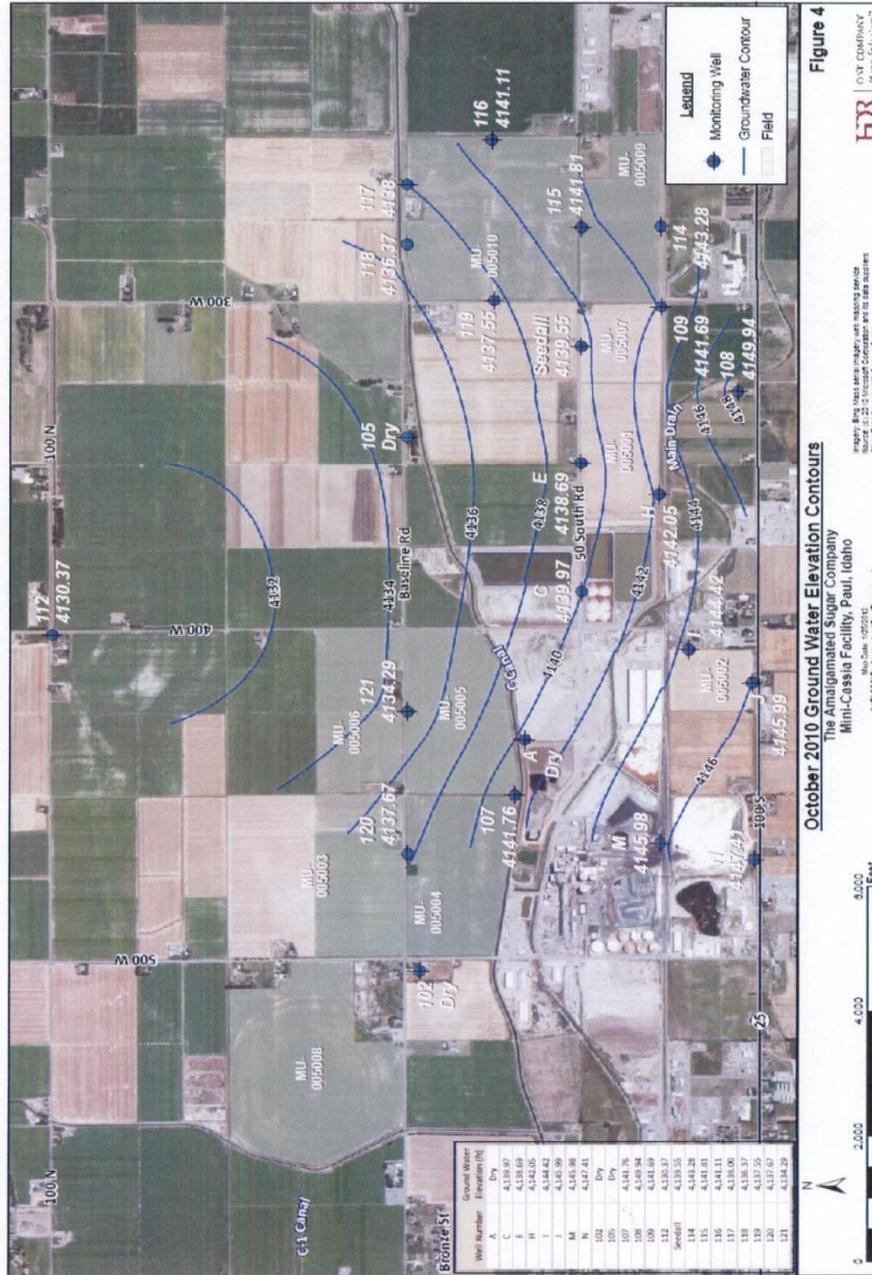
### 11.3 Soils Map



# 11.4 Ground Water Contour Map, October 2010

2010-2011 ANNUAL REPORT, PERMIT LA-00050-02  
 THE AMALGAMATED SUGAR COMPANY, PAUL, IDAHO  
 PAGE 3-11

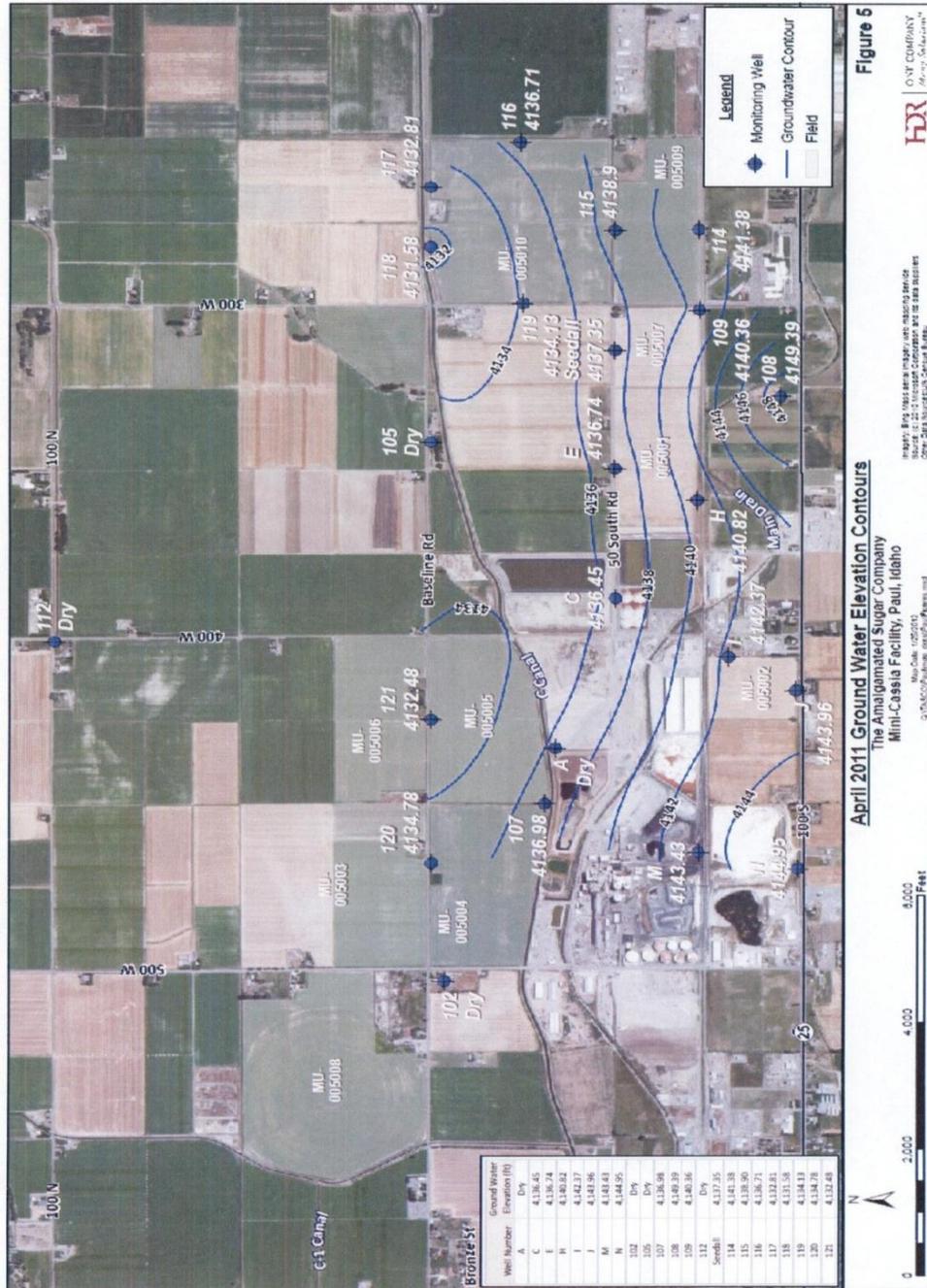
Figure 4. October 2010 Groundwater Elevation Contours



# 11.5 Ground Water Contour Map, April 2011

2010-2011 ANNUAL REPORT, PERMIT LA-050-02  
 THE AMALGAMATED SUGAR COMPANY, PAUL, IDAHO  
 PAGE 3-12

Figure 5. April 2011 Groundwater Elevation Contours



### 11.6 Lime Storage Area, MU-050-11

