A. Permit Certificate

INDUSTRIAL
WASTEWATER REUSE PERMIT
LA-000022-05

Glanbia Foods, Inc., LOCATED AT 1572 East Highway 26, Richfield, ID 83349 AND IN **Lincoln County, Township T4S, Range R20E, Sections 7, 8, 17, and 18 (Expansion Acreage); and Township T4S, Range R19E, Section 26 (Facility and Plant Site)** IS HEREBY AUTHORIZED TO CONSTRUCT, INSTALL, AND OPERATE A WASTEWATER REUSE SYSTEM IN ACCORDANCE WITH THE RECYCLED WATER RULES (IDAPA 58.01.17) AND WASTEWATER RULES (IDAPA 58.01.16), THE GROUND WATER QUALITY RULE (IDAPA 58.01.11), AND ACCOMPANYING PERMIT, APPENDICES, AND REFERENCE DOCUMENTS. THIS PERMIT IS EFFECTIVE FROM THE DATE OF SIGNATURE AND EXPIRES ON JUNE 27, 2017.

Bill Allred, Regional Administrator
Twin Falls Regional Office
Idaho Department of Environmental Quality

Date: June 27, 2012

DEPARTMENT OF ENVIRONMENTAL QUALITY
1363 Fillmore St.
Twin Falls, ID 83301
(208) 736-2190.

POSTING ON SITE RECOMMENDED

B. Permit Contents, Appendices, and Reference Documents

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Appendices

1. Environmental Monitoring Serial Numbers
2. Site Maps
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Reference Documents

1. Plan of Operation (Operation and Maintenance Manual)
   - Contingency Plan
   - Grazing Management Plan
   - Groundwater Monitoring Plan
   - Noxious Weed Control Plan
   - Nuisance Odor Management Plan
   - Rehabilitation Plan
   - Runoff Management Plan
   - Seepage Testing Plan
   - Waste Solids Management Plan

The Sections, Appendices, and Reference Documents listed on this page are all elements of Wastewater Reuse Permit LA-000022-05 and are enforceable as such. This permit does not relieve Glanbia Foods, Inc., hereafter referred to as the permittee, from responsibility for compliance with other applicable federal, state or local laws, rules, standards or ordinances.

C. Abbreviations, Definitions

Ac-in	Acre-inch. The volume of water or wastewater to cover 1 acre of land to a depth of 1 inch. Equal to 27,154 gallons.
BMP or BMPs	Best Management Practices
COD	Chemical Oxygen Demand
DEQ or the Department	Idaho Department of Environmental Quality
Director	Director of the Idaho Department of Environmental Quality, or the Directors Designee, i.e. Regional Administrator
ET	Evapotranspiration – Loss of water from the soil and vegetation by evaporation and by plant uptake (transpiration)
GS	Growing Season – Typically April 01 through October 31 (214 days)
GW	Ground Water
GWQR	IDAPA 58.01.11 "Ground Water Quality Rule"
Guidance	Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater (9/2007)
HLRgs	Growing Season Hydraulic Loading Rate. Includes any combination of wastewater and supplemental irrigation water applied to each hydraulic management units during the growing season. The HLRgs limit is specified in Section F. Permit Limits and Conditions.
HLRngs	Non-Growing Season Hydraulic Loading Rate. Includes any combination of wastewater and supplemental irrigation water applied to each hydraulic management unit during the non-growing season. The HLRngs limit is specified in Section F. Permit Limits and Conditions.
HMU	Hydraulic Management Unit (Serial Number designation is MU)
IWR	Irrigation Water Requirement – Any combination of wastewater and supplemental irrigation water applied at rates commensurate to the moisture requirements of the crop: $IWR = P_{deff} / E_i$ Where: P_{deff} = net irrigation requirement = $CU - P_e$ CU = consumptive use (crop evapotranspiration) for a given crop in a given climatic area P_e = effective precipitation. E_i = irrigation system efficiency.
IDAPA	Idaho Administrative Procedures Act.
LG	Lagoon
lb/ac-day	Pounds (of constituent) per acre per day
MG	Million Gallons (1 MG = 36.827 acre-inches)
MGA	Million Gallons Annually (per WLAP Reporting Year)
NGS	Non-Growing Season – Typically November 01 through March 31 (151 days)
NVDS	Non-Volatile Dissolved Solids (= Total Dissolved Solids less Volatile Dissolved Solids)
O&M manual	Operation and Maintenance Manual, also referred to as the Plan of Operation
SAR	Sodium Absorption Ratio

C. Abbreviations, Definitions

SI	Supplemental Irrigation water applied to the land application treatment site.
Soil AWC	Soil Available Water Holding Capacity - the water storage capability of a soil to a depth at which plant roots will utilize (typically 60 inches or root limiting layer)
SMU	Soil Monitoring Unit (Serial Number designation is SU)
SW	Surface Water
TDS	Total Dissolved Solids or Total Filterable Residue
TDIS	Total Dissolved Inorganic Solids – The summation of chemical concentration results in mg/L for the following common ions: calcium, magnesium, potassium, sodium, chloride, sulfate, and 0.6 times alkalinity (alkalinity expressed as calcium carbonate). Nitrate, Silica and fluoride shall be included if present in significant quantities (i.e. > 5 mg/L each).
TMDL	Total Maximum Daily Load – The sum of the individual waste-load allocations (WLA's) for point sources, Load Allocations (LA's) for non-point sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety that takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality. IDAPA 58.01.02 *Water Quality Standards and Wastewater Treatment Requirements*
Typical Crop Uptake	Typical Crop Uptake is defined as the median constituent crop uptake from the three (3) most recent years the crop has been grown. Typical Crop Uptake is determined for each hydraulic management unit. For new crops having less than three years of on-site crop uptake data, regional crop yield data and typical nutrient content values, or other values approved by DEQ may be used.
USGS	United States Geological Survey
WLAP	Wastewater Land Application Permit (or Program)
WLAP Reporting Year	The reporting year begins with the non-growing season and extends through the growing season of the following year, typically November 01 – October 31. For example, the 2006 Reporting Year would be November 01, 2005 through October 31, 2006.
WW	Wastewater applied to the land application treatment site

D. Facility Information

Legal Name of Permittee	Glanbia Foods, Inc.
Type of Wastewater	Whey Processing Wastewater
Method of Treatment	Slow rate land application using center pivot/hand line crop irrigation
Type of Facility	Whey Product Processor
Facility Location	1572 East Highway 26, Richfield, ID 83349
Legal Location	Expansion Acreage: Township T4S, Range R20E, Sections 7, 8, 17, and 18; Facility and Plant Site: Township T4S, Range R19E, Section 26
County	Lincoln
USGS Quad	Pagari, Richfield
Soils on Site	Expansion Acreage: Loams, very deep (> 60 inches); Silt Loams, Moderately deep (20 – 40 inches) and very deep. Plant Site: Silt Loams, very deep; Loams, deep (40 – 60 inches) and very deep
Depth to Ground Water	Expansion Acreage: Approximately 450 ft below grade Plant Site: Ranges from 140 to 190 ft below grade
Beneficial Uses of Ground Water	Drinking Water, Irrigation Water for Agriculture
Nearest Surface Water	Expansion Acreage: James Byrnes Slough (1/4 mile); Little Wood River (1/2 mile). Plant Site: Little Wood River (1/8 mile).
Beneficial Uses of Surface Water	Agricultural Irrigation, Cold Water Biota, Salmonid Spawning, Primary and Secondary Contact Recreation
Responsible Official **Mailing Address** **Phone / Fax**	Mr. Dane Higdem Corporate Regulatory Manager Glanbia Foods, Inc. 1373 Fillmore Street, Twin Falls, Idaho 83301-3380 (208) 735-4664 (w); (208) 733-9222 (fax)

E. Compliance Schedule for Required Activities

The *Activities* in the following table shall be completed on or before the *Completion Date* unless modified by the Department in writing.

Compliance Activity Number Completion Date	Compliance Activity Description
CA-022-01 **Six (6) Months after Permit Issuance**	An updated Plan of Operation (Operation and Maintenance Manual or O&M Manual) for the wastewater land application facilities, incorporating the requirements of this permit, shall be submitted to DEQ for review and approval. The updated O&M Manual shall include, but not limited to, the following: 1) An update of the DEQ approved Rehabilitation Plan, for the plant site; 2) An update of the DEQ approved Groundwater Monitoring Plan; 3) An update of the DEQ approved Runoff Management Plan; 4) Update, where applicable, to reflect the most current DEQ guidance entitled "Guidance for Reclamation and Reuse of Municipal and Industrial Water", with a revision date of September 2007;
CA-022-02 **Eight (8) months after Permit Issuance**	Installation of a new up-gradient monitoring well near the plant site or locating an existing offsite well that can consistently be used as an up-gradient monitoring well. The use of an existing up-gradient well will require an agreement between GFI and the well owner that this well can be used for monitoring purposes for an extended period of time into the future, preferably for two permit cycles or more. Update the existing Groundwater Monitoring Plan to reflect this new well.
CA-022-03 **Twelve (12) months after Permit Issuance**	Submit a Nutrient Management Plan to DEQ for review and approval. The Plan shall describe how wastewater generated at the facility will be land applied to prevent hydraulic and nutrient overloading. Supplemental irrigation water may need to be used at times in lieu of wastewater to prevent nutrient overloading of the wastewater land application management units.
CA-022-04 **As specified**	All wastewater ponds shall be seepage tested prior to September 31, 2015. Three (3) months prior to seepage testing the ponds, a seepage test plan shall be submitted to DEQ for review and approval. The ponds shall not be seepage tested until the seepage test plan is approved by DEQ. If any modifications are made to the existing ponds or additional ponds are added prior to September 31, 2015, additional seepage testing will be required at that time.

F. Permit Limits and Conditions

Category	Permit Limits and Conditions
Type of Wastewater	Whey Processing Wastewater
Application Site Area	The total permitted acreage for the Plant Site is 96.5 acres. The Plant Site is permitted for emergency use only. The total permitted acreage for the Expansion Site is 466.8 acres. All Hydraulic Management Unit Designations listed in Appendix 1, that receives wastewater during the permit period, are subject to all monitoring requirements in this permit which must be reported in the annual reports.
Application Season	365 days/year
Growing Season (GS)	April 1 through October 31 (214 days)
Non-growing Season (NGS)	November 1 through March 31 (151 days)
Reporting Year for Annual Loading Rates	November 1 through October 31
Growing Season Hydraulic Loading Rate, each HMU (Applies to wastewater and supplemental irrigation water).	Growing Season (GS) Hydraulic Loading Rate shall be substantially equal to the Irrigation Water Requirement (IWR) throughout the growing season. Local field condition observations may be considered along with the IWR in accordance with the methods specified in the approved updated Plan of Operation required by CA-022-01.
Non-Growing Season Maximum Hydraulic Loading Rate – Expansion Acreage	NGS Hydraulic Loading Rate: MU-002221 11.0 inches/acre or 19.2 MG MU-002222 9.1 inches/acre or 28.9 MG MU-002223 8.6 inches/acre or 31.2 MG MU-002224 9.6 inches/acre or 10.7 MG MU-002225 9.1 inches/acre or 13.3 MG MU-002226 10.6 inches/acre or 16.6 MG Expansion Acreage Total 119.9 MG
Livestock Grazing	Grazing activities shall be in accordance with the DEQ approved Grazing Management Plan in the O&M Manual.
Ground Water Quality	Wastewater land application activities conducted by the permittee shall not cause a violation of the *Ground Water Quality Rule* (GWQR), IDAPA 58.01.11 as now existing or later amended.

F. Permit Limits and Conditions

Category	Permit Limits and Conditions
Maximum COD Loading, seasonal average in Pounds/acre-day, each HMU	50 pounds / acre-day seasonal average for growing season. 50 pounds / acre-day seasonal average for the non-growing season.
Maximum Nitrogen Loading Rate, pounds/acre-year, each HMU (from all sources including waste solids and supplemental fertilizers)	150% of typical crop uptake (see Section C definitions) or loading rates specified in the University of Idaho Extension, College of Agriculture and Life Sciences, Fertilizer Guides.
Construction Plans	Prior to construction or modification of all wastewater facilities associated with the land application system or expansion, detailed plans and specifications shall be submitted for review and approved by DEQ. Within 30 days of completion of construction, the permittee shall submit as-built plans for DEQ review and approval.
Buffer Zones	All buffer zones must comply with, at a minimum, local zoning ordinances. Other minimum buffer zones are as follows: • 300 ft from reuse site and inhabited dwellings • 50 ft from reuse site and areas accessible by the public • 100 ft from reuse site and permanent and intermittent surface water • 50 feet from reuse site and irrigation ditches and canals • 500 feet from reuse site and private water supply wells[1] • 1000 feet from reuse site and public water supply wells[1] • Berms and other BMPs shall be used to protect the well head of on-site wells. 1) These buffer zone distances shall be maintained unless a Department approved well location acceptability analysis indicates an alternative buffer zone is acceptable
Water Protection Requirement	Reuse facilities with existing or planned cross connections or interconnections between the recycled water system and any water supply, shall have approved backflow prevention assemblies as required in applicable rule, or regulation. Such assemblies shall be adequately maintained, and shall be tested annually. Records of backflow assembly test results shall be kept at the reuse facility along with other operational records, and shall be 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.

F. Permit Limits and Conditions

Category	Permit Limits and Conditions
	Backflow prevention may be required on a case-by-case basis, as determined by DEQ, to isolate different classes of recycled water.
Odor Management	The land application facilities and other operations associated with the facility shall not create a public health hazard or nuisance conditions including odors. These facilities shall be managed in accordance with the DEQ approved Nuisance Odor Management Plan. In the event that nuisance odors, verified by DEQ, occur, the Plan shall be revised as necessary to eliminate or minimize the reoccurrence of nuisance odors.
Posting Requirements	Signs shall be posted around the land application systems near all homes located around the perimeter of the site and at the entrance of all access roads into the site. At a minimum, the signs shall state "No Trespassing" or equivalent.
Runoff Control	The permittee shall implement the DEQ approved Runoff Management Plan and shall construct, operate, and maintain the control structures and other BMPs in accordance with the plan.
Allowable Crops	Crops grown for direct human consumption (those crops that are not processed prior to consumption) are not allowed.
Waste Solids Management	Application of waste solids on the land application sites shall be in accordance with the DEQ approved Waste Solids Management Plan in the O&M Manual.

G. Monitoring Requirements

The Permittee is allowed to apply wastewater and treat it on a land application site as prescribed in the table below and in accordance with all other applicable permit conditions and schedules.

1) Appropriate analytical methods, as given in the *Idaho Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater*, or as approved by the Idaho Department of Environmental Quality (hereinafter referred to as DEQ), shall be employed. A description of approved sample collection methods, appropriate analytical methods and companion QA/QC protocol shall be included in the facility's Quality Assurance Project Plan (QAPP), which shall be part of the Operation and Maintenance Manual.

2) The permittee shall monitor and measure parameters as stated in the Facility Monitoring Table in this section.

3) Samples shall be collected at times and locations that represent typical environmental and process parameters being monitored.

4) Unless otherwise agreed to in writing by DEQ, data collected and submitted shall include, but not be limited to, the parameters and frequencies in the Facility Monitoring Table on the following pages. Wastewater monitoring is required at the frequency show in the table below if wastewater is applied anytime during the time period shown.

5) Ten (10) soil sample locations shall be selected for each Soil Monitoring Unit (SMU) with greater than fifteen acres and Five (5) soil sample locations shall be selected for each SMU with fifteen acres or less. Three (3) soil samples shall be collected at each sample location, one at 0-12 inches, one at 12-24 inches, and one at 24-36 inches, or refusal. The soil samples collected at each depth shall be composited to yield three (3) samples for analysis from each SMU.

6) Ground Water Monitoring Procedure: Ground Water Monitoring Wells shall be purged a minimum of three casing volumes and/or until field measurements for pH, specific conductance and temperature meet the following conditions: two successive temperature values measured at least five minutes apart are within one degree Celsius of each other, pH values for two successive measurements measured at least five minutes apart are within 0.2 units of each other, and two successive specific conductance values measured at least five minutes apart are within 10% of each other. This procedure will determine when the wells are suitable for sampling for constituents required by the permit. Other procedures, such as low flow sampling, may be considered by DEQ for approval. The static water level shall be measured prior to pumping or sampling for ground water.

7) Annual reporting of monitoring requirements is described in Section H, Standard Reporting Requirements.

8) Monitoring locations are defined in Appendix 1, "Environmental Monitoring Serial Numbers".

G. Monitoring Requirements

Facility Monitoring Table

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Daily	Flow meter	Flow of wastewater into land application system	Volume (million gallons and acre-inches) to each hydraulic management unit (HMU), record daily, compile monthly
Monthly	Effluent to land application (WW-002202 under normal conditions, during application at the expansion site) (Sample WW-002201 only during application to emergency/plant site)	Wastewater quality into land application system – 24-hr. Composite	Chemical Oxygen Demand, Total Kjeldahl Nitrogen, Ammonia-Nitrogen, Nitrite + Nitrate-Nitrogen, Total Phosphorus, Chloride, Electrical Conductivity, Potassium, pH, Total Dissolved Solids (TDS), Volatile Dissolved Solids (VDS)
Daily	Flow meter or Calibrated Pump Rate	Supplemental Irrigation Water	Volume (million gallons and acre-inches) to each HMU, record daily, compile monthly
Daily during NGS (when land applying)	Each HMU	Visual Observation	Field condition observations for areas of ponding, ice, unusual conditions, etc.)
Quarterly – Jan, April, July and Oct	Each Ground Water monitoring well, listed in Appendix 1	Ground Water-See Note 6	Water Table Elevation, Water Table Depth, Nitrate-Nitrogen, Ortho Phosphorus, Total Dissolved Solids, Total Iron, Total Manganese, Chloride, Dissolved Iron[1], Dissolved Manganese[1], pH, Conductivity, and Temperature.

G. Monitoring Requirements

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Quarterly – Jan, April, July and Oct, for the first three years; annually – April, thereafter (Note: If excessive frost or snow accumulation occur during the January sampling, delay sampling until conditions allow sampling, but sample as close to January as possible)	Each SMU	Soil - See Note 5	Total Kjeldahl Nitrogen, Ammonium-Nitrogen, and Nitrate-Nitrogen.
Each Harvest	Each HMU	Crop type and yield	Pounds/acre and total pounds per HMU (specify moisture basis)
Each Harvest	Each HMU	Plant tissue analysis: Composite sample of harvested portion	Nitrate-nitrogen, Total Kjeldahl Nitrogen, Total Phosphorus, ash (dry basis)
Annually (April)	Each SMU	Soil - See Note 5	Electrical Conductivity, Plant Available Phosphorus (Olsen method), pH, % organic matter, potassium, and SAR.

G. Monitoring Requirements

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Annually	Each HMU	Calculate both GS and NGS wastewater loading rate	Million gallons/HMU & Inches/acre for each HMU
		Calculate Season-Specific Irrigation Water Requirement for comparison with GS hydraulic loading.	Inches/acre-month for each crop type
		Calculate seasonal average COD loading rate for both GS and NGS	Pounds/acre-day
		Calculate wastewater nitrogen, phosphorus, and NVDS loading rates	Pounds/acre-year
		Report nitrogen and phosphorus fertilizer application rates	Type and Pounds/acre-year
Annually	Each HMU	Calculate nitrate-nitrogen, phosphorus, and NVDS loading rates from supplemental irrigation application.	Pounds/acre-year

G. Monitoring Requirements

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
		Calculate nitrogen and phosphorus application rates from waste solids	Pounds/acre-year
		Calculate crop nitrogen, phosphorus, and ash removal	Pounds/acre and total pounds per HMU (dry basis)
Annually	All flow measurement locations.	Flow measurement calibration of all flows to land application.	Document the flow measurement calibration of all flow meters and pumps used directly or indirectly measure all wastewater, tail water, flushing water, and supplemental irrigation water flows applied to each HMU.
Annually	All supplemental irrigation pumps directly connected to the wastewater distribution system.	Backflow testing	Document the testing of all backflow prevention devices for all supplemental irrigation pumps directly connected to the wastewater distribution system(s). Report the testing date(s) and results of the test (pass or fail). If any test failed, report the date of repair or replacement of backflow prevention device, and if the repaired/replaced device is operating correctly.
April of first and last year only.	Groundwater Monitoring Wells listed in Appendix 1.	Grab sample (See Note 6).	Sodium, Potassium, Calcium, Magnesium, Sulfate, Carbonate, Bicarbonate.
April of first and last year only.	Each SMU	Soil - See Note 5	Conduct DTPA Fe and Mn analyses only

1. Analytical results are required for dissolved iron and/or manganese only if the results for total iron and/or manganese exceed the standards in IDAPA 58.01.11.200.01.b.

H. Standard Reporting Requirements

1.) The Permittee shall submit an Annual Wastewater Reuse Site Performance Report ("Annual Report") prepared by a competent environmental professional no later than February 28 of each year, which shall cover the previous reporting year. The Annual Report shall include an interpretive discussion of monitoring data (ground water, soils, hydraulic loading, wastewater etc.) with particular respect to environmental impacts by the facility.

2.) The annual report shall contain the results of the required monitoring as described in *Section G. Monitoring Requirements*. If the permittee monitors any parameter more frequently than required by this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the annual report.

3.) The annual report shall be submitted to the following DEQ Regional DEQ Office at this address.

David Anderson, Engineering Manager
Idaho Department of Environmental Quality
Twin Falls Regional Office
1363 Fillmore Street
Twin Falls, ID 83301
208-736-2190

4.) Notice of completion of any work described in *Section E. Compliance Schedule for Required Activities* shall be submitted to the Department within 30 days of activity completion. The status of all other work described in Section E shall be submitted with the Annual Report.

5.) All laboratory reports containing the sample results for monitoring required by *Section G. Monitoring Requirements* of this permit shall be submitted with the Annual Report.

I. Standard Permit Conditions: Procedures and Reporting

1. The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, operational controls and monitoring, which are installed or used by the permittee to comply with all conditions of the permit or the Wastewater Reuse Permit Regulations, in conformance with a DEQ approved, current Plan of Operations (Operations and Maintenance Manual). 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. The Plan of Operations shall be updated as necessary to reflect current operations.

2. Wastewater(s) 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 U.S. Environmental Protection Agency.

3. Wastewater must not create a public health hazard or nuisance condition as stated in IDAPA 58.01.16.600.03. In order to prevent public health hazards and nuisance conditions the permittee shall:

   a. Apply wastewater as evenly as practicable to the treatment area;
   b. Prevent organic solids (contained in the wastewater) from accumulating on the ground surface to the point where the solids putrefy or support vectors or insects; and
   c. Prevent wastewater from ponding in the fields to the point where the ponded wastewater putrefies or supports vectors or insects.

4. The permittee shall:

   a. Manage the wastewater reuse treatment site as an agronomic operation where vegetative cover is grown and harvested or grazed to utilize the nutrients and minerals in the wastewater, and,
   b. Not hydraulically overload any particular areas of the wastewater reuse treatment site.

5. All waste solids, including dredgings and sludges, shall be utilized or disposed in a manner which will prevent their entry, or the entry of contaminated drainage or leachate therefrom, into the waters of the state such that health hazards and nuisance conditions are not created; and to prevent impacts on designated beneficial uses of the ground water and surface water. The permittee's management of waste solids shall be governed by the terms of the DEQ approved Waste Solids Management Plan, which upon approval shall be an enforceable portion of this permit.

6. 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 at least six months prior to the expiration date of the existing permit in accordance with the Wastewater Reuse Permit Regulations and include seepage tests on all lagoons per latest DEQ procedures.

7. The permittee shall allow the Director of the Idaho Department of Environmental Quality or the Director's designee (hereinafter referred to as Director), consistent with Title 39, Chapter 1, Idaho Code, to:

   a. Enter the permitted facility,
   b. Inspect any records that must be kept under the conditions of the permit.
   c. Inspect any facility, equipment, practice, or operation permitted or required by the permit.

d. Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility.

8. The permittee shall report to the Director under the circumstances and in the manner specified in this section:

   a. In writing 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 IDAPA 58.01.17.
   b. In writing thirty (30) days before any anticipated change which would result in non-compliance with any permit condition or these regulations.
   c. Orally within twenty-four (24) hours from the time the permittee became aware of any non-compliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director (see below)

      DEQ Regional Office: see Permit Certificate Page
      Emergency 24 Hour Number: 1-800-632-8000

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

      i. A description of the non-compliance and its cause;
      ii. The period of non-compliance including to the extent possible, times and dates and, if the non-compliance has not been corrected, the anticipated time it is expected to continue; and
      iii. Steps taken or planned, including timelines, to reduce or eliminate the continuance or reoccurrence of the non-compliance.

   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.

9. The permittee shall take all necessary actions to prevent or eliminate any adverse impact on the public health or the environment resulting from permit noncompliance.

10. The permittee shall determine (on an on-going basis) if any noxious weed problems relate to the permitted sites. If problems are present, coordinate with the Idaho Department of Agriculture or the local County authority regarding their requirements for noxious weed control. Also address these control operations in an update to the Operations and Maintenance Manual.

J. Standard Permit Conditions: Modifications, Violation, and Revocation

1. The permittee shall furnish to the Director within 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 regulations.

2. Both minor and major modifications may be made to this permit as stated in IDAPA 58.01.17.700.01, 02, and 03 with respect to any conditions stated in this permit upon review and approval of the DEQ.

3. Whenever a facility expansion, production increase or process modification is anticipated which will result in a change in the character of pollutants to be discharged or which will result in a new or increased discharge that will exceed the conditions of this permit, or if it is determined by the DEQ that the terms or conditions of the permit must be modified in order to adequately protect the public health or environment, a request for either major or minor modifications must be submitted together with the reports as described in Section I. Standard Reporting Requirements, and plans and specifications for the proposed changes. No such facility expansion, production increase or process modification shall be made until plans have been reviewed and approved by the DEQ and a new permit or permit modification has been issued.

4. Permits shall be transferable to a new owner or operator provided that the permittee notifies the Director by requesting a minor modification of the permit at least thirty (30) days before the date of transfer. 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. All requests for transfer must be approved by DEQ and shall conform to the requirements found in IDAPA 58.01.17.800.

5. Any person violating any provision of the Wastewater Reuse Permit Regulations, 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.

6. The Director may revoke a permit if the permittee violates any permit condition or the Wastewater Reuse Permit Regulations, or the Director becomes aware of any omission or misrepresentation of condition or information relied upon when issuing the permit. All permit revocations shall conform to the requirements outlined in IDAPA 58.01.17.920.

7. 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 request an administrative hearing in writing to the Board of Environmental Quality pursuant to the Rules of Administrative Procedures contained in IDAPA 58.01.23.

8. If, pursuant to Idaho Code 67-5247, 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, a revocation hearing before the Board of Environmental Quality shall be provided. Such hearings shall be conducted in accordance with the Rules of Administrative Procedures contained in IDAPA 58.01.23.

9. 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.

J. Standard Permit Conditions: Modifications, Violation, and Revocation

10. 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.

11. 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.

Appendix 1
Environmental Monitoring Serial Numbers

HYDRAULIC MANAGEMENT UNITS

Serial Number	Description	Acres
MU-002221	Pivot 1N	64.1
MU-002222	Pivot 2N & Expansion Acreage Hand line Field B (Previously part of MU-002227)	116.5
MU-002223	Pivot 3N (non-cropped rock outcrop wedge excluded)	133.6
MU-002224	Pivot 4N	41.0
MU-002225	Pivot 5N	53.8
MU-002226	Pivot 6N & Expansion Acreage Hand line Field A (Previously part of MU-002227)	57.8
MU-002228	Pivot 8 ("future Pivot" Plant Site /emergency acreage)	18.3
MU-002229	Pivot 9 (Plant Site / emergency acreage)	62
MU-002230	Fields 1a, 2, and 4 (Plant Site / emergency acreage)	16.2

Notes:
1) Acreage values in this table are from Drawing No: 2421022F1, Cascade Earth Sciences dated 5/19/2004, revised 11/20/2004 and are the acreage values used in this permit for compliance and enforcement purposes.

WASTEWATER/SOLIDS SAMPLING POINTS

Serial Number	Description
WW-002201	Wastewater prior to land application (composite sample at Facility surge pond)
WW-002202	Wastewater prior to land application (composite sample at Expansion Acreage surge pond)
WS-002201	Waste Solids applied to HMUs (grab sample)

Appendix 1
Environmental Monitoring Serial Numbers

SOIL MONITORING UNITS

Serial Number	Description	Associated MU
SU-002221	Pivot 1N	MU-002221
SU-002222	Pivot 2N & Expansion Acreage Hand line Field B (Hand line Field B Previously part of MU-002227)	MU-002222
SU-002223	Pivot 3N (non-cropped rock outcrop wedge excluded)	MU-002223
SU-002224	Pivot 4N	MU-002224
SU-002225	Pivot 5N	MU-002225
SU-002226	Pivot 6N & Expansion Acreage Hand line Field A (Hand line Field A Previously part of MU-002227)	MU-002226
SU-002228	Pivot 8 ("future Pivot" Plant Site /Emergency acreage)	MU-002228
SU-002229	Pivot 9 (Plant Site /Emergency acreage)	MU-002229
SU-002230	Fields 1a, 2, and 4 (Plant Site /Emergency acreage)	MU-002230

GROUND WATER MONITORING

Serial Number	Description
GW-002203	New Preston Well (Private Well)
GW-002207	MW 2 (Monitoring Well)
GW-002208	MW 3 (Monitoring Well)
GW-0022012	MW 4 (Monitoring Well)
GW-0022010	MW 5 (Monitoring Well)
GW-0022011	MW 6 (Monitoring Well)

Appendix 1
Environmental Monitoring Serial Numbers

LAGOONS

Serial Number	Description
LG-002201	Lined Wastewater Surge Pond at Facility
LG-002202	Lined Wastewater Surge Pond at Expansion Acreage

Appendix 2
Site Maps

Site Maps

a) Figure 1. Site Location Map (Prepared by DEQ).
b) Figure 2. Plant Site Map (Prepared by DEQ).
c) Figure 3. Expansion Site Map (Prepared by DEQ).

Appendix 2
Site Maps

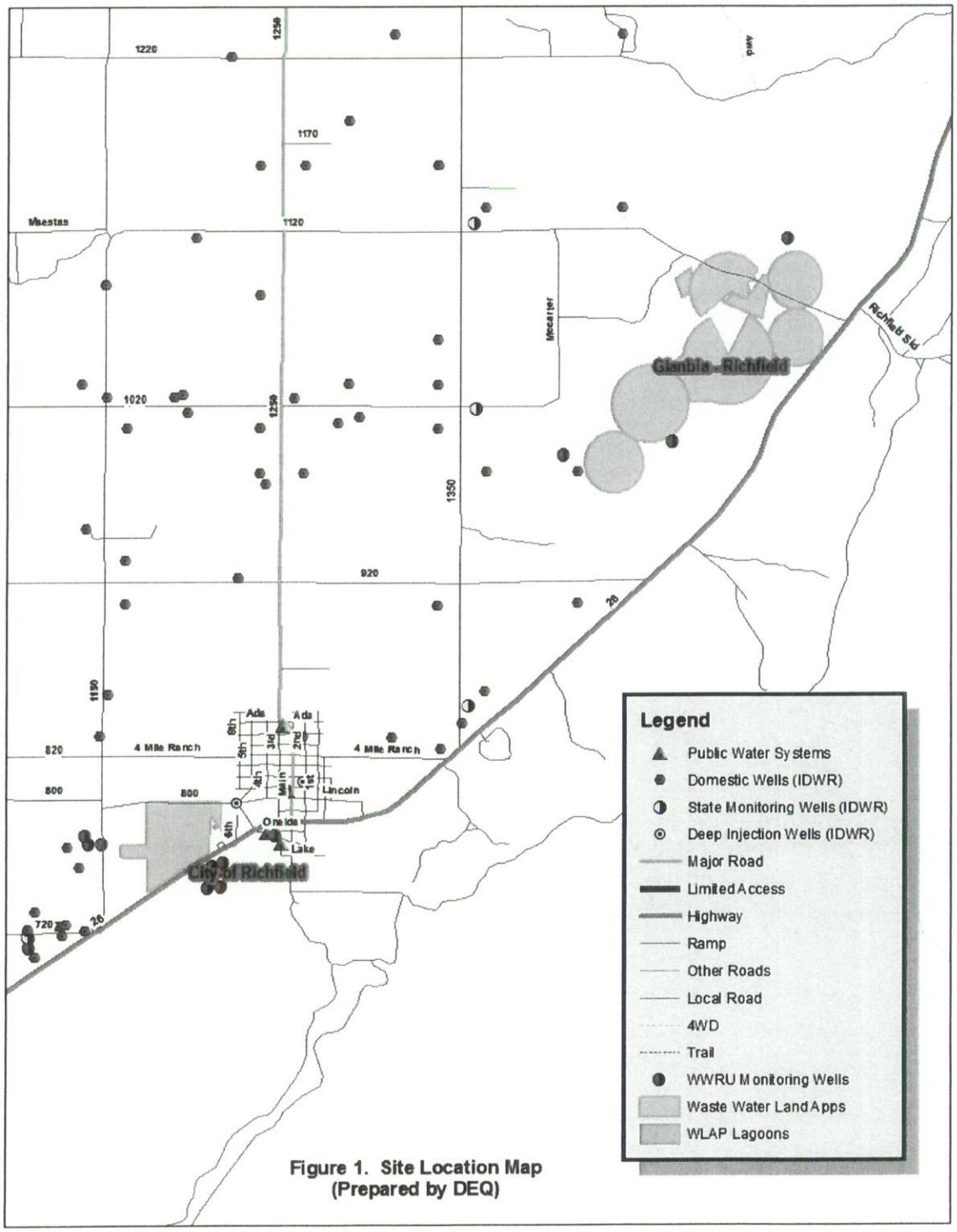

Figure 1. Site Location Map (Prepared by DEQ)

Appendix 2
Site Maps

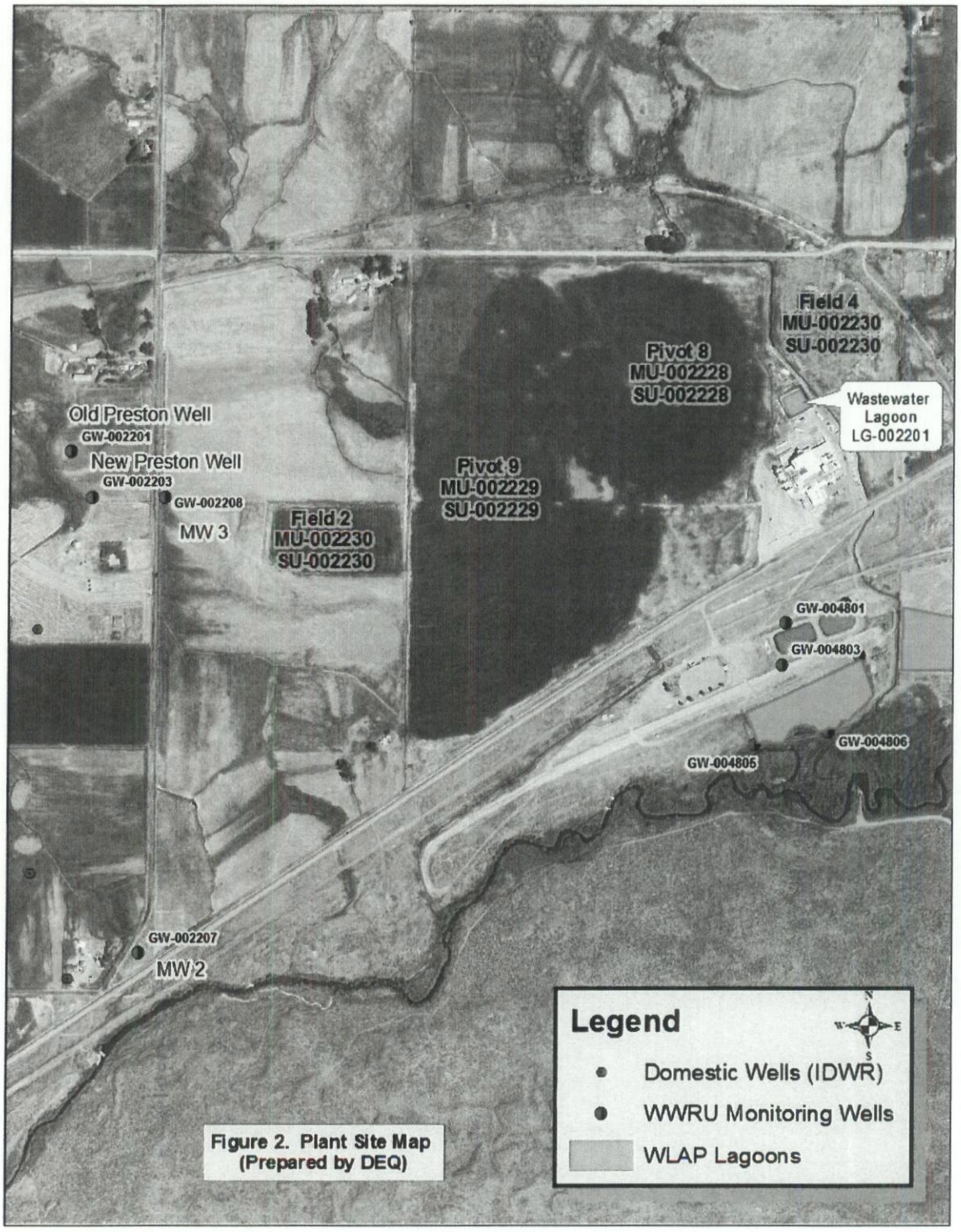

Figure 2. Plant Site Map
(Prepared by DEQ)

Appendix 2
Site Maps

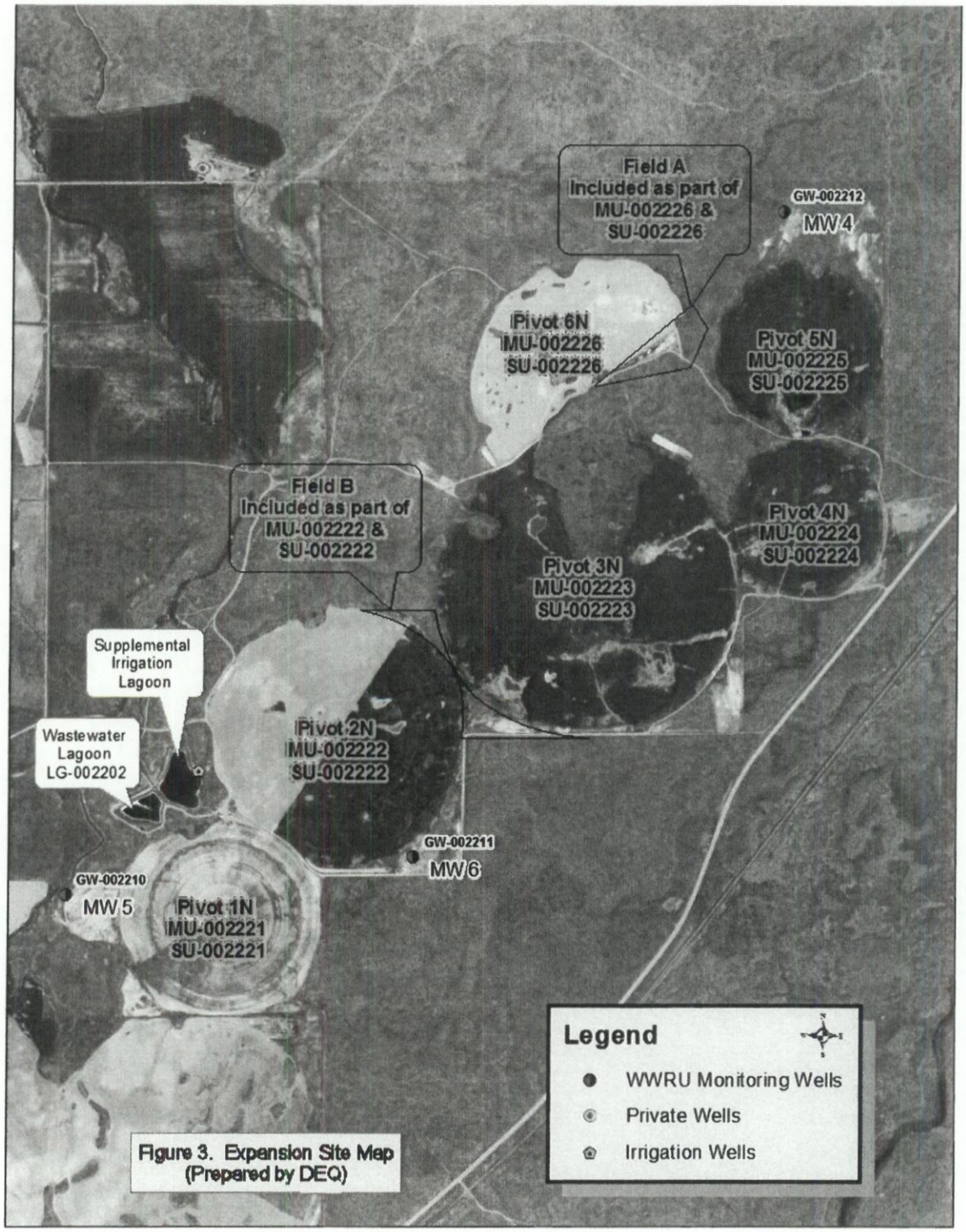

Figure 3. Expansion Site Map
(Prepared by DEQ)