

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.03 - INDIVIDUAL/SUBSURFACE SEWAGE DISPOSAL RULES

DOCKET NO. 58-0103-0801

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Chapters 1 and 36, Title 39, Idaho Code.

MEETING SCHEDULE: Those interested in participating in the negotiated rulemaking process are encouraged to attend the following meetings. The meetings will take place simultaneously and will be connected by telephone. Additional meetings may be scheduled if necessary. For information regarding additional meetings, contact the undersigned.

Thursday, May 22, 2008, 9:30 a.m. to 4:00 p.m. Mountain Time

Department of Environmental Quality Conference Room D 1410 N. Hilton Boise, Idaho	Panhandle Health District Board Room, 2nd Floor 8500 North Atlas Road Hayden, Idaho
Central District Health Department McCall Field Office 703 North 1st Street McCall, Idaho	Department of Environmental Quality Snake River Conference Room 444 Hospital Way #300 Pocatello, Idaho
South Central Public District Health 1020 Washington Street North Twin Falls, Idaho	Eastern Idaho Public Health District 1250 Hollipark Drive Idaho Falls, Idaho
North Central District Health 215 10th Street Lewiston, Idaho	

Thursday, June 5, 2008, 9:30 a.m. to 4:00 p.m. Mountain Time

Department of Environmental Quality Conference Room D 1410 N. Hilton Boise, Idaho	Panhandle Health District Board Room, 2nd Floor 8500 North Atlas Road Hayden, Idaho
Central District Health Department McCall Field Office 703 North 1st Street McCall, Idaho	Department of Environmental Quality Snake River Conference Room 444 Hospital Way #300 Pocatello, Idaho
South Central Public District Health 1020 Washington Street North Twin Falls, Idaho	Eastern Idaho Public Health District 1250 Hollipark Drive Idaho Falls, Idaho
North Central District Health 215 10th Street Lewiston, Idaho	

PRELIMINARY DRAFT RULE: By May 7, 2008, the preliminary draft rule can be obtained at http://www.deq.idaho.gov/rules/subsurface/58_0103_0801_negotiated.cfm or by contacting Paula Wilson at paula.wilson@deq.idaho.gov, (208)373-0418.

DESCRIPTIVE SUMMARY: The purpose of this rulemaking is to provide for a revised method to estimate wastewater flow from single family dwellings that is more consistent with domestic water usage statewide. The proposed revisions would provide for a more refined soil classification system which will allow more precise sizing of drainfields. The rule would also provide a definition of "module" to assist understanding and applicability of the rule within the regulated community.

The preliminary draft rule will include the following proposed revisions:

- 1) Add a definition for the term "module";
- 2) Revise the wastewater flow rates for single family dwellings; and
- 3) Refine the soil classification system from 3 to 6 soil types.

If necessary, this rulemaking may also include any corrections that are typographical and nonsubstantive in nature (e.g., making corrections for consistency with other sections in this rule chapter and other DEQ rules).

Local government, property owners, representatives of the building construction industry, and the public at large may be interested in participating in this rulemaking. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the summer of 2008 and then present the final proposal to the Board of Environmental Quality for adoption of a pending rule in the fall of 2008. If adopted, the pending rule will be reviewed by the 2009 Idaho Legislature.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning the negotiated rulemaking, contact AJ Maupin at aj.maupin@deq.idaho.gov, (208)373-0140.

Anyone may submit written comments regarding this negotiated rulemaking by mail, fax or e-mail at the address below. DEQ will consider all written comments received by the undersigned on or before May 23, 2008. To receive subsequent drafts of the negotiated rule, and for information regarding submission of written comments on subsequent drafts, contact the undersigned.

Dated this 7th day of April, 2008.

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