

<p>Docket Number: <u>58-0000-1900F</u> Effective Date: <u>2020 Sine die</u> Rules Title: <u>IDAPA 58: Adopt and re-publish previously approved and codified rule chapters</u> Agency Contact and Phone: <u>Paula Wilson (208)373-0418</u></p>	<p style="text-align: center;"><u>Public Participation</u></p> <p>Negotiated Rule Making? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Proposed Rule: 6/19/19 Idaho Administrative Bulletin</p> <p>Public Hearings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Locations and Dates: N/A</p> <p>Written Comment Deadline: 7/10/19</p> <p>Public Comments Received? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p><u>Overview of Rulemaking</u></p> <p>This rulemaking adopts and re-publishes the following existing and previously approved and codified fee rule chapters under IDAPA 58 rules of the Department of Environmental Quality:</p> <p>IDAPA 58.01.05, Rules and Standards for Hazardous Waste IDAPA 58.01.06, Solid Waste Management Rules IDAPA 58.01.07, Rules Regulating Underground Storage Tank Systems IDAPA 58.01.08, Idaho Rules for Public Drinking Water Systems IDAPA 58.01.12, Rules for Administration of Water Pollution Control Loans IDAPA 58.01.13, Rules for Ore Processing by Cyanidation IDAPA 58.01.14, Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services IDAPA 58.01.18, Idaho Land Remediation Rules IDAPA 58.01.20, Rules for Administration of Drinking Water Loan Program IDAPA 58.01.25, Rules Regulating the Idaho Pollutant Discharge Elimination System Program</p>	<p><u>Interim Legislative Review of Proposed Rule Pursuant to Idaho Code § 67-5223</u></p> <p>Meetings Held? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Objections Filed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Documentation from Legislative Services Office (LSO) attached: 7/9/19 Memo from LSO to Germane Joint Subcommittees 7/29/19 Letter from LSO to DEQ</p>
<p><u>DEQ's Recommendation for Adoption</u></p> <p>DEQ recommends that the Board adopt the rule, as presented in the final proposal, as a pending rule.</p>	<p><u>Costs To the Agency:</u> No additional costs to the agency.</p> <p><u>Costs To the Regulated Community:</u> No additional costs to the regulated community.</p>



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Environment, Energy & Technology Committee

FROM: Deputy Division Manager - Katharine Gerrity

DATE: July 09, 2019

SUBJECT: Department of Environmental Quality

IDAPA 58.00.00 - Notice of Omnibus Rulemaking - Temporary and Proposed Fee Rulemaking (Docket No. 58-0000-1900F)

The Department of Environmental Quality submits notice of temporary and proposed rules that reauthorize and re-publish the following previously approved chapters at:

- IDAPA 58.01.05, Rules and Standards for Hazardous Waste
- IDAPA 58.01.06, Solid Waste Management Rules
- IDAPA 58.01.07, Rules Regulating Underground Storage Tank Systems
- IDAPA 58.01.08, Idaho Rules for Public Drinking Water Systems
- IDAPA 58.01.12, Rules for Administration of Water Pollution Control Loans
- IDAPA 58.01.13, Rules for Ore Processing by Cyanidation
- IDAPA 58.01.14, Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services
- IDAPA 58.01.18, Idaho Land Remediation Rules
- IDAPA 58.01.20, Rules for Administration of Drinking Water Loan Program
- IDAPA 58.01.25, Rules Regulating the Idaho Pollutant Discharge Elimination System Program

These rules were previously analyzed and reviewed by the Legislative Services Office upon their initial promulgation. Minor, nonsubstantive changes in the nature of cleanup were made. No other changes from the existing rules have been noted.

This is a fee rule. According to the department, this rulemaking does not impose a fee or charge, or increase a fee or charge, beyond what was previously approved and codified in the prior rules.

The rulemaking appears to be authorized pursuant to:

- IDAPA 58.01.05 – Chapters 44 and 58, Title 39, Idaho Code
- IDAPA 58.01.06 – Sections 39-105, 39-107, and 39-7408(C), Idaho Code
- IDAPA 58.01.07 – Chapters 1 and 88, Title 39, Idaho Code
- IDAPA 58.01.08 – Chapter 1, Title 39; Chapter 21, Title 37, Idaho Code
- IDAPA 58.01.12 – Chapters 1 and 36, Title 39, Idaho Code

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- IDAPA 58.01.13 – Chapter 1, Title 39, Idaho Code
- IDAPA 58.01.14 – Sections 39-105, 39-107, and 39-119 Idaho Code
- IDAPA 58.01.18 – Sections 39-105, 39-107, 39-4405, and 39-7210, Idaho Code
- IDAPA 58.01.20 – Chapters 1 and 76, Title 39, Idaho Code
- IDAPA 58.01.25 – Chapter 1, Title 39, Idaho Code

cc: Department of Environmental Quality
Paula J. Wilson

***** PLEASE NOTE *****

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.



Legislative Services Office Idaho State Legislature

Eric Milstead
Director

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July 29, 2019

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton
Boise, Id 83706-1255

Dear Paula J. Wilson:

The Senate and House Subcommittees for review of administrative rules have reviewed the proposed changes to the Department of Environmental Quality rules:

IDAPA 58.00.00 - Notice of Omnibus Rulemaking - Temporary and Proposed Fee Rulemaking - Docket No. 58-0000-1900F

No meeting will be held, and we are pleased to report that no objections will be filed.

Sincerely yours,

Katharine Gerrity
Deputy Division Manager

KAG/jk

cc:

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