

Idaho Pollutant Discharge Elimination System

Rule Update – Discussion Paper #3



**State of Idaho
Department of Environmental Quality**

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1. Introduction

1.1 Purpose and Scope

This discussion paper presents the Idaho Department of Environmental Quality's (DEQ) justification and recommendations for changing parts of IDAPA 58.01.25 to comply with recent changes to the Code of Federal Regulations regarding the National Pollutant Discharge Elimination System (NPDES) Program and to address other rule issues encountered.

1.2 Background

As Idaho implements delegated authority for the NPDES Program, it is necessary to ensure that Idaho's rules comply with federal requirements for regulating dischargers under the Idaho Pollutant Discharge Elimination System (IPDES) Program. With help from the stakeholders, in 2015 and 2017 DEQ drafted, adopted, and revised a chapter of rules (IDAPA 58.01.25) regarding the IPDES Program. Updates to this rule chapter are required to remain consistent with 40 CFR 122 through 503.

DEQ is also seeking to make clarifying changes to some portions of the rule and to update sections to address issues encountered as DEQ continues with program implementation.

2. Proposed Changes Since May 21 Meeting

2.1 105 – Application for an Individual IPDES Permit

Section 08.c.ii. – DEQ is proposing to clarify that 4 grab samples for 24-hour composites do not need to be equally spaced. This is the only application type with this language in the IPDES rule and is neither present in EPA application forms nor in 40 CFR 136. Removing "*equally spaced through the twenty-four (24)-hour period*" provides consistency among individual IPDES and EPA application and forms.