PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality (DEQ)

Agency Contact: Michael McCurdy Phone: 208-373-0188

Date: August 19, 2026

IDAPA 58.01.06, Solid Waste Management Rules

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0106-2601

STATEMENT OF ECONOMIC IMPACT /REASONABLE ESTIMATED COSTS

The fees proposed align the rules with the changes to the Solid Waste Facilities Act (SWFA), Title 39, Chapter 74, Idaho Code. The SWFA was amended by House Bill 555 (H555) during the 2026 legislative session. H555 was proposed by the Idaho Solid Waste Association (ISWA) and sponsored by Representative Weber during the 2026 legislation session and became effective on July 1, 2026. Industry stakeholders, not DEQ, developed and lobbied for the fees to support DEQ's assumption of the health districts' solid waste authorities under the SWFA and the Memorandum of Understanding (MOU) with DEQ and the corresponding increased solid waste program workload. Section 39-7426(3), Idaho Code, indicates that the solid waste regulatory fund is for DEQ expenditures for implementing the chapter and rules. While not explicitly stated by industry in the SWFA or H555 fiscal note, the fees are also intended to fund the work previously done by the heath districts under a MOU with DEQ, as well as additional technical staff for the solid waste program to better manage the technical engineering workload. This clarification was provided to solid waste industry stakeholders by ISWA during the scoping meetings held in April, May, and June 2026. For DEQ to take on the additional workload, approximately $400,000 in additional funding is needed for the solid waste program. The fees authorized to be written into rule for applications and non-municipal solid waste (NMSW) annual inspections are anticipated to provide approximately half of the funding needed. The other half is anticipated to be funded specifically by the municipal solid waste (MSW) annual inspection fee and the MSW disposal fee of $0.07 per ton.

DEQ estimates that state residents may experience $0.14 annual increase per-person for solid waste services as a result of the fees specified by rule. If both statutory fees and rule fees are combined, the total annual increase to residents is estimated to be about $0.20 per-person.

DEQ estimates that the fee addition to solid waste facility budgets will be less than 1% of a respective facility's or solid waste program's total budget. DEQ cannot fully anticipate how owners and operators of public and private solid waste facilities will manage their budgets and any increases. Given the small scale of the increase,

many solid waste programs or facilities may choose to absorb costs into their existing budgets. Others with smaller budgets or less flexibility in operational expenditures may pass on costs through changes to user fees.

Estimated Costs for the Agency to Run the Program in FY27:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.06	MSW duties: $366,377, NMSW duties: $366,377, Total for Solid Waste Program: $732,754	MSW duties: $200,000, NMSW duties: $200,000, Total for Solid Waste Program: $400,000.00 (Specifically for FY 27 the Fees effective July 1, 2026, and Haz waste Emergency Fund transfer provides the total funding. Future fiscal years are anticipated to be funded only by the fees.)	NA	MSW duties: $566,377, NMSW duties: $566,377, Solid Waste Program Total: $1,132,754.00