



RATIONALE FOR ENVIRONMENTAL OPERATING PERMIT FEES (IDAPA 58.01.14)

FOCUS ON REUSE PERMITS

What is the purpose of IDAPA 58.01.14, governing environmental operating fees?

- This rule **establishes reasonable fees for environmental operating permits, licenses, inspection services, and waiver application processing** rendered by the Idaho Department of Environmental Quality (DEQ) or its designees. It applies to entities that seek and are issued these environmental services.

What is the primary rationale for implementing or adjusting Reuse Permit fees?

- The primary rationale is to **secure stable and reliable funding** for the reuse program to maintain and expand it as needed.
- Historical funding from federal grants (Clean Water Act) and state general funds has become insufficient due to the **real value of federal grants decreasing with inflation** over the last 20 years.
- Idaho's **rapid population growth** (projected to exceed 2 million by 2031) is **increasing demand for reuse permits** and engineering reviews, particularly in southwestern Idaho.
- The **reuse program's workload has doubled** since 2000 (from 65 to nearly 150 active permits by 2023), and engineering reviews have also nearly doubled in the last decade, leading to greater reliance on state general funds.
- Longer permit terms (up to 10 years) instituted in 2011 mean a **large number of permits will expire in the next five years**, increasing reissuance workload.
- Fees help **offset reduced federal grant buying power** and increasing operational costs, while reducing dependence on state general funds.

How do these fees benefit the reuse program and its stakeholders?

- **Stable funding** allows DEQ to invest in **additional resources**, including staff and technology, enhancing the program's responsiveness and efficiency in permit processing, inspections, and compliance.
- Fees provide **predictability and reliability** for users of recycled water in their operational budgets, aiding long-term planning and investment in water recycling infrastructure.
- The fee-based model is crucial for the **long-term sustainability** of Idaho's reuse program, enabling continuous development and service enhancements.
- The fee structure is designed with **equity and affordability** in mind, with a progressive scale based on facility size and impact to ensure smaller entities face lower fees.
- Collected fees can be **reinvested** to upgrade technology, expand staff training, fund research, and support educational programs.

What is the financial target for the proposed reuse permit fee structure?

- The proposed fee structure aims to generate **\$200,000 annually**, covering approximately **20% of the program's operational costs**.

What categories of fees are included under the Reuse Permit Fee Schedule?

- The Reuse Permit Fee Schedule includes the following:
 - **Annual fees for permitted municipal reuse facilities** based on population:
 - Over 15,000 people: **\$3,000**
 - Between 1,000 and 15,000 people: **\$1,000**
 - Under 1,000 people: **\$500**
 - **Flat annual fees:**
 - De minimis reuse permits: **\$500**
 - Industrial reuse permits: **\$3,000**
 - Private domestic or other recycled water reuse permits: **\$750**
 - A flat fee of **\$100 for reuse general permit application processing**.

What are the payment terms and consequences for delinquent fees related to Reuse Permits?

- **Annual fees** are assessed for coverage between October 1 and September 30, with statements sent by October 1.
- Annual payments are **due on December 31** (or next business day if on a weekend/holiday).
- **Application fees are due with application submittal**; permit coverage will not be authorized until paid.
- A permittee is **delinquent if the annual fee is not received by January 1**.
- Delinquent payments:
 - After **90 days**, DEQ will **suspend all technical services** and issue a warning.
 - After **180 days**, DEQ will consider the permittee in **noncompliance**, subject to enforcement.
- Suspended services can be **reinstated upon payment** of delinquent fees.
- Delinquency **does not relieve a permittee from compliance obligations**.

Can fees be waived?

- Yes, a specific fee may be waived upon **written application to DEQ if good cause** (e.g., hardship or extenuating circumstances) is shown. Periodic fees can be waived for a designated period.