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May 25, 2020

Idaho Department of Environmental Quality
ATTN: Paula Wilson, Rules Coordinator
DEQ State Office
1410 N. Hilton
Boise, ID 83702

Re: Ore Processing by Cyanidation Docket No. 58-0113-1901

Dear Ms. Wilson:

On behalf of the Idaho Mining Association (IMA) we appreciate the continued efforts by IDEQ staff to craft a performance-based alternative for cyanidation facilities that could be adopted by the Board. The rule is a complicated and very technical rule. The extra time spent will produce a better rule for the State of Idaho as well as the regulated community.

As has been discussed, it is important for IMA members to have a workable rule in place by the end of 2020 to allow ongoing permitting actions to proceed. We believe this temporary rule will bridge any gap between a proposed rule and an adopted rule upon the adjournment of the 2021 legislative session. Because of the timelines associated with the permanent rule-making process, it appears the best way to accomplish this result would be for IDEQ to adopt a temporary rule this summer or fall at one of the Boards regular scheduled meetings. IMA therefore requests that IDEQ work towards adoption of a proposed and temporary cyanidation rule by fall of 2020. We would anticipate that any proposed rule adopted by the Board 2020 would align for the most part with a temporary rule.

Again, we appreciate IDEQ considering how to modernize the state's cyanidation rule and we look forward to continuing to work with IDEQ to accomplish that result.

Sincerely,

Benjamin J. Davenport

Cc: Michael McCurdy, Wastewater and Remediation Administrator