

<p><b>Docket Number:</b> <u>58-0111-1501</u>  <b>Effective Date:</b> <u>6/1/15 temporary</u>  <b>Rules Title:</b> <u>Ground Water Quality Rule</u>  <b>Agency Contact and Phone:</b> <u>Barry Burnell, 373-0194</u></p>	<p style="text-align: center;"><b>Public Notice</b></p> <p><b>Hearings:</b> N/A [ ] Yes [ ] No  <b>Locations and Dates:</b> N/A  <b>Written Comment Deadline:</b> N/A</p>
<p><b>Descriptive Summary of Rule:</b> This rulemaking has been initiated to make revisions to the Ground Water Quality Rule, 58.01.11, for consistency with the 2015 revision to Idaho Code § 39-102 enacted under House Bill 197. House Bill 197 clarifies that degradation of ground water caused by mining activities is allowed at point of compliance as long as the mine operator uses best management practices to the maximum extent practical. This rule revises Sections 150, 301, 400, and 401.</p> <p>DEQ recommends that the Board adopt the rule, as presented in under Docket No. 58-0111-1501, as a temporary rule with an effective date of June 1, 2015.</p> <p><b>Temporary Rule Justification:</b> Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is necessary to meet the statutory deadline to promulgate a rule by June 1, 2015.</p>	<p><b>Negotiated Rule Making:</b> [ ] Yes [X] No  Negotiated rulemaking was not conducted. House Bill 197 includes an emergency clause which requires the Board of Environmental Quality to promulgate a rule with an effective date of June 1, 2015. With this deadline, there is no time to conduct negotiated rulemaking. DEQ determined that negotiated rulemaking was not feasible due to the statutory deadline and because DEQ has no discretion with respect to implementing Idaho Code provisions.</p> <hr/> <p><b>Costs To the Agency:</b> None anticipated  <b>Costs To the Regulated Community:</b> None anticipated</p> <hr/> <p><b>Relevant Statutes:</b> Idaho Code §§ 39-105, 39-107, 39-120, and 39-126</p> <hr/> <p><b>Idaho Code § 39-107D Statement:</b> This temporary/proposed rule does regulate an activity not regulated by the federal government. This rulemaking has been initiated as directed by the Idaho Legislature in House Bill 197.</p> <hr/> <p><b>Fiscal Impact Statement:</b> 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 checked="" type="checkbox"/> Compliance with deadlines in amendments to governing law or federal programs <input type="checkbox"/> Conferring a benefit
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Section	Section Title	Summary of Rule Changes Based on Public Comment
150.	<b>Implementation</b>	N/A
301.	<b>Management of Activities with the Potential to Degrade Aquifers.</b>	N/A
400.	<b>Ground Water Contamination</b>	N/A
401.	<b>Mining.</b>	N/A