



Cabarton Stretch of
the Payette River.



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SEVENTH ANNUAL IDAHO WASTEWATER TREATMENT PLANT REPORT

Municipal Sewage Treatment Plants in Idaho
Failing to Meet Clean Water Act Standards

August 14, 2024

CONSISTENT POLLUTERS:

Many Municipal Wastewater Treatment Facilities Have Been Violating the Clean Water Act For Nearly a Decade

During 2023, there were
458 violations of the Clean Water Act from Idaho's municipal wastewater treatment facilities.

7th Annual Report (Reviewing 2023 Data)

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Executive Summary

Water in Idaho holds immeasurable value, serving as the lifeblood of our communities, ecosystems, and economy. From providing drinking water to sustaining agricultural livelihoods to powering hydroelectric energy, water is indispensable for our prosperity and well-being. It nurtures diverse habitats, supporting a rich tapestry of wildlife and plant species unique to our region, and provides areas for outdoor recreation that Idahoans love.

However, Idaho's rivers and streams also have historically served a less glamorous purpose – to carry away the untreated waste and byproducts of our towns and cities. While vital for managing urban waste, wastewater treatment plants (WWTPs) can introduce pollutants into waterways if not properly maintained, compromising water quality and ecosystem health.

The federal Clean Water Act (CWA) requires these waste and byproducts (most commonly sewage) to be cleaned and treated before they are discharged to a water body. Clean water and adequate sewage treatment are essential services provided by Idaho cities, towns, and municipalities. Idahoans, just like any other U.S. citizens, depend on our municipalities to make sure our waste is properly dealt with. However, the Idaho Conservation League's (ICL) seventh annual assessment found that 58% of all sewage facilities in Idaho failed to comply with CWA standards for harmful bacteria, chemicals, toxic metals, or other substances at least once during 2023. For comparison, our sixth annual assessment found a compliance rate of 57% during 2022. In other words, for multiple years running, **over half of Idaho's municipal sewage treatment plants discharged pollutants at levels higher than legally allowed.**

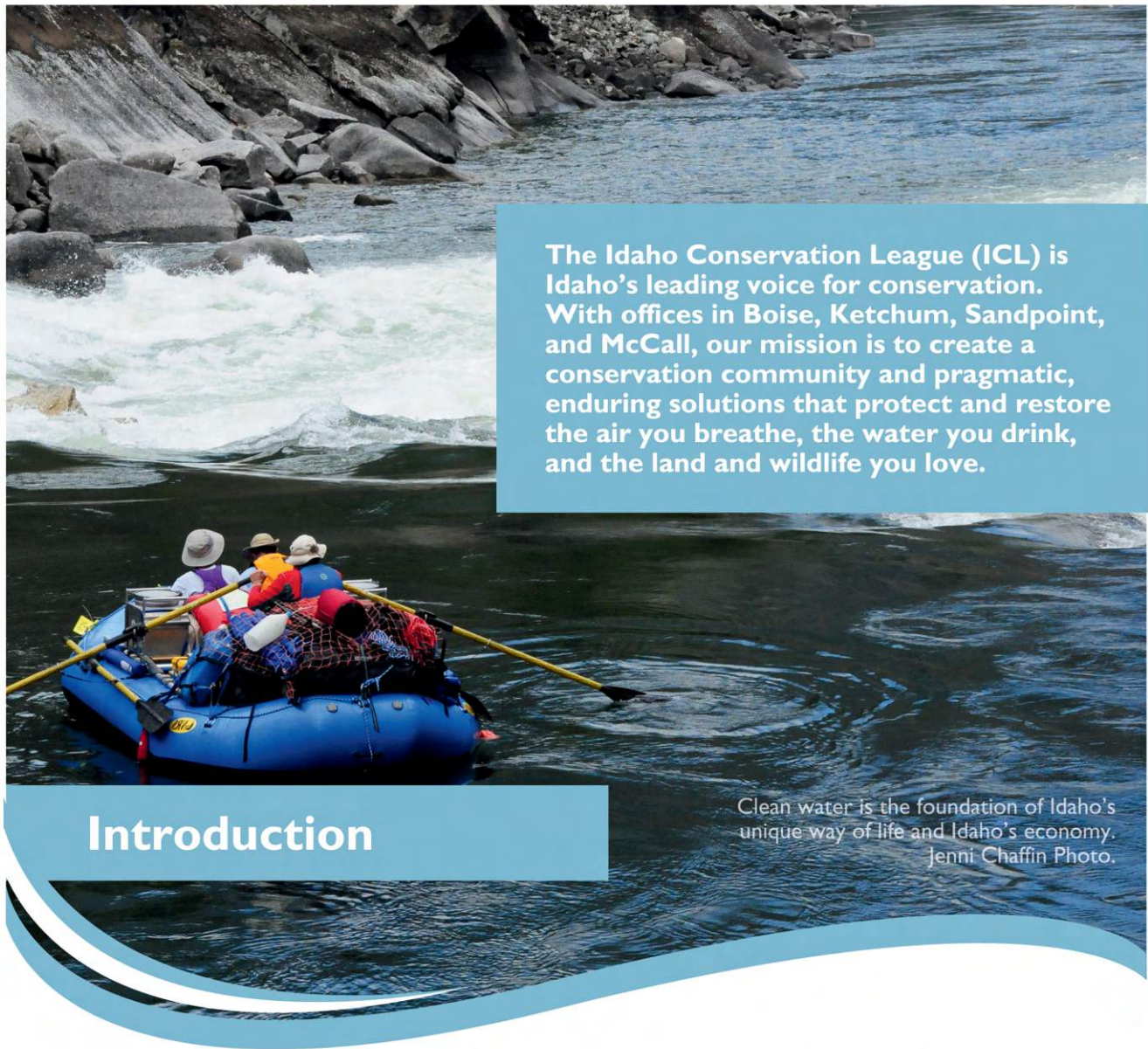
Even more telling is that 11 of the 112 sewage treatment plants spread across Idaho were responsible for more than half of all violations reported statewide (approximately 63%). All 11 of these worst-performing facilities were located in relatively small rural communities; a similar trend was also identified in ICL's 2022 assessment.

Since ICL began publishing these reports in 2016, we have seen many of the same facilities consistently fail to meet their CWA permit requirements. When you add it all up, we are looking at hundreds of violations from these repeat-offender facilities.

On the positive side, 47 cities and towns across the state reported no discharge violations in 2023. Many treatment facilities – in particular, ones serving the municipalities of Nez Perce, Kuna, Mullan, Emida, Smeltonville, and Craigmont – made strong improvements to reduce or even eliminate their discharge violations from 2022 to 2023. These facilities should be commended for the improvements.

Despite these bright spots, the state-wide picture remains troublesome; just 42% of treatment facilities operated in 2023 without any violations, an abysmal rate for something so essential as clean water. Idahoans and local leaders who live in areas with facilities that have violations should act now to fix the problem. This report provides concrete recommendations for ways to engage local leaders to act to improve sewage treatment plants with violations.

ALL IDAHOANS NEED CLEAN WATER TO LIVE, PROSPER, AND ENJOY LIFE.



The Idaho Conservation League (ICL) is Idaho's leading voice for conservation. With offices in Boise, Ketchum, Sandpoint, and McCall, our mission is to create a conservation community and pragmatic, enduring solutions that protect and restore the air you breathe, the water you drink, and the land and wildlife you love.

Introduction

Clean water is the foundation of Idaho's unique way of life and Idaho's economy.
Jenni Chaffin Photo.

ICL's mission is to create a conservation community and pragmatic, enduring solutions that protect and restore the air you breathe, the water you drink, and the land and wildlife you love. When it comes to water, ICL is actively involved in all aspects of water quality protection in Idaho. We participate in state-led efforts to develop appropriate water quality standards for Idaho's lakes and rivers. We work on policy matters related to how the state manages waterways, regulates pollution, and promotes restoration. We also review and participate in the development and issuances of wastewater discharge permits in Idaho. Through our work, we talk to state and federal regulatory agency staff, as well as to Idaho citizens who fish and recreate in our lakes and streams.

Nearly every city in Idaho is located on the banks of a river or lake. Why? Because these waterbodies play a key role in getting rid of sewage from communities. When someone flushes a toilet, the contents do not go straight into the river. This sewage is first processed in the community's wastewater treatment plant. Treated wastewater, also called effluent, is then often discharged to a lake or river. Because treatment plants discharge directly into water bodies, facilities are required to ensure the treated discharge meets all water quality standards set forth in the Clean Water Act.

To ensure that they are in compliance with the Clean Water Act, wastewater treatment plants must receive permits prior to discharging wastewater. These permits, which are unique to each facility, guide operations and set pollution limits in the treated wastewater. The U.S. Environmental Protection Agency (EPA) and the Idaho Department of Environmental Quality (IDEQ) track compliance to ensure that facilities are meeting their pollution discharge limits.

This report provides an opportunity for Idahoans to learn the basics of wastewater permitting and to begin understanding how well their local wastewater treatment plants are complying with their permits. To make this issue more accessible to the public, ICL reviewed the permits and all available discharge and monitoring reports, then assessed whether wastewater treatment plants across Idaho were complying with their permits.

This report, which is in its seventh year, provides background on discharge permits and summarizes our findings for a one-year period (January 2023 through December 2023). As Idahoans learn more about wastewater discharge permits, how permits guide operations and limit pollutants, and whether their communities' wastewater treatment plants are complying with permits, our hope is that cities will feel pressure to do a better job operating their facilities. Every Idahoan deserves clean water. We encourage concerned citizens to contact their city or local government to learn more or provide feedback.



Middle Fork Salmon River

Peter Lovera Photo

Wastewater Treatment Plants and Permits



Municipal wastewater treatment plants play a critical role in protecting water quality — keeping our rivers and lakes fishable and swimmable as well as providing a healthy habitat for plants and animals. These treatment plants come in all shapes and sizes. Generally speaking, bigger cities have facilities capable of treating larger daily inflows of sewage. These larger wastewater treatment plants rely on more advanced mechanical and biological treatment. Smaller cities use scaled-down versions that may be less complex. Smaller towns may use even less complicated lagoon systems.

Each treatment plant has a unique discharge permit that outlines how the facility is operated, limits the amount of pollution that the facility can discharge to a nearby lake or stream, and guides how and when the pollutants are measured.



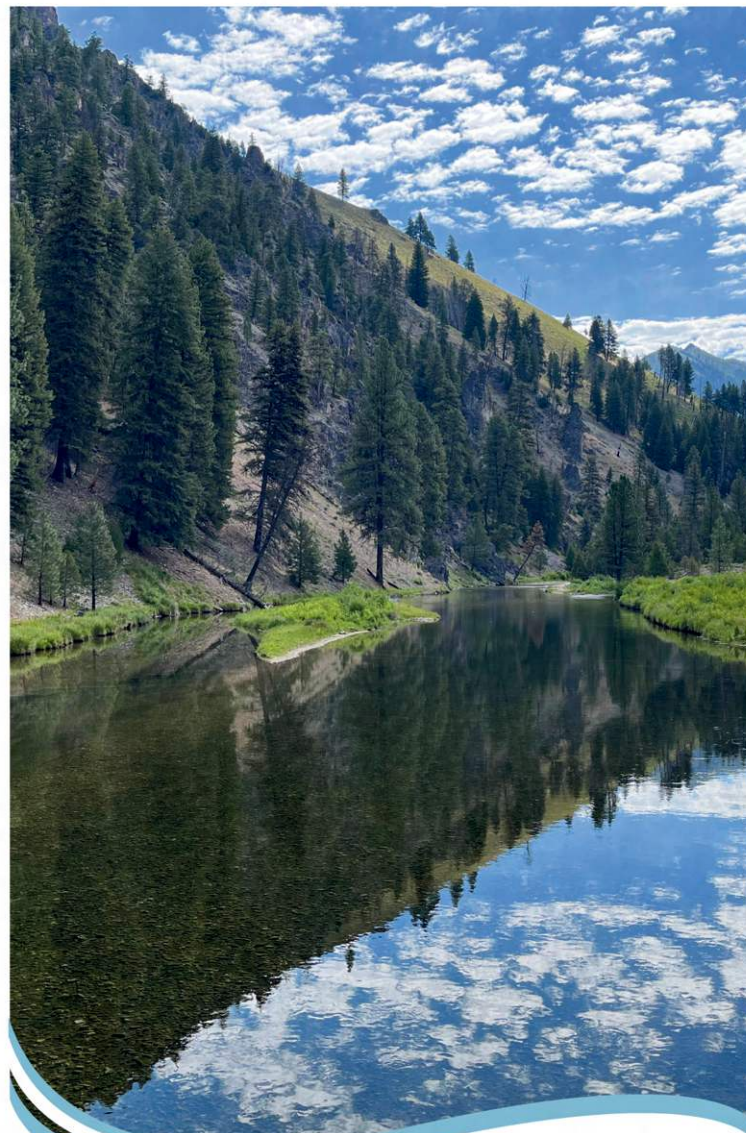
Regardless of a community's size or the amount of sewage that its treatment plant must process, these facilities must effectively treat sewage so that it can be safely discharged to a local waterbody.

Who Issues and Monitors Discharge Permits?

Permits for these facilities are required under the Clean Water Act and authorized through the National Pollutant Discharge Elimination System (NPDES). These permits are often referred to as NPDES permits or discharge permits. In Idaho, the EPA has historically issued these permits. However, this role shifted to the Idaho Department of Environmental Quality (IDEQ) in 2018. Current EPA-issued permits will stay in effect until they expire and are replaced by permits from the IDEQ. These new permits are called Idaho Pollutant Discharge Elimination System (IPDES) permits.

Every wastewater treatment plant is different. Similarly, discharge permits differ from facility to facility. Each permit is developed using water quality data and other metrics to ensure protection of the health of the lake or stream receiving the treated sewage, the aquatic life in that waterbody, the health of people who recreate in the water, and the water supply of downstream communities.

The EPA and IDEQ maintain online databases of all current discharge permits issued in the state of Idaho. Complete copies of these permits and supporting documents can be found at the following websites:



Middle Fork Boise, near Atlanta



EPA: www.epa.gov/npdes-permits/idaho-npdes-permits



IDEQ: www.deq.idaho.gov/permitting/issued-permits

Each wastewater treatment facility is charged with monitoring the pollutants regulated by its permit and reporting results (often analyzed by independent labs to ensure integrity) to the EPA.



What Pollutants are Covered in Discharge Permits?

ICL's Brad Smith monitors aquatic weed growth in Boyer Slough, which receives the effluent discharged from the Kootenai-Ponderay wastewater treatment plant. ICL photo.

Discharge permits regulate what can and cannot be discharged from treatment facilities into waterbodies. They also contain limits on how much of a particular pollutant can be discharged on a daily, weekly, or monthly basis. These limits cover a variety of pollutants that can harm human health, fish, and other aquatic life in the waterbody.

For example, limits are required for pollutants like coliform bacteria. Most people are familiar with the bacterium *Escherichia coli*, better known as *E. coli*. This pollutant comes from fecal contamination and can cause serious diseases, making it unsafe for people to swim and play downstream of a facility that is not complying with its coliform bacteria limit.

Limits are also frequently required for nutrients like nitrogen and phosphorus. Too much nitrogen and phosphorus in a waterbody acts as a fertilizer and can cause excessive amounts of algae and aquatic weed growth. When these aquatic plants die and decompose, they consume oxygen from the water. The resulting low oxygen levels harm fisheries. Nitrogen and phosphorus can also lead to toxic algal outbreaks that can kill fish, livestock, and pets, and sicken humans.

Permits may also contain limits on pollutants such as mercury, lead, copper, and other toxic metals and chemicals. These limits are in place to help protect fish and ensure that anglers can safely eat the fish they catch. Other pollutants like chlorine and ammonia are toxic to fish and can kill them outright if levels become too high.

While a permit may contain limits on any number of pollutants, several pollutants account for the vast majority of violations at municipal wastewater treatment plants (Table 1).

Table 1: Pollutants most often exceeded at wastewater treatment plants and a description of each.

Pollutant	Explanation
Ammonia and Nitrite	High levels of ammonia and nitrite in water can kill aquatic organisms.
BOD (biochemical oxygen demand)	BOD is a surrogate of the degree of organic pollution in effluent. As this material decomposes, it can deplete oxygen from the waterbody.
Chlorine	Chlorine, which is added during wastewater treatment to kill harmful microorganisms, is toxic to aquatic life.
Coliform, fecal general	Coliform bacteria are a type of bacteria that comes from human or animal waste and can cause gastrointestinal upset, fever, abdominal cramps, and diarrhea.
E. coli	Escherichia coli is a type of fecal coliform commonly found in animal and human waste. Some strains of E. coli can cause severe illness and death.
pH	This numeric scale expresses the acidity or alkalinity of a substance. A pH range of 6.0 to 9.0 is necessary to protect aquatic life in fresh water.
Phosphorus and nitrogen	Phosphorous and nitrogen can cause excessive algae and aquatic plant growth, which in turn can deplete oxygen from the waterbody.
Solids, total suspended	Total suspended solids include sediment and other fine-grained particles. These particles reduce water clarity and can harm aquatic life.
Toxic metals (e.g., zinc, copper, lead)	A high concentration of metals in effluent can cause health issues in aquatic life and humans.



What if Treatment Plants Violate Their Permits?

If a community's wastewater treatment plant fails to comply with pollutant limits in its permit, that facility can endanger human and aquatic health and harm water quality. Failure to operate a wastewater treatment plant properly is not only harmful for people who rely on a waterbody for drinking water, irrigation, recreation, and fisheries, but it is also against the law.

Although IDEQ issues these discharge permits, the Clean Water Act enables ordinary citizens to pursue enforcement action in court. Because of this provision, ICL frequently takes enforcement actions when we observe that a facility is polluting a lake or stream by violating its discharge permit.

Permit violations can lead to penalties. Because the health and environmental implications of these violations can be so dire, consequences to a municipality that violates its NPDES permit can be equally severe. The Clean Water Act provides for penalties of up to \$51,570 per violation per day.

Idaho Conservation League's Review of 2023 Data

Individual facilities monitor their discharges and report this data to the EPA in accordance with the monitoring requirements in their permits. Typically, a facility must sample and analyze its wastewater discharge every week. This means that a month generally has four separate, consecutive data collection periods in it. A few pollutants may be monitored continuously, while others require only monthly sampling.

What Data Did ICL Review?

We accessed the data collected and reported by each facility and used this data to compile our report. ICL did not collect any of our own discharge data for this report.

We reviewed discharge data for all 112 municipal wastewater treatment plants with NPDES or IPDES permits. This data covered the past year (January 2023 through December 2023), and we accessed the information at the EPA's Enforcement and Compliance History Online website.

This website (echo.epa.gov) is a searchable database of all the facilities in the United States that are permitted to discharge pollution to water or air. Information about individual facilities can be found by clicking the 'Explore Facilities' tab and searching for facilities in Idaho or a specific community.

How Did We Determine Violations?

Discharge violations occur when a facility fails to meet its permit limit for an individual pollutant during a single sampling period. For instance, if a facility exceeds its limits for both phosphorus and E. coli during a single sampling period (for example, one week), two separate discharge violations are reported, one for each infraction. If exceedances continue for a second effluent sampling period, the record shows a total of four violations.

Permit violations regarding effluent (liquid waste or sewage being discharged) typically come in three types:

- Concentration, typically measured in milligrams per liter (mg/L).
- Load, typically measured in kilograms or pounds per day (kg/d or lbs/d).
- Percent Removal, measured as the fraction of pollutants that are removed from treated wastewater vs the amount that is allowed to be discharged from the facility.

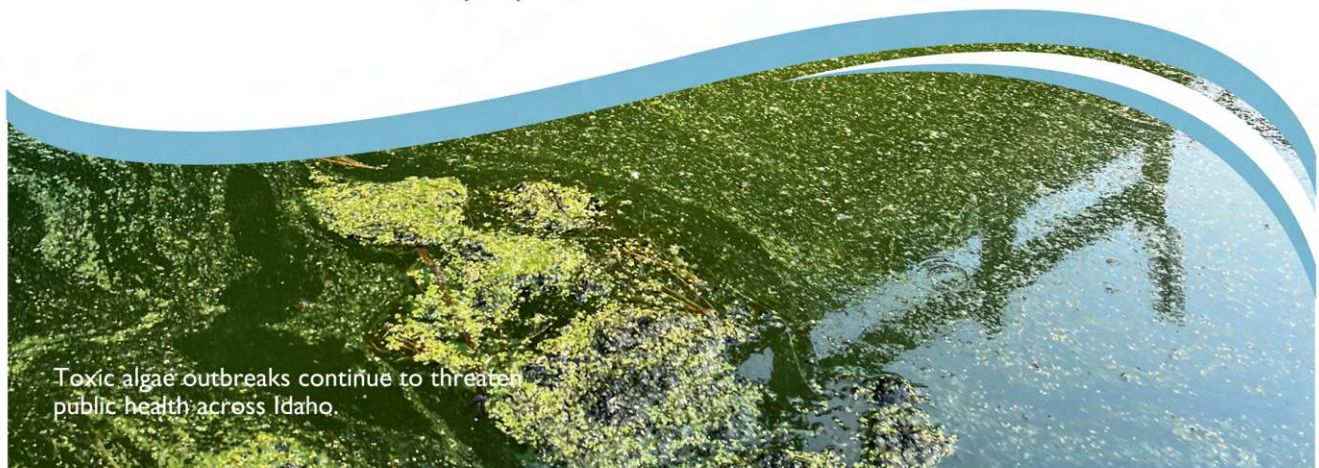
From a regulatory sense, a violation of any of these effluent limit types are treated the same in tallying the number of discharges a facility had. Furthermore, in our review, we tallied only discharge violations. Permit violations not related to discharge — such as those related to operating conditions; reporting, maintenance and compliance schedules; or recordkeeping requirements — were not integrated into our review framework (even though they are enforceable violations). We focused solely on discharge violations because these are the sorts of violations that cause immediate impacts to water quality and are the most straightforward to explain to the public.

Legally, compliance with permit limits is rigid. The Clean Water Act contains no provision for a minor violation or forgiveness for barely or infrequently violating a permit limit. Exceeding a limit by 50%, 10%, or just 1% is a violation of the permit condition and thus a violation of the Clean Water Act.

However, it is important to note that the gravity of a discharge violation is considered in enforcement and compliance procedures for discharge violators. How much a facility discharges a pollutant over its limit, how relatively harmful or toxic a pollutant is, and how readily and significantly the discharge harms human health and/or the environment are all factors when determining the gravity of discharge violations.

There is a significant range in the performance of facilities across Idaho. Over our 2023 review period, some facilities reported zero violations while others reported upwards of 40 or 50 violations.

Though it is standard to do so when calculating a penalty for an enforcement action, for our assessment, we did not multiply each discharge violation by the number of days in a sampling period. For example, using this standard approach, a discharge violation documented in a weekly sampling period would normally be multiplied by 7. Therefore, a single limit exceedance is recognized as a daily violation for every day of the sampling period and penalties are calculated accordingly. But for this report, we did not use the multiplier because we wanted to present the municipalities with their own data in the form that they reported it to the EPA.



Toxic algae outbreaks continue to threaten public health across Idaho.

Results of Idaho Conservation League's Review

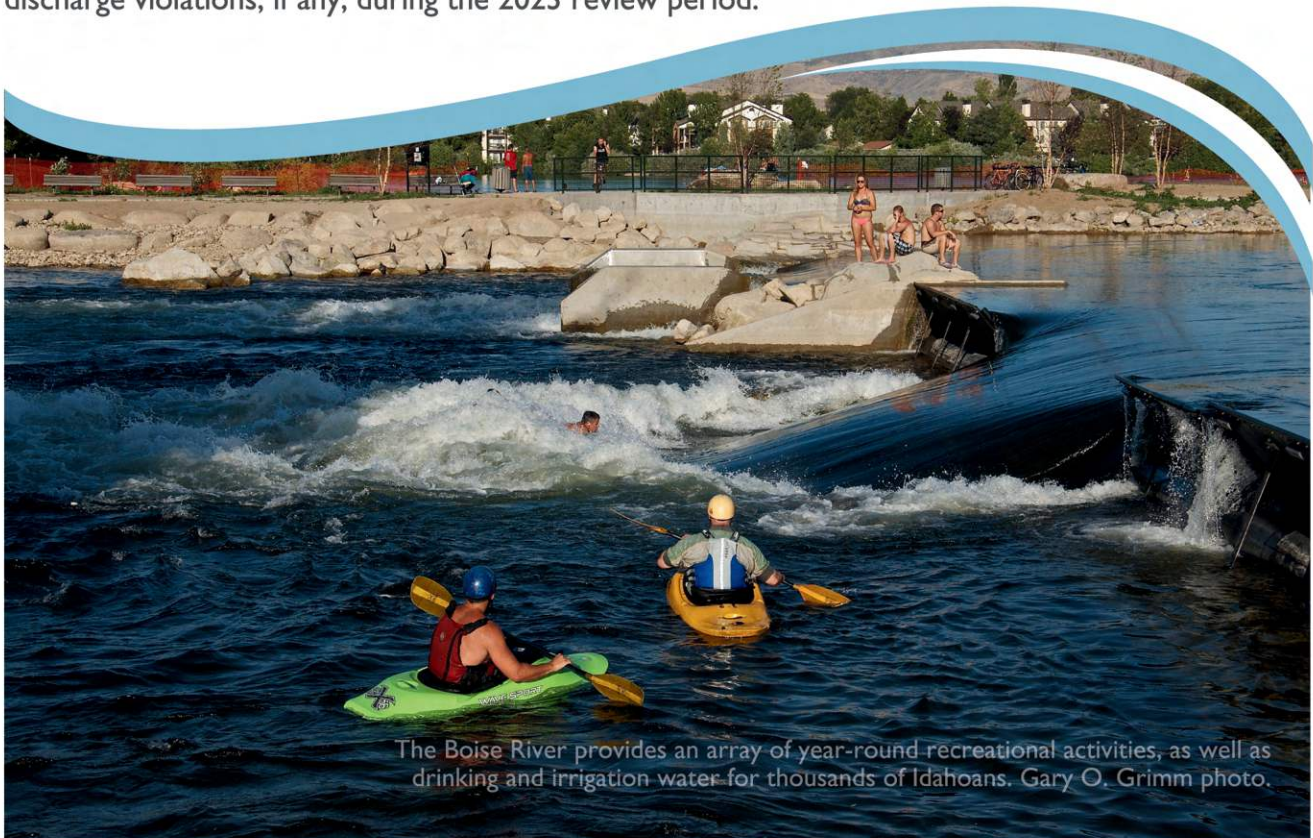
How Many Facilities Had Violations?

In Idaho, 112 municipal wastewater treatment plants have NPDES or IPDES permits. In past reports we have graded each facility using only two classifications: pass or fail. Under that prior approach, only facilities that reported zero effluent violations in our review period received a passing grade. If facilities reported a violation frequency that was greater than zero, they received a failing grade.

However, starting during our sixth annual assessment last year, we changed our grading approach to better reflect the complexities and nuances in how and why facilities violate discharge limits. Accordingly, we have moved away from a simple pass or fail label and instead evaluated facilities on a more holistic approach that considered the total number of violations, the gravity of the violation, and the size and resources of violating facilities.

Our review showed that 47 of the 112 municipal wastewater treatment plants (42%) had no violations. The remaining 65 municipal wastewater facilities (58%) violated their discharge permit limits in some form.

Appendix A lists all 112 municipal wastewater treatment plants in Idaho and the number of discharge violations, if any, during the 2023 review period.



The Boise River provides an array of year-round recreational activities, as well as drinking and irrigation water for thousands of Idahoans. Gary O. Grimm photo.

Who Had a Perfect Record?

Of the 47 facilities that reported zero discharge violations during the 2023 review period, 32 of those facilities continued their exemplary performance and had no violations in 2022 (denoted with an asterisk in the table below). The remaining 15 facilities had an average of 5 violations per facility in 2022 but all improved their performance to zero violations in 2023.

Communities with no discharge violations for 2023		
<ul style="list-style-type: none"> • Ahsahka • American Falls* • Bonnars Ferry* • Buhl* • Burley* • Caldwell* • Dover • Elk River • Emmett • Filer* • Franklin* • Fruitland • Gooding • Grace* • Greenleaf* • Hagerman* 	<ul style="list-style-type: none"> • Hayden* • Heyburn* • Jerome • Ketchum • Lapwai Valley* • Lava Hot Springs* • Lewiston* • Mackay* • Marsing • McCall* • Meridian • Middleton* • Moscow* • Moyie Springs* • Nampa* • New Plymouth* 	<ul style="list-style-type: none"> • Orofino* • Oxbow* • Page* • Payette* • Rigby* • Rockland* • Salmon • Santa Fernwood* • Star* • Tensed* • Twin Falls • Weiser* • West Boise • White Bird

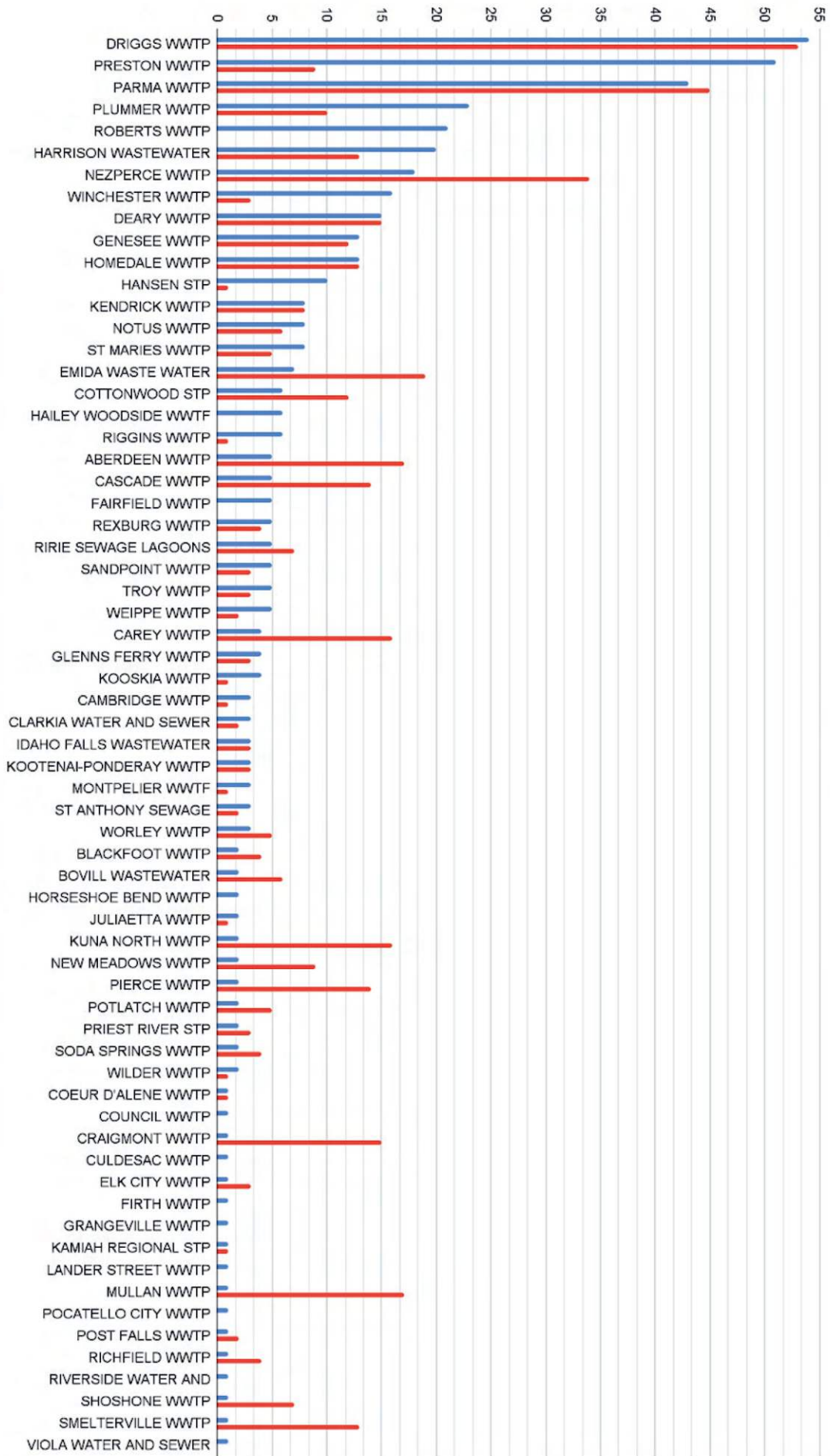
*denotes facilities who also had no violations in 2022 (in addition to 2023)

Achieving 100% compliance with one’s discharge permit is not an accident. These communities deserve praise for prioritizing clean water and ensuring smooth operation of their sewage treatment facilities.

Who Had Discharge Violations?

Our review found that 65 facilities had violated their discharge permits during 2023. In total, these facilities reported 458 discharge violations. This was down from 2022 when 520 individual violations were reported.

However, the data revealed a large variability in total recorded discharge violations among facilities. 35 facilities had 3 or less discharge violations. A mere three facilities accounted for 32% of all violations and 11 facilities accounted for 62% of all violations. Figure 1 below shows facilities with at least 1 discharge violation in 2023. Clearly, there are gradations of compliance — and some facilities are struggling.



■ 2023 Effluent Violations ■ 2022 Effluent Violations

Figure 1: Facilities with at least 1 discharge violation in 2023 plotted against their total number of violations in 2023



What are the Worst Facilities in Idaho By Violation Count?

While any number of violations is problematic, some of Idaho’s municipal wastewater treatment plants are struggling much more than others. Indeed, a small subset of the 112 municipal facilities spread across Idaho is responsible for a hugely disproportionate number of the violations. As noted above, just 11 facilities accounted for more than half (62%) of all of the violations that occurred statewide (Figure 2). The worst-performing facilities in Idaho clearly have some significant structural or operational problems that must be addressed.

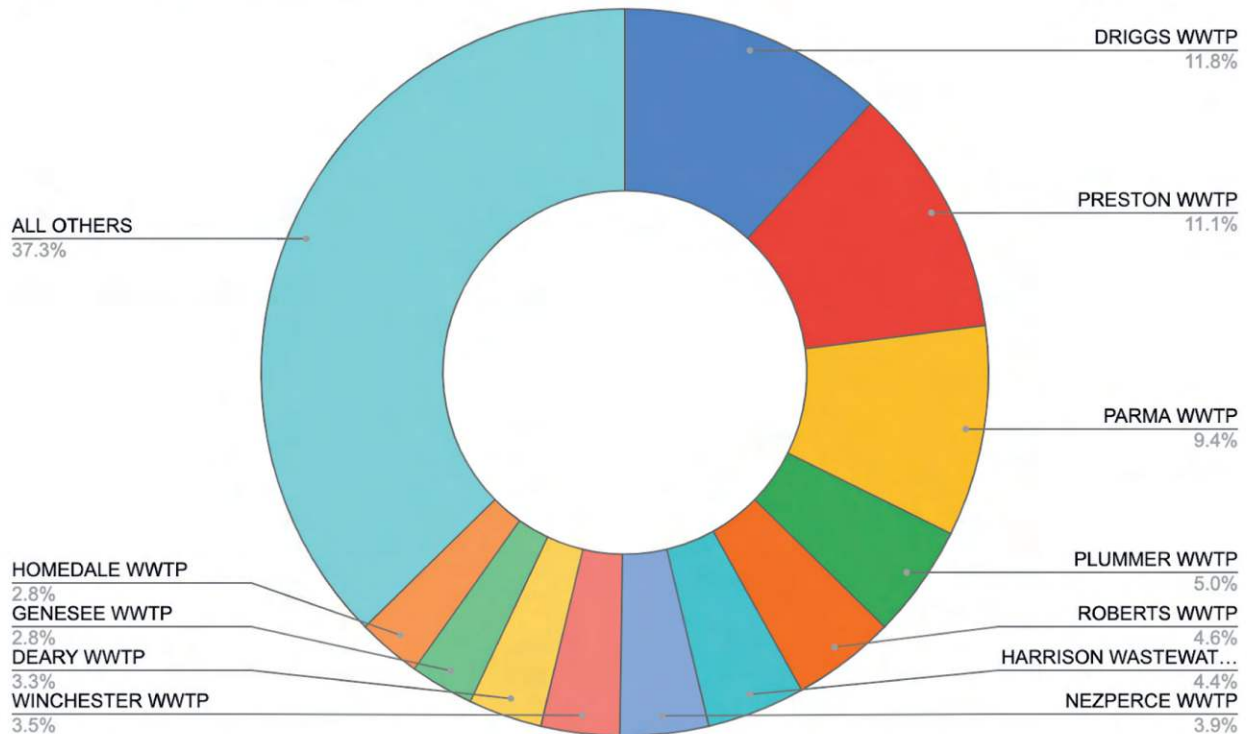


Figure 2: The 11 worst performing facilities have over half the violations in the entire state.

A higher number of discharge violations correlates to greater harm to human health and the environment, and also signals a facility's inability to adequately respond to an issue. However, as noted previously, simply looking at the total number of violations does not always tell the whole story. The gravity of discharge violations is also important to evaluate – this includes factors like how much a facility discharges a pollutant over its limit (total load), how relatively harmful or toxic a pollutant is, and how readily and significantly the discharge harms human health or the environment.

Consider one facility that had dozens of moderate to low-load violations for a pollutant like total suspended solids (TSS) or phosphorus, and another that had only one or two violations but at high loads for a pollutant like ammonia or chlorine. Which case is “worse”? Ammonia and chlorine have direct toxic properties while phosphorus and TSS generally do not and pound for pound are less harmful to the environment. Given these nuances, comparing and ranking the severity of a facility's violations is not a straightforward process.

Thankfully, another metric can be used to help evaluate facility violations — the physical weight of pollutants a facility discharged over allowed limits.



What Are The Worst Facilities in Idaho by Pollutant Load?

There are three common types of discharge violations: concentration, load, and percent removal. While a violation of any of the three types constitutes a discharge violation, the EPA collects data on load violations that can be used to rank facilities in the total weight of pollutants discharged above what their permit allows them to (known as total load over limit). Of the 65 facilities noted above that had effluent violations, 24 of them had total load over limits violations adding up to 84,898 pounds of pollutants over limits.

Figure 3 below shows all 24 facilities with their total load over limits broken out by pollutant category. It's important to note that these load over limits totals are summed over each applicable individual monitoring period for the facility (most commonly, monthly). They are also not a net calculation, i.e. monitoring periods where a facility discharged a load below limits were not treated as a negative value counted against a yearly total. While this may not credit facilities for periods where they have done their job well, wastewater pollutants often have quick effects that are not appropriately measured over a yearly average or can have disproportionately larger effects during different times of the year (say during salmon, steelhead, or bull trout spawning seasons).

As is similar to the total violation counts presented earlier, a small minority of facilities accounted for the vast majority of the total load over limits. In some cases, facilities with the highest number of violations like Driggs and Preston also had high loads over limits. However, some facilities with a high number of violations, like Parma (43 total), did not discharge any pollutants over load limits. Vice versa this is also true. Idaho Falls, Grangeville, Carey and Ririe combined for 13 violations in 2023 (3% of 2023 total violations) but 14,024 pounds of pollutants over load limits (16% of 2023 total load over limits).

Clearly, evaluating the severity of discharge violations is an inexact science. However, the data does allow us to hone in on facilities with particularly significant violations.

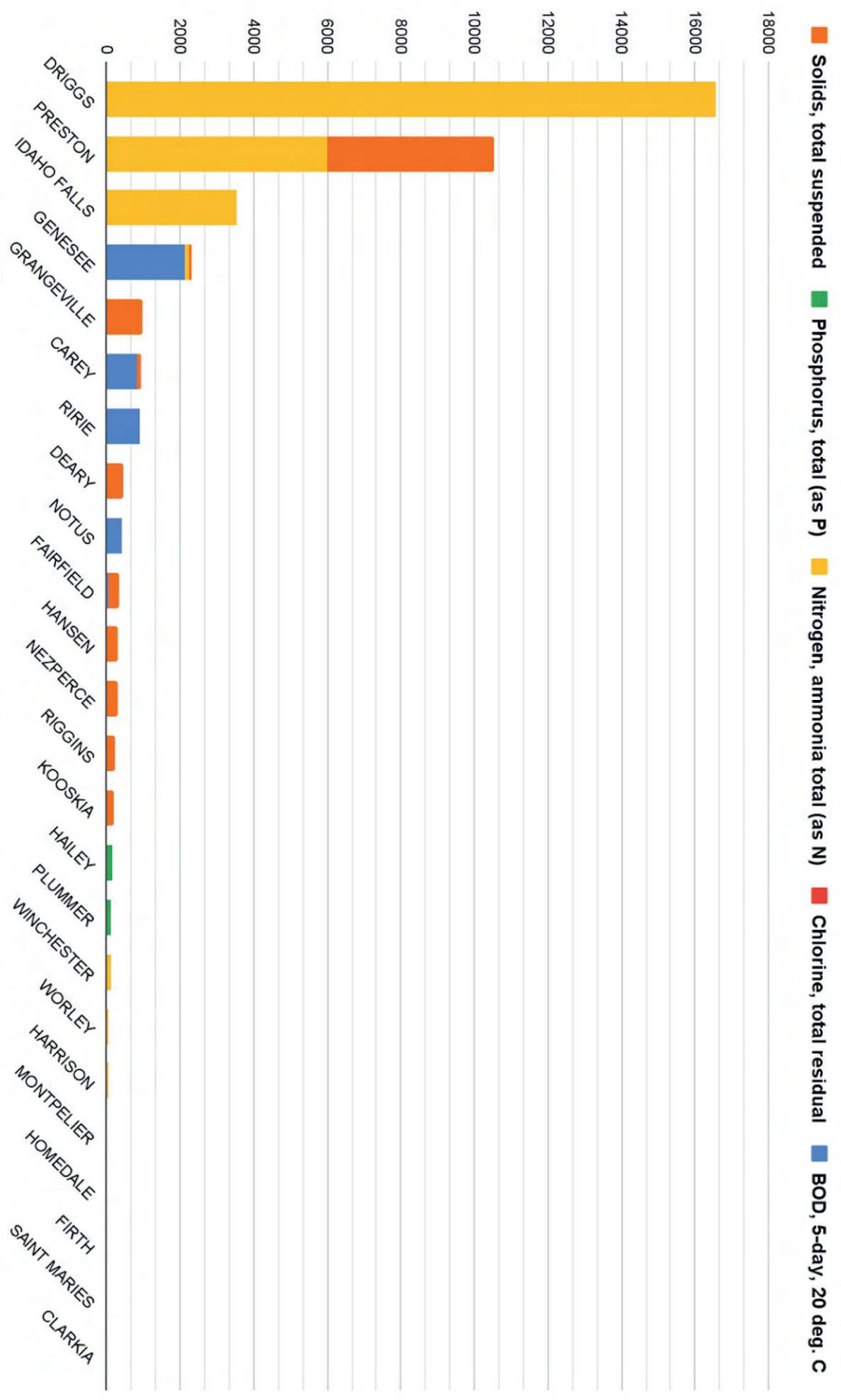


Figure 3: Facilities with Load Over Limit Violations

The Worst of The Worst

Below we will highlight a few facilities with notable violations accounting for past history, number of violations, load, and other relevant special factors.

We should also note, ICL reached out to the cities of Preston and Driggs in an attempt to better address questions with their effluent violations but only received a response from the City of Driggs.

Preston WWTP

The City of Preston's WWTP dealt with a significant uptick in effluent violations in 2023. The facility only had nine effluent violations in 2022, but that number jumped five-fold to 51 violations in 2023. Throughout 2023, the facility violated annual, monthly, and weekly pollutant limits. Ammonia/Nitrogen was the primary pollutant, but BOD and TSS were also an issue. The facility discharges its wastewater to Worm Creek, a tributary to the Cub River located in a rural agricultural area of southeast Idaho.

In February of 2023, the facility was issued a Notice of Noncompliance (NoN) by DEQ for its ongoing effluent violations. NoN are formal letters DEQ uses to officially put facilities on "notice" that they have significant effluent violations that need to be addressed.

The City of Preston has long known their WWTP is outdated and unable to effectively treat pollutants. In fact, their current permit requires them to complete facility upgrades by late 2025 to better treat phosphorus pollution. However, in recent reporting, the city has stated the estimated costs associated with these upgrades have been significantly higher than expected. At this time it is unknown when exactly the city expects to begin any construction on facility upgrades. The City of Preston did not respond to ICL's request in April 2024 to discuss the issue.

City of Driggs WWTP

The Driggs wastewater treatment facility has often been featured in ICL's WWTP reports. The facility had 53 total violations in 2022 and 54 violations again in 2023. The facility also discharged approximately 36,000 pounds of ammonia over limits in both 2022 and 2023. The facility discharges its wastewater to an unnamed tributary of the Teton River. The Teton River is already impaired by high water temperatures and total suspended solids (TSS).

Driggs has perennially had issues with its wastewater treatment plant ever since it was significantly upgraded in 2013. For a variety of reasons, the facility has never been able to properly remove enough ammonia from its wastewater. Thankfully, the City of Driggs has contracted with engineers and is in the process of designing a new facility to address the issue and hopes to progress through construction quickly. The city is also expected to soon sign a settlement agreement with the EPA to address past violations and develop a formal timeline to bring their new facility online.

We are encouraged by the solid progress the City of Driggs has made to address the long standing issues with their WWTP. For most small towns in Idaho, constructing new a WWTP is a significant challenge that requires considerable resources that can strain municipal budgets and staffing.

Parma WWTP

The City of Parma's WWTP has a complicated history in addressing facility deficiencies and has had significant effluent violations going back to 2021, including BOD, suspended solids, E. Coli, pH, residual chlorine, and phosphorus. The facility has/had legal consent orders to upgrade its treatment process to specifically address residual chlorine and phosphorus pollution. The City of Parma had also had trouble implementing these upgrades, which has led to additional effluent violations. The facility discharges to Sand Hollow Creek which enters the Snake River approximately five miles downstream.

In late 2023, [Snake River Waterkeeper](#) (a non-profit group focused on protecting and improving the water quality of the Snake River) filed a notice of intent to sue the City of Parma for its wastewater effluent violations. However, Idaho DEQ ultimately chose to step in and filed its own lawsuit to address the same violations, blocking Snake River Waterkeeper's potential suit. In January 2024, DEQ and the City of Parma agreed to a settlement that assessed a \$66,900 penalty for 92 separate violations stemming all the way back to 2018. The agreement also included requirements to update plans that will ultimately successfully implement facility improvements and comply with all final effluent limits.

Significantly Improved Facilities

Just as it is important to call out facilities with current discharge violations, it is also important to recognize and give credit to facilities that have improved upon or corrected past discharge issues. Several facilities have made significant improvements from 2022 to 2023.

The City of Jerome and Kuna's wastewater treatment plants were both featured in last year's WWTP report for significant effluent violations (18 and 16 respectively) and loads over limits (approximately 30,000 lbs and 7,300 lbs, respectively). Impressively, Jerome had zero effluent violations and zero load over limits in 2023. Kuna's facility still had a couple effluent violations in 2023 for ammonia/nitrogen and has work to do, but has made significant progress since 2022. The City of Nezperce's wastewater treatment plant had significant issues in 2022 with proper treatment for BOD, E. Coli, and TSS – resulting in 34 discharge violations and 18,867 pounds of pollutants over load limits. However, in 2023, the facility only had 18 discharge violations with only 653 pounds of load over limits. The facility still has significant room for improvement, but considering the limited resources typically available to small towns like Nez Perce, the progress is encouraging.

Wastewater treatment plants in the cities of Mullan, Craigmont, Smelterville had 17, 15, and 13 effluent violations, respectively, in 2022. However, all facilities had only a single effluent violation in 2023 and zero load over limits.

Finally, it is important to note that while many facilities have had notable discharge violations in 2023 and many have made improvements since 2022, we have chosen to give extra focus on a select few. This decision weighs many factors including the nature, number, and gravity of a facility's violations. It also weighs the sensitivity of the watershed that the facility discharges and their economic means to correct violations that often require costly upgrades. To provide information on all facilities, Appendix A of this report lists all wastewater treatment plants in Idaho with their 2023 and 2022 discharge violation totals, as well as their corresponding load over limits.

Have Facilities Been Held Accountable?

This is the seventh year that ICL has produced this report. ICL has presented these reports at meetings and conferences to mayors, city officials, regulating agencies, and the general public. It's important that these groups recognize that pollution of Idaho's waters won't be overlooked, and that ICL will continue to track each facility's compliance — particularly those with poor track records. Despite the fact that some facilities remain on the "Worst Polluters" list, progress has still been made, due at least in part, to the publishing of this report.

The Idaho Department of Environmental Quality (IDEQ) is the lead agency in charge of holding facilities accountable when they violate their permit limits. Typically, when faced with a notice of violation from IDEQ, the facility will sign a compliance agreement with the agency that details (1) how the facility intends to come into compliance with their permit and (2) how much the facility will be fined for the violations.



Caldwell WWTP. Google Earth Photo

First and foremost, it's important that the facility fix any operational issues that are preventing it from meeting its limits. The compliance agreement details tasks the facility must complete to come into compliance. These tasks can range from upgrading one aspect of its treatment process to building an entirely new treatment facility.

Second, it's important that these facilities are held accountable for violating their permits. As mentioned previously, violating a permit limit is a violation of the Clean Water Act, which can result in significant monetary penalties.

Over the one year period analyzed for this report, only a small handful of wastewater treatment facilities have been penalized for violating their permit limits. Since the process of developing and finalizing IPDES penalties can be a lengthy process, it is possible additional penalties for 2023 violations at other facilities are forthcoming.

We need to be holding more of these polluters accountable. If not, we risk poor water quality, detrimental impacts to aquatic life, and human health concerns.



Conclusions

North Fork of the Coeur d'Alene River.
Corey Surber Photo

There is a wide variation in the number of violations that facilities reported. Some facilities reported very few violations. At the other end of the spectrum, several facilities reported over 40 violations. Facilities reporting violations need to carefully evaluate the causes for their violations and then identify and implement solutions.

Many facilities — those serving the municipalities of Preston, Driggs and Parma in particular — recorded significant and concerning violations. These facilities need to put more effort into upgrading their facilities and meeting their permit limits.

ICL commends the 47 facilities that fully complied with their discharge permits in 2023. Those facilities deserve to be recognized for protecting water that is vital for aquatic life, public health, and recreation.

Next Steps

ICL takes these violations very seriously. One of the purposes of this report is to remind facilities that it is a violation of the Clean Water Act to discharge pollution from wastewater treatment plants at levels that exceed their permitted limits. If your community's wastewater treatment plant recorded violations in this report, your local sewage treatment plant could find itself charged with violating the Clean Water Act.

No municipality wants to be on the receiving end of a Clean Water Act citizen enforcement case. Bringing in lawyers, going to court, and paying penalties can be very costly. The best way to avoid this situation is to instead prioritize efforts to ensure that a facility is operated and maintained to meet its permit limits. A community may need to invest additional money in equipment or upgrades. This is money well spent if it serves the dual purpose of protecting human health and water quality and avoiding litigation.



Bill Robinson Photo

Facilities that are violating their permits, especially those facilities that stand out as having frequent violations or large loads over limits, are at grave risk of enforcement actions in the coming years. We encourage these communities to carefully review their facilities' performance and ensure local officials are taking the necessary steps to bring them into compliance with their permits.

What You Can Do

From community members to locally elected officials, this report is intended for a variety of audiences. The actions you can take depend on your role in the community. The steps outlined below can be used to start educating yourself about the wastewater treatment plant in your community or one that discharges into a river or lake where you and your family fish and swim.

- Review the municipal wastewater treatment plant's NPDES/IPDES permit. These documents, as well as fact sheets that provide greater detail and explain the permit conditions, can be accessed online: www.deq.idaho.gov/permits/issued-permits-and-water-quality-certifications and www.epa.gov/npdes-permits/idaho-npdes-permits or
- Visit the EPA's Enforcement and Compliance History Online website to review the performance of your local facility: echo.epa.gov



If You Live in a Community With Zero Violations...

- Contact your local elected officials and thank them. Having a well-run facility is no accident. Chances are your local city council has made key decisions — such as allocating financial resources and staffing — that reflect the importance of protecting your local water quality.
- Consider writing a letter to city leaders or go to a city council meeting and say thank you.



Brook Vinnedge Photo

If You Live in a Community With Violations...

- Contact your local elected officials and voice your concerns. Bring a copy of this report to a city or town council meeting and raise your concerns directly to your elected officials.
- Tell local leaders that you are concerned because you want your community's wastewater treatment plant to be part of protecting water quality — not harming it.
- Tell them that you are concerned that violations at your sewage plant are a huge financial liability for the community. Fines of up to \$51,570 per violation per day could be very hard on your town. It would be much better for this money to be invested in fixing the problem instead of a lawsuit.



A family looks out over the Boise River.
Kelly Hewes Photo.

An ICL Water Quality Steward takes notes after collecting a water sample at the Sandpoint wastewater outfall.

No matter the cause or the needed fix, the time to act for clean water is now.

If You're an Elected Official in a Community With Violations...

It's probably safe to say that no town councilors or mayors want their wastewater treatment plants to illegally pollute. Perhaps you didn't know that your facility was violating the law, or perhaps you knew that it was racking up violations but didn't realize this behavior was irregular, or perhaps you didn't realize violations placed your community at huge financial risk. No matter how it happens, as an elected official, you have a responsibility to ensure that your community's facility is well-run and complies with state and federal laws. This means that you need to be talking about this issue at council meetings and impressing on the operator of your facility that violations are unacceptable.

Some violations may indicate that your facility is not being operated correctly. Other violations may be the result of broken or old equipment that needs to be repaired or replaced. Eliminating violations may be as simple as paying better attention to how your plant is run or it may require that your community prioritize increased funding for the facility.

We encourage facilities struggling with compliance to contact the Idaho Department of Environmental Quality (IDEQ) to discuss the reasoning behind violations and possible solutions. In addition to providing technical support, IDEQ can provide guidance on how best to fund needed infrastructure improvement, such as low-interest loans or grant opportunities.

In fact, IDEQ and the State of Idaho administer wastewater treatment facility planning grants as well as construction loans themselves. These grants and loans are generally allocated according to the greatest need.

No matter the cause or the needed fix, the time to act is now – all Idahoans need and deserve clean water.

Appendix A

Alphabetical list of all 112 municipal wastewater treatment plants in Idaho that have NPDES or IPDES permits and the violations incurred over 2023, if applicable.






Facility Name	2023 Effluent Violations	2022 Effluent Violations	2023 Load Over Limits	2022 Load Over Limits	Violation Trend
Ahsahka WWTP	0	2	0	0	↓
American Falls WWTP	0	0	0	0	★
Bonnars Ferry WWTP	0	0	0	0	★
Buhl WWTP	0	0	0	0	★
Burley WWTP	0	0	0	0	★
Caldwell WWTP	0	0	0	0	★
Dover WWTP	0	1	0	0	↓
Elk River STP	0	1	0	0	↓
Emmett WWTP	0	1	0	0	↓
Filer WWTP	0	0	0	0	★
Franklin WWTP	0	0	0	0	★
Fruitland Payette River WWTP	0	2	0	0	↓
Fruitland Snake River WWTP	0	0	0	0	★
Gooding WWTP	0	4	0	0	↓
Grace WWTP	0	1	0	0	↓
Greenleaf STP	0	0	0	0	★
Hagerman WWTP	0	0	0	0	★
Hayden Area Regional Sewer Board WWTP	0	0	0	0	★

Facility Name	2023 Effluent Violations	2022 Effluent Violations	2023 Load Over Limits	2022 Load Over Limits	Violation Trend
Heyburn WWTP	0	0	0	0	★
Jerome WWTP	0	18	0	30584	↓
Ketchum Sun Valley WWTP	0	6	0	213	↓
Lapwai Valley WWTP	0	0	0	0	★
Lava Hot Springs WWTP	0	0	0	0	★
Lewiston WWTP	0	0	0	0	★
Mackay WWTP	0	0	0	0	★
Marsing WWTP	0	5	0	0	↓
McCall WWTP	0	0	0	0	★
Meridian WWTF	0	1	0	0	↓
Middleton WWTP	0	0	0	0	★
Moscow STP	0	0	0	0	★
Moyie Springs WWTP	0	0	0	0	★
Nampa WWTP	0	0	0	0	★
New Plymouth Sewage Lagoon	0	0	0	0	★
Orofino WWTP	0	0	0	0	★
Oxbow WWTP	0	0	0	0	★
Page WWTP	0	0	0	0	★
Payette WWTP	0	0	0	0	★
Rigby WWTP	0	0	0	0	★
Rockland WWTP	0	0	0	0	★
Salmon Sewage Lagoon	0	1	0	0	↓


Facility Name	2023 Effluent Violations	2022 Effluent Violations	2023 Load Over Limits	2022 Load Over Limits	Violation Trend
Santa Fernwood WWTF	0	0	0	0	★
Star WWTP	0	0	0	0	★
Tensed WWTP	0	0	0	0	★
Twin Falls STP	0	1	0	0	↓
Weiser WWTP	0	0	0	0	★
West Boise WWTP	0	1	0	0	↓
White Bird Sewage Treatment System	0	3	0	0	↓
Driggs WWTP	54	53	36508	36457	↑
Preston WWTP	51	9	23254	1120	↑
Idaho Falls WWTP	3	3	7812	0	↔
Genesee WWTP	13	12	5101	362	↑
Grangeville WWTP	1	0	2160	0	↑
Carey WWTP	4	16	2054	1191	↓
Ririe Sewage Lagoons	5	7	1998	2502	↓
Deary WWTP	15	15	967	0	↔
Notus WWTP	8	6	916	540	↑
Fairfield WWTP	5	0	757	0	↑
Hansen STP	10	1	679	30	↑
Nezperce WWTP	18	34	653	18868	↓
Riggins WWTP	6	1	510	0	↑
Kooskia WWTP	4	1	423	0	↑
Hailey Woodside WWTF	6	0	315	0	↑

Facility Name	2023 Effluent Violations	2022 Effluent Violations	2023 Load Over Limits	2022 Load Over Limits	Violation Trend
Plummer WWTP	23	10	263	65	↑
Winchester WWTP	16	3	259	0	↑
Worley WWTP	3	5	129	1522	↓
Harrison WWTP	20	13	72	66	↑
Montpelier WWTF	3	1	42	0	↑
Homedale WWTP	13	13	22	24	↔
Firth WWTP	1	0	12	0	↑
Emida Waste Water Facility	7	19	6	1774	↓
Clarkia Water and Sewer District WWTP	3	2	1	0	↑
Parma WWTP	43	45	0	39	↓
Roberts WWTP	21	0	0	0	↑
Kendrick WWTP	8	8	0	0	↔
St. Maries WWTP	8	5	0	0	↑
Cottonwood STP	6	12	0	45	↓
Aberdeen WWTP	5	17	0	0	↓
Cascade WWTP	5	14	0	0	↓
Rexburg WWTP	5	4	0	0	↑
Sandpoint WWTP	5	3	0	0	↑
Troy WWTP	5	3	0	0	↑
Weippe WWTP	5	2	0	0	↑
Glenns Ferry WWTP	4	3	0	0	↑
Cambridge WWTP	3	1	0	0	↑

Facility Name	2023 Effluent Violations	2022 Effluent Violations	2023 Load Over Limits	2022 Load Over Limits	Violation Trend
Kootenai-Ponderay WWTP	3	3	0	4	↔
St. Anthony Sewage Lagoon	3	2	0	0	↑
Blackfoot WWTP	2	4	0	0	↓
Bovill WWTP	2	6	0	39	↓
Horseshoe Bend WWTP	2	0	0	0	↑
Juliaetta WWTP	2	1	0	0	↑
Kuna North WWTP	2	16	0	7301	↓
New Meadows WWTP	2	9	0	0	↓
Pierce WWTP	2	14	0	0	↓
Potlatch WWTP	2	5	0	3662	↓
Priest River STP	2	3	0	0	↓
Soda Springs WWTP	2	4	0	3	↓
Wilder WWTP	2	1	0	0	↑
Coeur D'Alene WWTP	1	1	0	0	↔
Council WWTP	1	0	0	0	↑
Craigmont WWTP	1	15	0	27	↓
Culdesac WWTP	1	0	0	0	↑
Elk City WWTP	1	3	0	0	↓
Kamiah Regional STP	1	1	0	0	↔
Lander Street WWTP	1	0	0	0	↑
Mullan WWTP	1	17	0	153	↓
Pocatello City WWTP	1	0	0	0	↑
Post Falls WWTP	1	2	0	0	↓

Facility Name	2023 Effluent Violations	2022 Effluent Violations	2023 Load Over Limits	2022 Load Over Limits	Violation Trend
Richfield WWTP	1	4	0	2162	
Riverside Water and Sewer District WWTP	1	0	0	0	
Shoshone WWTP	1	7	0	0	
Smelterville WWTP	1	13	0	0	
Viola Water and Sewer District WWTP	1	0	0	0	

Violation Trend Legend:

-  Increase in effluent violations from 2022 to 2023
-  Decrease in effluent violations from 2022 to 2023
-  No change in effluent violations between 2022 to 2023
-  No effluent violation in 2022 and 2023