

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 Rules may be adopted, amended, or repealed by the board.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 four 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, and Technical Services.

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 2013	FY 2014	FY 2015	FY 2016
Air Quality Permitting	\$792,672	\$1,599,417	\$876,273	\$1,009,266
Public Water System Oversight	\$1,578,148	\$1,622,637	\$1,592,697	\$1,585,711
Water Pollution Control	\$4,805,124	\$4,803,399	\$4,802,565	\$4,804,394
Environmental Remediation	\$1,696,245	\$1,801,896	\$1,821,475	\$1,846,547
Cooperative DEQ-Federal	\$34,601,836	\$29,968,418	\$31,496,530	\$24,645,797
Cooperative DEQ-General	\$14,276,200	\$14,839,100	\$15,636,200	\$16,449,600
Cooperative DEQ-Other	\$1,497,662	\$1,699,390	\$1,777,616	\$2,131,707
Bunker Hill Consent Decree	\$143,441	\$307,916	\$440,349	\$470,272
Total	\$59,391,328	\$56,642,173	\$58,443,705	\$52,943,294
Expenditures	FY 2013	FY 2014	FY 2015	FY 2016
Personnel Costs	\$25,159,800	\$25,391,100	\$26,161,800	\$27,402,600
Operating Expenditures	\$25,448,000	\$22,475,000	\$21,079,300	\$16,405,500
Capital Outlay	\$361,100	\$430,100	\$515,400	\$450,800
Trustee/Benefit Payments	\$3,559,300	\$4,264,400	\$7,099,900	\$5,149,800
Total	\$54,528,200	\$52,560,600	\$54,856,400	\$49,408,700

Profile of Cases Managed and/or 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 2013	FY 2014	FY 2015	FY 2016
Air Quality Division				
Air Quality Permits to Construct Issued	49	53	54	56
Air Quality Tier I (Title V) Permits Issued	12	13	12	9
Air Quality Tier II Permits Issued	2	8	2	2
Inspections of Stationary and Portable Air Pollution Sources	102	126	146	161
Number of Crop Residue Acres Approved and Burned	61,208	51,859	43,345	36,760
Water Quality Division				

Wastewater Grants Awarded	\$249,269	\$327,393	\$396,524	\$246,152
Wastewater Loans Awarded	\$49,398,445	\$15,934,713	\$28,800,000	\$27,876,605
Drinking Water Grants Awarded	\$245,727	\$250,000	\$237,420	\$293,443
Drinking Water Loans Awarded	\$8,578,551	\$15,219,193	\$11,348,000	\$14,985,992
401/404 Water Quality Certifications Issued	69	50	60	43
Wastewater Reuse Permits Issued	17	22	20	19
Total Wastewater Engineering Plan and Specification Reviews Completed	228	213	234	233
Total Drinking Water Engineering Plan and Specification Reviews Completed	261	253	334	315
Source Water Assessments Completed	92	133	139	102
Drinking Water Sanitary Surveys Completed	356	439	456	397
Active Nonpoint Source Projects Administered (Previous Calendar Year)	75	61	61	57
Nonpoint Source Projects Completed (Previous Calendar Year)	18	15	15	15
Beneficial Use Reconnaissance Program (BURP) Sites Surveyed	264	282	231	284
Waste Management and Remediation Division				
Leaking Underground Storage Tank Cleanups Completed	15	19	12	7
Underground Storage Tank Training and Inspections Completed	344	399	392	357
Hazardous Waste Inspections Conducted	119	110	117	93
Total Phosphate Mine Projects with Agreements for Remediation and/or Operations with DEQ Involvement	27	27	37	26
Snake River Plain Environmental Samples Analyzed (for INL)	4,290	5,073	5,062	4,713
Pollution Prevention Technical Assistance Efforts	93	116	96	93

Performance Highlights

Air Quality

In October 2015, DEQ received a \$2.48 million grant from EPA to help improve air quality in the West Silver Valley. The valley is a historic mining area along the South Fork Coeur d'Alene River in northern Idaho. As a result of its geography and climate, the West Silver Valley area is susceptible to frequent inversions in the fall and winter. Under these conditions, fine particulate matter—primarily from residential wood heating, open burning, and slash burning—becomes trapped and unable to move out of the area. Particulate matter air pollution can have significant impacts on public health, particularly for people with heart or lung diseases, children, and older adults. Even healthy people may experience temporary symptoms from exposure to elevated levels of particle pollution.

DEQ is using the grant to implement various measures to help decrease particulate pollution, including changing out old woodstoves for newer EPA-certified heating devices, building wood-drying sheds, providing cleaner burning logs during the winter, promoting alternatives to open burning, and increasing education and outreach efforts to residents.

DEQ has hired a West Silver Valley Targeted Airshed Project coordinator and continues working closely with a citizens advisory committee that organized in 2014. The committee is working with DEQ to help identify locally inspired, innovative ways to reduce air pollution in the West Silver Valley. Learn more about the West Silver Valley efforts at www.deq.idaho.gov/west-silver-valley-air-quality.

Waste Management and Remediation

DEQ's Brownfields Program helped the Idaho Foundation for Parks and Lands obtain a \$178,000 EPA brownfields grant to remediate the Barber Lagoons in east Boise near the historic town site of Barber, Idaho. The lagoons were created around 1963 and served as the primary sewage disposal area for the Golden Dawn Estates subdivision. Later, the Idaho Shakespeare Festival and Riverstone International School were connected to the lagoon system. The City of Boise provided sewer services to the area as Harris Ranch was developed and Golden Dawn Estates, the Idaho Shakespeare Festival, and Riverstone International School were connected to the municipal sewer system. Once the facilities were connected to the city sewer, the wastewater lagoons were no longer needed.

With the grant funds, DEQ assessed the environmental condition of two dried up sewage lagoons on a 12-acre property adjacent to the Idaho Shakespeare Festival and Riverstone International School in Boise. DEQ also conducted tests on ground water at the site. DEQ created a decommissioning plan for the lagoons and facilitated sludge removal in September 2015. The foundation plans to convert the property to open space for public use. For more information and photos, visit www.deq.idaho.gov/waste-mgmt-remediation/brownfields/success-stories/barber-wastewater-lagoons-boise/#1.

Water Quality

In 2012, EPA disapproved 167 of Idaho's revised human health criteria for 88 toxic pollutants, as submitted in 2006. In addition to incorporating newer toxicity information, DEQ's 2006 rule changed the fish consumption basis for determining the toxic standard from 6.5 grams/day to 17.5 grams/day, based on EPA's nationally recommended fish consumption rate. EPA disapproved the proposed criteria believing that the criteria did not protect Idaho's designated uses. EPA also suggested that fish consumption among some Idaho population groups is greater than 17.5 grams/day.

DEQ initiated negotiated rulemaking in fall 2012 to evaluate local and regional fish consumption information and to update Idaho's human health criteria. From October 2012 to August 2015, DEQ met with interested parties in eighteen negotiated meetings. DEQ planned and executed a statewide fish consumption survey and discussed the various policy decisions involved in deriving criteria protective of human health. Concurrent with Idaho's fish consumption survey, the Nez Perce Tribe and Shoshone-Bannock Tribes, in consultation with EPA, conducted their own fish consumption surveys. One of the uses of the tribal survey results was to inform DEQ's knowledge of the potential magnitude of exposure to toxic substances through consumption of fish in tribal populations.

After survey data analysis, policy decisions regarding criteria calculations, and public comment, DEQ developed a proposed rule in December 2015 based on a fish consumption rate of 66.5 grams/day. DEQ's rule includes 208 revised or new criteria, consisting of 94 revised and 10 new criteria based on exposure to toxic substances. With this rule, Idaho has updated all of its human health criteria except those for arsenic, methylmercury, and asbestos.

The rule was adopted by the Idaho Board of Environmental Quality in December 2015 and passed by the 2016 Idaho Legislature. The final rule was effective March 25, 2016.

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 5,765 assessment units based on hydrologic catalog units (subbasins) and stream order. These units encompass approximately 95,344 miles of streams and rivers and 468,818 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 1,654,930 in 2015. Idaho has 735 community water systems, serving a total of 1,236,980 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 2017 are also provided, where applicable.

Performance Measure		FY 2013	FY 2014	FY 2015	FY 2016	Current Year
Air Quality Goal						
<i>Manage air quality in Idaho airsheds to ensure compliance with National Ambient Air Quality Standards</i>						
1. Number of days, on average, to issue a permit to construct	actual	97 days	97 days	103 days	117 days	-----
	benchmark	99 days	99 days	99 days	99 days	99 days
2. Percentage of days the Air Quality Index category is correctly forecasted	actual	91%	92%	89%	89%	-----
	benchmark	100%	100%	100%	100%	100%
Waste Management and Remediation Goal 1						
<i>Through proper waste and product management, prevent and protect soil and water from contamination resulting from solid and hazardous waste, petroleum products, and mining-related activities.</i>						
3. Percentage of scheduled hazardous waste permits or reviews completed within established time frames	actual	100%	100%	100%	100%	-----
	benchmark	100%	100%	100%	100%	100%
Waste Management and Remediation Goal 2						
<i>Protect human health and the environment through proper waste management, mitigation, and remediation of contaminated areas.</i>						
4. Number of brownfields site assessments completed	actual	12	12	12	16	-----
	benchmark	10	10	10	10	10
Idaho National Laboratory Oversight Goal						
<i>Protect public health and the environment at and around the Idaho National Laboratory.</i>						
5. Percentage of time air monitoring stations and radiation monitoring stations are operational to monitor INL conditions	actual	99%	97%	96%	98%	-----
	benchmark	97%	97T	96%	97%	97%
Water Quality Goal 1						
<i>Maintain and improve surface and ground water quality in Idaho</i>						
6. Number of TMDLs completed for assessment unit/pollutant combinations	actual	136	119	60	158	-----
	benchmark	290	270	234	148	n/a ^a
7. Percentage of wastewater plan and specification reviews completed within 42 days of receipt	actual	96%	96%	97%	97%	-----
	benchmark	100%	100%	100%	100%	n/a ^a
Water Quality Goal 2						
<i>Protect human health through the delivery of safe and reliable drinking water from public water systems.</i>						
8. Percentage of drinking water plan and specification reviews completed within 42 days of receipt	actual	97%	99%	99%	98%	-----
	benchmark	100%	100%	100%	100%	n/a ^a
9. Percentage of "person months" during which community water systems provide drinking water that meets health-based standards	actual	94%	98%	98%	97%	-----
	benchmark	90%	95%	95%	95%	95%

^a DEQ is modifying its benchmark performance measures for water quality for FY 2017 and is adding a new measure. The new/revised measures are as follows:

- Number of ground water sampling events conducted: 250.
- Number of wadeable streams monitored following Beneficial Use Reconnaissance Program protocols: 240.

- Percentage of wastewater loan recipients that complete their project and will be better positioned to sustain their operations into the future: 100%.
- Number of recycled water reuse permits issued: 20.

Performance Measure Explanatory Notes

Performance Analysis

Over the past four fiscal years, DEQ has met or exceeded a majority of its performance measurement benchmarks. During FY 2016 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) remained near the benchmark of 99 days in FYs 2013 and 2014, increased slightly in FY 2015, and increased more significantly in FY 2016. The average is calculated using a two-year, monthly rolling average. Staffing changes in FY 2015 and FY 2016 slowed average turn-around times, though these impacts are expected to decrease in FY 2017. In addition, DEQ hopes to add additional air permitting staff in FYs 2017 and 2018 to help alleviate the increasing turn-around times in the program.

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 4,085 forecasts in FY 2016. This increased number of forecasts impacts the total number made correctly.

DEQ met its benchmark for the number of TMDLs completed for assessment unit/pollutant combinations in FY 2016, after falling below the benchmark for several years. The total number completed is also the highest number in recent years. Next year, the benchmarks for ground and surface water have been revised to better reflect meaningful measures to the public and to more accurately measure efforts to protect ground and surface water resources.

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. After increasing the benchmark in FY 2014, DEQ has continued to meet this benchmark and again surpassed the performance benchmark this year. 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 2017, which will enable further analysis of program trends. These targets are 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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