

**LEGAL NOTICE
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF THE PROPOSED CREATION OF AN AREA OF DRILLING CONCERN
NEAR SODA SPRINGS, IDAHO
NOTICE OF PUBLIC HEARING**

The Director (“Director”) of the Idaho Department of Water Resources (“Department”) may designate, as he determines necessary, Areas of Drilling Concern (“ADC”) on an aquifer-by-aquifer basis to protect public health and to prevent waste or contamination of ground or surface water. Idaho Code § 42-238(15) authorizes the Director to designate an ADC.

NOTICE IS HEREBY GIVEN, pursuant to Idaho Code § 42-238, that the Department will conduct a public hearing regarding the proposed designation of the Soda Springs Area of Drilling Concern (“SSADC”):

PUBLIC HEARING FOR PROPOSED CREATION OF THE SSADC

**Thursday, November 2nd, 2023
5:00 PM
City Hall
9 W 2nd Street
Soda Springs, Idaho**

The Department is considering designation of the ADC based on a petition it received from the Greenfield Environmental Multistate Trust LLC (“Greenfield”). Groundwater quality in the area has been impacted by contaminants originating from the former chemical processing facility at the Kerr-McGee Corporation Superfund Site (“Site”). Concentrations of molybdenum and vanadium in groundwater at the Site currently exceed U.S. Environmental Protection Agency (“EPA”) levels for tap water. The Site was placed on the EPA National Priorities List in 1989. Subsequent environmental investigations resulted in the following conclusions:

1. The Blackfoot Basalt aquifer underlying the Site and portions of the city of Soda Springs is contaminated by molybdenum and vanadium.
2. The designation of the ADC is the most appropriate form of institutional control available to address off-site human health risk from exposure to elevated concentrations of molybdenum and vanadium in groundwater.

Wells drilled or modified in a designated ADC may be subject to specific bonding and well construction requirements.

The Department will present information at the hearing regarding statutory authority for designation of an ADC and requirements for drilling or modifying wells within an ADC. Greenfield will present information concerning the proposed boundaries of the SSADC, existing contamination, potential for spreading contamination between aquifers, and recommendations for constructing wells to prevent spreading contaminants to deeper aquifers. The hearing will be held in accordance with the Department’s Rules of Procedures (IDAPA 37.01.01). These rules may be viewed at the Idaho Department of Administration’s website as follows: <https://adminrules.idaho.gov/rules/current/37/370101.pdf.water>

Information regarding the proposed SSADC, including a map showing the boundaries, the Greenfield petition for the SSADC, and the Department Staff Memorandum evaluation of the petition can be viewed on the Department’s website at: (<https://idwr.idaho.gov/wells/areas-of-drilling-concern/>)

Information and testimony presented at the hearing on Thursday, November 2nd, 2023, will create a record upon which the Director will rely to determine whether designation of the ADC is appropriate. It is important that well drillers, well owners and the public understand the proposed action and participate in the hearing process. Erik Boe, Department Ground Water Protection Section Manager, will serve as the hearing officer. Persons attending the hearing will be provided with an opportunity to make an oral presentation regarding the proposed action. Written comments may be submitted to the hearing officer at the hearing or at any time prior to the close of the written comment period on November 16, 2023. Written comments not presented at the hearing should be sent to the Director, Department of Water Resources, PO Box 83720, Boise, Idaho, 83720-0098.

The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. Should you require special accommodation to attend, participate in or understand the hearing, please contact the Department at least five days prior to the hearing.

Questions concerning this notice may be directed to the Department's state office at (208) 287-4800 or regional office at (208) 525-7161.

Mathew Weaver Director

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