

Written comment deadline for this draft – February 6, 2015

### **XXX. CONFIDENTIALITY OF INFORMATION.**

**01. Confidentiality Claim.** In accordance with Sections 9-337 through 9-347, Idaho Code, any information submitted to the Department pursuant to these rules may be claimed as confidential by the submitter. It shall be the responsibility of the submitter to give notice of the existence of a claim of confidentiality on each page or other portion of information at the time of submittal and such person shall have the burden of demonstrating that the information is confidential.

**02. Trade Secret Claim.** Any information submitted to the Department that is claimed to be confidential as a trade secret shall be handled by the Department in accordance with the provisions of Section 9-342A, Idaho Code.

**03. Denial.** In accordance with Section 9-342A, Idaho Code, a claim of confidentiality shall be denied and any person may inspect and copy:

- a.** The name and address of any IPDES applicant or permittee;
- b.** The content of any IPDES permit;
- c.** IPDES permit applications, and information required to be submitted by IPDES application forms, whether the information is submitted on the application forms themselves or in any attachments used to supply information required by the application forms; and
- d.** Effluent data as defined in 40 CFR 2.302.