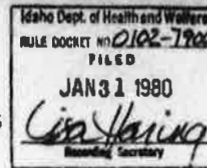


STATEMENT OF EFFECT
OF THE REVISED WATER QUALITY
STANDARDS AND WASTEWATER TREATMENT REQUIREMENTS



This contains the reasons for and affect of revisions to Idaho's "Water Quality Standards and Wastewater Treatment Requirements" as adopted by the Idaho Board of Health and Welfare on January 9, 1980.

In addition to the reasons mentioned specifically, the rules were revised to conform to a format standard to Department rules and regulations, to eliminate phrases of a non-rule nature, to eliminate duplication within the rules, and to reorganize the rules for the sake of clarity.

"Affects" within the statement are regarded increased restrictiveness over that which was provided by the previous rules. The statement "No affect on the public" indicates that the new rule, the revised rule, or the deleted rule creates no change from what would or could be under the previous rules. The statement "Cannot make the rules more restrictive" indicates that impact at the very least will be negligible; however, it is probable that the change results in a technical if not actual relaxation of the rules.

Section 1-2001. Legal Authority. Revised section. The revised section more clearly states statutory authorities and directives and eliminates policy statements which are not really of a regulatory nature. No affect on the public.

Section 1-2002. Title and Scope. Added section. The section provides a definite title for the rules and briefly summarizes the content of the rules. No affect on the public.

Subsection 1-2003.01. Appropriate Beneficial Use. The addition of this definition explains a phrase which was also used in the previous rules. It provides a basis on which to determine what is or is not a beneficial use. No affect on the public.

Subsection 1-2003.03. Biota. The addition of this definition was necessary because of the technical nature of the word Biota. The definition is peculiar to these rules. No affect on the public.

Coliform Group Organisms. The deletion of this definition is a result of deleting references to these organisms within the rules. No affect on the public.

Subsection 1-2003.04. Board. This definition was revised to conform to current agency titles. No affect on the public.

Subsection 1-2003.05. Daily Average. This definition was added to better explain a technical term. No affect on the public.

Subsection 1-2003.06. Deleterious Material. This definition was added for the sake of clarity. Though used in the previous rules, it was not defined. No affect on the public.

Subsection 1-2003.07. Department. This definition was revised to conform to current agency titles. No affect on the public.

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Section 1-2301. Short Term Activity Exemption. The revised provision is somewhat more restrictive than the previous rule. This will discourage requests for such an exemption as an expedient solution to planned pollution control. Could prevent the granting of some waivers that were previously possible. It must also be noted that the regulations in this section and the two following sections (1-2420 and 1-2440) apply only to point source discharges. The previous rules containing very similar restrictions could have been interpreted to apply to nonpoint source discharges as well.

Section 1-2420. Regulations Governing Point Source Sewage Wastewater Discharges. Elements of this section were taken from Sections X and XI of the previous rules. Consolidation, simplification of verbiage and the elimination of non-rule phrases and the total coliform limitation (replaced with a fecal coliform limitation) has made specific requirements more apparent. Cannot make the rules more restrictive.

Section 1-2440. Regulations Governing Point Sources Non-Sewage Wastewater Discharges. This section recognizes that industrial or commercial wastewaters are of a different nature than sewage wastewaters and should not be subject to exactly the same requirements. Federal standards are recognized formally as minimum treatment requirements. Cannot make the rules more restrictive.

Section 1-2460. Subsurface Sewage or Waste Disposal. There existed in the previous rules a potential conflict between the Water Quality Standards and Department rules governing subsurface sewage disposal. The revision eliminated the possibility. No effect on the public.

Section 1-2302. Maintenance of Standards of Quality. With the adoption of this section, came the deletion of the requirement that the highest and best practicable treatment and control be provided for existing wastewater sources and that the highest available treatment be provided for future sources. These policies were to be applied regardless of circumstance. This denied the question of appreciable water quality improvement and encouraged treatment for the sake of treatment. Subsections .01, .02, .05 and .06 were at most restated without changing intent. Subsection .03 restricts additional demands made on a wastewater treatment facility after it has been approved. Subsection .04 reflects statutory authorities. Nothing in this section could make these rules more restrictive.

Section 1-2400. Regulations Governing Point Source Wastewater Discharges. Each subsection within this section has a basis in the previous rules. Portions of the previous rules Sections V, VIII, and X were rewritten and consolidated into one section. In no instance does the final rule result in a more restrictive regulation. The provisions of subsection 1-2400.01(b) allow a discharge to proportionately increase turbidity when the receiving water itself is increasing in turbidity. The considerations for establishing mixing zone dimensions. (Subsection 1-2400.03) provide a potential discharge criteria upon which to plan but do not inflexibly bind the department to those principles when they achieve no water quality improvement or are unnecessary.

Section 1-2480. Waste Disposal and Injection Wells. The previous rule created a question in regard to the department's role in the control of Waste Disposal and Injection Wells. The revision clarifies that role. No effect on the public.