

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.08 – IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS

DOCKET NO. 58-0108-2502

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Chapter 1, Title 39, Idaho Code.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting. For those who cannot participate by attending the meeting, information for submission of written comments is provided at the end of this notice.

MEETING SCHEDULE: A negotiated rulemaking meeting has been scheduled. Any additional meeting dates will be posted at: <https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/rulemaking/drinking-water-docket-no-58-0108-2502/>.

Thursday, August 7, 2025 1:00 p.m. to 3:00 p.m. MT
ATTEND IN PERSON OR VIA MICROSOFT TEAMS
DEQ State Office Conference Room A 1410 N. Hilton Boise, ID 83706
The Teams meeting link is available at: https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/rulemaking/drinking-water-docket-no-58-0108-2502/

The meeting location will be accessible to persons with disabilities, and language translators will be made available upon request. Requests must be made no later than five (5) business days prior to the meeting date. For arrangements contact the undersigned.

DESCRIPTIVE SUMMARY: DEQ initiated this rulemaking for IDAPA 58.01.08, “Idaho Rules for Public Water Systems,” to address public water system stakeholder concerns regarding the 80 psi maximum distribution system pressure limit in IDAPA 58.01.08.552.01.b.v. This rule was revised under Docket No. 58-0108-2301, in an attempt to provide clarity and align the rule with national engineering standards.

The rule change made to IDAPA 58.01.08.552.01.b.v. became effective on July 1, 2024, and has resulted in unintended impacts to existing public water systems related to distribution system design, construction, and operation. The rule change has complicated pressure-related operations within existing distribution system mains where the original system was designed to exceed 80 psi static pressure and could result in increased costs for construction or modification of new and existing public water system distribution mains. DEQ seeks to remedy this problem by reverting the psi requirement to its previous level to reduce the cost and regulatory burden impacting Idaho businesses.

To ensure that stakeholder concerns are addressed as quickly as possible, DEQ intends to conduct negotiated rulemaking in August 2025, publish a proposed rule in the October 1, 2025, Idaho Administrative Bulletin, and present the rule to the Idaho Board of Environmental Quality for adoption as a pending rule in November 2025. Proceeding in this manner will make the rule effective upon the 2026 legislative approval of the pending rule.

PRELIMINARY DRAFT RULE: The preliminary draft rule is available at: <https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/rulemaking/drinking-water-docket-no-58-0108-2502/>.

DEQ will facilitate negotiation of this rule in conjunction with a committee made up of stakeholders having an interest in the revision of this rule. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning this rulemaking, contact Tyler Fortunati at Tyler.Fortunati@deq.idaho.gov or (208) 373-0140.

SUBMISSION OF WRITTEN COMMENTS: Information regarding public comment opportunities provided throughout the rulemaking process will be available at: <https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/rulemaking/drinking-water-docket-no-58-0108-2502/>.

Dated this 6th day of August, 2025.

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