May 25, 2020

Idaho Department of Environmental Quality
ATTN: Paula Wilson, Rules Coordinator
DEQ State Office
1410 N. Hilton
Boise, ID  83702

Re:  Ore Processing by Cyanidation Docket No. 58-0113-1901

Dear Ms. Wilson:

On behalf of the Idaho Mining Association (IMA) we appreciate the continued efforts by IDEQ staff to craft a performance-based alternative for cyanidation facilities that could be adopted by the Board. The rule is a complicated and very technical rule. The extra time spent will produce a better rule for the State of Idaho as well as the regulated community.

As has been discussed, it is important for IMA members to have a workable rule in place by the end of 2020 to allow ongoing permitting actions to proceed. We believe this temporary rule will bridge any gap between a proposed rule and an adopted rule upon the adjournment of the 2021 legislative session. Because of the timelines associated with the permanent rule-making process, it appears the best way to accomplish this result would be for IDEQ to adopt a temporary rule this summer or fall at one of the Boards regular scheduled meetings. IMA therefore requests that IDEQ work towards adoption of a proposed and temporary cyanidation rule by fall of 2020. We would anticipate that any proposed rule adopted by the Board 2020 would align for the most part with a temporary rule.

Again, we appreciate IDEQ considering how to modernize the state’s cyanidation rule and we look forward to continuing to work with IDEQ to accomplish that result.

Sincerely,

[Signature]

Benjamin J. Davenport

Cc: Michael McCurdy, Wastewater and Remediation Administrator