

**Department of Environmental Quality
Rules for the Control of Air Pollution in Idaho
IDAPA 58.01.01**

Docket No. 58-0101-2101

Negotiated Rulemaking Summary
[Idaho Code § 67-5220\(3\)\(f\)](#)

This rulemaking was initiated in compliance with [Executive Order No. 2020-01](#), Zero-Based Regulation (EO 2020-01), issued by Governor Little on January 16, 2020, to update federal regulations incorporated by reference, and to negotiate a revision to the Title V permitting program fee structure.

The revised Title V fee structure was negotiated under [Docket No. 58-0101-1902](#). In May 2019, the Notice of Negotiated Rulemaking was published in the Idaho Administrative Bulletin, and the preliminary draft rule was posted on DEQ's website. Meetings were held on May 7, 2019, August 24, 2021, and October 5, 2021.

In October 2021, the Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking for Docket No. 58-0101-2101 was published in the Idaho Administrative Bulletin, and the preliminary draft rule was posted on DEQ's website. Meetings were held on October 28, 2021; November 30, 2021; and March, 29, 2022.

Stakeholders and members of the public participated by receiving email notifications, reviewing DEQ's presentations and supporting information, attending meetings, and submitting comments. Key information was posted on DEQ's website and distributed to persons who participated in the negotiated rulemaking.

All comments received during the negotiated rulemaking process were considered by DEQ when making decisions regarding the development of the rule. At the conclusion of the negotiated rulemaking process, DEQ submitted the draft rule to the Division of Financial Management for review. DEQ formatted the draft for publication as a proposed rule and is now seeking public comment. The negotiated rulemaking record, which includes the negotiated rule drafts, documents distributed during the negotiated rulemaking process, and the negotiated rulemaking summary, is available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2101/>