



May 14, 2021

Paula Wilson  
IDEQ State Office  
Attorney General's Office  
1410 N. Hilton  
Boise, ID 83706

Clearwater Paper Corporation  
601 West Riverside, Suite 1100  
Spokane, WA 99201

**Subject: Docket No. 58-0102-1801 - Negotiated Rulemaking  
Idaho's Human Health Criteria for Arsenic**

Dear Ms. Wilson:

Clearwater Paper (Clearwater) is pleased to offer this comment letter on the subject rulemaking. We appreciate the Idaho Department of Environmental Quality's (IDEQ) work on these very important matters and look forward to participating as this rulemaking proceeds. During the April 22, 2021 negotiated rulemaking to develop Idaho's human health criteria for arsenic, IDEQ presented information pertaining to the preliminary draft rule and requested input from stakeholders about the rule and how it should be implemented.

In 2019, IDEQ collected a comprehensive data set throughout Idaho that paired fish tissue and surface water data. During the April 22<sup>nd</sup> meeting, Arcadis presented information related to its analysis of IDEQ's 2019 data set and determined there is no statistically significant relationship between inorganic arsenic in surface water and fish tissue. Since fish tissue is the exposure pathway for human health criteria, it is important to develop a fish tissue standard for the fish only criterion. Clearwater supports the preliminary draft rule as written.

In 2005, IDEQ developed *Implementation Guidance for the Idaho Mercury Water Quality Criteria*. Additionally, in 2017, IDEQ developed *Implementation Guidance for the Idaho Copper Criteria for Aquatic Life: Using the Biotic Ligand Model*. Clearwater supports this approach and requests that implementation guidance for the Idaho arsenic human health criterion be developed.

On behalf of Clearwater, we are continuing to review the technical aspects of this rulemaking and appreciate the opportunity to provide comments on this important matter. We look forward to participating with IDEQ as this rulemaking goes forward.

Please contact me at 208-799-4144 or [clayton.steele@clearwaterpaper.com](mailto:clayton.steele@clearwaterpaper.com) with questions.

Sincerely,

A handwritten signature in blue ink that reads "Clayton Steele".

Clayton Steele  
Environmental Manager