

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.08 – IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS

DOCKET NO. 58-0108-2601

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 and Idaho Code [§39-119](#) specifically authorizes the agency to charge and collect reasonable fees.

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. Details, including a Microsoft Teams meeting link for this meeting and any future meetings, will be posted at: [Drinking Water: Docket No. 58-0108-2601 | Idaho Department of Environmental Quality](#).

**Thursday, April 9, 2026
10:00 a.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:

**[Join the meeting now](#)
Meeting ID: 234 530 439 916 87
Passcode: qr3Cy6cy**

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: In accordance with Idaho Code Section [67-5292](#), the Department of Environmental Quality (DEQ) is reviewing IDAPA 58.01.08 to assess whether the content of the rule chapter is still necessary. As part of negotiated rulemaking, the DEQ will consider additional necessary updates and improvements while strengthening economic opportunity and protecting public health and safety.

As part of this negotiated rulemaking, DEQ proposes revising the fee schedule in IDAPA 58.01.08.007, Idaho Rules for Public Drinking Water Systems. The fee section was initially promulgated to provide the requisite match to the federal Public Water System Supervision Grant in response to the 1992 withdrawal of state general funds. Match funding of this grant is essential for Idaho to retain primacy to implement and enforce the National Primary Drinking Water Regulations under the Safe Drinking Water Act.

The fee section of the rule was implemented in 1993, under IDAPA 16.01.08, while DEQ was a division under the Department of Health and Welfare. The purpose of the assessed fee was to ensure public health protection through services rendered by DEQ in implementing the public water system program in lieu of the Environmental Protection

Agency. The fee schedule and structure published in 1993 has been unchanged since that date. The proposed update is intended to align drinking water fees with current and anticipated program operating costs and reduce or eliminate the reliance on volatile federal funding sources. This will allow the Department to retain and maintain appropriate regulatory oversight of the drinking water program and ensure public health protection.

PRELIMINARY DRAFT RULE: The preliminary draft rule is available at: [Drinking Water: Docket No. 58-0108-2601 | 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.

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: [Drinking Water: Docket No. 58-0108-2601 | Idaho Department of Environmental Quality](#).

Dated this 1st day of April, 2026.

Diane Cutler, Rules and Planning Analyst
Department of Environmental Quality
1410 N. Hilton Street
Boise, Idaho 83706
208-373-0165
Diane.Cutler@deq.idaho.gov