

Idaho Department of Environmental Quality
Reuse Permit
I-207-02
(Previous Permit: LA-000207-01)

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 **October 31, 2017.**



Signature

1-31-13

Date

Erick Neher
Regional Administrator
Idaho Falls Regional Office
Idaho Department of Environmental Quality

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Commonly Used Acronyms and Abbreviations

CA	compliance activity
CaCO ₃	calcium carbonate
COD	chemical oxygen demand
CQA	construction quality assurance
DEQ	Idaho Department of Environmental Quality
Director	Director of the Idaho Department of Environmental Quality or designee unless otherwise specified
Ei	irrigation efficiency
FM	flow monitoring
GW	ground water
in/acre	inches per acre
lb/acre	pounds per acre
lb/acre-day	pounds per acre per day
IDAPA	Idaho Administrative Procedures Act
IDWR	Idaho Department of Water Resources
IWR	irrigation water requirement
LG	lagoon
MG	million gallons
mg/kg	milligram per kilogram
mg/L	milligram per liter
MU	management unit
NO ₂ -N	nitrite-nitrogen
NO ₃ -N	nitrate-nitrogen
NVDS	non-volatile (fixed) dissolved solids
PO	plan of operation
PWS	public water system
QAPP	quality assurance project plan
SU	soil monitoring unit
µmhos/cm	micromhos per centimeter
WW	wastewater

1. Facility Information

Information Type	Information Specific to This Permit
Type(s) of recycled water	Industrial. Potato wash water from washing whole, un-processed potatoes for the fresh market.
Method of treatment	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 10,000 gallons/day to the municipal sewer system. The remainder is land applied onsite in accordance with this permit. Mud and Waste Solids are transported to an approved offsite disposal facility.
Facility location address	4050 Lincoln Road, Bonneville County, Idaho.
Facility mailing address and phone and fax	P.O. Box 460 Iona, ID 83427 Tel: 208-522-2343 Fax: 208-522-2345
Facility contact information	In order of contact priority (use facility numbers above): 1. Mr. Daniel Meda, Production Manager, 2. Mr. Joe Davis, QA/QC Officer, 3. Mr. Bob Larson, Plant Manager, 4. Mr. Newman Giles, President/Owner

2. Compliance Schedule for Required Activities

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
<p>CA-207-01 Within Sixty (60) days of permit issuance</p>	<p>Quality Assurance Project Plan (QAPP): The permittee shall prepare and implement an updated Quality Assurance Project Plan (QAPP) that incorporates all monitoring and reporting required by this permit. A copy of the revised QAPP along with written notice that the permittee has implemented the QAPP shall be provided to DEQ within sixty (60) days of permit issuance.</p> <p>The revised QAPP shall be designed to assist in planning for the collection, analysis, and reporting of all monitoring in support of this permit and in explaining data anomalies when they occur. At a minimum, the QAPP must include the following:</p> <ol style="list-style-type: none"> 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. <p>The format and the content of the QAPP should adhere to the recommendations and references provided in the Quality Assurance and Data Processing sections of the DEQ Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater, available on DEQ's website.</p> <p>The permittee shall amend the QAPP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAPP. A copy of the amended QAPP shall be submitted to DEQ.</p>
<p>CA-207-02 No later than July 31, 2013</p>	<p>Runoff Containment: The permittee shall construct containment berms around the perimeter of each Management Unit (MU) to contain all wastewater and runoff on each individual MU. The permittee shall provide written notice to DEQ when the berms are completed.</p>

Compliance Activity (CA) Number and Completion Due Date	Compliance Activity Description
CA-207-03 No later than March 31, 2013	<p>Well Survey: The permittee shall perform a top-of-casing wellhead survey on the Truck Shop Well (GW-20706) and the Potato Cellar Well (GW-20707) to establish and document the permanent measuring point on each well. The measuring point elevation shall be determined to the nearest hundredth (0.01) of a foot. The result of the survey for each well shall be added to the existing well survey table (provided in Wood's 2012 Ground Water and Soil Investigation), and the entire well survey table, showing the survey results for all 6 wells, shall be submitted to DEQ. The table shall also be incorporated into the permittee's Plan of Operations and Quality Assurance Project Plan.</p>
CA-207-04 No later than October 31, 2013	<p>Plan of Operations (PO): The permittee shall submit to DEQ for review and approval a revised Plan of Operations that accurately reflects current operations and incorporates the requirements of this permit and is consistent with the Quality Assurance Project Plan (QAPP). See Section 8.1.6 of this permit for additional information. The Plan of Operations shall comply with requirements stated in IDAPA 58.01.17.300.05 and shall address the items in the latest revision of the PO checklist. The following site management plans shall be included in the Plan of Operations:</p> <ol style="list-style-type: none"> 1. Buffer Zones and Wellhead Protection Plan; 2. Nuisance Odor Control and Reporting Plan; 3. Runoff Control Plan; 4. Waste Solids and Sludge Management Plan; 5. Cropping Plan; and 6. Irrigation Management Plan, including irrigation scheduling methods and operation of all irrigation systems associated with the reuse facility. <p>The Plan of Operations shall be updated as needed to reflect current operations. The Plan of Operations shall be constructed in the form of a manual that is designed for quick reference and day-to-day use to by the operators. The manual shall be bound using 3-ring binders or equivalent and include a title page, table of contents, list of tables, list of figures, page numbers, and section heading numbers or dividers for quick access and ease of use by the operator.</p> <p>The most current DEQ guidance entitled "Guidance for the Reclamation and Reuse of Municipal and Industrial Wastewater", available on DEQ's website, is recommended as a reference for development of the Plan of Operations content.</p>
CA-207-05 If applicable, no later than October 31, 2016	<p>If Eagle Farms intends to continue operating the wastewater reuse facility beyond the expiration date of this permit, Eagle Farms shall contact DEQ and schedule a pre-application workshop to discuss the compliance status of the facility and the content required for the wastewater reuse permit application package.</p>
CA-207-06 If applicable, no later than April 30, 2017	<p>Eagle Farms shall submit to DEQ a complete permit renewal application package, that fulfills the requirements specified at the pre-application workshop identified in CA-207-05.</p>

3. Permit Limits and Conditions

3.1 Hydraulic Management Unit Descriptions

Serial Number	Description	Irrigation System Type and Irrigation Efficiency	Maximum Available Acres ^a
MU-20701	Field #1 (north)	Center Pivot, 80%	2.6
MU-20702	Field #2 (south)	Center Pivot, 80%	2.6
MU-20703	Field #3 (southwest)	Sprinkler, 80%	2.3
Total acreage			7.5
<p>a. Maximum Acres represents 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 utilized during each season or year.</p>			

3.2 Hydraulic Loading Limits, Vegetation, and Grazing

Serial Numbers	Growing Season Hydraulic Loading ^b (Each MU)	Nongrowing Season Maximum Hydraulic Loading ^b (Each MU)	Allowed Vegetation	Grazing ^b and Waiting Period Between Recycled Water Application and Grazing (when applicable)
MU-20701 MU-20702 MU-20703	Substantially at the irrigation water requirement (IWR) ^a	5.1 in/ac	See PO. On-site storage of silage is prohibited.	Not allowed

- a. 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:

$$IWR = P_{def} / E_i \quad \text{where:}$$

P_{def} = Precipitation Deficit and is synonymous with the Irrigation Requirement (IR) of the crop. P_{def} can be found at the following website: <http://www.kimberly.uidaho.edu/ETIdaho/>. For this facility the P_{def} data from the ET Idaho website for the **Idaho Falls FAA Arpt Station # 104457** shall be reported and used to determine IWR and evaluate permit compliance.

E_i = Irrigation system application efficiency.

- b. Compliance with Loading limits shall be determined using the per-acre application depth, and shall be calculated using the actual acreage irrigated and utilized during that season or year.
- c. MU-20703 shall not be utilized for land application until the irrigation system has been approved by DEQ in writing.

3.3 Constituent Loading Limits

Serial Numbers	Constituent Loading (from all sources) ^c , each MU			
	Nitrogen (lb/acre)	Phosphorus (lb/acre)	Salt (NVDS) (lb/acre)	COD growing season/ nongrowing season (lb/acre-day) ^a
MU-20701 MU-20702 MU-20703	150% of crop uptake ^b	n/a	n/a	50/50

- a. Limit expressed in pounds per acre per day (lb/acre-day) on a seasonal average.
- b. Compliance with the 150% nitrogen loading limit shall be determined by comparing the current year nitrogen loading to the current year nitrogen uptake.
- c. Compliance with Loading limits shall be determined using the per-acre application depth, and shall be calculated using the actual acreage irrigated and utilized during that season or year.

3.4 Hydraulic Management Unit Buffer Zones, Fencing, and Posting

Serial Numbers	Buffer Distances (in feet) from Hydraulic Management Unit Boundaries ^b , Each MU						
	Public Water Supplies	Private Water Supplies	Inhabited Dwellings	Permanent And Intermittent Surface Water	Irrigation Ditches And Canals	Areas Accessible To Public	Fencing And Posting ^a
MU-020701 MU-020702 MU-020703	1,000	500	300	100	50	50	Required

- a. Signs shall read "Caution: Recycled Water—Do Not Drink," or equivalent signage both in English and Spanish. Signs to be posted every 500 feet and at each corner of the outer perimeter of the hydraulic management units. Posting requirement applies where management units border areas accessible to the public.
- b. Any mitigation to reduce buffer distances shall be reviewed and approved by DEQ in writing prior to construction, implementation, and use.
 - i. Eagle Farms shall use drag tubes year-round on the center pivots to mitigate the reduced buffer distances to dwellings and areas accessible to the public.
 - ii. To mitigate the reduced distances to onsite water production and public water supply wells, Eagle Farms shall maintain runoff control structures and wellhead protection BMP's to prevent recycled water ponding or percolation within 25 feet of onsite wells.

3.5 Other Permit Limits and Conditions

Category	Permit Limits and Conditions
Growing season (GS)	April 1 through October 31 (214 days)
Nongrowing season (NGS)	November 1 through March 31 (151 days)
Reporting year for annual loading rates	November 1 through October 31
Plan of Operations	The wastewater reuse facility shall be operated in accordance with the most recent Plan of Operations (PO) approved by DEQ. The Plan shall be updated as necessary to reflect current operations.
Plans and Specifications	The construction, alteration or expansion of any wastewater treatment, disposal, or reuse facility shall not begin before plans and specifications for the proposed facility have been submitted to and approved by the Department. The permittee shall comply with the plan and specification, and construction inspection requirements specified in Section 401 of the Wastewater Rules, <i>“REVIEW OF PLANS FOR NONMUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES.”</i> IDAPA 58.01.16.401, and Section 606 of the Recycled Water Rules, <i>“REUSE FACILITY – PLAN AND SPECIFICATION REVIEW.”</i> IDAPA 58.01.17.606.
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.

4. Monitoring Requirements

4.1 Recycled Water Monitoring, Sampling, and Analyses

4.1.1 Constituent Monitoring

Monitoring Point Serial Numbers and Locations	Sample Description	Sample Type and Frequency	Constituents (Units in mg/L Unless Otherwise Specified)
WW-20701 Recycled Water from Pump House, (i.e. the pump pit in outside building, downstream of sedimentation basins & prior to discharge to IBSD or reuse system)	Recycled water, after sedimentation, to MU-20701, MU-20702, MU-20703. **Samples drawn from the sump shall be 100% wastewater. Samples shall not be collected when the sump is diluted with canal irrigation water.	Grab/monthly (during periods of plant operation and wastewater generation) *samples shall be collected as close to the middle of the month as practicable.	– pH (std. units) –Electrical Conductivity (umhos/cm) – Chemical Oxygen Demand (COD) –Total Kjeldahl Nitrogen, as N –Nitrate-Nitrogen, as N –Total Phosphorus, as P –Potassium, as K –Total Dissolved Solids – Volatile Dissolved Solids – Non-Volatile Dissolved Solids
WW-20702 Recycled Water system immediately downstream of in-plant oxidation system, upstream of in-plant wastewater discharge sump	Recycled water quality immediately downstream of in-plant oxidation system, prior to discharge into sedimentation basins	Grab/monthly (during periods of plant operation and wastewater generation) *samples shall be collected as close to the middle of the month as practicable.	-Benzene (ug/L) -Toluene (ug/L) -Ethyl benzene (ug/L) -Xylene (ug/L)

4.1.2 Flow Monitoring

Monitoring Point Serial Numbers and Locations	Sample Description	Sample Type and Frequency	Measured Parameters (units) (sig. figures)
FM-20701 Incoming fresh water flow meter inside production plant	Freshwater inflow into processing plant	-Daily meter reading -Monthly compilation of data	Volume (0 gallons)
FM-20702 Reuse Flow Meter in outside Pump House	Recycled Water Flow from Pump House sump to Reuse System	-Daily meter reading -Monthly compilation of data	Volume (0 gallons)
FM-20703 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 (0 gallons)
FM-20704 Flow Meter or Hour Meter for MU- 20701 (Field #1)	Recycled Water Flow from Pump House sump to MU-20701 (N. Pivot)	-Daily Pivot run times -Monthly compilation of data	Application Hours (0.0 hrs) Application Volume (0.00 MG) Application Depth (0.0 in/ac)
FM-20705 Flow meter or Hour meter for MU- 20702 (Field #2)	Recycled Water Flow from Pump House sump to MU-20702 (S. Pivot)	-Daily Pivot run times -Monthly compilation of data	Application Hours (0.0 hrs) Application Volume (0.00 MG) Application Depth (0.0 in/ac)
FM-20706 Flow meter for MU- 20703 (Field #3)	Recycled Water Flow from Pump House sump to MU-20703 (S.W. Field)	-Daily meter reading -Monthly compilation of data	Application Volume (0.00 MG) Application Depth (0.0 in/ac)

4.2 Ground Water Monitoring

4.2.1 Ground Water Monitoring Point Descriptions

Monitoring Point Serial Numbers	Common Designation	Well Type	Gradient Location ^a	Compliance Well? ^a Yes or No (If Applicable)
GW-20701	MW-1	Monitoring	Down	Yes
GW-20702	MW-2	Monitoring	Up	Yes
GW-20703	MW-3	Monitoring	Up	Yes
GW-20704	Production Well #1 East	PWS Supply	Down	Yes
GW-20705	Production Well #1 West	PWS Supply	Down	Yes
GW-20706	Truck Shop Well	Domestic Supply	Down	Yes
GW-20707	Cellar Well	Non-Consumptive Industrial Supply	Down	Yes

- a. Ground Water Monitoring is a new activity at this facility. Long-term ground water gradients are not clearly established at this time and are subject to change. Until further on-site ground water information becomes available, all wells listed in Table 4.2.1 will be used to evaluate ground water impacts and determine permit compliance.

4.2.2 Ground Water Monitoring, Sampling, and Analyses

Monitoring Point Serial Numbers	Sampling Point Descriptions	Sample Type and Frequency	Constituents (Units in mg/L unless otherwise specified)
GW-20701 GW-20702 GW-20703 (not 20704)* GW-20705 GW-20706 GW-20707	Monitoring wells and on-site PWS and domestic supply wells, <u>except</u> Production Well #1 East	Ground Water Depth, 3-times per year: (April, July, October) *measurements shall be taken as close to the middle of the month as practicable. *Well construction does not allow water level measurements in GW-20704 Production Well #1 East.	-Water table elevation (feet) -Water table depth (feet)

Monitoring Point Serial Numbers	Sampling Point Descriptions	Sample Type and Frequency	Constituents (Units in mg/L unless otherwise specified)
GW-20701 GW-20702 GW-20703 GW-20704 GW-20705 GW-20706 GW-20707	Monitoring wells and on-site PWS and domestic supply wells, including Production Well #1 East	Grab sample, 3-times per year: (April, July, October) *samples shall be collected as close to the middle of the month as practicable.	–Specific conductance/electrical conductivity (lab, µmhos/cm) –pH (lab, standard units) –Nitrate-nitrogen, as N –Total phosphorus, as P –Total Dissolved Solids –Total Iron –Dissolved (filtered) Iron –Total Manganese –Dissolved (filtered) Manganese –Benzene (ug/L) –Toluene (ug/L) –Ethyl benzene (ug/L) –Xylene (ug/L)

4.3 Soil Monitoring

4.3.1 Soil Monitoring Unit Descriptions

Monitoring Point Serial Numbers	Description	Associated Management Units
SU-20701	Field #1 (north)	MU-20701
SU-20701	Field #2 (south)	MU-20702
SU-20701	Field #3 (southwest)	MU-20703

4.3.2 Soil Monitoring, Sampling, and Analyses

Monitoring Point Serial Numbers	Sample Type	Sample Frequency	Constituents (Units in mg/kg soil unless otherwise specified)
SU-20701 SU-20702 SU-20703	Composite samples	Once per Year: (April, prior to supplemental fertilization)	<ul style="list-style-type: none"> -pH (lab, std. units) -% Organic Matter (%) -Organic Nitrogen (lb/ac) -Nitrate Nitrogen, as N -Ammonium Nitrogen, as N -Available Phosphorus, as P (Olsen Method) -Potassium, as K -DTPA Iron -DTPA Manganese -Electrical conductivity (μmhos/cm in saturated paste extract) -Sodium Adsorption Ratio (SAR)
<p>A number of locations in each soil monitoring unit shall be sub-sampled. The QAPP shall specify the quantity and locations of sub-samples required for each soil monitoring unit. At each sub-sample location, samples shall be obtained from three depths: 0–12 inches; 12–24 inches; and 24–36 inches or refusal. The sub-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.</p>			

4.4 Crop Harvest and Plant Tissue Monitoring

4.4.1 Crop Harvest Monitoring

Associated Hydraulic Management Units	Sample Type	Sample Frequency	Parameters ^a
MU-20701 MU-20702 MU-20703	Harvested portion, each crop, each MU	Each harvest	-Crop Type -Harvest Date -Harvested acreage (acres); -As-harvested ('wet') yield in customary harvested units (tons, bushels, cwt, etc.); -As-harvested field moisture content (%); -Dry Yield (lbs);

- a. Documentation of reported yields such as bale counts, truck weight receipts, yield monitor reports from combines or other harvesting implements, etc. shall be provided in the annual report for each harvest from each Management Unit.

4.4.2 Plant Tissue Monitoring

Associated Hydraulic Management Units	Sample Type	Sample Frequency	Parameters ^a
MU-20701 MU-20702 MU-20703	Harvested portion, each crop, each MU	Each harvest	-Lab moisture content (%); -Total Kjeldahl Nitrogen, (%); -Nitrate nitrogen, as N (ppm) -Phosphorus as P (ppm) -Ash (%)

- a. Report dry-basis results for all parameters except lab moisture content

4.5 Lagoon Information

Serial number	Description
LG-20701	North set of concrete sedimentation basins
LG-20702	South set of concrete sedimentation basins

5. Reporting Requirements

5.1 Annual Report Requirements

The permittee shall submit to DEQ an Annual Report prepared by a competent environmental professional covering the previous reporting year.

5.1.1 Due Date

The Annual Report is due no later than January 31st of each year.

5.1.2 Required Contents

The Annual Report shall include the following:

1. A brief interpretive discussion of all required monitoring data. The discussion shall address data quality objectives, validation, and verification; permit compliance; and reuse facility environmental impacts. The reporting year for this permit is specified in section 3.5.
2. Results of the required monitoring as described in Section 4 of this permit. 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. The report shall present all monitoring data in organized data summary tables to expedite review.
3. Status of all work described in Section 2 of this permit.
4. Results of all backflow testing, repairs, and replacements required by Section 8.1.1 of this permit.
5. 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, 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, reporting incorrect acreage, etc.
6. Submittal of the calculations and observations for hydraulic management units specified in the table below.
7. All laboratory analytical reports, and crop yield documentation.
8. The parameters in the following table:

Monitoring Point Serial Number	Parameter (Calculate for each MU)	Units (sig. figures)
MU-20701 MU-20702 MU-20703	Recycled water loading rate	Million gallons/month (0.000) Inches/acre-month (0.0)
	Supplemental water loading rate	Million gallons/month (0.000) Inches/acre-month (0.0)
	Acres Irrigated	Acres (0.0)
	COD loading rate: growing season seasonal average	Pounds/acre-day (0)
	COD loading rate: nongrowing season seasonal average	Pounds/acre-day (0)
	Recycled water nitrogen and phosphorus loading rates	Pounds-N/acre-year (0) Pounds-P/acre-year (0)
	Supplemental fertilizer nitrogen and phosphorus application rates	Pounds-N/acre-year (0) Pounds-P/acre-year (0)
	Crop Harvest and Yield	Crop Types Harvested Total Harvested Area (acres/yr) 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)	Pounds-N/acre-year Pounds-P/acre-year Pounds Ash/acre-year

5.1.3 Submittal

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

Greg Eager, Engineering Manager
Idaho Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, ID 83402
Tel: (208) 528-2650 Fax: (208) 528-2695

The annual report shall include the following certification statement and be signed, dated, and certified by the permittee's Responsible Official:

“I certify under penalty of law that this report and all attachments were prepared under my direction or supervision and the data and information presented in this report was collected, evaluated and prepared in conformance with the Quality Assurance Project Plan required by the permit. I also certify that the information provided in this submission is, to the best of my knowledge, true, accurate and complete and I acknowledge that knowing submission of false or incomplete information may result in permit revocation as provided for in IDAPA 58.01.17.920.01 or other enforcement action as provided for under Idaho law.”

5.2 Emergency and Noncompliance Reporting

Report noncompliance incidents, including complaints, to DEQ's regional office. See section 5.1.3 for the regional office phone number.

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

See Section 7, “Standard Permit Conditions,” and IDAPA 58.01.17.500.06 for reporting requirements for facilities.

6. Permit for Use of Industrial Recycled Water

The following are permit requirements for industrial recycled water and are included as terms of this permit as required by the “Recycled Water Rules,” (IDAPA 58.01.17.616).

616. PERMIT FOR USE OF INDUSTRIAL RECYCLED WATER.

Industrial recycled water shall only be used in accordance with a permit issued pursuant to these rules. Permit conditions and limitations shall be developed by the Department on a case-by-case basis taking into account the specific characteristics of the wastewater to be recycled, the treatment necessary to ensure the use of such recycled water is in compliance with IDAPA 58.01.11, “Ground Water Quality Rule” and IDAPA 58.01.02, “Water Quality Standards.” Unless otherwise indicated in this section, the permit application, processing and issuance procedures provided in this rule shall apply to industrial reuse permits. (4-7-11)

7. Standard Permit Conditions

The following standard permit conditions are included as terms of this permit as required by the “Recycled Water Rules,” (IDAPA 58.01.17.500).

500. STANDARD PERMIT CONDITIONS.

The following conditions shall apply to and be included in all permits. (4-1-88)

01. **Compliance Required.** The permittee shall comply with all conditions of the permit. (4-1-88)
02. **Renewal Responsibilities.** If the permittee intends to continue operation of the permitted facility after the expiration of an existing permit, the permittee shall apply for a new permit in accordance with these rules. (4-1-88)
03. **Operation of Facilities.** The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, control and monitoring, which are installed or used by the permittee to achieve compliance with the permit or these rules. (4-1-88)
04. **Provide Information.** The permittee shall furnish to the Director within a reasonable time, any information including copies of records, which may be requested by the Director to determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these rules. (4-1-88)
05. **Entry and Access.** The permittee shall allow the Director, consistent with Title 39, Chapter 1, Idaho Code, to:
 - a. Enter the permitted facility. (4-1-88)
 - b. Inspect any records that must be kept under the conditions of the permit. (4-1-88)
 - c. Inspect any facility, equipment, practice, or operation permitted or required by the permit. (4-1-88)
 - d. Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility. (4-1-88)
06. **Reporting.** The permittee shall report to the Director under the circumstances and in the manner specified in this section: (4-1-88)

a. In writing at least thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any significant change in information that was submitted during the permit application process. When the alteration or addition results in a need for a major modification, such alteration or addition shall not be made prior to Department approval issued in accordance with these rules. (4-7-11)

b. In writing thirty (30) days before any anticipated change which would result in noncompliance with any permit condition or these rules. (4-1-88)

c. Orally within twenty-four (24) hours from the time the permittee became aware of any noncompliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director. (4-1-88)

d. In writing as soon as possible but within five (5) days of the date the permittee knows or should know of any noncompliance unless extended by the Department. This report shall contain: (4-1-88)

i. A description of the noncompliance and its cause; (4-1-88)

ii. The period of noncompliance including to the extent possible, times and dates and, if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and (4-7-11)

iii. Steps taken or planned, including timelines, to reduce or eliminate the continuance or reoccurrence of the noncompliance. (4-7-11)

e. In writing as soon as possible after the permittee becomes aware of relevant facts not submitted or incorrect information submitted, in a permit application or any report to the Director. Those facts or the correct information shall be included as a part of this report. (4-1-88)

07. Minimize Impacts. The permittee shall take all necessary actions to eliminate and correct any adverse impact on the public health or the environment resulting from permit noncompliance. (4-1-88)

08. Compliance with “Ground Water Quality Rule.” Permits issued pursuant to these rules shall require compliance with IDAPA 58.01.11, “Ground Water Quality Rule.” (4-7-11)

8. General Permit Conditions

The following general permit conditions are enforceable as part of this permit. Note that the rules cited in this section, and elsewhere in this permit, are supplemented by the rules themselves. Rules applicable to your facility are enforceable whether or not they appear in this permit.

8.1 Operations

8.1.1 Backflow Prevention

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

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

8.1.2 Restricted to Premises

Wastewaters or recharge waters applied to the land surface must be restricted to the premises of the application site. Wastewater discharges to surface water that require a permit under the Clean Water Act must be authorized by the United States Environmental Protection Agency (IDAPA 58.01.16.600.02).

8.1.3 Health Hazards, Nuisances, and Odors Prohibited

Health hazards, nuisances, and odors are prohibited as follows:

- Wastewater must not create a public health hazard or nuisance condition (IDAPA 58.01.16.600.03).
- No person shall allow, suffer, cause or permit the emission of odorous gases, liquids, or solids into the atmosphere in such quantities as to cause air pollution (IDAPA 58.01.01.776.01).
- Air Pollution. The presence in the outdoor atmosphere of any air pollutant or combination thereof in such quantity of such nature and duration and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property (IDAPA 58.01.01.006.06).

8.1.4 Solids Management

Solids must be managed as follows:

- Solid waste regulated under “Solid Waste Management Rules and Standards” (IDAPA 58.01.06) shall be managed to comply with such rules and, where applicable, this permit.
- Sludge usage regulated under “Wastewater Rules” (IDAPA 58.01.16.650) shall be managed to comply with such rules and, where applicable, this permit.

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

8.1.5 Temporary Cessation of Operations and Closure (IDAPA 58.01.17.801)

Temporary cessation of operations and closure must be addressed as follows:

01. Temporary Cessation. A permittee shall implement any applicable conditions specified in the permit for temporary cessation of operations. When the permit does not specify applicable temporary cessation conditions, the permittee shall notify the Director prior to a temporary cessation of operations at the facility greater than sixty (60) days in duration and any cessation not for regular maintenance or repair. Cessation of operations necessary for regular maintenance or repair of a duration of sixty (60) days or less are not required to notify the Department under this section. All notifications required under this section shall include a proposed temporary cessation plan that will ensure the cessation of operations will not pose a threat to human health or the environment. (4-7-11)

02. Closure. A closure plan shall be required when a facility is closed voluntarily and when a permit is revoked or expires. A permittee shall implement any applicable conditions specified in the permit for closure of the facility. Unless otherwise directed by the terms of the permit or by the Director, the permittee shall submit a closure plan to the Director for approval at least ninety (90) days prior to ceasing operations. The closure plan shall ensure that the closed facility will not pose a threat to human health and the environment. Closure plan approval may be conditioned upon a permittee’s agreement to complete such site investigations, monitoring, and any necessary remediation activities that may be required. (4-7-11)

8.1.6 Plan of Operation (IDAPA 58.01.17.300.05)

The PO must comply with the following:

05. Reuse Facility Operation and Maintenance Manual or Plan of Operations. A facility’s operation and maintenance manual must contain all system components relating to the reuse facility in order to comply with IDAPA 58.01.16 “Wastewater Rules,” Section 425. Manuals and manual amendments are subject to the review and approval provision therein. In addition to the content required by IDAPA 58.01.16.425, manuals for reuse facilities shall include, if applicable: operation and management responsibility, permits and standards, general plant description, operation and control of unit operations, land application site maps, wastewater characterization, cropping plan, hydraulic loading rate, constituent loading rates, compliance activities, seepage rate testing, site management plans, monitoring, site operations and maintenance, solids handling and processing, laboratory testing, general maintenance, records and reports, store room and inventory, personnel, an emergency operating plan, and any other information required by the Department. (4-7-11)

8.1.7 Ground Water Quality (IDAPA 58.01.11)

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

8.2 Administrative

Requirements for administration of the permit are defined as follows.

8.2.1 Permit Modification (IDAPA 58.01.17.700)

01. Modification of Permits. A permit modification may be initiated by the receipt of a request for modification from the permittee, or may be initiated by the Department if one (1) or more of the following causes for modification exist: (4-7-11)

a. Alterations. There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit. (4-7-11)

b. New standards or regulations. The standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued. (4-7-11)

c. Compliance schedules. The Department determines good cause exists for modification of a compliance schedule or terms and conditions of a permit. (4-7-11)

d. Non-limited pollutants. When the level of discharge of any pollutant which is not limited in the permit exceeds the level which may cause an adverse impact to surface or ground waters. (4-7-11)

e. To correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions. (4-7-11)

f. When a treatment technology proposed, installed, and properly operated and maintained by the permittee fails to achieve the requirements of the permit. (4-7-11)

02. Minor Modifications. Minor modifications are those which if granted would not result in any increased hazard to the environment or to the public health. If a permit modification satisfies the criteria for "minor modifications," the permit may be modified without issuance of a draft permit or public review. Minor modifications are normally limited to: (4-7-11)

a. The correction of typographical errors or formatting changes; (4-7-11)

b. Transfer of ownership or operational control, or responsible official; (4-7-11)

c. A change in monitoring or reporting frequency requirements, or revision of a laboratory method; (4-7-11)

d. Change compliance due date in a schedule of compliance, provided the new date does not exceed six (6) months; (4-7-11)

e. Change or add a sampling location; (4-7-11)

f. Change to a higher level of treatment without a change in end uses; (4-7-11)

g. Change in terminology; (4-7-11)

h. Removal of an allowed use; (4-7-11)

i. Correct minor technical errors, such as citations of law, and citations of construction specifications; (4-7-11)

j. Change in a contingency plan resulting in equal or more efficient responsiveness; or (4-7-11)

k. Removal of acreage from irrigation without an increase in loadings. (4-7-11)

03. Major Modifications. All modifications not considered minor shall be considered major modifications. The procedure for making major modifications shall be the same as that used for a new permit under these rules. Some examples of the major modifications are: (4-7-11)

a. Changes in the treatment system; (4-7-11)

b. Adding an allowed use; (4-7-11)

c. Changes to a lower (less treated) class of water; (4-7-11)

d. Addition of acreage used for irrigation; or (4-7-11)

e. Changes to less stringent discharge limitations. (4-7-11)

8.2.2 Permit Transfer (IDAPA 58.01.17.800)

01. General. A permit may be transferred only upon approval of the Department. No transfer is required for a corporate name change as long as the secretary of state can verify that a change in name alone has occurred. An attempted transfer is not effective for any purpose until approved in writing by the Department. (4-7-11)

02. Request for Transfer. Either the permit holder (permittee) or the person to whom the permit is proposed to be transferred (transferee) shall submit to the department a request for transfer at least thirty (30) days before the proposed transfer date. The request for transfer shall include: (4-7-11)

a. Legal name and address of the permittee; (4-7-11)

b. Legal name and address of the transferee; (4-7-11)

c. Location and the common name of the facility; (4-7-11)

d. Date of proposed transfer;

f. A signed declaration by the transferee that the transferee has reviewed the permit and understands the terms of the permit; (4-7-11)

g. A sworn statement that the request is made with the full knowledge and consent of the permittee if the transferee is submitting the request; (4-7-11)

h. Identification of any judicial decree, compliance agreement, enforcement order, or other outstanding obligating instrument, the terms of which have not been met, along with legal instruments sufficient to address liabilities under such decree, agreement, order, or other obligating instrument; and (4-7-11)

i. Any other information the director may reasonably require. (4-7-11)

03. Effective Date of Transfer. Responsibility for compliance with the terms and conditions of the permit and liability for any violation associated therewith is assumed by the transferee, effective on the date indicated in the approved transfer. (4-7-11)

04. Compliance with Permit Conditions Pending Transfer Approval. Prior to a transfer approval, the permittee shall continue to be responsible for compliance with the terms and conditions of the permit and be

liable for any violation associated therewith, regardless of whether ownership or operational control of the permitted facility has been transferred. (4-7-11)

05. Transferee Liability Prior to Transfer Approval. If a proposed transferee causes or allows operation of the facility under his ownership or control before approval of the permit transfer, such transferee shall be considered to be operating without a permit or authorization required by these rules and may be cited for additional violations as applicable. (4-7-11)

06. Compliance Record of Transferee. The Director may consider the prior compliance record of the transferee, if any, in the decision to approve or disapprove a transfer. (4-7-11)

8.2.3 Permit Revocation (IDAPA 58.01.17.920)

01. Conditions for Revocation. The Director may revoke a permit if the permittee violates any permit condition or these rules, or the Director becomes aware of any omission or misrepresentation of condition or information relied upon when issuing the permit. (4-7-11)

02. Notice of Revocation. Except in cases of emergency, the Director shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within thirty-five (35) days of receipt of the notice by the permittee, unless within that time the permittee requests an administrative hearing in writing. The hearing shall be conducted in accordance with IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality.” (5-3-03)

03. Emergency Action. If the Director finds the public health, safety or welfare requires emergency action, the Director shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the permittee. Thereafter, if requested by the permittee in writing, the Director shall provide the permittee a revocation hearing and prior notice thereof. Such hearings shall be conducted in accordance with IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality.” (3-15-02)

04. Revocation and Closure. A permittee shall perform the closure requirements in a permit, the closure requirements of these rules, and complete all closure plan activities notwithstanding the revocation of the permit. (4-7-11)

8.2.4 Violations (IDAPA 58.01.17.930)

Any person violating any provision of these rules or any permit or order issued thereunder shall be liable for a civil penalty not to exceed ten thousand dollars (\$10,000) or one thousand dollars (\$1,000) for each day of a continuing violation, whichever is greater. In addition, pursuant to Title 39, Chapter 1, Idaho Code, any willful or negligent violation may constitute a misdemeanor. (4-1-88)

8.2.5 Severability

The provisions of this permit are severable, and if a provision or its application is declared invalid or unenforceable for any reason, that declaration will not affect the validity or enforceability of the remaining provisions.

9. Other Applicable Laws

DEQ may refer enforcement of the following provisions to the state agency authorized to enforce that rule. The permittee shall comply with all applicable provisions identified in this section, as well as all other applicable federal, state, and local laws, statutes, and rules.

9.1 Owner Responsibilities for Well Use and Maintenance

9.1.1 Well Use

The well owner must not operate any well in a manner that causes waste or contamination of the ground water resource. Failure to operate, maintain, knowingly allow the construction of any well in a manner that violates these rules, or failure to repair or properly decommission (abandon) any well as herein required will subject the well owner to civil penalties as provided by statute. See IDAPA 37.03.09.036.01 and consult the Idaho Department of Water Resources (IDWR) for more information.

9.1.2 Well Maintenance

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

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

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

10. Site Maps

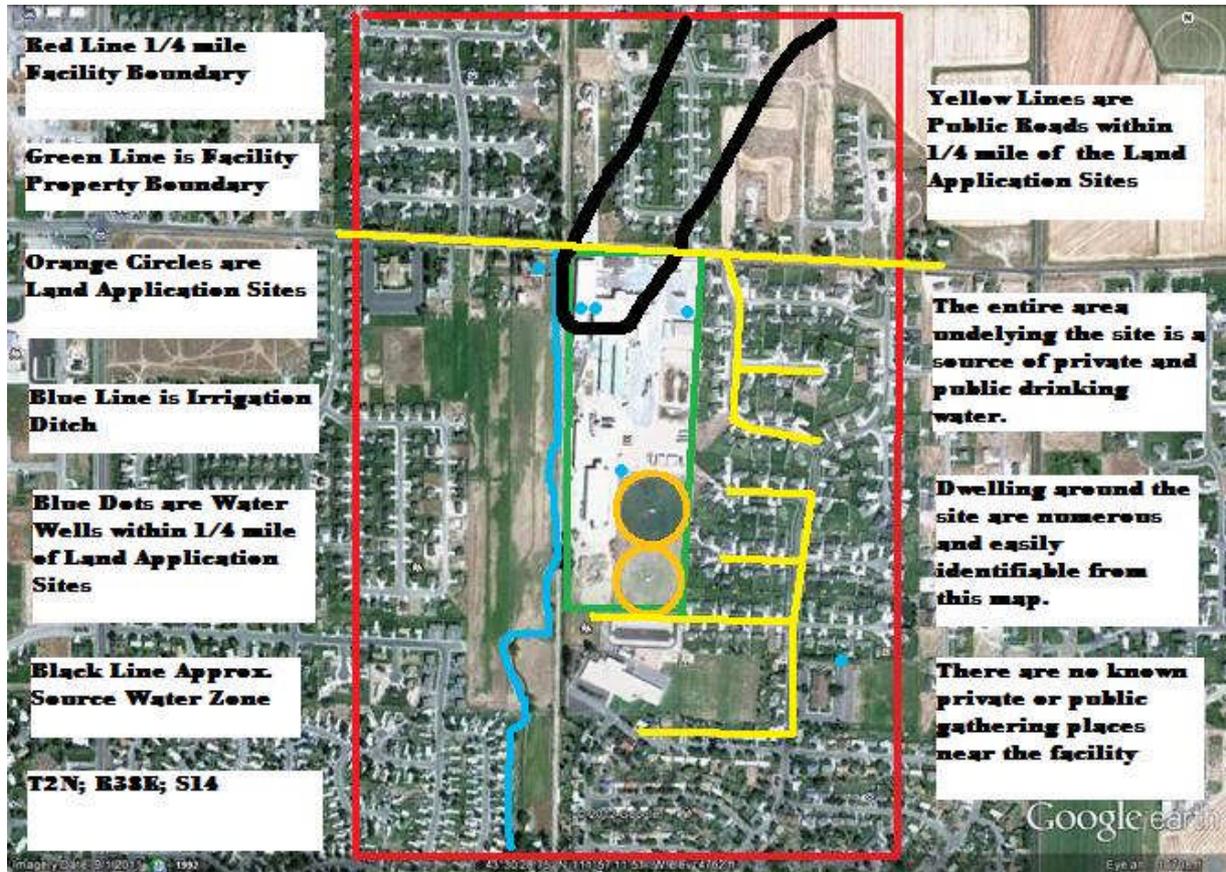


Figure 1. Eagle Farms Vicinity Map and items of concern. Eagle Farms is located at 4050 E. Lincoln Road, northeast of Idaho Falls, Idaho in Township 2 North, Range 38 East, Section 14. Map Source: Permit application (Equus, 2012). Note: Results of the Ground Water and Soil Investigation (Wood, 2012) indicate ground water flows north, contrary to the southwest direction depicted by the well capture zone on this map.

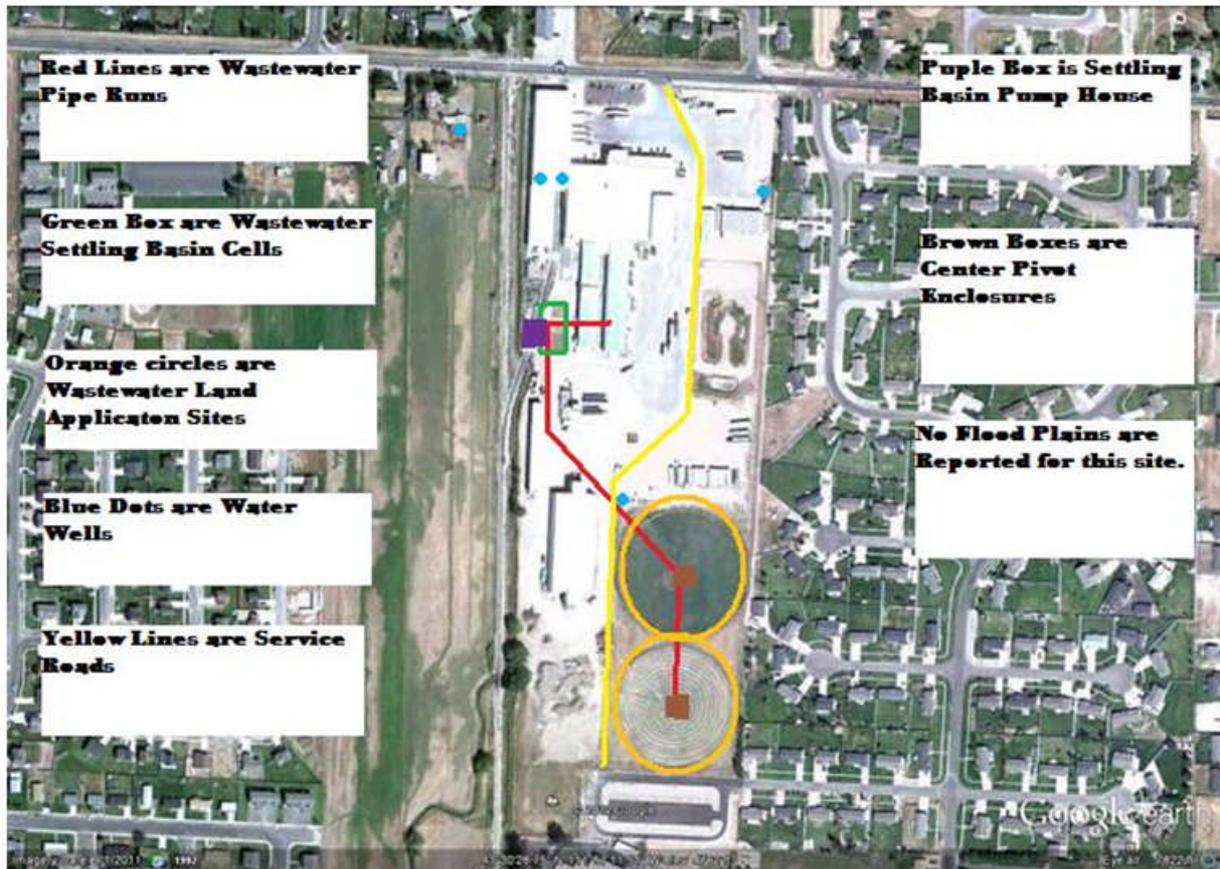


Figure 2. Eagle Farms Facility Site Map. Source: Permit Application (Equus, 2012). Note: The wastewater pipeline routing (red line) between the pump house (purple box) and the center pivots depicted on this map is incorrect. The mainline is known to be positioned along the west side of the pivot fields. Two individual lines then split off the mainline and individually transport water to each pivot. Eagle Farms must present updated maps in the revised Plan of Operations required by Section 2, Compliance Activity CA-207-04.

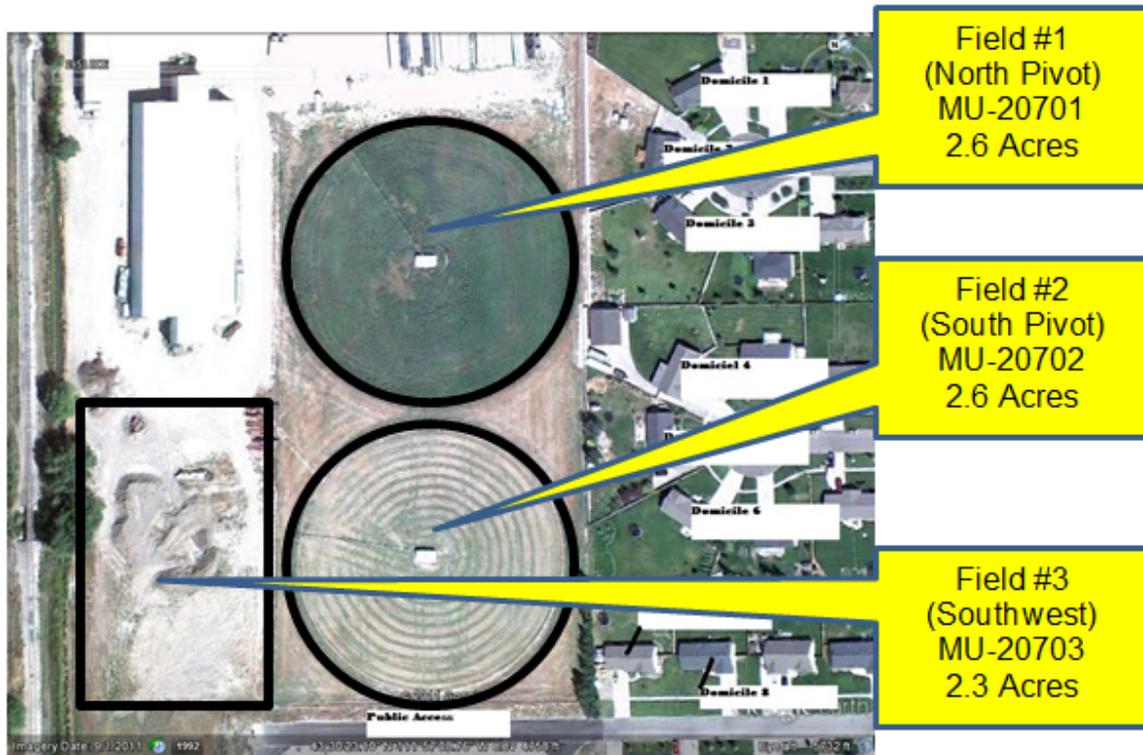


Figure 3. Management Unit Identification. Base map source: Permit Application, Figure 1 (Equus, 2012).



Figure 4. Concrete Sedimentation Basins and wastewater Pump House. Source: Google Earth.



Figure 5. Waste Solids Disposal Site located on south side of Bone Road approximately 6 miles east of the facility at T2N R39E Section 22 NE ¼ NW ¼ SE ¼ . Map Source: Figure 1 from Eagle Farms Waste Solids Management Plan, Report # EF-WSMP-08-2011 Rev. 3, August 2011, Equus International Environmental.