

From: [Wendy York](#)
To: [Paula Wilson](#); [Barry Burnell](#); [Troy Smith](#); [AJ Maupin](#)
Cc: [Nicolas Depuydt](#); [David Aulbach](#)
Subject: RE: Negotiated Rulemaking - Idaho Pollutant Discharge EliminationSystem (IPDES) Program, Docket No. 58-0125-1401
Date: Friday, April 17, 2015 12:54:21 PM

AJ and Troy, thank you for answering my questions after today's meetings. Your answers helped clarify a couple of concerns for me. This also leads to the following two comments:

Definitions: The definition for bypass doesn't allow room for bypasses made in compliance with a land reuse permit. I don't think that was EPA's intent, and that is how we have treated it with our current NPDES permit. I would suggest clarifying it to be "Bypass means the intentional diversion of waste streams from any portion of a treatment facility into waters of the State."

Mass Limitations: There is no allowance for DEQ to permit the elimination of a mass limit when a discharge increases in flow (due to plant expansion) but concentration limits are complied with except for than the variance process. This limits expansion of Idaho businesses in the future. EPA has eliminated our mass limit for phosphorus in our next NPDES, so if they can do it, the State should have allowances to do the same. We requested this in our application for renewal, but I don't think it involved having to file a variance. Could you check into this (how the EPA can do it) and make the same allowances for the State of Idaho?

Thank you,
Wendy R. York, CSP
Safety & Environmental Manager
Sorrento Lactalis
208-463-6674

From: Paula.Wilson@deq.idaho.gov [mailto:Paula.Wilson@deq.idaho.gov]
Sent: Friday, April 10, 2015 4:57 PM

To: alan.prouty@simplot.com; apb@idahowaters.com; alabeau@iaci.org; abrunelle@fs.fed.us; chung.angela@epa.gov; anita.hamann@dfm.idaho.gov; aandrea@idl.idaho.gov; Barry.Burnell@deq.idaho.gov; bdoughty@tcreek.com; wholder@stratageotech.com; bobtridle@gmail.com; bzimmer@greateryellowstone.org; brad.wolfinger@itd.idaho.gov; brent@mpidaho.com; britany@idahocattle.org; bsims@fs.fed.us; bhurlbutt@advocateswest.org; ctanaka@sbtribes.com; carolyn.firth@swc.idaho.gov; ctjdaily@safelink.net; pwd@idahofallsidaho.gov; cmebane@usgs.gov; cbrischler@stratageotech.com; psyk.christine@epa.gov; cbroncho@sbtribes.com; courtneyb@awb.org; weber.courtney@epa.gov; dayers@jub.com; dave.clark@hdrinc.com; david.mabe@noaa.gov; dmcgiverin@nwfpa.org; dmiles@meridiancity.org; david.parrish@idfg.idaho.gov; drblev@monsanto.com; dtanikuni@idahofb.org; helder.dirk@epa.gov; Don.Essig@deq.idaho.gov; dlately@bonnersferry.id.gov; Douglas.Conde@deq.idaho.gov; dwayne_winslow@fws.gov; elizabeth@veritasadvisor.com; elizabethdswisher@gmail.com; ems@msbtlaw.com; elli@veritasadvisor.com; fmoye@hecla-mining.com; fredric.andes@btlaw.com; garyallen@givenspursley.com; gbahr@agri.idaho.gov; hannah.chessin@gmail.com; henry.hamanishi@simplot.com; who@givenspursley.com; hyqual@cableone.net; ima@idahomining.org; jtucker@idahopower.com; jmanderson@micron.com; jane@wittemeyerassociates.com; kenknight.jeff@epa.gov; wwwp@westernwatersheds.org; Jess.Byrne@deq.idaho.gov; wernitz.james@epa.gov; joe@nrrg.com; jbeacham@postfallsidaho.org; jeaton@idahorealtors.com; jtippets@agrium.com; johnna.sandow@noaa.gov; Josh.Schultz@deq.idaho.gov; jhayes@idahoconservation.org; burgess.karen@epa.gov; kari.kostka@deq.idaho.gov; kharris@cityofboise.org; kathryn@nwlpulpandpaper.org; krinaldi@greateryellowstone.org; kathy.bergholm@agrium.com; kenc@nezperce.org; kharward@idahocities.org; kjbeaton@stoel.com; greenleaf@kootenai.org; krisholm@comcast.net; ksteele@ci.moscow.id.us; lpennington@cableone.net; lauren.dempsey@us.af.mil; lmacdonald@ci.moscow.id.us; ljones@hollandhart.com; laa@northrim.net; Macchio.Lisa@epamail.epa.gov; liz@idahorivers.org; ltardy@sbtribes.com; lrussell@hecla-mining.com; lynn_tominaga@hotmail.com; malisa.maynard@clearwaterpaper.com; marv.lewallen@clearwaterpaper.com; mary.anne.nelson@deq.idaho.gov; soscia.marylou@epa.gov; michael.kasch@hdrinc.com; lidgard@michael@epa.gov; Michael.Mcintyre@deq.idaho.gov; mandersen@idl.idaho.gov; mtrabert@tfid.org; mmangerich@meridiancity.org; molly.prickett@monsanto.com; norm@iwua.org; pharrington@tu.org; patbarclay@icie.org; pglader@hecla-mining.com; pklatt@jub.com; pgb@givenspursley.com; randy.macmillan@clearsprings.com; savagecattle@mudlake.net; rfinch@cityofboise.org; rmattison@ketchumidaho.org; greatsam@usfws.com; sarkle@idahoconservation.org; shiger@idahopower.com; slc@moffatt.com; schristensen@greateryellowstone.org; smd@idahowaters.com; sdoran@CH2M.com; sherry.briscoe@tax.idaho.gov; Stephen.Berry@deq.idaho.gov; stcory@q.com; swest@centrainc.com; sue.sullivan@itd.idaho.gov; seb@msbtlaw.com; poulsom.susan@epa.gov; theodoreknight@hotmail.com; terry.cundy@potlatchcorp.com; tbarry@meridiancity.org; ttucci@advocateswest.org; tom.dupuis@hdrinc.com; tcrane@meridiancity.org; tlt@idahowaters.com; tclayne@ssmines.com; vickie.doty@hotmail.com; wmcroberts@troutlodge.com; walt.poole@idfg.idaho.gov; wendy.york@iaci.org; zack.waterman@sierraclub.org; Andrea.Courtney@deq.idaho.gov; angela.kaufmann@agri.idaho.gov; bgeddes@idahofb.org; brandon.eisenbraun@unnpp.gov; bbulloock@nnu.edu; btominaga@hotmail.com; brian.oakey@agri.idaho.gov; bbterry@micron.com; bms@msbtlaw.com; bryan.grant@idfg.idaho.gov; bryce@sawtoothlaw.com; buck@snakeriverwaterkeeper.org; clayton.steele@clearwaterpaper.com; cmillard@us-silver.com; cjones@idahopower.com; dpettinger@ci.jerome.id.us; dan@sawtoothlaw.com; dherter@bannockcounty.us; dnoel@forsgren.com; idvanriet@yahoo.com; dwatkins@jub.com; dkeeney@adaweb.net; dusty.gallier@mccain.com; dylanlawrence@varinwardwell.com; ccmad1director@aol.com; emmi.blades@idwr.idaho.gov; ericlindquist@boisestate.edu; demaria.eva@epa.gov; garry@centralpaving.com; gary.byrne@idfg.idaho.gov; gafornsh@uidaho.edu; glemmon@northrim.net; glester@ecoanalysts.com; glowe@amalsugar.com; heyburnsuper@gmail.com; tafayah@cityofnampa.us; ian.toevis@conagrafoods.com; janet.zarate@itd.idaho.gov; jbrown@tfid.org; jronk@iaci.org; jeff.heindel@idfg.idaho.gov; jerry.chapman@idfg.idaho.gov; joe.chapman@idfg.idaho.gov; john.bilderback@agri.idaho.gov; johnm@seapacofidaho.com; jks@idahowaters.com; jongould7939@gmail.com; jruen@idahocities.org; lauren.perreault@hdrinc.com; fpi@fishbreedersofidaho.com; lindsay.lefevor@ch2m.com; eby.louis@epa.gov; louis.hougaard@gmail.com; arkfisheries@yahoo.com; mholtzen@jub.com; martinbauer@micron.com; michael.lewis@inl.gov; michael.macconnel@icp.doe.gov; mitchell.hart@agrium.com; runyann@cityofnampa.us; bathersfield.nizanna@epa.gov; pwickman@forsgren.com; panderson@tu.org; pgossi@q.com; rzollinger@bowencollins.com; richard.lowell@idfg.idaho.gov; rconover@forsgren.com; scott.hauser@usrf.org; sgrigg@idahocities.org; shane.lowry@unnpp.gov; sroberts@idahoruralwater.com; sbaczkowski@idahopower.com; sbs@wbsidaho.com; tdouglass@brwnald.com; todd.kirkendall@conagrafoods.com; Troy.Smith@deq.idaho.gov; duggerv@id.doe.gov; wade.symons@idfg.idaho.gov; whammon@idahoagc.org

Cc: Balthasar.Buhidar@deq.idaho.gov; Bruce.Olenick@deq.idaho.gov; Chas.Ariss@deq.idaho.gov; Craig.Borrenpohl@deq.idaho.gov; Craig.Thomas@deq.idaho.gov; Cynthia.Barrett@deq.idaho.gov; dallannalder@hotmail.com; Daniel.Redline@deq.idaho.gov; Darcy.Sharp@deq.idaho.gov; David.Anderson@deq.idaho.gov; Erick.Neher@deq.idaho.gov; Faye.Beller@deq.idaho.gov; Fritz.Durham@deq.idaho.gov; Gregory.Eager@deq.idaho.gov; Jennifer.Cornell@deq.idaho.gov; Jerri.Henry@deq.idaho.gov; John.Cardwell@deq.idaho.gov; John.Tindall@deq.idaho.gov; June.Bergquist@deq.idaho.gov; Kajsa.Vanderiet@deq.idaho.gov;

Kally.Reno@deq.idaho.gov; Katie.Shemmaker@deq.idaho.gov; Kristie.McEnroe@deq.idaho.gov; Kristin.Larson@deq.idaho.gov; Lance.Holloway@deq.idaho.gov; Lynn.Vanevery@deq.idaho.gov; Marcy.Pearhill@deq.idaho.gov; Mark.Shumar@deq.idaho.gov; msolomon@moscow.com; Marti.Bridges@deq.idaho.gov; mwoodard@tu.org; Michael.Brown@deq.idaho.gov; Michael.Camin@deq.idaho.gov; Nicole.Deinarowicz@deq.idaho.gov; pagidius@moscow.com; Paula.Wilson@deq.idaho.gov; Pete.Wagner@deq.idaho.gov; patdick@custertel.net; Robert.Steed@deq.idaho.gov; Sandy.Gritton@deq.idaho.gov; sbybee@mindspring.com; Sean.Woodhead@deq.idaho.gov; Susan.Switzer@deq.idaho.gov; tammy.copeland@deq.idaho.gov; Thomas.Herron@deq.idaho.gov; Tom.Hepworth@deq.idaho.gov; mayor@cityofbuhl.us; Trina.Burgin@deq.idaho.gov; Troy.Saffle@deq.idaho.gov; William.Teuscher@deq.idaho.gov
Subject: Negotiated Rulemaking - Idaho Pollutant Discharge EliminationSystem (IPDES) Program, Docket No. 58-0125-1401

Provided below are links to the documents posted for the April 17th meeting - www.deq.idaho.gov/58-0125-1401. Also, attached are two comment letters received this week.

This is a reminder to contact me by email if you are not able to attend the meeting at one of the DEQ meeting locations and would like to participate by telephone (AT&T) and web conferencing (HP Rooms). **The number of web connections is limited, so it is important that you to sign up for each meeting even if you participated in previous meetings.**

Thanks, Paula
 373-0418

Meeting Date and Time	Telephone and Web Conferencing Information
April 17, 2015 9 a.m. to 3 p.m. Mountain Time Agenda New sources and new dischargers, general permits, pretreatment standards, sewage sludge, enforcement, and data management and reporting	To make arrangements for individual participation by telephone and web conferencing, contact Paula Wilson at paula.wilson@deq.idaho.gov , (208) 373-0418, by April 8, 2015

Draft Negotiated Rule: New Sources and New Dischargers, General Permits, Pretreatment Standards, Sewage Sludge, Enforcement, and Data Management and Reporting

Draft Negotiated Rule	Date Posted	Date of Meeting Discussion	Written Comment Deadline
Draft No. 4.0	04/10/15	04/17/15	05/01/15

Documents Distributed for Comment/Negotiated Rulemaking

April 17, 2015 Meeting

Document	Date Posted	Written Comment Deadline
New Sources and New Dischargers, General Permits, Pretreatment Standards, Sewage Sludge, Enforcement, and Data Management and Reporting - IPDES Discussion Paper #4	04/10/15	05/01/15

Draft Negotiated Rule: Permit Conditions, Compliance Schedules, Modifications, Revocations, Termination, and Transfer

Draft Negotiated Rule	Date Posted	Date of Meeting Discussion	Written Comment Deadline
Draft No. 3.1	04/10/15	04/17/15	The comment period for this draft has concluded. Additional opportunities to comment will be provided throughout the rulemaking process.

Response to Comments/Negotiated Rulemaking

Document	Topic of Rule Draft	Date Posted
Response to Comments on Draft 3.0	Permit Conditions, Compliance Schedules, Modifications, Revocations, Termination, and Transfer	04/10/15

Miscellaneous Documents

Document	Date Posted
Proposed Definitions for IDAPA 58.01.25	04/10/15