Groundwater Quality Rule

Docket 58-0111-2601
Negotiated Rulemaking

June 11, 2026

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

Groundwater Bureau

Welcome!

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

Objectives

- Introductions
- Housekeeping
- Rule Changes
- Rulemaking Process & Next Steps



Housekeeping and Reminders

- In person: Please sign in
- In Person: Please silence cell phones
- Online: Please type name & affiliation in chat
- Online: Mute microphone when not talking
- Online: Raise hand feature or type question in chat box
- Introduce yourself before speaking
- This meeting will not be recorded
- We encourage discussion but please submit written comments by **June 18, 2026**

Why a New Rulemaking?

The prior docket was approved except for Sections 003 and 200.01.a

1

2025 ZBR review

DEQ reviewed the chapter for clarity, burden reduction, and ease of use.

2

Standards issue raised

Commenters identified standards in Table II that did not align with federal drinking water standards. Proposed adoption of federal drinking water standards.

3

Sections not adopted

Sections 003 and 200.01.a were not ultimately adopted. Federally PFAS standards were still subject to judicial review and federal revision.

4

2026 Docket

This rulemaking revisits primary constituent standards and implementation provisions.

Policy Frame for Adoption of Drinking Water Standards

Idaho Code § 39-102

State policy is to maintain high groundwater quality, protect current and projected future beneficial uses, and prevent unreasonable contamination or deterioration.

Idaho Code § 39-120(4)

DEQ may recommend ambient groundwater standards for contaminants with EPA drinking water MCLs and may recommend standards for contaminants without MCLs.

Rule Changes

Focused on primary constituent standards, federal drinking water standards, PFAS, and implementation clarity. Additionally, the rulemaking will consider whether existing implementation provisions, including aquifer categorization procedures, should be clarified or streamlined.

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Changed Standards

Issue	Why it matters
Arsenic	EPA lowered the public drinking water MCL from 50 ppb to 10 ppb in 2001. The prior table retained the older value.
Lead and copper	Lead and copper are regulated in drinking water through action-level and treatment technique frameworks, not ordinary MCLs.
Uranium	EPA established a uranium drinking water MCL in 2000. The prior standards did not fully reflect that federal update.
~~**PFAS**~~	~~EPA's PFAS rule is pending revision – only PFOS/PFOA~~. 

Current Draft Changes

PFAS Removed

Removed due to federal litigation and uncertainty.

DBPs Removed

Removed from Table II. Not included in this update.

Table II Clarified

Clarified constituent types for inorganic and bacteriological contaminants.

350.02 Updated

Added source water/local protection as supporting information for petitions.

Current draft: 58-0111-2601 Rule Draft 2

Comments Received and DEQ Response

IRWA Comment (5/19/26)

- Supported Table II update to federal DW standards.
- Asked for clearer Table II contaminant categories.
- Asked to recognize source water/local protection in Section 350.02 and sought petition-stage comment.
- Requested public comment in the petition process.

DEQ Response / Changes

• Clarified Table II categories.

• Added source water/local protection information in Section 350.02.

• Did not add petition-stage comment; formal rulemaking notice and comment remain available.

Additional Comment Received — For Discussion

City of Meridian (received 6/8/26; not yet in response matrix)

Comment 1

Definition of contamination.

Clarify the definition to address human-caused mobilization of contaminants from the geologic matrix.

Comment 2

Natural background level.

Clarify that background may differ by aquifer unit and depth where confining layers separate units.

Discussion item only — no proposed DEQ response yet.

Rulemaking Process and Next Steps

Negotiations	Proposed Rule	DEQ Board
May 13, 2026 (#1) public comments due May 20, 2026 June 11, 2026 (#2) Comments due June 18. ***July 8, 2026 (#3)	Publish in October 7th bulletin 21- day public comment (Oct. 28)	November 12, 2026

Public Discussion

- Please state your name and affiliation.
- Note this is not the official public comment forum.
- Provide comments in writing by June 18, 2026 to: Diane.Cutler@deq.idaho.gov



Thank you