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## Idaho Conservation League

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March 17, 2016

Troy Smith  
IPDES Rules and Guidance Coordinator  
Idaho Department of Environmental Quality  
1410 N. Hilton  
Boise, ID 83706

Submitted via email: [Troy.Smith@deq.idaho.gov](mailto:Troy.Smith@deq.idaho.gov)

**Re: Idaho Conservation League Comments re Idaho Pollutant Discharge Elimination System Program: Effluent Limit and Reasonable Potential Analysis Guidance Development**

Dear Mr. Smith;

Since 1973, the Idaho Conservation League (ICL) has been Idaho's voice for clean water, clean air and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho's largest state-based conservation organization, we represent over 25,000 supporters, many of whom have a deep personal interest in protecting Idaho's water quality, fisheries and the health of Idaho residents – the development of effluent limits for discharges under the IPDES program is a critical aspect of protecting these interests.

Through the course of reviewing EPA draft NPDES permits, we periodically observe instances where facilities are authorized to discharge pollutants at levels that necessitate mixing zones in order avoid violating water quality standards in the receiving water, but the Reasonable Potential Analysis somehow does not mandate that the permit contain a limit for the specific pollutant. We believe that DEQ's guidance should direct that for any pollutant that receives a mixing zone provision in an IPDES permit, DEQ will develop effluent limits for that pollutant.

Further, we advocate that RPA's be conducted based on whether the discharge has the potential to violate the WQS at end of pipe and that the agency not utilize a mixing zone when calculating a facility's RPA.

Please contact me if you have any questions at 208-345-6933 x 24 or [jhayes@idahoconservation.org](mailto:jhayes@idahoconservation.org)

Sincerely,

Justin Hayes  
Program Director