

# UPDATE ON IPDES PROGRAM



Spokane River DO TMDL Annual Meeting  
June 16, 2016

# Legislation

- Idaho Code Title 39 Chapter 1
- HB406 in 2014 amended Idaho Code 39-175
  - Directs agency to seek program primacy



# IPDES Primacy – HB 406

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- ✓ 1. House 62-0-8 January 31, 2014
- ✓ 2. Senate 35-0-0 February 28, 2014
- ✓ 3. Governor March 7, 2014
- ✓ 4. Trailer Bill March 26, 2014
- ✓ 5. Added CWA Civil and Criminal violations
- ✓ 6. Removes ESA consultation
- ✓ 7. Submit Application by Sept 1, 2016
- ✓ 8. MOU w/ Other Agencies
- ✓ 9. Authority to Adopt Reasonable Fees

# Benefits of Primacy for Idaho

- Idaho becomes responsible for all aspects of water quality protection
- Idaho controls interpretation of water quality standards
- Seamless integration of various water quality programs
  - Grants & Loans
  - Wastewater Rules
  - TMDL Allocations
- Streamlined permitting process

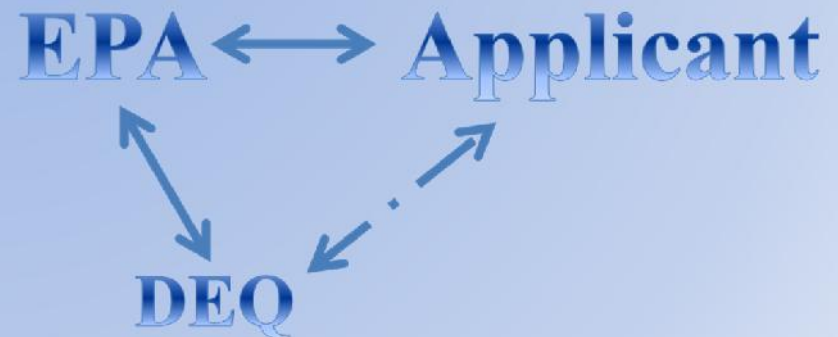
# Negotiated rulemaking

- 8 rulemaking meetings Dec 2014 thru July 2015
- New chapter of Administrative Rules
- Rule chapter adopted Nov 18, 2015
- Rules approved by 2016 Legislature (eff. 3/24/2016)



# Current NPDES process in Idaho

- EPA drafts permit and sends to DEQ for certification
  - DEQ provides draft 401 certification
  - Concurrent Public Comment process
  - DEQ provides draft final 401 cert.
  - EPA publishes final permit
  - DEQ provides final cert.



# Current NPDES process in Idaho

- EPA staff inspect Idaho facilities
- Also, DEQ performs 50 inspections/year & provides reports to EPA for final distribution
- DEQ has NPDES certified inspectors
- EPA retains authority for enforcement



# How DEQ is proceeding

- Preparing application for a Sept 2016 submittal
- Anticipate approval in 2018
- Phased implementation
  - 2018: Municipal permits
  - 2019: Industrial permits
  - 2020: General permits & Pretreatment
  - 2021: Storm water, biosolids, & federal facilities





# What's changing with IPDES

- DEQ
  - Draft and issue permits
  - Review Discharge Monitoring Reports (DMR)
  - Conduct facility inspections
  - Compliance Assistance
  - Enforcement
- EPA
  - Program Oversight



# Timeline for Changes

1. Submit Application
2. Anticipated Approval
3. Individual Industrial
4. General Permits
5. Storm water, biosolids, federal facilities

1

- Sept 2016

2

- July 2018

3

- July 2019

4

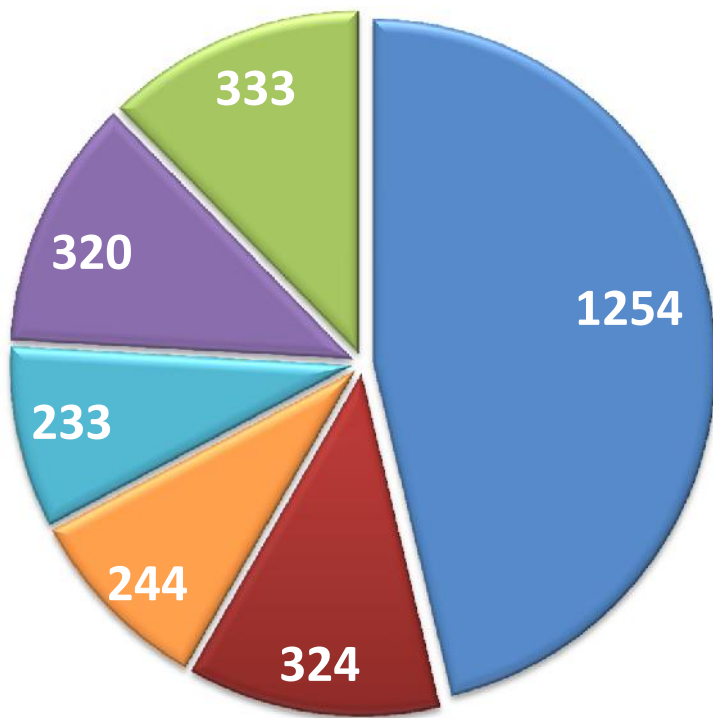
- July 2020

5

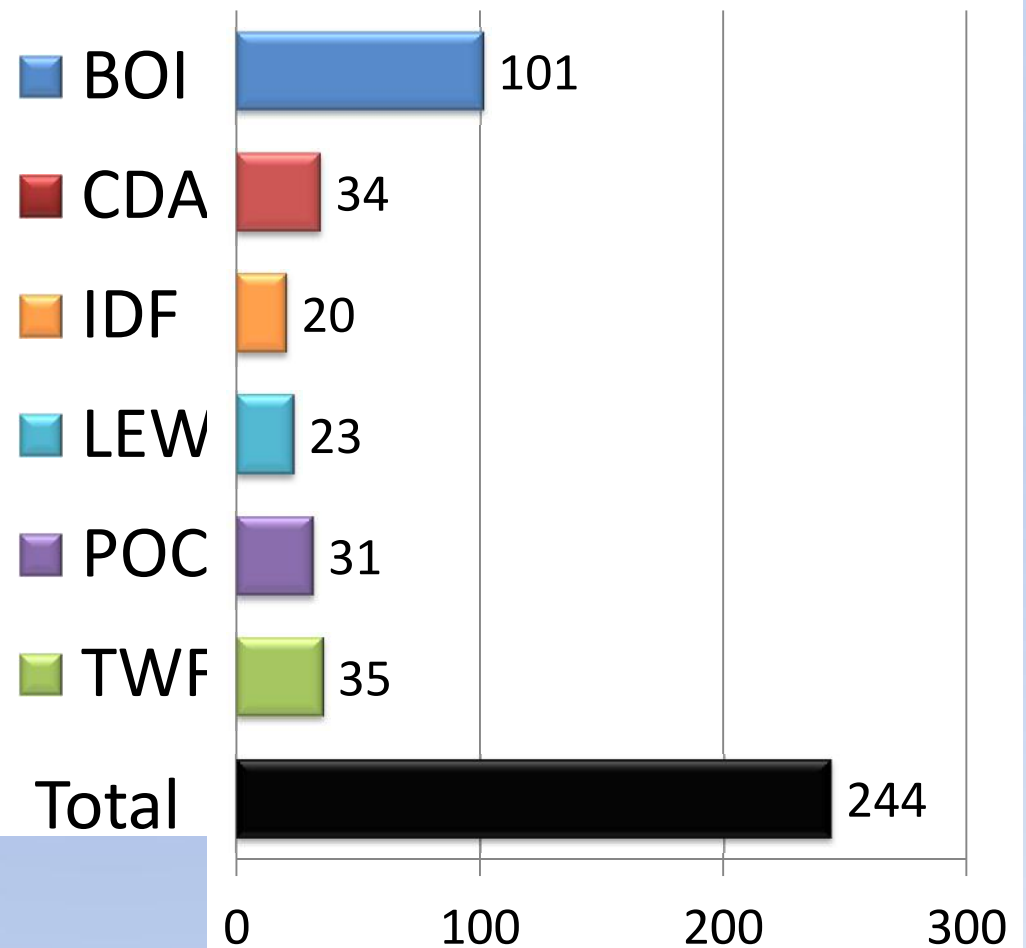
- July 2021

# Projected Workload by Regions with Centralized Program

Total # Permittees by Region

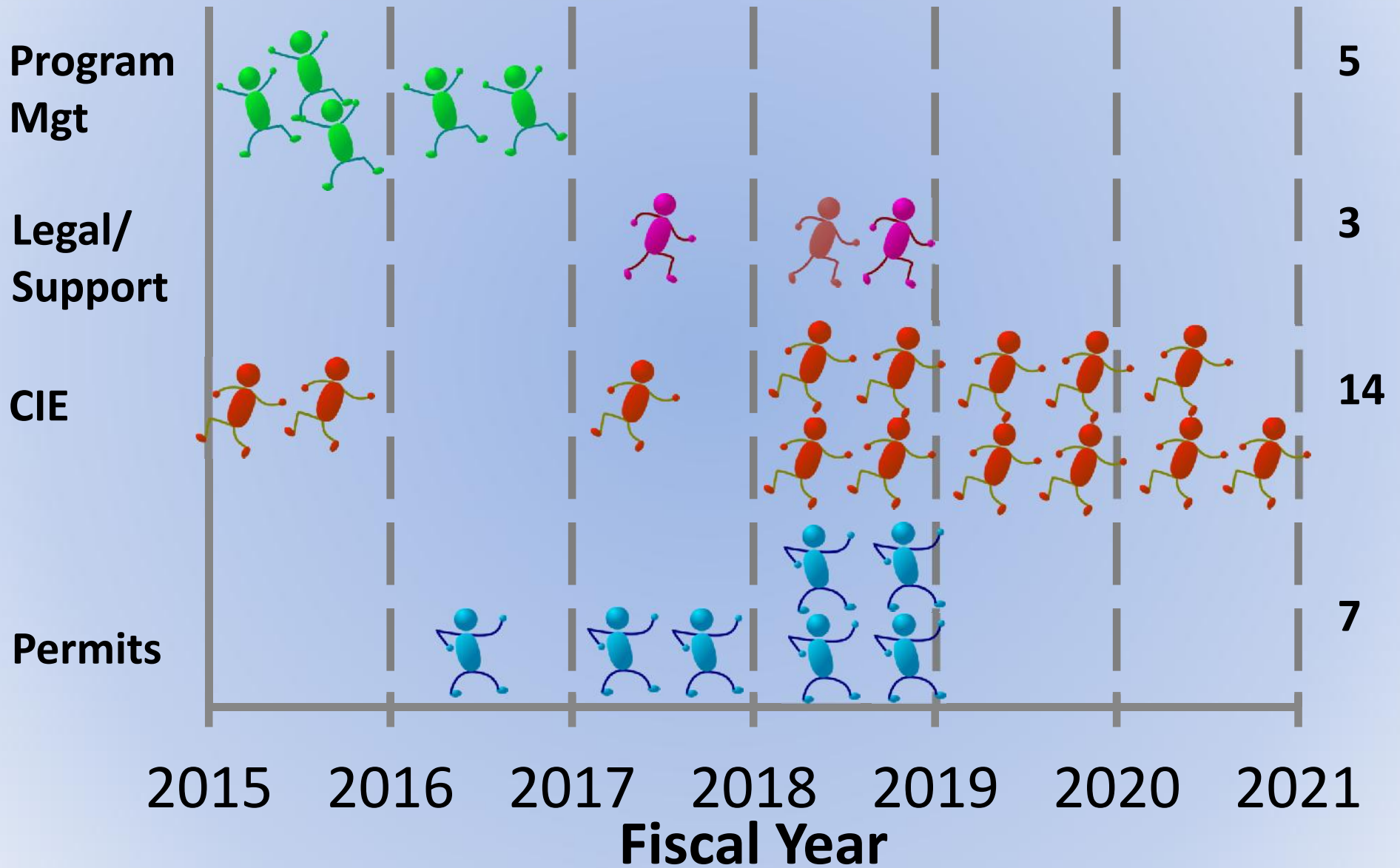


Anticipated # Inspections



# Hiring 29 New DEQ Staff

## Legislative Budget Approval



# Draft Fee Schedules

Permit Type	Application	Annual
<b>Municipal Permits</b>		
EDU Rate	\$0	\$1.74
<b>Industrial Permits</b>		
Major	\$0	\$13,000
Minor	\$0	\$4,000

# Draft Fee Schedules

Permit Type	Application	Annual
<b>Storm water Permits</b>		
<b>Construction (CGP)</b>	—	—
1-10 acres	\$200	\$0
10-50 acres	\$400	\$75
50-100 acres	\$750	\$100
100-500 acres	\$1,000	\$400
>500 acres	\$1,250	\$400
<b>Low Erosivity Waiver (CGP)</b>	\$125	\$0
<b>Industrial (MSGP) Permits</b>	\$1,500	\$1,000
<b>Cert. of No Exposure (MSGP)</b>	\$250	\$100
<b>Aquaculture Permits</b>	\$0	\$0
<b>Other General Permits</b>	\$0	\$0

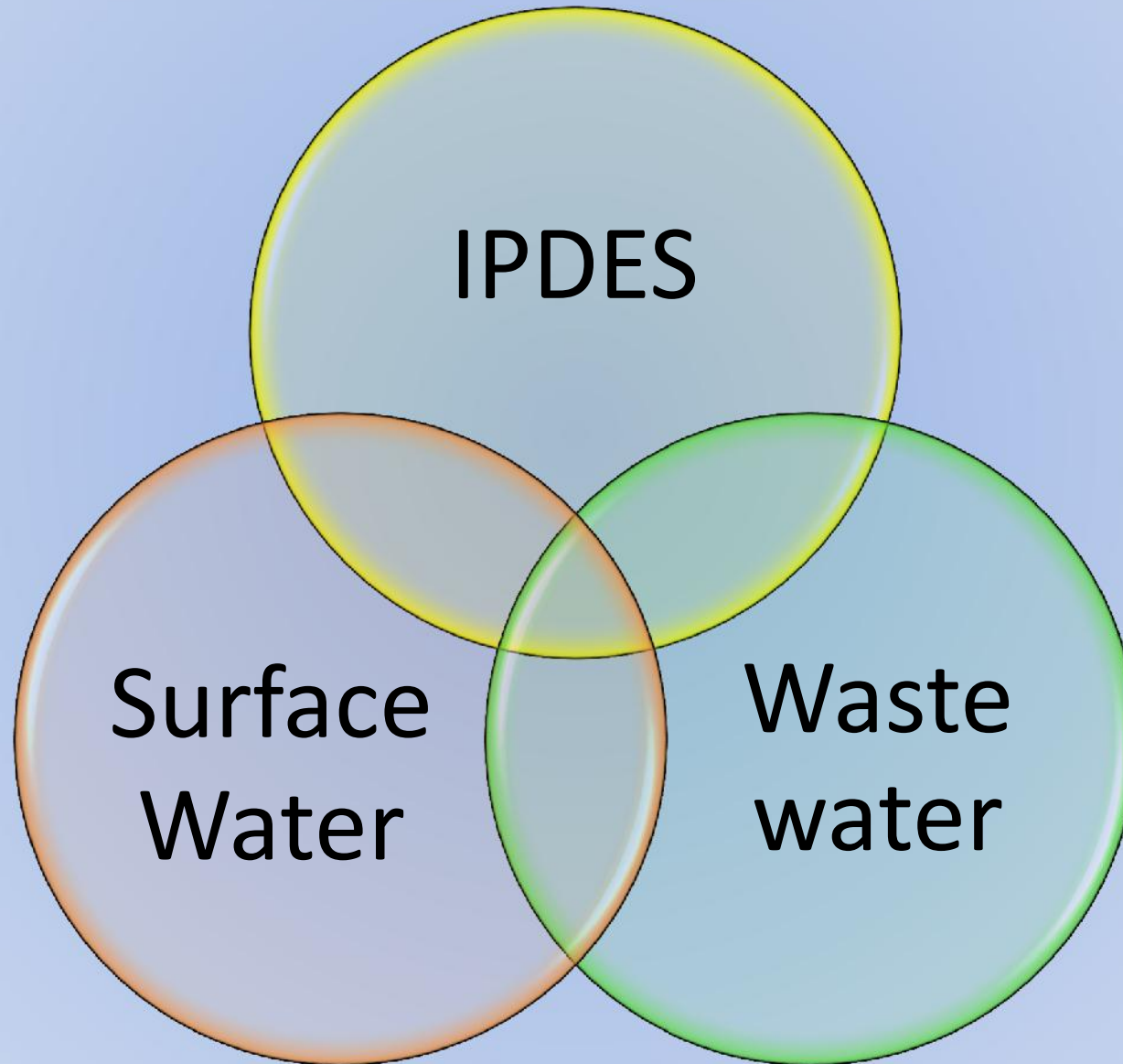


# Steps forward

- Guidance Development
  - Continuing through 2018
  - Methods for developing effluent limits
  - Coordination with other WQ Division programs
- Application submittal – Sept 2016
- Anticipated approval -- July 2018



# Program Integration







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