September 3, 2026

Aislinn Johns
Idaho Department of Environmental Quality
1410 N. Hilton Street
Boise, ID 83706

Re: Support for Docket No. 58-0101-2601 - General Minor Permits

Dear Mrs. Johns:

On behalf of the Idaho Associated General Contractors, I am writing in strong support of the Idaho Department of Environmental Quality's proposed rule, Docket No. 58-0101-2601, establishing a process for the development and issuance of General Minor Permits. This proposal represents a practical and carefully tailored improvement to Idaho's air permitting system. It would allow DEQ to develop standardized permits for categories of nonmajor sources that have similar operations, emissions, and regulatory requirements, reducing repetitive administrative work while maintaining the same applicable air quality standards and protections for public health and the environment.

The Idaho AGC is particularly encouraged by the possibility of developing new General Minor Permits under this rule for portable hot-mix asphalt plants and concrete batch plants, which Idaho's construction industry and public infrastructure agencies regularly rely on to deliver road, bridge, utility, and other public works projects. Although these facilities frequently use substantially similar equipment and operating processes from one location to another, they have historically been required to proceed through a lengthy Permit to Construct process, which could take as long as a year for issuance. Once a source-category General Minor Permit has been developed, the proposed rule would require DEQ to approve or deny coverage within 15 days of receiving a qualifying application and fee.

This is not a relaxation of Idaho's air quality requirements. Rather, it is a more efficient way of applying those requirements to facilities whose operations and potential impacts can be evaluated through standardized permit conditions. The necessary technical review, emission limitations, operating requirements, monitoring provisions, and recordkeeping requirements would be addressed when DEQ develops the General Minor Permit for a particular source category. Each proposed or modified General Minor Permit would also be subject to a 30-day public comment period before it is finalized.

The proposal builds on the standardized approach Idaho already uses for portable rock crushers through the existing permit-by-rule process, while providing DEQ with a more adaptable framework. Unlike a permit by rule, which generally requires another formal rulemaking to revise its conditions, a General Minor Permit can be updated through a transparent permit-development and public-comment process. The rule's flexible framework will also allow DEQ to develop General Minor Permits for other source categories where standardized permitting can provide similar efficiencies

without compromising environmental protections. The final proposal also appropriately preserves DEQ's authority to approve or deny an individual application for coverage, while providing balance for applicants within the denial and challenge process.

For Idaho AGC members, moving the permitting timeline from months to a matter of weeks will provide greater certainty when scheduling labor, equipment, material production, and project mobilization. It will reduce the risk of idle equipment, remobilization costs, missed construction windows, and other expenses caused by waiting for a permit for a facility that is substantially the same as facilities DEQ has reviewed before.

These benefits will extend directly to Idaho's transportation infrastructure agencies, including the Idaho Transportation Department, cities, counties, and highway districts. Permitting delays can affect project schedules, contractor pricing, and the efficient use of public dollars. A faster and more predictable process will help agencies deliver projects sooner and reduce the costs and contingencies associated with uncertain permitting timelines. The benefits will be particularly meaningful in rural Idaho, where a portable asphalt or concrete plant may be mobilized specifically to serve a project and where construction seasons can be limited. In these communities, reducing a permitting process from several months to a matter of weeks can make the difference between keeping a project on schedule and postponing work into another construction season.

The proposed rule maintains appropriate safeguards by limiting eligibility to nonmajor source categories outside designated nonattainment areas. Covered facilities would remain responsible for complying with all applicable local, state, and federal requirements, and DEQ would maintain a publicly available record of facilities approved for coverage. These provisions strike the proper balance between regulatory efficiency, transparency, and continued protection of Idaho's air quality.

For these reasons, the Idaho AGC respectfully urges the Board of Environmental Quality to adopt Docket No. 58-0101-2601 as proposed. Following final approval of the rule, we also encourage the Department to move promptly to develop General Minor Permits for portable hot-mix asphalt plants and concrete batch plants so that Idaho's contractors, public agencies, and taxpayers can begin realizing the benefits of this streamlined process.

Thank you for the opportunity to comment and for DEQ's work to develop a clear, workable, and environmentally responsible permitting framework.

Sincerely,

Will Smith



Deputy Director of Government Relations
Idaho Associated General Contractors