



CITY OF MIDDLETON

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September 20, 2023

Tyler Fortunati
Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706

Sent via tyler.fortunati@deq.idaho.gov

RE: Rulemaking for 58.01.08 – Idaho Rules for Public Drinking Water Systems

Mr. Fortunati,

Recognizing the important role our drinking water and sanitary sewer systems, please consider the following comments in the review of your Rules related to the Public Drinking Water Systems.

[References are to the draft rule published as: 58-0108-2301 rule draft 3.DOC]

Section 0034 Definitions, Paragraph 27 – Like-Kind Replacement

Suggest revising the word “identical” to equivalent.

Identical has a very precise meaning. Equivalent allows for some flexibility in case a part is no longer manufactured or has a superseded model.

Section 010 Fee Schedule, Paragraph 03 – Annual fee calculation

Suggest revising to read “the number of connections as of October 1.”

The fee should be based on the actual number of connections at a specific date and should be correctable if the department has an inaccurate record.

Section 150 Reporting, Public Notification, Paragraph 09 – Public Notification for Low System Pressure

Suggest clarifying the final clause, “...the water supplier must provide public notice to the affected customers prior to the planned maintenance or repair activity and ensure that the water is safe for consumption.”

Suggest revising “and ensure that the water is safe for consumption” to “and notify customers when the water is safe for consumption.” or “and notify customers of any restrictions on water usage during the planned maintenance or repair activity.”



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Section 543 Cross Connection Control, Section 01 –Testable Assemblies

Suggest revising the final sentence, “and be included on the USC Foundation ‘List of Approved Assemblies.’” to “and be listed in the USC Foundation ‘List of Approved Assemblies’ for the application and orientation for which they are installed.”

The USC approval is only for a specific use and in a specific orientation. All devices do not provide the same type of protection. And all devices are not approved to be installed in all orientations. Implying that a device is acceptable because it is on the list could lead to unnecessary confusion.

Thank you for your consideration of these items and please feel free to contact me if you have any questions.

Regards,

Jason Van Gilder
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