

<p>Docket Number: <u>58-0116-0802</u> Effective Date: <u>2010 Sine die</u> Rules Title: <u>Wastewater Rules</u> Agency Contact and Phone: <u>Ester Ceja, 373-0585</u></p>	<p style="text-align: right;">Public Notice</p> <p>Hearings: [] Yes [X] No Locations and Dates: N/A Written Comment Deadline: 7/1/09</p>
<p>Descriptive Summary of Rule: The Department of Environmental Quality (DEQ) has initiated this rulemaking to allow for the creation of a combined very small wastewater treatment and collection system classification for communities with 500 connections or less. Operators struggle with obtaining the various licenses currently required for the different aspects of very small facility operation. This difficulty in obtaining more than one license results in there being too few properly licensed operators. This lack of properly licensed operators places the facilities in danger of being out of compliance with the rules that require they use the services of properly licensed operators. Smaller systems, due to their relative simplicity of operation, are good candidates for operation by individuals with combined licenses. Associated with this rulemaking is the need for the Idaho Bureau of Occupational Licenses (IBOL) to establish a very small wastewater system operator license. DEQ is working with IBOL to coordinate rulemaking activities. This rule was adopted as a temporary rule by the Board in February 2009 and is currently effective.</p> <p>DEQ recommends that the Board adopt the rule, as presented in the final proposal, as a pending rule with the final effective date coinciding with the adjournment <i>sine die</i> of the Second Regular Session of the Sixtieth Idaho Legislature. The pending rule is subject to review by the Legislature before becoming final and effective.</p>	<p>Negotiated Rule Making: [X] Yes [] No</p> <p>On December 3, 2008, the Notice of Negotiated Rulemaking was published in the Idaho Administrative Bulletin, Vol. 08-12, pages 123 through 124, and a preliminary draft rule was made available for public review. One meeting was held on December 16, 2008. Members of the public participated in this negotiated rulemaking process by attending the meeting.</p> <p>Costs To the Agency: No additional costs to the agency.</p> <p>Costs To the Regulated Community: There will be no cost to the regulated community. The rule will reduce the financial burden on small wastewater system owners and operators.</p> <p>Relevant Statutes: Chapters 1 and 36, Title 39, Idaho Code</p> <p>Idaho Code § 39-107D Statement: This rule does regulate an activity not regulated by the federal government. There is no federal law or regulation comparable to the provisions governing wastewater treatment and collection system classification set forth in the Wastewater Rules; therefore, the changes to the rules are not broader in scope or more stringent than federal law or regulations.</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 Necessary to protect public health, safety or welfare
 Compliance with deadlines in amendments to governing law or federal programs
 Conferring a benefit

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Section	Section Title	Summary of Rule Changes Based on Public Comment
010	Definitions Public Wastewater System or Wastewater System Very Small Wastewater System	No comments received. No change.
202	Classification of Public Wastewater Systems	No comments received. No change.
203	Public Wastewater System Operator Licensure Requirements	No comments received. No change.
204	Contracting for Services	No comments received. No change.