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**IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY**

**DRAFT REUSE PERMIT**

**M-034-03**

(Previous Permit Number LA-000034-02)

The City of Lava Hot Springs (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 \_\_\_\_\_

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Bruce Olenick  
Regional Administrator  
Pocatello Regional Office  
Idaho Department of Environmental Quality

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Date

Department of Environmental Quality  
Pocatello Regional Office  
444 Hospital Way, Building #300  
208-236-6160  
Pocatello, ID. 83201

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## 1. Acronyms, Abbreviations and Definitions

BMP	best management practice
cwt	a unit of weight measurement equal to 100 pounds
DEQ	Idaho Department of Environmental Quality
DEQ Guidance	DEQ Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater, latest revision
Director	Director of the Idaho Department of Environmental Quality or designee unless otherwise specified
DTPA	diethylene triamine pentaacetic acid
EPA	Environmental Protection Agency
E <sub>i</sub>	irrigation efficiency
FM	flow measurement or monitoring description or identifier
GW	prefix for ground water reporting serial number
HDPE	high density polyethylene
IDAPA	Idaho Administrative Procedures 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: $IWR = P_{def} / E_i$
LG	prefix for lagoon reporting serial number
MG	million gallons
mg/kg	milligram per kilogram
mg/L	milligram per liter
MU	prefix for management unit reporting environmental serial number
NPDES	National Pollutant Discharge Elimination System
P <sub>def</sub>	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 <a href="http://data.kimberly.uidaho.edu/ETIdaho/">http://data.kimberly.uidaho.edu/ETIdaho/</a>
PO	plan of operation
QAPP	quality assurance project plan
SU	prefix for soil monitoring unit reporting serial number
SW	prefix for supplemental irrigation water reporting serial number
WW	prefix for wastewater reporting serial number

## 2. Facility Information

Information Type	Information Specific for This Permit
<b>Type of recycled water</b>	Municipal Class D
<b>Method of treatment and reuse</b>	Preliminary treatment via regulated flow through the established 4-cell, facultative and aerated lagoon system. Recycled water is sent from cell 4, to the winter storage lagoon. Disinfection of recycled water to Class D recycled water standards occurs following the winter storage lagoon. Recycled water is used for crop irrigation via slow rate land application.
<b>Facility mailing address</b>  <b>Phone / Fax</b>  <b>Location</b>  <b>E-mail</b>	115 West Elm Street Lava Hot Springs, ID 83246  Phone: 208-776-5820 FAX: 208-776-5130  Township 9S, Range 38 East, Section 20, and Section 30  <a href="mailto:lavapublicworks@gmail.com">lavapublicworks@gmail.com</a>
<b>Facility contact information</b>	Responsible Official: <ul style="list-style-type: none"> <li>• T. Paul Davids, III, Mayor</li> </ul> Authorized Representative: <ul style="list-style-type: none"> <li>• Tony Hobson, Facility Operator</li> </ul>
<b>Ground Water</b>	Depth to ground water 55 ft., at the winter storage lagoon. Beneficial uses: agriculture, domestic  The reuse area is not within the boundaries of a nitrate priority area.  Public Water Supply wells > 1000 feet  Groundwater flow reported toward the Portneuf River to the north
<b>Surface Water</b>	Topaz Irrigation Canal (seasonal), Portneuf River adjacent to the treatment lagoons, and closest point 900 feet north of the winter storage lagoon.  Beneficial uses: Cold water communities, salmonid spawning, and secondary contact recreation

### 3. Compliance Schedule for Required Activities

Compliance Activity Number and Completion Due Date	Compliance Activity Description												
CA-034-01 As Specified	<p><b>Seepage Testing:</b> The following table shows the date by which the permittee shall complete seepage testing on the specified lagoons:</p> <table border="1" data-bbox="444 516 1333 751"> <thead> <tr> <th>Lagoon:</th> <th>Seepage Test Due Date:</th> </tr> </thead> <tbody> <tr> <td>LG-03401</td> <td>11/2023</td> </tr> <tr> <td>LG-03402</td> <td>11/2024</td> </tr> <tr> <td>LG-03403</td> <td>11/2023</td> </tr> <tr> <td>LG-03404</td> <td>11/2023</td> </tr> <tr> <td>LG-03405</td> <td>11/2023</td> </tr> </tbody> </table> <p>Submit to DEQ for review and approval a proposed schedule and procedure for performing the required seepage tests at least 42 days prior to the planned seepage test. Guidance for developing seepage test procedures are available at: <a href="http://www.deq.idaho.gov/water-quality/wastewater/lagoon-seepage-testing.aspx">http://www.deq.idaho.gov/water-quality/wastewater/lagoon-seepage-testing.aspx</a>                      The seepage test procedures shall be sealed by the Idaho licensed professional engineer or professional geologist in responsible charge for the test.</p> <p>Seepage tests shall be completed in accordance with the procedures approved by DEQ. The seepage test report shall be sealed by the person in responsible charge and submitted within 90 days after completion of the seepage test.</p> <p>For municipal lagoons, the leakage rate for lagoons constructed after April 15, 2007 shall be no more than zero point one hundred twenty-five (0.125) inches (1/8 inch) per day. The leakage rate for existing lagoons constructed prior to April 15, 2007 shall be no more than zero point twenty-five (0.25) inches (1/4 inch) per day. See IDAPA 58.01.16.493.03. Requirements for lagoons leaking above the allowable amount are outlined in IDAPA 58.01.16.493.04.</p>	Lagoon:	Seepage Test Due Date:	LG-03401	11/2023	LG-03402	11/2024	LG-03403	11/2023	LG-03404	11/2023	LG-03405	11/2023
Lagoon:	Seepage Test Due Date:												
LG-03401	11/2023												
LG-03402	11/2024												
LG-03403	11/2023												
LG-03404	11/2023												
LG-03405	11/2023												
CA-034-02 12 months prior to permit expiration	<p>If the permittee intends to continue operating the wastewater reuse facility beyond the expiration date of this permit, the permittee 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-034-03 One hundred eighty (180) days prior to permit expiration	<p>The permittee shall submit to DEQ a complete permit renewal application package, which fulfills the requirements specified at the pre-application workshop identified in CA-034-02.</p>												

## 4. Permit Limits and Conditions

### 4.1. Hydraulic Management Unit Descriptions

Serial Number	Description	Irrigation System Type and Irrigation Efficiency (E <sub>i</sub> )	Maximum Acres <sup>a</sup> Allowed
MU-03403	Management Unit	Wheel Lines (E <sub>i</sub> = 0.80)	70
Total acreage			70

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

### 4.2. Hydraulic Loading Limits

Serial Number	Growing season hydraulic loading	Non-growing season maximum hydraulic loading
MU-03403	Substantially at the crop specific irrigation water requirement (IWR) <sup>a</sup>  <b>Not to exceed 66 Million Gallons of recycled water annually</b>  IWR calculated using data from the following site: <a href="http://www.kimberly.uidaho.edu/ETIdaho/">http://www.kimberly.uidaho.edu/ETIdaho/</a> . McCammon -NWS Station	(NGS Loading is not proposed)

- a. Irrigation Water Requirement (IWR) – Any combination of wastewater and supplemental irrigation water applied at rates commensurate to meet the moisture requirements of the crop, and calculated monthly during the growing season (GS).

For compliance purposes, the source of P<sub>def</sub> data used to calculate the IWR shall be specified in the PO.

### 4.3. Constituent Loading Limits

Serial Number	Constituent loading limit (from all sources)			
	Nitrogen (lb per acre) <sup>a</sup>	Phosphorus (lb per acre)	Salt (Non-volatile dissolved solids, NVDS) (lb per acre)	COD (lb per acre)
MU-03403	150% of crop uptake	N/A	N/A	N/A

- a. Typical crop uptake is the median constituent crop uptake from the 3 most recent years the crop has been grown. For crops having less than 3 years of on-site crop uptake data, other crop yield data or nutrient content values may only be used if approved in writing by DEQ in advance of use. If written approval is not provided by DEQ, compliance with the 150% nitrogen loading limit shall be determined by comparing the current year nitrogen loading to the current year nitrogen uptake.

N/A indicates not applicable as a limited constituent at this time.

#### 4.4. Management Unit Buffer Zones

##### Class D Recycled Water- sprinkler irrigation in a rural area

Serial Number	Buffer Distances (in feet) from Hydraulic Management Units					
	Public Water Supplies	Private Water Supplies	Inhabited Dwellings	Permanent and Intermittent Surface Water	Irrigation Ditches and Canals	Areas Accessible to the Public
MU-03403	1,000	500	300	50	25	50

#### 4.5. Other Permit Limits and Conditions

Category	Permit Limits and Conditions
Growing Season	April 1 through October 31 (214 days)
Non-growing Season	November 1 through March 31 (151 days)
Reporting Year for Annual Loading Rates	November 1 through October 31
Disinfection limits in Class D recycled water Applied to MU-03403	Class D: The median number of total coliform organisms does not exceed two hundred thirty (230) per one hundred (100) milliliters, as determined from the bacteriological results of the last three (3) days for which analyses have been completed. No sample shall exceed two thousand three hundred (2300) organisms per one hundred (100) milliliters in any confirmed sample.
Crop or vegetation restrictions	Refer to 58.01.17.602.02, Table 3 which specifies the type of crop or vegetation that can be grown based of the class of municipal recycled water used.
Grazing	Grazing is allowed according to the Grazing Management Plan in the Plan of Operation (PO), once approved by DEQ.
Posting for Class D	For the public, signs must be posted around the perimeter of the irrigation site stating that recycled water is used and is not safe for drinking or human contact. Signs shall be posted and must state "Warning: Recycled Water - Do Not Enter", or equivalent signage both in English and Spanish.
Fencing	Three-wire fencing minimum required around the treatment lagoons, the winter storage lagoon, and hydraulic management unit MU-03403.

Operator Licensure	The wastewater treatment facility and reuse system shall be operated by personnel certified and licensed in the State of Idaho wastewater operator training program at the operator class level specified in IDAPA 58.01.16.203 of the Wastewater Rules and properly trained to operate and maintain the system.
Construction Plans & Specifications	Pursuant to Idaho Code §39-118, IDAPA 58.01.16, and IDAPA 58.01.17, detailed plans and specifications shall be submitted to DEQ for review and approval prior to construction, modification, or expansion of any wastewater treatment, storage, conveyance structures, or reuse facility. Inspection requirements shall be satisfied and within 30 days of completion of construction and the permittee shall submit as-built plans or a letter from an Idaho Professional Engineer certifying the facilities or structures were constructed in substantial accordance with the approved plans and specifications.
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.

## 5. Monitoring Requirements

### 5.1. Recycled Water and Irrigation Water Monitoring, 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-03403  Recycled water sampling point following final treatment and disinfection, just prior to land application	Recycled water after chlorination and before application to MU-03403	24-hour composite sample a minimum of four (4) individual aliquots evenly distributed by volume and over time.  Reported monthly for MU-03403, during periods of recycled water use	- Total nitrogen  First year of permit only: - Total phosphorus - NVDS
		Monthly Grab Sample Reported monthly for MU-03403 during periods of recycled water use  In order to calculate the median coliform limits: A minimum of 3 weekly samples will be collected in the first month, (or 30 days) of operation (when operating) <u>each year</u> to determine compliance with the Class D disinfection standards listed in Table 4.5 of this permit  Return to standard sampling thereafter, once the minimum number of confirmed samples are taken and recorded.	-Total Coliform Organisms (CFU/100 mL)
SW-03403  Irrigation water from the Topaz Canal, another surface water source or groundwater source if applied to the site	Irrigation water prior to mixing with recycled water, and prior to being applied to MU-03403	Grab sample Twice - April and August of first permit year when irrigating	- Total nitrogen - Total phosphorus - NVDS

### 5.1.2. Management Unit Flow Monitoring

Management Unit or Flow Measurement Serial Number and Location	Sample Description	Sample Type and Frequency	Measured Parameters, each MU
MU-03403  Treatment lagoon / winter storage lagoon pump house flow meter at either pump house supplying recycled water to any management unit	Recycled Water volume from LG-03405 after disinfection, prior to application on: MU-03403	- Daily meter reading.  - Monthly, seasonal, and annual compilation of data	- Daily effluent volume  (MG per month and depth reported as inches per acre per month)
MU-03403  Flow meter or flow measuring device for supplemental irrigation water pump	Volume of water from the Topaz Canal surface water source MU-03403	- Daily flow meter readings, Daily pump run times, or hour meter readings and volume conversions  - Monthly, seasonal, and annual compilation of data	- Daily Irrigation water volume when applying  (MG per month and depth reported as inches per acre per month)

## 5.2. Ground Water Monitoring

### 5.2.1. Ground Water Monitoring Point Descriptions

Monitoring Point Serial Number	Common Designation	Location	Well type
GW-03404	Chlorinator Building Well	Downgradient from treatment lagoons	Water supply well sampled as a monitoring well at the lagoon site
GW-03405	MW 1	Upgradient to MU-03403	Monitoring well Upgradient from Management Unit, and Upgradient from the Winter Storage Lagoon
GW-03406	MW 2	Downgradient to MU-03403	Monitoring well Downgradient from the Management Unit, and Downgradient from GW-03405
GW-03407	MW 3	Downgradient to MU-03403	Monitoring well Downgradient from the Management Unit, and Downgradient from GW-03405

### 5.2.2. Ground Water Monitoring, Sampling, and Analyses

Monitoring Point Serial Number	Sampling Point Description	Sample Type and Frequency	Constituents (units in mg/L unless otherwise specified)
GW-03404 GW-03405 GW-03406 GW-03407	Monitoring wells	Unfiltered grab sample/twice annually (unless otherwise specified): April and October	- Water table elevation (1/100 of a foot) - Water table depth (1/100 of a foot) - Nitrate-nitrogen - Total Dissolved Solids - pH (Standard Units) - Total Coliform Organisms (CFU/100 mL)

### 5.3. Soil Monitoring

#### 5.3.1. Soil Monitoring Unit Descriptions

Monitoring point serial number	Description	Associated MU
SU-03403	Soil Management Unit	MU-03403

#### 5.3.2. Soil Monitoring, Sampling, and Analyses

Monitoring point serial number	Sample type (see Note)	Sample frequency	Constituents (units in mg/kg soil unless otherwise specified)
SU-03403	Composite samples <sup>a</sup>	Annually in March or April, prior to recycled water application or fertilizer application.	- pH (standard units) - Plant available phosphorus (Olsen Method) - Nitrate - nitrogen - Ammonium nitrogen - Electrical conductivity (µmhos/cm in saturated paste extract)
		First year of permit only	- Chloride - Percent organic matter - Sodium adsorption ratio - SAR (unitless)

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

## 5.4. Plant Tissue Monitoring

### 5.4.1. Crop Harvest Monitoring

Associated Hydraulic Management Units	Sample type	Sample Frequency	Parameters <sup>a</sup>
MU-03403	Harvested portion, each crop, From the management unit.  Reported separately by acreage if different crops are grown	Each harvest	<ul style="list-style-type: none"> <li>- Crop type</li> <li>- Harvest date</li> <li>- Sample collection date</li> <li>- Harvested acreage (acres)</li> <li>- As-harvested ('wet') yield in customary harvested units (tons, bushels, cwt, etc.).</li> <li>- As-harvested (field) moisture content (%)</li> <li>- Dry yield (lb)</li> </ul>

a. Documentation of reported yields shall be provided for each harvest from each MU.

### 5.4.2. Plant Tissue Monitoring

Associated Hydraulic Management Units	Sample Type	Sample Frequency	Parameters <sup>a</sup>
MU-03403	Harvested portion, each crop  Reported separately by acreage if different crops are grown	Each harvest	<ul style="list-style-type: none"> <li>- Moisture content (%);</li> <li>- Total Kjeldahl nitrogen (%);</li> <li>- Nitrate nitrogen, as N (ppm)</li> <li>- Phosphorus as P (ppm)</li> <li>- Ash (%)</li> </ul>

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

## 5.5. Lagoon Information

Serial number	Description	Estimated Surface Area, acres	Maximum Operating Volume, MG	Liner Type
LG-03401	Cell 1 Primary Treatment Aerated Lagoon	1	2.8	HDPE
LG-03402	Cell 2 Primary Treatment Aerated Lagoon	1.5	3.9	HDPE
LG-03403	Cell 3 Primary Treatment Facultative Lagoon	0.63	1.7	HDPE
LG-03404	Cell 3 Primary Treatment Facultative Lagoon	3.1	7.1 (6 foot depth) 10.7 (9 foot depth)	HDPE
LG-03405	Winter Storage Lagoon	11.8	33	HDPE

## **6. Reporting Requirements**

### **6.1. Annual Report Requirements**

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

#### **6.1.1. Due Date**

The Annual Report is due no later than January 31 of each year, which shall cover the previous reporting year.

#### **6.1.2. Required Contents**

The Annual Report shall include the following:

1. 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 4.5.
2. Results of the required monitoring as described in Section 5 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 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: 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. Submittal of the calculations and observations for hydraulic management units specified in the table below.
8. All laboratory analytical reports, chain of custody forms, and crop yield documentation.
9. The parameters in the following table:

Monitoring Point Serial Number	Parameter (Calculate for each MU)	Units
MU-03403	Recycled water loading rate	Million gallons per month, and Inches per month
	Supplemental Irrigation water loading rate	Million gallons per month, and Inches per month
	Irrigation water requirement (IWR) for each crop grown Calculate IWR and report adherence with IWR	Inches per month calculated, and Total inches applied during the GS
	Recycled water nitrogen annually. Phosphorus, and NVDS loading rates first year only	Pounds per acre per year on a monthly and annual basis
	Recycled Water Coliform Sampling, including regular sampling and any confirmatory samples	CFU/100 ml
	Supplemental Irrigation water nitrogen, phosphorus, and NVDS loading rates, first year only	Pounds per acre per year on a monthly and annual basis
	Fertilizer nitrogen and phosphorus application rates, reported separately as elemental N and P	Pounds per acre per year on a monthly and annual basis
	Crop harvest and yield Report each harvest and the annual totals for the MU.	Crop types harvested Total harvested area (acres) Total 'wet' yield (lb/acre per year) Total 'dry' yield (lb/acre per year)
	Crop nitrogen, phosphorus, and ash removal rates (dry- basis) Report each harvest and the annual totals for the MU.	Pounds-N per acre per year Pounds-P per acre per year Pounds Ash per acre per year

**6.1.3. Submittals**

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

1. Permit applications shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer;
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively;
  - c. For a municipality, state, federal, Indian tribe, or other public agency: by either the principal executive officer or ranking elected official.

2. Annual reports and other information requested by DEQ shall be signed by the responsible official or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by the responsible official;
  - b. 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; and
  - c. 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  
Pocatello Regional Office  
444 Hospital Way #300  
Pocatello, ID 83201

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

*"I certify that the information provided in this submittal was prepared in conformance with the Quality Assurance Project Plan required by permit M-014-02, and is to the best of my knowledge, true, accurate and complete and I acknowledge that knowing submission of false or incomplete information may result in permit revocation as provided for in IDAPA 58.01.17.920.01 or other enforcement action as provided for under Idaho law."*

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

*"I certify that the information provided in this submittal is, to the best of my knowledge, true, accurate and complete and I acknowledge that knowing submission of false or incomplete information may result in permit revocation as provided for in IDAPA 58.01.17.920.01, non-issuance of the permit, or other enforcement action as provided for under Idaho law."*

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

## 6.2. Emergency and Noncompliance Reporting

Report noncompliance incidents to DEQ's regional office at 208-236-6160, or 1-800-655-6160

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

See Section 8, "Standard Permit Conditions," and IDAPA 58.01.17.500.06 for reporting requirements for facilities.

All instances of 1) permit non-compliance which may endanger public health or the environment and 2) unauthorized discharges to surface waters of the State of Idaho shall be reported to DEQ's regional office by telephone within 24 hours from the time the permittee becomes aware of the discharge at the phone numbers provided in this section.

A written follow-up shall be provided to the DEQ regional office within 5 days from the time the permittee became aware of the permit non-compliance or unauthorized discharge.

Reporting of unauthorized discharges to surface waters of the United States to the Environmental Protection Agency (EPA) may also be required. Contact information for EPA is provided below:

EPA Contact Information:

NPDES/Stormwater Coordinator, USEPA Idaho Operations Office

950 W. Bannock, Suite 900

Boise, ID 83702

(208) 378-5746 / (208) 378-5744 and EPA Hot Line (206) 553-1846

## 7. Section 7 – Reserved

## 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 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: (4-1-88)

- 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)

## **9. General Permit Conditions**

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

### **9.1. Operations**

#### **9.1.1. Backflow Prevention**

Reuse facilities with existing or planned cross-connections or interconnections between the recycled water system and any water supply (potable or nonpotable) or surface water, shall have backflow prevention assemblies, devices, or methods as required by applicable rule or as specified in this permit and approved by DEQ.

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

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

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

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

Records of all testable backflow assembly test results, repairs, and replacements shall be kept at the reuse facility along with other operational records, and shall be discussed in the Annual Report and made available for inspection by DEQ. Other approved means of backflow prevention, such as siphons and air-gap structures that cannot be tested, shall be maintained in operable order.

#### **9.1.2. Restricted to Premises**

Wastewaters or recharge waters applied to the land surface must be restricted to the premises of the application site. Wastewater discharges to surface water 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. 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).

#### 9.1.4. Solids Management

**Biosolids** are the nutrient-rich organic materials resulting from the treatment of sewage sludge. When treated and processed, sewage sludge becomes biosolids 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 EPA under 40 CFR Part 503 and require a DEQ approved sludge disposal plan as outlined in IDAPA 58.01.16.650. Contact DEQ prior to application of 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 is generated by wastewater treatment processes at municipal and industrial facilities.

**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 solids 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.

### **9.1.5. 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)

### **9.1.6. 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)

### **9.1.7. Seepage Testing Requirements (IDAPA 58.01.16.493.02.c)**

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

### **9.1.8. Ground Water Quality Rule (IDAPA 58.01.11)**

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

## 9.2. Administrative

Requirements for administration of the permit are defined as follows.

### 9.2.1. Permit Modification (IDAPA 58.01.17.700)

**01. 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)

### 9.2.2. Permit Transferable (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)

### 9.2.3. 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)

#### **9.2.4. 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)

#### **9.2.5. 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.

## **10. Other Applicable Laws**

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

Figure 1. City of Lava Hot Springs Vicinity map

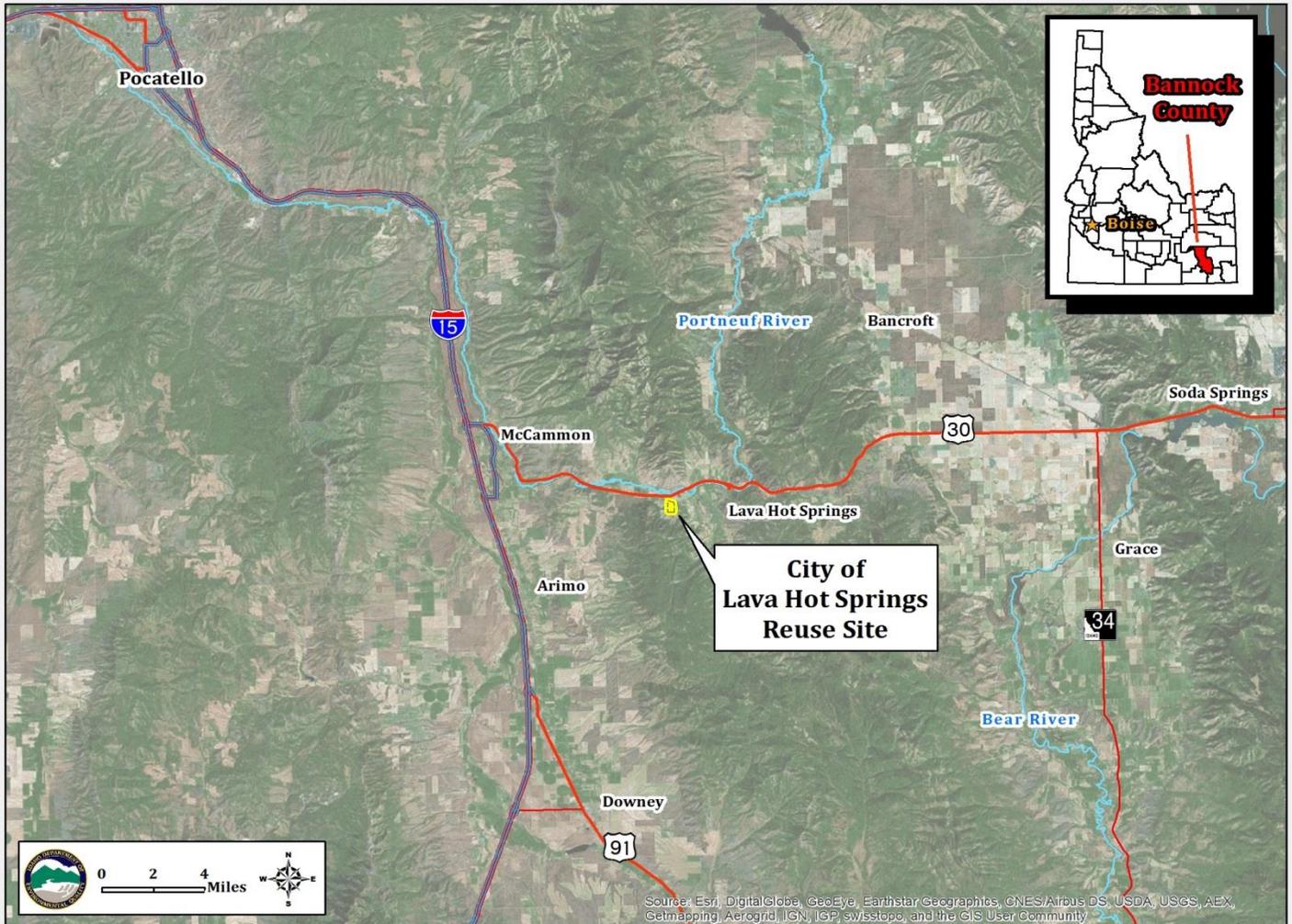


Figure 2. City of Lava Hot Springs Hydraulic Management Unit and lagoons.

