Idaho Department of Environmental Quality
Reuse Permit
M-147-04

(Previous Permit No. LA-000147-03)

The City of Murtaugh (hereafter "permittee") is hereby authorized to construct, install, and operate a reuse facility in accordance with (1) this reuse 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 reuse permit is effective from the date of signature and expires on December 29, 2030



Signature

12/29/2023

Date

Sue Switzer

Regional Administrator
Twin Falls Regional Office
Idaho Department of Environmental Quality

Idaho Department of Environmental Quality
Twin Falls Regional Office
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1. Common Acronyms/Abbreviations and Definitions

CA	compliance activity
CFU	coliform forming unit
COD	chemical oxygen demand
DEQ	Idaho Department of Environmental Quality
director	DEQ director or designee unless otherwise specified
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
lb	pound
LG	prefix for lagoon reporting serial number
material change	a change in a document required by this reuse permit that would impact DEQ's ability to ensure compliance and protect human health and the environment
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 reuse permit, including without limitation, the authority to communicate with and receive notices from DEQ regarding notices of violation or non-compliance, reuse permit violations, reuse permit enforcement, and reuse permit revocation. The responsible official provides written certification of reuse permit application materials, annual report submittals, and other information submitted to DEQ as required by the reuse 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 reuse permit, except signing and certifying the reuse permit application, which must be done by the responsible official. The authorized representative must act as the responsible official and must bind the permittee as described in this definition. Designation of the authorized representative must follow the requirements specified in section 6.1.3 of the reuse permit.
WW	prefix for wastewater reporting serial number
RIB	rapid infiltration basin
TSS	Total Suspended Solids
yr	year

2. Facility Information

Information Type	Information Specific to This Reuse Permit
Class of recycled water	Municipal Recycled Water Class E
Method of treatment	Coarse screening, partially aerated lagoon, and facultative lagoon
Method of reuse	Three rapid infiltration basins
Collection and treatment system classification	Wastewater collection system classification: 1 Wastewater treatment system classification: 1 Land Application/Reuse
Facility location	Township 11 South, Range 20 East, Section 6
Facility mailing address	P. O. Box 157 Murtaugh, Idaho 83344
Facility responsible official and authorized representative	Responsible Official: Mayor O: 208-595-8196 ext. 1 C: 208-312-9701 Email: cityofmurtaugh@gmail.com Authorized Representative: Public Works Director O: 208-595-8196 ext. 2 C: 208-539-2735 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	East Snake River Plain Aquifer 20-110 ft below ground surface flowing northward.
Surface water	Snake River 1,500 feet north. Beneficial uses: cold water biota, primary contact recreation (IDAPA 58.01.02). Also agricultural water supply, industrial water supply, wildlife habitats, and aesthetics (IDAPA 58.01.02.100.03, 04, and 05). Dry Creek 500 feet east. Beneficial uses: agriculture Unnamed irrigation lateral 45 feet south MU-147-02. Beneficial uses: agriculture

3. Compliance Schedule for Required Activities

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-147-01 Six (6) months after reuse permit issuance for an updated PO Eighteen (18) months after reuse permit issuance for the updated site management plans	**Updated Plan of Operation (PO)**: The permittee must submit to DEQ for review and approval a PO that reflects current operations and incorporates the requirements of this reuse permit. The PO must comply with the applicable requirements stated in IDAPA 58.01.17.300.05 and must address applicable items in the most current Plan of Operations Checklist available. The following site management plans may be included as appendixes in the PO or the permittee may submit the site management plans individually: 1. Buffer zone plan 2. Emergency operating plan 3. Rapid infiltration operating and scheduling plan 4. Nuisance and odor management plan 5. Runoff management plan 6. Waste solids management plan The PO must be updated as needed to reflect current operations. The permittee must notify DEQ of material changes to the PO and copies must be kept on site and made available to DEQ upon request.

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-147-02 Twelve (12) months after reuse permit issuance	**Updated Quality Assurance Project Plan (QAPP)**: The permittee must prepare and implement a QAPP that incorporates all monitoring and reporting required by this reuse permit. A copy of the QAPP along with written notice that the permittee has implemented the QAPP must be provided to DEQ. The Permittee must follow the QAPP when collecting, analyzing, and reporting monitoring data submitted to DEQ. The QAPP must be designed to assist in planning for collecting, analyzing, and reporting all monitoring in support of this reuse 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 6. Flow meter measurement and calibration 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 must amend the QAPP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAPP. The permittee must notify DEQ of material changes to the QAPP and copies must be kept on site and made available to DEQ upon request.
CA-147-03 Twelve (12) months after reuse permit issuance	**Ponding Mitigation Evaluation Plan and Report:** The permittee must submit and implement a ponding mitigation evaluation for the management units. This evaluation should provide an explanation for the ponding on the top of the berm bordering MU-147-01, develop best management practices that can be implemented to prevent ponding, and provide an implementation schedule. Upon DEQ acceptance of the Ponding Mitigation Plan and Report, this must be incorporated into the Plan of Operations.

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-147-04 UPL or ACL and report due four and a half (4.5) years after reuse permit issuance	**Groundwater Impact Assessment Report:** The permittee must submit a Ground Water Impact Assessment Report that provides sufficient groundwater quality data to characterize the impacts of reuse activities on groundwater and potentially surface water. The Upper Prediction Limit (UPL) or Alternative Concentration Limit (ACL) is for a groundwater degradation analysis that follows DEQ's degradation guidance (or a DEQ preapproved analysis). The assessment must evaluate the potential impacts to groundwater from reuse activities. This assessment will specifically focus on impacts related to Total Dissolved Solids, Total Phosphorus as P, and Nitrate-Nitrogen as N. This assessment must use monitoring well GW-147-01 as the upgradient monitoring well for determining the UPL or the ACL. Monitoring wells, GW-147-03, and GW-147-04 must be used as the downgradient monitoring wells for comparison to the UPL or ACL in determining if significant degradation is occurring. If the assessment shows significant degradation the report submittal should identify specific measures to be taken to address the findings as required by IDAPA 58.01.11.400.02 and include the groundwater distance and time of travel to surface water. The timeframe includes four (4) years to collect data and six (6) months to assess data and write the report. This assessment must be submitted to DEQ as a report for review within four and a half (4.5) years after reuse permit issuance.
CA-147-05 Twelve (12) months prior to reuse permit expiration	**Pre-application Conference:** If the permittee intends to continue operating the reuse facility beyond the expiration date of this reuse permit, the permittee must 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-147-06 Six (6) months prior to reuse permit expiration	**Permit Renewal Application:** The permittee must submit to DEQ a complete reuse permit renewal application package that fulfills the requirements specified in CA-147-05 and identified at the pre-application conference.

4. Permit Limits and Conditions

4.1 Management Unit Descriptions

Serial Number	Description	Irrigation System Type	Maximum Acres[a] Allowed
MU-147-01	RIB #1	Even Distribution	0.99
MU-147-02	RIB #2	Even Distribution	0.99
MU-147-03	RIB #3	Even Distribution	0.95
		Total acreage	2.93

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 must be presented and compliance must be determined based on the actual acreage used during each season or year.

4.2 Hydraulic Loading Limits

Serial Number	Yearly Hydraulic Loading
All MUs As specified in Section 4.1	Total effluent to all RIBs of 16 million gallons per year, with a design application rate of 1.1 inches/hour. Loading[b] must not exceed the infiltrative capacity of any basin.

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. The rotation schedule for RIB loading must be as specified in the DEQ approved Plan of Operation.

4.3 Constituent Loading Limits

Serial Number	Constituent Loading Limits	
	Total Nitrogen, monthly average (mg/L)	Total Suspended Solids, monthly average (mg/L)
MU-147-01	30	150
MU-147-02		
MU-147-03		

4.4 Management Unit Buffer Zones

Serial Number	Buffer Distances (in feet) from Hydraulic Management Units					
	Public Water Supplies	Private Water Supplies	Inhabited Dwellings	Permanent and Intermittent Surface Water	Irrigation Ditches and Canals	Areas Accessible to the Public
MU-147-01	1,000	500	300	100	45	50
MU-147-02	1,000	500	300	100	45	50
MU-147-03	1,000	500	300	100	50	50

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 (365 days)
Operator certification and endorsement	The wastewater treatment facility and reuse system must be operated by personnel certified and licensed in the State of Idaho wastewater operator training program at the operator class level specified in IDAPA 58.01.16.203 and properly trained to operate and maintain the system.
Disinfection limits in recycled water	Class E: Class E recycled water has no disinfection requirements or applicable coliform standard.
Crop or vegetation allowed	No crop allowed
Grazing	Grazing is not allowed.
Posting	Signs must read “Warning: Recycled Water—Do Not Enter,” or equivalent signage both in English and a secondary language as applicable. Signs to be posted every 500 feet and at each corner of the outer perimeter of the irrigated site. Signs are required where management unit border areas are accessible to the public.
Fencing	Four-wire fencing or better around lagoons and management units
Construction plans	Pursuant to Idaho Code §39-118, IDAPA 58.01.16, and IDAPA 58.01.17, detailed plans and specifications must 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 must be satisfied, and within 30 days of completion of construction, the permittee must 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 reuse permit for the duration of the reuse permit, including administrative extensions, plus two years.
Flow measurement	Calibration/verification of flow measurement devices must be done in accordance with the device manufacturer’s specifications and with the permittee’s QAPP.

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-147-01	Headworks structure	Grab/monthly (during periods of use)	Total Nitrogen Total Suspended Solids Total Dissolved Solids COD pH (standard units)
WW-147-02	Recycled water to all MUs	Grab/monthly (during periods of use)	Total Nitrogen Total phosphorus, as P Total Suspended Solids Total Dissolved Solids COD pH (standard units)

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-147-01 Influent flow through headworks weir	Wastewater influent volume	Daily meter reading Monthly compilation of data	Volume (MG/month) Volume (MG/year)
FM-147-02 Effluent weir	Flow from lagoons to each RIB	Daily pump run times Monthly compilation of data	Volume (MG/month) to each RIB Volume (MG/year) to each RIB

5.2 Groundwater Monitoring

5.2.1 Ground Water Monitoring Point Descriptions

Monitoring Point Serial Number	Common Designation	Well Type	Gradient Location
GW-147-01	MW A	Monitoring well	Upgradient
GW-147-02	MW B	Monitoring well	Downgradient
GW-147-03	MW C	Monitoring well	Downgradient
GW-147-04	MW D	Monitoring 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-147-01 GW-147-02 GW-147-03 GW-147-04	Monitoring wells	Unfiltered grab sampled twice annually: April and October The permittee may sample wells more frequently to show GWQR compliance	Total dissolved solids Total phosphorus, as P Nitrate-nitrogen, as N
		Field sampling parameters sampled and recorded for each well	pH (standard units) Temperature (ºC) Water table elevation (feet) Water table depth (feet)

5.3 Reserved

5.4 Reserved

5.5 Lagoon Information

Serial number	Description	Surface Area, acres	Maximum Operating Volume, MG	Liner Type
LG-147-01	Aerated treatment lagoon	1.12	1.69	60 mil HDPE
LG-147-02	Facultative treatment lagoon	1.13	1.50	60 mil HDPE

6. Reporting Requirements

6.1 Annual Report Requirements

The permittee must 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 must cover the previous reporting year.

6.1.2 Required Contents

The annual report must include the following:

1. Detailed results of the required monitoring as described in section 5 of this reuse permit. The report must 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 reuse permit, the results of this monitoring must 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 must address data quality objectives, validation, and verification; explain what the data say about reuse permit compliance; and reuse facility environmental impacts. The reporting year for this reuse permit is specified in section 4.5.
3. Status of all work described in section 3 of this reuse permit.
4. Results of all backflow testing, repairs, and replacements required by section 9.1.1 of this reuse 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 reuse 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 reuse permit. Chain of custody forms, supporting information for laboratory analytical reports, and quality assurance documentation must 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-147-01 MU-147-02 MU-147-03	Recycled water loading rate	Million gallons/month
	Rapid infiltration basin water loading rate	Million gallons/month
	Recycled water total nitrogen and total suspended solids	monthly mg/L

6.1.3 Submittals

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

- Reuse 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 reuse permit.
- Annual reports and other information required by this reuse permit must 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 reuse permit to the following DEQ regional office at this address:

Engineering Manager
Idaho Department of Environmental Quality
Twin Falls Regional Office
650 Addison Avenue West, Suite 110

The annual report, or any other data or monitoring information submitted to DEQ, must 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."

Reuse permit applications must 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 reuse permit must 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 must report noncompliance incidents to DEQ's regional office at (208) 736-2190, toll-free (800) 270-1663.

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 reuse permit and IDAPA 58.01.17.500.04 provide the reporting requirements for facilities.

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

7. Reserved

8. Standard Permit Conditions

The following standard reuse permit conditions are included as terms of this reuse 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 reuse permit conditions are based on the cited rules at the time of issuance and are enforceable as part of this reuse permit. Note that the rules cited in this section, and elsewhere in this reuse permit, are supplemented by the rules themselves. Rules applicable to your facility are enforceable whether or not they appear in this reuse 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, must have backflow prevention assemblies, devices, or methods as required by applicable rule or as specified in this reuse permit and approved by DEQ.

For public water systems, backflow assemblies must meet the requirements of IDAPA 58.01.08.543. Assemblies must be adequately maintained and must be tested annually by a certified backflow assembly tester, and repaired or replaced as necessary to maintain operational status.

Domestic water and irrigation water supply wells shall meet the requirements of IDAPA 37.03.09.36 for preventing any waste or contamination of the groundwater resource. Backflow prevention assemblies or devices used to protect the groundwater 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 must be implemented to prevent any unauthorized discharge. Backflow prevention assemblies or devices used to protect surface water must be adequately operated and maintained.

Records of all testable backflow assembly test results, repairs, and replacements must be kept at the reuse facility along with other operational records, and must 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, must 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 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 reuse 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.

9.1.4 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)

9.1.5 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)

9.1.6 Seepage Testing Requirements (IDAPA 58.01.16.493.02.c)

Subsequent Tests. All lagoons covered under these rules shall 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. (3-31-22)

9.1.7 Ground Water Quality Rule (IDAPA 58.01.11)

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

9.2 Administrative

Requirements for administration of the reuse 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 reuse 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 must comply with all applicable provisions identified in this section. Compliance with this reuse 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

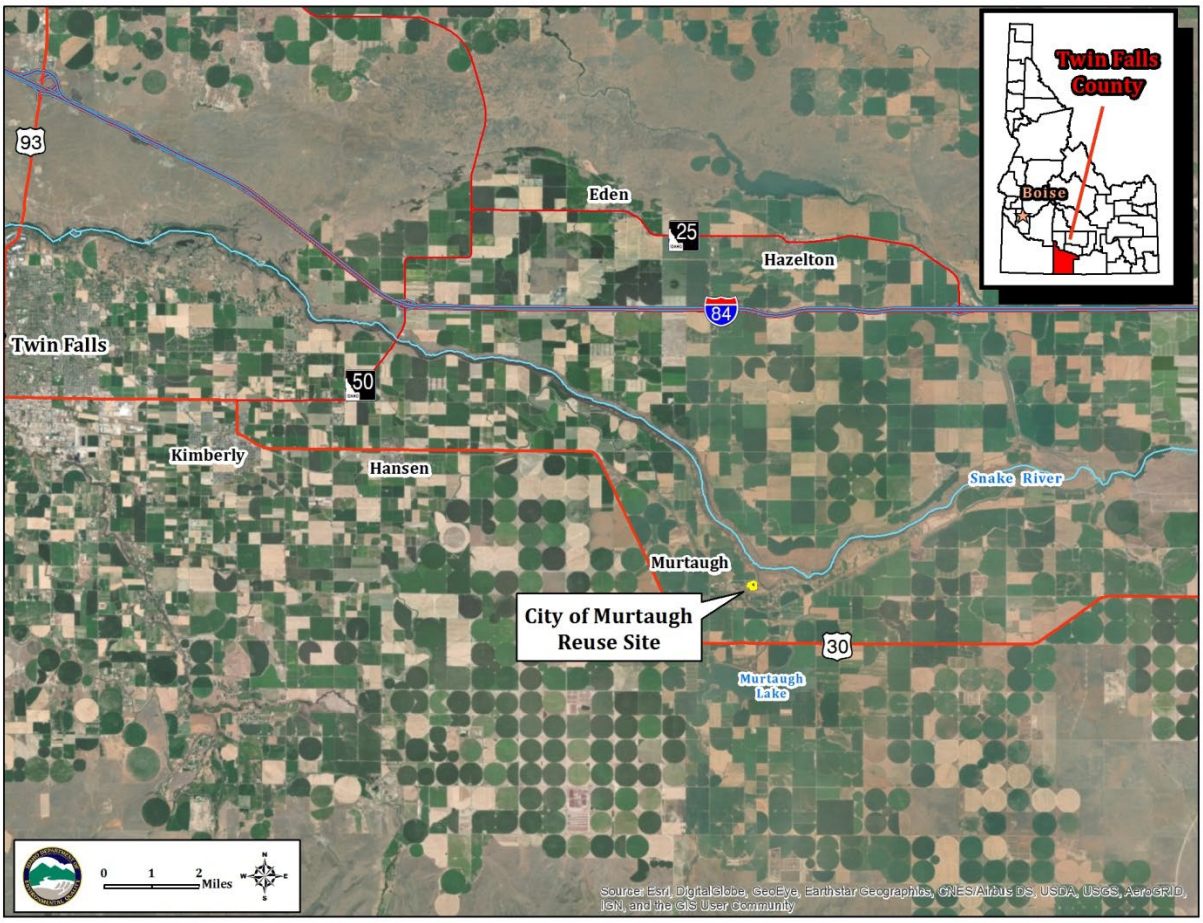
The well owner must maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals, or through leakage around the outside of the casings, whether the leakage is above or below the land surface. Any person owning or controlling a noncompliant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

