

<p>Docket Number: <u>58-0104-1001</u> Effective Date: <u>4/26/11 – temporary rule</u> Rules Title: <u>Rules for Administration of Wastewater Treatment Facility Grants</u> Agency Contact and Phone: <u>Tim Wendland, 373-0439</u></p>	<p style="text-align: right;">Public Notice</p> <p>Hearings: N/A <input type="checkbox"/> Yes <input type="checkbox"/> No Locations and Dates: N/A Written Comment Deadline: N/A</p>
<p>Descriptive Summary of Rule:</p> <p>The purpose of this rulemaking is to revise the priority rating criteria for the wastewater planning grants to closely match the Clean Water State Revolving Fund (SRF) loan criteria, address the need to reduce the obligation to conduct an environmental study in those cases in which a grant recipient will not immediately pursue federal aid for construction, and update the cost eligibility criteria to achieve consistency. The change to make the environmental study optional will reduce costs for grant recipients in their preparation of facility planning studies by making the environmental study aspect of facility planning optional. Additionally, this rulemaking will bring the Wastewater Planning Grant Program into closer alignment with related DEQ programs (the Clean Water SRF Program and the Drinking Water Planning Grant Program).</p> <p>This rule includes the following:</p> <ol style="list-style-type: none"> 1) Priority rating criteria for the wastewater planning grants have been revised to closely match the Clean Water SRF loan criteria. 2) The requirement to produce an environmental study as part of a planning document has been made optional. 3) Cost eligibility criteria have been updated to achieve consistency. 4) This rule also includes revisions that are typographical and nonsubstantive in nature (e.g., revisions made for consistency with other sections in this rule chapter and other DEQ rules). <p>DEQ recommends that the Board adopt the rule, as presented under Docket No. 58-0104-1001, as a temporary rule with an effective date of April 26, 2011.</p>	<p>Negotiated Rule Making: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Sign-in sheets attached</p> <hr/> <p>Costs To the Agency: Cost to provide grants will decrease as many grant recipients will not be required to prepare environmental studies.</p> <p>Costs To the Regulated Community: Cost of compliance will decrease for many grant recipients by making the preparation of environmental studies optional.</p> <hr/> <p>Relevant Statutes: Chapters 1 and 36, Title 39, Idaho Code</p> <hr/> <p>Idaho Code § 39-107D Statement: There is no federal law or regulation comparable to IDAPA 58.01.04, "Rules for Administration of Wastewater Treatment Facility Grants." Therefore, the proposed rule does regulate an activity not regulated by the federal government but is not broader in scope or more stringent than federal law.</p> <p>Temporary Rule Justification: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate in that the rule confers a benefit. Adoption of this temporary rule would confer a benefit to the citizens of the state of Idaho in that it would reduce costs for grant recipients and would make the program more efficient.</p> <p>Fiscal Impact Statement: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: Not applicable.</p>

Temporary Rule	<input type="checkbox"/> Necessary to protect public health, safety or welfare <input type="checkbox"/> Compliance with deadlines in amendments to governing law or federal programs <input checked="" type="checkbox"/> Conferring a benefit
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Section	Section Title	Summary of Rule Changes Based on Public Comment
001	Title and Scope.	N/A
007	Definitions.	N/A
020	Priority Rating System.	N/A
030	Project <u>Scope and Funding.</u>	N/A
034	Limitation on Pre-Grant Engineering Reviews.	N/A
040	Review and Evaluation of Grant Applications.	N/A
041	Determination of Eligibility of Costs.	N/A
042	Environmental Review.	N/A
050	Grant Offer and Acceptance.	N/A
060	Payments.	N/A

MEETING SIGN-IN SHEET

Meeting Title: NEGOTIATED RULEMAKING

Rules for Administration of Wastewater Treatment Facility Grants, Docket No. 58-0104-1001

Rules for Administration of Planning Grants for Public Drinking Water Facilities, Docket No. 58-0122-1001

Meeting Date and Location: 10/26/10 – Boise, Idaho

Phone participation: 373-0101/bridge 1

IP Address: 10.220.22.213

Name	Affiliation	E-Mail Address
Phone participation: Mike Lehner, EPA Region 10		
Barry Bunnell	DEQ	
Jim Wendland	DEQ	
Mike May	DEQ	
Susan Hamlin Paula Wilson	AG/DEQ	

