



Idahoans for Sensible Water Regulation

When Sound Science Meets Common Sense

August 21, 2015

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

Re: Human Health Water Quality Criteria for Idaho- Docket No. 58-0102-1201

Dear Ms. Wilson:

Idahoans for Sensible Water Regulation (ISWR) is a statewide coalition of industry, trade groups, business associations and individuals that strive to find a balance between regulation and a strong economy. It is with that goal in mind that ISWR offers the following comments to the draft rules package that the Idaho Department of Environmental Quality (IDEQ) released on August 6, 2015.

Risk Factor: The extreme risk number (95th percentile and 10^{-6} one in one million) is way too stringent and unnecessary to adequately protect the health of Idahoans.

That cancer risk factor means that the entire population (approximately 1.6 million Idahoan's) risk level and related extreme regulations associated with the IDEQ/EPA rule, will be set based on just a few people who may be in the tiniest fraction of high risk individuals. By the nature of the calculation all Idahoan's would be subject to a rule based on the fish consuming and raw, untreated drinking water lifestyle of approximately two people.

A one in a million risk level over the course of 70 years means that the new standards will protect approximately 1.6 people in Idaho from incremental cancer compared to roughly 400,000 people that will get cancer. That means that the rule will actually protect less than 2 people from contracting cancer over a 70 year time period. **It is way more likely that an Idaho resident will be killed by a lightning strike than contracting cancer from drinking 2.4 liters of raw, untreated surface water and consuming 16.1 grams of fish every day for 70 years.**

The one in a million (10^{-6}) should be based on the median of the general population instead of a factor based on the highest consuming public. This means that the top 5% of the public is excluded from the risk factor. It would be more reflective of the total Idaho population to use the mean in the calculation.

Anti-Backsliding: The IDEQ has stated that no standards will be less “stringent” under this rule. A consistent methodology should be used in setting the standard for all toxics and pollutants and the results of that methodology be used in the table – no matter if the methodology calls for a more stringent or a less stringent standard. A general policy statement that there will be no backsliding on any standard defies the science used in setting the standards.

Other Exposures: For non-carcinogenic compounds, DEQ should consider the existence of other dietary exposures and not assume a worst case scenario (i.e. RSC’s equal to 20%) as is proposed in the draft regulation.

Cost/Benefit: The increased costs associated with compliance with the regulation do not justify setting a standard that will provide limited health protection for the general population of Idaho.

It is estimated that some employers in Idaho will be forced to spend over \$100 million with an annual maintenance of over \$30 million on waste treatment facilities - if this rule goes through as currently drafted. This expense includes cities. It is estimated that in Boise City, sewer hookup fees will increase up to \$80 per month per hookup as a result of new waste treatment equipment costing up to \$1 billion – all of this for negligible results and protection.

ISWR also wants to express support for comments submitted by Clearwater Paper Co., the Simplot Co. and the Idaho Association of Commerce and Industry.

Questions can be directed to:

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Thank you for the opportunity to comment of this draft rule.

J. Brent Olmstead
Director
Idahoans for Sensible Water Regulation