

Idaho's Pursuit of Authority for NPDES

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In 2014 Idaho's legislature directed the DEQ to pursue authorization for the National Pollutant Discharge Elimination System (NPDES), a program authorized by the Clean Water Act Section 402. Idaho is one of only four remaining states that do not have the authority to write and issue permits for dischargers. DEQ is focusing all efforts on building the infrastructure necessary to complete the application for primacy as well as to eventually take over the program from EPA including drafting statutes, rules, guidance and other components to submit an application to EPA in September of 2016. DEQ's approach is to hold public negotiated rule making meetings to discuss the various components of the program, work with stakeholders to draft a plan for funding the program, and compile the results of these efforts into the final program description required by EPA to apply for authorization. This presentation will describe the strategy that DEQ is employing to reach the Sept 2016 goal as well as detail some of the specific challenges involved in applying for and gaining primacy for this program.