

## Why are permits needed?

Idaho's natural resources belong to all of us, and all citizens have a right to clean air, water, and land.

The purpose of environmental permits is to protect public health and the environment. Permits establish the conditions under which facilities that generate pollution may operate. A permit represents a contract between a business and the government that the facility will comply with applicable pollution control laws.

Various federal and state laws, rules, and regulations require permits. In some cases, DEQ is the issuing state agency because the state has applied for and obtained "primacy" to enforce certain federal laws. In other cases, the U.S. Environmental Protection Agency (EPA) or another federal agency is the issuing authority. Local governments, too, may issue environmental permits.

## Do you need a permit?

Whether you need an environmental permit depends upon a number of factors, including the type of business or industry you operate and the type and volume of pollutants you generate. Often, the need for a permit can only be determined after the business or industry has completed a permit application and the permitting agency has reviewed and analyzed the information.

All businesses, no matter how small or large, need to be aware of environmental permitting requirements to ensure compliance with environmental laws, rules, and regulations; avoid enforcement action; and help protect the environment.

This brochure summarizes major environmental permits in Idaho and pinpoints the state or federal government agency responsible for issuing them. Although this brochure cannot provide you with a definitive "yes" or "no" answer to the question of whether you need a permit, it will familiarize you with common operations that often require environmental permits. It's up to you to take the next step.

## Contact Information

### Idaho Department of Environmental Quality

**State Office**  
1410 N. Hilton  
Boise, ID 83706  
(208) 373-0502

#### Regional Offices

**Boise**  
1445 N. Orchard  
Boise, ID 83706  
(208) 373-0550  
toll-free: (888) 800-3480

**Coeur d'Alene**  
2110 Ironwood Parkway  
Coeur d'Alene, ID 83814  
(208) 769-1422  
toll-free: (877) 370-0017

**Idaho Falls**  
900 N. Skyline, Suite B  
Idaho Falls, ID 83402  
(208) 528-2650  
toll-free: (800) 232-4635

#### U.S. Environmental Protection Agency

**Idaho Operations Office**  
1435 N. Orchard  
Boise, ID 83706  
(208) 378-5746

**Lewiston**  
1118 F Street  
Lewiston, ID 83501  
(208) 799-4370  
toll-free: (877) 541-3304

**Pocatello**  
444 Hospital Way #300  
Pocatello, ID 83201  
(208) 236-6160  
toll-free: (888) 655-6160

**Twin Falls**  
650 Addison Ave. W,  
Suite 110  
Twin Falls, ID 83301  
(208) 736-2190  
toll-free: (800) 270-1663

**Coeur d'Alene Field Office**  
1910 NW Blvd., Suite 208  
Coeur d'Alene, ID 83814  
(208) 664-4588

#### U.S. Army Corps of Engineers

**Boise Regulatory Field Office**  
304 N. 8th St., Room 140  
Boise, ID 83702  
(208) 345-2155

**Idaho Falls Field Office**  
900 North Skyline Dr., Suite A  
Idaho Falls, ID 83402  
(208) 522-1645

**Coeur d'Alene Field Office**  
Idaho Panhandle National  
Forest Building  
3815 Schreiber Way  
Coeur d'Alene, ID 83814  
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## Environmental Permitting in Idaho

# Do I Need a Permit?

## A guide to state and federal environmental permits in Idaho



Idaho Department of  
Environmental Quality  
[www.deq.idaho.gov](http://www.deq.idaho.gov)



## You may need an *air quality* permit if...

### ...your business or industry emits, or has the potential to emit, pollutants into the air.

DEQ issues air quality permits in Idaho under provisions of the federal Clean Air Act and Idaho's Rules for the Control of Air Pollution. Four types of air quality permits are issued.

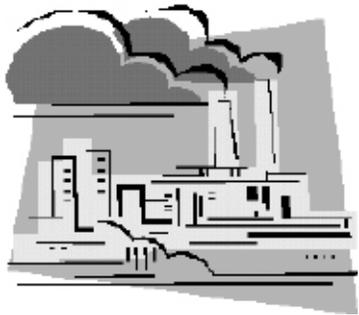
#### • **Permit to Construct (PTC):**

Required prior to construction or modification of stationary pollution-emitting sources, such as buildings, structures, and other installations, and for certain portable equipment, such as generators, crushing equipment, asphalt plants, and concrete batch plants.

#### • **Tier I Operating Permit:**

Required of major sources that emit, or may emit, 100 or more tons of any regulated air pollutant per year, 10 or more tons of any one hazardous air pollutant (HAP) per year, or 25 or more tons of any combination of HAPs per year. Certain smaller-size facilities (such as perchloroethylene dry cleaners, petroleum dry cleaners, hot-mix asphalt plants, and rock-crushing plants) that release less than 10 tons per year of a single HAP or less than 25 tons per year of a combination of HAPs are required to register with DEQ while EPA determines whether they will be required to obtain a Tier I permit.

#### • **Tier II Operating Permit:**



May be available to facilities that agree to limit production and/or hours of operation, thus lowering their potential to emit pollutants below Tier I permit thresholds and eliminating the need for a Tier I permit.

Permit fees are lower and reporting requirements less complex.

#### • **Permit by Rule (PBR):**

Streamlined registration process currently available only to portable rock-crushing facilities. PBRs for other industries are being considered.

## You may need a *water quality* permit if...

### ...your business or industry land applies wastewater.

Wastewater-land application permits (WLAPs) are required by state rules before constructing, modifying, or operating a wastewater-land application facility in the state. (The rules do not apply to feedlots, dairies, and mining.) WLAPs limit the volume of wastewater that may be land-applied based on scientific health standards and require monitoring to assure that the standards are not exceeded.



### ...your business or industry discharges processed wastewater to a water body.

National Pollutant Discharge Elimination System (NPDES) permits regulate discharges from point sources such as pipes or human-made

ditches that discharge directly to surface waters. EPA has jurisdiction over NPDES permits in Idaho. As a condition of an NPDES permit, a municipality that operates a wastewater treatment plant may be required to obtain an industrial wastewater permit from the local governing unit.

### ...your business or industry discharges dredged and fill material into waters of the U.S., including wetlands.

Activities that are regulated under this program include fills for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports), and conversion of wetlands to uplands for farming and forestry. EPA and the U.S. Army Corps of Engineers oversee this program.

#### **Other water quality oversight**

Water quality permits are also required for hydroelectric projects, lake encroachment activities, subsurface waste treatment systems (septic tanks and drainfields), and swine and poultry facilities in Idaho.

## You may need a *hazardous waste* permit if...

### ...your facility receives hazardous waste for storage, transport, or disposal (TSD).

Under the federal Resource Conservation and Recovery Act (RCRA), DEQ issues permits to facilities that receive hazardous wastes for treatment, storage, or disposal in Idaho, including the Idaho National Laboratory (INL).

Businesses and industries that generate hazardous wastes are not required to have a RCRA permit. All hazardous waste generators *are* required to track and monitor hazardous wastes generated and transported off-site to a TSD, and to report annually to DEQ.

### ...you own an underground storage tank (UST).

RCRA also regulates management and remediation of underground storage tanks. Owners of USTs that contain regulated substances such as gasoline, used oil, solvents, and pesticides are required to notify DEQ of their existence. EPA is responsible for UST inspection and enforcement.

#### **Other waste management oversight**

DEQ also issues permits to Idaho ore processing facilities that use cyanide in their mineral extraction processes. In addition, DEQ oversees siting and design of landfills; public health districts regulate landfill operation and closure.

## *Now what?*

Think you might need an environmental permit for your operation? If so...

...go to DEQ's website at [www.deq.idaho.gov](http://www.deq.idaho.gov) for more detailed information on permitting procedures and to access permit applications online.

...contact the DEQ Regional Office nearest you (see back for addresses and phone numbers).

...contact the Small Business Development Center, which provides free, confidential environmental assistance, at 1-800-225-3815.