

April 30, 2018

Via email: Paula.wilson@deq.idaho.gov

Paula Wilson
Idaho Dept. of Environmental Quality
1410 North Hilton
Boise, ID 83706

RE: Water Quality/Arsenic, Docket No. 58-0102-1801

Dear Ms. Wilson:

The Idaho Association of Commerce & Industry (IACI) is the leading trade association of Idaho businesses and represents hundreds of employer members of all sizes engaged in diverse commercial and industrial enterprises throughout the state. IACI appreciates the opportunity to provide comments to the Idaho Department of Environmental Quality (the Department) on the human health water quality criterion for arsenic.

The arsenic toxicity “threshold” for humans has been debated greatly in the scientific community for years. This is evidenced by the decade-plus controversy over whether EPA has “gotten the science right” in the IRIS toxicological assessment for inorganic arsenic. This controversy has been the impetus for an attempt to review and make changes in the IRIS assessment process. The disagreement about the toxicity of arsenic is evident within EPA: it makes no sense for the “Clean Water Act” arsenic recommended criterion to be 0.018 µg/L (fish + water), whereas under the Safe Drinking Water Act (SDWA) the arsenic standard is 10 µg/L. As pointed out in the Department’s discussion paper, the naturally occurring arsenic concentration in the vast majority of waters in Idaho is significantly greater than 0.018 µg/L.

At this time, IACI members are still reviewing the technical aspects of this issue and have no definitive options to recommend to the Department. The most logical options are using the existing SDWA value of 10 µg/L or utilizing background/natural values. We know that EPA Region X has already disapproved the SDWA value, but the technical basis for EPA’s decision needs a critical review. Since Idaho already has a narrative standard which defaults to natural background (which we acknowledge has been difficult to administer with temperature), one potential option for the Department to adopt a defensible numeric arsenic criteria based on natural background on either a statewide or watershed basis.

IACI anticipates providing a more detailed recommendation for potential options to revising this criterion later in May.

Sincerely,



Alex LaBeau
President

cc: Alan Prouty, Chair
IACI Environment Committee