

# IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

## 58.01.01 – RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 58-0101-2101

### NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, 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 Sections 39-105, 39-107, 39-114(4), 39-115, and 39-116B, Idaho Code.

**METHOD OF PARTICIPATION:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting in person or via Zoom. For those who cannot participate by attending the meeting, information for submitting written comments is provided at the end of this notice. To sign up for meeting attendance or email notifications, contact Paula Wilson at [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov).

**MEETING SCHEDULE:** A negotiated rulemaking meeting has been scheduled. Any additional meeting dates will be posted at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.

**Thursday, October 28, 2021, 9:30 a.m. to 12:30 p.m. MDT**

**ATTEND IN PERSON OR VIA ZOOM  
(Attendance via Zoom is Encouraged)**

**DEQ State Office  
Conference Rooms A & B  
1410 N. Hilton Street  
Boise, Idaho 83706**

**Zoom meeting link is available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.  
Contact the undersigned to sign up for Zoom participation.**

The meeting location will be accessible to persons with disabilities, and language translators will be made available upon request. Requests must be made no later than five (5) business days prior to the meeting date. For arrangements contact the undersigned.

**DESCRIPTIVE SUMMARY:** DEQ initiated this rulemaking in compliance with [Executive Order 2020-01](#): Zero-Based Regulation (EO 2020-01), issued by Governor Little on January 16, 2020. Pursuant to EO 2020-01, each rule chapter effective on June 30, 2020, shall be reviewed by the agency that promulgated the rule. The review will be conducted according to a schedule established by the Division of Financial Management, Office of the Governor (DFM), posted at [https://adminrules.idaho.gov/forms\\_menu.html](https://adminrules.idaho.gov/forms_menu.html). This is one of the DEQ rule chapters up for review in 2021.

The goal of the rulemaking is to perform a critical and comprehensive review of the entire chapter in an attempt to reduce overall regulatory burden, streamline various provisions, and increase clarity and ease of use.

**PRELIMINARY DRAFT RULE:** The preliminary draft rule is available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.

DEQ will facilitate negotiation of this rule in conjunction with a committee made up of stakeholders having an interest in the development of the rule. Members of the regulated community who may be subject to Idaho's air quality rules, facilities with Title V permits, special interest groups, public officials, and members of the public who have an interest in the regulation of air emissions from sources in Idaho may be interested in participating in this rulemaking. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this rulemaking, contact Carl Brown at [carl.brown@deq.idaho.gov](mailto:carl.brown@deq.idaho.gov) or (208) 373-0206.

**SUBMISSION OF WRITTEN COMMENTS:** Written comments may be submitted to the undersigned. Information regarding public comment opportunities provided throughout the rulemaking process will be available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>.

Dated this 6th day of October, 2021.

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