



E. SCOTT PRUITT
ADMINISTRATOR

June 5, 2018

The Honorable C.L. "Butch" Otter
Governor of Idaho
State Capitol
P.O. Box 83720
Boise, Idaho 83720

Dear Governor Otter:

It is with great pleasure that today the U.S. Environmental Protection Agency approves the Idaho Department of Environmental Quality's application for the Idaho Pollutant Discharge Elimination System program, and thereby authorizes the State of Idaho to implement Section 402 of the Clean Water Act, 33 U.S.C. § 1342. We commend State leadership and all of the department staff for their outstanding work over the past several years to develop and put forth the IPDES program which regulates the discharge of pollutants to surface waters and protects water quality.

IPDES Program Approval

Since early in 2014, the EPA has worked closely with the IDEQ staff as they developed the IPDES program, including regulations, the program description, and other documents required to be submitted to the EPA for program approval pursuant to 40 CFR 123.21. On August 31, 2016, the EPA received the IPDES program submission. We appreciate the thoughtful engagement by IDEQ senior leadership and the significant effort put forth by IDEQ staff, in coordination with stakeholders, to develop the elements for a successful program.

In accordance with Section 402(n)(4) of the CWA, 33 U.S.C. §1342(n)(4), and as described in the Memorandum of Agreement between IDEQ and the EPA Region 10, permitting authority for each major component will be transferred to Idaho in four phases based on the following classes of permits.

Phase I - Individual Municipal Permits and Pretreatment on July 1, 2018, the date of program authorization.

Phase II- Individual Industrial Permits; one year after program authorization (July 1, 2019).



Phase III - General Permits (Aquaculture, Pesticide, CAFO, Suction Dredge, Remediation; two years after program authorization (July 1, 2020)).

Phase IV - Federal Facilities, General and Individual Stormwater Permits, and Biosolids; three years after program authorization (July 1, 2021).

The EPA will retain National Pollutant Discharge Elimination System permitting authority for the relevant major component(s) until the date of transfer for each phase. The EPA will permanently retain NPDES permitting authority and primary enforcement responsibility for facilities discharging in Indian Country as defined in 18 U.S.C. § 1151. To ensure the integrity of state programs, the EPA retains oversight and enforcement authority over state NPDES programs.

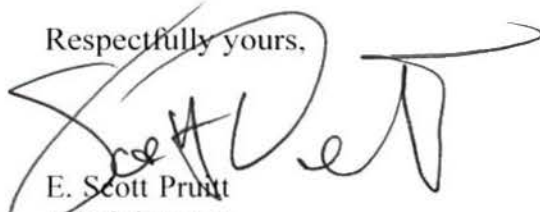
CROMERR Approval

On March 26, 2018, IDEQ submitted to EPA Region 10 an application entitled "National Network Discharge Monitoring Report System (National NetDMR) / Shared CROMERR Services (SCS)" documenting a plan for electronic reporting compliant with the Cross-Media Electronic Reporting Regulation (CROMERR) system requirements. Per the requirements of 40 CFR 3.2(b)(2), the application requests approval under the State's EPA-authorized NPDES and Pretreatment programs to allow electronic reporting under those programs using the systems noted.

The EPA reviewed this application and determined that the application meets the requirements of 40 CFR 3.1000(b)(1) and that IDEQ's National NetDMR and SCS systems comply with the requirements for electronic document receiving systems in 40 CFR 3.2000. At this time, as provided in 40 CFR 3.1000(a)(1), EPA Region 10 approves the State of Idaho's requested electronic reporting under its EPA-authorized NPDES and Pretreatment programs to allow electronic reporting under 40 CFR Parts 122, 125 and 403-471.

Thank you for your commitment to developing a strong IPDES program. The EPA looks forward to working with you to ensure the program's long-term success. If you have any further questions, please contact me, or Chris Hladick, Region 10 Administrator, at (206) 553-2114.

Respectfully yours,



E. Scott Pruitt
Administrator

cc: Mr. John Tippetts, Director, Idaho Department of Environmental Quality