



Mining and DEQ

This factsheet provides general information about coordination with the Idaho Department of Environmental Quality (DEQ) when pursuing active mining in Idaho. Mining activities are regulated by numerous agencies and programs that overlap with and affect the activities associated with mineral extraction and processing. In addition to DEQ, other state agencies (e.g., Idaho Department of Lands [IDL] and the Idaho Department of Water Resources); federal agencies (e.g., United States Forest Service [USFS], Bureau of Land Management [BLM], Environmental Protection Agency, US Army Corps of Engineers); and the county where the mine is located may have other requirements.

The regulatory authority for the reclamation of mining activity in Idaho is primarily vested in IDL pursuant to Idaho Code § 47-1501 et. seq. which has promulgated the Rules Governing Mined Land Reclamation (IDAPA 20.03.02). Surface mining, surface effects of underground mining, and dredge and placer mining activities are all regulated by IDL. Additional information is available at <https://www.idl.idaho.gov/mining-minerals/>

Proposed Plan of Development and Operations

DEQ recommends that a Proposed Plan of Development and Operations be prepared by all mine operations, even if such a plan is not required by the IDL, USFS, or BLM.

Since a Proposed Plan of Development and Operations is not required by DEQ rules or regulations, development of the plan would be strictly voluntary and DEQ would not be approving the plan; only providing comments to assist the mineral development company with prospective compliance issues. Nothing in DEQ's comments or recommendations may be construed as relieving an operator of the requirement to comply with applicable rules and regulations. A facility will see the greatest benefits by submitting a plan before site development or operation, but can submit a plan at any time unless an enforcement action requires DEQ to approve the plan. In such circumstances, the legal effect of such approval will be governed by the terms of the enforcement action.

The Proposed Plan of Development and Operations should consider including the following information:

- Access and egress
- Size of operation
- Annual estimated production
- Number of site employees
- Spill prevention and cleanup/disposal
- Solid waste generation and disposal
- Wastewater, including sewage
- Hazardous waste generation and disposal
- Types of materials processed and disposed
- Fugitive dust best management practices
- Storm water best management practices
- Water quality best management practices
- Water quality and ground water monitoring
- Drinking water
- Reclamation activities

DEQ Rules Potentially Applicable to Mining Activities

DEQ regulatory programs that may apply to mineral extraction and processing can be found at <https://adminrules.idaho.gov/rules/current/58/index.html>

DEQ rules that may apply to mining activities include:

- 58.01.01 Rules for the Control of Air Pollution in Idaho
- 58.01.08 Rules for Public Drinking Water Systems
- 58.01.11 Ground Water Quality Rules (which includes a section on ground water point of compliance for mining)
- 58.01.25 Rules Regulating the Idaho Pollutant Discharge Elimination System Program
- 58.01.02 Water Quality Standards (which includes sections related to hazardous materials and petroleum releases)
- 58.01.05 Rules and Standards for Hazardous Waste
- 58.01.06 Solid Waste Management Rules
- 58.01.07 Rules Regulating Underground Storage Tanks
- 58.01.13 Rules for Ore Processing by Cyanidation
- 58.01.18 Idaho Land Remediation Rules
- 58.01.24 Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites
- 58.01.16 Wastewater Rules
- 58.01.17 Recycled Water Rules

Best Management Practices

Best Management Practices (BMP) for Mining in Idaho was prepared by IDL through the Idaho Mining Advisory Committee: <https://www.idl.idaho.gov/wp-content/uploads/sites/116/2020/01/bmp1992ttl.pdf>.

BMPs that may also apply to mining:

- DEQ Stormwater: <http://www.deq.idaho.gov/water-quality/wastewater/stormwater/>
 - Catalog of Stormwater BMPs for Idaho Cities and Counties: <http://www.deq.idaho.gov/media/622263-Stormwater.pdf>
 - Compendium of BMPs to Control Polluted Runoff: http://www.deq.idaho.gov/media/458917-compendium_report_2003_entire.pdf
- Idaho Transportation Department's BMP Manual for Erosion and Sediment Control: <https://itd.idaho.gov/env/>

For more information

For specific regulatory questions, contact the nearest DEQ regional office:

- Boise: (208) 373-0550
- Coeur d'Alene: (208) 769-1422
- Idaho Falls: (208) 528-2650
- State Office: (208) 373-0502
- Lewiston: (208) 799-4370
- Pocatello: (208) 236-6160
- Twin Falls: (208) 736-2190