

# **Water Quality Division Environmental Performance Partnership Agreement**

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Calendar Year 2013



**Idaho Department of Environmental Quality  
United States Environmental Protection Agency Region 10**

**December 2012**



Printed on recycled paper, DEQ, December 2012,  
PID ADM.EOAA.TMTE, CA 32068. Costs associated  
with this publication are available from the State of  
Idaho Department of Environmental Quality in  
accordance with Section 60-202, Idaho Code.

# Water Quality Division Environmental Performance Partnership Agreement

The following Performance Partnership Agreement (PPA) between the United States Environmental Protection Agency (EPA) Region 10 and the Idaho Department of Environmental Quality (DEQ) will serve as the work plan for DEQ's Water Quality Division. This PPA is effective for calendar year 2013 and covers the period from January 1 through December 31, 2013. The agreement aligns DEQ and EPA Region 10 priorities and defines expected environmental outcomes. Through this agreement, DEQ and EPA can work together more efficiently in managing Idaho's water resources.



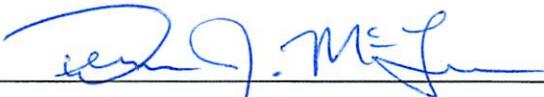
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Curt A. Fransen, Director  
Idaho Department of Environmental Quality

1/31/13

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Date



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Date

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## Introduction

The United States Environmental Protection Agency (EPA) and states share responsibility for environmental protection. This Performance Partnership Agreement (PPA) describes how the Idaho Department of Environmental Quality (DEQ) Water Quality Division and EPA Region 10 will work together to protect Idaho's water quality.

The goal of a PPA is to bring more flexibility, accountability, and innovation into the state and federal relationship. In particular, these agreements are intended to increase environmental protection by focusing on overall environmental goals and results of government programs. In the PPA process, DEQ and EPA discuss environmental conditions and program needs, agree on priorities, develop approaches to address priorities, determine roles and responsibilities, and choose program measures.

This agreement details how DEQ and EPA will work together to accomplish common water quality goals. The two agencies will continue to focus on integrating key program areas that form the foundation of Idaho's Water Quality Program. Core programs include safe drinking water, ground water, water quality standards, water quality monitoring and assessment, water body and watershed restoration, wastewater and drinking water infrastructure, and National Pollutant Discharge Elimination System (NPDES) permits and compliance. DEQ is the lead agency for most of these programs, except for NPDES for which EPA is the lead. Each Water Quality Program component identifies the expected environmental results as well as the DEQ and EPA work commitments to be completed during calendar year (CY) 2013.

To present a comprehensive overview of DEQ's efforts to protect water quality, this PPA describes additional DEQ Water Quality Division activities funded by other federal and nonfederal funds. In CY 2013, federal grant work plans will continue to focus on optimizing the use of DEQ Water Quality Division staff to perform more critical water quality work in-house.

## Strategic Priorities

EPA and DEQ were guided in these PPA negotiations by their respective strategic plans and priorities. DEQ and EPA strategic plans are available for review on each agency's website. These strategic plans are broad-based and address more than just water quality strategies and priorities. Figure 1 illustrates the relationship of DEQ and EPA planning processes, including strategic priorities, to the PPA. The PPA offers an opportunity to identify common ground among these priorities and for the agencies to identify opportunities to work collaboratively on some priorities. The following sections describe each agency's strategic priorities. These sets of priorities establish the framework for developing this PPA. Specifically, this PPA incorporates EPA's priorities and targets that correspond to DEQ's priorities and objectives.

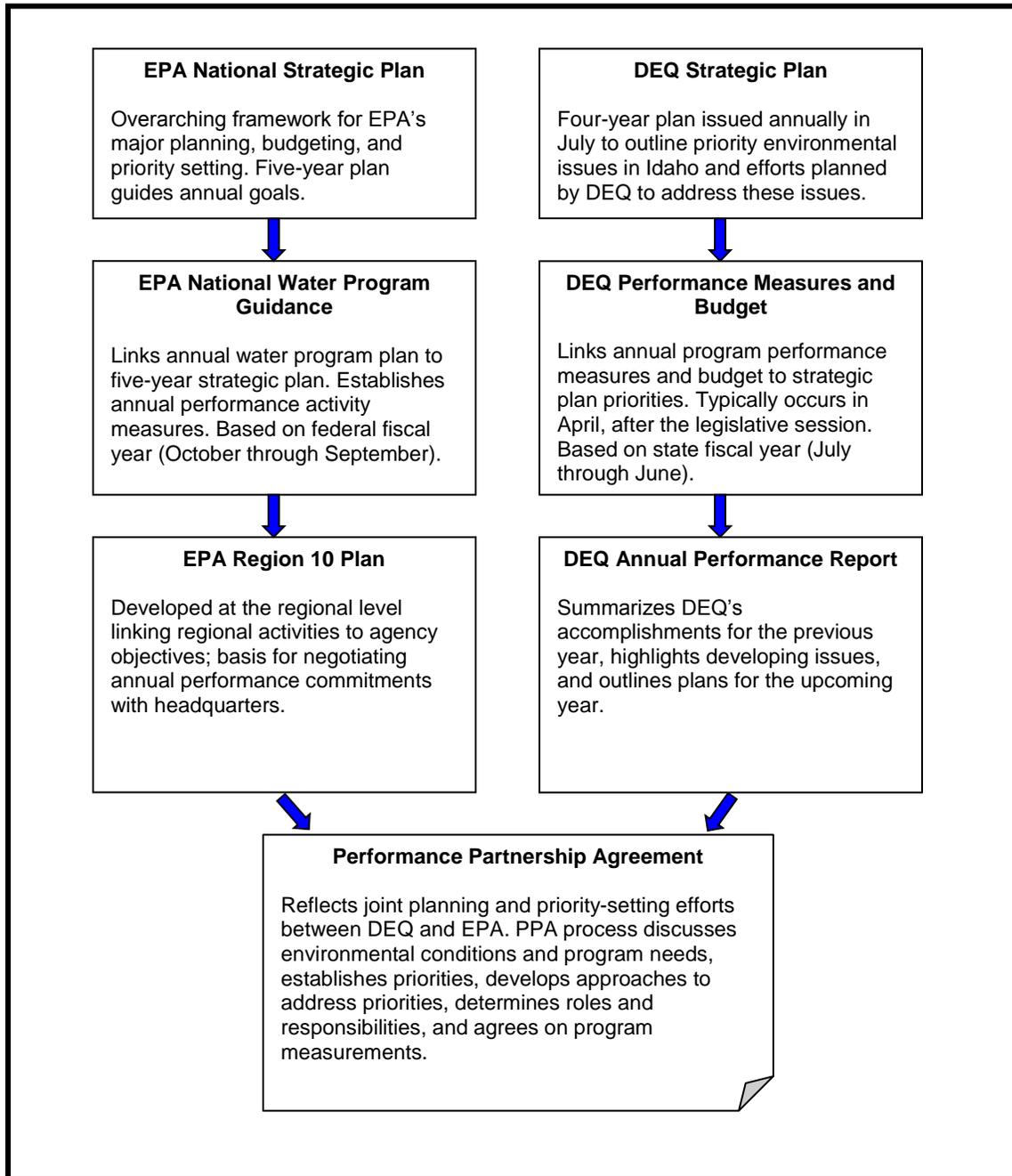


Figure 1. Relationship of DEQ and EPA planning processes to the Performance Partnership Agreement.

## DEQ's Strategic Priorities

DEQ has adopted a strategic plan for 2013 through 2016, available at <http://www.deq.idaho.gov/media/859185-deq-strategic-plan-13-16.pdf>. DEQ's mission is to protect human health and preserve the quality of Idaho's air, land, and water for use and enjoyment today and in the future. DEQ uses environmental outcomes as one method to evaluate the effectiveness of its programs. Specific Water Quality Division objectives include the following:

- Improve ground water quality in identified degraded areas and protect all ground water.
- Improve surface water quality in areas identified as not supporting their beneficial uses or where the state believes threatened or endangered species exist.
- Protect public health by maintaining or improving the quality of Idaho's drinking water.
- Promote watershed-based solutions and emphasize coordination, collaboration, and sharing of expertise across programs in recognizing the entire watershed as one system.
- Encourage environmentally friendly and protective reuse of wastewater.

## EPA's Strategic Priorities

The EPA National Water Program Guidance provides an overarching document of national goals, priorities, and performance measures aimed at making significant progress toward protecting human health and improving water quality. This national program guidance is augmented by the National Program Manager Guidance for enforcement activities in all media. Both documents can be found at <http://www.epa.gov/planandbudget/annualplan/fy2013.html>.

EPA's fiscal year (FY) 2011–2015 strategic plan, available at <http://www.epa.gov/aboutepa/>, captures national goals and describes priorities, strategies, and expectations. EPA Region 10 strives to integrate state and regional priorities with EPA's national strategic planning objectives. The 2011–2015 strategy for EPA Region 10 is available at <http://yosemite.epa.gov/R10/extaff.nsf/reports/regional-strategy>.

EPA Region 10's strategy aligns with the EPA administrator's seven national priorities, two of which are directly related to this PPA—Protecting America's Waters and Building Strong State and Tribal Partnerships. Both priorities have work activities pertaining to water quality. EPA's commitment to partnering and finding workable solutions through the PPA process is articulated in the Building Strong State and Tribal Partnerships priority.

EPA Region 10 identifies the following priorities specific to Idaho water quality for 2013:

- Work with DEQ and Washington Department of Ecology to implement the Spokane River total maximum daily load (TMDL), including Clean Water Act §401 water quality certifications for Idaho dischargers.
- Work with DEQ to complete the nutrient TMDL for the Boise River. Issue draft NPDES nutrient permits and §401 certifications for the Boise River.
- Work with DEQ in investigating the Mid-Snake River nutrient TMDL.
- Work with DEQ to revise the human health criteria for toxics in response to EPA's disapproval action.
- Work with DEQ to implement the eight activities under the EPA Region 10 mercury strategy.

- Implement Idaho’s concentrated animal feeding operation (CAFO) general permit and work with DEQ and Idaho Department of Agriculture to effectively coordinate federal and state program implementation.
- Partner with DEQ to identify and promote sustainable infrastructure projects in Idaho.

## **General Water Quality Agreements**

### **Information and Document Sharing Expectations**

DEQ will submit annual reports to EPA that provide data on the measures indicated in the PPA, unless this information is provided in grant reports. DEQ and EPA will inform each other regarding correspondence about grants, agreements, or products or services rendered from other local, state, and federal agencies or private entities that concern activities covered under this agreement.

### **Training and Technical Assistance**

Each agency, within its resource limitations, will provide training and technical assistance to the other agency upon request.

### **Joint Evaluation of Performance**

Unless stipulated otherwise in the PPA or individual grant conditions, DEQ and EPA will perform semiannual reviews for all PPA commitments. These reviews will occur approximately midyear in May 2013 and near the conclusion of the annual PPA. This joint evaluation of performance will discuss program accomplishments as measured against work plan commitments, existing and potential problem areas, and suggestions for improvement. As a result of these performance evaluations, DEQ and EPA will collaborate on preparing brief progress reports covering their respective commitments in the PPA.

### **Roles and Responsibilities**

Roles and responsibilities for EPA and DEQ are specified in the Program Commitment sections of this PPA.

### **Terms and Conditions**

DEQ and EPA will follow all terms and conditions outlined in the operating agreements, yearly grant agreements, and federal and state statutes and regulations. For the purposes of quantification of effort, 2,080 person hours is one *full-time equivalent* (FTE), also known as one *work year*. As required by 40 CFR Part 35, the following federal sources of funding have been identified in this PPA:

- |  |  |
|--|--|
| • Surface Water §106   | Wastewater reuse; NPDES inspections/capacity development/certifications; wastewater plans/specifications; monitoring initiatives |
| • Ground Water §106  | Ground Water Program-related activities  |
| • Nonpoint Source (NPS) §319                                     | TMDL; NPS; restoration and management plans  |
| • §604(b)/205(j)   | Wellhead protection; On-site Wastewater Program  |
| • TMDL grant   | Key watershed TMDL projects  |
| • State and Tribal Assistance Grants (STAG) administration 3%    | Public works construction oversight  |
| • Drinking Water—Public Water System Supervision (PWSS)          | Drinking Water Program administration  |
| • Drinking Water State Revolving Fund (SRF) capitalization grant | Drinking Water Loans; Loan Program administration; and eligible set-aside activities   |
| • Clean Water State Revolving Fund (CWSRF) capitalization grant  | Wastewater Loans and Loan Program administration   |

## Outcomes

Environmental outcomes are described in the individual program sections.

## Component 1. Surface Water Assessment and Protection Programs

### Program Goal

The goal of DEQ's Surface Water Program is to restore impaired water bodies to conditions supporting designated and existing beneficial uses. DEQ also works to improve surface water quality in areas with endangered species issues. These goals are accomplished through the following activities: monitoring and data collection, assessment, Integrated Report publication (formerly called the §305(b) report and §303(d) list), water quality standards development, and TMDL development. Monitoring and data collection is proposed to continue in CY 2013 at levels similar to CY 2011. DEQ's ambient monitoring program (Beneficial Use Reconnaissance Program [BURP]) was restored on an on-going basis during the 2012 legislative session.

### Program Activities

Where possible, complete remaining TMDLs per the 2002 Idaho TMDL Settlement Agreement. Continue monitoring and assessment activities as budget allows; develop water quality standards. Submit Idaho's 2012 Integrated Report.

## Program Contacts

Michael McIntyre, DEQ, (208) 373-0570

David Croxton, EPA, (206) 553-6694

Angela Chung, EPA, (206) 553-6511

## Program Commitments

### Priorities

- Complete 31 TMDLs from the 2002 TMDL Settlement Agreement (Appendix N, 2010 Integrated Report).
- Complete 259 nonsettlement TMDLs (Appendix O, 2010 Integrated Report).
- Develop implementation plans and, as the budget allows, implement approved TMDLs with designated management agencies.
- Complete 5-year reviews currently underway.
- Coordinate monitoring activities with other state, federal, and private entities. Provide necessary information, including monitoring data, to demonstrate meeting EPA National Management Measures (SP-10 and SP-12).
- Continue to update and modify water quality standards as needed.

### Outcome

Surface water assessment and protection outcomes will increase the percentage of waters supporting beneficial uses and decrease the percentage of waters that do not support beneficial uses addressed by TMDLs.

## Total Maximum Daily Loads

### 1.1 Restore beneficial uses and meet water quality standards in water quality limited water bodies.

#### Approach

Complete remaining subbasin assessments and TMDLs pursuant to the 2002 Idaho TMDL Settlement Agreement. See Outputs item (a) below.

#### Outputs

- a. Complete 31 TMDLs from the 2002 TMDL Settlement Agreement (Appendix N, 2010 Integrated Report).
- b. Complete 259 nonsettlement TMDLs (Appendix O, 2010 Integrated Report).
- c. Complete northern Idaho's best management practices (BMP) report with University of Idaho. Post the report on DEQ's web page when finalized. This project is funded through EPA's one-time \$106 grant (\$42,000).
- d. Share prepublic comment period drafts of TMDLs with EPA.
- e. Share draft of the TMDL data entry form with EPA prior to final TMDL submittal.

- f. Continue to perform pre- and post-TMDL monitoring visits, as the budget allows, to support TMDL development and adaptive management.
- g. DEQ has initiated the development of a nutrient TMDL for the Lower Boise River (LBR). DEQ discussed draft nutrient targets and allocations with the LBR Watershed Advisory Group (WAG) and EPA in September 2012. DEQ anticipates sharing the draft TMDL with the LBR WAG and EPA in November 2013 and starting public comment in December 2013.
- h. Share Tetra Tech’s Mid-Snake River subbasin assessment reevaluation with Mid-Snake River WAG. Based on Tetra Tech’s findings and WAG recommendations, determine whether to revise the Mid-Snake River total phosphorus TMDL.
- i. Continue effort to complete LBR tributary TMDLs for Indian Creek; Willow Creek; Five, Ten, and Fifteen Mile Creeks; and Sand Hollow Creek.
- j. Develop a policy to address tribal waters and their status regarding the 2014 Integrated Report.

### **Schedule**

Subbasin assessment and TMDL completion follows an agreed-upon schedule (per Outputs item 1.1b).

### **Funding**

These activities are funded by state monies appropriated through the Idaho Legislature. Presently, DEQ devotes approximately 42,696 person hours (approximately 20.5 work years) and \$101,160 in operating funds to support this effort. Successful achievement of these activities will depend on additional funding and collaborative efforts with other agencies. TMDL implementation plan development efforts conducted by DEQ staff are funded by state general funds and some federal §319 funds.

### **Contacts**

Michael McIntyre, DEQ, (208) 373-0570

David Croxton, EPA, (206) 553-6694

## **Monitoring, Assessment, and Designation**

### **1.2 Assess monitoring data for beneficial use status.**

#### **Approach**

Submit the final 2012 Integrated Report to EPA by April 2013. Continue to develop and maintain capacity for reporting §305(b) information in the Integrated Report. Continue electronic reporting of Integrated Reports using EPA's assessment database. Continue projects using EPA §106 Monitoring Initiative funding. Participate in first half of EPA’s 2013 National Rivers and Streams Assessment (NRSA) project.

**Outputs**

- a. Complete 28 probabilistically assigned river sites as part of the first 2 years of EPA's 2013 NRSA project (federal fiscal year [FFY] 2012 §106 Monitoring Initiative survey funding [\$224,000]).
- b. Collect and analyze periphyton samples from 240 sites statewide and generate Stream Diatom Index scores, perform assessments, and include results in the 2014 Integrated Report using remaining funds from the FFY 2009 §106 Monitoring Initiative strategy funding. Share the results with EPA.
- c. Share the draft Idaho Lakes Monitoring Methods document with EPA from data collected in 2012. Continue completing this work under the EPA FFY 2010 §106 Monitoring Initiative strategies grant (\$174,000).
- d. Implement at least six BURP ambient monitoring crews during the 2013 field season, with the possibility of a seventh crew.
- e. Share with EPA the Idaho Ambient Monitoring Plan. Complete by June 2013.
- f. DEQ will use the Water Quality Exchange (WQX) Network node to move BURP data to the STORET data warehouse.
- g. Assist in identifying water quality improvements meeting EPA National Management Measures (SP-10, SP-12, and WQ-21).
- h. Undertake the following projects in CY 2013 using §106 funding: nutrient data collection, §401 tracking database, and assessment database data entry application.
- i. Begin development of third edition of the Water Body Assessment Guidance.

**Schedule**

Scheduling and logistics will be key to successfully completing the BURP and NRSA monitoring projects in CY 2013. Timely receipt of semiannual reports prescribed by the terms and conditions of the §106 Monitoring Initiative strategy grants is necessary to effectively manage grant funds.

**Funding**

DEQ estimates approximately 23,442 person hours (equivalent to 11.3 work years) and \$218,695 in operating funds to support this effort in this PPA cycle. Funding sources are state general fund dollars and EPA §106 Monitoring Initiative and NRSA grants.

**Contacts**

Michael McIntyre, DEQ, (208) 373-0570

Gretchen Hayslip, EPA, (206) 553-1685

David Croxton, EPA, (206) 553-6694

## Water Quality Standards

### 1.3 Develop scientifically based functional water quality standards to address program needs and to ensure protection of Idaho water.

#### Approach

DEQ and EPA will work collaboratively to develop revised water quality standards and implementation guidance. DEQ will request applicant status, participate in Endangered Species Act consultations, and submit rulemaking dockets approved by the Idaho Legislature for EPA action. EPA will review and consult on submittals of revisions to Idaho water quality standards.

#### Outputs

- a. Revise DEQ's human health (toxic) criteria. For Idaho, this task will be achieved through negotiated rulemaking that started October 4, 2012.
- b. Share DEQ's review of proposed site-specific criteria request for selenium. Initiate rulemaking for selenium site-specific criterion once the proposal is fully reviewed and revised for selected waters in southeastern Idaho.
- c. If DEQ contemplates revising aquatic life criteria for mercury, DEQ will share any preliminary analysis with EPA. EPA will provide DEQ with a staff-level review.
- d. Provide EPA with an additional list of other possible water quality standards updates and revisions that could be undertaken subject to resource availability and priority changes.
- e. Revise DEQ's 2003 *Concepts and Recommendations for the Using Natural Conditions Provisions of the Idaho Water Quality Standards*. Complete salmonid spawning (location and time frame) as indicated by the contract and draft updated rule.
- f. Provide EPA with DEQ's statewide report on determining salmonid spawning (location and time frame).
- g. Finalize and issue Mixing Zone Guidance as time and resources allow. Discuss mixing zone issues that were not retained in the final guidance.

#### Schedule

DEQ anticipates the items listed in Outputs will be completed and submitted to EPA by December 31, 2013, unless otherwise specified. Issues in Outputs item (a) will not be completed by the end of this PPA cycle due to their complexity.

#### Funding

These water quality standard activities will be funded by monies appropriated through the Idaho Legislature. DEQ estimates approximately 7,925 person hours (equivalent to 3.8 work years) and \$30,249 in operating funds to support this effort. Achievement of future goals will depend on additional funding and collaborative efforts with other agencies.

#### Contacts

Michael McIntyre, DEQ, (208) 373-0570

Angela Chung, EPA, (206) 553-6511

Michael Lidgard, EPA, (206) 553-1755 (mixing zone analyses and §401 certification)

#### 1.4 Component commitments.

##### DEQ Commitments

Refer to Sections 1.1, 1.2, and 1.3 regarding TMDL, monitoring and assessment, and water quality standards activities.

- a. Continue leading the selenium site-specific criteria development work group.
- b. Continue dialog with EPA on inclusion of Idaho mercury fish tissue criterion in NPDES permits and TMDLs.
- c. Share prepublic comment period drafts of TMDLs.
- d. Continue efforts to complete a nutrient TMDL for LBR and listed tributaries.
- e. Implement BURP ambient monitoring across the state. Communicate at least quarterly by conference call on the progress of water quality standards submittal and approval actions, TMDLs, Integrated Report, ambient monitoring, and PPA commitments.
- f. Strengthen working relationship on an ongoing basis.
- g. Both EPA and DEQ will make appropriate staff assignments to each TMDL.
- h. Report overall Surface Water Program progress semiannually regarding submittal and approval actions, TMDLs, and the Integrated Report.
- i. Coordinate review and selection of nonpoint source (NPS) projects and activities directed to priority watersheds, taking into account multiple available funding sources.
- j. Continue support of the watershed approach, using basin monitoring efforts, state program integration, and stormwater planning to emphasize NPS Program results.
- k. Work together on policy for tribal waters and their status for the 2014 Integrated Report.

##### EPA Commitments

- a. Complete 63 TMDLs for the Nez Perce Tribe on the Lower Clearwater River (hydrologic unit code 17060306) (Appendix N, 2010 Integrated Report).
- b. Issue Jordan Creek mercury TMDL.
- c. Continue to provide technical and contractor support to assess Mid-Snake River total phosphorus TMDL.
- d. Participate early, to the extent possible, in high-priority rulemaking proceedings negotiated by DEQ for water quality standards.
- e. Continue EPA participation (reviewing technical documents and providing comments) in DEQ's work group on site-specific fish tissue selenium criteria development.
- f. Approve or disapprove all TMDLs submitted by DEQ on a timely basis.
- g. Act on the current Integrated Report within statutory time frames.
- h. Continue to review and act on DEQ-submitted TMDLs and provide Idaho TMDL Settlement Agreement parties with copies of EPA-approved TMDLs and corresponding action letters on a timely basis.

- i. Improve coordination of NPDES permitting with DEQ mixing zone authorization and TMDL completion.
- j. Continue EPA technical support to DEQ for mercury TMDL development.
- k. Offer technical support, training, and planning assistance for the wetland survey project.
- l. Work with DEQ in reviewing and commenting on DEQ's *Concepts and Recommendations for the Using Natural Conditions Provisions of the Idaho Water Quality Standards*.
- m. Review and comment on revisions to Water Body Assessment Guidance, third edition as they are completed.
- n. Continue EPA participation in negotiated rulemaking meetings for revised human health criteria.
- o. Provide technical assistance to DEQ, as needed, in evaluating fish consumption information and revision to the human health criteria.

## Component 2. Watershed Protection Program

### 2.1 Manage §319 Nonpoint Source Program.

#### Approach

Implement the §319 NPS Program through the EPA-approved Idaho 2000 NPS Management Plan and 2004 EPA §319 guidance. The Idaho NPS Management Plan is available at [http://www.deq.idaho.gov/media/458860-management\\_plan\\_entire.pdf](http://www.deq.idaho.gov/media/458860-management_plan_entire.pdf).

#### Outputs

- a. Successfully award and complete implementation project grants initiated under §319 contracts. These grants are contingent upon approved TMDLs or other water quality priorities and will be based on the amount of funding available. The §319 NPS Management Plan will be used as a guidance document for this activity.
- b. Administer grants in accordance with relevant grant conditions, using the Grant Reporting and Tracking System (GRTS) to report program activities on all mandatory elements, including estimated project load reductions (for nitrogen, phosphorus, and sediment as applicable). DEQ will enter all GRTS loan reduction estimates for previous year projects by February 15, FY 2013 and all other GRTS mandatory elements by April 1, 2013, under the national deadlines. DEQ will complete a draft update to the state NPS Management Plan under EPA guidance by September 30, 2013.
- c. Complete and submit an annual report for the NPS Management Program and §319 grant.
- d. Update the NPS memorandums of understanding, as necessary.
- e. Perform §319 project reviews using the NPS Management Plan as guidance. DEQ and EPA will continue to work together on the process and documentation for use of §319 funds, implementing the nine-element watershed-based plan (including qualifying TMDL plans) in impaired waters.

- f. With EPA assistance, work to identify and integrate outside funding with §319 funding to provide increased funding for implementation work in priority watersheds, per DEQ's 2013–2016 Strategic Plan.
- g. As requested, help to identify potential success stories under EPA criteria. Success stories are a means to document the national NPS Program measure WQ-10 (if partial or full water body restoration is achieved) or progress toward restoration (non-WQ-10). For those stories that qualify, and with EPA's support, seek to develop a minimum of two WQ-10 success stories yearly. DEQ and EPA will continue to work together to assess and target monitoring needs to document NPS water quality improvements under the strategic program measures.
- h. Continue to develop a process to ensure that approvable §319-funded project work plans fully evaluate alternative designs or measures that best address the primary long-term water quality objectives of the proposal.

### **Schedule**

Activities conducted under the §319 NPS Program will follow milestones identified in the §319 NPS grant work plan.

### **Funding**

EPA funds approximately 60% of the §319 NPS Program, while 40% in matching funds comes from state and local monies. DEQ estimates approximately 11,333 person hours (approximately 5.45 work years) and approximately \$287,532 from the federal §319 grant to support §319 DEQ administrative activities. The §319 NPS grant was reduced 6.6% last year from \$2,073,000 to \$1,936,000. and EPA acknowledge that ongoing effective implementation of DEQ's §319 NPS Program is contingent on the ability of the state to meet match and ancillary grant requirements (e.g., monitoring) and on the ability of the ultimate subgrant recipients to meet match requirements. DEQ and EPA agree to work in partnership to flexibly meet and address such funding challenges.

### **Contacts**

Tim Wendland, DEQ, (208) 373-0439

Dave Pisarski, DEQ, (208) 373-0464

Rick Seaborne, EPA, (206) 553-8510

## **2.2 Component commitment.**

### **EPA Commitments**

EPA will work with DEQ to find the most expeditious mechanisms to use the state's full §319 allocation while minimizing the need for carryover funds between grants.

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## Component 3. Wastewater Permitting Program

### Program Goal

The goal of the Wastewater Permitting Program is to ensure wastewater is used in a manner that protects human health and the environment with respect to surface water and ground water. DEQ also supports the ultimate goal of the NPDES Program by encouraging the elimination of pollutant discharges to waters of the United States.

### Program Activities

Process wastewater reuse permits, perform compliance oversight of wastewater reuse-permitted facilities, assist public health districts in on-site wastewater permitting, develop program guidance materials, and ensure statewide consistency.

### Program Contacts

Chas Ariss, P.E., DEQ, (208) 373-0561

Michael Lidgard, EPA, NPDES Unit, (206) 553-1755

Maria Lopez, EPA, Idaho NPDES Liaison, (208) 378-5616

### Program Commitments

#### Priorities

- Conduct 50 wastewater reuse permit inspections.
- Issue 20 protective wastewater reuse permits.
- Conduct timely review of wastewater reuse annual reports.

#### Outcome

The outcome of the wastewater permitting goal will decrease the number of wastewater facilities that discharge to waters of the United States.

#### 3.1 Process 20 wastewater reuse permits by December 31, 2013.

##### Approach

Priority will be given to new facilities, industrial facilities with expired permits, facilities with inadequate reuse permit limits, and facilities with the potential to impact impaired water bodies.

##### Outputs

- a. Issue wastewater reuse permits.
- b. Transmit to EPA, on a semiannual basis, a list of permits issued.

**Schedule**

DEQ will report on the number of wastewater reuse permits issued from January 1 to June 30, 2013, by July 31, 2013.

DEQ will transmit to EPA a list of all wastewater reuse permits issued in CY 2013 within 30 days of the end of the calendar year.

**Funding**

State monies and federal (EPA) grants, including Surface Water §106, fund this activity. Staff in DEQ's State Office Water Quality Division and six DEQ regional offices will complete this activity.

Activity	Level of Effort
Wastewater Reuse Permitting	7.5 FTE

**Contacts**

Chas Ariss, P.E., DEQ, (208) 373-0561

Michael Lidgard, EPA, NPDES Unit, (206) 553-1755

Maria Lopez, EPA, Idaho NPDES Liaison, (208) 378-5616

**3.2 Provide compliance oversight of wastewater reuse permitted facilities.****Approach**

Provide oversight of permits for compliance with permit conditions by conducting field inspections and reviewing annual reports. Perform enforcement and compliance actions as needed.

**Outputs**

- a. Complete 50 inspection reports.
- b. Complete 60 annual report reviews.
- c. Report progress semiannually on the number of inspections and annual report reviews completed.

**Schedule**

All performance measures will be met by the end of the calendar year.

**Funding**

This activity is funded by state funds and federal (EPA) grant monies, including Surface Water §106 funds. Staff in DEQ's Technical Services Division, State Office Water Quality Division, and six regional offices will complete this activity.

<b>Activity</b>	<b>Level of Effort</b>
Compliance activities	4.0 FTE

### **Contacts**

Chas Ariss, P.E., DEQ, (208) 373-0561

Michael Lidgard, EPA, NPDES Unit, (206) 553-1755

Maria Lopez, EPA, Idaho NPDES Liaison, (208) 378-5616

### **3.3 Develop program guidance materials and ensure statewide consistency.**

#### **Approach**

Staff in DEQ’s State Office Water Quality Division will be responsible for developing materials for regional offices to use in implementing the Wastewater Reuse Program in the field, including direction, guidance, and tracking systems. A guidance development work group, comprised of DEQ representatives, stakeholders, consultants, and individuals, is currently revising the guidance. Higher priority items are being revised first. The effort is expected to be ongoing for several years. Guidance topics that are being worked on include forest application rates; irrigation guidance; rapid infiltration; quality assurance project plan; and plan of operations. An annual permit writer workshop is held with DEQ staff to ensure statewide consistency. Additionally, DEQ coordinates the recycled water workshop to inform the regulated community and consultants about the latest trends in Recycled Water Rules, implementation, and case studies.

#### **Outputs**

- a. Provide copies of the most current draft guidance semiannually and final guidance once finalized.
- b. Provide wastewater reuse training to new and existing staff as funding is available.
- c. Hold reuse permit writer workshop.
- d. Coordinate and host the annual DEQ wastewater reuse conference.

#### **Schedule**

All performance measures will be met by the end of the calendar year.

#### **Funding**

This activity is funded by state funds and federal (EPA) grant monies, including Surface Water §106. Primarily staff in DEQ’s State Office Water Quality Division will complete this activity with support from DEQ’s Technical Services Division and the six regional offices.

<b>Activity</b>	<b>Level of Effort</b>
Develop guidance and ensure consistency	1.7 FTE

### **Contacts**

Chas Ariss, P.E., DEQ, (208) 373-0561

Michael Lidgard, EPA, NPDES Unit, (206) 553-1755

Maria Lopez, EPA, Idaho NPDES Liaison, (208) 378-5616

### **3.4 Water Quality §106 grant performance measures—provide annual performance measure report.**

#### **Approach**

An annual performance measure report will be provided by DEQ to indicate progress in eliminating pollutants from surface water by wastewater reuse activities. Overall, surface water is improved by the reduction of pollutant discharges, ultimately contributing to the goal of the NPDES Program to eliminate pollutant discharge.

#### **Outputs**

- a. Total gallons annually of wastewater with pollutants eliminated from discharge to surface water by reusing wastewater. Pounds of pollutants removed will also be provided if available for the following constituents: nitrogen, phosphorus, and chemical oxygen demand. A qualitative description will be provided for the various types of water reuse permits issued by DEQ to address public health risks.
- b. Total number of facilities that reuse wastewater, thereby reducing the number of new facilities requiring NPDES permits and reducing the backlog of expired and new NPDES permits issued by EPA.

#### **Schedule**

The annual performance measure report will be provided within 60 days after the end of the calendar year.

#### **Funding**

Funding for this activity consists of 208 person hours (0.1 work years) from Water Quality §106 funds.

### **Contacts**

Chas Ariss, P.E., DEQ, (208) 373-0561

Michael Lidgard, EPA, NPDES Unit, (206) 553-1755

Maria Lopez, EPA, Idaho NPDES Liaison, (208) 378-5616

**3.5 Manage the On-Site Wastewater Program; revise the *Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems*, assist the public health districts in issuing on-site permits; review large system plans and specifications; and perform nutrient-pathogen studies.**

**Approach**

DEQ’s State Office provides guidance materials and overall management activities related to this program through funding of the §604(b) grant. The regional offices will be responsible for reviewing plans and specifications and ground water impact studies.

**Outputs**

- a. Revise the Technical Guidance Manual.
- b. Provide public health district training, audits, and program reviews.
- c. Review plans and specifications for large systems.
- d. Assist in the review of nutrient-pathogen studies.

**Schedule**

Activities will be completed on an as-needed basis. Plans and specifications and nutrient pathogen studies will be completed within 42 days of submittal if possible.

**Funding**

Funding for this activity includes Water Quality §106 funds, federal (EPA) §604(b) grant, and state funds.

Activity	Level of Effort
On-site coordination, plan reviews, other guidance, and training	2.22 FTE

**Contacts**

- Chas Ariss, P.E., DEQ, (208) 373-0561
- Tyler Fortunati, DEQ, (208) 373-0140
- Carla Fromm, EPA, Idaho Operations Office, (208) 378-5755
- Mike Lehner, EPA, Grants and Planning Unit, (206) 553-6349
- Maria Lopez, EPA, Idaho NPDES Liaison, (208) 378-5616

**3.6 Component commitment.**

**EPA Commitment**

Encourage wastewater reuse where it is a preferable alternative to wastewater discharge to waters of the United States.

## Component 4. Ground Water Program

### Program Goal

The goals of the DEQ Ground Water Program are to protect and improve the quality of the state's ground water and ensure that existing and future beneficial uses including drinking water, agricultural, industrial, and aquaculture water supplies are met. All ground water is to be protected against contamination as a valuable public resource as per Idaho's "Ground Water Quality Rule" (IDAPA 58.01.11). The quality of degraded ground water is to be restored where feasible and appropriate to support designated beneficial uses.

Since October 2005, the Ground Water Program also coordinates source water assessment and protection activities to protect public sources of drinking water.

### Program Activities

Coordinate all ground water and source water protection-related programs funded by EPA in Idaho, develop and implement Ground Water Quality Improvement Plans (formerly known as Ground Water Quality Management Plans) in priority areas of the state, develop guidance for interpreting the Ground Water Quality Rule, and implement Idaho's source water protection strategies.

Perform other activities related to the Ground Water Program and source water protection (rule interpretation and implementation, project and contract management, policy development and implementation, public education and outreach, regional/local ground water monitoring, source water assessments for new sources, and source water protection plans and projects).

### Program Contacts

Ed Hagan, DEQ, (208) 373-0356

Susan Eastman, EPA, (206) 553-6249

### Program Commitments

#### Priorities

- Coordinate and integrate development and implementation of Ground Water Quality Improvement Plans in nitrate priority areas (NPAs) with Source Water Protection Plans to more efficiently use limited resources.
- Continue ground water monitoring in NPAs and other areas of concern throughout the state to determine the nature and extent of contamination, set a baseline for effectiveness of BMPs, and evaluate ground water quality improvement activities.
- Implement the Ground Water Quality Rule and the *Idaho Ground Water Quality Plan* with other designated agencies through participation in the Idaho Ground Water Protection Interagency Agreement. Signatory parties to the agreement include DEQ,

Idaho Department of Water Resources, Idaho Department of Agriculture, Idaho Public Health Districts and Idaho Soil and Water Conservation Commission.

- Populate DEQ's ground water quality database with new and historical ground water quality data. Continue refinements to DEQ's online mapping applications for the ground water quality database and technical reports to increase accessibility for the public.
- Assist interested parties with implementing source water protection efforts. One avenue of assistance includes distributing source water protection grants. Source water protection grants provide funding for projects that protect sources of public drinking water. Eligible activities include those that reduce the risk of contamination to a drinking water source. Projects must contribute to improved protection of one or more public water supply sources.
- Provide education and outreach, including general ground water education to the public. Promote ground water BMPs to landowners and stakeholders, educate local governments about the responsibilities for ground water protection, and assist with developing ordinances for source water and ground water protection.

### Outcomes

- Increased number of NPAs with decreasing nitrate concentration trends.
- Minimized risk to public health for populations served by community water systems through implementation of Idaho's source water protection strategies.
- Increased availability of source water assessment information and ground water quality data through online applications to increase public awareness of the source of drinking water and importance of ground water protection to protect drinking water quality.

### Program Indicators

Program indicators are the number of improvement plans/strategies implemented in areas with degraded ground water quality, as well as percentages of community water systems and/or populations served by community water systems covered by drinking water source protection strategies.

#### 4.1 **Manage, oversee, and provide administrative support to the Ground Water Program, and coordinate other ground water activities.**

##### **Approach**

DEQ will administer the Idaho Ground Water Program to ensure statewide consistency with the DEQ State Office and regional offices.

##### **Outputs**

- a. Coordinate Ground Water §106 grant and PPA activities with regional offices during development of their annual work plans and budgets.
- b. Coordinate with EPA to develop the ground water tasks and language in the 2014 PPA and annual Ground Water §106 work plan and budget.
- c. Coordinate Ground Water §106 grant activities with DEQ programs that regulate activities impacting ground water such as wastewater reuse, brownfields projects, and ground water remediation projects.

- d. Conduct monthly program conference calls with DEQ regional office ground water program staff and DEQ technical services personnel.
- e. Organize and conduct Ground Water Program meetings.
- f. Organize and coordinate training for program staff as needed.
- g. Develop midyear and annual Ground Water §106 grant and PPA reports.
- h. Revise and develop the ground water portion of DEQ’s strategic plan.

### **Schedule**

The schedule will include quarterly coordination calls and semiannual grant reporting calls with EPA. DEQ will contact EPA’s project officer to discuss any issues that will affect the successful completion of the grant commitments as soon as DEQ becomes aware of issues.

### **Funding**

This activity will be funded with a combination of EPA Ground Water §106 funds and state funds. DEQ staff working on this activity will consist of the state office program manager, regional office managers, regional office technical leads, and administrative support. The projected level of effort for this activity is estimated to be 1.1 work year (of which approximately 0.5 work years is funded from the federal Ground Water §106 grant). State general funds will fund 0.6 work years of effort.

### **Contacts**

Ed Hagan, DEQ, (208) 373-0356

Susan Eastman, EPA, (206) 553-6249

## **4.2 Coordinate ground water implementation strategies for a comprehensive program with state and federal agency partners.**

### **Approach**

DEQ will coordinate activities with other agencies for protecting ground water.

### **Outputs**

- a. Chair the Ground Water Monitoring Technical Committee.
- b. Participate in interagency coordination efforts as needed to fulfill DEQ’s obligations as required by statute and the *Idaho Ground Water Quality Plan*. Existing committees in which DEQ participates include Agricultural Ground Water Coordination Committee, Idaho Ground Water Education Committee, and Idaho Pesticide Management Plan Rule Advisory Group.
- c. Implement the 2008 Idaho Ground Water Protection Interagency Cooperative Agreement and other existing cooperative agreements. Signatory parties to the Idaho Ground Water Protection Interagency Cooperative Agreement include DEQ, Idaho Department of Water Resources, Idaho State Department of Agriculture, Idaho Public Health Districts, and Idaho Soil and Water Conservation Commission.

**Schedule**

Ground Water Monitoring Technical Committee meetings are held approximately every 6 months. Other interagency meetings occur on a semiannual to annual basis.

**Funding**

This activity will be funded with a combination of EPA Ground Water §106 funds and state funds. DEQ staff working on this activity will consist of the state office program manager and staff, regional office managers, and regional office technical leads. The projected level of effort for this activity is estimated to be 0.4 work years (of which approximately 0.2 work years is funded from the federal Ground Water §106 grant). State general funds will fund 0.2 work years of effort.

**Contacts**

Ed Hagan, DEQ, (208) 373-0250

Susan Eastman, EPA, (206) 553-6249

**4.3. Interpret and implement the Ground Water Quality Rule, develop guidance, and develop policy.**

**Approach**

Continue implementing the *Idaho Ground Water Quality Plan*. Coordinate Ground Water Quality Rule interpretation and implementation with DEQ's State Office and regional offices.

**Outputs**

- a. Continue to provide technical support for implementing and enforcing the Ground Water Quality Rule to DEQ staff in other programs and in the regional offices. Assist other state agencies, the general public, and the regulated community on an as-needed basis.
- b. Develop guidance documents for interpreting the Idaho Ground Water Quality Rule as needed. Guidance documents may include points of compliance for mining; ground water protection during natural gas development activities; and social and economically justifiable ground water degradation.
- c. Continue to provide revisions to DEQ's Quality Assurance Project Plan (QAPP) and assist with developing state QAPPs and project-specific field sampling plans.

**Schedule**

Final outputs are scheduled for December 31, 2013, and may be subject to change, depending on allocation of state resources and priorities.

**Funding**

This activity will be funded with a combination of EPA Ground Water §106 funds and state funds. DEQ staff working on this activity will consist of the state office program

manager and staff and, to a lesser extent, regional office technical leads. The projected level of effort for this activity is estimated to be 1.8 work years (of which approximately 0.8 work years is funded from the federal Ground Water §106 grant). State general funds will fund 1.0 work years of effort.

### **Contacts**

Ed Hagan, DEQ, (208) 373-0356

Susan Eastman, EPA, (206) 553-6249

## **4.4 Implement ground water quality improvement activities, including improvement plans, in priority areas of the state.**

### **Approach**

DEQ is focusing on combining GWQIPs with source water protection efforts at the county level. By developing county-level information, multiple NPAs within a county can be addressed. DEQ will continue to work with the public and relevant agencies in the area to develop ground water quality improvement strategies. DEQ is educating local governments about their authorities and responsibilities for implementing source water and ground water protection activities.

### **Outputs**

Ground Water Quality Improvement Plans that are consistent with the *Idaho Ground Water Quality Plan*, “Ground Water Quality Rule,” and DEQ policy PM-004, “Policy for Addressing Degraded Ground Water Quality Areas” and contain effective strategies for restoring degraded areas.

- a. Provide education and information to elected officials, such as county commissioners, or local advisory groups, on ground water degradation and the need for source water and ground water protection. Implementation efforts will be directed toward more populous counties containing a large number of source water protection areas and NPAs. Counties exhibiting a desire to implement protection activities will also be prioritized for assistance. Once the source water susceptibility score interactive mapping application is developed, efforts will be directed toward areas where public water systems with high susceptibility scores are clustered.

### **Schedule**

Final outputs are scheduled for December 31, 2013, and may be subject to change, depending on allocation of state resources and priorities.

### **Funding**

This activity will be funded with state funds. DEQ staff working on this activity will consist of regional office managers and regional office technical leads. The projected level of effort for this activity is estimated to be 1.0 work years of effort.

**Contacts**

Toni Mitchell, DEQ, (208) 373-0250

Susan Eastman, EPA, (206) 553-6249

**4.5 Conduct ground water quality monitoring projects and manage ground water quality data.****Approach**

DEQ will work with the public and coordinate with relevant agencies in the area to develop and implement ground water quality monitoring studies. Ground water quality monitoring projects will be coordinated with existing projects underway by other agencies.

**Outputs**

- a. Develop and conduct local or regional monitoring projects as a result of follow-up monitoring activities, or aquifer protection activities. Follow-up ground water sampling events may be initiated after detection by other agencies, public water system detections, or on the basis of individual complaints or concerns.
- b. Continue to populate the DEQ ground water quality database with new and historical ground water quality data. Continue improvements to the database to increase efficiency of data entry. Continue improvements for DEQ's online mapping application to include greater constituent query capabilities and increased data download features.
- c. Prepare an annual report of all data collected with public funds during CY 2012.
- d. Complete 5-year revision of NPA process, and score and rank delineated NPAs. Submit proposed ranking for public comment, respond to public comments, and publish updated NPAs.
- e. Participate in the CAFO site advisory team comprised of members from DEQ, Idaho State Department of Agriculture, and Idaho Department of Water Resources. The CAFO site advisory team provides suitability determinations for counties to use when considering conditional use or livestock confinement operation permits.

**Schedule**

NPA update is anticipated to be complete by December 31, 2013. Monitoring projects are not yet identified for CY 2013.

**Funding**

This activity will be funded with a combination of EPA Ground Water §106 funds and state funds. DEQ staff working on this activity will consist of state office program staff and regional office technical leads. The projected level of effort for this activity is estimated to be 2.0 work years (of which approximately 0.5 work years is funded from the federal Ground Water §106 grant). State general funds will fund 1.5 work years of effort.

**Contacts**

Jessica Atlakson, DEQ, (208) 373-0121

Susan Eastman, EPA, (206) 553-6249

**4.6 Manage and implement ground water quality protection strategies for managed recharge.****Approach**

Continue managing and implementing Idaho's Ground Water Quality Program. Coordinate with DEQ regional offices and other agencies to interpret the Ground Water Quality Rule and authorities under Section 600 of the "Wastewater Rules" (IDAPA 58.01.16) for land application of recharge water.

**Outputs**

- a. Continue to work with the Idaho Department of Water Resources at existing and proposed recharge sites to monitor ground water quality potentially impacted by aquifer recharge activities.
- b. Review and make recommendations for water quality monitoring plans for land application by recharge water projects. Continue to support development of managed recharge projects. Participate in aquifer working groups if requested.
- c. Review and provide comments to the Idaho Department of Water Resources on injection well permits related to aquifer recharge and tracer tests.

**Schedule**

Final outputs are scheduled for December 31, 2013, and are subject to change depending on allocation of state resources and priorities.

**Funding**

This activity will be funded with a combination of EPA Ground Water §106 funds and state funds. DEQ staff working on this activity will consist of state office program staff, regional office managers, regional technical leads, and administrative support. The projected level of effort for this activity is estimated to be 0.2 work years (of which approximately 0.1 work years is funded from the federal Ground Water §106 grant). State general funds will fund 0.1 work years of effort.

**Contacts**

Toni Mitchell, DEQ, (208) 373-0250

Susan Eastman, EPA, (206) 553-6249

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**4.7 Conduct public education and outreach activities, provide staff training, and implement program.****Approach**

Continue education and outreach activities to encourage voluntary implementation of ground water protection activities. Activities will be coordinated with other agencies such as the Idaho State Department of Agriculture and Idaho Department of Water Resources.

**Outputs**

- a. Provide informational presentations and technical assistance and respond to public information requests. An average of 10 such requests is anticipated each month.
- b. Conduct workshops and open houses and participate in fairs and other community events.
- c. Participate in ground water quality education activities geared toward school teachers and students.
- d. Promote adoption of BMPs for ground water.
- e. Promote use of online mapping applications for ground water quality database, technical reports, and NPAs. Direct public records requests for such data to online applications.

**Schedule**

Final outputs are scheduled for December 31, 2012, and are subject to change depending on allocation of state resources and priorities.

**Funding**

This activity will be funded with a combination of EPA Ground Water §106 funds and state funds. DEQ staff working on this activity will consist of state office program staff, regional office managers, regional technical leads, and administrative support. The projected level of effort for this activity is estimated to be 1.9 work years (of which approximately 0.2 work years is funded from the federal Ground Water §106 grant). State general funds will fund 1.7 work years of effort.

**Contacts**

Ed Hagan, DEQ, (208) 373-0356

Susan Eastman, EPA, (206) 553-6249

**4.8 Conduct source water protection activities.****Approach**

DEQ will coordinate activities with other agencies, cities, and counties, as well as the Idaho Rural Water Association source water protection staff. DEQ will continue to conduct a source water protection grant program and sponsor and/or participate in regional source water protection educational outreach and training events.

**Outputs**

- a. Number of source water assessments completed for new sources.
- b. Number of source water protection plans completed and/or recertified.
- c. Number of source water protection projects completed.
- d. Number of outreach or educational events.

DEQ will annually provide EPA a list of completed source water assessments and source water protection plans, an example of one completed source water protection project, and a list of completed projects for the year. DEQ will provide EPA with a summary of the status of the grant program that includes descriptions of new projects awarded funding as well as a review of grant accomplishments.

**Schedule**

Final outputs scheduled for June 30, 2013.

**Funding**

This activity will be funded by the EPA SRF wellhead 10% set-aside (1452(g)(2)) and §319 funds. DEQ staff working on this activity will consist of state office program managers, regional office technical lead persons, and administrative support, estimated at a level of approximately 8 work years and funded by the SRF wellhead 10% set-aside.

**Contacts**

Amy Williams, DEQ, (208) 373-0115

Susan Eastman, EPA, (206) 553-6249

**4.9 Component commitments.****DEQ and EPA Commitments**

- a. Review Ground Water Program progress on an annual basis. DEQ will contact the EPA project officer to discuss any issues that will affect the successful completion of the grant commitments as soon as DEQ become aware of issues.
- b. Continue to improve, maintain, and protect the quality of ground water in Idaho and seek additional resources to implement actions to accomplish that goal.
- c. Continue coordination and communication across program boundaries.
- d. Focus resources in prioritized areas with significant ground water quality degradation and in areas with a high density of public water system wells with high source water assessment susceptibility scores.
- e. Continue to share strategies on successful BMPs implementation to reduce nitrate concentrations in degraded ground water areas.

## Component 5. NPDES Program

### Program Goal

The goal of the NPDES Program is to maintain or improve the waters of the United States, which include surface waters of the state, and eliminate pollutant discharge. EPA currently retains primacy for the NPDES Program in Idaho. EPA is responsible for issuing and enforcing all NPDES permits. DEQ is responsible for certifying compliance of all NPDES permits with water quality standards and performing a negotiated number of compliance inspections per year for EPA. DEQ conducts approximately 50 NPDES inspections per year. DEQ will continue to maintain the capacity to perform tasks identified in the PPA.

### Program Activities

- Perform NPDES compliance inspections.
- Review plans for wastewater facilities construction.
- Certify NPDES permits.
- Track and communicate NPDES-related enforcement actions with EPA.
- Maintain DEQ capacity to perform NPDES compliance inspections.
- Implement the authorization agreement between DEQ and EPA regarding issuance of EPA inspector credentials under the federal Clean Water Act.

### Program Contacts

Chas Ariss, P.E., DEQ, (208) 373-0561

Michael McIntyre, DEQ, (208) 373-0570

Michael Lidgard, EPA, (206) 553-1755

Jeff Kenknight, EPA, (206) 553-6641

### Program Commitments

#### Priorities

- Complete approximately 50 quality assurance (QA)-reviewed NPDES inspections in CY 2013.
- Complete QA-reviewed complaint response inspections as directed by EPA in CY 2013.
- EPA will provide DEQ a plan for CY 2013–2015 to issue NPDES permits, as well as an annual schedule for CY 2013.
- Use EPA’s plan and DEQ’s §401 Guidance to prepare §401 certifications.
- Implement the authorization agreement between DEQ and EPA regarding issuance of EPA inspector credentials.

## Outcomes

- Fifty QA-reviewed NPDES compliance inspections completed.
- QA-reviewed NPDES complaint response inspections, if they arise and as directed by EPA.
- NPDES certifications performed in a timely manner.
- Maintain the training of DEQ inspectors to be credentialed as specified in EPA Order 3500.1.

### 5.1 NPDES activities—perform NPDES inspections; certify NPDES permits; review plans and specifications for wastewater facilities construction; track sanitary sewer overflows; and notify EPA of enforcement actions of interest.

#### Approach

To assist in improving waters of the United States, which include surface waters of the state, DEQ will perform compliance inspections for EPA, provide water quality certifications, and review plans and specifications for wastewater facilities construction.

#### Outputs

- a. Inspection list: EPA and DEQ will negotiate an enforcement confidential DEQ inspection list by November 15 each year. The enforcement confidential list will include the facility name, NPDES permit number, DEQ regional office conducting the inspection, and the quarter in which the inspection will occur.
- b. Perform inspections consistent with the negotiated annual inspection list. Copies of DEQ's regional office inspection reports will be e-mailed to A.J. Maupin, [aj.maupin@deq.idaho.gov](mailto:aj.maupin@deq.idaho.gov) as TRIM links, and e-mailed to Maria Lopez, [lopez.maria@epa.gov](mailto:lopez.maria@epa.gov). Maria Lopez will forward the inspection reports to the appropriate EPA Region 10 staff.
- c. Perform complaint response inspections as needed, and submit reports and associated forms as required for all NPDES inspections. These complaint inspections may be completed by suitably qualified DEQ staff.
- d. Provide comments on preliminary draft permits and draft §401 certifications as appropriate, and final §401 certifications for proposed final permits.
- e. Provide plan approval letters for wastewater facilities construction and copy Maria Lopez, EPA, Idaho Operations Office on these letters.
- f. Provide quarterly reports that include a list of inspections conducted and a list of inspection reports completed during the period. The lists shall include the facility name, permit number, report date, and inspection date. Quarterly reports shall be e-mailed to Maria Lopez, [lopez.maria@epa.gov](mailto:lopez.maria@epa.gov).
- g. Notify EPA of sanitary sewer overflows (sanitary sewer overflows and collection system backups) and enforcement actions of interest. Enforcement actions of interest include biosolids, septage, and unauthorized discharges from wastewater reuse sites to surface waters. Notification shall be e-mailed to Maria Lopez, [lopez.maria@epa.gov](mailto:lopez.maria@epa.gov).
- h. Prepare an annual sanitary sewer overflow report. The report will include a list of all sanitary sewer overflow events by NPDES-permitted and unpermitted facilities, estimated volume, responsible party, receiving water (if any), and solutions. The

annual report shall be e-mailed to Maria Lopez, [lopez.maria@epa.gov](mailto:lopez.maria@epa.gov), and emailed with a TRIM link to Chas Ariss, [chas.ariss@deq.idaho.gov](mailto:chas.ariss@deq.idaho.gov).

- i. Conduct QA review of all NPDES inspections, including complaint response inspections, by a senior inspector or engineering manager.
- j. Work with EPA to obtain EPA credentials for Idaho inspectors that conduct inspections on EPA’s behalf. This output will include a list of credentialed inspectors and staff seeking to become qualified to receive credentials. The list will be provided to EPA no later than May 1, 2013.

**Schedule**

Engineering plans and specifications will be reviewed within 42 days (45 days for aquaculture facilities). Water Quality §401 certifications will be issued within 60 days. NPDES compliance inspections will be conducted within the period scheduled, and NPDES compliance inspection reports will be completed within 60 days after inspections are completed and, if possible, within 30 days if no sampling is performed.

**Funding**

This activity will be funded by state and federal (EPA) grant monies, including Surface Water §106 funds. Staff in DEQ’s Technical Services Division, State Office Water Quality Division, and six regional offices will complete these activities. The level of effort projected for this activity is 16,432 person hours (approximately 7.9 work years).

Activity	Level of Effort
NPDES inspections, sanitary sewer overflow reporting, enforcement coordination, and 8 to 10 compliant response inspections.	2.0 FTE
Review wastewater plans	5.4 FTE
Certify permits	0.5 FTE

**Contacts**

- Chas Ariss, P.E., DEQ, (208) 373-0561
- Michael McIntyre, DEQ, (208) 373-0570
- Michael Lidgard, EPA, (206) 553-1755
- Jeff Kenknight, EPA, (206) 553-6641

**5.2 Coordinate biosolids and stormwater activities.**

**Approach**

Improve coordination of the stormwater and biosolids programs with EPA, other state agencies, and the regulated community.

**Outputs**

- a. DEQ will continue to provide compliance assistance to EPA’s permit writer, particularly related to reissuance of the stormwater construction general permit, the multisector general permit, and assistance to local municipalities complying with MS4 NPDES permits.
- b. Depending on EPA-sponsored training, DEQ will begin to develop inspection capabilities for other sectors during this PPA cycle. EPA will provide training as resources allow to DEQ inspectors.
- c. DEQ will review proposals for land application of biosolids and domestic septage and will approve or disapprove land application sites in accordance with state regulations and 40 CFR Part 503.
- d. DEQ will revise and promote DEQ’s Catalog of Stormwater BMPs as needed.
- e. DEQ will provide basic information and referrals on stormwater issues.
- f. DEQ will provide draft and final §401 certifications as appropriate for MS4 stormwater permits and statewide stormwater general permits.

**Schedule**

Activities will be completed on an as-needed basis.

**Funding**

Activities are funded in part by a federal Water Quality §106 grant.

Activity	Level of Effort
Biosolids	0.3 FTE
Stormwater	Not budgeted as separate line item

**Contacts**

- Chas Ariss, P.E., DEQ, (208) 373-0561
- Michael Le, EPA, Biosolids, (206) 553-1099
- Misha Vakoc, EPA, Stormwater, (206) 553-6650
- Jeff Kenknight, EPA, (206) 553-6641

**5.3 Component commitments.**

**EPA Commitments**

- a. Work with DEQ to determine the annual NPDES compliance inspection schedule by November 15.
- b. Implement EPA’s CY 2013–2015 operating plan to reduce the backlog of expired NPDES permits and issue permits to new sources. This plan, with the list of targeted permits, will be shared with DEQ and will be updated yearly so that DEQ can properly manage §401 certification and mixing zone evaluation responsibilities.

- c. Provide a schedule of Phase 2 municipal separate storm sewer system (MS4) stormwater, construction, and all other stormwater-related permitting activities by January 2013.

#### **DEQ Commitments**

- a. Submit completed NPDES compliance inspection reports and complaint response inspection reports in a timely manner to Maria Lopez, [lopez.maria@epa.gov](mailto:lopez.maria@epa.gov), EPA.
- b. On a quarterly basis, provide a report to Maria Lopez, EPA, summarizing inspections conducted.
- c. Complete NPDES draft permit reviews and §401 certifications.
- d. Review wastewater construction plans.
- e. Review proposals for land application of biosolids and domestic septage and approve or disapprove land application sites in accordance with state regulations and 40 CFR Part 503.
- f. Assist EPA in implementing the Phase 2 MS4 Stormwater Program in Idaho by providing input into permitting.
- g. Track sanitary sewer overflows and report to EPA on an annual basis.
- h. Communicate enforcement actions of interest with EPA.
- i. Maintain NPDES credentialing program at DEQ to provide an avenue for new employees to become credentialed inspectors.

## **Component 6. Drinking Water and Wastewater Loan Programs**

### **Program Goal**

The goal of the Drinking Water and Wastewater Loan Programs is to improve environmental protection and public health through construction, operation, maintenance, and management of drinking water and water pollution NPS and point source treatment facilities.

### **Program Activities**

- Manage the Drinking Water and Water Pollution Control Loan Programs.
- Fund NPS projects.
- Manage the state grant programs for drinking water and wastewater projects.
- Manage congressionally mandated projects funded through State and Tribal Assistance Grants (STAG).

### **Program Contacts**

Tim Wendland, DEQ, (208) 373-0439

Rick Green, Drinking Water, EPA, (206) 553-8504

Mike Lehner, Wastewater, EPA, (206) 553-6349

Cyndi Grafe, STAG, EPA, (208) 378-5771

William Chamberlain, EPA, (206) 553-8515

## Program Commitments

### Priorities

- Issue 12 planning grants and \$25 million in loans to improve drinking water system infrastructure. DEQ currently has \$13 million of loan applications in process for state fiscal year (SFY) 2013.
- Issue 7 planning grants and \$10.8 million in loans to improve wastewater system infrastructure, and issue NPS sponsorship loans for purposes that could include point source solutions to NPS problems and agricultural activities. Coordinate with §319 NPS Program and TMDL Program. DEQ currently has \$10.8 million of loan applications in process for SFY 2013.
- Report on environmental and public health outcomes by completing an environmental or public health benefits evaluation for each project in EPA’s environmental benefits system for the Clean Water State Revolving Fund (CWSRF) or public health benefits system for the Drinking Water State Revolving Fund (DWSRF), and make timely reports on American Recovery and Reinvestment Act (ARRA) loan activity.
- Implement, monitor, and control procedural frameworks to achieve the following:
  - Facilitate 30-year repayments for CWSRF assistance.
  - Offer a *Tier II* State Environmental Review Process.
  - Clarify the criteria for the CWSRF Disadvantaged Community Assistance Program.
  - Sponsor NPS projects through §212 point source loans.
  - Provide facility planning grants that allow optional environmental assessments.
  - Strengthen the sustainability rating criteria for loans and planning grants.

### 6.1 Manage the Drinking Water and Wastewater Loan Programs.

#### Approach

For each loan program, execute loan commitments for at least an amount equal to that required and defined in federal statute. Maintain correct federal and state funding ratios by drawing federal funds for each loan program in the proper proportional amounts.

#### Outputs

- a. Negotiate loan agreements regarding projects listed on the Intended Use Plans in a timely manner for amounts consistent with federal requirements.
- b. Prepare annual reports for the CWSRF and DWSRF.
- c. Implement a process for ensuring compliance with Single Audit Act requirements.
- d. Gather and assess comments relating to web-based loan handbooks. Make minor corrections to the handbooks on an ad hoc basis, while collecting substantive comments for a follow-up public comment period.
- e. Support CWSRF administrative costs, planning efforts, and wastewater operator training efforts with CWSRF loan fee revenues.

- f. Monitor the recently implemented fee structure for DWSRF loans to support administrative costs and planning efforts.

**Schedule**

Loans are negotiated throughout the state fiscal year, which ends June 30. The Water Pollution Control and Drinking Water SRF Annual Reports are due 90 days after the end of the grant year.

**Funding**

This activity will be funded by the 4% administrative set-aside portion of both SRFs, loan fees, and one-time state funds. In SFY 2013, approximately 16,736 person hours (equivalent to 8.0 work years) will be budgeted to the SRFs. This includes DEQ's State Office Water Quality Division, Technical Services Division, and regional office staff.

**Contacts**

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**6.2 Fund nonpoint source projects.**

**Approach**

Fund nonpoint source projects to improve surface water quality in areas where TMDLs have been developed and approved and to fund ground water quality improvement projects in areas where ground water is degraded.

**Outputs**

A priority list for SFY 2013 was prepared and issued for public comment. The current priority list contains two NPS sponsorship projects (the cities of Cascade and Soda Springs).

**Schedule**

The Board of Environmental Quality approved the priority list on May 3, 2012.

**Funding**

DEQ staff time used for making NPS sponsorship project loans will be charged against the 4% CWSRF set-aside for administration and state appropriation.

**Contacts**

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**6.3 Conduct planning grant programs for drinking water and wastewater projects.****Approach**

Develop an annual wastewater and drinking water grant project priority list.

**Outputs**

- a. Compile priority lists of grant projects in April 2013.
- b. Review applications from 19 potential applicants expected to submit grant applications during SFY 2013.
- c. Report DWSRF set-aside expenditures for this activity via the DWSRF program annual report.

**Schedule**

Grants are negotiated throughout the state fiscal year, which ends June 30, 2013.

**Funding**

Funding for grant programs staff is provided through the CWSRF and DWSRF fee revenues and DWSRF set-asides. For SFY 2013, 9,060 person hours (approximately 4.4 work years) statewide has been budgeted.

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**6.4 Manage congressionally mandated STAG-funded projects.****Approach**

Manage congressionally mandated STAG funded projects to ensure timely project completion.

**Outputs**

Process reimbursement requests, review change orders, conduct project inspections, and prepare closeout packages, as detailed in the 2011 DEQ 3% set-aside program grant (scope of work) documents.

**Funding**

Funding for DEQ staff time for administration and oversight of these EPA wastewater and drinking water construction grant projects will come from the 3% set-aside monies in the respective grants awarded to DEQ. For SFY 2013, 1,496 person hours (approximately 0.72 work years) have been budgeted for these activities.

**Contacts**

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**6.5 Monitor implementation of the DWSRF and CWSRF Disadvantaged Assistance Program.****Approach**

Monitor implementation of the DWSRF and CWSRF loans in disadvantaged communities.

**Outputs**

- a. Evaluate water and wastewater systems on the current and upcoming SRF priority lists to determine eligibility for disadvantaged assistance.
- b. Evaluate eligibility for disadvantaged assistance for water systems with which DEQ is currently negotiating arsenic compliance schedules.
- c. In the CWSRF and DWSRF annual reports, discuss projects that are eligible for disadvantaged assistance.

**Funding**

Funding for this evaluation will consist of 4% CWSRF and DWSRF administration set-aside funds.

**Contacts**

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**6.6 Component commitments.****DEQ Commitments**

- a. Follow all terms and conditions outlined in the operating agreements, yearly capitalization grant agreements, federal statutes, regulations, and published national guidance and policies for both SRF loan programs.
- b. Submit annual SRF reports to EPA as required.
- c. Complete annual development, review, and modification of the Intended Use Plans for both SRF loan programs.
- d. Pursue including NPS projects in traditional CWSRF loans.

**EPA Commitments**

- a. Conduct timely annual reviews and written reports of both SRF loan programs.

- b. Provide DEQ with advice and consultation as requested and updated program guidance from EPA headquarters as it becomes available.
- c. Provide timely, informative, and accurate advice regarding SRF program implementation and development questions from DEQ.

## Component 7. Safe Drinking Water Program

### Program Goal

The goal of DEQ's Safe Drinking Water Program is to assist and support public water systems to ensure the delivery of safe and reliable drinking water.

### Objectives

1. Public water systems that are located, designed, constructed, operated, maintained, and protected to reliably meet drinking water health-based standards.
2. Public water systems serving drinking water that meets all health-based standards.

### Program Contacts

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Marie Jennings, Unit Manager, EPA, (206) 553-1893

### Outcomes, Targets, and Activities

#### 7.1 Public health outcomes and indicators.

- a. Successfully address statewide compliance issues through use of Enforcement Targeting Tool (ETT) based on the new EPA Enforcement Response Policy (microbial, nitrate, lead, and chronic contaminants) for small, medium, and large drinking water systems.
- b. Absence of reported waterborne disease outbreaks.

#### 7.2 Outcome and output targets.

- Percent of *person months* (i.e., all persons served by community water systems over 12 months) during which community water systems provide drinking water that meets all applicable health-based drinking water standards. Target = 95%.
  - The state acknowledges that EPA uses additional national performance measures for the Safe Drinking Water Program—Office of Water and Wastewater Subobjective 2.1.1, percent of the *population*, and Strategic Target SP-1, percent of *community water systems*. The state also receives EPA quarterly results updates for these performance measures. The state has chosen the percent of person months (i.e., Strategic Target SP-2) as its state reporting measure and indicator of safe drinking water served.

- Address or resolve 86 public water systems listed on the ETT list between July 2012 and June 2013. The ETT is based on the new EPA Enforcement Response Policy and provides a prioritized list of the specific systems to be addressed to ensure that the highest-priority systems are addressed first.
  - *Address* is a term used to identify a resolution to the problem or violation that consists of the system returning to compliance or the state taking formal enforcement action. Examples of what may constitute address are as follows: the contaminant no longer exceeds the maximum contaminant level in a specified period of time; monitoring is complete; a bilateral enforceable agreement has been entered into; or an administrative order or other civil/criminal action has been filed.

**7.3 Activities/performance measures.**

<p><b>Objective 1:</b> Public water systems that are located, designed, constructed, operated, maintained, and protected to reliably meet drinking water health-based standards.</p>	<p><b>Objective 2:</b> Public water systems serving drinking water that meets all health-based drinking water standards.</p>
<p>Performance measures for contamination prevention and supporting activities:</p> <ul style="list-style-type: none"> <li>• Number of sanitary surveys completed</li> <li>• Percentage of public water systems with current sanitary surveys</li> <li>• Percentage of community water systems that have current sanitary surveys (3-year frequency, except 5-year frequency for outstanding performers)</li> <li>• Number of plan and specification reviews processed in less than 42 days</li> <li>• Number of outreach products provided such as the Drinking Water Newsletter and drinking water-related brochures</li> <li>• Percentage of annual drinking water fees collected</li> </ul>	<p>Performance measures for compliance indicators and supporting activities:</p> <ul style="list-style-type: none"> <li>• Percentage of public water systems in significant compliance with health-based standards</li> <li>• Number of acute microbial and surface water treatment failure events resolved</li> <li>• Number of chemical maximum contaminant level events addressed</li> <li>• Percentage of systems with a consent order in compliance with the terms of their consent order</li> </ul>

**Program Commitments**

**7.4 DEQ and EPA drinking water partnership commitments and schedule.**

DEQ and EPA agree to the following:

- a. Coordinate at least twice per year to discuss the ETT, compliance issues, and Drinking Water Program performance issues. At least one of the meetings will be face-to-face.
- b. Meet annually face-to-face or via videoconference for midyear review and performance measure discussion (April).

- c. Meet annually face-to-face or via videoconference for annual review and performance measure discussion (August–September).
- d. Adhere to the following priorities of rule implementation: (1) Total Coliform Rule, (2) Surface Water Treatment Rules, (3) nitrate, and (4) lead.
- e. Maintain collaboration on state laboratory certification.
- f. Cooperate and coordinate on issues related to the implementation of new rules.
- g. Cooperate to resolve data quality issues.

DEQ agrees to the following:

- a. Upload quarterly Safe Drinking Water Information System (SDWIS)/state data on time to EPA (unless dtf to xml transition makes this not possible).
- b. When possible, Idaho will submit their quarterly data using the WQX Network node. When that is not possible due to technical difficulties with the WQX Network node, Idaho will report their data through the CDX web application.
- c. Provide EPA with semiannual performance measure reports in the format used by DEQ.
- d. Implement new rules on schedule.
- e. Provide written compliance summaries from quarterly compliance meetings to better illustrate the overall compliance picture.
- f. Assist EPA with beta testing the revised ETT tool for SDWIS/state data.

EPA agrees to the following:

- a. Report quarterly via e-mail to DEQ regarding EPA performance measures and state results.
- b. Provide DEQ with a quarterly Enforcement Response Policy ETT list.
- c. Submit Drinking Water Program requests for information and work tasks with and through the DEQ state program office only.
- d. Reduce administrative demands on the state by limiting reporting requirements to semiannual reports and obtaining necessary reports and information from SDWIS when possible.
- e. Attend Idaho Drinking Water Advisory Committee meetings via teleconference or in person.
- f. Continue to provide rule interpretation and assistance.
- g. Provide advance notification to the state on training opportunities.
- h. Continue to implement Unregulated Contaminant Monitoring Rule and update DEQ via e-mail on relevant issues.
- i. Participate in quarterly ERP/ETT meetings with DEQ and the public health districts as time permits.
- j. Collaborate with state contacts to develop a SDWIS/state version of the SDWIS/FED ETT. The intent is to share the SDWIS/state query with all the primacy agencies.
- k. Collaborate and partner with EPA on its proposed small systems priority project. The project entails EPA working with the drinking water technical assistance providers to document how systems scoring above 11 on the ETT list are returned to compliance or provided technical assistance. The project would be measured by the number of priority systems receiving the specific assistance and the decrease of these priority systems on the ETT list.

1. Review the “Annual New Systems” query developed by DEQ and if appropriate, propose the query be used nationally to improve consistency of the list development.

## 7.5 Safe Drinking Water Program resources matrix.

Activities	PWSS Base Grant	DWSRF 2% Technical Assistance Set-Aside (1452(g))	DWSRF Capacity Development Set-Aside (1452(k))	PWSS 10% Set-Aside (1452(g)(2))	Hours/FTEs
Report data to EPA using SDWIS/state	X	—	—	X	10,189 hours/ 4.89 FTEs
Submit primacy applications for, and implement requirements of new state rules	X	—	—	—	5,935 hours/ 2.85 FTEs
Address compliance for surface water systems	X	—	—	—	400 hours/ 0.19 FTEs
Conduct sanitary surveys	X	—	X	—	7,589 hours/ 3.64 FTEs
Implement capacity development strategy	X	—	X	—	1,630 hours/ 0.78 FTEs
Review plans and specifications	X	X	—	—	17,237 hours/ 8.28 FTEs
Provide drinking water engineering services and support	X	—	—	—	700 hours/ 0.34 FTEs
Perform drinking water primacy core activities (public education, fee assessments, public health district contract management, laboratory certification program, consumer confidence reports, annual confidence reports, drinking water security, drinking water operating licenses).	X	—	—	X	24,842 hours/ 11.94 FTEs

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