Idaho Department of Environmental Quality
Reuse Permit
I-054-04
(Formerly LA-000054-03)

Darling International, Inc. (hereafter "permittee") is hereby authorized to construct, install, and operate a reuse facility in accordance with (1) this permit; (2) IDAPA 58.01.17 "Recycled Water Rules"; (3) an approved plan of operation; and (4) all other applicable federal, state, and local laws, statutes, and rules. This permit is effective from the date of signature and expires on October 19, 2017.

Signature

10/19/2012
Date

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

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Acronyms and Abbreviations

CA	compliance activity
$CaCO_3$	calcium carbonate
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 designee unless otherwise specified
Ei	irrigation efficiency
FM	flow monitoring
GW	ground water
in/acre	inches per acre
HMU	hydraulic management unit
lb/acre	pounds per acre
lb/acre-day	pounds per acre per day
IDAPA	Idaho Administrative Procedures Act
IDWR	Idaho Department of Water Resources
IWR	irrigation water requirement
LG	lagoon
MG	million gallons
mg/kg	milligram per kilogram
mg/L	milligram per liter
MU	management unit
NTU	nephelometric turbidity unit
NO_2-N	nitrite-nitrogen
NO_3-N	nitrate-nitrogen
NVDS	non-volatile (fixed) dissolved solids
PS	point serial (plant tissue monitoring)
PO	plan of operation
QAPP	quality assurance project plan

Reuse Guidance	DEQ Guidance for Reclamation and Reuse of Municipal Wastewater
SU	soil monitoring unit
TDIS	total dissolved inorganic solids
TDS	total dissolved solids
µmhos/cm	micromhos per centimeter
WW	wastewater

1. Facility Information

Information Type	Information Specific to This Permit
Type(s) of recycled water (check relevant boxes)	☐Municipal ☒Industrial
Class of recycled water (check relevant box)	☐A ☐B ☐C ☐D ☐E ☒NA (not applicable)
Method of treatment	Anaerobic and aerobic lagoons, followed by slow-rate land application
Facility location address	18305 South Cole Road, Kuna, ID 83634
Facility mailing address and phone and fax	P.O. Box 615, Des Moines, IA 50306-0615 Telephone 515-883-7743
Facility contact information	Dan Kilkenny, 515-883-7743, dkilkenny@darlingii.com

2. Compliance Schedule for Required Activities

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-054-01 Six (6) months after permit issuance	**Plan of Operation**: Permittee shall submit to DEQ for review and approval an updated Plan of Operations (PO). The PO shall comply with requirements stated in IDAPA 58.01.17.300.05 and should address the items in the latest revision of the Plan of Operation Checklist in Subsection 1.9.3 of the Reuse Guidance. The PO shall be updated as necessary to reflect current operations and current permit requirements. The PO shall also specifically include or address the following bullet items: • Grazing Management Plan • Waste Solids Management Plan • Odor Management Plan • Procedures (operating, reporting, corrective actions, etc.) for upset periods. • All sampling, monitoring and reporting requirements of this permit. • A description of approved sample collection methods, appropriate analytical methods, and companion quality control/assurance (QA/QC) protocols. Upon approval, the PO shall be incorporated by reference into this permit and shall be enforceable as a part of this permit.
CA-054-02 April 29, 2013	**Well Location Acceptability Analysis:** Permittee shall submit to DEQ for review and approval a well location acceptability analysis for the public drinking water well that serves the employees of Darling International, Inc. - Kuna, ID facility. Section 6.6.4 of the Reuse Guidance may be used as guidance to determine whether the current buffer distance between the public drinking water well and the wastewater reuse activities associated with the site is sufficient to ensure the protection of public health. If the current buffer distance is not sufficient for protection of human health, the facility must specify the actions that will be taken to ensure that an adequate buffer distance will be provided between the public drinking water well and the wastewater reuse activities. The analysis must also include a date by which the actions will be implemented. The required actions and implementation dates will become an enforceable part of this permit.

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-054-03 April 29, 2016	**Total Dissolved Solids Impact Analysis:** Permittee shall submit to DEQ for review and approval a Total Dissolved Solids (TDS) Impact Analysis. As part of the analysis, the permittee shall use the results of the required monitoring of the wastewater in 2013 to establish a relationship between non-volatile dissolved solids (NVDS) and total dissolved inorganic solids (TDIS). This relationship will then be used to determine the NVDS loading to the sites during the first three year of the permitting cycle (2013 through 2015). The amount of TDS removed by the crop during the associated growing seasons must be calculated using the percent of ash in the crop tissue and the results compared to the NVDS loading rate for each growing season. If the analysis indicates that the NVDS loading rate is greater than the amount of solids taken up by the crop, the permittee must identify and implement actions to reduce the amount of NVDS applied to the land application sites. The proposed removal activities must be approved by DEQ. For more information, see Subsections 3.4.5 and 7.2.4.1.2 of the Reuse Guidance.
CA-054-04 One year prior to permit expiration	**Permit Renewal Pre-Application Meeting:** If the permittee intends to continue wastewater reuse activities after the expiration date of this permit, a pre-application meeting must be scheduled with DEQ to discuss the requirements for the permit renewal application and any anticipated changes that will be requested by the permittee for the next permit.

3. Permit Limits and Conditions

3.1 Hydraulic Management Unit Descriptions

Serial Number	Description	Type of Recycled Water Allowed	Irrigation System Type and Irrigation Efficiency (Proportion)	Acres
MU-005401	Field 1	Industrial	Wheel Line (Ei=0.75)	16
MU-005402	Field 2	Industrial	Center Pivot (Ei=0.85)	40
			Total acreage	56

3.2 Hydraulic Loading Limits, Vegetation, and Grazing

Serial Number	Growing Season Hydraulic Loading	Nongrowing Season Maximum Hydraulic Loading	Allowed Vegetation	Grazing and Waiting Period Between Recycled Water Application and Grazing (when applicable)
MU-005401	Substantially at the irrigation water requirement (IWR) [a]	Not allowed	No crops for direct human consumption are allowed	See Approved Grazing Plan required by CA-054-01
MU-005402	Substantially at the IWR[a]	Not allowed	No crops for direct human consumption are allowed	See Approved Grazing Plan required by CA-054-01

a. Irrigation Water Requirement (IWR) – 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:

$IWR = P_{def} / E_i$

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://www.kimberly.uidaho.edu/ETIdaho/.

E_i is the irrigation system efficiency.

3.3 Constituent Loading Limits

Serial Number	Constituent Loading (from all sources)				
	Nitrogen (lb/acre)	Phosphorus (lb/acre)	Salt (NVDS) (lb/acre)	COD growing season/nongrowing season (lb/acre-day)[a]	Other (lb/acre)
MU-005401	150% of typical crop uptake [b]	None at this time [c]	None at this time [c]	None at this time [c]/NA	—
MU-005402	150% of typical crop uptake [b]	None at this time [c]	None at this time [c]	None at this time [c]/NA	—

a. Limit expressed in pounds per acre per day (lb/acre-day) on a seasonal average.
b. 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. Nitrogen loading rates specified in the University of Idaho Fertilizer Guides may also be used.
c. In the event that DEQ determines that a loading limit is necessary or if CA-054-03 indicates that a loading limit is necessary, DEQ shall issue a draft modification to the permit and staff analysis, and shall process the modification as provided in IDAPA 58.01.17.

3.4 Hydraulic Management Unit Buffer Zones, Fencing, and Posting

Serial Number	Buffer Distances (in feet) from Hydraulic Management Units				
	Inhabited Dwellings/ Areas Accessible to the Public [a]	Fencing and Posting	Permanent and Intermittent Surface Water	Irrigation Ditches and Canals	Private Water Supplies and Public Water Supplies [b]
MU-005401	300/50	Signs shall be posted around the perimeter of the land application system and at the entrance of all access roads into the site. At a minimum, the signs shall state "Wastewater Reuse Area, No Trespassing", or equivalent	50	50	As required by a DEQ approved Well Location Acceptability Analysis
MU-005402	300/50		50	50	As required by a DEQ approved Well Location Acceptability Analysis

a. In the event that new, inhabited dwellings are to be constructed in the vicinity of the facility, DEQ may issue a draft modification to the permit in accordance with the "Recycled Water Rules" and revise these buffer zone requirements.
b. The facility must maintain at least 50 feet between the public drinking water well that is in operation at the time of permit issuance and the hydraulic management units until the Well Location Analysis is completed in accordance with CA-054-02.

3.5 Other Permit Limits and Conditions

Category	Permit Limits and Conditions
Growing season	April 1 through October 31 (214 days)
Nongrowing season	November 1 through March 31 (151 days)
Reporting year for annual loading rates	November 1 through October 31
Operator licensure required	None
Runoff Restrictions	No runoff is allowed from any site or field used for wastewater reuse to any property not owned by the permittee except after a 25-year, 24-hour storm event or greater, using Western Regional Climate Center (WRCC) Precipitation Frequency Map, Figure 28 "Isopluvials of a 25-YR, 24-HR Precipitation". To prevent runoff from the site, Best Management Practices (BMPs) shall be used from all areas where runoff may potentially occur.
Ground Water Quality Rule	Wastewater reuse/land application activities conducted by the permittee shall not cause a violation of the *Ground Water Quality Rule*, IDAPA 58.01.11.
Wastewater Lagoon Seepage Testing (conduct in 2014)	Lagoons LG-005401 through LG-005405 and any active brine pond(s) must be seepage tested using a DEQ-approved procedure once per permit cycle. The results of the seepage test must be submitted to DEQ for review and approval. The seepage test for this permit cycle must be completed in 2014.
Construction Plan Submittal Requirements	Prior to construction or modification of any wastewater facilities associated with the land application system, plans and specifications shall be reviewed and approved by DEQ. Within 30 days of completion of construction, the permittee shall submit record plans and specifications for review and approval.
Odor Management Requirements	The land application facilities and other operations associated with the facility shall not create a public health hazard or nuisance conditions including odors. The site shall be operated in accordance with the permittee's Odor Management Plan in the DEQ approved PO, which upon approval shall be an enforceable portion of the permit.

Category	Permit Limits and Conditions
Waste Solids Management Requirements	All waste solids, including dredging and sludges, shall be utilized or disposed in a manner which will prevent their entry, or the entry of contaminated drainage or leachate therefrom, into the waters of the state such that health hazards and nuisance conditions are not created; and to prevent impacts on designated beneficial uses of the ground water and surface water. The permittee's management of waste solids shall be governed by the terms of the Waste Solids Management Plan in the DEQ approved PO, which upon approval shall be an enforceable portion of this permit.
Water Rights Requirements	All permitted fields require water rights, prior to land application of wastewater, sufficient to sustain the crop. Submit proof of these water rights in each year's annual report, to be received by DEQ no later than January 31st.
Flow Measurement Calibration	All flow measurement devices used to directly or indirectly measure wastewater and irrigation water flows applied to each MU must be calibrated annually.
Backflow protection	Where wastewater and fresh irrigation water interconnections exist in the distribution system, a DEQ-approved backflow prevention device shall be installed. The backflow prevention device must be tested annually. If any device fails the test, the backflow prevention device must be repaired or replaced and re-tested.

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 and Frequency	Constituents (Units in mg/L Unless Otherwise Specified)
WW-005401 Wastewater effluent discharge point	Recycled water to MU-005401 and MU-005402	Grab/monthly (during periods of use)	- Total Kjeldahl nitrogen - Nitrite + nitrate-nitrogen - Total phosphorus - Total chloride - Potassium - pH (Standard Units)
		Grab/Quarterly (when discharging)	- Total Dissolved Inorganic Solids (TDIS) - Chemical Oxygen Demand (COD) - Total Dissolved Solids - Volatile Dissolved Solids

4.1.2 Flow Monitoring

Monitoring Point Serial Number and Location	Sample Description	Sample Type and Frequency	Measured Parameter
FM-005401 Wastewater effluent discharge point	Flow from LG-005405 to MU-005401 and MU-005402	–Daily meter reading –Monthly compilation of data	Flow (MG/month) to each management unit
FM-005402 Irrigation Well flow measurement	Flow from the irrigation well to MU-005401 and MU-005402	–Daily reading –Monthly compilation of data	Flow (MG/month) to each management unit

4.2 Ground Water Monitoring

4.2.1 Ground Water Monitoring Point Descriptions

Monitoring Point Serial Number	Common Designation	Well Type	Gradient Location	Compliance Well? Yes or No (If Applicable)
GW-005401	MW 1	Monitoring well	Downgradient, Field 1	Yes
GW-005402	MW 2	Monitoring well	Downgradient, Field 2	Yes
GW-005404	MW 4	Monitoring well	Upgradient	Yes

4.2.2 Ground Water Monitoring, Sampling, and Analyses

Monitoring Point Serial Number	Sampling Point Description	Sample Type and Frequency	Constituents (Units in mg/L Unless Otherwise Specified)
GW-005401 GW-005402 GW-005404	Monitoring wells	Grab sample/twice annually: April and October	-Total Coliform[1] - Nitrate-nitrogen - Total phosphorus - Chloride - TDS - Total Iron[2] - Total Manganese[2] - Static Water Level (feet) - pH (Standard Units) - Specific conductance/electrical conductivity (µmhos/cm) - Temperature (°C) Note 1: If total coliform is detected in a sample, ground water shall be tested for Escherichia coli (E. coli) Note 2: Note: If analytical results for total iron or total manganese exceed the standards in IDAPA 58.01.11.200.01.b, ground water shall be tested for dissolved iron or dissolved manganese

Monitoring Point Serial Number	Sampling Point Description	Sample Type and Frequency	Constituents (Units in mg/L Unless Otherwise Specified)
		Grab sample/April 2013 and April 2016	–Sodium –Potassium –Calcium –Magnesium –Sulfate –Alkalinity (as $CaCO_3$) –pH (Standard Units) –Total iron –Total manganese

4.3 Soil Monitoring

4.3.1 Soil Monitoring Unit Descriptions

Monitoring Point Serial Number	Description	Associated Management Unit
SU-005401	Field 1	MU-005401
SU-005402	Field 2	MU-005402

4.3.2 Soil Monitoring, Sampling, and Analyses

Monitoring Point Serial Number	Sample Type	Sample Frequency	Constituents (Units in mg/kg Soil Unless Otherwise Specified)
SU-005401 SU-005402	Composite samples	Annually, October (after harvest)	–Electrical conductivity (µmhos/cm in saturated paste extract) –Nitrate-nitrogen –Ammonium nitrogen –Plant available phosphorus –pH (Standard Units) –Sodium Absorption Ratio –Dissolved Iron –Dissolved Manganese –Chloride –Sodium
Five (5) locations in each SU shall be sampled. At each location, samples shall be obtained from three depths: 0–12 inches; 12–24 inches; and 24–36 inches or refusal. The five (5) subsamples obtained from each depth shall be composited by depth to yield three composite samples for each soil monitoring unit; one composite sample for each depth.			

4.4 Plant Tissue Monitoring

Monitoring Point Serial Number—PS-054 (One Serial Number for Plant Tissue Monitoring)			
Associated Hydraulic Management Units	**Sample Type**	**Sample Frequency**	**Reporting Parameters[a]**
MU-005401 MU-005402	Harvested portion	Each harvest	Yield in customary harvested units (ton/acre; bushels/acre); moisture content (%); ash (%); total Kjeldahl nitrogen (%); NO_3-N + NO_2-N (ppm), total phosphorous

a. For each harvest, report the following in association with the plant tissue monitoring point serial number: (1) associated management unit, (2) sample collection date, (3) crop type, (4) harvested portion, and (5) reporting parameters in the table above.

4.5 Lagoon Information

Serial number	Description
LG-005401	Lagoon 1 – Anaerobic
LG-005402	Lagoon 2 – Anaerobic
LG-005403	Lagoon 3 – Aeration
LG-005404	Lagoon 4 - Storage
LG-005405	Lagoon 5 – Irrigation Water Holding Pond
LG-005406	Brine Pond
LG-005407	Proposed Brine Pond

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 31st of each year, which shall cover the previous reporting year.

5.1.2 Required Contents

The Annual Report shall include the following:

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.
2. The results of the required monitoring as described in section 4 of this permit. If the permittee monitors any parameter more frequently than required by this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Annual Report.
3. Written status of all work described in section 0 of this permit.
4. Written summary of all noncompliance events that occurred during the reporting year.
5. Submittal of the calculations and observations for hydraulic management units specified in the table below (adjust hydraulic management unit reporting according to actual permit requirements).

Monitoring Point Serial Number	**Parameter (Calculate for each MU)**	**Units**
MU-005401 MU-005402	Recycled water loading rate	Million gallons/month Inches/month
	Irrigation water loading rate	Million gallons/month Inches/month
	Irrigation Water Requirement	Million gallons/month Inches/month
	Recycled water nitrogen and phosphorus loading rates	Pounds/acre-year
	Irrigation water nitrogen and phosphorus loading rates	Pounds/acre-year
	Fertilizer nitrogen and phosphorus application rates	Pounds/acre-year
	Waste solids nitrogen and phosphorus application rates	Pounds/acre-year
	Crop type	Name(s)
	Crop yield (each harvest)	Pounds/acre Pounds/MU
	Crop constituent removal: nitrogen, phosphorus, and ash	Pounds/acre Pounds/MU
Other Reporting Requirements		
- Document the annual flow measurement calibration of all flow meters and pumps used to directly or indirectly measure all wastewater and irrigation water flow applied to each MU. - Document the testing of all backflow prevention devices for all supplemental irrigation pumps directly connected to the wastewater distribution system. Report the testing date(s) and results of the test (pass or fail). If any test fails, report the date of repair or replacement of the backflow prevention device, and the results of the re-test.		

Monitoring Point Serial Number	Parameter (Calculate for each MU)	Units

5.1.3 Submittal

The Annual Report shall be submitted to the following DEQ regional office at this address:

Engineering Manager
Idaho Department of Environmental Quality
Boise Regional Office
1445 N. Orchard
Boise, ID 83706
208-373-0550/208-373-0398 (fax)

5.2 Emergency and Noncompliance Reporting

Report noncompliance incidents to DEQ's regional office. 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.

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)

01. Additional Application Contents. In addition to the requirements in Section 300 of these rules, a permit application for reuse of industrial recycled water shall include: (4-7-11)

a. The source of the water and the projected rates and volumes; and (4-7-11)

b. The chemical, biological, and physical characteristics of the industrial recycled water from each source. (4-7-11)

02. Permit Content. The Department shall include the requirements of Section 500, Standard Permit Conditions, in all permits issued for use of industrial recycled water. The Department shall develop additional permit conditions on a case-by-case basis considering the following factors: (4-7-11)

i. The risk to public health and the environment; (4-7-11)

ii. The degree of public access to the site where the recycled water is used and the degree of human exposure anticipated; (4-7-11)

iii. Any additional measures necessary for the intended type of reuse; (4-7-11)

iv. Specific recycled water quality necessary for the intended type of reuse; and (4-7-11)

v. The means of application of the recycled water. (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 identical to the cited rules at the time of issuance and are enforceable as part of this permit. Note that the rules cited in this section, and elsewhere in this permit, are supplemented by the rules themselves. Rules applicable to your facility are enforceable whether or not they appear in this permit.

8.1 Operations

8.1.1 Backflow Prevention

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

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

8.1.2 Restricted to Premises

Wastewaters 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).

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

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 PO 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

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.

9.1 Owner 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

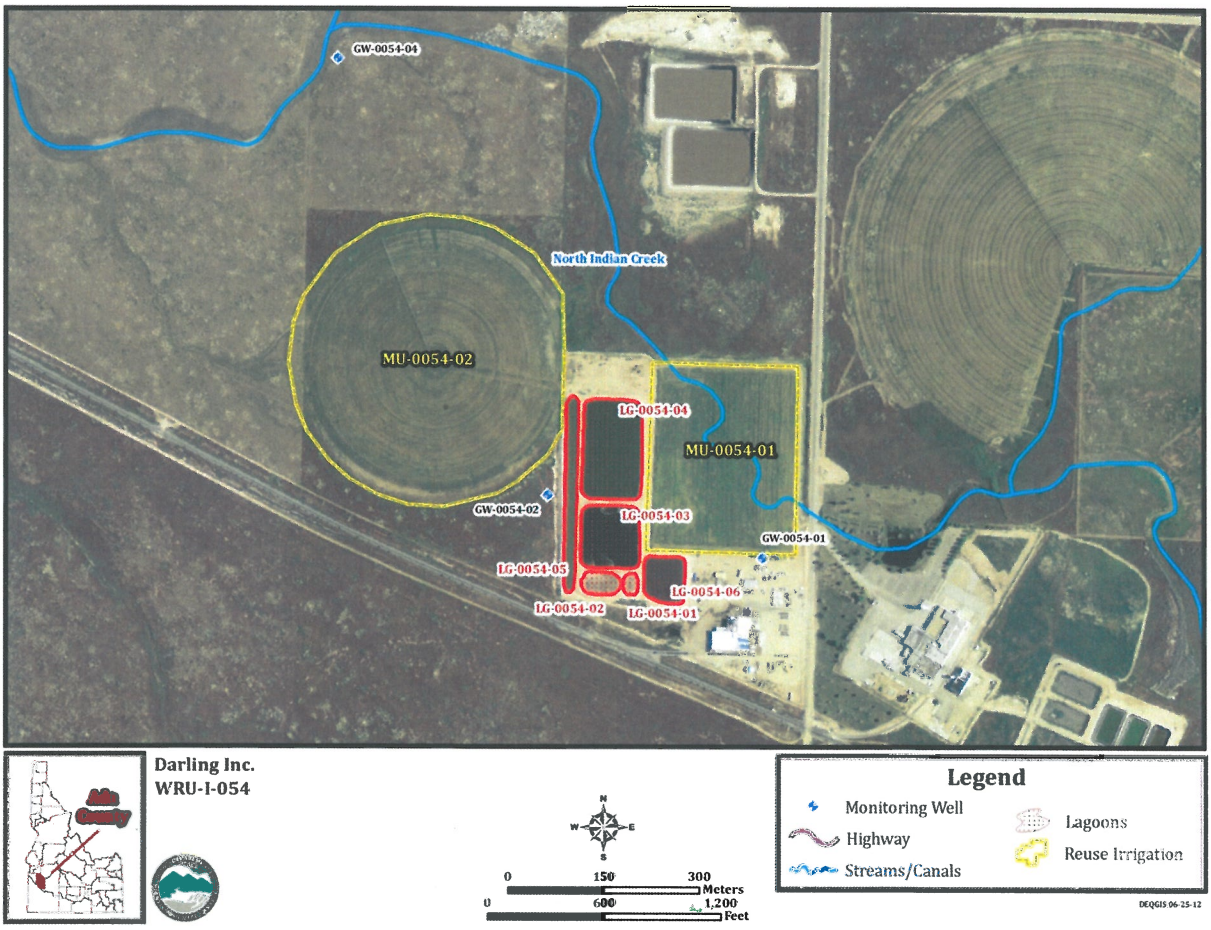
The well owner must maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals, or through leakage around the outside of the casings, whether the leakage is above or below the land surface. Any person owning or controlling a noncompliant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



10.2 General Area Map