

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.01 – RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 58-0101-2301

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the Idaho Board of Environmental Quality (Board) and is now pending review by the 2024 Idaho State Legislature for final approval. Pursuant to Section 67-5224(2)(c), Idaho Code, this pending rule must be approved by concurrent resolution of the Legislature. Pursuant to Section 67-5291(2), Idaho Code, all temporary, pending, and final rules of any nature may be approved or rejected by a concurrent resolution of the Legislature. The concurrent resolution shall state the effective date of the approval or rejection.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that the Board has adopted a pending rule. This action is authorized by Sections 39-105 and 39-107, Idaho Code. This rulemaking updates federal regulations incorporated by reference as mandated by the U.S. Environmental Protection Agency (EPA) for approval of Idaho's Title V Operating Permit Program pursuant to 40 CFR Part 70 and fulfilling the requirements of Idaho's delegation agreement with EPA under Section 112(l) of the Clean Air Act. It also updates citations to other federal regulations necessary to retain state primacy of Clean Air Act programs.

DESCRIPTIVE SUMMARY: A detailed summary of the reason for adopting the rule is set forth in the initial proposal published in the Idaho Administrative Bulletin, September 6, 2023, [Vol. 23-9, pages 628 through 632](#).

No comments were received, and the rule has been adopted as initially proposed. The board meeting documents are available at <https://www.deq.idaho.gov/air-quality-docket-no-58-0101-2301/>.

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.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning the rulemaking, contact the undersigned.

Dated this 6th day of December, 2023.

Kristin Ryan
Deputy Director
Department of Environmental Quality
1410 N. Hilton Street
Boise, Idaho 83706
208-373-0194
Kristin.Ryan@deq.idaho.gov