



State of Idaho
Department of Environmental Quality
Board of Environmental Quality

Meeting Minutes
October 07, 2019

1410 North Hilton • Boise, ID 83706 • (208) 373-0502
www.deq.idaho.gov

Brad Little, Governor
John H. Tippetts, Director

MEMBERS OF THE BOARD

Beth Elroy, Chairman
P.O. Box 6
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Boise, ID 83707

Kermit V. Kiebert, Vice-Chairman
P.O. Box 970
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Mark Bowen, Secretary
999 W. Main St.
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Boise, ID 83702

L. Nicholas "Nick" Purdy
Box 686
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Dr. John R. MacMillan
P.O. Box 712
Buhl, ID 83316

Carol Mascareñas
5000 Baltimore Circle
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Kevin C. Boling
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LEGAL COUNSEL

Lisa J. Carlson
(208) 373-0455

BOARD ASSISTANT

Darika Barnes
(208) 373-0240

Meeting Minutes

Idaho Board of Environmental Quality

October 07, 2019, 2:00 PM

**DEQ State Office – Conference Room A/B
1410 N Hilton Street
Boise, Idaho**

Via Conference Phone: (208) 373-0101, opt. 1

Approved by the board on November 14, 2019.

A handwritten signature in black ink, appearing to read "Elizabeth Elroy", written over a horizontal line.

Beth Elroy, Chairman

A handwritten signature in blue ink, appearing to read "Mark Bowen", written over a horizontal line.

Mark Bowen, Secretary

A handwritten signature in black ink, appearing to read "Darika Barnes", written over a horizontal line.

Darika Barnes, Assistant to the Board

Board Members Participating via Conference Phone

Kermit Kiebert, Acting Chairman

Nick Purdy, Member

Dr. John R. "Randy" MacMillan, Member

Carol Mascareñas, Member

Kevin Boling, Member

Board Members Absent

Beth Elroy, Chairman

Mark Bowen, Member

Department of Environmental Quality Staff Present

John Tippets, Director

Lisa Carlson, Senior Deputy Attorney General-DEQ, Legal Counsel to the Board

Paula Wilson, Administrative Rules Coordinator

Darika Barnes, Executive Assistant to the Director and Board

Michael McCurdy, Waste Management and Remediation Division Administrator

Tiffany Floyd, Air Quality Division Administrator

Dr. Mary Anne Nelson, Surface and Waste Water Division Administrator

Jerri Henry, Drinking Water Protection and Finance Division Administrator

Anna McGeehan, Communications & Outreach Manager

Dean Ehlert, Waste Management & Remediation Assessment & Compliance Bureau Chief

Caroline Moores, Hazardous Waste Rules & Policy Coordinator

Lisa O'Hara, Deputy Attorney General

Mark Cecchini-Beaver, Deputy Attorney General

Rick Grisel, Deputy Attorney General

Susan Hamlin, Deputy Attorney General

Hannah Young, Deputy Attorney General

Via Conference Phone

No members of the public were present on the phone.

Others Present

No members of the public were present in the conference room.

* All attachments referenced in these minutes are permanent attachments to the minutes on file at the Idaho Department of Environmental Quality (DEQ).

Call to Order, Roll Call, and Public Comment

Acting Chairman Kermit Kiebert called the meeting of the Idaho Board of Environmental Quality (board) to order at 2:00 p.m. Roll call was taken with a quorum of five members participating via conference phone. Chairman Beth Elroy and Member Mark Boling were not able to participate.

Acting Chairman Kiebert opened the floor for the public to address the board on topics not specifically on the agenda. There were no members of the public present at the meeting or on the phone to provide commentary.

Agenda Item No. 1: Approval of May 16, 2019 Meeting Minutes

(Action item)

The meeting minutes from the May 16, 2019 board meeting were presented for approval. There were no comments from the board or from members of the public.

- Motion: Mr. Kevin Boling moved that the board approve the minutes of the May 16, 2019 board meeting.
- Second: Dr. Randy MacMillan
- Voice Vote: The motion carried unanimously.

Agenda Item No. 2: Omnibus Rulemaking - Fee Rules Docket No. 58-0000-1900F

Director John Tippetts introduced the agenda item, recommending the board adopt as pending and republish the existing, previously approved and codified fee rule chapters under docket number 58-000-1900F. There were no comments from the board or from members of the public.

- Motion: Dr. Randy MacMillan moved that the Idaho Board of Environmental Quality adopt as pending fee rules the rules presented in the final proposal under Docket No. 58-0000-1900F, with the rules becoming final and effective, if approved by the Legislature, upon the adjournment sine die of the Second Regular Session of the Sixty-fifth Idaho Legislature.
- Second: Mr. Nicky Purdy
- Voice Vote: The motion carried unanimously.

Agenda Item No. 3: Omnibus Rulemaking – Non-Fee Rules Docket No. 58-0000-1900

Director John Tippetts introduced the agenda item, recommending the board adopt as pending and republish the existing, previously approved and codified non-fee rule chapters under docket number 58-000-1900. There were no comments from the board or from members of the public.

- Motion: Mr. Nicky Purdy moved that the Idaho Board of Environmental Quality adopt as pending rules the rules presented in the final proposal under Docket No. 58-0000-1900, with the rules becoming final and effective, if approved by the

Legislature, upon the adjournment sine die of the Second Regular Session of the Sixty-fifth Idaho Legislature.

- Second: Ms. Carol Mascarenas
- Voice Vote: The motion carried unanimously.

Other Business

Paula Wilson provided an overview of the proposed November 13-14, 2019 meeting agenda and stated that all agenda items could be accomplished in one meeting day. Ms. Wilson suggested, and board members provided a consensus, that the November board meeting schedule would be amended to one day, November 14 only, and that November 13 could be released from board and staff calendars.

Adjournment

Acting Chairman Kermit Kiebert declared the meeting adjourned at 2:20 P.M.