BRAD LITTLE
Governor

ALEX J. ADAMS
Administrator

State of Idaho
DIVISION OF FINANCIAL MANAGEMENT
Executive Office of the Governor

November 20, 2019

M E M O R A N D U M

TO: **Members of the Public**

FROM: **Alex J. Adams, Administrator**

Dennis R. Stevenson, Rules Coordinator

SUBJECT: **Overview of November 20th Special Edition of Idaho Administrative Bulletin**

Background. An edition of the Idaho Administrative Bulletin was published on June 19, 2019, re-issuing the state's administrative rules as temporary and proposed rules concurrently, with a temporary effective date of June 30, 2019. This approach ensured the state's administrative rules continued to have the full force and effect of law.

Adoption of Pending Rules. This November 20th special edition of the Idaho Administrative Bulletin finalizes previously published proposed rules as pending rules in accordance with Section §67-5224. The Idaho Legislature has the authority to review any existing rule pursuant to §67-5291; the pending rules that are finalized in this edition, inclusive of any agency edits, will be subject to review for final approval during the 2020 Legislative session.

Changes Between Proposed and Pending Rules. Agencies held more than ninety (90) public hearings across the state on the proposed rules. Further, each agency accepted written public comment for at least twenty-one (21) days. We are grateful for the active participation of the public in this process. Per §67-5224, public comments shall be considered prior to the adoption of a written rule and many agencies made changes consistent with §67-5227. Many agencies vacated proposed rule chapters altogether or combined chapters of similar content. Others made in-line edits pursuant to public comment or the direction provided by the Governor and legislative leadership at a July 2019 press conference asking agencies to keep identifying and eliminating obsolete and outdated provisions or pursue edits consistent with the Licensing Freedom Act.

Legislative Format. Amendments to existing rules are traditionally denoted by a strike through for deletions while new text is underlined. Given the Legislature's decision to allow all rules to expire, there is no existing rule available to amend. Only edits between the proposed and pending rule are denoted. Additions are noted in *red italics*; deletions are not shown, as there is no codified final rule to amend. In order to preserve the rich history of effective dates, these dates were not updated if a minor change was made that did not alter the sense or meaning of the rule, as provided in §67-5202. Each agency was asked to detail the nature of their changes on the notice of adoption of the pending rule to transparently apprise the public of changes.

For more information on this special bulletin, please contact:
Alex Adams (Alex.Adams@dfm.idaho.gov; 208-334-3900); or
Dennis Stevenson (Dennis.Stevenson@dfm.idaho.gov; 208-854-3095).

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

DOCKET NO. 58-0000-1900

NOTICE OF OMNIBUS RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2020 Idaho State Legislature for final approval. The pending rule becomes final and effective upon the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and full force and effect upon adoption of the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to the following Idaho Code provisions:

- IDAPA 58.01.02 – Chapters 1 and 36, Title 39, Idaho Code
- IDAPA 58.01.04 – Chapters 1 and 36, Title 39, Idaho Code
- IDAPA 58.01.10 – Section 39-4405, Idaho Code
- IDAPA 58.01.16 – Chapters 1 and 36, Title 39, Idaho Code
- IDAPA 58.01.21 – Sections 39-105, 39-107, and 74-114(8), Idaho Code
- IDAPA 58.01.22 – Chapters 1 and 36, Title 39, Idaho Code
- IDAPA 58.01.23 – Sections 39-105, 39-107 and 67-5206, Idaho Code
- IDAPA 58.01.24 – Chapters 1, 36, 44, 72 and 74, Title 39, Idaho Code

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This pending rule adopts and re-publishes the following existing and previously approved and codified chapter(s) under IDAPA 58, rules of the Department of Environmental Quality:

- IDAPA 58.01.02, *Water Quality Standards*
- IDAPA 58.01.04, *Rules for Administration of Wastewater Treatment Facility Grants*
- IDAPA 58.01.10, *Rules Regulating the Disposal of Radioactive Materials Not Regulated Under the Atomic Energy Act of 1954, As Amended*
- IDAPA 58.01.16, *Wastewater Rules*
- IDAPA 58.01.21, *Rules Governing the Protection and Disclosure of Records in the Possession of DEQ*
- IDAPA 58.01.22, *Rules for Administration of Planning Grants for Public Drinking Water Facilities*
- IDAPA 58.01.23, *Rules of Administrative Procedure Before the Board of Environmental Quality*
- IDAPA 58.01.24, *Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites*

More information regarding this rule docket is available at **www.deq.idaho.gov/58-0000-1900**.

DEQ received no public comments; however, the text of the rule has been amended in accordance with Idaho Code § 67-5227. The original text of the proposed rule was published in the June 19, 2019 Idaho Administrative Bulletin (Special Edition), **Vol. 19-6SE, pages 6719 through 7039**.

Certain sections of IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality," were revised as a logical outgrowth of the proposed rule and for consistency with **Executive Order No. 2019-02, Red Tape Reduction Act**, issued by Governor Little on January 21, 2019. IDAPA 58.01.23, Subsections 001.03, 008.01, and 010.07, have been simplified and updated. IDAPA 58.01.23, Section 814, has been identified for deletion as it is included verbatim in Idaho Code § 67-5220(f).

The provisions in IDAPA 58.01.23, Sections 500, 501, 808 through 813, and 815 through 860, are included in IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General" (Attorney General Rules), and have been identified for deletion. With the deletion of those sections, it is necessary to incorporate by reference certain sections of the Attorney General Rules to meet the requirements of Idaho Code § 67-5206(5). IDAPA

04.11.01, Sections 800 through 815 and 830 through 860 (2018 Idaho Administrative Code), have been incorporated by reference and are attached. IDAPA 58.01.23, Sections 004 and 006, have been updated accordingly.

The proposed rule also includes non-substantive clerical revisions made by the Administrative Rules Coordinator using his authority under Idaho Code § 67-5202. "The coordinator shall have the authority to make clerical revisions or to correct manifest typographical or grammatical errors to both proposed and existing rules that do not alter the sense, meaning or effect of such rules." Idaho Code § 67-5202(2). The revisions are consistent with **Executive Order No. 2019-02**, and did not alter the sense, meaning or effect of the rules (i.e., elimination of restrictive words such as "shall").

The pending rule adopted by the Idaho Board of Environmental Quality includes 1) the described revisions in IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality," 2) the Administrative Rules Coordinator's clerical revisions, and 3) the remainder of the rule adopted as initially proposed.

FEE SUMMARY: This rulemaking does not impose a fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2020 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rules and fees being reauthorized by this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact the undersigned.

Dated this 20th day of November, 2019.

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58.01.02 – WATER QUALITY STANDARDS

000. LEGAL AUTHORITY.
Pursuant to Sections 39-105 and 39-3601 et seq., Idaho Code, the Director is directed to formulate and recommend to the Board, such rules and regulations and standards as may be necessary to deal with the problems related to personal health and water pollution. The Director is further charged with the supervision and administration of a system to safeguard the quality of the waters of the state including the enforcement of standards relating to the discharge of effluent into the waters of the state. Authority to adopt rules, regulations and standards as are necessary and feasible to protect the environment and health of the citizens of the state is vested in the Board pursuant to Section 39-107, Idaho Code. (3-20-97)

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 58.01.02, "Water Quality Standards." (4-11-06)

02. Scope. These rules designate uses which are to be protected in and of the waters of the state and establish standards of water quality protective of those uses. Restrictions are placed on the discharge of wastewaters and on human activities which may adversely affect public health and water quality in the waters of the state. In addition, unique and outstanding waters of the state are recognized. These rules do not provide any legal basis for an additional permit system, nor can they be construed as granting to the Department any authority not identified in the Idaho Code. (4-2-03)

002. WRITTEN INTERPRETATIONS.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Department of Environmental Quality may have written statements which pertain to the interpretation of these rules. If available, such written statements can be inspected and copied at cost at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706-1255, www.deq.idaho.gov. (4-11-06)

003. ADMINISTRATIVE PROVISIONS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

004. INCORPORATION BY REFERENCE.
Codes, standards and regulations may be incorporated by reference in these rules pursuant to Section 67-5229, Idaho Code. Such incorporation by reference shall constitute full adoption by reference, including any notes or appendices therein, unless expressly provided otherwise in these rules. Copies of the codes, standards or regulations adopted by reference throughout these rules are available in the following locations: (8-24-94)

01. Department. Idaho Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706-1255, www.deq.idaho.gov; and (3-28-18)

02. Code of Federal Regulations. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, www.ecfr.gov, and State Law Library, 451 W. State Street, Boise, Idaho 83720. (3-28-18)

005. OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.
The state office of the Department of Environmental Quality and the office of the Board of Environmental Quality are located at 1410 N. Hilton, Boise, Idaho 83706-1255, telephone number (208) 373-0502. The office hours are 8 a.m. to 5 p.m. Monday through Friday. (4-11-06)

006. CONFIDENTIALITY OF RECORDS.
Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Chapter 1, Title 74, Idaho Code. Information submitted under a trade secret claim may be entitled to confidential treatment by the Department as provided in Section 74-114, Idaho Code, and the Rules of the Department of Environmental Quality, IDAPA 58.01.21, "Use and Disclosure of Records in the Possession of the Department of Environmental Quality." (4-5-00)

007. EFFECTIVE FOR CLEAN WATER ACT PURPOSES.

01. Alaska Rule. Water quality standards adopted and submitted to EPA since May 30, 2000, are not

effective for federal Clean Water Act (CWA) purposes until EPA approves them (see 40 CFR 131.21). This is known as the Alaska Rule. The process for revising the Idaho water quality standards subject to EPA review and approval, while also retaining the rules effective for CWA purposes, is set out in Subsections 007.02 and 007.03. (3-28-18)

02. Existing Rule Retained for Clean Water Act Purposes Until EPA Approval of Rule Revisions. (3-28-18)

a. When proposing revisions, the Department will make the proposed revisions using legislative format and, in the same rule docket, retain the existing rule that continues to be effective for CWA purposes until the date EPA issues written notification that the rule revisions have been approved. (3-28-18)

b. Notations explaining the effectiveness of both versions of the rule will be included along with the rule text. (3-28-18)

c. Upon the date EPA issues written notification that the rule revisions have been approved, the revised rule will become effective for CWA purposes and the previous rule and notations will be deleted from the Idaho Administrative Code. (3-28-18)

d. In the event EPA issues written notification that the rule revisions have been disapproved, the existing rule effective for CWA purposes will continue to apply. The disapproved rule revisions and notations will be deleted from the Idaho Administrative Code. (3-28-18)

03. Previously Approved Rules. Pursuant to 40 CFR 131.21(e), previously approved rules remain in effect for CWA purposes until a replacement water quality standard is promulgated by the state and approved by EPA or a more stringent federal standard is promulgated. (3-28-18)

04. Information Regarding the Status of EPA Review. Information regarding the status of EPA review will be posted at http://www.deq.idaho.gov/epa-actions-on-proposed-standards. (3-28-18)

008. -- 009. (RESERVED)

010. DEFINITIONS.
For the purpose of the rules contained in IDAPA 58.01.02, "Water Quality Standards," the following definitions apply: (4-11-06)

01. Activity. For purposes of antidegradation review, an activity that causes a discharge to a water subject to the jurisdiction of the Clean Water Act. (3-18-11)

02. Acute. A stimulus severe enough to induce a rapid response. In aquatic toxicity tests, acute refers to a single or short-term (i.e., ninety-six (96) hours or less) exposure to a concentration of a toxic substance or effluent which results in death to fifty percent (50%) of the test organisms. When referring to human health, an acute effect is not always measured in terms of lethality. (3-30-07)

03. Acute Criteria. Unless otherwise specified in these rules, the maximum instantaneous or one (1) hour average concentration of a toxic substance or effluent which ensures adequate protection of sensitive species of aquatic organisms from acute toxicity due to exposure to the toxic substance or effluent. Acute criteria are expected to adequately protect the designated aquatic life use if not exceeded more than once every three (3) years. This is also known as the Criterion Maximum Concentration (CMC). There are no specific acute criteria for human health; however, the human health criteria are based on chronic health effects and are expected to adequately protect against acute effects. (3-30-07)

04. Aquatic Species. Any plant or animal that lives at least part of its life in the water column or benthic portion of waters of the state. (8-24-94)

05. Assigned Criteria. Criteria associated with beneficial uses from Section 100 of these rules. (3-18-11)

06. Background. The biological, chemical or physical condition of waters measured at a point immediately upstream (up-gradient) of the influence of an individual point or nonpoint source discharge. If several discharges to the water exist or if an adequate upstream point of measurement is absent, the Department will determine where background conditions should be measured. (8-24-94)

07. Basin Advisory Group. No less than one (1) advisory group named by the Director, in consultation with the designated agencies, for each of the state's six (6) major river basins which shall generally advise the Director on water quality objectives for each basin, work in a cooperative manner with the Director to achieve these objectives, and provide general coordination of the water quality programs of all public agencies pertinent to each basin. Each basin advisory group named by the Director reflect a balanced representation of the interests in the basin and shall, where appropriate, include representatives from each of the following: agriculture, mining, nonmunicipal point source discharge permittees, forest products, local government, livestock, Indian tribes (for areas within reservation boundaries), water-based recreation, and environmental interests. (3-20-97)

08. Beneficial Use. Any of the various uses which may be made of the water of Idaho, including, but not limited to, domestic water supplies, industrial water supplies, agricultural water supplies, navigation, recreation in and on the water, wildlife habitat, and aesthetics. The beneficial use is dependent upon actual use, the ability of the water to support a non-existing use either now or in the future, and its likelihood of being used in a given manner. The use of water for the purpose of wastewater dilution or as a receiving water for a waste treatment facility effluent is not a beneficial use. (8-24-94)

09. Best Management Practice. A practice or combination of practices, techniques or measures developed, or identified, by the designated agency and identified in the state water quality management plan which are determined to be the cost-effective and practicable means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals. (3-20-97)

10. Bioaccumulation. The process by which a compound is taken up by, and accumulated in the tissues of an aquatic organism from the environment, both from water and through food. (8-24-94)

11. Bioaccumulative Pollutants. A compound with a bioaccumulation factor of greater than one thousand (1,000) or a bioconcentration factor of greater than one thousand (1,000). (4-11-15)

12. Biological Monitoring or Biomonitoring. The use of a biological entity as a detector and its response as a measure to determine environmental conditions. Toxicity tests and biological surveys, including habitat monitoring, are common biomonitoring methods. (8-24-94)

13. Board. The Idaho Board of Environmental Quality. (7-1-93)

14. Chronic. A stimulus that persists or continues for a long period of time relative to the life span of an organism. In aquatic toxicity tests, chronic refers to continuous exposure to a concentration of a toxic substance or effluent which results in mortality, injury, reduced growth, impaired reproduction, or other adverse effect to aquatic organisms. The test duration is long enough that sub-lethal effects can be reliably measured. When referring to human health, a chronic effect is usually measured in terms of estimated changes in rates (# of cases/ 1000 persons) of illness over a lifetime of exposure. (3-30-07)

15. Chronic Criteria. Unless otherwise specified in these rules, the four (4) day average concentration of a toxic substance or effluent which ensures adequate protection of sensitive species of aquatic organisms from chronic toxicity due to exposure to the toxic substance or effluent. Chronic criteria are expected to adequately protect the designated aquatic life use if not exceeded more than once every three (3) years. This is also known as the Criterion Continuous Concentration (CCC). Human health chronic criteria are based on lifetime exposure. (3-30-07)

16. Compliance Schedule or Schedule Of Compliance. A schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with an effluent limitation, other limitation, prohibition, or standard. (8-24-94)

17. Cost-Effective and Reasonable Best Management Practices (BMPs) for Nonpoint Sources. All

approved BMPs specified in Subsections 350.03 and 055.07 of these rules. BMPs for activities not specified are, in accordance with Section 350, determined on a case-by-case basis. (3-18-11)

18. Daily Maximum (Minimum). The highest (lowest) value measured during one (1) calendar day or a twenty-four (24) hour period, as appropriate. For ambient monitoring of dissolved oxygen, pH, and temperature, multiple measurements should be obtained at intervals short enough that the difference between consecutive measurements around the daily maximum (minimum) is less than zero point two (0.2) ppm for dissolved oxygen, zero point one (0.1) SU for pH, or zero point five (0.5) degree C for temperature. (3-30-07)

19. Daily Mean. The average of at least two (2) appropriately spaced measurements, acceptable to the Department, calculated over a period of one (1) day: (3-20-97)

a. Confidence bounds around the point estimate of the mean may be required to determine the sample size necessary to calculate a daily mean; (8-24-94)

b. If any measurement is greater or less than five-tenths (0.5) times the average, additional measurements over the one-day period may be needed to obtain a more representative average; (3-20-97)

c. In calculating the daily mean for dissolved oxygen, values used in the calculation shall not exceed the dissolved oxygen saturation value. If a measured value exceeds the dissolved oxygen saturation value, then the dissolved oxygen saturation value will be used in calculating the daily mean. (8-24-94)

d. For ambient monitoring of temperature, the daily mean should be calculated from equally spaced measurements, at intervals such that the difference between any two (2) consecutive measurements does not exceed one point zero (1.0) degree C. (3-30-07)

20. Degradation or Lower Water Quality. "Degradation" or "lower water quality" means, for purposes of antidegradation review, a change in a pollutant that is adverse to designated or existing uses, as calculated for a new point source, and based upon monitoring or calculated information for an existing point source increasing its discharge. Such degradation shall be calculated or measured after appropriate mixing of the discharge and receiving water body. (3-29-12)

21. Deleterious Material. Any nontoxic substance which may cause the tainting of edible species of fish, taste and odors in drinking water supplies, or the reduction of the usability of water without causing physical injury to water users or aquatic and terrestrial organisms. (8-24-94)

22. Department. The Idaho Department of Environmental Quality. (7-1-93)

23. Design Flow. The critical flow used for steady-state wasteload allocation modeling. (8-24-94)

24. Designated Agency. The department of lands for timber harvest activities, oil and gas exploration and development, and mining activities; the soil conservation commission for grazing and agricultural activities; the transportation department for public road construction; the department of agriculture for aquaculture; and the Department's division of environmental quality for all other activities. (3-20-97)

25. Designated Beneficial Use or Designated Use. Those beneficial uses assigned to identified waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, "Water Quality Standards," Sections 110 through 160, whether or not the uses are being attained. (3-28-18)

26. Desirable Species. Species indigenous to the area or those introduced species identified as desirable by the Idaho Department of Fish and Game. (3-15-02)

27. Director. The Director of the Idaho Department of Environmental Quality or his authorized agent. (7-1-93)

28. Discharge. When used without qualification, any spilling, leaking, emitting, escaping, leaching, or disposing of a pollutant into the waters of the state. For purposes of antidegradation review, means "discharge" as

used in Section 401 of the Clean Water Act. (3-18-11)

29. Dissolved Oxygen (DO). The measure of the amount of oxygen dissolved in the water, usually expressed in mg/1. (7-1-93)

30. Dissolved Product. Petroleum product constituents found in solution with water. (8-24-94)

31. Dynamic Model. A computer simulation model that uses real or derived time series data to predict a time series of observed or derived receiving water concentrations. Dynamic modeling methods include continuous simulation, Monte Carlo simulations, lognormal probability modeling, or other similar statistical or deterministic techniques. (8-24-94)

32. *E. coli* (Escherichia coli). A common fecal and intestinal organism of the coliform group of bacteria found in warm-blooded animals. (4-5-00)

33. Effluent. Any wastewater discharged from a treatment facility. (7-1-93)

34. Effluent Biomonitoring. The measurement of the biological effects of effluents (e.g., toxicity, biostimulation, bioaccumulation, etc.). (8-24-94)

35. EPA. The United States Environmental Protection Agency. (7-1-93)

36. Ephemeral Waters. A stream, reach, or water body that flows naturally only in direct response to precipitation in the immediate watershed and whose channel is at all times above the water table. (4-11-06)

37. Existing Activity or Discharge. An activity or discharge that has been previously authorized or did not previously require authorization. (3-18-11)

38. Existing Beneficial Use Or Existing Use. Those beneficial uses actually attained in waters on or after November 28, 1975, whether or not they are designated for those waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, "Water Quality Standards." (4-11-06)

39. Facility. As used in Section 850 only, any building, structure, installation, equipment, pipe or pipeline, well pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock or aircraft, area, place or property from which an unauthorized release of hazardous materials has occurred. (8-24-94)

40. Four Day Average. The average of all measurements within a period of ninety-six (96) consecutive hours. While a minimum of one (1) measurement per each twenty-four (24) hours is preferred, for toxic chemicals in Section 210, any number of data points is acceptable. (3-30-07)

41. Free Product. A petroleum product that is present as a nonaqueous phase liquid. Free product includes the presence of petroleum greater than one-tenth (0.1) inch as measured on the water surface for surface water or the water table for ground water. (7-1-93)

42. Full Protection, Full Support, or Full Maintenance of Designated Beneficial Uses of Water. Compliance with those levels of water quality criteria listed in Sections 200, 210, 250, 251, 252, 253, and 275 (if applicable) or where no major biological group such as fish, macroinvertebrates, or algae has been modified by human activities significantly beyond the natural range of the reference streams or conditions approved by the Director in consultation with the appropriate basin advisory group. (3-15-02)

43. General Permit. An NPDES permit issued by the U.S. Environmental Protection Agency authorizing a category of discharges under the federal Clean Water Act or a nationwide or regional permit issued by the U.S. Army Corps of Engineers under the federal Clean Water Act. (3-29-12)

44. Geometric Mean. The geometric mean of "n" quantities is the "nth" root of the product of the quantities. (7-1-93)

45. Ground Water. Any water of the state which occurs beneath the surface of the earth in a saturated geological formation of rock or soil. (3-30-07)

46. Harmonic Mean. The number of daily measurements divided by the sum of the reciprocals of the measurements (i.e., the reciprocal of the mean of reciprocals). (3-25-16)

47. Hazardous Material. A material or combination of materials which, when discharged in any quantity into state waters, presents a substantial present or potential hazard to human health, the public health, or the environment. Unless otherwise specified, published guides such as Quality Criteria for Water (1976) by EPA, Water Quality Criteria (Second Edition, 1963) by the state of California Water Quality Control Board, their subsequent revisions, and more recent research papers, regulations and guidelines will be used in identifying individual and specific materials and in evaluating the tolerances of the identified materials for the beneficial uses indicated. (7-1-93)

48. Highest Statutory and Regulatory Requirements for Point Sources. All applicable effluent limits required by the Clean Water Act and other permit conditions. It also includes any compliance schedules or consent orders requiring measures to achieve applicable effluent limits and other permit conditions required by the Clean Water Act. (3-18-11)

49. Hydrologic Unit Code (HUC). A unique eight (8) digit number identifying a subbasin. A subbasin is a United States Geological Survey cataloging unit comprised of water body units. (4-5-00)

50. Hydrologically-Based Design Flow. A statistically derived receiving water design flow based on the selection and identification of an extreme value (e.g., 1Q10, 7Q10). The underlying assumption is that the design flow will occur X number of times in Y years, and limits the number of years in which one (1) or more excursions below the design flow can occur. (8-24-94)

51. Hypolimnion. The bottom layer in a thermally-stratified body of water. It is fairly uniform in temperature and lays beneath a zone of water which exhibits a rapid temperature drop with depth such that mixing with overlying water is inhibited. (3-30-07)

52. Integrated Report. Refers to the consolidated listing and reporting of the state's water quality status pursuant to Sections 303(d), 305(b), and 314 of the Clean Water Act. (3-18-11)

53. Inter-Departmental Coordination. Consultation with those agencies responsible for enforcing or administering the practices listed as approved best management practices in Subsection 350.03. (7-1-93)

54. Intermittent Waters. A stream, reach, or water body which naturally has a period of zero (0) flow for at least one (1) week during most years. Where flow records are available, a stream with a 7Q2 hydrologically-based unregulated flow of less than one-tenth (0.1) cubic feet per second (cfs) is considered intermittent. Streams with natural perennial pools containing significant aquatic life uses are not intermittent. (4-11-06)

55. Load Allocation (LA). The portion of a receiving water's loading capacity that is attributed either to one (1) of its existing or future nonpoint sources of pollution or to natural background sources. (8-24-94)

56. Loading Capacity. The greatest amount of pollutant loading that a water can receive without violating water quality standards. (8-24-94)

57. Lowest Observed Effect Concentration (LOEC). The lowest concentration of a toxic substance or an effluent that results in observable adverse effects in the aquatic test population. (3-30-07)

58. Man-Made Waterways. Canals, flumes, ditches, wasteways, drains, laterals, and/or associated features, constructed for the purpose of water conveyance. This may include channels modified for such purposes prior to November 28, 1975. These waterways may have uniform and rectangular cross-sections, straight channels, follow rather than cross topographic contours, be lined to reduce water loss, and be operated or maintained to promote water conveyance. (3-30-07)

59. Maximum Weekly Maximum Temperature (MWMT). The weekly maximum temperature (WMT) is the mean of daily maximum temperatures measured over a consecutive seven (7) day period ending on the day of calculation. When used seasonally, e.g., spawning periods, the first applicable WMT occurs on the seventh day into the time period. The MWMT is the single highest WMT that occurs during a given year or other period of interest, e.g., a spawning period. (3-30-07)

60. Milligrams Per Liter (mg/l). Milligrams of solute per liter of solution, equivalent to parts per million, assuming unit density. (7-1-93)

61. Mixing Zone. A defined area or volume of the receiving water surrounding or adjacent to a wastewater discharge where the receiving water, as a result of the discharge, may not meet all applicable water quality criteria or standards. It is considered a place where wastewater mixes with receiving water and not as a place where effluents are treated. (7-1-93)

62. National Pollutant Discharge Elimination System (NPDES). Point source permitting program established pursuant to Section 402 of the federal Clean Water Act. (8-24-94)

63. Natural Background Conditions. The physical, chemical, biological, or radiological conditions existing in a water body without human sources of pollution within the watershed. Natural disturbances including, but not limited to, wildfire, geologic disturbance, diseased vegetation, or flow extremes that affect the physical, chemical, and biological integrity of the water are part of natural background conditions. Natural background conditions should be described and evaluated taking into account this inherent variability with time and place. (3-30-07)

64. Nephelometric Turbidity Units (NTU). A measure of turbidity based on a comparison of the intensity of the light scattered by the sample under defined conditions with the intensity of the light scattered by a standard reference suspension under the same conditions. (8-24-94)

65. New Activity or Discharge. An activity or discharge that has not been previously authorized. Existing activities or discharges not currently permitted or licensed will be presumed to be new unless the Director determines to the contrary based on review of available evidence. An activity or discharge that has previously taken place without need for a license or permit is not a new activity or discharge when first licensed or permitted. (3-18-11)

66. Nonpoint Source Activities. Activities on a geographical area on which pollutants are deposited or dissolved or suspended in water applied to or incident on that area, the resultant mixture being discharged into the waters of the state. Nonpoint source activities on ORWs do not include issuance of water rights permits or licenses, allocation of water rights, operation of diversions, or impoundments. Nonpoint sources activities include, but are not limited to: (3-20-97)

a. Irrigated and nonirrigated lands used for: (7-1-93)

i. Grazing; (7-1-93)

ii. Crop production; (7-1-93)

iii. Silviculture; (7-1-93)

b. Log storage or rafting; (7-1-93)

c. Construction sites; (7-1-93)

d. Recreation sites; (3-20-97)

e. Septic tank disposal fields. (8-24-94)

f. Mining; (3-20-97)

g. Runoff from storms or other weather related events; and (3-20-97)

h. Other activities not subject to regulation under the federal national pollutant discharge elimination system. (3-20-97)

67. **Nuisance**. Anything which is injurious to the public health or an obstruction to the free use, in the customary manner, of any waters of the state. (7-1-93)

68. **Nutrients**. The major substances necessary for the growth and reproduction of aquatic plant life, consisting of nitrogen, phosphorus, and carbon compounds. (7-1-93)

69. **One Day Minimum**. The lowest daily instantaneous value measured. (3-20-97)

70. **One Hour Average**. The mean of at least two (2) appropriately spaced measurements, as determined by the Department, calculated over a period of one (1) hour. When three (3) or more measurements have been taken, and if any measurement is greater or less than five-tenths (0.5) times the mean, additional measurements over the one-hour period may be needed to obtain a more representative mean. (3-20-97)

71. **Operator**. For purposes of Sections 851 and 852, any person presently or who was at any time during a release in control of, or having responsibility for, the daily operation of the petroleum storage tank (PST) system. (4-2-03)

72. **Outstanding Resource Water (ORW)**. A high quality water, such as water of national and state parks and wildlife refuges and water of exceptional recreational or ecological significance, which has been designated by the legislature and subsequently listed in this chapter. ORW constitutes an outstanding national or state resource that requires protection from point and nonpoint source activities that may lower water quality. (3-20-97)

73. **Owner**. For purposes of Sections 851 and 852, any person who owns or owned a petroleum storage tank (PST) system any time during a release and the current owner of the property where the PST system is or was located. (4-2-03)

74. **Permit or License**. A permit or license for an activity that is subject to certification by the state under Section 401 of the Clean Water Act, including, for example, NPDES permits, dredge and fill permits, and FERC licenses. (3-18-11)

75. **Person**. An individual, public or private corporation, partnership, association, firm, joint stock company, joint venture, trust, estate, state, municipality, commission, political subdivision of the state, state or federal agency, department or instrumentality, special district, interstate body or any legal entity, which is recognized by law as the subject of rights and duties. (3-20-97)

76. **Petroleum Products**. Products derived from petroleum through various refining processes. (7-1-93)

77. **Petroleum Storage Tank (PST) System**. Any one (1) or combination of storage tanks or other containers, including pipes connected thereto, dispensing equipment, and other connected ancillary equipment, and stationary or mobile equipment, that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. (7-1-93)

78. **Point Source**. Any discernible, confined, and discrete conveyance, including, but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are, or may be, discharged. This term does not include return flows from irrigated agriculture, discharges from dams and hydroelectric generating facilities or any source or activity considered a nonpoint source by definition. (7-1-93)

79. **Pollutant**. Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, silt, cellar dirt; and industrial, municipal and agricultural waste, gases entrained in water; or other materials

which, when discharged to water in excessive quantities, cause or contribute to water pollution. Provided however, biological materials do not include live or occasional dead fish that may accidentally escape into the waters of the state from aquaculture facilities. (3-20-97)

80. Project Plans. Documents which describe actions to be taken under a proposed activity. These documents include environmental impact statements, environmental assessments, and other land use or resource management plans. (7-1-93)

81. Public Swimming Beaches. Areas indicated by features such as signs, swimming docks, diving boards, slides, or the like, boater exclusion zones, map legends, collection of a fee for beach use, or any other unambiguous invitation to public swimming. Privately owned swimming docks or the like which are not open to the general public are not included in this definition. (4-11-06)

82. Receiving Waters. Those waters which receive pollutants from point or nonpoint sources. (7-1-93)

83. Reference Stream or Condition. A water body which represents the minimum conditions necessary to fully support the applicable designated beneficial uses as further specified in these rules, or natural conditions with few impacts from human activities and which are representative of the highest level of support attainable in the basin. In highly mineralized areas or in the absence of such reference streams or water bodies, the Director, in consultation with the basin advisory group and the technical advisors to it, may define appropriate hypothetical reference conditions or may use monitoring data specific to the site in question to determine conditions in which the beneficial uses are fully supported. (3-20-97)

84. Release. Any unauthorized spilling, leaking, emitting, discharging, escaping, leaching, or disposing into soil, ground water, or surface water. (8-24-94)

85. Resident Species. Those species that commonly occur in a site including those that occur only seasonally or intermittently. This includes the species, genera, families, orders, classes, and phyla that: (8-24-94)

a. Are usually present at the site; (8-24-94)

b. Are present only seasonally due to migration; (8-24-94)

c. Are present intermittently because they periodically return or extend their ranges into the site; (8-24-94)

d. Were present at the site in the past but are not currently due to degraded conditions, and are expected to be present at the site when conditions improve; and (8-24-94)

e. Are present in nearby bodies of water but are not currently present at the site due to degraded conditions, and are expected to be present at the site when conditions improve. (8-24-94)

86. Responsible Persons in Charge. Any person who: (8-24-94)

a. By any acts or omissions, caused, contributed to or exacerbated an unauthorized release of hazardous materials; (8-24-94)

b. Owns or owned the facility from which the unauthorized release occurred and the current owner of the property where the facility is or was located; or (8-24-94)

c. Presently or who was at any time during an unauthorized release in control of, or had responsibility for, the daily operation of the facility from which an unauthorized release occurred. (8-24-94)

87. Sediment. Undissolved inorganic matter. (3-30-07)

88. Seven Day Mean. The average of the daily mean values calculated over a period of seven (7) consecutive days. (3-20-97)

89. **Sewage**. The water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. (8-24-94)

90. **Short-Term or Temporary Activity**. An activity which is as short as possible but lasts for no more than one (1) year, is limited in scope and is expected to have only minimal impact on water quality as determined by the Director. Short-term or temporary activities include, but are not limited to, those activities described in Subsection 080.02. (3-30-07)

91. **Silviculture**. Those activities associated with the regeneration, growing and harvesting of trees and timber including, but not limited to, disposal of logging slash, preparing sites for new stands of trees to be either planted or allowed to regenerate through natural means, road construction and road maintenance, drainage of surface water which inhibits tree growth or logging operations, fertilization, application of herbicides or pesticides, all logging operations, and all forest management techniques employed to enhance the growth of stands of trees or timber. (3-20-97)

92. **Specialized Best Management Practices**. Those practices designed with consideration of geology, land type, soil type, erosion hazard, climate and cumulative effects in order to fully protect the beneficial uses of water, and to prevent or reduce the pollution generated by nonpoint sources. (3-3-87)

93. **State**. The state of Idaho. (7-1-93)

94. **State Water Quality Management Plan**. The state management plan developed and updated by the Department in accordance with Sections 205, 208, and 303 of the Clean Water Act. (3-20-97)

95. **Suspended Sediment**. The undissolved inorganic fraction of matter suspended in surface water. (3-30-07)

96. **Suspended Solids**. The undissolved organic and inorganic matter suspended in surface water. (3-30-07)

97. **Technology-Based Effluent Limitation**. Treatment requirements under Section 301(b) of the Clean Water Act that represent the minimum level of control that must be imposed in a permit issued under Section 402 of the Clean Water Act. (8-24-94)

98. **Thermal Shock**. A rapid temperature change that causes aquatic life to become disoriented or more susceptible to predation or disease. (4-11-15)

99. **Total Maximum Daily Load (TMDL)**. The sum of the individual wasteload allocations (WLAs) for point sources, load allocations (LAs) for nonpoint sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality. (8-24-94)

100. **Toxicity Test**. A procedure used to determine the toxicity of a chemical or an effluent using living organisms. A toxicity test measures the degree of response of an exposed test organism to a specific chemical or effluent. (8-24-94)

101. **Toxic Substance**. Any substance, material or disease-causing agent, or a combination thereof, which after discharge to waters of the State and upon exposure, ingestion, inhalation or assimilation into any organism (including humans), either directly from the environment or indirectly by ingestion through food chains, will cause death, disease, behavioral abnormalities, malignancy, genetic mutation, physiological abnormalities (including malfunctions in reproduction) or physical deformations in affected organisms or their offspring. Toxic substances include, but are not limited to, the one hundred twenty-six (126) priority pollutants identified by EPA pursuant to Section 307(a) of the federal Clean Water Act. (8-24-94)

102. Treatment. A process or activity conducted for the purpose of removing pollutants from wastewater. (7-1-93)

103. Treatment System. Any physical facility or land area for the purpose of collecting, treating, neutralizing or stabilizing pollutants including treatment by disposal plants, the necessary intercepting, outfall and outlet sewers, pumping stations integral to such plants or sewers, equipment and furnishing thereof and their appurtenances. A treatment system may also be known as a treatment facility. (4-11-06)

104. Twenty-Four Hour Average. The mean of at least two (2) appropriately spaced measurements, as determined by the Department, calculated over a period of twenty-four (24) consecutive hours. When three (3) or more measurements have been taken, and if any measurement is greater or less than five-tenths (0.5) times the mean, additional measurements over the twenty-four (24)-hour period may be needed to obtain a more representative mean. (3-20-97)

105. Unique Ecological Significance. The attribute of any stream or water body which is inhabited or supports an endangered or threatened species of plant or animal or a species of special concern identified by the Idaho Department of Fish and Game, which provides anadromous fish passage, or which provides spawning or rearing habitat for anadromous or desirable species of lake dwelling fishes. (8-24-94)

106. Use Attainability Analysis. A structured scientific assessment of the factors affecting the attainment of the use which may include physical, chemical, biological, and economic factors as described in Subsection 102.02.a. (3-25-16)

107. Wasteload Allocation (WLA). The portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. (8-24-94)

108. Wastewater. Unless otherwise specified, sewage, industrial waste, agricultural waste, and associated solids or combinations of these, whether treated or untreated, together with such water as is present. (7-1-93)

109. Water Body Unit. Includes all named and unnamed tributaries within a drainage and is considered a single unit unless designated otherwise. (4-5-00)

110. Water Pollution. Any alteration of the physical, thermal, chemical, biological, or radioactive properties of any waters of the state, or the discharge of any pollutant into the waters of the state, which will or is likely to create a nuisance or to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to fish and wildlife, or to domestic, commercial, industrial, recreational, aesthetic, or other beneficial uses. (8-24-94)

111. Water Quality-Based Effluent Limitation. An effluent limitation that refers to specific levels of water quality that are expected to render a body of water suitable for its designated or existing beneficial uses. (8-24-94)

112. Water Quality Limited Water Body. After monitoring, evaluation of required pollution controls, and consultation with the appropriate basin and watershed advisory groups, a water body identified by the Department, which does not meet applicable water quality standards, and/or is not expected to meet applicable water quality standards after the application of required pollution controls. A water body identified as water quality limited shall require the development of a TMDL or other equivalent process in accordance with Section 303 of the Clean Water Act and Sections 39-3601 et seq., Idaho Code. (3-20-97)

113. Waters and Waters Of The State. All the accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof which are wholly or partially within, which flow through or border upon the state. (7-1-93)

114. Watershed. The land area from which water flows into a stream or other body of water which drains the area. (3-20-97)

115. Watershed Advisory Group. An advisory group appointed by the Director, with the advice of the appropriate Basin Advisory Group, which will recommend to the Department those specific actions needed to control point and nonpoint sources of pollution affecting water quality limited water bodies within the watershed. Members of each watershed advisory group shall be representative of the industries and interests affected by the management of that watershed, along with representatives of local government and the land managing or regulatory agencies with an interest in the management of that watershed and the quality of the water bodies within it. (3-20-97)

116. Whole-Effluent Toxicity. The aggregate toxic effect of an effluent measured directly with a toxicity test. (8-24-94)

117. Zone of Initial Dilution (ZID). An area within a Department authorized mixing zone where acute criteria may be exceeded. This area shall be no larger than necessary and be sized to prevent lethality to swimming or drifting organisms by ensuring that organisms are not exposed to concentrations exceeding acute criteria for more than one (1) hour more than once in three (3) years. The actual size of the ZID will be determined by the Department for a discharge on a case-by-case basis, taking into consideration mixing zone modeling and associated size recommendations and any other pertinent chemical, physical, and biological data available. (4-11-15)

011. -- 049. (RESERVED)

050. ADMINISTRATIVE POLICY.

01. Apportionment of Water. The adoption of water quality standards and the enforcement of such standards is not intended to conflict with the apportionment of water to the state through any of the interstate compacts or court decrees, or to interfere with the rights of Idaho appropriators, either now or in the future, in the utilization of the water appropriations which have been granted to them under the statutory procedure, or to interfere with water quality criteria established by mutual agreement of the participants in interstate water pollution control enforcement procedures. (7-1-93)

02. Protection of Waters of the State. (7-1-93)

a. Wherever attainable, surface waters of the state shall be protected for beneficial uses which for surface waters includes all recreational use in and on the water surface and the preservation and propagation of desirable species of aquatic life; (4-5-00)

b. In all cases, existing beneficial uses of the waters of the state will be protected. (7-1-93)

03. Annual Program. To fully achieve and maintain water quality in the state, it is the intent of the Department to develop and implement a Continuing Planning Process that describes the on-going planning requirements of the State's Water Quality Management Plan. The Department's planned programs for water pollution control comprise the State's Water Quality Management Plan. (4-5-00)

04. Program Integration. Whenever an activity or class of activities is subject to provisions of these rules, as well as other regulations or standards of either this Department or other Governmental agency, the Department will seek and employ those methods necessary and practicable to integrate the implementation, administration and enforcement of all applicable regulations through a single program. Integration will not, however, be affected to the extent that applicable provisions of these rules would fail to be achieved or maintained unless the Department's role in these cases is limited by state statute or federal law. (7-1-93)

05. Revisions. These rules are subject to amendment as technical data, surveillance programs, and technological advances require. Any revisions made to these rules will be in accordance with Sections 39-101, et seq., and 67-5201, et seq., Idaho Code. (8-24-94)

051. ANTIDEGRADATION POLICY.

01. Maintenance of Existing Uses for All Waters (Tier I Protection). The existing in stream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected. (3-18-11)

02. High Quality Waters (Tier II Protection). Where the quality of the waters exceeds levels necessary to support propagation of fish, shellfish and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the Department finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the Department's continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. In allowing such degradation or lower water quality, the Department shall assure water quality adequate to protect existing uses fully. Further, the Department shall assure that there shall be achieved the highest statutory and regulatory requirements for all new and existing point sources and cost-effective and reasonable best management practices for nonpoint source control. In providing such assurance, the Department may enter together into an agreement with other state of Idaho or federal agencies in accordance with Sections 67-2326 through 67-2333, Idaho Code. (3-18-11)

03. Outstanding Resource Waters (Tier III Protection). Where an outstanding resource water has been designated by the legislature, that water quality shall be maintained and protected from the impacts of point and nonpoint source activities. (3-29-12)

04. Thermal Discharges. In those cases where potential water quality impairment associated with a thermal discharge is involved, antidegradation shall be implemented consistent with Section 316 of the Clean Water Act. (3-18-11)

05. Waters Subject to the Antidegradation Policy. Idaho's antidegradation policy only applies to waters subject to the jurisdiction of the Clean Water Act. (3-18-11)

052. ANTIDEGRADATION IMPLEMENTATION.
The antidegradation policy shall be implemented as follows: (3-18-11)

01. Waters Protected. All waters receive Tier I protection. Waters receiving Tier II protection will be identified using a water body by water body approach during the antidegradation review. Waters given Tier III protection are designated in law. (3-18-11)

02. Restoration Projects. Changes in water quality may be allowed by the Department without an antidegradation review where determined necessary to secure long-term water quality improvement through restoration projects designed to trend toward natural characteristics and associated uses to a water body where those characteristics and uses have been lost or diminished. Restoration projects shall implement best management practices. (3-18-11)

03. General Permits. For general permits issued on or after July 1, 2011, the Department will conduct an antidegradation review, including any required Tier II analysis, at the time at which general permits are certified. For general permits that the Department determines adequately address antidegradation, review of individual applications for coverage will not be required unless it is required by the general permit. For general permits that the Department determines do not adequately address antidegradation, the Department may conclude that other conditions, such as the submittal of additional information or individual certification at the time an application is submitted for coverage under a general permit, may be necessary in the general permit to provide reasonable assurance of compliance with the antidegradation policy. If supported by the permit record, the Department may also presume that discharges authorized under a general permit are insignificant or that the pollution controls required in the general permit are the least degrading alternative as specified in Subsection 052.08.c. (3-29-12)

04. Initiation of Antidegradation Review. Review of degradation potential and application of the appropriate level of protection from degradation will be triggered by an application for a new or reissued permit or license. (3-18-11)

05. Identification of Tier II Waters. The Department will utilize a water body by water body approach in determining where Tier II protection is appropriate in addition to Tier I protection. This approach shall be based on an assessment of the chemical, physical, biological and other information regarding the water body. The most recent federally approved Integrated Report and supporting data will be used to determine the appropriate level of protection as follows: (3-29-12)

a. Water bodies identified in the Integrated Report as fully supporting assessed uses will be provided Tier II protection. (3-29-12)

b. Water bodies identified in the Integrated Report as not assessed will be provided an appropriate level of protection on a case-by-case basis using information available at the time of a proposal for a new or reissued permit or license. (3-29-12)

c. Water bodies identified in the Integrated Report as not fully supporting assessed uses will receive Tier I protection for the impaired aquatic life or recreational use, except as follows: (3-29-12)

i. For aquatic life uses identified as impaired for dissolved oxygen, pH or temperature, if biological or aquatic habitat parameters show a healthy, balanced biological community is present, as described in the "Water Body Assessment Guidance" published by the Idaho Department of Environmental Quality, then the water body shall receive Tier II protection for aquatic life uses. (3-29-12)

ii. For recreational uses, if water quality data show compliance with those levels of water quality criteria listed in Sections 200, 210, 251, and 275 (where applicable), then the water body shall receive Tier II protection for recreational uses. (3-29-12)

06. Evaluation of Effect of an Activity or Discharge on Water Quality. The Department will evaluate the effect on water quality for each pollutant. The Department will determine whether an activity or discharge results in an improvement, no change, or degradation of water quality. (3-18-11)

a. Effect on water quality will be based on the calculated change in concentration in the receiving water as a result of a new or reissued permit or license. With respect to a discharge, this calculation will take into account dilution using appropriate mixing of the receiving water under critical conditions coupled with the design flow of the discharge. For a reissued permit or license, the calculated change will be the difference in water quality that would result from the activity or discharge as authorized in the current permit or license and the water quality that would result from the activity or discharge as proposed in the reissued permit or license. For a new permit or license, the calculated change will be the difference between the existing receiving water quality and water quality that would result from the activity or discharge as proposed in the new permit or license. (3-18-11)

i. Current Discharge Quality. For pollutants that are currently limited, current discharge quality shall be based on limits in the current permit or license. For pollutants not currently limited, current discharge quality shall be based on available discharge quality data collected within five years of the application for a permit or license or other relevant information. (3-18-11)

ii. Proposed Quality for an Existing Discharge. Future discharge quality shall be based on proposed permit limits. For pollutants not limited in the proposed permit or license, future discharge quality will be estimated from available discharge quality data since the last permit or license was issued accounting for any changes in production, treatment or operation. For the proposed discharge of a new pollutant or a proposed increased discharge of a pollutant, future discharge quality will be estimated based on information provided by the applicant or other relevant information. (3-18-11)

iii. New Permit Limits for an Existing Discharge. When new permit limits are proposed for the first time for a pollutant in an existing discharge, then for purposes of calculating the change in water quality, any statistical procedures used to derive the proposed new limits will be applied to past discharge quality as well, where appropriate. (3-18-11)

iv. Proposed Quality for a New Discharge. Future discharge quality shall be based on proposed permit limits. For pollutants not limited in the proposed permit or license, future discharge quality will be based on information provided by the applicant or other relevant information. (3-18-11)

b. Receiving water quality will be the quality measured, or modeled as appropriate, immediately above the discharge for flowing waters and outside any Department authorized mixing zone for lakes and reservoirs. (3-18-11)

c. Offsets. In determining the effect of an activity or discharge on water quality of Tier II or Tier III waters, the Department may take into account reductions in pollution from other sources that are tied to the proposed activity or discharge. These offsets in pollution must be upstream of the degradation in water quality due to the proposed activity or discharge and occur before the activity or discharge is allowed to begin. The applicant seeking a permit or license for an activity or discharge based on offsets will be held responsible for assuring offsets are achieved and maintained as a condition of their permit or license. (3-18-11)

07. **Tier I Review**. Tier I review will be performed for all new or reissued permits or licenses. Existing uses and the water quality necessary to protect the existing uses must always be maintained and protected. No degradation or lowering of water quality may be allowed that would cause or contribute to violation of water quality criteria as calculated after authorized mixing of the discharge with the receiving water. Identification of existing uses and the water quality necessary for their protection will be based on all available information, including any water quality related data and information submitted during the public comment period for the permit or license. (3-18-11)

08. **Tier II Analysis**. A Tier II analysis will only be conducted for activities or discharges, subject to a permit or a license, that cause degradation. The Department may allow significant degradation of surface water quality that is better than assigned criteria only if it is determined to be necessary to accommodate important economic or social development in the area in which the waters are located. The process and standard for this determination are set forth below. (3-18-11)

a. Insignificant Degradation. If the Department determines an activity or discharge will cause degradation, then the Department shall determine whether the degradation is insignificant. (4-11-15)

i. A cumulative decrease in assimilative capacity of more than ten percent (10%), from conditions as of July 1, 2011, shall constitute significant degradation. If the cumulative decrease in assimilative capacity from conditions as of July 1, 2011, is equal to or less than ten percent (10%), then, taking into consideration the size and character of the activity or discharge and the magnitude of its effect on the receiving stream, the Department may determine that the degradation is insignificant. (4-11-15)

ii. The Department may request additional information from the applicant as needed to determine the significance of the degradation. (4-11-15)

iii. If degradation is determined to be insignificant, then no further Tier II analysis for other source controls (Subsection 052.08.b.), alternatives analysis (Subsection 052.08.c.), or socioeconomic justification (Subsection 052.08.d.) is required. (4-11-15)

b. Other Source Controls. In allowing any degradation of high water quality, the Department must assure that there shall be achieved in the watershed the highest statutory and regulatory requirements for all new and existing point sources and cost-effective and reasonable best management practices for all nonpoint source controls. In providing such assurance, the Department may enter together into an agreement with other State of Idaho or federal agencies in accordance with Sections 67-2326 through 67-2333, Idaho Code. (3-18-11)

c. Alternatives Analysis. Degradation will be deemed necessary only if there are no reasonable alternatives to discharging at the levels proposed. The applicant seeking authorization to degrade high water quality must provide an analysis of alternatives aimed at selecting the best combination of site, structural, managerial and treatment approaches that can be reasonably implemented to avoid or minimize the degradation of water quality. To identify the least degrading alternative that is reasonable, the following principles shall be followed: (3-18-11)

i. Controls to avoid or minimize degradation should be considered at the earliest possible stage of project design. (3-18-11)

ii. Alternatives that must be evaluated as appropriate, are: (3-18-11)

(1) Relocation or configuration of outfall or diffuser; (3-18-11)

(2) Process changes/improved efficiency that reduces pollutant discharge; (3-18-11)

(3) Seasonal discharge to avoid critical time periods for water quality; (3-18-11)

(4) Non-discharge alternatives such as land application; and (3-18-11)

(5) Offsets to the activity or discharge's effect on water quality. (3-18-11)

iii. The Department retains the discretion to require the applicant to examine specific alternatives or provide additional information to conduct the analysis. (3-18-11)

iv. In selecting the preferred alternative the applicant shall: (3-18-11)

(1) Evaluate economic impacts (total cost effectiveness, incremental cost effectiveness) of all technologically feasible alternatives; (3-18-11)

(2) Rank all technologically feasible treatment alternatives by their cost effectiveness at pollutant reduction; (3-18-11)

(3) Consider the environmental costs and benefits across media and between pollutants; and (3-18-11)

(4) Select the least degrading option or show that a more degrading alternative is justified based on Subsections 052.08.c.iv.(1), 052.08.c.iv.(2), or 052.08.c.iv.(3) above. (3-29-12)

d. Socioeconomic Justification. Degradation of water quality deemed necessary must also be determined by the Department to accommodate important economic or social development. Therefore, the applicant seeking authorization to degrade water quality must at a minimum identify the important economic or social development for which lowering water quality is necessary and should use the following steps to demonstrate this: (3-18-11)

i. Identify the affected community; (3-18-11)

ii. Describe the important social or economic development associated with the activity which can include cleanup/restoration of a closed facility; (3-18-11)

iii. Identify the relevant social, economic and environmental health benefits and costs associated with the proposed degradation in water quality for the preferred alternative. Benefits and costs that must be analyzed include, but are not limited to: (3-18-11)

(1) Economic benefits to the community such as changes in employment, household incomes and tax base; (3-18-11)

(2) Provision of necessary services to the community; (3-18-11)

(3) Potential health impacts related to the proposed activity; (3-18-11)

(4) Impacts to direct and indirect uses associated with high quality water, e.g., fishing, recreation, and tourism; and (3-18-11)

(5) Retention of assimilative capacity for future activities or discharges. (3-18-11)

iv. Factors identified in the socioeconomic justification should be quantified whenever possible but for those factors that cannot be quantified a qualitative description of the impacts may be accepted; and (3-18-11)

v. If the Department determines that more information is required, then the Department may require the applicant to provide further information or seek additional sources of information. (3-18-11)

e. Process. (3-18-11)

i. Analysis. The Department in cooperation with State of Idaho designated management agencies and/or federal agencies will collect information regarding the other source controls specified in Subsection 052.08.b. The applicant for a new or reissued permit or license is responsible for providing information pertinent to determining significance/insignificance of proposed changes in water quality and completing an alternatives analysis and socioeconomic justification as appropriate and submitting them to the Department for review. (3-29-12)

ii. Departmental review. The Department shall review all pertinent information and, after intergovernmental coordination, public notice and input, make a determination as to whether there is assurance that the other source controls specified in Subsection 052.08.b. shall be achieved, and whether degradation of water quality is necessary to accommodate important economic or social development. (3-29-12)

iii. Public Involvement. The Department will satisfy the public participation provisions of Idaho's continuing planning process. Public notice and review of antidegradation will be coordinated with existing 401 certification notices for public review. (3-18-11)

09. Tier III - Outstanding Resource Waters (ORWs). ORWs are designated by the legislature. Subsection 052.09 describes the nomination, public notice and comment, public hearing, and board review process for directing the Department to develop legislation designating ORWs. Only the legislature may designate ORWs. Once designated by the legislature, the ORWs are listed in these rules. (3-18-11)

a. Nominations. Any person may request, in writing to the board, that a stream segment be considered for designation as an Outstanding Resource Water. To be considered for ORW designation, nominations must be received by the board by April 1 or ten (10) days after the adjournment sine die of that year's regular session of the legislature, whichever is later, for consideration during the next regular session of the legislature. All nominations shall be addressed to:

Idaho Board of Environmental Quality
Department of Environmental Quality
Outstanding Resource Water Nomination
1410 N. Hilton
Boise, Idaho 83706-1255

The nomination shall include the following information: (3-18-11)

i. The name, description and location of the stream segment; (3-18-11)

ii. The boundaries upstream and downstream of the stream segment; (3-18-11)

iii. An explanation of what makes the segment a candidate for the designation; (3-18-11)

iv. A description of the existing water quality and any technical data upon which the description is based as can be found in the most current basin status reports; (3-18-11)

v. A discussion of the types of nonpoint source activities currently being conducted that may lower water quality, together with those activities that are anticipated during the next two (2) years, as described in the most current basin status reports; and (3-18-11)

vi. Any additional evidence to substantiate such a designation. (3-18-11)

b. Public Notice and Public Comment. The board will give public notice that one (1) or more stream segments are being considered for recommendation to the legislature as outstanding resource waters. Public notice will also be given if a public hearing is being held. Public comments regarding possible designation will be accepted by the board for a period of at least forty-five (45) days. Public comments may include, but are not limited to, discussion of socioeconomic considerations; fish, wildlife or recreational values; and other beneficial uses. (3-18-11)

c. Public Hearing. A public hearing(s) may be held at the board's discretion on any stream segment nominated for ORW designation. Public notice will be given if a hearing is held. The decision to hold a hearing may

be based on the following criteria: (3-18-11)

i. One (1) or more requests contain supporting documentation and valid reasons for designation; (3-18-11)

ii. A stream segment is generally recognized as constituting an outstanding national resource, such as waters of national and state parks, and wildlife refuges; (3-18-11)

iii. A stream segment is generally recognized as waters of exceptional recreational or ecological significance; (3-18-11)

iv. The board shall give special consideration to holding a hearing and to recommending for designation by the legislature, waters which meet criteria found in Subsections 052.09.c.ii. and 052.09.c.iii.; (3-29-12)

v. Requests for a hearing will be given due consideration by the board. Public hearings may be held at the board's discretion. (3-18-11)

d. Board Review. The board shall review the stream segments nominated for ORW designation and based on the hearing or other written record, determine the segments to recommend as ORWs to the legislature. The board shall submit a report for each stream segment it recommends for ORW designation. The report shall contain the information specified in Subsection 052.09.a. and information from the hearing record or other written record concerning the impacts the designation would have on socioeconomic conditions; fish, wildlife and recreational values; and other beneficial uses. The Department shall then prepare legislation for each segment that will be recommended to the legislature as an ORW. The legislation shall provide for the listing of designated segments in these rules without the need for formal rulemaking procedures, pursuant to Sections 67-5201, et seq., Idaho Code. (3-29-12)

e. Designated Waters. Those stream segments designated by the legislature as ORWs are listed in Sections 110 through 160. (3-18-11)

f. Restriction of Nonpoint Source Activities on ORWs. Nonpoint source activities on ORWs shall be restricted as follows: (3-18-11)

i. The water quality of ORWs shall be maintained and protected. After the legislature has designated a stream segment as an outstanding resource water, no person shall conduct a new or substantially modify an existing nonpoint source activity that can reasonably be expected to lower the water quality of that ORW, except for conducting short term or temporary nonpoint source activities which do not alter the essential character or special uses of a segment, allocation of water rights, or operation of water diversions or impoundments. Stream segments not designated as ORWs that discharge directly into an ORW shall not be subject to the same restrictions as an ORW, nor shall the ORW mixing zone be subject to the same restrictions as an ORW. A person may conduct a new or substantially modify an existing nonpoint source activity that can reasonably be expected to lower the water quality of a tributary or stream segment, which discharges directly into an ORW or an ORW mixing zone, provided that the water quality of that ORW below the mixing zone shall not be lowered. (3-18-11)

ii. After the legislature has designated a stream segment as an outstanding resource water as outlined in Subsection 052.09.e., existing nonpoint source activities may continue and shall be conducted in a manner that maintains and protects the current water quality of an ORW. The provisions of this section shall not affect short term or temporary activities that do not alter the essential character or special uses of a segment, allocation of water rights, or operations of water diversions or impoundments, provided that such activities shall be conducted in conformance with applicable laws and regulations. (3-29-12)

g. Restriction of Point Source Discharges to ORWs. The water quality of ORWs shall be maintained and protected. Point source discharges that may cause degradation to ORWs may be allowed only if they are offset by reductions in other discharges per Subsection 052.06.c. (3-29-12)

053. PUBLIC PARTICIPATION.

In providing general coordination of water quality programs within each basin, in carrying out the duties of the Basin Advisory Groups as assigned, and in carrying out the provisions of Sections 39-3601, et seq., Idaho Code, the Director and the Basin Advisory Groups shall employ all means of public involvement deemed necessary, including the public involvement required under Section 67-2340 through Section 67-2347, Idaho Code, Section 051 of this rule or required in Chapter 52, Title 67, Idaho Code, and shall cooperate fully with the public involvement or planning processes of other appropriate public agencies. (3-20-97)

054. BENEFICIAL USE SUPPORT STATUS.
In determining whether a water body fully supports designated and existing beneficial uses, the Department shall determine whether all of the applicable water quality standards are being achieved, including any criteria developed pursuant to these rules, and whether a healthy, balanced biological community is present. The Department shall utilize biological and aquatic habitat parameters listed below and in the current version of the "Water Body Assessment Guidance," as published by the Idaho Department of Environmental Quality, as a guide to assist in the assessment of beneficial use status. Revisions to this guidance will be made after notice and an opportunity for public comment. These parameters are not to be considered or treated as individual water quality criteria or otherwise interpreted or applied as water quality standards. The Department shall employ a weight of evidence approach in evaluating a combination of water quality data types (including, but not limited to, aquatic habitat and biological parameters), when such a combination of data are available, in making its final use support determination. (3-30-07)

01. Aquatic Habitat Parameters. These parameters may include, but are not limited to, stream width, stream depth, stream shade, measurements of sediment impacts, bank stability, water flows, and other physical characteristics of the stream that affect habitat for fish, macroinvertebrates or other aquatic life. (3-30-07)

02. Biological Parameters. These parameters may include, but are not limited to, evaluation of aquatic macroinvertebrates including Ephemeroptera, Plecoptera and Trichoptera (EPT), Hilsenhoff Biotic Index, measures of functional feeding groups, and the variety and number of fish or other aquatic life to determine biological community diversity and functionality. (3-20-97)

03. Use of Data Regarding pH, Turbidity, Dissolved Oxygen, and Temperature. In making use support determinations, the Department may give less weight to departures from criteria in Section 250 for pH, turbidity, dissolved oxygen, and temperature that are infrequent, brief, and small if aquatic habitat and biological data indicate to the assessor that aquatic life beneficial uses are otherwise supported. Unless otherwise determined by the Department, "infrequent" means less than ten percent (10%) of valid, applicable, representative measurements when continuous data are available; "brief" means two (2) hours or less; and "small" means conditions that avoid acute effects. Subsection 054.03 only applies to use of this data for determination of beneficial use support status. Subsection 054.03 does not apply to or affect the application of criteria for any other regulatory purpose including, but not limited to, determining whether a particular discharge or activity violates water quality standards. (3-18-11)

04. Natural Conditions. There is no impairment of beneficial uses or violation of water quality standards where natural background conditions exceed any applicable water quality criteria as determined by the Department, and such natural background conditions shall not, alone, be the basis for placing a water body on the list of water quality limited water bodies described in Section 055. (3-18-11)

05. Rigor, Quality and Relevance of Data. In making any use support determination, the Department shall consider the scientific rigor associated with the collection of samples or data (e.g., the scientific methods used to collect samples or data); the quality of measurements and/or analysis of the samples (e.g., methodology, instrumentation, accuracy, precision, and limits of detection where applicable); and the relevance of the data (e.g., the relationship to a water quality standard, beneficial use or cause of impairment, and how representative the samples or data are of the water body in question). (3-30-07)

055. WATER QUALITY LIMITED WATERS AND TMDLS.

01. Reporting Water Body Use Support Status. After using the provisions in Section 054, and after consultation with the appropriate basin and watershed advisory groups, the Department shall identify water bodies in the appropriate category in the Integrated Report. The Integrated Report shall be published periodically by the Department in accordance with the applicable provisions of the Clean Water Act and shall be subject to public review

and comment prior to submission to EPA for approval. (4-11-15)

02. Water Bodies Needing Development of a Total Maximum Daily Load (TMDL). (4-11-15)

a. The Department shall develop TMDLs or other equivalent processes, as required under Section 303(d)(1) of the Clean Water Act, for those water bodies identified in the Integrated Report as not fully supporting designated or existing beneficial uses and not meeting applicable water quality standards despite the application of required pollution controls. (4-11-15)

b. Informational TMDLs may be developed for water bodies fully supporting beneficial uses as described under Section 303(d)(3) of the Clean Water Act, however, they will not be subject to the provisions of this Section. (3-18-11)

c. TMDLs do not need to be developed for water bodies where other pollutant control requirements are expected to achieve full support of uses and compliance with water quality standards in a reasonable period of time. Such water bodies shall be identified as Category 4(b) waters in the Integrated Report. (4-11-15)

03. Priority of TMDL Development. The priority of TMDL development for water quality limited water bodies identified in the Integrated Report shall be determined by the Director depending upon the severity of pollution and the uses of the water body, including those of unique ecological significance. In determining the severity of pollution and the effect on uses, the Director shall apply the factors set forth in Section 39-3609, Idaho Code. Water bodies identified as a high priority through this process will be the first to be targeted for development of a TMDL or equivalent process. (4-11-15)

04. Protection of Uses Prior to Completion of TMDLs. Prior to the completion of a TMDL or equivalent process for water quality limited water bodies, the Department shall take those actions required by the antidegradation policy (Section 051), the antidegradation implementation procedures (Section 052), and the provisions in Section 39-3610, Idaho Code. Nothing in this section shall be interpreted as requiring best management practices for agricultural operations which are not adopted on a voluntary basis. (4-11-15)

05. Consistency with TMDLs. Once a TMDL or equivalent process is completed, discharges of causative pollutants shall be consistent with the allocations in the TMDL. Nothing in this section shall be interpreted as requiring best management practices for agricultural operations which are not adopted on a voluntary basis. (4-11-15)

06. Pollutant Trading. Development of TMDLs or equivalent processes or interim changes under these rules may include pollutant trading with the goal of restoring water quality limited water bodies to compliance with water quality standards. (3-20-97)

07. Idaho Agriculture Pollution Abatement Plan. Use of best management practices by agricultural activities is strongly encouraged in high, medium and low priority watersheds. The Idaho Agriculture Pollution Abatement Plan is the source for best management practices for the control of nonpoint sources of pollution for agriculture. (3-20-97)

056. -- 059. (RESERVED)

060. MIXING ZONE POLICY.

Note: Final rule submitted to EPA on December 22, 2016 (docket 58-0102-1401). This revision updates DEQ's Mixing Zone Policy to take into account modern tools for evaluating mixing, lessons learned from years of implementation, and to provide greater clarity for DEQ and the regulated community. Until EPA approves the revisions in this docket, the previous standards published in 2014 Idaho Administrative Code continue to apply and are effective for CWA purposes. The following definitions were updated in docket 58-0102-1401: Bioaccumulative Pollutants, Thermal Shock, and Zone of Initial Dilution. For more information, go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.

01. Mixing Zones for Point Source Discharges. Whether a mixing zone is authorized, and its size, configuration and location, is determined by the Department on a case-by-case basis. This determination is made in accordance with the provisions of Section 060 at the time a permit is issued, renewed, or materially modified and is in effect as long as the permit remains in effect. Such an authorization is required before a mixing zone can be used to determine the need for, or level of, effluent limits for a particular pollutant. (4-11-15)

a. Mixing zones shall not be authorized for a given pollutant when the receiving water does not meet water quality criteria for that pollutant; provided, however, the Department may authorize a mixing zone when the permitted discharge is consistent with an approved TMDL allocation or other applicable plans or analyses (such as 4b implementation plans, watershed loading analyses, or facility-specific water quality pollutant management plans) that demonstrate that there is available assimilative capacity and authorizing a mixing zone is consistent with achieving compliance with water quality standards in the receiving water. (4-11-15)

b. Water quality within an authorized mixing zone is allowed to exceed chronic water quality criteria for those parameters approved by the Department. If approved by the Department, acute water quality criteria for one (1) or more parameters may be exceeded within the zone of initial dilution inside the mixing zone. Narrative criteria in Subsections 200.03 and 200.05 apply within the mixing zone. All water quality criteria must be met at the boundary of any mixing zone under its design conditions. (4-11-15)

c. The size of mixing zone(s) and the concentration of pollutant(s) present shall be evaluated based on the permitted design flow. The Department shall not authorize a mixing zone that is determined to be larger than is necessary considering siting, technological, and managerial options available to the discharger. (4-11-15)

d. Mixing zones, individually or in combination with other mixing zones, shall not cause unreasonable interference with, or danger to, beneficial uses. Unreasonable interference with, or danger to, beneficial uses includes, but is not limited to, the following: (4-11-15)

i. Impairment to the integrity of the aquatic community, including interfering with successful spawning, egg incubation, rearing, or passage of aquatic life. (4-11-15)

ii. Heat in the discharge that causes thermal shock, lethality, or loss of cold water refugia. (4-11-15)

iii. Bioaccumulation of pollutants (as defined in Section 010) resulting in tissue levels in aquatic organisms that exceed levels protective of human health or aquatic life. (4-11-15)

iv. Lethality to aquatic life passing through the mixing zone. (4-11-15)

v. Concentrations of pollutants that exceed Maximum Contaminant Levels at drinking water intake structures. (4-11-15)

vi. Conditions which impede or prohibit recreation in or on the water body. Mixing zones shall not be authorized for *E. coli*. (4-11-15)

e. Multiple nested mixing zones may be established for a single point of discharge, each being specific for one (1) or more pollutants contained within the discharge. (4-11-15)

f. Multiple mixing zones may be established for a single activity with multiple points of discharge. When these individual mixing zones overlap or merge, their combined area and volume shall not exceed that which would be allowed if there was a single point of discharge. When these individual mixing zones do not overlap or merge, they may be authorized as individual mixing zones. (4-11-15)

g. Adjacent mixing zones of independent activities shall not overlap. (4-11-15)

h. Mixing zones shall meet the following restrictions; provided, however, that the Department may authorize mixing zones that vary from the restrictions under the circumstances set forth in Subsection 060.01.i. below: (4-11-15)

i. For flowing waters: (4-11-15)

(1) The width of a mixing zone is not to exceed twenty-five percent (25%) of the stream width; and (4-11-15)

(2) The mixing zone shall not include more than twenty-five percent (25%) of the low flow design discharge conditions as set forth in Subsection 210.03.b. of these rules. (4-11-15)

ii. For all new discharges to nonflowing waters authorized after July 1, 2015: (4-11-15)

(1) The size of the mixing zone is not to exceed five percent (5%) of the total open surface area of the water body or one hundred (100) meters from the point of discharge, whichever is smaller; (4-11-15)

(2) Shore-hugging plumes are not allowed; and (4-11-15)

(3) Diffusers shall be used. (4-11-15)

iii. For all existing discharges to nonflowing waters authorized prior to July 1, 2015, the total horizontal area allocated to the mixing zone is not to exceed ten percent (10%) of the surface area of the lake. (4-11-15)

iv. Lakes and reservoirs with a mean detention time of fifteen (15) days or greater shall be considered nonflowing waters for this purpose. Detention time will be calculated as the mean annual storage volume divided by the mean annual flow rate out of the reservoir for the same time period. (4-11-15)

i. The Department may authorize a mixing zone that varies from the limits in Subsection 060.01.h. if it is established that: (4-11-15)

i. A smaller mixing zone is needed to avoid an unreasonable interference with, or danger to, beneficial uses as described in Subsection 060.01.d., and the mixing zone meets the other requirements set forth in Section 060; or (4-11-15)

ii. A larger mixing zone is needed by the discharger and does not cause an unreasonable interference with, or danger to, beneficial uses as described in Subsection 060.01.d., and the mixing zone meets the other requirements set forth in Section 060. The discharger shall provide to the Department an analysis that demonstrates a larger mixing zone is needed given siting, technological, and managerial options. (4-11-15)

j. The following elements shall be considered when designing an outfall: (4-11-15)

i. Encourage rapid mixing to the extent possible. This may be done through careful location and design of the outfall; and (4-11-15)

ii. Avoid shore-hugging plumes in those water bodies where the littoral zone is a major supply of food and cover for migrating fish and other aquatic life or where recreational activities are impacted by the plume. (4-11-15)

02. Points of Compliance as Alternatives to Mixing Zones. Specification of mixing zones for some 404 dredge and fill activities, stormwater, and nonpoint source discharges may not be practicable due to the generally intermittent and diffuse nature of these discharges. Rather, the Department may allow limited dilution of the discharge by establishing points for monitoring compliance with ambient water quality criteria. These alternatives to a mixing zone are still subject to requirements outlined in Subsections 060.01.a., 060.01.d., 200.03, and 200.05. (4-11-15)

061. -- 069. (RESERVED)

070. APPLICATION OF STANDARDS.

01. Multiple Criteria. In the application of the use designation, the most stringent criterion of a multiple criteria applies. (4-5-00)

02. Application of Standards to Nonpoint Source Activities. The application of water quality standards to nonpoint source activities shall be in accordance with Section 350. (7-1-93)

03. Application of Standards to Point Source Discharges. The application of water quality standards to point source discharges shall be in accordance with Sections 400 and 401. (4-11-06)

04. Applicability of Gas Supersaturation Standard. The application of gas supersaturation standard shall be in accordance with Section 300. (4-5-00)

05. Mixing Zones. The application of water quality standards to mixing zones shall be in accordance with Section 060. (7-1-93)

06. Application of Standards to Intermittent Waters. Numeric water quality standards only apply to intermittent waters during optimum flow periods sufficient to support the uses for which the water body is designated. For recreation, optimum flow is equal to or greater than five (5) cubic feet per second (cfs). For aquatic life uses, optimum flow is equal to or greater than one (1) cfs. (3-30-01)

07. Temperature Criteria. In the application of temperature criteria, the Director may, at his discretion, waive or raise the temperature criteria as they pertain to a specific water body. Any such determination shall be made consistent with 40 CFR 131.11 and shall be based on a finding that the designated aquatic life use is not an existing use in such water body or would be fully supported at a higher temperature criteria. For any determination, the Director shall, prior to making a determination, provide for public notice and comment on the proposed determination. For any such proposed determination, the Director shall prepare and make available to the public a technical support document addressing the proposed modification. (4-5-00)

08. Protection of Downstream Water Quality. All waters shall maintain a level of water quality at their pour point into downstream waters that provides for the attainment and maintenance of the water quality standards of those downstream waters, including waters of another state or tribe. (3-25-16)

071. -- 079. (RESERVED)

080. VIOLATION OF WATER QUALITY STANDARDS.

01. Discharges Which Result in Water Quality Standards Violation. No pollutant shall be discharged from a single source or in combination with pollutants discharged from other sources in concentrations or in a manner that: (7-1-93)

a. Will or can be expected to result in violation of the water quality standards applicable to the receiving water body or downstream waters; or (7-1-93)

b. Will injure designated or existing beneficial uses; or (8-24-94)

c. Is not authorized by the appropriate authorizing agency for those discharges that require authorization. (8-24-94)

02. Short Term Activity Exemption. The Department or the Board can authorize, with whatever conditions deemed necessary, short term activities even though such activities can result in a violation of these rules; (8-24-94)

a. No activity can be authorized by the provisions of Subsection 080.02 unless: (7-1-93)

i. The activity is essential to the protection or promotion of public interest; (7-1-93)

ii. No permanent or long term injury of beneficial uses is likely as a result of the activity. (7-1-93)

b. Activities eligible for authorization by Subsection 080.02 include, but are not limited to: (7-1-93)

i. Wastewater treatment facility maintenance; (7-1-93)

ii. Fish eradication projects; (7-1-93)

iii. Mosquito abatement projects; (7-1-93)

iv. Algae and weed control projects; (7-1-93)

v. Dredge and fill activities; (3-20-97)

vi. Maintenance of existing structures; (3-20-97)

vii. Limited road and trail reconstruction; (3-20-97)

viii. Soil stabilization measures; (3-20-97)

ix. Habitat enhancement structures; and (3-20-97)

x. Activities which result in overall enhancement or maintenance of beneficial uses. (7-1-93)

03. Temperature Exemption. Exceeding the temperature criteria in Section 250 will not be considered a water quality standard violation when the air temperature of a given day exceeds the ninetieth percentile of a yearly series of the maximum weekly maximum air temperature (MWMT) calculated over the historic record measured at the nearest weather reporting station. (3-15-02)

081. -- 089. (RESERVED)

090. ANALYTICAL PROCEDURES.
These procedures are available for review at the Idaho Department of Environmental Quality, or may be obtained from the U.S. Environmental Protection Agency or U.S. Government Printing Office. (8-24-94)

01. Chemical and Physical Procedures. Sample collection, preservation and analytical procedures to determine compliance with these standards shall conform with the guidelines of the Environmental Protection Agency, 40 CFR, Part 136, or other methods accepted by the scientific community and deemed appropriate by the Department. (8-24-94)

02. Metals Procedures. For the purposes of NPDES permitting, sample collection, preservation and analytical procedures for metals should conform to clean or ultra-clean techniques as described in: (8-24-94)

a. "Guidance Document on Clean Analytical Techniques and Monitoring," EPA, October 1993; or (8-24-94)

b. "Interim Guidance on Determination and Use of Water-Effect Ratios for Metals," EPA, February 1994; or (8-24-94)

c. Other scientifically valid methods deemed appropriate by the Department. (8-24-94)

03. Biological Procedures. Biological tests to determine compliance with these standards should be based on methods as outlined in: (8-24-94)

a. "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms," Fourth Edition, EPA, 1991; or (8-24-94)

b. "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms," Second Edition, EPA 1989; or (8-24-94)

c. "Rapid Bioassessment Protocols for Use in Streams and Rivers," EPA, 1989; or (8-24-94)

d. Other scientifically valid methods deemed appropriate by the Department. (7-1-93)

091. -- 099. (RESERVED)

100. SURFACE WATER USE DESIGNATIONS.
Waterbodies are designated in Idaho to protect water quality for existing or designated uses. The designated use of a waterbody does not imply any rights to access or ability to conduct any activity related to the use designation, nor does it imply that an activity is safe. For example, a designation of primary or secondary contact recreation may occur in areas where it is unsafe to enter the water due to water flows, depth or other hazardous conditions. Another example is that aquatic life uses may be designated in areas that are closed to fishing or access is not allowed by property owners. Wherever attainable, the designated beneficial uses for which the surface waters of the state are to be protected include: (3-15-02)

01. Aquatic Life. (7-1-93)

a. Cold water (COLD): water quality appropriate for the protection and maintenance of a viable aquatic life community for cold water species. (4-5-00)

b. Salmonid spawning (SS): waters which provide or could provide a habitat for active self-propagating populations of salmonid fishes. (3-30-07)

c. Seasonal cold water (SC): water quality appropriate for the protection and maintenance of a viable aquatic life community of cool and cold water species, where cold water aquatic life may be absent during, or tolerant of, seasonally warm temperatures. (4-5-00)

d. Warm water (WARM): water quality appropriate for the protection and maintenance of a viable aquatic life community for warm water species. (4-5-00)

e. Modified (MOD): water quality appropriate for an aquatic life community that is limited due to one (1) or more conditions set forth in 40 CFR 131.10(g) which preclude attainment of reference streams or conditions. (4-5-00)

02. Recreation. (7-1-93)

a. Primary contact recreation (PCR): water quality appropriate for prolonged and intimate contact by humans or for recreational activities when the ingestion of small quantities of water is likely to occur. Such activities include, but are not restricted to, those used for swimming, water skiing, or skin diving. (4-5-00)

Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.

a. Primary contact recreation (PCR): water quality appropriate for prolonged and intimate contact by humans or for recreational activities when the ingestion of small quantities of water is likely to occur. Such activities include, but are not restricted to, those used for swimming, water skiing, or skin diving. PCR includes all activities associated with secondary contact recreation (SCR). (4-11-19)

Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.

b. Secondary contact recreation (SCR): water quality appropriate for recreational uses on or about the water and which are not included in the primary contact category. These activities may include fishing, boating, wading, infrequent swimming, and other activities where ingestion of raw water is not likely to occur. (4-5-00)

03. Water Supply. (7-1-93)

a. Domestic (DWS): water quality appropriate for drinking water supplies. (4-5-00)

Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1703 have been approved.

a. Domestic (DWS): water quality appropriate for use as untreated raw water (as defined under IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems") for public drinking water. (4-11-19)

Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1703 have been approved.

b. Agricultural: water quality appropriate for the irrigation of crops or as drinking water for livestock. This use applies to all surface waters of the state. (4-5-00)

c. Industrial: water quality appropriate for industrial water supplies. This use applies to all surface waters of the state. (4-5-00)

04. Wildlife Habitats. Water quality appropriate for wildlife habitats. This use applies to all surface waters of the state. (4-5-00)

05. Aesthetics. This use applies to all surface waters of the state. (7-1-93)

101. NONDESIGNATED SURFACE WATERS.

01. Undesignated Surface Waters. Surface waters not designated in Sections 110 through 160 shall be designated according to Section 39-3604, Idaho Code, taking into consideration the use of the surface water and such physical, geological, chemical, and biological measures as may affect the surface water. Prior to designation, undesignated waters shall be protected for beneficial uses, which includes all recreational use in and on the water and the protection and propagation of fish, shellfish, and wildlife, wherever attainable. (3-23-98)

a. Because the Department presumes most waters in the state will support cold water aquatic life and primary or secondary contact recreation beneficial uses, the Department will apply cold water aquatic life and primary or secondary contact recreation criteria to undesignated waters unless Sections 101.01.b and 101.01c. are followed. (4-5-00)

b. During the review of any new or existing activity on an undesignated water, the Department may examine all relevant data or may require the gathering of relevant data on beneficial uses; pending determination in Section 101.01.c. existing activities will be allowed to continue. (3-23-98)

c. If, after review and public notice of relevant data, it is determined that beneficial uses in addition to

or other than cold water aquatic life and primary or secondary contact recreation are appropriate, then the Department will: (4-5-00)

i. Complete the review and compliance determination of the activity in context with the new information on beneficial uses, and (3-23-98)

ii. Initiate rulemaking necessary to designate the undesignated water, including providing all necessary data and information to support the proposed designation. (3-23-98)

02. Man-Made Waterways. Unless designated in Sections 110 through 160, man-made waterways are to be protected for the use for which they were developed. (7-1-93)

03. Private Waters. Unless designated in Sections 110 through 160, lakes, ponds, pools, streams and springs outside public lands but located wholly and entirely upon a person's land are not protected specifically or generally for any beneficial use. (7-1-93)

102. DESIGNATION AND REVISION OF BENEFICIAL USES.
When designating or revising beneficial uses for a water body, the Department shall consult with the basin advisory group and the watershed advisory group with the responsibilities for the water body described in Chapter 36, Title 39, Idaho Code. After consultation, the Director shall identify the designated beneficial uses of each water body in these rules pursuant to the rulemaking and public participation provisions of Chapter 52, Title 67, Idaho Code. (3-25-16)

01. Designation of Beneficial Uses. Beneficial uses shall be designated in accordance with Section 39-3604, Idaho Code, taking into consideration the uses set forth in Section 100, and such physical, geological, chemical, and biological measures as may affect the surface water. Beneficial uses are designated according to water body unit unless designated otherwise. Use designations are made for each water body or segment whether or not they are being attained or are fully supported at the time of designation. (3-25-16)

a. In designating beneficial uses, which a water body can reasonably be expected to attain, the Department shall consider: (3-25-16)

i. Existing uses of the water body; (3-25-16)

ii. The physical, geological, hydrological, atmospheric, chemical and biological measures that affect the water body; (3-25-16)

iii. The beneficial use attainability measures identified in Section 39-3607, Idaho Code; (3-25-16)

iv. The economic impact of the designation and the economic costs required to fully support the beneficial uses; (3-25-16)

v. The attainment and maintenance of the water quality standards of downstream waters, including the waters of downstream states; (3-25-16)

vi. Adopting subcategories of a beneficial use and setting the appropriate criteria to reflect varying needs of such subcategories of beneficial uses, for instance, to differentiate between cold water and warm water fisheries; (3-25-16)

vii. At a minimum, that beneficial uses are deemed attainable if they can be achieved by the imposition of effluent limits required under sections 301(b) and 306 of the federal Clean Water Act and cost-effective and reasonable best management practices for nonpoint source control; and (3-25-16)

viii. Designating seasonal beneficial uses as an alternative to reclassifying a water body or segment thereof to uses requiring less stringent water quality criteria. If seasonal beneficial uses are adopted, water quality criteria may be adjusted to reflect the timing of the beneficial use, e.g., salmonid spawning. However, seasonal beneficial uses and their criteria shall not preclude the attainment and maintenance of a more protective beneficial use at other times. (3-25-16)

b. In no case shall waste transport or waste assimilation be a designated beneficial use for a water body. (3-25-16)

02. Revision of Beneficial Uses. (3-25-16)

a. Designated beneficial uses shall be reviewed and revised when such physical, geological, hydrological, atmospheric, chemical or biological measures indicate the need to do so. Designated beneficial uses may be revised or removed if the designated beneficial use is not an existing use, and it is demonstrated that attaining the designated beneficial use is not feasible due to one of the following factors: (3-25-16)

i. Naturally occurring pollutant concentrations prevent the attainment of the use; (3-25-16)

ii. Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating state water conservation requirements to enable uses to be met; (3-25-16)

iii. Human caused conditions or sources of pollution prevent the attainment of the use and cannot be remedied or would cause more environmental damage to correct than to leave in place; (3-25-16)

iv. Dams, diversions or other types of hydrologic modifications preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use; (3-25-16)

v. Physical conditions related to the natural features of the water body, such as the lack of a proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality, preclude attainment of aquatic life protection uses; or (3-25-16)

vi. Controls more stringent than those required by sections 301(b) and 306 of the federal Clean Water Act would result in substantial and widespread economic and social impact. (3-25-16)

b. Designated beneficial uses may not be removed if: (3-25-16)

i. They are existing uses unless a use requiring more stringent criteria is added; or (3-25-16)

ii. Such uses can be attained by implementing effluent limits required under sections 301(b) and 306 of the federal Clean Water Act and by implementing cost-effective and reasonable best management practices for nonpoint source control. (3-25-16)

c. Where existing water quality standards specify designated uses less than those which are presently being attained, the Department shall revise its standards to reflect the uses actually being attained. (3-25-16)

d. A use attainability analysis is a structured scientific assessment of the factors affecting the attainment of the use which may include physical, chemical, biological, and economic factors as described in Subsection 102.02.a. A use attainability analysis must be conducted whenever: (3-25-16)

i. The Department designates uses for a water body that do not include the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water; or (3-25-16)

ii. The Department acts to remove a designated use which provides for protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water; to remove a subcategory of such uses; or to designate subcategories of such uses which require less stringent criteria than previously applicable. (3-25-16)

e. A use attainability analysis is not required under this rule whenever: (3-25-16)

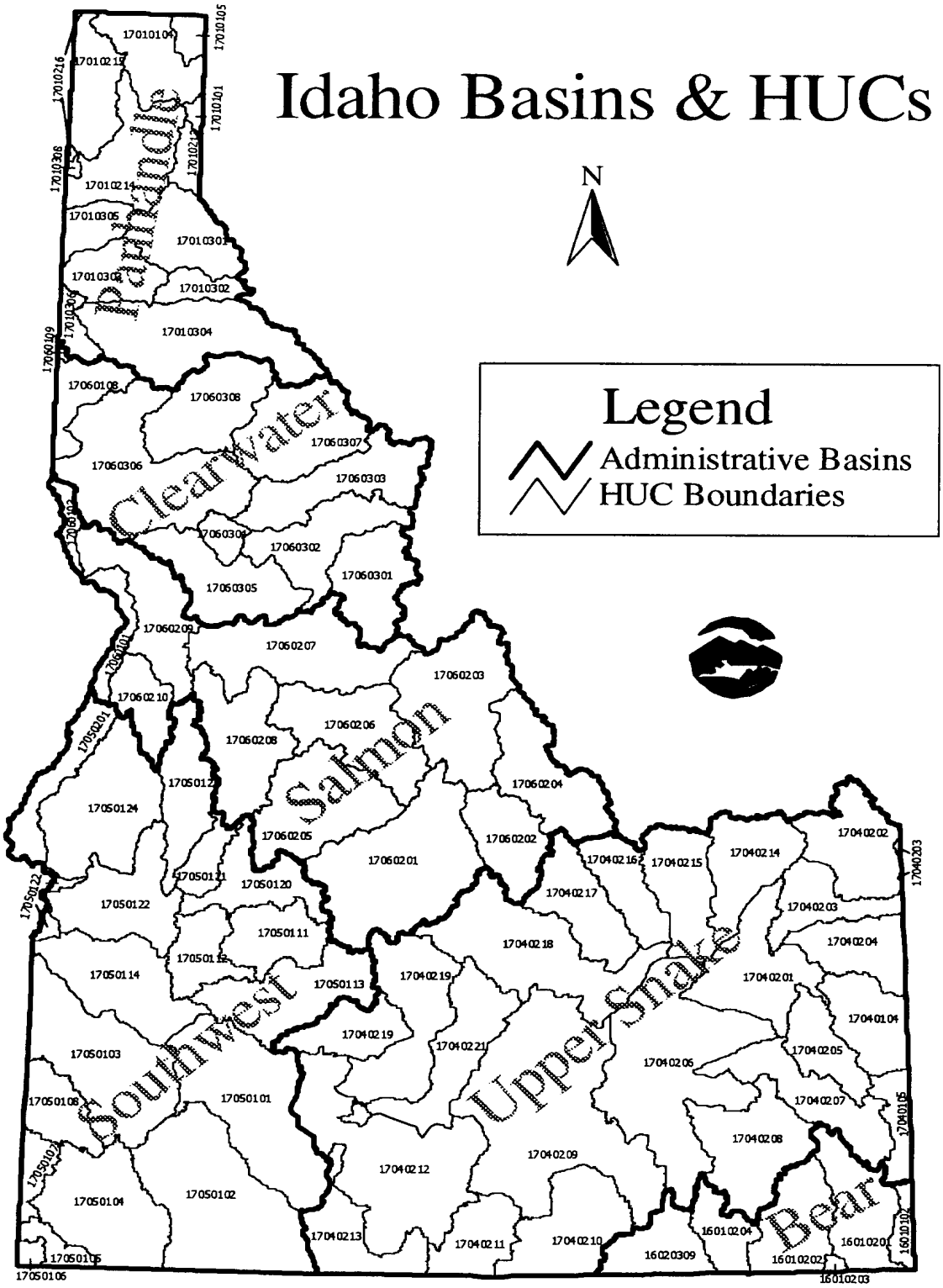
i. The Department designates beneficial uses which include protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water; or (3-25-16)

ii. The Department removes a beneficial use that does not include the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water. (3-25-16)

103. -- 108. (RESERVED)

109. HUC INDEX AND ABBREVIATIONS FOR SECTIONS 110, 120, 130, 140, 150, AND 160.

01. Map. The following map depicts the hydrologic units and basins described here in. (4-5-00)


Idaho Basins & HUCs
N
Legend
Administrative Basins
HUC Boundaries
Panhandle
Clearwater
Salmon
Southwest
Upper Snake
Bear

02. **Table**. The following table describes the hydrologic unit code (HUC), associated subbasin name, and the rule section describing the water bodies within the subbasin.

HUC	SUBBASIN	RULE SECTION	HUC	SUBBASIN	RULE SECTION
16010102	Central Bear	160.01	16010201	Bear Lake	160.02
16010202	Middle Bear	160.03	16010203	Little Bear-Logan	160.04
16010204	Lower Bear-Malad	160.05	16020309	Curlew Valley	160.06
17010101	Upper Kootenai	110.01	17010104	Lower Kootenai	110.02
17010105	Moyie	110.03	17010213	Lower Clark Fork	110.04
17010214	Pend Oreille Lake	110.05	17010215	Priest	110.06
17010216	Pend Oreille	110.07	17010301	Upper Coeur d'Alene	110.08
17010302	South Fork Coeur d'Alene	110.09	17010303	Coeur d'Alene Lake	110.10
17010304	St. Joe	110.11	17010305	Upper Spokane	110.12
17010306	Hangman	110.13	17010308	Little Spokane	110.14
17040104	Palisades	150.01	17040105	Salt	150.02
17040201	Idaho Falls	150.03	17040202	Upper Henrys	150.04
17040203	Lower Henrys	150.05	17040204	Teton	150.06
17040205	Willow	150.07	17040206	American Falls	150.08
17040207	Blackfoot	150.09	17040208	Portneuf	150.10
17040209	Lake Walcott	150.11	17040210	Raft	150.12
17040211	Goose	150.13	17040212	Upper Snake-Rock	150.14
17040213	Salmon Falls	150.15	17040214	Beaver-Camas	150.16
17040215	Medicine Lodge	150.17	17040216	Birch	150.18
17040217	Little Lost	150.19	17040218	Big Lost	150.20
17040219	Big Wood	150.21	17040220	Camas	150.22
17040221	Little Wood	150.23	17050101	C.J. Strike Reservoir	140.01
17050102	Bruneau	140.02	17050103	Middle Snake-Succor	140.03
17050104	Upper Owyhee	140.04	17050105	South Fork Owyhee	140.05
17050106	East Little Owyhee	140.06	17050107	Middle Owyhee	140.07
17050108	Jordan	140.08	17050111	North/Middle Fork Boise	140.09
17050112	Boise-Mores	140.10	17050113	South Fork Boise	140.11
17050114	Lower Boise	140.12	17050115	Middle Snake-Payette	140.13
17050120	South Fork Payette	140.14	17050121	Middle Fork Payette	140.15
17050122	Payette	140.16	17050123	North Fork Payette	140.17
17050124	Weiser	140.18	17050201	Brownlee Reservoir	140.19

HUC	SUBBASIN	RULE SECTION	HUC	SUBBASIN	RULE SECTION
17060101	Hells Canyon	130.01	17060103	Lower Snake-Asotin	130.02
17060108	Palouse	120.01	17060109	Rock	120.02
17060201	Upper Salmon	130.03	17060202	Pahsimeroi	130.04
17060203	Middle Salmon-Panther	130.05	17060204	Lemhi	130.06
17060205	U. Middle Fork Salmon	130.07	17060206	L. Middle Fork Salmon	130.08
17060207	Mid. Salmon-Chamberlain	130.09	17060208	South Fork Salmon	130.10
17060209	Lower Salmon	130.11	17060210	Little Salmon	130.12
17060301	Upper Selway	120.03	17060302	Lower Selway	120.04
17060303	Lochsa	120.05	17060304	Middle Fork Clearwater	120.06
17060305	South Fork Clearwater	120.07	17060306	Clearwater	120.08
17060307	U. North Fork Clearwater	120.09	17060308	L. North Fork Clearwater	120.10

(4-5-00)

03. Abbreviations. (4-5-00)

a. COLD -- Cold Water Communities. (4-5-00)

b. SS -- Salmonid Spawning. (4-5-00)

c. SC -- Seasonal Cold Water Communities. (4-5-00)

d. WARM -- Warm Water Communities. (4-5-00)

e. MOD -- Modified Communities. (4-5-00)

f. PCR -- Primary Contact Recreation. (4-5-00)

g. SCR -- Secondary Contact Recreation. (4-5-00)

h. DWS -- Domestic Water Supply. (4-5-00)

i. NONE -- Use Unattainable. (4-5-00)

j. No entry in the Aquatic Life or Recreation columns -- nondesignated waters for those uses. (3-15-02)

110. PANHANDLE BASIN.
Surface waters found within the Panhandle basin total fourteen (14) subbasins and are designated as follows: (4-5-00)

01. Upper Kootenai Subbasin. The Upper Kootenai Subbasin, HUC 17010101, is comprised of six (6) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Star Creek - source to Idaho/Montana border	COLD SS	PCR	
P-2	North Callahan Creek - source to Idaho/Montana border	COLD SS	PCR	
P-3	South Callahan Creek - Glad Creek to Idaho/Montana border	COLD SS	PCR	
P-4	South Callahan Creek - source to Glad Creek	COLD SS	PCR	
P-5	Glad Creek - source to mouth	COLD SS	PCR	
P-6	Keeler Creek - source to Idaho/Montana border	COLD SS	PCR	

(3-30-01)

02. Lower Kootenai Subbasin. The Lower Kootenai Subbasin, HUC 17010104, is comprised of forty (40) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Kootenai River - Shorty's Island to the Idaho/Canadian border	COLD SS	PCR	DWS
P-2	Boundary Creek - Idaho/Canadian border to mouth	COLD SS	PCR	
P-3	Grass Creek - source to Idaho/Canadian border	COLD SS	PCR	
P-4	Blue Joe Creek - source to Idaho/Canadian border	COLD SS	PCR	
P-5	Smith Creek - Cow Creek to mouth	COLD SS	PCR	
P-6	Cow Creek - source to mouth	COLD SS	PCR	
P-7	Smith Creek - source to Cow Creek	COLD SS	PCR	
P-8	Long Canyon Creek - source to mouth	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
P-9	Parker Creek - source to mouth	COLD SS	PCR	
P-10	Trout Creek - source to mouth	COLD SS	PCR	
P-11	Ball Creek - source to mouth	COLD SS	PCR	
P-12	Kootenai River - Deep Creek to and including Shorty's Island	COLD SS	PCR	DWS
P-13	Myrtle Creek - source to mouth	COLD SS	PCR	--[1] ---------- DWS[2]
P-14	Cascade Creek - source to mouth	COLD SS	PCR	
P-15	Deep Creek - Snow Creek to mouth	COLD SS	PCR	DWS
P-16	Snow Creek - source to mouth	COLD SS	PCR	
P-17	Caribou Creek - source to mouth	COLD SS	PCR	
P-18	Deep Creek - Brown Creek to Snow Creek	COLD SS	PCR	DWS
P-19	Deep Creek - Trail Creek to Brown Creek	COLD SS	PCR	DWS
P-20	Ruby Creek - source to mouth	COLD SS	PCR	
P-21	Fall Creek - source to mouth	COLD SS	PCR	
P-22	Deep Creek - McArthur Lake to Trail Creek	COLD SS	PCR	DWS
P-23	McArthur Lake	COLD		
P-24	Dodge Creek - source to mouth	COLD SS	SCR	
P-25	Deep Creek - source to McArthur Lake	COLD SS	PCR	
P-26	Trail Creek - source to mouth	COLD SS	PCR	
P-27	Brown Creek - source to mouth	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
P-28	Twentymile Creek - source to mouth	COLD SS	PCR	--[1] ---------- DWS[2]
P-29	Kootenai River - Moyie River to Deep Creek	COLD SS	PCR	DWS
P-30	Cow Creek - source to mouth	COLD SS	SCR	--[1] ---------- DWS[2]
P-31	Kootenai River - Idaho/Montana to Moyie River	COLD SS	PCR	DWS
P-32	Boulder Creek - East Fork Boulder Creek to mouth	COLD SS	PCR	
P-33	Boulder Creek - source to East Fork Boulder Creek	COLD SS	PCR	
P-34	East Fork Boulder Creek - source to mouth	COLD SS	PCR	
P-35	Curley Creek - source to mouth	COLD SS	SCR	
P-36	Flemming Creek - source to mouth	COLD SS	SCR	
P-37	Rock Creek - source to mouth	COLD SS	SCR	
P-38	Mission Creek - Brush Creek to mouth	COLD SS	PCR	
P-39	Brush Creek - source to mouth	COLD SS	SCR	
P-40	Mission Creek - Idaho/Canadian border to Brush Creek	COLD SS	SCR	

(4-11-19)

03. **Moyie Subbasin**. The Moyie Subbasin, HUC 17010105, is comprised of twelve (12) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Moyie River - Moyie Falls Dam to mouth	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
P-2	Moyie River - Meadow Creek to Moyie Falls Dam	COLD SS	PCR	DWS
P-3	Skin Creek - Idaho/Montana border to mouth	COLD SS	PCR	--[1] ---------- DWS[2]
P-4	Deer Creek - source to mouth	COLD SS	PCR	
P-5	Moyie River - Round Prairie Creek to Meadow Creek	COLD SS	PCR	DWS
P-6	Moyie River - Idaho/Canadian border to Round Prairie Creek	COLD SS	PCR	DWS
P-7	Canuck Creek - Idaho/Montana border to Idaho/Canadian border	COLD SS	SCR	
P-8	Round Prairie Creek - Gillon Creek to mouth	COLD SS	PCR	
P-9	Gillon Creek - Idaho/Canadian border to mouth	COLD SS	PCR	
P-10	Round Prairie Creek - source to Gillon Creek	COLD SS	PCR	
P-11	Miller Creek - source to mouth	COLD SS	PCR	
P-12	Meadow Creek - source to mouth	COLD SS	PCR	--[1] ---------- DWS[2]

(4-11-19)

04. Lower Clark Fork Subbasin. The Lower Clark Fork Subbasin, HUC 17010213, is comprised of twenty-one (21) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Clark Fork River Delta - Mosquito Creek to Pend Oreille Lake	COLD SS	PCR	DWS
P-2	Johnson Creek - source to mouth			
P-3	Clark Fork River - Cabinet Gorge Dam to Mosquito Creek	COLD SS	PCR	DWS
P-4	Dry Creek - source to mouth			
P-5	Clark Fork River - Idaho/Montana border to Cabinet Gorge Dam	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
P-6	West Fork Elk Creek - source to Idaho/Montana border			
P-7	West Fork Blue Creek - source to Idaho/Montana border			
P-8	Gold Creek - source to Idaho/Montana border			
P-9	Mosquito Creek - source to mouth			
P-10	Lightning Creek - Spring Creek to mouth	COLD SS	PCR	DWS
P-11	Lightning Creek - Cascade Creek to Spring Creek	COLD SS	PCR	DWS
P-12	Cascade Creek - source to mouth			
P-13	Lightning Creek - East Fork Creek to Cascade Creek	COLD SS	PCR	DWS
P-14	East Fork Creek - Idaho/Montana border to mouth			
P-15	Savage Creek - Idaho/Montana border to mouth			
P-16	Lightning Creek - Wellington Creek to East Fork Creek	COLD SS	PCR	DWS
P-17	Lightning Creek - Rattle Creek to Wellington Creek	COLD SS	PCR	DWS
P-18	Rattle Creek - source to mouth			
P-19	Lightning Creek - source to Rattle Creek	COLD SS	PCR	DWS
P-20	Wellington Creek - source to mouth			
P-21	Spring Creek - source to mouth			

(3-29-12)

05. Pend Oreille Lake Subbasin. The Pend Oreille Lake Subbasin, HUC 17010214, is comprised of sixty-one (61) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Pend Oreille River - Priest River to Albeni Falls Dam	COLD	PCR	DWS
P-2	Pend Oreille River - Pend Oreille Lake to Priest River	COLD	PCR	DWS
P-3	Hoodoo Creek - source to mouth			
P-4	Kelso Lake and outlet	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
P-5	Granite Lake			
P-6	Beaver Lake			
P-7	Spirit Creek - source to mouth			
P-8	Blanchard Lake			
P-9	Spirit Lake	COLD SS	PCR	DWS
P-10	Brickel Creek - Idaho/Washington border to mouth			
P-11	Jewell Lake			
P-12	Cocolalla Creek - Cocolalla Lake to mouth	COLD	PCR	DWS
P-13	Cocolalla Lake	COLD	PCR	DWS
P-14	Cocolalla Creek - source to Cocolalla Lake			--[1] ---------- DWS[2]
P-15	Fish Creek - source to mouth			
P-16	Fry Creek - source to mouth			
P-17	Shepard Lake			
P-18	Pend Oreille Lake	COLD SS	PCR	DWS
P-19	Gamble Lake			
P-20	Mirror Lake			
P-21	Gold Creek - West Gold Creek to mouth			
P-22	West Gold Creek- source to mouth			
P-23	Gold Creek - source to West Gold Creek			
P-24	Chloride Creek - source to mouth			
P-25	North Gold Creek - source to mouth			
P-26	Cedar Creek - source to mouth			
P-27	Granite Creek - source to mouth	COLD SS	SCR	
P-28	Riser Creek - source to mouth			--[1] ---------- DWS[2]
P-29	Strong Creek - source to mouth			--[1] ---------- DWS[2]
P-30	Trestle Creek - source to mouth	COLD SS	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
P-31	Lower Pack River - Sand Creek to mouth	COLD SS	PCR	DWS
P-32	Trout Creek - source to mouth			
P-33	Rapid Lightning Creek - source to mouth			
P-34	Gold Creek - source to mouth			
P-35	Grouse Creek - North Fork Grouse Creek to mouth			
P-36	Grouse Creek - source to North Fork Grouse Creek			
P-37	North Fork Grouse Creek - source to mouth			
P-38	Sand Creek - source to mouth			
P-39	Upper Pack River - Lindsey Creek to Sand Creek	COLD SS	PCR	DWS
P-40	Walsh Lake			
P-41	Upper Pack River - source to and including Lindsey Creek	COLD SS	PCR	DWS
P-42	McCormick Creek - source to mouth			
P-43	Jeru Creek - source to mouth			
P-44	Hellroaring Creek - source to mouth			
P-45	Caribou Creek - source to mouth			
P-46	Berry Creek - source to mouth			--[1] ---------- DWS[2]
P-47	Colburn Creek - source to mouth			
P-48	Sand Creek - Schweitzer Creek to mouth			--[1] ---------- DWS[2]
P-49	Sand Creek - source to Schweitzer Creek			
P-50	Spring Jack Creek - source to mouth			
P-51	Swede Creek - source to mouth			
P-52	Schweitzer Creek - source to mouth			
P-53	Little Sand Creek - source to mouth			--[1] ---------- DWS[2]
P-54	Syringa Creek - source to mouth			
P-55	Carr Creek - source to mouth			
P-56	Hornby Creek - source to mouth			
P-57	Smith Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
P-58	Johnson Creek - source to mouth			
P-59	Riley Creek - source to mouth			
P-60	Manley Creek - source to mouth			
P-61	Strong Creek - source to mouth			

(4-11-19)

06. Priest Subbasin. The Priest Subbasin, HUC 17010215, is comprised of thirty-one (31) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Lower Priest River - Upper West Branch Priest River to mouth	COLD	PCR	DWS
P-2	Big Creek - source to mouth			
P-3	Middle Fork East River - source to mouth			
P-4	North Fork East River - source to mouth			
P-5	Lower Priest River - Priest Lake to Upper West Branch Priest River	COLD	PCR	DWS
P-6	Priest Lake	COLD SS	PCR	DWS
P-7	Chase Lake			
P-8	Soldier Creek - source to mouth			
P-9	Hunt Creek - source to mouth			
P-10	Indian Creek - source to mouth			
P-11	Bear Creek - source to mouth			
P-12	Two Mouth Creek - source to mouth			
P-13	Lion Creek - source to mouth			
P-14	Priest Lake Thorofare - Upper Priest Lake to Priest Lake	COLD SS	PCR	DWS
P-15	Caribou Creek - source to mouth			
P-16	Upper Priest Lake	COLD SS	PCR	DWS
P-17	Trapper Creek - source to mouth			
P-18	Upper Priest River - Idaho/Canadian border to mouth	COLD SS	PCR	DWS
P-19	Hughes Fork - source to mouth			
P-20	Beaver Creek - source to mouth			
P-21	Tango Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
P-22	Granite Creek - Idaho/Washington border to mouth			
P-23	Reeder Creek - source to mouth			
P-24	Kalispell Creek - Idaho/Washington border to mouth			
P-25	Lamb Creek - Idaho/Washington border to mouth			
P-26	Binarch Creek - Idaho/Washington border to mouth			
P-27	Upper West Branch Priest River - Idaho/Washington border to mouth			
P-28	Goose Creek - Idaho/Washington border to mouth			
P-29	Quartz Creek - source to mouth			
P-30	Lower West Branch Priest River - Idaho/Washington border to mouth			
P-31	Moores Creek - source to mouth			

(3-29-12)

07. Pend Oreille Subbasin. The Pend Oreille Subbasin, HUC 17010216, is comprised of two (2) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	South Salmo River - source to Idaho/Washington border			
P-2	Pend Oreille River - Albeni Falls Dam to Idaho/Washington border	COLD	PCR	DWS

(4-5-00)

08. Upper Coeur d'Alene Subbasin. The Upper Coeur d'Alene Subbasin, HUC 17010301, is comprised of thirty-nine (39) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	North Fork Coeur d'Alene River - Yellow Dog Creek to mouth	COLD SS	PCR	DWS
P-2	Graham Creek - source to mouth			
P-3	Beaver Creek - source to mouth			
P-4	Prichard Creek - Butte Creek to mouth	COLD SS	PCR	
P-5	Prichard Creek - source to Butte Creek	COLD SS	PCR	DWS
P-6	Butte Creek - source to mouth			
P-7	Eagle Creek - source to mouth			
P-8	West Fork Eagle Creek - source to mouth			
P-9	Lost Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
P-10	Shoshone Creek - Falls Creek to mouth			
P-11	Falls Creek - source to mouth			
P-12	Shoshone Creek - source to Falls Creek			
P-13	North Fork Coeur d'Alene River - Jordan Creek to Yellow Dog Creek	COLD SS	PCR	DWS
P-14	Jordan Creek - source to mouth			
P-15	North Fork Coeur d'Alene River - source to Jordan Creek	COLD SS	PCR	DWS
P-16	Cataract Creek - source to mouth			
P-17	Tepee Creek - confluence of Trail Creek and Big Elk Creek to mouth			
P-18	Independence Creek - source to mouth			
P-19	Trail Creek - source to mouth			
P-20	Big Elk Creek - source to mouth			
P-21	Brett Creek - source to mouth			
P-22	Miners Creek - source to mouth			
P-23	Flat Creek - source to mouth			
P-24	Yellow Dog Creek - source to mouth			
P-25	Downey Creek - source to mouth			
P-26	Brown Creek - source to mouth			
P-27	Grizzly Creek - source to mouth			
P-28	Steamboat Creek - source to mouth			
P-29	Cougar Gulch - source to mouth			
P-30	Little North Fork Coeur d'Alene River - source to mouth			
P-31	Bumblebee Creek - source to mouth			
P-32	Laverne Creek - source to mouth			
P-33	Leiberg Creek - source to mouth			
P-34	Bootjack Creek - source to mouth			
P-35	Iron Creek - source to mouth			
P-36	Burnt Cabin Creek - source to mouth			
P-37	Deception Creek - source to mouth			
P-38	Skookum Creek - source to mouth			
P-39	Copper Creek - source to mouth			

(3-29-12)

09. South Fork Coeur d'Alene Subbasin. The South Fork Coeur d'Alene Subbasin, HUC 17010302,

is comprised of twenty (20) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
P-1	South Fork Coeur d'Alene River - Canyon Creek to mouth	COLD	SCR	
P-2	Pine Creek - East Fork Pine Creek to mouth	COLD SS	SCR	
P-3	Pine Creek - source to East Fork Pine Creek	COLD SS	PCR	DWS
P-4	East Fork Pine Creek - source to mouth			
P-5	Hunter Creek - source to mouth			
P-6	Government Gulch - source to mouth	COLD SS	SCR	
P-7a	Big Creek - source to mining impact area	COLD SS	PCR	DWS
P-7b	Big Creek - mining impact area to mouth	COLD SS	SCR	
P-8a	Shields Gulch - source to mining impact area	COLD SS	PCR	DWS
P-8b	Shields Gulch - mining impact area to mouth		SCR	
P-9a	Lake Creek - source to mining impact area	COLD SS	PCR	DWS
P-9b	Lake Creek - mining impact area to mouth	COLD SS	SCR	--[1] ---------- DWS[2]
P-10	Placer Creek - source to mouth			--[1] ---------- DWS[2]
P-11	South Fork Coeur d'Alene River - from and including Daisy Gulch to Canyon Creek	COLD	SCR	--[1] ---------- DWS[2]
P-12	Willow Creek - source to mouth			
P-13	South Fork Coeur d'Alene River - source to Daisy Gulch	COLD SS	PCR	DWS
P-14	Canyon Creek - from and including Gorge Gulch to mouth	COLD	SCR	--[1] ---------- DWS[2]

Unit	Waters	Aquatic Life	Recreation	Other
P-15	Canyon Creek - source to Gorge Gulch	COLD SS	PCR	DWS
P-16	Ninemile Creek - from and including East Fork Ninemile Creek to mouth	COLD SS	SCR	
P-17	Ninemile Creek - source to East Fork Ninemile Creek	COLD SS	PCR	DWS
P-18	Moon Creek - source to mouth			
P-19	West Fork Moon Creek - source to mouth			
P-20	Bear Creek - source to mouth	COLD SS	PCR	DWS

(4-11-19)

10. Coeur d'Alene Lake Subbasin. The Coeur d'Alene Lake Subbasin, HUC 17010303, is comprised of thirty-four (34) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Coeur d'Alene Lake	COLD SS	PCR	DWS
P-2	Cougar Creek - source to mouth			
P-3	Kid Creek - source to mouth			
P-4	Mica Creek - source to mouth			
P-5	Fighting Creek - source to mouth			
P-6	Lake Creek - Idaho/Washington border to mouth			
P-7	Coeur d'Alene River - Latour Creek to mouth	COLD	PCR	
P-8	Anderson Lake			
P-9	Black Lake			
P-10	Medicine Lake			
P-11	Willow Creek - source to mouth			
P-12	Evans Creek - source to mouth			
P-13	Robinson Creek - source to mouth			
P-14	Bull Run Lake			
P-15	Latour Creek - source to mouth			
P-16	Coeur d'Alene River - South Fork Coeur d'Alene River to Latour Creek	COLD	PCR	
P-17	Skeel and Cataldo Creeks - source to mouth			
P-18	French Gulch - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
P-19	Hardy and Hayden Gulch and Whitman Draw Creeks Complex - source to mouth			
P-20	Fourth of July Creek - source to mouth			
P-21	Rose Lake			
P-22	Killarney Lake			
P-23	Swan Lake			
P-24	Blue Lake			
P-25	Thompson Lake			
P-26	Carlin Creek - source to mouth			
P-27	Turner Creek - source to mouth			
P-28	Beauty Creek - source to mouth			
P-29	Wolf Lodge Creek - source to mouth	COLD SS	PCR	DWS
P-30	Cedar Creek - source to mouth			
P-31	Marie Creek - source to mouth			
P-32	Fernan Creek - Fernan Lake to mouth	COLD SS	PCR	DWS
P-33	Fernan Lake	COLD SS	PCR	DWS
P-34	Fernan Creek - source to Fernan Lake			

(3-29-12)

11. **St. Joe Subbasin**. The St. Joe Subbasin, HUC 17010304, is comprised of sixty-nine (69) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Chatcolet Lake			
P-2	Plummer Creek - source to mouth	COLD SS	SCR	
P-3	Pedee Creek - source to mouth			
P-4	Benewah Creek - source to mouth			
P-5	St. Joe River - St. Maries River to mouth	COLD	PCR	
P-6	Cherry Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
P-7	St. Maries River - Santa Creek to mouth	COLD	PCR	
P-8	Alder Creek - source to mouth			
P-9	John Creek - source to mouth			
P-10	Santa Creek - source to mouth	COLD SS	PCR	
P-11	Charlie Creek - source to mouth			
P-12	St. Maries River - Carpenter Creek to Santa Creek	COLD	PCR	
P-13	Tyson Creek - source to mouth			
P-14	Carpenter Creek - source to mouth			
P-15	St. Maries River - confluence of West Fork and Middle Fork St. Maries Rivers to Carpenter Creek	COLD	PCR	DWS
P-16	Emerald Creek - source to mouth			
P-17	West Fork St. Maries River - source to mouth			
P-18	Middle Fork St. Maries River - source to mouth			
P-19	Gold Center Creek - source to mouth			
P-20	Merry Creek - source to mouth			
P-21	Childs Creek - source to mouth			
P-22	Olson Creek - source to mouth			
P-23	Crystal Creek - source to mouth			
P-24	Renfro Creek - source to mouth			
P-25	Beaver Creek - source to mouth			
P-26	Thorn Creek - source to mouth			
P-27	St. Joe River - North Fork St. Joe River to St. Maries River	COLD SS	PCR	DWS
P-28	Bond Creek - source to mouth			
P-29	Hugus Creek- source to mouth			
P-30	Mica Creek - source to mouth			
P-31	Marble Creek - Hobo Creek to mouth			
P-32	Eagle Creek - source to mouth			
P-33	Bussel Creek - source to mouth			
P-34	Hobo Creek - source to mouth			
P-35	Marble Creek - source to Hobo Creek			
P-36	Homestead Creek - source to mouth			
P-37	Daveggio Creek - source to mouth			
P-38	Boulder Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
P-39	Fishhook Creek - source to mouth			
P-40	Siwash Creek - source to mouth			
P-41	St. Joe River - source to North Fork St. Joe River	COLD SS	PCR	DWS
P-42	Sisters Creek - source to mouth			
P-43	Prospector Creek - source to mouth			
P-44	Nugget Creek - source to mouth			
P-45	Bluff Creek - source to mouth			
P-46	Mosquito Creek - source to mouth			
P-47	Fly Creek - source to mouth			
P-48	Beaver Creek - source to mouth			
P-49	Copper Creek - source to mouth			
P-50	Timber Creek - source to mouth			
P-51	Red Ives Creek - source to mouth			
P-52	Simmons Creek - source to mouth			
P-53	Gold Creek - source to mouth			
P-54	Bruin Creek - source to mouth			
P-55	Quartz Creek - source to mouth			
P-56	Eagle Creek - source to mouth			
P-57	Bird Creek - source to mouth			
P-58	Skookum Creek - source to mouth			
P-59	North Fork St. Joe River - Loop Creek to mouth			
P-60	Loop Creek - source to mouth			
P-61	North Fork St. Joe River - source to Loop Creek			
P-62	Slate Creek - source to mouth			
P-63	Big Creek - source to mouth			
P-64	Trout Creek - source to mouth			
P-65	Falls Creek - source to mouth			
P-66	Reeds Gulch Creek - source to mouth			
P-67	Rochat Creek - source to mouth			--[1] ---------- DWS[2]
P-68	Street Creek - source to mouth			
P-69	Deep Creek - source to mouth			

(4-11-19)

12. Upper Spokane Subbasin. The Upper Spokane Subbasin, HUC 17010305, is comprised of eighteen (18) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Liberty Creek - source to Idaho/Washington border			
P-2	Cable Creek - source to Idaho/Washington border			
P-3	Spokane River - Post Falls Dam to Idaho/Washington border	COLD SS	PCR	DWS
P-4	Spokane River - Coeur d'Alene Lake to Post Falls Dam	COLD SS	PCR	DWS
P-5	Hayden Lake	COLD SS	PCR	DWS
P-6	Yellowbank Creek - source to mouth			
P-7	Jim Creek - source to mouth			
P-8	Mokins Creek - source to mouth			
P-9	Nilsen Creek - source to mouth			
P-10	Hayden Creek -source to mouth			
P-11	Sage Creek and Lewellen Creek - source to mouth			
P-12	Rathdrum Creek - Twin Lakes to mouth			
P-13	Twin Lakes	COLD	PCR	DWS
P-14	Fish Creek - Idaho/Washington border to Twin Lakes			
P-15	Hauser Lake outlet - Hauser Lake to mouth			
P-16	Hauser Lake	COLD	PCR	DWS
P-17	Lost Lake, Howell, and Lost Creeks - source to mouth			
P-18	Hauser Creek - source to mouth			

(3-29-12)

13. Hangman Subbasin. The Hangman Subbasin, HUC 17010306, is comprised of five (5) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	Hangman Creek - source to Idaho/Washington border	COLD	SCR	
P-2	Little Hangman Creek - source to Idaho/Washington border			
P-3	Rock Creek - source to Idaho/Washington border		SCR	
P-4	Middle Fork Rock Creek - source to Idaho/Washington border			
P-5	North Fork Rock Creek - source to Idaho/Washington border			

(4-5-00)

14. **Little Spokane Subbasin**. The Little Spokane Subbasin, HUC 17010308, is comprised of one (1) water body unit.

Unit	Waters	Aquatic Life	Recreation	Other
P-1	McDonald Creek - source to mouth			

(4-5-00)

111. -- 119. (RESERVED)

120. CLEARWATER BASIN.
Surface waters found within the Clearwater basin total ten (10) subbasins and are designated as follows: (4-5-00)

01. **Palouse Subbasin**. The Palouse Subbasin, HUC 17060108, is comprised of thirty-three (33) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	Cow Creek - source to Idaho/Washington border	COLD	SCR	
C-2	South Fork Palouse River - Gnat Creek to Idaho/Washington border	COLD SS	SCR	
C-3	South Fork Palouse River - source to Gnat Creek	COLD SS	SCR	
C-4a	Gnat Creek - source to T40N, R05W, Sec. 26	COLD	SCR	
C-4b	Gnat Creek - T40N, R05W, Sec. 26 to mouth	COLD	SCR	
C-5	Paradise Creek - source to Idaho/Washington border	COLD	SCR	
C-6a	Missouri Flat Creek - source to T40N, R5W, Sec. 17	COLD	SCR	
C-6b	Missouri Flat Creek-T40N, R5W, Sec. 17 to Idaho/Washington border	COLD	SCR	
C-7a	Fourmile Creek - source to T40N, R5W, Sec. 5	COLD	SCR	
C-7b	Fourmile Creek - T40N, R5W, Sec. 5 to Idaho/Washington border	COLD	SCR	
C-8a	Silver Creek - source to T43, R5W, Sec. 29	COLD	SCR	
C-8b	Silver Creek - T43, R5W, Sec. 29 to Idaho/Washington border	COLD	SCR	
C-9	Palouse River - Deep Creek to Idaho/Washington border	COLD	SCR	
C-10	Palouse River - Hatter Creek to Deep Creek	COLD	SCR	
C-11a	Flannigan Creek - source to T41N, R05W, Sec. 23	COLD	SCR	
C-11b	Flannigan Creek - T41N, R05W, Sec. 23 to mouth	COLD	SCR	
C-12	Rock Creek - confluence of West and East Fork Rock Creeks to mouth	COLD	SCR	
C-13a	West Fork Rock Creek - source to T41N, R04W, Sec. 30	COLD	SCR	
C-13b	West Fork Rock Creek - T41N, R04W, Sec. 30 to mouth	COLD	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
C-14a	East Fork Rock Creek - source to T41N, R 04W, Sec. 29	COLD	SCR	
C-14b	East Fork Rock Creek - T41N, R 04W, Sec. 29 to mouth	COLD	SCR	
C-15a	Hatter Creek - source to T40N, R04W, Sec. 3	COLD	SCR	
C-15b	Hatter Creek - T40N, R04W, Sec. 3 to mouth	COLD	SCR	
C-16	Palouse River - Strychnine Creek to Hatter Creek	COLD SS	PCR	DWS
C-17	Flat Creek - source to mouth	COLD	SCR	
C-18	Palouse River - source to Strychnine Creek	COLD SS	PCR	DWS
C-19	Little Sand Creek - source to mouth	COLD SS	SCR	
C-20	Big Sand Creek - source to mouth	COLD SS	SCR	
C-21	North Fork Palouse River - source to mouth	COLD SS	SCR	
C-22	Strychnine Creek - source to mouth	COLD SS	SCR	
C-23	Meadow Creek - East Fork Meadow Creek to mouth	COLD	SCR	
C-24	East Fork Meadow Creek - source to mouth	COLD SS	SCR	
C-25	Meadow Creek - source to East Fork Meadow Creek	COLD SS	SCR	
C-26	White Pine Creek - source to mouth	COLD SS	SCR	
C-27a	Big Creek - source to T42N, R03W, Sec. 08	COLD SS	SCR	
C-27b	Big Creek - T42N, R03W, Sec. 08 to mouth	COLD	SCR	
C-28	Jerome Creek - source to mouth	COLD SS	SCR	
C-29	Gold Creek - T42N, R04W, Sec. 28 to mouth	COLD	SCR	
C-30	Gold Creek - source to T42N, R04W, Sec. 28	COLD SS	SCR	
C-31a	Crane Creek - source to T42N, 04W, Sec. 28	COLD	SCR	
C-31b	Crane Creek - T42N, 04W, Sec. 08 to mouth	COLD	SCR	
C-32a	Deep Creek - source to T42, R05, Sec. 02	COLD	SCR	
C-32b	Deep Creek - T42, R05, Sec. 02 to mouth	COLD	SCR	
C-33a	Cedar Creek - source to T43N, R05W, Sec. 28	COLD	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
C-33b	Cedar Creek - T43N, R05W, Sec. 28 to Idaho/Washington border	COLD	SCR	

(5-3-03)

02. **Rock Subbasin**. The Rock Subbasin, HUC 17060109, is comprised of three (3) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	South Fork Pine Creek - source to Idaho/Washington border	COLD	SCR	
C-2	North Fork Pine Creek - source to Idaho/Washington border	COLD	SCR	
C-3	Unnamed Tributaries - source to Idaho/Washington border (T44N, R05W, Sec.31 / T43N, R05W, Sec. 6)	COLD	SCR	

(5-3-03)

03. **Upper Selway Subbasin**. The Upper Selway Subbasin, HUC 17060301, is comprised of fifty-eight (58) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	Selway River - Bear Creek to Moose Creek	COLD SS	PCR	DWS
C-2	Magpie Creek - source to mouth			
C-3	Bitch Creek - source to mouth			
C-4	Selway River - White Cap Creek to Bear Creek	COLD SS	PCR	DWS
C-5	Ditch Creek - source to mouth			
C-6	Elk Creek - source to mouth			
C-7	Goat Creek - source to mouth			
C-8	Running Creek - Lynx Creek to mouth			
C-9	Running Creek - source to Lynx Creek			
C-10	South Fork Running Creek - source to mouth			
C-11	Lynx Creek - source to mouth			
C-12	Eagle Creek - source to mouth			
C-13	Crooked Creek - source to mouth			
C-14	Selway River - Deep Creek to White Cap Creek	COLD SS	PCR	DWS
C-15	Little Clearwater River- Flat Creek to mouth			
C-16	Short Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
C-17	Little Clearwater River - source to Flat Creek			
C-18	Burnt Knob Creek - source to mouth			
C-19	Salamander Creek - source to mouth			
C-20	Flat Creek - source to mouth			
C-21	Magruder Creek - source to mouth			
C-22	Selway River - confluence of Hidden and Surprise Creeks to Deep Creek	COLD SS	PCR	DWS
C-23	Three Lakes Creek - source to mouth			
C-24	Swet Creek - source to mouth			
C-25	Stripe Creek - source to mouth			
C-26	Hidden Creek - source to mouth			
C-27	Surprise Creek - source to mouth			
C-28	Wilkerson Creek - Storm Creek to mouth			
C-29	Wilkerson Creek - source to Storm Creek			
C-30	Storm Creek - source to mouth			
C-31	Deep Creek - source to mouth			
C-32	Vance Creek - source to mouth			
C-33	Lazy Creek - source to mouth			
C-34	Pete Creek - source to mouth			
C-35	Cayuse Creek - source to mouth			
C-36	Indian Creek - source to mouth			
C-37	Schofield Creek - source to mouth			
C-38	Snake Creek - source to mouth			
C-39	White Cap Creek - Canyon Creek to mouth			
C-40	Canyon Creek - source to mouth			
C-41	Cooper Creek - source to mouth			
C-42	White Cap Creek - source to Canyon Creek			
C-43	Paloma Creek - source to mouth			
C-44	Bad Luck Creek - source to mouth			
C-45	Gardner Creek - source to mouth			
C-46	North Star Creek - source to mouth			
C-47	Bear Creek - Cub Creek to mouth			
C-48	Cub Creek - Brushy Fork Creek to mouth			
C-49	Brushy Fork Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
C-50	Cub Creek - source to Brushy Fork Creek			
C-51	Paradise Creek - source to mouth			
C-52	Bear Creek - Wahoo Creek to Cub Creek			
C-53	Bear Creek - source to Wahoo Creek			
C-54	Granite Creek - source to mouth			
C-55	Wahoo Creek - source to mouth			
C-56	Pettibone Creek - source to mouth			
C-57	Cow Creek - source to mouth			
C-58	Dog Creek - source to mouth			

(3-29-12)

04. Lower Selway Subbasin. The Lower Selway Subbasin, HUC 17060302, is comprised of fifty-five (55) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	Selway River - O'Hara Creek to mouth	COLD SS	PCR	DWS
C-2	Goddard Creek - source to mouth	COLD SS	SCR	
C-3	O'Hara Creek - confluence of West and East Fork O'Hara Creeks to mouth	COLD SS	SCR	
C-4	West Fork O'Hara Creek - source to mouth			
C-5	East Fork O'Hara Creek - source to mouth			
C-6	Selway River - Meadow Creek to O'Hara Creek	COLD SS	PCR	DWS
C-7	Falls Creek - source to mouth	COLD SS	SCR	
C-8	Meadow Creek - Buck Lake Creek to mouth	COLD SS	SCR	
C-9	Horse Creek - source to mouth			
C-10	Fivemile Creek - source to mouth			
C-11	Little Boulder Creek - source to mouth			
C-12	Meadow Creek - East Fork Meadow Creek to Buck Lake Creek	COLD SS	SCR	
C-13	Butte Creek - source to mouth	COLD SS	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
C-14	Sable Creek - source to mouth	COLD SS	SCR	
C-15	Simmons Creek - source to mouth	COLD SS	SCR	
C-16	Meadow Creek - source to East Fork Meadow Creek			
C-17	Butter Creek - source to mouth			
C-18	Three Prong Creek - source to mouth			
C-19	East Fork Meadow Creek - source to mouth			
C-20	Schwar Creek - source to mouth			
C-21	Buck Lake Creek - source to mouth			
C-22	Selway River - Moose Creek to Meadow Creek	COLD SS	PCR	DWS
C-23	Otter Creek - source to mouth			
C-24	Mink Creek - source to mouth			
C-25	Marten Creek - source to mouth			
C-26	Trout Creek - source to mouth			
C-27	Moose Creek - East Fork Moose Creek to mouth			
C-28	East Fork Moose Creek - Cedar Creek to Moose Creek			
C-29	Freeman Creek - source to mouth			
C-30	Monument Creek - source to mouth			
C-31	Elbow Creek - source to mouth			
C-32	Battle Creek - source to mouth			
C-33	East Fork Moose Creek - source to Cedar Creek			
C-34	Chute Creek - source to mouth			
C-35	Dead Elk Creek - source to mouth			
C-36	Cedar Creek - source to mouth			
C-37	Maple Creek - source to mouth			
C-38	Double Creek - source to mouth			
C-39	Fitting Creek - source to mouth			
C-40	North Fork Moose Creek - Rhoda Creek to mouth			
C-41	North Fork Moose Creek - West Moose Creek to Rhoda Creek			
C-42	North Fork Moose Creek - source to West Fork Moose Creek			
C-43	West Fork Moose Creek - source to mouth			
C-44	Rhoda Creek - Wounded Doe Creek to mouth			
C-45	Wounded Doe Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
C-46	Rhoda Creek - source to Wounded Doe Creek			
C-47	Lizard Creek - Lizard Lakes to mouth			
C-48	Meeker Creek - source to mouth			
C-49	Three Links Creek - source to mouth			
C-50	Gedney Creek - West Fork Gedney Creek to mouth			
C-51	Gedney Creek - source to West Fork Gedney Creek			
C-52	West Fork Gedney Creek - source to mouth			
C-53	Glover Creek - source to mouth	COLD SS	SCR	
C-54	Boyd Creek - source to mouth	COLD SS	SCR	
C-55	Rackliff Creek - source to mouth	COLD SS	SCR	

(3-29-12)

05. Lochsa Subbasin. The Lochsa Subbasin, HUC 17060303, is comprised of sixty-five (65) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	Lochsa River - Deadman Creek to mouth	COLD SS	PCR	DWS
C-2	Kerr Creek - source to mouth			
C-3	Lochsa River - Old Man Creek to Deadman Creek	COLD SS	PCR	DWS
C-4	Coolwater Creek - source to mouth			
C-5	Fire Creek - source to mouth			
C-6	Split Creek - source to mouth			
C-7	Old Man Creek - source to mouth			
C-8	Lochsa River - Fish Creek to Old Man Creek	COLD SS	PCR	DWS
C-9	Lochsa River - Indian Grave Creek to Fish Creek	COLD SS	PCR	DWS
C-10	Boulder Creek - source to mouth			
C-11	Stanley Creek - source to mouth			
C-12	Eagle Mountain Creek - source to mouth			
C-13	Lochsa River- Warm Springs Creek to Indian Grave Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
C-14	Sponge Creek - Fish Lake Creek to mouth			
C-15	Sponge Creek - source to Fish Lake Creek			
C-16	Fish Lake Creek - source to mouth			
C-17	Warm Springs Creek - Wind Lakes Creek to mouth			
C-18	Warm Springs Creek - source to Wind Lakes Creek			
C-19	Wind Lakes Creek - source to mouth			
C-20	Lochsa River - confluence of Crooked Fork, White Sand Creek, and Walton Creek to Warm Springs Creek	COLD SS	PCR	DWS
C-21	Jay Creek - source to mouth			
C-22	Cliff Creek - source to mouth			
C-23	Walton Creek - source to mouth			
C-24	White Sand Creek - Storm Creek to mouth			
C-25	White Sand Creek - source to Storm Creek			
C-26	Colt Creek - source to mouth			
C-27	Big Sand Creek - Hidden Creek to mouth			
C-28	Swamp Creek - source to mouth			
C-29	Big Sand Creek - source to Hidden Creek			
C-30	Hidden Creek - source to mouth			
C-31	Big Flat Creek - source to mouth			
C-32	Storm Creek - source to mouth			
C-33	Beaver Creek - source to mouth			
C-34	Crooked Fork - Brushy Fork to mouth			
C-35	Brushy Fork - Spruce Creek to mouth			
C-36	Spruce Creek - source to mouth			
C-37	Brushy Fork - source to Spruce Creek			
C-38	Crooked Fork - source to Brushy Fork			
C-39	Hopeful Creek - source to mouth			
C-40	Boulder Creek - source to mouth			
C-41	Papoose Creek - source to mouth			
C-42	Parachute Creek - source to mouth			
C-43	Wendover Creek - source to mouth			
C-44	Badger Creek - source to mouth			
C-45	Squaw Creek - source to mouth			
C-46	West Fork Squaw Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
C-47	Doe Creek - source to mouth			
C-48	Postoffice Creek - source to mouth			
C-49	Weir Creek - source to mouth			
C-50	Indian Grave Creek - source to mouth			
C-51	Bald Mountain Creek - source to mouth			
C-52	Fish Creek - Hungery Creek to mouth			
C-53	Willow Creek - source to mouth			
C-54	Hungery Creek - Obia Creek to mouth			
C-55	Obia Creek - source to mouth			
C-56	Hungery Creek - source to Obia Creek			
C-57	Fish Creek - source to Hungery Creek			
C-58	Bimerick Creek - source to mouth			
C-59	Deadman Creek - East Fork Deadman Creek to mouth			
C-60	East Fork Deadman Creek - source to mouth			
C-61	Deadman Creek - source to East Fork Deadman Creek			
C-62	Canyon Creek - source to mouth			
C-63	Pete King Creek - Walde Creek to mouth			
C-64	Walde Creek - source to mouth			
C-65	Pete King Creek - source to Walde Creek			

(3-29-12)

06. Middle Fork Clearwater Subbasin. The Middle Fork Clearwater Subbasin, HUC 17060304, is comprised of eleven (11) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	Middle Fork Clearwater River - confluence of Lochsa and Selway River to mouth	COLD SS	PCR	DWS
C-2	Clear Creek - South Fork Clear Creek to mouth			
C-3	West Fork Clear Creek - source to mouth			
C-4	South Fork Clear Creek - source to mouth			
C-5	Kay Creek - source to mouth			
C-6	Clear Creek - source to South Fork Clear Creek	COLD SS	SCR	
C-7	Middle Fork Clear Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
C-8	Browns Spring Creek - source to mouth	COLD SS	SCR	
C-9	Pine Knob Creek - source to mouth	COLD SS	SCR	
C-10	Lodge Creek - source to mouth	COLD SS	SCR	
C-11	Maggie Creek - source to mouth			

(3-29-12)

07. South Fork Clearwater Subbasin. The South Fork Clearwater Subbasin, HUC 17060305, is comprised of eighty-two (82) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
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Unit	Waters	Aquatic Life	Recreation	Other
C-1	South Fork Clearwater River - Butcher Creek to mouth	COLD SS	PCR	
C-2	Cottonwood Creek - Cottonwood Creek waterfall (9.0 miles upstream) to mouth	COLD SS	PCR	
C-3	Cottonwood Creek - source to Cottonwood Creek waterfall (9.0 miles upstream)	COLD SS	PCR	
C-4	Red Rock Creek - Red Rock Creek waterfall (3.6 miles upstream) to mouth			
C-5	Red Rock Creek - source to Red Rock Creek waterfall (3.6 miles upstream)			
C-6	Stockney Creek - source to mouth			
C-7	Shebang Creek - source to mouth			
C-8	South Fork Cottonwood Creek - source to mouth			
C-9	Long Haul Creek - source to mouth			
C-10	Threemile Creek - source to mouth	COLD SS	SCR	
C-11a	Butcher Creek - unnamed tributary (4.5 miles above mouth) in T30N, R03E, Sec. 1 to mouth	COLD SS	SCR	
C-11b	Butcher Creek - source to unnamed tributary (4.5 miles above mouth) in T30N, R03E, Sec. 1	COLD	SCR	
C-12	South Fork Clearwater River - Johns Creek to Butcher Creek	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
C-13	Mill Creek - source to mouth			
C-14	Johns Creek - Gospel Creek to mouth	COLD SS	SCR	
C-15	Gospel Creek - source to mouth	COLD SS	SCR	
C-16	West Fork Gospel Creek - source to mouth	COLD SS	SCR	
C-17	Johns Creek - Moores Creek to Gospel Creek	COLD SS	SCR	
C-18	Johns Creek - source to Moores Creek	COLD SS	SCR	
C-19	Moores Creek - source to mouth	COLD SS	SCR	
C-20	Square Mountain Creek - source to mouth	COLD SS	SCR	
C-21	Hagen Creek - source to mouth	COLD SS	SCR	
C-22	South Fork Clearwater River - Tenmile Creek to Johns Creek	COLD SS	PCR	
C-23	Wing Creek - source to mouth	COLD SS	SCR	
C-24	Twentymile Creek - source to mouth			
C-25	Tenmile Creek - Sixmile Creek to mouth			
C-26	Tenmile Creek - Williams Creek to Sixmile Creek	COLD SS	SCR	
C-27	Tenmile Creek - source to Williams Creek	COLD SS	SCR	
C-28	Williams Creek - source to mouth	COLD SS	SCR	
C-29	Sixmile Creek - source to mouth			
C-30	South Fork Clearwater River - Crooked River to Tenmile Creek	COLD SS	PCR	
C-31	Crooked River - Relief Creek to mouth	COLD SS	SCR	
C-32	Crooked River - confluence of West and East Fork Crooked Rivers to Relief Creek	COLD SS	SCR	
C-33	West Fork Crooked River - source to mouth			
C-34	East Fork Crooked River - source to mouth			
C-35	Relief Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
C-36	South Fork Clearwater River - confluence of American River and Red River to Crooked River	COLD SS	PCR	
C-37	Red River- Siegel Creek to mouth	COLD SS	PCR	DWS
C-38	Red River - South Fork Red River to Siegel Creek	COLD SS	PCR	DWS
C-39	Moose Butte Creek - source to mouth			
C-40	South Fork Red River - Trapper Creek to mouth	COLD SS	SCR	
C-41	South Fork Red River - West Fork Red River to Trapper Creek	COLD SS	SCR	
C-42	West Fork Red River - source to mouth	COLD SS	SCR	
C-43	South Fork Red River - source to West Fork Red River	COLD SS	SCR	
C-44	Trapper Creek - source to mouth	COLD SS	SCR	
C-45	Red River - source to South Fork Red River	COLD SS	SCR	DWS
C-46	Soda Creek - source to mouth	COLD SS	SCR	
C-47	Bridge Creek - source to mouth	COLD SS	SCR	
C-48	Otterson Creek - source to mouth	COLD SS	SCR	
C-49	Trail Creek - source to mouth	COLD SS	SCR	
C-50	Siegel Creek - source to mouth	COLD SS	SCR	
C-51	Red Horse Creek - source to mouth			
C-52	American River - East Fork American River to mouth	COLD SS	PCR	DWS
C-53	Kirks Fork - source to mouth			
C-54	East Fork American River - source to mouth			
C-55	American River - source to East Fork American River	COLD SS	PCR	DWS
C-56	Elk Creek - confluence of Big Elk and Little Elk Creeks to mouth			--[1] ---------- DWS[2]

Unit	Waters	Aquatic Life	Recreation	Other
C-57	Little Elk Creek - source to mouth	COLD SS	SCR	
C-58	Big Elk Creek - source to mouth	COLD SS	SCR	
C-59	Buffalo Gulch - source to mouth			
C-60	Whiskey Creek - source to mouth	COLD SS	SCR	
C-61	Maurice Creek - source to mouth			
C-62	Newsome Creek - Beaver Creek to mouth			
C-63	Bear Creek - source to mouth			
C-64	Nugget Creek - source to mouth			
C-65	Beaver Creek - source to mouth			
C-66	Newsome Creek - Mule Creek to Beaver Creek			
C-67	Mule Creek - source to mouth	COLD SS	SCR	
C-68	Newsome Creek - source to Mule Creek			
C-69	Haysfork Creek - source to mouth			
C-70	Baldy Creek - source to mouth	COLD SS	SCR	
C-71	Pilot Creek - source to mouth			
C-72	Sawmill Creek - source to mouth			
C-73	Sing Lee Creek - source to mouth			
C-74	West Fork Newsome Creek - source to mouth			
C-75	Leggett Creek - source to mouth			
C-76	Fall Creek - source to mouth			
C-77	Silver Creek - source to mouth	COLD SS	SCR	
C-78	Peasley Creek - source to mouth			
C-79	Cougar Creek - source to mouth			
C-80	Meadow Creek - source to mouth			
C-81	Sally Ann Creek - source to mouth			--[1] ---------- DWS[2]
C-82	Rabbit Creek - source to mouth			

(4-11-19)

08. Clearwater Subbasin. The Clearwater Subbasin, HUC 17060306, is comprised of sixty-seven (67) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
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Unit	Waters	Aquatic Life	Recreation	Other
C-1	Lower Granite Dam pool	COLD	PCR	DWS
C-2	Clearwater River - Potlatch River to Lower Granite Dam pool	COLD SS	PCR	DWS
C-3	Lindsay Creek - source to mouth	COLD	SCR	
C-4	Lapwai Creek - Sweetwater Creek to mouth	COLD	PCR	
C-5	Sweetwater Creek - Webb Creek to mouth			
C-6	Sweetwater Creek - source to Webb Creek			
C-7	Webb Creek - source to mouth			
C-8	Lapwai Creek - Winchester Lake to Sweetwater Creek	COLD	PCR	
C-9	Winchester Lake	COLD	PCR	DWS
C-10	Lapwai Creek - source to Winchester Lake	COLD SS	PCR	DWS
C-11	Mission Creek - source to mouth			
C-12	Tom Beall Creek - source to mouth			
C-13	Clearwater River - North Fork Clearwater River to mouth	COLD SS	PCR	DWS
C-14	Cottonwood Creek - source to mouth	COLD SS	SCR	
C-15	Jacks Creek - source to mouth			
C-16	Big Canyon Creek - source to mouth	COLD SS	PCR	--[1] ---------- DWS[2]
C-17	Cold Springs Creek - source to mouth			
C-18	Little Canyon Creek - confluence of Holes and Long Hollow Creeks to mouth			
C-19	Holes Creek - source to mouth			
C-20	Long Hollow Creek - source to mouth			
C-21	Clearwater River - Lolo Creek to North Fork Clearwater River	COLD SS	PCR	DWS
C-22	Clearwater River - confluence of South and Middle Fork Clearwater Rivers to Lolo Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
C-23	Sixmile Creek - source to mouth			
C-24	Lawyer Creek - source to mouth	COLD SS	PCR	
C-25	Sevenmile Creek - source to mouth			
C-26	Lolo Creek - Yakus Creek to mouth			
C-27	Yakus Creek - source to mouth			
C-28	Lolo Creek - source to Yakus Creek			
C-29	Eldorado Creek - source to mouth			
C-30	Yoosa Creek - source to mouth			
C-31	Jim Brown Creek - source to mouth			
C-32	Musselshell Creek - source to mouth			
C-33	Big Creek - source to mouth			
C-34	Jim Ford Creek - Jim Ford Creek waterfall (12.5 miles upstream) to mouth	COLD	PCR	
C-35	Jim Ford Creek - source to Jim Ford Creek waterfall (12.5 miles upstream)	COLD	PCR	
C-36	Grasshopper Creek - source to mouth	COLD	PCR	DWS
C-37	Winter Creek - Winter Creek waterfall (3.4 miles upstream) to mouth			
C-38	Winter Creek - source to Winter Creek waterfall (3.4 miles upstream)			
C-39	Orofino Creek - source to mouth	COLD SS	PCR	--[1] ---------- DWS[2]
C-40	Whiskey Creek - source to mouth			
C-41	Bedrock Creek - source to mouth			
C-42	Louse Creek - source to mouth			
C-43	Pine Creek - source to mouth			
C-44	Potlatch River - Big Bear Creek to mouth	COLD SS	PCR	DWS
C-45	Potlatch River - Corral Creek to Big Bear Creek	COLD SS	PCR	DWS
C-46	Cedar Creek - source to mouth			
C-47	Boulder Creek - source to mouth			
C-48	Potlatch River - Moose Creek to Corral Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
C-49	Potlatch River - source to Moose Creek	COLD SS	PCR	DWS
C-50	Little Boulder Creek - source to mouth			
C-51	East Fork Potlatch River - source to mouth			
C-52	Ruby Creek - source to mouth			
C-53	Moose Creek - source to mouth			
C-54	Corral Creek - source to mouth			
C-55	Pine Creek - source to mouth			
C-56	Big Bear Creek - confluence of West and East Fork Big Bear Creeks to mouth			
C-57	East Fork Big Bear Creek - source to mouth			
C-58	West Fork Big Bear Creek - source to mouth			
C-59	Dry Creek - source to mouth			
C-60	Little Bear Creek - source to mouth	COLD SS	SCR	
C-61	West Fork Little Bear Creek - source to mouth			--[1] ---------- DWS[2]
C-62	Middle Potlatch Creek - source to mouth	COLD	SCR	
C-63	Bethel Canyon - source to mouth			
C-64	Little Potlatch Creek - source to mouth	COLD	SCR	
C-65	Howard Gulch - source to mouth			
C-66	Catholic Creek - source to mouth			
C-67	Hatwai Creek - source to mouth			

(4-11-19)

09. Upper North Fork Clearwater Subbasin. The Upper North Fork Clearwater Subbasin, HUC 17060307, is comprised of forty-nine (49) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	North Fork Clearwater River - Skull Creek to Aquarius Campground (T40N, R07E, Sec. 05)	COLD SS	PCR	DWS
C-2	North Fork Clearwater River- Washington Creek to Skull Creek	COLD SS	PCR	DWS
C-3	Washington Creek - source to mouth	COLD SS	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
C-4	North Fork Clearwater River - Orogrande Creek to Washington Creek	COLD SS	PCR	DWS
C-5	Orogrande Creek - French Creek to mouth			
C-6	Orogrande Creek - source to French Creek			
C-7	French Creek - source to mouth	COLD	SCR	
C-8	North Fork Clearwater River - Weitas Creek to Orogrande Creek	COLD SS	PCR	DWS
C-9	Weitas Creek - Hemlock Creek to mouth			
C-10	Hemlock Creek - source to mouth			
C-11	Weitas Creek - Windy Creek to Hemlock Creek			
C-12	Middle Creek - source to mouth	COLD SS	SCR	
C-13	Little Weitas Creek - source to mouth	COLD	SCR	
C-14	Weitas Creek - source to Windy Creek	COLD SS	SCR	
C-15	Windy Creek - source to mouth	COLD	SCR	
C-16	North Fork Clearwater River - Kelly Creek to Weitas Creek	COLD SS	PCR	DWS
C-17	Fourth of July Creek - source to mouth			
C-18	Kelly Creek - Cayuse Creek to mouth			
C-19	Cayuse Creek - Gravey Creek to mouth			
C-20	Monroe Creek - source to mouth	COLD SS	SCR	
C-21	Gravey Creek - source to mouth	COLD SS	SCR	
C-22	Cayuse Creek - source to Gravey Creek			
C-23	Toboggan Creek - source to mouth	COLD	SCR	
C-24	Kelly Creek - confluence of North and Middle Fork Kelly Creek to Cayuse Creek			
C-25	South Fork Kelly Creek - source to mouth			
C-26	Middle Fork Kelly Creek - source to mouth			
C-27	North Fork Kelly Creek - source to mouth			
C-28	Moose Creek - Osier Creek to mouth			
C-29	Little Moose Creek - source to mouth			
C-30	Osier Creek - source to mouth	COLD SS	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
C-31	Moose Creek - source to Osier Creek			
C-32	North Fork Clearwater River - Lake Creek to Kelly Creek	COLD SS	PCR	DWS
C-33	Lake Creek - source to mouth	COLD SS	SCR	
C-34	North Fork Clearwater River - Vanderbilt Gulch to Lake Creek	COLD SS	PCR	DWS
C-35	Long Creek - source to mouth	COLD SS	SCR	
C-36	North Fork Clearwater River - source to Vanderbilt Gulch	COLD SS	PCR	DWS
C-37	Vanderbilt Gulch - source to mouth			
C-38	Meadow Creek - source to mouth			
C-39	Elizabeth Creek - source to mouth	COLD SS	SCR	
C-40	Cold Springs Creek - source to mouth	COLD SS	SCR	
C-41	Sprague Creek - source to mouth			
C-42	Larson Creek - source to mouth	COLD	SCR	
C-43	Rock Creek - source to mouth	COLD SS	SCR	
C-44	Quartz Creek - source to mouth			
C-45	Cougar Creek - source to mouth			
C-46	Skull Creek - Collins Creek to mouth	COLD	SCR	
C-47	Skull Creek - source to Collins Creek			
C-48	Collins Creek - source to mouth	COLD SS	SCR	

(3-29-12)

10. Lower North Fork Clearwater Subbasin. The Lower North Fork Clearwater Subbasin, HUC 17060308, is comprised of thirty-four (34) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
C-1	North Fork Clearwater River - Dworshak Reservoir Dam to mouth	COLD SS	PCR	DWS
C-2	Dworshak Reservoir	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
C-3	Reeds Creek - Alder Creek to Dworshak Reservoir	COLD SS	PCR	DWS
C-4	Reeds Creek - source to Alder Creek	COLD SS	PCR	DWS
C-5	Alder Creek - source to mouth			
C-6	Silver Creek - source to Dworshak Reservoir			
C-7	Benton Creek - source to Dworshak Reservoir			
C-8	North Fork Clearwater River - Aquaruis Campground (T40N, R07E, Sec. 05) to Dworshak Reservoir	COLD SS	PCR	DWS
C-9	Beaver Creek - source to mouth	COLD SS	SCR	
C-10	Isabella Creek - source to mouth			
C-11	Little North Fork Clearwater River - Foehl Creek to Dworshak Reservoir			
C-12	Little North Fork Clearwater River - Spotted Louis Creek to Foehl Creek			
C-13	Sawtooth Creek - source to mouth			
C-14	Canyon Creek - source to mouth			
C-15	Spotted Louis Creek - source to mouth			
C-16	Little North Fork Clearwater River - Rutledge Creek to Spotted Louis Creek			
C-17	Rutledge Creek - source to mouth			
C-18	Little North Fork Clearwater River - source to Rutledge Creek			
C-19	Foehl Creek - source to mouth			
C-20	Stoney Creek - Glover Creek to Dworshak Reservoir			
C-21	Floodwood Creek - source to mouth			
C-22	Glover Creek - source to mouth			
C-23	Stoney Creek - source to Glover Creek	COLD SS	SCR	
C-24	Isabella Creek - source to mouth			
C-25	Breakfast Creek - source to mouth			
C-26	Gold Creek - source to Dworshak Reservoir			
C-27	Weitas Creek - source to Dworshak Reservoir			
C-28	Swamp Creek - source to Dworshak Reservoir			
C-29	Cranberry Creek - source to Dworshak Reservoir			

Unit	Waters	Aquatic Life	Recreation	Other
C-30	Elk Creek - source to Dworshak Reservoir	COLD SS	PCR	DWS
C-31	Bull Run Creek - confluence of Squaw and Shattuck Creeks to mouth			
C-32	Shattuck Creek - source to mouth			
C-33	Squaw Creek - source to mouth			
C-34	Long Meadow Creek - source to Dworshak Reservoir			
C-35	Dicks Creek - source to Dworshak Reservoir			

(3-29-12)

121. -- 129. (RESERVED)

130. SALMON BASIN.
Surface waters found within the Salmon basin total twelve (12) subbasins and are designated as follows: (4-5-00)

01. Hells Canyon Subbasin. The Hells Canyon Subbasin, HUC 17060101, is comprised of twenty-eight (28) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Snake River - Wolf Creek to Salmon River	COLD SS	PCR	DWS
S-2	Snake River - Sheep Creek to Wolf Creek	COLD SS	PCR	DWS
S-3	Snake River - Hells Canyon Dam to Sheep Creek	COLD SS	PCR	DWS
S-4	Deep Creek - source to mouth			
S-5	Brush Creek - source to mouth			
S-6	Granite Creek - source to mouth			
S-7	Little Granite Creek - source to mouth			
S-8	Bernard Creek - source to mouth			
S-9	Sheep Creek - confluence of West and East Fork Sheep Creeks to mouth			
S-10	West Fork Sheep Creek - source to mouth			
S-11	East Fork Sheep Creek - source to mouth			
S-12	Clarks Fork - source to mouth			
S-13	Caribou Creek - source to mouth			
S-14	Kirkwood Creek - source to mouth			
S-15	Kirby Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-16	Corral Creek - source to mouth			
S-17	Klopton Creek - source to mouth			
S-18	Kurry Creek - source to mouth			
S-19	West Creek - source to mouth			
S-20	Big Canyon Creek - source to mouth			
S-21	Jones Creek - source to mouth			
S-22	Highrange Creek - source to mouth			
S-23	Getta Creek - source to mouth			
S-24	Wolf Creek - Basin Creek to mouth			
S-25	Wolf Creek - source to Basin Creek			
S-26	Basin Creek - source to mouth			
S-27	Dry Creek - source to mouth			
S-28	Divide Creek - source to mouth			

(3-29-12)

02. Lower Snake-Asotin Subbasin. The Lower Snake-Asotin Subbasin, HUC 17060103, is comprised of sixteen (16) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Snake River - Asotin River (Idaho/Oregon border) to Lower Granite Dam pool	COLD	PCR	DWS
S-2	Snake River - Captain John Creek to Asotin River (Idaho/Oregon border)	COLD	PCR	DWS
S-3	Snake River - Cottonwood Creek to Captain John Creek	COLD	PCR	DWS
S-4	Snake River - Salmon River to Cottonwood Creek	COLD	PCR	DWS
S-5	Cottonwood Creek - source to mouth			
S-6	Cave Gulch - source to mouth	COLD	SCR	
S-7	Corral Creek - source to mouth			
S-8	Middle Creek - source to mouth	COLD	SCR	
S-9	Dough Creek - source to mouth	COLD	SCR	
S-10	Billy Creek - source to mouth			
S-11	Captain John Creek - source to mouth			
S-12	Redbird Creek - source to mouth	COLD	SCR	
S-13	Tenmile Canyon - source to mouth	COLD	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
S-14	Tammany Creek - Unnamed Tributary (T34N, R05W, Sec. 24) to mouth	COLD	SCR	
S-15	Unnamed Tributary - source to mouth (T34N, R05W, Sec. 24)	COLD	SCR	
S-16	Tammany Creek - source to Unnamed Tributary (T34N, R05W, Sec. 24)	COLD	SCR	

(3-29-12)

03. Upper Salmon Subbasin. The Upper Salmon Subbasin, HUC 17060201, is comprised of one hundred thirty-five (135) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Salmon River - Pennal Gulch to Pashsimeroi River	COLD SS	PCR	DWS
S-2	Morgan Creek - West Creek to mouth			
S-3	Morgan Creek - source to West Creek			
S-4	West Creek - Blowfly Creek to mouth			
S-5	Blowfly Creek - source to mouth			
S-6	West Creek - source to Blowfly Creek			
S-7	Challis Creek - Darling Creek to mouth			
S-8	Darling Creek - source to mouth			
S-9	Challis Creek - Bear Creek to Darling Creek			
S-10	Eddy Creek - source to mouth			
S-11	Bear Creek - source to mouth			
S-12	Challis Creek - source to Bear Creek			
S-13	Mill Creek - source to mouth			
S-14	Salmon River - Garden Creek to Pennal Gulch	COLD SS	PCR	DWS
S-15	Garden Creek - source to mouth			
S-16	Salmon River - East Fork Salmon River to Garden Creek	COLD SS	PCR	DWS
S-17	Bayhorse Creek - source to mouth			
S-18	Lyon Creek - source to mouth			
S-19	Salmon River - Squaw Creek to East Fork Salmon River	COLD SS	PCR	DWS
S-20	Kinnikinic Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-21	Squaw Creek - Cash Creek to mouth	COLD SS	SCR	
S-22	Cash Creek - source to mouth			
S-23	Squaw Creek - confluence of Aspen and Cinnabar Creeks to Cash Creek	COLD SS	SCR	
S-24	Aspen Creek - source to mouth			
S-25	Cinnabar Creek - source to mouth			
S-26	Bruno Creek - source to mouth			
S-27	Salmon River - Thompson Creek to Squaw Creek	COLD SS	PCR	DWS
S-28	Thompson Creek - source to mouth	COLD SS	SCR	
S-29	Pat Hughes Creek -source to mouth			
S-30	Buckskin Creek - source to mouth			
S-31	Salmon River - Yankee Fork Creek to Thompson Creek	COLD SS	PCR	DWS
S-32	Yankee Fork Creek - Jordan Creek to mouth	COLD SS	PCR	DWS
S-33	Ramey Creek - source to mouth			
S-34	Yankee Fork Creek - source to Jordan Creek	COLD SS	PCR	DWS
S-35	Fivemile Creek - source to mouth			
S-36	Elevenmile Creek - source to mouth			
S-37	McKay Creek - source to mouth			
S-38	Twentymile Creek - source to mouth			
S-39	Tenmile Creek - source to mouth			
S-40	Eightmile Creek - source to mouth			
S-41	Jordan Creek - from and including Unnamed Tributary (T13N, R15E, Sec. 29) to mouth			
S-42	Jordan Creek - source to Unnamed Tributary (T13N, R15E, Sec. 29)			
S-43	West Fork Yankee Fork Creek - Lightning Creek to mouth			
S-44	Lightning Creek - source to mouth			
S-45	West Fork Yankee Fork Creek - source to Lightning Creek			
S-46	Cabin Creek - source to mouth			
S-47	Salmon River - Valley Creek to Yankee Fork Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
S-48	Basin Creek - East Basin Creek to mouth			
S-49	East Basin Creek - source to mouth			
S-50	Basin Creek - source to East Basin Creek			
S-51	Valley Creek - Trap Creek to mouth			
S-52	Stanley Creek - source to mouth			
S-53	Valley Creek - source to Trap Creek			
S-54	Trap Creek - Meadow Creek to mouth			
S-55	Trap Creek - source to Meadow Creek			
S-56	Meadow Creek - source to mouth			
S-57	Elk Creek - source to mouth			
S-58	Stanley Creek - source to mouth			
S-59	Crooked Creek - source to mouth			
S-60	Iron Creek - source to mouth			
S-61	Goat Creek - source to mouth			
S-62	Meadow Creek - source to mouth			
S-63	Salmon River - Redfish Lake Creek to Valley Creek	COLD SS	PCR	DWS
S-64	Redfish Lake Creek - Redfish Lake to mouth			
S-65	Fishhook Creek - source to mouth			
S-66	Redfish Lake			
S-67	Redfish Lake Creek - source to Redfish Lake			
S-68	Salmon River - Unnamed Tributary (T19N, R13E, Sec. 25) to Redfish Lake Creek	COLD SS	PCR	DWS
S-69	Decker Creek - Huckleberry Creek to mouth			
S-70	Decker Creek - source to Huckleberry Creek			
S-71	Huckleberry Creek - source to mouth			
S-72	Salmon River - Fisher Creek to Decker Creek	COLD SS	PCR	DWS
S-73	Salmon River - Alturas Lake Creek to Fisher Creek	COLD SS	PCR	DWS
S-74	Hell Roaring Creek - source to mouth			
S-75	Alturas Lake Creek - Alturas Lake to mouth			
S-76	Toxaway/Farley Lake - source to mouth			
S-77	Pettit Lake			
S-78	Alturas Lake			

Unit	Waters	Aquatic Life	Recreation	Other
S-79	Alturas Lake Creek - source to Alturas Lake			
S-80	Alpine Creek - source to mouth			
S-81	Salmon River - source to Alturas Lake Creek	COLD SS	PCR	DWS
S-82	Beaver Creek - source to mouth			
S-83	Smiley Creek - source to mouth			
S-84	Frenchman Creek - source to mouth			
S-85	Pole Creek - source to mouth			
S-86	Champion Creek - source to mouth			
S-87	Fourth of July Creek - source to mouth			
S-88	Fisher Creek - source to mouth			
S-89	Williams Creek - source to mouth			
S-90	Gold Creek - source to mouth			
S-91	Little Casino Creek - source to mouth			
S-92	Big Casino Creek - source to mouth			
S-93	Rough Creek - source to mouth			
S-94	Warm Springs Creek - Swimm Creek to mouth			
S-95	Warm Springs Creek - Pigtail Creek to Swimm Creek			
S-96	Pigtail Creek - source to mouth			
S-97	Warm Springs Creek - source to Pigtail Creek			
S-98	Swimm Creek - source to mouth			
S-99	Slate Creek - source to mouth			
S-100	Holman Creek - source to mouth			
S-101	Sullivan Creek - source to mouth			
S-102	East Fork Salmon River - Herd Creek to mouth	COLD SS	PCR	DWS
S-103	East Fork Salmon River - Germania Creek to Herd Creek	COLD SS	PCR	DWS
S-104	Big Lake Creek - source to mouth			
S-105	Big Boulder Creek - source to mouth			
S-106	Little Boulder Creek - source to mouth			
S-107	Germania Creek - Chamberlain Creek to mouth			
S-108	Chamberlain Creek - source to mouth			
S-109	Germania Creek - source to Chamberlain Creek			

Unit	Waters	Aquatic Life	Recreation	Other
S-110	East Fork Salmon River - confluence of South and West Fork Salmon Rivers to Germania	COLD SS	PCR	DWS
S-111	West Fork East Fork Salmon River - source to mouth			
S-112	South Fork East Fork Salmon River - source to mouth			
S-113	Ibex Creek - source to mouth			
S-114	West Pass Creek - source to mouth			
S-115	Bowery Creek - source to mouth			
S-116	Pine Creek - source to mouth			
S-117	McDonald Creek - source to mouth			
S-118	Herd Creek - confluence of West Fork Herd Creek and East Pass Creek to mouth			
S-119	East Pass Creek - source to mouth			
S-120	Taylor Creek - source to mouth			
S-121	West Fork Herd Creek - source to mouth			
S-122	East Fork Herd Creek - source to mouth			
S-123	Lake Creek - source to mouth			
S-124	Road Creek - Corral Basin Creek to mouth			
S-125	Road Creek - source to Corral Basin Creek			
S-126	Mosquito Creek - source to mouth			
S-127	Corral Basin Creek - source to mouth			
S-128	Horse Basin Creek - source to mouth			
S-129	Spar Canyon Creek - source to mouth			
S-130	Bradshaw Gulch - source to mouth			
S-131	Warm Spring Creek - Hole-in-Rock Creek to mouth			
S-132	Warm Spring Creek - source to Hole-in-Rock Creek			
S-133	Broken Wagon Creek - source to mouth			
S-134	Hole-in-Rock Creek - source to mouth			
S-135	Pennal Gulch - source to mouth			

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04. Pahsimeroi Subbasin. The Pahsimeroi Subbasin, HUC 17060202, is comprised of thirty-nine (39) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Pahsimeroi River - Patterson Creek to mouth	COLD SS	PCR	DWS
S-2	Pahsimeroi River - Meadow Creek to Patterson Creek	COLD SS	PCR	DWS
S-3	Lawson Creek - confluence of North and South Fork Lawson Creeks to mouth			
S-4	North Fork Lawson Creek - source to mouth			
S-5	South Fork Lawson Creek - source to mouth			
S-6	Meadow Creek - source to mouth			
S-7	Pahsimeroi River - Furley Road (T15S, R22E) to Meadow Creek	COLD SS	PCR	DWS
S-8	Pahsimeroi River - Big Creek to Furley Road (T15S, R22E)	COLD SS	PCR	DWS
S-9	Grouse Creek - source to mouth			
S-10	Pahsimeroi River - Goldburg Creek to Big Creek	COLD SS	PCR	DWS
S-11	Pahsimeroi River - Unnamed Tributary (T12N, R23E, Sec. 22) to Goldburg Creek	COLD SS	PCR	DWS
S-12	Unnamed Tributary - source to mouth (T12N, R23E, Sec. 22)			
S-13	Doublespring Creek - Christian Gulch to mouth			
S-14	Christian Gulch - source to mouth			
S-15	Doublespring Creek - source to Christian Gulch			
S-16	Mud Spring Canyon Complex			
S-17	Pahsimeroi River - Burnt Creek to Unnamed Tributary (T12N, R23E, Sec. 22)	COLD SS	PCR	DWS
S-18	Pahsimeroi River - Mahogany Creek to Burnt Creek	COLD SS	PCR	DWS
S-19	Mahogany Creek - source to mouth			
S-20	Pahsimeroi River - confluence of Rock Creek and East Fork Pahsimeroi River to Mahogany Creek	COLD SS	PCR	DWS
S-21	Rock Creek - source to mouth			
S-22	East Fork Pahsimeroi River - source to mouth			
S-23	Burnt Creek - Long Creek to mouth			
S-24	Burnt Creek - source to Long Creek			
S-25	Long Creek - Short Creek to mouth			
S-26	Short Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-27	Long Creek - source to Short Creek			
S-28	Goldburg Creek - Donkey Creek to mouth			
S-29	Donkey Creek -source to mouth			
S-30	Goldburg Creek - source to Donkey Creek			
S-31	Big Creek - confluence of North and South Fork Big Creeks to mouth			
S-32	South Fork Big Creek - source to mouth			
S-33	North Fork Big Creek - source to mouth			
S-34	Patterson Creek - Inyo Creek to mouth			
S-35	Patterson Creek - source to and including Inyo Creek			
S-36	Falls Creek - source to mouth			
S-37	Morse Creek - Irrigation junction to mouth			
S-38	Morse Creek - source to Irrigation junction (T15S, R23E)			
S-39	Morgan Creek - source to mouth			

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05. Middle Salmon-Panther Subbasin. The Middle Salmon-Panther Subbasin, HUC 17060203, is comprised of ninety-two (92) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Salmon River - Panther Creek to Middle Fork Salmon River	COLD SS	PCR	DWS
S-2	Panther Creek - Big Deer Creek to mouth	COLD SS	SCR	
S-3	Garden Creek - source to mouth			
S-4	Clear Creek - source to mouth			
S-5	Big Deer Creek - South Fork Big Deer Creek to mouth			
S-6	Big Deer Creek - source to South Fork Big Deer Creek			
S-7	South Fork Big Deer Creek - Bucktail Creek to mouth			
S-8	South Fork Big Deer Creek -source to Bucktail Creek			
S-9	Bucktail Creek - source to mouth	NONE	NONE	
S-10	Panther Creek - Napias Creek to Big Deer Creek	COLD SS	SCR	
S-11	Panther Creek - Blackbird Creek to Napias Creek	COLD SS	SCR	

Unit	Waters	Aquatic Life	Recreation	Other
S-12a	Blackbird Creek - source to Blackbird Reservoir Dam	COLD SS	SCR	
S-12b	Blackbird Creek - Blackbird Reservoir Dam to mouth	NONE	SCR	
S-13a	West Fork Blackbird Creek - source to concrete channel	COLD SS	SCR	
S-13b	West Fork Blackbird Creek - concrete channel to mouth only	NONE	SCR	
S-14	Panther Creek - Porphyry Creek to Blackbird Creek	COLD SS	PCR	DWS
S-15	Musgrove Creek - source to mouth			
S-16	Porphyry Creek - source to mouth			
S-17	Panther Creek - source to Porphyry Creek	COLD SS	PCR	DWS
S-18	Moyer Creek - source to mouth			
S-19	Woodtick Creek - source to mouth			
S-20	Deep Creek - Little Deep Creek to mouth			
S-21	Little Deep Creek - source to mouth			
S-22	Deep Creek - source to Little Deep Creek			
S-23	Napias Creek - Moccasin Creek to mouth			
S-24	Napias Creek - Arnett Creek to and including Moccasin Creek			
S-25	Napias Creek - source to Arnett Creek			
S-26	Arnett Creek - source to mouth			
S-27	Trail Creek - source to mouth			
S-28	Beaver Creek - source to mouth			
S-29	Salmon River - Indian Creek to Panther Creek	COLD SS	PCR	DWS
S-30	Pine Creek - source to mouth			
S-31	East Boulder Creek - source to mouth			
S-32	Salmon River - North Fork Sheep Creek to Indian Creek	COLD SS	PCR	DWS
S-33	Moose Creek - Little Moose Creek to mouth			
S-34	Little Moose Creek - source to mouth			
S-35	Moose Creek - Dolly Creek to Little Moose Creek			
S-36	Moose Creek - source to Dolly Creek			
S-37	Dolly Creek - source to mouth			
S-38	Dump Creek - Moose Creek to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-39	Salmon River - Carmen Creek to North Fork Salmon River	COLD SS	PCR	DWS
S-40	Wallace Creek - source to mouth			
S-41	Salmon River - Pollard Creek to Carmen Creek	COLD SS	PCR	DWS
S-42	Salmon River - Williams Creek to Pollard Creek	COLD SS	PCR	DWS
S-43	Williams Creek - confluence of North and South Fork Williams Creek to mouth			
S-44	North Fork Williams Creek - source to mouth			
S-45	South Fork Williams Creek - source to mouth			
S-46	Salmon River - Twelvemile Creek to Williams Creek	COLD SS	PCR	DWS
S-47	Salmon River - Iron Creek to Twelvemile Creek	COLD SS	PCR	DWS
S-48	Iron Creek - North Fork Iron Creek to mouth			
S-49	North Fork Iron Creek - source to mouth			
S-50	Iron Creek - source to North Fork Iron Creek			
S-51	West Fork Iron Creek - source to mouth			
S-52	South Fork Iron Creek - source to mouth			
S-53	Salmon River - Pahsimeroi River to Iron Creek	COLD SS	PCR	DWS
S-54	Hot Creek - source to mouth			
S-55	Cow Creek - source to mouth			
S-56	Allison Creek - source to mouth			
S-57	McKim Creek - source to mouth			
S-58	Poison Creek - source to mouth			
S-59	Warm Springs Creek - source to mouth			
S-60	Twelvemile Creek - source to mouth			
S-61	Carmen Creek - Freeman Creek to mouth			
S-62	Freeman Creek - source to mouth			
S-63	Carmen Creek - source to Freeman Creek			
S-64	Tower Creek - source to mouth			
S-65	Fourth of July Creek - Little Fourth of July Creek to mouth			
S-66	Fourth of July Creek - source to Little Fourth of July Creek			
S-67	Little Fourth of July Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-68	North Fork Salmon River - Hughes Creek to mouth	COLD SS	PCR	DWS
S-69	Big Silverlead Creek - source to mouth			
S-70	North Fork Salmon River - Sheep Creek to Hughes Creek	COLD SS	PCR	DWS
S-71	Sheep Creek - source to mouth			
S-72	North Fork Salmon River - Dahlonega Creek to Sheep Creek	COLD SS	PCR	DWS
S-73	Dahlonega Creek - Nez Perce Creek to mouth			
S-74	Dahlonega Creek - source to Nez Perce Creek			
S-75	Nez Perce Creek - source to mouth			
S-76	Anderson Creek - source to mouth			
S-77	North Fork Salmon River - Twin Creek to Dahlonega Creek	COLD SS	PCR	DWS
S-78	North Fork Salmon River - source to Twin Creek	COLD SS	PCR	DWS
S-79	Pierce Creek - source to mouth			
S-80	Twin Creek - source to mouth			
S-81	Hughes Creek - source to mouth			
S-82	Hull Creek - source to mouth			
S-83	Indian Creek - source to mouth			
S-84	Squaw Creek - source to mouth			
S-85	Spring Creek - source to mouth			
S-86	Boulder Creek - source to mouth			
S-87	Owl Creek - East Fork Owl Creek to mouth			
S-88	East Fork Owl Creek - source to mouth			
S-89	Owl Creek - source to East Fork Owl Creek			
S-90	Colson Creek - source to mouth			

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06. Lemhi Subbasin. The Lemhi Subbasin, HUC 17060204, is comprised of eighty-two (82) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Lemhi River - Kenney Creek to mouth	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
S-2	Mulkey Creek - source to mouth			
S-3a	Withington Creek - diversion (T20N, R23E, Sec. 09) to mouth			
S-3b	Withington Creek - source to diversion (T20N, R23E, Sec. 09)	COLD SS	SCR	
S-4	Haynes Creek - source to mouth			
S-5	Lemhi River - Hayden Creek to Kenney Creek	COLD SS	PCR	DWS
S-6	Baldy Creek - source to mouth			
S-7a	McDevitt Creek - diversion (T19N, R23E, Sec. 36) to mouth			
S-7b	McDevitt Creek - source to diversion (T19N, R23E, Sec. 36)	COLD SS	SCR	
S-8	Muddy Creek - source to mouth			
S-9	Hayden Creek - Basin Creek to mouth	COLD SS	SCR	
S-10	Basin Creek - Lake Creek to mouth	COLD SS	SCR	
S-11	Basin Creek - confluence of McNutt Creek and Trail Creek to Lake Creek	COLD SS	SCR	
S-12	Trail Creek - source mouth			
S-13	McNutt Creek - source to mouth			
S-14	Lake Creek - source to mouth			
S-15	Hayden Creek - Bear Valley Creek to Basin Creek	COLD SS	SCR	
S-16	Bear Valley Creek -Wright Creek to mouth	COLD SS	SCR	
S-17	Bear Valley Creek - source to Wright Creek	COLD SS	SCR	
S-18	Wright Creek - source to mouth			
S-19	Kadletz Creek - source to mouth			
S-20	Hayden Creek -West Fork Hayden Creek to Bear Valley Creek	COLD SS	SCR	
S-21	Hayden Creek - source to West Fork Hayden Creek	COLD SS	SCR	
S-22	West Fork Hayden Creek - source to mouth			
S-23	East Fork Hayden Creek - source to mouth	COLD SS	SCR	
S-24	Lemhi River - Peterson Creek to Hayden Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
S-25	Lemhi River - confluence of Big and Little Eightmile Creeks to Peterson Creek	COLD SS	PCR	DWS
S-26a	Mill Creek - diversion (T16N, R24E, Sec. 22) to mouth			
S-26b	Mill Creek - source to diversion (T16N, R24E, Sec. 22)	COLD SS	SCR	
S-27	Walter Creek - source to mouth			
S-28	Lee Creek - source to mouth			
S-29a	Big Eightmile Creek - diversion (T16N, R25E, Sec. 21) to mouth			
S-29b	Big Eightmile Creek - source to diversion (T16N, R25E, Sec. 21)	COLD SS	SCR	
S-30	Lemhi River - confluence of Eighteenmile Creek and Texas Creek to the confluence of Big and Little Eightmile Creeks	COLD SS	PCR	DWS
S-31	Big Timber Creek - Little Timber Creek to mouth			
S-32a	Little Timber Creek - diversion (T15N, R25E, Sec. 24) to mouth			
S-32b	Little Timber Creek - source to diversion (T15N, R25E, Sec. 24)	COLD SS	SCR	
S-33	Big Timber Creek - Rocky Creek to Little Timber Creek	COLD SS	SCR	
S-34	Rocky Creek - source to mouth			
S-35	Big Timber Creek - source to Rocky Creek	COLD SS	SCR	
S-36	Texas Creek - Deer Creek to mouth			
S-37	Deer Creek - source to mouth			
S-38	Texas Creek - Meadow Creek to Deer Creek			
S-39	Meadow Lake Creek - source to mouth			
S-40	Texas Creek - source to Meadow Lake Creek			
S-41	Eighteenmile Creek - Hawley Creek to mouth			
S-42	Eighteenmile Creek - Clear Creek to Hawley Creek			
S-43	Eighteenmile Creek - Divide Creek to Hawley Creek	COLD	SCR	
S-44	Divide Creek - source to mouth			
S-45	Eighteenmile Creek - source to Divide Creek	COLD SS	SCR	
S-46	Clear Creek - source to mouth			
S-47	Tenmile Creek - Powderhorn Gulch to mouth			
S-48	Tenmile Creek - source to Powderhorn Gulch			
S-49	Powderhorn Gulch - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-50a	Hawley Creek - diversion (T15N, R27E, Sec. 03) to mouth			
S-50b	Hawley Creek - source to diversion (T15N, R27E, Sec. 03)			
S-51a	Canyon Creek - diversion (T16N, R26E, Sec.22) to mouth			
S-51b	Canyon Creek - source to diversion (T16N, R26E, Sec.22)	COLD SS	SCR	
S-52a	Little Eightmile Creek - diversion (T16N, R25E, Sec. 02) to mouth			
S-52b	Little Eightmile Creek - source to diversion (T16N, R25E, Sec. 02)	COLD SS	SCR	
S-53	Peterson Creek - source to mouth			
S-54	Reese Creek - source to mouth			
S-55a	Yearian Creek - diversion (T17N, R24E, Sec. 03) to mouth			
S-55b	Yearian Creek - source to diversion (T17N, R24E, Sec. 03)	COLD SS	SCR	
S-56a	Agency Creek - diversion (T19N, R24E, Sec. 28) to mouth			
S-56b	Agency Creek - Cow Creek to diversion (T19N, R24E, Sec. 28)	COLD SS	SCR	
S-57	Cow Creek - source to mouth	COLD SS	SCR	
S-58	Agency Creek - source to Cow Creek	COLD SS	SCR	
S-59a	Pattee Creek - diversion (T19N, R24E, Sec. 16) to mouth			
S-59b	Pattee Creek - source to diversion (T19N, R24E, Sec. 16)	COLD SS	SCR	
S-60a	Pratt Creek - diversion (T20N, R23E, Sec. 11) to mouth			
S-60b	Pratt Creek - source to diversion (T20N, R23E, Sec. 11)	COLD SS	SCR	
S-61	Kenney Creek - source to mouth	COLD SS	SCR	
S-62a	Sandy Creek - diversion (T20N, R24E, Sec. 17) to mouth			
S-62b	Sandy Creek - source to diversion (T20N, R24E, Sec. 17)	COLD SS	SCR	
S-63	Wimpey Creek - source to mouth	COLD SS	SCR	
S-64a	Bohannon Creek - diversion (T21N, R23E, Sec. 22) to mouth			
S-64b	Bohannon Creek - source to diversion (T21N, R23E, Sec. 22)	COLD SS	SCR	
S-65a	Geertson Creek - diversion (T21N, R23E, Sec. 20) to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-65b	Geertson Creek - source to diversion (T21N, R23E, Sec. 20)	COLD SS	SCR	
S-66a	Kirtley Creek - diversion (T21N, R22E, Sec. 02) to mouth			
S-66b	Kirtley Creek - source to diversion (T21N, R22E, Sec. 02)	COLD SS	SCR	

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07. Upper Middle Fork Salmon Subbasin. The Upper Middle Fork Salmon Subbasin, HUC 17060205, is comprised of seventy (70) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Middle Fork Salmon River - confluence of Bear Valley Creek and Marsh Creek to Loon Creek	COLD SS	PCR	DWS
S-2	Marble Creek - source to mouth			
S-3	Trail Creek - source to mouth			
S-4	Big Cottonwood Creek - source to mouth			
S-5	Dynamite Creek - source to mouth			
S-6	Indian Creek - source to mouth			
S-7	Pistol Creek - source to mouth			
S-8	Elkhorn Creek - source to mouth			
S-9	Sulphur Creek - source to mouth			
S-10	Boundary Creek - source to mouth			
S-11	Dagger Creek - source to mouth			
S-12	Bear Valley Creek - source to mouth			
S-13	Elk Creek - source to mouth			
S-14	Sheep Trail Creek - source to mouth			
S-15	Cub Creek - source to mouth			
S-16	Cache Creek - source to mouth			
S-17	Fir Creek - source to mouth			
S-18	Marsh Creek - Beaver Creek to mouth			
S-19	Marsh Creek - Knapp Creek to Beaver Creek			
S-20	Cape Horn Creek - Banner Creek to mouth			
S-21	Cape Horn Creek - source to Banner Creek			
S-22	Banner Creek - source to mouth			
S-23	Swamp Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-24	Marsh Creek - source to Knapp Creek			
S-25	Knapp Creek - source to mouth			
S-26	Asher Creek - source to mouth			
S-27	Unnamed Tributary - source to mouth (T12N, R11E, Sec. 11)			
S-28	Beaver Creek - Bear Creek to mouth			
S-29	Beaver Creek - Winnemucca Creek to Bear Creek			
S-30	Winnemucca Creek - source to mouth			
S-31	Beaver Creek - source to Winnemucca Creek			
S-32	Bear Creek - source to mouth			
S-33	Soldier Creek - source to mouth			
S-34	Greyhound Creek - source to mouth			
S-35	Rapid River - Bell Creek to mouth			
S-36	Bell Creek - source to mouth			
S-37	Rapid River - Lucinda Creek to Bell Creek			
S-38	Rapid River - Float Creek to Lucinda Creek			
S-39	Float Creek - source to mouth			
S-40	Rapid River - Vanity Creek to Float Creek			
S-41	Vanity Creek - source to mouth			
S-42	Rapid River - source to Vanity Creek			
S-43	Lucinda Creek - source to mouth			
S-44	Sheep Creek - confluence of North and South Fork Sheep Creek to mouth			
S-45	South Fork Sheep Creek - source to mouth			
S-46	North Fork Sheep Creek - source to mouth			
S-47	Little Loon Creek - source to mouth			
S-48	Loon Creek - Cabin Creek to mouth			
S-49	Loon Creek - Warm Springs Creek to Cabin Creek			
S-50	Loon Creek - Cottonwood Creek to Warm Springs Creek			
S-51	Loon Creek - Shell Creek to Cottonwood Creek			
S-52	Shell Creek - source to mouth			
S-53	Loon Creek - Grouse Creek to Shell Creek			
S-54	Grouse Creek - source to mouth			
S-55	Loon Creek - Canyon Creek to Grouse Creek			
S-56	Canyon Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-57	Loon Creek - Pioneer Creek to Canyon Creek			
S-58	Trail Creek - source to mouth			
S-59	Loon Creek - source to Pioneer Creek			
S-60	Pioneer Creek - source to mouth			
S-61	No Name Creek - source to mouth			
S-62	Mayfield Creek - confluence of East and West Fork Mayfield Creek to mouth			
S-63	West Fork Mayfield Creek - source to mouth			
S-64	East Fork Mayfield Creek - source to mouth			
S-65	Cottonwood Creek - source to mouth			
S-66	South Fork Cottonwood Creek - source to mouth			
S-67	Warm Springs Creek - Trapper Creek to mouth			
S-68	Trapper Creek - source to mouth			
S-69	Warm Springs Creek - source to Trapper Creek			
S-70	Cabin Creek - source to mouth			

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08. Lower Middle Fork Salmon Subbasin. The Lower Middle Fork Salmon Subbasin, HUC 17060206, is comprised of fifty (50) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Middle Fork Salmon River - Loon Creek to mouth	COLD SS	PCR	DWS
S-2	Papoose Creek - source to mouth			
S-3	Big Creek - source to mouth	COLD SS	PCR	DWS
S-4	Cabin Creek - source to mouth			
S-5	Cave Creek - source to mouth			
S-6	Crooked Creek - source to mouth			
S-7	Big Ramey Creek - source to mouth			
S-8	Beaver Creek - source to mouth			
S-9	Smith Creek - source to mouth			
S-10	Logan Creek - source to mouth			
S-11	Little Marble Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-12	Monumental Creek - source to mouth	COLD SS	PCR	DWS
S-13	Snowslide Creek - source to mouth			
S-14	West Fork Monumental Creek - source to mouth			
S-15	Rush Creek - source to mouth			
S-16	Two Point Creek - source to mouth			
S-17	Soldier Creek - source to mouth			
S-18	Brush Creek - source to mouth			
S-19	Sheep Creek - source to mouth			
S-20	Camas Creek - Yellowjacket Creek to mouth			
S-21	Camas Creek - Forge Creek to Yellowjacket Creek			
S-22	Camas Creek - Duck Creek to Forge Creek			
S-23	Camas Creek - Silver Creek to Duck Creek			
S-24	West Fork Camas Creek - source to mouth			
S-25	Camas Creek - Castle Creek to Silver Creek			
S-26	Camas Creek - Furnance Creek to Castle Creek			
S-27	Camas Creek - White Goat Creek to Furnance Creek			
S-28	Camas Creek - South Fork Camas Creek to White Goat Creek			
S-29	South Fork Camas Creek - source to mouth			
S-30	Camas Creek - source to South Fork Camas Creek			
S-31	White Goat Creek - source to mouth			
S-32	Furnace Creek - source to mouth			
S-33	Castle Creek - source to mouth			
S-34	Silver Creek - source to mouth			
S-35	Duck Creek - source to mouth			
S-36	Forge Creek - source to mouth			
S-37	Yellowjacket Creek - Jenny Creek to mouth			
S-38	Yellowjacket Creek - Hoodoo Creek to Jenny Creek			
S-39	Yellowjacket Creek - Little Jacket Creek to Hoodoo Creek			
S-40	Little Jacket Creek - source to mouth			
S-41	Yellowjacket Creek - Trail Creek to Little Jacket Creek			
S-42	Trail Creek - source to mouth			
S-43	Yellowjacket Creek - source to Trail Creek			
S-44	Hoodoo Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-45	Jenny Creek - source to mouth			
S-46	Wilson Creek - source to mouth			
S-47	Waterfall Creek - source to mouth			
S-48	Ship Island Creek - source to mouth			
S-49	Roaring Creek - source to mouth			
S-50	Goat Creek - source to mouth			

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09. Middle Salmon-Chamberlain Subbasin. The Middle Salmon-Chamberlain Subbasin, HUC 17060207, is comprised of seventy-seven (77) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Salmon River - South Fork Salmon River to river mile 106 (T24N, R04E, Sec. 18)	COLD	PCR	DWS
S-2	Fall Creek - source to mouth			
S-3	Carey Creek - source to mouth			
S-4	California Creek - source to mouth			
S-5	Cottontail Creek - source to mouth			
S-6	Rabbit Creek - source to mouth			
S-7	Warren Creek - source to mouth			
S-8	Salmon River - Chamberlain Creek to South Fork Salmon River	COLD SS	PCR	DWS
S-9	Fivemile Creek - source to mouth			
S-10	Little Fivemile Creek - source to mouth			
S-11	Lemhi Creek - source to mouth			
S-12	Fall Creek - source to mouth			
S-13	Trout Creek - source to mouth			
S-14	Richardson Creek - source to mouth			
S-15	Dillinger Creek - source to mouth			
S-16	Hot Springs Creek - source to mouth			
S-17	Big Bear Creek - source to mouth			
S-18	Salmon River - Horse Creek to Chamberlain Creek	COLD SS	PCR	DWS
S-19	Chamberlain Creek - McCalla Creek to mouth			
S-20	Chamberlain Creek - Game Creek to McCalla Creek			

Unit	Waters	Aquatic Life	Recreation	Other
S-21	Queen Creek - source to mouth			
S-22	Game Creek - source to mouth			
S-23	West Fork Game Creek - source to mouth			
S-24	Chamberlain Creek - confluence of Rim and South Fork Chamberlain Creeks to Game Creek			
S-25	Flossie Creek - source to mouth			
S-26	Rim Creek - source to mouth			
S-27	South Fork Chamberlain Creek - source to mouth			
S-28	Moose Creek - source to mouth			
S-29	Lodgepole Creek - source to mouth			
S-30	McCalla Creek - source to mouth			
S-31	Whimstick Creek - source to mouth			
S-32	Disappointment Creek - source to mouth			
S-33	Starvation Creek - source to mouth			
S-34	Hungry Creek - source to mouth			
S-35	Cottonwood Creek - source to mouth			
S-36	Peak Creek - source to mouth			
S-37	Salmon River - Middle Fork Salmon River to Horse Creek	COLD SS	PCR	DWS
S-38	Butts Creek - source to mouth			
S-39	Kitchen Creek - source to mouth			
S-40	Corn Creek - source to mouth			
S-41	Horse Creek - Little Horse Creek to mouth			
S-42	Little Horse Creek - source to mouth			
S-43	Horse Creek - Reynolds Creek to Little Horse Creek			
S-44	Horse Creek - source to Reynolds Creek			
S-45	East Fork Reynolds Creek - source to mouth			
S-46	Reynolds Creek - source to mouth			
S-47	West Horse Creek - source to mouth			
S-48	Little Squaw Creek - source to mouth			
S-49	Harrington Creek - source to mouth			
S-50	Sabe Creek - Hamilton Creek to mouth			
S-51	Hamilton Creek - source to mouth			
S-52	Sabe Creek - source to Hamilton Creek			

Unit	Waters	Aquatic Life	Recreation	Other
S-53	Center Creek - source to mouth			
S-54	Rattlesnake Creek - source to mouth			
S-55	Bargamin Creek - source to mouth			
S-56	Porcupine Creek - source to mouth			
S-57	Prospector Creek - source to mouth			
S-58	Cache Creek - source to mouth			
S-59	Salt Creek - source to mouth			
S-60	Rainey Creek - source to mouth			
S-61	Big Mallard Creek - source to mouth			
S-62	Little Mallard Creek - source to mouth			
S-63	Rhett Creek - source to mouth			
S-64	Big Blowout Creek - source to mouth			
S-65	Jersey Creek - source to mouth			
S-66	Indian Creek - source to mouth			
S-67	Crooked Creek - Lake Creek to mouth			
S-68	Crooked Creek - source to Lake Creek			
S-69	Big Creek - source to mouth			
S-70	Lake Creek - source to mouth			
S-71	Arlington Creek - source to mouth			
S-72	Bull Creek - source to mouth			
S-73	Elk Creek - source to mouth			
S-74	Sheep Creek - source to mouth			
S-75	Long Meadow Creek - source to mouth			
S-76	Wind River - source to mouth			
S-77	Meadow Creek - source to mouth			

(3-29-12)

10. South Fork Salmon Subbasin. The South Fork Salmon Subbasin, HUC 17060208, is comprised of thirty-five (35) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	South Fork Salmon River - East Fork Salmon River to mouth	COLD SS	PCR	DWS
S-2	Raines Creek - source to mouth	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
S-3	Pony Creek - source to mouth	COLD SS	PCR	
S-4	Bear Creek - source to mouth	COLD SS	PCR	
S-5	Secesh River - confluence of Summitt Creek and Lake Creek to mouth	COLD SS	PCR	DWS
S-6	Lake Creek - source to mouth	COLD SS	PCR	
S-7	Summit Creek - source to mouth	COLD SS	PCR	
S-8	Loon Creek - source to mouth	COLD SS	PCR	
S-9	Lick Creek - source to mouth	COLD SS	PCR	
S-10	South Fork Salmon River - source to East Fork of the South Fork Salmon River	COLD SS	PCR	DWS
S-11	Fitsum Creek - source to mouth	COLD SS	PCR	
S-12	Buckhorn Creek - source to mouth	COLD SS	PCR	
S-13	Cougar Creek - source to mouth	COLD SS	PCR	
S-14	Blackmare Creek - source to mouth	COLD SS	PCR	
S-15	Dollar Creek - source to mouth	COLD SS	PCR	
S-16	Six-bit Creek - source to mouth	COLD SS	PCR	
S-17	Trail Creek - source to mouth	COLD SS	PCR	
S-18	Rice Creek - source to mouth	COLD SS	PCR	
S-19	Cabin Creek - source to mouth	COLD SS	PCR	
S-20	Warm Lake	COLD	PCR	
S-21	Fourmile Creek - source to mouth	COLD SS	PCR	
S-22	Camp Creek - source to mouth	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
S-23	East Fork of the South Fork Salmon River - source to mouth	COLD SS	PCR	DWS
S-24	Caton Creek - source to mouth	COLD SS	PCR	
S-25	Johnson Creek - source to mouth	COLD SS	PCR	DWS
S-26	Burntlog Creek - source to mouth	COLD SS	PCR	
S-27	Trapper Creek - source to mouth	COLD SS	PCR	
S-28	Riordan Creek - source to mouth	COLD SS	PCR	
S-29	Sugar Creek - source to mouth	COLD SS	PCR	
S-30	Tamarack Creek - source to mouth	COLD SS	PCR	
S-31	Profile Creek - source to mouth	COLD SS	PCR	
S-32	Quartz Creek - source to mouth	COLD SS	PCR	
S-33	Sheep Creek - source to mouth	COLD SS	PCR	
S-34	Elk Creek - source to mouth	COLD SS	PCR	
S-35	Porphyry Creek - source to mouth	COLD SS	PCR	

(3-29-12)

11. Lower Salmon Subbasin. The Lower Salmon Subbasin, HUC 17060209, is comprised of sixty-five (65) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Salmon River - Rice Creek to mouth	COLD	PCR	DWS
S-2	Flynn Creek - source to mouth			
S-3	Cottonwood Creek - source to mouth			
S-4	Billy Creek - source to mouth			
S-5	Burnt Creek - source to mouth			
S-6	Round Spring Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-7	Rice Creek - source to mouth			
S-8	Salmon River - Slate Creek to Rice Creek	COLD	PCR	DWS
S-9	Sotin Creek - source to mouth			
S-10	Deer Creek - source to mouth			
S-11	Salmon River - Little Salmon River to Slate Creek	COLD	PCR	DWS
S-12	China Creek- source to mouth			
S-13	Cow Creek - source to mouth			
S-14	Race Creek - confluence West and South Fork Race Creek to mouth			
S-15	West Fork Race Creek - source to mouth			
S-16	South Fork Race Creek - source to mouth			
S-17	Kessler Creek - source to mouth			
S-18	Grave Creek - source to mouth			
S-19	Salmon River - river mile 106 (T24N, R04E, Sec. 18) to Little Salmon River	COLD	PCR	DWS
S-20	Lake Creek - source to mouth			
S-21	Partridge Creek - source to mouth			
S-22	Elkhorn Creek - source to mouth			
S-23	French Creek - Little French Creek to mouth			
S-24	Little French Creek - source to mouth			
S-25	French Creek - source to Little French Creek			
S-26	Kelly Creek - source to mouth			
S-27	Van Creek - source to mouth			
S-28	Allison Creek - West Fork Allison Creek to mouth			
S-29	Allison Creek - source to West Fork Allison Creek			
S-30	West Fork Allison Creek - source to mouth			
S-31	Berg Creek - source to mouth			
S-32	Fiddle Creek - source to mouth			
S-33	John Day Creek - source to mouth			
S-34	Slate Creek - from and including Hurley Creek to mouth			
S-35	Little Van Buren Creek - source to mouth			
S-36	Slate Creek - Little Slate Creek to Hurley Creek			
S-37	Little Slate Creek - source to mouth			
S-38	Deadhorse Creek - source to mouth			
S-39	Van Buren Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
S-40	Tumble Creek - source to mouth			
S-41	Slate Creek - source to Little Slate Creek			
S-42	North Fork Slate Creek - source to mouth			
S-43	McKinzie Creek - source to mouth			
S-44	Skookumchuck Creek - confluence North and South Fork Skookumchuck Creeks to mouth			
S-45	South Fork Skookumchuck Creek - source to mouth			
S-46	North Fork Skookumchuck Creek - source to mouth			
S-47	Whitebird Creek - confluence of North and South Fork Whitebird Creeks to mouth	COLD SS	PCR	DWS
S-48	South Fork Whitebird Creek - Little Whitebird Creek to mouth			
S-49	Little Whitebird Creek - source to mouth			
S-50	South Fork Whitebird Creek - source to Little Whitebird Creek			
S-51	Jungle Creek - source to mouth			
S-52	Asbestos Creek - source to mouth			
S-53	Teepee Creek - source to mouth			
S-54	Pinnacle Creek - source to mouth			
S-55	North Fork Whitebird Creek - source to mouth			
S-56	Rock Creek - Grave Creek to mouth	COLD SS	PCR	
S-57	Rock Creek - source to Grave Creek	COLD SS	PCR	
S-58	Grave Creek - source to mouth			
S-59	Telcher Creek - source to mouth			
S-60	Deep Creek - source to mouth			
S-61	Maloney Creek - source to mouth			
S-62	Deer Creek - source to mouth			
S-63	Eagle Creek - source to mouth			
S-64	China Creek - source to mouth			
S-65	Wapshilla Creek - source to mouth			

(3-29-12)

12. Little Salmon Subbasin. The Little Salmon Subbasin, HUC 17060210, is comprised of sixteen (16) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
S-1	Little Salmon River - Round Valley Creek to mouth	COLD SS	PCR	DWS
S-2	Rapid River - source to mouth	COLD SS	PCR	DWS
S-3	West Fork Rapid River - source to mouth			
S-4	Paradise Creek - source to mouth			
S-5	Boulder Creek - source to mouth			
S-6	Round Valley Creek - source to mouth			
S-7	Little Salmon River - source to Round Valley Creek	COLD SS	PCR	DWS
S-8	Mud Creek - source to mouth			
S-9	Big Creek - source to mouth			
S-10	Goose Creek - source to mouth			
S-11	Brundage Reservoir			
S-12	Goose Lake			
S-13	Sixmile Creek - source to mouth			
S-14	Hazard Creek - source to mouth			
S-15	Hard Creek - source to mouth			
S-16	Elk Creek - source to mouth			

(3-29-12)

131. -- 139. (RESERVED)

140. SOUTHWEST IDAHO BASIN.
Surface waters found within the Southwest basin total nineteen (19) subbasins and are designated as follows:
(4-5-00)

01. C.J. Strike Reservoir Subbasin. The C.J. Strike Reservoir Subbasin, HUC 17050101, is comprised of twenty-six (26) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Snake River - Browns Creek to C.J. Strike Dam	COLD	PCR	DWS
SW-2	Dune's Lake			
SW-3	Browns Creek - source to mouth			
SW-4	West Fork Browns Creek - source to mouth			
SW-5	Snake River - Clover Creek to Browns Creek	COLD	PCR	DWS
SW-6	Sailor Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
SW-7	Pot Hole Creek - source to mouth			
SW-8	Deadman Creek - source to mouth			
SW-9	Rosevear Gulch - source to mouth			
SW-10	King Hill Creek - source to mouth			
SW-11	West Fork King Hill Creek - source to mouth			
SW-12	Little Canyon Creek - source to mouth			
SW-13	Alkali Creek - source to mouth			
SW-14	Cold Springs Creek - source to mouth			
SW-15	Ryegrass Creek - source to mouth			
SW-16	Bennett Creek - source to mouth			
SW-17	Hot Springs Reservoir			
SW-18	Dive Creek - source to mouth			
SW-19	Rattlesnake Creek - source to mouth (T05S, R06E)			
SW-20	Mountain Home Reservoir			
SW-21	Canyon Creek - Fraiser Reservoir Dam to mouth			
SW-22	Fraiser Reservoir			
SW-23	Canyon Creek - confluence of Syrup and Long Tom Creeks to Fraiser Reservoir			
SW-24	Long Tom Creek - source to mouth			
SW-25	Syrup Creek - source to mouth			
SW-26	Squaw Creek - source to mouth			

(3-29-12)

02. Bruneau Subbasin. The Bruneau Subbasin, HUC 17050102, is comprised of thirty-five (35) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	C.J. Strike Reservoir	COLD	PCR	
SW-2	Jacks Creek - confluence of Little and Big Jacks Creeks to C.J. Strike Reservoir			
SW-3	Little Jacks Creek - source to mouth			
SW-4	Big Jacks Creek -source to mouth			
SW-5	Cottonwood Creek - source to mouth			
SW-6	Duncan Creek - source to mouth			
SW-7	Wickahoney Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
SW-8	Sugar Valley Creek - source to mouth			
SW-9	Bruneau River - Hot Creek to C.J. Strike Reservoir	COLD SS	PCR	
SW-10	Hot Creek - source to mouth			
SW-11	Bruneau River - Clover Creek (East Fork Bruneau River) to Hot Creek	COLD SS	PCR	DWS
SW-12	Miller Water - source to mouth			
SW-13	Bruneau River - Jarbridge River to Clover Creek (East Fork Bruneau River)	COLD SS	PCR	DWS
SW-14	Sheep Creek - Idaho/Nevada border to mouth	COLD	PCR	
SW-15	Louse Creek - source to mouth			
SW-16	Marys Creek - source to mouth			
SW-17	Bull Creek - source to mouth			
SW-18	Pole Creek - Idaho/Nevada border to mouth			
SW-19	Cat Creek - Idaho/Nevada border to mouth			
SW-20	Bruneau River - Idaho/Nevada border to Jarbridge River	COLD SS	PCR	DWS
SW-21	Jarbridge River -Idaho/Nevada border to mouth	COLD SS	PCR	DWS
SW-22	Cougar Creek - source to mouth			
SW-23	Dorsey Creek - Idaho/Nevada border to mouth			
SW-24	East Fork Jarbridge River - Idaho/Nevada border to mouth	COLD SS	PCR	
SW-25	Poison Creek - Idaho/Nevada border to mouth			
SW-26	Unnamed Tributary - source to mouth (T11S, R07E, Sec. 27)			
SW-27	Sheepshead Draw - source to mouth			
SW-28	Clover Creek (East Fork Bruneau River) - confluence of Big Flat, Three, and Deadwood Creeks to mouth	COLD SS	PCR	DWS
SW-29	Juniper Draw - source to mouth			
SW-30	Big Flat Creek - Idaho/Nevada border to mouth			
SW-31	Three Creek - Idaho/Nevada border to mouth			
SW-32	Cherry Creek - Idaho/Nevada border to mouth			
SW-33	Deer Creek - Idaho/Nevada border to mouth			
SW-34	Deadwood Creek - Idaho/Nevada to mouth			
SW-35	Buck Flat Draw - source to mouth			

(3-29-12)

03. Middle Snake-Succor Subbasin. The Middle Snake-Succor Subbasin, HUC 17050103, is comprised of twenty-six (26) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Snake River - river mile 425 (T02N, R04W, Sec. 02) to Idaho/Oregon border	COLD	PCR	DWS
SW-2	Succor Creek - Idaho/Oregon border to mouth	COLD SS	PCR	
SW-3	Succor Creek - source to Idaho/Oregon border	COLD SS	PCR	
SW-4	McBride Creek - source to Idaho/Oregon border			
SW-5	Jump Creek - source to mouth	COLD	PCR	
SW-6	Snake River - C.J. Strike Dam to river mile 425 (T02N, R04W, Sec. 02)	COLD	PCR	DWS
SW-7	Squaw Creek - source to mouth			
SW-8	Hardtrigger Creek - source to mouth			
SW-9	Reynolds Creek - source to mouth	COLD SS	PCR	
SW-10	West Rabbit Creek - source to mouth			
SW-11	Rabbit Creek - source to mouth			
SW-12	Sinker Creek - source to mouth	COLD SS	PCR	
SW-13	Fossil Creek - source to mouth			
SW-14	Castle Creek - source to mouth	COLD SS	PCR	
SW-15	Catherine Creek - confluence of Hart and Picket Creeks to mouth			
SW-16	Pickett Creek - source to mouth			
SW-17	Bates Creek - source to mouth			
SW-18	Hart Creek - source to mouth			
SW-19	Brown Creek - source to mouth			
SW-20	South Fork Castle Creek - source to mouth			
SW-21	Birch Creek - source to mouth			
SW-22	McKeeth Wash - source to mouth			
SW-23	Vinson Wash - source to mouth			
SW-24	Shoofly Creek - source to mouth			
SW-25	Corder Creek - source to mouth			
SW-26	Rabbit Creek - source to mouth			

(3-29-12)

04. Upper Owyhee Subbasin. The Upper Owyhee Subbasin, HUC 17050104, is comprised of thirty-four (34) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Owyhee River - Juniper Creek to South Fork Owyhee River	COLD SS	PCR	DWS
SW-2	Unnamed Tributaries and playas of YP Desert (T14S, R04W)			
SW-3	Piute Creek - source to mouth			
SW-4	Juniper Creek - Juniper Basin Reservoir Dam to mouth			
SW-5	Juniper Basin Reservoir			
SW-6	Owyhee River - Idaho/Nevada border to Juniper Creek	COLD SS	PCR	DWS
SW-7	Blue Creek - Blue Creek Reservoir Dam to mouth			
SW-8	Boyle Creek Reservoir (Mt. View Lake)	COLD	PCR	
SW-9	Papoose/Mud Creek complex			
SW-10	Payne Creek - source to mouth			
SW-11	Squaw Creek - source to mouth			
SW-12	Little Blue Creek - source to mouth			
SW-13	Blue Creek - source to Blue Creek Reservoir Dam			
SW-14	Shoofly Creek - source to mouth			
SW-15	Harris Creek - source to mouth			
SW-16	Little Jarvis Lake			
SW-17	Rough Little Lake			
SW-18	Ross Lake			
SW-19	Juniper Lake			
SW-20	Henry Lake			
SW-21	Unnamed Tributary - source to mouth (T15S, R01W, Sec. 01)			
SW-22	Yatahoney Creek - source to mouth			
SW-23	Battle Creek - source to mouth			
SW-24	Dry Creek - source to mouth			
SW-25	Big Springs Creek - source to mouth			
SW-26	Deep Creek - source to mouth			
SW-27	Dickshooter Creek - source to mouth			
SW-28	Pole Creek - source to mouth			
SW-29	Camas Creek - source to mouth			
SW-30	Camel Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
SW-31	Nickel Creek - source to mouth			
SW-32	Castle Creek - source to mouth			
SW-33	Beaver Creek - source to mouth			
SW-34	Red Canyon Creek - source to mouth	COLD	PCR	

(3-29-12)

05. South Fork Owyhee Subbasin. The South Fork Owyhee Subbasin, HUC 17050105, is comprised of five (5) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	South Fork Owyhee River - Idaho/Nevada border to mouth	COLD SS	PCR	DWS
SW-2	Spring Creek - source to mouth			
SW-3	Bull Camp Reservoir			
SW-4	Homer Wells Reservoir			
SW-5	Coyote Flat - source to mouth			

(3-29-12)

06. East Little Owyhee Subbasin. The East Little Owyhee Subbasin, HUC 17050106, is comprised of two (2) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Little Owyhee River - Idaho/Nevada border to mouth	COLD SS	PCR	DWS
SW-2	Tent Creek- Idaho/Oregon border to mouth			

(3-29-12)

07. Middle Owyhee Subbasin. The Middle Owyhee Subbasin, HUC 17050107, is comprised of fourteen (14) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Owyhee River - South Fork Owyhee River to Idaho/Oregon border	COLD SS	PCR	DWS
SW-2	Oregon Lake Creek - source to Idaho/Oregon border			
SW-3	Field Creek - source to Idaho/Oregon border			

Unit	Waters	Aquatic Life	Recreation	Other
SW-4	Middle Fork Owyhee River - source to Idaho/Oregon border	COLD SS	PCR	DWS
SW-5	Pole Creek - source to Idaho/Oregon border			
SW-6	Squaw Creek - source to Idaho/Oregon border	COLD SS	PCR	
SW-7	Cottonwood Creek - source to mouth			
SW-8	North Fork Owyhee River - source to Idaho/Oregon border	COLD SS	PCR	DWS
SW-9	Pleasant Valley Creek - source to mouth	COLD	PCR	
SW-10	Noon Creek - source to mouth	COLD SS	PCR	
SW-11	Cabin Creek - source to mouth	COLD SS	PCR	
SW-12	Juniper Creek - source to mouth	COLD SS	PCR	
SW-13	Cherry Creek - source to Idaho/Oregon border			
SW-14	Soldier Creek - source to Idaho/Oregon border			

(3-29-12)

08. Jordan Subbasin. The Jordan Subbasin, HUC 17050108, is comprised of twenty-three (23) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Jordan Creek - Williams Creek to Idaho/Oregon border	COLD SS	PCR	
SW-2	Lone Tree Creek - source to mouth			
SW-3	Williams Creek - source to mouth	COLD	PCR	
SW-4	Jordan Creek - source to Williams Creek	COLD SS	PCR	
SW-5	Big Boulder Creek - confluence of North and South Fork Boulder Creeks to mouth			
SW-6	South Fork Boulder Creek - source to mouth			
SW-7	North Fork Boulder Creek - source to mouth			
SW-8	Mammoth Creek - source to mouth			
SW-9	Combination Creek - source to mouth			
SW-10	Rock Creek -Triangle Reservoir Dam to mouth			
SW-11	Rose Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
SW-12	Josephine Creek - source to mouth			
SW-13	Rock Creek - source to and including Triangle Reservoir			
SW-14	Louisa Creek - source to Triangle Reservoir			
SW-15	Spring Creek - source to mouth			
SW-16	Deer Creek - source to mouth			
SW-17	Flint Creek - source to mouth			
SW-18	Louse Creek - source to mouth			
SW-19	Trout Creek - source to Idaho/Oregon border			
SW-20	Hooker Creek - source to Idaho/Oregon border			
SW-21	Cow Creek - source to Idaho/Oregon border			
SW-22	Soda Creek - source to mouth			
SW-23	Baxter Creek - source to Idaho/Oregon border			

(3-29-12)

09. North and Middle Fork Boise Subbasin. The North and Middle Fork Boise Subbasin, HUC 17050111, is comprised of seventeen (17) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Middle Fork Boise River - source to mouth	COLD SS	PCR	DWS
SW-2	East Fork Roaring River -source to mouth	COLD SS	PCR	
SW-3	Hot Creek - source to mouth	COLD SS	SCR	
SW-4	Yuba River - source to mouth	COLD SS	SCR	
SW-5	Decker Creek - source to mouth	COLD SS	SCR	
SW-6	Queens River - source to mouth	COLD SS	SCR	
SW-7	Little Queens River - source to mouth	COLD SS	SCR	
SW-8	Black Warrior Creek - source to mouth	COLD SS	SCR	
SW-9	Browns Creek - source to mouth	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
SW-10	North Fork Boise River - source to mouth	COLD SS	PCR	DWS
SW-11	Johnson Creek - source to mouth	COLD SS	SCR	
SW-12	Bear River - source to mouth	COLD SS	SCR	
SW-13	Big Owl/Little Owl Creeks - source to mouth	COLD SS	PCR	
SW-14	Crooked River - source to mouth	COLD SS	PCR	
SW-15	Rabbit Creek - source to mouth	COLD SS	PCR	
SW-16	Meadow Creek - source to mouth	COLD	SCR	
SW-17	French Creek - source to mouth	COLD SS	SCR	

(3-29-12)

10. Boise-Mores Subbasin. The Boise-Mores Subbasin, HUC 17050112, is comprised of seventeen (17) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Lucky Peak Reservoir (Boise River)	COLD SS	PCR	DWS
SW-2	Arrowrock Reservoir (Boise River)	COLD SS	PCR	DWS
SW-3	Grouse Creek - source to Arrowrock Reservoir			
SW-4	Boise River - confluence of North and Middle Fork Boise Rivers to Arrowrock Reservoir	COLD SS	PCR	DWS
SW-5	Sheep Creek - source to mouth			
SW-6	Brown Creek - source to mouth			
SW-7	Cottonwood Creek - source to Arrowrock Reservoir			
SW-8	Deer Creek - source to Lucky Peak Reservoir			
SW-9	Mores Creek - source to Lucky Peak Reservoir	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
SW-10	Smith Creek - source to mouth			
SW-11	Thorn Creek - source to mouth			
SW-12	Elk Creek - source to mouth			--[1] ---------- DWS[2]
SW-13	Grimes Creek - source to mouth			
SW-14	Granite Creek - source to mouth	COLD	PCR	
SW-15	Macks Creek - source to mouth	COLD SS	PCR	
SW-16	Daggett Creek - source to mouth			
SW-17	Robie Creek - source to Lucky Peak Reservoir	COLD SS	PCR	

(4-11-19)

11. South Fork Boise Subbasin. The South Fork Boise Subbasin, HUC 17050113, is comprised of thirty-three (33) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Arrowrock Reservoir (Boise River)	COLD SS	PCR	DWS
SW-2a	Willow Creek - Cottonwood Creek to Arrowrock Reservoir	COLD SS	PCR	
SW-2b	Willow Creek - source to Cottonwood Creek			
SW-3	Wood Creek - source to mouth	COLD SS	PCR	
SW-4	South Fork Boise River - Anderson Ranch Dam to Arrowrock Reservoir	COLD SS	PCR	DWS
SW-5	Anderson Ranch Reservoir (Boise River)	COLD SS	PCR	DWS
SW-6	Little Camas Creek - Little Camas Reservoir Dam to Anderson Ranch Reservoir			
SW-7	Little Camas Creek Reservoir	SC	PCR	
SW-8	Little Camas Creek - source to Little Camas Creek Reservoir			
SW-9	Wood Creek - source to Anderson Ranch Reservoir			

Unit	Waters	Aquatic Life	Recreation	Other
SW-10	Lime Creek - source to Anderson Ranch Reservoir	COLD SS	SCR	
SW-11	South Fork Lime Creek - source to mouth			
SW-12	Deer Creek - source to Anderson Ranch Reservoir	COLD SS	SCR	
SW-13	South Fork Boise River - Willow Creek to Anderson Ranch Reservoir	COLD SS	PCR	DWS
SW-14	Grouse Creek - source to mouth	COLD SS	PCR	
SW-15	South Fork Boise River - Little Smoky Creek to Willow Creek	COLD SS	PCR	DWS
SW-16	Beaver Creek - source to mouth	COLD SS	SCR	
SW-17	Boardman Creek - source to mouth	COLD SS		
SW-18	Little Smoky Creek - source to mouth	COLD SS	SCR	
SW-19	Big Smoky Creek - source to mouth	COLD SS	PCR	
SW-20	Paradise Creek - source to mouth	COLD SS	SCR	
SW-21	South Fork Boise River - confluence of Ross Fork and Johnson Creeks to Little Smoky Creek	COLD SS	PCR	DWS
SW-22	Johnson Creek - source to mouth			
SW-23	Ross Fork - source to mouth	COLD SS	PCR	
SW-24	Skeleton Creek - source to mouth	COLD SS	PCR	
SW-25	Willow Creek - source to South Fork Boise River			
SW-26	Shake Creek - source to mouth	COLD SS	PCR	
SW-27	Feather Creek - source to mouth	COLD SS	PCR	--[1] ---------- DWS[2]
SW-28	Trinity Creek - source to mouth	COLD SS	PCR	
SW-29	Green Creek - source to mouth	COLD SS	SCR	
SW-30	Dog Creek - source to mouth	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
SW-31	Fall Creek - source to Anderson Ranch Reservoir	COLD SS	PCR	
SW-32	Smith Creek - source to mouth	COLD SS	PCR	
SW-33	Rattlesnake Creek - source to Arrowrock Reservoir	COLD SS	SCR	

(4-11-19)

12. Lower Boise Subbasin. The Lower Boise Subbasin, HUC 17050114, is comprised of seventeen (17) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Boise River- Indian Creek to mouth	COLD	PCR	
SW-2	Indian Creek - Sugar Ave. (T03N, R02W, Sec. 15) to mouth	COLD	SCR	
SW-3a	Split between New York Canal and historic creek bed to Sugar Ave. (T03N, R02W, Sec. 15)	COLD SS	SCR	
SW-3b	Indian Creek Reservoir to split between New York Canal and historic creek bed	COLD	SCR	
SW-3c	Indian Creek Reservoir	COLD	PCR	
SW-3d	Indian Creek - source to Indian Creek Reservoir	COLD	SCR	
SW-4	Lake Lowell	WARM	PCR	
SW-5	Boise River - river mile 50 (T04N, R02W, Sec. 32) to Indian Creek	COLD SS	PCR	
SW-6	Mason Creek - New York Canal to mouth		SCR	
SW-7	Fifteenmile Creek - Miller Canal to mouth		SCR	
SW-8	Tenmile Creek - Blacks Creek Reservoir Dam to Miller Canal	COLD	SCR	
SW-9	Blacks Creek - source to and including Blacks Creek Reservoir			
SW-10	Fivemile Creek - source to Miller Canal	COLD	SCR	
SW-11a	Boise River - Diversion Dam to river mile 50 (T04N, R02W, Sec. 32)	COLD SS	PCR	DWS
SW-11b	Boise River - Lucky Peak Dam to Diversion Dam	COLD	PCR	DWS
SW-12	Stewart Gulch, Cottonwood and Crane Creeks -source to mouth			
SW-13	Dry Creek - source to mouth			
SW-14	Big/Little Gulch Creek complex			
SW-15	Willow Creek - source to mouth			
SW-16	Langley/Graveyard Gulch complex			

Unit	Waters	Aquatic Life	Recreation	Other
SW-17	Sand Hollow Creek - source to mouth		SCR	

(3-29-12)

13. Middle Snake-Payette Subbasin. The Middle Snake-Payette Subbasin, HUC 17050115, is comprised of five (5) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Snake River - the Idaho/Oregon border to Weiser River	COLD	PCR	DWS
SW-2	Homestead Gulch - source to mouth			
SW-3	Ashlock Gulch - source to mouth			
SW-4	Hurd Gulch - source to mouth			
SW-5	Sand Hollow - source to mouth			

(3-20-04)

14. South Fork Payette Subbasin. The South Fork Payette Subbasin, HUC 17050120, is comprised of twenty-one (21) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	South Fork Payette River - Trail Creek to mouth	COLD SS	PCR	DWS
SW-2	Rock Creek - source to mouth			
SW-3	Tenmile Creek - source to mouth			
SW-4	Wapiti Creek - source to mouth			
SW-5	South Fork Payette River - source to and including Trail Creek	COLD SS	PCR	DWS
SW-6	Goat Creek - source to mouth			
SW-7	Baron Creek - source to mouth			
SW-8	Bear Creek - source to mouth			
SW-9	Canyon Creek - source to mouth			
SW-10	Warm Spring Creek - source to mouth			
SW-11	Eightmile Creek - source to mouth			
SW-12	Fivemile Creek - source to mouth			
SW-13	Clear Creek - source to mouth			
SW-14	Deadwood River - Deadwood Reservoir Dam to mouth	COLD SS	PCR	DWS
SW-15	Whitehawk Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
SW-16	Warm Springs Creek - source to mouth			
SW-17	Wilson Creek - source to mouth			
SW-18	Deadwood Reservoir	COLD SS	PCR	DWS
SW-19	Deadwood River - source to Deadwood Reservoir	COLD SS	PCR	DWS
SW-20	Scott Creek - source to mouth			
SW-21	Big Pine Creek - source to mouth			

(3-29-12)

15. Middle Fork Payette Subbasin. The Middle Fork Payette Subbasin, HUC 17050121, is comprised of ten (10) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Middle Fork Payette River - Big Bulldog Creek to mouth	COLD SS	PCR	DWS
SW-2	Anderson Creek - source to mouth	COLD SS	PCR	
SW-3	Lightning Creek - source to mouth	COLD SS	PCR	
SW-4	Big Bulldog Creek - source to mouth	COLD SS	PCR	
SW-5	Middle Fork Payette River - source to Big Bulldog Creek	COLD SS	PCR	DWS
SW-6	Rattlesnake Creek - source to mouth	COLD SS	PCR	
SW-7	Silver Creek - source to mouth	COLD SS	PCR	
SW-8	Peace Creek - source to mouth	COLD SS	PCR	
SW-9	Bull Creek - source to mouth	COLD SS	PCR	
SW-10	Scriver Creek - source to mouth	COLD SS	PCR	

(3-29-12)

16. Payette Subbasin. The Payette Subbasin, HUC 17050122, is comprised of twenty-one (21) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Payette River - Black Canyon Reservoir Dam to mouth	COLD SS	PCR	DWS
SW-2	Black Canyon Reservoir	COLD SS	PCR	DWS
SW-3	Payette River - confluence of the North Fork and South Fork Payette Rivers to Black Canyon Reservoir	COLD SS	PCR	DWS
SW-4	Shafer Creek - source to mouth	COLD SS	PCR	--[1] ---------- DWS[2]
SW-5	Harris Creek - source to mouth	COLD SS	PCR	
SW-6	Porter Creek - source to mouth			
SW-7	Hill Creek - source to mouth			
SW-8	South Fork Payette River - Middle Fork Payette River to mouth	COLD SS	PCR	DWS
SW-9	Deer Creek - source to mouth			
SW-10	Squaw Creek - source to mouth	COLD SS	PCR	
SW-11	Little Squaw Creek - source to mouth			
SW-12	Soldier Creek - source to mouth			
SW-13	Pine Creek - source to mouth			
SW-14	Second Fork Squaw Creek - source to mouth			
SW-15	Bissel Creek - source to mouth			
SW-16	Sand Hollow - source to mouth			
SW-17	Big Willow Creek - source to mouth	COLD SS	PCR	
SW-18	Little Willow Creek - Paddock Valley Reservoir Dam to mouth			
SW-19	Indian Creek - source to mouth			
SW-20	Paddock Valley Reservoir			
SW-21	Little Willow Creek - source to Paddock Valley Reservoir			

(4-11-19)

17. **North Fork Payette Subbasin**. The North Fork Payette Subbasin, HUC 17050123, is comprised of twenty-two (22) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	North Fork Payette River - Cascade Reservoir Dam to mouth	COLD SS	PCR	DWS
SW-2	Round Valley Creek - source to mouth			
SW-3	Clear Creek - source to mouth			
SW-4	Big Creek - source to mouth			
SW-5	Horsethief Reservoir			--[1] ---------- DWS[2]
SW-6	Beaver Creek - source to mouth			
SW-7	Cascade Reservoir	COLD SS	PCR	DWS
SW-8	Gold Fork - source to Cascade Reservoir	COLD SS	PCR	DWS
SW-9	Flat Creek - source to mouth			
SW-10	Kennally Creek - source to mouth			
SW-11	Boulder Creek - source to Cascade Reservoir			
SW-12	Lake Fork - Little Payette Lake to Cascade Reservoir	COLD SS	PCR	DWS
SW-13	Little Payette Lake	COLD SS	PCR	
SW-14	Lake Fork - source to Little Payette Lake	COLD SS	PCR	DWS
SW-15	Mud Creek - source to Cascade Reservoir			
SW-16	North Fork Payette River - Payette Lake to Cascade Reservoir	COLD SS	PCR	DWS
SW-17	Payette Lake	COLD SS	PCR	DWS
SW-18	North Fork Payette River - Upper Payette Lake to Payette Lake	COLD SS	PCR	DWS
SW-19	Upper Payette Lake	COLD SS	PCR	DWS
SW-20	Twentymile Creek - source to mouth	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
SW-21	North Fork Payette River - source to Upper Payette Lake	COLD SS	PCR	DWS
SW-22	Fisher Creek - source to mouth			

(4-11-19)

18. **Weiser Subbasin**. The Weiser Subbasin, HUC 17050124, is comprised of thirty-three (33) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Weiser River - Keithly Creek to mouth	COLD	PCR	DWS
SW-2	Cove Creek - source to mouth			
SW-3	Crane Creek - Crane Creek Reservoir Dam to mouth	COLD	PCR	
SW-4	Crane Creek Reservoir	COLD	PCR	
SW-5	South Fork Crane Creek - source to Crane Creek Reservoir			
SW-6	North Crane Creek - source to Crane Creek Reservoir			
SW-7	Weiser River - source to Keithly Creek	COLD	PCR	DWS
SW-8	Little Weiser River - source to mouth	COLD SS	PCR	DWS
SW-9	Ben Ross Creek - source to mouth			
SW-10	Mill Creek - source to mouth			
SW-11	Anderson Creek - source to mouth			
SW-12	Grays Creek - source to mouth			
SW-13	Bacon Creek - source to mouth			
SW-14	Middle Fork Weiser River - source to mouth	COLD SS	PCR	DWS
SW-15	Cottonwood Creek - source to mouth			
SW-16	East Fork Weiser River - source to mouth			
SW-17	West Fork Weiser River - source to mouth	COLD SS	PCR	DWS
SW-18	Lost Creek - Lost Valley Reservoir Dam to mouth			
SW-19	Lost Valley Reservoir			
SW-20	Lost Creek - source to Lost Valley Reservoir			
SW-21	Hornet Creek - source to mouth			
SW-22	Johnson Creek - source to mouth	COLD SS	PCR	
SW-23	Goodrich Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
SW-24	Cow Creek - source to mouth			
SW-25	Rush Creek - source to mouth			
SW-26	Spring Creek - source to mouth			
SW-27	Pine Creek - source to mouth	COLD SS	PCR	
SW-28	Keithly Creek - source to mouth			
SW-29	Sage Creek - source to mouth			
SW-30	Mann Creek - Mann Creek Reservoir Dam to mouth	COLD SS	PCR	
SW-31	Mann Creek Reservoir	COLD SS	PCR	
SW-32	Mann Creek - source to Mann Creek Reservoir	COLD SS	PCR	
SW-33	Monroe Creek - source to mouth			

(3-29-12)

19. Brownlee Reservoir Subbasin. The Brownlee Reservoir Subbasin, HUC 17050201, is comprised of seventeen (17) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
SW-1	Snake River (Hells Canyon Reservoir) - Oxbow Dam to Hells Canyon Dam	COLD	PCR	DWS
SW-2	Snake River (Oxbow Reservoir) - Brownlee Dam to Oxbow Dam	COLD	PCR	DWS
SW-3	Snake River (Brownlee Reservoir) - Scott Creek to Brownlee Dam	COLD	PCR	DWS
SW-4	Snake River - Weiser River to Scott Creek	COLD	PCR	DWS
SW-5	Jenkins Creek - source to mouth	COLD	PCR	
SW-6	Scott Creek - source to mouth			
SW-7	Warm Springs Creek - source to mouth			
SW-8	Hog Creek - source to mouth			
SW-9	Grouse Creek - source to mouth			
SW-10	Rock Creek - source to mouth			
SW-11	Wolf Creek - source to mouth			
SW-12	Dennett Creek - source to mouth			
SW-13	Sturgill Creek - source to mouth			
SW-14	Brownlee Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
SW-15	Wildhorse River - confluence of Bear Creek and including Crooked River to mouth	COLD SS	PCR	
SW-16	Bear Creek - source to mouth	COLD SS	PCR	
SW-17	Indian Creek - source to mouth			

(3-29-12)

141. -- 149. (RESERVED)

150. UPPER SNAKE BASIN.
Surface waters found within the Upper Snake basin total twenty-three (23) subbasins and are designated as follows: (4-5-00)

01. Palisades Subbasin. The Palisades Subbasin, HUC 17040104, is comprised of thirty-one (31) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Snake River - Black Canyon Creek to river mile 856 (T03N, R41E, Sec. 16)	COLD SS	PCR	DWS
US-2	Antelope Creek - source to mouth			
US-3	Snake River - Fall Creek to Black Canyon Creek	COLD SS	PCR	DWS
US-4	Pritchard Creek - source to mouth			
US-5	Fall Creek - South Fork Fall Creek to mouth			
US-6	Fall Creek - source to South Fork Fall Creek			
US-7	South Fork Fall Creek - source to mouth			
US-8	Snake River - Palisades Reservoir Dam to Fall Creek	COLD SS	PCR	DWS
US-9	Indian Creek - source to mouth			
US-10	Palisades Reservoir	COLD SS	PCR	DWS
US-11	Bear Creek - North Fork Bear Creek to Palisades Reservoir			
US-12	North Fork Bear Creek - source to mouth			
US-13	Bear Creek - source to North Fork Bear Creek			
US-14	McCoy Creek - Fish Creek to Palisades Reservoir			
US-15	McCoy Creek - Iowa Creek to Fish Creek			
US-16	McCoy Creek - Clear Creek to Iowa Creek			
US-17	Wolverine Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-18	Clear Creek - source to mouth			
US-19	McCoy Creek - source to Clear Creek			
US-20	Iowa Creek - source to mouth			
US-21	Fish Creek - source to mouth			
US-22	Trout Creek - source to mouth			
US-23	Burns Creek - source to Idaho/Wyoming border			
US-24	Indian Creek - Idaho/Wyoming border to Palisades Reservoir			
US-25	Big Elk Creek - Idaho/Wyoming border to Palisades Reservoir			
US-26	Little Elk Creek - source to Palisades Reservoir			
US-27	Palisades Creek - source to mouth			
US-28	Rainey Creek - source to mouth			
US-29	Pine Creek - source to mouth			
US-30	Black Canyon Creek - source to mouth			
US-31	Burnt Canyon Creek - source to mouth			

(3-29-12)

02. **Salt Subbasin**. The Salt Subbasin, HUC 17040105, is comprised of twelve (12) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Tributaries of Salt River - source to Idaho/Wyoming border (T04S, R46E)			
US-2	Jackknife Creek - source to Idaho/Wyoming border			
US-3	Tincup Creek - source to Idaho/Wyoming border			
US-4	South Fork Tincup Creek - source to mouth			
US-5	Tributaries of Salt River - source to Idaho/Wyoming border (T06S, R46E and T07S, R46E)			
US-6	Stump Creek - source to Idaho/Wyoming border			
US-7	Tygee Creek - source to mouth			
US-8	Crow Creek - source to Idaho/Wyoming border			
US-9	Sage Creek - source to mouth			
US-10	Deer Creek - source to mouth			
US-11	Rock Creek - source to mouth			
US-12	Spring Creek - source to mouth			

(4-5-00)

03. Idaho Falls Subbasin. The Idaho Falls Subbasin, HUC 17040201, is comprised of seventeen (17) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Snake River - Dry Bed Creek to river mile 791 (T01N, R37E, Sec. 10)	COLD SS	PCR	DWS
US-2	South Fork Willow Creek - source to mouth			
US-3	North Fork Willow Creek - source to mouth			
US-4	Dry Bed Creek - source to mouth			
US-5	Sand Creek complex			
US-6	Crow Creek - Willow Creek to mouth			
US-7	Crow Creek - source to Willow Creek			
US-8	Birch Creek - source to mouth			
US-9	Snake River - Annis Slough to Dry Bed Creek	COLD SS	PCR	DWS
US-10	Spring Creek - canal (T05N, R38E) to mouth			
US-11	Spring Creek - source to canal (T05N, R38E)			
US-12	Snake River - Dry Bed to Annis Slough	COLD SS	PCR	DWS
US-13	Snake River - river mile 856 (T03N, R41E, Sec. 16) to Dry Bed Creek	COLD SS	PCR	DWS
US-14	Lyons Creek - source to mouth			
US-15	Unnamed Tributary - source to mouth (T8N, R38E)			
US-16	Market Lake			
US-17	Kettle Butte complex			

(4-5-00)

04. Upper Henrys Subbasin. The Upper Henrys Subbasin, HUC 17040202, is comprised of fifty-two (52) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Henrys Fork - Warm River to Ashton Reservoir Dam	COLD SS	PCR	DWS
US-2	Warm River - Warm River Spring to mouth	COLD SS	PCR	DWS
US-3	Moose Creek - source to confluence with Warm River			
US-4	Partridge Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-5	Warm River - source to Warm River Spring	COLD SS	PCR	DWS
US-6	Robinson Creek - Rock Creek to mouth			
US-7	Porcupine Creek - source to mouth	COLD SS	SCR	
US-8	Rock Creek - Wyoming Creek to mouth			
US-9	Wyoming Creek - Idaho/Wyoming border to mouth			
US-10	Rock Creek - source to Wyoming Creek			
US-11	Robinson Creek - Idaho/Wyoming border and sources west of border to Rock Creek			
US-12	Snow Creek - source to mouth			
US-13	Fish Creek - source to mouth			
US-14	Henrys Fork - Thurman Creek to Warm River	COLD SS	PCR	DWS
US-15	Henrys Fork - Island Park Reservoir Dam to Thurman Creek	COLD SS	PCR	DWS
US-16	Buffalo River - Elk Creek to mouth	COLD SS	PCR	DWS
US-17	Toms Creek - source to mouth			
US-18	Buffalo River - source to Elk Creek	COLD SS	PCR	DWS
US-19	Elk Creek - source to mouth			
US-20	Island Park Reservoir	COLD SS	PCR	DWS
US-21	Henrys Fork - Confluence of Big Springs and Henrys Lake Outlet to Island Park Reservoir	COLD SS	PCR	DWS
US-22	Moose Creek - source to confluence with Henrys Fork			
US-23	Big Springs - source to mouth	COLD SS	PCR	DWS
US-24	Thirsty Creek - Idaho/ Wyoming border to mouth	COLD SS	SCR	
US-25	Henrys Lake Outlet - Henrys Lake Dam to mouth	COLD SS	PCR	DWS
US-26	Meadows Creek - source to mouth			
US-27	Reas Pass Creek - source to sink			
US-28	Jones Creek - source to mouth			
US-29	Jesse Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-30	Twin Creek - source to mouth			
US-31	Tygee Creek - source to sink			
US-32	Henrys Lake	COLD	SCR	
US-33	Howard Creek - source to mouth	COLD SS	SCR	
US-34	Targhee Creek - source to mouth	COLD SS	SCR	
US-35	Timber Creek - source to mouth			
US-36	Duck Creek - source to mouth	COLD SS	SCR	
US-37	Rock Creek - source to mouth			
US-38	Hope Creek - source to mouth			
US-39	Crooked Creek - source to mouth			
US-40	Hotel Creek - source to mouth	COLD SS	SCR	
US-41	Yale Creek - source to mouth	COLD SS	SCR	
US-42	Blue Creek - source to mouth			
US-43	Sheep Creek - source to mouth			
US-44	Icehouse Creek - source to Island Park Reservoir	COLD SS	SCR	
US-45	Sheridan Creek - Kilgore Road (T13N, R41E, Sec. 07) to mouth	COLD SS	SCR	
US-46	Willow Creek - source to mouth			
US-47	Myers Creek - source to mouth			
US-48	Sheridan Creek - source to Kilgore Road (T13N, R41E, Sec. 07)	COLD SS	SCR	
US-49	Sheridan Reservoir			
US-50	Dry Creek - source to Sheridan Reservoir			
US-51	Thurman Creek - source to mouth			
US-52	Rattlesnake Creek - source to mouth			

(3-29-12)

05. Lower Henrys Subbasin. The Lower Henrys Subbasin, HUC 17040203, is comprised of sixteen (16) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Henrys Fork - South Fork Teton River to hydrologic unit boundary	COLD SS	PCR	DWS
US-2	Henry's Fork - North Fork Teton River to South Fork Teton River	COLD SS	PCR	DWS
US-3	Henrys Fork - Falls River to North Fork Teton River	COLD SS	PCR	DWS
US-4	Falls River - Conant Creek to mouth	COLD SS	PCR	DWS
US-5	Conant Creek - Squirrel Creek to mouth			
US-6	Conant Creek - Idaho/Wyoming border to Squirrel Creek			
US-7	Squirrel Creek - Idaho/Wyoming border to mouth			
US-8	Falls River - Boone Creek to Conant Creek	COLD SS	PCR	DWS
US-9	Falls River - Idaho/Wyoming border to Boone Creek	COLD SS	PCR	DWS
US-10	Boone Creek - Idaho/Wyoming border to mouth			
US-11	Boundary Creek - Idaho/Wyoming border (T12N, R46E, Sec. 06) to Idaho/Wyoming border, (T12N, R46E, Sec. 31)			
US-12	Henrys Fork - Ashton Reservoir Dam to Falls River	COLD SS	PCR	DWS
US-13	Sand Creek - Pine Creek to mouth			
US-14	Pine Creek - source to mouth			
US-15	Sand Creek - source to Pine Creek			
US-16	Warm Slough - source to mouth			

(3-29-12)

06. **Teton Subbasin**. The Teton Subbasin, HUC 17040204, is comprised of sixty-five (65) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	South Fork Teton River - Teton River Forks to Henrys Fork	COLD SS	SCR	
US-2	North Fork Teton River - Teton River Forks to Henrys Fork	COLD SS	SCR	
US-3	Teton River - Teton Dam to Teton River Forks	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
US-4	Teton River - Canyon Creek to Teton Dam	COLD SS	PCR	DWS
US-5	Moody Creek - confluence of North and South Fork Moody Creeks to canal			
US-6	South Fork Moody Creek - source to mouth			
US-7	North Fork Moody Creek - source to mouth			
US-8	Canyon Creek - Warm Creek to mouth			
US-9	Canyon Creek - source to Warm Creek			
US-10	Calamity Creek - source to mouth			
US-11	Warm Creek - source to mouth			
US-12	Teton River - Milk Creek to Canyon Creek	COLD SS	PCR	DWS
US-13	Milk Creek - source to mouth			
US-14	Teton River - Felt Dam outlet to Milk Creek	COLD SS	PCR	DWS
US-15	Teton River - Felt Dam pool			
US-16	Teton River - Highway 33 bridge to Felt Dam pool	COLD SS	PCR	DWS
US-17	Teton River - Cache Bridge (NW ¼, NE ¼, Sec. 1, T5N, R44E) to Highway 33 bridge	COLD SS	PCR	DWS
US-18	Packsaddle Creek - diversion (NE ¼ Sec. 8, T5N, R44E) to mouth			
US-19	Packsaddle Creek - source to diversion (NE ¼ Sec. 8, T5N, R44E)			
US-20	Teton River - Teton Creek to Cache Bridge NW ¼, NE ¼, Sec. 1, T5N, R44E)	COLD SS	PCR	DWS
US-21	Horseshoe Creek - pipeline diversion (SE ¼, NW ¼, Sec. 27, T5N, R44E) to mouth			
US-22	Horseshoe Creek - source to pipeline diversion (SE ¼, NW ¼, Sec. 27, T5N, R44E)			
US-23	Twin Creek - source to mouth			
US-24	Mahogany Creek - pipeline diversion (NE ¼, Sec. 27, T4N, R44E) to mouth			
US-25	Mahogany Creek - source to pipeline diversion (NE ¼, Sec. 27, T4N, R44E)			
US-26	Teton River - Trail Creek to Teton Creek	COLD SS	PCR	DWS
US-27	Henderson Creek - source to sink			
US-28	Teton River - confluence of Warm Creek and Drake Creek to Trail Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
US-29	Patterson Creek - pump diversion (SE ¼, Sec. 31, T4N, R44E) to mouth			
US-30	Patterson Creek - source to pump diversion (SE ¼, Sec. 31, T4N, R44E)			
US-31	Grove Creek - source to sink			
US-32	Drake Creek - source to mouth			
US-33	Little Pine Creek - source to mouth			
US-34	Warm Creek - source to mouth			
US-35	Trail Creek - Trail Creek pipeline diversion (SW ¼, SE ¼, Sec 19, T3N, R46E) to mouth			
US-36	Game Creek - diversion (SW ¼, SW ¼, Sec. 17, T3N, R46E) to mouth			
US-37	Game Creek - source to diversion (SW ¼, SW ¼, Sec. 17, T3N, R46E)			
US-38	Trail Creek - Idaho/Wyoming border to Trail Creek pipeline diversion (SW ¼, SE ¼, Sec 19, T3N, R46E)			
US-39	Moose Creek - Idaho/Wyoming border to mouth			
US-40	Fox Creek - SE ¼, SW ¼, Sec. 28, T4N, R45E to confluence with Teton River, including spring creek tributaries			
US-41	Fox Creek - North Fox Creek Canal (NW ¼, Sec 29 T4N, R46E) to SE ¼, SW ¼, Sec. 28, T4N, R45E			
US-42	Fox Creek - Idaho/Wyoming border to North Fox Creek Canal (NW ¼, Sec 29 T4N, R46E)			
US-43	Foster Creek spring creek complex - south to Fox Creek and north to Darby Creek			
US-44	Darby Creek - SW ¼, SE ¼, S10, T4N, R45E, to mouth, including spring creek tributaries			
US-45	Darby Creek - Idaho/Wyoming border to SW ¼, SE ¼, Sec. 10, T4N, R45E			
US-46	Dick Creek spring complex - south to Darby Creek and north to Teton Creek			
US-47	Teton Creek - Highway 33 bridge to mouth, including spring creek tributaries			
US-48	Teton Creek - Idaho/Wyoming border to Highway 33 bridge			
US-49	Driggs Springs spring creek complex - located between Teton Creek and Woods Creek			
US-50	Woods Creek - source to mouth, including spring creek tributaries and spring creek complex north of Woods Creek to latitude 43 degrees, 45.5 minutes north.			

Unit	Waters	Aquatic Life	Recreation	Other
US-51	Dry Creek - Idaho/Wyoming border to sinks (SE ¼, NE ¼, S12, T5N, R45E)			
US-52	South Leigh Creek - SE ¼, NE ¼, Sec. 1 T5N, R44E to mouth			
US-53	South Leigh Creek - Idaho/Wyoming border to SE ¼, NE ¼, Sec. 1 T5N, R44			
US-54	Spring Creek - North Leigh Creek to mouth			
US-55	North Leigh Creek - Idaho/Wyoming border to mouth			
US-56	Spring Creek - source to North Leigh Creek, including Spring Creek complex north of Spring Creek to latitude 43 degrees, 49.9 minutes north			
US-57	Badger Creek - spring (NW ¼, SW ¼, Sec. 26 T7N, R44E) to mouth			
US-58	Badger Creek - diversion (NW ¼, SW ¼, Sec. 9, T6N, R45E) to spring (NW ¼, SW ¼, Sec. 26 T7N, R44E)			
US-59	Badger Creek - source to diversion (NW ¼, SW ¼, Sec. 9, T6N, R45E			
US-60	South Fork Badger Creek - diversion (NE ¼, NE ¼, Sec. 12, T6N, R45E) to mouth			
US-61	South Fork Badger Creek - Idaho/Wyoming border to diversion (NE ¼, NE ¼, Sec. 12, T6N, R45E)			
US-62	North Fork Badger Creek - Idaho/Wyoming border to mouth			
US-63	Bitch Creek - Swanner Creek to mouth			
US-64	Swanner Creek - Idaho/Wyoming border to mouth			
US-65	Bitch Creek - Idaho/Wyoming border to Swanner Creek			

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07. Willow Subbasin. The Willow Subbasin, HUC 17040205, is comprised of thirty-two (32) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Willow Creek - Ririe Reservoir Dam to Eagle Rock Canal	COLD SS	SCR	
US-2	Ririe Reservoir (Willow Creek)	COLD SS	PCR	DWS
US-3	Blacktail Creek - source to Ririe Reservoir			
US-4	Willow Creek - Bulls Fork to Ririe Reservoir	COLD SS	PCR	DWS
US-5	Willow Creek - Birch Creek to Bulls Fork	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
US-6	Birch Creek - source to mouth			
US-7	Squaw Creek - source to mouth			
US-8	Willow Creek - Mud Creek to Birch Creek	COLD SS	PCR	DWS
US-9	Mud Creek - source to mouth			
US-10	Sellars Creek - source to mouth			
US-11	Willow Creek - Crane Creek to Mud Creek	COLD SS	PCR	DWS
US-12	Mill Creek - source to mouth			
US-13	Willow Creek - source to Crane Creek	COLD SS	PCR	DWS
US-14	Crane Creek - source to mouth			
US-15	Long Valley Creek - source to mouth			
US-16	Grays Lake outlet - Hell Creek to mouth			
US-17	Grays Lake outlet - Homer Creek to Hell Creek			
US-18	Homer Creek - source to mouth			
US-19	Grays Lake outlet - Brockman Creek to Homer Creek			
US-20	Grays Lake outlet - Grays Lake to Brockman Creek			
US-21	Grays Lake			
US-22	Little Valley Creek - source to mouth			
US-23	Gravel Creek - source to mouth			
US-24	Brockman Creek - Corral Creek to mouth			
US-25	Brockman Creek - source to Corral Creek			
US-26	Corral Creek - source to mouth			
US-27	Sawmill Creek - source to mouth			
US-28	Lava Creek - source to mouth			
US-29	Hell Creek - source to mouth			
US-30	Bulls Fork - source to mouth			
US-31	Tex Creek - source to mouth			
US-32	Meadow Creek - source to Ririe Reservoir			

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08. American Falls Subbasin. The American Falls Subbasin, HUC 17040206, is comprised of twenty-six (26) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	American Falls Reservoir (Snake River)	COLD	PCR	DWS
US-2	Bannock Creek - source to American Falls Reservoir	COLD	SCR	
US-3	Starlight Creek - source to mouth			
US-4	Blind Spring - source to mouth			
US-5	Sunbeam Creek - source to mouth			
US-6	Moonshine Creek - source to mouth			
US-7	Sawmill Creek - source to mouth			
US-8	West Fork Bannock Creek - source to mouth			
US-9	Knox Creek - source to mouth			
US-10	Rattlesnake Creek - source to mouth			
US-11	Clifton Creek - source to mouth			
US-12	Midnight Creek - source to mouth			
US-13	Michaud Creek - source to mouth			
US-14	Ross Fork - Gibson Canal to American Falls Reservoir			
US-15	Ross Fork - Indian Creek to Gibson Canal			
US-16	Indian Creek - source to mouth			
US-17	South Fork Ross Fork - source to mouth			
US-18	Ross Fork - source to South Fork Ross Fork			
US-19	Clear Creek - source to American Falls Reservoir			
US-20	Spring Creek - source to American Falls Reservoir			
US-21	Big Jimmy Creek - source to American Falls Reservoir			
US-22	Snake River - river mile 791 (T01N, R37E, Sec. 10) to American Falls Reservoir	COLD SS	PCR	DWS
US-23	Jeff Cabin Creek - source to mouth			
US-24	McTucker Creek - source to American Falls Reservoir			
US-25	Little Hole Draw - source to American Falls Reservoir			
US-26	Pleasant Valley - source to American Falls Reservoir			

(4-5-00)

09. Blackfoot Subbasin. The Blackfoot Subbasin, HUC 17040207, is comprised of thirty-one (31) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Blackfoot River - Fort Hall Main Canal diversion to mouth		SCR	

Unit	Waters	Aquatic Life	Recreation	Other
US-2	Blackfoot River - Blackfoot Reservoir Dam to Fort Hall Main Canal diversion	COLD SS	PCR	
US-3	Garden Creek - source to mouth			
US-4	Wood Creek - source to mouth			
US-5	Grave Creek - source to mouth			
US-6	Corral Creek - source to mouth			
US-7	Grizzly Creek - source to mouth			
US-8	Thompson Creek - source to mouth			
US-9	Blackfoot Reservoir	COLD	PCR	
US-10	Blackfoot River - confluence of Lanes and Diamond Creeks to Blackfoot Reservoir	COLD SS	PCR	DWS
US-11	Trail Creek - source to mouth			
US-12	Slug Creek - source to mouth			
US-13	Dry Valley Creek - source to mouth			
US-14	Maybe Creek - source to mouth			
US-15	Mill Canyon - source to mouth			
US-16	Diamond Creek - source to mouth			
US-17	Timothy Creek - source to mouth			
US-18	Lanes Creek - source to mouth			
US-19	Bacon Creek - source to mouth			
US-20	Browns Canyon Creek - source to mouth			
US-21	Chippy Creek - source to mouth			
US-22	Sheep Creek - source to mouth			
US-23	Angus Creek - source to mouth			
US-24	Wooley Valley - source to mouth			
US-25	Meadow Creek - source to Blackfoot Reservoir			
US-26	Brush Creek - source to mouth			
US-27	Rawlins Creek - source to mouth			
US-28	Miner Creek - source to mouth			
US-29	Cedar Creek - source to mouth			
US-30	Wolverine Creek - source to mouth			
US-31	Jones Creek - source to mouth			

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10. Portneuf Subbasin. The Portneuf Subbasin, HUC 17040208, is comprised of twenty-six (26) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Portneuf River - Marsh Creek to American Falls Reservoir	COLD SS	SCR	
US-2	City Creek - source to mouth			
US-3	Gibson Jack Creek - source to mouth			
US-4	Mink Creek - source to mouth			
US-5	Indian Creek - source to mouth			
US-6	Marsh Creek - source to mouth	COLD	SCR	
US-7	Walker Creek - source to mouth			
US-8	Bell Marsh Creek - source to mouth			
US-9	Goodenough Creek - source to mouth			
US-10	Garden Creek - source to mouth			
US-11	Hawkins Creek - Hawkins Reservoir Dam to mouth			
US-12	Hawkins Reservoir			
US-13	Hawkins Creek - source to Hawkins Reservoir			
US-14	Cherry Creek - source to mouth			
US-15	Birch Creek - source to mouth			
US-16	Portneuf River - Chesterfield Reservoir Dam to Marsh Creek	COLD SS	PCR	DWS
US-17	Dempsey Creek - source to mouth			
US-18	Twentyfourmile Creek - source to mouth			
US-19	Chesterfield Reservoir			
US-20	Portneuf River - source to Chesterfield Reservoir	COLD SS	PCR	DWS
US-21	Toponce Creek - source to mouth			
US-22	Pebble Creek - source to mouth			
US-23	Rapid Creek - source to mouth			
US-24	Pocatello Creek - confluence of North and South Fork Pocatello Creeks to mouth			
US-25	South Fork Pocatello Creek - source to mouth			
US-26	North Fork Pocatello Creek - source to mouth			

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11. Lake Walcot Subbasin. The Lake Walcot Subbasin, HUC 17040209, is comprised of thirteen (13) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Snake River - Heyburn/Burley Bridge (T10S, R23E, Sec.17) to Milner-Gooding Canal	WARM	PCR	
US-2	Snake River - Minidoka Dam to Heyburn/Burley Bridge (T10S, R23E, Sec.17)	COLD SS	PCR	
US-3	Marsh Creek - source to mouth			
US-4	Lake Walcott (Snake River)	COLD	PCR	DWS
US-5	Snake River - Raft River to Lake Walcott	COLD	PCR	DWS
US-6	Snake River - Rock Creek to Raft River	COLD	PCR	DWS
US-7	Fall Creek - source to mouth			
US-8	Rock Creek - confluence of South and East Fork Rock Creeks to mouth	COLD SS	PCR	
US-9	South Fork Rock Creek - source to mouth			
US-10	East Fork Rock Creek - source to mouth			
US-11	Snake River - American Falls Reservoir Dam to Rock Creek	COLD	PCR	DWS
US-12	Warm Creek - source to mouth			
US-13	Craters of the Moon complex			

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12. **Raft Subbasin**. The Raft Subbasin, HUC 17040210, is comprised of twenty-three (23) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Raft River - Heglar Canyon Creek to mouth			
US-2	Raft River - Cassia Creek to Heglar Canyon Creek	COLD SS	PCR	
US-3	Cassia Creek - Conner Creek to mouth			
US-4	Conner Creek - source to mouth			
US-5	Cassia Creek - Clyde Creek to Conner Creek			
US-6	Clyde Creek - source to mouth			
US-7	Cassia Creek - source to Clyde Creek			
US-8	Raft River - Cottonwood Creek to Cassia Creek	COLD SS	PCR	
US-9	Cottonwood Creek - source to mouth			
US-10	Raft River - Unnamed Tributary (T15S, R26E, Sec. 24) to Cottonwood Creek	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
US-11	Grape Creek - source to mouth			
US-12	Edwards Creek - source to mouth			
US-13	Raft River - Idaho/Utah border to Edwards Creek	COLD SS	PCR	
US-14	Junction Creek - source to Idaho/Utah border			
US-15	Cottonwood Creek - source to Idaho/Utah border			
US-16	Clear Creek - Idaho/Utah border to mouth			
US-17	Kelsaw Canyon Creek - source to mouth			
US-18	Meadow Creek - source to mouth			
US-19	Sublett Creek - Sublett Reservoir Dam to mouth			
US-20	Sublett Reservoir			
US-21	Sublett Creek - source to Sublett Reservoir			
US-22	Lake Fork - source to Sublett Reservoir			
US-23	Heglar Canyon Creek - source to mouth			

(4-5-00)

13. **Goose Subbasin**. The Goose Subbasin, HUC 17040211, is comprised of fourteen (14) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Big Cottonwood Creek - source to mouth			
US-2	Lower Goose Creek Reservoir	COLD SS	PCR	
US-3	Trapper Creek - from and including Squaw Creek to Lower Goose Creek Reservoir			
US-4	Trapper Creek - source to Squaw Creek			
US-5	Goose Creek - Beaverdam Creek to Lower Goose Creek Reservoir	COLD SS	PCR	
US-6	Beaverdam Creek - source to mouth			
US-7	Trout Creek - source to Idaho/Utah border			
US-8	Goose Creek - source to Idaho/Utah border	COLD SS	PCR	
US-9	Birch Creek - Idaho/Utah border to mouth			
US-10	Blue Hill Creek - source to mouth			
US-11	Cold Creek - source to mouth			
US-12	Birch Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-13	Mill Creek - source to mouth			
US-14	Land/Willow/Smith Creek complex			

(4-5-00)

14. Upper Snake-Rock Subbasin. The Upper Snake-Rock Subbasin, HUC 17040212, is comprised of forty-one (41) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Snake River - Lower Salmon Falls to Clover Creek	COLD SS	PCR	
US-2	Big Pilgrim Gulch - source to mouth			
US-3	Cassia Gulch - source to mouth			
US-4	Tuana Gulch - source to mouth			
US-5	Snake River - Box Canyon Creek to Lower Salmon Falls	COLD SS	PCR	
US-6	Riley Creek - source to mouth	COLD SS	PCR	DWS
US-7	Snake River - Rock Creek to Box Canyon Creek	COLD SS	PCR	
US-8	Deep Creek - High Line Canal to mouth	COLD SS	SCR	
US-9	Deep Creek - source to High Line Canal	COLD SS	SCR	
US-10	Mud Creek - Deep Creek Road (T09S, R14E) to mouth	COLD SS	SCR	
US-11	Mud Creek - source to Deep Creek Road (T09S, R14E)			
US-12	Cedar Draw - source to mouth	COLD SS	SCR	
US-13	Rock Creek -river mile 25 (T11S, R18E, Sec. 36) to mouth	COLD SS	SCR	
US-14	Cottonwood Creek - source to mouth	COLD	SCR	
US-15	McMullen Creek - source to mouth	COLD	SCR	
US-16	Rock Creek - Fifth Fork Rock Creek to river mile 25 (T11S, R18E, Sec. 36)	COLD SS	PCR	DWS
US-17	Fifth Fork Rock Creek - source to mouth	COLD	SCR	
US-18	Rock Creek - source to Fifth Fork Rock Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
US-19	Snake River - Twin Falls to Rock Creek	COLD SS	PCR	
US-20	Snake River - Milner Dam to Twin Falls	COLD SS	PCR	
US-21	Murtaugh Lake			
US-22	Dry Creek - source to mouth	COLD SS	SCR	
US-23	West Fork Dry Creek - source to mouth			
US-24	East Fork Dry Creek - source to mouth	COLD	SCR	
US-25	Big Cottonwood Creek - source to mouth			
US-26	Wilson Lake Reservoir			
US-27	Vinyard Creek - Vinyard Lake to mouth	COLD	SCR	
US-28	Clear Lakes	COLD	SCR	
US-29	Banbury Springs		PCR	
US-30	Box Canyon Creek - source to mouth	COLD	SCR	
US-31	Thousand Springs	COLD	SCR	
US-32	Bickel Springs	COLD	SCR	
US-33	Billingsley Creek - source to mouth	COLD SS	PCR	DWS
US-34	Clover Creek - Pioneer Reservoir Dam to mouth	COLD SS	PCR	
US-35	Pioneer Reservoir			
US-36	Clover Creek - source to Pioneer Reservoir	COLD SS	PCR	
US-37	Cottonwood Creek - source to mouth			
US-38	Catchall Creek - source to mouth			
US-39	Deer Creek - source to mouth			
US-40	Calf Creek - source to mouth	COLD	SCR	
US-41	Dry Creek - source to mouth	COLD	SCR	

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15. **Salmon Falls Subbasin**. The Salmon Falls Subbasin, HUC 17040213, is comprised of sixteen (16) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Salmon Falls Creek - Devil Creek to mouth	COLD SS	PCR	
US-2	Devil Creek - source to mouth			
US-3	Salmon Falls Creek - Salmon Falls Creek Dam to Devil Creek	COLD SS	PCR	
US-4	Cedar Creek Reservoir			
US-5	House Creek - source to Cedar Creek Reservoir			
US-6	Cedar Creek - source to Cedar Creek Reservoir			
US-7	Salmon Falls Creek Reservoir	COLD SS	PCR	
US-8	China, Browns, Corral, Whiskey Slough, Player Creeks - source to Salmon Falls Creek Reservoir			
US-9	Salmon Falls Creek - Idaho/Nevada border to Salmon Falls Creek Reservoir	COLD SS	PCR	
US-10	North Fork Salmon Falls Creek - source to Idaho/Nevada border			
US-11	Shoshone Creek - Hot Creek to Idaho/Nevada border			
US-12	Hot Creek - Idaho/Nevada border to mouth			
US-13	Shoshone Creek - Cottonwood Creek to Hot Creek			
US-14	Big Creek - source to mouth			
US-15	Cottonwood Creek - source to mouth			
US-16	Shoshone Creek - source to Cottonwood Creek			

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16. Beaver-Camas Subbasin. The Beaver-Camas Subbasin, HUC 17040214, is comprised of twenty-six (26) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Camas Creek - Beaver Creek to Mud Lake	COLD SS	PCR	
US-2	Camas Creek - Spring Creek to Beaver Creek	COLD SS	PCR	
US-3	Beaver Creek - canal (T09N, R36E) to mouth	COLD SS	PCR	DWS
US-4	Spring Creek - Dry Creek to mouth			
US-5	Dry Creek - source to mouth			
US-6	Ching Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-7	Camas Creek - confluence of West and East Camas Creeks to Spring Creek	COLD SS	PCR	
US-8	Crooked/Crab Creek - source to mouth			
US-9	Warm Creek - Cottonwood Creek to mouth and East Camas Creek - T13N, R39E, Sec. 20, 6400 ft. elevation to Camas Creek			
US-10	East Camas Creek - from and including Larkspur Creek to T13N, R39E, Sec. 20, 6400 ft. elevation			
US-11	East Camas Creek - source to Larkspur Creek			
US-12	West Camas Creek - Targhee National Forest Boundary (T13N, R38E) to Camas Creek			
US-13	West Camas Creek - source to Targhee National Forest Boundary (T13N, R38E)			
US-14	Beaver Creek - Dry Creek to canal (T09N, R36E)	COLD SS	PCR	DWS
US-15	Beaver Creek - Rattlesnake Creek to Dry Creek	COLD SS	PCR	DWS
US-16	Rattlesnake Creek - source to mouth			
US-17	Threemile Creek - source to mouth			
US-18	Beaver Creek - Miners Creek to Rattlesnake Creek	COLD SS	PCR	DWS
US-19	Miners Creek - source to mouth			
US-20	Beaver Creek - Idaho Creek to Miners Creek	COLD SS	PCR	DWS
US-21	Beaver Creek - source to Idaho Creek	COLD SS	PCR	DWS
US-22	Idaho Creek - source to mouth			
US-23	Pleasant Valley Creek - source to mouth			
US-24	Huntley Canyon Creek - source to mouth			
US-25	Dry Creek - source to mouth			
US-26	Cottonwood Creek complex			

(4-5-00)

17. Medicine Lodge Subbasin. The Medicine Lodge Subbasin, HUC 17040215, is comprised of twenty-two (22) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Mud Lake			

Unit	Waters	Aquatic Life	Recreation	Other
US-2	Medicine Lodge Creek - Indian Creek to playas	COLD SS	PCR	DWS
US-3	Indian Creek - confluence of West and East Fork Indian Creeks to mouth			
US-4	East Fork Indian Creek - source to mouth			
US-5	West Fork Indian Creek - source to mouth	COLD SS	SCR	
US-6	Medicine Lodge Creek - Edie Creek to Indian Creek	COLD SS	PCR	DWS
US-7	Middle Creek - Dry Creek to mouth			
US-8	Middle Creek - source to Dry Creek			
US-9	Dry Creek - source to mouth			
US-10	Edie Creek - source to mouth	COLD SS	SCR	
US-11	Medicine Lodge Creek - confluence of Warm and Fritz Creeks to Edie Creek	COLD SS	PCR	DWS
US-12	Irving Creek - source to mouth	COLD SS	SCR	
US-13	Warm Creek - source to mouth	COLD SS	SCR	
US-14	Divide Creek - source to mouth			
US-15	Horse Creek - source to mouth			
US-16	Fritz Creek - source to mouth	COLD SS	SCR	
US-17	Webber Creek - source to mouth	COLD SS	SCR	
US-18	Deep Creek - source to mouth			
US-19	Blue Creek - source to mouth			
US-20	Warm Springs Creek - source to mouth			
US-21	Crooked Creek - source to mouth			
US-22	Chandler Canyon complex			

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18. **Birch Subbasin**. The Birch Subbasin, HUC 17040216, is comprised of sixteen (16) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Birch Creek - Reno Ditch to playas	COLD SS	PCR	DWS
US-2	Birch Creek - Pass Creek to Reno Ditch	COLD SS	PCR	DWS
US-3	Birch Creek - Unnamed Tributary (T11N, R11W, Sec. 35) to Pass Creek	COLD SS	PCR	DWS
US-4	Unnamed Tributary - source to mouth; includes Timber Canyon to Worthing Canyon Creeks (T11N, R11W, Sec. 35)			
US-5	Birch Creek - confluence of Mud and Scott Canyon Creeks to Unnamed Tributary (T11N, R11W, Sec. 35)	COLD SS	PCR	DWS
US-6	Scott Canyon Creek - source to mouth			
US-7	Mud Creek - Willow Creek to Scott Canyon Creek	COLD SS	PCR	DWS
US-8	Cedar Gulch and Irish Canyon - source to mouth			
US-9	Willow Creek - source to mouth			
US-10	Mud Creek - Unnamed Tributary (T12N, R11W, Sec. 29) to Willow Creek			
US-11	Mud Creek - source to Unnamed Tributary (T12N, R11W, Sec. 29)			
US-12	Unnamed Tributary - source to mouth (T12N, R11W, Sec. 29)			
US-13	Meadow Canyon Creek - source to mouth			
US-14	Rocky Canyon Creek - source to mouth			
US-15	Pass Creek - source to mouth			
US-16	Eightmile Canyon Creek - source to mouth			

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19. Little Lost Subbasin. The Little Lost Subbasin, HUC 17040217, is comprised of twenty-nine (29) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Little Lost River - canal (T06N, R28E) to playas	COLD SS	PCR	
US-2	Little Lost River - Big Spring Creek to canal (T06N, R28E)	COLD SS	PCR	
US-3	Big Spring Creek - source to mouth			
US-4	North Creek - source to mouth			
US-5	Uncle Ike Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-6	Unnamed Tributaries - source to mouth (T08N, R28E)			
US-7	Little Lost River - Badger Creek to Big Spring Creek	COLD SS	PCR	
US-8	Badger Creek - source to mouth			
US-9	Little Lost River - Wet Creek to Badger Creek	COLD SS	PCR	
US-10	Little Lost River - confluence of Summit and Sawmill Creeks to Wet Creek	COLD SS	PCR	
US-11	Deep Creek - source to mouth			
US-12	Sawmill Creek - Warm Creek to mouth			
US-13	Warm Creek - source to mouth			
US-14	Sawmill Creek - confluence of Timber Creek and Main Fork to Warm Creek			
US-15	Squaw Creek - source to mouth			
US-16	Bear Creek - source to mouth			
US-17	Main Fork - source to mouth			
US-18	Timber Creek - source to mouth			
US-19	Summit Creek - source to mouth			
US-20	Dry Creek - Dry Creek Canal to mouth			
US-21	Dry Creek - source to Dry Creek Canal			
US-22	Wet Creek - Squaw Creek to mouth			
US-23	Squaw Creek - source to mouth			
US-24	Wet Creek - source to Squaw Creek			
US-25	Deer Creek - source to mouth			
US-26	Taylor Canyon Creek - source to mouth			
US-27	Cabin Fork Creek - source to mouth			
US-28	Hurst Creek - source to mouth			
US-29	Unnamed Tributary - source to mouth (T5N, R29E, Sec. 04 and 09)			

(4-5-00)

20. **Big Lost Subbasin**. The Big Lost Subbasin, HUC 17040218, is comprised of sixty-one (61) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Big Lost River Sinks (playas) and Dry Channel	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
US-2	Big Lost River - Spring Creek to Big Lost River Sinks (playas)	COLD SS	PCR	DWS
US-3	Spring Creek - Lower Pass Creek to Big Lost River			
US-4	Big Lost River - Antelope Creek to Spring Creek	COLD SS	PCR	DWS
US-5	King, Lime Kiln, Ramshorn, and Anderson Canyon Creek - source to mouth			
US-6	Lower Pass Creek - source to mouth			
US-7	Big Lost River - Alder Creek to Antelope Creek	COLD SS	PCR	DWS
US-8	Elbow, Jepson, Clark, Maddock, and Jaggles Canyon Creek - source to mouth			
US-9	Pass Creek - source to mouth			
US-10	Big Lost River - Beck and Evan Ditch to Alder Creek	COLD SS	PCR	DWS
US-11	Big Lost River - McKay Reservoir Dam to Beck and Evan Ditch	COLD SS	PCR	DWS
US-12	McKay Reservoir	COLD SS	PCR	DWS
US-13	Big Lost River - Jones Creek to McKay Reservoir	COLD SS	PCR	DWS
US-14	Jones Creek - source to mouth			
US-15	Big Lost River - Thousand Springs Creek to Jones Creek	COLD SS	PCR	DWS
US-16	Thousand Springs Creek - source to mouth			
US-17	Lone Cedar Creek - source to mouth			
US-18	Cedar Creek - source to mouth			
US-19	Rock Creek - source to mouth			
US-20	Willow Creek - source to mouth			
US-21	Arentson Gulch and Unnamed Tributaries - source to mouth (T10N, R22E)			
US-22	Sage Creek - source to mouth			
US-23	Parsons Creek - T8N, R22E, Sec. 24, point of perennial flow north of road to Mackay Reservoir			
US-24	Big Lost River - Burnt Creek to Thousand Springs Creek	COLD SS	PCR	DWS
US-25	Big Lost River - Summit Creek to and including Burnt Creek	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
US-26	Bridge Creek - source to mouth			
US-27	North Fork Big Lost River - source to mouth			
US-28	Summit Creek - source to mouth			
US-29	Kane Creek - source to mouth			
US-30	Wildhorse Creek - Fall Creek to mouth			
US-31	Wildhorse Creek - source to Fall Creek			
US-32	Fall Creek - source to mouth			
US-33	East Fork Big Lost River - Cabin Creek to mouth			
US-34	Fox Creek - source to mouth			
US-35	Star Hope Creek - Lake Creek to mouth			
US-36	Star Hope Creek - source to Lake Creek			
US-37	Muldoon Canyon Creek - source to mouth			
US-38	Lake Creek - source to mouth			
US-39	East Fork Big Lost River - source to Cabin Creek			
US-40	Cabin Creek - source to mouth			
US-41	Corral Creek - source to mouth			
US-42	Boone Creek - source to mouth			
US-43	Warm Springs Creek - source to mouth			
US-44	Navarre Creek - source to mouth			
US-45	Alder Creek - source to mouth			
US-46	Antelope Creek - Spring Creek to mouth			
US-47	Antelope Creek - Dry Fork Creek to Spring Creek			
US-48	Spring Creek - source to mouth			
US-49	Cherry Creek - confluence of Left Fork Cherry and Lupine Creeks to mouth			
US-50	Lupine Creek - source to mouth			
US-51	Left Fork Cherry Creek - source to mouth			
US-52	Antelope Creek - Iron Bog Creek to Dry Fork Creek			
US-53	Bear Creek - source to mouth			
US-54	Iron Bog Creek - confluence of Left and Right Fork Iron Bog Creeks to mouth			
US-55	Right Fork Iron Bog Creek - source to mouth			
US-56	Left Fork Iron Bog Creek - source to mouth			
US-57	Antelope Creek - source to Iron Bog Creek			

Unit	Waters	Aquatic Life	Recreation	Other
US-58	Leadbelt Creek - source to mouth			
US-59	Dry Fork Creek - source to mouth			
US-60	South Fork Antelope Creek - Antelope Creek to mouth			
US-61	Hammond Spring Creek complex			

(3-29-12)

21. **Big Wood Subbasin**. The Big Wood Subbasin, HUC 17040219, is comprised of thirty (30) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Malad River - confluence of Black Canyon Creek and Big Wood River to mouth	COLD SS	PCR	
US-2	Big Wood River - Magic Reservoir Dam to mouth	COLD SS	PCR	
US-3	Magic Reservoir	COLD	PCR	
US-4	Big Wood River - Seamans Creek to Magic Reservoir	COLD SS	PCR	DWS
US-5	Seamans Creek - Slaughterhouse Creek to mouth			
US-6	Seamans Creek - source to and including Slaughterhouse Creek			
US-7	Big Wood River - North Fork Big Wood River to Seamans Creek	COLD SS	PCR	DWS
US-8	Quigley Creek - source to mouth			
US-9	Indian Creek - source to mouth			
US-10	East Fork Wood River - Hyndman Creek to mouth			
US-11	East Fork Wood River - source to Hyndman Creek			
US-12	Hyndman Creek - source Creek to mouth			
US-13	Trail Creek - Corral Creek to mouth			
US-14	Trail Creek - source to and including Corral Creek			
US-15	Lake Creek - source to mouth			
US-16	Eagle Creek - source to mouth			
US-17	North Fork Big Wood River - source to mouth			
US-18	Big Wood River - source to North Fork Big Wood River	COLD SS	PCR	DWS
US-19	Boulder Creek - source to mouth			
US-20	Prairie Creek - source to mouth			
US-21	Baker Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-22	Fox Creek - source to mouth			
US-23	Warm Springs Creek - Thompson Creek to mouth			
US-24	Warm Springs Creek - source to and including Thompson Creek			
US-25	Greenhorn Creek - source to mouth			
US-26	Deer Creek - source to mouth			
US-27	Croy Creek - source to mouth			
US-28	Rock Creek - source to mouth			
US-29	Thorn Creek - source to mouth			
US-30	Black Canyon Creek - source to mouth			

(3-29-12)

22. **Camas Subbasin**. The Camas Subbasin, HUC 17040220, is comprised of twenty-seven (27) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Camas Creek - Elk Creek to Magic Reservoir	COLD SS	PCR	
US-2	Camp Creek - source to mouth			
US-3	Willow Creek - Beaver Creek to mouth			
US-4	Beaver Creek - source to mouth			
US-5	Willow Creek - source to Beaver Creek			
US-6	Elk Creek - source to mouth			
US-7	Camas Creek - Solider Creek to Elk Creek	COLD SS	PCR	
US-8	Deer Creek - Big Deer Creek to mouth			
US-9	Deer Creek - source to and including Big Deer Creek			
US-10	Powell Creek - source to mouth			
US-11	Soldier Creek - Wardrop Creek to mouth			
US-12	Soldier Creek - source to and including Wardrop Creek			
US-13	Camas Creek - Corral Creek to Soldier Creek	COLD SS	PCR	
US-14	Threemile Creek - source to mouth			
US-15	Corral Creek - confluence of East Fork and West Fork Corral Creeks to mouth			
US-16	East Fork Corral Creek - source to mouth			

Unit	Waters	Aquatic Life	Recreation	Other
US-17	West Fork Corral Creek - source to mouth			
US-18	Camas Creek - source to Corral Creek	COLD SS	PCR	
US-19	Chimney Creek - source to mouth			
US-20	Negro Creek - source to mouth			
US-21	Wildhorse Creek - source to mouth			
US-22	Malad River - source to mouth			
US-23	Mormon Reservoir			
US-24	Dairy Creek - source to Mormon Reservoir			
US-25	McKinney Creek - source to Mormon Reservoir			
US-26	Spring Creek Complex			
US-27	Kelly Reservoir			

(4-5-00)

23. Little Wood Subbasin. The Little Wood Subbasin, HUC 17040221, is comprised of twenty-three (23) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
US-1	Little Wood River - Richfield (T04S, R19E, Sec. 25) to mouth	COLD	PCR	
US-2	Little Wood River - Carey Lake outlet to Richfield (T04S, R19E, Sec. 25)	COLD SS	PCR	
US-3	Little Wood River - West Canal (north) to West Canal (south)	COLD SS	PCR	
US-4	Carey Lake outlet			
US-5	Carey Lake			
US-6	Fish Creek - Fish Creek Reservoir Dam to mouth			
US-7	Fish Creek Reservoir			
US-8	Fish Creek - source to Fish Creek Reservoir			
US-9	West Fork Fish Creek - source to Fish Creek Reservoir			
US-10	Little Wood River - Little Wood River Reservoir Dam to Carey Lake Outlet	COLD SS	PCR	
US-11	Little Fish Creek - source to mouth			
US-12	Little Wood River Reservoir	COLD SS	PCR	
US-13	Little Wood River - Muldoon Creek to Little Wood River Reservoir	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
US-14	Muldoon Creek -source to mouth			
US-15	South Fork Muldoon Creek - Friedman Creek to mouth			
US-16	South Fork Muldoon Creek - source to Friedman Creek			
US-17	Friedman Creek - Trail Creek to mouth			
US-18	Trail Creek - source to mouth			
US-19	Friedman Creek - source to Trail Creek			
US-20	Little Wood River - source to Muldoon Creek	COLD SS	PCR	
US-21	Baugh Creek - source to mouth			
US-22	Dry Creek - source to mouth			
US-23	Silver Creek - source to mouth	COLD SS	PCR	DWS

(3-29-12)

151. -- 159. (RESERVED)

160. BEAR RIVER BASIN.
Surface waters found within the Bear River basin total six (6) subbasins and are designated as follows: (4-5-00)

01. Central Bear Subbasin. The Central Bear Subbasin, HUC 16010102, is comprised of eight (8) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
B-1	Bear River - Idaho/Wyoming border to railroad bridge (T14N, R45E, Sec. 21)	COLD SS	PCR	
B-2	Pegram Creek - source to mouth			
B-3	Thomas Fork - Idaho/Wyoming border to mouth	COLD SS	PCR	
B-4	Raymond Creek - Idaho/Wyoming border to mouth; and the Hollows - source to mouth			
B-5	Dry Creek - source to mouth	COLD SS	SCR	
B-6	Preuss Creek - source to mouth	COLD SS	SCR	
B-7	Salt Creek - source to Idaho/Wyoming border	COLD SS	SCR	
B-8	Sheep Creek - source to mouth			

(4-5-00)

02. Bear Lake Subbasin. The Bear Lake Subbasin, HUC 16010201, is comprised of twenty-five (25) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
B-1	Alexander Reservoir (Bear River)	COLD SS	PCR	
B-2	Bear River -railroad bridge (T14N, R45E, Sec. 21) to Alexander Reservoir	COLD SS	PCR	
B-3	Bailey Creek - source to mouth	COLD SS	SCR	
B-4	Eightmile Creek - source to mouth	COLD SS	SCR	
B-5	Pearl Creek - source to mouth	COLD SS	SCR	
B-6	Stauffer Creek - source to mouth	COLD SS	SCR	
B-7	Skinner Creek - source to mouth	COLD SS	SCR	
B-8	Co-op Creek - source to mouth	COLD SS	SCR	
B-9	Ovid Creek - confluence of North and Mill Creek to mouth			
B-10	North Creek - source to mouth	COLD SS	PCR	
B-11	Mill Creek - source to mouth	COLD SS	PCR	
B-12	Bear Lake Outlet - Lifton Station to Bear River	COLD SS	PCR	DWS
B-13	Paris Creek - source to mouth	COLD SS	PCR	
B-14	Bloomington Creek - source to mouth	COLD SS	PCR	DWS
B-15	Spring Creek - source to mouth			
B-16	Little and St. Charles Creeks - source to Bear Lake	COLD SS	PCR	
B-17	Dry Canyon Creek - source to mouth			
B-18	Bear Lake	COLD SS	PCR	DWS

Unit	Waters	Aquatic Life	Recreation	Other
B-19	Fish Haven Creek - source to Bear Lake	COLD SS	PCR	
B-20	Montpelier Creek - source to mouth			
B-21	Snowslide Creek - source to mouth	COLD SS	SCR	
B-22	Georgetown Creek - source to mouth	COLD SS	PCR	DWS
B-23	Soda Creek - Soda Creek Reservoir Dam to Alexander Reservoir		SCR	--[1] ---------- DWS[2]
B-24	Soda Creek Reservoir		SCR	
B-25	Soda Creek - source to Soda Creek Reservoir		SCR	

(4-11-19)

03. Middle Bear Subbasin. The Middle Bear Subbasin, HUC 16010202, is comprised of twenty-one (21) water body units.

[1]Effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
[2]Not effective for CWA purposes until the date EPA issues written notification that the revisions have been approved.
Docket No. 58-0102-1703 (DWS)

Unit	Waters	Aquatic Life	Recreation	Other
B-1	Spring Creek - source to Idaho/Utah border			
B-2	Cub River - US Hwy 91 Bridge (T16S, R40E, Sec. 20) to Idaho/Utah border	COLD	SCR	
B-3	Cub River - from and including Sugar Creek to US Hwy 91 Bridge (T16S, R40E, Sec. 20)	COLD	PCR	--[1] ---------- DWS[2]
B-4	Cub River - source to Sugar Creek	COLD SS	PCR	DWS
B-5	Worm Creek - source to Idaho/Utah border	COLD	SCR	
B-6	Bear River - Oneida Narrows Reservoir Dam to Idaho/Utah border	COLD SS	PCR	
B-7	Mink Creek - source to mouth	COLD SS	PCR	
B-8	Oneida Narrows Reservoir	COLD SS	PCR	
B-9	Bear River - Alexander Reservoir Dam to Oneida Narrows Reservoir	COLD SS	PCR	

Unit	Waters	Aquatic Life	Recreation	Other
B-10	Williams Creek - source to mouth			
B-11	Trout Creek - source to mouth			
B-12	Whiskey Creek - source to mouth			
B-13	Densmore Creek - source to mouth			
B-14	Cottonwood Creek - source to Oneida Narrows Reservoir			
B-15	Battle Creek - source to mouth	COLD	SCR	
B-16	Twin Lakes Reservoir			
B-17	Oxford Slough			
B-18	Swan Lake Creek Complex			
B-19	Fivemile Creek - source to mouth			
B-20	Weston Creek - source to mouth			
B-21	Jenkins Hollow - source to Idaho/Utah border			

(4-11-19)

04. Little Bear-Logan Subbasin. The Little Bear-Logan Subbasin, HUC 16010203, is comprised of two (2) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
B-1	Beaver Creek - source to Idaho/Utah border			
B-2	Logan River - source to Idaho/Utah border			

(4-5-00)

05. Lower Bear-Malad Subbasin. The Lower Bear-Malad Subbasin, HUC 16010204, is comprised of thirteen (13) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
B-1	Malad River - Little Malad River to Idaho/Utah border	COLD	SCR	
B-2	Devil Creek - Devil Creek Reservoir Dam to mouth			
B-3	Devil Creek Reservoir			
B-4	Devil Creek - source to Devil Creek Reservoir			
B-5	Deep Creek - Deep Creek Reservoir Dam to mouth			
B-6	Deep Creek Reservoir			
B-7	Deep Creek - source to Deep Creek Reservoir			
B-8	Little Malad River - Daniels Reservoir Dam to mouth	COLD	PCR	
B-9	Daniels Reservoir			

Unit	Waters	Aquatic Life	Recreation	Other
B-10	Wright Creek - source to Daniels Reservoir	COLD SS	PCR	
B-11	Dairy Creek - source to mouth			
B-12	Malad River - source to Little Malad River	COLD	PCR	DWS
B-13	Samaria Creek - source to mouth			

(4-5-00)

06. Curlew Valley Subbasin. The Curlew Valley Subbasin, HUC 16020309, is comprised of three (3) water body units.

Unit	Waters	Aquatic Life	Recreation	Other
B-1	Deep Creek - Rock Creek to Idaho/Utah border	COLD	PCR	DWS
B-2	Deep Creek - source to Rock Creek	COLD	PCR	DWS
B-3	Rock Creek - source to mouth			

(4-5-00)

161. -- 199. (RESERVED)

200. GENERAL SURFACE WATER QUALITY CRITERIA.
The following general water quality criteria apply to all surface waters of the state, in addition to the water quality criteria set forth for specifically designated waters. (4-5-00)

01. Hazardous Materials. Surface waters of the state shall be free from hazardous materials in concentrations found to be of public health significance or to impair designated beneficial uses. These materials do not include suspended sediment produced as a result of nonpoint source activities. (8-24-94)

02. Toxic Substances. Surface waters of the state shall be free from toxic substances in concentrations that impair designated beneficial uses. These substances do not include suspended sediment produced as a result of nonpoint source activities. (8-24-94)

03. Deleterious Materials. Surface waters of the state shall be free from deleterious materials in concentrations that impair designated beneficial uses. These materials do not include suspended sediment produced as a result of nonpoint source activities. (8-24-94)

04. Radioactive Materials. (7-1-93)

a. Radioactive materials or radioactivity shall not exceed the values listed in the Code of Federal Regulations, Title 10, Chapter 1, Part 20, Appendix B, Table 2, Effluent Concentrations, Column 2. (8-24-94)

b. Radioactive materials or radioactivity shall not exceed concentrations required to meet the standards set forth in Title 10, Chapter 1, Part 20, of the Code of Federal Regulations for maximum exposure of critical human organs in the case of foodstuffs harvested from these waters for human consumption. (7-1-93)

05. Floating, Suspended or Submerged Matter. Surface waters of the state shall be free from floating, suspended, or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair designated beneficial uses. This matter does not include suspended sediment produced as a result

of nonpoint source activities. (8-24-94)

06. Excess Nutrients. Surface waters of the state shall be free from excess nutrients that can cause visible slime growths or other nuisance aquatic growths impairing designated beneficial uses. (8-24-94)

07. Oxygen-Demanding Materials. Surface waters of the state shall be free from oxygen-demanding materials in concentrations that would result in an anaerobic water condition. (7-1-93)

08. Sediment. Sediment shall not exceed quantities specified in Sections 250 and 252, or, in the absence of specific sediment criteria, quantities which impair designated beneficial uses. Determinations of impairment shall be based on water quality monitoring and surveillance and the information utilized as described in Section 350. (4-5-00)

09. Natural Background Conditions as Criteria. When natural background conditions exceed any applicable water quality criteria set forth in Sections 210, 250, 251, 252, or 253, the applicable water quality criteria shall not apply; instead, there shall be no lowering of water quality from natural background conditions. Provided, however, that temperature may be increased above natural background conditions when allowed under Section 401. (3-30-07)

201. -- 209. (RESERVED)

210. NUMERIC CRITERIA FOR TOXIC SUBSTANCES FOR WATERS DESIGNATED FOR AQUATIC LIFE, RECREATION, OR DOMESTIC WATER SUPPLY USE.

01. Criteria for Toxic Substances. The criteria of Section 210 apply to surface waters of the state as provided in Tables 1 and 2. (3-28-18)

a. Table 1 contains criteria set for protection of aquatic life. Criteria for metals (arsenic through zinc) are expressed as dissolved fraction unless otherwise noted. For purposes of these criteria, dissolved fraction means that which passes through a forty-five hundredths (0.45) micron filter. (3-28-18)

Table 1. Criteria for Protection of Aquatic Life

Compound	[a] CAS Number	[b] CMC (µg/L)		[b] CCC (µg/L)	
Inorganic Compounds/Metals					
Arsenic	7440382	340	c	150	c
Cadmium	7440439	1.3	f	0.6	f
Chromium III	16065831	570	f	74	f
Chromium VI	18540299	16	c	11	c
Copper	7440508	12.3	k	7.6	k
Lead	7439921	65	f	2.5	f
Mercury	7439976		e		e

Table 1. Criteria for Protection of Aquatic Life					
Compound	**[a] CAS Number**	**[b] CMC (µg/L)**		**[b] CCC (µg/L)**	
Note: In 2005, Idaho adopted EPA's recommended methylmercury fish tissue criterion for protection of human health (docket 58-0102-0302). The decision was made to remove the old tissue-based aquatic life criteria and rely on the fish tissue criterion to provide protection for aquatic life as well as human health. Thus, current Idaho water quality standards do not have mercury water column criteria for the protection of aquatic life. While EPA approved Idaho's adoption of the fish tissue criterion in September 2005, it had withheld judgment on Idaho's removal of aquatic life criteria. On December 12, 2008, EPA disapproved Idaho's removal of the old aquatic life criteria. The water column criteria for total recoverable mercury published in 2004 Idaho Administrative Code continue to apply and are effective for CWA purposes. For more information go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.					
Nickel	7440020	470	f	52	f
Selenium[1]	7782492	20	d	5	d
[1]Effective for CWA purposes. The CMC value and footnote and the CCC value are effective for CWA purposes until the date EPA issues written notification that the revisions adopted under Rule Docket No. 58-0102-1701 have been approved.					
Selenium[2]	7782492	m		l	
[2]Not yet effective for CWA purposes. The CMC footnote **m.** and CCC footnote **l.** are not effective for CWA purposes until the date EPA issues written notification that the revisions adopted under Rule Docket No. 58-0102-1701 have been approved.					
Silver	7440224	3.4	f		
Zinc	7440666	120	f	120	f
Inorganic Compounds/Non-Metals					
Chlorine		19	h	11	h
Cyanide	57125	22	g	5.2	g
Organic Compounds					
Acrolein	107028	--[1] ---------- 3[2]		--[1] ---------- 3[2]	
[1]Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved. [2]Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.					
Aldrin	39002	3			
gamma-BHC (Lindane)	58899	2		0.08	
Carbaryl	63252	--[1] ---------- 2.1[2]		--[1] ---------- 2.1[2]	

Table 1. Criteria for Protection of Aquatic Life					
Compound	**[a] CAS Number**	**[b] CMC (µg/L)**		**[b] CCC (µg/L)**	
[1]Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved. [2]Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.					
Chlordane	57749	2.4		0.0043	
4,4'-DDT	50293	1.1		0.001	
Diazinon	333415	--[1] ---------- 0.17[2]		--[1] ---------- 0.17[2]	
[1]Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved. [2]Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.					
Dieldrin	60571	2.5		0.0019	
alpha-Endosulfan	959988	0.22		0.056	
beta-Endosulfan	33213659	0.22		0.056	
Endrin	72208	0.18		0.0023	
Heptachlor	76448	0.52		0.0038	
Heptachlor Epoxide	1024573	0.52		0.0038	
Pentachlorophenol	87865	20	i	13	i
Polychlorinated Biphenyls PCBs	j			0.014	j
Toxaphene	8001352	0.73		0.0002	
Footnotes for Table 1. Criteria for Protection of Aquatic Life					
a. Chemical Abstracts Service (CAS) registry numbers which provide a unique identification for each chemical.					
b. See definitions of Acute Criteria (CMC) and Chronic Criteria (CCC), Section 010 of these rules.					
c. Criteria for these metals are expressed as a function of the water effect ratio, WER, as defined in Subsection 210.03.c.iii. CMC = CMC column value X WER. CCC = CCC column value X WER.					
d. Criterion expressed as total recoverable (unfiltered) concentrations.					
e. No aquatic life criterion is adopted for inorganic mercury. However, the narrative criteria for toxics in Section 200 of these rules applies. The Department believes application of the human health criterion for methylmercury will be protective of aquatic life in most situations.					
f. Aquatic life criteria for these metals are a function of total hardness (mg/L as calcium carbonate), the pollutant's water effect ratio (WER) as defined in Subsection 210.03.c.iii. and multiplied by an appropriate dissolved conversion factor as defined in Subsection 210.02. For comparative purposes only, the example values displayed in this table are shown as dissolved metal and correspond to a total hardness of one hundred (100) mg/L and a water effect ratio of one (1.0).					

Table 1. Criteria for Protection of Aquatic Life

Compound	[a] CAS Number	[b] CMC (µg/L)	[b] CCC (µg/L)

g. Criteria are expressed as weak acid dissociable (WAD) cyanide.

h. Total chlorine residual concentrations.

i. Aquatic life criteria for pentachlorophenol are expressed as a function of pH, and are calculated as follows. Values displayed above in the table correspond to a pH of seven and eight tenths (7.8).
CMC = exp(1.005(pH)-4.830)
CCC = exp(1.005(pH)-5.290)

j. PCBs are a class of chemicals which include Aroclors, 1242, 1254, 1221, 1232, 1248, 1260, and 1016, CAS numbers 53469219, 11097691, 11104282, 11141165, 12672296, 11096825 and 12674112 respectively. The aquatic life criteria apply to this set of PCBs.

k. Aquatic life criteria for copper shall be derived in accordance with Subsection 210.03.c.v. For comparative purposes only, the example values displayed in this table correspond to the Biotic Ligand Model output based on the following inputs: temperature = 14.9°C, pH = 8.16, dissolved organic carbon = 1.4 mg/L, humic acid fraction = 10%, calcium = 44.6 mg/L, magnesium = 11.0 mg/L, sodium = 11.7 mg/L, potassium = 2.12 mg/L, sulfate = 46.2 mg/L, chloride = 12.7 mg/L, alkalinity = 123 mg/L CaCO3, and sulfide = 1.00 x 10^{-8} mg/L.

l. Chronic					**Short-term**
Egg-Ovary (mg/kg dw)	**Fish Tissue (mg/kg dw)**		**Water Column (µg/L)**		**Water Column (µg/L)**
Egg-Ovary	Whole-Body	Muscle	Water Lentic	Water Lotic	Water
15.1[1]	8.5[2]	11.3[2]	1.5 (30 day average)[3]	3.1 (30 day average)[3]	Intermittent Exposure Equation[3,4]

mg/kg dw – milligrams per kilogram dry weight, µg/L – micrograms per liter

1. Egg-ovary supersedes any whole-body, muscle, or water column element when fish egg-ovary concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species. Not to be exceeded; DEQ will evaluate all representative egg-ovary data to determine compliance with this criterion element.

2. Fish whole-body or muscle tissue supersedes water column element when both fish tissue and water concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species where the smallest individual is no less than seventy-five percent (75%) of the total length (size) of the largest individual. Not to be exceeded; DEQ will evaluate all representative whole body or muscle data to determine compliance with this criterion element.

3. Water column values are based on dissolved total selenium in water and are derived from fish tissue values via bioaccumulation modeling. Water column values are the applicable criterion element in the absence of steady-state condition fish tissue data. In fishless waters, selenium concentrations in fish from the nearest downstream waters may be used to assess compliance using methods provided in Aquatic Life Ambient Water Quality Criterion for Selenium – Freshwater, EPA-822-R-16-006, Appendix K: Translation of a Selenium Fish Tissue Criterion Element to a Site-Specific Water Column Value (June 2016).

Table 1. Criteria for Protection of Aquatic Life			
Compound	**[a] CAS Number**	**[b] CMC (µg/L)**	**[b] CCC (µg/L)**

4. Intermittent Exposure Equation=

$$\frac{WQC - C_{bkgrnd}(1 - f_{int})}{f_{int}}$$

where WQC is the applicable water column element, for either lentic or lotic waters; C_{bkgrnd} is the average background selenium concentration, and f_{int} is the fraction of any 30-day period during which elevated selenium concentrations occur, with f_{int} assigned a value ≥ 0.033 (corresponding to one day).

(Footnote l. is not effective for CWA purposes until the date EPA issues written notification that the revisions adopted under Rule Docket No. 58-0102-1701 have been approved.)

m. There is no specific acute criterion for aquatic life; however, the aquatic life criterion is based on chronic effects of the selenium on aquatic life and is expected to adequately protect against acute effects.

(Footnote m. is not effective for CWA purposes until the date EPA issues written notification that the revisions adopted under Rule Docket No. 58-0102-1701 have been approved.)

(3-28-18)

b. Table 2 contains criteria set for protection of human health. The Water & Fish criteria apply to waters designated for domestic water supply use. The Fish Only criteria apply to waters designated for primary or secondary contact recreation use. (3-28-18)

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	**[a] CAS Number**	**Carcinogen?**	**Water & Fish (µg/L)**		**Fish Only (µg/L)**	
Inorganic Compounds/Metals						
Antimony	7440360		5.2	b	190	b
Arsenic	7440382	Y	10	cdj	10	cdj
Note: In 2008, Idaho adopted 10 µg/L as its CWA arsenic criterion for both exposure through fish consumption only and exposure through drinking water+fish consumption, choosing the SDWA MCL due to concerns about background levels that exceed EPA's 304(a) criteria (docket 58-0102-0801). EPA approved this action in 2010. In June 2015, Northwest Environmental Advocates challenged EPA's 2010 approval. Court remanded action back to EPA. On September 15, 2016, EPA disapproved Idaho's adoption of10 µg/L. Neither EPA nor the state of Idaho has promulgated replacement criteria. For more information, go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.						
Beryllium	7440417			e		e
Cadmium	7440439			e		e
Chromium III	16065831			e		e
Chromium VI	18540299			e		e
Copper	7440508		1300	j		

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	[a] CAS Number	Carcinogen?	Water & Fish (µg/L)		Fish Only (µg/L)	
Lead	7439921			e		e
Methylmercury	22967926				0.3mg/kg	i
Nickel	7440020		58	b	100	b
Selenium	7782492		29	b	250	b
Thallium	7440280		0.017	b	0.023	b
Zinc	7440666		870	b	1,500	b
Inorganic Compounds/Non-Metals						
Cyanide	57125		3.9	b	140	b
Asbestos	1332214		7,000,000 Fibers/L	j		
Organic Compounds						
Acenaphthene	83329		26	b	28	b
Acenaphthylene	208968			e		e
Acrolein	107028		3.2	b	120	b
Acrylonitrile	107131	Y	0.60	bf	22	bf
Aldrin	309002	Y	2.5E-06	bf	2.5E-06	bf
Anthracene	120127		110	b	120	b
alpha-BHC	319846	Y	0.0012	bf	0.0013	bf
beta-BHC	319857	Y	0.036	bf	0.045	bf
gamma-BHC (Lindane)	58899		1.4	b	1.4	b
delta-BHC	319868			e		e
Benzene	71432		3.0	bf	28	b
Benzidine	92875	Y	0.0014	bf	0.033	bf
Benzo(a)Anthracene	56553	Y	0.0042	bf	0.0042	bf
Benzo(b)Fluoranthene	205992	Y	0.0042	bf	0.0042	bf
Benzo(k)Fluoranthene	207089	Y	0.042	bf	0.042	bf
Benzo(ghi)Perylene	191242			e		e
Benzo(a)Pyrene	50328	Y	0.00042	bf	0.00042	bf
Bis(2-Chloroethoxy) Methane	111911			e		e
Bis(2-Chloroethyl) Ether	111444	Y	0.29	bf	6.8	bf

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	[a] CAS Number	Carcinogen?	Water & Fish (µg/L)		Fish Only (µg/L)	
Bis(2-Chloroisopropyl) Ether	108601		220	b	1,200	b
Bis(Chloromethyl) Ether	542881	Y	0.0015	bf	0.055	bf
Bis(2-Ethylhexyl) Phthalate	117817	Y	1.2	bf	1.2	bf
Bromoform	75252	Y	62	bf	380	bf
4-Bromophenyl Phenyl Ether	101553			e		e
Butylbenzyl Phthalate	85687		0.33	b	0.33	b
Carbon Tetrachloride	56235	Y	3.6	bf	15	bf
Chlorobenzene	108907		89	b	270	b
Chlordane	57749	Y	0.0010	bf	0.0010	bf
Chlorodibromomethane	124481	Y	7.4	bf	67	bf
Chloroethane	75003			e		e
2-Chloroethylvinyl Ether	110758			e		e
Chloroform	67663		61	b	730	b
2-Chloronaphthalene	91587		330	b	380	b
2-Chlorophenol	95578		30	b	260	b
Chlorophenoxy Herbicide (2,4-D)	94757		1,000	b	3,900	b
Chlorophenoxy Herbicide (2,4,5-TP) [Silvex]	93721		82	b	130	b
4-Chlorophenyl Phenyl Ether	7005723			e		e
Chrysene	218019	Y	0.42	bf	0.42	bf
4,4'-DDD	72548	Y	0.00042	bf	0.00042	bf
4,4'-DDE	72559	Y	5.5E-05	bf	5.5E-05	bf
4,4'-DDT	50293	Y	9.8E-05	bf	9.8E-05	bf
Di-n-Butyl Phthalate	84742		8.2	b	8.3	b
Di-n-Octyl Phthalate	117840			e		e
Dibenzo (a,h) Anthracene	53703	Y	0.00042	bf	0.00042	bf
1,2-Dichlorobenzene	95501		700	b	1,100	b
1,3-Dichlorobenzene	541731		3.5	b	4.8	b
1,4-Dichlorobenzene	106467		180	b	300	b

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	[a] CAS Number	Carcinogen?	Water & Fish (µg/L)		Fish Only (µg/L)	
3,3'-Dichlorobenzidine	91941	Y	0.29	bf	0.48	bf
Dichlorobromomethane	75274	Y	8.8	bf	86	bf
1,1-Dichloroethane	75343			e		e
1,2-Dichloroethane	107062	Y	96	bf	2,000	bf
1,1-Dichloroethylene	75354		310	b	5,200	b
2,4-Dichlorophenol	120832		9.6	b	19	b
1,2-Dichloropropane	78875	Y	8.5	bf	98	bf
1,3-Dichloropropene	542756	Y	2.5	bf	38	bf
Dieldrin	60571	Y	4.2E-06	bf	4.2E-06	bf
Diethyl Phthalate	84662		200	b	210	b
2,4-Dimethylphenol	105679		110	b	820	b
Dimethyl Phthalate	131113		600	b	600	b
Dinitrophenols	25550587		13	b	320	b
2,4-Dinitrophenol	51285		12	b	110	b
2,4-Dinitrotoluene	121142	Y	0.46	bf	5.5	bf
2,6-Dinitrotoluene	606202			e		e
1,2-Diphenylhydrazine	122667	Y	0.25	bf	0.65	bf
2, 3, 7, 8-TCDD Dioxin	1746016	Y	1.8E-08	bf	1.9E-08	bf
alpha-Endosulfan	959988		7.0	b	8.5	b
beta-Endosulfan	33213659		11	b	14	b
Endosulfan Sulfate	1031078		9.9	b	13	b
Endrin	72208		0.011	b	0.011	b
Endrin Aldehyde	7421934		0.38	b	0.40	b
Ethylbenzene	100414		32	b	41	b
Fluoranthene	206440		6.3	b	6.4	b
Fluorene	86737		21	b	22	b
Heptachlor	76448	Y	2.0E-05	bf	2.0E-05	bf
Heptachlor Epoxide	1024573	Y	0.00010	bf	0.00010	bf
Hexachlorobenzene	118741	Y	0.00026	bf	0.00026	bf
Hexachlorobutadiene	87683	Y	0.031	bf	0.031	bf
Hexachlorocyclohexane (HCH)-Technical	608731	Y	0.027	bf	0.032	bf

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	[a] CAS Number	Carcinogen?	Water & Fish (µg/L)		Fish Only (µg/L)	
Hexachloro-cyclopentadiene	77474		1.3	b	1.3	b
Hexachloroethane	67721		0.23	b	0.24	b
Ideno (1,2,3-cd) Pyrene	193395	Y	0.0042	bf	0.0042	bf
Isophorone	78591	Y	330	bf	6,000	bf
Methoxychlor	72435		0.0054	b	0.0055	b
Methyl Bromide	74839		130	b	3,700	b
Methyl Chloride	74873			e		e
3-Methyl-4-Chlorophenol	59507		350	b	750	b
2-Methyl-4,6-Dinitrophenol	534521		1.6	b	8.6	b
Methylene Chloride	75092		38	b	960	b
Naphthalene	91203			e		e
Nitrobenzene	98953		12	b	180	b
2-Nitrophenol	88755			e		e
4-Nitrophenol	100027			e		e
N-Nitrosodimethylamine	62759	Y	0.0065	bf	9.1	bf
N-Nitrosodi-n-Propylamine	621647	Y	0.046	bf	1.5	bf
N-Nitrosodiphenylamine	86306	Y	3.14	bf	18	bf
Pentachlorobenzene	608935		0.035	b	0.036	b
Pentachlorophenol	87865	Y	0.11	bf	0.12	bf
Phenanthrene	85018			e		e
Phenol	108952		3,800	b	85,000	b
Polychlorinated Biphenyls PCBs	g	Y	0.00019	bfh	0.00019	bfh
Pyrene	129000		8.1	b	8.4	b
1,2,4,5-Tetrachlorobenzene	95943		0.0093	b	0.0094	b
1,1,2,2-Tetrachloroethane	79345	Y	1.4	bf	8.6	bf
Tetrachloroethylene	127184		15	b	23	b
Toluene	108883		47	b	170	b
Toxaphene	8001352	Y	0.0023	bf	0.0023	bf
1,2-Trans-Dichloroethylene	156605		120	b	1,200	b

Table 2. Criteria for Protection of Human Health (based on consumption of:)

Compound	CAS Number [a]	Carcinogen?	Water & Fish (µg/L)		Fish Only (µg/L)	
1,2,4-Trichlorobenzene	120821		0.24	b	0.24	b
1,1,1-Trichloroethane	71556		11,000	b	56,000	b
1,1,2-Trichloroethane	79005	Y	4.9	bf	29	bf
Trichloroethylene	79016		2.6	b	11	b
2,4,5-Trichlorophenol	95954		140	b	190	b
2,4,6-Trichlorophenol	88062		1.5	b	2.0	b
Vinyl Chloride	75014	Y	0.21	bf	5.0	bf

Footnotes for Table 2. Criteria for Protection of Human Health

a. Chemical Abstracts Service (CAS) registry numbers which provide a unique identification for each chemical.

b. This criterion is based on input values to human health criteria calculation specified in Idaho's Technical Support Document (TSD) for Human Health Criteria Calculations - 2015. Criteria for non-carcinogens are calculated using the formula:

$$\mathbf{AWQC = RfD * RSC *} \left(\frac{BW}{DI + (FI * BAF)} \right)$$

and criteria for carcinogens are calculated using the formula:

$$\mathbf{AWQC = RSD *} \left(\frac{BW}{DI + (FI * BAF)} \right)$$

Where:
AWQC = Ambient water quality criterion (mg/L)

BW = Human Body Weight (kg), 80 is used in these criteria
DI = Drinking Water Intake, (L/day), 2.4 is used in these criteria
FI = Fish Intake, (kg/day), 0.0665 is used in these criteria

BAF = Bioaccumualtion Factor, L/kg, chemical specific value, see TSD
RfD = Reference dose (mg/kg-day), chemical specific value, see TSD

$$RSD = \frac{\text{Target Incremental Cancer Risk}}{\text{Cancer Potency Factor}} \text{ (mg/kg-day), chemical specific value, see TSD}$$

RSC = Relative Source Contribution, chemical specific value, see TSD

c. Inorganic forms only.

d. Criterion expressed as total recoverable (unfiltered) concentrations.

Table 2. Criteria for Protection of Human Health (based on consumption of:)				
Compound	**[a] CAS Number**	**Carcinogen?**	**Water & Fish (µg/L)**	**Fish Only (µg/L)**
e. No numeric human health criteria has been established for this contaminant. However, permit authorities should address this contaminant in NPDES permit actions using the narrative criteria for toxics from Section 200 of these rules.				
f. EPA guidance allows states to choose from a range of 10-4 to 10-6 for the incremental increase in cancer risk used in human health criteria calculation. Idaho has chosen to base this criterion on carcinogenicity of 10-5 risk.				
g. PCBs are a class of chemicals which include Aroclors, 1242, 1254, 1221, 1232, 1248, 1260, and 1016, CAS numbers 53469219, 11097691, 11104282, 11141165, 12672296, 11096825 and 12674112 respectively. The aquatic life criteria apply to this set of PCBs.				
h. This criterion applies to total PCBs, (e.g. the sum of all congener, isomer, or Aroclor analyses).				
i. This fish tissue residue criterion (TRC) for methylmercury is based on a human health reference dose (RfD) of 0.0001 mg/kg body weight-day; a relative source contribution (RSC) estimated to be 27% of the RfD; a human body weight (BW) of 70 kg (for adults); and a total fish consumption rate of 0.0175 kg/day for the general population, summed from trophic level (TL) breakdown of TL2 = 0.0038 kg fish/day + TL3 = 0.0080 kg fish/day + TL4 = 0.0057 kg fish/day. This is a criterion that is protective of the general population. A site-specific criterion or a criterion for a particular subpopulation may be calculated by using local or regional data, rather than the above default values, in the formula: TRC = [BW x {RfD – (RSCxRfD)}] / Σ TL. In waters inhabited by species listed as threatened or endangered under the Endangered Species Act or designated as their critical habitat, the Department will apply the human health fish tissue residue criterion for methylmercury to the highest trophic level available for sampling and analysis.				
j. This criterion is based on the drinking water Maximum Containment Level (MCL).				

(3-28-18)

02. Factors for Calculating Hardness Dependent Metals Criteria. Hardness dependent metals criteria are calculated using values from the following table in the equations: (5-3-03)

a. CMC=WER exp{mA[ln(hardness)]+bA} X Acute Conversion Factor. (5-3-03)

b. CCC=WER exp{mc[ln(hardness)]+bc} X Chronic Conversion Factor.

Metal	mA	bA	mc	bc	aAcute Conversion Factor	aChronic Conversion Factor
Arsenic	b	b	b	b	1.0	1.0
Cadmium	0.8367	-3.560	0.6247	-3.344	0.944 see footnote a	0.909
Chromium (III)	0.819	3.7256	0.8190	0.6848	0.316	0.860
Chromium (VI)	b	b	b	b	0.982	0.962
Lead	1.273	-1.460	1.273	-4.705	0.791	0.791
Mercury	b	b	b	b	0.85	0.85
Nickel	0.846	2.255	0.8460	0.0584	0.998	0.997
Silver	1.72	-6.52	c	c	0.85	c

Zinc	0.8473	0.884	0.8473	0.884	0.978	0.986

Note to table: The term "exp" represents the base e exponential function.

Footnotes to table:

a. Conversion factors (CF) are from "Stephan, C. E. 1995. Derivation of conversion factors for the calculation of dissolved freshwater aquatic life criteria for metals. U.S. Environmental Protection Agency, Environmental Research Laboratory – Duluth." The conversion factors for cadmium and lead are hardness-dependent and can be calculated for any hardness (see limitations in Subsection 210.03.b.i.) using the following equations. For comparative purposes, the conversion factors for a total hardness of one hundred (100) mg/L are shown in the table. The conversion factor shall not exceed one (1).

Cadmium

Acute: CF=1.136672–[(ln hardness)(0.041838)] NOTE: The cadmium acute criterion equation was derived from dissolved metals toxicity data and thus requires no conversion; this conversion factor may be used to back calculate an equivalent total recoverable concentration.

Chronic: CF=1.101672–[(ln hardness)(0.041838)]

Lead (Acute and Chronic): CF=1.46203–[(ln hardness)(0.145712)

b. Not applicable

c. No chronic criteria are available for silver.

(3-28-18)

03. Applicability. The criteria established in Section 210 are subject to the general rules of applicability in the same way and to the same extent as are the other numeric chemical criteria when applied to the same use classifications. Mixing zones may be applied to toxic substance criteria subject to the limitations set forth in Section 060 and set out below. (3-25-16)

a. For all waters for which the Department has determined mixing zones to be applicable, the toxic substance criteria apply at the boundary of the mixing zone(s) and beyond. Absent an authorized mixing zone, the toxic substance criteria apply throughout the waterbody including at the end of any discharge pipe, canal or other discharge point. (3-25-16)

b. Low flow design conditions. Water quality-based effluent limits and mixing zones for toxic substances shall be based on the following low flows in perennial receiving streams. Numeric chemical criteria may be exceeded in perennial streams outside any applicable mixing zone only when flows are less than these values:

Aquatic Life		Human Health	
CMC ("acute" criteria)	1Q10 or 1B3	Non-carcinogens	Harmonic mean flow
CCC ("chronic" criteria)	7Q10 or 4B3	Carcinogens	Harmonic mean flow

(3-25-16)

i. Where "1Q10" is the lowest one-day flow with an average recurrence frequency of once in ten (10) years determined hydrologically; (5-3-03)

ii. Where "1B3" is biologically based and indicates an allowable exceedance of once every three (3) years. It may be determined by EPA's computerized method (DFLOW model); (5-3-03)

iii. Where "7Q10" is the lowest average seven (7) consecutive day low flow with an average recurrence frequency of once in ten (10) years determined hydrologically; (5-3-03)

iv. Where "4B3" is biologically based and indicates an allowable exceedance for four (4) consecutive days once every three (3) years. It may be determined by EPA's computerized method (DFLOW model); (5-3-03)

v. Where the harmonic mean flow is a long term mean flow value calculated by dividing the number of daily flows analyzed by the sum of the reciprocals of those daily flows. (5-3-03)

c. Application of aquatic life metals criteria. (3-25-16)

i. For metals other than cadmium, for purposes of calculating hardness dependent aquatic life criteria from the equations in Subsection 210.02, the minimum hardness allowed for use in those equations shall not be less than twenty-five (25) mg/l, as calcium carbonate, even if the actual ambient hardness is less than twenty-five (25) mg/l as calcium carbonate. For cadmium, the minimum hardness for use in those equations shall not be less than ten (10) mg/l, as calcium carbonate. The maximum hardness allowed for use in those equations shall not be greater than four hundred (400) mg/l, as calcium carbonate, except as specified in Subsections 210.03.c.ii. and 210.03.c.iii., even if the actual ambient hardness is greater than four hundred (400) mg/l as calcium carbonate. (3-29-10)

ii. The hardness values used for calculating aquatic life criteria for metals at design discharge conditions shall be representative of the ambient hardnesses for a receiving water that occur at the design discharge conditions given in Subsection 210.03.b. (5-3-03)

iii. Except as otherwise noted, the aquatic life criteria for metals (arsenic through zinc in Table 1 in Subsection 210.01) are expressed as dissolved metal concentrations. Unless otherwise specified by the Department, dissolved concentrations are considered to be concentrations recovered from a sample which has passed through a forty-five hundredths (0.45) micron filter. For the purposes of calculating aquatic life criteria for metals from the equations in footnotes c. and f. in Table 1 in Subsection 210.01, the water effect ratio is computed as a specific pollutant's acute or chronic toxicity values measured in water from the site covered by the standard, divided by the respective acute or chronic toxicity value in laboratory dilution water. The water-effect ratio shall be assigned a value of one (1.0), except where the Department assigns a different value that protects the designated uses of the water body from the toxic effects of the pollutant, and is derived from suitable tests on sampled water representative of conditions in the affected water body, consistent with the design discharge conditions established in Subsection 210.03.b. For purposes of calculating water effects ratios, the term acute toxicity value is the toxicity test results, such as the concentration lethal one-half (1/2) of the test organisms (i.e., LC5O) after ninety-six (96) hours of exposure (e.g., fish toxicity tests) or the effect concentration to one-half of the test organisms, (i.e., EC5O) after forty-eight (48) hours of exposure (e.g., daphnia toxicity tests). For purposes of calculating water effects ratios, the term chronic value is the result from appropriate hypothesis testing or regression analysis of measurements of growth, reproduction, or survival from life cycle, partial life cycle, or early life stage tests. The determination of acute and chronic values shall be according to current standard protocols (e.g., those published by the American Society for Testing and Materials (ASTM)) or other comparable methods. For calculation of criteria using site-specific values for both the hardness and the water effect ratio, the hardness used in the equations in Subsection 210.02 shall be as required in Subsection 210.03.c.ii. Water hardness shall be calculated from the measured calcium and magnesium ions present, and the ratio of calcium to magnesium shall be approximately the same in laboratory toxicity testing water as in the site water, or be similar to average ratios of laboratory waters used to derive the criteria. (3-28-18)

iv. Implementation Guidance for the Idaho Mercury Water Quality Criteria. (4-6-05)

(1) The "Implementation Guidance for the Idaho Mercury Water Quality Criteria" describes in detail suggested methods for discharge related monitoring requirements, calculation of reasonable potential to exceed (RPTE) water quality criteria in determining need for mercury effluent limits, and use of fish tissue mercury data in calculating mercury load reductions. This guidance, or its updates, will provide assistance to the Department and the public when implementing the methylmercury criterion. The "Implementation Guidance for the Idaho Mercury Water Quality Criteria" also provides basic background information on mercury in the environment, the novelty of a fish tissue criterion for water quality, the connection between human health and aquatic life protection, and the relation of environmental programs outside of Clean Water Act programs to reducing mercury contamination of the environment. The "Implementation Guidance for the Idaho Mercury Water Quality Criteria" is available at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706, and on the DEQ website at www.deq.idaho.gov. (4-6-05)

(2) The implementation of a fish tissue criterion in NPDES permits and TMDLs requires a non-traditional approach, as the basic criterion is not a concentration in water. In applying the methylmercury fish tissue criterion in the context of NPDES effluent limits and TMDL load reductions, the Department will assume change in

fish tissue concentrations of methylmercury are proportional to change in water body loading of total mercury. Reasonable potential to exceed (RPTE) the fish tissue criterion for existing NPDES sources will be based on measured fish tissue concentrations potentially affected by the discharge exceeding a specified threshold value, based on uncertainty due to measurement variability. This threshold value is also used for TMDL decisions. Because measured fish tissue concentrations do not reflect the effect of proposed new or increased discharge of mercury, RPTE in these cases will be based upon an estimated fish tissue methylmercury concentration, using projected changes in waterbody loading of total mercury and a proportional response in fish tissue mercury. For the above purposes, mercury will be measured in the skinless filets of sport fish using techniques capable of detecting tissue concentrations down to point zero five (0.05) mg/kg. Total mercury analysis may be used, but will be assumed to be all methylmercury for purposes of implementing the criterion. (4-6-05)

v. Copper Criteria for Aquatic Life. (3-28-18)

(1) Aquatic life criteria for copper shall be derived using: (3-28-18)

(a) Biotic Ligand Model (BLM) software that calculates criteria consistent with the "Aquatic Life Ambient Freshwater Quality Criteria – Copper": EPA-822-R-07-001 (February 2007); or (3-28-18)

(b) An estimate derived from BLM outputs that is based on a scientifically sound method and protective of the designated aquatic life use. (3-28-18)

(2) To calculate copper criteria using the BLM, the following parameters from each site shall be used: temperature, pH, dissolved organic carbon (DOC), calcium, magnesium, sodium, potassium, sulfate, chloride, and alkalinity. The BLM inputs for humic acid (HA) as a proportion of DOC and sulfide shall be based on either measured values or the following default values: 10% HA as a proportion of DOC, 1.00×10^{-8} mg/L sulfide. Measured values shall supersede any estimate or default input. (3-28-18)

(3) BLM input measurements shall be planned to capture the most bioavailable conditions for copper. (3-28-18)

(4) A criterion derived under Subsection 210.03.c.v.(1)(a) shall supersede any criterion derived under Subsection 210.03.c.v.(1)(b). Acceptable BLM software includes the "US EPA WQC Calculation" for copper in BLM Version 3.1.2.37 (October 2015). (3-28-18)

(5) Implementation Guidance for the Idaho Copper Criteria for Aquatic Life. The "Implementation Guidance for the Idaho Copper Criteria for Aquatic Life: Using the Biotic Ligand Model" describes in detail methods for implementing the aquatic life criteria for copper using the BLM. This guidance, or its updates, will provide assistance to the Department and the public for determining minimum data requirements for BLM inputs and how to estimate criteria when data are incomplete or unavailable. The "Implementation Guidance for the Idaho Copper Criteria for Aquatic Life: Using the Biotic Ligand Model" is available at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706, and on the DEQ website at www.deq.idaho.gov. (3-28-18)

d. Application of toxics criteria. (3-25-16)

i. Frequency and duration for aquatic life toxics criteria. CMC column criteria in Table 1 in Subsection 210.01 are concentrations not to be exceeded for a one-hour average more than once in three (3) years unless otherwise specified. CCC column criteria in Table 1 in Subsection 210.01 are concentrations not to be exceeded for a four-day average more than once in three (3) years unless otherwise specified. (3-28-18)

ii. Frequency and duration for human health toxics criteria. Criteria in Table 2 in Subsection 210.01 are not to be exceeded based on an annual harmonic mean. (3-28-18)

04. National Pollutant Discharge Elimination System Permitting. For the purposes of NPDES permitting, interpretation and implementation of metals criteria listed in Subsection 210.02 should be governed by the following standards, that are hereby incorporated by reference, in addition to other scientifically defensible methods deemed appropriate by the Department; provided, however, any identified conversion factors within these documents are not incorporated by reference. Metals criteria conversion factors are identified in Subsection 210.02 of this rule.

(5-3-03)

a. "Guidance Document on Dissolved Criteria -- Expression of Aquatic Life Criteria," EPA, October 1993, http://www.deq.idaho.gov/media/827413-epa-guidance-dissolved-criteria-1093.pdf. (4-5-00)

b. "Guidance Document on Dynamic Modeling and Translators," EPA, August 1993, http://www.deq.idaho.gov/media/827417-epa-guidance-dynamic-modeling-translators-0893.pdf. (4-5-00)

c. "Guidance Document on Clean Analytical Techniques and Monitoring," EPA, October 1993, http://www.deq.idaho.gov/media/827421-epa-guidance-analytical-techniques-1093.pdf. (4-5-00)

d. "Interim Guidance on Determination and Use of Water-Effect Ratios for Metals," EPA, February 1994, http://www.deq.idaho.gov/media/827409-epa-guidance-water-effect-ratios-for-metals-0294.pdf. (4-5-00)

e. "Technical Support Document for Water Quality-Based Toxics Control." EPA, March 1991. http://www.deq.idaho.gov/media/60177101/58-0102-1201-epa-technical-support-document-1991.pdf. (3-25-16)

05. Development of Toxic Substance Criteria. (4-5-00)

a. Aquatic Life Communities Criteria. Numeric criteria for the protection of aquatic life uses not identified in these rules for toxic substances, may be derived by the Department from the following information: (4-5-00)

i. Site-specific criteria developed pursuant to Section 275; (4-5-00)

ii. Effluent biomonitoring, toxicity testing and whole-effluent toxicity determinations; (4-5-00)

iii. The most recent recommended criteria defined in EPA's ECOTOX database. When using EPA recommended criteria to derive water quality criteria to protect aquatic life uses, the lowest observed effect concentrations (LOECs) shall be considered; or (3-25-16)

iv. Scientific studies including, but not limited to, instream benthic assessment or rapid bioassessment. (4-5-00)

b. Human Health Criteria. (4-5-00)

i. When numeric criteria for the protection of human health are not identified in these rules for toxic substances, quantifiable criteria may be derived by the Department using best available science on toxicity thresholds (i.e. reference dose or cancer slope factor), such as defined in EPA's Integrated Risk Information System (IRIS) or other peer-reviewed source acceptable to the Department. (3-25-16)

ii. When using toxicity thresholds to derive water quality criteria to protect human health, a fish consumption rate representative of the population to be protected, a mean adult body weight, an adult 90th percentile water ingestion rate, a trophic level weighted BAF or BCF, and a hazard quotient of one (1) for non-carcinogens or a cancer risk level of 10^{-5} for carcinogens shall be utilized. (3-25-16)

211. -- 249. (RESERVED)

250. SURFACE WATER QUALITY CRITERIA FOR AQUATIC LIFE USE DESIGNATIONS.

01. General Criteria. The following criteria apply to all aquatic life use designations. Surface waters are not to vary from the following characteristics due to human activities: (3-15-02)

a. Hydrogen Ion Concentration (pH) values within the range of six point five (6.5) to nine point zero (9.0); (3-30-01)

b. The total concentration of dissolved gas not exceeding one hundred and ten percent (110%) of

saturation at atmospheric pressure at the point of sample collection; (7-1-93)

02. Cold Water. Waters designated for cold water aquatic life are not to vary from the following characteristics due to human activities: (3-15-02)

a. Dissolved Oxygen Concentrations exceeding six (6) mg/l at all times. In lakes and reservoirs this standard does not apply to: (7-1-93)

i. The bottom twenty percent (20%) of water depth in natural lakes and reservoirs where depths are thirty-five (35) meters or less. (7-1-93)

ii. The bottom seven (7) meters of water depth in natural lakes and reservoirs where depths are greater than thirty-five (35) meters. (7-1-93)

iii. Those waters of the hypolimnion in stratified lakes and reservoirs. (7-1-93)

b. Water temperatures of twenty-two (22) degrees C or less with a maximum daily average of no greater than nineteen (19) degrees C. (8-24-94)

c. Temperature in lakes shall have no measurable change from natural background conditions. Reservoirs with mean detention times of greater than fifteen (15) days are considered lakes for this purpose. (3-15-02)

d. Ammonia. The following criteria are not to be exceeded dependent upon the temperature, T (degrees C), and pH of the water body: (3-15-02)

i. Acute Criterion (Criterion Maximum Concentration (CMC)). The one (1) hour average concentration of total ammonia nitrogen (in mg N/L) is not to exceed, more than once every three (3) years, the value calculated using the following equation:

$$CMC = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$$

(3-15-02)

ii. Chronic Criterion (Criterion Continuous Concentration (CCC)). (3-15-02)

(1) The thirty (30) day average concentration of total ammonia nitrogen (in mg N/L) is not to exceed, more than once every three (3) years, the value calculated using the following equations: (3-15-02)

(a) When fish early life stages are likely present:

$$CCC = \left(\frac{0.0577}{1+10^{7.688-pH}} + \frac{2.487}{1+10^{pH-7.688}}\right) \bullet MIN(2.85, 1.45 \cdot 10^{0.028 \cdot (25-T)})$$

(3-15-02)

(b) When fish early life stages are likely absent:

$$CCC = \left(\frac{0.0577}{1+10^{7.688-pH}} + \frac{2.487}{1+10^{pH-7.688}}\right) \bullet 1.45 \cdot 10^{0.028 \cdot (25-T)})$$

(3-15-02)

(2) The highest four-day (4) average within the thirty-day (30) period should not exceed two point five (2.5) times the CCC. (3-15-02)

(3) Because the Department presumes that many waters in the state may have both spring-spawning and fall-spawning species of fish present, early life stages of fish may be present throughout much of the year. Accordingly, the Department will apply the CCC for when fish early life stages are present at all times of the year unless: (3-15-02)

(a) Time frames during the year are identified when early life stages are unlikely to be present, and (3-15-02)

(b) The Department is provided all readily available information supporting this finding such as the fish species distributions, spawning periods, nursery periods, and the duration of early life stages found in the water body; and (3-15-02)

(c) The Department determines early life stages are likely absent. (3-15-02)

e. Turbidity, below any applicable mixing zone set by the Department, shall not exceed background turbidity by more than fifty (50) NTU instantaneously or more than twenty-five (25) NTU for more than ten (10) consecutive days. (8-24-94)

f. Salmonid Spawning. The Department shall determine spawning periods on a waterbody specific basis taking into account knowledge of local fisheries biologists, published literature, records of the Idaho Department of Fish and Game, and other appropriate records of spawning and incubation, as further described in the current version of the "Water Body Assessment Guidance" published by the Idaho Department of Environmental Quality. Waters designated for salmonid spawning, in areas used for spawning and during the time spawning and incubation occurs, are not to vary from the following characteristics due to human activities: (3-30-07)

i. Dissolved Oxygen. (8-24-94)

(1) Intergravel Dissolved Oxygen. (8-24-94)

(a) One (1) day minimum of not less than five point zero (5.0) mg/l. (8-24-94)

(b) Seven (7) day average mean of not less than six point zero (6.0) mg/l. (8-24-94)

(2) Water-Column Dissolved Oxygen. (8-24-94)

(a) One (1) day minimum of not less than six point zero (6.0) mg/l or ninety percent (90%) of saturation, whichever is greater. (8-24-94)

ii. Water temperatures of thirteen (13) degrees C or less with a maximum daily average no greater than nine (9) degrees C. (8-24-94)

g. Bull Trout Temperature Criteria. Water temperatures for the waters identified under Subsection 250.02.g.i. shall not exceed thirteen degrees Celsius (13C) maximum weekly maximum temperature (MWMT) during June, July and August for juvenile bull trout rearing, and nine degrees Celsius (9C) daily average during September and October for bull trout spawning. For the purposes of measuring these criteria, the values shall be generated from a recording device with a minimum of six (6) evenly spaced measurements in a twenty-four (24) hour period. The MWMT is the mean of daily maximum water temperatures measured over the annual warmest consecutive seven (7) day period occurring during a given year. (3-30-01)

i. The bull trout temperature criteria shall apply to all tributary waters, not including fifth order main stem rivers, located within areas above fourteen hundred (1400) meters elevation south of the Salmon River basin-Clearwater River basin divide, and above six hundred (600) meters elevation north of the Salmon River basin-Clearwater River basin divide, in the fifty-nine (59) Key Watersheds listed in Table 6, Appendix F of Governor Batt's State of Idaho Bull Trout Conservation Plan, 1996, or as designated under Sections 110 through 160 of this rule. (3-23-98)

ii. No thermal discharges will be permitted to the waters described under Subsection 250.02.g.i.

unless socially and economically justified as determined by the Department, and then only if the resultant increase in stream temperature is less than five-tenths degrees Celsius (0.5C). (4-5-00)

Note: Idaho first adopted bull trout temperature criteria in 1998. These criteria were revised in 2001 (docket 58-0102-0002) and submitted to EPA for approval in 2003. EPA has not taken action, and so the bull trout temperature criterion effective for CWA purposes is the 1997 federally promulgated temperature criterion of 10ºC for 7-day average maximum daily temperatures from June through September for waters specified in the federal rule (see 40 CFR 131.33). However, a few waters identified in Governor Batt's 1996 bull trout conservation plan are not listed in 40 CFR 131.33. For waters not listed in 40 CFR 131.33, the 1998 criteria published in 1998 Idaho Administrative Code continue to apply and are effective for CWA purposes. For more information, go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.

h. Kootenai River sturgeon temperature criteria. Water temperatures within the Kootenai River from Bonners Ferry to Shorty's Island, shall not exceed a seven (7) day moving average of fourteen degrees celsius (14C) based on daily average water temperatures, during May 1 through July 1. (3-23-98)

03. Seasonal Cold Water. Between the summer solstice and autumn equinox, waters designated for seasonal cold water aquatic life are not to vary from the following characteristics due to human activities. For the period from autumn equinox to summer solstice the cold water criteria will apply: (3-15-02)

Note: Idaho first adopted seasonal cold water use and temperature criteria in April 2000 (docket 58-0102-9704). In March 2001, Idaho revised its temperature criteria for the seasonal cold beneficial use (docket 58-0102-0002). Although the seasonal cold water use and temperature criteria adopted in 2000 have not been acted on by EPA, they were adopted by Idaho and submitted to EPA prior to May 30, 2000. Therefore, the seasonal cold water use and temperature criteria published in 2000 Idaho Administrative Code continue to apply and are effective for CWA purposes. For more information, go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.

a. Dissolved Oxygen Concentrations exceeding six (6) mg/l at all times. In lakes and reservoirs this standard does not apply to: (4-5-00)

i. The bottom twenty percent (20%) of water depth in natural lakes and reservoirs where depths are thirty-five (35) meters or less. (4-5-00)

ii. The bottom seven (7) meters of water depth in natural lakes and reservoirs where depths are greater than thirty-five (35) meters. (4-5-00)

iii. Those waters of the hypolimnion in stratified lakes and reservoirs. (4-5-00)

b. Water temperatures of twenty-six (26) degrees C or less as a daily maximum with a daily average of no greater than twenty-three (23) degrees C. (3-30-01)

c. Temperature in lakes shall have no measurable change from natural background conditions. Reservoirs with mean detention times of greater than fifteen (15) days are considered lakes for this purpose. (3-15-02)

d. Ammonia. Concentration of ammonia are not to exceed the criteria defined at Subsection 250.02.d. (3-15-02)

04. Warm Water. Waters designated for warm water aquatic life are not to vary from the following characteristics due to human activities: (3-30-07)

a. Dissolved oxygen concentrations exceeding five (5) mg/l at all times. In lakes and reservoirs this standard does not apply to: (7-1-93)

i. The bottom twenty percent (20%) of the water depth in natural lakes and reservoirs where depths are thirty-five (35) meters or less. (7-1-93)

ii. The bottom seven (7) meters of water depth in natural lakes and reservoirs where depths are greater than thirty-five (35) meters. (7-1-93)

iii. Those waters of the hypolimnion in stratified lakes and reservoirs. (7-1-93)

b. Water temperatures of thirty-three (33) degrees C or less with a maximum daily average not greater than twenty-nine (29) degrees C. (8-24-94)

c. Temperature in lakes shall have no measurable change from natural background conditions. Reservoirs with mean detention times of greater than fifteen (15) days are considered lakes for this purpose. (3-15-02)

d. Ammonia. The following criteria are to be met dependent upon the temperature, T (degrees C), and pH of the water body: (3-15-02)

i. Acute Criterion (Criterion Maximum Concentration (CMC)). The one (1) hour average concentration of total ammonia nitrogen (in mg N/L) is not to exceed, more than once every three (3) years, the value calculated using the following equation:

$$CMC = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$$

(3-15-02)

ii. Chronic Criterion (Criterion Continuous Concentration (CCC)). Concentrations of ammonia are not to exceed the criteria defined at Subsection 250.02.d.ii. (3-15-02)

05. Modified. Water quality criteria for modified aquatic life will be determined on a case-by-case basis reflecting the chemical, physical, and biological levels necessary to attain the existing aquatic life community. These criteria, when determined, will be adopted into these rules. (3-15-02)

251. SURFACE WATER QUALITY CRITERIA FOR RECREATION USE DESIGNATIONS.

Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.

01. *E. Coli* Bacteria. Waters designated for recreation are not to contain *E. coli* bacteria, used as indicators of human pathogens, in concentrations exceeding: (4-11-06)

a. Geometric Mean Criterion. Waters designated for primary or secondary contact recreation are not to contain *E. coli* bacteria in concentrations exceeding a geometric mean of one hundred twenty-six (126) *E. coli* organisms per one hundred (100) mL based on a minimum of five (5) samples taken every three (3) to seven (7) days over a thirty (30) day period. (4-11-06)

b. Use of Single Sample Values. A water sample exceeding the *E. coli* single sample maximums below indicates likely exceedance of the geometric mean criterion, but is not alone a violation of water quality standards. If a single sample exceeds the maximums set forth in Subsections 251.01.b.i., 251.01.b.ii., and 251.01.b.iii., then additional samples must be taken as specified in Subsection 251.01.c.: (4-11-06)

i. For waters designated as secondary contact recreation, a single sample maximum of five hundred

seventy-six (576) *E. coli* organisms per one hundred (100) mL; or (4-11-06)

ii. For waters designated as primary contact recreation, a single sample maximum of four hundred six (406) *E. coli* organisms per one hundred (100) mL; or (4-11-06)

iii. For areas within waters designated for primary contact recreation that are additionally specified as public swimming beaches, a single sample maximum of two hundred thirty-five (235) *E. coli* organisms per one hundred (100) mL. Single sample counts above this value should be used in considering beach closures. (4-11-06)

c. Additional Sampling. When a single sample maximum, as set forth in Subsections 251.01.b.i., 251.01.b.ii., and 251.01.b.iii., is exceeded, additional samples should be taken to assess compliance with the geometric mean *E. coli* criteria in Subsection 251.01.a. Sufficient additional samples should be taken by the Department to calculate a geometric mean in accordance with Subsection 251.01.a. This provision does not require additional ambient monitoring responsibilities for dischargers. (4-11-06)

251. SURFACE WATER QUALITY CRITERIA FOR RECREATION USE DESIGNATIONS.

Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.

01. Toxics Criteria. Waters designated for recreation must meet the Fish Only water quality criteria set forth in Subsection 210.01.b. (4-11-19)

02. Fecal Indicators. Waters designated for recreation must meet criteria for indicator organisms of fecal contamination. Either of the following indicator criterion would be considered sufficient for determining compliance with the fecal indicator criteria: (4-11-19)

a. *E. Coli* Bacteria. Waters designated for recreation are not to contain *E. coli* bacteria, used as indicators of human pathogens, in concentrations exceeding: (4-11-06)

i. Geometric Mean Criterion. Not to contain *E. coli* in concentrations exceeding a geometric mean of one hundred twenty-six (126) *E. coli* counts per one hundred (100) mL based on a minimum of five (5) samples taken every three (3) to seven (7) days over a thirty (30) day period; or (4-11-19)

ii. Statistical Threshold Value (STV). No greater than ten percent (10%) of valid samples collected over a thirty (30) day period are to contain E. coli bacteria in concentrations exceeding an STV of four hundred and ten (410) E. coli counts per one hundred (100) mL; or (4-11-19)

b. Enterococci. Waters designated for recreation are not to contain enterococci bacteria, used as indicators of human pathogens, in concentrations exceeding: (4-11-19)

i. Geometric Mean Criterion. Not to contain enterococci bacteria in concentrations exceeding a geometric mean of thirty-five (35) enterococci counts per one hundred (100) mL based on a minimum of five (5) samples taken every three (3) to seven (7) days over a thirty (30) day period; or (4-11-19)

ii. Statistical Threshold Value (STV). No greater than ten percent (10%) of valid samples collected over a thirty (30) day period are to contain enterococci bacteria in concentrations exceeding an STV of one hundred and thirty (130) enterococci counts per one hundred (100) mL. (4-11-19)

252. SURFACE WATER QUALITY CRITERIA FOR WATER SUPPLY USE DESIGNATION.

Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1703 have been approved.

01. Domestic. Waters designated for domestic water supplies are to exhibit the following characteristics: (4-5-00)

a. Radioactive materials or radioactivity not to exceed concentrations specified in Idaho Department of Environmental Quality Rules, IDAPA 58.01.08, "Rules Governing Public Drinking Water Systems." (8-24-94)

b. Small public water supplies (Surface Water). (8-24-94)

i. The following Table identifies waters, including their watersheds above the public water supply intake (except where noted), which are designated as small public water supplies.

TABLE - DESIGNATED SMALL PUBLIC WATER SUPPLIES

County	Water Body	Supply No.*	Supply System Name
Benewah	Spring	1050001	BLM Sheep Springs
Benewah	Spring	1050002	BLM Tingley Springs
Benewah	Adams Ck.	1050011	Fernwood Water Dist.
Benewah	Rochat Ck.	1050024	St Maries, City of
Boise	Elk Ck.	4080025	Idaho City Water Dept.
Boise	McBride Ck.	4080047	Terrace Lakes Rec. Ranch
Bonner	Spring	1090168	Beaver Ck Camp Assn
Bonner	Spring	1090017	Clark Fork U ID Field Campus
Bonner	Berry Ck.	1090021	Colburn Water Assn.
Bonner	Cougar Ck.	1090030	Cougar Creek Water Assn
Bonner	Strong Ck.	1090038	East Hope Water Dept.
Bonner	Composite Spring	1090052	Hope Water System
Bonner	Spring	1090074	Lakeview Townsite Improve Assn
Bonner	Spring	1090031	Midas Water System
Bonner	Little Sand Ck.	1090121	Sandpoint Water Dept
Bonner	Schweitzer Ck.	1090124	Schweitzer Basin Water Co
Bonner	Spring #1	1090123	Schweitzer Mtn Resort
Bonner	Spring #2	1090123	Schweitzer Mtn Resort
Bonner	Springs	1090151	West Bonner WD#1
Boundary	Meadow Ck.	1110001	Bee Line Water Assn.
Boundary	Myrtle Ck.	1110003	Bonners Ferry, City of
Boundary	Spring	1110007	Cow Ck Water Assn
Boundary	Curley Ck.	1110008	Curley Ck. Water Assn.
Boundary	Mission Ck.	1110019	Mission Creek Water Assn.
Boundary	Caribou Ck.	1110020	Moravia Water Assn.
Boundary	Spring	1110044	Northwest Academy/Ascent
Boundary	Ruby Ck.	1110044	Northwest Academy/Ascent

County	Water Body	Supply No.*	Supply System Name
Boundary	Brown Creek and Cedar Ck.	1110023	Paradise Valley Water Assn.
Boundary	Spring #1	1110024	Rocky Mountain Academy
Boundary	Spring #2	1110024	Rocky Mountain Academy
Boundary	Skin Ck.	1110025	Skin Ck. Water Assn.
Boundary	Springs	1110029	Trow Creek Water Assn
Boundary	Twenty Mile Ck.	1110030	Twenty Mile Ck. Water Assn.
Clearwater	N.F. Clearwater R.**	2180001	Ahsahka Water and Sewer District
Clearwater	Reeds Ck.	2180029	Potlatch Corp-Headquarters
Custer	Garden Ck.	7190013	Challis, City of
Elmore	E.F. Montezuma Ck.	4200005	Atlanta Water Assn.
Idaho	Wall Creek	2250011	Clearwater Water Assn.
Idaho	Big Elk Ck.	2250017	Elk City Water/Sewer Assn.
Kootenai	Spring	1280068	Excelsior Beach Water
Kootenai	Rose Spring	1280161	Rose Lake Water Assn
Lemhi	Chick Ck., Jesse Ck., and Pollard Ck.	7300042	Salmon, City of
Nez Perce	Big Canyon Ck.	2350023	Peck Water System
Shoshone	Lake Ck.	1400081	Asarco Galena Unit
Shoshone	Shields Ck.	1400089	Central Shoshone County WD
Shoshone	Big Ck.	1400089	Central Shoshone County WD
Shoshone	McFarren Ck.	1400089	Central Shoshone County WD
Shoshone	Milo Ck.	1400089	Central Shoshone County WD
Shoshone	Sawmill Gulch and Canyon Ck.	1400016	East Shoshone County WD-Burke
Shoshone	Boulder Ck.	1400017	East Shoshone County WD-Mullan
Shoshone	Cranky Gulch	1400019	East Shoshone County WD-Wallace
Shoshone	Weyer Gulch	1400019	East Shoshone County WD-Wallace
Shoshone	Experimental Ck.	1400019	East Shoshone County WD-Wallace
Shoshone	Canyon Ck.	1400016	East Shoshone County WD-Burke
Shoshone	Mill Ck.	1400017	East Shoshone County WD-Mullan
Shoshone	Placer Ck.-main channel	1400019	East Shoshone County WD-Wallace
Shoshone	Placer Ck-WF	1400019	East Shoshone County WD-Wallace
Shoshone	Deadman Ck. MF	1400028	Hecla Mining Co-Lucky Friday
Shoshone	National Tunnel	1400028	Hecla Mining Co-Lucky Friday

County	Water Body	Supply No.*	Supply System Name
Shoshone	Deadman Ck. WF	1400028	Hecla Mining Co-Lucky Friday
Shoshone	Spring	1400067	Lookout Pass Ski Area
Shoshone	Alder Ck. and East Alder Ck.	1400039	Murray Water Works
Shoshone	E.F. Silver Ck.	1400046	Silver Creek Water Assn.
Shoshone	Big Ck #1	1400050	Sunshine Precious Metals
Valley	Boulder Ck.	4430059	Yellowpine Water System, Inc.

* Public water supply number assigned by IDHW/DEQ.

** Only the portion of the watershed below Dworshak Dam is included. (3-30-01)

ii. For those surface waters identified in Subsection 252.01.b.i. turbidity as measured at the public water intake shall not be: (4-5-00)

(1) Increased by more than five (5) NTU above natural background, measured at a location upstream from or not influenced by any human induced nonpoint source activity, when background turbidity is fifty (50) NTU or less. (8-24-94)

(2) Increased by more than ten percent (10%) above natural background, measured at a location upstream from or not influenced by any human induced nonpoint source activity, not to exceed twenty-five (25) NTU, when background turbidity is greater than fifty (50) NTU. (8-24-94)

02. **Agricultural**. Water quality criteria for agricultural water supplies will generally be satisfied by the water quality criteria set forth in Section 200. Should specificity be desirable or necessary to protect a specific use, “Water Quality Criteria 1972" (Blue Book), Section V, Agricultural Uses of Water, EPA, March, 1973 will be used for determining criteria. This document is available for review at the Idaho Department of Environmental Quality, or can be obtained from EPA or the U.S. Government Printing Office. (4-5-00)

03. **Industrial**. Water quality criteria for industrial water supplies will generally be satisfied by the general water quality criteria set forth in Section 200. Should specificity be desirable or necessary to protect a specific use, appropriate criteria will be adopted in Sections 252 or 275 through 298. (4-5-00)

252. SURFACE WATER QUALITY CRITERIA FOR WATER SUPPLY USE DESIGNATION.

Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1703 have been approved.

01. **Domestic**. Waters designated for domestic water supplies are to exhibit the following characteristics: (4-5-00)

a. Must meet general water quality criteria set forth in Section 200 and the Water & Fish criteria set forth in Subsection 210.01.b. (4-11-19)

b. Turbidity. (4-11-19)

i. Turbidity as measured at any public water intake shall not be: (4-11-19)

(1) Increased by more than five (5) NTU above background when background turbidity is fifty (50) NTU or less; (4-11-19)

(2) Increased by more than ten percent (10%) above background when background turbidity is greater than fifty (50) NTU and less than two hundred and fifty (250) NTU; or (4-11-19)

(3) Increased by more than twenty-five (25) NTU above background when background turbidity is two hundred and fifty (250) NTU or greater. (4-11-19)

ii. Turbidity Background/Criteria Table.

Turbidity Background	Turbidity Criteria
≤ 50 NTUs	5 NTUs above background
> 50 – < 250 NTUs	10% above background
≥ 250 NTUs	25 NTUs

(4-11-19)

02. **Agricultural**. Water quality criteria for agricultural water supplies will generally be satisfied by the water quality criteria set forth in Section 200. Should specificity be desirable or necessary to protect a specific use, "Water Quality Criteria 1972" (Blue Book), Section V, Agricultural Uses of Water, EPA, March, 1973 will be used for determining criteria. This document is available for review at the Idaho Department of Environmental Quality, or can be obtained from EPA or the U.S. Government Printing Office. (4-5-00)

03. **Industrial**. Water quality criteria for industrial water supplies will generally be satisfied by the general water quality criteria set forth in Section 200. Should specificity be desirable or necessary to protect a specific use, appropriate criteria will be adopted in Sections 252 or 275 through 298. (4-5-00)

253. SURFACE WATER QUALITY CRITERIA FOR WILDLIFE AND AESTHETICS USE DESIGNATIONS.

01. **Wildlife Habitats**. Water quality criteria for wildlife habitats will generally be satisfied by the general water quality criteria set forth in Section 200. Should specificity be desirable or necessary to protect a specific use, appropriate criteria will be adopted in Sections 253 or 275 through 298. (4-5-00)

02. **Aesthetics**. Water quality criteria for aesthetics will generally be satisfied by the general water quality criteria set forth in Section 200. Should specificity be desirable or necessary to protect a specific use, appropriate criteria will be adopted in Sections 253 or 275 through 298. (4-5-00)

254. -- 259. (RESERVED)

260. VARIANCES FROM WATER QUALITY STANDARDS.

01. **Variances**. Variances from meeting certain water quality standards may be granted by the Department provided they are consistent with the following requirements: (8-24-94)

a. When granted by the Department, individual variances are to be pollutant and discharger specific, and shall be granted pursuant to the following procedure: (3-15-02)

i. Prior to granting a variance, the Department shall publish notice of the Department's tentative determination to grant a variance and shall receive written comments for not less than thirty (30) days after the date the notice is published. The notice shall contain a clear description of the impacts of the variance upon the receiving stream segment. The Department shall also provide an opportunity for oral presentation of comments, if requested in writing within fourteen (14) days of the notice, by twenty-five (25) persons, a political subdivision, or an agency. (3-15-02)

ii. The Department's final decision with respect to a variance may be appealed pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." The Department shall

maintain and make available to the public an updated list of variances. (3-15-02)

b. In order to obtain a variance from a water quality standard, the discharger must demonstrate that meeting the standard is unattainable based on one or more of the following grounds: (8-24-94)

i. Naturally occurring pollutant concentrations prevent the attainment of the standard; or (8-24-94)

ii. Natural, intermittent, or low flow conditions or water levels prevent the attainment of the standard; or (4-5-00)

iii. Human caused conditions or sources of pollution prevent the attainment of the standard and cannot be remedied or would cause more environmental damage to correct than to leave in place; or (8-24-94)

iv. Dams, diversions or other types of hydrologic modifications preclude the attainment of the standard, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in attainment of the standard; or (8-24-94)

v. Physical conditions related to the natural features of the water body, unrelated to water quality, preclude attainment of the standard; or (8-24-94)

vi. Controls more stringent than technology-based effluent limitations would result in substantial and widespread economic and social impact. (8-24-94)

c. The discharger must submit to the Department documentation that treatment more advanced than required by technology-based effluent limitations have been considered and that alternative effluent control strategies have been evaluated. (8-24-94)

d. Any variance granted by the Department will remain in effect for a period of five (5) years or the life of the permit. (8-24-94)

i. Upon expiration of the five (5) year time period or permit, the discharger must either meet the standard or must re-apply for the variance in accordance with these rules. (8-24-94)

ii. In considering a re-application for a variance, the Department will require the discharger to demonstrate reasonable progress towards meeting the standard. (8-24-94)

02. Specific Variances. In addition to any variances listed separately from these rules as described in Subsection 260.01.a.ii., the following variances have also been granted by the Department in accordance with Subsection 260.01: (3-15-02)

a. The South Fork Coeur d'Alene River Sewer District (Page Wastewater Treatment Facility) is granted variances from meeting water quality standards in Section 250 for ammonia and chlorine, and Section 210 for cadmium, lead, and zinc, discharged to the West Page Swamp, located in T49N, R2E, S32, Boise Prime Meridian. (3-30-01)

b. The variances provided in Subsection 260.02.a. are conditioned upon the discharges showing reasonable progress toward reducing their discharge of ammonia and chlorine. Reasonable progress shall be measured according to the terms of the state's certification of the discharges. (3-30-01)

Note: Final rule submitted to EPA on May 29, 2003 (docket 58-0102-0002). This revision grants a variance to the South Fork Coeur d'Alene River Sewer District (Page Wastewater Treatment Facility) from meeting water quality standards for ammonia, chlorine, cadmium, lead, and zinc discharged to the West Page Swamp. On May 7, 2010, EPA disapproved the variance; therefore, Subsections 260.02.a. and b. are not effective for CWA purposes. For more information, go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.

261. -- 274. (RESERVED)

275. SITE-SPECIFIC SURFACE WATER QUALITY CRITERIA.

01. Procedures for Establishing Site-specific Water Quality Criteria. The water quality criteria adopted in these standards may not always reflect the toxicity of a pollutant in a specific water body. These criteria also represent a limited number of the natural and human-made chemicals that exist in the environment which may pose a threat to designated or existing beneficial uses. Thus, it may be possible in some water bodies to develop new water quality criteria or modify existing criteria through site-specific analyses which will effectively protect designated and existing beneficial uses. (8-24-94)

a. The following are acceptable conditions for developing site-specific criteria: (8-24-94)

i. Resident species of a water body are more or less sensitive than those species used to develop a water quality criterion. (8-24-94)

(1) Natural adaptive processes have enabled a viable, balanced aquatic community to exist in waters where natural background levels of a pollutant exceed the water quality criterion (i.e., resident species have evolved a greater resistance to higher concentrations of a pollutant). (8-24-94)

(2) The composition of aquatic species in a water body is different from those used to derive a water quality criterion (i.e., more or less sensitive species to a pollutant are present or representative of a water body than have been used to derive a criterion). (8-24-94)

ii. Biological availability and/or toxicity of a pollutant may be altered due to differences between the physicochemical characteristics of the water in a water body and the laboratory water used in developing a water quality criterion (e.g., alkalinity, hardness, pH, salinity, total organic carbon, suspended solids, turbidity, natural complexing, fate and transport water, or temperature). (8-24-94)

iii. The affect of seasonality on the physicochemical characteristics of a water body and subsequent effects on biological availability and/or toxicity of a pollutant may justify seasonally dependent site-specific criteria. (8-24-94)

iv. Water quality criteria may be derived to protect and maintain existing ambient water quality. (8-24-94)

v. Other factors or combinations of factors that upon review of the Department may warrant modifications to the criteria. (8-24-94)

b. Any person may develop site-specific criteria in accordance with these rules. To insure that the approach to be used in developing site-specific criteria is scientifically valid, the Department shall be involved early in the planning of any site-specific analyses so that an agreement can be reached concerning the availability of existing data, additional data needs, methods to be used in generating new data, testing procedures to be used, schedules to be followed and quality control and assurance provisions to be used. (8-24-94)

c. Site-specific criteria shall not impair designated or existing beneficial uses year-round (or seasonally for seasonal dependent criteria) and shall prevent acute and chronic toxicity outside of approved mixing zones. If site-specific criteria are seasonally dependent, the period when the criteria apply shall be clearly identified. (8-24-94)

d. Site-specific criteria, if appropriate, shall include both chronic and acute concentrations to more accurately reflect the different tolerances of resident species to the inherent variability between concentrations and toxicological characteristics of a pollutant. (8-24-94)

e. Site-specific criteria shall be clearly identified as maximum (not to be exceeded) or average values. If a criterion represents an average value, the averaging period shall be specified. The conditions, if any, when the

criteria apply shall be clearly stated (e.g., specific levels of hardness, pH, water temperature, or bioavailability). Specific sampling requirements (location, frequency, etc.), if any, shall also be specified. (8-24-94)

f. A site may be limited to the specific area affected by a point or nonpoint source of pollution or, if appropriate, an expanded geographical area (e.g., ecoregion, river basin, sub-basin, etc.). For a number of different water bodies to be designated as one site, their respective aquatic communities cannot vary substantially in sensitivity to a pollutant. Site boundaries shall be geographically defined. (8-24-94)

g. Proposed site-specific water quality criteria must be approved by the Board in accordance with the Idaho Administrative Procedure Act. The Department of Environmental Quality shall determine whether to approve a request for site-specific criteria in accordance with this section and within twenty-eight (28) days after receipt of the request, and will introduce acceptable site-specific criteria for rule-making. (8-24-94)

h. The following are acceptable procedures for developing site-specific criteria for aquatic life protection. (8-24-94)

i. Site-specific analyses for the development of new water quality criteria shall be conducted in a manner which is scientifically justifiable and consistent with the assumptions and rationale in "Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses," EPA 1985. This document is available for review at the Idaho Department of Environmental Quality or may be obtained from EPA or the U.S. Government Printing Office. (8-24-94)

ii. Site-specific analyses for the modification of existing water quality criteria shall be conducted in accordance with one of the following procedures, as described in the "Water Quality Standards Handbook," EPA 1983. This document is available for review at the Idaho Department of Environmental Quality or may be obtained from EPA or the U.S. Government Printing Office. (8-24-94)

(1) Recalculation Procedure. This procedure is used to account for differences in sensitivity to a pollutant between resident species and those species used in deriving the criterion. Bioassays in laboratory water may be required for untested resident species. (8-24-94)

(2) Indicator Species Procedure. This procedure is used to account for differences in biological availability and/or toxicity of a chemical between the physicochemical characteristics of the water in a water body and the laboratory water used in developing criteria. Bioassays in site water are required using resident species or acceptable nonresident species. (8-24-94)

(3) Resident Species Procedure. This procedure is used to account for differences in both resident species sensitivity and biological availability and/or toxicity of a pollutant. Bioassays in site water using resident species are required. (8-24-94)

(4) Water effects ratios as defined by EPA guidance documents. (8-24-94)

(5) Other scientifically defensible procedures such as relevant aquatic field studies, laboratory tests, biological translators, fate and distribution models, risk analyses or available scientific literature. (8-24-94)

(a) Deviations from the above described EPA procedures shall have justifications which are adequately documented and based on sound scientific rationale. (8-24-94)

(b) The data, testing procedures and application factors used to develop site-specific criteria shall reflect the nature of the pollutant (e.g., persistency, bioaccumulation potential, avoidance or attraction responses in fish, etc.), the designated and existing beneficial uses, and the most sensitive resident species of a water body. (8-24-94)

02. Water Quality Criteria for Specific Waters. Standards provided in Sections 276 through 298 for specific waters will supersede Sections 210, 250, 251, 252, and 253 when the application of the standards contained in both sections would present a conflict. (5-3-03)

276. DISSOLVED OXYGEN STANDARDS FOR WATERS DISCHARGED FROM DAMS, RESERVOIRS, AND HYDROELECTRIC FACILITIES.
Under the terms specified under this section, waters discharged from dams, reservoirs and hydroelectric facilities shall not be subject to the provisions of Subsection 250.02.a. or 250.02.f.i. (4-5-00)

01. Applicability. Subsections 276.02, 276.03 and 276.04 shall apply to all waters below dams, reservoirs, and hydroelectric facilities as far downstream as the point of measurement as defined in Subsection 276.05. Downstream of that point of measurement, all discharges to the waters shall be subject to the provisions of Subsections 250.02.a. or 250.02.f.i. (4-5-00)

02. Dissolved Oxygen Concentrations Below Existing Facilities. As of the effective date of these regulations, and except as noted in Subsections 276.03 and 276.04, waters below dams, reservoirs, and hydroelectric facilities shall contain the following dissolved oxygen concentrations during the time period indicated:

	mg/l Dissolved Oxygen		
Time Period (annually)	**30-day Mean**	**7-Day Mean Minimum**	**Instantaneous Minimum**
June 15 - Oct 15	6.0	4.7	3.5

(7-1-93)

03. Dissolved Oxygen Concentrations for Modifications of Existing Facilities or for New Facilities. Modifications of existing facilities or new facilities are subject to the provisions of Subsection 276.02 unless the state has documented the existence of significant fish spawning areas below the facility. If such areas exist, then waters below those facilities shall contain the dissolved oxygen concentrations shown in Subsection 276.02 during the modified time periods indicated for each species below:

Fish Species	Time Period (annually)
Cutthroat trout	July 1 - Oct 15
Kokanee and Chinook Salmon	June 15 - Aug 1
Bull Trout	June 15 - Sept 1

(7-1-93)

04. Dissolved Oxygen Concentrations Below American Falls Dam. All waters below American Falls Dam shall contain the following dissolved oxygen concentrations during the time period indicated:

	mg/l Dissolved Oxygen		
Time Period (annually)	**30-Day Mean**	**7-Day Mean Minimum**	**Instantaneous Minimum**
May 15 - Oct 15	5.5	4.7	3.5

(7-1-93)

05. Point of Measurement. For the purpose of determining compliance with Subsections 276.02, 276.03 and 276.04, the dissolved oxygen shall be measured at a single location in the river downstream from the hydroelectric facilities. Such location shall be as close to the facilities as practical to obtain a representative measurement, but in all cases shall be sufficient distance downstream to allow thorough mixing of reaerated waters, spilled by-pass waters, and other waters that have passed through the facility. (7-1-93)

06. Instantaneous Minimum. Any measurement of dissolved oxygen below the applicable instantaneous minimum will be considered a violation unless that measurement is followed by two (2) consecutive measurements at or above the instantaneous minimum and taken within twenty (20) minutes of the initial measurement (at ten (10) minute intervals). (1-10-86)

07. Procedures and Conditions for Variances. The Board may grant a variance, on an individual basis, to the dissolved oxygen standards, the applicable dates of compliance, or both, as listed in Subsections 276.02, 276.03, or 276.04 only if: (7-1-93)

a. A written petition requesting a variance is submitted to the Department; (7-1-93)

b. The petition includes documentation of site-specific biological studies which demonstrate that no significant fishery impacts will occur as a result of the variance, if granted; and (7-1-93)

c. The requested variance will not result in departure from the three point five (3.5) mg/l instantaneous minimum dissolved oxygen requirements of this section. (1-10-86)

277. (RESERVED)

278. LOWER BOISE RIVER SUBBASIN, HUC 17050114 SUBSECTION 140.12.

01. Boise River, SW-1 and SW-5 -- Salmonid Spawning and Dissolved Oxygen. The waters of the Boise River from Veterans State Park to its mouth will have dissolved oxygen concentrations of six (6) mg/l or seventy-five percent (75%) of saturation, whichever is greater, during the spawning period of salmonid fishes inhabiting those waters. (3-15-02)

02. Boise River, SW-5 and SW-11a -- Copper and Lead Aquatic Life Criteria. The water-effect ratio (WER) values used in the equations in Subsection 210.02 for calculating copper and lead CMC and CCC values shall be two and five hundred seventy-eight thousandths (2.578) for dissolved copper and two and forty-nine thousandths (2.049) for lead. These site-specific criteria shall apply to the Boise River from the Lander St. wastewater outfall to where the channels of the Boise River become fully mixed downstream of Eagle Island. (5-3-03)

03. Indian Creek, SW-3a -- Site-Specific Criteria for Water Temperature. A maximum weekly maximum temperature of thirteen degrees C (13ºC) to protect brown trout and rainbow trout spawning and incubation applies from October 15 through June 30. (3-29-12)

04. Boise River, SW-5 and SW-11a -- Site-Specific Criteria for Water Temperature. A maximum weekly maximum temperature of thirteen degrees C (13ºC) to protect brown trout, mountain whitefish, and rainbow trout spawning and incubation applies from November 1 through May 30. (3-29-12)

05. Point Source Thermal Treatment Requirement. With regard to the limitations set forth in Section 401 relating to point source wastewater discharges, only the limitations of Subsections 401.01.a. and 401.01.b. and the temperature limitation relating to natural background conditions shall apply to discharges to any water body within the Lower Boise River Subbasin. (3-29-12)

279. (RESERVED)

280. ROCK CREEK, CEDAR DRAW, DEEP CREEK AND BIG WOOD RIVER - CANAL SYSTEM.

01. Rock Creek, Cedar Draw, and Deep Creek. For the purposes of water quality protection, the following waterways are recognized as used by the Twin Falls Canal Company as spillways, collection and conveyance facilities and such waterways shall also be protected for those uses: Rock Creek from the intersection with the High Line Canal of the Twin Falls Canal System to the mouth; Cedar Draw from the intersection with the High Line Canal of the Twin Falls Canal System to the mouth, Deep Creek from the intersection with the High Line Canal of the Twin Falls Canal system to the mouth, all in Twin Falls County. (7-1-93)

02 Big Wood River -- Canal System. For the purposes of water quality protection, the following waterway is also recognized as used by the North Side Canal Company for the purposes of conveying canal water and shall also be protected for that use: Big Wood River from the point of union with the North Side Canal System, located in Section 31, T. 5 S., R. 15 E., Boise Meridian, downstream to the last irrigation diversion of the North Side Canal Company from the Malad River located in Section 25, T. 6 S., R. 13 E., Boise Meridian. (7-1-93)

281. -- 282. (RESERVED)

283. SPOKANE RIVER, SUBSECTION 110.12, HUC 17010305, UNITS P-3 AND P-4, SITE-SPECIFIC CRITERIA FOR AMMONIA.
The following criteria are to be met dependent upon the temperature, T (degrees C), and pH of the water body: (3-30-01)

01. Acute Criterion (Criterion Maximum Concentration (CMC)). The one (1) hour average concentration of total ammonia nitrogen (in mg N/L) is not to exceed, more than once every three (3) years, the value calculated using the following equation:

$$CMC = \frac{0.275}{1+10^{7.204-pH}} + \frac{39.0}{1+10^{pH-7.204}}$$

(3-30-01)

02. Chronic Criterion (Criterion Continuous Concentration (CCC)). (3-30-01)

a. The thirty (30) day average concentration of total ammonia nitrogen (in mg N/L) is not to exceed, more than once every three (3) years, the value calculated using the following equation:

$$CCC = \left(\frac{0.0577}{1+10^{7.688-pH}} + \frac{2.487}{1+10^{pH-7.688}}\right) \bullet MIN(2.85, 1.45 \cdot 10^{0.028 \cdot (25-T)})$$

(3-30-01)

b. The highest four (4) day average within the thirty (30) day period should not exceed two and five tenths (2.5) times the CCC. (3-30-01)

284. SOUTH FORK COEUR D'ALENE SUBBASIN, SUBSECTION 110.09, HUC 17010302, AQUATIC LIFE CRITERIA FOR CADMIUM, LEAD AND ZINC.
The following criteria are to be met dependent upon the hardness, expressed as mg/l of calcium carbonate, of the water. Criterion maximum concentrations (CMC), one (1) hour average concentrations, and criterion continuous concentrations (CCC), four (4) day average concentrations, of the dissolved metals (in µg/l) are not to exceed, more than once every three (3) years, the values calculated using the following equations: (3-15-02)

01. Cadmium. (3-15-02)

a. $CMC = 0.973 \times e^{[(1.0166 \times \ln(hardness)) - 3.924]}$ (3-15-02)

b. $CCC = [1.101672 - (\ln(hardness) \times 0.041838] \times e^{[(0.7852 \times \ln(hardness)) - 3.490]}$ (3-15-02)

02. Lead. (3-15-02)

a. $CMC = e^{[(0.9402 \times \ln(hardness)) + 1.1834]}$ (3-15-02)

b. $CCC = e^{[(0.9402 \times \ln(hardness)) - 0.9875]}$ (3-15-02)

03. Zinc. (3-15-02)

a. $CMC = e^{[(0.6624 \times \ln(hardness)) + 2.2235]}$ (3-15-02)

b. $CCC = e^{[(0.6624 \times \ln(hardness)) + 2.2235]}$ (3-15-02)

04. Application. (3-15-02)

a. The maximum hardness allowed for use in the equations in Section 284 shall not be greater than four hundred (400) mg/l even if the actual ambient hardness is greater than four hundred (400) mg/l. (3-15-02)

b. The criteria described in Section 284 apply to all surface waters within the subbasin, except for natural lakes, for which the statewide criteria given in Section 210 apply. (3-25-16)

285. SNAKE RIVER, SUBSECTION 140.13, HUC 17050115, UNIT SW1; AND SUBSECTION 140.19, HUC 17050201, UNITS SW1, SW2, SW3 AND SW4, SITE-SPECIFIC CRITERIA FOR WATER-COLUMN DISSOLVED OXYGEN.
A minimum of six and five-tenths (6.5) mg/l of water-column dissolved oxygen shall be met in the Snake River from the Idaho/Oregon border to Hell's Canyon Dam. (3-20-04)

286. SNAKE RIVER, SUBSECTION 130.01, HUC 17060101, UNIT S1, S2, AND S3; SITE-SPECIFIC CRITERIA FOR WATER TEMPERATURE.
Weekly maximum temperatures (WMT) are regulated to protect fall chinook spawning and incubation in the Snake River from Hell's Canyon Dam to the confluence with the Salmon River from October 23 through April 15. Because the WMT is a lagged seven (7) day average, the first WMT is not applicable until the seventh day of this time period, or October 29. A WMT is calculated for each day after October 29 based upon the daily maximum temperature for that day and the prior six (6) days. From October 29 through November 6, the WMT must not exceed fourteen point five degrees C (14.5°C). From November 7 through April 15, the WMT must not exceed thirteen degrees C (13°C). (3-29-12)

Note: Submitted to EPA on June 8, 2012 (docket 58-0102-1102). This revision modified the existing site-specific temperature criterion to protect fall Chinook spawning below Hell's Canyon Dam by providing for a two week transition in temperatures from October 23 through November 6. Until EPA approves this revision, the previous criterion published in 2005 Idaho Administrative Code continues to apply and is effective for CWA purposes. For more information, go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.

287. SITE-SPECIFIC AQUATIC LIFE CRITERIA FOR SELENIUM.
Site-specific water column values (30-day average) are based on dissolved total selenium in water and are derived using a performance-based approach from fish tissue values via either the mechanistic modeling or empirical bioaccumulation factor (BAF) method in Aquatic Life Ambient Water Quality Criterion for Selenium – Freshwater, EPA-822-R-16-006, Appendix K: Translation of a Selenium Fish Tissue Criterion Element to a Site-Specific Water Column Value (June 2016). (3-28-18)

01. Subsection of Blackfoot Subbasin. Blackfoot River - confluence of Lanes and Diamond Creeks to Blackfoot Reservoir (unit US-10), and all tributaries thereof. Site-specific egg-ovary, whole-body, and muscle criterion elements for these water bodies are set out in the following table. The lentic and short-term exposure water column criterion elements set out in Subsection 210.01., table footnote **l.**, are also applicable to the water bodies identified in this subsection.

Chronic			
Egg-Ovary (mg/kg dw)	Fish Tissue (mg/kg dw)		Water Column (µg/L)
Egg-Ovary	Whole-Body	Muscle	Water Lotic
24.5[1]	12.5[2]	12.8[2]	11.9[3,4,5]
mg/kg dw – milligrams per kilogram dry weight, µg/L – micrograms per liter			

1. Egg-ovary supersedes any whole-body, muscle, or water column element when fish egg-ovary concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species. Not to be exceeded; DEQ will evaluate all representative egg-ovary data to determine compliance with this criterion element.

2. Fish whole-body or muscle tissue supersedes water column element when both fish tissue and water concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species where the smallest individual is no less than seventy-five percent (75%) of the total length (size) of the largest individual. Not to be exceeded; DEQ will evaluate all representative whole-body or muscle data to determine compliance with this criterion element.

3. Water column values are derived using the empirical BAF method. For comparative purposes only, the example value displayed in this table represents the lotic water column value for Sheep Creek based on the average BAF for Cutthroat Trout among all sampling locations and years.

4. Lotic Water Column Equation=

$$\frac{Tissue_{criterion}}{BAF}$$

where Tissue criterion is the fish tissue element (whole-body), and BAF is the bioaccumulation factor derived by dividing site-specific field-collected samples of fish tissue (whole-body) by site-specific field-collected samples of water.

5. Water column values are the applicable criterion element in the absence of steady-state condition fish tissue data. In fishless waters, surface water from the fishless waters and fish tissue from the nearest downstream waters are used for bioaccumulation modeling. Fish tissue supersedes any site-specific water column values when fish are sampled downstream of fishless waters.

(3-28-18)

02. Subsection of Bear Lake Subbasin. Georgetown Creek - source to mouth (unit B-22), and all tributaries thereof. Site-specific egg-ovary, whole-body, and muscle criterion elements for these water bodies are set out in the following table. The lentic and short-term water column criterion elements set out in Subsection 210.01., table footnote **l.**, are also applicable to the water bodies identified in this subsection.

Chronic			
Egg-Ovary (mg/kg dw)	**Fish Tissue (mg/kg dw)**		**Water Column (µg/L)**
Egg-Ovary	Whole-Body	Muscle	Water Lotic
21.0[1]	12.5[2]	12.8[2]	3.8[3,4,5]
mg/kg dw – milligrams per kilogram dry weight, µg/L – micrograms per liter			

1. Egg-ovary supersedes any whole-body, muscle, or water column element when fish egg-ovary concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species. Not to be exceeded; DEQ will evaluate all representative egg-ovary data to determine compliance with this criterion element.

2. Fish whole-body or muscle tissue supersedes water column element when both fish tissue and water concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species where the smallest individual is no less than seventy-five percent (75%) of the total length (size) of the largest individual. Not to be exceeded; DEQ will evaluate all representative whole-body and muscle data to determine compliance with this criterion element.

3. Water column values are derived using the empirical BAF method. For comparative purposes only, the example displayed in this table represents the lotic water column value for Georgetown Creek, upstream of the intermittent reach, based on the average BAF for Brook Trout in all sampling locations and years.

4. Lotic Water Column Equation=

$$\frac{Tissue_{criterion}}{BAF}$$

where Tissue criterion is the fish tissue element (whole-body), and BAF is the bioaccumulation factor derived by dividing site-specific field-collected samples of fish tissue (whole-body) by site-specific field-collected samples of water.

5. Water column values are the applicable criterion element in the absence of steady-state condition fish tissue data. In fishless waters, surface water from the fishless waters and fish tissue from the nearest downstream waters are used for bioaccumulation modeling. Fish tissue supersedes any site-specific water column values when fish are sampled downstream of fishless waters.

(3-28-18)

03. Subsection of Salt Subbasin — Sage Creek. Sage Creek – source to mouth (unit US-9) including, Hoopes Spring channel downstream of the spring complex, South Fork Sage Creek downstream of the spring complex, Sage Creek downstream of the confluence of Hoopes Spring with Sage Creek to its confluence with Crow Creek, North Fork Sage Creek and tributaries (including Pole Canyon Creek). Site-specific egg-ovary and whole-body criterion elements for these water bodies are set out in the following table. The muscle, lentic water column, and short-term water column criterion elements set out in Subsection 210.01., table footnote **l.**, are also applicable to the water bodies identified in this subsection.

Chronic		
Egg-Ovary (mg/kg dw)	**Fish Tissue (mg/kg dw)**	**Water Column (µg/L)**
Egg-Ovary	Whole-Body	Water Lotic
20.5[1]	13.6[2]	16.7[3]
mg/kg dw – milligrams per kilogram dry weight, µg/L – micrograms per liter		

1. Egg-ovary supersedes any whole-body, muscle, or water column element when fish egg-ovary concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species. Not to be exceeded; DEQ will evaluate all representative egg-ovary data to determine compliance with this criterion element.

2. Fish tissue supersedes water column element when both fish tissue (whole-body) and water concentrations are measured. Fish tissue elements are expressed as a single arithmetic average of tissue concentrations from at least five (5) individuals of the same species where the smallest individual is no less than seventy-five percent (75%) of the total length (size) of the largest individual. Not to be exceeded; DEQ will evaluate all representative whole-body data to determine compliance with this criterion element.

3. Water column values are derived using the empirical BAF method. Water column values are the applicable criterion element in the absence of steady-state condition fish tissue data. In fishless waters, selenium concentrations in fish from the nearest downstream waters may be used to assess compliance.

(3-28-18)

04. Subsection of Salt Subbasin — Crow Creek. Crow Creek – Downstream of Sage Creek confluence to Wyoming state line (US-8). Site-specific egg-ovary and whole-body criterion elements for these water bodies are set out in the following table. The muscle, lentic water column, and short-term water column criterion elements set out in Subsection 210.01., table footnote **l.**, are also applicable to the water bodies identified in this

subsection.

Chronic		
Egg-Ovary (mg/kg dw)	**Fish Tissue (mg/kg dw)**	**Water Column (µg/L)**
Egg-Ovary	Whole-Body	Water Lotic
20.5[1]	12.5[2]	4.2[3]
mg/kg dw – milligrams per kilogram dry weight, µg/L – micrograms per liter		

1. Egg-ovary supersedes any whole-body, muscle, or water column element when fish egg-ovary concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species. Not to be exceeded; DEQ will evaluate all representative egg-ovary data to determine compliance with this criterion element.

2. Fish tissue supersedes water column element when both fish tissue (whole-body) and water concentrations are measured. Fish tissue elements are expressed as a single arithmetic average of tissue concentrations from at least five (5) individuals of the same species where the smallest individual is no less than seventy-five percent (75%) of the total length (size) of the largest individual. Not to be exceeded; DEQ will evaluate all representative whole-body data to determine compliance with this criterion element.

3. Water column values are derived using the empirical BAF method. Water column values are the applicable criterion element in the absence of steady-state condition fish tissue data. In fishless waters, selenium concentrations in fish from the nearest downstream waters may be used to assess compliance.

(3-28-18)

05. Portions of Idaho. (3-28-18)

a. This site-specific criterion applies in the HUC subbasins set out in the following table.

HUC	Subbasin		HUC	Subbasin
16010102	Central Bear		17040208	Portneuf
16010201	Bear Lake		17040209	Lake Walcott
16010202	Middle Bear		17040210	Raft
16010203	Little Bear-Logan		17040211	Goose
16010204	Lower Bear-Malad		17040214	Beaver-Camas
16020309	Curlew Valley		17040215	Medicine Lodge
17010302	South Fork Coeur d Alene		17040216	Birch
17010306	Hangman		17040218	Big Lost
17010308	Little Spokane		17040220	Camas
17040104	Palisades		17040221	Little Wood
17040105	Salt		17050104	Upper Owyhee
17040201	Idaho Falls		17050105	South Fork Owyhee
17040202	Upper Henrys		17050106	East Little Owyhee
17040203	Lower Henrys		17050107	Middle Owyhee
17040204	Teton		17050108	Jordan

HUC	Subbasin		HUC	Subbasin
17040205	Willow		17060109	Rock
17040206	American Falls			
17040207	Blackfoot			

(3-28-18)

b. Site-specific egg-ovary, whole-body, and muscle criterion elements for the water bodies identified in Subsection 287.05.a. are set out in the following table. The water column criterion elements set out in Subsection 210.01., table footnote **l.**, are also applicable to the water bodies identified in Subsection 287.05.a.

Chronic		
Egg-Ovary (mg/kg dw)	**Fish Tissue (mg/kg dw)**	
Egg-Ovary	Whole-Body	Muscle
19.0[1]	9.5[2]	13.1[2]
mg/kg dw – milligrams per kilogram dry weight, µg/L – micrograms per liter		
1. Egg-ovary supersedes any whole-body, muscle, or water column element when fish egg-ovary concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species. Not to be exceeded; DEQ will evaluate all representative egg-ovary data to determine compliance with this criterion element. 2. Fish whole-body or muscle tissue supersedes water column element when both fish tissue and water concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species where the smallest individual is no less than seventy-five percent (75%) of the total length (size) of the largest individual. Not to be exceeded; DEQ will evaluate all representative whole-body or muscle data to determine compliance with this criterion element.		

(3-28-18)

Section 287 is not effective for CWA purposes until the date EPA issues written notification that the revisions adopted under Rule Docket No. 58-0102-1701 have been approved.

288. -- 299. (RESERVED)

300. GAS SUPERSATURATION.

01. Applicability of Gas Supersaturation Standard. The Director has the following authority: (7-1-93)

a. To specify the applicability of the gas supersaturation standard with respect to excess stream flow conditions; and (7-1-93)

b. To direct that all known and reasonable measures be taken to assure protection of the fishery resource; and (7-1-93)

c. To require that operational procedures or project modifications proposed for compliance for dissolved gas criterion do not contribute to increased mortalities to juvenile migrants or impose serious delays to adult migrant fishes. (7-1-93)

02. Interstate Agreements. In making determinations as to the applicability of gas supersaturation standards, the Director can seek and enter into agreements with adjoining state environmental regulatory agencies. (7-1-93)

03. Gas Supersaturation Control Program. Owners or operators of proposed water impoundment facilities subject to excessive spilling which can result in supersaturated water conditions must submit to the Department for approval a program for the detection and control of gas supersaturation. The program must include, but is not limited to: (7-1-93)

a. Time schedules for construction or installation of supersaturation control features and devices; and (7-1-93)

b. When required by the Department, a monitoring and reporting system insuring that supersaturated conditions are detected and reported to the Department. (7-1-93)

301. -- 349. (RESERVED)

350. RULES GOVERNING NONPOINT SOURCE ACTIVITIES.

01. Implementation Policy. (7-1-93)

a. Nonpoint sources are the result of activities essential to the economic and social welfare of the state. The a real extent of most nonpoint source activities prevents the practical application of conventional wastewater treatment technologies. Nonpoint source pollution management, including best management practices, is a process for protecting the designated beneficial uses and ambient water quality. Best management practices should be designed, implemented and maintained to provide full protection or maintenance of beneficial uses. Violations of water quality standards which occur in spite of implementation of best management practices will not be subject to enforcement action. However, if subsequent water quality monitoring and surveillance by the Department, based on the criteria listed in Sections 200, 210, 250, 251, 252, and 253, indicate water quality standards are not met due to nonpoint source impacts, even with the use of current best management practices, the practices will be evaluated and modified as necessary by the appropriate agencies in accordance with the provisions of the Administrative Procedure Act. If necessary, injunctive or other judicial relief may be initiated against the operator of a nonpoint source activity in accordance with the Director's authorities provided in Section 39-108, Idaho Code. In certain cases, revision of the water quality standards may be appropriate. (4-5-00)

b. As provided in Subsections 350.01.a. and 350.02.a. for nonpoint source activities, failure to meet general or specific water quality criteria, or failure to fully protect a beneficial use, shall not be considered a violation of the water quality standards for the purpose of enforcement. Instead, water quality monitoring and surveillance of nonpoint source activities will be used to evaluate the effectiveness of best management practices in protecting beneficial uses as stated in Subsections 350.01.a. and 350.02.b. (12-31-91)

02. Limitation to Nonpoint Source Restrictions. Nonpoint source activities will be subject to the following: (7-1-93)

a. Except as provided in Subsections 350.02.b. and 350.02.c., so long as a nonpoint source activity is being conducted in accordance with applicable rules, regulations and best management practices as referenced in Subsection 350.03, or in the absence of referenced applicable best management practices, conducted in a manner that demonstrates a knowledgeable and reasonable effort to minimize resulting adverse water quality impacts, the activity will not be subject to conditions or legal actions based on Subsection 080.01. In all cases, if it is determined by the Director that imminent and substantial danger to the public health or environment is occurring, or may occur as a result of a nonpoint source by itself or in combination with other point or nonpoint source activities, then the Director may seek immediate injunctive relief to stop or prevent that danger as provided in Section 39-108, Idaho Code. (3-29-12)

b. If the Director determines through water quality monitoring and surveillance that water quality criteria are not being met, or that beneficial uses are being impaired as a result of a nonpoint source activity by itself or in combination with other point and nonpoint source activities then: (3-3-87)

i. For an activity occurring in a manner not in accordance with approved best management practices, or in a manner which does not demonstrate a knowledgeable and reasonable effort to minimize resulting adverse water quality impacts, the Director may with appropriate inter-Departmental coordination. (3-3-87)

(1) Prepare a compliance schedule as provided in Section 39-116, Idaho Code; and/or (2-2-83)

(2) Institute administrative or civil proceedings including injunctive relief under Section 39-108, Idaho Code. (3-3-87)

ii. For activities conducted in compliance with approved best management practices, or conducted in a manner which demonstrates knowledgeable and reasonable effort to minimize resulting adverse water quality impacts, the Director may, with appropriate inter-Departmental coordination: (3-3-87)

(1) For those activities with approved best management practices as listed in Subsection 350.03 formally request that the responsible agency conduct a timely evaluation and modification of the practices to insure full protection of beneficial uses. (12-31-91)

(2) For all other nonpoint source activities which do not have approved best management practices as listed in Subsection 350.03, develop and recommend to the operator control measures necessary to fully protect the beneficial uses. Such control measures may be implemented on a voluntary basis, or where necessary, through appropriate administrative or civil proceedings. (12-31-91)

(3) If, in a reasonable and timely manner the approved best management practices are not evaluated or modified by the responsible agency, or if the appropriate control measures are not implemented by the operator, then the Director may seek injunctive relief to prevent or stop imminent and substantial danger to the public health or environment as provided in Section 39-108, Idaho Code. (3-3-87)

c. The Director may review for compliance project plans for proposed nonpoint source activities, based on whether or not the proposed activity will fully maintain or protect beneficial uses as listed in Sections 200, 250, 251, 252, and 253. In the absence of relevant criteria in those Sections, the review for compliance will be based on whether or not the proposed activity: (4-5-00)

i. Will comply with approved or specialized best management practices; and (3-3-87)

ii. Provides a monitoring plan which, when implemented, will provide information to the Director adequate to determine the effectiveness of the approved or specialized best management practices in protecting the beneficial uses of water; and (3-3-87)

iii. Provides a process for modifying the approved or site-specific best management practices in order to protect beneficial uses of water. (3-3-87)

d. For projects determined not to comply with those requirements, the plan may be revised and resubmitted for additional review by the Department. Any person aggrieved by a final determination of the Director may, within thirty (30) days, file a written request for a hearing before the Board in accordance with the Idaho Administrative Procedures Act. In all cases, implementation of projects detailed in a plan shall be conducted in a manner which will not result in imminent and substantial danger to the public health or environment. (3-3-87)

03. Approved Best Management Practices. The following are approved best management practices for the purpose of Subsection 350.02: (12-31-91)

a. "Rules Pertaining to the Idaho Forest Practices Act," IDAPA 20.02.01, as adopted by Board of Land Commissioners; (12-31-91)

b. Idaho Department of Environmental Quality Rules, IDAPA 58.01.06, "Solid Waste Management Rules and Standards"; (7-1-93)

c. Idaho Department of Environmental Quality Rules, IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules"; (7-1-93)

d. "Stream Channel Alteration Rules," IDAPA 37.03.07, as adopted by the Board of Water Resources; (7-1-93)

e. For the Spokane Valley Rathdrum Prairie Aquifer, "Rathdrum Prairie Sewage Disposal Regulations," as adopted by the Panhandle District Health Department Board of Health and approved by the Idaho Board of Environmental Quality; (7-1-93)

f. "Rules Governing Exploration, Surface Mining, and Closure of Cyanidation Facilities," IDAPA 20.03.02, as adopted by the Board of Land Commissioners; and (7-1-93)

g. "Dredge and Placer Mining Operations in Idaho," IDAPA 20.03.01, as adopted by the Board of Land Commissioners. (7-1-93)

h. "Rules Governing Dairy Waste," IDAPA 02.04.14, as adopted by the Department of Agriculture. (3-20-97)

351. -- 399. (RESERVED)

400. RULES GOVERNING POINT SOURCE DISCHARGES.

01. Implementation Policy. (7-1-93)

a. As provided for in Subsection 080.01, and Sections 200, 210, 250, 251, 252, 253, 275, and 400 for point source discharges, failure to meet general or specific water quality criteria is a violation of the water quality standards. (4-5-00)

b. No unauthorized discharge from a point source shall occur to waters of the state. (4-11-06)

02. Limitations to Point Source Restrictions. So long as a point source discharge or wastewater treatment facility is regulated by the terms and conditions of an authorization pursuant to Subsection 080.02, a Board order, decree or compliance schedule, or a valid NPDES permit issued by the EPA, the discharge or facility will not be subject to additional restrictions or conditions based on Subsection 080.01and Sections 200, 210, 250, 251, 252, and 253. (3-29-12)

03. Compliance Schedules for Water Quality-Based Effluent Limitations. Discharge permits for point sources may incorporate compliance schedules which allow a discharger to phase in, over time, compliance with water quality-based effluent limitations when new limitations are in the permit for the first time. (3-15-02)

04. Wetlands Used for Wastewater Treatment. (8-24-94)

a. Waters contained within wetlands intentionally created from non-wetland sites for the purpose of wastewater or stormwater treatment, and operated in compliance with NPDES permit conditions, shall not be subject to the application of general water quality-based or site-specific criteria and standards. (8-24-94)

b. Waters contained within wetlands intentionally created from non-wetland sites for the purpose of treatment of nonpoint sources of pollution, and operated in compliance with best management practices, shall not be subject to the application of general water quality-based or site specific criteria and standards. (8-24-94)

c. Discharges from treatment systems described in Sections 400.04.a. and 400.04.b. to waters of the state are subject to all applicable rules and requirements governing such discharges. (8-24-94)

05. Flow Tiered NPDES Permit Limitations. Discharge permits for point sources discharging to waters exhibiting unidirectional flow may incorporate tiered limitations for conventional and toxic constituents at the

discretion of the department. (8-24-94)

06. Intake Credits for Water Quality-Based Effluent Limitations. Discharge permits for point sources may incorporate intake credits for water quality-based effluent limits. These credits are subject to the limitations specified in IDAPA 58.01.25, "Rules Regulating the Idaho Pollutant Discharge Elimination System Program." (3-25-16)

401. POINT SOURCE WASTEWATER TREATMENT REQUIREMENTS.
Unless more stringent limitations are necessary to meet the applicable requirements of Sections 200 through 300, or unless specific exemptions are made pursuant to Subsection 080.02, wastewaters discharged into surface waters of the state must have the following characteristics: (4-11-06)

01. Temperature. The wastewater must not affect the receiving water outside the mixing zone so that: (7-1-93)

a. The temperature of the receiving water or of downstream waters will interfere with designated beneficial uses. (7-1-93)

b. Daily and seasonal temperature cycles characteristic of the water body are not maintained. (7-1-93)

c. If temperature criteria for the designated aquatic life use are exceeded in the receiving waters upstream of the discharge due to natural background conditions, then wastewater must not raise the receiving water temperatures by more than three tenths (0.3) degrees C. (3-29-12)

Note: Submitted to EPA as a temporary rule on July 20, 2011, and as a final rule on August 7, 2012 (docket 58-0102-1101). This revision removed the numeric limits on point source induced changes in receiving water temperature. Until EPA approves this revision, the previous treatment requirements published in 2011 Idaho Administrative Code continue to apply and are effective for CWA purposes. For more information, go to http://www.deq.idaho.gov/epa-actions-on-proposed-standards.

The previous treatment requirements published in 2011 Idaho Administrative Code are effective for CWA purposes until the date EPA issues written notification that the revisions in Docket Nos. 58-0102-1101 or 58-0102-1803 have been approved.

c. If temperature criteria for the designated aquatic life use are exceeded in the receiving waters upstream of the discharge due to natural background conditions, then wastewater must not raise the receiving water temperatures by more than three tenths (0.3) degrees C above the natural background conditions. (4-11-19)

Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1803 have been approved.

d. *If temperature criteria for the designated aquatic life use are exceeded in the receiving waters upstream of the discharge, then wastewater must not raise the receiving water temperatures by more than three tenths (0.3) degrees C above applicable numeric criteria.* *(4-11-19)*

Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1803 have been approved.

02. Turbidity. The wastewater must not increase the turbidity of the receiving water outside the mixing zone by: (7-1-93)

a. More than five (5) NTU (Nephelometric Turbidity Units) over background turbidity, when background turbidity is fifty (50) NTU or less; or (7-1-93)

b. More than ten percent (10%) increase in turbidity when background turbidity is more than fifty (50) NTU, not to exceed a maximum increase of twenty-five (25) NTU. (7-1-93)

402. -- 799. (RESERVED)

800. HAZARDOUS AND DELETERIOUS MATERIAL STORAGE.
Hazardous and deleterious materials must not be stored, disposed of, or accumulated adjacent to or in the immediate vicinity of state waters unless adequate measures and controls are provided to insure that those materials will not enter state waters as a result of high water, precipitation runoff, wind, storage facility failure, accidents in operation, or unauthorized third party activities. (7-1-93)

01. Criteria to Be Evaluated. Measures and controls will be judged by the Department on the basis of the following: (7-1-93)

a. Potential of a given occurrence; and (7-1-93)

b. The potential injury to beneficial uses presented by the nature and quantity of the material and on the physical design of the facility. (7-1-93)

02. Delineation of Materials. Such material includes, but is not limited to, trash, rubbish, garbage, oil, gasoline, chemicals, sawdust, and accumulations of manure. (7-1-93)

801. -- 848. (RESERVED)

849. OIL FILLED ELECTRIC EQUIPMENT.
Releases of Dielectric Oil from oil filled electric equipment are subject to the following requirements: (3-20-97)

01. Unauthorized Releases. In the case of an unauthorized release of dielectric oil to state waters or to land such that there is a likelihood that it will enter state waters, the persons in charge must: (3-20-97)

a. Stop Continuing Releases. Make every reasonable effort to abate and stop a continuing release. Provided however, that seepage normally associated with oil filled electrical equipment occurring in substations or distribution facilities with restricted access and not causing a threat to waters of the state is not considered a continuing release. (3-20-97)

b. Contain Material. Make every reasonable effort to contain released dielectric oil in such a manner that it will not reach surface or ground water of the state. (3-20-97)

c. Department Notification Required. Notify the Department or designated agent within forty-eight (48) hours of discovery of any release over twenty-five (25) gallons, or any release causing a threat to waters of the state, from any piece of electrical equipment. (3-20-97)

d. Collect, Remove, and Dispose. Collect, remove, and dispose of the released dielectric oil and any contaminated media in a manner approved by the Department. (3-20-97)

e. Compliance with Section 852. If collection, removal, and disposal cannot be accomplished within thirty (30) days after discovery of a release, the persons in charge shall comply with Section 852. (3-20-97)

02. Applicability. This section applies only to equipment used in the transmission of electricity such as transformers, regulators, reactors, circuit breakers, switch gear and attendant equipment which is filled with mineral insulating oil of a petroleum origin. This section does not pertain to bulk storage of dielectric oil which is not contained in electrical equipment. (3-20-97)

850. HAZARDOUS MATERIAL SPILLS.
In the case of an unauthorized release of hazardous materials to state waters or to land such that there is a likelihood that it will enter state waters, the responsible persons in charge must: (7-1-93)

01. Stop Continuing Spills. Make every reasonable effort to abate and stop a continuing spill.(7-1-93)

02. Contain Material. Make every reasonable effort to contain spilled material in such a manner that it will not reach surface or groundwaters of the state. (7-1-93)

03. Department Notification Required. Immediately notify the Department or designated agent of the spills. (7-1-93)

04. Collect, Remove and Dispose. Collect, remove, and dispose of the spilled material in a manner approved by the Department. (7-1-93)

851. PETROLEUM RELEASE REPORTING, INVESTIGATION, AND CONFIRMATION.

01. Reporting of Suspected Releases for All Petroleum Storage Tank Systems. Owners and operators of petroleum storage tank (PST) systems shall report to the Department within twenty-four (24) hours and follow the procedures in Subsection 851.03 for any of the following conditions: (7-1-93)

a. The discovery by owners and operators or others of a petroleum release at the PST site or in the surrounding area other than spills and overfills described in Subsection 851.04, such as the presence of free product or dissolved product in nearby surface water or ground water or vapors in soils, basements, sewer or utility lines. (7-1-93)

b. Unusual operating conditions observed by owners and operators such as the erratic behavior of product dispensing equipment, the sudden loss of product from the PST system, or an unexplained presence of water in the PST system, unless system equipment is found to be defective but not leaking, and is immediately repaired or replaced. (7-1-93)

c. Monitoring results from a release detection method that indicate a release may have occurred unless: (7-1-93)

i. The monitoring device is found to be defective, and is immediately repaired, recalibrated or replaced, and additional monitoring does not confirm the initial result; or (7-1-93)

ii. In the case of inventory control, a second month of data does not confirm the initial result. (7-1-93)

02. Investigation Due to Off-Site Impacts. When required by the Department, owners and operators shall follow the procedures in Subsection 851.03 to determine if the PST system is the source of off-site impacts. These impacts include the discovery of petroleum, such as the presence of free product or dissolved product in nearby surface water or ground water or vapors in soils, basements, sewer and utility lines, that has been observed by the Department or brought to its attention by another party. (7-1-93)

03. Release Investigation and Confirmation Steps. Unless corrective action is initiated in accordance with Section 852, owners and operators shall immediately investigate and confirm all suspected releases of petroleum within seven (7) days, or another time period specified by the Department, of discovery and using at least one (1) of the following steps or another procedure approved by the Department: (7-1-93)

a. Owners and operators shall conduct tightness tests that determine whether a leak exists in any portion of the PST system, including the tank, the attached delivery piping, and any connected tanks and piping. All such portions shall be tested either separately or together or in combinations thereof, as required by the Department. (7-1-93)

i. Owners and operators shall repair, replace or upgrade the PST system in accordance with applicable federal, state and local laws, and begin corrective action in accordance with Section 852 if the test results

for the system, tank, or delivery piping indicate that a leak exists. (7-1-93)

ii. Further investigation is not required if the test results for the system, tank, and delivery piping do not indicate that a leak exists and if environmental contamination is not the basis for suspecting a release. (7-1-93)

iii. Owners and operators shall conduct a site check as described in Subsection 851.03.b. if the test results for the system, tank, and delivery piping do not indicate that a leak exists but environmental contamination is the basis for suspecting a release. (7-1-93)

b. Owners and operators shall measure for the presence of a release where contamination is most likely to be present. In selecting sample types, sample locations, and measurement methods, owners and operators shall consider the nature of the petroleum, the type of initial alarm or cause for suspicion, the type of backfill, the depth of ground water, and other factors appropriate for identifying the presence and source of the release. Methods of sample collection and sample analysis are subject to Department approval. (7-1-93)

i. If release has occurred, owners and operators shall begin corrective action in accordance with Section 852. (7-1-93)

ii. If test results for the PST system do not indicate that a release has occurred, further investigation is not required. (7-1-93)

04. Reporting and Cleanup of Above Ground Spills and Overfills. Owners and operators shall contain and immediately clean up an above ground spill or overfill of petroleum only after identifying and mitigating any fire, explosion and vapor hazards. (7-1-93)

a. An above ground spill or overfill of petroleum that results in a release that exceeds twenty-five (25) gallons or that causes a sheen on nearby surface water shall be reported to the Department within twenty-four (24) hours and owners and operators shall begin corrective action in accordance with Section 852. (7-1-93)

b. An above ground spill or overfill of petroleum that results in a release that is less than twenty-five (25) gallons and does not cause a sheen on nearby surface water shall be reported to the Department only if cleanup cannot be accomplished within twenty-four (24) hours. (7-1-93)

852. PETROLEUM RELEASE RESPONSE AND CORRECTIVE ACTION.

01. Release Response. Upon confirmation of a petroleum release in accordance with Section 851 or after a release from the PST system is identified in any other manner, owners and operators shall perform the following initial response actions within twenty-four (24) hours: (7-1-93)

a. Identify and mitigate fire, explosion and vapor hazards; (7-1-93)

b. Take immediate action to prevent any further release of petroleum into the environment; and (7-1-93)

c. Report the release to the Department. (7-1-93)

02. Initial Abatement Measures. Unless directed to do otherwise by the Department, owners and operators shall perform the following abatement measures: (7-1-93)

a. Remove as much of the petroleum from the leaking PST system as is necessary to prevent further release to the environment; (7-1-93)

b. Visually inspect any above ground releases or exposed below ground releases and prevent further migration of the released substance into surrounding soils, surface water and ground water; (7-1-93)

c. Continue to monitor and mitigate any additional fire and safety hazards posed by vapors or free product that have migrated from the PST site and entered into subsurface structures such as sewers or basements; (7-1-93)

d. Remedy hazards posed by contaminated soils that are excavated or exposed as a result of release confirmation, site investigation, abatement, or corrective action activities. If these remedies include treatment or disposal of soils, the owner and operator shall comply with applicable state and local requirements. (7-1-93)

03. Initial Site Characterization. Unless directed to do otherwise by the Department, owners and operators shall assemble information about the site and the nature of the release, including information gained while confirming the release or completing the initial abatement measures in Subsection 852.02. This information shall include, but is not necessarily limited to the following: (7-1-93)

a. Data on the nature and estimated quantity of release; (7-1-93)

b. Data from available sources and/or site investigations concerning the following factors: surrounding populations, water quality, use and approximate location of wells potentially affected by the release, subsurface soil condition, locations of subsurface sewers, climatological conditions and land use; and (7-1-93)

c. Data from measurements that assess the site for the presence of petroleum contamination including: (7-1-93)

i. Measurements for the presence of a release where contamination is most likely to be present, unless the presence and source of the release have been confirmed in accordance with the site check required by Subsection 851.03.b. or the closure site assessments required by applicable federal, state, or local laws. Sample types, sample locations and analytical methods are subject to Department approval and shall be based on consideration of the nature of the petroleum, the type of backfill, depth to ground water and other factors appropriate for identifying the presence and source of the release; and (7-1-93)

ii. Measurements to determine the presence of free product. (7-1-93)

d. Within forty-five (45) days of release confirmation, or another time specified by the Department, owners and operators shall submit the information collected in compliance with Subsection 852.03 to the Department in a manner that demonstrates its applicability and technical adequacy to be reviewed as follows: (7-1-93)

i. If the Department determines that the information shows that no further corrective action is required, owners and operators shall be notified accordingly. (7-1-93)

ii. If the Department determines that the information shows petroleum contamination is limited to soils, owners and operators shall treat or dispose of contaminated soils in accordance with Department guidelines, and need not perform any further corrective action. (7-1-93)

iii. If the Department determines that the information shows that any of the conditions in Subsections 852.05.a. through 852.05.c. exist, owners and operators shall comply with the requirements in Subsections 852.04 through 852.07. (7-1-93)

04. Free Product Removal. At sites where investigations under Subsection 852.03.c.ii. indicate the presence of free product, owners and operators shall remove free product to the maximum extent practicable as determined by the Department while continuing, as necessary, any actions initiated under Subsections 852.01 through 852.03 or preparing for actions required under Subsections 852.05 and 852.06. In meeting the requirements of Subsection 852.04, owners and operators shall: (7-1-93)

a. Conduct free product removal in a manner that minimizes the spread of contamination into previously uncontaminated areas by using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site, and that properly treats, discharges or disposes of recovery by-products in compliance with applicable local, state and federal regulations; (7-1-93)

b. Use abatement of free product migration as a minimum objective for the design of the free product removal system; (7-1-93)

c. Handle any flammable products in a safe and competent manner to prevent fires or explosions; and (7-1-93)

d. Unless directed to do otherwise by the Department, prepare and submit to the Department for review and approval, within forty-five (45) days after confirming a release, a free product removal report that provides at least the following information: (7-1-93)

i. The name of the person(s) responsible for implementing the free product removal measures; (7-1-93)

ii. The estimated quantity, type and thickness of free product observed or measured in wells, boreholes, and excavations; (7-1-93)

iii. The type of free product recovery system used; (7-1-93)

iv. Whether any discharge will take place on-site or off-site during the recovery operation and where this discharge will be located; (7-1-93)

v. The type of treatment applied to, and the effluent quality expected from, any discharge; (7-1-93)

vi. The steps that have been or are being taken to obtain necessary permits for any discharge; and (7-1-93)

vii. The disposition of the recovered free product. (7-1-93)

05. Investigations for Soil and Water Cleanup. If any of the conditions in Subsections 852.05.a. through 852.05.c. exist, and unless directed to do otherwise by the Department, owners and operators shall notify the Department and conduct investigations in accordance with Subsection 852.05.d. of the release, the release site, and the surrounding area possibly affected by the release in order to determine the full extent and location of soils contaminated by the petroleum release and the presence and concentrations of dissolved product contamination in the ground water or surface water: (7-1-93)

a. There is evidence that ground water or surface water has been affected by the release such as found during release confirmation or previous corrective action measures; (7-1-93)

b. Free product is found to need recovery in compliance with Subsection 852.04; (7-1-93)

c. There is evidence that contaminated soils may affect nearby ground water, surface water or the public health and have not been treated or disposed of in accordance with Subsection 852.03.d.ii. (7-1-93)

d. Unless determined otherwise by the Department, investigations conducted under this Subsection, 852.05, shall include, but are not necessarily limited to the following: (7-1-93)

i. The physical and chemical characteristics of the petroleum product including its toxicity, persistence, and potential for migration; (7-1-93)

ii. The type and age of the PST system, inventory loss, and type of containment failure; (7-1-93)

iii. The hydrogeologic characteristics of the release site and the surrounding area; (7-1-93)

iv. The background concentrations of contaminants in soil, surface water and ground water; (7-1-93)

v. A site drawing, showing boring and monitoring well locations, nearby structures, under ground utilities, drainage ditches, streams, suspected locations of leakage, direction of ground water flow, and any domestic or irrigation wells within a one-fourth (1/4) mile radius of the site; (7-1-93)

vi. Information on ownership and use of any well identified pursuant to Subsection 852.05.d.v.; (7-1-93)

vii. Site borings and well logs and rationale for choosing drilling locations, and a description of methods and equipment used for all water and soil sampling; (7-1-93)

viii. A description of contaminant stratigraphy with accompanying geologic cross-section drawings; (7-1-93)

ix. A demonstration and description of the horizontal and vertical extent of contamination, free product thickness, modes and rate of contaminant transport, and concentrations of dissolved constituents in surface water and ground water; (7-1-93)

x. The potential effects of residual contamination on nearby surface water and ground water; and (7-1-93)

xi. A discussion of laboratory analytical methods and information pertaining to laboratory certification. (7-1-93)

e. Owners and operators shall submit the information collected in investigating the release site in compliance with Subsection 852.05 for the Department's review and approval in accordance with a schedule established by the Department as provided in Subsection 852.07. (7-1-93)

06. Corrective Action Plan. At any point after reviewing the information submitted in compliance with Subsections 852.01 through 852.05, the Department may require owners and operators to submit additional information or to develop and submit a corrective action plan for responding to contaminated soils, surface water and ground water. If a plan is required, owners and operators shall submit the plan according to a schedule and criteria established by the Department as provided in Subsection 852.07. Alternatively, owners and operators may, after fulfilling the requirements of Subsections 852.01 through 852.05, choose to submit a corrective action plan for responding to contaminated soil, surface water and ground water. In either case, owners and operators are responsible for submitting a plan that provides for adequate protection of human health and the environment as determined by the Department, and shall modify their plan as necessary to meet the Department's standards. (7-1-93)

a. The Department will approve the corrective action plan only after ensuring that implementation of the plan will adequately protect human health and the environment. In making this determination, the Department should consider the following factors as appropriate: (7-1-93)

i. The maximum contaminant levels for drinking water or other health-based levels for water and soil which consider the potential exposure pathway of the petroleum product; (3-18-94)

ii. The physical and chemical characteristics of the petroleum product including its toxicity, persistence, and potential for migration; (7-1-93)

iii. The hydrogeologic characteristics of the release site and the surrounding area; (7-1-93)

iv. The proximity, quality, and current and future uses of nearby surface water and ground water; (7-1-93)

v. The potential effects of residual contamination on nearby surface water and ground water; and (7-1-93)

vi. Other information assembled in compliance with Section 851. (7-1-93)

b. Upon approval of the corrective action plan or as directed by the Department, owners and operators shall implement the plan including modification to the plan made by the Department. Owners and operators shall monitor, evaluate, and report the results of implementing the plan in accordance with a schedule and criteria established by the Department as provided in Subsection 852.07. (7-1-93)

c. Owners and operators may, in the interest of minimizing environmental contamination and promoting more effective cleanup, begin cleanup of soil, surface water, and ground water before the corrective action plan is approved provided that they: (7-1-93)

i. Notify the Department of their intention to begin cleanup; (7-1-93)

ii. Comply with any conditions imposed by the Department, including halting cleanup or mitigating adverse consequences from cleanup activities; and (7-1-93)

iii. Incorporate these self-initiated cleanup measures in the corrective action plan that is submitted to the Department for approval. (7-1-93)

07. Compliance. If the Department determines that any of the conditions in 852.05.a. through 852.05.c. exist, owners and operators shall be given an opportunity to enter into a consent order with the Department. (7-1-93)

a. The Department shall send owners and operators a consent order that sets forth at least the following: (7-1-93)

i. A schedule for owners and operators to submit the information collected in investigating the release site in compliance with Subsection 852.05. (7-1-93)

ii. A schedule for owners and operators to submit, and a criteria for, a corrective action plan in compliance with Subsection 852.06. (7-1-93)

iii. A schedule for the Department to review, modify, and approve the site release investigation and corrective action plan. (7-1-93)

iv. A schedule and criteria for owners and operators to implement a corrective action plan, and monitor, evaluate, and report the results of implementing the corrective action plan. (7-1-93)

b. Owners and operators shall be given thirty (30) days from receipt of the consent order in which to reach an agreement with the Department regarding the terms of the consent order. (7-1-93)

c. If owners and operators cannot reach an agreement with the Department within thirty (30) days, the Department shall establish a schedule and criteria with which owners and operators shall comply in order to meet the requirements of Subsections 852.05 and 852.06. (7-1-93)

853. -- 999. (RESERVED)

000. LEGAL AUTHORITY.
The Idaho Board of Environmental Quality, pursuant to authority granted in Chapters 1 and Chapter 36, Title 39, Idaho Code, adopted the following rules for the administration of a Wastewater Treatment Facility Grants Program in Idaho. (4-2-08)

001. TITLE AND SCOPE.

01. Title. These rules will be known and cited as Idaho Department of Environmental Quality Rules, IDAPA 58.01.04, "Rules for Administration of Wastewater Treatment Facility Grants." (5-3-03)

02. Scope. The provisions of these rules will establish administrative procedures and requirements for establishing, implementing and administering a state grant program for providing financial assistance to qualifying entities to prepare a wastewater treatment facility planning document. (3-29-12)

002. WRITTEN INTERPRETATIONS.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Department of Environmental Quality may have written statements which pertain to the interpretation of these rules. If available, such written statements can be inspected and copied at cost at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706. (5-3-03)

003. ADMINISTRATIVE APPEALS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (4-2-08)

004. INCORPORATION BY REFERENCE AND AVAILABILITY OF REFERENCED MATERIAL.

01. Incorporation by Reference. These rules do not contain documents incorporated by reference. (4-2-08)

02. Availability of Referenced Material. The "Wastewater Facilities Loan Handbook of Procedures" (Handbook) is available at the Idaho Department of Environmental Quality, Water Quality Division Loan Program, 1410 N. Hilton, Boise, ID 83706-1255, (208)373-0502, www.deq.idaho.gov. (4-2-08)

005. CONFIDENTIALITY.
Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Chapter 1, Title 74, Idaho Code, and IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality." (4-2-08)

006. POLICY.
It is the policy of the Idaho Board of Environmental Quality through the Department of Environmental Quality to administer the Wastewater Treatment Facility Grant Program for the purpose of protecting and enhancing the quality and value of the water resources of the state of Idaho by financially assisting in the prevention, control and abatement of water pollution. It is also the intent of the Board to assign a priority rating to those projects which will most significantly improve the quality of the waters of the state and most adequately protect the public health. (5-3-03)

007. DEFINITIONS.
For the purpose of the rules contained in this chapter, the following definitions apply: (12-31-91)

01. Applicant. Any qualifying entity making application for wastewater treatment facility grant funds. (5-3-03)

02. Board. The Idaho Board of Environmental Quality. (4-2-08)

03. Categorical Exclusion (CE). Category of actions which do not individually or cumulatively have a significant effect on the human environment and for which, therefore, neither an environmental information document nor an environmental impact statement is required. (4-2-08)

04. Collector Sewer. That portion of the wastewater treatment facility whose primary purpose is to receive sewage from individual residences and other individual public or private structures and which is intended to convey wastewater to an interceptor sewer or a treatment plant. (3-15-85)

05. Department. The Idaho Department of Environmental Quality. (1-3-78)

06. Director. The Director of the Idaho Department of Environmental Quality or the Director's designee. (4-2-08)

07. Domestic Wastewater. Wastewater derived from public or private residences, business buildings or institutions and similar establishments and which contains water and human body wastes, specifically excreta and urine, along with such products designed to come in contact with excreta and urine in the practice of personal hygiene. (3-15-85)

08. Eligible Costs. Costs which are necessary for planning, and/or designing wastewater treatment facilities. To be eligible, costs must also be reasonable and not ineligible costs. The determination of eligible costs shall be made by the Department pursuant to Section 041. (4-2-08)

09. Environmental Impact Statement (EIS). A document prepared by the applicant when the Department determines that the proposed wastewater project will significantly affect the environment. The major purpose of the EIS will be to describe fully the significant impacts of the project and how these impacts can be either avoided or mitigated. The Environmental Review Procedures contained in Chapter 5 of the Handbook may be used as guidance when preparing the EIS. (4-2-08)

10. Environmental Information Document (EID). Any written environmental assessment prepared by the applicant describing the environmental impacts of a proposed wastewater construction project. This document will be of sufficient scope to enable the Department to assess the environmental impacts of the proposed project and ultimately determine if an environmental impact statement (EIS) is warranted. (3-29-12)

11. Finding of No Significant Impact (FONSI). A document prepared by the Department presenting the reasons why an action, not otherwise excluded, will not have a significant effect on the human environment and for which an environmental impact statement (EIS) will not be prepared. It shall include the environmental information document or a summary of it and shall note any other environmental documents related to it. (3-29-12)

12. Grant Recipient. An applicant who has been awarded a grant. (3-29-12)

13. Handbook. "Wastewater Facilities Loan Handbook of Procedures." (5-3-03)

14. Ineligible Costs. Costs which are not eligible for funding pursuant to these rules. (3-29-12)

15. Interceptor Sewer. That portion of the wastewater treatment facility whose primary purpose is to transport domestic sewage or nondomestic wastewater from collector sewers to a treatment plant. (3-15-85)

16. National Pollutant Discharge Elimination System. Point source permitting program established pursuant to Section 402 of the federal Clean Water Act (33 U.S.C. Section 1342). (5-3-03)

17. Nondomestic Wastewater. Wastewaters originating primarily from industrial or commercial processes which carry little or no pollutants of human origin. (1-1-82)

18. Operation and Maintenance Manual. A guidance and training manual delineating the optimum operation and maintenance of the wastewater treatment facility or its components. (3-29-12)

19. Person. An individual, corporation, company, association, partnership, state agency, municipality, or federal agency (and includes officers, employees, and agents of any corporation, company, association, state agency, municipality, or federal agency). (4-2-08)

20. Planning Document. A document which describes the condition of a public wastewater system and presents a cost effective and environmentally sound alternative to achieve or maintain regulatory compliance. Engineering reports and facility plans are examples of such planning documents. The planning documents shall be prepared by or under the responsible charge of an Idaho licensed professional engineer and shall bear the imprint of the engineer's seal. Requirements for planning documents prepared using grant funds are provided in Section 030 of these rules and in the Handbook. (3-29-12)

21. **Point Source**. Any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are, or may be discharged. This term does not include return flows from irrigated agriculture, discharges from dams and hydroelectric generating facilities or any source or activity considered a nonpoint source by definition. (5-3-03)

22. **Pollutant**. Any chemical, biological, or physical substance whether it be solid, liquid, gas, or a quality thereof, which if released into the environment can, by itself or in combination with other substances, create a nuisance or render that environment harmful, detrimental, or injurious to public health, safety or welfare or to domestic, commercial, industrial, recreational, aesthetic or other beneficial uses. (3-15-85)

23. **Priority List**. A list of proposed projects rated by severity as described in Section 020. (5-3-03)

24. **Qualifying Entity**. Any county, city, special service district, nonprofit corporation, or other governmental entity, or a combination thereof, having authority to collect, treat or dispose of wastewater. (4-2-08)

25. **Rehabilitation**. The repair or replacement of limited segments of interceptor or collector sewers. (1-3-78)

26. **Reserve Capacity**. That portion of the treatment works that is designed and incorporated in the constructed facilities to handle future sewage flows and loadings. (1-1-82)

27. **Sewer Use Ordinance/Sewer Use Resolution**. An ordinance or resolution which requires new sewers and connections to be properly designed and constructed, prohibits extraneous sources of inflow and prohibits introduction of wastes into the sewer in an amount that endangers the public safety or the physical or operational integrity of the wastewater treatment facility. (4-2-08)

28. **State**. The state of Idaho. (3-15-85)

29. **Suspension**. An action by the Director to suspend a grant contract prior to project completion for a specified cause. Suspended contracts may be reinstated. (10-6-88)

30. **Sustainability**. Sustainability will include efforts for energy and water conservation, extending the life of capital assets, green building practices, and other environmentally innovative approaches to infrastructure repair, replacement and improvement. (3-29-12)

31. **Termination**. An action by the Director to permanently terminate a grant contract prior to project completion for a specific cause. Terminated contracts will not be reinstated. (10-6-88)

32. **Treatment Plant**. That portion of the wastewater treatment facility whose primary purpose is to remove pollutants from domestic and nondomestic wastewater. (3-15-85)

33. **User Charge System**. A system of rates and service charges applicable to specific types of users, including any legal enforcement mechanism as may be required, and which provides sufficient reserves and/or revenues for debt retirement, operation and maintenance, and replacement of the wastewater treatment facility. (4-2-08)

34. **Wastewater**. A combination of the liquid and water-carried wastes from dwellings, commercial buildings, industrial plants, institutions and other establishments, together with any groundwater, surface water and storm water that may be present; liquid and water that is physically, chemically, biologically, or rationally identifiable as containing excreta, urine, pollutants or domestic or commercial wastes; sewage. (3-15-85)

35. **Wastewater Treatment Facility**. Any facility, including land, equipment, furnishings and appurtenances thereof, for the purpose of collecting, treating, neutralizing or stabilizing wastewater and removing pollutants from wastewater including the treatment plant, collectors, interceptors, outfall and outlet sewers, pumping stations, sludge treatment and handling systems and land disposal systems. (10-6-88)

008. -- 019. (RESERVED)

020. PRIORITY RATING SYSTEM.
Projects are identified for placement on priority lists by surveying eligible entities directly on an annual basis. Information is also received from the Department and consulting engineers. Grant funds are awarded to projects based on priority ratings. Projects are rated by the Department on a standard priority rating form using public health, sustainability, and water quality criteria. (3-29-12)

01. Purpose. A priority rating system shall be utilized by the Department to annually allot available funds to water quality projects determined eligible for funding assistance in accordance with these rules. (3-29-12)

02. Priority Rating. The priority rating system shall be based on a numerical point system. Priority criteria shall contain the following points: (3-29-12)

a. Public health emergency or hazard certified by the Idaho Board of Environmental Quality, the Department, a District Health Department, or by a District Board of Health - one hundred fifty (150) points. (3-29-12)

b. Regulatory compliance issues (e.g., noncompliance and resulting legal actions relating to infrastructure deficiencies at a wastewater facility) – up to one hundred (100) points. (3-29-12)

c. Watershed restoration (e.g., implementation of best management practices or initiation of construction at wastewater collection and treatment facilities as part of an approved total maximum daily load plan, implementation of nonpoint source management actions in protection of a threatened water, or is part of a special water quality effort) – up to one hundred (100) points. (3-29-12)

d. Watershed protection from impacts (e.g., improvement of beneficial use(s) in a given water body, evidence of community support, or recognition of the special status of the affected water body) – up to one hundred (100) points. (3-29-12)

e. Preventing impacts to uses (nonpoint source pollution projects) – up to one hundred (100) points. (3-29-12)

f. Sustainability efforts (e.g., prospective efforts at energy conservation, water conservation, extending the life of capital assets, green building practices, and other environmentally innovative approaches to infrastructure repair, replacement and improvement) – up to fifty (50) points. (3-29-12)

g. Affordability (current system user charges exceed state affordability guidelines) -- ten (10) points. (3-29-12)

03. Rating Forms. Rating criteria for Subsection 020.02 is set forth in a rating form that is available in the Handbook. (3-29-12)

04. Priority List. A list shall be developed from projects rated according to Subsection 020.02. Such list shall be submitted for public review and comment, and shall thereafter be submitted to the Board for approval. (3-29-12)

a. Priority Reevaluation. Whenever significant changes occur, which in the Department's judgment would affect the basis for or the need for the planning project, a reevaluation of that priority rating will be conducted. (3-29-12)

b. Priority Target Date. An eligible applicant whose project is on the approved priority list, and for which funding is available, will be contacted by the Department and a target date for submission of a completed grant application will be established. (3-29-12)

c. Project Bypass. A project that does not or will not meet the project target date or a Department

schedule that allows for timely utilization of grant funds may be bypassed, substituting in its place the next highest ranking project(s) that are ready to proceed. An eligible applicant that is bypassed will be notified in writing of the reasons for being bypassed. (3-29-12)

05. Amendment of Priority List. The Director may amend the Priority List as set forth in Section 081 of these rules. (3-29-12)

021. -- 029. (RESERVED)

030. PROJECT SCOPE AND FUNDING.
Grant funds awarded under this program will be used entirely to prepare a wastewater treatment facility planning document. The planning document will identify the cost effective and environmentally sound alternative to achieve or maintain compliance with IDAPA 58.01.16, "Wastewater Rules," and the federal Clean Water Act, 33 U.S.C. Sections 1381 et seq. The planning document must be approved by the Department. (3-29-12)

01. Planning Document. (3-29-12)

a. A planning document shall include all items required by IDAPA 58.01.16, "Wastewater Rules," Subsection 411.03 or 410.04. Should the grant recipient proceed to construction using federal funds (e.g., a state revolving fund loan), then the items listed in Subsection 030.01.b. of these rules shall be required prior to construction. (3-29-12)

b. A planning document that is prepared anticipating the use of federal funds shall include an environmental review that will require the Department approval of both a draft and final planning document. (3-29-12)

i. The draft planning document shall include all items required by 58.01.16 "Wastewater Rules," Subsection 411.03 or 410.04, as well as the following: (3-29-12)

(1) Description of existing conditions for the proposed project area; (4-2-08)

(2) Description of future conditions for the proposed project area; (4-2-08)

(3) Development and initial screening of alternatives; and (3-29-12)

(4) Development of an environmental review specified by the Department as described in Section 042. (3-29-12)

ii. The final planning document shall include all items required of the draft planning document as well as the following: (3-29-12)

(1) Final screening of principal alternatives and plan adoption; (4-2-08)

(2) Selected plan description and implementation arrangements; (3-25-16)

(3) Relevant engineering data supporting the final alternative; and (3-25-16)

(4) Assessment of the cost and effectiveness, to the maximum extent practicable, of efficient water use, reuse, recapture and conservation, and energy conservation, with cost including construction, operation and maintenance, and replacement. (3-25-16)

iii. The grant recipient shall provide an opportunity for the public to comment on the draft planning document. The public comment period shall be held after alternatives have been developed and the Department has approved the draft planning document. The grant recipient shall provide written notice of the public comment period and hold at least one (1) public meeting within the jurisdiction of the grant recipient during the public comment period. At the public meeting, the draft planning document shall be presented by the grant recipient with an explanation of the alternatives identified. The cost effective and environmentally sound alternative selected shall

consider public comments received from those affected by the proposed project. After the public meeting and public comment period, the final alternative will be selected and the Environmental Information Document may be prepared. (3-29-12)

c. The draft and final planning document shall bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the engineer. (3-29-12)

d. The draft and final planning documents must be reviewed and approved by the Department. (3-29-12)

e. The planning period shall be twenty (20) years for all facilities except for conveyance systems which may be forty (40) years. (4-2-08)

02. Limitation on Funding Assistance. The maximum grant funding provided in a state planning grant award shall not exceed fifty percent (50%) of the total eligible costs for grants awarded. (4-2-08)

031. -- 039. (RESERVED)

040. REVIEW AND EVALUATION OF GRANT APPLICATIONS.

01. Submission of Application. Those eligible systems which received high priority ranking shall be invited to submit an application. The applicant shall submit to the Department, a completed application in a form as prescribed by the Department. (5-3-03)

02. Application Requirements. Applications shall contain the following documentation as applicable: (5-3-03)

a. An authorizing resolution passed by a majority of the governing body authorizing an elected official or officer of the qualifying entity to commit funding; and (5-3-03)

b. Contracts for engineering services or other technical services, and the description of costs and tasks set forth therein shall be in sufficient detail for the Department to determine whether the costs associated with the tasks are eligible costs pursuant to Section 041. (5-3-03)

c. Planning Document. Plan of study describing the work tasks to be performed in the planning document, a schedule for completion of the work tasks and an estimate of staff hours and costs to complete the work tasks. (3-29-12)

d. Design: (4-2-08)

i. Planning document; and (3-29-12)

ii. Intermunicipal service agreements between all qualifying entities within the scope of the project, if applicable. (4-2-08)

e. Justification for the engineering firm selected. An engineering firm selected by the applicant must at a minimum: (5-3-03)

i. Be procured through the selection guidelines and procedures prescribed under Section 67-2320, Idaho Code; and (5-3-03)

ii. Be a registered professional engineer currently licensed by the Idaho Board of Professional Engineers and Land Surveyors; and (5-3-03)

iii. Not be debarred or otherwise prevented from providing services under another federal or state financial assistance program; and (5-3-03)

iv. Be covered by professional liability insurance in accordance with Subsection 050.05.d. A certification of liability insurance shall be included in the application. (5-3-03)

f. A description of other costs, not included in the contracts for engineering or other technical services, for which the applicant seeks funding. The description of the costs and tasks for such costs must be in sufficient detail for the Department to determine whether the costs are eligible costs pursuant to Section 041. (5-3-03)

g. A demonstration that the obligation to pay the costs for which funding is requested, is the result or will be the result of the applicant's compliance with applicable competitive bidding requirements and requirements for professional service contracts, including without limitation, the requirements set forth in Sections 67-2801 et seq., 67-2320, 59-1026, and 42-3212, Idaho Code. (4-2-08)

h. A statement regarding how the non-grant portion of the project will be funded. (5-3-03)

03. Determination of Completeness of Application. Applications will be reviewed to determine whether they contain all of the information required by Subsection 040.02. (5-3-03)

04. Notification of Incompleteness of Application. Written notification if an application is incomplete, including an explanation of missing documentation, will be sent to the applicant. The applicant may provide the missing documentation. (5-3-03)

05. Reapplication for Grant. The action of disapproving, recalling or terminating a grant in no way precludes or limits the former applicant from reapplying for another grant when project deficiencies are resolved and project readiness is secured, provided the applicant remains on the approved priority list. (10-6-88)

041. DETERMINATION OF ELIGIBILITY OF COSTS.
The Department shall review the application, including any contracts required to be submitted with the application, to determine whether the costs are eligible costs for funding. (5-3-03)

01. Eligible Costs. Eligible costs are those determined by the Department to be: (5-3-03)

a. Necessary costs; (3-29-12)

b. Reasonable costs; and (3-29-12)

c. Costs that are not ineligible as described in Subsection 041.05. (4-2-08)

02. Necessary Costs. The Department shall determine whether costs are necessary by comparing the tasks for which the costs will be incurred to the scope of the project as described in the plan of study for facility planning, the planning document for design of wastewater treatment facilities, and any other relevant information in the application that describes the scope of the project to be funded. (3-29-12)

03. Reasonable Costs. Costs shall be determined by the Department to be reasonable if the obligation to pay the costs is the result of or will be the result of the applicant's compliance with applicable competitive bidding requirements and requirements for professional service contracts, including without limitation, the requirements set forth in Sections 67-2801 et seq., 67-2320, 59-1026, and 42-3212, Idaho Code. (4-2-08)

04. Examples of Costs That May Be Eligible. Examples of costs that may be eligible, if determined necessary, reasonable and not ineligible costs include: (5-3-03)

a. Costs of salaries, benefits, and expendable material the qualified entity incurs in the project except ordinary operating expenses such as salaries and expenses of a mayor, city council members or a city attorney; (4-2-08)

b. Contracts for professional and consulting services; (4-2-08)

c. Planning directly related to the water pollution control projects; (5-3-03)

d. Sewer system evaluations; (5-3-03)

e. Financial and management capability analysis; (5-3-03)

f. Preparation of construction drawings, specifications, estimates, and construction contract documents; (5-3-03)

g. Public participation for alternative selection; (5-3-03)

h. Development of user charge and financial management systems; (5-3-03)

i. Development of sewer use ordinance or resolution; (4-2-08)

j. Staffing plans and budget development; (5-3-03)

k. Certain direct and other costs as determined eligible by the Department; (5-3-03)

l. Costs of complying with the federal Clean Water Act, 33 U.S.C Sections 1251 et seq., loan requirements applied to specific projects; and (4-2-08)

m. Site acquisition services which could include legal fees, appraisals and surveys for land associated with the cost-effective alternative in the report and for purchase from a willing seller. (3-29-12)

05. Ineligible Project Costs. Costs which are ineligible for funding include, but are not limited to: (5-3-03)

a. Basin or area wide planning not directly related to the project; (5-3-03)

b. Personal injury compensation or damages arising out of the project; (5-3-03)

c. Fines or penalties due to violations of, or failure to comply with, federal, state, or local laws; (5-3-03)

d. Costs outside the scope of the approved project; (5-3-03)

e. Ordinary operating expenses such as salaries and expenses of a mayor, city council members, city attorney, or district personnel costs and acquiring project funding; and (4-2-08)

f. Cost of refinancing existing indebtedness. (5-3-03)

g. Costs incurred prior to award of the grant unless specifically approved in writing as eligible pre-award costs by the Department. (3-29-12)

06. Notification Regarding Eligible Costs. Prior to providing a grant offer, the Department shall notify the applicant that certain costs are not eligible for funding and the reasons for the Department's determination. If such costs are included in the engineering contract, the Department shall also provide notification to the engineer. The applicant may provide the Department additional information in response to the notice. (5-3-03)

07. Eligible Costs and the Grant Offer. The grant offer shall reflect those costs determined by the Department to be eligible costs. The grant offer, however, may include estimates of some eligible costs that have not yet been set. Actual eligible costs may differ from such estimated costs set forth in the grant offer. In addition, grant disbursements may be increased or decreased if eligible costs are modified as provided in Section 060. (4-2-08)

042. ENVIRONMENTAL REVIEW.

01. Environmental Documentation. The grant recipient may complete an environmental review as part of and in conjunction with a planning document. Guidance on how to complete an environmental review may be found in Chapter 5 of the Handbook. If the grant recipient prepares an environmental review, then the Department shall be consulted at an early stage in the preparation of the planning document to determine the required level of environmental review. Based on review of existing information and assessment of environmental impacts, the grant recipient may complete one (1) of the following: (3-29-12)

a. Submit a request for Categorical Exclusion (CE) with supporting backup documentation as specified by the Department; (4-2-08)

b. Prepare an Environmental Information Document (EID) in a format specified by the Department; or (4-2-08)

c. Prepare an Environmental Impact Statement (EIS) in a format specified by the Department. (4-2-08)

02. Categorical Exclusion. If the grant recipient requests a CE, the Department shall review the request and, based upon the supporting documentation, take one (1) of the following actions: (3-29-12)

a. Determine if an action is consistent with categories eligible for exclusion whereupon the Department shall issue a notice of CE from further substantive environmental review. Once the CE is granted for the selected alternative, the Department shall publish a notice of CE in a local newspaper, following which the planning document can be approved; or (3-29-12)

b. Determine if the action is not consistent with categories eligible for exclusion and that issuance of a CE is not appropriate. If issuance of a CE is not appropriate, the Department shall notify the grant recipient of the need to prepare an EID. (3-29-12)

03. Environmental Information Document Requirements. When an EID is required, the grant recipient shall prepare the EID in accordance with the following Department procedures: (3-29-12)

a. Various laws and executive orders related to environmentally sensitive resources shall be considered as the EID is prepared. Appropriate state and federal agencies shall be consulted regarding these laws and executive orders. (4-2-08)

b. A full range of relevant impacts, both direct and indirect, of the proposed project shall be discussed in the EID, including measures to mitigate adverse impacts, cumulative impacts, and impacts that shall cause irreversible or irretrievable commitment of resources. (4-2-08)

c. The Department shall review the draft EID and either request additional information about one (1) or more potential impacts, or draft a "finding of no significant impact" (FONSI). (4-2-08)

04. Final Finding of No Significant Impact. The Department shall publish the draft FONSI in a newspaper of general circulation in the geographical area of the proposed project and shall allow a minimum thirty (30) day public comment period. Following the required period of public review and comment, and after any public concerns about project impacts are addressed, the FONSI shall become final. The Department shall assess the effectiveness and feasibility of mitigation measures identified in the FONSI and EID prior to the issuance of the final FONSI and approval of the planning document. (3-29-12)

05. Environmental Impact Statement (EIS) Requirements. If an EIS is required, the grant recipient shall: (3-29-12)

a. Contact all affected state agencies, and other interested parties, to determine the required scope of the document; (4-2-08)

b. Prepare and submit a draft EIS to all interested agencies, and other interested parties, for review and comment; (4-2-08)

c. Conduct a public meeting which may be held in conjunction with a planning document meeting; and (3-29-12)

d. Prepare and submit a final EIS incorporating all agency and public input for Department review and approval. (4-2-08)

06. Final EIS. Upon completion of the EIS by the grant recipient and approval by the Department of all requirements listed in Subsection 042.05, the Department shall issue a record of decision, documenting the mitigative measures which shall be required of the grant recipient. The planning document can be completed once the final EIS has been approved by the Department. (3-29-12)

07. Use of Environmental Reviews Conducted by Other Agencies. If an environmental review for the project has been conducted by another state, federal, or local agency, the Department may, at its discretion, issue its own determination by adopting the document and public notification process of the other agency. (4-2-08)

08. Validity of Review. Environmental reviews, once completed by the Department, are valid for five (5) years from the date of completion. If a grant application is received for a project with an environmental review which is more than five (5) years old, the Department shall reevaluate the project, environmental conditions, and public comments and shall: (3-29-12)

a. Reaffirm the earlier decision; or (5-3-03)

b. Require supplemental information to the earlier Environmental Impact Statement, Environmental Information Document, or request for Categorical Exclusion. Based upon a review of the updated document, the Department shall issue and distribute a revised notice of Categorical Exclusion, finding of no significant impact, or record of decision. (5-3-03)

043. -- 049. (RESERVED)

050. GRANT OFFER AND ACCEPTANCE.

01. Grant Offer. Grant offers will be delivered to successful applicants by representatives of the Department or by registered mail. (3-15-85)

02. Acceptance of Grant Offer. Applicants have sixty (60) days in which to officially accept the grant offer on prescribed forms furnished by the State. The sixty (60) day acceptance period commences from the date indicated on the grant offer notice. If the applicant does not accept the grant offer within the sixty (60) day period the grant funds may be offered to the next project of priority. (4-2-08)

03. Acceptance Executed as a Contract Agreement. Upon signature by the Director or the Director's designee as the grantor, and upon signature by the authorized representative of the qualifying entity, as the grant recipient, the grant offer shall become a grant contract agreement. The disbursement of funds pursuant to an agreement is subject to a finding by the Director that the grant recipient has complied with all agreement conditions and has prudently managed the project. The Director may, as a condition of payment, require that a grant recipient vigorously pursue any claims it has against third parties who will be paid in whole or in part, directly or indirectly, with grant funds or transfer its claim against such third parties to the Department. Grant contract agreements shall be interpreted according to the law of grants in aid. No third party shall acquire any rights against the State or its employees from a grant contract agreement. (3-29-12)

04. Estimate of Reasonable Cost. Each grant project contract will include the eligible cost of the project. Some eligible costs may be estimated and the grant payments may be increased or decreased as provided in Section 060. (5-3-03)

05. Terms of Agreement. The grant offer shall contain terms of agreement as prescribed by the Department including, but not limited to: (3-15-85)

a. Terms consistent with these rules and consistent with the scope of the grant project; and (3-29-12)

b. Special clauses as determined necessary by the Department for the successful investigation, design, and management of the project; and (4-2-08)

c. Terms consistent with applicable state and federal laws pertaining to planning documents, and design; and (3-29-12)

d. Requirement for the prime engineering firm(s) retained for engineering services to carry professional liability insurance to protect the public from the engineer's negligent acts and errors of omission of a professional nature. The total aggregate of the engineer's professional liability shall be one hundred thousand dollars ($100,000) or twice the amount of the engineer's fee, whichever is greater. Professional liability insurance must cover all such services rendered for all project steps, whether or not such services or steps are state funded, until the certification of project performance is accepted by the Department. (4-2-08)

e. The project documents shall be in accordance with the current edition of Idaho Standards for Public Works Construction (ISPWC) unless the grant recipient otherwise has approved and adopted acceptable public works construction standards approved by the Department. (3-29-12)

051. -- 059. (RESERVED)

060. PAYMENTS.

01. Payments for State Grants. Requests for payment will be submitted to the Department on a form provided by the Department. The Department will pay for those costs that are determined to be eligible. (5-3-03)

02. Limitations on Advance Payments. Advanced payment will not be made on a project unless a written request from the grant recipient for a waiver is approved by the Board. (3-29-12)

03. Grant Increases. Grant amendment increase requests as a result of an increase in eligible project costs will be considered, provided funds are available. Documentation and justification supporting the unavoidable need for a grant increase must be submitted to the Department for approval prior to incurring any costs above the approved eligible cost ceiling. (3-15-85)

04. Increases for Bid Underestimates. Increases for bid underestimates may be considered for grant increase; however, errors of omission or engineering consultant errors will not be considered. (10-6-88)

05. Grant Decreases. If the actual eligible cost is determined to be lower than the estimated eligible cost the grant amount will be reduced proportionately. (3-15-85)

06. Final Project Review to Determine Actual Eligible Costs. The Department may conduct a final project review to determine the actual eligible costs. The financial records of the grant recipient may be reviewed by the Department. (3-29-12)

07. Final Payment. The final payment consisting of five percent (5%) of the total state grant will not be made until the requirements contained in the grant agreement have been satisfied. (3-29-12)

061. -- 079. (RESERVED)

080. SUSPENSION OR TERMINATION OF GRANT.

01. Causes. The Director may suspend or terminate any grant for failure by the grantee or its agents, including its engineering firm(s), contractor(s) or subcontractor(s) to perform. A grant may be suspended or terminated for good cause including, but not limited to, the following: (5-3-03)

a. Commission of fraud, embezzlement, theft, forgery, bribery, misrepresentation, conversion, malpractice, misconduct, malfeasance, misfeasance, falsification or unlawful destruction of records, or receipt of

stolen property, or any form of tortious conduct; or (3-15-85)

b. Commission of any crime for which the maximum sentence includes the possibility of one (1) or more years imprisonment or any crime involving or affecting the project; or (3-6-85)

c. Violation(s) of any term of agreement of the grant offer or contract agreement; or (3-15-85)

d. Any willful or serious failure to perform within the scope of the project; or (4-2-08)

e. Debarment of a contractor or subcontractor for good cause by any federal or state agency from working on public work projects funded by that agency. (3-15-85)

02. **Notice**. The Director will notify the grantee in writing and by certified mail of the intent to suspend or terminate the grant. The notice of intent shall state: (3-15-85)

a. Specific acts or omissions which form the basis for suspension or termination; and (3-15-85)

b. That the grantee may be entitled to appeal the suspension or termination pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

03. **Determination**. A determination will be made by the Board pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

04. **Reinstatement of Suspended Grant**. Upon written request by the grantee and evidence that the causes(s) for suspension no longer exist, the Director may, if funds are available reinstate the grant. (3-15-85)

05. **Reinstatement of Terminated Grant**. No terminated grant shall be reinstated. (3-15-85)

081. WAIVERS.
Waivers from the requirements of these rules may be granted by the Department on a case-by-case basis upon full demonstration by the entity requesting the waiver that: (10-6-88)

01. **Public Health Hazard**. A significant public health hazard exists; or (10-6-88)

02. **Groundwater Contamination**. A significant groundwater contamination problem exists; or (10-6-88)

03. **Point Source Pollution**. A significant point source of pollution exists, causing a violation of the Idaho Department of Environmental Quality rules, IDAPA 58.01.02, "Water Quality Standards." (4-2-08)

082. -- 999. (RESERVED)

58.01.10 – RULES REGULATING THE DISPOSAL OF RADIOACTIVE MATERIALS NOT REGULATED UNDER THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

000. LEGAL AUTHORITY.
The Idaho Legislature has given the Board of Environmental Quality the authority to promulgate these rules pursuant to Section 39-4405, Idaho Code. (3-15-02)

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 58.01.10, "Rules Regulating the Disposal of Radioactive Materials Not Regulated Under the Atomic Energy Act of 1954, As Amended." (3-15-02)

02. Scope. These rules regulate the disposal of radioactive materials not regulated under the Atomic Energy Act of 1954, As Amended, at facilities permitted and subject to the requirements of the Idaho Hazardous Waste Management Act, Chapter 44, Title 39, Idaho Code, and the Idaho Hazardous Waste Facility Siting Act, Chapter 58, Title 39, Idaho Code. These rules do not regulate NORM or TENORM waste from the production of elemental phosphorus or from the production of phosphate fertilizers, which includes the production of wet and purified phosphoric acid. These rules also place restrictions on disposal of certain radioactive materials at municipal solid waste landfills and identify other approved disposal options for radioactive materials. (3-15-02)

002. WRITTEN INTERPRETATIONS.
Any written statements pertaining to the interpretation of these rules shall be available for review at the Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255. (3-15-02)

003. ADMINISTRATIVE APPEALS.
Persons may be entitled to appeal agency actions authorized under this chapter pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

004. INCORPORATION BY REFERENCE.

01. General. Unless expressly provided otherwise, any reference in these rules to any document identified in Subsection 004.02 shall constitute the full adoption by reference, including any notes and appendices therein. The term "documents" includes codes, standards or rules which have been adopted by an agency of the state or of the United States or by any nationally recognized organization or association. (3-15-02)

02. Documents Incorporated by Reference. The following documents are incorporated by reference into these rules: (3-15-02)

a. 10 CFR 30.14 through 30.15, revised as of January 1, 2014. (4-11-15)

b. 10 CFR 30.18 through 30.21, revised as of January 1, 2014. (4-11-15)

c. 10 CFR 32.11, revised as of January 1, 2014. (4-11-15)

d. 10 CFR 32.18, revised as of January 1, 2014. (4-11-15)

e. 10 CFR 40.13, revised as of January 1, 2014. (4-11-15)

03. Availability of Referenced Material. Copies of the documents incorporated by reference into these rules are available at the following locations: (3-15-02)

a. Department of Environmental Quality, 1410 N. Hilton, Boise ID 83706-1255. (3-15-02)

b. Idaho State Law Library, 451 W. State Street, P.O. Box 83720, Boise ID 83720-0051. (3-15-02)

c. U.S. Government Printing Office, www.ecfr.gov. (4-2-08)

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.
The state office of the Department of Environmental Quality and the office of the Board of Environmental Quality are located at 1410 N. Hilton, Boise, Idaho 83706-1255, telephone number (208) 373-0502. The office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. (3-15-02)

006. -- 009. (RESERVED)

010. DEFINITIONS.

01. Accelerator-Produced Radioactive Material. Any material made radioactive by a particle accelerator. (3-29-12)

02. Board. The Idaho Board of Environmental Quality. (3-15-02)

03. Byproduct Material. Byproduct Material means: (3-15-02)

a. Any radioactive material (except special nuclear material) yielded in, or made radioactive by, exposure to the radiation incident to the process of producing or utilizing special nuclear material; and (3-15-02)

b. The tailings or waste produced by the extraction or concentration of uranium or thorium from ore processed primarily for its source material content. (3-15-02)

c. Any discrete source of radium-226 that is produced, extracted, or converted after extraction, before, on, or after August 8, 2005, for use for a commercial, medical, or research activity; or any material that: (3-29-12)

i. Has been made radioactive by use of a particle accelerator; and (3-29-12)

ii. Is produced, extracted, or converted after extraction, before, on, or after August 8, 2005, for use for a commercial, medical, or research activity; and (3-29-12)

d. Any discrete source of naturally occurring radioactive material, other than source material, that: (3-29-12)

i. The U.S. Nuclear Regulatory Commission, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Homeland Security, and the head of any other appropriate federal agency, determines would pose a threat similar to the threat posed by a discrete source of radium- 226 to the public health and safety or the common defense and security; and (3-29-12)

ii. Before, on, or after August 8, 2005, is extracted for use in a commercial, medical, or research activity. (3-29-12)

04. Department. The Idaho Department of Environmental Quality. (3-15-02)

05. Exempt Quantities and Concentrations of Byproduct Materials. Radioactive materials defined as exempt byproduct materials by the U.S. Nuclear Regulatory Commission (10 CFR 30.14 through 30.15, 10 CFR 30.18 through 30.21, 10 CFR 32.11 and 10 CFR 32.18). (3-29-12)

06. Naturally Occurring Radioactive Material (NORM). Any material containing natural radionuclides at natural background concentrations, where human intervention has not concentrated the naturally occurring radioactive material or altered its potential for causing human exposure. NORM does not include source, byproduct or special nuclear material licensed by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act of 1954. (3-15-02)

07. Operator. Any person(s) currently responsible, or responsible at the time of disposal, for the overall operation of a hazardous waste treatment, storage or disposal facility or part of a hazardous waste treatment, storage or disposal site. (3-15-02)

08. Owner. Any person(s) who currently owns, or owned at the time of disposal, a hazardous waste treatment, storage or disposal facility or part of a hazardous waste treatment, storage or disposal site. (3-15-02)

09. Person. Any individual, association, partnership, firm, joint stock company, trust, political subdivision, public or private corporation, state or federal government department, agency, or instrumentality, municipality, industry, or any other legal entity which is recognized by law as the subject of rights and duties. (3-15-02)

10. **Radioactive Material**. Radioactive Material includes: (3-15-02)

a. Technologically Enhanced Naturally Occurring Radioactive Material; (3-15-02)

b. Byproduct material authorized for disposal pursuant to 10 CFR 20.2008(b); (3-29-12)

c. Exempt Quantities and Concentrations of Byproduct Materials; (4-2-08)

d. Unimportant Quantities of Source Material; and (4-2-08)

e. Any other byproduct, source material, or special nuclear material or devices or equipment utilizing such material, which has been exempted or released from radiological control or regulation under the Atomic Energy Act of 1954, as amended, to be disposed of in a commercial hazardous waste facility as regulated pursuant to the rules, permit requirements, and acceptance criteria provided for by Chapter 44, Title 39, Idaho Code. (4-11-15)

11. **Reasonably Maximally Exposed Individual**. That individual or group of individuals who by reason of location has been determined, through the use of environmental transport modeling and dose calculation, to receive the highest total effective dose equivalent from radiation emitted from the site and/or radioactive material transported off-site. (3-15-02)

12. **Source Material**. Source material means: (3-15-02)

a. Uranium or thorium, or any combination thereof, in any physical or chemical form; or (3-15-02)

b. Ores which contain by weight one-twentieth of one percent (0.05%) or more of: (3-15-02)

i. Uranium; (3-15-02)

ii. Thorium; or (3-15-02)

iii. Any combination thereof. (3-15-02)

c. Source material does not include special nuclear material. (3-15-02)

13. **Special Nuclear Material**. Special Nuclear Material means: (3-15-02)

a. Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the U.S. Nuclear Regulatory Commission determines to be special nuclear material. (3-15-02)

b. Any material artificially enriched by any of the material listed in Subsection 010.12.a. (3-15-02)

14. **Technologically Enhanced Naturally Occurring Radioactive Material (TENORM)**. Any naturally occurring radioactive materials not subject to regulation under the Atomic Energy Act whose radionuclide concentrations or potential for human exposure have been increased above levels encountered in the natural state by human activities. TENORM does not include source, byproduct or special nuclear material licensed by the U.S. Nuclear Regulatory Commission under the Atomic Energy Act of 1954. (3-15-02)

15. **Unimportant Quantities of Source Material**. Radioactive materials defined as unimportant quantities of source materials by the U.S. Nuclear Regulatory Commission (10 CFR 40.13). (3-15-02)

011. -- 018. **(RESERVED)**

019. **NOTIFICATION OF RADIOACTIVE MATERIALS.**
Any person with knowledge of the transfer, or proposed transfer, of radioactive materials for disposal to any location other than a location authorized by Section 020 to receive radioactive materials for disposal shall notify the Department of the transfer as soon as the transfer takes place or as soon as the person learns of the transfer, or proposed transfer, whichever is sooner. (3-20-04)

020. RADIATION PROTECTION STANDARDS.

01. General Protection Standards. (3-15-02)

a. All owners and operators shall conduct operations in a manner consistent with radiation protection standards contained in 10 CFR 20; (3-15-02)

b. No owner or operator shall conduct operations, create, use or transfer radioactive materials in a manner such that any member of the public will receive an annual Total Effective Dose Equivalent (TEDE) in excess of one hundred (100) millirem per year (1 milliseivert/year); and (3-15-02)

c. No person shall release radioactive materials for unrestricted use in such a manner that the reasonably maximally exposed individual will receive an annual TEDE in excess of fifteen (15) millirem per year (fifteen one-hundredths (0.15) milliseivert/year) excluding natural background. (3-15-02)

02. Protection of Workers During Operations. All owners and operators shall conduct operations in a manner consistent with radiation protection standards for occupation workers contained in 10 CFR 20. (3-15-02)

03. Disposal of Radioactive Material. No person, owner, or operator shall dispose of radioactive materials by any method other than: (3-15-02)

a. At a permitted treatment, storage or disposal facility under the authority of the Idaho Hazardous Waste Management Act, Chapter 44, Title 39, Idaho Code, provided that the facility owner or operator complies with each of the following: (3-15-02)

i. Department-approved waste acceptance criteria for radioactive material defined in Section 010; (3-15-02)

ii. A Department-approved closure program that provides reasonable assurance that the radon emanation rate from the closed disposal unit will not exceed twenty (20) picocuries per square meter per second averaged across the entire area of the closed disposal unit and meets the requirements in Subsection 020.01.b.; and (3-15-02)

iii. A Department-approved environmental monitoring program that monitors air, ground water, surface water and soil for radionuclides and ambient radiation levels in the environs of the facility and which demonstrates that no member of the general public is likely to exceed a radiation dose of one hundred (100) millirem (one (1) milliseivert) per year from operations conducted at the site. (3-15-02)

b. By transferring wastes for disposal to a facility licensed under requirements for uranium or thorium byproduct materials in either 40 CFR 192 or 10 CFR 40 Appendix A; (3-15-02)

c. By transferring wastes for disposal to a disposal facility licensed by the U.S. Nuclear Regulatory Commission, an agreement state, or a licensing state; or (3-15-02)

d. In accordance with alternate methods authorized by the Department upon application or upon the Department's initiative, consistent with Section 020.01 and all applicable state statutes and regulations. (3-15-02)

04. Prohibit Disposal at a Municipal Solid Waste Landfill. No person shall dispose of radioactive material as defined in these rules at a municipal solid waste landfill, except for individual consumer products containing radioactive material. (3-15-02)

021. -- 029. (RESERVED)

030. RECORDS.
Records of disposal, including manifest, shall be maintained for three (3) years in accordance with 40 CFR 262.40 and 40 CFR 262.23. (3-15-02)

031. -- 039. (RESERVED)

040. VIOLATIONS.

01. Failure to Comply. Failure by any person, owner, or operator to comply with the provisions of these rules shall be deemed a violation of these rules. (3-15-02)

02. Falsification of Statements and Records. It shall be a violation of these rules for any person, owner, or operator to knowingly make a false statement, representation, or certification in any document or record developed, maintained, or submitted pursuant to these rules. (3-15-02)

03. Penalties. Any person violating any provision of these rules or order issued thereunder shall be liable for civil penalty in accordance with Chapter 44, Title 39, Idaho Code. (3-15-02)

041. -- 999. (RESERVED)

000. LEGAL AUTHORITY.
Under Chapters 1 and 36, Title 39, Idaho Code, the Idaho Legislature has granted the Board of Environmental Quality the authority to promulgate these rules. (4-11-06)

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 58.01.16, "Wastewater Rules." (4-11-06)

02. Scope. These rules establish the procedures and requirements for the planning, design and operation of wastewater facilities and the discharge of wastewaters and human activities which may adversely affect public health and water quality in the waters of the state. (4-11-06)

002. WRITTEN INTERPRETATIONS.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Department of Environmental Quality may have written statements which pertain to the interpretation of these rules. If available, such written statements can be inspected and copied at cost at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706-1255. (4-11-06)

003. ADMINISTRATIVE PROVISIONS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (4-11-06)

004. INCORPORATION BY REFERENCE.
Sections 401.2.9, 401.3.4 and 401.3.6, 501.3.4, and 505.3.3 of "Idaho Standards for Public Works Construction," 2007 Edition, are incorporated by reference into these rules. These documents are available for review at the Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255, (208)373-0502 or can be purchased for a fee from the Local Highway Technical Assistance Council (LHTAC) at LHTAC, 3330 Grace Street, Boise, ID, 83703, (208) 344-0565. (5-8-09)

005. OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.
The state office of the Department of Environmental Quality and the office of the Board of Environmental Quality are located at 1410 N. Hilton, Boise, Idaho 83706-1255, telephone number (208) 373-0502. The office hours are 8 a.m. to 5 p.m. Monday through Friday. (4-11-06)

006. CONFIDENTIALITY OF RECORDS.
Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Title 74, Chapter 1, Idaho Code, and IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality." (4-11-06)

007. USE OF GUIDANCE IN DESIGN AND REVIEW.
Guidance documents are to be used to assist both designers and reviewers in determining a reasonable way to achieve compliance with the rules. Nothing in these rules makes the use of a particular guidance or guidance document mandatory. If the plans and specifications comply with applicable facility and design standards as set out in these rules, Section 39-118, Idaho Code, requires that the Department not substitute its judgment for that of the design engineer concerning the manner of compliance. If the design engineer needs assistance as to how to comply with a particular rule, the design engineer may use the referenced guidance documents listed in Section 008 for that assistance. However, the design engineer may also use other guidance or provide documentation to substantiate his or her own professional judgment. (5-8-09)

008. REFERENCED MATERIAL.

01. "Recommended Standards for Wastewater Facilities." A Report of the Wastewater Committee of the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers. This document is available through Health Education Services at http://www.healthresearch.org/store. (3-30-07)

02. Memorandum of Understanding. The Memorandum of Understanding between the Idaho Department of Environmental Quality and the Idaho Division of Building Safety Plumbing Bureau provides assistance in determining juridiction over water and sewer service lines. Copies of the document are available at the Idaho Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255, on the DEQ website at http://www.deq.idaho.gov. (3-30-07)

03. "Idaho Standards for Public Works Construction." This document is available for a fee through the Local Highway Technical Assistance Council (LHTAC) at LHTAC, 3330 Grace Street, Boise, ID, 83703, (208) 344-0565. (3-30-07)

04. Water Environment Federation (WEF) Manuals of Practice. Water Environment Federation, 601 Wythe Street, Alexandria, VA, 22314-1994, 1-800-666-0206, http://www.wef.org. (3-30-07)

05. American Society of Civil Engineers (ASCE) Manuals and Reports on Engineering Practices. American Society of Civil Engineers, 1801Alexander Bell Drive, Reston, VA 20191, 800-548-2723, http://www.asce.org. (3-30-07)

06. "Design Criteria for Mechanical, Electric, and Fluid System and Component Reliability." U.S. EPA (EPA-430-99-74-001), http://www.epa.gov. (3-30-07)

07. American National Standard Institute/Hydraulic Institute ANSI/HI 9.8, American National Standard for Centrifugal and Vertical Pump Intake Design. 1819 L Street NW Suite 600, Washington, DC 20036, (202) 293-8020, www.ansi.org. (3-30-07)

08. The Compressed Gas Association Publication CGA G-3-1995, "Sulfur Dioxide." (3-30-07)

09. "Wastewater Engineering, Treatment and Reuse," Metcalf and Eddy. (3-30-07)

10. "Ultraviolet Disinfection Guidelines for Drinking Water and Water Reuse," National Water Research Institute/American Water Works Association (AWWA) Research Foundation, 6666 West Quincy Avenue, Denver, CO 80235, (800)926-7337, http://www.awwa.org. (3-30-07)

11. Pumping Station Design - Third Edition 2006. Garr M. Jones. Elsevier Publications. (3-30-07)

12. Plan and Specification Dispute Resolution Policy. PM05-2: Plan and Specification Review Dispute Resolution Advisory Panel for Engineering Disputes can be found on the DEQ website at http://www.deq.idaho.gov. (3-30-07)

13. Nutrient-Pathogen Evaluation Program for On-Site Wastewater Treatment Systems. Nutrient-Pathogen Evaluation Program for On-Site Wastewater Treatment Systems can be found on the DEQ website at http://www.deq.idaho.gov. (3-30-07)

14. Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater. The Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater can be found on the DEQ website at http://www.deq.idaho.gov. (3-30-07)

009. LAWS AND CODES OUTSIDE OF THESE RULES.
Compliance with the following laws and codes are not required by these rules, but may be required by other regulatory entities. (3-30-07)

01. International Building Code. (3-30-07)

02. Uniform Plumbing Code. (3-30-07)

03. National Fire Protection Association Code (NFPA). (3-30-07)

04. Requirements of National Institute for Occupational Safety and Health (NIOSH). (3-30-07)

05. Requirements of the Occupational Safety and Health Administration (OSHA). (3-30-07)

06. National Electrical Code. (3-30-07)

07. International Fire Code. (3-30-07)

010. DEFINITIONS.
For the purpose of the rules contained in IDAPA 58.01.16, "Wastewater Rules," the following definitions apply: (4-11-06)

01. Available. Based on public wastewater system size, complexity, and variation in raw waste, a licensed wastewater operator must be on site, on call, or able to be contacted as needed to initiate the appropriate action for normal or emergency conditions in a timely manner. (4-11-06)

02. Adequate Emergency Storage Capacity. The emergency storage capacity of a lift station wet well is the volume of the wet well measured between the high water alarm and the gravity sewer invert into the wet well. The collection system shall not be used in the calculation for emergency storage. For the purpose of this definition, "adequate" is defined as twice the estimated emergency response time multiplied by the peak hour flow to the wet well. The high water alarm shall be placed at an elevation below the wet well invert sufficient to achieve the defined volumetric emergency storage capacity. (5-8-09)

03. Average Day Flow. The average day flow is the average of daily volumes to be received for a continuous twelve (12) month period expressed as a volume per unit time. However, the average day flow for design purposes for facilities having critical seasonal high hydraulic loading periods, such as recreational areas or industrial facilities, shall be based on the average day flow during the seasonal period. See also the definition of Wastewater Flows. (5-8-09)

04. Beneficial Use. Any of the various uses which may be made of the water of Idaho, including, but not limited to, domestic water supplies, industrial water supplies, agricultural water supplies, navigation, recreation in and on the water, wildlife habitat, and aesthetics. The beneficial use is dependent upon actual use, the ability of the water to support a non-existing use either now or in the future, and its likelihood of being used in a given manner. The use of water for the purpose of wastewater dilution or as a receiving water for a waste treatment facility effluent is not a beneficial use. (4-11-06)

05. Biochemical Oxygen Demand (BOD). The measure of the amount of oxygen necessary to satisfy the biochemical oxidation requirements of organic materials at the time the sample is collected; unless otherwise specified, this term will mean the five (5) day BOD incubated at twenty (20) degrees C. (4-11-06)

06. Blackwaste. Human body waste, such as excreta or urine. This includes toilet paper and other products used in the practice of personal hygiene. (5-8-09)

07. Blackwater. A wastewater whose principal pollutant is blackwaste; a combination of blackwaste and water. (5-8-09)

08. Board. The Idaho Board of Environmental Quality. (4-11-06)

09. Capacity. The capabilities required of a wastewater system in order to achieve and maintain compliance with these rules. It is divided into three (3) main elements: (5-8-09)

a. Technical capacity means the system has the physical infrastructure to safely collect wastewater and consistently meet discharge standards and treatment requirements, and is able to meet the requirements of routine and emergency operations. It further means the ability of system personnel to adequately operate and maintain the system and to otherwise implement technical knowledge. Training of operator(s) is required, as appropriate, for the system size and complexity. (5-8-09)

b. Financial capacity means the financial resources of the wastewater system, including an appropriate budget; rate structure; cash reserves sufficient for current operation and maintenance, future needs and emergency situations; and adequate fiscal controls. (5-8-09)

c. Managerial capacity means that the management structure of the wastewater system embodies the aspects of wastewater system operations, including, but not limited to; (5-8-09)

i. Short and long range planning; (5-8-09)

ii. Personnel management; (5-8-09)

iii. Fiduciary responsibility; (5-8-09)

iv. Emergency response; (5-8-09)

v. Customer responsiveness; and (5-8-09)

vi. Administrative functions such as billing and consumer awareness. (5-8-09)

10. Class A Effluent. Class A effluent is treated municipal reclaimed wastewater that must be oxidized, coagulated, clarified, and filtered, or treated by an equivalent process and adequately disinfected. For comprehensive Class A Effluent criteria and permitting requirements refer to IDAPA 58.01.17, "Recycled Water Rules." (3-30-07)

11. Class A Effluent Distribution System. The delivery system for Class A effluent. The distribution system does not include any of the collection or treatment portions of the wastewater facility and is not subject to operator licensing requirements in Section 203 of these rules. (4-11-06)

12. Collection System. That portion of the wastewater system or treatment facility in which wastewater is received from the premises of the discharger and conveyed to the point of treatment through a series of lines, pipes, manholes, pumps/lift stations and other appurtenances. (3-30-07)

13. Compliance Schedule or Compliance Agreement Schedule. A schedule of remedial and preventative measures and sequence of actions leading to compliance with a regulation, statute or rule, enforceable as set forth in Sections 39-116 and 39-116A, Idaho Code, respectively. (5-8-09)

14. Department. The Idaho Department of Environmental Quality. (4-11-06)

15. Design Flow. The critical flow used for steady-state wasteload allocation modeling. (4-11-06)

16. Designated Beneficial Use or Designated Use. Those beneficial uses assigned to identify waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, "Water Quality Standards," Sections 110 through 160, whether or not the uses are being attained. (4-11-06)

17. Director. The Director of the Idaho Department of Environmental Quality or his authorized agent. (4-11-06)

18. Discharge. When used without qualification, any spilling, leaking, emitting, escaping, leaching, or disposing of a pollutant into the waters of the state. (4-11-06)

19. Disinfection. A method of reducing the pathogenic or objectionable organisms by means of chemicals or other acceptable means. (4-11-06)

20. Disposal Facility. Any facility used for disposal of any wastewater. Facilities for the disposal of sludge are regulated under Section 650 of these rules. (3-30-07)

21. Effluent. Any treated wastewater discharged from a treatment facility. (5-8-09)

22. Environmental Review. An environmental review document for a specific project includes a description of purpose and need for the project; a description of the affected environment and environmental impacts including, but not limited to, endangered species, historical and archaeological impacts, air impacts, surface and ground water impacts, and noise and visual impacts; a description of the planned mitigation for these impacts; and descriptions of the public process, agencies consulted, referenced documents, and a mailing list of interested parties.

A checklist, which can be used as guidance, can be found on the DEQ website at http://www.deq.idaho.gov. This checklist is for Department grant and loan projects, but can be used in part or in whole as a guide. (5-8-09)

23. **EPA**. The United States Environmental Protection Agency. (4-11-06)

24. **Equivalent Dwelling Unit (EDU)**. A measure where one (1) unit is equivalent to wastewater generated from one (1) single-family detached housing unit. For example, a business generating three (3) times as much wastewater as an average single-family detached housing unit would be considered three (3) equivalent dwelling units. (5-8-09)

25. **Facility Plan**. The facility plan for a municipal wastewater treatment and disposal facility describes the overall system, including the collection system, the treatment systems, and the disposal systems. It is a comprehensive planning document for the existing infrastructure and includes the plan for the future of the systems, including upgrades and additions. It is usually updated on a regular basis due to anticipated or unanticipated growth patterns, regulatory requirements, or other infrastructure needs. A Facility Plan is sometimes referred to as a master plan or facilities planning study. In general, a Facility Plan is an overall system-wide plan as opposed to a project specific plan. (5-8-09)

26. **Facility and Design Standards**. Facility and design standards are described in Sections 400 through 599 of these rules. Facility and design standards found in Sections 400 through 599 of these rules must be followed in the planning, design, construction, and review of municipal wastewater facilities. (3-30-07)

27. **Geometric Mean**. The geometric mean of "n" quantities is the "nth" root of the product of the quantities. (4-11-06)

28. **Gray Water**. Domestic wastewater that does not contain wastewater from toilets, kitchen sinks, dishwashers, cloth washing machines, and water softeners. (5-8-09)

29. **Ground Water**. Any water of the state which occurs beneath the surface of the earth in a saturated geological formation of rock or soil. (4-11-06)

30. **Industrial Wastewater**. Any waste, together with such water as is present, that is the by-product of industrial processes including, but not limited to, food processing or food washing wastewater. (4-11-06)

31. **Land Application**. A process or activity involving application of wastewater, surface water, or semi-liquid material to the land surface for the purpose of disposal, pollutant removal, or ground water recharge. (4-11-06)

32. **License**. A physical document issued by the Idaho Bureau of Occupational Licenses certifying that an individual has met the appropriate qualifications and has been granted the authority to practice in Idaho under the provisions of Chapter 24, Title 54, Idaho Code. (4-11-06)

33. **Major Wastewater Collection System Project**. A wastewater collection system project that is not a simple wastewater main extension. (5-8-09)

34. **Material Deviation**. A change from the design plans that significantly alters the type or location of facilities, requires engineering judgment to design, or impacts the public safety or welfare. (4-11-06)

35. **Material Modification**. Material modifications are those that are intended to increase system capacity or to alter the methods or processes employed. Any project that increases the pumping capacity of a system, increases the potential population served by the system or the number of service connections within the system, adds new or alters existing wastewater system components, or affects the wastewater flow of the system is considered to be increasing system capacity or altering the methods or processes employed. Maintenance and repair performed on the system and the replacement of valves, pumps, or other similar items with new items of the same size and type are not considered a material modification. (5-8-09)

36. **Maximum Day Flow**. The design maximum day flow is the largest volume of flow to be received

during a continuous twenty four (24) hour period expressed as a volume per unit time. See also Wastewater Flows. (5-8-09)

37. **Maximum Month Flow**. The maximum month flow is the largest volume of flow to be received during any calendar month expressed as a volume per unit time. See also the definition of Wastewater Flows. (5-8-09)

38. **Mixing Zone**. A defined area or volume of the receiving water surrounding or adjacent to a wastewater discharge where the receiving water, as a result of the discharge, may not meet all applicable water quality criteria or standards. It is considered a place where wastewater mixes with receiving water and not as a place where effluents are treated. (4-11-06)

39. **Municipal Wastewater**. Unless otherwise specified, sewage and associated solids, whether treated or untreated, together with such water that is present. Also called domestic wastewater. Industrial wastewater may also be present, but is not considered part of the definition. (4-11-06)

40. **National Pollutant Discharge Elimination System (NPDES)**. Point source permitting program established pursuant to Section 402 of the federal Clean Water Act. (4-11-06)

41. **Natural Background Conditions**. No measurable change in the physical, chemical, biological, or radiological conditions existing in a water body without human sources of pollution within the watershed. (4-11-06)

42. **Non-Contact Cooling Water**. Water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product (other than heat) or finished product. Non-contact cooling water is not considered wastewater. Non-contact cooling water can be land applied as recharge water as discussed in Section 600 based on a Department approval as described in Subsections 600.04 and 600.05. (3-30-07)

43. **Nuisance**. Anything which is injurious to the public health or an obstruction to the free use, in the customary manner, of any waters of the state. (4-11-06)

44. **Nutrients**. The major substances necessary for the growth and reproduction of aquatic plant life, consisting of nitrogen, phosphorus, and carbon compounds. (4-11-06)

45. **Non-Potable Mains**. The pipelines that collect and convey non-potable discharges from or to multiple service connections. Examples would include sewage collection and interceptor mains, storm sewers, non-potable irrigation mains, and reclaimed wastewater mains. (3-30-07)

46. **Non-Potable Services**. The pipelines that convey non-potable discharges from individual facilities to a connection with the non-potable main. This term also refers to pipelines that convey non-potable water from a pressurized irrigation system, reclaimed wastewater system, and other non-potable systems to individual consumers. (4-11-06)

47. **Operating Personnel**. Any person who is employed, retained, or appointed to conduct the tasks associated with the day-to-day operation and maintenance of a public wastewater system. Operating personnel shall include every person making system control or system integrity decisions about water quantity or water quality that may affect public health. (4-11-06)

48. **Owner**. The person, company, corporation, district, association or other organizational entity that owns the public wastewater system, and who provides, or intends to provide, wastewater service to system users and is ultimately responsible for the public wastewater system operation. (3-30-07)

49. **Peak Instantaneous Flow**. The design peak instantaneous flow is the instantaneous maximum flow rate to be received. See also the definition of Wastewater Flows. (5-8-09)

50. **Peak Hour Flow**. The design peak hour flow is the largest volume of flow to be received during a one (1) hour period expressed as a volume per unit time. See also the definition of Wastewater Flows. (5-8-09)

51. **Person**. An individual, public or private corporation, partnership, association, firm, joint stock company, joint venture, trust, estate, state, municipality, commission, political subdivision of the state, state or federal agency, department or instrumentality, special district, interstate body or any legal entity, which is recognized by law as the subject of rights and duties. (4-11-06)

52. **Point Source**. Any discernible, confined, and discrete conveyance, including, but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are, or may be, discharged to surface waters of the state. This term does not include return flows from irrigated agriculture, discharges from dams and hydroelectric generating facilities or any source or activity considered a nonpoint source by definition. (4-11-06)

53. **Pollutant**. Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, silt, cellar dirt; and industrial, municipal and agricultural waste, gases entrained in water; or other materials which, when discharged to water in excessive quantities, cause or contribute to water pollution. Provided however, biological materials shall not include live or occasional dead fish that may accidentally escape into the waters of the state from aquaculture facilities. (4-11-06)

54. **Potable Water**. A water which is free from impurities in such amounts that it is safe for human consumption without treatment. (4-11-06)

55. **Potable Mains**. Pipelines that deliver potable water to multiple service connections. (3-30-07)

56. **Potable Service**. Pipelines that convey potable water from a connection to the potable water main across private property to individual consumers. (3-30-07)

57. **Preliminary Engineering Report**. The preliminary engineering report for the municipal wastewater treatment or disposal facility is the report that addresses specific portions of the systems as they are being contemplated for design. These reports address specific purpose and scope, design requirements, alternative solutions, costs, operation and maintenance requirements, and other requirements as described in Section 411. Preliminary engineering reports are generally project specific as opposed to an overall system-wide plan, such as a facility plan. (5-8-09)

58. **Primary Treatment**. Processes or methods that serve as the first stage treatment of wastewater, intended for removal of suspended and settleable solids by gravity sedimentation; provides no changes in dissolved and colloidal matter in the sewage or wastes flow. (4-11-06)

59. **Private Municipal Wastewater Treatment Plant**. A wastewater facility that treats municipal wastewater and is under private ownership. These systems are typically initially owned, operated, and maintained by a developer with the ownership, operation and maintenance transferring to a homeowners association, or similar entity as lots are sold within the development. (5-8-09)

60. **Public Wastewater System or Wastewater System**. A public wastewater system or wastewater system is any publicly or privately owned collection system or treatment system that generates, collects, treats, or disposes of two thousand five hundred (2,500) or more gallons of wastewater per day. This does not include: (3-29-10)

a. Any animal waste system used for agricultural purposes that have been constructed in part or whole by public funds; or (3-29-10)

b. Any industrial or other nonmunicipal wastewater system which is covered under Section 401 of these rules. (3-29-10)

61. **Qualified Licensed Professional Engineer (QLPE)**. A professional engineer licensed by the state of Idaho; qualified by education or experience in the specific technical fields involved in these rules; and retained or employed by a city, county, quasi-municipal corporation, or regulated public utility for the purposes of plan and specification review. (5-8-09)

62. Quasi-Municipal Corporation. A public entity, other than community government, created or authorized by the legislature to aid the state in, or to take charge of, some public or state work for the general welfare. For the purpose of these rules, this term refers to wastewater or sewer districts. (4-11-06)

63. Receiving Waters. Those waters which receive pollutants from point or nonpoint sources. (4-11-06)

64. Recharge. The process of adding water to the zone of saturation. (4-11-06)

65. Recharge Water. Water that is specifically utilized for the purpose of adding water to the zone of saturation. (4-11-06)

66. Redundancy. Redundancy for wastewater treatment and disposal facilities is generally focused on supplying or installing backup equipment and facilities to make the operation of the systems more reliable. These redundant systems are sometimes required to provide backup for emergencies, taking certain processes off-line, or for treating spikes in wastewater flow or strength. (3-30-07)

67. Reliability. Reliability for wastewater collection and treatment and disposal facilities is usually based on its ability to consistently handle the wastewater flows in the community and to meet the requirements of its permit. This reliability is in part based on the redundancy built into the wastewater infrastructure and proper maintenance of the system. (3-30-07)

68. Reasonably Accessible. The following criteria shall be used to determine whether a project proposing a new private municipal wastewater treatment plant, or a material modification or expansion of an existing private municipal wastewater treatment plant, is reasonably accessible to a public municipal wastewater collection system. (5-8-09)

a. For an existing private municipal wastewater treatment plant, reasonably accessible means the public municipal wastewater collection system becomes located within a minimum of one thousand (1,000) feet of any portion of the discharge piping of a private municipal wastewater treatment plant, and the owner of the public municipal wastewater collection system will provide a "will serve" letter. (5-8-09)

b. For a proposed project which includes a new private municipal wastewater treatment plant, reasonably accessible means the public municipal wastewater collection system is located within a minimum of one thousand (1,000) feet of any portion of the proposed development or existing development property boundary, and the owner of the public municipal wastewater collection system will provide a "will serve" letter. (5-8-09)

c. The Department may determine that a private municipal wastewater treatment plant may be reasonably accessible to the public municipal wastewater collection system at distances greater than those distances specified in Paragraphs a. or b. of this Subsection based on site-specific factors. (5-8-09)

69. Responsible Charge (RC). For purposes of Sections 202 through 204, responsible charge means, active, daily on-site or on-call responsibility for the performance of operations or active, on-going, on-site or on-call direction of employees and assistants. (5-8-09)

70. Responsible Charge Operator. For purposes of Sections 202 through 204, a responsible charge operator is an operator licensed at a class equal to or greater than the classification of the system and who has been designated by the system owner to have direct supervision of and responsibility for the performance of operations of a specified wastewater treatment system(s) or wastewater collection system(s) and the direction of personnel employed or retained at the same system. The responsible charge operator has an active daily on-site or on-call presence at the specified facility. (5-8-09)

71. Reuse. The use of reclaimed wastewater for beneficial uses including, but not limited to, land treatment, irrigation, ground water recharge using surface spreading, seepage ponds, or other unlined surface water features. (3-30-07)

72. **Reviewing Authority**. For those projects requiring preconstruction approval by the Department, the Department is the reviewing authority. For those projects allowing for preconstruction approval by others, pursuant to Subsection 400.03.b. of these rules, the Qualified Licensed Professional Engineer (QLPE) is also the reviewing authority. (5-8-09)

73. **Sanitary Sewer Extension**. As used in Section 400, an extension of an existing wastewater collection system that does not require a lift station or force main and is intended to increase the service area of the wastewater collection system. (4-11-06)

74. **Secondary Treatment**. Processes or methods for the supplemental treatment of wastewater, usually following primary treatment, to affect additional improvement in the quality of the treated wastes by biological means of various types which are designed to remove or modify organic matter. (4-11-06)

75. **Septage**. Septage is a general term for the contents removed from septic tanks, portable vault toilets, privy vaults, wastewater holding tanks, very small wastewater treatment plants, or semi-public facilities (i.e., schools, motels, mobile home parks, campgrounds, small commercial endeavors) receiving wastewater from domestic sources. Non-domestic (industrial) wastes are not included in this definition. This does not include drinking water treatment residuals that may be held in a holding tank. (3-30-07)

76. **Septage Transfer Station**. A place where septage from more than one (1) hauler is accumulated for collection and subsequent removal without processing to a treatment facility. (5-8-09)

77. **Sewage**. The water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. (4-11-06)

78. **Simple Wastewater Main Extension**. New or replacement wastewater main(s) that require plan and specification review per these rules and that will be connected by gravity, without the use of pumps or lift stations, to existing wastewater collection facilities that have the capacity to carry the additional wastewater flow. (5-8-09)

79. **Sludge**. The semi-liquid mass produced and removed by the wastewater treatment process. (3-30-07)

80. **Special Resource Water**. Those specific segments or bodies of water which are recognized as needing intensive protection: (4-11-06)

a. To preserve outstanding or unique characteristics; or (4-11-06)

b. To maintain current beneficial use. (4-11-06)

81. **State**. The state of Idaho. (4-11-06)

82. **Substitute Responsible Charge Operator**. A public wastewater operator holding a valid license at a class equal to or greater than the public wastewater system classification, designated by the system owner to replace and to perform the duties of the responsible charge operator when the responsible charge operator is not available or accessible. (4-11-06)

83. **Surface Water Body**. All surface accumulations of water, natural or artificial, public or private, or parts thereof which are wholly or partially within, which flow through or border upon the state. This includes, but is not limited to, rivers, streams, canals, ditches, lakes, and ponds. It does not include private waters as defined in Section 42-212, Idaho Code. (4-11-06)

84. **Total Maximum Daily Load (TMDL)**. The sum of the individual wasteload allocations (WLAs) for point sources, load allocations (LAs) for nonpoint sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and

water quality. (3-30-07)

85. **Treatment**. A process or activity conducted for the purpose of removing pollutants from wastewater. (4-11-06)

86. **Treatment Facility**. Any physical facility or land area for the purpose of collecting, treating, neutralizing or stabilizing pollutants including treatment plants; the necessary collecting, intercepting, outfall and outlet sewers; pumping stations integral to such plants or sewers; disposal or reuse facilities; equipment and furnishing thereof; and their appurtenances. For the purpose of these rules, a treatment facility may also be known as a treatment system, a wastewater system, wastewater treatment system, wastewater treatment facility, or wastewater treatment plant. (3-30-07)

87. **User**. Any person served by a public wastewater system. (4-11-06)

88. **Very Small Wastewater System**. A public wastewater system that serves five hundred (500) connections or less and includes a collection system with a system size of six (6) points or less on the system classification rating form (Section 202) and is limited to only one (1) of the following wastewater treatment processes: (3-29-10)

a. Aerated lagoons; (3-29-10)

b. Non-aerated lagoon(s); (3-29-10)

c. Primary treatment; or (3-29-10)

d. Primary treatment discharging to a large soil absorption system (LSAS). (3-29-10)

89. **Wastewater**. Any combination of liquid or water and pollutants from activities and processes occurring in dwellings, commercial buildings, industrial plants, institutions and other establishments, together with any ground water, surface water, and storm water that may be present; liquid or water that is chemically, biologically, physically or rationally identifiable as containing blackwater, gray water or commercial or industrial pollutants; and sewage. (5-8-09)

90. **Wastewater Flows**. The following flows for the design year shall be identified as required and used as a basis for design of sewer systems including sewer mains, lift stations, wastewater treatment plants, treatment units, and other wastewater handling facilities. The definition contained in this Subsection applies where any of the terms defined in Paragraphs a. through e. are used in these rules. (5-8-09)

a. Average Day Flow. The average day flow is the average of daily volumes to be received for a continuous twelve (12) month period expressed as a volume per unit time. However, the average day flow for design purposes for facilities having critical seasonal high hydraulic loading periods, such as recreational areas or industrial facilities, shall be based on the average day flow during the seasonal period. (5-8-09)

b. Maximum Day Flow. The design maximum day flow is the largest volume of flow to be received during a continuous twenty-four (24) hour period expressed as a volume per unit time. (5-8-09)

c. Maximum Month Flow. The maximum month flow is the largest volume of flow to be received during any calendar month expressed as a volume per unit time. (5-8-09)

d. Peak Instantaneous Flow. The design peak instantaneous flow is the instantaneous maximum flow rate to be received. (5-8-09)

e. Peak Hour Flow. The design peak hour flow is the largest volume of flow to be received during a one (1) hour period expressed as a volume per unit time. (5-8-09)

91. **Wastewater Lagoon**. Manmade impoundments for the purpose of storing or treating wastewater. (4-11-06)

92. Wastewater Pipelines. The pipelines that collect and convey non-potable discharges from or to multiple service connections. (4-11-06)

93. Wastewater Pumping Station. A wastewater facility that collects wastewater from the collection system or the treatment system and pumps it to a higher elevation. Also called lift station or wastewater lift station. (3-30-07)

94. Wastewater System Operator. The person who is employed, retained, or appointed to conduct the tasks associated with routine day to day operation and maintenance of a public wastewater treatment or collection system in order to safeguard the public health and environment. (4-11-06)

95. Water Main Extension. An extension of the distribution system of an existing public water system that does not require a booster pumping station and is intended to increase the service area of the water system. (4-11-06)

96. Water Pollution. Any alteration of the physical, thermal, chemical, biological, or radioactive properties of any waters of the state, or the discharge of any pollutant into the waters of the state, which will or is likely to create a nuisance or to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to fish and wildlife, or to domestic, commercial, industrial, recreational, aesthetic, or other beneficial uses. (4-11-06)

97. Waters and Waters of the State. All the accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof which are wholly or partially within, which flow through or border upon the state. (4-11-06)

98. Watershed. The land area from which water flows into a stream or other body of water which drains the area. (4-11-06)

011. -- 200. (RESERVED)

201. POINT SOURCE WASTEWATER TREATMENT REQUIREMENTS.

01. Appropriate Control Measures. The Department, through approval or disapproval of plans for wastewater treatment and disposal facilities, the issuance of wastewater discharge permits, orders, compliance schedules, directives or any of the mechanisms at its disposal, will require persons to apply appropriate control measures necessary to achieve and maintain the water quality standards contained in IDAPA 58.01.02, "Water Quality Standards." (4-11-06)

02. Degree of Treatment. The degree of wastewater treatment required to restore and maintain the standards of quality will be determined in each instance by the Department, based upon the following: (4-11-06)

a. The uses which are made or desired of the receiving water; (4-11-06)

b. The volume and nature of flow of the receiving water; (4-11-06)

c. The quantity and quality of the wastewater to be treated; and (4-11-06)

d. The presence or absence of other sources of water pollution on the same watershed, stream segment or aquifer. (4-11-06)

03. Operation. Any person who owns or operates any sewage or other wastewater treatment facility must at all times: (4-11-06)

a. Ensure that such facility is operated under competent supervision and with the highest efficiency that can reasonably be expected; and (5-8-09)

b. Maintain such facility in good repair. (4-11-06)

04. Treatment Records. Any person who owns or operates any facility or carries out any operation which results in the discharge of wastewater must furnish to the Department such information concerning quality and quantity of discharged wastewaters and maintain such treatment records as the Department requires to evaluate the effects of any receiving waters. Required information can include, but is not limited to: (4-11-06)

a. Treated wastewater discharge volumes; and (4-11-06)

b. Treated wastewater discharge biochemical oxygen demand (BOD); and (4-11-06)

c. Treated wastewater discharge suspended solid concentration; and (4-11-06)

d. Discharge pH; and (4-11-06)

e. Discharge temperatures. (4-11-06)

05. Falsification of Records. It is a violation of these rules for any person to falsify or knowingly render inaccurate any treatment record which can be required as provided in these regulations. (4-11-06)

202. CLASSIFICATION OF PUBLIC WASTEWATER SYSTEMS.

01. Classification Requirement. All public wastewater systems shall be classified based on indicators of potential health risks. (4-11-06)

a. Classification rating forms developed in accordance with the criteria in Subsection 202.02 must be completed by the public wastewater system owner or designee for every public wastewater treatment system and wastewater collection system no later than July 1, 2008. Public wastewater treatment and wastewater collection system owners or designee shall submit additional classification rating forms at five (5) year intervals or when directed by the Department to submit a revised classification rating form. (3-29-10)

b. The Department shall review system classification rating forms and issue the final system classification. (3-29-10)

02. Classification Criteria. Public wastewater treatment systems and wastewater collection systems shall be classified under a system that uses the following criteria: (4-11-06)

a. Complexity, size, volume and variability in raw waste for treatment systems using guidelines established by the Department. (4-11-06)

b. Complexity or size of collection systems. (4-11-06)

c. Other criteria deemed necessary to completely classify systems. (4-11-06)

203. PUBLIC WASTEWATER SYSTEM OPERATOR LICENSURE REQUIREMENTS.

01. System Operator Licensure Requirement. Owners of all public wastewater systems must place the direct supervision of their wastewater system(s), including each treatment system and each collection system or each very small wastewater system, under the responsible charge of an operator who holds a valid license equal to or greater than the classification of each treatment system and each collection system or each very small wastewater system. An operator in responsible charge of both a wastewater treatment system and a collection system shall hold two (2) licenses, one (1) for wastewater treatment and one (1) for collection, with the exception of a very small wastewater system for which the responsible charge operator may hold a single very small wastewater system license. Owners shall notify the Department in writing of any change of responsible charge or substitute responsible charge operator within thirty (30) days of such change. (3-29-10)

02. Responsible Charge Operator License Requirement. An operator in responsible charge of a

public wastewater system in Idaho must hold a valid license equal to or greater than the classification of the wastewater system(s), including each treatment system and each collection system or each very small wastewater system, as determined by the Department. (3-29-10)

03. Substitute Responsible Charge Operator. At such times as the responsible charge operator is not available, a substitute responsible charge operator shall be designated to replace the responsible charge operator. (4-11-06)

04. Wastewater System Operator Licensure. All other operating personnel at public wastewater systems, including each treatment system and each collection system or each very small wastewater system, must hold a valid license issued by the Idaho Bureau of Occupational Licenses. (3-29-10)

05. Wastewater System Operator Licensure Exceptions. (3-29-10)

a. Any public wastewater system operating personnel that exclusively operate a Class A Effluent Distribution System of a Class A Municipal Reclaimed Wastewater System permitted in accordance with IDAPA 58.01.17, "Recycled Water Rules," are not subject to operator licensure requirements as outlined in these rules. (3-29-10)

b. Any non-pressurized drainfield and associated septic tank and collection system operating personnel are not subject to operator licensure requirements. (3-29-10)

06. General Compliance Deadline. All public wastewater systems addressed in Sections 202 and 203 shall be in compliance with these rules by April 15, 2006. (4-11-06)

07. Land Application/Reuse Operator Compliance Deadline. Each public wastewater land application/reuse system addressed in these rules shall employ, retain or contract with licensed land application/reuse operating personnel by April 15, 2007. (3-30-07)

204. CONTRACTING FOR SERVICES.
Public wastewater systems may contract with properly licensed operating personnel to provide responsible charge operators and substitute responsible charge operators. Proof of such contract shall be submitted to the Department prior to the contracted operating personnel performing any services at the public wastewater system. (3-29-10)

205. -- 259. (RESERVED)

260. SUBSURFACE SEWAGE OR WASTE DISPOSAL.
Subsurface sewage or wastewater disposal facilities must be designed and located so that pollutants cannot be reasonably expected to enter water of the state in concentrations resulting in injury to beneficial uses. See also IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules." (4-11-06)

261. -- 399. (RESERVED)

400. REVIEW OF PLANS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES.
Plans and specifications for municipal wastewater treatment or disposal facilities must comply with the facility and design standards set forth in Sections 410 through 599. If design issues are not addressed by the facility and design standards, then guidance documents, some of which are listed in Section 008, shall be used as guidance in the design and review of plans and specifications for municipal wastewater treatment or disposal facilities. See also Section 007. (3-30-07)

01. Ownership. Documentation of the ownership and responsibility for operating the proposed system shall be made available to the Department prior to or concurrent with the submittal of plans and specifications as required in Subsection 400.03. The documentation must show the financial arrangements adequate to demonstrate the ability for construction and operation and maintenance of the system according to these rules. Documentation shall also include the name of the wastewater system; the name, address, and phone number of the wastewater treatment facility; and the name, address, and phone number of the responsible charge operator. (5-8-09)

02. Connection to Existing System. If the proposed project is to be connected to an existing wastewater system, a letter from the existing system must be submitted to the Department stating that the existing system will be able to provide services to the proposed project. The Department may require further documentation showing the ability of the existing system to provide service to the new system. This letter must be submitted prior to or concurrent with the submittal of plans and specifications as required in Subsection 400.03. (5-8-09)

03. Plan and Specification Review. (4-11-06)

a. Except as provided in Subsection 400.03.b., all plans and specifications for the construction of new sewage systems, sewage treatment plants or systems, other municipal wastewater treatment or disposal facilities, or for material modifications to existing sewage treatment plants or systems, municipal wastewater treatment or disposal facilities shall be submitted to the Department for review and approval before construction may begin and all construction shall be in substantial compliance therewith. This does not include plan and specifications for facilities for sludge disposal, but does include plans and specifications for treatment or storage of sludge. If construction does not commence within twelve (12) months of the Department's final approval of plans and specifications, the Department may require resubmittal of all or part of the plans and specifications for review. The Department shall review plans and specifications and endeavor to resolve design issues within forty-two (42) calendar days of submittal such that approval can be granted. If the Department and applicant have not resolved design issues within forty-two (42) calendar days or at any time thereafter, the applicant may file a written demand to the Department for a decision. Upon receipt of such written demand, the Department shall deliver a written decision to the applicant within no more than seven (7) calendar days explaining any reasons for disapproval. The Department shall maintain records of all written demands for decision made pursuant to Subsection 400.03.a. with such records including the final decision rendered and the timeliness thereof. No material deviation shall be made to the approved plans and specifications without the prior approval of the Department. (5-8-09)

b. Plans developed for simple wastewater main extensions, when such facilities will be owned and operated by a city, county, quasi-municipal corporation or regulated public utility, shall not require preconstruction approval by the Department, provided that such plans and specifications are reviewed and approved by a QLPE to verify compliance with the requirements of these rules prior to initiation of construction. At the discretion of the city, county, quasi-municipal corporation or regulated public utility, the plans addressed by this subsection may be referred to the Department for review and approval prior to initiation of construction. The Department has the authority to review plans and specifications approved by a QLPE and can require modifications if the plans and specifications do not meet facility and design standards. Any plans and specifications approved pursuant to Subsection 400.03.b. shall be transmitted to the Department at the time construction is authorized and shall be marked or stamped as "Approved for Construction." Along with the plans and specifications, the transmittal must include the items listed in Subsections 400.03.b.i. through 400.03.b.vii. The plans and specifications must be sealed, signed, and dated by the professional engineer in responsible charge of their preparation, and the approval or transmittal letter must be sealed, signed, and dated by the QLPE that is approving the plans and specifications. (5-8-09)

i. A statement that the author of the transmittal letter is the QLPE representing the city, county, quasi-municipal corporation or regulated public entity. (5-8-09)

ii. A statement that the extension project complies with the current facility plan or preliminary engineering report, or a statement that the sewer system/treatment facility has adequate capacity. (5-8-09)

iii. A statement from the city, county, quasi-municipal corporation or regulated public entity or its authorized agent that the wastewater system owner will serve the project. (5-8-09)

iv. A statement from the city, county, quasi-municipal corporation or regulated public entity or its authorized agent that the wastewater system owner will own and operate the project after construction is complete. (5-8-09)

v. A statement by the QLPE that the plans and specifications are approved for construction. (5-8-09)

vi. A statement by the QLPE that the plans and specifications comply with the facility standards within

these rules. (5-8-09)

vii. A statement recommending whether sanitary restrictions can be released or should remain in force. (5-8-09)

c. Subsections 400.03.c.i. through 400.03.c.vi. outline the projects which QLPEs may approve and which QLPEs may not approve. (5-8-09)

i. A QLPE may approve plans and specifications for simple wastewater main extensions that will be able to discharge to an existing wastewater system owned by a city, county, quasi-municipal corporation, or regulated public utility at the time the extension is approved for construction by the QLPE. (5-8-09)

ii. A QLPE may approve plans for simple wastewater main extensions which will discharge to an existing wastewater system owned by a city, county, quasi-municipal corporation, or regulated public utility, but are unable to connect to the system at the time the extension is approved for construction by the QLPE, provided sanitary restrictions remain in force for the proposed extension. (5-8-09)

iii. A QLPE may not approve plans and specifications which include mechanical systems such as lift stations or treatment works. (5-8-09)

iv. A QLPE may not approve plans and specifications for projects which the QLPE was the design engineer or otherwise involved in the design. (5-8-09)

v. A QLPE employed by a city, county, quasi-municipal corporation, or regulated public utility may approve a design that was prepared by a subordinate engineer or an engineer from a separate design group within the city, county, quasi-municipal corporation, or regulated public utility. (5-8-09)

vi. A QLPE who is not employed by a city, county, quasi-municipal corporation, or regulated public utility, but is retained by a city, county, quasi-municipal corporation, or regulated public utility for the purpose of plan and specification review may not approve projects designed by the company with which the QLPE is employed. (5-8-09)

04. Professional Engineer. Plans and specifications for construction, alteration or expansion of any sewage system, sewage treatment plant or system, or other municipal wastewater treatment or disposal facility shall be prepared by or under the supervision of an Idaho licensed professional engineer and shall bear the imprint of the engineer's seal. Construction shall be observed by an Idaho licensed professional engineer or a person under the supervision of an Idaho licensed professional engineer. (3-30-07)

05. Record Plans and Specification. (5-8-09)

a. Within thirty (30) calendar days of the completion of construction of facilities covered by Subsection 400.03, record plans and specifications based on information provided by the construction contractor and field observations made by the engineer or the engineer's designee depicting the actual construction of facilities performed, must be submitted to the Director by the engineer representing the city, county, quasi-municipal corporation or regulated public utility that owns the project, or by the design engineer or owner-designated substitute engineer if the constructed facilities will not be owned and operated by a city, county, quasi-municipal corporation or regulated public utility. Such submittal by the engineer must confirm material compliance with the approved plans and specifications or disclose material deviations therefrom. If the construction does not materially deviate from the approved plans and specifications, the owner may have a statement to that affect prepared by an Idaho licensed professional engineer and filed with the Department in lieu of submitting a complete and accurate set of record drawings. (5-8-09)

b. Record plans and specifications, or a statement submitted in lieu of record plans and specifications, must be sealed, signed, and dated by the professional engineer in responsible charge of their preparation. (5-8-09)

06. Compliance With Applicable Standards and Rules. All plans and specifications submitted to satisfy the requirements of Sections 400 through 599 or approved in compliance with Sections 400 through 599, shall

be in compliance with the requirements of these rules and shall conform in style and quality to regularly accepted engineering standards. The Department shall review plans and specifications to determine compliance with these rules and engineering standards of care. If the plans and specifications comply with these rules and engineering standards of care, the Department shall not substitute its judgment for that of the owner's design engineer concerning the manner of compliance with these rules. (3-30-07)

07. Waiver of Approval Requirement. The Department may waive the plan and specification approval for any particular facility or category of facilities which will have no significant impact on the environment or on the public health. (5-8-09)

08. Requirement to Have Approved Plans and Specifications and Approval Letter On-site During Construction. It is the responsibility of the owner to maintain one (1) copy of the approved plans and specifications and the approval letter from the reviewing authority on-site during construction at all times. (3-30-07)

09. Construction Inspection Requirement. Except as provided in Subsection 400.03.b., no construction shall commence until all of the necessary approvals have been received from the Department. The owner shall provide for the inspection of the construction of a municipal wastewater treatment or disposal facility by an Idaho licensed professional engineer to the extent required to confirm material compliance with the approved plans and to produce accurate record documents as required by Subsection 400.05. (5-8-09)

401. REVIEW OF PLANS FOR NONMUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES.

01. Plan and Specification Approval Required. The construction, alteration or expansion of any nonmunicipal wastewater treatment or disposal facility must not begin before plans and specifications for the proposed facility have been submitted to and approved by the Department. Deviations may be allowed as provided in Subsection 401.02. The Department does not require review of industrial in-plant processes. (4-11-06)

02. Deviations from Approved Plans. No material deviations are to be made from the approved plans and specifications without prior approval of the Department. (3-30-07)

03. Professional Engineer. Plans and specifications for construction, alteration or expansion of any nonmunicipal wastewater treatment or disposal facility shall be prepared by or under the supervision of an Idaho licensed professional engineer and shall bear the imprint of the engineer's seal. Construction shall be observed by an Idaho licensed professional engineer or a person under the supervision of an Idaho licensed professional engineer. (5-8-09)

04. Record Plans and Specifications. (5-8-09)

a. If actual construction deviates from the approved plans and specifications, complete and accurate plans and specifications depicting the actual construction, alteration, or modification performed, shall be submitted to the Department for review and approval within thirty (30) days of completion of construction. If the construction does not materially deviate from the approved plans and specifications, the owner may have a statement to that effect prepared by an Idaho licensed professional engineer and filed with the Department in lieu of submitting a complete and accurate set of record drawings. (5-8-09)

b. Record plans and specifications, or a statement submitted in lieu of record plans and specifications, must be sealed, signed, and dated by the professional engineer in responsible charge of their preparation. (5-8-09)

05. Waiver of Approval Requirement. The Department can waive the plan and specification approval required in Subsection 401.01 for any particular facility or category of facilities which will have no significant impact on the environment or on the public health. (5-8-09)

06. Applicability of Standards. The facility and design standards for municipal wastewater treatment or disposal facilities set out in these rules do not apply to nonmunicipal wastewater treatment or disposal facilities covered under Section 401. (3-30-07)

402. PLAN AND SPECIFICATION REVIEW DISPUTE RESOLUTION.
The Department's plan and specification review dispute resolution policy is set out in PM06-4 at http://www.deq.idaho.gov/laws-rules-etc/deq-policies/. (3-30-07)

403. -- 408. (RESERVED).

409. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: DEMONSTRATION OF TECHNICAL, FINANCIAL, AND MANAGERIAL CAPACITY.
No person shall proceed, or cause to proceed, with construction of a new public wastewater system, a new private municipal treatment plant, a new wastewater treatment facility, or a new privately owned wastewater pumping station until it has been demonstrated to the Department that the wastewater system will have adequate technical, financial, and managerial capacity, as defined in Section 010 of these rules. Demonstration of capacity shall be submitted to the Department prior to or concurrent with the submittal of plans and specifications, as required in Section 39-118, Idaho Code, and Subsection 400.03 of these rules. The Department shall issue in writing its approval of the new system capacity demonstration. (5-8-09)

01. Technical Capacity. In order to meet this requirement, the public wastewater system shall submit documentation to demonstrate the following: (5-8-09)

a. The system meets the relevant design, construction, and operating requirements of these rules; (5-8-09)

b. A plan is in place to deal with emergencies; (5-8-09)

c. A plan exists for replacement or improvement of infrastructure as necessary; and (5-8-09)

d. The system has trained personnel with an understanding of the technical and operational characteristics of the system. (5-8-09)

02. Financial Capacity. A demonstration of financial capacity must include, but is not limited to, the following information: (5-8-09)

a. Documentation that organizational and financial arrangements are adequate to construct and operate the wastewater system in accordance with these rules. This information can be provided by submitting estimated construction, operation, and maintenance costs, letters of credit, or other access to financial capital through public or private sources and, if available, a certified financial statement; (5-8-09)

b. Demonstration of revenue sufficiency, that includes, but is not limited to, billing and collection procedures; a proposed rate structure which demonstrates the availability of operating funds; revenues for depreciation and reserves; and the ability to accrue a capital replacement fund. A preliminary operating budget shall be provided; and (5-8-09)

c. Adequate fiscal controls must be demonstrated. (5-8-09)

d. For private municipal wastewater treatment plants, a performance bond, maintenance bond, or cash reserve of one (1) year of operation and maintenance costs is required to ensure continuous and adequate operation and maintenance. (5-8-09)

03. Managerial Capacity. In order to demonstrate adequate managerial capacity, the owner or operator of a new wastewater system shall submit at least the following information to the Department: (5-8-09)

a. Clear documentation of legal ownership and any plans that may exist for transfer of that ownership upon completion of construction or after a period of operation; (5-8-09)

b. The name, address, and telephone number of the person who will be accountable for ensuring that the wastewater system is in compliance with these rules; (5-8-09)

c. The name, address, and telephone number of the responsible charge operator; (5-8-09)

d. A description of the manner in which the wastewater system will be managed. Information such as by-laws, restrictive covenants, articles of incorporation, or procedures and policy manuals which describe the management organizational structure shall be provided; (5-8-09)

e. A recommendation of staff qualifications, including training, experience, certification or licensing, and continuing education; (5-8-09)

f. An explanation of how the wastewater system will establish and maintain effective communications and relationships between the wastewater system management, its customers, professional service providers, and any applicable regulatory agencies; and (5-8-09)

g. Evidence of planning for future growth, equipment repair and maintenance, and long term replacement of system components. (5-8-09)

04. Consolidation. In demonstrating new system capacity, the owner of the proposed new system must investigate the feasibility of obtaining wastewater service from an established public wastewater system. If such service is available, but the owner elects to proceed with an independent system, the owner must explain why this choice is in the public interest in terms of environmental protection, affordability to wastewater users, and protection of public health. (5-8-09)

410. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: FACILITY PLANS.

01. Facility Plans Required. All new municipal wastewater treatment or disposal facilities, and all existing municipal wastewater treatment or disposal facilities undergoing material modification or expansion, are required to have a current facility plan that shall address all applicable issues specifically required in Sections 410 and 420 through 599 of these rules including, but not limited to, hydraulic capacity, treatment capacity, project financing, and operation and maintenance considerations. The facility plan shall address these issues sufficiently to determine the effects of the project on the overall wastewater infrastructure. Material modification or expansion that requires a facility plan includes upgraded, or rehabilitated municipal wastewater treatment or disposal facilities and major collection, interceptor sewer, pump station projects, and septage transfer station projects. Facility plans must address the entire potential service area of the project. A facility plan may be completed for collection systems only. If such a collection system facility plan is prepared, and flows increase in excess of the design capacity of downstream collection and treatment facilities, the impact of the flow shall be addressed in the facility plan. (5-8-09)

a. Department-reviewed simple wastewater main extension projects. A facility plan is not required if the Department is provided documentation supporting the ability of the wastewater system to provide service for the simple wastewater main extension without adding wastewater pumping stations or treatment capacity to the system and without overloading the existing collection system. Documentation may be in the form of: (5-8-09)

i. Hydraulic modeling; (5-8-09)

ii. Usage data and flow calculations; (5-8-09)

iii. Declining balance reports that demonstrate the system has the capacity to supply the service area of the system served by the extension; or (5-8-09)

iv. Other documentation acceptable to the Department. (5-8-09)

b. QLPE-Reviewed Simple Wastewater Main Extension Projects. A Department-approved facility plan is not required to be in place prior to the QLPE approving simple wastewater main extensions pursuant to Subsection 400.03.b., provided that the system is in compliance with the facility and design standards in the area served by the extension. If the Department has not approved a facility plan which covers the proposed simple wastewater main extension, then the system owner or the QLPE must include with the transmittal letter

documentation supporting the ability of the system owner to provide service for the simple wastewater main extension without adding wastewater pumping stations or treatment capacity to the system and without overloading the existing collection system. The system owner shall provide this documentation to the QLPE as necessary. Documentation may be in the form of: (5-8-09)

i. Hydraulic modeling; (5-8-09)

ii. Usage data and flow calculations; (5-8-09)

iii. Declining balance reports that demonstrate the system has the capacity to supply the service area of the system served by the extension; or (5-8-09)

iv. Other documentation acceptable to the Department. (5-8-09)

02. Submittal to Department. Facility plans shall be submitted to the Department for review and approval prior to the submission of plans and specifications for a project related to the facility plan. (5-8-09)

03. Engineer's Seal Required. Facility plans submitted to the Department shall bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the engineer. (5-8-09)

04. Facility Plan Contents. The facility plan shall assemble basic information, present criteria and assumptions, and examine alternative solutions with preliminary layouts and cost estimates. The facility plan is intended to address system wide growth, to identify system deficiencies, and to lay out a plan for system upgrades and expansion. The minimum requirements for a facility plan are located in Subsections 410.04.a. through 410.04.c. If specific items are not applicable to a particular facility plan, then the engineer shall state this in the facility plan and state the reason why it is not applicable. (5-8-09)

a. New Wastewater System Facility Plan. The facility plan for a new wastewater system must include sufficient detail to support the requirements of Sections 410 through 520 and address the items listed in Subsections 410.04.a.i. through 410.04.a.vii. of this rule. (5-8-09)

i. Location. Provide a general description and location of the system including service boundaries. (5-8-09)

ii. Population. Provide the estimated design population of the system. (5-8-09)

iii. Wastewater flows. Provide design data for domestic, commercial, and industrial wastewater generation, including average day, maximum day, maximum month, or peak hour flows. (5-8-09)

iv. Collection. Identify and describe any anticipated or proposed wastewater collection systems. Include specific detail on any anticipated or proposed wastewater pumping stations and on any anticipated or proposed wastewater interceptor or trunk lines. (5-8-09)

v. Treatment. Identify and describe any anticipated or proposed treatment works. Provide specific detail on the type and level of treatment and the required capacity of the treatment system. (5-8-09)

vi. Disposal. Identify and describe any anticipated or proposed wastewater disposal system(s). Include specific information on the location and method of disposal and information on any existing disposal permits or estimated timelines to obtain anticipated required permits. (5-8-09)

vii. Drinking water. Describe the drinking water distribution system with reference to the relationship to existing or proposed wastewater structures which may affect the operation and location of the wastewater system. (5-8-09)

b. Existing Wastewater System Facility Plan. The facility plan for an existing wastewater system must include sufficient detail to support the requirements of Sections 410 through 520, address all items in Subsections 410.04.a.i. through 410.04.a.vii., and address all items in Subsections 410.04.b.i. through 410.04.b.viii. (5-8-09)

i. Provide a hydraulic analysis of the collection system if requested by the Department. Any analysis of an existing collection system shall be properly calibrated. The type and sophistication of the analysis shall be dependent on the type of the system. (5-8-09)

ii. Identify and evaluate problems or deficiencies related to the wastewater system. (5-8-09)

iii. Identify the design capacity of existing facilities and the current operating flows. (5-8-09)

iv. Describe financing options for projects identified in the facility plan. (5-8-09)

v. Set forth anticipated charges for users. (5-8-09)

vi. Review organizational and staffing requirements. (5-8-09)

vii. Offer a project(s) recommendation for client consideration. (5-8-09)

viii. Outline official actions and procedures to implement the project. (5-8-09)

c. Wastewater System Facility Plan Funded by the State Revolving Fund. If the project is funded by the state revolving fund or a state grant, the facility plan must meet the requirements of Subsections 410.04.a. and 410.04.b., and other requirements that may also apply. See IDAPA 58.01.12 "Rules for Administration of Water Pollution Control Loans," and IDAPA 58.01.04, "Rules for Administration of Wastewater Treatment Facility Grants." (5-8-09)

d. Facility Plan Guidance. A checklist which can be used for guidance can be found on the DEQ website at http://www.deq.idaho.gov. This checklist is for Department grant and loan projects, but may be used in part or in whole as a guide to assist in the development of any facility plan. (5-8-09)

411. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: PRELIMINARY ENGINEERING REPORTS.

01. Preliminary Engineering Reports Required. Preliminary engineering reports are required for municipal wastewater treatment or disposal facility projects that require plan and specification review and approval pursuant to Subsection 400.03 and shall address all applicable issues specifically required in Sections 411 through 599 of these rules including, but not limited to, purpose, scope, hydraulic capacity, treatment capacity, and operation and maintenance considerations sufficiently to determine the effects of the project on the overall wastewater infrastructure. Preliminary engineering reports must be completed for major wastewater collection system projects, all pump station projects, all treatment plant designs and upgrades, and all septage transfer stations. Preliminary engineering reports are not required for simple wastewater main extensions that are approved in accordance with Subsections 410.01.a. or 410.01.b. (5-8-09)

02. Submittal to Reviewing Authority. Preliminary engineering reports shall be submitted to the Department for review and must be approved by the Department prior to the submission of plans and specifications. (5-8-09)

03. Preliminary Engineering Report Contents. The preliminary engineering report must include sufficient detail to demonstrate that the proposed project meets applicable criteria. The preliminary engineering report generally addresses project specific issues rather than the overall system-wide plan. The preliminary engineering report shall identify and evaluate wastewater related problems; assemble basic information; present criteria and assumptions; examine alternative solutions with preliminary layouts and cost estimates; offer a conclusion with a proposed project; and outline official actions and procedures to implement the project. The items included in Subsections 411.03.a. through 411.03.c., and other items specifically called for in Sections 426 through 599, shall be addressed in detail in the preliminary engineering report. If specific items are not applicable to a particular design, then the designer shall state this in the preliminary engineering report and state the reason why it is not applicable. Items adequately addressed in the facility plan under which the project is being designed, may be addressed by reference for purposes of the preliminary engineering report. (5-8-09)

a. Major Wastewater Collection System Projects. Items applicable to preliminary engineering reports for major wastewater collection system projects are listed in Subsections 411.03.a.i. through 411.03.a.vi. (5-8-09)

i. Coordination with Facility Plan. The preliminary engineering report shall discuss or reference items provided in the Department-approved facility plan. These items include, but are not limited to: (5-8-09)

(1) Location of project; (5-8-09)

(2) Population served by project; (5-8-09)

(3) Existing and proposed wastewater flows; (5-8-09)

(4) Existing and proposed collection system; (5-8-09)

(5) Existing and proposed treatment works; (5-8-09)

(6) Existing and proposed disposal methods; (5-8-09)

(7) Drinking water system impacts; (5-8-09)

(8) Hydraulic analysis; and (5-8-09)

(9) Financing methods. (5-8-09)

ii. Design criteria. The preliminary engineering report shall discuss and present the design criteria applicable to the proposed project. The design criteria includes, but is not limited to: (5-8-09)

(1) Wastewater flow rates including peak hour flows; (5-8-09)

(2) Current project fifty (50) year design and build-out conditions; (5-8-09)

(3) Piping size, material, and installation methods; (5-8-09)

(4) Depth of bury and slope; (5-8-09)

(5) Soil and ground water conditions; (5-8-09)

(6) Corrosion protection; and (5-8-09)

(7) Odor control. (5-8-09)

iii. Code provisions. The preliminary engineering report shall include a summary of applicable codes and standards that apply to the proposed project. (5-8-09)

iv. Cost estimate. The preliminary engineering report shall provide as applicable estimated construction costs for public works projects or projects funded by public monies. (5-8-09)

v. Construction schedule. The preliminary engineering report shall include the proposed construction schedule. (5-8-09)

vi. Environmental review. The preliminary engineering report shall include an environmental review. See the definition for environmental review in Section 010 for additional information. (5-8-09)

b. Wastewater Pump Station Projects. Items applicable to preliminary engineering reports for wastewater pump station projects include all items listed in Subsection 411.03.a. and items listed in Subsections 411.03.b.i. through 411.03.b.iv. (5-8-09)

i. Design criteria. The preliminary engineering report shall discuss and present the design criteria applicable to the proposed project. The design criteria includes, but is not limited to: (5-8-09)

(1) Wastewater flow rates including average day, maximum day, and peak hour flows; (5-8-09)

(2) Influent wastewater characteristics, including characteristics during periods of wet weather flows; (5-8-09)

(3) Size and configuration; and (5-8-09)

(4) Redundancy provisions. (5-8-09)

ii. Site evaluation and layout. The preliminary engineering report shall describe the proposed site and layout of the wastewater pumping station. This information includes, but is not limited to: (5-8-09)

(1) Currently proposed facilities; (5-8-09)

(2) Geotechnical investigation and provisions including buoyancy calculations if required; (5-8-09)

(3) Flood control provisions; (5-8-09)

(4) Security; (5-8-09)

(5) Operations and maintenance assessments; and (5-8-09)

(6) Odor management plans. (5-8-09)

iii. Instrumentation and control system. The preliminary engineering report shall discuss instrumentation and control that will be provided. This information includes, but is not limited to: (5-8-09)

(1) System configuration; (5-8-09)

(2) Operator interface; (5-8-09)

(3) Process and instrumentation diagrams; and (5-8-09)

(4) Alarm systems. (5-8-09)

iv. Emergency operation. The preliminary engineering report shall describe how the system will be operated during power outages, equipment failures, or other unforeseen system failures. (5-8-09)

c. Wastewater Treatment Plants. Items applicable to preliminary engineering reports for wastewater treatment plant designs and upgrades include all items listed in Subsection 411.03.a., Subsection 411.03.b., and Subsections 411.03.c.i. through 411.03.c.iv. (5-8-09)

i. Design criteria. The preliminary engineering report shall discuss and present the design criteria applicable to the proposed project. The design criteria includes, but is not limited to: (5-8-09)

(1) Wastewater flow rates including average day, maximum day, maximum month, and peak hour flows; (5-8-09)

(2) Effluent requirements; (5-8-09)

(3) Solids production, disposal, or recycling requirements; (5-8-09)

(4) Process units design criteria, process selection, and support data; (5-8-09)

(5) Mass balance calculations for process units including, but not limited to, flow and solids; and (5-8-09)

(6) Monitoring and reporting requirements. (5-8-09)

ii. Site evaluation and layout. The preliminary engineering report shall describe the proposed site and layout of the wastewater system. This information includes, but is not limited to: (5-8-09)

(1) Currently proposed facilities; (5-8-09)

(2) Facilities for twenty (20) year design conditions; (5-8-09)

(3) Facilities for build-out conditions; (5-8-09)

(4) Space for facilities potentially necessary to meet higher levels of treatment; (5-8-09)

(5) Liquid process facilities and conveyance; (5-8-09)

(6) Solids process facilities and conveyance; (5-8-09)

(7) Plant access and on-site roads and walkways; (5-8-09)

(8) Process piping and utilities; (5-8-09)

(9) Buffer zones; (5-8-09)

(10) Landscaping; (5-8-09)

(11) Administration and operations buildings; (5-8-09)

(12) Onsite laboratory facilities; and (5-8-09)

(13) Treatment during construction. (5-8-09)

iii. Hydraulic profile. The preliminary engineering report shall provide a hydraulic profile for the proposed system. This information includes, but is not limited to: (5-8-09)

(1) Twenty (20) year design facilities; (5-8-09)

(2) Provision for higher levels of treatment; (5-8-09)

(3) Receiving stream one hundred (100) year surface water elevation; and (5-8-09)

(4) Hydraulics and pipe sizing for build-out conditions. (5-8-09)

iv. Process units. The preliminary engineering report shall describe in detail the proposed process units and discuss how the proposed units will interface with any existing process units. This information includes, but is not limited to: (5-8-09)

(1) Current project and twenty (20) year design and build-out conditions; (5-8-09)

(2) Size and number of units and loading rates; (5-8-09)

(3) Redundancy provisions; (5-8-09)

(4) Equipment type, size, performance criteria, and power requirements; (5-8-09)

(5) Structure, equipment, and piping layout; (5-8-09)

(6) Special code requirements; (5-8-09)

(7) Cold temperature operation; and (5-8-09)

(8) Procedures required for initial start-up of process unit(s), including procedures required for handling initial system flows that are less than minimum flow requirements for the process unit(s). (5-8-09)

04. Engineer's Seal Required. Preliminary engineering reports submitted to the Department shall bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the engineer. (5-8-09)

412. -- 419. (RESERVED)

420. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: SUBMISSION OF PLANS AND SUPPORT DOCUMENTS.
Submissions to the reviewing authority for construction of municipal wastewater treatment or disposal facilities shall include sealed plans and specifications, design criteria, the appropriate construction permit applications, review forms, and permit fee if required. The plans and specifications shall contain sufficient detail to allow for the contracting and construction of the wastewater systems. (4-11-06)

421. -- 424. (RESERVED)

425. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: OPERATION AND MAINTENANCE MANUALS.

01. Manual Contents. An operation and maintenance manual or manuals shall be provided for all wastewater systems. The manual shall include, but is not limited to, the following contents: daily operating instructions, operator safety procedures, location of valves and other key system features, a parts list and parts order form(s), and information for contacting the responsible charge operators. An operational trouble-shooting section shall be supplied to the wastewater works as part of any proprietary unit installed in system facilities. (5-8-09)

02. Approval Required. Final operation and maintenance manuals for construction of wastewater systems that include lift stations or treatment works must be submitted to the Department for review and approval prior to start-up of the proposed system unless the system components are already covered in an existing manual. (5-8-09)

426. -- 429. (RESERVED).

430. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES -- DESIGN AND CONSTRUCTION OF WASTEWATER PIPELINES.

01. Design Capacity and Design Flow. In general, sewer capacities shall be designed for the estimated ultimate tributary population, except in considering parts of the systems that can be readily increased in capacity. (4-11-06)

02. Details of Design and Construction. (4-11-06)

a. Minimum Pipe Size. Minimum pipe size for gravity sewer mains shall be eight (8) inches in diameter. Minimum pipe size for gravity sewer services shall be four (4) inches in diameter. Pipe diameters larger than these minimums shall be based on cleaning capability and hydraulic capacity, and shall conform with the required planning documents. (3-30-07)

b. Depth. Wastewater pipelines shall be installed sufficiently deep or specifically designed to prevent freezing and to protect the facilities from surface loading. (4-11-06)

c. Buoyancy. Buoyancy of wastewater pipelines shall be considered and flotation of the pipe shall be prevented with appropriate construction where high groundwater conditions are anticipated. (4-11-06)

d. Slope. Gravity wastewater pipelines shall be designed to have sufficient slope and velocity to "self clean" or transport constituent solids to the treatment facility. Justification for these slopes shall be included in the preliminary engineering report and shall be based on widely used guidance documents or published friction coefficients and Manning's formula. (5-8-09)

i. If the current or future ownership of the system is by a city, county, quasi-municipal corporation or regulated public utility and the velocities are less than self cleaning, the owner shall, as a condition of the Department's approval of plans and specifications, provide justification for the lower velocities and commit to, at a minimum, annually service wastewater pipelines to flush, transport, or remove solids from wastewater pipelines. This would include the use of cutting tools for roots, vactor trucks, and any other method required to keep the pipelines clean, intact and flowing. That commitment shall be in the form of a letter from both the owner and the future owner entity stating said commitment, and shall include a discussion of the current and future owners' capacity to do said flushing. (3-30-07)

ii. If the current or future ownership of the system is by a developer that is passing the operation and maintenance on to a homeowner's association or other similar entity, then the design shall not allow for velocities that are less than self cleaning. (3-30-07)

e. Materials. (4-11-06)

i. Any generally accepted material for wastewater pipelines will be given consideration. The material selected should be adapted to local conditions, such as: character of industrial wastes, possibility of septicity, soil characteristics, exceptionally heavy external loadings, abrasion, corrosion, and similar problems. (4-11-06)

ii. Couplings complying with applicable standard specifications shall be used for joining dissimilar materials. (4-11-06)

iii. For new pipe materials for which standards have not been established, the design engineer shall provide complete pipe specifications and installation specifications developed on the basis of criteria adequately documented and certified in writing by the pipe manufacturer to be satisfactory for the specific application. (4-11-06)

f. Installation. Installation specifications shall contain appropriate requirements based on the criteria, standards, and requirements established by industry in its technical publications. Reference current edition of the Idaho Standards for Public Works Construction for assistance in designing such specifications. (3-30-07)

g. Joints and Infiltration. (4-11-06)

i. The installation of joints and the materials used shall be included in the specifications. Wastewater pipeline joints shall be designed to minimize infiltration and to prevent the entrance of roots throughout the life of the system. Reference current edition of the Idaho Standards for Public Works Construction for assistance in designing such specifications. (3-30-07)

ii. Service connections to the wastewater pipeline main shall be water tight and not protrude into the wastewater pipelines. If a saddle type connection is used, it shall be a device designed to join with the types of pipe which are to be connected. All materials used to make service connections shall be compatible with each other and with the pipe materials to be joined and shall be corrosion proof. (4-11-06)

h. Manholes. Manholes shall be installed at the end of each line; at all changes in grade, size, or alignment; at all intersections. Cleanouts may be used only for special conditions and shall not be substituted for manholes nor installed at the end of laterals greater than one hundred fifty (150) feet in length. (4-11-06)

i. Testing. Testing shall conform with Section 501.3.4 of the "Idaho Standards for Public Works Construction," incorporated by reference into these rules at Section 004. (3-30-07)

j. Inverted Siphons. Inverted siphons shall have not less than two (2) barrels or pipes. They shall be provided with necessary appurtenances for maintenance, convenient flushing, and cleaning equipment. Design shall provide sufficient head and appropriate pipe sizes to secure sufficient velocities for design average flows. (3-30-07)

k. Wastewater Pipelines in Relation to Surface Water Bodies. The top of all wastewater pipelines entering or crossing surface water bodies shall be at a sufficient depth below the natural bottom of the bed or otherwise designed to protect the wastewater pipeline. (4-11-06)

i. Wastewater pipelines located adjacent to surface water bodies shall be located outside of the bed and sufficiently removed therefrom to provide for future possible stream widening and to prevent pollution by siltation during construction. (3-30-07)

ii. Structures. Wastewater pipeline outfalls, headwalls, manholes, gate boxes, or other structures shall be designed to address anticipated flood flows of the surface water bodies. (4-11-06)

iii. Alignment. Wastewater pipelines crossing surface water bodies should be designed to cross the surface water body as nearly perpendicular to the surface water body flow as possible and shall be free from change in grade. (4-11-06)

iv. Materials. Wastewater pipelines entering or crossing surface water bodies shall be constructed of water transmission pressure rated pipe with restrained joints conforming to Section 401.2.9 of the "Idaho Standards for Public Works Construction," incorporated by reference into these rules at Section 004, or other suitable pipe with restrained joints capable of being installed to remain watertight and free from changes in alignment or grade. Material used to back-fill the trench shall be concrete slurry, stone, coarse aggregate, washed gravel, or other materials which will not readily erode, cause siltation, damage pipe during placement, or corrode the pipe. (3-30-07)

v. Siltation and Erosion. Construction methods that will minimize siltation and erosion shall be employed. (4-11-06)

l. Aerial Crossings. Support shall be provided for all joints in pipes utilized for aerial crossings. Restrained joints or structural casings are required. (4-11-06)

m. Cross Connections Prohibited. There shall be no physical connections between a public or private potable water supply system and a wastewater pipeline, or appurtenance thereto, which would permit the passage of any wastewater or polluted water into the potable supply. No water pipe shall pass through or come into contact with any part of a wastewater pipeline manhole. (4-11-06)

n. Protection of Water Sources, Supplies. When wastewater pipelines are proposed in the vicinity of any drinking water sources or supplies or other drinking water facilities, requirements of IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," shall be used to confirm acceptable isolation distances. (4-11-06)

o. Non-Potable Pipelines in Relation to Potable Water Pipelines. The Department will use the Memorandum of Understanding with the Plumbing Bureau as guidance in determining the relative responsibilities for reviewing service lines. The conditions of Subsections 542.07.a. and 542.07.b. shall apply to all potable services constructed or reconstructed after April 15, 2007 and where the Department or the QLPE is the reviewing authority. (5-8-09)

i. Parallel installation requirements. (5-8-09)

(1) Non-potable mains in relation to potable mains: (5-8-09)

(a) Greater than ten (10) feet separation: no additional requirements based on separation distance. (5-8-09)

(b) Ten (10) feet to six (6) feet separation: separate trenches, with potable main above non-potable main, and non-potable main constructed with potable-water class pipe. (4-11-06)

(c) Less than six (6) feet separation: design engineer to submit data to the Department for review and approval that this installation will protect public health and environment and non-potable main constructed with potable-water class pipe. (3-30-07)

(d) Non-potable mains are prohibited from being located in the same trench as potable mains. (3-30-07)

(e) Pressure sewage mains shall be no closer horizontally than ten (10) feet from potable mains. (3-30-07)

(2) New non-potable services in relation to potable services, new non-potable services in relation to potable mains, and new potable services in relation to non-potable mains. (5-8-09)

(a) Greater than six (6) feet separation: no additional requirements based on separation distances. (5-8-09)

(b) Less than six (6) feet separation: design engineer to submit data that this installation will protect public health and the environment and non-potable service constructed with potable water class pipe. (5-8-09)

(c) New potable services are prohibited from being located in the same trench as non-potable mains or non-potable services. (5-8-09)

ii. Requirements for potable water mains or services crossing non-potable mains or services. For the purposes of Subsection 430.02.o.ii., the term "pipeline" applies to both mains and services. (5-8-09)

(1) Eighteen (18) inches or more vertical separation with potable pipeline above non-potable pipeline: non-potable pipeline joint to be as far as possible from the potable water pipeline. (5-8-09)

(2) Eighteen (18) inches or more vertical separation with potable water pipeline below non-potable pipeline: Non-potable pipeline joint to be as far as possible from the potable water pipeline, and non-potable pipeline must be supported through the crossing to prevent settling. (5-8-09)

(3) Less than eighteen (18) inches vertical separation: (5-8-09)

(a) Non-potable pipeline joint to be as far as possible from the potable water pipeline; and either (5-8-09)

(b) Non-potable pipeline constructed with potable water class pipe for a minimum of ten (10) feet either side of potable pipeline with a single twenty (20) foot section of potable water class pipe centered on the crossing; or (5-8-09)

(c) Sleeve non-potable or potable pipeline with potable water class pipe for ten (10) feet either side of crossing. Use of hydraulic cementitious materials such as concrete, controlled density fill, and concrete slurry encasement is not allowed as a substitute for sleeving. (5-8-09)

(d) If the potable pipeline is below non-potable pipeline, the non-potable pipeline must also be supported through the crossing to prevent settling. (5-8-09)

(4) Pressure sewage mains shall be no closer vertically than eighteen (18) inches from potable mains. (5-8-09)

iii. Existing potable services in relation to new non-potable mains, existing non-potable services in relation to new potable mains, and existing potable services in relation to new non-potable services shall meet the requirements of Subsection 430.02.o.ii., where practical, based on cost, construction factors, and public health significance. If the Department determines that there are significant health concerns with these services, such as where a large existing service serves an apartment building or a shopping center, then the design shall conform with Subsection 430.02.o.ii. (5-8-09)

431. -- 439. (RESERVED)

440. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: WASTEWATER PUMPING STATIONS.

01. General. Section 440 regulates both public and private municipal wastewater collection pump stations and does not regulate individual residence pump stations, individual residence grinder pump stations, or individual residence septic tank effluent pump stations. See Section 441 for regulation of those types of pump stations. (3-30-07)

a. Flooding. Wastewater pumping station structures and electrical and mechanical equipment shall be protected from physical damage by the one hundred (100) year flood. Wastewater pumping stations shall remain fully operational and accessible during the twenty-five (25) year flood. Regulations of state and federal agencies regarding flood plain obstructions shall be considered. (3-30-07)

b. Accessibility and Security. The pumping station shall be accessible by maintenance vehicles during all weather conditions. (3-30-07)

c. Grit. The wet well and pump station piping shall be designed to avoid operational problems from the accumulation of grit. (3-30-07)

d. Safety. Provisions shall be made to consider the protection of maintenance personnel and visitors from typical and foreseeable hazards in accordance with the engineering standards of care. See also Subsection 450.07. (3-30-07)

02. Design. Design of wastewater pumping stations shall meet the applicable requirements of Subsections 440.02.a. through 440.02.i. (3-30-07)

a. Type. Wastewater pumping stations in general use fall into four types: wet well/dry well, submersible, suction lift, and screw pump. (3-30-07)

b. Structures. (3-30-07)

i. Separation. Dry wells shall be completely separated from the wet well. Common walls must be gas tight. (3-30-07)

ii. Equipment Removal. Provision shall be made to facilitate removing pumps, motors, and other mechanical and electrical equipment. Individual pump and motor removal must not interfere with the continued operation of remaining pumps. (3-30-07)

iii. Access and Safety Landings. (3-30-07)

(1) Access. Suitable means of access for maintenance personnel wearing self-contained breathing apparatus shall be provided to dry wells and to wet wells. See also Subsection 450.07. (3-30-07)

(2) Safety Landings. Section 009 provides a reference to requirements of the Occupational Safety and Health Administration (OSHA), compliance with which may be required by other law. (3-30-07)

iv. Buoyancy. Where high groundwater conditions are anticipated, buoyancy of the wastewater pumping station structures shall be considered and, if necessary, adequate provisions shall be made for protection. (3-30-07)

v. Construction Materials. Materials shall be selected that are appropriate under conditions of exposure to hydrogen sulfide and other corrosive gases, greases, oils, and other constituents frequently present in wastewater. This is particularly important in the selection of metals and paints. (3-30-07)

c. Pumps. (3-30-07)

i. Multiple Units. Multiple pumps shall be provided. Units shall have capacity such that, with any unit out of service, the remaining units will have capacity to handle the design peak hourly flow. (3-30-07)

ii. Protection Against Clogging. Pumps (except screw pumps) handling separate sanitary wastewater from thirty (30) inch or larger diameter sewers shall be protected by bar racks. Appropriate protection from clogging shall also be considered for small pumping stations. (3-30-07)

iii. Pump Openings. Pumps handling unscreened raw wastewater shall be capable of passing spheres of at least three (3) inches in diameter or be a grinder pump. (3-30-07)

iv. Priming. The pump shall be placed so that, under normal operating conditions, it will operate under a positive suction head, except as specified in Subsection 440.03. (3-30-07)

v. Electrical Equipment. Section 009 provides a reference to the requirements of the National Electrical Code, compliance with which may be required by other law. (3-30-07)

vi. Intake. Section 008 provides a reference to the American National Standard Institute/Hydraulic Institute ANSI/HI 9.8, American National Standard for Centrifugal and Vertical Pump Intake Design. (3-30-07)

vii. Dry Well Dewatering. Dry wells shall be equipped with a positive means for dewatering. (3-30-07)

viii. Pumping Rates. The pumps and controls of main pumping stations shall be selected to operate with varying rates. The pump control system design shall take into account, and minimize as needed, downstream impact of pump discharge hydraulic surges. The station design capacity shall be based on peak hourly flow as determined in accordance with Section 411 and shall be adequate to maintain a velocity in the force main sufficient to avoid solids deposition. See Subsection 440.09. (3-30-07)

d. Controls. Water level control sensing devices shall be designed to allow for automatic control of pumps. (3-30-07)

e. Valves. (3-30-07)

i. Suction Line. Suitable shutoff valves shall be placed on the suction lines of dry pit pumps. (3-30-07)

ii. Discharge Line. Suitable shutoff and check valves shall be placed on the discharge line of each pump (except on screw pumps). The check valve shall be located between the shutoff valve and the pump. Check valves shall be suitable for the material being handled and shall be placed on the horizontal portion of the discharge piping except for ball checks, which may be placed in the vertical run. Valves shall be capable of withstanding normal pressure and water hammer. All shutoff and check valves shall be operable from the floor level and accessible for maintenance. Outside levers are recommended on swing check valves. (3-30-07)

f. Wet Wells. (3-30-07)

i. Section 008 provides a reference to the American National Standard Institute/Hydraulic Institute ANSI/HI 9.8, American National Standard for Centrifugal and Vertical Pump Intake Design as a guidance document. (3-30-07)

ii. Air Displacement. Covered wet wells shall have provisions for air displacement to the atmosphere, such as an inverted “j” tube or other means. (3-30-07)

g. Safety Ventilation. Adequate ventilation shall be provided for all pump stations unless access is provided using confined space entry procedures. Where the dry well is below the ground surface, mechanical ventilation is required. If screens or mechanical equipment requiring maintenance or inspection are located in the wet well, permanently installed ventilation is required. There shall be no interconnection between the wet well and dry

well ventilation systems. Section 008 provides a reference to guidance documents; see Subsection 008.11. (3-30-07)

h. Flow Measurement. Suitable methods for measuring wastewater flow shall be addressed at all pumping stations. (3-30-07)

i. Water Supply. There shall be no physical connection between any potable water supply and a wastewater pumping station which, under any conditions, might cause contamination of the potable water supply. If a potable water supply connection is made to the station, the connection shall comply with IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems." (3-30-07)

03. Suction Lift Pump Stations - Special Considerations. Suction lift pumps shall meet the applicable requirements of Subsection 440.02. (3-30-07)

a. Pump Priming and Lift Requirements. Suction lift pumps shall be of the self-priming or vacuum-priming type. Suction lift pump stations using dynamic suction lifts exceeding the limits outlined in Subsections 440.03.b. through 440.03.d. may be approved upon submission of factory certification of pump performance and detailed calculations indicating satisfactory performance under the proposed operating conditions. (3-30-07)

b. Self-Priming Pumps. Self-priming pumps shall be capable of rapid priming and re-priming at the "lead pump on" elevation. Such self-priming and re-priming shall be accomplished automatically under design operating conditions. (3-30-07)

c. Vacuum-Priming Pumps. Vacuum-priming pump stations shall be equipped with dual vacuum pumps capable of automatically and completely removing air from the suction lift pump. The vacuum pumps shall be adequately protected from damage due to wastewater. The combined total of dynamic suction lift at the "pump off" elevation and required net positive suction head at design operating conditions shall not exceed twenty-two (22) feet. (3-30-07)

d. Equipment, Wet Well Access, and Valving Location. The pump equipment compartment shall be above grade or offset and shall be effectively isolated from the wet well to prevent a hazardous and corrosive sewer atmosphere from entering the equipment compartment. Wet well access shall not be through the equipment compartment and shall be at least twenty-four (24) inches in diameter. Gasketed replacement plates shall be provided to cover the opening to the wet well for pump units removed for servicing. Valving shall not be located in the wet well. (3-30-07)

04. Submersible Pump Stations - Special Considerations. Submersible pump stations shall meet the applicable requirements of Subsection 440.02, except as modified in Subsection 440.04. (3-30-07)

a. Construction. Submersible pumps and motors shall be designed specifically for raw wastewater use, including totally submerged operation during a portion of each pumping cycle. An effective method to detect shaft seal failure or potential seal failure shall be provided. (3-30-07)

b. Pump Removal. Submersible pumps shall be readily removable and replaceable without personnel entering or dewatering the wet well, or disconnecting any piping in the wet well. (3-30-07)

c. Electrical Equipment. Section 009 provides a reference to the requirements of the National Electrical Code, compliance with which may be required by other law. (3-30-07)

i. Power Supply and Control Circuitry. Electrical supply, control, and alarm circuits shall be designed to provide strain relief and to allow disconnection from outside the wet well. Terminals and connectors shall be protected from corrosion by location outside the wet well or through use of watertight seals. (3-30-07)

ii Controls. The motor control center shall be located outside the wet well, be readily accessible, and be protected by a conduit seal or other appropriate measures to prevent the atmosphere of the wet well from gaining access to the control center. The seal shall be located so that the motor may be removed and electrically disconnected without disturbing the seal. When such equipment is exposed to weather, it is recommended that it meet the requirements of weatherproof equipment NEMA 3R or 4. (3-30-07)

iii. Power Cord. Pump motor power cords shall be designed for flexibility and serviceability under conditions of extra hard usage. Ground fault interruption protection shall be used to de-energize the circuit in the event of any failure in the electrical integrity of the cable. Power cord terminal fittings shall be corrosion-resistant and constructed in a manner to prevent the entry of moisture into the cable, shall be provided with strain relief appurtenances, and shall be designed to facilitate field connecting. (3-30-07)

d. Valves. Valves required under Subsection 440.02 shall be located in a separate valve chamber. Provisions shall be made to remove or drain accumulated water from the valve chamber. The valve chamber may be dewatered to the wet well through a drain line with a gas and water tight valve. Check valves that are integral to the pump need not be located in a separate valve chamber provided that the valve can be removed from the wet well in accordance with Subsection 440.04. Access shall be provided in accordance with Subsection 440.02. (3-30-07)

05. Screw Pump Stations - Special Considerations. Screw pump stations shall meet the applicable requirements of Subsection 440.02. (3-30-07)

a. Covers. Covers or other means of excluding direct sunlight shall be provided as necessary to eliminate adverse effects from temperature changes. (3-30-07)

b. Pump Wells. A positive means of isolating individual screw pump wells shall be provided. (3-30-07)

c. Bearings. Submerged bearings shall be lubricated by an automated system without pump well dewatering. (3-30-07)

06. Alarm Systems. Alarm systems with a backup power source shall be provided for pumping stations. The alarm shall be activated in cases of power failure, dry well sump and wet well high water levels, pump failure, unauthorized entry, or other cause of pump station malfunction. Pumping station alarms, including identification of the alarm condition, shall be transmitted to a twenty-four (24) hour response center. Audio-visual alarm systems may be acceptable in some cases in lieu of a transmitting system depending upon location, station holding capacity, and inspection frequency. (3-30-07)

07. Emergency Operation. (3-30-07)

a. Objective. The objective of emergency operation is to prevent the unintended discharge of raw or partially treated wastewater to any waters or land surface and to protect public health by preventing back up of wastewater and subsequent discharge to basements, streets, and other public and private property. (3-30-07)

b. Emergency Pumping Capability. Emergency pumping capability is required for all new lift stations constructed after April 15, 2007. Emergency pumping capability is required for all existing lift stations that undergo a material modification or expansion unless overall system reliability can be proven adequate to the Department as shown in Subsections 440.07.b.i. and 440.07.b.ii. or overflow prevention is provided by adequate emergency storage capacity as defined in these rules. If required, emergency pumping capability shall be accomplished by connection of the station to at least two (2) independent utility substations as determined by and stated in a letter from the appropriate power provider, by provision of portable or in-place internal combustion engine equipment which will generate electrical or mechanical energy, or by the provision of portable pumping equipment. Such emergency standby systems shall have sufficient capacity to start up and maintain the total rated running capacity of the station. Regardless of the type of emergency standby system provided, a portable pump connection to the force main with rapid connection capabilities and appropriate valving shall be provided outside the dry well and wet well. (3-30-07)

i. System reliability is considered adequate if power grid outages average three (3) or less per year based on data for the three (3) previous years with no more than six (6) outages in a single year. (3-30-07)

ii. Outage duration averages less than four (4) hours based on data for the three (3) previous years, with not more than one (1) outage during the three (3) previous year period exceeding eight (8) hours. Power loss for at least thirty (30) minutes qualifies as an outage. (3-30-07)

c. Equipment Requirements. (3-30-07)

i. General. The following general requirements shall apply to all internal combustion engines used to drive auxiliary pumps, service pumps through special drives, or electrical generating equipment: (3-30-07)

(1) Engine Protection. The engine must be protected from operating conditions that would result in damage to equipment. Unless continuous manual supervision is planned, protective equipment shall be capable of shutting down the engine and activating an alarm on site and as provided in Subsection 440.06. Protective equipment shall monitor for conditions of low oil pressure and overheating, except that oil pressure monitoring will not be required for engines with splash lubrication. (3-30-07)

(2) Size. The engine shall have adequate rated power to start and continuously operate under all connected loads. (3-30-07)

(3) Fuel Type. Reliability and ease of starting, especially during cold weather conditions, shall be addressed in the selection of the type of fuel. (3-30-07)

(4) Fuel Storage. Fuel storage and piping facilities if provided shall be constructed in accordance with applicable state and federal regulations. (3-30-07)

(5) Engine Ventilation. The engine shall have adequate ventilation of fuel vapors and exhaust gases. (3-30-07)

(6) Routine Start-up. All emergency equipment shall be provided with instructions indicating the need for regular starting and running of such units at full loads. (3-30-07)

(7) Protection of Equipment. Emergency equipment shall be protected from damage at the restoration of regular electrical power. (3-30-07)

ii. Engine-Driven Pumping Equipment. Where permanently-installed or portable engine-driven pumps are used, the following requirements in addition to general requirements shall apply. (3-30-07)

(1) Pumping Capacity. Engine-driven pumps shall meet the design pumping requirements unless storage capacity is available for flows in excess of pump capacity. Pumps shall be designed for anticipated operating conditions, including suction lift if applicable. (3-30-07)

(2) Operation. The engine and pump shall be equipped to provide automatic start-up and operation of pumping equipment unless manual start-up and operation is justified. Provisions shall also be made for manual start-up. Where manual start-up and operation is justified, storage capacity and alarm system must meet the requirements of Subsection 440.07.c.ii(3). (3-30-07)

(3) Portable Pumping Equipment. Where part or all of the engine-driven pumping equipment is portable, adequate emergency storage capacity with alarm system shall be provided to allow time for detection of pump station failure and transportation and hookup of the portable equipment. (3-30-07)

iii. Engine-Driven Generating Equipment. Where permanently-installed or portable engine-driven generating equipment is used, the following requirements shall apply in addition to the general requirements of Subsection 440.07. (3-30-07)

(1) Generating Capacity. (3-30-07)

(a) Generating unit size shall be adequate to provide power for pump motor starting current and for lighting, ventilation, and other auxiliary equipment necessary for safety and proper operation of the lift station. (3-30-07)

(b) The operation of only one pump during periods of auxiliary power supply must be justified. Such justification may be made on the basis of the design peak hourly flows relative to single-pump capacity, anticipated

length of power outage, and storage capacity. (3-30-07)

(c) Manual or special sequencing controls shall be provided to start pump motors unless the generating equipment has capacity to start all pumps simultaneously with auxiliary equipment operating. (3-30-07)

(2) Operation. Provisions shall be made for automatic and manual startup and load transfer unless only manual start-up and operation is justified. Automatic transfer switches shall be UL listed and meet NEC requirements. The generator must be protected from operating conditions that would result in damage to equipment. Provisions shall be made to allow the engine to start and stabilize at operating speed before assuming the load. Where manual start-up and transfer is justified, storage capacity and alarm system must meet the requirements of Subsection 440.07.c.iii.(3). (3-30-07)

(3) Portable Generating Equipment. Where portable generating equipment and manual transfer is provided, adequate emergency storage capacity with alarm system shall be provided to allow time for detection of pump station failure and transportation and connection of generating equipment. Special electrical connections and double throw switches shall be provided for connecting portable generating equipment. Manual transfer switches shall be UL listed and meet NEC requirements. (3-30-07)

iv. Independent Utility Substations. Where independent substations are used for emergency power, each separate substation and its associated transmission lines shall be capable of starting and operating the pump station at its rated capacity. (3-30-07)

08. Instructions and Equipment. Wastewater pumping stations and portable equipment shall be supplied with a complete set of operational instructions, including emergency procedures, maintenance schedules, tools, and such spare parts as may be necessary. (3-30-07)

09. Operation and Maintenance. (3-30-07)

a. An operation and maintenance manual shall be submitted to and approved by the Department as required by Section 425. Adherence to the terms of this approved manual shall be required. The owner shall be responsible for maintaining the wastewater facility in a manner that assures its designed operation. (3-30-07)

b. For private municipal wastewater collection pump stations, documents that detail the technical, managerial, and financial capabilities of the private entity to properly operate and maintain said pump station for the long term shall be submitted to the Department for approval prior to operation. (3-30-07)

10. Force Mains. (3-30-07)

a. Velocity and Diameter. At design pumping rates, a cleansing velocity of at least two (2) feet per second shall be maintained. (3-30-07)

b. Air and Vacuum Relief Valve. An air relief valve shall be placed at high points in the force main to prevent air locking. The force main configuration and head conditions shall be evaluated as to the need for and placement of vacuum relief valves. (3-30-07)

c. Termination. The force mains from other than individual grinder pump stations shall enter a receiving manhole. Corrosion protection for the receiving manhole shall be provided. Control of odors at such discharge points shall be evaluated. (3-30-07)

d. Pipe and Design Pressure. Pipe and joints shall be equal to water main strength materials suitable for design conditions. The force main, reaction blocking, thrust restraint, and station piping shall be designed to withstand water hammer pressures and associated cyclic reversal of stresses that are expected with the cycling of wastewater lift stations. The use of surge valves, surge tanks, or other suitable means to protect the force main against severe pressure changes shall be evaluated. (3-30-07)

e. Special Construction. Force main construction near streams or water works structures and at water main crossings shall meet applicable provisions of Section 430. (3-30-07)

f. Design Friction Losses. (3-30-07)

i. Friction Coefficient. Friction losses through force mains shall be based on the Hazen and Williams formula or other acceptable methods. When the Hazen and Williams formula is used, the friction losses for varying values of "C" shall be evaluated for different types and ages of pipe. (3-30-07)

ii. Maximum Power Requirements. When initially installed, force mains will have a significantly higher "C" factor. The effect of the higher "C" factor shall be considered in calculating maximum power requirements and duty cycle time to prevent damage to the motor. The effects of higher discharge rates on selected pumps and downstream facilities shall also be considered. (3-30-07)

g. Identification. Where force mains are constructed of material which might cause the force main to be confused with potable water mains, the force main shall be appropriately identified using trench tape saying "raw sewage," "biohazard," or other appropriate wording. (3-30-07)

h. Leakage Testing. Leakage tests shall be specified including testing methods and leakage limits. Testing shall conform with Sections 401.3.6 and 505.3.3 of the "Idaho Standards for Public Works Construction," incorporated by reference into these rules at Section 004. (3-30-07)

i. Thrust Blocking or Restraint. Thrust blocking or restraint shall conform with Sections 401.3.4 of the "Idaho Standards for Public Works Construction," incorporated by reference into these rules at Section 004, or specific calculations reviewed and approved by the Department. (3-30-07)

j. Maintenance Considerations. Isolation valves shall be used if force mains connect into a common force main. (3-30-07)

k. Cover. Force mains shall be covered with sufficient earth or other insulation to prevent freezing or other physical damage. (3-30-07)

441. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: INDIVIDUAL RESIDENCE WASTEWATER PUMPING STATIONS.

01. General. Section 441 regulates individual residence pump stations, individual residence grinder pump stations, and individual residence septic tank effluent pump stations. However, this rule does not regulate grinder pumps or their vaults that are inside of individual residences or other structures. Certain individual residence wastewater pumping stations may be under the jurisdiction of the Idaho Division of Building Safety, Plumbing Bureau. For further defining and delineating of the Plumbing Bureau's and the Department's statutory and regulatory duties and responsibilities with respect to individual residence wastewater pumping stations, see the Memorandum of Understanding referred to in Section 008. (5-8-09)

a. Flooding. Wastewater pumping station structures and electrical and mechanical equipment shall be protected from physical damage by the one hundred (100) year flood. Wastewater pumping stations shall remain fully operational and accessible during the twenty-five (25) year flood. Local, state and federal flood plain regulations shall be considered. (3-30-07)

b. Accessibility and Security. The pumping station shall be accessible by maintenance vehicles during all weather conditions. (3-30-07)

02. Design. Design of wastewater pumping stations shall meet the applicable requirements of Subsections 441.02.a. through 441.02.c. (3-30-07)

a. Pumps. (3-30-07)

i. Multiple Units. Duplex pumps for individual residence wastewater pump stations are not required. However, for developments having five (5) or more similar facilities, one (1) working spare pump for each size shall be provided and be readily available at all times. (3-30-07)

ii. Pump Openings. Pumps handling raw wastewater shall be capable of passing spheres of at least three (3) inches in diameter or be a grinder pump. (3-30-07)

iii. Priming. The pump shall be placed so that, under normal operating conditions, it will operate under a positive suction head. (3-30-07)

b. Controls. Water level control sensing devices shall be designed to allow for automatic control of pumps. (3-30-07)

c. Valves. Suitable means to facilitate pump removal and to prevent backflow shall be provided. All shutoff and check valves shall be accessible for maintenance. (3-30-07)

03. Submersible Pump Stations - Special Considerations. (3-30-07)

a. Construction. Submersible pumps and motors shall be designed specifically for raw wastewater use, including totally submerged operation during a portion of each pumping cycle. An effective method to detect shaft seal failure or potential seal failure shall be provided. (3-30-07)

b. Pump Removal. Submersible pumps shall be readily removable and replaceable without personnel entering or dewatering the wet well, or disconnecting any piping in the wet well. (3-30-07)

c. Electrical Equipment. Section 009 provides a reference to the requirements of the National Electrical Code, compliance with which may be required by other law. (3-30-07)

i. Power Supply and Control Circuitry. Electrical supply, control, and alarm circuits shall be designed to provide strain relief and to allow disconnection from outside the wet well. Terminals and connectors shall be protected from corrosion by location outside the wet well or through use of watertight seals. (3-30-07)

ii. Controls. The motor control center shall be located outside the wet well, be readily accessible, and be protected by a conduit seal or other appropriate measures to prevent the atmosphere of the wet well from gaining access to the control center. The seal shall be located so that the motor may be removed and electrically disconnected without disturbing the seal. When such equipment is exposed to weather, it is recommended that it meet the requirements of weatherproof equipment NEMA 3R or 4. (3-30-07)

iii. Power Cord. Pump motor power cords shall be designed for flexibility and serviceability under conditions of extra hard usage. Ground fault interruption protection shall be used to de-energize the circuit in the event of any failure in the electrical integrity of the cable. Power cord terminal fittings shall be corrosion-resistant and constructed in a manner to prevent the entry of moisture into the cable, shall be provided with strain relief appurtenances, and shall be designed to facilitate field connecting. (3-30-07)

04. Alarm Systems. Audio-visual alarm systems with a backup power source shall be provided for pumping stations. The alarm shall be activated in cases of wet well high water levels and shall be visible from the outside of the structure. (5-8-09)

05. Emergency Operation. The pumping station must be sized to allow for one (1) day's flow between the high water alarm and the building service invert or the pressure discharge pipe, whichever is closer to the high water alarm. (5-8-09)

06. Instructions and Equipment. Wastewater pumping stations shall be supplied with a complete set of operational instructions, including emergency procedures, maintenance schedules, tools, and such spare parts as may be necessary. (3-30-07)

07. Operation and Maintenance. An operation and maintenance manual shall be submitted to and approved by the Department as required by Section 425. Adherence to the terms of this approved manual shall be required. The owner shall be responsible for maintaining the wastewater facility in a manner that assures its designed operation. (3-30-07)

08. Force Mains. (3-30-07)

a. Velocity and Diameter. At design pumping rates, a cleansing velocity of at least two (2) feet per second shall be maintained. (3-30-07)

b. Special Construction. Force main construction near streams or water works structures and at water main crossings shall meet applicable provisions of Section 430. (3-30-07)

c. Design Friction Losses. (3-30-07)

i. Friction Coefficient. Friction losses through force mains shall be based on the Hazen and Williams formula or other acceptable methods. When the Hazen and Williams formula is used, the friction losses for varying values of "C" shall be evaluated for different types and ages of pipe. (3-30-07)

ii. Maximum Power Requirements. When initially installed, force mains will have a significantly higher "C" factor. The effect of the higher "C" factor shall be considered in calculating maximum power requirements and duty cycle time to prevent damage to the motor. The effects of higher discharge rates on selected pumps and downstream facilities shall also be considered. (3-30-07)

d. Identification. Where force mains are constructed of material which might cause the force main to be confused with potable water mains, the force main shall be appropriately identified using trench tape saying "raw sewage," "biohazard," or other appropriate wording. (3-30-07)

e. Leakage Testing. Leakage tests shall be specified including testing methods and leakage limits. Testing shall conform with Sections 401.3.6 and 505.3.3 of the "Idaho Standards for Public Works Construction," incorporated by reference into these rules at Section 004. (3-30-07)

f. Thrust Blocking. Thrust blocking shall conform with Sections 401.3.4 of the "Idaho Standards for Public Works Construction," incorporated by reference into these rules at Section 004. (3-30-07)

g. Maintenance Considerations. Isolation valves shall be used if force mains connect into a common force main. (3-30-07)

h. Cover. Force mains shall be covered with sufficient earth or other insulation to prevent freezing or other physical damage. (3-30-07)

442. – 449. (RESERVED).

450. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: WASTEWATER TREATMENT FACILITIES: GENERAL.

01. Plant Location. (3-30-07)

a. General. The preliminary engineering report or facility plan shall include a detailed discussion for new facilities regarding site selection criteria and alternatives considered. See Sections 410 and 411. (5-8-09)

b. Flood protection. The treatment plant structures, electrical, and mechanical equipment shall be protected from physical damage by the one hundred (100) year flood. Treatment plants shall be designed to remain fully operational and accessible during the one hundred (100) year flood. This requirement applies to new construction and to existing facilities undergoing major modification. Local, state and federal flood plain regulations shall be considered. (3-30-07)

c. Setback distances. Facilities open to the atmosphere such as lagoons, open clarifiers, open aeration basins, and other such facilities shall be placed a minimum of two hundred (200) feet from residential property lines. If such open facilities are adjacent to property zoned as commercial or industrial, a lesser setback will be considered by the Department on a case by case basis. For totally enclosed facilities with noise and odor controls, the minimum

setback shall be fifty (50) feet if approved by the Department. Neighboring property owners may grant long term easements or other types of legal documents tied to the land to allow for similar setbacks from future development or public use. (5-8-09)

02. Quality of Effluent. The required degree of wastewater treatment shall be based on the effluent requirements and water quality standards established by the responsible state agency and appropriate federal regulations including discharge permit requirements. Combined sewer overflows are not allowed. (5-8-09)

03. Design. (3-30-07)

a. Type of Treatment. The preliminary engineering report or facility plan shall include a detailed discussion regarding criteria and alternatives considered in selection of the appropriate type of treatment. See Sections 410 and 411. The plant design shall provide the necessary flexibility to perform satisfactorily within the expected range of waste characteristics and volumes. (5-8-09)

b. Required Engineering Data for New Process and Application Evaluation. The policy of the Department is to encourage rather than obstruct the development of any valid methods or equipment for treatment of wastewater. The lack of inclusion in these standards of some types of wastewater treatment processes or equipment should not be construed as precluding their use. The Department may approve other types of wastewater treatment processes and equipment that meet the performance standards set forth in these rules under the condition that the operational reliability and effectiveness of the process or device shall have been demonstrated under similar conditions with a suitably-sized unit operating at its design load conditions, to the extent required. To determine that such new processes and equipment or applications have a reasonable and substantial chance of success, the Department may require the following: (3-30-07)

i. Monitoring observations, including test results and engineering evaluations, demonstrating the efficiency of such processes. (3-30-07)

ii. Detailed description of the test methods. (3-30-07)

iii. Testing, including appropriately-composited samples, under various ranges of strength and flow rates (including diurnal variations) and waste temperatures over a sufficient length of time to demonstrate performance under climatic and other conditions which may be encountered in the area of the proposed installations. (3-30-07)

iv. Other appropriate information. The Department may require that appropriate testing be conducted and evaluations be made under the supervision of a competent process engineer other than those employed by the manufacturer or developer. (3-30-07)

c. Design period. The design period shall be clearly identified in the preliminary engineering report or facility plan as required in Sections 410 and 411. (5-8-09)

d. Design Loads. (3-30-07)

i. Hydraulic Design. (3-30-07)

(1) Critical Flow Conditions. Flow conditions critical to the design of the treatment plant shall be as described in the preliminary engineering report required by Section 411. Initial low flow conditions must be evaluated in the design to minimize operational problems with freezing, septicity, flow measurements and solids dropout. The appropriate design flows must be considered in evaluating unit processes, pumping, piping, etc. (5-8-09)

(2) Treatment Plant Design Capacity. The treatment plant design capacity shall be as described in Section 411. The plant design flow selected shall meet the appropriate effluent and water quality standards that are set forth in the discharge or other appropriate permit. For plants subject to high wet weather flows or overflow detention pump-back flows, the design maximum flows that the plant is to treat on a sustained basis shall be specified. (3-30-07)

(3) Flow Equalization. Facilities for the equalization of flows and organic shock load shall be considered at all plants which are critically affected by surge loadings. (3-30-07)

ii. Organic Design. Organic loadings for wastewater treatment plant design shall be based on the information provided in the preliminary engineering report required by Section 411. The effects of septage flow which may be accepted at the plant shall be given consideration and appropriate facilities shall be included in the design. See Section 520. (5-8-09)

iii. Shock Effects. The shock effects of high concentrations and diurnal peaks for short periods of time on the treatment process, particularly for small treatment plants, shall be considered. (3-30-07)

e. Conduits. All piping and channels shall be designed to carry the maximum expected flows. Conduits shall be designed to avoid creation of pockets and corners where solids can accumulate. (3-30-07)

f. Gates or Valves. Suitable gates or valves shall be placed in channels to seal off unused sections which might accumulate solids. The use of shear gates, stop plates or stop planks is permitted where they can be used in place of gate valves or sluice gates. Non-corrodible materials shall be used for control gates and conduits. (3-30-07)

g. Arrangement of Units. Component parts of the plant shall be arranged for appropriate operating and maintenance convenience, flexibility, economy, continuity of maximum effluent quality, and ease of installation of future units. (3-30-07)

h. Flow Division Control. Flow division control facilities shall be provided as necessary to ensure organic and hydraulic loading control to plant process units and shall be designed for easy operator access, change, observation, and maintenance. Appropriate flow measurement facilities shall be incorporated in the flow division control design. (3-30-07)

i. Odor Management. An odor management plan shall be submitted to and approved by the Department as a part of the preliminary engineering report described in Section 411. The Water Environment Federation Guidance referenced in Section 008 of these rules provides guidance for use in developing an odor management plan that is inclusive of the facilities being designed. (5-8-09)

j. Cold Weather. Facilities shall be designed with regard for proper operation and maintenance and protection during cold weather temperatures expected at the specific location. The Water Environment Federation Guidance referenced in Section 008 of these rules provides guidance for use in designing, operating and maintaining facilities in cold weather. (3-30-07)

04. Plant Details. (3-30-07)

a. Unit Bypasses. (3-30-07)

i. Removal from Service. Properly located and arranged bypass structures and piping shall be provided so that each unit of the plant can be removed from service independently. The bypass design shall facilitate plant operation during unit maintenance and emergency repair so as to minimize deterioration of effluent quality and ensure rapid process recovery upon return to normal operational mode. The actuation of all bypasses shall require manual action by operating personnel. All power-actuated bypasses shall be designed to permit manual operation in the event of power failure. (3-30-07)

ii. Unit Bypass During Construction. Unit bypassing during construction shall be in accordance with the preliminary engineering report required by Section 411. (5-8-09)

b. Unit dewatering, flotation protection, and plugging. Drains or sumps shall be provided to completely dewater each unit to an appropriate point in the process. Due consideration shall be given to the possible need for hydrostatic pressure relief devices to prevent flotation of structures. Pipes subject to plugging shall be provided with means for mechanical cleaning or flushing. (3-30-07)

c. Construction materials. Materials shall be selected that are appropriate under conditions of exposure to hydrogen sulfide and other corrosive gases, greases, oils, and other constituents frequently present in wastewater. This is particularly important in the selection of metals and paints. (3-30-07)

d. Painting. The contents and direction of flow shall be identified on the piping in a contrasting color. (3-30-07)

e. Operating equipment. Tools, accessories, and spare parts necessary for the plant operator's use shall be provided. (3-30-07)

f. Storage and work space facilities. Readily accessible storage and work space facilities shall be provided, and consideration shall be given to provision of a garage for large equipment storage, maintenance, and repair. (3-30-07)

g. Erosion control during construction. Effective site erosion control shall be provided during construction. (3-30-07)

h. Grading and landscaping. Upon completion of the plant, the ground shall be graded and landscaped in accordance with the preliminary engineering report developed in the preliminary engineering report required by Section 411. (5-8-09)

05. Plant Outfalls. (3-30-07)

a. Discharge impact control. The outfall shall be designed to discharge to the receiving stream in a manner acceptable to various reviewing authorities including, but not limited to, EPA, the Idaho Department of Environmental Quality, U.S. Army Corp of Engineers, Idaho Department of Water Resources, and local jurisdictions. (3-30-07)

b. Protection and Maintenance. The outfall shall be so constructed and protected against the effects of floodwater, ice, or other hazards as to reasonably ensure its structural stability and freedom from stoppage. Hazards to navigation shall be considered in designing outfalls. (3-30-07)

c. Sampling Provisions. All outfalls shall be designed so that a sample of the effluent can be obtained at a point after the final treatment process and before discharge to or mixing with the receiving waters. (3-30-07)

06. Essential Facilities. (3-30-07)

a. Emergency Power Facilities. (3-30-07)

i. General. All wastewater treatment plants shall be provided with an alternate source of electric power or pumping capability to allow continuity of operation during power failures. Refer to Subsection 440.07.c. for design requirements. Methods of providing alternate sources include: (3-30-07)

(1) The connection of at least two (2) independent power sources such as substations. A power line from each substation is required if this method is used. The determination of the independent power sources shall be done by the appropriate power provider and stated in a letter from that provider. (3-30-07)

(2) In-place internal combustion engine equipment which will generate electrical or mechanical energy. (3-30-07)

(3) Portable pumping equipment when only emergency pumping is required. Where part or all of the engine-driven pumping equipment is portable, adequate emergency storage capacity with alarm system shall be provided to allow time for detection of pump station failure and transportation and hookup of the portable equipment. (3-30-07)

ii. Power for Aeration. Standby generating capacity normally is not required for aeration equipment

used in the activated sludge process. In cases where a history of chronic, long-term (four (4) hours or more) power outages have occurred, auxiliary power for minimum aeration of the activated sludge will be required as provided in Subsections 450.06.a.i.(1) or 450.06.a.i.(2). (5-8-09)

iii. Power for Disinfection. Standby generating capacity, as provided in Subsections 450.06.a.i.(1) or 450.06.a.i.(2), is required for disinfection facilities and dechlorination facilities. (3-30-07)

b. Water Supply. Section 009 provides a reference to the Uniform Plumbing Code, compliance with which may be required by other law. (3-30-07)

c. Sanitary Facilities. Section 009 provides a reference to the Uniform Plumbing Code, compliance with which may be required by other law. (3-30-07)

d. Stairways. Stairways shall be installed in lieu of ladders for top access to units requiring routine inspection and maintenance (such as digesters, trickling filters, aeration tanks, clarifiers, tertiary filters, etc.). (3-30-07)

e. Flow Measurement. (3-30-07)

i. Location. Flow measurement devices shall be provided to measure the following flows: (5-8-09)

(1) Plant influent or effluent flow. (3-30-07)

(2) If influent flow is significantly different from effluent flow, both shall be measured or otherwise accounted for by other flow measurement facilities. (3-30-07)

(3) Other flows required to be monitored under the provisions of the discharge permit. (3-30-07)

(4) Other flows such as return activated sludge, waste activated sludge, and recycle required for plant operational control. (3-30-07)

ii. Devices. Indicating, totalizing, and recording flow measurement devices for all influent or effluent flows shall be provided for all plants. Any other flow measurement device may be indicating and totalizing only. All flow measurement equipment must be sized to function to a satisfactory level of accuracy over the full range of flows expected and shall be protected against freezing. (5-8-09)

iii. Hydraulic Conditions. Flow measurement equipment including approach and discharge conduit configuration and critical control elevations shall be designed to ensure the required hydraulic conditions necessary for the measurement accuracy needed for the specific application. (3-30-07)

iv. Calibration and Certification. The flow measurement devices specified in Subsections 450.06.e.i.(1) through 450.06.e.i.(3) shall be calibrated and certified at manufacturer-specified frequencies. (5-8-09)

f. Sampling Equipment. Effluent composite sampling equipment shall be provided at all mechanical plants and at other facilities where necessary to meet discharge permit monitoring requirements. Composite sampling equipment shall also be provided as needed for influent sampling and for monitoring plant operations. The influent sampling point shall be located prior to any process return flows. (3-30-07)

07. Safety. (3-30-07)

a. General. Provisions shall be made to consider the protection of maintenance personnel and visitors from typical and foreseeable hazards in accordance with the engineering standards of care. Enclosure of the plant site with a fence and signs designed to discourage the entrance of unauthorized persons and animals is required. (3-30-07)

b. Hazardous Chemical Handling. The materials utilized for storage, piping, valves, pumping,

metering, splash guards, etc., shall be specially selected considering the physical and chemical characteristics of each hazardous or corrosive chemical. (3-30-07)

08. Laboratory. (3-30-07)

a. All treatment plants shall include a laboratory for making the necessary analytical determinations and operating control tests, except for those plants utilizing only processes not requiring laboratory testing for plant control and where satisfactory off-site laboratory provisions are made to meet the permit monitoring requirements. The laboratory shall have sufficient size, bench space, equipment, and supplies to perform all self-monitoring analytical work required by discharge permits, and to perform the process control tests necessary for good management of each treatment process included in the design. (3-30-07)

b. Treatment plant laboratory needs may be divided into the following three (3) general categories: (3-30-07)

i. Plants performing only basic operational testing; this typically includes pH, temperature, dissolved oxygen, and chlorine residual. (3-30-07)

ii. Plants performing more complex operational and permit laboratory tests including biochemical oxygen demand, suspended solids, and fecal coliform analysis. (3-30-07)

iii. Plants performing more complex operational, permit, industrial pretreatment, and multiple plant laboratory testing. (3-30-07)

c. Expected minimum laboratory needs for the three (3) plant classifications set out in Subsection 450.08.b. must be addressed in the preliminary engineering report. (5-8-09)

09. Instructions and Equipment. Wastewater treatment equipment shall be supplied with a complete set of operational instructions, including emergency procedures, maintenance schedules, tools and such spare parts as may be necessary. (3-30-07)

10. Operation and Maintenance. An operation and maintenance manual shall be submitted to and approved by the Department as required by Section 425. Adherence to the terms of this approved manual shall be required. The owner shall be responsible for maintaining the wastewater facility in a manner that assures its designed operation. (3-30-07)

451. -- 454. (RESERVED)

455. PRIVATE MUNICIPAL WASTEWATER TREATMENT PLANTS.

01. Scope. Section 455 includes additional requirements for approval of private municipal wastewater treatment plants. Individual extended treatment package systems for on-site systems are not covered by these rules, but are covered by IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules." See Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems at http://www.deq.idaho.gov/. Private municipal wastewater treatment plants may be considered if no other viable alternative is available. (5-8-09)

02. Preliminary Engineering Report. A preliminary engineering report as described in Section 411 must be submitted to the Department for review and must be approved by the Department prior to submittal of plans and specifications. The preliminary engineering report for private municipal wastewater treatment plants shall include the information listed in Subsections 455.02.a. and 455.02.b., as well as information specified in Section 411. (5-8-09)

a. The preliminary engineering report shall evaluate the following alternatives: (5-8-09)

i. Wastewater treatment plants (possibly several technologies). (5-8-09)

ii. Self-contained lagoon. (3-30-07)

iii. Conventional septic tank and drainfield (or alternate drainfield design). (3-30-07)

iv. Surface water discharge including impact on TMDLs. (3-30-07)

v. Gravity or pressure sewer into nearby community (see Subsection 455.04.e. for distances to community systems and required hook-up.) (5-8-09)

vi. Recirculating or intermittent sand filter. (3-30-07)

vii. Annual operation and maintenance costs. (3-30-07)

viii. Land application/reuse. (3-30-07)

b. The preliminary engineering report must thoroughly analyze the effect of the treatment plant discharge on ground water quality, especially bacteria, viruses, phosphorus and nitrates as compared to the alternatives listed in Subsection 455.02.a. (5-8-09)

03. Plan and Specification Approval. (3-30-07)

a. Plans and specifications for the collection and treatment systems will not be approved until the owner is in receipt of one of the following (whichever is applicable): (3-30-07)

i. A draft NPDES permit from EPA for proposed surface water discharges; or (5-8-09)

ii. A draft wastewater land application/reuse permit from the Department for proposed land application or reuse of the effluent. See the Guidance for Reclamation and Reuse of Municipal and Industrial Wastewater at http://www.deq.idaho.gov. (5-8-09)

b. For a subsurface treatment and dispersal system (SSDS): (5-8-09)

i. The plans and specifications for the dispersal system must receive approval from the Department prior to receipt of the SSDS permit from the district health department having jurisdiction; and (5-8-09)

ii. The plans and specifications for the collection system will not be approved by the Department until the owner is in receipt of the SSDS permit from the district health department having jurisdiction. (5-8-09)

c. For private municipal wastewater treatment plants storing their treated effluent prior to irrigation or surface water discharge, the following additional items shall be considered by the Department, prior to approving either the treatment systems or the disposal option. These include, but are not limited to, sealing of storage ponds, filtration and disinfection requirements prior to use or discharge, the degree of treatment, and the intended type and area of irrigation. See IDAPA 58.01.17, "Recycled Water Rules." (5-8-09)

04. Private Municipal Wastewater Treatment Plants. (5-8-09)

a. The private municipal wastewater treatment plant shall have at least two (2) full years of operating data on five (5) separate installations in the United States. The data submittal shall include the name, address, and telephone number for a regulatory agency contact person familiar with the performance of each reported installation. (5-8-09)

b. The owner shall provide for a wastewater system operator in responsible charge of the facility. The operator license classification requirement will depend on the classification of the system based on Section 202 and the licensure requirements of Section 203. If the operator is provided by contract, the contract shall be submitted to the Department for review and approval. (5-8-09)

c. A sludge management plan must be submitted to and approved by the Department. The plan must include collection, treatment and disposal of the sludge. Additionally, a signed contract that provides for ultimate

legal disposal of the sludge shall be submitted to the Department prior to plan and specification approval. (3-30-07)

d. The private municipal wastewater treatment plant shall be a dual train type (or equivalent/greater) with redundant pumps and blowers from influent works to the disposal site and provide sufficient redundancy to continue processing incoming wastewater at peak flows while any one (1) component or process is out of service. Standby or emergency power shall be provided to fully operate the wastewater treatment plant during a power outage unless the water system would also be out during a power outage. (5-8-09)

e. A compliance agreement schedule authorized by Section 39-116A, Idaho Code, shall be required for each private municipal wastewater treatment plant approved unless specifically waived by the Department in writing. If a private municipal wastewater treatment plant installation is only a temporary or interim measure in a long-term plan, a compliance agreement schedule will include a sunset clause with a date for the private municipal wastewater treatment plant to cease operation and will require the plant owner to fund and construct the eventual hookup to the public municipal wastewater collection system when the system becomes reasonably accessible. The compliance agreement schedule shall address such things as operation and maintenance requirements and monitoring, reporting requirements, and other project-specific items as applicable. The owner shall be responsible for complying with the requirements of the compliance agreement schedule. The compliance agreement schedule must be renewed every five (5) years; when ownership of the treatment plant changes; or at the request of the owner(s) or Department, so long as the system is in operation. (5-8-09)

f. If the Department determines that a proposed private municipal wastewater treatment plant is reasonably accessible to a public municipal wastewater collection system, the use of the private municipal wastewater treatment plant may be denied. (5-8-09)

g. Minimum Size. The minimum size of a private municipal wastewater treatment plant allowed under these rules is twenty-five thousand (25,000) gallons per day design capacity based on average day flows. (5-8-09)

i. The minimum size requirements do not apply to proposed systems with suitably configured passive wastewater treatment technologies including, but not limited to, facultative lagoons, free water surface wetlands, and vegetated submerged beds. (5-8-09)

ii. The Department may approve private municipal wastewater treatment plants smaller than twenty-five thousand (25,000) gallons per day design capacity, based on average day flows, provided the treatment plant will be maintained under original ownership. (5-8-09)

iii. For the Department to approve the transfer of ownership of a private municipal wastewater treatment plant smaller than twenty-five thousand (25,000) gallons per day design capacity, based on average day flows, to another entity, the technical, financial, and managerial requirements in Section 409 must be demonstrated by the proposed new owner. (5-8-09)

05. Private Municipal Wastewater Treatment Plants with Drainfields. In addition to the applicable requirements of these rules, the subsurface sewage disposal design, construction and operation shall comply with IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules." The exception to this is for Class A reclaimed wastewater reuse facilities that discharge to the subsurface. These reuse facilities are regulated by IDAPA 58.01.17, "Recycled Water Rules." (5-8-09)

456. -- 459. (RESERVED)

460. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: SCREENING AND GRIT REMOVAL.

01. Screening Devices and Comminutors. (3-30-07)

a. Screening, coarse or fine, or comminutors shall be required for all mechanical plants and shall be addressed for other types of plants. These facilities shall be designed for peak hourly flow. Multiple channels shall be provided and equipped with the necessary gates to isolate flow from any screening unit. Provisions shall also be made

to facilitate dewatering each unit. The channel preceding and following the screen shall be shaped to minimize settling of solids. (3-30-07)

b. For mechanical plants with design average flow less than one million gallons per day (1 mgd), and where a single mechanically cleaned screen is used, an auxiliary manually cleaned screen shall be provided. Where two (2) or more mechanically cleaned screens are used, the design shall provide for taking any unit out of service without sacrificing the capability to screen the design peak instantaneous flows. (3-30-07)

02. Grit Removal Facilities. Grit removal and handling facilities shall be provided for all mechanical wastewater treatment plants. Consideration shall be given to possible damaging effects on pumps, comminutors, and other preceding equipment, and the need for additional storage capacity in treatment units where grit is likely to accumulate. (3-30-07)

461. -- 469. (RESERVED)

470. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: SETTLING.

01. General. (3-30-07)

a. Where settling is being used, a minimum of two (2) units capable of independent operation are desirable and shall be provided in all plants where design average flows exceed one hundred thousand (100,000) gallons/day. Plants not having multiple units shall include other provisions to assure continuity of treatment. (3-30-07)

b. The design of settling facilities shall include a minimum of two (2) units with flow splitting. Sizing shall be calculated for both design average and design peak hourly flow conditions, and the larger surface area determined shall be used. (3-30-07)

c. The plant design shall allow for isolation of each unit. The plant design shall allow for sludge and scum removal. (3-30-07)

d. Baffling shall be designed to control solids carry-over. (3-30-07)

e. The minimum side depth for primary settling facilities shall be ten (10) feet. (3-30-07)

f. The minimum side depth for secondary settling facilities shall be twelve (12) feet. (3-30-07)

471. -- 479. (RESERVED)

480. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: SLUDGE PROCESSING, STORAGE, AND DISPOSAL.

01. Facilities. Facilities for processing sludge shall be provided for all mechanical wastewater treatment plants. Facilities shall be capable of processing sludge to a form suitable for ultimate disposal. Final disposal or utilization shall be in accordance with applicable permit and federal regulations. (3-30-07)

02. Design. Sludge processing, storage and disposal facility design shall comply with the sludge management plan in the Preliminary Engineering Report. (3-30-07)

03. Multiple Units. Multiple units capable of independent operation are desirable and shall be provided in all plants where design average flows exceed one hundred thousand (100,000) gallons/day. Plants not having multiple units shall include other provisions to assure continuity of treatment. The plant design shall allow for isolation of each unit. (3-30-07)

481. -- 489. (RESERVED)

490. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: BIOLOGICAL TREATMENT.
If biological treatment is used, the process shall be determined in the preliminary engineering report. The choice shall be based on influent characteristics and effluent requirements. (5-8-09)

01. Trickling Filters. (3-30-07)

a. General. Trickling filters shall be preceded by effective settling tanks equipped with scum and grease collecting devices or other suitable pretreatment facilities. (3-30-07)

b. Hydraulics. The flow will be uniformly distributed across the surface of the media. The piping system, including dosing equipment and distributor, shall be designed to provide capacity for the design peak hour flow, including recirculation. (5-8-09)

c. Media. (3-30-07)

i. Quality. The media shall be appropriate for the wastewater and shall be of sufficient strength to support itself under design loading and build up of biomass. (3-30-07)

ii. Depth. Trickling filter media shall have a minimum depth of six (6) feet above the underdrains. (3-30-07)

d. Underdrainage System. (3-30-07)

i. Arrangement. Underdrains shall be provided and the underdrainage system shall cover the entire floor of the filter. Inlet openings into the underdrains shall have an unsubmerged gross combined area equal to at least fifteen (15) percent of the surface area of the filter. (3-30-07)

ii. Ventilation. The underdrainage system, effluent channels, and effluent pipe shall be designed to permit free passage of air. (3-30-07)

e. Special Features. (3-30-07)

i. Maintenance. All distribution devices, underdrains, channels, and pipes shall be installed so that they may be properly maintained, flushed or drained. (3-30-07)

ii. Winter Protection. Covers shall be provided to maintain operation and treatment efficiencies when climatic conditions are expected to result in problems due to cold temperatures. (3-30-07)

iii. Recirculation. The piping system shall be designed for recirculation as required to achieve the design efficiency. The recirculation rate shall be variable and subject to plant operator control at the range of 0.5:1 up to 4:1 (ratio of recirculation rate versus design average flow). A minimum of two (2) recirculation pumps shall be provided. (3-30-07)

f. Rotary Distributor Seals. Mercury seals shall not be permitted. (3-30-07)

g. Unit Sizing. Required volumes of filter media shall be based upon pilot testing with the particular wastewater or any of the various empirical design equations that have been verified through actual full scale experience. Such calculations must be submitted to the Department if pilot testing is not utilized. Trickling filter sizing design shall consider peak organic load conditions including the oxygen demands due to solids and process recycle flows. (3-30-07)

02. Activated Sludge. (3-30-07)

a. Aeration. (3-30-07)

i. Capacities and Permissible Loadings. The size of the aeration tank for any particular adaptation of

the process shall be determined by full scale experience, pilot plant studies, or rational calculations based mainly on solids retention time, food to microorganism ratio, and mixed liquor suspended solids levels. Other factors, such as size of treatment plant, diurnal load variations, and degree of treatment required, shall also be considered. In addition, temperature, alkalinity, pH, and reactor dissolved oxygen shall be considered when designing for nitrification. Calculations shall be submitted to the Department in the preliminary engineering report to justify the basis for design of aeration tank capacity. (5-8-09)

ii. Arrangement of Aeration Tanks. (3-30-07)

(1) Dimensions. The dimensions of each aeration tank or return sludge reaeration tank shall be such as to maintain effective mixing and utilization of air. An exception is that horizontally mixed aeration tanks shall have a depth of not less than five point five (5.5) feet. (3-30-07)

(2) Number of Units. Total aeration tank volume plus redundancy requirements shall be divided among two (2) or more equal units, capable of independent operation. (3-30-07)

(3) Inlets and Outlets. (3-30-07)

(a) Controls. Inlets and outlets for each aeration tank unit shall be designed to control flow to any unit with reasonable accuracy and to maintain reasonably constant liquid level. The properties of the system shall permit the design peak day flow to be treated with any single aeration tank unit out of service. The properties of the system shall permit the design peak hour hydraulic flow to be carried with any single aeration tank unit out of service. (3-30-07)

(b) Conduits. Channels and pipes carrying liquids with solids in suspension shall be designed to be self-cleansing. (3-30-07)

(c) Scum and Foam Control. Aeration tanks shall be designed to include adequate control or removal of scum and foam. (3-30-07)

(4) Freeboard. All aeration tanks should have a freeboard of not less than eighteen (18) inches. (3-30-07)

iii. Aeration Equipment. (3-30-07)

(1) General. Oxygen requirements generally depend on maximum diurnal organic loading, degree of treatment, and level of suspended solids concentration to be maintained in the aeration tank mixed liquor. Aeration equipment shall be capable of maintaining a minimum of two point zero (2.0) mg/L of dissolved oxygen in the mixed liquor at all times and provide thorough mixing of the mixed liquor (for a horizontally mixed aeration tank system, an average velocity of one (1) foot per second must be maintained). In the absence of experimentally determined values, the design oxygen requirements for all activated sludge processes shall be 1.1 lb 0_2 per lb of design peak hour BOD_5 applied to the aeration tanks, with the exception of the extended aeration process, for which the value shall be one point five (1.5) to include endogenous respiration requirements. (5-8-09)

(a) Where nitrification is required or will occur, the oxygen requirement for oxidizing ammonia must be added to the above requirement for carbonaceous BOD_5 removal and endogenous respiration requirements. The nitrogenous oxygen demand (NOD) shall be taken as four point six (4.6) times the diurnal peak hour total Kjeldahl nitrogen content of the aeration tank influent. In addition, the oxygen demands due to recycle flows must be considered due to the high concentrations of BOD_5 and total Kjeldahl nitrogen associated with such flows. (5-8-09)

(b) Meet maximum oxygen demand and maintain process performance with the largest unit out of service. Provide for varying the amount of oxygen transferred in proportion to the load demand on the plant. (3-30-07)

(2) Diffused Air Systems. Air requirements including, but not limited to, process air, channel aeration, aerobic digestion, and miscellaneous plant air shall be submitted to the Department in the preliminary engineering

report. Blowers shall be provided in multiple units, so arranged and in such capacities as to meet the maximum air demand with the single largest unit out of service. The design shall also provide for varying the volume of air delivered in proportion to the load demand of the plant. Aeration equipment shall be easily adjustable in increments and shall maintain solids suspension within these limits. (5-8-09)

(3) Mechanical Aeration Systems. (3-30-07)

(a) Oxygen Transfer Performance. The mechanism and drive unit shall be designed for the expected conditions in the aeration tank in terms of the power performance. Certified testing shall be provided to verify mechanical aerator performance. Refer to applicable provisions of Subsection 490.02. In the absence of specific design information, the oxygen requirements shall be calculated for mechanical aeration systems using a transfer rate not to exceed two (2) pounds of oxygen per horsepower per hour in clean water under standard test conditions. Design transfer efficiencies shall be included in the specifications. (3-30-07)

(b) Design Requirements. Motors, gear housing, bearings, grease fittings, etc., shall be easily accessible and protected from inundation and spray as necessary for proper functioning of the unit. (3-30-07)

(c) Winter Protection. Where extended cold weather conditions occur, the aerator mechanism and associated structure shall be protected from freezing due to splashing. Due to high heat loss, subsequent treatment units shall be protected from freezing. (3-30-07)

b. Non-Aerated Tanks or Zones. Non-aerated tanks or zones within aeration tanks shall have mixing equipment adequate to fully mix the contents. Provide calculations in the preliminary engineering report for sizing of this equipment. (5-8-09)

c. Return Sludge Equipment. (3-30-07)

i. Return Sludge Rate. The return sludge rate of withdrawal from the final settling tank is a function of the concentration of suspended solids in the mixed liquor entering it, the sludge volume index of these solids, and the length of time these solids are retained in the settling tank. The rate of sludge return shall be varied by means of adjustable weirs, variable speed pumps, or timers (small plants) to pump sludge. (3-30-07)

ii. Return Sludge Pumps. If a consolidated return sludge pump facility is used, the maximum return sludge capacity shall be obtained with the largest pump out of service. If individual sludge pumps are used at each settling basin, the pumps shall be designed to facilitate their rapid removal and replacement with a standby unit stored at the treatment plant site. If air lifts are used for returning sludge from each settling tank hopper, no standby unit will be required provided the design of the air lifts facilitate their rapid and easy cleaning and provided other suitable standby measures are made available. Air lifts should be at least three (3) inches in diameter. (3-30-07)

iii. Return Sludge Piping. Discharge piping should be at least four (4) inches in diameter and shall be designed to maintain a velocity of not less than two (2) feet per second when return sludge facilities are operating at normal return sludge rates. Suitable devices for observing, sampling, and controlling return activated sludge flow from each settling tank hopper shall be provided. (3-30-07)

iv. Waste Sludge Facilities. Means for observing, measuring, sampling, and controlling waste activated sludge flow shall be provided. (3-30-07)

d. Sequencing Batch Reactors. The fill and draw mode of the activated sludge process commonly termed the Sequencing Batch Reactor may be used in Idaho. The design must be based on experience at other facilities and shall meet the applicable requirements under Sections 450, 470 and 490, except as modified in Subsection 490.02.d.i. through 490.02.d.xi. Continuity and reliability of treatment equal to that of the continuous flow through modes of the activated sludge process shall be provided. (3-30-07)

i. At least two (2) tanks shall be provided. (3-30-07)

ii. The decantable volume and decanter capacity of the sequencing batch reactor system with the largest basin out of service shall be sized to pass at least seventy-five (75) percent of the design maximum day flow

without changing cycle times. A decantable volume of at least four (4) hours with the largest basin out of service based on one hundred (100) percent of the design maximum day flow is permissible. (3-30-07)

iii. System reliability with any single tank unit out of service and the instantaneous delivery of flow shall be evaluated in the design of decanter weirs and approach velocities. (3-30-07)

iv. Reactor design shall provide for scum removal and prevent overflow of settled solids. (3-30-07)

v. An adequate zone of separation between the sludge blanket and the decanter(s) shall be maintained throughout the decant phase. Decanters which draw the treated effluent from near the water surface throughout the decant phase are recommended. (3-30-07)

vi. Solids management to accommodate basin dewatering shall be considered. (3-30-07)

vii. The blowers shall be provided in multiple units, so arranged and in such capacities as to meet the maximum air demand in the oxic portions of the fill/react and react phases of the cycle with the single largest unit out of service. See Subsection 490.02. (3-30-07)

viii. Mechanical mixing independent of aeration shall be provided for all systems where biological phosphorus removal or denitrification is required. (3-30-07)

ix. Flow paced composite sampling equipment and continuous turbidity metering for separately monitoring the effluent quality from each basin may be required by the regulatory agency. All twenty-four (24) hour effluent quality composite samples for compliance reporting or monitoring plant operations shall be flow-paced and include samples collected at the beginning and end of each decant phase. (3-30-07)

x. A programmable logic controller (PLC) shall be provided. Multiple PLCs shall be provided as necessary to assure rapid process recovery or minimize the deterioration of effluent quality from the failure of a single controller. An uninterruptible power supply with electrical surge protection shall be provided for each PLC to retain program memory (i.e., process control program, last-known set points and measured process/equipment status, etc.) through a power loss. A hard-wired backup for manual override shall be provided in addition to automatic process control. Both automatic and manual controls shall allow independent operation of each tank. In addition, a fail-safe control allowing at least twenty (20) minutes of settling between the react and decant phases shall be provided. The fail-safe control shall not be adjusted by the operator. (3-30-07)

xi. A sufficient quantity of spare parts shall be on hand. Consideration shall be given to parts with a low mean time between failure such as electrical relays and solid state electronics. (5-8-09)

03. Other Biological Systems. (3-30-07)

a. General. Biological treatment processes not included in these rules shall be considered in accordance with Subsection 450.03. (3-30-07)

b. Membrane Bioreactors. Details for Membrane Bioreactor (MBR) plants shall be submitted and approved in the preliminary engineering report. In addition to the requirements of Section 411, details shall include plant layout, calculations for hydraulic capacity and air required, membrane technology considered and membrane type and model selected, results from similar type MBR plants already in operation, and anticipated sludge production. (5-8-09)

491. -- 492. (RESERVED)

493. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: WASTEWATER LAGOONS.

01. General. (3-30-07)

a. These rules pertain to all new and existing municipal wastewater lagoons, including discharging or

non-discharging lagoons, municipal wastewater treatment lagoons, municipal wastewater storage lagoons, and any other municipal wastewater lagoons that, if leaking, have the potential to degrade waters of the state. Lagoons are also sometimes referred to as ponds. Section 493 does not apply to industrial lagoons or mining tailings ponds, single-family dwellings utilizing a single lagoon, two (2) cell infiltrative system, those animal waste lagoons excluded from review under Section 39-118, Idaho Code, or storm water ponds. (3-30-07)

b. Lagoons utilized for equalization, percolation, evaporation, and sludge storage do not have to meet the requirements set forth in Subsections 493.05 through 493.10, but must comply with all other applicable subsections. (3-30-07)

02. Seepage Testing Requirements. (5-8-09)

a. Existing Lagoons. All existing lagoons covered under these rules shall be seepage tested by an Idaho licensed professional engineer, an Idaho licensed professional geologist, or by individuals under their supervision by April 15, 2012 unless otherwise specified in a current permit issued by the Director. (5-8-09)

b. New Lagoons. As part of the construction process, all new lagoons must be seepage tested by an Idaho licensed professional engineer, an Idaho licensed professional geologist, or by individuals under their supervision prior to being put into service. (5-8-09)

c. Subsequent Tests. All lagoons covered under these rules must be seepage tested by an Idaho licensed professional engineer, an Idaho licensed professional geologist, or by individuals under their supervision every ten (10) years after the initial testing. (5-8-09)

d. Testing Due to Change of Conditions to Liner. Prior to being returned to service, lagoons must be seepage tested if a change of condition to the liner occurs that may affect its permeability, including but not limited to liner repair below the high water line, liner replacement, lagoon dewatering of soil-lined lagoons which results in desiccation of the soil liner, seal installation, or earthwork affecting liner integrity. A seepage test may be required after solids removal. Prior to performing activities that may affect liner permeability, the system owner must contact the Department in writing to determine if a seepage test will be required prior to returning the lagoon to service. (5-8-09)

e. Procedures for Performing a Seepage Test. The procedure for performing a seepage test or alternative analysis must be approved by the Department, and the test results must be submitted to the Department. If an existing lagoon has passed a seepage test before April 15, 2012 and submitted the results to the Department, the owner of that lagoon has ten (10) years from the date of the testing to comply with this requirement. (5-8-09)

03. Allowable Seepage Rates. (3-30-07)

a. Design Standard. Lagoons shall be designed for a maximum leakage rate of five hundred (500) gallons per acre per day. (3-30-07)

b. Operating Standard. The leakage rate for lagoons constructed after April 15, 2007 shall be no more than zero point one hundred twenty-five (0.125) inches (1/8 inch) per day, which is approximately thirty-four hundred (3400) gallons per acre per day. The leakage rate for existing lagoons constructed prior to April 15, 2007 shall be no more than zero point twenty-five (0.25) inches (1/4 inch) per day. (3-30-07)

c. For lagoons located over sensitive aquifers or near 303d listed stream segments, the leakage rate shall be no more than zero point one hundred twenty-five (0.125) inches (one-eighth (1/8) inch) per day, which is approximately thirty-four hundred (3400) gallons per acre per day. The operating standard may be considerably lower based on a ground water investigation considering fate and transport of contaminants to determine the effect of the seepage on the aquifer or stream segment and the best capability of measurement at the time of the investigation. (5-8-09)

04. Requirements for Lagoons Leaking Above the Allowable Amount. If a lagoon is found to be leaking at a rate higher than that allowed under Subsection 493.03.b., the owner of the lagoon, in accordance with a schedule negotiated with and approved by the Director, is required to: (3-30-07)

a. Repair the leak and retest for compliance; (3-30-07)

b. Re-line the lagoon and retest for compliance; (3-30-07)

c. Drain the lagoon in an approved manner and stop using the lagoon; or (3-30-07)

d. Determine the impact of the leaking lagoon on the environment based on ground water sampling and modeling. The procedure for performing ground water sampling and monitoring must be approved by the Department. Any impact must comply with IDAPA 58.01.11, "Ground Water Quality Rule," and IDAPA 58.01.02, "Water Quality Standards." If the impact does not comply with IDAPA 58.01.11, "Ground Water Quality Rule," and IDAPA 58.01.02, "Water Quality Standards," the owner of the lagoon must follow one (1) of the steps set out in Subsections 493.04.a. through 493.04.c. (5-8-09)

05. Location. (3-30-07)

a. Wastewater treatment lagoons shall be placed a minimum of two hundred (200) feet from residential property lines. In all cases, the design location shall consider odors, nuisances, etc. This distance is to the toe of the exterior slope of the dike or to the top of the cut for a lagoon placed into a hillside. More restrictive planning and zoning or other local requirements shall apply. (3-30-07)

b. Ground Water Separation. A minimum separation of two (2) feet between the bottom of the pond and the maximum ground water elevation shall be maintained. (3-30-07)

c. Bedrock Separation. A minimum separation of two (2) feet between the pond bottom and any bedrock formation shall be maintained. (3-30-07)

06. Basis of Design. (3-30-07)

a. Design variables such as climatic conditions, odor, pond depth, multiple units, detention time, and additional treatment units must be considered with respect to applicable standards for BOD_5, total suspended solids (TSS), fecal coliform, dissolved oxygen (DO), pH, and other effluent requirements and limits. (3-30-07)

b. The preliminary engineering report shall include all design criteria for the development of the pond design. (5-8-09)

c. The reaction rate coefficient for domestic wastewater which includes some industrial wastes, other wastes, and partially treated wastewater must be determined experimentally for various conditions which might be encountered in the lagoons or actual data from lagoons in similar climates. Conversion of the reaction rate coefficient at other temperatures shall be made based on experimental data. (3-30-07)

d. Oxygen requirements generally will depend on the design average BOD_5 loading, the degree of treatment, and the concentration of suspended solids to be maintained. If needed, aeration equipment shall be capable of maintaining a minimum dissolved oxygen level of two (2) mg/L in the ponds at all times. Suitable protection from weather shall be provided for electrical controls. Aerated cells shall be followed by a polishing cell with a detention time of a minimum of twenty-four (24) hours. (3-30-07)

e. See Subsection 490.02 for details on aeration equipment. (3-30-07)

07. Industrial Wastes as a Part of the Municipal Wastewater. (3-30-07)

a. Consideration shall be given to the type and effects of industrial wastes on the treatment process. (3-30-07)

b. Industrial wastes shall not be discharged to ponds without assessment of the effects such substances may have upon the treatment process or discharge requirements in accordance with state and federal laws. (3-30-07)

08. Number of Cells Required. (3-30-07)

a. A wastewater treatment pond system shall consist of a minimum of three (3) cells designed to facilitate both series and parallel operations. Two (2) cell systems may be utilized in very small installations of less than fifty thousand (50,000) gallons per day. (3-30-07)

b. All systems shall be designed with piping flexibility to permit isolation of any cell without affecting the transfer and discharge capabilities of the total system. (3-30-07)

09. Pond Construction Details. (3-30-07)

a. Embankments and Dikes. (3-30-07)

i. Material. Dikes shall be constructed of relatively impervious soil and compacted to at least ninety-five (95) percent Standard Proctor Density to form a stable structure. Vegetation and other unsuitable materials shall be removed from the area where the embankment is to be placed. (3-30-07)

ii. Top Width. The minimum dike width shall be ten (10) feet to permit access for maintenance vehicles. (3-30-07)

iii. Maximum Slopes. Inner and outer dike slopes shall not be steeper than one (1) vertical to three (3) horizontal (1:3). (3-30-07)

iv. Minimum Slopes. Inner slopes should not be flatter than one (1) vertical to four (4) horizontal (1:4). Flatter slopes can be specified for larger installations because of wave action but have the disadvantage of added shallow areas being conducive to emergent vegetation. Outer slopes shall be sufficient to prevent surface runoff from entering the ponds. (3-30-07)

v. Freeboard. Minimum freeboard shall be three (3) feet, except that for small systems of less than fifty thousand (50,000) gallons per day, two (2) feet may be acceptable. (3-30-07)

vi. Design Depth. The minimum operating depth shall be sufficient to prevent growth of aquatic plants and damage to the dikes, bottom, control structures, aeration equipment, and other appurtenances. In no case shall pond depths be less than two (2) feet. (3-30-07)

b. Pond Bottom. (3-30-07)

i. Soil. Soil used in constructing the pond bottom (not including the seal) and dike cores shall be relatively incompressible and tight and compacted to at least ninety-five (95) percent Standard Proctor Density. (3-30-07)

ii. Seal. Ponds shall be sealed such that seepage loss through the seal complies with Subsection 493.03. Results of a testing program which substantiates the adequacy of the proposed seal must be incorporated into or accompany the preliminary engineering report. (5-8-09)

c. Miscellaneous. (3-30-07)

i. Fencing. The pond area shall be enclosed with an adequate fence to prevent entering of livestock and discourage trespassing. This requirement does not apply to pond areas which store or impound Class A municipal reclaimed effluent. (5-8-09)

ii. Access. An all-weather access road shall be provided to the pond site to allow year-round maintenance of the facility. (3-30-07)

iii. Warning Signs. Appropriate permanent signs shall be provided along the fence around the pond to designate the nature of the facility and advise against trespassing. At least one (1) sign shall be provided on each side of the site and one (1) for every five hundred (500) feet of its perimeter. (3-30-07)

iv. Flow Measurement. Flow measurement requirements are provided in Subsection 450.06.e. Effective weather protection shall be provided for the recording equipment. (3-30-07)

v. Ground Water Monitoring. A ground water monitoring plan shall be submitted to the Department for review and approval as a part of the preliminary engineering report. An approved system of wells or lysimeters shall be required around the perimeter of the pond site to facilitate ground water monitoring. (5-8-09)

10. Closure. The owner shall notify the Department at least six (6) months prior to permanently removing any wastewater lagoon facility from service, including any treatment or storage pond. Prior to commencing closure activities, the facility shall: (3-30-07)

a. Participate in a pre-closure on-site meeting with the Department; (3-30-07)

b. Develop a site closure plan that identifies specific closure, site characterization, or cleanup tasks with scheduled task completion dates in accordance with agreements made at the pre-site closure meeting; and (3-30-07)

c. Submit the completed site closure plan to the Department for review and approval within forty-five (45) days of the pre-site closure meeting. The facility must complete the Department approved site closure plan. (3-30-07)

494. -- 499. (RESERVED)

500. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: DISINFECTION.

01. General. Disinfection of the effluent shall be provided as necessary to meet applicable standards. The design of new municipal wastewater treatment facilities, or municipal wastewater treatment facilities undergoing material modifications, shall consider meeting both the bacterial standards and the disinfectant residual limit in the effluent. The disinfection process shall be selected after due consideration of waste characteristics, type of treatment process provided prior to disinfection, waste flow rates, pH of waste, disinfectant demand rates, current technology application, cost of equipment and chemicals, power cost, and maintenance requirements as determined in the preliminary engineering report. Where a disinfection process other than chlorination, ultraviolet disinfection, or ozone is proposed, supporting data from pilot plant installations or similar full scale installations shall be required as a basis for the design of the system. (5-8-09)

02. Determining the Necessity For Disinfection of Sewage Wastewater Treatment Plant Effluent. (3-30-07)

a. Disinfection of municipal wastewater treatment facility effluent shall be required when: (3-30-07)

i. Required by an NPDES permit; or (3-30-07)

ii. The effluent is discharged to a land application/reuse facility and is required to meet the disinfection requirements found in IDAPA 58.01.17, "Recycled Water Rules." (3-30-07)

iii. The effluent discharged to a land application/reuse facility, where ground water contamination has exceeded the bacterial limit found in IDAPA 58.01.11, "Ground Water Quality Rules," and it has been determined by the Department that disinfection is required. (3-30-07)

b. The need for disinfection of sewage wastewater treatment plant effluent where treatment consists of lagoons with at least thirty (30) day retention time shall be evaluated on a case by case basis. (3-30-07)

03. Chlorine Disinfection. (3-30-07)

a. Type. Chlorine is available for disinfection in gas, liquid (hypochlorite solution), and pellet

(hypochlorite tablet) form. The type of chlorine should be carefully evaluated during the facility planning or preliminary engineering process. The use of chlorine gas or liquid will be most dependent on the size of the facility and the chlorine dose required. Large quantities of chlorine, such as are contained in ton cylinders and tank cars, can present a considerable hazard to plant personnel and to the surrounding area should such containers develop leaks. Both monetary cost and the potential public exposure to chlorine shall be considered when making the final determination. (3-30-07)

b. Dosage. For disinfection, the capacity shall be adequate to produce an effluent that will meet the applicable bacterial limits specified by the regulatory agency for that installation. Required disinfection capacity will vary, depending on the uses and points of application of the disinfection chemical. The chlorination system shall be designed on a rational basis and calculations justifying the equipment sizing and number of units shall be submitted for the whole operating range of flow rates for the type of control to be used. System design considerations shall include the controlling wastewater flow meter (sensitivity and location), telemetering equipment, and chlorination controls. (3-30-07)

c. Piping and Connections. Piping systems shall be as simple as practicable, specifically selected and manufactured to be suitable for chlorine service, with consideration for minimizing number of joints. Piping should be well supported and protected against temperature extremes. Venting of excess gas shall be provided. Special considerations shall be given to piping and fixture selection for hypochlorite and chlorine use. Section 008 provides a reference to guidance documents; see Subsections 008.01, 008.04 and 008.05. (3-30-07)

d. Standby Equipment and Spare Parts. Standby equipment of sufficient capacity should be available to replace the largest unit during shutdowns. Spare parts shall be available for all disinfection equipment to replace parts which are subject to wear and breakage. (3-30-07)

e. Housing. (3-30-07)

i. Feed and Storage Rooms. Gas chlorination equipment and chlorine cylinders shall be housed in a building. If this building is used for other purposes, a gas-tight room shall separate this equipment from any other portion of the building. Floor drains from the chlorine room shall not be connected to floor drains from other rooms. Doors to this room shall open only to the outside of the building and shall be equipped with panic hardware. Rooms shall permit easy access to all equipment. Section 009 provides a reference to requirements of other regulatory entities, compliance with which may be required by other law. (3-30-07)

ii. Ventilation. Section 009 provides a reference to the requirements of the National Electric Code, compliance with which may be required by other law. (3-30-07)

iii. Electrical Controls. Section 009 provides a reference to the requirements of the National Electric Code, compliance with which may be required by other law. (3-30-07)

iv. Protective and Respiratory Gear. Respiratory air-pac protection equipment shall be available where chlorine gas is handled, and shall be stored at a convenient location, but not inside any room where chlorine is used or stored. Instructions for using the equipment shall be posted. Section 008 provides a reference to guidance documents; see Subsections 008.01, 008.04 and 008.05. (3-30-07)

04. Dechlorination. (3-30-07)

a. Types. (3-30-07)

i. Dechlorination of wastewater effluent may be necessary to reduce the toxicity due to chlorine residuals. The most common dechlorination chemicals are sulfur compounds, particularly sulfur dioxide gas or aqueous solutions of sulfite or bisulfite. Pellet dechlorination systems are also available for small facilities. (3-30-07)

ii. The type of dechlorination system should be carefully selected considering criteria including the following: type of chemical storage required, amount of chemical needed, ease of operation, compatibility with existing equipment, and safety. (3-30-07)

b. Dosage. The dosage of dechlorination chemical depends on the residual chlorine in the effluent, the final residual chlorine limit, and the particular form of the dechlorinating chemical used. (3-30-07)

c. Standby Equipment and Spare Parts. The same requirements apply as for chlorination systems. See Subsection 500.04.d. (3-30-07)

d. Housing Requirements/Feed and Storage Rooms. The requirements for housing SO2 gas equipment shall follow the same guidelines as used for chlorine gas. Refer to Subsection 500.04.e. for specific details. When using solutions of the dechlorinating compounds, the solutions may be stored in a room that meets the safety and handling requirements set forth in Subsection 450.07. The mixing, storage, and solution delivery areas must be designed to contain or route solution spillage or leakage away from traffic areas to an appropriate containment unit. (3-30-07)

e. Protective and Respiratory Gear. The respiratory air-pac protection equipment is the same as for chlorine. See Subsection 500.04.e. (Refer to The Compressed Gas Association Publication CGA G-3-1995, "Sulfur Dioxide.") (3-30-07)

05. Ultraviolet (UV) Radiation. (3-30-07)

a. The following documents are recommended to be used as references for UV system sizing and facility design: (3-30-07)

i. "Wastewater Engineering, Treatment and Reuse," Metcalf and Eddy, referenced in Section 008. (3-30-07)

ii. For reuse applications, "Ultraviolet Disinfection Guidelines for Drinking Water and Water Reuse," National Water Research Institute/AWWA Research Foundation, referenced in Section 008. (3-30-07)

b. For UV systems to be installed at any existing wastewater treatment facility, collection of one (1) year's worth of UV transmittance (UVT) data (four (4) times per day) prior to predesign is encouraged, especially for facilities larger than five million gallons per day (5 mgd) (design peak hour flow), and facilities that have industries that vary discharge throughout the year. (5-8-09)

c. The preliminary engineering report for all UV disinfection facilities shall include the following: (5-8-09)

i. A minimum of two (2) open channels (or justification for using a smaller system). (3-30-07)

ii. A minimum of two (2) banks of UV lamps per channel (or justification for using a smaller system). (3-30-07)

iii. Description of the redundancy provided. (3-30-07)

iv. Description of the upstream flow splitting device (which splits flow to the two (2) or more UV channels). (3-30-07)

v. Description of water level control device. (3-30-07)

vi. Description of method used to take a channel off-line for maintenance, and method to dewater a channel. (3-30-07)

vii. Type of UV system technology (low-pressure low-intensity, low-pressure high-intensity, medium pressure, etc.), with consideration given to power consumption. (3-30-07)

viii. Summary of UVT data and collimated beam data. (5-8-09)

ix. Description of HVAC system requirements to ensure adequate UV system performance during

summer peak temperature period. (3-30-07)

x. Description of maintenance requirements including removal (cleaning) of biofilms from the channel walls upstream and downstream of the UV system. (3-30-07)

xi. General description of alarming and controls. (3-30-07)

xii. Description of procedure used for UV system sizing. (3-30-07)

xiii. Design criteria: (3-30-07)

(1) Design UVT. (3-30-07)

(2) TSS. (3-30-07)

(3) Design water temperature range. (3-30-07)

(4) Dose. (3-30-07)

(5) End of lamp life factor. (3-30-07)

(6) Fouling factor. (3-30-07)

(7) Quartz sleeve transmittance factor. (3-30-07)

(8) Design peak hour flow. (5-8-09)

(9) Existing minimum flow. (3-30-07)

(10) Number of channels. (3-30-07)

(11) Disinfection requirements (coliform concentration). (3-30-07)

(12) Maximum head-loss from upstream of the first bank to downstream of the last bank of lamps (lamp spacing divided by two (2)). (3-30-07)

d. Use of bioassay method of UV system sizing is encouraged if all manufacturers under consideration have existing bioassays performed using identical protocol, and the bioassay was performed under conditions similar to the design application. Use of the bioassay method of UV system sizing is discouraged if the conditions of Subsection 500.05.d. cannot be met. (3-30-07)

e. Closed chamber units will be reviewed on a case by case basis in accordance with Subsection 450.03.b. (3-30-07)

06. Ozone. Ozone systems for disinfection shall be evaluated on a case-by-case basis. Design of these systems shall be based upon experience at similar full scale installations or thoroughly documented prototype testing with the particular wastewater. (5-8-09)

501. -- 509. (RESERVED)

510. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: SUPPLEMENTAL TREATMENT PROCESSES.

01. Chemical Treatment. Many chemicals in various forms can be applied in wastewater treatment to aid in nutrient removal, pH adjustment, enhanced clarification, and sludge conditioning. Chemicals must be evaluated for each specific treatment process and must be compatible with other liquids, solids and air treatment processes. Laboratory tests such as jar tests or pilot-scale studies on actual process wastewater shall be used to select appropriate

chemicals and dosage ranges. (3-30-07)

a. Phosphorus removal. Chemical phosphorus removal from wastewater involves the addition of metal salts (aluminum or iron) or lime to wastewater to form insoluble phosphate precipitates, removal of the precipitate from the wastewater, and disposal of the precipitate with the settled sludge. Many process options are available, and the designer shall select the chemical to insolubilize the phosphorus, estimate the dosage requirements, and select the point of chemical addition. (3-30-07)

b. Nitrogen Removal. Several chemical processes have been used for nitrogen removal. The three (3) major processes include breakpoint chlorination, selective ion exchange, and air stripping. Although these processes are technically feasible ways of removing nitrogen, the Department does not anticipate widespread use of chemicals for nitrogen removal, and justification to do so shall be demonstrated in the Preliminary Engineering Report. (3-30-07)

c. pH Adjustment. A common chemical process used in wastewater treatment is pH adjustment. Several methods are available to neutralize or adjust low pH wastewater. The methods used shall be mixing acid wastes with lime slurries, or adding the proper amount of concentrated caustic soda (NaOH) or soda ash (Na_2CO_3) as determined in the Preliminary Engineering Report. (3-30-07)

d. Enhanced Primary Clarification. When settling aids are used during the primary clarification process to enhance solids removal in the primary treatment process, the additional solids volume shall be accounted for in pumping, solids handling, stabilization, and disposal processes. The coagulant shall be added and mixed before the sedimentation process. Flocculants, if used, shall be added after the coagulant. The design shall provide for chemical addition points at several locations to give process personnel the opportunity to adjust for optimum performance. (3-30-07)

02. Filtration for Tertiary Treatment. Details for plants with tertiary treatment utilizing filtration shall be submitted and approved in the Preliminary Engineering Report. (3-30-07)

a. Membranes. In addition to requirements of Section 411, details shall include plant layout, calculations for hydraulic capacity and air required, membrane technology considered and membrane type and model selected, results from similar type filtration plants already in operation, and anticipated sludge production. (3-30-07)

b. Media. In addition to requirements of Section 411, details shall include plant layout, calculations for hydraulic capacity, media considered and media type selected, results from similar type filtration plants already in operation, and anticipated sludge production. (3-30-07)

c. Cloth. In addition to requirements of Section 411, details shall include plant layout, calculations for hydraulic capacity, technology considered and type and model selected, results from similar type filtration plants already in operation, and anticipated sludge production. (3-30-07)

d. Reverse Osmosis. In addition to requirements of Section 411, details shall include plant layout, calculations for hydraulic capacity required, technology considered and type and model selected, results from similar type filtration plants already in operation, and anticipated sludge production. (3-30-07)

511. -- 518. (RESERVED)

519. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES -- SEPTAGE TRANSFER STATIONS.
Prior to construction of a new septage transfer station or upon material modification of an approved existing station, the owner of the station must satisfy the following requirements. (5-8-09)

01. Design. Septage holding tanks, transfer/storage tanks, and transfer hoses for either type of tank shall meet the applicable requirements of Subsections 519.01.a. through 519.01.c. (5-8-09)

a. All tanks shall be watertight, not open to the air, and provided with containment structures to prevent the discharge of septage spills to the surrounding environment. (5-8-09)

b. All piping, transfer hoses, valves, and connections shall be watertight, accessible, and capable of being cleaned, repaired, and replaced. (5-8-09)

c. All inlet and outlet connections shall be constructed and maintained such that septage will not leak, spill, or overflow the holding tank. (5-8-09)

d. No septage holding or transfer/storage tank shall be permitted within the one hundred (100) year flood plain as defined and delineated by the flood insurance rate maps published by the Federal Emergency Management Agency. (5-8-09)

e. Odor controls shall be provided to mitigate nuisance odor discharge during transfer. Odor control may be attained by employing appropriate setback distances to neighboring facilities, using appropriate air scrubbing technologies in conjunction with an enclosed transfer station or other suitably engineered configuration that provides assurances of minimal odor nuisances. (5-8-09)

f. The property is owned by the individual(s) operating the septage transfer station, or the property owner has granted permission to so use the property. (5-8-09)

g. Septage transfer stations shall provide total containment for the entire volume of the holding tanks and transfer/storage tanks in the event of spilled septage. (5-8-09)

h. Truck washing facilities shall be constructed to retain all wash water on site. (5-8-09)

02. Plans and Specifications. In addition to the requirements of Section 400, plans and specifications for septage transfer stations must include the requirements of Subsections 519.02.a. through 519.02.f. (5-8-09)

a. A map which identifies the proposed septage holding or transfer/storage tank location. (5-8-09)

b. The footprint of the proposed activity area. (5-8-09)

c. All access roads and access control measures. (5-8-09)

d. All roads, property boundary lines, and structures within two hundred (200) feet of the septage holding or transfer/storage tank location; any structures on the property; and any easements or rights-of-way which exist on the property. (5-8-09)

e. Surrounding land use within two hundred (200) feet of the footprint of the proposed activity area on which the septage holding or transfer/storage tank is proposed to be located. (5-8-09)

f. A spill response plan, describing spill response equipment and disinfection and containment capability at the septage transfer station, shall be submitted to and approved by the Department. (5-8-09)

03. Record Keeping. Every owner of a septage transfer station shall maintain the following records for a minimum of five (5) years. (5-8-09)

a. For each load of septage received: (5-8-09)

i. The date received or picked up; (5-8-09)

ii. The name and address of the client(s) from whom the septage was received; and (5-8-09)

iii. The volume of the septage received, in gallons; and (5-8-09)

b. Records indicating the final disposal destination(s) for septage removed from the transfer/storage tank. (5-8-09)

520. FACILITY AND DESIGN STANDARDS FOR MUNICIPAL WASTEWATER TREATMENT OR DISPOSAL FACILITIES: HANDLING AND TREATMENT OF SEPTAGE AT A WASTEWATER TREATMENT PLANT.

01. General. Septage disposal at a wastewater treatment plant is at the discretion of the owner of the wastewater treatment plant, unless other conditions apply. One method of septage disposal is the discharge to a municipal wastewater treatment plant. All plants require special design considerations prior to the acceptance of septage. Prior to acceptance of septage at a wastewater treatment plant, the plan for doing so must be addressed in the Facility Plan. (3-30-07)

02. Characteristics. Tables No. 1 and No. 2 (Tables 3-4 and 3-8 from the U.S. EPA Handbook entitled "Septage Treatment and Disposal" 1984, EPA-625/6-84-009) give a comparison of some of the common parameters for septage and municipal wastewater. These tables are located at the end of Appendix A-3 of the Recommended Standards for Wastewater Facilities. See Section 008 of these rules. (3-30-07)

03. Considerations. It is essential that an adequate engineering evaluation of the existing plant and the anticipated septage loading be conducted prior to receiving septage at the plant. The wastewater treatment plant owner shall be contacted to obtain the appropriate approvals prior to the acceptance of septage. For proposed plant expansion and upgrading, the Preliminary Engineering Report and Facility Plan shall include anticipated septage loading in addressing treatment plant sizing and process selection. (3-30-07)

521. -- 599. (RESERVED)

600. LAND APPLICATION OF WASTEWATER(S) OR RECHARGE WATERS.
Land application of wastewater or recharge waters is subject to the following requirements: (4-11-06)

01. Land Application/Reuse Permit. Idaho Department of Environmental Quality Rules, IDAPA 58.01.17, "Recycled Water Rules," require a permit prior to land application/reuse of certain types of wastewater. (3-30-07)

02. Applied Waters Restricted to Premises. Wastewater(s) or recharge waters applied to the land surface must be restricted to the premises of the application site. Wastewater discharges to surface water that require a permit under the Clean Water Act must be authorized by the U.S. Environmental Protection Agency. (4-11-06)

03. Hazard or Nuisance Prohibited. Wastewaters must not create a public health hazard or a nuisance condition. (4-11-06)

04. Monitoring. Provision must be made for monitoring the quality of the ground water in proximity of the application site. The ground water monitoring program is subject to approval by the Department. All data and reports resulting from the ground water monitoring program must be submitted to the Department upon request. The minimum frequency of monitoring and data submittal will be determined by the Department and in general will be dependent upon: (4-11-06)

a. The nature and volume of wastewater material or recharge water; (4-11-06)

b. The frequency and duration of application; and (4-11-06)

c. The characteristics of the soil mantle on and lithology underlying the application site. (4-11-06)

05. Basis for Evaluation. The evaluation for an approval to irrigate, either by sprinkling or flooding or surface spreading of wastewater material or by burying wastewater material or recharge water in the upper soil horizon as a method of treatment, must include, but will not necessarily be limited to, consideration of the following items: (4-11-06)

a. The type and quantity of wastewater(s) proposed for land application. In general, the wastewater(s) organic constituents are to be biologically degradable and inorganic constituents must be utilized by vegetation or those organisms normally present in the soil. Other wastewater(s) or recharge waters will be considered provided it

can be shown that land application will not adversely affect beneficial uses of waters of the state. (4-11-06)

b. The nature of the soils and geologic formations underlying the application site. The entity proposing the activity must provide reasonable assurance that the soils and site geology will provide the required level of treatment and will not allow movement of pollutants into the underlying ground water. (4-11-06)

c. The ability of the soil and vegetative cover on the application site to remove the pollutants contained in the applied waters through the combined processes of consumptive use and biological and chemical inactivation. (4-11-06)

601. -- 649. (RESERVED)

650. SLUDGE USAGE.

01. Disposal Plans Required. Sludge can be utilized as soil augmentation only in conformance with: (4-11-06)

a. A Department approved sludge disposal plan; or (4-11-06)

b. Procedures and in a manner approved by the Department on a site-by-site basis. (4-11-06)

02. Basis for Evaluation. Sludge disposal plans and sludge utilization proposals will be evaluated by the Department in regard to their protection of water quality and public health. (4-11-06)

03. Elements of Plans and Proposals. Plans and proposals must at a minimum provide: (4-11-06)

a. That only stabilized sludge will be used. (4-11-06)

b. The criteria utilized for site selection, including: (4-11-06)

i. Soil description; (4-11-06)

ii. Geological features; (4-11-06)

iii. Groundwater characteristics; (4-11-06)

iv. Surrounding land use; (4-11-06)

v. Topography; and (4-11-06)

vi. Climate. (4-11-06)

c. A description of the application process. (4-11-06)

d. A statement detailing procedures to prevent application which could result in a reduction of soil productivity or in the percolation of excess nutrients. (4-11-06)

e. Identification of potential adverse health effects in regard to the sludge and its proposed use. (4-11-06)

f. Delineation of methods or procedures to be used to alleviate or eliminate adverse health effects. (4-11-06)

04. Reference to Federal Regulations. See Code of Federal Regulations, 40 CFR, Part 503, Standards for the Use or Disposal of Sewage Sludge. (3-30-07)

651. -- 659. (RESERVED)

660. WAIVERS.
Waivers from the requirements of these rules may be granted by the Director on a case-by-case basis upon full demonstration by the person requesting the waiver(s) that such activities for which the waivers are granted will have no significant impact on the environment or on the public health. (5-8-09)

661. -- 999. (RESERVED)

58.01.21 – RULES GOVERNING THE PROTECTION AND DISCLOSURE OF RECORDS IN THE POSSESSION OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY

000. LEGAL AUTHORITY.
The Idaho Legislature has given the Board of Environmental Quality the authority to promulgate these rules pursuant to Sections 74-114(8), 39-105, and 39-107, Idaho Code. (4-5-00)

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Department of Environmental Quality." (4-5-00)

02. Scope. These rules adopt measures governing the disclosure and protection of records in the possession of the Idaho Department of Environmental Quality, in accordance with Section 74-114, Idaho Code. These rules affect members of the public submitting records to the Department of Environmental Quality as well as members of the public seeking access to Department of Environmental Quality records. (4-5-00)

002. WRITTEN POLICIES AND GUIDANCE.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Idaho Department of Environmental Quality may have written policies or guidance pertaining to the interpretation and implementation of these rules and the underlying statutes. Such written statements can be inspected and copied at cost at the Idaho Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706-1255. (4-5-00)

003. APPEALS.
Persons may be entitled to appeal agency actions under these rules pursuant to Sections 74-114(6)(b) or 74-115, Idaho Code, or the IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality."

(3-15-02)

004. -- 009. (RESERVED)

010. DEFINITIONS AND ABBREVIATIONS.

01. Air Pollution Emission Data. The definition set forth in 40 CFR 2.301(a)(2), revised as of July 1, 1998, as follows with reference to any source of emission of any substance into the air: (4-5-00)

a. Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing; (4-5-00)

b. Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner or rate of operation of the source; and (4-5-00)

c. A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source). (4-5-00)

d. Notwithstanding Subsections 010.01.a., 010.01.b., and 010.01.c., the following information shall be considered to be emission data only to the extent necessary to allow DEQ to disclose publicly that a source is (or is not) in compliance with an applicable standard or limitation, or to allow DEQ to demonstrate the feasibility, practicability, or attainability (or lack thereof) of an existing or proposed standard or limitation: (4-5-00)

i. Information concerning research, or the results of research, on any project, method, device, or installation (or any component thereof) which was produced, developed, installed, and used only for research purposes; and (4-5-00)

ii. Information concerning any product, method, device, or installation (or any component thereof) designed and intended to be marketed or used commercially but not yet so marketed or used. (4-5-00)

e. For purposes of the definition of emission data, standard or limitation means any emission standard or limitation established or publicly proposed pursuant to the CAA or any program administered by DEQ under

authority delegated to the state of Idaho under the CAA. (4-5-00)

02. **CAA**. The Federal Clean Air Act, 42 U.S.C. Sections 7401, et seq. (4-5-00)

03. **CFR**. The United States Code of Federal Regulations. (4-5-00)

04. **DEQ**. The Idaho Department of Environmental Quality. (4-5-00)

05. **EPA**. The United States Environmental Protection Agency. (4-5-00)

06. **RCRA**. The federal Resource Conservation and Recovery Act, 42 U.S.C., Sections 6901, et seq. (4-5-00)

07. **Trade Secret**. The definition set forth in Section 74-114(2), Idaho Code, which is information, including a formula, pattern, compilation, program, computer program, device, method, technique, or process, that: (4-5-00)

a. Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and (4-5-00)

b. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. (4-5-00)

c. The definition of trade secret includes commercial or financial information the disclosure of which could cause substantial competitive harm to the person from whom the record was obtained. (4-5-00)

08. **Trade Secret Claim**. Notice by a person submitting a record to DEQ that a record or a portion of a record is claimed to be a trade secret subject to protection from public disclosure by DEQ. (4-5-00)

011. RECORDS SUBJECT TO DISCLOSURE.

01. **Trade Secrets Subject to Disclosure**. Upon receipt of a request pursuant to Chapter 1, Title 74, Idaho Code, or to comply with public notice, comment or hearing requirements established in state statutes or rules implementing programs delegated or authorized to the state of Idaho under the CAA or RCRA, and after DEQ has followed the procedures set forth in Section 74-114(6), Idaho Code, for information subject to a trade secret claim, DEQ shall disclose: (4-5-00)

a. Air pollution emission data required to be submitted to or obtained by DEQ pursuant the CAA or any program administered by DEQ under authority delegated to the state of Idaho under the CAA; (4-5-00)

b. The contents of any Title V operating permit; and (4-5-00)

c. The name and address of any applicant or permittee for hazardous waste treatment, storage, or disposal facility permit pursuant to Chapter 44, Title 39, Idaho Code. (4-5-00)

02. **Other Program Records**. All DEQ records not listed in Subsection 011.01 and required to be submitted to DEQ, or which DEQ could compel the submission of, under the state statutes and rules implementing programs delegated or authorized to the state of Idaho under the CAA or RCRA, shall be made available for public inspection and copying except to the extent to which such records are a trade secret in which case the record shall be kept confidential according to the procedures set forth in Section 74-114, Idaho Code, and these rules. (4-5-00)

012. NOTICE OF TRADE SECRET CLAIM.

01. **Notice to Be Included in Submittals**. (4-5-00)

a. It shall be the responsibility of any person providing a record to DEQ to give notice of the existence

of a trade secret claim on each page or other portion of information at the time of submittal by the placement of a stamped, typed, or other notation employing such language as "trade secret," proprietary," or "confidential." Such person shall have the burden of demonstrating that the information is a trade secret subject to protection from disclosure by DEQ. (4-5-00)

b. To expedite any subsequent trade secret determinations, persons making a claim are encouraged to include supporting information substantiating a trade secret claim with the original submittal. (4-5-00)

02. Portions of Records. If a portion of a record or a portion of a page is non-confidential and the other portion is subject to a trade secret claim, the two (2) portions shall be clearly identified by the person making the claim at the time of submittal. Information for which a trade secret claim is made is encouraged to be submitted separately if feasible and if such segregation would facilitate identification and handling by DEQ. (4-5-00)

03. Absence of Trade Secret Claim. (4-5-00)

a. If no trade secret claim accompanies a record received by DEQ, the record is subject to disclosure to the public by DEQ in accordance with applicable state law and policy without further notice to the person making the submittal. (4-5-00)

b. If a person has not asserted a trade secret claim for a record for which it might be expected to assert a trade secret claim, DEQ may inquire whether the person asserts a trade secret claim covering the information. (4-5-00)

04. Subsequent Trade Secret Claim. If a trade secret claim covering a record or portion of a record is made after the information is initially submitted to DEQ, DEQ will make such efforts as are practicable in light of prior disclosure, to associate the late trade secret claim with the previously submitted record. (4-5-00)

05. Handling of Records. DEQ records, or portions of records, for which a trade secret claim has been asserted shall be treated as being entitled to confidential treatment until there has been a determination in accordance with the procedures set out in Section 74-114(6), Idaho Code, that the information is not entitled to confidential treatment. (4-5-00)

013. NOTIFICATION TO PERSON REQUESTING DISCLOSURE.
At the time that DEQ provides a request for substantiation to a person making a trade secret claim, DEQ may furnish a notice to the person whose request for release of the record is pending that the information requested may be entitled to protection from public disclosure under these rules and Section 74-114, Idaho Code, that further inquiry by DEQ is required, that the person making the request will be notified when a final confidentiality determination is made, and the approximate time frame within which the determination will occur. (4-5-00)

014. REQUEST FOR SUBSTANTIATION.

01. Timing of Determination. Even though no request for disclosure of the record has been received, DEQ may at any time request substantiation of a trade secret claim. (4-5-00)

02. Preliminary Determination. If request is received by DEQ from a member of the public seeking disclosure of information subject to a trade secret claim or if DEQ determines that information subject to a trade secret claim may be disclosed pursuant to public notice, comment or hearing, and the DEQ Director determines such information may be subject to disclosure, DEQ shall send a written request for substantiation to the person making the claim pursuant to Section 74-114(6), Idaho Code. The request shall inform the person that a public records request is pending or that a public notice, comment or hearing is pending. (4-5-00)

03. Contents of Request for Substantiation. The written request for substantiation shall invite the person making the trade secret claim to comment on the following points: (4-5-00)

a. The specific portions of the record, including portions of each page, which are alleged to be entitled to confidential treatment; (4-5-00)

b. Measures taken by the person making the claim to guard against nonconsensual disclosure of the information to others, and the means by which such measures will be continued in the future; (4-5-00)

c. The extent to which the information has been consensually disclosed to others and the precautions taken in connection therewith; (4-5-00)

d. Pertinent confidentiality determinations, if any, by EPA or other state and federal agencies; (4-5-00)

e. Any relevant facts which would support the claim that the information meets the definition of "trade secret" set out in Section 010 above; and (4-5-00)

f. If appropriate, the reason that the information is not required to be disclosed by state or federal statute including Section 74-114(1), Idaho Code. (4-5-00)

04. Submittal of Substantiation Response. A response to a request for substantiation of a trade secret claim shall be submitted to DEQ by the person claiming the trade secret protection within ten (10) working days after receipt of the request for substantiation or the information subject to the claim shall be disclosed without further notice. (4-5-00)

05. Confidentiality of Substantiation Response. A response to a request for substantiation of a trade secret claim may itself contain information subject to protection from public disclosure. (4-5-00)

015. FINAL DETERMINATION OF TRADE SECRET CLAIM.

01. Final Determination. Within three (3) working days after receipt of the business's timely response to a request for substantiation, the DEQ Director shall make a final determination concerning whether the information is protected from public disclosure pursuant to Section 74-114, Idaho Code, and shall notify the person requesting the information and the person asserting the trade secret claim of the determination. (4-5-00)

02. Criteria for Determination. In making a final determination whether a record or portion of a record is a trade secret, the DEQ Director shall consider whether: (4-5-00)

a. A trade secret claim has been asserted which has not expired by its terms, nor been waived or withdrawn; (4-5-00)

b. The person has satisfactorily shown that reasonable measures to protect the confidentiality of the information have been taken, and that such measures will continue to be taken; (4-5-00)

c. The information is not, and has not been, reasonably obtainable without the business's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on a showing of special need in a judicial or quasi-judicial proceeding); (4-5-00)

d. A state or federal statute does not specifically require disclosure of the information; and (4-5-00)

e. The person has satisfactorily shown that the information meets the definition of "trade secret" set out in Section 010 above. (4-5-00)

016. DISCLOSURE OF RECORDS TO CERTAIN PERSONS UNDER A CONTINUING CLAIM.

01. Situations for a Continuing Claim. DEQ may disclose a record which is a trade secret or which is subject to a trade secret claim under a continuing claim in accordance with Section 74-114(4), Idaho Code, as follows: (4-5-00)

a. To any officer, employee, or authorized representative of the state or the United States as necessary to carry out the provisions of state or federal law, or when relevant to any proceeding thereunder; (4-5-00)

b. As determined necessary by the DEQ Director to protect the public health and safety from imminent and substantial endangerment; and (4-5-00)

c. As required by state or federal law including for discovery in the normal course of judicial or administrative adjudicatory proceedings, subject to the law and rules of evidence and of discovery governing such proceedings. (4-5-00)

02. Notice of a Continuing Claim. (4-5-00)

a. DEQ shall give notice of a continuing trade secret claim by noting its existence in a cover letter, or by other effective means if a cover letter is impractical, at the time the record is disclosed. (4-5-00)

b. DEQ shall notify the person receiving the information subject to a continuing trade secret claim that DEQ's disclosure does not waive the claim nor authorize any further disclosure by the person receiving the record. (4-5-00)

c. DEQ shall disclose a record under Subsections 016.01.a. and 016.01.b. only if the person receiving the record agrees in writing to exercise all means legally available to protect the relevant record or portion of the record from further disclosure. (4-5-00)

03. Record of Disclosures. DEQ shall adopt a procedure to maintain a record of any disclosures of records or portion of records subject to a continuing trade secret claim. (4-5-00)

017. SAFEGUARDING OF TRADE SECRET INFORMATION.

01. Prohibition on Disclosure. No DEQ officer or employee may disclose any information subject to a trade secret claim except as specifically mandated by statute. (4-5-00)

02. Dissemination Within DEQ. Access to information subject to a trade secret claim by DEQ employees, contractors, or other representatives shall be limited to access required to carry out the person's duties on behalf of DEQ. (4-5-00)

03. Segregation of Information. Any information subject to a trade secret claim and received by DEQ after the effective date of these rules shall be placed in a clearly marked, confidential section of the relevant file. (4-5-00)

04. Training. DEQ shall train all new employees, and periodically train existing employees, in the proper filing, tracking and physical handling of records subject to a trade secret claim, and in the procedures established by these rules, Section 74-114, Idaho Code, and any relevant policies adopted by DEQ. Training shall be as frequent and extensive as deemed necessary by the DEQ Director. (4-5-00)

018. -- 999. (RESERVED)

58.01.22 – RULES FOR ADMINISTRATION OF PLANNING GRANTS FOR DRINKING WATER FACILITIES

000. LEGAL AUTHORITY.
The Idaho State Board of Environmental Quality, pursuant to authority granted in Chapters 1 and 36, Title 39, Idaho Code, adopted the following rules for the administration of a Drinking Water Planning Grant Program in Idaho. (5-3-03)

001. TITLE AND SCOPE.

01. Title. These rules will be known and cited as Rules of the Idaho Department of Environmental Quality, IDAPA 58.01.22, "Rules for Administration of Planning Grants for Drinking Water Facilities." (3-30-01)

02. Scope. The provisions of these rules will establish administrative procedures and requirements for establishing, implementing and administering a state grant program providing financial assistance to qualifying entities to prepare a drinking water facility planning document. (3-29-12)

002. WRITTEN INTERPRETATIONS.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Department of Environmental Quality may have written statements which pertain to the interpretation of these rules. If available, such written statements can be inspected and copied at cost at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706. (3-30-01)

003. ADMINISTRATIVE APPEALS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (5-3-03)

004. INCORPORATION BY REFERENCE AND AVAILABILITY OF REFERENCED MATERIAL.

01. Incorporation by Reference. These rules do not contain documents incorporated by reference. (4-2-08)

02. Availability of Referenced Material. The "Drinking Water Loan Handbook of Procedures" (Handbook) is available at the Idaho Department of Environmental Quality, Water Quality Division Loan Program, 1410 N. Hilton, Boise, ID 83706-1255, (208)373-0502, www.deq.idaho.gov. (4-2-08)

005. CONFIDENTIALITY.
Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Chapter 1, Title 74, Idaho Code, and IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality." (5-3-03)

006. POLICY.
It is the policy of the Idaho Board of Environmental Quality, through the Idaho Department of Environmental Quality, to administer the Drinking Water Grant Program. The Drinking Water Grant Program provides assistance to eligible public drinking water systems for the planning of facilities to help ensure safe and adequate supplies of drinking water. It is also the intent of the Idaho Board of Environmental Quality to assign a priority rating to those projects which shall facilitate the compliance of any eligible public drinking water system with national primary drinking water regulations applicable to the system, IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," and the Safe Drinking Water Act, 42 U.S.C. Sections 300f et seq. (4-2-08)

007. SYSTEM ELIGIBILITY.

01. Eligible Systems. Community water systems and nonprofit noncommunity water systems. (3-30-01)

02. Systems Not Eligible. The following public drinking water systems will not be considered eligible for project planning grants: (3-30-01)

a. Systems that do not have the financial capability to pay their non-grant share of a planning project. (3-30-01)

b. Systems delinquent in payment of the annual state drinking water fee assessment. (3-30-01)

008. -- 009. (RESERVED)

010. DEFINITIONS.
For the purpose of the rules contained in this chapter, the following definitions apply: (3-30-01)

01. Applicant. Any qualifying entity making application for drinking water planning grant funds. (3-30-01)

02. Board. The Idaho Board of Environmental Quality. (4-2-08)

03. Categorical Exclusion (CE). Category of actions which do not individually or cumulatively have a significant effect on the human environment and for which, therefore, neither an environmental information document nor an environmental impact statement is required. (4-2-08)

04. Community Water System. A public drinking water system that: (3-30-01)

a. Serves at least fifteen (15) service connections used by year round residents of the area served by the system; or (3-30-01)

b. Regularly serves at least twenty-five (25) year-round residents. (3-30-01)

05. Contaminant. Any physical, chemical, biological, or radiological substance or matter in water. (3-30-01)

06. Department. The Idaho Department of Environmental Quality. (3-30-01)

07. Director. The Director of the Idaho Department of Environmental Quality or the Director's designee. (4-2-08)

08. Distribution System. Any combination of pipes, tanks, pumps, and other equipment which delivers water from the source(s), treatment facility(ies), or a combination of source(s) and treatment facility(ies) to the consumer. Chlorination may be considered as a function of a distribution system. (3-29-12)

09. Eligible Costs. Costs which are necessary for planning public drinking water systems. To be eligible, costs must also be reasonable and not ineligible costs. The determination of eligible costs shall be made by the Department pursuant to Section 032. (5-3-03)

10. Environmental Impact Statement (EIS). A document prepared by the applicant when the Department determines that the proposed drinking water project will significantly affect the environment. The major purpose of the EIS will be to describe fully the significant impacts of the project and how these impacts can be either avoided or mitigated. The Environmental Review Procedures contained in Chapter 5 of the Handbook may be used as guidance when preparing the EIS. (4-2-08)

11. Environmental Information Document (EID). Any written environmental assessment prepared by the applicant describing the environmental impacts of a proposed drinking water construction project. This document will be of sufficient scope to enable the Department to assess the environmental impacts of the proposed project and ultimately determine if an environmental impact statement (EIS) is warranted. (3-29-12)

12. Financial Capability. The ability to raise and manage funds to provide the necessary resources for proper operation. (3-30-01)

13. Finding of No Significant Impact (FONSI). A document prepared by the Department presenting the reasons why an action, not otherwise excluded, will not have a significant effect on the human environment and for which an environmental impact statement (EIS) will not be prepared. It shall include the environmental information document or a summary of it and shall note any other environmental documents related to it. (3-29-12)

14. Grant Recipient. An applicant who has been awarded a grant. (3-29-12)

15. **Handbook**. "Drinking Water Loan Handbook of Procedures." (4-2-08)

16. **Ineligible Costs**. Costs which are not eligible for funding pursuant to these rules. (3-29-12)

17. **Maximum Contaminant Level (MCL)**. The maximum permissible level of a contaminant in water which is delivered to any user of a public drinking water system. (3-30-01)

18. **Managerial Capability**. The capabilities of the qualified entity to support the proper financial management and technical operation of the system. (3-30-01)

19. **Noncommunity Water System**. A public water system that is not a community water system. (5-3-03)

20. **Nonprofit Noncommunity Water System**. A public drinking water system that is not a community water system and is governed by Section 501 of the Internal Revenue Code and includes, but is not limited to, state agencies, municipalities and nonprofit organizations such as churches and schools. (5-3-03)

21. **Nontransient Noncommunity Water System**. A public drinking water system that is not a community water system and that regularly serves at least twenty-five (25) of the same persons over six (6) months per year. (4-2-08)

22. **Person**. An individual, corporation, company, association, partnership, state agency, municipality, or federal agency (and includes officers, employees, and agents of any corporation, company, association, state agency, municipality, or federal agency). (5-3-03)

23. **Planning Document**. A document which describes the condition of a public drinking water system and presents a cost effective and environmentally sound alternative to achieve or maintain regulatory compliance. Engineering reports and facility plans are examples of such planning documents. The planning documents shall be prepared by or under the responsible charge of an Idaho licensed professional engineer and shall bear the imprint of the engineer's seal. Requirements for planning documents prepared using grant funds are provided in Section 030 of these rules and in the Handbook. (3-29-12)

24. **Priority List**. A list of proposed projects rated by severity of a risk to public health, the necessity to ensure compliance with, IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," and the Safe Drinking Water Act, 42 U.S.C., Sections 300f et seq., population affected, the need on a household basis for protection of Idaho's public drinking water supplies, and as otherwise described in Section 020. (4-2-08)

25. **Public Drinking Water System/Public Water System/Water System**. A system for the provision to the public of water for human consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen (15) service connections, regardless of the number of water sources or configuration of the distribution system, or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. Such term includes: any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any "special irrigation district." A public water system is either a "community water system" or a "noncommunity water system." (4-2-08)

26. **Qualifying Entity**. Any county, city, special service district, nonprofit or investor-owned corporation, or other governmental entity, or a combination thereof, which owns or operates a public drinking water system or irrigation system. (4-2-08)

27. **Rehabilitation**. The repair or replacement of segments of drinking water facilities. (3-30-01)

28. **Reserve Capacity**. That portion of the system in the planned facilities to handle future drinking water demand. (3-30-01)

29. **State**. The state of Idaho. (3-30-01)

30. **Suspension**. An action by the Director to suspend a grant contract prior to project completion for a specified cause. Suspended contracts may be reinstated. (3-30-01)

31. **Sustainability**. Sustainability will include efforts for energy and water conservation, extending the life of capital assets, green building practices, and other environmentally innovative approaches to infrastructure repair, replacement and improvement. (3-29-12)

32. **Technical Capability**. The ability of the public drinking water system to comply with existing and expected drinking water rules. (3-30-01)

33. **Termination**. An action by the Director to permanently terminate a grant contract prior to project completion for a specific cause. Terminated contracts will not be reinstated. (3-30-01)

34. **Water Treatment Plant**. That portion of the public drinking water system whose primary purpose is to remove contaminants. (3-30-01)

011. -- 019. (RESERVED)

020. PRIORITY RATING SYSTEM.
Projects are identified for placement on priority lists by surveying eligible entities directly on an annual basis. Information is also received from the Department and consulting engineers. Grant funds are awarded to projects based on priority ratings. Projects are rated by the Department on a standard priority rating form using public health, sustainability, and water quality criteria and condition of the existing system. (3-29-12)

01. **Purpose**. A priority rating system shall be utilized by the Department to annually allot available funds to projects determined eligible for funding assistance in accordance with these rules. (4-2-08)

02. **Priority Rating**. The priority rating system shall be based on a numerical point system. Priority criteria shall contain the following points: (3-29-12)

a. Public Health Hazard. Any condition which creates, or may create, a danger to the consumer's health, which may include any one (1) or more of the following, may be awarded a maximum of one hundred (100) points: (3-29-12)

i. Documented unresolved violations of the primary drinking water standards including maximum contaminant levels, action levels, and treatment techniques (to include maximum contaminant levels for acute and chronic contaminates); (3-29-12)

ii. Documented unresolved violations of pressure requirements; (3-29-12)

iii. Documented reduction in source capacity that impacts the system's ability to reliably serve water; or (3-29-12)

iv. Documented significant deficiencies (e.g., documented in a sanitary survey) in the physical system that is causing the system to not be able to reliably serve safe drinking water. (3-29-12)

b. General Conditions of Existing Facilities. Points shall be given based on deficiencies (which would not constitute a public health hazard) for pumping, treating, storing, and delivering drinking water - up to sixty (60) points. (3-29-12)

c. Sustainability Efforts (e.g., prospective efforts at energy conservation, water conservation, extending the life of capital assets, green building practices, and other environmentally innovative approaches to infrastructure repair, replacement and improvement) - up to fifty (50) points. (3-29-12)

d. Consent Order, Compliance Agreement Schedule, or Court Order. Points shall be given if the system is operating under and in compliance with a Consent Order, Compliance Agreement Schedule, or Court Order

and the proposed construction project will address the Consent Order, Compliance Agreement Schedule, or Court Order - up to thirty (30) points. (3-29-12)

e. Incentives. Bonus points shall be awarded to systems that promote source water protection, conservation, economy, proper operation maintenance, and monitoring - up to ten (10) points. (3-29-12)

f. Affordability. Points shall be given when current system user charges exceed state affordability guidelines - ten (10) points. (3-30-01)

03. Rating Forms. Rating criteria for Subsection 020.02 is set forth in a rating form that is available in the Handbook. (3-29-12)

04. Priority List. A list shall be developed from projects rated according to the priority rating system. Such list shall be submitted for public review and comment, and shall thereafter be submitted to the Board for approval and adoption. (3-29-12)

a. Priority Reevaluation. Whenever significant changes occur, which in the Department's judgment would affect the design parameters or treatment requirements by either increasing or decreasing the need for or scope of any project, a reevaluation of that priority rating will be conducted. (3-30-01)

b. Priority Target Date. An eligible applicant whose project is on the approved priority list, and for which funding is available, will be contacted by the Department and a target date for submission of a completed grant application will be established. (3-29-12)

c. Project Bypass. A project that does not or will not meet the project target date or a Department schedule that allows for timely utilization of grant funds may be bypassed, substituting in its place the next highest ranking project that is ready to proceed. An eligible applicant that is bypassed will be notified in writing of the reasons for being bypassed. (3-29-12)

05. Amendment of Priority List. The Director may amend the Priority List as set forth in Section 080 of these rules. (3-29-12)

021. -- 029. (RESERVED)

030. PROJECT SCOPE AND FUNDING.
Grant funds awarded under this program will be used entirely to prepare a drinking water facility planning document. The planning document will identify the cost effective and environmentally sound alternative to achieve or maintain compliance with IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," and the Safe Drinking Water Act, 42 U.S.C. Sections 300f et seq. The planning document must be approved by the Department. (3-29-12)

01. Planning Document. (3-29-12)

a. A planning document shall include all items required by IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," Subsection 503.03 or 502.04. Should the grant recipient proceed to construction using federal funds (e.g., a state revolving fund loan), then the items listed in Subsection 030.01.b. of these rules shall be required prior to construction. (3-29-12)

b. A planning document that is prepared anticipating the use of federal funds shall include an environmental review that will require the Department approval of both a draft and final planning document. (3-29-12)

i. The draft planning document shall include all items required by IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems," Subsection 502.04 or 503.03, as well as the following: (3-29-12)

(1) Description of existing conditions for the proposed project area; (3-30-01)

(2) Description of future conditions for the proposed project area; (3-30-01)

(3) Development and initial screening of alternatives; (3-30-01)

(4) Development of an environmental review specified by the Department as described in Section 040. (3-29-12)

ii. The final planning document shall include all items required of the draft planning document as well as the following: (3-29-12)

(1) Final screening of principal alternatives and plan adoption; (3-30-01)

(2) Selected plan description and implementation arrangements; and (3-29-12)

(3) Relevant engineering data supporting the final alternative. (3-29-12)

iii. The grant recipient shall provide an opportunity for the public to comment on the draft planning document. The public comment period shall be held after alternatives have been developed and the Department has approved the draft planning document. The grant recipient shall provide written notice of the public comment period and hold at least one (1) public meeting within the jurisdiction of the grant recipient during the public comment period. At the public meeting, the draft planning document shall be presented by the grant recipient with an explanation of the alternatives identified. The cost effective and environmentally sound alternative selected shall consider public comments received from those affected by the proposed project. After the public meeting and public comment period, the final alternative will be selected and the Environmental Information Document may be prepared. (3-29-12)

c. The draft and final planning document shall bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the engineer. (3-29-12)

d. The draft and final planning documents must be reviewed and approved by the Department. (3-29-12)

e. The planning period shall be twenty (20) years for all facilities except for distribution and transmission systems which may be forty (40) years. (4-2-08)

02. Limitation on Funding Assistance. The maximum grant funding provided in a state planning grant award shall not exceed fifty percent (50%) of the total eligible costs for grants awarded. (3-30-01)

031. REVIEW AND EVALUATION OF GRANT APPLICATIONS.

01. Submission of Application. Those eligible systems which received high priority ranking shall be invited to submit an application. The applicant shall submit to the Department, a completed application in a form prescribed by the Department. (3-30-01)

02. Application Requirements. Applications shall contain the following documentation, as applicable: (5-3-03)

a. An authorizing resolution passed by a majority of the governing body authorizing an elected official or officer of the qualifying entity to commit funding; and (5-3-03)

b. Contracts for engineering services or other technical services and the description of costs and tasks set forth therein shall be in sufficient detail for the Department to determine whether the costs associated with the tasks are eligible costs pursuant to Section 032; and (3-29-12)

c. A plan of study describing the work tasks to be performed in the planning document, a schedule for completion of the work tasks and an estimate of staff hours and costs to complete the work tasks; and (3-29-12)

d. Justification for the engineering firm selected. An engineering firm selected by the applicant must

at a minimum: (5-3-03)

i. Be procured through the selection guidelines and procedures prescribed under Section 67-2320, Idaho Code; and (5-3-03)

ii. Be a registered professional engineer currently licensed by the Idaho Board of Professional Engineers and Land Surveyors; and (5-3-03)

iii. Not be debarred or otherwise prevented from providing services under another federal or state financial assistance program; and (5-3-03)

iv. Be covered by professional liability insurance in accordance with Subsection 050.05.d. A certification of liability insurance shall be included in the application; and (5-3-03)

e. A description of other costs, not included in the contracts for engineering or other technical services, for which the applicant seeks funding. The description of the costs and tasks for such costs must be in sufficient detail for the Department to determine whether the costs are eligible costs pursuant to Section 032; and (3-29-12)

f. A demonstration that the obligation to pay the costs for which funding is requested, is the result or will be the result of the applicant's compliance with applicable competitive bidding requirements and requirements for professional service contracts, including without limitation, the requirements set forth in Sections 67-2801 et seq., 67-2320, 59-1026, and 42-3212, Idaho Code; and (4-2-08)

g. A statement regarding how the non-grant portion of the project will be funded; and (5-3-03)

h. For incorporated nonprofit applicants only, Articles of Incorporation and/or Bylaws showing nonprofit and incorporated status according to Chapter 3, Title 30, Idaho Code. (3-30-01)

03. Determination of Completeness of Application. Applications will be reviewed to determine whether they contain all of the information required by Subsection 031.02. (3-29-12)

04. Notification Regarding Incompleteness of Application. Written notification if an application is incomplete, including an explanation of missing documentation, will be sent to the applicant. The applicant may provide the missing documentation. (5-3-03)

05. Reapplication for Grant. The action of disapproving, recalling, or terminating a grant in no way precludes or limits the former applicant from reapplying for another grant when the project deficiencies are resolved and project readiness is secured. (5-3-03)

032. DETERMINATION OF ELIGIBILITY OF COSTS.
The Department shall review the application, including any contracts required to be submitted with the application, to determine whether the costs are eligible costs for funding. (5-3-03)

01. Eligible Costs. Eligible costs are those determined by the Department to be: (5-3-03)

a. Necessary costs; (3-29-12)

b. Reasonable costs; and (3-29-12)

c. Costs that are not ineligible as described in Subsection 032.05. (3-29-12)

02. Necessary Costs. The Department shall determine whether costs are necessary by comparing the tasks for which the costs will be incurred to the scope of the project as described in the plan of study for the planning document. (3-29-12)

03. Reasonable Costs. Costs shall be determined by the Department to be reasonable if the obligation

to pay the costs is the result of or will be the result of the applicant's compliance with applicable competitive bidding requirements and requirements for professional service contracts, including without limitation, the requirements set forth in Sections 67-2801 et seq., 67-2320, 59-1026, and 42-3212, Idaho Code. (4-2-08)

04. Examples of Costs That May Be Eligible. Examples of costs that may be eligible, if determined necessary, reasonable and not ineligible costs include: (5-3-03)

a. Costs of salaries, benefits, and expendable material the qualified entity incurs in the project except ordinary expenses such as salaries and expenses of a mayor; city council members; board; or a city, district or board attorney; (4-2-08)

b. Professional and consulting services utilizing a lump-sum contract, specifying costs of individual tasks. (5-3-03)

c. Engineering costs pursuant to a lump-sum contract, specifying costs of individual tasks, directly related to the planning of public drinking water treatment, storage and distribution facilities including but not limited to the preparation of a planning document and environmental review report; (3-29-12)

d. Financial, technical and management capability analysis; (5-3-03)

e. Public participation for alternative selection; (5-3-03)

f. Certain direct and other costs as determined eligible by the Department; and (5-3-03)

g. Site acquisition services which could include legal fees, appraisals and surveys for land associated with the cost-effective alternative in the report and for purchase from a willing seller. (3-29-12)

05. Ineligible Project Costs. Costs which are ineligible for funding include, but are not limited to: (5-3-03)

a. Basin or area wide planning not directly related to the project; (5-3-03)

b. Personal injury compensation or damages arising out of the project; (5-3-03)

c. Fines or penalties due to violations of, or failure to comply with, federal, state, or local laws; (5-3-03)

d. Costs outside the scope of the approved project; (5-3-03)

e. Ordinary operating expenses such as salaries and expenses of a mayor, city council members, city attorney, district or association personnel costs, and acquiring project funding; (4-2-08)

f. Preparation of a grant application; (5-3-03)

g. All costs related to assessment, defense and settlement of disputes; (5-3-03)

h. Costs of supplying required permits or waivers; (5-3-03)

i. Costs incurred prior to award of the grant unless specifically approved in writing as eligible pre-award costs by the Department; (5-3-03)

j. Engineering costs incurred prior to approval of the engineering contract or those costs in excess of the contract ceiling unless preapproval has been given in writing by the Department; and (5-3-03)

06. Notification Regarding Ineligible Costs. Prior to providing a grant offer, the Department shall notify the applicant that certain costs are not eligible for funding and the reasons for the Department's determination. If such costs are included in the engineering contract, the Department shall also provide notification to the engineer.

The applicant may provide the Department additional information in response to the notice. (5-3-03)

07. Eligible Costs and the Grant Offer. The grant offer shall reflect those costs determined by the Department to be eligible costs. The grant offer, however, may include estimates of some eligible costs that have not yet been set. Actual eligible costs may differ from such estimated costs set forth in the grant offer. In addition, grant disbursements may be increased or decreased if eligible costs are modified. (4-2-08)

033. -- 039. (RESERVED)

040. ENVIRONMENTAL REVIEW.

01. Environmental Documentation. The grant recipient may complete an environmental review as part of and in conjunction with a planning document. Guidance on how to complete an environmental review may be found in Chapter 5 of the Handbook. If the grant recipient prepares an environmental review, then the Department shall be consulted at an early stage in the preparation of the planning document to determine the required level of environmental review. Based on review of existing information and assessment of environmental impacts, the grant recipient may complete one (1) of the following: (3-29-12)

a. Submit a request for Categorical Exclusion (CE) with supporting backup documentation as specified by the Department; (4-2-08)

b. Prepare an Environmental Information Document (EID) in a format specified by the Department; or (4-2-08)

c. Prepare an Environmental Impact Statement (EIS) in a format specified by the Department. (4-2-08)

02. Categorical Exclusions. If the grant recipient requests a CE, the Department shall review the request and, based upon the supporting documentation, take one (1) of the following actions: (3-29-12)

a. Determine if an action is consistent with categories eligible for exclusion whereupon the Department shall issue a notice of CE from further substantive environmental review. Once the CE is granted for the selected alternative, the Department will publish a notice of CE in a local newspaper, following which the planning document can be approved; or (3-29-12)

b. Determine if an action is not consistent with categories eligible for exclusion and that issuance of a CE is not appropriate. If issuance of a CE is not appropriate, the Department shall notify the grant recipient of the need to prepare an EID. (3-29-12)

03. Environmental Information Document Requirements. When an EID is required, the grant recipient shall prepare the EID in accordance with the following Department procedures: (3-29-12)

a. Various laws and executive orders related to environmentally sensitive resources shall be considered as the EID is prepared. Appropriate state and federal agencies shall be consulted regarding these laws and executive orders. (4-2-08)

b. A full range of relevant impacts, both direct and indirect, of the proposed project shall be discussed in the EID, including measures to mitigate adverse impacts, cumulative impacts, and impacts that shall cause irreversible or irretrievable commitment of resources. (4-2-08)

c. The Department shall review the draft EID and either request additional information about one (1) or more potential impacts, or shall draft a "finding of no significant impact" (FONSI). (4-2-08)

04. Final Finding of No Significant Impact. The Department shall publish the draft FONSI in a newspaper of general circulation in the geographical area of the proposed project and shall allow a minimum thirty (30) day public comment period. Following the required period of public review and comment, and after any public concerns about project impacts are addressed, the FONSI shall become final. The Department shall assess the

effectiveness and feasibility of the mitigation measures identified in the FONSI and EID prior to the issuance of the final FONSI and approval of the planning document. (3-29-12)

05. Environmental Impact Statement (EIS) Requirements. If an EIS is required, the grant recipient shall: (3-29-12)

a. Contact all affected state agencies, and other interested parties, to determine the required scope of the document; (4-2-08)

b. Prepare and submit a draft EIS to all interested agencies, and other interested parties, for review and comment; (4-2-08)

c. Conduct a public meeting which may be held in conjunction with a planning document meeting; and (3-29-12)

d. Prepare and submit a final EIS incorporating all agency and public input for Department review and approval. (4-2-08)

06. Final EIS. Upon completion of the EIS by the grant recipient and approval by the Department of all requirements listed in Subsection 040.05, the Department shall issue a record of decision, documenting the mitigative measures which shall be required of the grant recipient. The planning document can be completed once the final EIS has been approved by the Department. (3-29-12)

07. Use of Environmental Reviews Conducted by Other Agencies. If an environmental review for the project has been conducted by another state, federal, or local agency, the Department may, at its discretion, issue its own determination by adopting the document and public notification process of the other agency. (4-2-08)

08. Validity of Review. Environmental reviews, once completed by the Department, are valid for five (5) years from the date of completion. If a grant application is received for a project with an environmental review which is more than five (5) years old, the Department shall reevaluate the project, environmental conditions, and public comments and shall: (3-29-12)

a. Reaffirm the earlier decision; or (3-30-01)

b. Require supplemental information to the earlier Environmental Impact Statement, Environmental Information Document, or request for Categorical Exclusion. Based upon a review of the updated document, the Department shall issue and distribute a revised notice of Categorical Exclusion, finding of no significant impact, or record of decision. (3-30-01)

041. -- 049. (RESERVED)

050. GRANT OFFER AND ACCEPTANCE.

01. Grant Offer. Grant offers will be delivered by certified mail to applicants who received high priority ranking, were invited to submit an application, and provided a complete application. (3-30-01)

02. Acceptance of Grant Offer. Applicants have sixty (60) days in which to officially accept the grant offer on prescribed forms furnished by the State. The sixty (60) day acceptance period commences from the date indicated on the grant offer notice. If the applicant does not accept the grant offer within the sixty (60) day period, the grant funds may be offered to the next project of priority. (3-30-01)

03. Acceptance Executed as a Contract Agreement. Upon signature by the Director or the Director's designee as the grantor, and upon signature by the authorized representative of the qualifying entity, as the grant recipient, the grant offer shall become a grant contract agreement. The disbursement of funds pursuant to an agreement is subject to a finding by the Director that the grant recipient has complied with all agreement conditions and has prudently managed the project. The Director may, as a condition of payment, require that a grant recipient vigorously pursue any claims it has against third parties who will be paid in whole or in part, directly or indirectly,

with grant funds or transfer its claim against such third parties to the Department. Grant contract agreements shall be interpreted according to the law of grants in aid. No third party shall acquire any rights against the State or its employees from a grant contract agreement. (3-29-12)

04. Estimate of Reasonable Cost. Each grant project contract will include the eligible cost of conducting the planning study. Some eligible costs may be estimated and payments may be increased or decreased as provided in Section 060. (5-3-03)

05. Terms of Agreement. The grant offer shall contain terms of agreement as prescribed by the Department including, but not limited to special conditions as determined necessary by the Department for the successful planning of the project. (3-30-01)

a. Terms consistent with these rules and consistent with the scope of the grant project; and (3-29-12)

b. Special clauses as determined necessary by the Department for the successful investigation and management of the project; and (5-3-03)

c. Terms consistent with applicable state and federal laws pertaining to planning documents; and (3-29-12)

d. Requirement for the prime engineering firm(s) retained for engineering services to carry professional liability insurance to protect the public from the engineer's negligent acts and errors of omission of a professional nature. The total aggregate of the engineer's professional liability shall be one hundred thousand dollars ($100,000) or twice the amount of the engineer's fee, whichever is greater. Professional liability insurance must cover all such services rendered for all project steps, whether or not such services or steps are state funded, until the certification of project performance is accepted by the Department. (4-2-08)

051. -- 059. (RESERVED)

060. PAYMENTS.

01. Eligibility Determination. Grant funds will only be provided for eligible costs as defined at Section 010 and determined in accordance with Section 032. (3-29-12)

02. Payments for State Grants. Requests for payment shall be submitted to the Department on a form provided by the Department. The Department shall pay for those costs that are determined to be eligible. (3-30-01)

03. Grant Increases. Grant amendment increase requests as a result of an increase in eligible project costs will be considered, provided funds are available. Documentation and justification supporting the unavoidable need for a grant increase must be submitted to the Department for approval prior to incurring any costs above the approved eligible cost ceiling. (3-30-01)

04. Grant Decreases. If the actual eligible cost is determined to be lower than the estimated eligible cost the grant amount will be reduced proportionately. (3-30-01)

05. Final Project Review to Determine Actual Eligible Costs. The Department may conduct a final project review to determine the actual eligible costs. The financial records of the grant recipient may be reviewed by the Department. (3-29-12)

06. Final Payment. The final payment consisting of five percent (5%) of the total state grant will not be made until the requirements contained in the grant agreement have been satisfied. (3-29-12)

061. -- 069. (RESERVED)

070. SUSPENSION OR TERMINATION OF GRANT.

01. Causes. The Director may suspend or terminate any grant for failure by the grantee or its agents,

including his engineering firm(s), contractor(s) or subcontractor(s) to perform. A grant may be suspended or terminated for good cause including, but not limited to, the following: (3-30-01)

a. Commission of fraud, embezzlement, theft, forgery, bribery, misrepresentation, conversion, malpractice, misconduct, malfeasance, misfeasance, falsification or unlawful destruction of records, or receipt of stolen property, or any form of tortious conduct; or (3-30-01)

b. Commission of any crime for which the maximum sentence includes the possibility of one (1) or more years imprisonment or any crime involving or affecting the project; or (3-30-01)

c. Violation(s) of any term of agreement of the grant offer or contract agreement; or (3-30-01)

d. Any willful or serious failure to perform within the scope of the project; or (4-2-08)

e. Debarment of an engineering firm, contractor or subcontractor for good cause by any federal or state agency from working on public work projects funded by that agency. (3-30-01)

02. **Notice**. The Director will notify the grantee in writing and by certified mail of the intent to suspend or terminate the grant. The notice of intent shall state: (3-30-01)

a. Specific acts or omissions which form the basis for suspension or termination; and (3-30-01)

b. That the grantee may be entitled to appeal the suspension or termination pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

03. **Determination**. A determination will be made by the Board pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

04. **Reinstatement of Suspended Grant**. Upon written request by the grantee and evidence that the cause(s) for suspension no longer exist, the Director may, if funds are available reinstate the grant. (3-30-01)

05. **Reinstatement of Terminated Grant**. No terminated grant shall be reinstated. (3-30-01)

071. -- 079. (RESERVED)

080. WAIVERS.
Waivers from the requirements of these rules may be granted by the Department on a case-by-case basis upon full demonstration that a significant public health emergency exists. (3-30-01)

081. -- 999. (RESERVED)

58.01.23 – RULES OF ADMINISTRATIVE PROCEDURE BEFORE THE BOARD OF ENVIRONMENTAL QUALITY

000. LEGAL AUTHORITY.
Under Sections 39-105, 39-107 and 67-5206, Idaho Code, the Idaho Legislature has granted the Board of Environmental Quality the authority to promulgate these rules. (3-15-02)

001. TITLE, SCOPE, AND APPLICABILITY.

01. Title. These rules are titled IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

02. Scope. These rules establish general standards for contested case proceedings, petitions for rulemaking, and declaratory ruling proceedings as required by law. *( )*

03. Applicability of Contested Case Provisions. Section 39-107, Idaho Code, provides the opportunity to initiate a contested case proceeding. It provides that any person aggrieved by an action or inaction of the Department shall be afforded an opportunity for a fair hearing upon a request therefore in writing pursuant to Chapter 52, Title 67, Idaho Code. These rules govern such proceedings, except *that:* *( )*

a. *Idaho Pollutant Discharge Elimination System permit decisions are governed by IDAPA 58.01.25, "Rules Regulating the Idaho Pollutant Discharge Elimination System Program," Section 204; and* *( )*

b. *P*ersonnel grievances and employment related actions are governed by IDAPA 15.04.01, "Rules of the Division of Human Resources and Personnel Commission," and the DEQ Personnel Policies and Procedures Manual. *( )*

002. WRITTEN INTERPRETATIONS.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Department of Environmental Quality may have written statements which pertain to the interpretation of these rules. If available, such written statements can be inspected and copied at cost at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706-1255. (3-15-02)

003. ADMINISTRATIVE PROCEDURES.
These rules govern administrative procedures before the Board of Environmental Quality. (3-15-02)

004. INCORPORATION BY REFERENCE.
IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General (2018 Idaho Administrative Code)," *Sections 500, 501, 800 through 815, and 830 through 860, are incorporated into these rules* by reference. *( )*

005. CONFIDENTIALITY OF RECORDS.
Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Chapter 3, Title 9, Idaho Code, and IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality." (3-15-02)

006. APPLICABILITY OF RULES OF ADMINISTRATIVE PROCEDURE OF THE ATTORNEY GENERAL.
The Environmental Protection and Health Act, Title 39, Chapter 1, Idaho Code, provides specific authority for the Board to adopt contested case rules that are consistent with the rules adopted by the Attorney General under Section 67-5206(4), Idaho Code. To the extent possible given the statutory authority of, and the programs administered by, the Department, the contested case provisions in these rules are consistent with the provisions of IDAPA 04.11.01, "Idaho Rules of Administrative Procedures of the Attorney General" (Attorney General Rules). The majority of the Attorney General Rules are adopted *within these rules. Sections 500, 501, 800 through 815, and 830 through 860 of the Attorney General Rules are incorporated by reference into these rules at Section 004. C*ertain provisions of the Attorney General Rules are not adopted or are modified to reflect administrative practice before the Board and the Environmental Protection and Health Act. *( )*

007. RULES OF GENERAL PROCEDURE AND DEFINITIONS.
Sections 007 through 013 establish provisions and definitions applicable to all proceedings governed by these rules. (3-15-02)

008. FILING AND SERVICE OF DOCUMENTS.

01. Filing of Documents. (3-15-02)

a. All documents concerning actions governed by these rules shall be filed with the hearing coordinator at the following address: Hearing Coordinator, Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706. *Documents may also be filed by fax* or may be filed electronically.The *hearing coordinator's fax number and email address for filing electronically are available at* www.deq.idaho.gov/petitions-for-review. The documents are deemed to be filed on the date received by the hearing coordinator. Upon receipt of the filed document, the hearing coordinator will provide *confirmation* to the originating party. *( )*

b. Upon receipt of a petition initiating a contested case, rulemaking, or declaratory ruling, the hearing coordinator shall serve the petition upon the Department. In any proceeding involving a permit, the hearing coordinator shall serve upon the permit applicant or permit holder the petition and a notice informing the permit applicant or permit holder that they have twenty-one (21) days after the date of service of the petition to intervene in the proceeding and that they may be bound by any decision rendered in the proceeding. (3-15-02)

02. Service of Documents. From the time a party files its petition initiating a contested case, rulemaking or, declaratory ruling, that party must serve and all other parties must serve all future documents intended to be part of the agency record upon all other parties or representatives designated pursuant to Section 044, unless otherwise directed by order or notice or by the presiding officer. The presiding officer may order parties to serve past documents filed in the case upon those representatives. The parties may serve courtesy copies upon the presiding officer. (3-15-02)

009. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.
The state office of the Department of Environmental Quality and the office of the Board of Environmental Quality are located at 1410 N. Hilton, Boise, Idaho 83706-1255, telephone number (208) 373-0502. The office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. (3-15-02)

010. DEFINITIONS AND ABBREVIATIONS.

01. Aggrieved Person or Person Aggrieved. Any person or entity with legal standing to challenge an action or inaction of the Department, including but not limited to permit holders and applicants for permits challenging Department permitting actions. (3-15-02)

02. Board. The Idaho Board of Environmental Quality. (3-15-02)

03. Contested Case. A proceeding resulting in an order, in which the legal rights, duties, licenses, privileges, immunities, or other legal interests of one (1) or more specific persons are required by law to be determined by the Board after an opportunity for a hearing. Contested case does not include rulemaking or Personnel grievances and employment related actions. (4-6-05)

04. Declaratory Ruling. An interpretation by the Board, rendered pursuant to Section 67- 5232, Idaho Code, as to the applicability of any statute, order, or rule of the Board to a person's circumstances. (3-15-02)

05. Department or DEQ. The Idaho Department of Environmental Quality. (3-15-02)

06. Director. The Director of the Department of Environmental Quality. (3-15-02)

07. Hearing Coordinator. The Person who coordinates, schedules, issues notices, and administers actions governed by these rules on behalf of the presiding officer. The hearing coordinator assigns a permanent docket number to each action for purposes of identification and acts as custodian of records for all information and documentation involving actions governed by these rules. *Hearing coordinator contact information is available at* www.deq.idaho.gov/petitions-for-review. *( )*

08. Hearing Officer. A Person appointed or designated by the Board, who presides over actions

governed by these rules and who may act as the presiding officer. The hearing officer cannot be an employee of the Department. (3-15-02)

09. **Idaho Administrative Bulletin**. The Idaho Administrative Bulletin established in Chapter 52, Title 67, Idaho Code. (3-15-02)

10. **Order**. An agency action of particular applicability that determines the legal rights, duties, privileges, immunities, or other legal interests of one (1) or more specific persons. (3-15-02)

11. **Party**. Each person or agency named or admitted as a party. A party to a contested case shall be one (1) of the following: (3-15-02)

a. Petitioner. Any person aggrieved by an action or inaction of the Department who files, in accordance with these rules and Section 39-107, Idaho Code, a written petition for a determination of or appeal of his rights, duties, licenses or interests and any person who files a petition for a declaratory ruling or petition to initiate rulemaking. (3-15-02)

b. Respondent. Any person who responds to a petition filed in accordance with these rules. (3-15-02)

c. Intervenor. Any person, other than the petitioner or respondent, who is permitted to participate as a party pursuant to Sections 350 through 354. (3-15-02)

12. **Person**. Any individual, partnership, corporation, association, governmental subdivision, department, agency or instrumentality, or public and private organization or entity of any character. (3-15-02)

13. **Petition**. Pleadings initiating a contested case, rulemaking, or declaratory ruling, or to intervene filed in accordance with these rules. (3-15-02)

14. **Pleadings**. All documents filed by any party in a contested case proceeding. (3-15-02)

15. **Presiding Officer(s)**. One (1) or more members of the Board or a duly appointed hearing officer. When more than one (1) officer sits at hearing, they may all jointly be presiding officers or may designate one (1) of them to be the presiding officer. (3-15-02)

011. LIBERAL CONSTRUCTION.
The rules in this chapter will be liberally construed to secure just, speedy and economical determination of all issues presented to the agency. Unless required by statute, or otherwise expressly provided in these rules or order of the presiding officer, the Idaho Rules of Civil Procedure and the Idaho Rules of Evidence do not apply to contested case proceedings conducted before the agency. (3-15-02)

012. IDENTIFICATION OF PLEADINGS.
Parties' pleadings addressing or pertaining to a given proceeding should be written under that proceeding's case caption and case number, if applicable. (3-15-02)

013. COMPUTATION OF TIME.
In computing any period of time prescribed or allowed by these rules or by order of the presiding officer, the date of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, a Sunday nor a holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and holidays are excluded in the computation. (3-15-02)

014. -- 042. (RESERVED)

043. RULES GOVERNING DECLARATORY RULING AND CONTESTED CASE PROCEEDINGS.
Sections 043 through 048 establish provisions governing declaratory ruling and contested case proceedings. (3-15-02)

044. INITIAL PLEADING BY PARTY -- LISTING OF REPRESENTATIVES.
The initial pleading of each party to a contested case and declaratory ruling must name the party's representative(s) for service and state the representative's(s') address(es) for purposes of receipt of all official documents. No more than two (2) representatives for service of documents may be listed in an initial pleading. Service of documents on the named representative(s) is valid service upon the party for all purposes in that proceeding. If no person is explicitly named as the party's representative, the person signing the pleading will be considered the party's representative. If an initial pleading is signed by more than one (1) person without identifying the representative(s) for service of documents, the presiding officer may select the person(s) upon whom documents are to be served. If two (2) or more parties or persons file identical or substantially like initial pleadings, the presiding officer may limit the number of parties or persons required to be served with official documents in order to expedite the proceeding and reasonably manage the burden of service upon the parties. (3-15-02)

045. REPRESENTATION OF PARTIES.

01. Appearances and Representation. Unless otherwise authorized or required by law, appearances and representation of parties or other persons at contested case or declaratory ruling proceedings must be as follows: (3-15-02)

a. Natural Person. A natural person may represent himself or herself or be represented by an attorney or, if the person lacks full legal capacity to act for himself or herself, then by a legal guardian or guardian ad litem or representative of an estate. (3-15-02)

b. A general partnership may be represented by a partner or an attorney. (3-15-02)

c. A corporation, or any other business entity other than a general partnership, shall be represented by an attorney. (3-15-02)

d. A municipal corporation, local government agency, unincorporated association or nonprofit organization shall be represented by an attorney. (3-15-02)

e. A state, federal or tribal governmental entity or agency shall be represented by an attorney. (3-15-02)

02. Representation. The representatives of parties at a hearing, and no other persons or parties, are entitled to examine witnesses and make or argue motions. (3-15-02)

046. (RESERVED)

047. PUBLIC NOTICE OF PETITION FOR CONTESTED CASE AND DECLARATORY RULING.
Within fourteen (14) days of the date a petition for contested case or declaratory ruling is filed with the Board, the Board shall give reasonable notice to the public. The methods for giving notice shall include, at a minimum, the following: (3-20-04)

01. Publication. Publishing a one-time legal notice in the newspaper of general circulation in the county in which the petitioner resides or in which the facility or other subject of the petition is located. The legal notice shall describe the nature of the action initiated by the filing of the petition and shall include the date the petition was filed, the date by which petitions to intervene must be filed, and a method by which interested persons can obtain a copy of the petition. (3-20-04)

02. Mail. Mailing a copy of the legal notice prepared in accordance with Subsection 047.01 to persons on any mailing list developed by the Department relating to the subject matter of the petition for contested case or declaratory ruling. (3-20-04)

048. SUBSTITUTION OF REPRESENTATIVE -- WITHDRAWAL OF REPRESENTATIVE.
A party's representative may be changed and a new representative may be substituted by notice to all parties so long as the proceedings are not unreasonably delayed. The presiding officer may permit substitution of representatives at

the hearing in the presiding officer's discretion. Persons representing a party who wish to withdraw their representation of a party in a proceeding must immediately file a motion to withdraw representation and serve that motion on the party represented and all other parties. (3-15-02)

049. RULES GOVERNING DECLARATORY RULING PROCEEDINGS.
Sections 049 through 052 establish provisions governing declaratory ruling proceedings. (3-15-02)

050. FORM AND CONTENTS OF PETITION FOR DECLARATORY RULINGS.
Any person petitioning for a declaratory ruling on the applicability of a statute, rule or order administered by the Department must comply with this rule. (3-15-02)

01. **Form**. The petition shall: (3-15-02)

a. Identify the petitioner and state the petitioner's interest in the matter; (3-15-02)

b. State the declaratory ruling that the petitioner seeks; and (3-15-02)

c. Indicate the statute, order, rule, or other controlling law, and the factual allegations upon which the petitioner relies to support the petition. (3-15-02)

02. **Legal Assertions**. Legal assertions in the petition may be accompanied by citations of cases and/or statutory provisions. (3-15-02)

03. **Filing**. The petitioner shall file the original and two (2) copies of the petition with the hearing coordinator in accordance with Section 008. (3-20-04)

051. (RESERVED)

052. PETITIONS FOR DECLARATORY RULINGS TO BE DECIDED BY ORDER.

01. **Final Agency Action**. The Board's decision on a petition for declaratory ruling on the applicability of any statute, rule or order administered by the Department is a declaratory ruling and a final agency action within the meaning of Section 67-5255, Idaho Code. (3-15-02)

02. **Content**. The Board's order issuing the declaratory ruling shall contain or must be accompanied by a document containing the following paragraphs or substantially similar paragraphs: (3-15-02)

a. This is a final agency action issuing a declaratory ruling. (3-15-02)

b. Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any person aggrieved by this declaratory ruling may appeal to district court by filing a petition for judicial review in the District Court in the county in which: (4-7-11)

i. A hearing was held; (3-15-02)

ii. The declaratory ruling was issued; (3-15-02)

iii. The party seeking review resides, or operates its principal place of business in Idaho; or (4-7-11)

iv. The real property or personal property that was the subject of the declaratory ruling is located. (3-15-02)

c. The petition for judicial review must be filed within twenty-eight (28) days of the service date of the declaratory ruling. See Section 67-5273, Idaho Code. (4-7-11)

053. -- 098. (RESERVED)

099. RULES GOVERNING CONTESTED CASE PROCEEDINGS.
Sections 099 through 791 establish provisions governing contested case proceedings. (3-15-02)

100. TIME PERIOD FOR FILING PETITION TO INITIATE CONTESTED CASE.
The individual program rules for time limitations within which certain actions must be taken or documents filed shall be followed. In the event there is no provision in the Idaho Code or other specific rule, an aggrieved person shall have thirty-five (35) days from the date of the action or inaction of the Department to file a petition initiating a contested case. (3-15-02)

101. DEPARTMENT ACTION NOT STAYED.
An action or inaction of the Department, or any portion thereof, which is the subject of a proceeding governed by these rules, is not stayed unless, upon a motion filed by a party, it is so ordered by the presiding officer. This section does not apply to Department action governed by Section 67-5254(1), Idaho Code. The stay may be ordered upon appropriate terms. (3-20-04)

102. PETITIONER HAS BURDEN OF PROOF.
Unless otherwise provided by statute, the petitioner in a contested case has the burden of proving by a preponderance of the evidence, the allegations in the petition. (3-15-02)

103. DISMISSAL OF INACTIVE CONTESTED CASES.
In the absence of a showing of good cause for retention, any contested case in which no action has been taken for a period of six (6) months shall be dismissed. At least fourteen (14) days prior to such dismissal, the notice of the pending dismissal shall be served on all parties by mailing the notice to the last known addresses most likely to give notice to the parties. (3-15-02)

104. -- 206. (RESERVED)

207. CONDUCT REQUIRED.
Representatives of parties and parties appearing in a proceeding must conduct themselves in an ethical and courteous manner. (3-15-02)

208. TAKING OF APPEARANCES -- PARTICIPATION BY DEPARTMENT STAFF.
The presiding officer at a formal hearing or prehearing conference will take appearances to identify the representatives of all parties or other persons. In all proceedings in which the department staff will participate, or any report or recommendation of the department staff will be considered or used in reaching a decision, at the timely request of any party the department staff must appear at any hearing and be available for cross-examination. (3-15-02)

209. RESERVED.

210. PLEADINGS IN CONTESTED CASES LISTED -- MISCELLANEOUS.
Pleadings in contested cases may include petitions, responses, motions, and objections. Affidavits may also be filed. A party's initial pleading in any proceeding must comply with Section 044. All pleadings filed during the proceeding must be filed in accordance with Sections 008 and 300 through 302. A party may adopt or join in any other party's pleading. Two (2) or more separately stated grounds, claims or answers concerning the same subject matter may be included in one (1) pleading. (3-15-02)

211. PETITIONS TO INITIATE CONTESTED CASE -- DEFINED -- FORM AND CONTENTS.

01. Defined. The pleading inititating a contested case is called a “petition.” (3-15-02)

02. Form and Contents. The form and contents of a petition initiating contested cases shall: (3-15-02)

a. Fully state the facts upon which it is based, including the specific alleged action or inaction of the Department; (3-15-02)

b. Refer to the particular provisions of statute, rule, order or other controlling law upon which it is based; (3-15-02)

c. State the relief sought; and (3-15-02)

d. State the name of the person petitioned against (the respondent), if any. (3-15-02)

e. State the basis for the petitioner's legal standing to initiate the contested case. (3-15-02)

03. Filing. The petitioner shall file the original and two (2) copies of the petition with the hearing coordinator in accordance with Section 008. (3-20-04)

212. RESPONSES IN CONTESTED CASES -- DEFINED -- FORM AND CONTENTS.

01. Defined. The pleading filed by the respondent in response to the petition initiating the contested case is called a "response." (3-15-02)

02. Form and Contents. The form and contents of a response to a petition initiating a contested case shall: (3-15-02)

a. Separately admit or deny to each factual averment in the petition; (3-15-02)

b. Separately admit or deny the applicability of each legal authority asserted in the petition; (3-15-02)

c. Fully state any additional facts necessary to decision of the contested case; (3-15-02)

d. Refer to any additional provisions of statute, rule, order or other controlling law upon which it is based; and (3-15-02)

e. State the relief sought. (3-15-02)

03. Filing and Service. Responses to petitions must be filed and served on all parties of record within twenty-one (21) days after service of the petition, unless an order or stipulation modifies the time within which a response may be made, or a motion to dismiss is filed within twenty-one (21) days. When a response is not timely filed under this rule, the presiding officer may enter a default order pursuant to Sections 700 through 702. (3-20-04)

213. MOTIONS -- DEFINED -- FORM AND CONTENTS.

01. Defined. All pleadings requesting the Board or presiding officer to take any action in a contested case, except petitions, are called "motions." Motions include, but are not limited to, those allowed by the Idaho Rules of Civil Procedure. (3-15-02)

02. Procedure on Prehearing Motions. The presiding officer may consider and decide prehearing motions with or without oral argument or hearing. If oral argument or hearing on a motion is requested and denied, the presiding officer must state the grounds for denying the request. Unless otherwise provided by the presiding officer, motions for summary judgment shall be governed by the Idaho Rules of Civil Procedure, including the form, standard for determining, procedure and time frames for filing and responding. For any other motion, unless otherwise provided by the presiding officer, when a motion has been filed, all parties seeking similar substantive or procedural relief must join in the motion or file a similar motion within seven (7) days after receiving the original motion. The party(ies) responding to the motion(s) will have fourteen (14) days to respond. The presiding officer may allow an opportunity for the movant to file a reply brief. (3-15-02)

214. -- 299. (RESERVED)

300. FORM OF PLEADINGS.

01. Pleadings. All pleadings, except those on agency forms, submitted by a party and intended to be

part of an agency record should: (3-15-02)

a. Be submitted on white eight and one-half inch (8 1/2") by eleven inch (11") paper copied on one (1) side only; (3-15-02)

b. State the case caption, case number, if applicable, and title of the document; (3-15-02)

c. Include on the upper left corner of the first page the name(s), mailing and street address(es), and telephone and FAX number(s) of the person(s) filing the document or the person(s) to whom questions about the document can be directed; and (3-15-02)

d. Have at least one inch (1") left and top margins. (3-15-02)

02. **Form**. Documents complying with this rule will be in the following form:

Name of Representative
Mailing Address of Representative
Street Address of Representative (if different)
Telephone Number of Representative
FAX Number of Representative (if there is one)
Attorney/Representative for (Name of Party)

BEFORE THE BOARD OF ENVIRONMENTAL QUALITY

(Title of Proceeding)		(CASE NO.)
	)	
	)	(TITLE OF DOCUMENT)
	)	

(3-15-02)

301. (RESERVED)

302. PROOF OF SERVICE.
Every document meeting the requirements for service set out in Section 008 must be attached to or accompanied by proof of service by the following or similar certificate:

I hereby certify that on this (insert date), a true and correct copy of the foregoing (insert name of document) was served on the following as indicated below:
(insert names and addresses of parties and method of delivery (first class U.S. mail, facsimile, hand-delivery, or overnight express))
(Signature) (3-15-02)

303. DEFECTIVE, INSUFFICIENT OR UNTIMELY PLEADINGS.
Defective, insufficient or untimely pleadings shall not be considered unless the presiding officer determines that good cause exists, but the presiding officer shall not consider a petition that is filed outside the time limit set forth in Section 100 unless all parties agree to the tolling of the time limit. (4-7-11)

304. AMENDMENTS TO PLEADINGS -- WITHDRAWAL OF PLEADINGS.
The presiding officer may allow any pleading to be amended or corrected or any omission to be supplied. Pleadings will be liberally construed, and defects that do not affect substantial rights of the parties will be disregarded. A party desiring to withdraw a pleading must file a notice of withdrawal of the pleading and serve all parties with a copy. Unless otherwise ordered by the presiding officer, the notice is effective fourteen (14) days after filing. (3-15-02)

305. -- 349. (RESERVED)

350. INTERVENTION.

Persons not petitioners or respondents to a proceeding who claim a direct and substantial interest in the proceeding may petition for an order from the presiding officer granting intervention to become a party. (3-15-02)

351. FORM AND CONTENTS OF PETITIONS TO INTERVENE.
Petitions to intervene must comply with Sections 008, 044, and 300. The petition must set forth the name and address of the potential intervenor, state the direct and substantial interest of the potential intervenor in the proceeding, and state briefly why the intervention would not unduly broaden the issues and cause delay or prejudice to the parties. If affirmative relief is sought, the petition must state the relief sought and the basis for granting it. (3-20-04)

352. TIMELY FILING OF PETITIONS TO INTERVENE.

01. General. Petitions to intervene must be filed within fourteen (14) days of publication of the notice of filing of the petition initiating a contested case or declaratory ruling as provided in Section 047 unless a different time is provided by order or notice. (3-20-04)

02. Proceedings Involving a Permit. In any proceeding involving a permit, petitions to intervene by the permit applicant or permit holder must be filed within twenty-one (21) days after service of the initiating petition as provided in Subsection 008.01.b. (3-15-02)

03. Petitions Not Timely Filed. Petitions not timely filed must state a substantial reason for delay. The presiding officer may deny or conditionally grant petitions to intervene that are not timely filed for failure to state good cause for untimely filing, to prevent disruption, prejudice to existing parties or undue broadening of the issues, or for other reasons. Intervenors are bound by orders and notices entered earlier in the proceeding. (3-15-02)

353. OBJECTIONS TO PETITIONS TO INTERVENE.
Any party opposing a petition to intervene, must file the objection within seven (7) days after receipt of the petition to intervene and serve the objection upon all parties of record and upon the person petitioning to intervene. Responses shall be filed within seven (7) days after service of the objection. (4-7-11)

354. GRANTING PETITIONS TO INTERVENE.

01, General. If a petition to intervene shows direct and substantial interest in any part of the subject matter of a proceeding, does not unduly broaden the issues, and will not cause delay or prejudice to the parties, the presiding officer may grant intervention, subject to reasonable conditions. In addition, upon timely filing of a petition in accordance with Subsection 352.02, a permit applicant or permit holder may intervene as a matter of right in any contested case in which the permit is contested. (4-7-11)

02. Intervenor Response. Within fourteen (14) days of the service date of the order granting the petition to intervene, the intervenor shall file a response to the petition initiating the contested case. The response shall be in the form and content set out in Subsection 212.02. (4-7-11)

355. REVIEW OF ORDERS GRANTING OR DENYING INTERVENTION.
Any party may petition the Board to review an order granting or denying intervention. Petitions for review shall be filed within fourteen (14) days of the service date of the order. Responses shall be filed within fourteen (14) days after service of the petition for review. The Board may schedule oral argument in the matter before issuing a decision. (4-7-11)

356. -- 409. (RESERVED)

410. BOARD MEMBERS AS PRESIDING OFFICERS, APPOINTMENT OF HEARING OFFICERS -- NOTICE.
One (1) or more members of the Board may act as the presiding officer in a contested case. The Board may appoint a hearing officer to act as the presiding officer on behalf of the Board. Hearing officers may be (but need not be) attorneys. Hearing officers who are not attorneys should ordinarily be persons with technical expertise or experience in issues before the Board. The hearing coordinator shall administer the appointment of the hearing officer. Notice of appointment of a hearing officer and notice of those Board members who will act as presiding officers shall be served on all parties. (3-15-02)

411. (RESERVED)

412. DISQUALIFICATION OF OFFICERS HEARING CONTESTED CASES.
Presiding officers, including hearing officers appointed by the Board, may be disqualified as provided in Section 67-5252, Idaho Code. (3-15-02)

413. SCOPE OF AUTHORITY OF PRESIDING OFFICERS.
Unless the Board otherwise provides, presiding officers have the following authority: (3-15-02)

01. Authority to Schedule Cases. Authority to schedule cases, including authority to issue notices of prehearing conference and of hearing, as appropriate; (3-15-02)

02. Authority to Schedule and Compel Discovery. Authority to schedule, limit or compel discovery and to require advance filing of expert testimony; (3-15-02)

03. Authority to Preside at Hearings. Authority to preside at and conduct hearings, accept evidence into the record, rule upon objections to evidence, and otherwise oversee the orderly presentations of the parties at hearing; and (3-15-02)

04. Authority to Issue a Written Decision. Authority to issue a written decision, including a narrative of the proceedings before the presiding officer and findings of fact, conclusions of law, and preliminary or recommended orders. (3-15-02)

414. (RESERVED)

415. CHALLENGES TO STATUTES.
A presiding officer in a contested case has no authority to declare a statute unconstitutional. However, when a court of competent jurisdiction whose decisions are binding precedent in the state of Idaho has declared a statute or rule unconstitutional and the presiding officer finds that the same state statute or rule or a substantively identical state statute or rule that would otherwise apply has been challenged in the proceeding before the presiding officer, then the presiding officer shall decide the proceeding in accordance with the precedent of the court. (3-15-02)

416. REVIEW OF RULES.
When an order is issued by the Board in a contested case, the order may consider and decide whether a rule is within the Board's substantive rulemaking authority. The Board may also review whether a rule has been promulgated according to proper procedure, if noncompliance with procedural requirements is raised within the time limits set forth in Section 67-5231, Idaho Code. The Board may delegate to a presiding officer the authority to recommend a decision on issues of whether a rule is within the Board's substantive rulemaking authority or whether the rule has been promulgated according to proper procedure or may retain all such authority itself. (3-15-02)

417. EX PARTE COMMUNICATIONS.
Unless required for the disposition of a matter specifically authorized by statute to be done ex parte, a presiding officer serving in a contested case shall not communicate, directly or indirectly, regarding any substantive issue in the contested case with any party, except upon notice and opportunity for all parties to participate in the communication. The presiding officer may communicate ex parte with a party concerning procedural matters (e.g., scheduling). When a presiding officer becomes aware of a written ex parte communication regarding any substantive issue from a party or representative of a party during a contested case, the presiding officer shall place a copy of the communication in the file for the case and order the party providing the written communication to serve a copy of the written communication upon all parties of record. Written communications from a party showing service upon all other parties are not ex parte communications. (3-15-02)

418. -- 509. (RESERVED)

510. PREHEARING CONFERENCE.

01. Prehearing Conference. As soon as reasonably possible after the Department files its response to

the petition for contested case, the presiding officer shall, upon written or other sufficient notice to all parties, hold a prehearing conference for the following purposes: (3-15-02)

a. To determine deadlines for the information exchange required by Section 540, other discovery if allowed and prehearing motions. The presiding officer shall attempt to set deadlines and a schedule that results in a preliminary or recommended order within one hundred eighty (180) days of the date the petition is filed. (3-15-02)

b. To determine limits, if any, on other discovery if allowed, including without limitation, limits on the number of depositions or discovery requests and the areas of inquiry. (3-15-02)

c. To formulate or simplify the issues; (3-15-02)

d. To obtain admissions or stipulations of fact and of documents; (3-15-02)

e. To arrange for exchange of proposed exhibits or prepared expert testimony; (3-15-02)

f. To limit the number of witnesses; (3-15-02)

g. To determine the procedure at the hearing; and (3-15-02)

h. To determine any other matters which may expedite the orderly conduct and disposition of the proceeding. (3-15-02)

02. Additional Prehearing Conferences. Additional prehearing conferences may be held, to address any of the issues listed in Subsection 510.01, at the request of any party or at the presiding officer's own initiative, if the presiding officer determines additional prehearing conferences would be useful. (3-15-02)

511. RECORD OF CONFERENCE.
Prehearing conferences may be held formally (on the record) or informally (off the record). Agreements by the parties to the conference may be put on the record during formal conferences and shall be reduced to writing and filed with the hearing coordinator after formal or informal conferences. (3-15-02)

512. ORDERS RESULTING FROM PREHEARING CONFERENCE.
The presiding officer shall issue a prehearing order or notice based upon the results of the agreements reached at or rulings made at a prehearing conference. A prehearing order will control the course of subsequent proceedings unless modified by the presiding officer for good cause. (3-15-02)

513. -- 528. (RESERVED)

529. EXHIBIT NUMBERS.
The presiding officer assigns exhibit numbers to each party. (3-15-02)

530. -- 539. (RESERVED)

540. EXCHANGE OF INFORMATION, OTHER DISCOVERY.

01. Information Exchange. In accordance with the prehearing order issued by the presiding officer pursuant to Section 512, each party shall file and serve on all other parties an information exchange document. Documents and exhibits identified in the information exchange document shall be exchanged by the parties in accordance with the prehearing order but, unless otherwise determined by the presiding officer, need not be filed. The information exchange document shall include the following: (3-15-02)

a. The names of any experts or other witnesses intended to be called at the hearing, together with a brief narrative summary of their expected testimony, or a statement that no witnesses will be called; and (3-15-02)

b. A description of all documents and exhibits intended to be introduced into evidence at the hearing; and (3-15-02)

c. An identification of any expert reports and prepared testimony; and (3-15-02)

d. A list of all persons with specific knowledge regarding disputed issues of material fact asserted in the petition or the response to the petition. (3-15-02)

02. Additional Discovery. Discovery in addition to the information exchange provided for in Subsection 540.01 may be allowed by the presiding officer in the prehearing order or in response to a motion by any party. In determining whether to allow additional discovery, the presiding officer shall consider the following: (3-15-02)

a. Whether the discovery will unreasonably delay the proceeding or unreasonably burden other persons or parties; (3-15-02)

b. Whether the information sought is most reasonably obtained from the party or person to whom it is directed and that party or person has refused to provide the information voluntarily; (3-15-02)

c. Whether the information sought has significant probative value on a disputed issue of material fact relevant to the contested case. (3-15-02)

03. Scope of Additional Discovery Allowed. If additional discovery is allowed, unless otherwise expressly provided in these rules or order of the presiding officer, the scope and methods of discovery are governed by the Idaho Rules of Civil Procedure. (3-15-02)

04. Supplementation of Information Exchange and Discovery. A party who has made an information exchange or who has exchanged information in response to a request for information or a discovery order, shall promptly supplement or correct the exchange when the party learns that the information exchanged or response provided is incomplete, inaccurate or outdated, and the additional or corrected information has not otherwise been disclosed to the other party. (3-15-02)

541. SUBPOENAS.

Pursuant to Section 39-107(3), Idaho Code, the presiding officer shall have the power to issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents and testimony. The presiding officer may, if a witness refuses to attend or testify, or to produce any papers required by such subpoenas, report to the district court in and for the county in which the proceeding is pending, by petition, setting forth that due notice has been given of the time and place of attendance of said witnesses, or the production of said papers, that the witness has been properly summoned, and that the witness has failed and refused to attend or produce the papers required by this subpoena before the presiding officer, or has refused to answer questions propounded to him in the course of said proceedings, and ask an order of said court compelling the witness to attend and testify and produce said papers before the presiding officer. The court, upon the petition of the presiding officer, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than ten (10) days from the date of the order, and then and there shall show cause why he has not attended and testified or produced said papers before the presiding officer. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpoena was regularly issued by the presiding officer and regularly served, the court shall thereupon order that said witness appear before the presiding officer at the time and place fixed in said order, and testify or produce the required papers. Upon failure to obey said order, said witness shall be dealt with for contempt of court. (3-15-02)

542. FILING AND SERVICE OF DISCOVERY-RELATED DOCUMENTS.

Discovery requests and responses thereto shall not be filed with the hearing coordinator. The party serving discovery requests or responses thereto shall file with the hearing coordinator a notice of when the discovery requests or responses were served and upon whom. (3-15-02)

543. DEPOSITIONS, PREPARED TESTIMONY AND EXHIBITS.

Unless otherwise specified in an order pursuant to Section 512, all parties shall serve on all other parties any depositions, prepared expert testimony and/or exhibits to be presented at hearing not later than seven (7) days prior to the hearing. Assigned exhibits numbers should be used in all prepared testimony. (3-15-02)

544. SANCTIONS FOR FAILURE TO OBEY ORDER COMPELLING DISCOVERY.
The presiding officer may impose all sanctions recognized by statute or rules for failure to comply with an order compelling discovery. (3-15-02)

545. PROTECTIVE ORDERS.

01. General Authority. The presiding officer may issue protective orders limiting access to information generated or requested during settlement negotiations, discovery, or hearing, including but not limited to orders to protect a party or person from annoyance, embarrassment, oppression or undue burden or expense, orders to avoid an unreasonable delay in the proceedings, or orders to limit discovery of information that has no significant probative value on a disputed issue of material fact relevant to the contested case. (3-15-02)

02. Trade Secrets and Other Confidential Information. Upon motion by a party or by the person from whom discovery is sought, and for good cause shown, the presiding officer may issue an order to protect trade secrets that are to be held confidential as provided in Section 9-342A, Idaho Code, or other confidential research, development or commercial information. The order may include, but need not be limited to, requirements that the trade secrets or other confidential information not be disclosed or be disclosed only in a designated way. The presiding officer's decision regarding a motion for such a protective order is an interlocutory or intermediate agency action that may be immediately reviewable in district court under Section 790 of these rules and Section 67-5271, Idaho Code. (3-15-02)

03. In Camera Review. The presiding officer may review information that is the subject of a motion for a protective order without the presence of parties or persons to whom access to the information has been requested to be limited. (3-15-02)

546. -- 549. (RESERVED)

550. NOTICE OF HEARING.

01. Form and Content. All parties in a contested case proceeding shall receive notice that shall include: (3-15-02)

a. A statement of the time, place and nature of the hearing; (3-15-02)

b. A statement of the legal authority under which the hearing is to be held; (3-15-02)

c. A short and plain statement of the matters asserted or the issues involved; and (3-15-02)

d. A statement that the hearing will be conducted in a facility meeting the accessibility requirements of the Americans with Disabilities Act and that assistance can be provided upon request to the hearing coordinator at least seven (7) days before the date set for hearing. (3-15-02)

02. Time for Service. The Notice of Hearing shall be served on all parties at least fourteen (14) days before the date set for hearing, unless the presiding officer finds by order that it is necessary or appropriate that the hearing be held earlier. (3-15-02)

551. HOW HEARINGS HELD.
Hearings may be held in person or by telephone or television or other electronic means if each participant in the hearing has an opportunity to participate in the entire proceeding while it is taking place. (3-15-02)

552. LOCATION OF HEARINGS AND ADA REQUIREMENTS.
All hearings concerning actions governed by these rules shall be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act, shall be open to the public, and shall be held in a location reasonably convenient to all parties to the proceeding. The location shall be arranged by the hearing coordinator. (3-15-02)

553. CONFERENCE AT HEARING.
In any proceeding the presiding officer may convene the parties before the hearing or recess the hearing to discuss formulation or simplification of the issues, admissions of fact or identification of documents to avoid unnecessary proof, exchanges of documents, exhibits or prepared testimony, limitation of witnesses, establishment of order of procedure, and other matters that may expedite orderly conduct of the hearing. The presiding officer shall state the results of the conference on the record. (3-15-02)

554. PRELIMINARY PROCEDURE AT HEARING.
Before taking evidence, the presiding officer will call the hearing to order, take appearances of parties, and act upon any pending motions or petitions. The presiding officer may allow opening statements as necessary or appropriate to explain a party's presentation. (3-15-02)

555. CONSOLIDATION OF PROCEEDINGS.
The presiding officer may consolidate two (2) or more proceedings for hearing upon finding that they present issues that are related and that the rights of the parties will not be prejudiced. In consolidated hearings, the presiding officer determines the order of the proceeding. (3-15-02)

556. STIPULATIONS.
Parties may stipulate among themselves to any fact at issue in a contested case by written statement filed with the presiding officer or presented at hearing or by oral statement at hearing. A stipulation binds all parties agreeing to it only according to its terms. The presiding officer may regard a stipulation as evidence or may require proof by evidence of the facts stipulated. The presiding officer is not bound to adopt a stipulation of the parties, but may do so. If the presiding officer rejects a stipulation, it will do so before issuing a final order, and it will provide an additional opportunity for the parties to present evidence and arguments on the subject matter of the rejected stipulation. (3-15-02)

557. ORDER OF PROCEDURE.
The presiding officer may determine the order of presentation of witnesses and examination of witnesses. Unless otherwise determined by the presiding officer, the petitioner shall present its case first, followed by the respondent's case. (3-15-02)

558. TESTIMONY UNDER OATH.
All testimony presented at hearings will be given under oath or affirmation. (3-15-02)

559. PARTIES AND PERSONS WITH SIMILAR INTERESTS.
If two (2) or more parties or persons have substantially like interests or positions, to expedite the proceeding and avoid duplication, the presiding officer may limit the number of them who testify, examine witnesses, or make and argue motions and objections. (3-15-02)

560. CONTINUANCE OF HEARING.
The presiding officer may continue proceedings for further hearing for good cause shown. (3-15-02)

561. ORAL ARGUMENT.
The presiding officer may set and hear oral argument on any matter in the contested case on reasonable notice according to the circumstances. (3-15-02)

562. BRIEFS -- MEMORANDA -- PROPOSED ORDERS OF THE PARTIES -- STATEMENTS OF POSITION.
In any contested case, any party may ask to file briefs, memoranda, proposed orders or statements of position, and the presiding officer may request briefs, proposed orders, or statements of position. (3-15-02)

563. -- 599. (RESERVED)

600. RULES OF EVIDENCE -- EVALUATION OF EVIDENCE.
The presiding officer at hearing is not bound by the Idaho Rules of Evidence. No informality in any proceeding or in the manner of taking testimony invalidates any order. The presiding officer, with or without objection, may exclude evidence that is irrelevant, unduly repetitious, inadmissible on constitutional or statutory grounds, or on the basis of

any evidentiary privilege provided by statute or recognized in the courts of Idaho. All other evidence may be admitted. The Department's experience, technical competence and specialized knowledge may be used in evaluation of evidence. (3-15-02)

601. DOCUMENTARY EVIDENCE.
Documentary evidence may be received in the form of copies or excerpts. Upon request, parties shall be given an opportunity to compare the copy with the original if available. To be admissible, document copies must be authentic. (3-15-02)

602. OFFICIAL NOTICE -- DEPARTMENT STAFF MEMORANDA.
Official notice may be taken of any facts that could be judicially noticed in the courts of Idaho and generally recognized technical or scientific facts within the Department's specialized knowledge. Parties shall be notified of the specific facts or material noticed and the source thereof, including any staff memoranda and data. Notice should be provided either before or during the hearing, and must be provided before the issuance of any order that is based in whole or in part on facts or material noticed. Parties must be afforded a timely and meaningful opportunity to contest and rebut the facts or material so noticed. When the presiding officer proposes to notice staff memoranda or reports, a responsible staff member shall be made available for cross-examination if any party so requests. (3-15-02)

603. DEPOSITIONS.
Depositions may be offered into evidence. (3-15-02)

604. OBJECTIONS -- OFFERS OF PROOF.
Grounds for objection to the admission or exclusion of evidence must be stated briefly at the time the evidence is offered. An offer of proof for the record consists of a statement of the substance of the excluded evidence. When a party objects to the admission of evidence, the presiding officer will rule on the objection. (3-15-02)

605. PREPARED TESTIMONY.
The presiding officer may order a witness's prepared testimony previously distributed to all parties to be included in the record of hearing as if read. Admissibility of prepared testimony is subject to Section 600. Upon request of any party, the witness shall be available for cross-examination on the prepared testimony. (3-15-02)

606. EXHIBITS.
Unless already provided before the hearing in accordance with these rules, a copy of each documentary exhibit must be furnished to each party present and to the presiding officer. Copies must be of good quality. Exhibits offered at hearing are subject to appropriate and timely objection. Exhibits to which no objection is made are automatically admitted into evidence unless otherwise excluded by the presiding officer under Section 600. (3-15-02)

607. -- 609. (RESERVED)

610. CONFIDENTIALITY OF SETTLEMENT NEGOTIATIONS.
Evidence of furnishing, offering, or promising to furnish, or accepting, offering, or promising to accept, a valuable consideration in compromising or attempting to compromise a claim which was disputed as to either validity or amount, is not admissible to prove liability for, invalidity of, or amount of the claim or any other claim. Evidence of conduct or statements made in compromise negotiations is likewise not admissible. This section does not require the exclusion of any evidence otherwise discoverable merely because it is presented in the course of compromise negotiations. This section does not require exclusion if the evidence is offered for another purpose, such as proving bias or prejudice of a witness or negating a contention of undue delay. Compromise negotiations encompass mediation. (3-15-02)

611. SUGGESTION FOR OR INQUIRY ABOUT SETTLEMENTS.
Through notice or order or on the record at prehearing conference or hearing, the presiding officer may inquire of the parties in any proceeding whether settlement negotiations are in progress or are contemplated or may invite settlement of an entire proceeding or certain issues. (3-15-02)

612. CONSIDERATION OF SETTLEMENTS.
When one (1) or more parties to a proceeding is not a party to the settlement or when the settlement presents issues of significant implication for other persons, the settlement agreement shall be presented to the presiding officer for

approval. The presiding officer may hold an evidentiary hearing to consider the reasonableness of the settlement and whether acceptance of the settlement is consistent with the Board's charge under the law. (3-15-02)

613. BURDENS OF PROOF REGARDING SETTLEMENTS.
Proponents of a proposed settlement carry the burden of showing that the settlement is in accordance with the law. The presiding officer may require the development of an appropriate record in support of or opposition to a proposed settlement as a condition of accepting or rejecting the settlement. (3-15-02)

614. SETTLEMENT NOT BINDING.
The presiding officer is not bound by settlement agreements that are not unanimously accepted by all parties or that have significant implications for persons not parties. In these instances, the presiding officer will independently review any proposed settlement to determine whether the settlement is in accordance with the law. (3-15-02)

615. -- 649. (RESERVED)

650. RECORD FOR DECISION.

01. Official Record. The Board shall maintain an official record for each contested case and (unless a statute provides otherwise) base its decision in a contested case on the official record for the case. (3-15-02)

02. Contents of Record. The record for a contested case shall include: (3-15-02)

a. All notices of proceedings; (3-15-02)

b. All petitions, responses, motions, and objections filed in the proceeding; (3-15-02)

c. All intermediate or interlocutory rulings of the presiding officer; (3-15-02)

d. All evidence received or considered (including all transcripts or recordings of hearings and all exhibits offered or identified at hearing); (3-15-02)

e. All offers of proof, however made; (3-15-02)

f. All briefs, memoranda, proposed orders of the parties or of the presiding officers, statements of position, statements of support, and exceptions filed by parties; (3-15-02)

g. All evidentiary rulings on testimony, exhibits, or offers of proof; (3-15-02)

h. All staff memoranda or data submitted in connection with the consideration of the proceeding; (3-15-02)

i. A statement of matters officially noticed; and (3-15-02)

j. All preliminary orders and final orders. (3-15-02)

651. RECORDING OF HEARINGS.
All hearings shall be recorded by a certified court reporter and transcribed at the Department's expense. Any party may have a copy of the transcript prepared at its own expense. (3-15-02)

652. -- 699. (RESERVED)

700. NOTICE OF PROPOSED DEFAULT ORDER.
If a party fails to appear at the time and place set for hearing or fails to timely file a response as set out in Section 212, the presiding officer may serve upon all parties a notice of proposed default order. The notice shall include a statement of the grounds for the proposed order. (3-15-02)

701. FOURTEEN DAYS TO RESPOND TO PROPOSED DEFAULT ORDER.

Within fourteen (14) days after service of the notice of proposed default order, the party against whom it was issued may file a written petition requesting the proposed order to be vacated. The petition shall state the grounds relied upon. (3-15-02)

702. DEFAULT ORDER.
The presiding officer shall either issue or vacate the default order promptly after the expiration of the time within which the party may file a petition as provided in Section 701. If the presiding officer issues a default order, the officer shall conduct any further proceedings necessary to complete the adjudication without the participation of the party in default and shall determine all issues in the adjudication, including those affecting the defaulting party. (3-15-02)

703. -- 709. (RESERVED)

710. INTERLOCUTORY ORDERS.
Interlocutory orders are orders that do not decide all previously undecided issues presented in a proceeding, except the presiding officer may by order decide some of the issues presented in a proceeding and provide in that order that its decision on those issues is final and subject to review, but is not final on other issues. Unless an order contains or is accompanied by a document containing one (1) of the statements set forth in Sections 730 or 740 or a statement substantially similar, the order is interlocutory. The following orders are always interlocutory: orders joining, consolidating or separating issues, proceedings or parties; orders granting or denying intervention (an order regarding intervention, however, may be reviewed by the Board as provided in Section 355); orders scheduling prehearing conferences, discovery, hearing, oral arguments or deadlines for written submissions; and orders limiting, compelling or refusing to compel discovery. (3-20-04)

711. RECONSIDERATION OF INTERLOCUTORY ORDERS.
Any party may file a motion for reconsideration of an interlocutory order within fourteen (14) days after service of the order. The presiding officer issuing an interlocutory order may rescind, alter or amend any interlocutory order on the presiding officer's own motion, but will not on the presiding officer's own motion review any interlocutory order affecting any party's substantive rights without giving all parties notice and an opportunity for written comment. (3-20-04)

712. -- 719. (RESERVED)

720. RECOMMENDED ORDERS.

01. Definition. Recommended orders are orders issued by the presiding officer that will become a final order of the Board only after review by the Board pursuant to Section 67-5244, Idaho Code. (3-15-02)

02. Content. Every recommended order must include a schedule for review of the order by the Board and must contain or be accompanied by a document containing the following paragraphs or substantially similar paragraphs: (4-7-11)

a. This is a recommended order of the presiding officer. It will not become final without action of the Board. (3-15-02)

b. The Board shall allow all parties an opportunity to file briefs in support or taking exceptions to the recommended order and may schedule oral argument in the matter before issuing a final order. The hearing coordinator shall issue a notice setting out the briefing schedule and date and time for oral argument. The Board will issue a final order within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless waived or extended by the parties or for good cause shown. The Board may hold additional hearings or may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. (4-7-11)

03. No Motions for Reconsideration. Motions for reconsideration of any recommended order shall not be considered. (3-15-02)

721. -- 729. (RESERVED)

730. PRELIMINARY ORDERS.

01. Definition. Preliminary orders are orders issued by the presiding officer that will become a final order of the Board unless reviewed by the Board pursuant to Section 67-5245, Idaho Code. (3-15-02)

02. Content. Every preliminary order must contain or be accompanied by a document containing the following paragraphs or substantially similar paragraphs: (3-15-02)

a. This is a preliminary order of the presiding officer. It can and will become final without further action of the Board unless any party appeals to the Board by filing with the hearing coordinator a petition for review of the preliminary order; (4-7-11)

b. Within fourteen (14) days of the service date of this preliminary order, any party may take exceptions to any part of this preliminary order by filing with the hearing coordinator a petition for review of the preliminary order. Otherwise, this preliminary order will become a final order of the Board. The basis for review must be stated in the petition. The Board may review the preliminary order on its own motion. (4-7-11)

c. If any party files a petition for review of the preliminary order, the Board shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. The hearing coordinator shall issue a notice setting out the briefing schedule and date and time for oral argument. The Board will issue a final order within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless waived or extended by the parties or for good cause shown. The Board may hold additional hearings or may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. (4-7-11)

d. Pursuant to Sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition for judicial review in the district court of the county in which: (4-7-11)

i. A hearing was held, (3-15-02)

ii. The final agency action was taken, (3-15-02)

iii. The party seeking review of the order resides, or operates its principal place of business in Idaho, or (3-15-02)

iv. The real property or personal property that was the subject of the agency action is located. (3-15-02)

e. The petition for judicial review must be filed within twenty-eight (28) days of this preliminary order becoming final. See Section 67-5273, Idaho Code. The filing of a petition for judicial review in district court does not itself stay the effectiveness or enforcement of the order under review. (4-7-11)

03. No Motions for Reconsideration. Motions for reconsideration of any preliminary order shall not be considered. (3-15-02)

731. -- 739. (RESERVED)

740. FINAL ORDERS.

01. Definition. Final orders are preliminary orders that have become final under Section 730 pursuant to Section 67-5245, Idaho Code, or orders issued by the Board pursuant to Section 67-5246, Idaho Code. An order shall be considered a final order pursuant to Section 67-5246, Idaho Code, if issued after a decision by the number of Board members necessary to constitute a quorum. Emergency orders issued under Section 67-5247, Idaho Code, shall be designated as final orders if the Board will not issue further orders or conduct further proceedings in the matter.

(3-15-02)

02. **Content**. Every final order issued by the Board must contain or be accompanied by a document containing the following paragraphs or substantially similar paragraphs: (3-15-02)

a. This is a final order of the Board. (3-15-02)

b. Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition for judicial review in the district court of the county in which: (4-7-11)

i. A hearing was held; (3-15-02)

ii. The final agency action was taken; (3-15-02)

iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or (3-15-02)

iv. The real property or personal property that was the subject of the agency action is located. (3-15-02)

c. The petition for judicial review must be filed within twenty-eight (28) days of the service date of this final order. See Section 67-5273, Idaho Code. The filing of a petition for judicial review in district court does not itself stay the effectiveness or enforcement of the order under review. (4-7-11)

03. **No Motions for Reconsideration**. Motions for reconsideration of any final order shall not be considered. (3-15-02)

741. -- 749. (RESERVED)

750. ORDER NOT DESIGNATED.
If an order is not designated as recommended, preliminary or final at its issuance, but is designated as recommended, preliminary or final after its issuance, its effective date for purposes of judicial review is the service date of the order of designation. If a party believes that an order not designated as a recommended order, preliminary order or final order according to the terms of these rules should be designated as a recommended order, preliminary order or final order, the party may move to designate the order as recommended, preliminary or final, as appropriate. (4-7-11)

751. -- 779. (RESERVED)

780. STAY OF ORDERS.
The filing of the petition for review does not itself stay the effectiveness or enforcement of the Board action. The Board may grant, or the reviewing court may order, a stay upon appropriate terms. (3-15-02)

781. -- 789. (RESERVED)

790. RIGHT OF JUDICIAL REVIEW.
Pursuant to Section 67-5270, Idaho Code, any person aggrieved by a final order of the Board in a contested case is entitled to judicial review. Pursuant to Section 67-5271, Idaho Code, a person is not entitled to judicial review of an agency action in district court until that person has exhausted all administrative remedies available with the Board, but a preliminary, procedural, or intermediate agency action or ruling is immediately reviewable in district court if administrative review of the final agency action would not provide an adequate remedy. (4-7-11)

791. PETITION FOR JUDICIAL REVIEW.

01. **Filing and Service**. The petition for judicial review must be filed with the hearing coordinator as set out in Section 008 and with the district court and served on all parties. Pursuant to Section 39-107(6), Idaho Code, the petition for judicial review shall also be served upon the Chairman of the Board, the Director of the Department,

and upon the Attorney General of the State of Idaho. Pursuant to Section 67-5272, Idaho Code, petitions for judicial review may be filed in the District Court of the county in which: (4-7-11)

a. The hearing was held; (3-15-02)

b. The final agency action was taken; (3-15-02)

c. The party seeking review of the agency action resides; or (3-15-02)

d. The real property or personal property that was the subject of the agency action is located. (3-15-02)

02. Filing Deadline. Pursuant to Section 67-5273, Idaho Code, a petition for judicial review of a final order in a contested case must be filed within twenty-eight (28) days of the service date of the final order. (3-15-02)

792. -- 798. (RESERVED)

799. RULES GOVERNING PROCEEDINGS ON PETITIONS TO INITIATE RULEMAKING.
Sections 799 through 802 establish provisions governing proceedings on petitions to initiate rulemaking. (3-15-02)

800. FORM AND CONTENTS OF PETITION TO INITIATE RULEMAKING.
This rule addresses petitions to initiate rulemaking as described by Section 67-5230, Idaho Code. (3-15-02)

01. Requirement. Any person petitioning for initiation of rulemaking must comply with this rule. (3-15-02)

02. Form and Contents. The form and contents of a petition to initiate rulemaking shall: (3-20-04)

a. Identify the petitioner and state the petitioner's interest(s) in the matter; (3-15-02)

b. Describe the nature of the rule or amendment to the rule urged to be promulgated and the petitioner's suggested rule or amendment; and (3-15-02)

c. Indicate the statute, order, rule, or other controlling law, and the factual allegations upon which the petitioner relies to support the proposed rulemaking. Legal assertions in the petition may be accompanied by citations of cases and/or statutory provisions. (3-15-02)

03. Filing. The petitioner shall file the original and two (2) copies of the petition with the hearing coordinator in accordance with Section 008. (3-20-04)

801. BOARD RESPONSE TO PETITION.

01. Action of Board. The Board shall have until the first regularly scheduled meeting that takes place fourteen (14) or more days after submission of the petition to initiate rulemaking proceedings in accordance with Sections 67-5220 through 67-5225, Idaho Code, and these rules or deny the petition in writing, stating its reasons for the denial. (3-15-02)

02. Denial. If the petition is denied, the written denial shall state: (3-15-02)

a. The Board has denied your petition to initiate rulemaking. This denial is a final agency action within the meaning of Section 67-5230, Idaho Code. (3-15-02)

b. Pursuant to Section 67-5270, Idaho Code, any person aggrieved by this final agency action may seek review of the denial to initiate rulemaking by filing a petition for judicial review in the District Court of the county in which: (4-7-11)

i. The hearing was held; (3-15-02)

ii. This final agency action was taken; (3-15-02)

iii. The party seeking review resides, or operates its principal place of business in Idaho; or (3-15-02)

iv. The real property or personal property that was the subject of the denial of the petition for rulemaking is located. (3-15-02)

c. The petition for judicial review must be filed within twenty-eight (28) days of the service date of this denial of the petition to initiate rulemaking. (4-7-11)

802. NOTICE OF INTENT TO INITIATE RULEMAKING CONSTITUTES ACTION ON PETITION. The Board may initiate rulemaking proceedings in response to a petition to initiate rulemaking by issuing a notice of intent to promulgate rules in accordance with Section 67-5220, Idaho Code, on the subject matter of the petition if it wishes to obtain further comment whether a rule should be proposed or what rule should be proposed. Publication of a notice of intent to promulgate rules satisfies the Board's obligations to take action on the petition and is not a denial of a petition to initiate rulemaking. (3-15-02)

803. -- 999. (RESERVED)

58.01.24 – STANDARDS AND PROCEDURES FOR APPLICATION OF RISK BASED CORRECTIVE ACTION AT PETROLEUM RELEASE SITES

000. LEGAL AUTHORITY.
Chapters 1, 36, 44, 72 and 74, Title 39, Idaho Code grant authority to the Board of Environmental Quality to adopt rules and administer programs to protect public health and the environment, including the protection of surface water, ground water, and drinking water quality. (5-8-09)

001. TITLE, SCOPE AND APPLICABILITY.

01. Title. These rules are titled IDAPA 58.01.24, "Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites." (5-8-09)

02. Scope. These rules establish standards and procedures to determine whether and what risk based corrective action measures should be applied to property subject to assessment and cleanup requirements under IDAPA 58.01.02, Sections 851 and 852, "Water Quality Standards," and associated definitions; IDAPA 58.01.11, Subsection 400.05, "Ground Water Quality Rule;" or when assessment and cleanup requirements are incorporated into compliance documents entered into per Chapter 1, Title 39, Idaho Code. Compliance with these rules shall not relieve persons from the obligation to comply with other applicable state or federal laws. These rules do not apply to previously closed sites. The Department will not require any additional evaluation of petroleum sites previously granted closure unless there is a new petroleum release. (5-8-09)

002. WRITTEN INTERPRETATIONS.
As described in Section 67-5201(19)(b)(iv), Idaho Code, the Department of Environmental Quality may have written statements which pertain to the interpretation of these rules. If available, such written statements can be inspected and copied at cost at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706-1255. (5-8-09)

003. ADMINISTRATIVE PROVISIONS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (5-8-09)

004. INCORPORATION BY REFERENCE.
These rules do not contain documents incorporated by reference. (5-8-09)

005. AVAILABILITY OF REFERENCED MATERIAL.
Documents and data bases referenced within these rules are available at the following locations: (5-8-09)

01. Idaho Risk Evaluation Manual for Petroleum Releases. Idaho Risk Evaluation Manual for Petroleum Releases and subsequent editions, http://www.deq.idaho.gov. (3-29-12)

02. U.S. EPA RAGS. U.S. EPA RAGS, Volume 1, http://www.epa.gov/oswer/riskassessment/policy.htm#5. (5-8-09)

03. U.S. EPA Exposure Factors Handbook. U.S. EPA Exposure Factors Handbook, http://www.epa.gov/ncea/pdfs/efh/front.pdf. (5-8-09)

04. Idaho Source Water Assessment Plan. Idaho Source Water Assessment Plan, http://www.deq.idaho.gov. (5-8-09)

05. EPA Regional Screening Tables. EPA Regional Screening Tables, http://www.epa.gov/reg3hwmd/risk/human/rb-concentration_table/index.htm. (3-29-12)

006. OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.
The state office of the Department of Environmental Quality and the office of the Board of Environmental Quality are located at 1410 N. Hilton, Boise, Idaho 83706-1255, (208) 373-0502, www.deq.idaho.gov. The office hours are 8 a.m. to 5 p.m. Monday through Friday. (5-8-09)

007. CONFIDENTIALITY OF RECORDS.
Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Title 74, Chapter 1, Idaho Code, and IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality." (5-8-09)

008. TABLES.

01. Chemicals of Interest for Various Petroleum Products. The table of chemicals of interest for various petroleum products is available in Section 800 of these rules. (4-11-19)

02. Screening Level Concentrations for Soil, Ground Water, and Soil Vapor. The table of screening level concentrations for soil, ground water, and soil vapor is available in the Idaho Risk Evaluation Manual for Petroleum Releases at www.deq.idaho.gov. (4-11-19)

03. Default Toxicity Values for Risk Evaluation. The table of default toxicity values for risk evaluation is available in the Idaho Risk Evaluation Manual for Petroleum Releases at www.deq.idaho.gov. (4-11-19)

009. ACRONYMS.

01. EPA. The United States Environmental Protection Agency. (5-8-09)

02. PST. Petroleum Storage Tank System. (5-8-09)

03. RAGS. Risk Assessment Guidance for Superfund. (5-8-09)

04. UECA. Uniform Environmental Covenant Act. See definition in Section 010. (5-8-09)

010. DEFINITIONS.
For the purpose of the rules contained in IDAPA 58.01.24, "Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites," the following definitions apply: (5-8-09)

01. Acceptable Target Hazard Index. The summation of the hazard quotients of all chemicals and routes of exposure to which a receptor is exposed and equal to a value of one (1). If the initial value exceeds one (1), further evaluation, including individual organs, can be completed. (5-8-09)

02. Acceptable Target Hazard Quotient. A hazard quotient of 1 for a specified receptor when applied to individual chemicals. (5-8-09)

03. Acceptable Target Risk Level. Acceptable risk level for human exposure to carcinogens. For exposure to individual carcinogens a lifetime excess cancer risk of less than or equal to one per one million (1 E-6) for a receptor at a reasonable maximum exposure. For combined exposure to all carcinogens and routes of exposure, a lifetime excess cancer risk of less than or equal to one per one hundred thousand (1 E-5) for a receptor at a reasonable maximum exposure. (5-8-09)

04. Activity and Use Limitations. Restrictions or obligations, with respect to real property, created by an environmental covenant. Activity and use limitations may include, but are not limited to, land use controls, activity and use restrictions, environmental monitoring requirements, and site access and security measures. Also known as institutional controls. (5-8-09)

05. Background. Media specific concentration of a chemical that is consistently present in the environment in the vicinity of a site which is the result of human activities unrelated to release(s) from that site under investigation. (5-8-09)

06. Board. The Idaho Board of Environmental Quality. (5-8-09)

07. Corrective Action Plan. A document, subject to approval by the Department, which describes the actions and measures that will be implemented to ensure that adequate protection of human health and the environment is achieved and maintained. A corrective action plan also describes the applicable remediation standards. Also may be known as a risk management plan or a remediation workplan. (5-8-09)

08. Delineated Source Water Protection Area. The physical area around a public drinking water supply well or surface water intake identified in an approved Department source water assessment that contributes water to a well (the zone of contribution). The size and shape of the delineated source water area depend on the

delineation method and site specific factors. The area may be mapped as a one thousand (1000) ft. fixed radius around the well (transient public water systems) or divided into three (3), six (6), and ten (10) year time of travel zones (e.g. zones indicating the number of years necessary for a particle of water to reach a well or surface water intake). For the purposes of these rules, where ground water time of travel zones have been delineated, the three (3) year time of travel zone shall apply. Where surface water systems have been delineated, this area includes a five hundred (500) ft. buffer around a lake or reservoir, or a five hundred (500) ft. buffer along the four (4) hour upstream time of travel of streams. See the Idaho Source Water Assessment Plan. (5-8-09)

09. **Department**. The Idaho Department of Environmental Quality. (5-8-09)

10. **Environmental Covenant**. As defined in the Uniform Environmental Covenant Act (UECA), Chapter 30, Title 55, Idaho Code, an environmental covenant is a servitude arising under an environmental response project that imposes activity and use limitations. (5-8-09)

11. **Exposure Point Concentration**. The average concentration of a chemical to which receptors are exposed over a specified duration within a specified geographical area. The exposure point concentration is typically a conservative estimate of the mean. Also referred to as the representative concentration. (5-8-09)

12. **Hazard Quotient**. The ratio of a dose of a single chemical over a specified time period to a reference dose for that chemical derived for a similar exposure period. (5-8-09)

13. **Method Detection Limit**. The minimum concentration of a substance that can be reported with ninety-nine percent (99%) confidence is greater than zero. Method detection limits can be operator, method, laboratory, and matrix specific. (5-8-09)

14. **Operator**. Any person presently or who was at any time during a release in control of, or responsible for, the daily operation of the petroleum storage tank (PST) system. (5-8-09)

15. **Owner**. Any person who owns or owned a PST system any time during a release and the current owner of the property where the PST system is or was located. (5-8-09)

16. **Person**. An individual, public or private corporation, partnership, association, firm, joint stock company, joint venture, trust, estate, state, municipality, commission, political subdivision of the state, state or federal agency, department or instrumentality, special district, interstate body, or any legal entity which is recognized by law as the subject of rights and duties. (5-8-09)

17. **Petroleum**. Crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure (sixty (60) degrees Fahrenheit and fourteen and seven-tenths (14.7) pounds per square inch absolute). This includes petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading, and finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, and lubricants. (5-8-09)

18. **Petroleum Storage Tank (PST) System**. Any one (1) or combination of storage tanks or other containers, including pipes connected thereto, dispensing equipment, and other connected ancillary equipment, and stationary or mobile equipment, that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. (5-8-09)

19. **Practical Quantitation Limit**. The lowest concentration of a chemical that can be reliably quantified among laboratories within specified limits of precision and accuracy for a specific laboratory analytical method during routine laboratory operating conditions. Specified limits of precision and accuracy are the criteria listed in the calibration specifications or quality control specifications of an analytical method. Practical quantitation limits can be operator, method, laboratory, and matrix specific. (5-8-09)

20. **Reasonable Maximum Exposure**. The highest exposure that can be reasonably expected to occur for a human or other living organism at a site under current and potential future site use. (5-8-09)

21. **Reference Dose**. For chronic or long-term exposures an estimate of a daily exposure level to a

chemical for the human population, including sensitive subpopulations, that is likely to be without an appreciable risk of deleterious noncarcinogenic effects during a lifetime, expressed in units of milligrams per kilogram body weight per day. (5-8-09)

22. **Release**. Any spilling, leaking, emitting, discharging, escaping, leaching, or disposing from a PST into soil, ground water, or surface water. (5-8-09)

23. **Remediation Standard**. A media specific concentration which, when attained, is considered to provide adequate protection of human health and the environment. (5-8-09)

24. **Residential Use**. Residential use means land uses which include residential or sensitive populations. (5-8-09)

25. **Risk Based Concentration**.The residual media specific concentration of a chemical that is determined to be protective of human health and the environment under specified exposure conditions. (5-8-09)

26. **Risk Evaluation**. The process used to determine the probability of an adverse effect due to the presence of a chemical. A risk evaluation includes development of a site conceptual model, identification of the chemicals present in environmental media, assessment of exposure and exposure pathways, assessment of the toxicity of the chemicals present, characterization of human risks, and characterization of impacts or risks to the environment. (5-8-09)

27. **Screening Level**. A media specific concentration which, based on specified levels of risk or hazard, exposure pathways and routes of exposure, expected land use, and exposure factors, can be used to assess the need for additional investigation or corrective action. (5-8-09)

28. **Slope Factor**. A plausible upper-bound estimate of the probability of an individual developing cancer as a result of a lifetime of exposure to a particular level of a potential carcinogen. It is expressed as the probability of a response per unit intake of a chemical over a lifetime. (5-8-09)

29. **Uniform Environmental Covenant Act (UECA)**. UECA is found in Chapter 30, Title 55, Idaho Code. UECA provides a statutory mechanism for creating, modifying, enforcing and terminating environmental covenants. (5-8-09)

011. -- 099. (RESERVED)

100. CHEMICALS EVALUATED AT PETROLEUM RELEASE SITES.

01. **General Applicability**. For petroleum sites governed by Sections 851 and 852 of IDAPA 58.01.02, "Water Quality Standards," the chemicals listed in Section 800, table of chemicals of interest for various petroleum products, will be evaluated based on the specific petroleum product or products known or suspected to have been released. (4-11-19)

02. **Additional Chemicals**. Evaluation of non-petroleum chemicals in addition to those in Section 800, table of chemicals of interest for various petroleum products, may be required by the Department when there is a reasonable basis based on site-specific information. A reasonable basis shall be demonstrated by the Department when it can show documentation of releases or suspected releases of other non-petroleum chemicals. (4-11-19)

101. -- 199. (RESERVED)

200. RISK EVALUATION PROCESS.
The following risk evaluation process shall be used for petroleum releases in accordance with the Petroleum Release Response and Corrective Action Rules described in IDAPA 58.01.02, "Water Quality Standards," Section 852. (5-8-09)

01. **Screening Evaluation**. The screening evaluation may be performed at any time during the release response and corrective action process described in IDAPA 58.01.02, "Water Quality Standards," Section 852. The

screening evaluation shall include, at a minimum: (5-8-09)

a. Collection of media-specific (soil, surface water, ground water) data; and (5-8-09)

b. Identification of maximum soil, ground water, and soil vapor petroleum chemical concentrations for the chemicals identified in Section 800, table of chemicals of interest for various petroleum products, as appropriate for the petroleum product or products released. (4-11-19)

c. Comparison of the maximum media-specific petroleum contaminant concentrations to the screening levels identified in the table of screening level concentrations for soil, ground water, and soil vapor in the Idaho Risk Evaluation Manual for Petroleum Releases. If the maximum media-specific petroleum contaminant concentrations at a site do not exceed the screening levels, the owner and/or operator may petition for site closure, subject to other Department regulatory obligations. If the maximum media-specific concentrations at a site exceed the screening levels, the owner and/or operator shall proceed to: (4-11-19)

i. Adopt the screening levels as cleanup levels and develop a corrective action plan to achieve those levels pursuant to Subsection 200.03; or (5-8-09)

ii. Perform a site specific risk evaluation pursuant to Section 300. The Department may require the collection of additional site-specific data prior to the approval of the risk evaluation. (5-8-09)

02. Results of Risk Evaluation. If the results of the approved risk evaluation do not exceed the acceptable target risk level, acceptable target hazard quotient, or acceptable target hazard index specified in Section 300, the owner and/or operator may petition for site closure, subject to other Department regulatory obligations. If the results of the approved risk evaluation indicates exceedance of the acceptable target risk level, acceptable target hazard quotient, or acceptable target hazard index specified in Section 300, the risk evaluation shall: (5-8-09)

a. Be modified by collection of additional site-specific data, or review of chemical toxicological information, and resubmitted to the Department for review and approval; or (5-8-09)

b. Provide the basis for the development of risk based concentrations, establishment of remediation standards as described in Section 400, and development of a corrective action plan. (5-8-09)

03. Development and Implementation of Corrective Action Plan. A Corrective Action plan required as a result of the risk evaluation process described in Section 200 shall include, but not be limited to, the following information, as applicable: (5-8-09)

a. Description of remediation standards, points of exposure, and points of compliance where remediation standards shall be achieved; (5-8-09)

b. Description of remedial strategy and actions that will be taken to achieve the remediation standards; (5-8-09)

c. Current and reasonably anticipated future land use and use of on-site and immediately adjacent off-site ground water, and surface water; (5-8-09)

d. Activity and use limitations, if any, that will be required as part of the remedial strategy; (5-8-09)

e. Proposed environmental covenants, developed to implement activity and use limitations, in accordance with Section 600; (5-8-09)

f. Estimated timeline for completion; and (5-8-09)

g. Monitoring Plan to monitor effectiveness of remedial actions. (5-8-09)

h. Description of practical quantitation limits as they apply. (5-8-09)

i. Description of background concentrations as they apply. (5-8-09)

04. Department Review and Approval of Risk Evaluation or Corrective Action Plan. Within thirty (30) days of receipt of the risk evaluation or corrective action plan, the Department shall provide in writing either approval, approval with modifications, or rejection of the risk evaluation or corrective action plan. If the Department rejects the risk evaluation or corrective action plan, it shall notify the owner and/or operator in writing specifying the reasons for the rejection. If the Department needs additional time to review the documents, it will provide written notice to the owner and/or operator that additional time to review is necessary and will include an estimated time for review. Extension for review time shall not exceed one hundred eighty (180) days without a reasonable basis and written notice to the owner and/or operator. (5-8-09)

201. -- 299. (RESERVED)

300. SITE SPECIFIC RISK EVALUATION REQUIREMENTS.

01. General Requirements. The general requirements for human health risk evaluations shall include, at a minimum: (5-8-09)

a. A conceptual site model which describes contaminant sources; release mechanisms; the magnitude, spatial extent, and temporal trends of petroleum contamination in all affected media; transport routes; current and reasonably likely future land use and human receptors; and relevant exposure scenarios. (5-8-09)

b. Toxicity Information derived from appropriate sources including, but not limited to, those listed in Subsection 300.01.e. (4-11-19)

c. Data quality objectives and sampling approaches based on the conceptual site model that support the risk evaluation and risk management process. (5-8-09)

d. Estimated exposure point concentrations for a reasonable maximum exposure based on a conservative estimate of the mean of concentrations of chemicals that would be contacted by an exposed receptor. (5-8-09)

e. Exposure analysis including identification of contaminants of concern, potentially exposed populations, pathways and routes of exposure, exposure point concentrations and their derivation, and a quantitative estimate of reasonable maximum exposure for both current and reasonably likely future land and water use scenarios. Appropriate reference sources of reasonable maximum exposure factor information may include, but are not limited to: (5-8-09)

i. U.S. EPA RAGS, Volume 1; (5-8-09)

ii. U.S. EPA Exposure Factors Handbook; (5-8-09)

iii. Idaho Risk Evaluation Manual for Petroleum Releases; and (3-29-12)

iv. Other referenced technical publications. (5-8-09)

f. Risk characterization presenting the quantitative human health risks and a qualitative and quantitative assessment of uncertainty for each portion of the risk evaluation. (5-8-09)

g. Risk evaluations may include the use of transport and fate models, subject to Department approval of the model and the data to be used for the parameters specified in the model. (5-8-09)

02. Specific Requirements. Human health risk evaluations shall, at a minimum: (5-8-09)

a. Utilize an acceptable target risk level as defined in Section 010; (5-8-09)

b. Utilize an acceptable target hazard index as defined in Section 010; (5-8-09)

c. Utilize an acceptable target hazard quotient as defined in Section 010; (5-8-09)

d. Evaluate the potential for exposure from: (5-8-09)

i. Ground water ingestion; (5-8-09)

ii. Direct contact with contaminated soils resulting from soil ingestion, dermal contact, and inhalation of particulates and vapors; (5-8-09)

iii. Indoor inhalation of volatile chemicals via volatilzation of chemicals from soil, ground water, or free phase product; (5-8-09)

iv. Ingestion, inhalation, or dermal exposure to ground water and/or surface water which has been impacted by contaminants that have leached from the soils; and (5-8-09)

v. Other complete or potentially complete routes of exposure; (5-8-09)

e. Evaluate the potential for exposure to: (5-8-09)

i. Adult and child residential receptors; (5-8-09)

ii. Adult construction and utility workers; (5-8-09)

iii. Aquatic life; (5-8-09)

iv. Recreational receptors; and (5-8-09)

v. Other relevant potentially exposed receptors; (5-8-09)

f. Evaluate the potential for use of impacted ground water for ingestion based on: (5-8-09)

i. The current and historical use of the ground water for drinking water or irrigation; (5-8-09)

ii. The location and approved use of existing ground water wells in a one half (½) mile radius from the contaminated site at the release point; (5-8-09)

iii. The degree of hydraulic connectivity between the impacted ground water and other ground water bearing zones or surface water; and (5-8-09)

iv. The location of delineated source water protection areas for public drinking water systems. (5-8-09)

301. -- 399. (RESERVED)

400. ESTABLISHMENT OF REMEDIATION STANDARDS.
If, as a result of the assessment and risk evaluation completed as described in Section 300, it is determined that corrective action is required, remediation standards shall be established. The remediation standards established in these rules shall be no more stringent than applicable or relevant and appropriate federal and state standards and are consistent with Section 121 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. Section 9621) and Section 39-107D(2), Idaho Code, taking into consideration site specific conditions. These standards, and any activity use limitations proposed for the site, shall be established as part of a corrective action plan approved in writing by the Department. The standards may consist of the following. (5-8-09)

01. Screening Levels. The petroleum contaminant concentrations in soil, ground water, and soil vapor in the table of screening level concentrations for soil, ground water, and soil vapor in the Idaho Risk Evaluation Manual for Petroleum Releases. (4-11-19)

02. Risk Based Levels. Site-specific, media-specific petroleum contaminant concentrations established in accordance with the risk evaluation procedures and requirements described in Section 300. (5-8-09)

03. Generic Health Standards. An established state or federal generic numerical health standard which achieves an appropriate health-based level so that any substantial present or probable future risk to human health or the environment is eliminated or reduced to protective levels based upon present and reasonably anticipated future uses of the site. (5-8-09)

04. Other. Remediation standards may be a combination of standards found in Subsections 400.01 through 400.03. (5-8-09)

401. -- 499. (RESERVED)

500. FACTORS WHEN PRACTICAL QUANTITATION LIMITS ARE GREATER THAN SCREENING LEVELS AND CLEANUP LEVELS.
Practical quantitation limits may be greater than screening levels or risk based concentrations for certain chemicals. In such cases the following factors may be used in allowing practical quantitation limits as remediation standards: (5-8-09)

01. Analytical Method. The published or expected practical quantitation limit for a specific chemical and method, and the availability of other methods which may enable lower practical quantitation limits to be achieved. (5-8-09)

02. Method Detection Limit. The magnitude of the difference between the stated practical quantitation limit and the method detection limit. (5-8-09)

03. Sampling Procedures. The availability of alternative sampling procedures which may enable lower practical quantitation limits to be achieved. (5-8-09)

04. Estimated Risk Levels. The estimated risk levels when site concentrations are assumed to be at the practical quantitation limit. (5-8-09)

05. Other. Site specific factors other than those listed above. (5-8-09)

501. -- 599. (RESERVED)

600. ACTIVITY AND USE LIMITATIONS.

01. Purpose. The provisions of the Uniform Environmental Covenants Act (UECA), Chapter 30, Title 55, Idaho Code, may be utilized to create restrictions and/or obligations regarding activity and use to protect the integrity of a cleanup action and assure the continued protection of human health and the environment. Activity and use limitations shall be proposed as elements of a corrective action plan in at least the following circumstances: (5-8-09)

a. Where onsite current or proposed land use is not residential and maximum residual site concentrations are greater than screening levels for residential use; (5-8-09)

b. Where onsite current or proposed land use is not residential and the risk or hazard calculated for residential receptors through an approved risk evaluation is unacceptable; (5-8-09)

c. Where off-site ground water concentrations exceed residential use screening levels or risk based concentrations; or (5-8-09)

d. When the Department determines, based upon the proposed corrective action plan, that such activity and use limitations are required to assure the continued protection of human health and the environment or the integrity of the cleanup action. (5-8-09)

02. Documentation of Controls. Activity and use limitations, approved by the Department, shall be described in an environmental covenant executed pursuant to the UECA and shall be incorporated into a corrective action plan. (5-8-09)

03. Removal of Activity and Use Limitations. Activity and use limitations may be removed from a site in accordance with Sections 55-3009 and 55-3010, Idaho Code, of UECA. (5-8-09)

601. -- 699. (RESERVED)

700. DEVELOPMENT OF GUIDANCE MANUAL.
The Department will prepare a risk evaluation manual for petroleum releases which will be used as guidance for implementation of these rules. The Department will, through public notice, invite the Board of Trustees established in Section 41-4904, Idaho Code, and members of the public, including the regulated community, to participate in the process to provide input to the Department in developing this manual. If the Department identifies the need for future substantive revisions of the risk evaluation manual for petroleum releases, the Department will follow the same public notice process as described above. (5-8-09)

701. -- 799. (RESERVED)

800. TABLE.
Chemicals of Interest for Various Petroleum Products:

CHEMICALS OF INTEREST FOR VARIOUS PETROLEUM PRODUCTS				
Chemical	**Gasoline/ JP-4/ AVGas**	**Diesel/ Fuel Oil No. 2/ Kerosene**	**Fuel Oil No.4**	**Jet Fuels (Jet A, JP-5, JP-8)**
Benzene	X	X		X
Toluene	X	X		X
Ethyl benzene	X	X		X
Xylenes (mixed)	X	X		X
Ethylene Dibromide (EDB)	X[1]			
1,2 Dichloroethane (EDC)	X[1]			
Methyl Tert-Butyl Ether (MTBE)	X			
Acenaphthene		X	X	X
Anthracene		X	X	X
Benzo(a)pyrene		X	X	X
Benzo(b)fluoranthene		X	X	X
Benzo(k)fluoranthene		X	X	X
Benz(a)anthracene		X	X	X
Chrysene		X	X	X
Fluorene		X	X	X
Fluoranthene		X	X	X
Naphthalene	X	X	X	X

CHEMICALS OF INTEREST FOR VARIOUS PETROLEUM PRODUCTS				
Chemical	**Gasoline/ JP-4/ AVGas**	**Diesel/ Fuel Oil No. 2/ Kerosene**	**Fuel Oil No.4**	**Jet Fuels (Jet A, JP-5, JP-8)**
Pyrene		X	X	X
X[1] Leaded Regular Only				

(4-11-19)

801. -- 999. (RESERVED)