

Re: Rules Governing Pesticide and Chemigation Use and Application IDAPA 02.03.03

Will Tiedemann <wtiedemann@idahoconservation.org>

Thu 5/25/2023 3:45 PM

To: Lloyd Knight <Lloyd.Knight@ISDA.IDAHO.GOV>

Cc: Jonathan Oppenheimer <joppenheimer@idahoconservation.org>; Chanel Tewalt <Chanel.Tewalt@ISDA.IDAHO.GOV>; Ryan Ward <Ryan.Ward@ISDA.IDAHO.GOV>

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Thanks Lloyd! I anticipate having written comments at some point next week.

On Wed, May 24, 2023 at 3:17 PM Lloyd Knight <Lloyd.Knight@isda.idaho.gov> wrote:

Will –

Thanks for the comment and question.

I think the basic context for the proposed addition was to try to add some language to the rule to better clarify for the regulated community and our agency what might be required or advisable for spill prevention. Such language might help in a bit of a gap. That said, industry sees the language and topic as an additional regulatory burden and would like for the language to NOT be included in the rule. We haven't sat down internally to make the final decision, but industry is clearly and unanimously against it, so we need to consider those comments (and yours) as we finalize the rule and move it forward for legislative review.

As you referenced, the DEQ rule is short but descriptive of the requirements necessary for dealing with Hazardous Material Spills...

Let me know if you have any further questions or comments.

Lloyd B. Knight

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From: Will Tiedemann <wtiedemann@idahoconservation.org>
Sent: Wednesday, May 24, 2023 9:56 AM
To: Lloyd Knight <Lloyd.Knight@ISDA.IDAHO.GOV>
Cc: Jonathan Oppenheimer <joppenheimer@idahoconservation.org>
Subject: Rules Governing Pesticide and Chemigation Use and Application IDAPA 02.03.03

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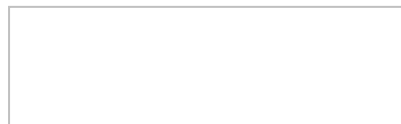
Hi Lloyd,

First, I wanted to say thanks for running great meetings on rulemakings this ZBR "season". Between a couple different agencies I've seen it done a few different ways, and I appreciate the way you/ISDA provided concise and effective context to what changes are occurring and why and have encouraged/valued discussion.

Second, I had a question on Rules Governing Pesticide and Chemigation Use and Application IDAPA 02.03.03. I wasn't able to attend yesterday's meeting, but will plan to review the meeting minutes when they are posted. However, I saw IPMA's comments suggesting the added language on General Pesticide Spill Cleanup and Containment Requirements be removed. Can you remind me of some of the context to adding this language? Are there EPA Rule changes driving the inclusion or another specific driving factor? I do see the reference to and am familiar with IDAPA 58.01.02.850. As someone who wrote Oil Spill Prevention Control and Countermeasure (SPCC) Plans for several years, the proposed language is sensible and definitely worth including (IMO). I can definitely submit written comments on this topic, but I wanted to get reminded of their context first.

Thanks!

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