Paula Wilson  
Idaho Department of Environmental Quality  
1410 N. Hilton  
Boise, Idaho 83706  

April 27, 2020  


Dear Ms. Wilson:  

Thank you for organizing the public meeting on April 16, 2020 to discuss the preliminary draft negotiated rulemaking, “Rules for the Design and Construction of Phosphogypsum Stacks” (Docket No. 58-0119-2001). This letter is to notify you that the U.S. Environmental Protection Agency Region 10 is reviewing the preliminary draft negotiated rule, as well as Idaho Department of Environmental Quality (IDEQ) Meeting Exhibits 1 and 2, and reserves its right to provide comments to IDEQ on a later date.  

Currently, the U.S. Department of Justice, on behalf of EPA, is engaged in negotiations concerning potential civil judicial consent decrees with two phosphoric acid manufacturing facilities located in Idaho pursuant to EPA’s National Compliance Initiative for Mining and Mineral Processing. EPA is considering how the preliminary draft negotiated rule and exhibits affect its negotiations to date, and therefore needs additional time to complete its review.  

EPA remains interested in attending the public meeting on May 28, 2020, as well as any other meetings about this preliminary draft negotiated rule. Please include me on future email notifications (davies.lynne@epa.gov), as well as Kevin Schanilec (schanilec.kevin@epa.gov).  

Sincerely,  

/s Lynne Davies  
Lynne Davies  
Assistant Regional Counsel  

cc: Kevin Schanilec, U.S. EPA Region 10