

**From:** Justin Hayes [mailto:jhayes@idahoconservation.org]  
**Sent:** Monday, February 08, 2016 3:44 PM  
**To:** Troy Smith  
**Subject:** Re: IPDES Guidance Documents

Troy — I'm sorry that I had to leave the guidance development meeting early. All day meetings are heard when the legislature is in town.

There a couple of comments that I had that I wanted to reiterate.

1) Section 3.2.4. As I discussed at the meeting, I think that you should amend this language so that it is clear that a facility may apply for and receive a permit, even if the EPA does not require such a permit at this time. Something similar to this actually came up within the context of the Star WWTP NPDES stimulated discussions about 'manmade waters.' In one of the manmade water meetings, somebody from the regulated community said that they felt it would be prudent for WWTPs to apply for discharge permits when they are discharging to irrigation infrastructure. Part of their justification for this was that WOTUS jurisdictional decisions take a long time and sometimes the decisions change through time. Better to have a permit to cover your bases.

2) Section 3.3.1. In this section, fees to municipalities are calculated based on 3.5 persons per household. I think that I recall that 2.7 persons per household was used in prior discussions of budgeting and fees.

3) Section 3.3.3. As i discussed at the meeting, I think that DEQ should include language that provides for the collection of fees beyond annual fees. It might be that DEQ will need to recoup funds from a facility for specific projects or to reimburse DEQ for work done on a permit.

4) Figure 2. I t h i k e that you should add a box related to payment of fees. My read of Section 3.3.3.2 is that fees need to be paid in order for the permit application to deemed complete.

- Justin

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