

April 3, 2015

Paula Wilson
Department of Environmental Quality
1410 North Hilton
Boise, ID 83706-1255

Re: IPDES Negotiated Rule Draft No. 3 (Docket No. 58-0125-1401)

Dear Paula:

Clearwater Paper Corporation (Clearwater) is pleased to offer these comments on the subject draft Rule.

Section 200. Renewal of NPDES Permits, Interim and Final Limits (200.01 and 200.02). This section should specify that the exceptions to anti-backsliding authorized under § 303(d)(4) of the Clean Water Act apply to IPDES permitting actions.

Section 201. Modification or Revocation and Reissuance of IPDES Permits, Minor modification (200.03). Clearwater requests that IDEQ provide additional flexibility in the subsection on minor modifications. For example, making minor changes to a permit that do not result in the increase of pollutants discharged to the environment should be treated as a minor modification. We understand that EPA recently approved a minor modification rule for the state of Alaska's permit program that incorporates this additional flexibility.

Section 300. Applicable Permit Conditions (300.01,b). This provision should clarify that continuation of an activity is authorized so long as a permittee has timely applied for renewal of a permit.

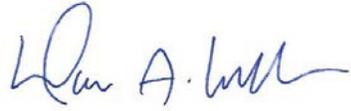
Section 302. Calculating Permit Conditions, Pollutant Credits for Intake Water (302.07). This section should make clear that pollutant credits for intake water also apply when calculating water quality-based effluent limits. Specifically providing for intake credits in setting permit limits will be of increasing importance as IDEQ and EPA likely adopt more stringent human health criteria.

Section 304. Compliance Schedules. Currently IDEQ water quality rules authorize compliance schedules in NPDES Permits for water quality-based effluent limits established for the first time in a permit. See IDAPA 58.01.02.400.03. We believe this provision should be referenced in Section 304 for clarity.

Section 310. Variances. Currently IDEQ water quality rules authorizes water quality-based variances based on a variety of conditions. See IDAPA 58.01.260.01,b. We believe these same conditions should be referenced in Section 310 for clarity. Also, Clearwater requests that watershed (or even statewide) variances be authorized. Finally this Section should make clear that if IDEQ authorizes a discharger specific variance or watershed-based variance then it is not necessary to incorporate such a variance in Idaho's Water Quality Standards at IDAPA 58.01.02.

Thank you for consideration of these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Marv A. Lewallen". The signature is fluid and cursive, with the first name "Marv" being the most prominent.

Marv Lewallen
Vice President – Environmental, Energy & Sustainability