

Solid Waste Management Rules - IDAPA 58.01.06

Second Negotiated Rule Making Meeting

August 4, 2026



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

Housekeeping

- In-person attendees, please Sign-in.
- Silence cell phones.
- Online attendees, please put your name and email in the chat.
- Mute lines when not participating.



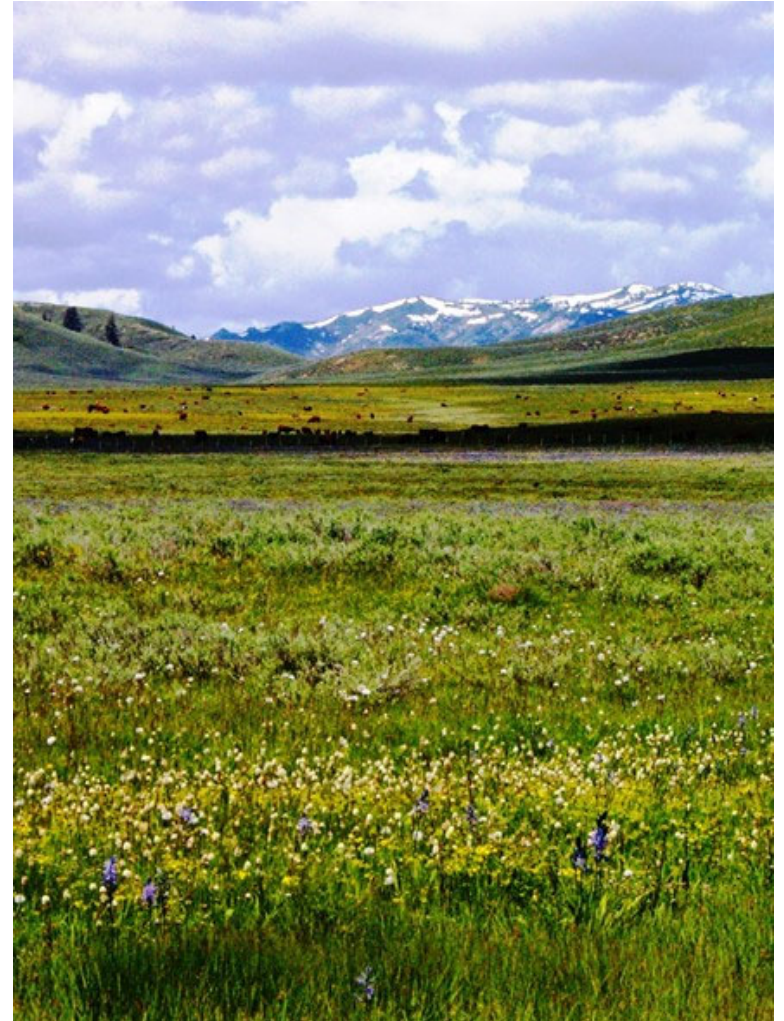
Agenda

- Welcome and Introductions
- Purpose of changes
- Details on rule changes
- Discussion
- Next Steps
 - Comment Deadline – August 11, 2026

Purpose of Rule Changes

House Bill H555 (2026)

- Solid Waste Facilities Act updates
 - Effective July 1, 2026
- Authorized fees added to rule
- Updated definitions



Rule Changes

- Fees
 - Applications
 - Inspections
- Updated definitions
 - Major and Minor Modifications
 - NSWI
 - Pilot Project
- The SWFA can be found on the [legislative webpage, Title 39 – Chapter 74.](#)
- The draft rule can be found on the [DEQ - Rulemaking webpage.](#)

Changes Specific to Definitions

16. **Modification.** Any change in the physical characteristics, waste types managed, method of operation, or lateral expansion beyond the boundaries of a site. The following is ~~not~~ considered a modification:

(3-24-22)

a. Major modification: Any change to operation or design that, as determined by a qualified professional and affirmed by the director, may appear to result in an increased risk to human health or the environment.

b. Minor modification: Other actions or modification that, as determined by a qualified professional and affirmed by the director, may not result in an increased risk to human health or the environment.

ac. The following is not considered a modification: Repair and replacement of existing equipment; (3-24-22)

b.i. Increase in production rate that does not exceed the Tier level criteria or approved facility capacity; (3-24-22)

e.ii. An increase in hours of operation if more restrictive hours of operation are not specified in an approved operating plan; or (7-1-26)

d.iii. Acquisition of property that is not to be used for the processing or disposal of solid waste. (3-24-22)

Rule Changes

032. TIER II AND TIER III APPLICATION AND PLAN REVIEW AND APPROVAL.

01. **Application Submittal.** The owner and operator must submit three (3) copies of each required application to the Department and may submit applications for siting, design, operation, or groundwater monitoring approval sequentially or concurrently. Application fees required by Section 994 are due at the time of submittal. (7-1-26)

994. Disposal Fee schedule.

As required by the Idaho Solid Waste Facilities Act, Chapter 74, Title 39, Section 24, Idaho Code, (IC 39-7424) municipal solid waste disposal facilities must pay a tonnage fee of \$0.07 per ton of solid waste disposed in a MSW landfill or transferred out of state, in addition to an annual inspection fee and application fees. As required by IC 39-7424 NMSW facilities must pay an annual inspection fee and application fees. The tables below outline the fees for each facility and application type.

Changes Specific to Fees

02. Table 1 - MSW Annual Inspection Fee.

<u>TYPE</u>	<u>FEE</u>
<u>Municipal and Tier III landfills</u>	<u>\$4,000.00</u>
<u>Tier III Processing, Incinerators, NSWI, and all Tier II facilities</u>	<u>\$2,000.00</u>

Changes Specific to Fees

03. Table 2 - MSW and Tier III Landfill Application Fees.

<u>APPLICATION TYPE</u>	<u>FEE</u>
<u>Siting (initial or major modification)</u>	<u>\$2,000.00</u>
<u>MSW Preliminary Design</u>	<u>\$2,000.00</u>
<u>Design</u>	<u>\$2,000.00</u>
<u>Groundwater Monitoring Plan or No Potential for Migration Demonstration</u>	<u>\$2,000.00</u>
<u>Operations Plan</u>	<u>\$2,000.00</u>
<u>Pilot Project</u>	<u>\$500.00</u>
<u>Closure Plan</u>	<u>\$1,500.00</u>
<u>Post-closure Plan</u>	<u>\$500.00</u>
<u>Major Modifications</u>	<u>\$1,000.00</u>

Changes Specific to Fees

05. Payment.

a. Payment of the tipping fees and annual inspection fee are due to the Department in accordance with IC 39-7425.

b. Payment of the application fee is due at the time of submittal of an application. The Department will not review an application until the fee is paid. Failure of the applicant to pay the fee will void the start of the review timeline in IC 39-7421 or IC 39-7422 for MSWLFs and IDAPA 58.01.06.032 for NMSW facilities.

Discussion

- Please state your name and affiliation.
- Note: this is not the official public comment period.
- Provide comments in writing by, to:
Ben.Jarvis@deq.Idaho.gov or
Amanda.Henderson@deq.Idaho.gov.

Next Steps

Comments provided in writing by August 11, 2026, will be considered and addressed prior to publication of the proposed rule in the October 7, 2026, Administrative Bulletin.



Thank you.
Ben Jarvis, Solid Waste Program Manager