

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.08 - IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS

DOCKET NO. 58-0108-1101

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Chapter 1, Title 39, Idaho Code, and Chapter 21, Title 37, Idaho Code.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend the meetings at one of the following locations. The meeting locations will be connected by telephone. For those who cannot participate by attending the meetings, information for submitting written comments is provided at the end of this notice.

MEETING SCHEDULE: The negotiated rulemaking meetings will be held as follows. Additional meetings may be scheduled if necessary. For information regarding individual participation by telephone or scheduling of additional meetings, contact the undersigned. Individual requests to participate by telephone must be made by October 24, 2011.

October 26, 2011, 9 a.m. to 12:30 p.m. Mountain Time

Department of
Environmental Quality,
Conference Room A
1410 N. Hilton,
Boise, Idaho

Department of
Environmental Quality,
900 N. Skyline, Suite B,
Idaho Falls, Idaho

Department of
Environmental Quality,
2110 Ironwood Parkway,
Coeur d'Alene, Idaho

November 8, 2011, 9 a.m. to 12:30 p.m. Mountain Time

Department of
Environmental Quality,
Conference Room A
1410 N. Hilton,
Boise, Idaho

Department of
Environmental Quality,
900 N. Skyline, Suite B,
Idaho Falls, Idaho

Department of
Environmental Quality,
2110 Ironwood Parkway,
Coeur d'Alene, Idaho

December 1, 2011, 9 a.m. to 12:30 p.m. Mountain Time

Department of
Environmental Quality,
Conference Room A
1410 N. Hilton,
Boise, Idaho

Department of
Environmental Quality,
900 N. Skyline, Suite B,
Idaho Falls, Idaho

Department of
Environmental Quality,
2110 Ironwood Parkway,
Coeur d'Alene, Idaho

PRELIMINARY DRAFT: By October 5, 2011, a preliminary draft of the rule can be obtained at <http://www.deq.idaho.gov/58-0108-1101-negotiated> or by contacting Paula Wilson at paula.wilson@deq.idaho.gov, (208)373-0418.

DESCRIPTIVE SUMMARY: This rulemaking has been initiated to make revisions to the Idaho Rules for Public Drinking Water Systems, 58.01.08, to define terminology and to establish consistent requirements for new water treatment technologies such as membrane filtration and ultra violet (UV) disinfection. The current rules do not adequately identify requirements for the design and operation of these systems.

The preliminary draft rule will include the following proposed revisions:

- 1) New sections for membrane filtration (Sections 525 and 526) and UV disinfection (Section 529), relatively new technologies that are becoming increasingly utilized in Idaho;
- 2) Reorganization of the preliminary engineering report requirements (Section 503);
- 3) Clarification of general requirements for pilot studies (Subsection 501.19);
- 4) Addition or revision of common definitions;
- 5) Clarification of language to improve usability; and
- 6) Typographical and nonsubstantive revisions for consistency with other sections in this rule chapter and other DEQ rules.

The text of the proposed rule will be drafted by DEQ in conjunction with a negotiating committee made up of persons having an interest in the development of this rule. Drinking water system owners and operators, developers, consultants, engineers, cities, counties, industry, drinking water professional organizations, and the public at large may be interested in participating in this rulemaking.

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the spring of 2012 and then present the final proposal to the Board of Environmental Quality for adoption of a pending rule in the fall of 2012. If adopted by the Board, the pending rule will be reviewed by the 2013 Idaho Legislature.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning the negotiated rulemaking, contact Mike Piechowski at mike.piechowski@deq.idaho.gov, (208)373-0274.

For those who cannot participate by attending the scheduled meetings, written comments may be submitted by mail, fax or e-mail at the address below. Written comments on the preliminary draft rule must be received by November 15, 2011.

For information regarding submission of written comments on subsequent drafts of the negotiated rule, to receive copies of submitted written comments, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 31st day of August, 2011.

Paula J. Wilson
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