# Idaho Department of Environmental Quality
# Reuse Permit
# I-210-03

## (Previous Permit No. I-210-02)

**Raft River Energy 1 LLC (RRE1)** (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; (4) IDAPA 58.01.14 "Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services"; and (5) all other applicable federal, state, and local laws, statutes, and rules. This permit is effective from the date of signature and expires on June 26, 2034.



Signature

06/26/2026

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 |
| 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 |
| EPA | United States Environmental Protection Agency |
| FM | prefix for flow measurement/monitoring location, device, or method reporting serial number |
| $E_i$ | irrigation efficiency |
| 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 |
| 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 (GS). The equation used to calculate the IWR is: $IWR = P_{def} / E_i$ |
| 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 |
| $P_{def}$ | precipitation deficit - is synonymous with the net irrigation water requirement of the crop and for the purposes of this permit can be found at the following website: https://et-idwr.idaho.gov/ |
| 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 must act as the responsible official and will 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 permit. |
| SU | prefix for soil monitoring unit reporting serial number |
| SW | prefix for supplemental irrigation water reporting serial number |
| RRE1 | Raft River Energy 1 |
| 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 recycled water from a mix of spent cooling water and raw groundwater. |
| Method of treatment and reuse | Slow rate irrigation and rapid infiltration. |
| Facility location | 2960 S. 2100 E<br>Malta, ID 83342 |
| Facility mailing address | 6884 Sierra Center Parkway<br>Reno, NV 89511 |
| Facility responsible official and authorized representative | Responsible Official:<br>Current Corporate Secretary for U.S. Geothermal Inc., Managing Member<br>Office: (775) 356-9029 Ext. 32368<br><br>Authorized Representative:<br>Current Plant Manager<br>Office: (541) 216-5003 Ext. 45110<br>Cell: (775) 560-7809<br><br>Notify DEQ within 30 days if there is a change in personnel for any of the above facility contacts. A minor permit modification will be issued by DEQ to confirm the change. |
| Groundwater | Unconfined shallow aquifer varying from 20 to 90 feet below ground surface through to an aquitard at 600 feet below ground surface. Flow from southwest to northeast. |
| Surface water | Raft River flowing between management units. Beneficial uses: agricultural water supply, industrial water supply, wildlife habitats, and aesthetics (IDAPA 58.01.02.100.03, 04, and 05). |

# 3. Compliance Schedule for Required Activities

| Compliance Activity (CA) Number and Completion Due Date | Compliance Activity Description |
|---|---|
| CA-210-01<br>Three (3) months after permit issuance | **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 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.<br>The PO must include the following site management plans, or the permittee may submit the site management plans individually:<br>1. Buffer zone plan;<br>2. Cropping plan;<br>3. Emergency operating plan;<br>4. Grazing management plan;<br>5. Irrigation management and scheduling plan;<br>6. Runoff management plan;<br>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-210-02<br>Three (3) months days after permit issuance | **Quality Assurance Project Plan (QAPP)**: The permittee must 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 must be provided to DEQ. The Permittee must follow the QAPP when collecting, analyzing, and reporting monitoring data submitted to DEQ.<br><br>The QAPP must 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:<br><br>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<br>2. Maps indicating the location of each monitoring and sampling point<br>3. Qualification and training of personnel<br>4. Names, addresses, and telephone numbers of the laboratories used by or proposed to be used by the permittee<br>5. Example formats and tables that will be used by the permittee to summarize and present all data in the annual report<br><br>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.<br><br>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-210-03<br>Six (6) months after permit issuance | **Groundwater Monitoring Plan:** The groundwater monitoring plan must be prepared by a qualified registered professional in the state of Idaho. The plan must include the following: 1) an evaluation of the existing groundwater monitoring well network 2) if the existing network is inadequate, plans for a modified groundwater monitoring well network must be proposed to provide sufficient groundwater quality data to characterize the impacts of reuse activities and 3) an implementation schedule for the groundwater monitoring well network. |

| Compliance Activity (CA) Number and Completion Due Date | Compliance Activity Description |
|---|---|
| CA-210-04<br>Twelve (12) months after permit issuance | **Rapid Infiltration Basin Evaluation, Rehabilitation, and Operating Plan:** A rapid infiltration basin evaluation, rehabilitation, and operating plan must be developed by a qualified registered professional in the state of Idaho.<br><br>The plan must include the following:<br><br>1. A comprehensive evaluation of the existing rapid infiltration basin (RIB) must be conducted, including but not limited to current operational practices; basin surface condition (e.g., grading, sediment accumulation, clogging, and vegetation); berm condition and integrity; inlet structures and distribution piping; flow control structures; and monitoring equipment.<br><br>2. Develop a rehabilitation design based on the evaluation in (1) that achieves even distribution of blowdown water across the RIB, including necessary updates to operation procedures, repairs, regrading, or replacement of system components that conform with standard practices.<br><br>3. Provide a detailed implementation schedule identifying design, construction, and operational milestones, including interim measures, to ensure timely completion and continued compliance.<br><br>Upon DEQ acceptance of the Rapid Infiltration Basin Evaluation, Rehabilitation, and Operating Plan, it must be implemented and incorporated into the PO. |
| CA-210-05<br>One (1) year prior to permit expiration | **Pre-Application Workshop:** If the permittee intends to continue operating the reuse facility beyond the expiration date of this permit, the permittee must contact DEQ and schedule a pre-application workshop to discuss the compliance status of the facility and the content required for the reuse permit application package. |
| CA-210-06<br>Six (6) months prior to permit expiration | **Renewal Permit Application:** The permittee must submit to DEQ a complete permit renewal application package, which fulfills the requirements specified at the pre-application workshop identified in CA-210-05. |

# 4. Permit Limits and Conditions

## 4.1 Hydraulic Management Unit Descriptions

| Serial Number | Description | Irrigation System Type and Irrigation Efficiency | Maximum Acres[a] Allowed |
|---|---|---|---|
| MU-210-01 | North Pivot | Pivot: (Ei = 0.85) | 65 |
| MU-210-02 | South Pivot | Pivot: (Ei = 0.85) | 65 |
| MU-210-03 | Infiltration Area | Infiltration/Flood Irrigation | 2 |
| | | Total acreage | 132 |

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 utilized during each season or year.

## 4.2 Hydraulic Loading Limits

| Serial Number | Growing Season Hydraulic Loading | Nongrowing Season Maximum Hydraulic Loading, inches[a] |
|---|---|---|
| MU-210-01 | Substantially at the irrigation water requirement (IWR)[b] | Not allowed |
| MU-210-02 | Substantially at the irrigation water requirement (IWR)[b] | Not allowed |
| MU-210-03 | No limit[c] | No limit[c] |

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 source of $P_{def}$ data used to calculate the IWR must be specified in the PO.
c. Hydraulic loading to MU-210-03 must be managed to promote even distribution of recycled water and prevent runoff from the basin as described in the approved PO.

## 4.3 Constituent Loading Limits

| Serial Number | Constituent Loading (from all sources) | | | |
|---|---|---|---|---|
| | Nitrogen (lb/acre) | Salt (NVDS) (lb/acre) | COD growing season (lb/acre-day) | COD non-growing season (lb/acre-day) |
| MU-210-01<br>MU-210-02<br>MU-210-03 | As Described in the Approved PO | | | |

## 4.4 Management Unit Buffer Zones

| Serial Number | Buffer Distances (feet) from 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-210-01 | 1,000 | 500 | 300 | 100 | 50 | 50 |
| MU-210-02 | 1,000 | 500 | 300 | 100 | 50 | 50 |
| MU-210-03 | 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 |
| Crop or vegetation allowed | Crops not grown for human consumption. See cropping plan in the plan of operation (PO) approved by DEQ for specific crops grown. |
| Grazing | Grazing is allowed according to the grazing management in the plan of operation (PO) approved by DEQ. |
| Posting | Signs not required |
| Fencing | No fencing required |

| Category | Permit Limits and Conditions |
|---|---|
| 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 prior to construction, modification, or expansion of any wastewater treatment, storage, conveyance structures, groundwater 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. |
| Backflow prevention and testing requirements | Backflow prevention is required to protect surface water and ground water from an unauthorized discharge of recycled water or wastewater. Refer to section 9.1.1 of this permit. |
| Records retention requirements | Keep records generated to meet the requirements of this permit for the duration of permit, including administrative extensions, plus 2 years. |
| Reporting of Process Chemicals | Include a description in each annual report of chemical strength and structure or composition of the chemicals used in the cooling water treatment process. |

# 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 (Units in mg/L Unless Otherwise Specified) |
|---|---|---|---|
| WW-210-01<br>Spent Cooling Water | Recycled water to all management units | 24 hr. composite/monthly (during periods of use) | Total dissolved solids (TDS)<br>Chloride<br>Fluoride |
| | | Grab sample twice annually<br>(May and October) | Total nitrogen, as N<br>Total phosphorus, as P<br>Specific conductivity<br>pH<br>Silica<br>Sodium<br>Potassium |

### 5.1.2 Management Unit and Other Flow Monitoring

| Management Unit or Flow Measurement Serial Number and Location | Sample Description | Sample Type and Frequency | Measured Parameters, each MU or FM |
|---|---|---|---|
| FM-210-01[a]<br>Flow meter at North Pivot | Flow to MU-210-01 | Daily meter reading<br>Monthly compilation of data | Volume (MG/month)<br>Application depth (inches/month) |
| FM-210-02[a]<br>Flow meter at South Pivot | Flow to MU-210-02 | Daily meter reading<br>Monthly compilation of data | Volume (MG/month)<br>Application depth (inches/month) |
| FM-210-03<br>Flow meter on piping to infiltration basins | Flow to MU-210-03 | Daily meter reading<br>Monthly compilation of data | Volume (MG/month)<br>Application depth (inches/month) |
| FM-210-04<br>Flow meter on blowdown water line | Recycled water flow to all management units | Daily meter reading<br>Monthly compilation of data | Volume (MG/month)<br>Volume (MG/year) |
| FM-210-05<br>Flow meter on ground water inflow line | Inflow of ground water from cooling wells to production plant | Daily meter reading<br>Monthly compilation of data | Volume (MG/month)<br>Volume (MG/year) |

a. For compliance purposes, an alternative method of determining flow to this MU must be included in the facility's approved PO.

## 5.2 Groundwater Monitoring

### 5.2.1 Groundwater Monitoring Point Descriptions

| Monitoring Point Serial Number | Common Designation | Well Type | Gradient Location |
|---|---|---|---|
| GW-210-01 | 271CB1-RMW | Monitoring well | Upgradient of MU-210-01 |
| GW-210-02 | 23CCD1-MW | Monitoring well | Downgradient of MU-210-01 |
| GW-210-03 | 23CAD1-D | Domestic well | Downgradient of MU-210-01 |
| GW-210-04 | 27DDC1-RMW | Monitoring well | Upgradient of MU-210-02 |
| GW-210-05 | 26DBB1-RMW | Monitoring well | Downgradient of MU-210-02 |
| GW-210-06 | 2BDC1-MW | Monitoring well | Downgradient of MU-210-02 |
| GW-210-07 | 27ACB2-RMW | Unknown | Upgradient of MU-210-01 |

### 5.2.2 Groundwater Monitoring, Sampling, and Analyses

| Monitoring Point Serial Number | Sampling Point Description | Sample Type and Frequency | Constituents (Units in mg/L Unless Otherwise Specified) |
|---|---|---|---|
| GW-210-01 through GW-210-07 | Monitoring wells | Unfiltered grab sample/twice annually (unless otherwise specified): April and October | Water table elevation (feet)<br>Water table depth (feet)<br>Specific conductance/electrical conductivity (µmhos/cm)<br>Temperature (ºC)<br>pH (Standard Units)<br>Total dissolved solids<br>Chloride<br>Fluoride |

## 5.3 Soil Monitoring

### 5.3.1 Soil Monitoring Unit Descriptions

| Monitoring Point Serial Number | Description | Associated Hydraulic Management Unit |
|---|---|---|
| SU-210-01 | North Pivot | MU-210-01 |
| SU-210-02 | South Pivot | MU-210-02 |

### 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-210-01<br>SU-210-02 | Composite samples[a] | Annually, March | Electrical conductivity (µmhos/cm in saturated paste extract)<br>Nitrate, as N<br>Ammonium, as N<br>Sodium adsorption ratio<br>Plant available phosphorus<br>Chloride<br>Sodium<br>Potassium<br>pH (standard units) |

a. The number of sample locations specified in the PO or QAPP for each SU must be sampled. At each location, samples must be obtained from three depths: 0–12 inches; 12–24 inches; and 24–36 inches or refusal. The samples obtained from each depth must be composited by depth to yield three composite samples for each soil monitoring unit; one composite sample for each depth.

## 5.4 Reserved

## 5.5 Reserved

# 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 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 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 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 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-210-01<br>MU-210-02<br>MU-210-03 | Recycled water loading rate | Million gallons/month<br>Inches/month |
| | Irrigation water loading rate | Million gallons/month<br>Inches/month |
| | Irrigation water requirement (IWR) for each crop grown | Inches/month<br>Inches/GS |
| | Recycled water nitrogen, phosphorus, and total dissolved solids loading rates | Pounds/acre-year |
| | Supplemental Irrigation water nitrogen, phosphorus, and non-volatile dissolved solids loading rates | Pounds/acre-year |
| | Fertilizer nitrogen and phosphorus application rates, reported as elemental N and P | Pounds/acre-year |
| | Waste solids nitrogen and phosphorus application rates | Pounds/acre-year |
| Other Reporting Requirements:<br>1. Annually document the flow measurement calibration of all flow meters and pumps listed in Section 5.1.2.<br>2. Record daily, as necessary, abnormal conditions as a result of nongrowing season application including ponding, excessive ice buildup, or runoff from the permitted site.<br>3. Include a description in each annual report of chemical strength and structure or composition of the chemicals used in the cooling water treatment process. | | |

### 6.1.3 Submittals

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

- Permit applications must 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 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 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
Twin Falls, Idaho 83301

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."*

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 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

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 permit and IDAPA 58.01.17.500.04 provide the reporting requirements for facilities.

The permittee must 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 must 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, must 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 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 must 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 must 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 that require a permit under the Clean Water Act must be authorized by the United States Environmental Protection Agency (IDAPA 58.01.16.600.02).

### 9.1.3 Solids Management

**Biosolids** are the nutrient-rich organic materials resulting from the treatment of sewage sludge. When treated and processed, sewage sludge becomes biosolids which 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 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 which 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 which 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 IDAPA 58.01.06, “Solid Waste Management Rules”. Wastes otherwise regulated by DEQ (i.e. this permit) are not regulated under 58.01.06.

**Waste Solids** include sludge and wastes otherwise regulated by DEQ in accordance 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 deminimis 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 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. (3-31-22)

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

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

### 9.1.8 Reuse Permit Fees (IDAPA 58.01.14.170.02)

Permitted reuse facilities must pay an annual fee according to requirements of the "Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services" (IDAPA 58.01.14).

## 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)

### 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 must 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

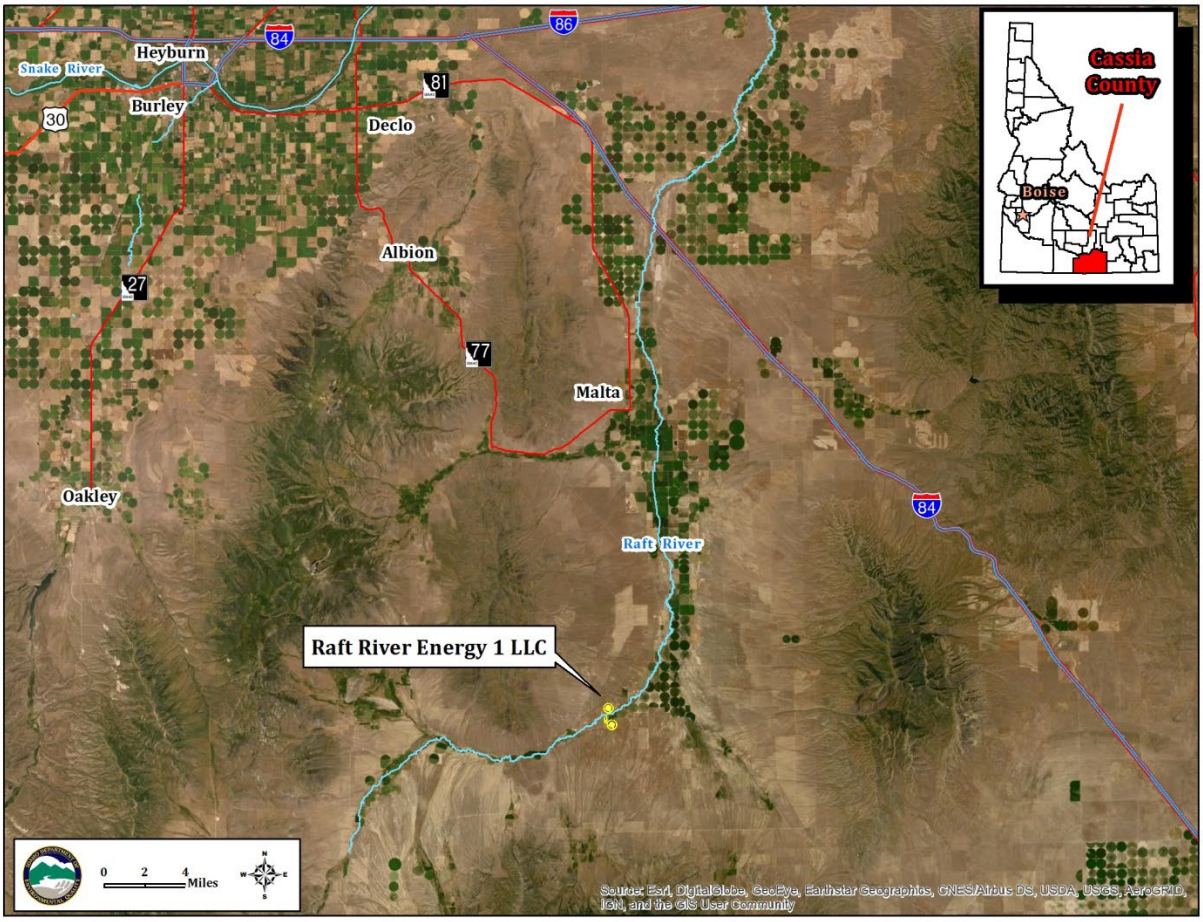
The well owner must maintain the well to prevent waste or contamination of ground waters through leaky casings, pipes, fittings, valves, pumps, seals, or through leakage around the outside of the casings, whether the leakage is above or below the land surface. Any person owning or controlling a noncompliant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

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

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

# 11. Site Maps

## 11.1 Regional Map



## 11.2 Facility Map

