



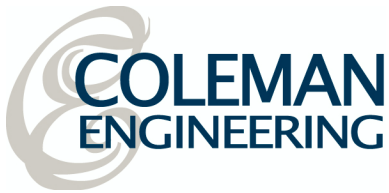
Review of Proposed Wastewater Rules for Negotiated Rule Making IDAPA 58.01.16 - Wastewater Rules

General Comments

The current rules and proposed Rules do not seem to allow any type of Design/Build and do not allow for or encourage use of innovative systems or new technology. There is an allowance for waivers. However, the waiver process is slow and very difficult to obtain approvals of any waivers. Design/Build system or solutions are not allowed. The Rules should focus on results and requirements to protect water resources and public health rather than system design.

Rules for wastewater treatment and disposal should ensure environmental protection, public health, and sustainable water management.

1. **Effluent Quality Standards:** Establish limits on the concentration of pollutants in treated wastewater before it is discharged into the environment.
2. **Treatment Processes:** Specify the required treatment processes (e.g., primary, secondary, tertiary) to achieve the desired effluent quality.
3. **Monitoring and Reporting:** Determine and require regular monitoring of wastewater treatment facilities and reporting of effluent quality data to IDEQ..
4. **Sludge Management:** Provide requirements for the safe handling, treatment, and disposal of sewage sludge to prevent environmental contamination.
5. **Permit Requirements:** Require permits for the construction and operation of wastewater treatment facilities, ensuring compliance with regulatory standards.
6. **Public Health Protection:** Include measures to protect public health, such as controlling pathogens and reducing exposure to harmful chemicals or substances.



7. **Environmental Impact Assessments:** Require assessments of the potential environmental impacts of wastewater treatment and disposal activities.
8. **Emergency Response Plans:** Develop plans for responding to accidental releases or failures in the wastewater treatment system.
9. **Sustainability and Resource Recovery:** Encourage practices that promote water reuse, energy recovery, and nutrient recycling.

The Rules should not include any requirements for means and methods of designs to achieve compliance.

Section .010 Definitions

XX. Like-Kind Replacement - I could not find this definition in 58-01-08 "Idaho Rules for Public Drinking Water Systems" Would like to see a definition that includes a definition specific to wastewater collection and treatment systems. Like-Kind replacements should be exempt from DEQ review and approval process. For example, during a maintenance operation if a repair is extended to a replacement it should not be subject to DEQ review and approval.

39. Municipal Wastewater. "treated or untreated" - Most surrounding states consider 'treated' wastewater a resource. Idaho appears to consider wastewater as always wastewater. All municipal wastewater is not always just sewage. Sewage definition and wastewater should be combined into one definition.

59. Private Wastewater System. Definition is any system over 2,500 gallons per day. Section 455 does not allow any system under 25,000 gallons per day. These two Rules are in direct conflict.

72. Reviewing Authority. The Rule seems to limit the review to Department only (except minor QLPE reviews). Would recommend adding 'or designee'



which would allow for outside contracted review. Outside reviewers should be designated to reduce work load, reduce time or review projects or systems outside of the Department's experience or qualifications.

74. Secondary Treatment. A better definition is necessary. *Secondary treatment of wastewater is a biological process aimed at removing dissolved organic matter that remains after primary treatment. This stage primarily utilizes microorganisms to break down organic pollutants, resulting in treated effluent suitable for discharge or further processing.*

78. Simple Wastewater Main Extension. This should be extended to simple pressure sewers instead of limiting it only to gravity. A direct replacement or like-kind replacement of pressure sewer should be considered simple also.

Section 400. Review of Plans for Municipal Wastewater Systems. This section will not allow for the design/build process which will in many cases be beneficial to the outcome. There have been some design/build projects completed in Idaho which would not be allowed by this Rule. See comments above that would allow for designated reviews.

Section 401.05 Waiver- Not sure this has ever happened in Idaho. What is the process.

Section 455 Private Municipal Wastewater Treatment Plants (Systems or Facilities)

This section should be modified. The requirement of 25,000 gpd in today's new construction/plumbing codes is approximately 200 to 250 ER minimum. There are many decentralized Wastewater treatment systems that will operate much better, provide better treatment, reduce nuisances, and protect public health than a lagoon system. DEQ regulates any system over 2,500 gpd. Should this be the definition of Private also?