Idaho Department of Water Resources

State Office—The Idaho Water Center
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098
(208) 287-4800

Western Regional Office
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

Northern Regional Office
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

Idaho Department of Lands

Boise Staff Office
300 N. 6th Street, Suite 103
Boise, ID 83702
(208) 334-0200

Coeur d'Alene Staff Office
3284 W. Industrial Loop
Coeur d'Alene, ID 83815
(208) 769-1525

Idaho Health Districts

Panhandle Health District
8500 N. Atlas Road
Hayden, ID 83835
(208) 415-5100

North Central Health District
215 10th Street
Lewiston, ID 83501
(208) 799-3100

Southwest District Health
13307 Miami Lane
Caldwell, ID 83607
(208) 455-5300

Central District Health Department
707 North Armstrong Place
Boise, ID 83704-0825
(208) 375-5211

South Central Public Health District
1020 Washington Street, North
Twin Falls, ID 83301-3156
(208) 734-5900

Southeastern Idaho Public Health
1901 Alvin Ricken Drive
Pocatello, ID 83201
(208) 233-9080

Eastern Idaho Public Health District
1250 Hollipark Drive
Idaho Falls, ID 83401
(208) 522-0310

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Understanding and Complying with Idaho Environmental Standards and Regulations—New Business Guide

Idaho Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706
(208) 373-0502
www.deq.idaho.gov

DEQ is

…*a state* government department. EPA is DEQ's federal counterpart.

…*a regulatory agency*. DEQ has primary responsibility for enforcing and/or assisting in the application of the

- Federal Clean Air Act, Clean Water Act, and Safe Drinking Water Act
- Resource Conservation and Recovery Act
- Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)

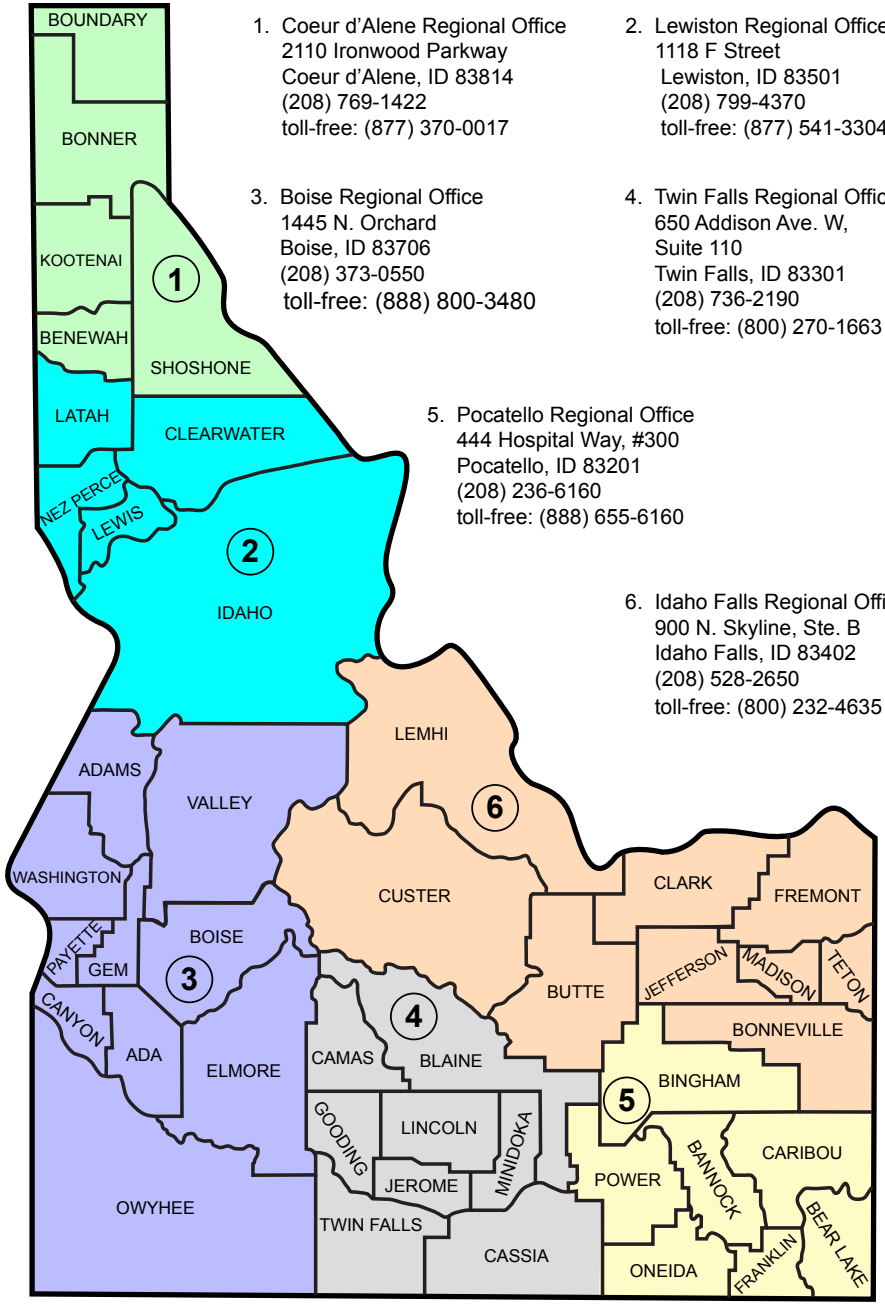
…*a team*. DEQ is staffed by highly skilled scientists, engineers, technicians, and administrators.

…*a partner*. DEQ works closely with a wide range of private and public sector groups, including

- EPA
- Other state agencies—Idaho Public Health Districts, Department of Water Resources, and Department of Lands
- Board of Environmental Quality
- Local and tribal governments
- Businesses and industries
- Communities and citizens

Contact Information

DEQ Regional Offices



1. Coeur d'Alene Regional Office
   2110 Ironwood Parkway
   Coeur d'Alene, ID 83814
   (208) 769-1422
   toll-free: (877) 370-0017

2. Lewiston Regional Office
   1118 F Street
   Lewiston, ID 83501
   (208) 799-4370
   toll-free: (877) 541-3304

3. Boise Regional Office
   1445 N. Orchard
   Boise, ID 83706
   (208) 373-0550
   toll-free: (888) 800-3480

4. Twin Falls Regional Office
   650 Addison Ave. W,
   Suite 110
   Twin Falls, ID 83301
   (208) 736-2190
   toll-free: (800) 270-1663

5. Pocatello Regional Office
   444 Hospital Way, #300
   Pocatello, ID 83201
   (208) 236-6160
   toll-free: (888) 655-6160

6. Idaho Falls Regional Office
   900 N. Skyline, Ste. B
   Idaho Falls, ID 83402
   (208) 528-2650
   toll-free: (800) 232-4635

Other Environmental Strategies to Consider

Pollution Prevention

Pollution prevention (P2) is any activity that reduces or eliminates pollutants or waste at the source. Rather than managing wastes or pollutants through treatment or disposal methods, P2 prevents the initial generation or reduces waste toxicity and pollutants that negatively impact human and ecosystem health.

Consider targeting products or processes that have high purchase and/or disposal costs, are toxic, generate state or federally regulated waste, emit hazardous air pollutants, release dust, or contain volatile organic compounds. You can also

- Substitute a hazardous chemical used in a production process with a nontoxic alternative. DEQ can help you screen for chemical alternatives or process changes to reduce toxic chemical use.
- Remove raw materials from the production stream that do not add value to the end product.
- Fix leaks in a compressed air system to reduce energy use.
- Train employees to identify waste sources (wasted heat, materials, or hazardous substances) and to focus on waste reduction.

Your business can avoid stringent regulatory requirements, such as emission caps, transportation restrictions, and worker safety requirements, by reducing waste quantities and toxic and hazardous substances use and disposal.

For more information, go to *www.deq.idaho gov/pollution-prevention*.

Economy, Energy, and Environment (E3)

E3 is a multiagency, interdisciplinary technical assistance program aimed at increasing the economic, energy, and environmental efficiency and sustainability of manufacturers. Companies participating in the E3 program partner with DEQ, TechHelp, and other state agencies to audit energy use, waste, and other pollution generation and gain opportunities for increasing production efficiency.

Recycling

Recycling repurposes waste products from production or consumption by reusing in production processes or reprocessing into new material goods. While preventing waste is the most efficient means of using resources, recycling is the next best option; it saves your business money and reduces the environmental impact of waste generation.

- Metals, plastics, and paper can be sold to firms for reprocessing, significantly cutting down on waste disposal costs.
- Recycling extends the life of existing landfills and reduces the need for constructing new landfills.
- Original equipment manufacturers, such as Boeing and Apple, require suppliers to demonstrate efforts to improve environmental sustainability. Recycling helps your business remain competitive in the industry.

Understanding and Complying with Idaho Environmental Standards and Regulations—New Business Guide

The Idaho Department of Environmental Quality (DEQ) is committed to helping your business succeed. All Idaho businesses must comply with Idaho's environmental standards and regulations. DEQ works proactively with other state agencies and local business development organizations, such as the Idaho Small Business Development Center, Idaho Industrial Assessment Center, and Idaho TechHelp, to bring sustainable businesses to our community—businesses that employ best management practices, work to improve their environmental stewardship, and strive to be good community partners.

Prospective businesses wishing to start or relocate in our state need to understand Idaho's environmental laws. While some requirements may seem challenging, DEQ's role is to assist your business in complying with Idaho's regulations well in advance of opening your doors. This partnership results in more effective business practices and efficiencies, translates into bottom-line benefits, and conserves our state's valuable resources.

Idaho's Environmental Regulations and Your Business

Environmental regulations affect all businesses, large and small. In addition to the day-to-day operations of your company, you need to be aware of regulations that can be difficult to understand and complex to follow. If you are considering starting a business in Idaho, DEQ will help assess your company's impact on the environment—including air emissions, surface water discharges, and waste production. We can assist you with developing strategies that will prevent pollution, minimize air and water pollutants, and reduce or eliminate waste products.

Permits or licenses are required to conduct many types of business operations in Idaho to ensure compliance with state and federal pollution control laws, regulations, and rules and to protect public health and the environment. Permits set the conditions under which businesses that generate air, water, or waste pollution may operate. Any business or industry (source) in Idaho that emits, or has the potential to emit, pollutants into the air or discharges to water is required to have the appropriate pollution control permit from DEQ or the United States Environmental Protection Agency (EPA). Review the question and answer chart on the following page to determine which permits are required before your business opens. The permit, service, and resource sections guide you through the application and approval process.

Visit DEQ's website for more information on air quality, water quality, and waste management and remediation in Idaho: *www.deq.idaho.gov/*.

Would you like to start a business in Idaho? Review the following questions to see which environmental regulations apply (not all regulations are listed). For all DEQ rules, visit *www.deq.idaho.gov/deq-rulemakings*.

Question 1: Is your location in an area served by city water and/or sewer?

Yes — Contact the city water and sanitation department about getting connected to those services. See question 3 about generating industrial wastewater.

No — You may need permits from DEQ or the public health district. Continue to question 2.

Question 2: Will your business dispose of domestic wastewater using on-site systems such as a septic tank and drainfield?

Yes — Apply for a septic system permit from the public health district: *www.healthandwelfare.idaho.gov/Health/HealthDistricts*.

No — Continue to question 3.

Question 3: Will your business generate industrial wastewater?

Yes — Get approval for plans and specifications from DEQ. See **Engineering and Land Development Permits, Services, and Resources**.

No — Continue to question 4.

Question 4: Will your business supply drinking water?

Yes — May need to get plans and specifications approved by DEQ. If not supplying public water or modifying a public water supply, then DEQ approval is not needed. See **Engineering and Land Development Permits, Services, and Resources**.

No — Continue to question 5.

Regulatory Authorities

Code of Federal Regulations

40 CFR—Protection of the Environment
40 CFR 260–267—Hazardous Waste Requirements
40 CFR 268—Land Disposal Restrictions
40 CFR 270—Hazardous Waste Permit Program
40 CFR 273—Universal Waste Management
40 CFR 279—Used Oil Management
40 CFR 280–282—Underground Storage Programs

For more information, visit *www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR*.

Idaho Code

Title 39—Health and Safety
- Chapter 1—Environmental Quality–Health
- Chapter 44—Hazardous Waste Management
- Chapter 58—Hazardous Waste Facility Siting
- Chapter 70—Sale and Disposal of Batteries
- Chapter 72—Land Remediation Act
- Chapter 88—Idaho Underground Storage Tank Act

For more information, visit *www.legislature.idaho.gov/idstat/Title39/T39.htm*.

Idaho Administrative Rules

IDAPA 58.01.05—Rules and Standards for Hazardous Waste
IDAPA 58.01.07—Rules Regulating Underground Storage Tank Systems
IDAPA 58.01.11—Ground Water Quality Rules
IDAPA 58.01.14—Fees for Environmental Operating permits, Licenses, and Inspection Services
IDAPA 58.01.21—Rules Governing the Protection and Disclosure of Records in the Possession of the Department of Environmental Quality

For more information, visit *adminrules.idaho.gov/rules/current/58/index.html*.

Internet Resources

Waste Management and Remediation Division:
www.deq.idaho.gov/waste-management-remediation

EPA hazardous waste identification number:
www.deq.idaho.gov/epa-identification-number

Overview of environmental permitting in Idaho:
www.deq.idaho.gov/permitting

Waste Management and Remediation Permits, Services, and Resources

DEQ monitors and controls the generation, treatment, storage, and disposal of hazardous wastes in Idaho. Every business in Idaho is required to track the volume of waste it generates, determine whether or not it is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

Permits and Services

- Before purchasing a site, request public records from DEQ to determine if all known environmental concerns have been resolved. When a property is purchased, liability for what happened previously on the site is also purchased.
- Identify any potentially hazardous materials that might be generated. Determine generator status and, if necessary, apply for an EPA hazardous waste generator identification number.
- Contact DEQ about permit applicability and the application process.

Waste Management and Remediation Resources

DEQ offers support for the following:

- Brownfields
- Hazardous waste management—Resource Conservation and Recovery Act (RCRA)
- Permitting—mining, hazardous waste storage, and underground storage tanks
- Remediation—RCRA, petroleum releases, chemical releases, metals, motor vehicles, waste disposal, and well closures

For more information, visit *www.deq.idaho.gov/waste-mgmt-remediation*.

DEQ is delegated by EPA to implement certain sections of the federal RCRA in Idaho. RCRA, enacted by Congress in 1976, regulates hazardous waste, solid waste, and storage tanks holding petroleum products or certain chemicals.

Question 5: Will your business generate air emissions?

Yes — May need a permit from DEQ. See **Air Quality Permits, Services, and Resources**.

No — Continue to question 6.

Question 6: Will your business generate hazardous waste, universal waste (batteries, pesticides, mercury-containing devices, bulbs), or used oil? Will it have underground storage tanks?

Yes — May need a permit and/or written approval from DEQ. See **Waste Management and Remediation Permits, Services, and Resources**.

No — Continue to question 7.

Question 7: Will your business discharge wastewater to a stream?

Yes — Get a permit from EPA and written approval from DEQ. See **Surface Water Permits, Services, and Resources.**

No — Continue to question 8.

Question 8: Will you disturb more than 1 acre as you are developing your business location or is there a possibility of runoff from the site?

Yes — Get a permit from EPA and written approval from DEQ. See **Surface Water Permits, Services, and Resources**.

No — Continue to question 9.

Question 9: Will you need to install a culvert or bridge or work below the ordinary high watermark of a stream or river? Will dredging be conducted in a wetland?

Yes — Apply for a permit from the United States Army Corps of Engineers and Idaho Department of Water Resources, with input from DEQ.

No — Visit *www.deq.idaho.gov/table-of-authorities*.

Engineering and Land Development Permits, Services, and Resources

DEQ works to ensure that the state's surface, ground, and drinking water resources meet state water quality standards. For engineers and developers who work on public drinking water and wastewater projects, DEQ provides guidance and design assistance to ensure drinking water and wastewater systems comply with state requirements.

Permits and Services

- Check to see if your preferred location is within an existing water and/or sewer service area. If so, make arrangements with service providers. Plans and specifications may need to be approved by DEQ if the project will modify or extend the existing system.
- If the project is not within an existing water and/or sewer service area, contact DEQ about the engineering and permitting requirements for new drinking water and wastewater systems and schedule a predesign conference with DEQ's regional office to discuss the project while in the conceptual phase.
- Determine if you will need assistance from an engineering or environmental consulting firm. Professional help with the application process can save time and money in the long run.
- If you need to construct or upgrade drinking water or wastewater systems, submit the engineering materials to DEQ well in advance of the desired construction time. Specific timelines and submittal requirements should be discussed at the predesign conference.
- Note that plans and specifications for most drinking water and wastewater construction projects must be prepared by an Idaho-licensed professional engineer.

DEQ issues permits for both wastewater reuse and swine facilities. Municipalities may issue wastewater pretreatment permits, while public health districts issue permits for individual on-site septic systems and septage pumper trucks.

Engineering and Land Development Resources

DEQ offers support for the following:

- Drinking water
- Ground water
- Stormwater
- Wastewater reuse
- Land development planning
- Drinking water and wastewater system plans and specifications engineering review
- National Pollutant Discharge Elimination System (NPDES) permit applicability (issued by EPA in Idaho)

IDAPA 58.01.01.220–223—General Exemption Criteria for Permit to Construct Exemptions and Specific Exemptions:

- Facility or stationary source may be exempt from air quality permitting.
- Facility exempt from permitting must still comply with DEQ's rules such as exemption requirements, sulfur content of fuels, visible emissions, fugitive emissions, open burning, and odor rules.

IDAPA 58.01.01.300–397—Procedures and Requirements for Tier I Operating Permits
IDAPA 58.01.01.400–461—Procedures and Requirements for Tier II Operating Permits
IDAPA 58.01.01.600–603—Open Burning Rules
IDAPA 58.01.01.618—Permit by Rule (Certain facilities, such as rock crushers and dairy farms, may be eligible for a permit by rule, which requires registration.)
IDAPA 58.01.01.650–651—Rules for the Control of Fugitive Dust
IDAPA 58.01.01.795–802—Permits by Rule for Nonmetallic Mineral Processing Plants

For more information, visit *adminrules.idaho.gov/rules/current/58/index.html*.

Internet Resources

Air quality permitting:
www.deq.idaho.gov/air-permitting-overview

Overview of environmental permitting in Idaho:
www.deq.idaho.gov/permitting

Air Quality Permits, Services, and Resources

DEQ's air quality protection efforts ensure compliance with federal and state health-based air quality standards. Unless exempted under Idaho's air quality rules, any Idaho business or industry that emits, or has the potential to emit, pollutants to the air must have an air pollution control permit when beginning a new operation and when modifying existing facilities.

Permits and Services

Contact the Air Quality Permitting Hotline: 1-877-5PERMIT (1-800-573-7648) about permit applicability and the permit application process.

Visit DEQ's website for air quality permit information and applications at *www.deq.idaho.gov/air-quality*.

Air Quality Resources

DEQ offers support for the following:

- Permits to construct
- Operating permits
- Permits by rule

For more information, visit *www.deq.idaho.gov/air-permitting-overview*.

Regulatory Authorities

Code of Federal Regulations

40 CFR 60—Standards of Performance for New Stationary Sources:
ecfr.gov/cgi-bin/text-idx?SID=ae80bb3cc8fb89f729a088dd5149b2e3&c=ecfr&tpl=/ecfrbrowse/Title40/40cfrv7_02.tpl
40 CFR 61 National Emission Standards for Hazardous Air Pollutants:
ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title40/40cfr61_main_02.tpl
40 CFR 63 National Emission Standards for Hazardous Air Pollutants for Source Categories:
ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title40/40cfr63_main_02.tpl

Idaho Administrative Rules

IDAPA 58.01.01.006—General Definitions
IDAPA 58.01.01.007—Definitions for the Purposes of Sections 200–228 and 400–461
IDAPA 58.01.01.011—Definitions for the Purposes of Sections 790–799
IDAPA 58.01.01.200–228—Procedures and Requirements for Permits to Construct
IDAPA 58.01.01.201—Permit to Construct Required

- "No owner or operator may commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining a permit to construct from the Department which satisfies the requirements of Sections 200 through 228 unless the source is exempt in any sections 220 through 223…"

For land development projects, DEQ recommends consolidating drinking water and/or wastewater services when feasible:

- Provide a centralized, community drinking water system or a centralized, community wastewater system, or both.
- Connect each lot to an existing community drinking water system or an existing community wastewater system, or both.

For more information, visit *www.deq.idaho.gov/water-quality*.

Regulatory Authorities

Idaho Code

Title 39—Health and Safety

Chapter 1—Environmental Quality–Health

Chapter 36—Water Quality

Chapter 65—Waste Tire Disposal

Chapter 74—Idaho Solid Waste Facilities Act

For more information, visit *www.legislature.idaho.gov/idstat/Title39/T39.htm*.

Idaho Administrative Rules

IDAPA 58.01.03—Individual/Subsurface Sewage Disposal

IDAPA 58.01.06—Solid Waste Management Rules

IDAPA 58.01.08—Idaho Rules for Public Drinking Water Systems

IDAPA 58.01.11—Ground Water Quality Rule

IDAPA 58.01.14—Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services

IDAPA 58.01.16—Wastewater Rules

IDAPA 58.01.17—Recycled Water Rules

For more information, visit *adminrules.idaho.gov/rules/current/58/index.html*.

Internet Resources

Small business assistance:
www.deq.idaho.gov/small-business-solutions

Overview of environmental permitting in Idaho:
www.deq.idaho.gov/permitting

Water quality overview:
www.deq.idaho.gov/water-quality

Surface Water Permits, Services, and Resources

Idaho's water quality standards protect the use and value of state water for public water supplies, protection and propagation of fish and wildlife, recreation, agriculture, industry, and navigation. DEQ monitors and assesses the levels of pollutants in surface waters, such as rivers and streams, and reports on the state's water quality.

Permits and Services

- If the property has a stream, river, or wetland and you plan to disturb land adjacent to or in the water body, contact the appropriate DEQ regional office, United States Army Corp of Engineers, and Idaho Department of Water Resources.
- Contact DEQ about permit applicability and the application process.

Water Quality Resources

DEQ offers support for the following:

- Surface water management
- Water quality standards
- Water body assessment §303(d)/305(b) reporting
- Watershed protection
- Total maximum daily loads
- 319 nonpoint source grant program
- 401 Clean Water Act state certification for NPDES, 404 individual project, and Federal Energy Regulatory Commission permits

For more information, visit *www.deq.idaho.gov/water-quality*.

Regulatory Authorities

Federal Laws

Clean Water Act or Water Pollution Control Act:
www.epa.gov/oecaagct/lcwa.html#Wetlands

Idaho Code

Title 39—Health and Safety

Chapter 1—Environmental Quality–Health

Chapter 36—Water Quality

Chapter 64—Clean Lakes Act

For more information, visit *www.legislature.idaho.gov/idstat/Title39/T39.htm*.

Idaho Administrative Rules

IDAPA 58.01.02—Water Quality Standards:
adminrules.idaho.gov/rules/current/58/index.html

Internet Resources

Water quality standards:
www.deq.idaho.gov/surface-water-quality-standards

Water Body Assessment Guidance:
www.deq.idaho.gov/surface-water-monitoring-assessment

Integrated Report §303(d)/305(b):
www.deq.idaho.gov/integrated-report

Clean Water Act 401 certification process:
www.deq.idaho.gov/401-certification

Total maximum daily loads:
www.deq.idaho.gov/tmdls

Department of the Army Permit, US Army Corps of Engineers; Stream Channel Alteration Permit, Idaho Department of Water Resources; and Lake Encroachment Permit, Idaho Department of Lands:
www.idwr.idaho.gov/RulesStatutesForms/DamSafety/PDFs/JAPFP%20Application%20Information.pdf

Water Quality Standards for Surface Water:
water.epa.gov/scitech/swguidance/standards/index.cfm

United States Army Corp of Engineers Regulatory Offices:

- Walla Walla District Office: (509) 527-7150
- Boise Field Office: (208) 345-2155
- Coeur d'Alene and Lewiston Field Offices: (208) 765-8961
- Idaho Falls, Pocatello, and Twin Falls Field Offices: (208) 522-1645