

Part I – Agency Profile

Agency Overview

The Idaho Department of Environmental Quality (DEQ) was established by the Environmental Protection and Health Act, Chapter 1, Title 39, Idaho Code, to protect human health and the environment. As the state's environmental regulatory agency, DEQ is responsible for implementing and enforcing delegated federal programs under the Clean Air, Clean Water, Safe Drinking Water, and Resource Conservation and Recovery Acts, as well as many state environmental laws and rules. This regulatory responsibility covers a broad range of activities to ensure Idaho's air, water, land, and Idaho citizens are protected from the adverse impacts of pollution.

The Environmental Protection and Health Act also established the Board of Environmental Quality. The board is the administrative body charged with making decisions on rules proposed by the department to carry out provisions of the act and to enforce state environmental laws. DEQ drafts rules with assistance from the Office of the Attorney General following a negotiated rulemaking process involving interested stakeholders. Rules may be adopted, amended, or repealed by the board. All administrative rules adopted by the board are subject to legislative review. The board also functions as the agency's administrative appeals board. Decisions of the agency can be appealed to the board, which may choose to hear the case or designate a hearing officer. Final determinations of the board are subject to judicial review.

To protect human health and the environment, DEQ's primary activities include monitoring, permitting, conducting inspections, performing remediation, and providing a wide range of oversight, technical assistance, and outreach.

- Environmental monitoring is performed to assess conditions and ensure health-based standards are met.
- Permits are issued to facilities that manage wastes or release pollutants to limit discharges to safe levels.
- Inspections of pollution sources are conducted and complaints are investigated to ensure compliance with environmental regulations and standards. When necessary, enforcement action is taken.
- Remediation is conducted to remove or neutralize contaminants in soil and surface waters. Compliance with remedial activities is typically voluntary, but when necessary, enforcement action is taken.
- Oversight is maintained for a variety of projects including environmental cleanups, pollution reduction efforts, and drinking water and wastewater infrastructure improvements.
- Technical support, outreach, and education are offered to facilitate compliance with environmental requirements for air quality, water quality, and waste management.

DEQ works closely and collaboratively with a wide range of public and private partners including the legislature; the Board of Environmental Quality; federal and state agencies; city, county, and tribal governments; businesses; community organizations; and citizens. These partnerships are critical to accomplishing the agency's mission.

DEQ's headquarters in Boise is organized into five divisions focused on developing and administering programs and policies, providing technical support to the divisions and regions, and providing agency-wide administrative support. The divisions include Air Quality, Water Quality, Waste Management and Remediation, Technical Services, and Environmental Management and Information.

Day-to-day, on-the-ground agency services are provided by six regional offices located in Boise, Coeur d'Alene, Idaho Falls, Lewiston, Pocatello, and Twin Falls. DEQ also maintains smaller satellite offices in Kellogg and Grangeville. Regional and satellite offices are charged with implementing agency programs and policies and providing direct services to citizens, communities, businesses, and industries.

Core Functions/Idaho Code

DEQ's core functions and regulatory authorities are summarized below, followed by a table detailing the department's revenues and expenditures for the past four fiscal years.

- **Air Quality:** DEQ ensures compliance with federal and state health-based air quality standards by collecting air quality information, monitoring, developing and issuing permits, conducting inspections at industrial facilities, responding to complaints, and coordinating air quality improvement efforts among communities, citizen groups, businesses, industries, other state agencies, tribes, and the US Environmental Protection Agency (EPA) (Title 39, Chapter 1, Idaho Code; Clean Air Act).
- **Water Quality:** DEQ protects the surface and ground waters of the state to support beneficial uses and provide safe drinking water supplies by setting water quality standards, certifying project compliance with standards, monitoring, reporting on water quality, developing and implementing improvement plans, issuing wastewater reuse permits, and providing grants and loans for constructing drinking water and wastewater treatment facilities (Title 39, Chapters 1, 36, 64, 66, 76, Idaho Code; Title 37, Chapter 21, Idaho Code; Clean Water Act).
- **Waste Management and Remediation:** DEQ ensures management and disposal of waste generated in or entering Idaho is conducted in a manner protective of human health and the environment. DEQ responds to releases of hazardous substances to surface waters, ground waters, or soils and conducts, oversees, and negotiates cleanups of contaminated sites. DEQ works with communities to rehabilitate contaminated sites to return them to a safe and developable condition (Title 39, Chapters 1, 44, 58, 65, 71, 74, 81, Idaho Code; Resource Conservation and Recovery Act; Comprehensive Environmental Response, Compensation, and Liability Act).
- **INL Oversight:** DEQ oversees activities at the Idaho National Laboratory (INL) to ensure compliance with legal agreements and environmental regulations for waste treatment, remediation, and removal. DEQ maintains an independent environmental monitoring program designed to verify and supplement monitoring programs carried out by the INL. Working with other state agencies, DEQ assists local governments statewide in planning and responding to emergencies involving radiological materials. DEQ also routinely informs the public about INL activities impacting Idaho's environment (Title 39, Chapter 1, Idaho Code).

Revenues and Expenditures

Revenue	FY 2012	FY 2013	FY 2014	FY 2015
Air Quality Permitting	\$1,098,133	\$792,672	\$1,599,417	\$876,273
Public Water System Oversight	\$1,631,539	\$1,578,148	\$1,622,637	\$1,592,697
Water Pollution Control	\$4,819,577	\$4,805,124	\$4,803,399	\$4,802,565
Environmental Remediation	\$1,783,296	\$1,696,245	\$1,801,896	\$1,821,475
Cooperative DEQ-Federal	\$33,179,790	\$34,601,836	\$29,968,418	\$31,496,530
Cooperative DEQ-General	\$13,799,400	\$14,276,200	\$14,839,100	\$15,636,200
Cooperative DEQ-Other	\$1,181,092	\$1,497,662	\$1,699,390	\$1,777,616
Bunker Hill Consent Decree	\$17,381,077	\$143,441	\$307,916	\$440,349
Total	\$74,873,904	\$59,391,328	\$56,642,173	\$58,443,705
Expenditure	FY 2012	FY 2013	FY 2014	FY 2015
Personnel Costs	\$24,055,400	\$25,159,800	\$25,391,100	\$26,161,800
Operating Expenditures	\$25,412,400	\$25,448,000	\$22,475,000	\$21,079,300
Capital Outlay	\$748,100	\$361,100	\$430,100	\$515,400
Trustee/Benefit Payments	\$4,427,600	\$3,559,300	\$4,264,400	\$7,099,900
Total	\$54,643,500	\$54,528,200	\$52,560,600	\$54,856,400

Profile of Key Services Provided

The following table summarizes some of the key services DEQ provides to communities, businesses, industries, and the citizens of Idaho.

Key DEQ Services Provided	FY 2012	FY 2013	FY 2014	FY 2015
Air Quality Division				
Air Quality Permits to Construct Issued	66	49	53	54
Air Quality Tier I (Title V) Permits Issued	16	12	13	12
Air Quality Tier II Permits Issued	3	2	8	2
Inspections of Stationary and Portable Air Pollution Sources	104	102	126	146
Number of Crop Residue Acres Approved and Burned	71,902	61,208	51,859	43,345
Water Quality Division				
Wastewater Grants Awarded	\$590,461	\$249,269	\$327,393	\$396,524
Wastewater Loans Awarded	\$30,215,542	\$49,398,445	\$15,934,713	\$28,800,000
Drinking Water Grants Awarded	\$413,398	\$245,727	\$250,000	\$237,420
Drinking Water Loans Awarded	\$10,753,416	\$8,578,551	\$15,219,193	\$11,348,000
401/404 Water Quality Certifications Issued	81	69	50	60
Wastewater Reuse Permits Issued	21	17	22	20
Total Wastewater Engineering Plan and Specification Reviews Completed	267	228	213	234
Total Drinking Water Engineering Plan and Specification Reviews Completed	268	261	253	334
Source Water Assessments Completed	55	92	133	139
Drinking Water Sanitary Surveys Completed	381	356	439	456
Active Nonpoint Source Projects Administered (Previous Calendar Year)	66	75	61	61
Nonpoint Source Projects Completed (Previous Calendar Year)	12	18	15	15
Beneficial Use Reconnaissance Program (BURP) Sites Surveyed	239	264	282	231
Waste Management and Remediation Division				
Leaking Underground Storage Tank Cleanups Completed	20	15	19	12
Underground Storage Tank Training and Inspections Completed	402	344	399	392
Hazardous Waste Inspections Conducted	145	119	110	117
Total Phosphate Mine Projects with Agreements for Remediation and/or Operations with DEQ Involvement	25	27	27	37
Snake River Plain Environmental Samples Analyzed (for INL)	4,570	4,290	5,073	5,062
Pollution Prevention Technical Assistance Efforts	52	93	116	96

Performance Highlights

Air Quality Division

Smoke Management Program

The Smoke Management Program includes all types of open burning, from weed control to prescribed burning to wildfires. The principles of the Smoke Management Program are to (1) protect human health, especially among sensitive populations; (2) maintain burning as a tool; (3) ensure burning is conducted using proper techniques and under optimal atmospheric conditions; and (4) make burning-related information readily available to the public.

The primary focus of the Smoke Management Program during FY 2015 was response to smoke impacts resulting from wildfires during another severe fire season. Central Idaho was the most heavily impacted area of the state with smoke from fires in Idaho, Washington, and Oregon. DEQ again led daily conference calls to assist interagency coordination and deployed two emergency monitors in central Idaho to better forecast and report air quality conditions to the public. DEQ also provided regular updates via the interagency Idaho Smoke Information Blog (<http://www.idsmoke.blogspot.com/>).

Water Quality Division

Idaho Nitrate Symposium

The Idaho Nitrate Symposium was held on December 4, 2014, in Twin Falls to address concerns associated with elevated levels of nitrate in Idaho's ground water. The symposium increased awareness of the impacts of nitrate contamination on drinking water sources, recognized potential partners, and presented solutions from other states that may be used to better protect ground water, which is the source of drinking water for 95% of Idahoans. Approximately 90 participants, including local government officials, public water system operators, and crop advisors, attended the one-day event. The symposium included presentations and discussion on the risks of nitrate in drinking water, how nitrate moves through the soil, and successful examples of nitrate reduction and community involvement. Presentations and a summary report from the symposium are available online at: <http://www.deq.idaho.gov/assistance-resources/conferences-trainings/idaho-nitrate-symposium/>.

As a result of the symposium, DEQ has increased outreach efforts with local conservation districts and crop advisors and has already hosted several meetings with local conservation districts to discuss protection of drinking water sources and coordination of potential projects. The symposium helped strengthen the partnerships DEQ has with existing Idaho Source Water Protection Collaborative members (<http://www.protectthesource.org/>) and helped identify new partners and organizations to invite to participate in the collaborative, including the University of Idaho and the USDA Agricultural Research Service.

Drinking Water Program Auto-dialer

Several years ago, drinking water staff in DEQ's State Office were assessing failure-to-monitor violations for public drinking water facilities across the state. The Pocatello Regional Office stood out for having few systems with violations compared with other DEQ regions. Pocatello's ability to achieve better compliance rates was attributed to a process it established for calling systems to remind it to sample as deadlines approached. Convinced of this method, DEQ's State Office soon pursued an auto-dialer system to replicate Pocatello's process statewide. Installed in summer 2010, the system has now issued more than 15,000 automated email and voicemail monitoring reminders. A comprehensive assessment of the system's effectiveness was conducted in FY 2014 and found that failure-to-monitor violations decreased by 53% overall. Such drastic improvement has been well received by both DEQ and drinking water system owners and operators who generally appreciate the auto-reminders as they work to maintain compliance with regulatory standards. Further, the auto-dialer requires minimal agency resources to assist water systems and helps to protect public health throughout Idaho.

Waste Management and Remediation Division

Priest River Landfill Assessment and Cleanup

The City of Priest River operated a city dump adjacent to the Priest River from 1900 through 1972. No historical documentation of the material placed in the dump was ever discovered, but in 2000, DEQ and EPA completed an emergency response cleanup of mercury discovered at the site. Citizen concerns for potential contaminants leaching into the river prompted the city to contact DEQ's Brownfields Program to assist in assessment and cleanup efforts at the site. Beginning in 2006, DEQ's Brownfields Program completed Phase I and Phase II environmental site assessments, risk evaluations, and an analysis of brownfields cleanup alternatives (ABCA). To qualify for cleanup funding, the city completed a fee-simple transfer of the property to the Priest Community Forest Connection (PCFC). PCFC entered DEQ's Voluntary Cleanup Program (VCP) and completed a cleanup using a \$400,000 Brownfields Revolving Loan Fund subgrant.

Cleanup and restoration of the dump site spanned five weeks, during which local contractors removed large debris, recontoured the slope, stockpiled and sorted topsoil, and built a trail to the lower wetlands area. Native landscaping, erosion matting and wattles, and fencing were also added to control erosion and restore a more natural setting. After final review, DEQ issued a certificate of completion on July 29, 2014 and a covenant not-to-sue on September 9, 2014 for the site under the VCP. The city, PCFC, and DEQ are now collaborating to gain access from adjacent property owners to complete stabilization efforts on the privately-held, previously-remediated portions of the dump. Ideally, this land will allow for development of a public park with Priest River waterfront access, which was earlier identified as the community's vision for the former dump site. Such a riverside park will be an asset to the community, and through DEQ involvement, is no longer an immediate threat to human health or the environment.

Bunker Hill Paved Roads Remediation Program

DEQ has worked to protect human health in the Bunker Hill Superfund site through several programs, including the Paved Roads Remediation Program. This particular program aims to restore paved roads so they are effective barriers to underlying contamination, which is especially important as heavy truck traffic from remediation activities has contributed to the deterioration of paved roads at the site leaving many in very poor condition. The program functions like a grant program where DEQ provides funding to local jurisdictions to implement projects on eligible roads. In 2015, DEQ and EPA increased funding to local jurisdictions to nearly \$9 million, with approximately \$15 million in road work scheduled for 2015, 2016, and 2017.

Furthermore, in 2014, local communities and utility districts used the paved roads work to leverage an additional \$30 million through grants and bond elections for sewer and water system repairs and replacements. These infrastructure upgrades are being installed in conjunction with the paved roads work. This collaborative effort between DEQ, local communities, and other state and federal agencies, combined with the support of local voters, is making possible cost-effective and significant infrastructure improvements in Kellogg, Wallace, and other Silver Valley communities.

Education and Outreach

E3 Program

In FY 2015, DEQ's Pollution Prevention program expanded its Economy, Energy and Environment (E3) program to include a pilot program based on an existing program run by TechHelp which pairs interns, private industry mentors, and other resources with companies seeking to export products internationally. DEQ worked with TechHelp to adapt the model from the existing export program to manufacturing applications, calling the program E3 Excellence. DEQ worked with Payette, Sockeye, and Sawtooth Breweries to identify potential areas to improve production processes and reduce waste and energy use. With support from the University of Idaho's Integrated Design Lab, the Pacific Northwest Pollution Prevention Resource Center, Best Bath, Bigelow Tea, Idaho Power, the Northwest Craft Brew Alliance, the Small Business Development Center, and interns from Boise State University, DEQ worked with each brewery to identify specific opportunities for operational and energy use improvement in their production processes. As an example, Payette Brewing Co. (Payette) was suffering significant product losses from a canning line with ongoing maintenance issues. E3 Excellence partners assisted Payette in developing a preventative maintenance plan focused on replacing and maintaining parts to reduce State of Idaho

defects and minimize product and financial losses. As result, Payette was also able to reduce solid waste and aluminum scrap, wastewater sent for treatment, and overall energy use.

Part II – Performance Measures and Benchmarks

DEQ's benchmark performance measures are used to track and report progress in meeting the overall agency goal of protecting public health and the environment. These benchmarks were chosen because each tracks measurable agency actions and reflects an actual environmental or public health outcome or result. Each performance measure is revisited annually through the strategic planning process to ensure its continued relevance. General descriptions of DEQ's benchmark performance measures are given below.

1. Air quality permits to construct issued, on average, in 99 days. DEQ recognizes the importance of issuing timely permits to construct so facilities can plan and make strategic business decisions. DEQ streamlined its permitting process in 2007 and developed a performance objective to issue minor source permits to construct, on average, in 99 days. DEQ tracks the amount of time it takes to issue a permit to construct on a two-year, monthly rolling average and reports annually the actual average number of days to issue these permits.

2. Air Quality Index category correctly forecasted 100% of days. The Air Quality Index is a tool to help citizens understand the severity of air pollution and potential health implications so they can take steps to protect their health and reduce their contribution to air pollution. The index is calculated using actual monitoring data compared to health-based standards. It is reported daily in selected cities on a scale of increasing pollution and health concerns, according to the following six categories: good, moderate, unhealthy for sensitive groups, unhealthy, very unhealthy, and hazardous.

3. Hazardous waste permits and reviews. Permits and reviews associated with hazardous wastes are completed annually according to established schedules. Time frames are established from a variety of sources, including federal regulations, project schedules, construction seasons, and company requests.

4. Brownfields site assessments. A brownfields site is a vacant or underutilized property where redevelopment or reuse is complicated by actual or perceived environmental contamination. Site assessments are completed to provide environmental information necessary for proceeding with redevelopment or reuse. This information is used to guide site cleanup to minimize public health risks and bolster the community's economic vitality.

5. Monitoring of INL conditions. Continuous air quality monitors and real-time radiation monitors on and around the INL track environmental conditions and must be operational at least 97% of the time.

6. Total Maximum Daily Loads. DEQ is required to complete TMDLs, or water quality improvement plans, for water bodies that are not meeting water quality standards or supporting beneficial uses. TMDLs are completed for water bodies based on the number of assessment units they contain and the number of individual pollutants that are impairing water quality. Idaho water bodies have been categorized into 5,754 assessment units based on hydrologic catalog units (subbasins) and stream order. These units encompass approximately 95,119 miles of streams and rivers and 469,045 acres of lakes and reservoirs. As an example, if a stream is made up of 3 assessment units and has 4 pollutants identified as impairing water quality, there would be 12 assessment unit/pollutant combination TMDLs to complete for that stream.

7. Reviews of wastewater engineering plans and specifications. In 2005, the Legislature established a 42-day time frame for DEQ to review and act on engineering plans and specifications. This establishes a reasonable window to complete thorough evaluations while at the same time being responsive to business planning needs.

8. Reviews of drinking water engineering plans and specifications. In 2005, the legislature established a 42-day time frame for DEQ to review and act on engineering plans and specifications. This establishes a reasonable window to complete thorough evaluations while at the same time being responsive to business planning needs.

9. Regulating community water systems to provide safe drinking water. The total population of Idaho was estimated at 1,634,464 in 2014. Idaho has 739 community water systems, serving a total of 1,225,567 people. Rigorous monitoring requirements for community water systems must be met to ensure safe drinking water is provided and public health is protected.

DEQ's annual performance on these benchmark performance measures is shown in the table below. Targets for FY 2016 are also provided.

Performance Measures	FY 2012	FY 2013	FY 2014	FY 2015	Benchmark
1) Number of days, on average, to issue a permit to construct	A: 65 days B: 99 days	A: 97 days B: 99 days	A: 97 days B: 99 days	A: 103 days B: 99 days	99 days
2) Percentage of days the Air Quality Index category is correctly forecasted	A: 92% B: 100%	A: 91% B: 100%	A: 92% B: 100%	A: 89% B: 100%	100%
3) Percentage of scheduled hazardous waste permits or reviews completed within established time frames	A: 100% B: 100%	A: 100% B: 100%	A: 100% B: 100%	A: 100% B: 100%	100%
4) Number of brownfields site assessments completed	A: 26 B: 12	A: 12 B: 10	A: 12 B: 10	A: 12 B: 10	10
5) Percentage of time air monitoring stations and radiation monitoring stations are operational to monitor INL conditions	A: 99% B: 97%	A: 99% B: 97%	A: 97% B: 97%	A: 96% B: 97%	97%
6) Number of TMDLs completed for assessment unit/pollutant combinations	A: 264 B: 230	A: 136 B: 290	A: 119 B: 270	A: 60 B: 234	148
7) Percentage of wastewater plan and specification reviews completed within 42 days of receipt	A: 96% B: 100%	A: 96% B: 100%	A: 96% B: 100%	A: 97% B: 100%	100%
8) Percentage of drinking water plan and specification reviews completed within 42 days of receipt	A: 98% B: 100%	A: 97% B: 100%	A: 99% B: 100%	A: 99% B: 100%	100%
9) Percentage of "person months" during which community water systems provide drinking water that meets health-based standards	A: 95% B: 90%	A: 94% B: 90%	A: 98% B: 95%	A: 98% B: 95%	95%

Note: A = Actual Performance

B = Benchmark Performance (Target)

Performance Analysis

Over the past four fiscal years, DEQ has met or exceeded a majority of its performance measurement benchmarks. During FY 2015 specifically, DEQ achieved performance near most of the outlined targets while surpassing several as discussed here in more detail.

The average amount of time needed to issue a permit to construct (PTC) decreased dramatically in FY 2012 but has remained near the benchmark of 99 days in subsequent years. Calculated using a two-year, monthly rolling average, the decrease was due in part to a large number of general PTCs issued for automotive coating facilities. The agency devoted considerable resources to processing large numbers of these rather simple permits. Once all automotive coating facility PTCs were issued, the agency returned to normal permitting practices in FY 2013, yielding more typical processing times near 99 days. Staffing changes in FY 2015 slowed average turn-around times slightly, though these impacts are expected to be greater in FY 2016.

DEQ's second air quality performance benchmark measures the percentage of days the Air Quality Index (AQI) is correctly forecasted. While the ultimate goal is to correctly predict these numbers every day, factors such as wildfire can be challenging to model and greatly impact actual observations. Further, DEQ has installed additional air quality monitors across the state which has increased the amount of data and the number of forecasts made for particular areas. A total of 1,251 forecasts were made in FY 2013 compared to 3,481 forecasts in FY 2015. This increased number of forecasts impacts the total number made correctly.

The number of TMDLs completed for assessment unit/pollutant combinations has been below the benchmarks set for the last three fiscal years. DEQ has been overly optimistic in setting these targets given the increased demand for staff involvement with watershed advisory groups, basin advisory groups, and other agency priorities. Many of the pollutants currently being addressed through the TMDL assessment process are also more difficult and often more controversial and require additional time for completion, particularly when each TMDL involves four separate opportunities for public input. A number of TMDLs are currently at or near completion, however, and will be finalized once several staff openings are filled. DEQ is confident these finalizations will allow the agency to meet its TMDL benchmark for FY 2016.

The percentage of people on community water systems served by drinking water that meets health-based standards increased in FY 2014, jumping four percentage points to a total of 98%. This increase was primarily due to the City of Twin Falls, a community of approximately 44,000 people, being brought back into compliance with the drinking water rule for arsenic through its work with DEQ. This level of compliance was maintained through FY 2015. DEQ again surpassed the performance benchmark while adding more than 2,000 people to community water systems around the state. Part of this success is attributed to DEQ's drinking water auto-dialer, which provides timely reminders for community water systems and has substantially reduced systems' failure-to-monitor rates.

Similar performance benchmarks have been established for FY 2016, which will enable further analysis of program trends. These targets remain representative of the agency's progress toward achieving the overall goal of protecting public health and the environment and are consistent with current funding levels. While some programs and functions were reduced or eliminated during the recession, DEQ continues to successfully fulfill its mandates and deliver quality core services as reflected in the annual performance reported here.

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