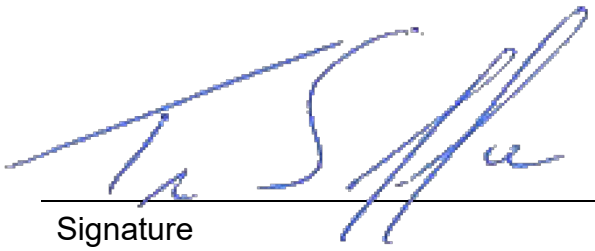
Idaho Department of Environmental Quality
Reuse Permit
I-207-04

Eagle Farms, 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 August 29, 2029.



Signature

August 29, 2023
Date

Troy Saffle
Regional Administrator
Idaho Falls Regional Office
Idaho Department of Environmental Quality

Idaho Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, ID 83402
(208) 528-2650

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1. Common Acronyms/Abbreviations and Definitions

CA	compliance activity
COD	chemical oxygen demand
crop uptake	those constituents assimilated by the crop from the soil, and those from applied fertilizer, biosolids and other soil amendments, recycled water, irrigation water, and other sources. Crop uptake excludes those constituents assimilated from the atmosphere, such as gaseous nitrogen fixed by legumes. Crop uptake plus atmospheric assimilated constituents equals crop content.
cwt	a unit of weight measurement equal to 100 pounds
DEQ	Idaho Department of Environmental Quality
director	DEQ director or designee unless otherwise specified
E_i	irrigation efficiency
EPA	United States Environmental Protection Agency
FM	prefix for flow measurement/monitoring location, device, or method reporting serial number
GW	prefix for ground water reporting serial number
IDAPA	Numbering designation for all administrative rules in Idaho promulgated according to the Idaho Administrative Procedure Act
IDWR	Idaho Department of Water Resources
IPDES	Idaho Pollutant Discharge Elimination System
IWR	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.
lb	pound
LG	prefix for lagoon reporting serial number
material change	a change in a document required by this permit that would impact DEQ's ability to ensure compliance and protect human health and the environment
µmhos/cm	micromhos per centimeter
MG	million gallons
mg/kg	milligram per kilogram
mg/L	milligram per liter

mL	milliliter
MU	management unit, prefix for management unit reporting environmental serial number
NPDES	National Pollutant Discharge Elimination System
N	nitrogen
ppm	parts per million
P	phosphorus
PO	plan of operation
QAPP	quality assurance project plan
responsible official	facility contact person authorized by the permittee to communicate with DEQ on behalf of the permittee on any matter related to the permit, including without limitation, the authority to communicate with and receive notices from DEQ regarding notices of violation or non-compliance, permit violations, permit enforcement, and permit revocation. The responsible official provides written certification of permit application materials, annual report submittals, and other information submitted to DEQ as required by the permit. Any notice to or communication with the responsible official is considered a notice to or communication with the permittee. The responsible official may designate an authorized representative to act as the facility contact person for any of the activities or duties related to the permit, except signing and certifying the permit application, which must be done by the responsible official. The authorized representative shall act as the responsible official and shall bind the permittee as described in this definition. Designation of the authorized representative shall follow the requirements specified in section 6.1.3 of the permit.
SU	prefix for soil monitoring unit reporting serial number
SW	prefix for supplemental irrigation water reporting serial number
WW	prefix for wastewater reporting serial number
yr	year

2. Facility Information

Information Type	Information Specific to This Permit
Class(es) or Type(s) of recycled water	Industrial: silt water from potato washing and in-plant fluming
Method of treatment and reuse	Primary sedimentation followed by slow rate land application or discharge to the Iona-Bonneville Sewer District (IBSD). Eagle Farms is permitted by IBSD to discharge up to 25,000 gallons/day to the municipal sewer system.
Facility location	4050 Lincoln Road Bonneville County, Idaho
Facility mailing address	P.O. Box 460 Iona, Idaho 83427
Facility responsible official and authorized representative	Responsible Official: Mr. Newman Giles, President/Owner Tel: (208) 523-0310 Email: newman@eagleeyeproduce.com Authorized Representative: Jonathan Rivera, Plant Manager Tel: (208) 522-2343 Email: jonr@eagleeyeproduce.com Notify DEQ within 30 days if a change in personnel occurs for any of the facility contacts. DEQ will issue a minor permit modification to confirm the change.
Ground water	Depth: ~65 to 70 feet to the regional aquifer. Type of Aquifer: Fractured basalt aquifer. General Flow Direction: North-northwest but flows have shown to be locally variable. Beneficial Uses: Industrial, domestic, agricultural Nearby Public Water Supply Wells: Eagle Farms Production Well #1 East and Production Well #2 West (ID7100038), located >1,000 feet to northwest of reuse site.
Surface water	The Snake River: Located approximately 4.5 miles to the west of the reuse site. Beneficial Uses: Cold water communities, salmonid spawning, primary contact recreation, and domestic water supply (IDAPA 58.01.02.150.03). Little Sand Creek: Small irrigation ditch located along the western property boundary, approximately 300 feet to the west of the management units. Beneficial Uses: Agriculture

3. Compliance Schedule for Required Activities

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-207-01 6 months after permit issuance	**Plan of Operation (PO)**: The permittee shall submit to DEQ for review and approval a 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 most current Plan of Operations Checklist available. The PO shall be updated as needed to reflect current operations. The permittee shall notify DEQ of material changes to the PO and copies shall be kept on site and made available to DEQ upon request.
CA-207-02 6 months after permit issuance	**Quality Assurance Project Plan (QAPP)**: The permittee shall prepare and implement a 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. The Permittee must follow the QAPP when collecting, analyzing, and reporting monitoring data submitted to DEQ. The QAPP shall be designed to assist in planning for collecting, analyzing, and reporting all monitoring in support of this permit and in explaining data anomalies when they occur. At a minimum, the QAPP must include the following: 1. Details on the number of measurements, number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements 2. Maps indicating the location of each monitoring and sampling point 3. Qualification and training of personnel 4. Names, addresses, and telephone numbers of the laboratories used by or proposed to be used by the permittee 5. Example formats and tables that will be used by the permittee to summarize and present all data in the annual report The format and content of the QAPP should adhere to the recommendations and references in the Quality Assurance and Data Processing sections of the reuse guidance. The permittee shall amend the QAPP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAPP. The permittee shall notify DEQ of material changes to the QAPP and copies shall be kept on site and made available to DEQ upon request.

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-207-03 1 year prior to permit expiration	**Pre-application Conference:** If the permittee intends to continue operating the reuse facility beyond the expiration date of this permit, the permittee shall contact DEQ and schedule a pre-application conference to discuss the compliance status of the facility and the content required for the reuse permit application package.
CA-207-04	**Permit Renewal Application:** The permittee shall submit to DEQ a complete permit renewal application package that fulfills the requirements specified in CA-207-03 and identified at the pre-application conference.

4. Permit Limits and Conditions

4.1 Management Unit Descriptions

Serial Number	Description	Irrigation System Type and Irrigation Efficiency (E_i)	Maximum Acres[a] Allowed
MU-207-01	Field #1 (north)	Pivot (E_i = 0.80)	2.6
MU-207-02	Field #2 (south)	Pivot (E_i = 0.80)	2.6
		Total acreage	5.2

a. Maximum acres represent the total permitted acreage of the MU as provided by the permittee. If the permittee uses less acreage in any season or year, then loading rates shall be presented and compliance shall be determined based on the actual acreage used during each season or year.

4.2 Hydraulic Loading Limits

Serial Number	Growing Season Hydraulic Loading	Nongrowing Season Maximum Hydraulic Loading (inches)[a]
MU-207-01 MU-207-02	Substantially at the IWR[b]	5.2

a. Record daily, as necessary, abnormal conditions as a result of nongrowing season application including ponding, excessive ice buildup, or runoff from the permitted site.
b. For compliance purposes, the method for calculating the IWR shall be specified in the PO.

4.3 Constituent Loading Limits

Serial Number	Constituent Loading from All Sources			
	Nitrogen (lb/acre)	Non-volatile dissolved solids (lb/acre)	COD Growing Season (lb/(acre·day))[a]	COD Nongrowing Season (lb/(acre·day))[a]
MU-207-01 MU-207-02	150% of typical crop uptake[b,c]	N/A	50	50

a. COD limit is expressed in pounds per acre per day (lb/(acre·day)) based on a seasonal average.
b. Typical crop uptake is the median constituent crop uptake from the three most recent years the crop has been grown. For crops having fewer than three years of on-site crop uptake data, other crop yield data or nutrient content values may only be used if DEQ provides written approval before growing season.
c. Crop uptake for nitrogen-fixing crops, defined here as legumes, shall be calculated by assuming 10% of crop nitrogen content is fixed from the atmosphere. Other values for the proportion of crop nitrogen content fixed from the atmosphere may be used if DEQ provides written approval before beginning of the growing season.

4.4 Management Unit Buffer Zones

Serial Number	Buffer Distances (feet) from Management Units					
	Public Water Supplies	Private Water Supplies[a]	Inhabited Dwellings[b]	Permanent and Intermittent Surface Water	Irrigation Ditches and Canals	Areas Accessible to the Public
MU-207-01 MU-207-02	1,000	500	300	100	50	50

a. To mitigate the reduced distance of onsite production wells, the permittee shall maintain runoff control structures around each MU and wellhead protection BMPs to prevent recycled water ponding or percolation within 25 feet of onsite wells.
b. The permittee shall use drag tubes year-round on the center pivots to mitigate reduced buffer distances to dwellings and areas accessible to the public.
c. The approved buffer zone plan listing the reduced buffer zone distances and mitigation measures is incorporated into the permit and enforceable.

4.5 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
Crop or vegetation allowed	Refer to the Plan of Operation or Cropping Plan for allowable crops
Grazing	Grazing is not allowed.
Posting	Signs shall read “Caution: Recycled Water—Do Not Drink,” or equivalent signage in English and a secondary language as applicable. Signs are required where MU border areas are accessible to the public.
Fencing	Existing fencing shall be maintained as specified in the buffer zone plan.
Construction plans	Pursuant to Idaho Code §39-118, IDAPA 58.01.16, and IDAPA 58.01.17, detailed plans and specifications shall be submitted to DEQ for review and approval before construction, modification, or expansion of any wastewater treatment, storage, conveyance structures, ground water monitoring wells, or reuse facility. Inspection requirements shall be satisfied, and within 30 days of completion of construction, the permittee shall submit as-built plans or a letter from an Idaho professional engineer certifying the facilities or structures were constructed in substantial accordance with the approved plans and specifications.
Records retention requirements	Keep records generated to meet the requirements of this permit for the duration of the permit, including administrative extensions, plus two years.
Seepage Testing	Seepage testing of the concrete wastewater sedimentation basins may be required if there is a change of condition to any of the basins that affect their permeability including, but not limited to, cracking, basin modification or repair below the high water line, or basin replacement. Contact DEQ in writing prior to performing activities that may affect basin permeability to determine if a seepage test will be required prior to returning the basin to service.
Management Unit Irrigation	The permittee shall operate and hydraulically load MU-207-01 and MU-207-02 the same. Management unit pivots shall be operated identically and include identical sprinkler packages.

5. Monitoring Requirements

5.1 Recycled Water and Supplemental Irrigation Water Sampling and Analyses

5.1.1 Constituent Monitoring

Monitoring Point Serial Number and Location	Sample Description	Sample Type and Frequency	Constituents (mg/L unless otherwise specified)
WW-207-01 Downstream of sedimentation and prior to discharge to outside pump house sump.	Recycled water to MU-207-01 and MU-207-02	Grab/monthly (during periods of use)	-pH (Standard units) -Electrical conductivity (µmhos/cm) -Chemical oxygen demand -Total nitrogen, as N -Total phosphorus -Total dissolved solids -Volatile dissolved solids -Non-volatile dissolved solids (calculated)
SW-207-01 Pump inflow on Little Sand Creek	Supplemental irrigation water into outside pump house sump.	Grab/May, July, and September (2024)	-Chemical oxygen demand -Total nitrogen, as N -Total phosphorus -Total dissolved solids -Volatile dissolved solids -Non-volatile dissolved solids (calculated)

5.1.2 Management Unit and Other Flow Monitoring

Management Unit or Flow Measurement Serial Number and Location	Sample Description	Sample Type and Frequency	Parameters, each MU or FM
FM-207-01 Incoming fresh water flow meter inside processing plant	Fresh water inflow into processing plant	Daily meter reading Monthly compilation of data	-Volume (MG/month)
FM-207-02 Recycled water flow meter in outside pump house	Recycled water flow from pump house sump to reuse system	Daily meter reading Monthly compilation of data	-Volume (MG/month)
FM-207-03 IBSD flow meter in outside pump house	Recycled water flow from pump house sump to IBSD sewer system	Daily meter reading Monthly compilation of data	-Volume (MG/month)
FM-207-04 Flow meter at the pump inflow on Little Sand Creek	Supplemental irrigation water flow into the sump	Daily meter reading Monthly compilation of data	-Volume (MG/month)
MU-207-01 (hour meter) MU-207-02 (hour meter)	Recycled water flow from pump house sump to management units	Daily pivot run times Monthly compilation of data	-Application hours (hours/day) -Volume (MG/month) -Application depth (inches/month)

5.2 Ground Water Monitoring

5.2.1 Ground Water Monitoring Point Descriptions

Monitoring Point Serial Number	Common Designation	Well Type	Gradient Location
GW-207-01	MW 1	Monitoring well	Downgradient
GW-207-02	MW 2	Monitoring well	Upgradient
GW-207-03	MW 3	Monitoring well	Upgradient
GW-207-04	MW 4	Monitoring well	Downgradient
GW-207-05	Production Well #1 West	PWS supply well	Downgradient

5.2.2 Ground Water Monitoring, Sampling, and Analyses

Monitoring Point Serial Number	Sampling Point Description	Sample Type and Frequency	Constituents (mg/L unless otherwise specified)
GW-207-01 through GW-207-04	Monitoring wells	Unfiltered grab sample/three times annually: April, July, October	Field Analysis of: -Water table elevation (feet) -Water table depth (feet) -Temperature (ºC) -pH (Standard Units) -Specific conductance/electrical conductivity (µmhos/cm) Laboratory Analysis of: -Nitrate-nitrogen, as N -Total dissolved solids -Dissolved iron -Dissolved manganese
GW-207-05	Production Well #1 West	Unfiltered grab sample/three times annually: April, July, October	Field Analysis of: -Temperature (ºC) -pH (Standard units) -Specific conductance/electrical conductivity (µmhos/cm) Laboratory Analysis of: -Nitrate-nitrogen, as N -Total dissolved solids -Dissolved iron -Dissolved manganese

5.3 Soil Monitoring

5.3.1 Soil Monitoring Unit Descriptions

Monitoring Point Serial Number	Description	Associated Management Unit
SU-207-01	Field #1 (north)	MU-207-01
SU-207-02	Field #2 (south)	MU-207-02

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-207-01 SU-207-02	Composite samples[a]	Annually, March	-pH (standard units) -Electrical conductivity (µmhos/cm) -Nitrate-nitrogen, as N -Ammonium-N, as N -Plant available phosphorus

a. The number of sample locations PO or QAPP for each SU shall be specified in the PO or QAPP. At each location, samples shall be obtained from three depths: 0–12 inches, 12–24 inches, and 24–36 inches or refusal. The samples 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 Crop Monitoring

5.4.1 Crop Harvest Monitoring

Associated Management Units	Sample Type	Sample Frequency	Parameters[a]
MU-207-01 MU-207-02	Harvested portion, each crop, each MU	Each harvest	Crop type Harvest date Sample collection date Harvested acreage (acres) As-harvested (‘wet’) yield in customary harvested units (tons, bushels, cwt) As-harvested (field) moisture content (%)[b] Dry yield (lb)

a. Documentation of reported yields shall be provided for each harvest from each MU.
b. The field moisture shall be monitored at the time the harvested crop is weighed.

5.4.2 Plant Tissue Monitoring

Associated Management Units	Sample Type	Sample Frequency	Parameters[a]
MU-207-01 MU-207-02	Harvested portion, each crop	Each harvest	Lab moisture content (%)[b] Total nitrogen (%) Phosphorus as P (ppm) Ash (%)

a. Report dry-basis results for all parameters except laboratory moisture content.
b. The plant tissue sample shall be taken from the harvested portion of each crop at the time the crop is harvested or just prior to harvesting.

5.5 Lagoon Information

Serial number	Description	Surface Area, acres	Maximum Operating Volume, MG	Liner Type
LG-207-01	North set of sedimentation basins	0.06	~46,000	Concrete
LG-207-02	South set of sedimentation basins	0.06	~46,000	Concrete

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.

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:

1. Detailed results of the required monitoring as described in section 5 of this permit. The report shall present all monitoring data in summary tables to expedite review. If the permittee monitors any parameter for compliance purposes more frequently than required by this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the annual report.
2. A brief interpretive discussion of the results of all required monitoring data as specified by section 5. The discussion shall address data quality objectives, validation, and verification; explain what the data say about permit compliance; and reuse facility environmental impacts. The reporting year for this permit is specified in section 4.5.
3. Status of all work described in section 3 of this permit.
4. Results of all backflow testing, repairs, and replacements required by section 9.1.1 of this permit.
5. Discussion of major maintenance activities such as major equipment replacement, lagoon liner maintenance, and wastewater treatment and reuse facility maintenance.
6. A summary of all noncompliance events that occurred during the reporting year. Examples of noncompliance events that must be discussed include, but are not limited to: exceedance of permit limits, complaints, missed monitoring events, incorrect monitoring dates or frequencies, dry monitoring wells, uncontained spills causing runoff, construction without DEQ engineering plan approval, construction without engineering inspection, and reporting incorrect acreage.
7. Laboratory analytical reports that show results, analytical methods, and practical quantitation limits for monitoring specified in section 5 of the permit. Chain of custody forms, supporting information for laboratory analytical reports, and quality assurance documentation shall be available for review upon request by DEQ.
8. The calculations and results for the parameters in the following table:

Monitoring Point Serial Number	Parameter (Calculate for each MU)	Units
MU-207-01 MU-207-02	Recycled water loading rate	MG/month Inches/month
	Supplemental irrigation water loading rate	MG/month Inches/month
	IWR for each crop grown	Inches/month Inches/growing season
	COD loading rate from recycled water and supplemental irrigation water: growing season seasonal average	lb/(acre·day)
	COD loading rate from recycled water and supplemental irrigation water: nongrowing season seasonal average	lb/(acre·day)
	Recycled water nitrogen, phosphorus, and non-volatile dissolved solids loading rates	lb/(acre·year)
	Supplemental irrigation water nitrogen, phosphorus, and non-volatile dissolved solids loading rates	lb/(acre·yr)
	Fertilizer nitrogen and phosphorus application rates, reported as elemental N and P	lb/(acre·yr)
	Waste solids nitrogen and phosphorus application rates	lb/(acre·yr)
	Crop harvest and yield, report for each harvest and the annual totals for each MU.	Crop types harvested Total harvested area (acres) Total wet yield (lb/yr, lb/(acre·yr)) Total dry yield (lb/yr, lb/(acre·yr))
	Crop nitrogen, phosphorus, and ash removal rates (dry-basis) Report each harvest and the annual totals for each MU.	lb N/(acre·yr) lb P/(acre·yr) lb Ash/(acre·yr)
Other Reporting Requirements: • Calculate constituent loading limits for next reporting year according to the requirements of section 4.3.		

6.1.3 Submittals

All applications, annual reports, or other information submitted to DEQ as required by this permit shall be signed and certified as follows:

- Permit applications shall be signed by the responsible official as described below:
  - For a corporation by a responsible corporate officer.
  - For a partnership or sole proprietorship by a general partner or the proprietor, respectively.

  - For a municipality, state, federal, Indian tribe, or other public agency by either the principal executive officer, ranking elected official, or a person of decision-making authority who can legally bind the permittee with respect to the permit.
- Annual reports and other information required by this permit shall be signed by the responsible official or by a duly authorized representative of that person. A person is a duly authorized representative only if all of the following are true:
  - The authorization is made in writing by the responsible official.
  - The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual having overall responsibility for environmental matters for the company.
  - The written authorization is submitted to DEQ.

Submit all applications, annual reports, and other information required by this permit to the following DEQ regional office at this address:

Engineering Manager
Idaho Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, ID 83402

The annual report, or any other data or monitoring information submitted to DEQ, shall include the following certification statement and be signed, dated, and certified by the permittee's Responsible Official or duly Authorized Representative:

"I certify that the information provided in this submittal was prepared in conformance with the current Quality Assurance Project Plan and 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."

Permit applications shall include the following certification statement and be signed, dated, and certified by the permittee's Responsible Official:

"I certify that the information provided in this submittal 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, non-issuance of the permit, or other enforcement action as provided for under Idaho law."

Other information submitted to DEQ as required by the permit shall include the above certification statement and be signed, dated, and certified by the permittee's Responsible Official or duly Authorized Representative.

6.2 Emergency and Noncompliance Reporting

The permittee shall report noncompliance incidents to DEQ's regional office at (208) 528-2650 or 1-800-232-4635.

The permittee may also be required to report unauthorized discharges to surface waters to DEQ's IPDES program. The DEQ IPDES hotline is (833) IPDES24 or (833) 473-3724.

In case of public health emergencies, the permittee should call the 24-hour Idaho Emergency Medical Services Communications Center number at (800) 632-8000.

Section 8 of this permit and IDAPA 58.01.17.500._04 provide the reporting requirements for facilities.

The permittee shall report all instances of permit non-compliance that may endanger public health or the environment and unauthorized discharges to surface waters of the State of Idaho to DEQ's regional office by telephone (phone numbers provided in this section) within 24 hours from the time the permittee becomes aware of these events at the phone numbers provided in this section.

The permittee shall provide a written follow-up to the DEQ regional office within five days from the time the permittee became aware of the permit non-compliance or unauthorized discharge.

7. 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 a subsection of the "Recycled Water Rules," (IDAPA 58.01.17.608). Director refers to DEQ Director or designee unless otherwise specified.

608.PERMIT FOR INDUSTRIAL REUSE FACILITIES.

01. Requirements. Industrial wastewater or recycled water may only be used according to a permit issued pursuant to these rules. Permit conditions and limitations are developed by the Department on a case-by-case basis and take into account specific characteristics of the wastewater to be recycled and treatment needed to ensure recycled water use complies with IDAPA 58.01.11, "Ground Water Quality Rule," and IDAPA 58.01.02, "Water Quality Standards." The permit application, processing, and issuance procedures set forth in these rules apply to industrial reuse permits. (4-6-23)

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 CONDITIONS.
Permit conditions will protect human health and the environment from the potential hazard of an existing or proposed wastewater treatment system. The permittee must comply with all conditions of the permit. The following conditions apply to and are included in all permits. (4-6-23)

01. Facility Operation. At all times, the permittee must properly maintain and operate all structures, systems, and equipment installed or used by the permittee for treatment, control, and monitoring to achieve compliance with the permit or these rules. (4-6-23)

02. Provide Information. If requested by the Department, the permittee must provide the Department, within a reasonable time, information including copies of records, to help the Department determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these rules. (4-6-23)

03. Entry and Access. The permittee must allow the Department, consistent with Title 39, Chapter 1, Idaho Code, to: (4-6-23)

a. Enter the permitted facility and all associated property; (4-6-23)

b. Inspect any records kept under the conditions of the permit; (4-6-23)

c. Inspect and photograph any permitted facility, equipment, practice, records, or operation; and (4-6-23)

d. Sample or monitor any substance or any parameter at the facility to ensure permit compliance. (4-6-23)

04. Reporting. The permittee must report to the Department as specified in this section. (4-6-23)

a. A written report submitted at least thirty (30) days before: (4-6-23)

i. Any planned physical or operational alteration to the permitted facility that results or would result in a significant change in information submitted during the application process. If a major permit modification is needed, the alteration cannot be made before the Department issues approval. (4-6-23)

ii. Any anticipated change that would result in noncompliance with any permit condition or these rules. (4-6-23)

b. Orally within twenty-four (24) hours from the time the permittee became aware of any noncompliance that may endanger human health and the environment at telephone numbers provided in the permit. (4-6-23)

c. A written report as soon as possible, but within five (5) days of the date the permittee knows, or should reasonably know, of any noncompliance unless extended by the Department, providing: (4-6-23)

i. Description of the noncompliance and its cause; (4-6-23)

ii. Period of noncompliance including, to the extent possible, times and dates, if the noncompliance has not been corrected, and the anticipated length of time it is expected to continue; and (4-6-23)

iii. Steps taken or planned, including timelines, to reduce or eliminate the continuance or reoccurrence of the noncompliance. (4-6-23)

d. In writing as soon as the permittee knows, or should reasonably know, of material facts not submitted or corrections to information submitted in a permit application, report, or notice provided to the Department. (4-6-23)

e. No person may knowingly make any false statement, representation, or certification in any form, notice, or report required under any permit, or any applicable rule or order in force pursuant thereto. (4-6-23)

05. Minimize Impacts. The permittee must take all necessary actions to eliminate and correct any adverse impact on human health and the environment resulting from permit noncompliance. (4-6-23)

06. Applied Waters Restricted to Premises. Wastewater or recycled water applied to the land surface must be restricted to the premises of the reuse site. (4-6-23)

07. Hazard or Nuisance Prohibited. Wastewater or recycled water must not create a public health hazard or a nuisance condition. (4-6-23)

08. Renewal. If the permittee intends to continue operating the permitted facility after the existing permit expires, the permittee must apply for a permit renewal according to these rules. (4-6-23)

9. General Permit Conditions

The following general permit conditions are based on 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) or surface water, shall have backflow prevention assemblies, devices, or methods as required by applicable rule or as specified in this permit and approved by DEQ.

For public water systems, backflow assemblies shall meet the requirements of IDAPA 58.01.08.543. 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.

For domestic water supply wells, backflow prevention devices shall meet the requirements of IDAPA 07.02.04 and shall be adequately operated and maintained.

Irrigation water supply wells shall meet the requirements of IDAPA 37.03.09.36 for preventing any waste or contamination of the ground water resource. Backflow prevention assemblies or devices used to protect the ground water shall be adequately operated and maintained.

Discharge of recycled water to surface water is regulated by the DEQ or EPA. An IPDES or NPDES permit is required for any discharge to surface water and backflow prevention shall be implemented to prevent any unauthorized discharge. Backflow prevention assemblies or devices used to protect surface water shall be adequately operated and maintained.

Records of all testable 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

Wastewaters or recharge waters applied to the land surface must be restricted to the premises of the application site. Wastewater discharges to surface water require an IPDES or NPDES permit (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 defined as 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 Solids Management

Biosolids are the nutrient-rich organic materials resulting from the treatment of sewage sludge. When treated and processed, sewage sludge becomes biosolids that can be safely recycled and applied as fertilizer to sustainably improve and maintain productive soils and stimulate plant growth.

Biosolids generated from sewage sludge are regulated by DEQ or EPA under 40 CFR Part 503 and require a DEQ-approved sludge disposal plan as outlined in IDAPA 58.01.16.650. Contact DEQ before to applying biosolids at any permitted reuse facility.

Sludge is the semi-liquid mass produced and removed by wastewater treatment processes. This does not include grit, garbage, and large solids.

Sludge may be generated by wastewater treatment processes at municipal and industrial facilities. A DEQ-approved sludge disposal plan, as outlined in IDAPA 58.01.16.650, may be required.

Solid waste is any garbage or refuse, sludge from a waste water treatment plant, water supply treatment plant, or air pollution control facility and other discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges that are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Solid waste does not include inert wastes, manures and crop residues ultimately returned to the soils at agronomic rates, and any agricultural solid waste that is managed and regulated pursuant to rules adopted by the Idaho Department of Agriculture. DEQ reserves the right to use existing authorities to regulate agricultural waste that impacts human health or the environment.

Solid waste is regulated under the "Solid Waste Management Rules" (IDAPA 58.01.06). Wastes otherwise regulated by DEQ (i.e., this permit) are not regulated under IDAPA 58.01.06.

Waste solids include sludge and wastes otherwise regulated by DEQ according with IDAPA 58.01.06.001.03.a.xii. Waste solids may include vegetative waste, silt and mud containing organic matter, and other non-inert solid wastes.

Inert wastes are defined as non-combustible, nonhazardous, and non-putrescible solid wastes that are likely to retain their physical and chemical structure and have a de minimis potential to generate leachate under expected conditions of disposal, which includes resistance to biological attack.

Waste solids require a DEQ-approved sludge disposal plan as outlined in IDAPA 58.01.16.650.

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 must 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 must notify the Department before a temporary cessation of reuse 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 do not require Department notification under this section. Notification compliance under this section includes a proposed temporary cessation plan to ensure the cessation of operations will not pose a threat to human health and the environment. (4-6-23)

02. Closure. A closure plan is required when a facility is closed voluntarily and when a permit is revoked. A permittee implements any applicable conditions specified in the permit for facility closure. Unless otherwise directed by the terms of the permit or by the Department, the permittee submits a closure plan to the Department for approval at least ninety (90) days before ceasing operations. The closure plan ensures 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. A permittee must complete all closure plan activities. (4-6-23)

9.1.6 Plan of Operation (IDAPA 58.01.17.300.05)

The PO must comply with the following:

05. Reuse Facility Plan of Operation. A plan of operation must contain, as applicable, operation and management responsibility, permits and standards, general plant description, operation and control of unit operations, reuse area site maps, wastewater and recycled water 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, and an emergency operating plan. Permittees are required to submit a plan of operation for review and approval. Amendments are also subject to review and approval. (4-6-23)

9.1.7 Seepage Testing Requirements (IDAPA 58.01.16.493.02.c)

Subsequent Tests. All lagoons covered under these rules must be seepage tested by an Idaho licensed professional engineer, an Idaho licensed professional geologist, or by individuals under their supervision every ten (10) years after the initial testing. (5-8-09)

9.1.8 Ground Water Quality Rule (IDAPA 58.01.11)

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

9.2 Administrative

Requirements for administration of the permit are defined as follows.

9.2.1 Permit Modification (IDAPA 58.01.17.700)

01. Causes. A permit modification may be initiated by a permittee through a modification request or by the Department if one (1) or more of the following causes exist. (4-6-23)

a. Material and substantial alterations or additions to the permitted facility or activity occurred after permit issuance which justify applying permit conditions that are different or absent in the existing permit. (4-6-23)

b. Standards or regulations on which the permit was based amended by promulgation or by judicial decision after the permit was issued. (4-6-23)

c. The Department determines good cause exists for modifying a compliance schedule or terms and conditions of a permit. (4-6-23)

d. Level of discharge of any pollutant that is not limited in the permit exceeds the level that may cause an adverse impact to surface or ground waters. (4-6-23)

e. Correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions. (4-6-23)

f. When a treatment technology proposed, installed, and properly operated and maintained by the permittee fails to achieve the requirements of the permit. (4-6-23)

9.2.2 Permit Transferable (IDAPA 58.01.17.800)

01. General. A permit may be transferred only upon Department approval. No transfer is required for a corporate name change if the permittee, via secretary of state filings, can verify a change in name alone occurred. An attempted transfer is not effective until approved in writing by the Department. (4-6-23)

9.2.3 Permit Revocation (IDAPA 58.01.17.920)

01. Conditions. The Department may revoke a permit or coverage under a reuse general permit if the permittee violates any permit condition or these rules, or the Department becomes aware of any omission or misrepresentation of condition or information relied upon when issuing the permit. (4-6-23)

02. Notice. Except in emergencies, the Department will issue a written notice of intent to revoke to the permittee before final revocation. Revocation becomes final within thirty-five (35) days of the permittee receiving notice unless, within that time, the permittee requests an administrative hearing in writing. The hearing is conducted according to IDAPA 58.01.23, Contested Case Rules and Rules for Protection and Disclosure of Records. (4-6-23)

03. Emergency Action. If the Department finds the human health, safety, or welfare requires emergency action, the Department will incorporate findings to support the action and issue a written notice of emergency revocation to the permittee. Emergency revocation is effective upon receipt by the permittee. If requested by the

permittee in writing, the Department will provide the permittee a revocation hearing. Hearings are conducted according to IDAPA 58.01.23, Contested Case Rules and Rules for Protection and Disclosure of Records. (4-6-23)

04. Revocation and Closure. A permittee must perform the closure requirements in a permit and these rules and complete all closure plan activities regardless of the permit revocation. (4-6-23)

9.2.4 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. Compliance with this permit does not relieve the permittee from applicable requirements in other federal, state, and local laws, statutes, and rules.

10.1 Owner 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

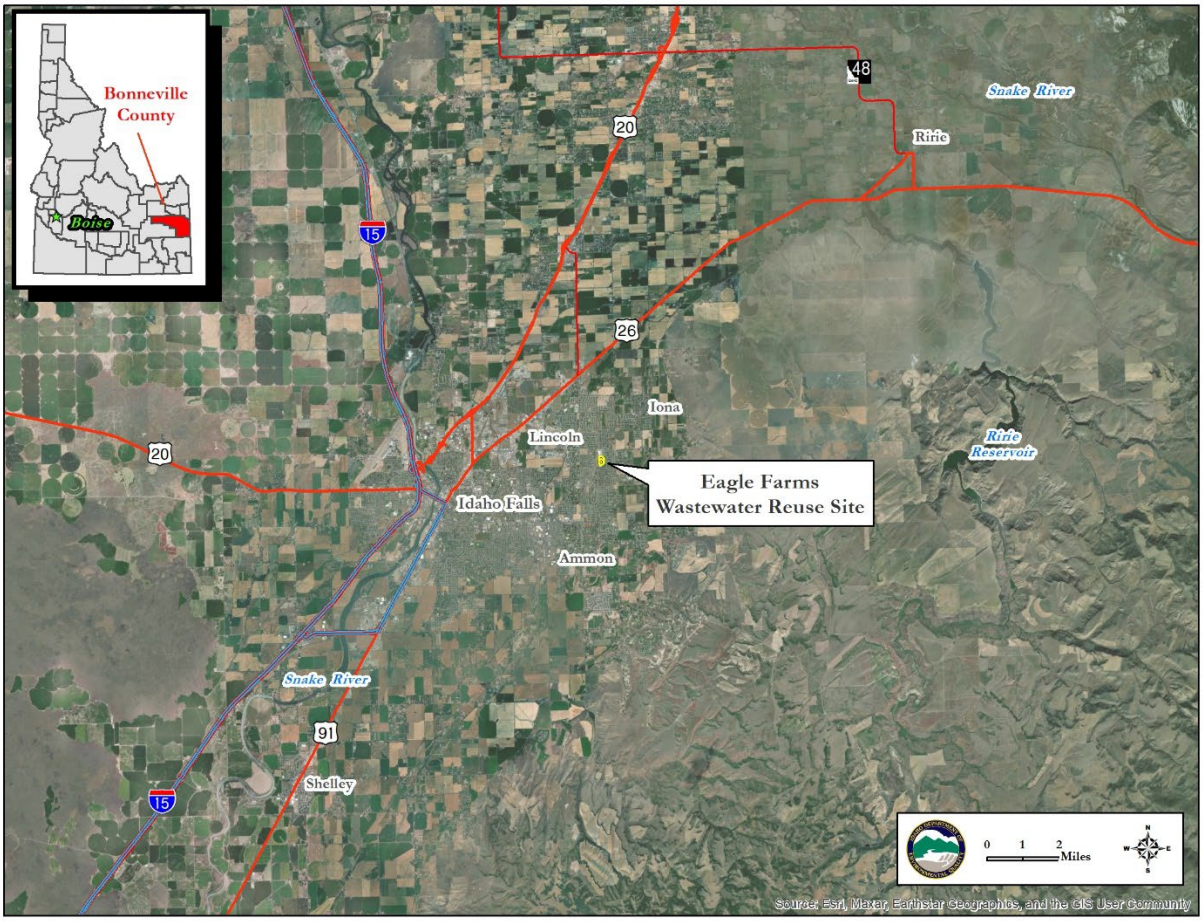
The well owner must maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals, or through leakage around the outside of the casings, whether the leakage is above or below the land surface. Any person owning or controlling a noncompliant well must have the well repaired by a licensed well driller under a permit issued by the IDWR director according to 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 according to the applicable rules. See IDAPA 37.03.09.036.06 and consult IDWR for more information.

11. Site Maps

11.1 Regional Map



11.2 Facility Map

