



April 18, 2023

via email: tyler.fortunati@deq.idaho.gov

Mr. Tyler Fortunati, Drinking Water Bureau Chief
Idaho Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706

Subject: Docket No. 58-0108-2301 Rulemaking in Compliance with Executive Order No. 2020-01, Zero-Based Regulation - 4/11/2023 Stakeholder Meeting

Dear Mr. Fortunati:

The Idaho Rural Water Association (IRWA) is a 501(c)3 non-profit corporation originally formed in 1987 to provide training and technical assistance to public drinking water and public sewer utilities in Idaho that serve communities of less than 10,000 people. Due to the rural nature of our state, IRWA serves more than 90 percent of public drinking water and wastewater utilities in Idaho. Our Association is currently comprised of over 365 of Idaho's drinking water and wastewater utilities and is governed by a seven-member board of directors that volunteer their time. Directors are elected from IRWA's member utilities.

Our member utilities have the very important public responsibility of complying with all applicable state water and environmental regulations and supplying the public with safe drinking water and sanitation every second of every day. Rural and small communities want to ensure access to quality drinking water, provide wastewater treatment services, and protect their local environment. After all, local water supplies are operated by people who are locally-elected and whose families drink the water every day. By our very nature, we strive to take every possible action to protect consumers (ourselves), our water resources, and our natural environment.

We appreciate the opportunity to comment on behalf of our members for the Department of Environmental Quality's (DEQ) rulemaking for the "Zero-Based Rule Making" Docket No. 58-0108-2301. We are also following up on topics identified in our original communication submitted on January 31, 2023 that were not addressed in your draft rules presented on April 11, 2023.

We respectfully request DEQ consider eliminating section 552.07 of the rules as proposed that allows for an exception to non-community water systems for a cross connection control program. We believe a cross connection control program is beneficial for all public water systems similar to the requirements for community water systems. Without the full cross connection control program in place requiring inspection and verification prior to providing water service, we believe there is a high likelihood the non-community public water system may not be aware of the new device. Non-community public water systems often serve a significant population base that in many cases may exceed the population base of a community water system. We believe all citizens regardless of the type of public water system should be provided the same protections from potential contamination. In addition, in the spirit of simplifying Idaho's regulations, elimination of section 552.07 provides for consistent practice across all public water systems.

Additionally, we urge you to consider increasing the minimum setback proposed in 510.02 for the minimum distance from a public water system well especially in regards to "any potential source of contamination". At minimum, we believe it is in the best interest of public water systems to increase the setback from 50 feet to 100 feet similar to the existing setback requirements for septic and pressure wastewater lines. Our organization works closely with communities, both large and small, educating them about the importance of protecting their water sources. All too often communities experience unintended contamination as a result of a contaminant's proximity to the source of the water supply. We believe the additional distance is prudent in planning future developments and further protecting our public water systems.

We appreciate the opportunity to comment and participate in the public and stakeholder input to the process.

Respectfully,



AJ Gray
Legislative Director
Idaho Rural Water Association