



State of Idaho
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOARD OF ENVIRONMENTAL QUALITY

1410 North Hilton, Boise, ID 83706-1255, (208) 373-0502

C. L. "Butch" Otter, Governor
Curt Fransen, Director

MEMBERS OF THE BOARD

Carol Mascareñas
Chairman
5000 Baltimore Circle
Idaho Falls, ID 83401

John McCreedy
Vice-Chairman
1951 S. Saturn Way
Ste. 100
Boise, ID 83709

Kevin C. Boling
Secretary
5881 N. Ferdinand Court
Coeur d'Alene, ID 83814

L. Nicholas "Nick" Purdy
Box 686
Highway 20
Picabo, ID 83348

Dr. John R. MacMillan
P.O. Box 712
Buhl, ID 83316

Kermit V. Kiebert
P.O. Box 970
Ponderay, ID 83852

Beth Elroy
P.O. Box 6
Mail Stop 01-602
Boise, ID 83707

LEGAL COUNSEL

Douglas M. Conde
Harriet A. Hensley

BOARD ASSISTANT

Rosie Alonzo
(208) 373-0240

IDAHO BOARD OF ENVIRONMENTAL QUALITY

A G E N D A
November 19 & 20, 2014

The Board convenes on November 19, 2014 at 8:30 a.m. at:

**Idaho Department of Environmental Quality
Conference Rooms A & B, 1410 N. Hilton, Boise, Idaho**

November 19, 2014

8:30 a.m. Call to Order and Roll Call

Public Comment Period – the Board will allow up to 30 minutes for the public to address the board on issues *not specifically shown as agenda items*.

1. Election of Officers

2. Director's Report

Curt Fransen

3. Approval of May 7 & 8, 2014 Meeting Minutes

4. Water Quality Standards

Docket No. 58-0102-1401 (Pending Rule)

Rulemaking initiated to update DEQ's Mixing Zone Policy in the Water Quality Standards

Barry Burnell

5. Report on Water Quality Standards Negotiated Rulemaking Human Health Criteria for Toxics/ Idaho Fish Consumption Rate

Barry Burnell

6. Update on Idaho Pollutant Discharge Elimination System (IPDES) Program

Barry Burnell
Mary Anne Nelson

- 7. Rules and Standards for Hazardous Waste,
Docket No. 58-0105-1401 (Pending Rule)** Orville Green
John Brueck
Update of federal regulations incorporated by reference.
- 8. Rules Regulating the Disposal of Radioactive Material
Not Regulated Under the Atomic Energy Act of 1954,
as Amended, Docket No. 58-0110-1401 (Temporary/Pending Rule)** Orville Green
John Brueck
*Rulemaking initiated to implement Senate Bill 1260 (2014) wherein the
Idaho Legislature revised the definition of “restricted hazardous waste” in
Idaho Code § 39-4403.*
- 9. Rules for the Control of Air Pollution in Idaho,
Docket No. 58-0101-1401 (Pending Rule)** Tiffany Floyd
*Rulemaking initiated to clarify the application of fugitive
dust rules to agricultural activities.*
- 10. Rules for the Control of Air Pollution in Idaho,
Docket No. 58-0101-1402 (Pending Rule)** Tiffany Floyd
*Rulemaking initiated to (1) address feedback received from EPA regarding minor clarifications that
are necessary to make certain rules approvable for Idaho’s SIP (Facility Emission Cap, Sulfur
Content in Fuels Alternative, and Nonmetallic Mineral Processing Plants); (2) add references to
PM2.5 in order to capture updated federal requirements; and (3) update a source test reporting
deadline to more realistically reflect existing practices.*
- 11. Rules for the Control of Air Pollution in Idaho,
Docket No. 58-0101-1403 (Pending Rule)** Tiffany Floyd
Update of federal regulations incorporated by reference.
- 12. Contested Case and Rule Docket Status Report** Paula Wilson
- 13. Set 2015 Board Meeting Schedule**
- 14. Local Reports and Items Board Members May Wish to Present**

Idaho Board of Environmental Quality
November 19 & 20, 2014
Meeting Agenda

The Board convenes on November 20, 2014 at 9 a.m. at:

**Idaho Department of Environmental Quality
Conference Rooms A & B, 1410 N. Hilton, Boise, Idaho**

November 20, 2014

9:00 a.m. Call to Order and Roll Call

CONTESTED CASE HEARING

9:00 a.m.

ConAgra Foods Lamb Weston, Inc. v. DEQ, Docket No. 0101-14-01

Oral Argument on Recommended Order Granting Motion for Summary Judgment

(Pursuant to Idaho Code § 67-2345(f), the Board may convene an executive session during the contested case hearing.)