



DEQ POLICY STATEMENT PS25-05

POLICY STATEMENT DEVELOPMENT AND MAINTENANCE

PURPOSE

As a type of guidance document, Idaho Department of Environmental Quality (DEQ) policy statements (policies) are developed as necessary to provide instruction and guidance on specific issues or problems largely unique to DEQ.¹ In general, DEQ uses policies to provide assistance to staff regarding agency-wide issues rather than issues specific to an individual program or set of rules.

Generally, policies govern internal operations whereas guidance documents are intended to guide agency actions affecting the rights or interests of persons outside the agency (Executive Order 2020-02 and Idaho Code § 67-5250(2)).

To be useful, policies must be well-written and readily accessible. Policies must also be reviewed regularly for necessary updates as well as agency compliance. The purpose of this policy is to outline requirements for standardizing all DEQ policies and to implement a routine process for approval and systematic review. This policy supersedes PS20-03.

SCOPE

While DEQ maintains a series of guidance, procedural and other administrative documents, the requirements contained in this policy are applicable only to DEQ policies. DEQ policies have statewide application and are the responsibility of all DEQ employees to understand and follow.

STATEMENT OF POLICY

Policy Components and Requirements

- Policies will be developed and revised at the discretion of the DEQ director.

¹ Policy statements were formerly termed "policy memoranda" and may go by either name until revised and reissued.

- Each proposed policy will undergo a preliminary determination by the Office of the Attorney General to assess whether the policy must instead be developed as a rule consistent with Idaho's Administrative Procedure Act.
- Policies will be developed, revised, and approved according to the Internal Process for Policy Statement Development and Maintenance (Appendix A). Process updates may occur without updating this entire policy.
- Each policy will be the assigned responsibility of an individual position within DEQ.
- Policies that include delegations of authority will delegate to a DEQ position rather than an individual staff member.
- Policies will be assigned a unique number by the Director's Office.
- Prior to approval, policies will undergo review by the Office of the Attorney General.
- Prior to approval, policies will be edited and formatted by DEQ technical editors.
- Prior to approval, any policy affecting the rights or interests of persons outside the agency will be evaluated to determine whether public input will be sought and if so, the appropriate amount of public input and comment opportunity respective to the content, complexity, and impact of the proposed policy. If necessary, public comment will be solicited and incorporated, as appropriate, into the finalized policy.
- Policies will be approved by signature of the DEQ director and made available on the DEQ website.
- Policies will be maintained and stored in DEQ's electronic records management system by the Director's Office.
- Policies will be effective for 5 years from date of issuance.
- Policies will be updated and reissued prior to the 5 year sunset date or will otherwise expire.
- Policies may be amended, replaced or rescinded at any time by the DEQ director.

RESPONSIBILITY

The Director's Office policy analyst is responsible for maintaining this policy as well as the Internal Process for Policy Statement Development and Maintenance (Appendix A).

IMPLEMENTATION

This policy is effective immediately and will remain in effect for 5 years unless amended, replaced, or rescinded prior to expiration.

Dated this _____ day of _____, 2025

Jess Byrne
Director, Idaho Department of Environmental Quality

Appendix A. Internal Process for Policy Statement Development and Maintenance

All DEQ policy statements (policies) are developed and maintained according to the process outlined below. Updates to this process may occur without updating the entire policy.

1. The DEQ director or administrator identifies the need for a new policy or an existing policy is up for renewal and determined appropriate for reissuance.
2. The staff person assigned responsibility for maintaining the policy contacts the Attorney General's (AG's) Office to conduct a preliminary determination to assess whether the policy must instead be developed as a rule consistent with Idaho's Administrative Procedure Act.
3. If appropriate to develop as a policy, the staff person contacts the Director's Office policy manager to create a new policy document in the Electronic Document Management System (EDMS) with a unique policy number.
 - a. If a new policy, the policy manager creates an EDMS record using the *DIR Policy, Guidance and Procedure Document* record type. The EDMS record contains the policy template.
 - b. If a policy update, the policy manager creates a new EDMS version of the existing record with a new policy number and updates the policy template.
 - c. The policy numbering system includes an abbreviation for "Policy Statement" as "PS" directly followed by the current two-digit calendar year, a hyphen, and a sequential two-digit policy number for that year.

For example, the third policy issued during the 2021 calendar year is assigned policy number "PS21-03."
 - d. The EDMS title consists of the policy number followed by the policy title. While under development, the EDMS title includes the word "DRAFT."

For example, the EDMS title for this policy before finalization would read "DRAFT PS20-03 Policy Statement Development and Maintenance."
4. The policy manager coordinates with the EDMS administrator to provide appropriate staff access to the record and emails the EDMS reference to the staff person.
5. The staff person drafts or revises the policy document in EDMS and obtains reviews from the divisions as appropriate.
6. After completion, the staff person emails the EDMS reference to the AG for review.
7. Once reviewed, the AG returns the policy to the staff person and any necessary revisions are incorporated.
8. The staff person submits the EDMS reference to the policy manager who will obtain the director's review.
 - a. If further revisions are needed, the policy manager refers the policy back to the staff person with requested changes.

- b. If ready for finalization, the policy manager obtains technical editing services. Once reviewed, the technical editor returns the policy to the policy manager.
 - c. If the director determines a policy affects the private rights or interests of persons outside the agency, the policy will undergo the appropriate amount of public input and comment opportunity.
 - i. If public input is warranted, the policy manager notifies the staff person who coordinates with DEQ's Communications Program staff to post notice of the public comment opportunity on DEQ's website.
 - ii. Following the public comment period, the staff person revises the policy, as appropriate, to incorporate public input received. If necessary, the AG and technical editor conduct final reviews.
9. Once finalized, the staff person sends the EDMS reference to the policy manager.
10. The policy manager prints the policy and submits it to the director for final review and signature.
- a. Any changes requested by the director are incorporated by the policy manager before signature.
11. The director signs and dates the policy.
12. The policy manager scans the signed policy and enters the PDF file in EDMS as the latest revision to the record.
- a. The word "DRAFT" is removed from the EDMS title.
 - b. The word "SUPERSEDED" is added to the beginning of the EDMS title for any previous version of the same policy.
13. The policy manager provides the EDMS reference to DEQ's Communications Program staff for posting to DEQ's website.
- a. The policy is listed on the website with its expiration date and the name and contact information for the staff person.
14. The staff person will review the policy for updates and reissuance prior to the 5-year sunset date.
- a. Any policy may be amended, replaced or rescinded before expiration.
 - b. The policy manager adds the word "EXPIRED" to the beginning of the EDMS title for any policy more than 5 years old.