

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.13 – RULES FOR ORE PROCESSING BY CYANIDATION

DOCKET NO. 58-0113-2502

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 [Sections 39-105, 39-107, and 39-118A](#), 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: [Rules for Ore Processing by Cyanidation: Docket No. 58-0113-2502 | Idaho Department of Environmental Quality](#).

Tuesday, December 9, 2025, at 9:30 a.m. MST

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/rules-for-ore-processing-by-cyanidation-docket-no-58-0113-2502/>

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 in response to public comments received during the update of IDAPA 58.01.13, Rules for Ore Processing by Cyanidation, initiated under Docket No. 58-0113-2501. Under [Senate Bill 1170 \(S1170\)](#), the 2025 Idaho Legislature amended Chapter 1, Title 39, Idaho Code, with a revised Section 39-118A, which directed DEQ to bring the rules into compliance with the new code by July 1, 2025. Due to the narrow scope and quick turnaround required by S1170, DEQ proceeded with a temporary-proposed rule that updated IDAPA 58.01.13 by removing rule text that is now in statute and revised the remaining rule for consistency with the new provisions in Section 39-118A, Idaho Code. During the 2025 temporary-proposed rule proceedings promulgated under Docket No. 58-0113-2501, DEQ received numerous public comments that extended beyond the narrow scope of the rulemaking and would be best addressed under negotiated rulemaking. Insufficient time was available for negotiated rulemaking to meet the July 1, 2025 deadline; therefore, DEQ initiated this negotiated rulemaking to address the public comments and to provide an opportunity for all stakeholders to provide their input through multiple public meetings.

PRELIMINARY DRAFT RULE: The preliminary draft rule is available at: [Rules for Ore Processing by Cyanidation: Docket No. 58-0113-2502 | Idaho Department of Environmental Quality](#). 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.