

**58.01.08 – IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS**

**DRAFT DW FEE RULE REVISION % INCREASE FOR ALL TIERS**

**007. FEE SCHEDULE FOR PUBLIC DRINKING WATER SYSTEMS.**

All owners of PWSs must pay an annual drinking water system fee. The fee will be assessed as provided in this section. ~~The Department may waive the requirements of this section at its discretion.~~ (7-1-24)

**01. Effective Date.** Annual fees will be paid for each fee year. Fee years begin on October 1 of each calendar year. (7-1-24)

**02. Fee Schedule.** (7-1-24)

a. Owners of community and non-transient non-community PWSs must pay an annual fee according to the following fee schedule:

Number of connections	Fee
1 to 20	<del>\$100200</del>
21 to 184	<del>\$5</del> \$10.00 per connection, <del>not to exceed a total of \$735 per PWS</del>
185 to 3663	<del>\$4</del> 8.00 per connection, <del>not to exceed a total of \$10,988 per PWS</del> <u>minimum fee \$18402530</u>
3664 or more	<del>\$3</del> 6.00 per connection, <u>minimum fee \$29,30440,293</u>

(7-1-24)

b. The annual fee for transient PWSs is ~~twenty five dollars (\$25)~~ fifty dollars (\$50.00) (7-1-24)

c. New PWSs formed after ~~October~~ August 1 will not pay a fee until the following October next annual billing cycle. (7-1-24)

**03. Fee Assessment.** (7-1-24)

a. An annual fee assessment will be generated for each community and non-transient non-community PWS using the number of connections the Department has on record. (7-1-24)

b. Community and non-transient non-community PWSs will be notified each year of the official number of connections ~~listed in SDWI~~ the Department has on record. PWSs will have at least one (1) month to notify the Department if the number of connections provided are not in agreement with the PWS's records. (7-1-24)

**04. Billing.** An annual fee statement will be ~~mailed or~~ delivered electronically, where not otherwise prohibited, to all PWS ~~owners on~~ record with the Department by September 1 of each year and will include acceptable payment methods. (7-1-24)

**05. Payment.** (7-1-24)

a. Annual fee payment will be due on October 1, unless it is a Saturday, a Sunday, or a legal holiday, in which event the payment will be due on the successive business day. (7-1-24)

b. Invoice payment must be made using an electronic funds transfer or through the online payment portal, unless otherwise prohibited.

cb. If a PWS consists of two hundred fifty (250) connections or more, the PWS may request to divide its annual fee payment into equal ~~monthly or~~ quarterly installments by submitting a written request to the Department. ~~(DATE 7-1-24)~~

i. PWS must accept electronic delivery of the invoice and remit payment electronically to be eligible for quarterly installments.

Theii. ~~The~~ Department will notify PWSs of approval or denial of a ~~the~~ requested ~~monthly or~~ quarterly installment plan within ten (10) business days of receiving the request. (7-1-24)

~~ii. If a PWS has been approved to pay monthly installments then each installment will be due by the first day of each month, unless it is a Saturday, a Sunday, or a legal holiday, in which event the installment will be due on the successive business day.~~

~~iii. If a PWS is has been approved to pay quarterly installments then each installment will be due by the first day of the month of each quarter (October 1, January 1, April 1, and July 1), unless it is a Saturday, a Sunday, or a legal holiday, in which event the installment will be due on the successive business day. (7-1-24)~~

~~iv. Approval granted after August 1 will not be invoiced as quarterly until the following year. (DATE)~~

#### **06. Delinquent Unpaid Fees.**

~~a. A PWS owner will be delinquent in payment if its annual fee assessment has not been received by November 1; or if having opted to pay ~~monthly or~~ quarterly installments, its ~~monthly or~~ quarterly installment has not been received by the last day of the month in which the ~~monthly or~~ quarterly payment is due. (7-1-24)~~

~~b. A one-time late fee shall be assessed for any PWS that is more than ninety (90) days delinquent in payment. The late fee shall be the greater of fifty dollars (\$50) or ten percent (10%) of the total invoiced amount, not to exceed one thousand dollars (\$1,000). (DATE)~~

~~c. Any PWS delinquent in payment of its annual fee and associated late fee, in excess of one hundred and eighty (180) days, will be referred for collection in accordance with Idaho statute § 67-2358. Upon referral, the PWS shall remain responsible for the full amount of all fees assessed, including any additional costs, interest, or charges incurred through the collection process or imposed by the collection agency. (DATE)~~

#### **07. Suspension of Services and Disapproval Designation. (DATE~~7-1-24~~)**

~~a. For any PWS owner delinquent in payment of fee assessed under Subsections ~~040.02~~, in excess of ninety (90) days, technical assistance provided by the Department may be suspended ~~except for review and processing of as follows:~~ (DATE~~7-1-24~~)~~

~~-i. review and processing of M monitoring waivers; and (DATE~~7-1-24~~)~~

~~-ii. Engineering reports third party technical assistance provider referrals; and (DATE~~7-1-24~~)~~

~~-iii. Plans and specifications for design and construction as set forth in Sections 500 through 552. (7-1-24)~~

~~b. For any PWS owner delinquent in payment of fee assessed under Subsections ~~0407.02~~, in excess of one hundred and eighty (180) days, the Department may disapprove the PWS pursuant to Subsection ~~007005.06~~ and may suspend all technical assistance provided, as indicated above, and including review and processing of: (7-1-24)~~

~~-i. Engineering reports; (7-1-24)~~

~~-ii. Plans and specifications for design and construction as set forth in Sections 500 through 552; ~~or forth in Sections 500 through 552;~~ or (7-1-24)~~

~~iii. Revocation of approval for quarterly installments.~~

~~-iii. Monitoring waivers (7-1-24)~~

**08. Reinstatement of Suspended Services and Approval Status.** For any PWS owner for which suspension of ~~technical assistance, services,~~ disapproval, or both has occurred, reinstatement of technical assistance, approval, or both, will occur upon payment of delinquent annual fee assessments and any incurred late fees. (7-1-24)

**09. Fee Reduction or Temporary Suspension.** In the event that unexpended fee revenues exceed six (6) months or 50% of annualized program expenditures as of the close of the prior fiscal year, the Department may, at its discretion, reduce or suspend fee assessments for the next invoicing cycle, in whole or in part, as necessary to maintain prudent reserves, continued program sustainability, and regulatory compliance. The Department shall establish the duration, eligibility criteria, and any limitations of such fee holiday as necessary to ensure continued program sustainability and regulatory compliance. (DATE)

**1099. Responsibility to Comply.** ~~Subsection 00740-07~~ in no way relieves any PWS from its obligation to comply with these rules.<sup>a</sup>