

IDAHO ADMINISTRATIVE BULLETIN

May 2, 2012 -- Volume 12-5

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IDAHO ADMINISTRATIVE BULLETIN

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Preface

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Department of Administration, that is published pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all official rulemaking notices, official rule text, executive orders of the Governor, and all legislative documents affecting rules that are statutorily required to be published in the Bulletin. It may also include other rules-related documents an agency may want to make public through the Bulletin.

State agencies are required to provide public notice of all proposed rulemaking actions and must invite public input once formal rulemaking procedures have been initiated. The public receives notice that an agency has initiated formal rulemaking procedures through the Idaho Administrative Bulletin and a Public Notice of Intent (legal notice) that publishes in specific newspapers throughout the state. The legal notice provides reasonable opportunity for the public to participate when a proposed rule publishes in the Bulletin. Interested parties may submit written comments to the agency or request public hearings of the agency if none have been scheduled. Such submissions or requests must be presented to the agency within the time and manner specified in the individual “Notice of Rulemaking” for each proposed rule that is published in the Bulletin.

Once the comment period closes, the agency considers fully all comments and information submitted regarding the proposed rule. Changes may be made to the proposed rule at this stage of the rulemaking, but changes must be based on comments received and must be a “logical outgrowth” of the proposed rule. The agency may now adopt and publish the pending rule. A pending rule is “pending” legislative review for final approval. The pending rule is the agency’s final version of the rulemaking that will be forwarded to the legislature for review and final approval. Comment periods and public hearings are not provided for when the agency adopts a temporary or pending rule.

CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

The Bulletin is identified by the calendar year and issue number. For example, Bulletin **11-1** refers to the first Bulletin issued in calendar year **2011**; Bulletin **12-1** refers to the first Bulletin issued in calendar year **2012**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **12-1** refers to January 2012; Volume No. **12-2** refers to February 2012; and so forth. Example: The Bulletin published in January 2011 is cited as Volume **11-1**. The December 2011 Bulletin is cited as Volume **11-12**.

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

The **Idaho Administrative Code** is an electronic-only, online compilation of all final and enforceable administrative rules of the state of Idaho that are of full force and effect. Any temporary rule that is adopted by an agency and is of force and effect is codified into the Administrative Code upon becoming effective. All pending rules that have been approved by the legislature during the legislative session as final rules and any temporary rules that are extended supplement the Administrative Code. These rules are codified into the Administrative Code upon becoming effective. Because proposed and pending rules are not enforceable, they are published in the Administrative Bulletin only and cannot be codified into the Administrative Code.

To determine if a particular rule remains in effect or whether any amendments have been made to the rule, refer to the **Cumulative Rulemaking Index**. Link to it on the Administrative Rules homepage at adminrules.idaho.gov.

THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

Idaho’s administrative rulemaking process, governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, comprises distinct rulemaking actions: negotiated, proposed, temporary, pending and final rulemaking. Not all rulemakings incorporate or require all of these actions. At a minimum, a rulemaking includes proposed, pending and final rulemaking. Many rules are adopted as temporary rules when they meet the required statutory criteria and agencies often engage in negotiated rulemaking at the beginning of the process to facilitate consensus building in controversial or complex rulemakings. In the majority of cases, the process begins with proposed rulemaking and ends with the final rulemaking. The following is a brief explanation of each type of administrative rule.

NEGOTIATED RULEMAKING

Negotiated rulemaking is a process in which all interested parties and the agency seek consensus on the content of a rule. Agencies are encouraged, and in some cases required, to engage in this rulemaking activity whenever it is feasible to do so. Publication of a “Notice of Intent to Promulgate - Negotiated Rulemaking” in the Administrative Bulletin by the agency is optional. This process normally results in the formulation of a proposed rule and the initiation of formal rulemaking procedures. One result, however, may also be that formal rulemaking is not initiated and no further action is taken by the agency. The rulemaking effectively stops before it gets started.

PROPOSED RULEMAKING

A proposed rulemaking is an action by an agency wherein the agency is proposing to amend or repeal an existing rule or to adopt a new rule. Prior to the adoption, amendment, or repeal of a rule, the agency must publish a “Notice of Rulemaking - Proposed Rule” in the Bulletin. This notice must include:

- a) the specific statutory authority (from Idaho Code) for the rulemaking including a citation to a specific federal statute or regulation if that is the basis of authority or requirement for the rulemaking;
- b) a statement in nontechnical language of the substance of the proposed rule, including a specific description of any fee or charge imposed or increased;
- c) a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided, however, that notwithstanding Section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or enforceability of the rule.
- d) the text of the proposed rule prepared in legislative format;
- e) the location, date, and time of any public hearings the agency intends to hold on the proposed rule;
- f) the manner in which persons may make written comments on the proposed rule, including the name and address of a person in the agency to whom comments on the proposal may be sent;
- g) the manner in which persons may request an opportunity for an oral presentation as provided in Section 67-5222, Idaho Code; and
- h) the deadline for public (written) comments on the proposed rule.

Any proposed rulemaking that is submitted for publication in the Bulletin that would impose a fee or charge must be accompanied by a cost/benefit analysis that is prepared by the agency. This cost/benefit analysis must estimate, as reasonably as possible, the costs to the agency to implement the rule and the estimated costs that would be borne by citizens or the private sector. This analysis is filed with the Director of Legislative Services Office who then forwards it to the appropriate germane joint subcommittee assigned to review the promulgating agency’s proposed rules.

When incorporating by reference, the notice of proposed rulemaking must include a brief synopsis detailing the need to incorporate by reference any additional materials into the rule. The agency must also provide information regarding access to the incorporated materials. At a minimum, and when available, the agency must provide an electronic link to the documents that can be accessed on a website or post this information on its own website, or both. This link can be placed into the rule and activated once it is posted on the Coordinator’s website.

As stated, the text of the proposed rule must be published in the Bulletin. After meeting the statutory rulemaking criteria for a proposed rule, the agency may adopt the pending rule. Because a proposed rule is not enforceable, it has no effective date, even when published in conjunction with a temporary rule that is of full force and effect. An agency may vacate (terminate) a rulemaking after the publication of a proposed rule if it decides, for whatever reason, not to proceed further to finalize the rulemaking. The publication of a “Notice of Vacation of Proposed Rulemaking” in the Bulletin officially stops the formal rulemaking process.

TEMPORARY RULEMAKING

Temporary rules may be adopted only when the governor finds that it is necessary for:

- a) protection of the public health, safety, or welfare; or
- b) compliance with deadlines in amendments to governing law or federal programs; or
- c) conferring a benefit.

If a rulemaking meets one or more of the above legal criteria and the governor determines that it is necessary that a rule become effective prior to receiving legislative authorization and without allowing for any public input, the agency may proceed and adopt a temporary rule. The law allows an agency to make a temporary rule immediately effective upon adoption. However, a temporary rule that imposes a fee or charge may be adopted only if the governor finds that the fee or charge is necessary to avoid an immediate danger which justifies the imposition of the fee or charge.

A temporary rule expires at the conclusion of the next succeeding regular legislative session unless the rule is extended by concurrent resolution, is replaced by a final rule, or expires under its own terms.

The statute that regulates rulemaking in Idaho requires that the text of all proposed rulemakings publish in the Bulletin in order for the rulemaking to be valid. This is true for all temporary rules as well. In most cases, the agency wants the temporary rule to also become a final rule and in most of these cases, the temporary rule and the proposed rule text is identical. In this event, both rulemakings may be promulgated concurrently yet they remain separate rulemaking actions. The rulemaking is published in the Bulletin as a temporary/proposed rule. Combining the rulemaking allows for a single publication of the text in the Bulletin.

An agency may, at any time, rescind a temporary rule that has been adopted and is in effect. The agency must publish a notice of rescission to effectively rescind the temporary rule. If the temporary rule is being replaced by a new temporary rule or if it has been published concurrently with a proposed rule that is being vacated, the agency, in most instances, will rescind the temporary rule.

PENDING RULEMAKING

A pending rule is a rule that has been adopted by an agency under regular rulemaking procedures and remains subject to legislative review before it becomes a final, enforceable rule.

When a pending rule is published in the Bulletin, the agency is required to include certain information in the "Notice of Rulemaking - Pending Rule." This includes:

- a) a statement giving the reasons for adopting the rule;
- b) a statement of any change between the text of the proposed rule and the pending rule with an explanation of the reasons for any changes;
- c) the date the pending rule will become final and effective and a statement that the pending rule may be rejected, amended or modified by concurrent resolution of the legislature;
- d) an identification of any portion of the rule imposing or increasing a fee or charge and a statement that this portion of the rule shall not become final and effective unless affirmatively approved by concurrent resolution of the legislature;
- e) the specific statutory authority for the rulemaking including a citation to the specific section of the Idaho Code that has occasioned the rulemaking, or the federal statute or regulation if that is the basis of authority or requirement for the rulemaking; and

- (f) a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided however, that notwithstanding section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or the enforceability of the rule.

Agencies are required to republish the text of the pending rule when substantive changes have been made to the proposed rule. An agency may adopt a pending rule that varies in content from that which was originally proposed if the subject matter of the rule remains the same, the pending rule change is a logical outgrowth of the proposed rule, and the original notice was written so as to assure that members of the public were reasonably notified of the subject. It is not always necessary to republish all the text of the pending rule. With the permission of the Rules Coordinator, only the sections or their subparts that have changed from the proposed text are republished. If no changes have been made to the previously published text, it is not required to republish the text again and only the "Notice of Rulemaking - Adoption of Pending Rule" is published.

FINAL RULEMAKING

A final rule is a rule that has been adopted by an agency under the regular rulemaking procedures and is of full force and effect.

No pending rule adopted by an agency becomes final and effective until it has been submitted to the legislature for review and approval. Where the legislature finds that an agency has violated the legislative intent of the authorizing statute, a concurrent resolution may be adopted to reject the rulemaking in whole or in part. A "Notice of Rulemaking - Final Rule" and the final codified text must be published in the Bulletin for any rule that is wholly or partially rejected by concurrent resolution of the legislature. Unless rejected by concurrent resolution, a pending rule that is reviewed by the legislature becomes final and effective at the end of the session in which it is reviewed without any further legislative action. All pending rules that are approved by concurrent resolution become final and effective upon adoption of the concurrent resolution unless otherwise stated. In no event can a pending rule become final and effective before the conclusion of the regular or special legislative session at which the rule was submitted for review. However, a rule that is final and effective may be applied retroactively, as provided in the rule.

AVAILABILITY OF THE ADMINISTRATIVE CODE AND BULLETIN

Internet Access - The Administrative Code and Administrative Bulletin are available on the Internet at the following address: adminrules.idaho.gov

SUBSCRIPTIONS AND DISTRIBUTION

For subscription information and costs, please contact the Department of Administration, Office of the Administrative Rules Coordinator, 650 W. State Street, Room 100, Boise, Idaho 83720-0306, telephone (208) 332-1820.

The Idaho Administrative Code - annual subscription on CD-ROM. The Code is an annual compilation of all final administrative rules and all enforceable temporary rules and also includes all executive orders of the Governor that have published in the Bulletin, all legislative documents affecting rules, a table of contents, reference guides, and a subject index.

The Idaho Administrative Bulletin - annual subscription available on individual CD-ROM sent out monthly. The Bulletin is an official monthly publication of the State of Idaho and is available for purchase on CD-ROM only. Yearly subscriptions or individual CD-ROM's are available for purchase.

Internet Access - The Administrative Code and Administrative Bulletin, and many other rules-related documents are available on the Internet at the following address: adminrules.idaho.gov

HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN

Rulemaking documents produced by state agencies and published in the **Idaho Administrative Bulletin** are organized by a numbering schematic. Each state agency has a two-digit identification code number known as the **“IDAPA”** number. (The **“IDAPA”** Codes are listed in the alphabetical/numerical index at the end of this Preface.) Within each agency there are divisions or departments to which a two-digit **“TITLE”** number is assigned. There are **“CHAPTER”** numbers assigned within the Title and the rule text is divided among major sections that are further subdivided into subsections. An example IDAPA number is as follows:

IDAPA 38.05.01.200.02.c.ii.

“IDAPA” refers to Administrative Rules in general that are subject to the Administrative Procedures Act and are required by this act to be published in the Idaho Administrative Code and the Idaho Administrative Bulletin.

“38.” refers to the Idaho Department of Administration

“05.” refers to Title **05**, which is the Department of Administrations’s Division of Purchasing

“01.” refers to Chapter **01** of Title 05, **“Rules of the Division of Purchasing”**

“200.” refers to Major Section **200**, **“Content of the Invitation to Bid”**

“02.” refers to Subsection **200.02.**

“c.” refers to Subsection **200.02.c.**

“ii.” refers to Subsection **200.02.c.ii.**

DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. Each rulemaking that is filed with the Coordinator is assigned a **“DOCKET NUMBER.”** The docket number is a series of numbers separated by a hyphen **“-”**, (**38-0501-1201**). Rulemaking dockets are published sequentially by IDAPA number (the two-digit agency code) in the Bulletin. The following example is a breakdown of a typical rule docket number:

“DOCKET NO. 38-0501-1201”

“38-” denotes the agency’s **IDAPA** number; in this case the Department of Administration.

“0501-” refers to the **TITLE AND CHAPTER** numbers of the agency rule being promulgated; in this case the Division of Purchasing (**TITLE 05**), Rules of the Division of Purchasing (**Chapter 01**).

“1201” denotes the year and sequential order of the docket being published; in this case the numbers refer to the first rulemaking action published in **calendar year 2012**. A subsequent rulemaking on this same rule chapter in calendar year 2012 would be designated as **“1202”**. The docket number in this scenario would be **38-0501-1202**.

Within each Docket, only the affected sections of chapters are printed. (See **Sections Affected Index** in each Bulletin for a listing of these.) The individual sections affected are printed in the Bulletin sequentially (e.g. Section **“200”** appears before Section **“345”** and so on). Whenever the sequence of the numbering is broken the following statement will appear:

(BREAK IN CONTINUITY OF SECTIONS)

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2012

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
12-1	January 2012	*November 25, 2011	January 4, 2012	January 25, 2012
12-2	February 2012	January 13, 2012	February 1, 2012	February 22, 2012
12-3	March 2012	February 10, 2012	March 7, 2012	March 28, 2012
12-4	April 2012	March 9, 2012	April 4, 2012	April 25, 2012
12-5	May 2012	April 6, 2012	May 2, 2012	May 23, 2012
12-6	June 2012	May 4, 2012	June 6, 2012	June 27, 2012
12-7	July 2012	June 8, 2012	July 4, 2012	July 25, 2012
12-8	August 2012	July 6, 2012	August 1, 2012	August 22, 2012
12-9	September 2012	August 3, 2012	September 5, 2012	September 26, 2012
12-10	October 2012	**August 31, 2012	October 3, 2012	October 24, 2012
12-11	November 2012	October 5, 2012	November 7, 2012	November 28, 2012
12-12	December 2012	November 2, 2012	December 5, 2012	December 26, 2012

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2013

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
13-1	January 2013	*November 30, 2012	January 2, 2013	January 23, 2013
13-2	February 2013	January 11, 2013	February 6, 2013	February 27, 2013
13-3	March 2013	February 8, 2013	March 6, 2013	March 27, 2013
13-4	April 2013	March 8, 2013	April 3, 2013	April 24, 2013
13-5	May 2013	April 5, 2013	May 1, 2013	May 22, 2013
13-6	June 2013	May 10, 2013	June 5, 2013	June 26, 2013
13-7	July 2013	June 7, 2013	July 3, 2013	July 24, 2013
13-8	August 2013	July 5, 2013	August 7, 2013	August 28, 2013
13-9	September 2013	August 2, 2013	September 4, 2013	September 25, 2013
13-10	October 2013	**August 30, 2013	October 2, 2013	October 23, 2013
13-11	November 2013	October 4, 2013	November 6, 2013	November 27, 2013
13-12	December 2013	November 8, 2013	December 4, 2013	December 25, 2013

****Last day to submit a proposed rulemaking before moratorium begins and last day to submit a pending rule to be reviewed by the legislature.***

*****Last day to submit a proposed rule in order to have the rulemaking completed and submitted for review by legislature.***

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THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2012-02

ESTABLISHING THE GOVERNOR'S SAGE-GROUSE TASK FORCE

WHEREAS, the greater sage-grouse inhabits significant portions of the sage-steppe habitat in Idaho;

WHEREAS, the State of Idaho currently enjoys viable and widespread populations of the species;

WHEREAS, the State of Idaho by and through the Sage-grouse Advisory Committee (SAC) and the Local Working Groups (LWGs) has a long track record of successful engagement in managing and conserving the species and its habitat;

WHEREAS, the State by and through the involvement of the SAC and the LWGs developed a state-wide management plan for the species in 2006 and amended in 2009 (2009 Plan);

WHEREAS, the sage-grouse has been the subject of several petitions to list, federal regulatory actions and multiple rounds of litigation regarding its status under the Endangered Species Act (ESA);

WHEREAS, on March 23, 2010, the U.S. Fish and Wildlife Service (Service) determined the species warrants listing over all of its range, including Idaho, but is precluded by higher-priority listing actions;

WHEREAS, due to the Service's decision, the sage-grouse is currently considered a "candidate" species under the ESA;

WHEREAS, on February 2, 2012, the United States District Court for the District of Idaho ruled the Service must reevaluate the status of the species under the ESA by September 30, 2015;

WHEREAS, in response to this decision, the Secretary of the Interior has invited the eleven (11) western states impacted by a potential listing of the species to develop state-specific regulatory mechanisms to conserve the species and preclude the need to list under the ESA;

WHEREAS, the development of a state-specific regulatory mechanism in Idaho will be critical in demonstrating to the Service the species does not warrant federal protection;

WHEREAS, the Bureau of Land Management (BLM) is currently implementing national Instruction Memoranda to guide interim management of public lands and to develop sage-grouse conservation measures for incorporation into the agency's existing Resource Management Plans (RMPs) by September 2014;

WHEREAS, the development of a state-specific regulatory mechanism, consistent with the objectives of this Executive Order, may allow the State the opportunity to be exempted from the applicability of these Instruction Memoranda guiding interim management of public lands within Idaho;

WHEREAS, the development of a state-specific regulatory mechanism will enable the BLM to incorporate the State's plan as an alternative in its environmental analysis pursuant to the National Environmental Policy Act (NEPA);

WHEREAS, it is vital to the interests of the State to develop a state-specific regulatory mechanism as the listing of the species would adversely impact the economy of Idaho, including the ability to generate revenues from private property and State endowment lands;

WHEREAS, the listing of the species would have a significant impact on the State's custom, culture and way of life; and

WHEREAS, development of the State's regulatory mechanism must be driven by the most current scientific information, input from a variety of stakeholders and aimed at conserving the species and its habitat while maintaining predictable and multiple uses of private, state and public lands.

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho do hereby create the Sage-Grouse Task Force.

1. *The creation of the Governor's Sage-Grouse Task Force:*

A. *The members of the Governor's Sage-Grouse Task Force (Task Force) shall be appointed by and serve at the pleasure of the Governor through calendar year 2012.*

i. *The Task Force shall be composed of fifteen (15) members, representing the various geographic areas of the State within the range of the species.*

ii. *The Office of the Governor will chair this entity.*

iii. *The Office of Species Conservation and the Idaho Department of Fish and Game will staff this entity.*

B. *The Task Force members shall be appointed from the following categories:*

i. *Individuals who:*

- *Represent agricultural interests; or*
- *Represent energy or mineral development interests.*

ii. *Individuals representing:*

- *A local working group; or*
- *A nationally, regionally or locally recognized environmental organization; or*
- *Nationally or locally recognized wildlife or sportsmen's groups.*

iii. *Individuals who:*

- *Hold State elected office; or*
- *Hold county elected office; or*
- *Represent the public at large.*

2. *Duties of the Task Force:*

A. *Provide the Governor recommendations on policies and actions, using the 2009 Plan and other on-going activities as a backdrop, for developing a state-wide regulatory mechanism to preclude the need to list the species;*

B. *The recommendations must be based on the following objectives and/or criteria:*

i. *Conserve the species and its habitat while maintaining predictable and multiple uses of private, state and public lands;*

ii. *Identify and designate key/core sage-grouse habitat based on the biological needs of the species;*

iii. *Tailor the management recommendations to the import of the habitat and is attuned to the interests of the State;*

iv. *Address the following primary threats to the species as identified by the Service:*

- *Habitat fragmentation due to wildfire and invasive species;*
- *Conversion of habitat for agriculture or urbanization; and*

- *Energy development/infrastructure.*
 - v. *Address the following secondary threats to the species as identified by the Service:*
 - *Disease/West Nile virus;*
 - *Management issues related to livestock grazing;*
 - *Collisions with fences and power lines;*
 - *Mining;*
 - *Prescribed fire and range treatments;*
 - *Water development; and*
 - *Conifer invasion.*
 - vi. *Identify opportunities for pro-active sage-grouse habitat enhancement projects; and*
 - vii. *Recognize, encourage and incentivize land use practices that are actively maintaining or improving sage-grouse habitat as evidenced by improvements in habitat quality, active lek routes or stable/increasing populations of the species.*
- B. *The duties of the Task Force are solely advisory.*
- C. *The Task Force will provide its recommendations to the Governor no later than May 31, 2012.*
- E. *Technical Expertise:*
- i. *The Task Force may request consultation, information and technical expertise from Directors or their designees of state agencies regarding the biological needs of the species, activities on state, federal and private lands potentially impacted by the status of the species, and requirements of the ESA and other relevant statutory requirements, including but not limited to the Office of Species Conservation, the Idaho Department of Fish and Game, the Idaho Department of Lands, the Office of Energy Resources, the Idaho State Department of Agriculture and the Idaho Department of Parks and Recreation.*
 - ii. *The Task Force may request comments, information and technical expertise from the American Indian Tribes of Idaho, the universities of the State, federal agencies, including but not limited to the Service, the BLM, the U.S. Forest Service and the Natural Resources Conservation Services, and members of the public.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 9th day of March, in the year of our Lord two thousand and twelve, and of the independence of the United States of America the two hundred thirty-sixth and of the Statehood of Idaho the one hundred twenty-second.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR

IDAHO DEPARTMENT OF ADMINISTRATION

**ADMINISTRATIVE RULES REVIEWED BY THE SIXTY-FIRST
LEGISLATURE OF THE STATE OF IDAHO
SECOND REGULAR SESSION - 2012**

**OMNIBUS RULEMAKING NOTICE OF FINAL LEGISLATIVE ACTION
ON PENDING RULES AND TEMPORARY RULES**

AUTHORITY: In compliance with Sections 67-5224(5), 67-5224(7), 67-5226(3), and 67-5291, Idaho Code, notice is hereby given by the Office of the Administrative Rules Coordinator that the Sixty-First Legislature in the Second Regular Session - 2012, reviewed all pending rules, has approved them as final or rejected them in whole or in part, and has extended temporary rules or rejected same in whole or in part. The docket numbers of the affected rulemakings and their final effective dates are listed here in this notice.

DESCRIPTIVE SUMMARY: The following lists of fee rules, temporary rules, and final rules include those rules that were reviewed as pending and temporary rules during the Second Regular Session of the Sixty-First Legislature of the state of Idaho, 2012.

All pending rules reviewed by the legislature that were not rejected in whole or in part have been approved and are now final and effective rules, unless otherwise specified. Any pending rule that was rejected in whole or in part is listed in this notice with the corresponding House or Senate concurrent resolution that affected it. The concurrent resolutions affecting the rules that were reviewed during the 2012 legislative session are also printed in this Bulletin. Rulemakings that were rejected in whole, and those parts of a rulemaking that were rejected in part, are null, void and of no force and effect. Rulemakings affected by concurrent resolution are being reprinted in this Bulletin as final rules. Rulemakings that have been affected by a concurrent resolution became final and effective upon final adoption of the concurrent resolution.

Pursuant to Section 67-5224, Idaho Code, all pending rules imposing or changing a fee or charge were approved or rejected in part as specified in [Senate Concurrent Resolution No. 128](#) and are now final rules. Rulemakings that were entirely rejected in whole and those parts of any rulemaking that was partially rejected are null, void and of no force and effect.

Pursuant to Section 67-5226, Idaho Code, all temporary rules that were submitted for review have been acted on by [Senate Concurrent Resolution No. 129](#). As specified in the concurrent resolution all temporary rules reviewed have been extended unless specifically rejected in whole or in part. Those that were extended will remain in effect until the end of the next legislative session unless they expire under their own terms or are rescinded. Any temporary rule that has been rejected in whole or in part is null, void and of no force and effect.

The following tables list all rulemakings that were submitted for legislative review for the 2012 legislative session. The list includes the docket number of each rulemaking, the volume number of the Bulletin in which the proposed, pending, and temporary rule text was published, the effective date of the rule, and the number of the Senate or House concurrent resolution, if applicable, affecting the rulemaking. These tables provide final status of all pending fee rules, temporary rules and pending rules submitted for legislative review.

SENATE CONCURRENT RESOLUTION 128 AFFECTING ALL PENDING FEE RULES				
Fee Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Results of SCR 128
02-0409-1101	11-12	11-10	(3-21-12)	Approved
02-0426-1101	11-12	11-10	(3-21-12)	Approved
02-0432-1101	11-12	11-10	(3-21-12)	Approved

SENATE CONCURRENT RESOLUTION 128 AFFECTING ALL PENDING FEE RULES				
Fee Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Results of SCR 128
03-0101-1101	11-12	11-10	(3-21-12)	Approved
07-0107-1101	11-12	11-10	Null & Void	Rejected
07-0205-1101	11-12	11-10	Null & Void	Rejected
07-0501-1101	11-12	11-10	(3-21-12)	Approved
11-1002-1101	12-1	11-10	(3-21-12)	Approved
16-0107-1102	12-1	11-7	(3-21-12)	Approved
16-0225-1101	11-12	11-8	(3-21-12)	Approved
16-0318-1101	12-1	11-10	(3-21-12)	Approved
16-0319-1101	12-1	11-7	(3-21-12)	Approved
16-0601-1102	21-1	11-9	(3-21-12)	Approved
16-0602-1101	12-1	11-7	(3-21-12)	Approved
20-0315-1102	12-1	11-10	(3-21-12)	Approved
24-0401-1101	11-12	11-8	(3-21-12)	Approved
24-1101-1101	11-12	11-10	(3-21-12)	Approved
24-1601-1101	11-12	11-8	(3-21-12)	Approved
24-1701-1101	11-12	11-10	(3-21-12)	Approved
24-1801-1101	11-12	11-10	(3-21-12)	Approved
24-2501-1101	11-12	11-8	Null & Void	Rejected
27-0101-1102	12-1	11-10	(3-21-12)	Approved
39-0321-1101	11-12	11-9	(3-21-12)	Approved
46-0101-1102	11-12	11-10	(3-21-12)	Approved

SENATE CONCURRENT RESOLUTION 129 AFFECTING TEMPORARY RULES				
Temporary Rule Docket Number	Bulletin Vol. No. Temporary	Effective Date	Rejected Sections	Results of SCR 129
11-0301-1201	12-1	(12-28-11)T		Approved
11-0501-1101	11-7	(7-6-11)T		Approved
16-0309-1101	11-12	(9-28-11)T		Approved
16-0309-1201*	12-2	Null & Void	Entire Docket	Rejected
16-0612-1201	12-1	(12-1-11)T		Approved
26-0136-1101*	11-11	Null & Void	Entire Docket	Rejected

SENATE CONCURRENT RESOLUTION 129 AFFECTING TEMPORARY RULES				
Temporary Rule Docket Number	Bulletin Vol. No. Temporary	Effective Date	Rejected Sections	Results of SCR 129
35-0103-1103	11-9	(7-1-11)T		Approved
59-0103-1201	12-3	(12-6-11)T		Approved
<i>*When a temporary rule is rejected and nullified, the previously codified rule again becomes effective.</i>				

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2012 IDAHO LEGISLATURE					
Pending Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Rejected Sections	Action Taken by Concurrent Resolution
02-0104-1101	11-12	11-10	(3-29-12)		
02-0214-1101	11-12	11-8	(3-29-12)		
02-0303-1101	11-12	11-8	(3-29-12)		
02-0418-1101	11-12	11-10	(3-29-12)		
02-0420-1101	11-12	11-6	(3-29-12)		
02.04.21	Final Rule		(3-21-12)	600.02	Partial Rejection SCR 117
02-0430-1101	11-12	11-10	(3-29-12)		
02-0602-1101	11-12	11-10	(3-29-12)		
02-0612-1101	11-12	11-10	(3-29-12)		
02-0620-1101	11-12	11-10	(3-29-12)		
02-0630-1101	11-12	11-10	(3-29-12)		
02-0633-1101	11-12	11-9	(3-29-12)		
02-0641-1101	11-12	11-10	(3-29-12)		
05-0102-1101	12-1	11-10	(3-29-12)		
06-0101-1101	N/A	11-10	(11-4-11)		
06-0101-1201	N/A	12-2	(1-11-12)		
07-0103-1101	11-12	11-10	(3-29-12)		
07-0104-1101	11-12	11-10	(3-29-12)		
07-0104-1102	11-12	11-10	(3-29-12)		
07-0105-1101	11-12	11-10	(3-29-12)		

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2012 IDAHO LEGISLATURE					
Pending Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Rejected Sections	Action Taken by Concurrent Resolution
<i>07-0106-1101</i>	<i>11-12</i>	<i>11-10</i>	<i>Null & Void</i>	<i>Entire Docket</i>	<i>Rejected SCR 118</i>
07-0205-1102	11-12	11-10	(3-29-12)		
07-0205-1103	11-12	11-10	(3-29-12)		
07-0207-1101	11-12	11-10	(3-29-12)		
07-0402-1101	11-12	11-10	(3-29-12)		
07-0701-1101	11-12	11-10	(3-29-12)		
07-0701-1102	11-12	11-10	(3-29-12)		
08-0104-1101	12-1	11-10	(3-29-12)		
08-0109-1101	12-1	11-10	(3-29-12)		
08-0111-1102	12-1	11-10	(3-29-12)		
08-0114-1101	12-1	11-10	(6-24-11)		
08-0201-1101	12-1	11-10	(3-29-12)		
08-0202-1101	12-1	11-8	(3-29-12)		
08-0202-1102	12-1	11-10	(3-29-12)		
08-0202-1103	12-1	11-10	(3-29-12)		
08-0202-1104	12-1	11-10	(3-29-12)		
08-0202-1105	12-1	11-10	(3-29-12)		
08-0202-1106	12-1	11-10	(3-29-12)		
08-0203-1101	12-1	11-7	(3-29-12)		
08-0203-1102	12-1	11-10	(3-29-12)		
08-0203-1103	12-1	11-10	(3-29-12)		
08-0203-1104	12-1	11-10	(3-29-12)		
09-0130-1101	11-10	11-8	(3-29-12)		
09-0135-1101	11-10	11-8	(3-29-12)		
10-0101-1101	11-9	11-7	(3-29-12)		
10-0102-1101	11-11	11-7	(3-29-12)		
10-0104-1101	11-9	11-7	(3-29-12)		
11-1003-1101	12-1	11-11	(3-29-12)		
11-1101-1101	12-1	11-10	(3-29-12)		

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2012 IDAHO LEGISLATURE					
Pending Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Rejected Sections	Action Taken by Concurrent Resolution
11-1101-1102	12-1	11-10	(3-21-12)	Sections 091 and 092	Partial Rejection SCR 122
11-1101-1103	12-1	11-10	(3-29-12)		
11-1102-1101	12-1	11-10	(3-29-12)		
11-1106-1101	12-1	11-10	(3-29-12)		
12-0110-1101	12-1	11-10	(3-29-12)		
13-0102-1101	12-1	11-10	(3-29-12)		
13-0104-1101	12-1	11-10	(3-29-12)		
13-0104-1102	12-1	11-10	Null & Void	Entire Docket	Rejected SCR 121
13-0105-1101	12-1	11-10	(3-29-12)		
13-0106-1101	12-1	11-10	(3-29-12)		
13-0108-1101	12-1	11-10	(3-29-12)		
13-0109-1101	12-1	11-10	(3-29-12)		
13-0110-1101	12-1	11-10	(3-29-12)		
13-0111-1101	12-1	11-10	(3-29-12)		
13-0112-1101	12-1	11-10	(3-29-12)		
13-0116-1101	12-1	11-10	(3-29-12)		
15-0202-1101	11-12	11-10	(3-29-12)		
15-0401-1101	12-1	11-10	(3-29-12)		
15-1001-1101	11-12	11-10	(3-29-12)		
16-0101-1101	12-1	11-7	(3-29-12)		
16-0107-1101	12-1	11-7	(3-29-12)		
16-0112-1101	12-1	11-7	(3-29-12)		
16-0202-1101	11-12	11-8	(3-29-12)		
16-0203-1101	12-1	11-7	(3-29-12)		
16-0301-1003	11-5	10-12	(3-29-12)		
16-0301-1101	12-1	11-10	(3-29-12)		
16-0303-1001	11-5	10-12	(3-29-12)		
16-0304-1004	11-5	10-12	(3-29-12)		
16-0304-1101	12-1	11-10	(3-29-12)		

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2012 IDAHO LEGISLATURE					
Pending Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Rejected Sections	Action Taken by Concurrent Resolution
16-0305-1003	11-5	10-12	(3-29-12)		
16-0305-1102	12-1	11-10	(3-29-12)		
16-0308-1002	11-5	10-12	(3-29-12)		
16-0308-1101	12-1	11-10	(7-1-12)		
16-0309-1102	11-11	11-8	(3-29-12)		
16-0309-1103	11-11	11-8	(3-29-12)		
16-0309-1104	11-12	11-8	(3-29-12)		
16-0309-1106	12-1	11-10	(3-29-12)		
16-0309-1107	12-1	11-10	(3-29-12)		
16-0309-1108	12-1	11-10	(3-29-12)		
16-0310-1005	11-6	10-11	(3-29-12)		
16-0310-1103	11-11	11-8	(3-29-12)		
16-0310-1104	11-12	11-8	(3-21-12)	119.02.b., 119.03, 140.08.b., 140.09, 659.01.b., 659.02, 706.04, 706.05, 736.09, 736.10	Partial Rejection SCR 114
16-0310-1105	11-12	11-8	(3-29-12)		
16-0313-1101	11-12	11-8	(3-29-12)		
16-0414-1101	12-1	11-10	(3-29-12)		
16-0417-1101	12-1	11-9	(3-29-12)		
16-0501-1101	12-1	11-9	(3-29-12)		
16-0504-1101	12-1	11-7	(3-29-12)		
16-0506-1101	12-1	11-9	(7-1-12)		
16-0601-1101	12-1	11-9	(3-29-12)		
16-0612-1003	11-5	10-12	(3-29-12)		
17-0209-1102	11-12	11-10	(7-1-12)		
17-0211-1101	11-12	11-10	(3-29-12)		
18-0105-1101	11-11	11-9	(3-29-12)		

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2012 IDAHO LEGISLATURE					
Pending Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Rejected Sections	Action Taken by Concurrent Resolution
18-0146-1101	11-12	11-10	(3-29-12)		
18-0150-1101	11-12	11-10	(3-29-12)		
19-0101-1101	11-12	11-8	(3-29-12)		
19-0101-1102	11-12	11-8	(3-29-12)		
20-0702-1102	12-1	11-10	(3-29-12)		
21-0107-1101	11-12	11-10	(3-29-12)		
23-0101-1002	11-12	11-10	(3-29-12)		
24-0101-1101	11-12	11-10	(3-29-12)		
24-0501-1101	11-12	11-10	(3-21-12)	375.02.c.	Partial Rejection SCR 115
24-1001-1101	11-12	11-8	(3-29-12)		
24-1301-1101	11-12	11-10	(3-29-12)		
24-1401-1101	11-12	11-10	(3-29-12)		
24-1501-1101	11-12	11-10	(3-29-12)		
24-1901-1101	11-12	11-8	(3-29-12)		
24-2201-1101	11-12	11-8	(3-29-12)		
24-2301-1101	11-12	11-8	(3-29-12)		
27-0101-1101	12-1	11-10	(3-29-12)		
30-0101-1101	11-8	11-6	(3-29-12)		
31-1101-1101	11-12	11-10	(3-29-12)		
31-7103-1101	11-12	11-10	(3-29-12)		
34-0402-1101	12-1	11-11	(3-29-12)		
34-0501-1101	11-8	11-6	(3-29-12)		
35-0101-1101	12-1	11-6	(3-29-12)		
35-0101-1102	12-1	11-10	(2-27-12)	263.04	Partial Rejection HCR 33
35-0102-1101	12-1	11-10	(3-29-12)		
35-0103-1101	12-1	11-6	(3-29-12)		
35-0103-1104	12-1	11-9	(3-29-12)		
35-0105-1101	12-1	11-10	(3-29-12)		
35-0107-1101	12-1	11-10	(3-29-12)		

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2012 IDAHO LEGISLATURE					
Pending Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Rejected Sections	Action Taken by Concurrent Resolution
35-0108-1101	12-1	11-10	(3-29-12)		
35-0201-1101	12-1	11-10	(3-29-12)		
37-0302-1101	12-1	11-10	(3-29-12)		
38-0301-1101	12-1	11-9	(3-21-12)	040.02.a.	Partial Rejection SCR 119
38-0406-1101	12-1	11-9	(3-29-12)		
39-0203-1101	11-10	11-8	(3-29-12)		
39-0247-1101	11-10	11-8	(3-29-12)		
39-0270-1101	11-10	11-7	(3-29-12)		
39-0272-1101	11-10	11-6	(3-29-12)		
39-0275-1101	11-10	11-8	(3-29-12)		
39-0276-1101	11-12	11-10	(3-29-12)		
39-0301-1101	11-10	11-8	(3-29-12)		
39-0316-1101	11-10	11-8	(3-29-12)		
39-0341-1101	11-12	11-9	(3-29-12)		
45-0101-1102	11-12	11-8	(3-29-12)		
46-0101-1101	11-12	11-8	(3-8-12)	100.02.c.	Partial Rejection HCR 37
52-0103-1101	11-11	11-9	(3-29-12)		
54-0101-1101	11-10	11-8	(3-29-12)		
57-0101-1101	11-11	11-8	(3-29-12)		
58-0101-1001	11-11	11-6	(3-29-12)		
58-0101-1003	11-8	11-5	(3-29-12)		
58-0101-1101	11-6	11-1	(3-29-12)		
58-0101-1102	11-11	11-6	(3-29-12)		
58-0101-1103	11-11	11-8	(3-29-12)		
58-0102-1101	11-12	11-8	(3-29-12)		
58-0102-1102	11-12	11-8	(3-29-12)		
58-0102-1103	11-12	11-7	(3-29-12)		
58-0104-1001	11-11	11-6	(3-29-12)		
58-0105-1101	11-12	11-8	(3-29-12)		

PENDING RULES REVIEWED FOR FINAL APPROVAL BY THE 2012 IDAHO LEGISLATURE					
Pending Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Rejected Sections	Action Taken by Concurrent Resolution
58-0109-1101	11-11	11-7	(3-29-12)		
58-0110-1101	11-12	11-8	(3-29-12)		
58-0112-1001	11-11	11-6	(3-29-12)		
58-0120-1001	11-11	11-6	(3-29-12)		
58-0122-1001	11-11	11-6	(3-29-12)		
58-0124-1101	11-12	11-8	(3-29-12)		
59-0106-1101	11-7	11-5	(2-1-11)		
59-0106-1102	11-7	11-5	(3-1-11)		
60-0504-1101	11-10	11-8	(3-29-12)		

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning this notice, contact Dennis Stevenson (208) 332-1820.

DATED this 7th day of April, 2012.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P.O. Box 83720, Boise, ID 83720-0306
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**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR
IDAHO DEPARTMENT OF ADMINISTRATION**

**HISTORY NOTES INDEX OF ADMINISTRATIVE RULES REVIEWED AND APPROVED
FOR FINAL ADOPTION DURING THE 2012 LEGISLATIVE SESSION**

The following table is a sections-affected, History Notes Index for those chapters of rules that were reviewed by the 2012 Second Regular Session of the Sixty-First Legislature of the state of Idaho. The table lists those sections of individual rule chapters that were affected by rulemakings that were submitted for review and acted upon by the legislature. The table includes the docket number of affected chapters, the amended section numbers, the Bulletin publication volumes, and the final effective date of the rule.

Effective dates for the pending rules reviewed and adopted as final by the 2012 Idaho Legislature are as follows:

Pending Fee Rules adopted or rejected by [SCR 128](#); Effective date: March 21, 2012 (3-21-12);

All other Pending Rules - Effective date: March 29, 2012 (3-29-12) - Legislature adjournment date (Sine die).

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
<i>IDAPA 02 - Department of Agriculture</i>				
<i>02.01.04 - Rules Governing The Idaho Preferred® Promotion Program</i>				
02-0104-1101	010, 200	11-10	11-12	(3-29-12)
<i>02.02.14 - Rules For Weights and Measures</i>				
02-0214-1101	004	11-8	11-12	(3-29-12)
<i>02.03.03 - Rules Governing Pesticide and Chemigation Use and Application</i>				
02-0303-1101	100	11-8	11-12	(3-29-12)
<i>02.04.09 - Rules Governing Milk and Cream Procurement and Testing</i>				
02-0409-1101	New Chapter Incorrectly Promulgated as 02-0433-1101	11-10	11-12	SCR 128 (3-21-12)
<i>02.04.18 - Rules Governing CAFO Site Advisory Team</i>				
02-0418-1101	004, 010, 100, 300	11-10	11-12	(3-29-12)
<i>02.04.20 - Rules Governing Brucellosis</i>				
02-0420-1101	010, 011, 028, 123,	11-6	11-12	(3-29-12)
<i>02.04.21 - Rules Governing the Importation of Animals</i>				
02.04.21	Subsection 600.02 Rejected by SCR 117	Final Rule		(3-21-12)
<i>02.04.26 - Rules Governing Livestock Marketing</i>				
02-0426-1101	100	11-10	11-12	SCR 128 (3-21-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
02.04.30 - Rules Governing Rules Governing Nutrient Management				
02-0430-1101	000, 004, 010, 020, 100, 200, 300-400, 990	11-10	11-12	(3-29-12)
02.04.32 - Rules Governing Poultry Operations				
02-0432-1101	New Chapter	11-10	11-12	SCR 128 (3-21-12)
02.06.02 - Rules Pertaining to The Idaho Commercial Feed Law				
02-0602-1101	004	11-10	11-12	(3-29-12)
02.06.12 - Rules Pertaining to The Idaho Fertilizer Law				
02-0612-1101	004, 090	11-10	11-12	(3-29-12)
02.06.20 - Rules Governing Grape Planting Stock				
02-0620-1101	001, 005, 050-200	11-10	11-12	(3-29-12)
02.06.30 - Rules Under The Idaho Bee Inspection Law				
02-0630-1101	000-015, 150, 201-299, 350	11-10	11-12	(3-29-12)
02.06.33 - Organic Food Product Rules				
02-0633-1101	100, 301	11-9	11-12	(3-29-12)
02.06.41 - Rules Pertaining to The Idaho Soil and Plant Amendment Act of 2001				
02-0641-1101	004, 008, 010-030	11-10	11-12	(3-29-12)
IDAPA 03 - State Athletic Commission				
03.01.01 - Rules of The State Athletic Commission				
03-0101-1101	104	11-10	11-12	SCR 128 (3-21-12)
IDAPA 05 - Department of Juvenile Corrections				
05.01.02 - Rules And Standards For Secure Juvenile Detention Centers				
05-0102-1101	010-202, 204-216, 220, 223-225, 227, 234, 235, 250, 256-275	11-10	12-1	(3-29-12)
IDAPA 06 - State Board of Correction				
06.01.01 - Rules of the Board of Correction				
06-0101-1101	005, 135, 143, 706	10-10	10-10	(11-4-11)
06-0101-1201	135	12-2	12-2	(1-11-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
IDAPA 07 - Division of Building Safety				
07.01.03 - Rules of Electrical Licensing and Registration - General				
07-0103-1101	011-015	11-10	11-12	(3-29-12)
07.01.04 - Rules Governing Electrical Specialty Licensing				
07-0104-1101	013, 015, 017	11-10	11-12	(3-29-12)
07-0104-1102	014, 015, 017	11-10	11-12	(3-29-12)
07.01.05 - Rules Governing Examinations				
07-0105-1101	011	11-10	11-12	(3-29-12)
07.02.05 - Rules Governing Plumbing Safety Licensing				
07-0205-1102	010	11-10	11-12	(3-29-12)
07-0205-1103	011, 012, 015-019	11-10	11-12	(3-29-12)
07.02.07 - Rules Governing Civil Penalties				
07-0207-1101	005-011	11-10	11-12	(3-29-12)
07.04.02 - Safety Rules For Elevators, Escalators, and Moving Walks				
07-0402-1101	004, 005, 012	11-10	11-12	(3-29-12)
07.05.01 - Rules of The Public Works Contractors License Board				
07-0501-1101	105	11-10	11-12	SCR 128 (3-21-12)
07.07.01 - Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems				
07-0701-1101	021, 060	11-10	11-12	(3-29-12)
07-0701-1102	005	11-10	11-12	(3-29-12)
IDAPA 08 - Department of Education				
08.01.04 - Rules Governing Residency				
08-0104-1101	105	11-10	12-1	(3-29-12)
08.01.09 - GEAR UP Idaho Scholarship				
08-0109-1101	New Chapter	11-10	12-1	(3-29-12)
08.01.11 - Registration of Post-Secondary Educational Institutions and Proprietary Schools				
08-0111-1102	Name Change, 001-003, 100-500	11-10	12-1	(3-29-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
<i>08.01.14 - Idaho Rural Physician Incentive Program</i>				
08-0114-1101	010, 014, 017	11-10	12-1	(6-24-11)
<i>08.02.01 - Rules Governing Administration</i>				
08-0201-1101	151	11-10	12-1	(3-29-12)
<i>08.02.02 - Rules Governing Uniformity</i>				
08-0202-1101	004	11-8	12-1	(3-29-12)
08-0202-1102	140	11-10	12-1	(3-29-12)
08-0202-1103	021, 023, 027	11-10	12-1	(3-29-12)
08-0202-1104	015	11-10	12-1	(3-29-12)
08-0202-1105	100	11-10	12-1	(3-29-12)
08-0202-1106	120	11-10	12-1	(3-29-12)
<i>08.02.03 - Rules Governing Thoroughness</i>				
08-0203-1101	004	11-7	12-1	(3-29-12)
08-0203-1102	007, 008, 105	11-10	12-1	(3-29-12)
08-0203-1103	111	11-10	12-1	(3-29-12)
08-0203-1104	105, 106	11-10	12-1	(3-29-12)
<i>IDAPA 09 - Department of Labor</i>				
<i>09.01.30 - Unemployment Insurance Benefits Administration Rules</i>				
09-0130-1101	375, 550	11-8	11-10	(3-29-12)
<i>09.01.35 - Unemployment Insurance Tax Administration Rules</i>				
09-0135-1101	108	11-8	11-10	(3-29-12)
<i>IDAPA 10 - Board of Professional Engineers and Land Surveyors</i>				
<i>10.01.01 - Rules of Procedure</i>				
10-0101-1101	013, 016, 017, 019,	11-7	11-9	(3-29-12)
<i>10.01.02 - Rules of Professional Responsibility</i>				
10-0102-1101	005, 011	11-7	11-11	(3-29-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
10.01.04 - Rules of Continuing Professional Development				
10-0104-1101	004, 005	11-7	11-9	(3-29-12)
IDAPA 11 - Idaho State Police				
11.10.02 - Rules Establishing Fees For Services - Idaho Criminal Justice Information System				
11-1002-1101	004-012	11-10	12-1	SCR 128 (3-21-12)
11.10.03 - Rules Governing The Sex Offender Registry				
11-1003-1101	000, 003, 005, 010-013	11-11	12-1	(3-29-12)
11.11.01 - Rules of The Idaho Peace Officer Standards and Training Council				
11-1101-1101	010, 071, 095, 174, 197, 198, 210, 213, 241	11-10	12-1	(3-29-12)
11-1101-1102	031, 063, 091-103 Sections 091 and 092 Rejected by SCR 122	11-10	12-1	(3-21-12)
11-1101-1103	055	11-10	12-1	(3-29-12)
11.11.02 - Rules of The Idaho Peace Officer Standards and Training Council For Juvenile Detention Officers				
11-1102-1101	030	11-10	12-1	(3-29-12)
11.11.06 - Rules of The Idaho Peace Officer Standards and Training Council For Misdemeanor Probation Officers				
11-1106-1101	010	11-10	12-1	(3-29-12)
IDAPA 12 - Department of Finance				
12.01.10 - Rules Pursuant to The Idaho Residential Mortgage Practices Act				
12-0110-1101	101	11-10	12-1	(3-29-12)
IDAPA 13 - Department of Fish and Game				
13.01.02 - Rules Governing Public Safety				
13-0102-1101	100	11-10	12-1	(3-29-12)
13.01.04 - Rules Governing Licensing				
13-0104-1101	010, 302, 700-800	11-10	12-1	(3-29-12)
13.01.05 - Rules Governing Fishing Contests				
13-0105-1101	010	11-10	12-1	(3-29-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
13.01.06 - Rules Governing Classification and Protection of Wildlife				
13-0106-1101	200	11-10	12-1	(3-29-12)
13.01.08 - Rules Governing The Taking of Big Game Animals in the State of Idaho				
13-0108-1101	271, 410, 600-605	11-10	12-1	(3-29-12)
13.01.09 - Rules Governing The Taking of Game Birds in The State of Idaho				
13-0109-1101	100, 300, 600, 605-620, 900	11-10	12-1	(3-29-12)
13.01.10 - Rules Governing The Importation, Possession, Release, Sale, or Salvage of Wildlife				
13-0110-1101	300	11-10	12-1	(3-29-12)
13.01.11 - Rules Governing Fish				
13-0111-1101	004, 101, 201, 300, 401, 500-503	11-10	12-1	(3-29-12)
13.01.12 - Rules Governing Commercial Fishing				
13-0112-1101	010	11-10	12-1	(3-29-12)
13.01.16 - Rules Governing The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals				
13-0116-1101	400	11-10	12-1	(3-29-12)
IDAPA 15 - Office of the Governor				
15.02.02 - Vocational Rehabilitation Services				
15-0202-1101	011, 101, 300	11-10	11-12	(3-29-12)
15.04.01 - Rules of the Division of Human Resources and Idaho Personnel Commission				
15-0401-1101	102 150	11-10	12-1	(3-29-12)
15.10.01 - Rules of The Idaho State Liquor Division				
15-1001-1101	000, 001, 004-032	11-10	11-12	(3-29-12)
IDAPA 16 - Department of Fish and Game				
16.01.01 - Emergency Medical Services (EMS) -- Advisory Committee (EMSAC)				
16-0101-1101	New Chapter	11-7	12-1	(3-29-12)
16.01.07 - Emergency Medical Services (EMS) -- Personnel Licensing Requirements				
16-0107-1101	New Chapter	11-7	12-1	(3-29-12)
16-0107-1102	New Chapter	11-7	12-1	SCR 128 (3-21-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
16.01.12 - Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions				
16-0112-1101	New Chapter	11-7	12-1	(3-29-12)
16.02.03 - Emergency Medical Services				
16-0203-1101	000-203, 205-335, 400, 415, 425-430, 500-999	11-7	12-1	(3-29-12)
16.02.25 - Fees Charged by The State Laboratory				
16-0225-1101	004, 010-200	11-8	11-12	SCR 128 (3-21-12)
16.03.01 - Eligibility for Health Care Assistance for Families and Children				
16-0301-1003	111	10-12	11-5	(3-29-12)
16-0301-1101	351, 382	11-10	12-1	(3-29-12)
16.03.03 - Rules Governing Child Support Services				
16-0303-1001	299	10-12	11-5	(3-29-12)
16.03.04 - Rules Governing The Food Stamp Program in Idaho				
16-0304-1004	099	10-12	11-5	(3-29-12)
16-0304-1101	010, 012, 113, 137, 162, 163, 203, 219-227, 272, 284, 303, 351, 389, 405, 500-502, 576, 577, 611, 615, 619, 646, 793, 883	11-10	12-1	(3-29-12)
16.03.05 - Rules Governing Eligibility for Aid to The Aged, Blind and Disabled (AABD)				
16-0305-1003	049	10-12	11-5	(3-29-12)
16-0305-1102	402, 422	11-10	12-1	(3-29-12)
16.03.08 - Rules Governing Temporary Assistance for Families in Idaho				
16-0308-1002	106	10-12	11-5	(3-29-12)
16-0308-1101	010, 108, 125, 163, 200, 215, 300, 302, 318, 332, 333	11-10	12-1	(7-1-12)
16.03.09 - Medicaid Basic Plan Benefits				
16-0309-1102	000, 400, 415	11-8	11-11	(3-29-12)
16-0309-1103	399, 800-819	11-8	11-11	(3-29-12)
16-0309-1104	010, 532-553, 562, 565, 615, 707-710, 713, 716, 741-742, 781-782, 852, 854	11-8	11-12	(3-29-12)
16-0309-1108	215	11-10	12-1	(3-29-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
16.03.10 - Medicaid Enhanced Plan Benefits				
16-0310-1005	130, 131	10-11	11-6	(3-29-12)
16-0310-1103	075-089	11-8	11-11	(3-29-12)
16-0310-1104	000, 119, 140, 235, 257, 258, 307, 622, 659, 706, 736 Subsections 119.02.b. and 119.03, 140.08.b. and 140.09, 659.01.b. and 659.02, 706.04 and 706.05, and 736.09 and 736.10 Rejected by SCR 114	11-8	11-12	SCR 114 (3-21-12)
16-0310-1105	010, 013, 111-113, 115, 116, 118, 124-129, 136, 306, 326, 329, 507-515, 581, 582, 651, 655, 658, 703, 705, 724, 727, 736	11-8	11-12	(3-29-12)
16.03.13 - Consumer-Directed Services				
16-0313-1101	000, 010, 111-120, 136, 160, 190	11-8	11-12	(3-29-12)
16.03.18 - Medicaid Cost-Sharing				
16-0318-1101	000, 001, 010, 025, 050, 300-330	11-10	12-1	SCR 128 (3-21-12)
16.03.19 - Certified Family Homes				
16-0319-1101	000, 101-109, 913	11-7	12-1	SCR 128 (3-21-12)
16.04.14 - Rules Governing Low Income Home Energy Assistance Program				
16-0414-1101	010, 151, 302-352	11-10	12-1	(3-29-12)
16.04.17 - Rules Governing Residential Habilitation Agencies				
16-0417-1101	010, 100-199, 201-203, 301, 402-405, 501-999	11-9	12-1	(3-29-12)
16.05.01 - Use and Disclosure of Department Records				
16-0501-1101	100	11-9	12-1	(3-29-12)
16.05.04 - Rules of The Idaho Council on Domestic Violence and Victim Assistance Grant Funding				
16-0504-1101	004	11-7	12-1	(3-29-12)
16.05.06 - Criminal History and Background Checks				
16-0506-1101	010, 060, 100, 101, 130-150, 190, 200-210, 240, 270-300	11-9	12-1	(7-1-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
16.06.01 - Child and Family Services				
16-0601-1101	011, 012, 030-051, 250, 400-402, 435, 480, 556, 559, 710, 721	11-9	12-1	(3-29-12)
16-0601-1102	000, 750-789, 800, 861, 863, 872-880, 889-895	11-9	12-1	SCR 128 (3-21-12)
16.06.02 - Rules Governing Standards For Child Care Licensing				
16-0602-1101	102, 112-320, 325, 335	11-7	12-1	SCR 128 (3-21-12)
16.06.12 - Idaho Child Care Program (ICCP)				
16-0612-1003	051	10-12	11-5	(3-29-12)
IDAPA 17 - Industrial Commission				
17.02.09 - Medical Fees				
17-0209-1102	031, 032	11-10	11-12	(7-1-12)
17.02.11 - Rules Governing Security For Compensation – Self-Insured Employers				
17-0211-1101	012-014, 271	11-10	11-12	(3-29-12)
IDAPA 18 - Department of Insurance				
18.01.05 - Health Carrier External Review				
18-0105-1101	024, Appendix A, Appendix B, Appendix D,	11-9	11-11	(3-29-12)
18.01.46 - Recognition of New Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities and Pure Endowment Contracts				
18-0146-1101	000-014	11-10	11-12	(3-29-12)
18.01.50 - Adoption of the International Fire Code				
18-0150-1101	011, 012, 027	11-10	11-12	(3-29-12)
IDAPA 19 - Board of Dentistry				
19.01.01 - Rules of The State Board of Dentistry				
19-0101-1101	004, 031, 035, 040, 046, 050, 051	11-8	11-12	(3-29-12)
19-0101-1102	060	11-10	11-12	(3-29-12)
IDAPA 20 - Department of Lands				

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
<i>20.03.15 - The Issuance of Geothermal Resource Leases</i>				
20-0315-1102	000-102, 110, 114-120	11-10	12-1	SCR 128 (3-21-12)
<i>IDAPA 21 - Division of Veterans Services</i>				
<i>21.01.07 - Rules For Education and Training Programs For Veterans</i>				
21-0107-1101	New Chapter	11-10	11-12	(3-29-12)
<i>IDAPA 24 - Bureau of Occupational Licenses</i>				
<i>24.01.01 - Rules of the Board of Architectural Examiners</i>				
24-0101-1101	004, 450	11-10	11-12	(3-29-12)
<i>24.04.01 - Rules of The Idaho Board of Cosmetology</i>				
24-0401-1101	125	11-8	11-12	SCR 128 (3-21-12)
<i>24.05.01 - Rules of The Board of Drinking Water and Wastewater Professionals</i>				
24-0501-1101	010, 175, 200, 250, 300-450 Subsection 375.02.c. Rejected by SCR 115	11-10	11-12	(3-21-12)
<i>24.10.01 - Rules of The State Board of Optometry</i>				
24-1001-1101	011-124	11-8	11-12	(3-29-12)
<i>24.11.01 - Rules of The State Board of Podiatry</i>				
24-1101-1101	300	11-10	11-12	SCR 128 (3-21-12)
<i>24.13.01 - Rules of The Physical Therapy Licensure Board</i>				
24-1301-1101	250	11-10	11-12	(3-29-12)
<i>24.14.01 - Rules of The State Board of Social Work Examiners</i>				
24-1401-1101	100	11-10	11-12	(3-29-12)
<i>24.15.01 - Rules of The Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists</i>				
24-1501-1101	004, 010, 150-200, 225, 238, 239, 245, 300, 350, 360, 425-450 Subsection 375.02.c. Rejected by SCR 115	11-10	11-12	(3-29-12)
<i>24.16.01 - Rules of The State Board of Dentistry</i>				
24-1601-1101	250	11-8	11-12	SCR 128 (3-21-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
24.17.01 - Rules of The State Board of Acupuncture				
24-1701-1101	010, 100, 200, 226, 300	11-10	11-12	SCR 128 (3-21-12)
24.18.01 - Rules of The Real Estate Appraiser Board				
24-1801-1101	004, 010, 150, 200, 250, 275, 350, 400, 401, 500	11-10	11-12	SCR 128 (3-21-12)
24.19.01 - Rules of The Board of Examiners of Residential Care Facility				
24-1901-1101	150	11-8	11-12	(3-29-12)
24.22.01 - Rules of The Idaho State Liquefied Petroleum Gas Safety Board				
24-2201-1101	004	11-8	11-12	(3-29-12)
24.23.01 - Rules of The Speech and Hearing Services Licensure Board				
24-2301-1101	310	11-8	11-12	(3-29-12)
IDAPA 27 - Board of Pharmacy				
27.01.01 - Rules of The Idaho State Board of Pharmacy				
27-0101-1101	Repeal	11-10	12-1	(3-29-12)
27-0101-1102	New Chapter	11-10	12-1	SCR 128 (3-21-12)
IDAPA 30 - Commission for Libraries				
30.01.01 - Rules of The Idaho Commission For Libraries Governing The Use of				
30-0101-1101	050	11-6	11-8	(3-29-12)
IDAPA 31 - Public Utilities Commission				
31.11.01 - Safety and Accident Reporting Rules For Utilities Regulated by The Idaho				
31-1101-1101	101, 201-203	11-10	11-12	(3-29-12)
31.71.03 - Railroad Safety and Accident Reporting Rules				
31-7103-1101	103	11-10	11-12	(3-29-12)
IDAPA 34 - Secretary of State				
34.04.02 - Corporate Name Availability				
34-0402-1101	000-999	11-11	12-1	(3-29-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
34.05.01 - Rules Governing Farm Products Central Filing System				
34-0501-1101	200	11-6	11-8	(3-29-12)
IDAPA 35 - State Tax Commission				
35.01.01 - Income Tax Administrative Rules				
35-0101-1101	756	11-6	12-1	(3-29-12)
35-0101-1102	001, 030,032, 033, 075, 105, 120, 121, 125, 171, 250, 253, 254, 263, 266, 267, 270, 275, 290, 570, 582, 705, 711-713, 745-748, 755-759, 761, 762, 771, 815, 877, 880 Subsection 263.04 Rejected by HCR 033	11-10	12-1	(3-29-12)
35.01.02 - Sales Tax Administrative Rules				
35-0102-1101	043, 073, 094, 098, 107, 109	11-10	12-1	(3-29-12)
35.01.03 - Property Tax Administrative Rules				
35-0103-1101	630	11-6	12-1	(3-29-12)
35-0103-1104	004, 006, 115, 219, 225, 312, 400, 509, 630, 701, 717, 804, 808, 988	11-9	12-1	(3-29-12)
35.01.05 - Idaho Motor Fuels Tax Administrative Rules				
35-0105-1101	310	11-10	12-1	(3-29-12)
35.01.07 - Kilowatt Hour Tax Administrative Rules				
35-0107-1101	030	11-10	12-1	(3-29-12)
35.01.08 - Mine License Tax Administrative Rules				
35-0108-1101	010	11-10	12-1	(3-29-12)
35.02.01 - Tax Commission Administration and Enforcement Rules				
35-0201-1101	310, 704,	11-10	12-1	(3-29-12)
IDAPA 37 - Department of Water Resources				
37.03.02 - Beneficial Use Examination Rules				
37-0302-1101	002-011, 030-040, 050	11-10	12-1	(3-29-12)
IDAPA 38 - Department of Administration				
38.03.01 - Rules Governing Group Insurance				
38-0301-1101	011, 032, 040 Subsection 040.02.a. Rejected by SCR 115	11-9	12-1	(3-21-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
<i>38.04.06 - Rules Governing Prequalification of Contractors On Capitol Building</i>				
38-0406-1101	Chapter Repeal	11-9	12-1	(3-29-12)
<i>IDAPA 39 - Idaho Transportation Department</i>				
<i>39.02.03 - Rules Governing Vehicle Dealer's Principal Place of Business</i>				
39-0203-1101	001-100	11-8	11-10	(3-29-12)
<i>39.02.47 - Rules Governing Revocation of Vehicle Registration For Failure to Comply With a Motor Vehicle Emission Inspection Ordinance</i>				
39-0247-1101	Chapter Repeal	11-8	11-10	(3-29-12)
<i>39.02.70 - Rules Governing Restricted Driving Permits</i>				
39-0270-1101	000-006, 200-700	11-7	11-10	(3-29-12)
<i>39.02.72 - Rules Governing Administrative License Suspensions</i>				
39-0272-1101	004-010, 101-300, 500-801	11-6	11-10	(3-29-12)
<i>39.02.75 - Rules Governing Names On Drivers' licenses and Identification Cards</i>				
39-0275-1101	000, 005, 100-200	11-8	11-10	(3-29-12)
<i>39.02.76 - Rules Governing Driver's License Renewal-By-Mail Process</i>				
39-0276-1101	Name Change, 000-012	11-10	11-12	(3-29-12)
<i>39.03.01 - Rules Governing Definitions</i>				
39-0301-1101	001-010	11-8	11-10	(3-29-12)
<i>39.03.16 - Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads</i>				
39-0316-1101	100-400	11-8	11-10	(3-29-12)
<i>39.03.21 - Rules Governing Overlegal Permit Fees</i>				
39-0321-1101	000, 005, 200,	11-9	11-12	SCR 128 (3-21-12)
<i>39.03.41 - Rules Governing Traffic Control Devices</i>				
39-0341-1101	000, 004, 005, 100	11-9	11-12	(3-29-12)
<i>IDAPA 45 - Human Rights Commission</i>				
<i>45.01.01 - Rules of the Idaho Human Rights Commission</i>				
45-0101-1102	002, 005-300	11-8	11-12	(3-29-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
<i>IDAPA 46 - Board of Veterinary Medical Examiners</i>				
<i>46.01.01 - Rules of The State of Idaho Board of Veterinary Medicine</i>				
46-0101-1101	016-100, 154 Subsection 100.02.c. Rejected by HCR 037	11-10	11-12	(3-8-12)
46-0101-1102	014	11-10	11-12	SCR 128 (3-21-12)
<i>IDAPA 52 - Idaho State Lottery Commission</i>				
<i>52.01.03 - Rules Governing Operations of The Idaho State Lottery</i>				
52-0103-1101	201	11-9	11-11	(3-29-12)
<i>IDAPA 54 - Office of the State Treasurer</i>				
<i>54.01.01 - Reports For Public Bond Issues</i>				
54-0101-1101	Chapter Repeal	11-8	11-10	(3-29-12)
<i>IDAPA 57 - Sexual Offender Classification Board</i>				
<i>57.01.01 - Rules of the Sexual Offender Classification Board</i>				
57-0101-1101	000, 001, 005, 006, 010, 011, 020-040, 050, 150-999	11-8	11-11	(3-29-12)
<i>IDAPA 58 - Department of Environmental Quality</i>				
<i>58.01.01 - Rules for the Control of Air Pollution in Idaho</i>				
58-0101-1001	617-619, 620-624	11-6	11-11	(3-29-12)
58-0101-1003	818-826	11-5	11-8	(3-29-12)
58-0101-1101	107	11-1	11-6	(3-29-12)
58-0101-1102	107, 182-199	11-6	11-11	(3-29-12)
58-0101-1103	107	11-8	11-11	(3-29-12)
<i>58.01.02 - Water Quality Standards</i>				
58-0102-1101	278, 401	11-8	11-12	(3-29-12)
58-0102-1102	286	11-8	11-12	(3-29-12)
58-0102-1103	010, 051, 052, 056, 109, 110-160, 278, 350-400	11-7	11-12	(3-29-12)

<i>History Notes - Legislative Session 2012</i>				
Chapter and Docket Number	Amended Sections	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
<i>58.01.04 - Rules For Administration of Wastewater Treatment Facility Grants</i>				
58-0104-1001	001, 007-060	11-6	11-11	(3-29-12)
<i>58.01.05 - Rules and Standards for Hazardous Waste</i>				
58-0105-1101	002, 004-006, 009-018	11-8	11-12	(3-29-12)
<i>58.01.09 - Rules Regulating Swine and Poultry Facilities</i>				
58-0109-1101	Rename 000, 001, 010-205, 300	11-7	11-11	(3-29-12)
<i>58.01.10 - Rules Regulating The Disposal of Radioactive Materials Not Regulated Under the Atomic Energy Act of 1954</i>				
58-0110-1101	004, 010	11-8	11-12	(3-29-12)
<i>58.01.12 - Rules For Administration of Water Pollution Control Loans</i>				
58-0112-1001	001, 007, 020-030, 032-051, 060, 995	11-6	11-11	(3-29-12)
<i>58.01.20 - Rules For Administration of Drinking Water Loan Program</i>				
58-0120-1001	001, 010, 020-030, 032-050, 060, 995	11-6	11-11	(3-29-12)
<i>58.01.22 - Rules For Administration of Planning Grants For Public Drinking Water Facilities</i>				
58-0122-1001	001, 010-060	11-6	11-11	(3-29-12)
<i>58.01.24 - Standards and Procedures For Application of Risk Based Corrective Action at Petroleum Release Sites</i>				
58-0124-1101	005, 009, 200-400, 800	11-8	11-12	(3-29-12)
<i>IDAPA 59 - Public Employees Retirement System - PERSI</i>				
<i>59.01.06 - Retirement Rules for the Public Employee Retirement System of Idaho</i>				
59-0106-1101	162	11-5	11-7	(2-1-11)
59-0106-1102	552	11-5	11-7	(3-1-11)
<i>IDAPA 60 - Idaho State Soil and Water Conservation Commission</i>				
<i>60.05.04 - Rules Governing Allocation of Funds to Conservation Districts</i>				
60-0504-1101	New Chapter	11-8	11-10	(3-29-12)

IDAPA 02 - DEPARTMENT OF AGRICULTURE

02.04.08 - RULES GOVERNING GRADE A MILK AND MILK PRODUCTS

DOCKET NO. 02-0408-1201

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is June 1, 2012.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Sections 37-308, -314, -101, -403, -708, and -803, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 16, 2012.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Effective January 1, 2012, the new international somatic cell count standard is 400,000 per mL. To ensure marketability of Idaho dairy products internationally, the Idaho Dairymen's Association (IDA) and the Idaho Milk Processors Association (IMP) requested the Idaho State Department of Agriculture to amend the existing somatic cell count standard from 500,000 mL to 400,000 mL.

Four (4) documents incorporated by reference are being updated to include the most recent publications dates. These documents are: 1) 2011 Pasteurized Milk Ordinance, 2) 2011 Methods of Making Sanitation ratings of Milk Shippers, 3) 2011 Evaluation of Milk Laboratories, and 4) 2011 Procedures Governing the Cooperative State Public Health Service/ Food and Drug Administration Program of the National Conference on Interstate Milk Shipments.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

This is a temporary rulemaking with an effective date of June 1, 2012, because new milk quality standards for individual dairy farm milk supplies became effective January 1, 2012. The IDA and the IMP requested that the amendments to the state's Grade A milk rule be in effect on June 1, 2012. These changes will benefit the dairy industry and consumers of milk and milk products.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

No fee or charge is being imposed or changed as a result of this rulemaking.

FISCAL IMPACT: There is no fiscal impact to the general fund. The program is funded by a mill levy assessment paid by the dairy industry, pursuant to 37-407, Idaho Code.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the affected parties, specifically the Idaho dairy industry, has requested this change to ensure their products can be sold to international markets and the incorporated reference documents are being updated to the most recent publication dates.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

This temporary and proposed rule is incorporating the latest editions which are the 2011 publication dates of the aforementioned documents. There are no new documents being incorporated into the temporary and proposed rule.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Marv Patten, Bureau Chief, Dairy and CAFO Programs, 208-332-8550 or marv.patten@agri.idaho.gov.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 23, 2012.

DATED this 3rd day of April, 2012.

Brian J. Oakey
Deputy Director
Idaho State Department of Agriculture
2270 Old Penitentiary Road, Boise, ID 83712
P.O. Box 790, Boise, ID 83701-0790
Phone: (208) 332-8500
Fax: (208) 332-4062

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY AND PROPOSED RULE
FOR DOCKET NO. 02-0408-1201**

004. INCORPORATION BY REFERENCE.

The Idaho State Department of Agriculture incorporates by reference the following documents in this chapter. Copies of these documents may be obtained at the Idaho State Department of Agriculture central office. (4-7-11)

01. Grade "A" Pasteurized Milk Ordinance. The Grade "A" Pasteurized Milk Ordinance, ~~2009~~ 2011 revision, published by the U. S. Department of Health and Human Services, Public Health Service, Food and Drug Administration, except the bacterial limit standard and the somatic cell count standard in Section 7 of the document. Available online at <http://www.fda.gov/downloads/Food/FoodSafety/Product-SpecificInformation/MilkSafety/NationalConferenceonInterstateMilkShipmentsNCIMSMModelDocuments/UCM291757.pdf>. (~~4-7-11~~)(6-1-12)T

02. Evaluation of Milk Laboratories. The Evaluation of Milk Laboratories, ~~2007~~ 2011 revision, published by the U. S. Department of Health and Human Services, Public Health Service, Food and Drug Administration. Available online at <http://www.fda.gov/downloads/Food/FoodSafety/Product-SpecificInformation/MilkSafety/NationalConferenceonInterstateMilkShipmentsNCIMSMModelDocuments/UCM293265.pdf>. (~~4-7-11~~)(6-1-12)T

03. Methods of Making Sanitation Ratings of Milk Shippers. The Methods of Making Sanitation Ratings of Milk Shippers, ~~2009~~ 2011 revision, published by the U. S. Department of Health and Human Services, Public Health Service, Food and Drug Administration. Available online at <http://www.fda.gov/downloads/Food/FoodSafety/Product-SpecificInformation/MilkSafety/NationalConferenceonInterstateMilkShipmentsNCIMSMModelDocuments/UCM290758.pdf>. (~~4-7-11~~)(6-1-12)T

04. Interstate Milk Shipments. The Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program of the National Conference on Interstate Milk Shipments, ~~2009~~ 2011 revision, published by the U. S. Department of Health and Human Services, Public Health Service, Food and Drug Administration, and the National Conference on Interstate Milk Shipments. Available online at <http://www.fda.gov/downloads/Food/FoodSafety/Product-SpecificInformation/MilkSafety/NationalConferenceonInterstateMilkShipmentsNCIMSMModelDocuments/UCM283586.pdf>. (~~4-7-11~~)(6-1-12)T

(BREAK IN CONTINUITY OF SECTIONS)

008. MILK QUALITY STANDARDS.

The following standards shall be substituted for the bacterial limit standard and the somatic cell count standard for Grade A raw milk and milk products for pasteurized, ultra-pasteurization or aseptic processing in Section 7 of the Grade "A" Pasteurized Milk Ordinance. (4-7-11)

01. Bacterial Limit Standard. The bacterial limit standard is eighty thousand (80,000) per mL. (4-7-11)

02. Somatic Cell Count Standard. The somatic cell count standard is ~~five~~ four hundred thousand (~~5~~400,000) per mL. ~~(4-7-11)~~(6-1-12)T

03. Out of State Milk. Milk from other states, if processed in Idaho, shall comply with the Idaho somatic cell count standard. (6-1-12)T

OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR
IDAPA 02 - DEPARTMENT OF AGRICULTURE
02.04.21 - RULES GOVERNING THE IMPORTATION OF ANIMALS
DOCKET NO. 02-0421-1200L
NOTICE OF RULEMAKING - FINAL RULE - LEGISLATIVE ACTION

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this final rule. The section of the final rule that has been affected by the concurrent resolution is being published in this Bulletin following this notice pursuant to that legislative action. This legislative action on this final rule is authorized under Section 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for the legislative action affecting this final rule and a statement of the change made to the final rule:

The Legislative is vested with the authority to reject executive agency rules when it finds that the rules are not consistent with legislative intent. This includes those rules that have previously been approved by the Legislature and codified into the Idaho Administrative Code as final rules but have been deemed to no longer be consistent with legislative intent.

Pursuant to [Senate Concurrent Resolution No. 117](#), Section 600, Subsection 02, of IDAPA [02.04.21](#), "Rules Governing the Importation of Animals," that relates to the use of parasiticides on domestic cervidae, is not consistent with legislative intent and has been rejected. In accordance with the concurrent resolution, the affected Subsection 600.02, has been declared null and void and of no force and effect and has been removed from the codified rule. That section of the rule is being republished here in its final version and as codified in the Idaho Administrative Code.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Dr. Bill Barton, Administrator, (208) 332-8540.

DATED this 10th day of April, 2012.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720
Boise, ID 83720-0306
Phone: (208) 332-1820
Fax: (208)332-1896

THE FOLLOWING IS THE TEXT OF IDAPA 02.04.21, SECTION 600.

(Both The Amended Version And The Final Codified Rule Are Being Reprinted Here.)

RULE AS AMENDED BY SCR 117

600. IMPORTATION OF DOMESTIC CERVIDAE.

Domestic cervidae may enter the state of Idaho, by permit, provided: (5-3-03)

01. Certificate of Veterinary Inspection. The cervidae are accompanied by a certificate of veterinary inspection certifying that they have been inspected within thirty (30) days prior to the date of shipment, that they are free from evidence of infectious, contagious, or communicable diseases, or known exposure thereto during the preceding sixty (60) days; and (5-3-03)

~~**02. Parasiticide.** Treated with a parasiticide, that is efficacious against giant liver flukes, by an accredited veterinarian no less than thirty (30) and no more than sixty (60) days prior to importation except domestic cervidae imported directly to an approved slaughter establishment for immediate slaughter do not have to be treated; and (4-2-08)~~

032. Meet Testing Requirements. The cervidae shall meet the testing requirements of Section 601. (5-3-03)

CODIFIED FINAL RULE

600. IMPORTATION OF DOMESTIC CERVIDAE.

Domestic cervidae may enter the state of Idaho, by permit, provided: (5-3-03)

01. Certificate of Veterinary Inspection. The cervidae are accompanied by a certificate of veterinary inspection certifying that they have been inspected within thirty (30) days prior to the date of shipment, that they are free from evidence of infectious, contagious, or communicable diseases, or known exposure thereto during the preceding sixty (60) days; and (5-3-03)

02. Meet Testing Requirements. The cervidae shall meet the testing requirements of Section 601. (5-3-03)

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.01.06 - RULES GOVERNING THE USE OF NATIONAL ELECTRICAL CODE

DOCKET NO. 07-0106-1101

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 07-0106-1101 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Sections 54-1001, 54-1006(5), and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for publishing the final rulemaking and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to Senate Concurrent Resolution No. 118, the pending rule promulgated under Docket No. 07-0106-1101 is not consistent with legislative intent and has been rejected in its entirety and declared null, void and of no force and effect. The final rule remains as currently codified in the Idaho Administrative Code without amendment and in accordance with the provisions of [Senate Concurrent Resolution No. 118](#).

The original text of the proposed rule was published in the [October 5, 2011 Idaho Administrative Bulletin, Vol. 11-10, pages 125 through 128](#). The pending rule was published in the [December 7, 2011 Idaho Administrative Bulletin, Vol. 11-12, page 44](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

DATED this 9th day of April, 2012.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83542
Phone: (208) 332-8986
Fax: (877) 810-2840

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.01.07 - RULES GOVERNING CONTINUING EDUCATION REQUIREMENTS

DOCKET NO. 07-0107-1101 (FEE RULE)

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 07-0107-1101 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Sections 54-1006(5), 54-1013, 67-2601A(4)(e), and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the final rulemaking and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to Senate Concurrent Resolution No. 128, the pending rule promulgated under Docket No. 07-0107-1101 is not consistent with legislative intent and has been rejected in its entirety and declared null, void and of no force and effect. The final rule remains as currently codified in the Idaho Administrative Code without amendment and in accordance with the provisions of [Senate Concurrent Resolution No. 128](#).

The original text of the proposed rule was published in the [October 5, 2011 Idaho Administrative Bulletin, Vol. 11-10, pages 129 through 133](#). The pending rule was published in the [December 7, 2011 Idaho Administrative Bulletin, Vol. 11-12, page 45](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

DATED this 9th day of April, 2012.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
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Meridian, ID 83542
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IDAPA 07 - DIVISION OF BUILDING SAFETY
07.02.05 - RULES GOVERNING PLUMBING SAFETY LICENSING
DOCKET NO. 07-0205-1101 (FEE RULE)
NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 07-0205-1101 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Sections 54-2605(1), 54-2606, 67-2601A(4)(e) and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the final rule and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to Senate Concurrent Resolution No. 128, the pending rule promulgated under Docket No. 07-0205-1101 is not consistent with legislative intent and has been rejected in its entirety and declared null, void and of no force and effect. The final rule remains as currently codified in the Idaho Administrative Code without amendment and in accordance with the provisions of [Senate Concurrent Resolution No. 128](#).

The original text of the proposed rule was published in the [October 5, 2011 Idaho Administrative Bulletin, Vol. 11-10, pages 134 through 141](#). The pending rule was published in the [December 7, 2011 Idaho Administrative Bulletin, Vol. 11-12, page 46](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

DATED this 9th day of April, 2012.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83542
Phone: (208) 332-8986
Fax: (877) 810-2840

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.02.06 - RULES CONCERNING UNIFORM PLUMBING CODE

DOCKET NO. 07-0206-1201

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 54-2601 and 54-2605, Idaho Code.

MEETING SCHEDULE: A public meeting(s) on the negotiated rulemaking by the Idaho Plumbing Board will be held as follows:

Thursday, May 10, 2012, 9:30 a.m. (MST)
Thursday, July 26, 2012, 9:30 a.m. (MST)

Idaho Division of Building Safety
1090 E. Watertower, Meridian, ID 83642

Video Conferencing Will Be Available At:

1250 Ironwood Dr., Suite 220, Coeur d'Alene, ID 83814
2055 Garrett Way, Building 2, Suite 7, Pocatello, ID 83201

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following: Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Plumbing Board on designated forms available on the Division of Building Safety website at <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meetings to be conducted on the above dates during which the Idaho Plumbing Board will allow oral comments or presentations to be made.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved: Pursuant to Section 54-2601, Idaho Code, the Idaho Plumbing Board has the authority through the promulgation of rules to adopt and amend the Idaho State Plumbing Code. The Plumbing Board desires to amend provisions of this code as it determines necessary through the negotiated rulemaking process. The Board seeks the participation of the affected industry, enforcement jurisdictions, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of amendments to this code for application in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Steve Keys, Deputy Administrator – Operations, (208) 332-8986.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 9, 2012.

DATED this 30th day of March, 2012.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720

Meridian, ID 83542
Phone: (208) 332-8986
Fax: (877) 810-2840

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.07.01 - RULES GOVERNING INSTALLATION OF HEATING, VENTILATION, AND AIR CONDITIONING SYSTEMS, DIVISION OF BUILDING SAFETY

DOCKET NO. 07-0701-1201

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 54-5001, 54-5004 and 54-5005, Idaho Code.

MEETING SCHEDULE: A public meeting(s) on the negotiated rulemaking will be held as follows:

Wednesday, May 16, 2012, 9:30 a.m. (MST)

Wednesday, July 18, 2012, 9:30 a.m. (MST)

Idaho Division of Building Safety
1090 E. Watertower, Meridian, ID 83642

Video Conferencing Will Be Available At:

1250 Ironwood Dr., Suite 220, Coeur d'Alene, ID 83814
2055 Garrett Way, Building 2, Suite 7, Pocatello, ID 83201

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following: Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho HVAC Board on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meetings to be conducted at the above dates during which the Idaho HVAC Board will allow oral comments or presentations to be made.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved: Pursuant to Sections 54-5001, 54-5004 and 54-5005, Idaho Code, the Idaho Heating, Ventilation, and Air Conditioning Board has the authority through the promulgation of rules to adopt and amend mechanical codes which establish the heating, ventilation, and air conditioning construction and safety standards in the state of Idaho. These codes include the International Mechanical Code, International Fuel Gas Code, and Parts V and VI of the International Residential Code. The HVAC Board desires to adopt new editions of these codes with amendments thereto as it determines necessary through the negotiated rulemaking process. The Board seeks the participation of the affected industry, enforcement jurisdictions, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of amendments to these codes for application in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 9, 2012.

DATED this 22nd day of March, 2012.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720

Meridian, ID 83542
Phone: (208) 332-8986
Fax: (877) 810-2840

**IDAPA 10 - BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS**

10.01.01 - RULES OF PROCEDURE

DOCKET NO. 10-0101-1201

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2012.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-1208, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

Tuesday, May 15, 2012 - 10:00 a.m. MDST

**1510 E. Watertower St., Suite 110
Meridian, Idaho 83642**

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

House Bill No. 374 of the 2012 session of the Idaho Legislature restricts the assignment to examination for initial licensing or certification to Idaho residents with some exceptions, but Idaho residency is not defined. The Temporary Rule is needed to define residency at the time the law goes into effect, July 1, 2012.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

House Bill No. 374 of the 2012 session of the Idaho Legislature restricts the assignment to examination for initial licensing or certification to Idaho residents with some exceptions, but Idaho residency is not defined. The Temporary Rule is needed to define residency at the time the law goes into effect, July 1, 2012.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

There is no fee or charge associated with this temporary and proposed rule.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There will be no impact on either the General Fund of the State of Idaho or the Dedicated Fund of the Board.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because of the need to have the rule in effect on the effective date of House Bill No. 374 of the 2012 session of the Idaho Legislature.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

No materials cited are incorporated by reference.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact David L. Curtis, P.E. at (208) 373-7210.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 23, 2012.

DATED this 5th day of April, 2012.

David L. Curtis, P.E.
Executive Director
Board of Licensure of Professional Engineers and Professional Land Surveyors
1510 E. Watertower St., Suite 110
Meridian, Idaho 83642
Phone (208) 373-7210
Fax (208) 373-7213

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY AND PROPOSED RULE
FOR DOCKET NO. 10-0101-1201**

016. APPLICATION FOR LICENSURE OR CERTIFICATION.

01. Forms. Application forms for licensure as a professional engineer, or professional land surveyor, certification as an engineer intern, land surveyor intern or certificates of authorization to practice or offer to practice engineering or land surveying by a business entity may be obtained from the office of the Executive Director of the Board of Professional Engineers and Professional Land Surveyors. (5-8-09)

02. Completion of Application. Applications shall be made on such forms as may be prescribed by the Board. An application which is not fully completed by the applicant need not be considered or acted upon by the Board. The application by a business entity for a certificate of authorization to practice or offer to practice engineering or land surveying must set forth their address, and name and address of the individual, or individuals, duly licensed to practice engineering or land surveying in this state, who will be in responsible charge of engineering or land surveying services offered or rendered by the business entity in this state. (5-8-09)

03. Dates of Submittal and Experience Cutoff Date. Examinations may be given in various formats and different submittal dates apply depending on the examination format. For examinations administered once or twice a year in the Spring and Fall, there is an examination assignment cutoff date that varies depending on the actual date of the examination. For examinations administered once or twice a year in the Spring and Fall, receipt of the applications after October 1 for the Spring exam or after July 1 for the Fall exam, may not provide sufficient time for required credentials to arrive at the Board office and be reviewed by the staff and/or Board prior to the exam assignment cutoff date. If this occurs, the applicant will be assigned to a later examination if all requirements are met. For examinations administered in a computer-based format during testing windows, there is no deadline for submittal of the application and the applicant, if assigned to the exam, will be allowed to test during the current testing window, if open on the date of the letter notifying of assignment, or during the next two (2) available testing windows. Failure to test during these periods will void the assignment. For examinations administered continuously in a computer-based format, there is no deadline for submittal of the application and the applicant, if assigned to the exam, will be allowed to test during a nine (9) month period beginning on the date of the letter notifying of assignment. Failure to test during this period will void the assignment. In order for the Board to be able to verify experience, only experience up to the date of submittal of the application will be considered as valid. Experience anticipated between the date of

the application submittal and the date of the examination or issuance of license or certificate will not be considered. For students, the application filing date for the Fundamentals of Engineering and the Fundamentals of Surveying examination may be extended at the discretion of the Board. (3-29-12)

04. Residency Requirement. Except for military personnel stationed in the state of Idaho on military orders, and except for persons employed full-time in the state of Idaho, only ~~Idaho~~ residents of the state of Idaho and students enrolled at an Idaho university ~~will be assigned or college may qualify for assignment~~ to examinations, ~~unless otherwise approved by the Board for initial certification or licensure.~~ The board will accept as proof of Idaho residency a valid Idaho issued driver's license, a utility bill issued within the last sixty (60) days with an Idaho address in the name of the applicant, a statement from a financial institution issued within the last sixty (60) days to the applicant at an Idaho address, proof of current voter registration in Idaho, or current Idaho vehicle registration in the name of the applicant. The board will accept as proof of full-time employment in the state of Idaho an affidavit from the Idaho employer stating employment status. The Board will accept a valid student identification card as proof of enrollment at an Idaho university or college. ~~(5-8-09)~~ (7-1-12)T

05. Confidentiality of References. All information received from references named by the applicant shall be held in confidence by the Board except as provided by Section 9-342, Idaho Code. Neither members of the Board nor relatives of the applicant by blood or marriage shall be named or accepted as references. (5-8-09)

06. Minimum Standards -- References. An applicant may not be admitted to the examination until satisfactory replies have been received from a minimum of five (5) of his references for professional engineers or land surveyors. It shall be the responsibility of each applicant to furnish their references with the forms prescribed by the Board. (3-29-12)

**IDAPA 10 - BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS**

10.01.04 - RULES OF CONTINUING PROFESSIONAL DEVELOPMENT

DOCKET NO. 10-0104-1201

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2012.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-1208, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

Tuesday, May 15, 2012 - 10:00 a.m. MDST

**1510 E. Watertower St., Suite 110
Meridian, Idaho 83642**

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Docket No. 10-0104-1101 inadvertently exempted permanent non-residents of the United States from compliance with the Rules of Continuing Professional Development. This Rule amendment would eliminate that inadvertent exemption. The Temporary Rule is needed to require permanent non-residents of the United States to comply with the Rules of Continuing Professional Development just as residents and temporary non-residents of the United States must.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Docket No. 10-0104-1101 inadvertently exempted permanent non-residents of the United States from compliance with the Rules of Continuing Professional Development. This Rule amendment would eliminate that inadvertent exemption. The Temporary Rule is needed to require permanent non-residents of the United States to comply with the Rules of Continuing Professional Development just as residents and temporary non-residents of the United States must.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: There is no fee or charge associated with this temporary and proposed rule.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There will be no impact on either the General Fund of the State of Idaho or the Dedicated Fund of the Board.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because of the need to have the rule in effect to close an inadvertent loophole.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: No materials cited are incorporated by reference.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact David L. Curtis, P.E. at (208) 373-7210.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 23, 2012.

DATED this 5th day of April, 2012.

David L. Curtis, P.E.
Executive Director
Board of Licensure of Professional Engineers and Professional Land Surveyors
1510 E. Watertower St., Suite 110
Meridian, Idaho 83642
Phone (208) 373-7210
Fax (208) 373-7213

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY AND PROPOSED RULE
FOR DOCKET NO. 10-0104-1201**

009. EXEMPTIONS.

A Licensee may be exempt from the continuing professional development requirements for one (1) of the following reasons: (7-1-99)

01. First Renewal Period. New Licensees by way of examination or comity shall be exempt from compliance with these rules during the time between issuance of the license and the due date of their first renewal following the issuance of the license. (5-8-09)

02. Active Duty in the Armed Forces. A Licensee serving on active duty in the armed forces of the United States, or a civilian deployed with the military, and temporarily assigned duty at a location other than their normal home station for a period of time exceeding one hundred twenty (120) consecutive days in a renewal period or the two (2) calendar year period closest to the renewal biennium shall be exempt from obtaining the professional development hours required during that renewal period or the two (2) calendar year period closest to the renewal biennium. (3-29-12)

03. Extenuating Circumstances. A Licensee experiencing physical disability, serious illness, or other extenuating circumstances accepted by the board. (7-1-99)

04. Retired and Receiving No Remuneration. A Licensee who has chosen and qualified for the "Retired" status and who further certifies that they are no longer receiving any remuneration from providing professional engineering or professional land surveying services shall be exempt from the professional development hours required. In the event such a person elects to return to active practice of professional engineering or professional land surveying, professional development hours must be earned before returning to active practice for each biennium or the two (2) calendar year period closest to the renewal biennium exempted not to exceed the requirement for two (2) bienniums or four (4) calendar years. (5-8-09)

05. Expired License. A Licensee who has chosen to allow his license to expire shall be exempt from the professional development hours required. In the event such a person elects to reactivate the license, professional

development hours must be earned and documented before reinstating the license for each biennium or two (2) calendar years exempted not to exceed the requirement for two (2) bienniums or four (4) calendar years. (5-8-09)

06. Renewal Period Following Adoption of These Rules as They are Amended to Include Professional Engineers. All professional engineers shall be exempt from compliance with these rules during the time between the effective date of this subsection and the due date of their first renewal following the effective date of this subsection. (5-8-09)

07. Licensees Residing Outside the United States of America. Licensees employed and residing outside the United States may delay the time required for fulfilling the continuing professional development requirements for a maximum of two (2) biennia or four (4) calendar years until the end of the six (6) month period beginning upon their return to the United States. This subsection shall not apply to permanent non-residents of the United States. (~~3-29-12~~)(7-1-12)T

IDAPA 11 - IDAHO STATE POLICE

11.11.01 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

DOCKET NO. 11-1101-1102

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 11-1101-1102 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action authorized pursuant to Sections 19-5107 and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for the publication of the final rulemaking and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to Senate Concurrent Resolution No. 122, Sections 091 and 092 of the pending rule promulgated under Docket No. 11-1101-1102 are not consistent with legislative intent and have been rejected and declared null, void and of no force and effect. Sections 091 and 092 will remain as currently codified with no amendments. The remainder of the docket has been codified into the Idaho Administrative Code in accordance with the provisions of [Senate Concurrent Resolution No. 122](#).

The original text of the proposed rule was published in the [October 5, 2011 Idaho Administrative Bulletin, Vol. 11-10, pages 250 through 260](#). The pending rule was published in the [January 4, 2012 Idaho Administrative Bulletin, Vol. 12-1, pages 51 through 56](#).

Sections 091 and 092 are being republished here as currently codified in the Idaho Administrative Code and as previously approved by the Legislature.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact William Flink at (208) 884-7251.

DATED this 10th day of April 2012.

William L. Flink
Division Administrator
Idaho State Police
Peace Officer Standards & Training
700 S. Stratford Dr.
Meridian, ID 83642-6202
Phone: (208) 884-7251
Facsimile: (208) 884-7295

THE FOLLOWING IS THE FINAL TEXT OF DOCKET NO. 11-1101-1102 SECTIONS AFFECTED BY SCR 122, ONLY

091. INTRODUCTION.

01. Certificates and Awards. Certificates and awards may be presented by the Council for the purpose of recognizing or raising the level of competence of law enforcement and to foster cooperation among the Council, agencies, groups, organizations, jurisdictions, and individuals. (3-20-97)

02. Property. Certificates and awards remain the property of the Council and are only valid as long as the officer has not been decertified and is appointed as an Idaho peace, county detention, juvenile detention, juvenile probation, correction, adult probation and parole, or misdemeanor probation officer, or an Idaho Department of Juvenile Corrections Direct Care Staff member. (3-29-10)

03. Decertification. (3-30-07)

a. The Council shall decertify any officer who is convicted, as defined in Idaho Code Section 19-5109, of any felony or offense which would be a felony if committed in this state. The Council may decertify any officer who is convicted, as defined in Section 19-5109, Idaho Code, of any misdemeanor; willfully or otherwise falsifies or omits any information to obtain any certified status; or violates any of the standards of conduct as established by the council's code of conduct or code of ethics, as adopted and amended by the council. Any officer charged with a felony, a non-traffic misdemeanor, or a misdemeanor that would be a felony if committed in this state, must notify the POST Division Administrator within fourteen (14) business days. Failure to notify constitutes a violation of the Law Enforcement Code of Ethics and the Law Enforcement Code of Conduct. (3-29-10)

b. Any officer decertified by the Council is not eligible for POST certification of any kind in the future. Any officer who is the subject of a POST decertification investigation is not eligible for POST certification of any kind while under investigation. (3-29-10)

04. Law Enforcement Code of Conduct. As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality, and justice. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. In furtherance of these duties, I hereby adopt and accept the following code of conduct: (7-1-99)

a. I shall conduct myself at all times in a manner that does not damage or have the likely result of damaging or bringing the public image, integrity, or reputation of my department or myself into discredit or disrepute. (7-1-99)

b. I shall not possess or consume alcoholic beverages on duty or while in uniform on duty or off duty, except as expressly required for the lawful performance of my duties. Nor shall I unlawfully possess, sell, consume, use or assist in the use of any illegal or unauthorized drugs or medications on duty or off duty. (7-1-99)

c. I shall not engage in any illegal or unlawful harassment or intimidation of another, nor shall I permit personal prejudices, political beliefs, animosities, or friendships to influence my decisions. (7-1-99)

d. I shall not lie, give misleading information, or falsify written or verbal communications in official reports or in my actions with another person or organization when it is reasonable to expect that such information may be relied upon because of my position or affiliation with my department. (3-30-07)

e. I shall willfully observe and obey the lawful verbal and written rules, duties, policies, procedures, and practices of my department. I shall also subordinate my personal preferences and work priorities to the lawful verbal and written rules, duties, policies, procedures and practices of my department, as well as to the lawful orders and directives of supervisors and superior command personnel of my department. I shall willfully perform all lawful duties and tasks assigned by supervisory and/or superior-ranked personnel. Direct, tacit, or constructive refusal to do so is insubordination. (7-1-99)

f. I shall obey the constitutional, criminal and civil laws of the city, county, state, and federal government. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. (7-1-99)

05. Law Enforcement Code of Ethics. (3-30-07)

a. As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful

against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice. (3-30-07)

b. I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty. (3-30-07)

c. I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities. (3-30-07)

d. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. (3-30-07)

e. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement. (3-30-07)

092. -- 095. (RESERVED)

IDAPA 11 - IDAHO STATE POLICE

11.13.01 - MOTOR CARRIER RULES

DOCKET NO. 11-1301-1201

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is March 1, 2012.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 67-2901A and 49-901, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This rule change is necessitated by changes to Federal Code, and will update Idaho rules to conform to the Commercial Federal Regulation changes pertaining to commercial motor vehicles regarding hours of service and the restricted use of hand held devices.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

To update and bring Idaho's Motor Carrier Rules into accord with the current version of Title 49, Code of Federal Regulations, Parts 383, 390, 391, 392, and 395 which have been amended by the Federal Motor Carrier Safety Administration. These sections of 49 CFR have been incorporated by reference in Idaho's Motor Carrier Rules found in IDAPA 11.03.01.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Lt. Jim Eavenson, 884-7048 or james.eavenson@isp.idaho.gov.

DATED this 30th day of March, 2012.

Colonel G. Jerry Russell
Director
Idaho State Police
700 S. Stratford
P. O. Box 700
Meridian, ID 83680-0700
208-884-7000, Fax 208-884-7090

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 11-1301-1201

019. CARRIER SAFETY REQUIREMENTS (RULE 19).

01. Adoption of Federal Regulations. Adoption of Federal Regulations 49 CFR Parts 356, 365, 382, 383, 385, 387, 388 and 390 through 399 are hereby adopted by reference. Whenever any one (1) of these federal regulations (except Section 391.11(b)(1)) exempts intrastate carriers from any of their requirements, this rule at IDAPA 11.13.01, "The Motor Carrier Rules," Section 019, removes that exemption and subjects the intrastate carrier

to the same requirements. The Department asserts its authority under Section 019 to the maximum extent allowed by Section 67-2901A, Idaho Code, Public Laws 89-679 and 89-170 (see 49 U.S.C. 502(c)(3)), 49 CFR Part 388. (3-30-07)

a. All interstate and foreign carriers and intrastate carriers, except those carriers listed in Subsection 019.01.b., subject to the safety authority of the Idaho State Police while operating in Idaho that transport passengers or property, must comply with 49 CFR Parts 356, 365, 382, 383, 385, 387, 388 and 390 through 399, and the law and rules of the state of Idaho (except Part 391.11(b)(1) for intrastate carriers). (3-30-07)

b. Intrastate carriers operating commercial motor vehicles transporting property with a GVW, GVWR, GCW or GCWR greater than ten thousand (10,000) pounds and up to twenty-six thousand (26,000) pounds, subject to the authority of the Idaho State Police, must comply with 49 CFR Part 390 Subpart A, Part 391.15, Parts 392, 393, and Part 396.1, 396.3(a), (a)(1), and (a)(2), and 396.5 through 396.9 and the law and rules of the state of Idaho. All intrastate carriers transporting placardable quantities of hazardous material under 49 CFR Part 172, Subpart F and passengers, meeting the definition of a commercial motor vehicle, must comply with 49 CFR Parts 356, 365, 382, 383, 385, 387, 388 and 390 through 399, and the law and rules of the state of Idaho (except Part 391.11(b)(1) for intrastate carriers). (3-30-07)

c. The subject matter of 49 CFR 391.11(b)(1) is a twenty-one (21) year minimum age for drivers of commercial vehicles subject to federal safety regulation. Intrastate carriers subject to the safety authority of the Idaho State Police may hire drivers who are eighteen (18) years or older as set forth in Section 49-303, Idaho Code. (3-30-07)

02. Obligation of Familiarity With Rules. All interstate and foreign carriers and all intrastate carriers subject to these Rules at IDAPA 11.13.01, "The Motor Carrier Rules," Section 019 must obtain copies of the federal regulations adopted by reference in Subsection 019.01 and make them available to their drivers and other personnel affected by the regulations. Failure to be familiar with these federal regulations adopted by reference is a violation of this Subsection 019.02 for any carrier subject to those regulations. The federal regulations adopted by reference address the following subject matter: (4-5-00)

- a.** Part 356. Motor Carrier Routing Regulations. (3-29-10)
- b.** Part 365. Rules Governing Application for Operating Authority. (3-29-10)
- c.** Part 382. Controlled Substance and Alcohol Use and Testing. (4-5-00)
- d.** Part 383. Commercial Driver's License Standards; Requirements and Penalties. (4-5-00)
- e.** Part 385. Safety Fitness Procedures. (3-29-10)
- f.** Part 387. Minimum Levels of Financial Responsibility. (3-29-10)
- g.** Part 388. Cooperative Agreements with States. (4-5-00)
- h.** Part 390. Federal Motor Carrier Safety Regulations: General. (4-5-00)
- i.** Part 391. Qualifications of Drivers. (4-5-00)
- j.** Part 392. Driving of Commercial Motor Vehicles. (3-29-10)
- k.** Part 393. Parts and Accessories Necessary for Safe Operation. (4-5-00)
- l.** Part 395. Hours of Service of Drivers. (4-5-00)
- m.** Part 396. Inspection, Repair and Maintenance. (4-5-00)
- n.** Part 397. Transportation of Hazardous Materials; Driving and Parking Rules. (4-5-00)

o. Part 398. Transportation of Migrant Workers. (4-5-00)

p. Part 399. Employee Safety and Health Standards. (4-5-00)

03. Recognition of Federal Waivers. Whenever a driver or carrier has applied to a federal agency and been granted a waiver from any of the requirements of the federal regulations adopted in Subsection 019.01, the federal waiver will also be recognized under these rules. The Department reserves the authority to implement a waiver program and grant waivers on the state level for intrastate commercial motor vehicle drivers. (4-5-00)

04. Version of Federal Regulations Adopted. The federal regulations adopted by reference in this ~~Sub~~section 019 are those contained in the compilation of 49 CFR Parts 356, 365, 382, 383, 385, 387, 388, 390 through 399 published in the Code of Federal Regulations volumes dated ~~October 1, 2008~~ March 1, 2012.
(~~3-29-10~~)(3-1-12)T

05. Availability of Incorporated Documents. The 49 CFRs can be found on the Federal Motor Carrier Safety Administration website at www.fmcsa.dot.gov or copies may be viewed at the office of the Idaho State Police. (3-29-10)

IDAPA 13 - IDAHO FISH AND GAME COMMISSION

13.01.04 - RULES GOVERNING LICENSING

DOCKET NO. 13-0104-1102

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 13-0104-1102 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Sections 36-104(b) and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for publishing the notice of final rulemaking and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to Senate Concurrent Resolution No. 121, the pending rule promulgated under Docket No. 13-0104-1102 is not consistent with legislative intent and has been rejected in its entirety and declared null, void and of no force and effect. The final rule remains as currently codified in the Idaho Administrative Code without amendment and in accordance with the provisions of [Senate Concurrent Resolution No. 121](#).

The original text of the proposed rule was published in the [October 5, 2011 Idaho Administrative Bulletin, Vol. 11-10, pages 279 through 282](#). The pending rule was published in the [January 4, 2011 Idaho Administrative Bulletin, Vol. 12-1, page 63](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Sharon Kiefer at (208) 287-2780.

DATED this 10th day of April, 2012.

W. Dallas Burkhalter
Deputy Attorney General
Natural Resources Division/Fish and Game
600 S. Walnut
P.O. Box 25, Boise, Idaho 83707
(208) 334-3715, Fax (208) 334-2148

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.10 - MEDICAID ENHANCED PLAN BENEFITS

DOCKET NO. 16-0310-1104

NOTICE OF RULEMAKING - FINAL RULE

EFFECTIVE DATE: The effective date of this final rule is March 21, 2012.

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 16-0310-1104 and this agency is publishing a final rule pursuant to that legislative action. This agency action for this final rulemaking is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, Idaho Code; and 2011 House Bill 260.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the final rule and a statement of any change between the text of the pending rule and the text of the final rule with an explanation of the reasons for the change.

Pursuant to [Senate Concurrent Resolution No. 114](#), IDAPA 16.03.10, Medicaid Enhanced Plan Benefits, certain rules promulgated under Docket 16-0310-1104 are not consistent with legislative intent and are rejected. The following subsections:

Section 119, Subsections 02.b and 03, Enhanced Outpatient Mental Health Services: Provider Reimbursement;
Section 140, Subsection 08.b and 09, Psychosocial Rehabilitative Services (PSR): Provider Reimbursement;
Section 659, Subsections 01.b and 02, DDA Services: Provider Reimbursement;
Section 706, Subsections 04 and 05, Adult DD Waiver Services: Provider Reimbursement; and
Section 736, Subsections 09 and 10, Service Coordination: Provider Reimbursement;

were adopted as pending rules under Docket 16-0310-1104, and are hereby rejected. In accordance with the concurrent resolution, the affected Sections of this final rule will be codified into the Idaho Administrative Code with the changes in this rulemaking to these subsections being rejected and declared null, void, and of no force and effect.

The original text of the proposed rule was published in the [August 3, 2011, Idaho Administrative Bulletin, Vol. 11-8, pages 114 through 124](#). The pending rule was published in the [December 7, 2011, Idaho Administrative Bulletin, Vol. 11-12, pages 66 through 70](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Robert Kellerman at (208) 364-1994.

DATED this 6th day of April, 2012.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
(208) 334-5564 phone;
(208) 334-6558 fax

**THE FOLLOWING IS THE FINAL TEXT OF DOCKET NO. 16-0310-1104
SECTIONS AFFECTED BY SCR 114, ONLY**

119. ENHANCED OUTPATIENT MENTAL HEALTH SERVICES: PROVIDER REIMBURSEMENT.

01. Medical Assistance Upper Limit. The Department's medical assistance upper limit for reimbursement is the lower of: (3-21-12)

a. The mental health clinic's actual charge; or (3-21-12)

b. The allowable charge as established by the Department's medical assistance fee schedule. Mental health clinic reimbursement is subject to the provisions of 42 CFR 447.321. (3-21-12)

02. Reimbursement. For physician services where mid-levels are authorized to administer mental health services, the Department reimburses based on the Department's medical assistance fee schedule. (3-21-12)

(BREAK IN CONTINUITY OF SECTIONS)

140. PSYCHOSOCIAL REHABILITATIVE SERVICES (PSR): PROVIDER REIMBURSEMENT.

Payment for PSR agency services must be in accordance with rates established by the Department. The rate paid for services includes documentation. (5-8-09)

01. Duplication. Payment for services must not duplicate payment made to public or private entities under other program authorities for the same purpose. (3-19-07)

02. Number of Staff Able to Bill. Only one (1) staff member may bill for an assessment, individualized treatment plan, or case review when multiple agency staff are present. (5-8-09)

03. Medication Prescription and Administration. Medication prescription and administration may be billed only by physicians and other medical staff qualified under Title 54, Chapter 18, Idaho Code. (3-19-07)

04. Recoupment. Billing for services and receiving reimbursement for services that were not rendered or failure to comply with these rules must be cause for recoupment of payments for services, sanctions, or both. (3-19-07)

05. Access to Information. Upon request, the provider must provide the Department with access to all information required to review compliance with these rules. Failure by the provider to comply with such a request must result in termination of the Medicaid PSR Provider Agreement. (3-19-07)

06. Evaluations and Tests. Evaluations and tests are a reimbursable service if provided in accordance with the requirements in IDAPA 16.03.09, "Medicaid Basic Plan Benefits." (5-8-09)

07. Psychiatric or Medical Inpatient Stays. Community reintegration services may be provided during the last thirty (30) days of inpatient stay or if the inpatient stay is not expected to last longer than thirty (30) days, when not duplicating those services included in the responsibilities of the inpatient facility. Treatment services are the responsibility of the facility. (5-8-09)

08. Reimbursement. (3-21-12)

a. For physician services where mid-levels are authorized to administer mental health services, the Department reimburses based on the Department's medical assistance fee schedule. (3-21-12)

b. Crisis assistance for adults with serious and persistent mental illness (SPMI) will be paid based on the same reimbursement methodology as service coordination crisis intervention services defined in Subsection 736.09 of these rules. (3-21-12)

(BREAK IN CONTINUITY OF SECTIONS)

659. DDA SERVICES: PROVIDER REIMBURSEMENT.

For physician services where mid-levels are authorized to administer developmental disability services, the Department reimburses based on the Department's Medical Assistance fee schedule. (3-21-12)

(BREAK IN CONTINUITY OF SECTIONS)

706. ADULT DD WAIVER SERVICES: PROVIDER REIMBURSEMENT.

01. Fee for Service. Waiver service providers will be paid on a fee for service basis based on the type of service provided as established by the Department. (3-19-07)

02. Claim Forms. Provider claims for payment will be submitted on claim forms provided or approved by the Department. Billing instructions will be provided by the Department. (3-19-07)

03. Rates. The reimbursement rates calculated for waiver services include both services and mileage. No separate charges for mileage will be paid by the Department for provider transportation to and from the participant's home or other service delivery location when the participant is not being provided transportation. (3-19-07)

(BREAK IN CONTINUITY OF SECTIONS)

736. SERVICE COORDINATION: PROVIDER REIMBURSEMENT.

01. Duplication. Participants are only eligible for one (1) type of service coordination. If they qualify for more than one (1) type, the participant must choose one (1). Service coordination payment must not duplicate payment made to public or private sector entities under other program authorities for this same purpose. (3-19-07)

02. Payment for Service Coordination. Subject to the service limitations in Subsection 736.06 of this rule, only the following services are reimbursable: (5-8-09)

a. Service coordination plan development defined in Section 721 of these rules. (5-8-09)

b. Face-to-face contact required in Subsection 728.07 of these rules. (5-8-09)

c. Two-way communication between the service coordinator and the participant, participant's service providers, family members, primary care givers, legal guardian, or other interested persons. (5-8-09)

d. Face-to-face contact between the service coordinator and the participant's family members, legal representative, primary caregivers, providers, or other interested persons. (3-19-07)

e. Referral and related activities associated with obtaining needed services as identified in the service coordination plan. (5-8-09)

03. Service Coordination During Institutionalization. Service coordination is reimbursable on the day a participant is admitted to a medical institution if the service is provided prior to admission. Service coordination is reimbursable on the day of discharge from a medical institution if the service is provided after discharge. (5-8-09)

a. Service coordination for reintegration into the community, can only be provided by and reimbursed to a service coordination agency when the following applies: (5-8-09)

i. During the last fourteen (14) days of an inpatient stay which is less than one hundred eighty (180) days in duration; or (5-8-09)

ii. During the last sixty (60) days of an inpatient stay of one hundred eighty (180) days or more. (5-8-09)

b. Service coordination providers may not file claims for reimbursement until the participant is discharged and using community services; (5-8-09)

c. Service coordination must not duplicate activities provided as part of admission or discharge planning activities of the medical institution. (5-8-09)

04. Incarceration. Service coordination is not reimbursable when the participant is incarcerated. (3-19-07)

05. Services Delivered Prior to Assessment. Payment for on-going service coordination will not be made prior to the completion of the service coordination plan. (5-8-09)

06. Payment Limitations. Reimbursement is not allowed for missed appointments, attempted contacts, travel to provide the service, leaving messages, scheduling appointments with the Medicaid service coordinator, transporting participants, or documenting services. (5-8-09)

a. Service coordination providers are paid in unit increments of fifteen (15) minutes each. A service coordinator can only be reimbursed for the amount of time worked and must not bill for more than four (4) billing units per hour. The following table is an example of minutes to billing units. (5-8-09)

Services Provided Are More Than Minutes	Services Provided Are Less Than Minutes	Billing Units
8	23	1
22	38	2
37	53	3
52	68	4
67	83	5
82	98	6
97	113	7

(5-8-09)

b. Direct delivery of medical, educational, psychiatric, social, early intervention, or other service to which a participant has been referred is not reimbursable as service coordination. (5-8-09)

c. Activities that are an integral component of another covered Medicaid service are not reimbursable as service coordination. (5-8-09)

d. Activities that are integral to the administration of foster care programs are not reimbursable as service coordination. (5-8-09)

e. Activities that are integral to the administration of another non-medical program are not reimbursable as service coordination. This exclusion does not apply to case management provided as part of the

individualized education program or individualized family service plan required by the Individuals with Disabilities Education Act. (5-8-09)

07. Healthy Connections. A participant enrolled in Healthy Connection must receive a referral for assessment and provision of services from his Healthy Connections provider. To be reimbursed for service coordination, the Healthy Connections referral must cover the dates of service delivery. (3-21-12)

08. Group Service Coordination. Payment is not allowed for service coordination provided to a group of participants. (3-19-07)

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.10 - MEDICAID ENHANCED PLAN BENEFITS

DOCKET NO. 16-0310-1201

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 56-202, 56-264, and 56-1610, Idaho Code. 2012 Senate Concurrent Resolution 114, rejected the cost survey rules adopted under Docket 16-0310-1104, as not meeting legislative intent, and the legislative committees requested the Department hold negotiations with providers.

MEETING SCHEDULE: Public meetings on the negotiated rulemaking will be held as follows:

Tuesday, May 15, 2012, 1:00 p.m. (MST)

**Medicaid Central Office
Conference Room D
3232 Elder Street
Boise, ID 83705**

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Attend through a teleconference call at 1-888-706-6468, PIN 370623;
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting;
4. Submit written recommendations and comments to the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The Department is holding negotiations to determine an effective process for reporting and providing information to the legislature for the evaluation of any proposed rate changes for providers where the rate of reimbursement is set by Medicaid and not based on another established rate methodology. The process will consider quality and incorporate requirements of 42 U.S.C. 1396a(a)(30)(A), the goal of which is to prevent unnecessary use of care and services, and ensure that payments are sufficient to enlist enough providers to meet the need for care and services in a given geographic area.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Sheila Pugatch at (208) 364-1817.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 25, 2012.

DATED this 6th day of April, 2012.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036

phone: (208) 334-5564
fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.10 - MEDICAID ENHANCED PLAN BENEFITS

DOCKET NO. 16-0310-1202

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, and 56-260 through 56-266, Idaho Code.

MEETING SCHEDULE: Public meetings on the negotiated rulemaking will be held as follows:

Originating Location -- Live Meeting Thursday, May 31, 2012, 2:00 p.m. (MDT)		
Medicaid Central Office Conference Room D-East and West 3232 Elder Street Boise, ID 83705		
Video Conferencing Will Be Available At:		
Region II - Lewiston 1118 "F" Street 1st Floor Conference Rm. Lewiston, ID 83501	Region V - Twin Falls 601 Poleline Rd. Conference Room B Twin Falls, ID 83301	Region VII - Idaho Falls 150 Shoup Ave. Conference Room 240 Idaho Falls, ID 83402

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking may do any of the following:

1. Attend a negotiated rulemaking meeting (either live, or via video conference at any one of the three regional locations listed above) and participate in the negotiation process;
2. Provide oral or written recommendations, or both, at a negotiated rulemaking meeting;
3. Submit written recommendations and comments to the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Medicaid's Adult Developmental Disabilities and Aged and Disabled Home and Community Based Services (HCBS) waivers (also known as 1915(c) waivers) expire on September 30, 2012. In order for Idaho to maintain waiver authority and offer waiver benefits, a new waiver application for each must be submitted to the Centers for Medicare and Medicaid Services (CMS) prior to July 1, 2012, and be approved by CMS prior to October 1, 2012.

Prior to submission, the Department is seeking public input on changes to rules for the Aged and Disabled and Developmentally Disabled HCBS waivers to be made in conjunction with the renewal of these waivers.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Mark Wasserman at (208) 287-1156.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 8, 2012.

DATED this 6th day of April, 2012.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
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phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.05.01 - RULES OF THE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS

DOCKET NO. 24-0501-1101

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No.24-0501-1101 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Section 54-2406, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for publishing the final rulemaking and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to [Senate Concurrent Resolution No. 115](#), Section 375, Section 02., Paragraph c. of the pending rule promulgated under Docket No. 24-0501-1101 is not consistent with legislative intent and has been rejected and declared null, void and of no force and effect. In accordance with the concurrent resolution the affected paragraph has been removed from the final rule.

The proposed amendment made in Paragraph 375.02.c. as promulgated in the pending rule under Docket No. 24-0501-1101 was rejected and is null, void and of no force and effect. Section 375 of this final rule is being reprinted in its entirety as approved by the Legislature following this notice.

The original text of the proposed rule was published in the [October 5, 2011 Idaho Administrative Bulletin, Vol. 11-10, page\(s\) 515 through 528](#). The pending rule was published in the [December 7, 2011 Idaho Administrative Bulletin, Vol. 11-12, page 85](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Cherie Simpson at 208 334-3233.

DATED this 2nd day of April, 2012.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State St.
Boise, ID 83702
208 334-3233 Ph. 208 334-3945 fax

THE FOLLOWING IS THE FINAL TEXT OF DOCKET NO. 24-0501-1101 SECTIONS AFFECTED BY SCR 115, ONLY

375. SUBSTITUTIONS (RULE 375).

01. Substituting Education for Experience. Applicants may substitute approved education for operating and responsible charge experience as specified below. (3-21-12)

a. No substitution for on-site operating experience shall be permitted for licensure as a very small system operator or a Class I operator. (3-21-12)

b. For Classes II, III and IV, substitution shall only be allowed for the required experience when fifty percent (50%) of all stated experience (both on-site operating and responsible charge) has been met by actual on-site operating experience. (3-21-12)

c. For Class II, a maximum of one and one-half (1½) years of post high school education in the environmental control field, engineering or related science may be substituted for one and one-half (1½) years of operating experience. (3-21-12)

d. For Class III and IV, a maximum of two (2) years of post high school education in the environmental control field, engineering or related science may be substituted for two (2) years of on-site operating experience; however the applicant for Class III must still have one (1) year of responsible charge experience and the applicant for Class IV must have two (2) years of responsible charge experience. (3-21-12)

e. Education substituted for on-site operating experience may not be also credited toward the education requirement. (3-21-12)

f. One (1) year of post high school education may be substituted for one (1) year experience up to a maximum of fifty percent (50%) of the required on-site operating or responsible charge experience. (3-21-12)

02. Substituting Experience for Education. Where applicable, approved on-site operating and responsible charge experience may be substituted for education as specified below: (3-21-12)

a. One (1) year of on-site operating experience may be substituted for two (2) years of grade school or one (1) year of high school with no limitation. (3-21-12)

b. For Class III and IV, additional responsible charge experience (that exceeding the two-year class requirements) may be substituted for post high school education on a one (1) for one (1) basis: one (1) year additional responsible charge equal one (1) year post high school education. (3-21-12)

03. Substituting Experience for Experience. Related experience may be substituted for experience up to one-half (½) of the operating experience requirement for Class II, III and IV. Experience that may be substituted includes but is not limited to the following: (3-21-12)

a. Experience as an environmental or operations consultant; (3-21-12)

b. Experience in an environmental or engineering branch of federal, state, county, or local government; (3-21-12)

c. Experience as a wastewater collection system operator; (3-21-12)

d. Experience as a wastewater treatment plant operator; (3-21-12)

e. Experience as a water distribution system operator and/or manager; (3-21-12)

f. One (1) year of post high school education may be substituted for one (1) year experience up to a maximum of fifty percent (50%) of the required operating or responsible charge experience. (3-21-12)

g. Experience in waste treatment operation and maintenance. (3-21-12)

h. Experience as a laboratory analyst can be counted as wastewater operating experience for up to one-half (1/2) of the wastewater operating experience requirement but cannot be counted as responsible charge experience. (3-21-12)

i. Experience as a wastewater operator can be counted as laboratory analyst experience for up to one-half (1/2) of the laboratory analyst experience requirement. (3-21-12)

04. Equivalency Policy. Substitutions for education or experience requirements needed to meet minimum requirements for license will be evaluated upon the following equivalency policies: (3-21-12)

a. High School - High School diploma equals GED or equivalent as approved by the Board equals four (4) years. (3-21-12)

b. College - Thirty-five (35) credits equal one (1) year (limited to curricula in environmental engineering, environmental sciences, water/wastewater technology, and/or related fields as determined by the Board). (3-21-12)

c. Continuing Education Units (CEU) for operator training courses, seminars, related college courses, and other training activities. Ten (10) classroom hours equal one (1) CEU; forty-five (45) CEUs equal one (1) year of college. (3-21-12)

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.18.01 - RULES OF THE REAL ESTATE APPRAISER BOARD

DOCKET NO. 24-1801-1201

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is March 23, 2012.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-4106, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 16, 2012.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Real Estate Appraisers is clarifying its rules to allow for on-line education for pre-licensure and continuing education. The rule also clarifies the process and the approval of on-line provider courses.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The changes will confer a benefit to licensees and applicants by greatly expanding the availability of pre-licensure or continuing education courses required for licensure.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule proposal was discussed in a noticed open meeting and will confer a benefit to the applicants and licensees.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 23, 2012.

DATED this 26th day of March, 2012.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State St.
Boise, ID 83720-0063
(208) 334-3233 Ph. (208) 334-3945, fax

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY AND PROPOSED RULE
FOR DOCKET NO. 24-1801-1201**

010. DEFINITIONS (RULE 10).

The definitions numbered one through sixteen (1-16), appearing at Section 54-4104, Idaho Code are incorporated herein by reference as if set forth in full. (3-29-10)

01. Advisory Committee. A committee of state certified or licensed real estate appraisers appointed by the board to provide technical assistance relating to real estate appraisal standards and real estate appraiser experience, education and examination requirements that are appropriate for each classification of state certified or licensed real estate appraiser. (7-1-93)

02. Appraisal Foundation. The Appraisal Foundation means the Appraisal Foundation established on November 30, 1987, as a not-for-profit corporation under the laws of Illinois. (7-1-97)

03. Appraiser Qualifications Board. Appraiser Qualifications Board of the Appraisal Foundation establishes the qualifications criteria for licensing, certification and recertification of appraisers. (7-1-97)

04. Appraisal Standards Board. The Appraisal Standards Board of the Appraisal Foundation develops, publishes, interprets and amends the Uniform Standards of Professional Appraisal Practice (USPAP) on behalf of appraisers and users of appraisal services. (7-1-97)

05. Bureau. The Bureau means the Bureau of Occupational Licenses, as prescribed in Sections 54-4106(2)(a) and 67-2601, Idaho Code. (3-13-02)

06. Chief. The Bureau Chief of the Bureau of Occupational Licenses as established by Section 67-2602, Idaho Code. (7-1-93)

07. Classroom Hour. Fifty (50) minutes out of each sixty (60) minute hour in a setting *that is set forth in these rules which may include a classroom, conference/seminar, on-line or a virtual classroom.* ~~(3-21-12)~~(3-23-12)T

08. Field Real Estate Appraisal Experience. Personal inspections of real property, assembly and analysis of relevant facts, and by the use of reason and the exercise of judgement, formation of objective opinions as to the market or other value of such properties or interests therein and preparation of written appraisal reports or other memoranda showing data, reasoning, and conclusion. Professional responsibility for the valuation function is essential. (4-6-05)

09. FIRREA. Title XI, Financial Institutions Reform, Recovery and Enforcement Act of 1989 was designed to ensure that more reliable appraisals are rendered in connection with federally related transactions. (7-1-93)

10. Nationally Recognized Appraisal Organization. An appraisal organization which is a sponsor of The Appraisal Foundation. (4-2-08)

11. Real Estate. In addition to the previous definition in Section 54-4104(11), Idaho Code, will also mean an identified parcel or tract of land, including improvements, if any. (3-29-10)

12. Real Property. In addition to the previous definition in Section 54-4104(11), Idaho Code, will also mean one or more defined interests, benefits, or rights inherent in the ownership of real estate. (3-29-10)

13. Residential Unit. Real estate with a current highest and best use of a residential nature. A residential unit includes a kitchen and a bathroom. (3-29-10)

14. Specialized Appraisal Services. Services which include situations in which an appraiser is

employed or retained to provide appraisal services that do not fall within the defined term “appraisal assignments.” Specialized appraisal services relate to the employer’s or client’s individual needs or investment objectives and commonly include specialized marketing and financing studies as well as analysis, opinions, and conclusions rendered in connection with activities such as real estate brokerage, mortgage banking, and real estate counseling, including real estate tax counseling. (7-1-97)

15. Uniform Standards of Professional Appraisal Practice or USPAP. Those uniform standards adopted by the Appraisal Foundation’s Appraisal Standards Board. These standards may be altered, amended, interpreted, supplemented, or repealed by the Appraisal Standards Board (ASB) from time to time. (3-13-02)

16. USPAP Course. For the purposes of licensure and license renewal, any reference to the approved USPAP course shall mean the National USPAP Course provided by Appraisal Qualifications Board Certified USPAP Instructors and Educational Providers. (4-6-05)

(BREAK IN CONTINUITY OF SECTIONS)

401. CONTINUING EDUCATION (RULE 401).

All certified/licensed appraisers must comply with the following continuing education requirements: (7-1-97)

01. Purpose of Continuing Education. The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases his skill, knowledge and competency in real estate appraising. (7-1-97)

02. Hours Required. The equivalent of thirty (30) classroom hours of instruction in courses or seminars during the twenty-four (24) months prior to renewal is required. If the licensee completes two (2) or more courses having substantially the same content during any one (1) continuing education cycle, the licensee only will receive continuing education credit for one (1) of the courses. (3-21-12)

a. A classroom hour is defined as fifty (50) minutes out of each sixty (60) minute segment. The educational setting may include a classroom, conference/seminar, on-line or a virtual classroom. ~~(7-1-93)~~(3-23-12)T

b. Credit toward the classroom hour requirement may be granted only where the length of the educational offering is at least two (2) hours. (7-1-97)

c. Credit for the classroom hour requirement may be obtained by accredited courses which have been approved by the Appraisal Qualification Board and by courses approved by Real Estate Appraiser Boards of states with reciprocity with Idaho. All other courses must have approval of the Board, which shall require the continuing education provider to submit the educational course approval application and application fee as set forth in these rules along with the documentation including the instructors and their qualifications, course content, length of course, and its location. Courses shall be approved for a period of four (4) years. ~~(4-6-05)~~(3-23-12)T

d. Once every twenty-four (24) months, Idaho State Certified/Licensed Real Estate Appraisers and registered trainees will be required to attend an approved seven (7) hour USPAP update course or the equivalent. The course must cover the most recent USPAP edition. (3-21-12)

03. Credit for Appraisal Educational Processes and Programs. Continuing education credit may also be granted for participation, other than as a student, in appraisal educational processes and programs. Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities which are determined to be equivalent to obtaining continuing education. Credit for educational processes and programs continuing education shall not exceed one-half (1/2) of the total continuing education credits required for a renewal period. (4-2-08)

04. Credit for Attending the Licensure Board Meetings. Continuing education credit may be granted for a maximum of two (2) hours each continuing education cycle for time spent attending one (1) Board

meeting. Members of the board shall not be entitled to continuing education credit for board service. (3-21-12)

05. Requirement When a Certificate/License Is Cancelled. For each year (less than five (5)) in which a license is lapsed, canceled, or otherwise non-renewed, fifteen (15) hours of continuing education must be documented, including a seven (7) hour USPAP update course, prior to reinstatement. The course must cover the most recent USPAP edition. (3-21-12)

06. Special Exemption. The Board shall have authority to make exceptions for reasons of individual hardship, including health, when certified by a medical doctor, or other good cause. The appraiser must provide any information requested by the Board to assist in substantiating hardship cases. This exemption is granted at the sole discretion of the Board. (3-29-10)

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.25.01 - RULES OF THE IDAHO DRIVING BUSINESSES LICENSURE BOARD

DOCKET NO. 24-2501-1101 (FEE RULE)

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 24-2501-1101 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Section 54-5403 and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for publishing the notice of final rulemaking and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to [Senate Concurrent Resolution No. 128](#), the pending rule promulgated under Docket No. 24-2501-1101 is not consistent with legislative intent and has been rejected in its entirety and declared null, void and of no force and effect. The final rule remains as currently codified in the Idaho Administrative Code without amendment in accordance with the provisions of Senate Concurrent Resolution No. 128.

The original text of the proposed rule was published in the [August 3, 2011, Idaho Administrative Bulletin, Vol. 11-8, page\(s\) 223 through 224](#). The pending rule was published in the [December 7, 2011, Idaho Administrative Bulletin, Vol. 11-12, page 97](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Cherie Simpson at 208 334-3233.

DATED this 2nd day of April, 2012.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State St.
Boise, ID 83702
208 334-3233 ph.
208 334-3945 fax

IDAPA 27- BOARD OF PHARMACY

27.01.01 - RULES OF THE IDAHO STATE BOARD OF PHARMACY

DOCKET NO. 27-0101-1201

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1717, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

Thursday, May 31, 2012, 8:00 a.m.

**Coeur d'Alene Resort
115 South 2nd Street
Coeur d'Alene, Idaho**

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

For those planning to attend the open, public meeting, written and oral comments will be accepted by and/or presented before the Board. For all others not planning to attend the meeting, written comments will be accepted by the executive director up to 2 days prior to the day of the meeting.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Expansion of non-resident pharmacy licensure, registration, and/or practice standards, envisioned to allow additional forms of the practice of pharmacy into Idaho and to correct inconsistencies, with sufficient regulation to protect the health and safety of Idaho's residents.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Mark Johnston, Executive Director, at (208)-334-2356 or mark.johnston@bop.idaho.gov.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 29, 2012.

DATED this 17th day of April, 2012.

Mark Johnston, Executive Director
Idaho State Board of Pharmacy
3380 Americana Terrace, Suite #320
PO Box 83720
Boise, Idaho 83720
Phone: (208) 334-2356
Fax: (208) 334-3536

IDAPA 35 - STATE TAX COMMISSION

35.01.01 - INCOME TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0101-1102

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on this rulemaking promulgated under Docket No. 35-0101-1102 and this agency is publishing a final rule pursuant to that legislative action. This agency action for this final rulemaking is authorized pursuant to Section 63-105, and 63-3039, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the final rule and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to [House Concurrent Resolution No. 33](#), Subsection 263.04 of this rulemaking promulgated under Docket No. 35-0101-1102 is not consistent with legislative intent and has been rejected. In accordance with the concurrent resolution the affected subsection of this final rule will be codified into the Idaho Administrative Code as follows:

The proposed amendment made in Subsection 263.04 as promulgated under Docket No. 35-0101-1102 was rejected and is null, void and of no force and effect. Section 263 of this final rule is being reprinted in its entirety as approved by the legislature following this notice.

The original text of the proposed rule was published in the [October 5, 2011, Idaho Administrative Bulletin, Vol. 11-10, pages 637through 686](#). The pending rule was published in the [January 12, 2012, Idaho Administrative Bulletin, Vol. 12-1, page 197](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Cynthia Adrian (208) 334-7544.

DATED this 11th day of April, 2012.

Cynthia Adrian
Tax Policy Specialist
Idaho State Tax Commission
800 Park Blvd., Plaza IV
P.O. Box 36, Boise, ID 83722-0410
(208) 334-7544

THE FOLLOWING IS THE FINAL TEXT OF DOCKET NO. 35-0101-1102 SECTIONS AFFECTED BY HCR 33, ONLY

263. IDAHO SOURCE INCOME OF NONRESIDENT AND PART-YEAR RESIDENT INDIVIDUALS -- DISTRIBUTIVE SHARE OF S CORPORATION AND PARTNERSHIP INCOME (RULE 263). (3-20-97)
Section 63-3026A(3), Idaho Code.

01. In General. The taxable amount of a shareholder's pro rata share or a partner's distributive share of business income, gains, losses, and other pass-through items from an S corporation or partnership operating both within and without Idaho is determined by multiplying each pass-through item by the Idaho apportionment factor of

the business. The Idaho apportionment factor is determined pursuant to Section 63-3027, Idaho Code, and related rules. (3-20-97)

02. Nonbusiness Income. Pass-through items of identifiable nonbusiness income, gains, or losses of an S corporation or partnership constitute Idaho source income to the shareholder or partner if allocable to Idaho pursuant to the principles set forth in Section 63-3027, Idaho Code. (3-20-97)

03. Pass-Through Items. Whether a pass-through item of income or loss is business or nonbusiness income is determined at the pass-through entity level. Pass-through items of business income or loss may include: (3-20-97)

- a.** Ordinary income or loss from trade or business activities; (3-20-97)
- b.** Net income or loss from rental real estate activities; (3-20-97)
- c.** Net income or loss from other rental activities; (3-20-97)
- d.** Interest income; (3-20-97)
- e.** Dividends; (3-20-97)
- f.** Royalties; (3-20-97)
- g.** Capital gain or loss; (3-20-97)
- h.** Other portfolio income or loss; (3-20-97)
- i.** Gain or loss recognized pursuant to Section 1231, Internal Revenue Code. (3-20-97)

04. Distributions. (2-27-12)

a. Partnerships. The amount of distributions received by a partner that is from Idaho sources is determined by multiplying the taxable amount of distributions pursuant to Section 731, Internal Revenue Code, by the Idaho apportionment factor of the partnership. (2-27-12)

b. S Corporations. The amount of distributions received by a shareholder that is from Idaho sources is determined by multiplying the taxable amount of distributions pursuant to Section 1368, Internal Revenue Code, by the Idaho apportionment factor of the S corporation. (2-27-12)

c. The Idaho apportionment factor for purposes of Paragraphs 263.05.a. and 263.05.b. of this rule is determined pursuant to Section 63-3027, Idaho Code, and related rules. (2-27-12)

IDAPA 35 - STATE TAX COMMISSION

35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1201

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2012.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule. The action is authorized pursuant to Section 63-105A, Idaho Code, and Section 63-802, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the temporary rulemaking:

Recently enacted HB 519 provides a property tax exemption which is retroactive to January 1, 2012. Both the county assessor and the taxpayers need certain clarifications in order to administer and apply this exemption for the current tax year (2012). Temporary Property Tax Rule 620 further defines site improvements and establishes May 1 as the deadline for applying for the site improvement exemption for the current year and affirms the statutory [Section 63-602(3), Idaho Code] deadline of April 15 for future years. The exemption is lost if the property is conveyed and the proration of assessment as set out in Section 63-602Y, Idaho Code, applies.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Compliance with deadlines in amendments to governing law or federal programs.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Alan Dornfest at (208) 334-7544.

DATED this 9th day of April, 2012.

Alan Dornfest
Tax Policy Supervisor
State Tax Commission
P.O. Box 36
Boise, ID 83722-0410
(208) 334-7544

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 35-0103-1201

620. EXEMPTION FOR NEVER OCCUPIED RESIDENTIAL IMPROVEMENTS AND COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL SITE IMPROVEMENTS (RULE 620).
Section 63-602W, Idaho Code. (1-1-12)T

01. Qualifying Residential Improvements. Improvements to any land parcel that are residential and

have never been occupied for residential purposes may qualify for the exemption pursuant to Section 63-602W, Idaho Code. This rule is effective January 1, 1998. Such qualifying improvements can include the following: (1-1-98)

a. Single family residences, residential townhouses, and residential condominiums; and (1-1-98)

b. Attached or unattached ancillary structures which are not intended for commercial use and are constructed contemporaneously with the improvements identified in Subsection 620.01.a. Such structures may include sheds, fences, swimming pools, garages, and other similar improvements, subject to the limitations of Subsection 620.02. (1-1-98)

02. Non-Qualifying Residential Improvements. Never previously occupied residential improvements listed in the following Subsections do not qualify for this exemption. ~~(1-1-98)~~(1-1-12)T

a. Location. Ancillary structures (see Subsection 620.01.b.) that are not located on the parcel on which the improvement is located, identified in Subsection 620.01.a. of this rule, shall not qualify for the exemption provided pursuant to Section 63-602W, Idaho Code. (1-1-98)

b. Remodeled improvements. Remodeling of previously occupied residential improvements does not qualify for the exemption. (1-1-98)

c. Improvements included in land value. Improvements included in land value, such as septic tanks, wells, improvements designed to provide utility services or access, and other similar improvements shall not qualify for the exemption. (1-1-98)

03. Special Provisions for the Exemption for Site Improvements. Site improvements associated with land which are made or caused to be made by the land developer and held by the land developer are exempt, provided the property qualifies for the exemption pursuant to the provisions of Section 63-602W(4), Idaho Code. (1-1-12)T

a. “Site improvements associated with land.” “Site improvements associated with land” may include developed access, grading, sanitary facilities, water systems, and utilities. (1-1-12)T

b. Application. The land developer must file the application that is required for this exemption with the county assessor and commissioners by May 1, 2012 to qualify for the exemption for the 2012 tax year. For all years thereafter, the application must be filed by April 15. (1-1-12)T

i. For any parcel, the application must describe the parcel in sufficient detail for the assessor to identify the parcel. (1-1-12)T

ii. Multiple parcels may be included in one application, provided the parcels are under the same ownership and are listed and described in the application in sufficient detail for the assessor to identify each parcel. (1-1-12)T

iii. The application must be filed in the first year for which the exemption is claimed. In subsequent years, no application is necessary for any parcel(s) that still qualify for the exemption. (1-1-12)T

c. Proof of eligibility for the exemption. To be eligible, the land developer must provide the county assessor and commissioners with sufficient proof that: (1-1-12)T

i. They hold the land upon which the site improvements have been made; (1-1-12)T

ii. They made or caused to be made the site improvements on the land; (1-1-12)T

iii. The real property is held by the land developer for sale or consumption in the ordinary course of the land developer’s business; and (1-1-12)T

iv. They are the owner or are in possession of the land under a land sale contract. (1-1-12)T

04. Loss of the Exemption for Site Improvements. The exemption for site improvements provided in Section 63-602W(4), Idaho Code, shall be lost when construction of any buildings or structural components of buildings is begun or when title to the land is conveyed from the land developer at any time following the installation of the site improvements. (1-1-12)T

a. Conveyance. Any change in ownership conveying title to land by deed or court order shall be considered a conveyance and result in loss of this exemption. (1-1-12)T

b. Timing. Site improvements losing this exemption shall be subject to assessment and taxation in accordance with the change of status provisions of Section 63-602Y, Idaho Code. (1-1-12)T

05. Valuation of Land with Qualifying Exempt Site Improvements. Land otherwise taxable, but including site improvements that qualify for the exemption pursuant to Section 63-602W(4), Idaho Code, shall be assessed at market value, in accordance with the provisions of Rule 217 of these rules. (1-1-12)T

06. Forestland and Agricultural Use. This exemption does not apply to parcels assigned to forestland or agricultural categories. (1-1-12)T

IDAPA 35 - STATE TAX COMMISSION

35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1202

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-5221(1) and 63-105A, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows: TBD

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Attend through a teleconference;
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting; and/or
4. Submit written recommendations and comments to the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Property Tax Rule 605 is being amended to clarify exclusive use provisions in order to determine what leased property is exempt under Section 63-602E, Idaho Code, the property tax exemption for property used for educational purposes, to clarify that when a building is used for two or more uses, one use of which is for non-profit educational purposes, the portion used for educational purposes is exempt, and to provide that leased personal property, such as a computer, is only exempt if it is used exclusively on school premises or if its use is restricted in such a way to eliminate the possibility of use for other than educational purposes.

Property Tax Rule 620 is being amended to clarify an exemption for site improvements related to land development, to clarify the exemption process, to define site improvements, to explain an application process and eligibility criteria, to clarify that the exemption is lost if the property is conveyed, and that, upon loss of exemption, the new assessment will be prorated as set out in Section 63-602Y, Idaho Code.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Alan Dornfest (208) 334-7544.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned.

DATED this 11th day of April, 2012.

Alan Dornfest
Tax Policy Supervisor
State Tax Commission
P.O. Box 36
Boise, ID 83722-0410
(208) 334-7544

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

38.03.01 - RULES GOVERNING GROUP INSURANCE

DOCKET NO. 38-0301-1101

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 38-0301-1101 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Section 67-5701 and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for the publication of the final rule and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes.

Pursuant to [Senate Concurrent Resolution 119](#), Section 040, Subsection 02, Paragraph a. of the pending rule promulgated under Docket No. 38-0301-1101 is not consistent with legislative intent and has been rejected and declared null, void and of no force and effect. In accordance with the concurrent resolution Subparagraph 040.02.a. has been removed from the final rule and codified into the Administrative Code as approved by the Legislature

Paragraph 040.02.a. remains as currently codified without amendment and is being republished here in its final codified version following this notice. The remainder of the docket has been codified into the Idaho Administrative Code in accordance with the provisions of Senate Concurrent Resolution 119.

The original text of the proposed rule was published in the [September 7, 2011 Idaho Administrative Bulletin, Vol. 11-9, pages 146 through 150](#). The pending rule was published in the [January 4, 2012 Idaho Administrative Bulletin, Vol. 12-1, page 209](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Cynthia Ness, Program Manager, (208) 332-1865.

DATED this 10th day of April, 2012.

Cynthia Ness
Program Manager
Department of Administration
Office of Group Insurance
304 N. 8th Street, Room 432
P.O. Box 83720
Boise, Idaho 83720-0035
Phone: 332-1865
Fax: 332-1888

**THE FOLLOWING IS THE FINAL TEXT OF DOCKET NO. 38-0301-1101
SECTIONS AFFECTED BY SCR 119, ONLY**

040. MEDICARE PRESCRIPTION MEDICATION REIMBURSEMENT PROGRAM.

Effective January 1, 2010 through December 31, 2013, any Medicare-eligible retiree or his Medicare-eligible dependent spouse, who is no longer eligible for health care coverage due to Medicare eligibility, may petition the director for reimbursement of prescription medications up to, but not to exceed, two thousand dollars (\$2,000) per

calendar year, per Medicare-eligible retiree and per Medicare-eligible dependent spouse. (3-21-12)

02. Deadline to Request Reimbursement from the Director. A Medicare-eligible retiree or his Medicare-eligible dependent spouse must submit a petition and a request for reimbursement to the director on or before March 31 of each year for the petition and request to be considered timely. (3-29-10)

a. All reimbursement requests for 2010 out-of-pocket prescription medication expenses must be received on or before March 31, 2011, and requests for 2011 out-of-pocket prescription medication expenses must be received on or before March 31, 2012, to be considered. Petitions and reimbursement requests received after March 31, 2011 (for 2010 expenses), and March 31, 2012 (for 2011 expenses), will be denied for being untimely. (3-29-10)

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

**38.04.06 - RULES GOVERNING USE OF THE EXTERIOR OF STATE PROPERTY
IN THE CAPITOL MALL AND OTHER STATE FACILITIES**

DOCKET NO. 38-0406-1201 (NEW CHAPTER)

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 17, 2012.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-5709, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

These rules establish a new chapter governing public use of the exterior of state facilities within the capitol mall, multi-agency facilities managed by the Department of Administration, and state facilities included at the request of the public entity owing or occupying the facility. The requirements for use of the facilities will protect persons and property at the facilities.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

House Bill No. 693, passed by the 2012 Idaho Legislature, provides authority for the Director of the Department of Administration to promulgate rules governing use of the facilities governed by these rules. The Bill directed that the rules be promulgated within thirty (30) days of the Bill's effective date.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

ACCEPTANCE OF WRITTEN PUBLIC COMMENT: Although not required by law, the Department of Administration will accept written public comment for the purpose of developing proposed rules at the address set forth below through 5:00 p.m. on Friday, June 1, 2012.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Teresa Luna, Director, at (208)332-1827.

DATED this 16th day of April, 2012.

Teresa Luna
Director
Department of Administration
650 W. State St.
P. O. Box 83720
Boise, ID 83720-0013
Phone: (208) 332-1827
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 38-0406-1201

IDAPA 38
TITLE 04
CHAPTER 06

38.04.06 - RULES GOVERNING USE OF THE EXTERIOR OF STATE PROPERTY
IN THE CAPITOL MALL AND OTHER STATE FACILITIES

000. LEGAL AUTHORITY.

Section 67-5709, Idaho Code, gives the Director of the Department of Administration authority to promulgate rules governing the Capitol Mall Properties and other state facilities. (4-17-12)T

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 38.04.06, "Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities." (4-17-12)T

02. Scope. These rules contain the provisions for use of the exterior of the Capitol Mall Properties, the Other State Properties, and the Multi-agency Facilities. Rules governing the interior of the Capitol Mall Properties, the Other State Properties, and the Multi-agency Facilities are codified under IDAPA 38.04.07, "Rules Governing Use of the Interior of State Property in the Capitol Mall and Other State Facilities." Rules governing the use of the exterior of the Capitol are codified under IDAPA 38.04.08, "Rules Governing Use of Idaho State Capitol Exterior." Rules governing parking are codified under IDAPA 38.04.04, "Capitol Mall Parking Rules." (4-17-12)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of the rules of this chapter, or to compliance with the rules of this chapter. Any such documents are available for public inspection and copying at cost at the Department's office. (4-17-12)T

003. ADMINISTRATIVE APPEALS.

These rules do not provide for appeals of the requirements for use of the State Facilities. (4-17-12)T

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (4-17-12)T

005. OFFICE -- OFFICE HOURS -- MAILING AND STREET ADDRESS.

01. Office Hours. The Department is open from 8:00 a.m. to 5:00 p.m. except Saturday, Sunday, and legal holidays. (4-17-12)T

02. Mailing Address. The Department's mailing address is P.O. Box 83720, Boise, Idaho 83720-0013. (4-17-12)T

03. Street Address. The Department's principal place of business is located at 650 West State Street, Boise, Idaho 83702-5972. (4-17-12)T

04. Website Address. The Department's website address is <http://adm.idaho.gov/>. (4-17-12)T

006. PUBLIC RECORDS ACT COMPLIANCE.

All records associated with these rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (4-17-12)T

007. SEVERABILITY.

Pursuant to IDAPA 44.01.01, "Rules of the Administrative Rules Coordinator," all administrative rules in Idaho are presumed severable unless specifically provided to the contrary. If any rule, or part thereof, or the application of such rule to any person or circumstance is declared invalid, that invalidity does not affect the validity of any remaining portion. (4-17-12)T

008. -- 099. (RESERVED)

100. DEFINITIONS.

01. Capitol Mall Properties. The grounds, exterior of buildings, exterior of improvements, and real property set forth in Section 67-5709(2)(a) and (b), Idaho Code. The Capitol Mall Properties do not include the Idaho State Capitol or its grounds. (4-17-12)T

02. Commemorative Installation. Any statue, monument, sculpture, memorial or landscape feature designed to recognize a person, group, event or element of history. (4-17-12)T

03. Department. The Department of Administration. (4-17-12)T

04. Director. The Director of the Department of Administration or his designee. (4-17-12)T

05. Event. Any press conference, performance, ceremony, presentation, meeting, rally, reception or gathering of people held at the State Facilities. As used in this definition, a rally is a gathering of two (2) or more people for the purpose of actively promoting a cause or position. A rally is not the transit of individuals, without stopping to promote a cause or position, through the State Facilities. (4-17-12)T

06. Exhibit. Any temporary Commemorative Installation and any attended or unattended display, including but not limited to equipment, machines, vehicles, products, samples, paintings, sculptures, arts and crafts, photographs, signs, banners or other graphic displays. (4-17-12)T

07. Multi-agency Facilities. The grounds, exterior of buildings, exterior of improvements, and real property set forth in Section 102 of these rules. (4-17-12)T

08. Other State Properties. The grounds, exterior of buildings, exterior of improvements, and real property set forth in Section 101 of these rules. (4-17-12)T

09. Private Event. Any activity sponsored or initiated by a member of the public that is open only to invited or qualifying individuals or groups. Private Events include, but are not limited to, weddings, dinners, award ceremonies, memorials, and seminars. (4-17-12)T

10. Public Use. Use that is not an Event, Exhibit or use by a public officer, official, employee, contractor, agency, board or commission for state of Idaho business. (4-17-12)T

11. Security Personnel. A state of Idaho employee or a staff member of a state of Idaho contractor whose job duties include monitoring compliance with and enforcing these rules. (4-17-12)T

12. State Business Day. Monday through Friday, excluding the holidays set forth in Section 73-108, Idaho Code. (4-17-12)T

13. State Events and Exhibits. All functions initiated and controlled by any state of Idaho agency, board, commission, officer or elected official acting on behalf of the state of Idaho. (4-17-12)T

14. State Facilities. The Capitol Mall Properties, the Multi-agency Facilities, and the Other State Properties. Use of the phrase "at the State Facilities" shall include the exterior of buildings, exterior of improvements and the grounds and real property comprising the State Facilities. (4-17-12)T

101. (RESERVED)

102. MULTI-AGENCY FACILITIES.

These rules shall apply to the following Multi-agency Facilities managed and administered by the Department. (4-17-12)T

01. Lewiston State Office Building. Lewiston State Office Building, 1118 F Street, Lewiston, Idaho 83501. (4-17-12)T

02. Idaho Falls State Office Building. Idaho Falls State Office Building, 150 Shoup Avenue, Idaho Falls, Idaho 83401. (4-17-12)T

103. -- 199. (RESERVED)

200. USE OF STATE FACILITIES.

01. Authorized Uses by the Public. Except as provided otherwise in these rules, the State Facilities are available for use by the public for the following: (4-17-12)T

a. Events. Events not within Subsection 200.01.c. of this rule shall be held only in the locations and during the hours set forth in these rules. Events, including Private Events, shall not exclude any member of the public from attending the Event. (4-17-12)T

b. Exhibits. Exhibits not within Subsection 200.01.c. of this rule shall be held only in the locations and during the hours set forth in these rules. Exhibits shall not exclude any member of the public from attending the Exhibit. (4-17-12)T

c. State Events and Exhibits. State Events and Exhibits may occur in any portion of the State Facilities. The Director may waive all or a portion of these rules for a State Event or Exhibit. (4-17-12)T

02. Limited Uses By the Public. Except as provided otherwise in these rules, the State Facilities are available for use by the public for Private Events. Private Events must not interfere with Public Use of the State Facilities, including but not limited to tours and the conduct of public business. (4-17-12)T

03. Prohibited Uses. The following uses are prohibited at the State Facilities: (4-17-12)T

a. Commercial Activity. The State Facilities shall not be used for any activity conducted for profit and no persons shall solicit to sell any merchandise or service at the State Facilities. The following are not commercial activity prohibited by this subsection: (4-17-12)T

i. Events for public employees or their relatives describing employee benefits and approved by a state of Idaho agency. (4-17-12)T

ii. Concessions authorized by law. (4-17-12)T

iii. Vaccinations may be provided in exchange for a fee without the prior written permission of the Director where approved by a state of Idaho agency, board, commission or elected official. (4-17-12)T

b. Camping. Pursuant to Section 67-1613, Idaho Code, camping is prohibited at the State Facilities. Camping includes use of the State Facilities for living accommodation purposes such as sleeping, making preparations for sleeping, cooking, storing personal belongings, and using a tent or other shelter for sleeping. (4-17-12)T

04. Priority of Uses. State Events and Exhibits shall have priority over public Events and Exhibits, Public Use, and Private Events. (4-17-12)T

201. EVENT AND EXHIBIT DURATION.

The duration of an Event or Exhibit shall not exceed eleven (11) consecutive hours, or seven (7) consecutive days, including time for set-up and clean-up. Events and Exhibits shall not continue beyond the hours for Event or Exhibit

use of the State Facilities set forth in Section 302 of these rules. Exhibits must be removed at the earlier of the conclusion of the Event or the daily conclusion of the hours for Event and Exhibit use of the State Facilities.

(4-17-12)T

202. EQUIPMENT AND SUPPLIES.

Except as provided in these rules, the Department will not provide equipment or supplies for use of the State Facilities.

(4-17-12)T

203. ESTABLISHMENT OF PERIMETERS.

Security personnel and law enforcement may establish perimeters separating participants in Exhibits and Events. Participants in and observers of any Event or Exhibit shall observe perimeters set pursuant to this section.

(4-17-12)T

204. -- 299. (RESERVED)

300. RESTRICTIONS AND LIMITATIONS ON USE.

The restrictions and limitations on use of the State Facilities set forth in Sections 301 through 399 of these rules shall apply to all Events, Exhibits, and Public Use of the State Facilities.

(4-17-12)T

301. USES INTERFERING WITH ACCESS OR USE OF FACILITY.

01. Interference with Primary Use of Facility or Real Property. Events, Exhibits, and Public Use of the State Facilities shall not interfere with the primary use of the facility or real property adjoining the facility. The primary uses of the State Facilities include, but are not limited to, public meetings and hearings, court proceedings, and the conduct of public business by agencies or officials of the state of Idaho that normally occupy and use the affected facility or the real property adjoining the facility.

(4-17-12)T

02. Interference with Access. Events, Exhibits, and Public Use of the State Facilities shall not block fire hydrants, fire or emergency vehicle lanes, vehicular drives, pedestrian walkways, doorways, steps or similar access routes through, in or out of the State Facilities.

(4-17-12)T

302. HOURS AND LOCATIONS OF USE.

01. Hours. The hours for Events and Exhibits at the State Facilities are 7:00 a.m. to 6:00 p.m.

(4-17-12)T

02. Locations. Event and Exhibits are not permitted at the parking facilities set forth in Section 67-5709(2)(b), Idaho Code. In addition to limitations on the interference with access set forth in Section 301 of these rules and compliance with all fire and safety codes, all Events and Exhibits at the State Facilities shall be at least fifteen (15) feet from the exterior walls and windows of buildings.

(4-17-12)T

303. MOTORIZED VEHICLES.

Motorized vehicles not owned or operated by the state of Idaho or law enforcement must remain on designated roadways and parking areas. Parking of motorized vehicles shall be governed by IDAPA 38.04.04, "Capitol Mall Parking Rules." Wheelchairs, motorized scooters, and other equipment providing individual mobility to the disabled are not motorized vehicles for the purposes of this Section.

(4-17-12)T

304. BICYCLES, SKATES, SKATEBOARDS, SCOOTERS, AND OTHER NON-MOTORIZED TRANSPORTATION.

Bicycles, skates, skateboards, and scooters may not be used at the State Facilities. Users of all other non-motorized transportation must remain on designated pathways during use. Where indicated by a posted notice or where requested by Security Personnel, law enforcement or a state employee or agent supervising a State Facility, users must store non-motorized transportation in a designated storage area on the exterior of a State Facility. Wheelchairs and other equipment providing individual mobility to the disabled are not non-motorized transportation for the purposes of this section.

(4-17-12)T

305. ANIMALS.

The following shall apply to animals at the State Facilities:

(4-17-12)T

- 01. Wildlife.** Unless authorized by the Director no person shall: (4-17-12)T
- a.** Interfere with, hunt, molest, harm, frighten, kill, trap, chase, tease, annoy, shoot, or throw any object at a wild animal at the State Facilities. (4-17-12)T
- b.** No person shall feed, give, or offer food or any noxious substance to a wild animal at the State Facilities. (4-17-12)T
- 02. Domestic Animals.** (4-17-12)T
- a.** Domestic animals are not allowed at the State Facilities unless leashed and under the control of the person bringing the animal to the State Facility. (4-17-12)T
- b.** The person bringing the animal to the State Facilities shall have in his possession the equipment necessary to remove the animal's fecal matter and shall immediately remove all fecal matter deposited by the animal. (4-17-12)T
- 306. LANDSCAPING.**
- Unless authorized by the Director, no person shall: (4-17-12)T
- 01. Plants.** Damage, cut, carve, transplant or remove any plant, including but not limited to trees, at the State Facilities. (4-17-12)T
- 02. Grass.** Dig in or otherwise damage grass areas at the State Facilities. (4-17-12)T
- 03. Irrigation Equipment.** Interfere with, damage or remove irrigation equipment at the State Facilities. (4-17-12)T
- 04. Landscaping Materials.** Move or alter landscaping materials at the State Facilities, including but not limited to rock, edging materials, and bark or mulch. (4-17-12)T
- 05. Climbing.** Climb or scale buildings, memorials, statues, trees, fences, or improvements at the State Facilities. (4-17-12)T
- 307. FOOD AND BEVERAGES.**
- Consumption of food and beverages at the State Facilities is subject to the following: (4-17-12)T
- 01. Consumption May Be Prohibited.** The consumption of food and beverages may be prohibited by a notice posted at the entrance to all or a portion of the State Facilities. (4-17-12)T
- 02. Alcohol.** Alcohol may not be consumed or distributed at the State Facilities. (4-17-12)T
- 308. SMOKING.**
- All persons shall observe the smoke free entrance notices and shall smoke only in designated exterior areas of the State Facilities. (4-17-12)T
- 309. FIRES, CANDLES, AND FLAMES.**
- No fires, candles, or other sources of open flame are permitted at the State Facilities. (4-17-12)T
- 310. POSTERS, PLACARDS, BANNERS, SIGNS, EQUIPMENT, TABLES, MATERIALS, AND DISPLAYS.**
- 01. Electrical Cords.** Electrical cords must be protected by cord covers or gaffers tape to prevent an electrical or trip hazard. (4-17-12)T
- 02. Railings and Stairways.** No items may be placed on railings or stairways and no persons shall sit

or stand on railings or stairways. (4-17-12)T

03. Tossing or Dropping Items. No items may be tossed or dropped over railings or from one level of a facility to another level or to the ground. (4-17-12)T

04. Ingress or Egress. No item, including tables, chairs, exhibits, equipment, materials, and displays shall be located so as to block ingress or egress to any portion of the State Facilities, or to restrict the follow of individuals using the facility, or to restrict emergency egress or ingress. (4-17-12)T

05. Attaching, Affixing, Leaning, or Propping Materials. Posters, placards, banners, signs, and displays, including any printed materials, shall not be affixed on any exterior surface of the State Facilities not designed for that purpose or on any Permanent Commemorative Installation, post, railing, fence or landscaping, including trees. All posters, placards, banners, signs, and displays must be free-standing or supported by individuals. No items may be leaned or propped against any exterior surface of the State Facilities or embedded into the ground, including but not limited to placement of a stake, post or rod into the ground to support materials. (4-17-12)T

06. Materials Causing Damage to Exterior Surface. Stages, risers, chairs, tables, sound equipment, props, materials, displays, and similar items shall be constructed and used in a manner that will not damage, scratch, dent, dig or tear any surface at the State Facilities or any systems or utilities of the State Facilities, including but not limited to fire suppression systems, storm drains, ventilation systems, and landscape watering systems. (4-17-12)T

07. Free Distribution of Literature and Printed Material. All literature and printed material must be distributed at no charge. The party distributing literature and printed material shall ensure periodically and at the conclusion of its use of the State Facilities that such material is not discarded outside of designated trash receptacles. (4-17-12)T

311. ITEMS SUBJECT TO SEARCH.

To enhance security and public safety, Security Personnel may inspect: (4-17-12)T

01. Packages and Bags. Packages, backpacks, purses, bags, and briefcases reasonably suspected of concealing stolen items or items prohibited by these rules. (4-17-12)T

02. Items. Items brought to the State Facilities, if there is a reasonable suspicion that an item may be capable of destructive or disruptive uses at the State Facilities. (4-17-12)T

312. PROHIBITED ITEMS.

Explosives, missiles, chemicals or other incendiary devices are not permitted at the State Facilities. Security Personnel or law enforcement may direct that any person at the State Facilities immediately remove any club, bat, or other item that can be used as a weapon from the State Facilities. (4-17-12)T

313. SOUND LEVEL AND AMPLIFICATION.

Sound amplification may not be used at the State Facilities. Sound levels, whether amplified or not, must not cause a disruption to the primary use of the State Facilities. Security Personnel, law enforcement or a state employee or agent supervising a State Facility may discontinue an Event or Exhibit or Public Use if they request that the sound level be reduced and those in attendance do not reduce the sound level. (4-17-12)T

314. UTILITY SERVICE.

Events, Exhibits, and the public may not use the utility services of the State Facilities; provided, however, the Director may authorize limited use of electrical service for the duration of an Event or Exhibit authorized by these rules. Utility services include but are not limited to electrical, sewage, water, heating, and geothermal services. The Director may terminate the use of utilities if such use interferes with the utility services of the State Facilities or the equipment or apparatus using utility service fails to comply with applicable rules or codes. (4-17-12)T

315. LAW ENFORCEMENT AND FACILITY EXIGENCY.

In case of a fire, bomb threat, utility malfunction, structural failure or other unforeseen emergency or threat endangering public safety or health, or endangering public property, law enforcement, Security Personnel and state employees or officials may direct all persons off of the State Facilities and delay or postpone any Event, Exhibit or

other activity until the emergency or threat is abated. (4-17-12)T

316. COMPLIANCE WITH LAW.

All use of the State Facilities shall comply with applicable law, including but not limited to fire and safety codes. (4-17-12)T

317. HEALTH, SAFETY, AND MAINTENANCE OF STATE FACILITIES.

01. Clean Condition After Use. Users shall leave the State Capitol Exterior in reasonably clean condition after use, including depositing all trash in designated receptacles. (4-17-12)T

02. Items Return to Proper Location. Users shall return all items, including but not limited to movable furniture and trash receptacles, to their location at the conclusion of the Event or Exhibit. (4-17-12)T

03. Public Health. No person shall excrete human waste at the State Capitol Exterior except in designated restroom facilities. For purposes of this section, excrete means the discharge of human waste from the body, including the acts of defecation and urination. For purposes of this section, human waste means human feces or human urine. (4-17-12)T

04. Personal Safety and Firearms. No person, except for authorized law enforcement personnel, shall discharge firearms, pneumatic weapons, air rifles, spring guns, bows and arrows, slings or any other form of weapon or otherwise purposefully or negligently endanger, damage, or injure the property or the life of any person or animal at the State Capitol Exterior. (4-17-12)T

05. Fireworks. No person shall possess or use fireworks on the State Capitol Exterior. (4-17-12)T

318. -- 399. (RESERVED)

400. LIABILITY AND INDEMNIFICATION.

01. User Retains Liability. Individuals, entities, and organizations using the State Facilities are responsible and liable for all suits, damages, claims or liabilities arising from use of the State Facilities. The state of Idaho shall have no liability for injury to private property, including posters, placards, banners, signs, equipment, tables, materials, and displays at the State Facilities for use in an Event or Exhibit. (4-17-12)T

02. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (4-17-12)T

03. Indemnification. Any individual, entity, or organization permitted to use the State Facilities is deemed to agree to indemnify the state of Idaho from and against all claims, demands, actions, or causes of action, together with any and all losses, costs, or related expenses asserted by any group or persons for bodily injury or damage to property arising out of or in any way connected with the use of the State Facilities. (4-17-12)T

04. No Endorsement. Action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in an Event or Exhibit. (4-17-12)T

401. -- 999. (RESERVED)

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

**38.04.07 - RULES GOVERNING USE OF THE INTERIOR OF STATE PROPERTY
IN THE CAPITOL MALL AND OTHER STATE FACILITIES**

DOCKET NO. 38-0407-1201 (NEW CHAPTER)

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 19, 2012.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-5709, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

These rules establish a new chapter governing public use of the interior of state facilities within the capitol mall, multi-agency facilities managed by the Department of Administration, and state facilities included at the request of the public entity owing or occupying the facility. The requirements for use of the facilities will protect persons and property at the facilities.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

House Bill No. 693, passed by the 2012 Idaho Legislature, provides authority for the Director of the Department of Administration to promulgate rules governing use of the facilities governed by these rules. The Bill directed that the rules be promulgated within thirty (30) days of the Bill's effective date.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

PUBLIC COMMENT: Although not required by law, the Department of Administration will accept written public comment for the purpose of developing proposed rules at the address set forth below through 5:00 p.m. on Friday, June 1, 2012.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Teresa Luna, Director, at (208)332-1827.

DATED this 19th day of April, 2012.

Teresa Luna
Director
Department of Administration
650 W. State St.
P. O. Box 83720
Boise, ID 83720-0013
Phone: (208) 332-1827
Fax: (208) 334-2307

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 38-0407-1201

IDAPA 38
TITLE 04
CHAPTER 07

38.04.07 - RULES GOVERNING USE OF THE INTERIOR OF STATE PROPERTY
IN THE CAPITOL MALL AND OTHER STATE FACILITIES

000. LEGAL AUTHORITY.

Section 67-5709, Idaho Code, gives the Director of the Department of Administration authority to promulgate rules governing the Capitol Mall Properties and other state facilities. (4-19-12)T

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 38.04.07, "Rules Governing Use of the Interior of State Property in the Capitol Mall and Other State Facilities." (4-19-12)T

02. Scope. These rules contain the provisions for use of the interior of the Capitol Mall Properties, the Other State Properties, and the Multi-agency Facilities. The interiors of such facilities occupied by a tenant under lease may be subject to additional requirements imposed by the tenant. Rules governing the exterior of the Capitol Mall Properties, the Other State Properties, and the Multi-agency Facilities are codified under IDAPA 38.04.06, "Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities." Rules governing the use of the exterior of the Idaho State Capitol are codified under IDAPA 38.04.08, "Rules Governing Use of Idaho State Capitol Exterior." Rules governing parking are codified under IDAPA 38.04.04, "Capitol Mall Parking Rules." (4-19-12)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of the rules of this chapter, or to compliance with the rules of this chapter. Any such documents are available for public inspection and copying at cost at the Department's office. (4-19-12)T

003. ADMINISTRATIVE APPEALS.

These rules do not provide for appeals of the requirements for use of the Interior State Facilities. (4-19-12)T

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (4-19-12)T

005. OFFICE -- OFFICE HOURS -- MAILING AND STREET ADDRESS.

01. Office Hours. The Department is open from 8:00 a.m. to 5:00 p.m. except Saturday, Sunday, and legal holidays. (4-19-12)T

02. Mailing Address. The Department's mailing address is P.O. Box 83720, Boise, Idaho 83720-0013. (4-19-12)T

03. Street Address. The Department's principal place of business is located at 650 West State Street, Boise, Idaho 83702-5972. (4-19-12)T

04. Website Address. The Department's website address is <http://adm.idaho.gov/>. (4-19-12)T

006. PUBLIC RECORDS ACT COMPLIANCE.

All records associated with these rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (4-19-12)T

007. SEVERABILITY.

Pursuant to IDAPA 44.01.01, "Rules of the Office of the Administrative Rules Coordinator," all administrative rules in Idaho are presumed severable unless specifically provided to the contrary. If any rule, or part thereof, or the application of such rule to any person or circumstance is declared invalid, that invalidity does not affect the validity of any remaining portion. (4-19-12)T

008. -- 099. (RESERVED)**100. DEFINITIONS.**

01. Capitol Mall Properties. The interior of buildings and improvements set forth in Section 67-5709(2)(a) and (b), Idaho Code. The Capitol Mall Properties do not include the Idaho State Capitol. (4-19-12)T

02. Common Space. The portion of the Interior State Facility that is not Tenant Space. Common Space includes but is not limited to interior lobbies not within Tennant Space and restrooms not accessed through Tennant Space. Common Space does not include Tenant Space or any area marked "private," "no admission," "staff only" or similarly designated as not open to the public. (4-19-12)T

03. Department. The Department of Administration. (4-19-12)T

04. Director. The Director of the Department of Administration or his designee. (4-19-12)T

05. Interior State Facilities. The interior spaces within the Capitol Mall Properties, the Multi-agency Facilities, and the Other State Properties. (4-19-12)T

06. Multi-Agency Facilities. The interior of buildings and improvements set forth in Section 102 of these rules. (4-19-12)T

07. Other State Properties. The interior of buildings and improvements set forth in Section 101 of these rules. (4-19-12)T

08. Security Personnel. A state of Idaho employee or a staff member of a state of Idaho contractor whose job duties include monitoring compliance with and enforcing these rules. (4-19-12)T

09. State Business Day. Monday through Friday, excluding the holidays set forth in Section 73-108, Idaho Code. (4-19-12)T

10. Tenant Space. The portion of the Interior State Facilities occupied by a state of Idaho officer, official, agency, board or commission or leased to a public agency or a private individual or entity. (4-19-12)T

101. (RESERVED)**102. MULTI-AGENCY FACILITIES.**

These rules shall apply to the following Multi-agency Facilities managed and administered by the Department: (4-19-12)T

01. Lewiston State Office Building. Lewiston State Office Building, 1118 F Street, Lewiston, Idaho 83501. (4-19-12)T

02. Idaho Falls State Office Building. Idaho Falls State Office Building, 150 Shoup Avenue, Idaho Falls, Idaho 83401. (4-19-12)T

103. -- 199. (RESERVED)**200. USE OF INTERIOR STATE FACILITIES.**

01. Authorized Uses by the Public. Public access to the Interior State Facilities is limited to the conduct of business with a tenant. Public access to the Tenant Space is limited to the conduct of business with the tenant. (4-19-12)T

02. Prohibited Uses. The following uses are prohibited at the Interior State Facilities: (4-19-12)T

a. Events. The Interior State Facilities shall not be used by the public for press conferences, performances, ceremonies, presentations, meetings, rallies, receptions or gatherings. (4-19-12)T

b. Exhibits. The Interior State Facilities shall not be used by the public for attended or unattended displays, including but not limited to equipment, machines, vehicles, products, samples, paintings, sculptures, arts and crafts, photographs, signs, banners or other graphic displays. (4-19-12)T

c. Commercial Activity. The Common Space shall not be used for any activity conducted for profit and no persons shall solicit to sell any merchandise or service in the Common Space. (4-19-12)T

d. Camping. Pursuant to Section 67-1613, Idaho Code, camping is prohibited at the Interior State Facilities. Camping includes use of the Interior State Facilities for living accommodation purposes such as sleeping, making preparations for sleeping, cooking, storing personal belongings, and using a tent or other shelter for sleeping. (4-19-12)T

201. -- 299. (RESERVED)

300. RESTRICTIONS AND LIMITATIONS ON USE.

Except as otherwise provided, the restrictions and limitations on use of the Interior State Facilities set forth in Sections 301 through 399 of these rules shall apply to all use of the Interior State Facilities. (4-19-12)T

301. USES INTERFERING WITH ACCESS OR USE OF FACILITY.

01. Interference With Primary Use of Facility or Real Property. No person shall interfere with the primary use of the Interior State Facilities. The primary uses of the Interior State Facilities include but are not limited to public meetings and hearings, court proceedings, and the conduct of public business by agencies or officials of the state of Idaho that normally occupy and use Interior State Facilities and the conduct of business by a tenant of a state facility. (4-19-12)T

02. Interference With Access. No person shall block fire hydrants, fire or emergency vehicle lanes, vehicular drives, pedestrian walkways, doorways, steps or similar access routes through, in or out of the Interior State Facilities. (4-19-12)T

302. HOURS AND LOCATIONS OF USE.

The hours for public access to the Interior State Facilities are 8:00 a.m. to 5:00 p.m. on State Business Days. (4-19-12)T

303. BICYCLES, SKATES, SKATEBOARDS, SCOOTERS, AND OTHER NON-MOTORIZED TRANSPORTATION.

Bicycles, skates, skateboards, scooters, and other non-motorized transportation may not be used in the Interior State Facilities. Where indicated by a posted notice or where requested by Security Personnel, law enforcement or a state employee or agent supervising a state facility, users must store non-motorized transportation in a designated storage area on the exterior of a state facility. Child strollers and wheelchairs and other equipment providing individual mobility to the disabled are not non-motorized transportation for the purposes of this Section. (4-19-12)T

304. ANIMALS.

Animals are not allowed at the Interior State Facilities unless the animal is a service animal necessary to assist persons with disabilities or an animal in the service of law enforcement. Service animals must be leashed and under the control of the person bringing the animal to the Interior State Facilities. The person bringing the animal to the Interior State Facilities shall have in his possession the equipment necessary to remove the animal's urine and fecal matter and shall immediately remove all urine and fecal matter deposited by the animal. (4-19-12)T

305. FOOD AND BEVERAGES.

Consumption of food and beverages at the Interior State Facilities is subject to the following: (4-19-12)T

01. Consumption May Be Prohibited. The consumption of food and beverages may be prohibited by a notice posted at the entrance to all or a portion of the Interior State Facilities. (4-19-12)T

02. Alcohol. Alcohol may not be consumed or distributed in the Common Space. (4-19-12)T

306. SMOKING.

Smoking is not allowed in the Interior State Facilities. (4-19-12)T

307. FIRES, CANDLES, AND FLAMES.

No fires, candles or other sources of open flame are permitted in the Interior State Facilities. (4-19-12)T

308. LIMITS ON USE OF COMMON SPACE.

The following provisions apply to the Common Space. (4-19-12)T

01. Electrical Cords. Electrical cords must be protected by cord covers or gaffers tape to prevent an electrical or trip hazard. (4-19-12)T

02. Railings and Stairways. No items may be placed on railings or stairways and no persons shall sit or stand on railings or stairways. (4-19-12)T

03. Tossing or Dropping Items. No items may be tossed or dropped over railings or from one level of a facility to another level or to the ground. (4-19-12)T

04. Ingress or Egress. No item, including tables, chairs, exhibits, equipment, materials, and displays shall be located so as to block ingress or egress to any portion of the Interior State Facilities, or to restrict the follow of individuals using the facility, or to restrict emergency egress or ingress. (4-19-12)T

05. Attaching, Affixing, Leaning or Propping Materials. Posters, placards, banners, signs, and displays, including any printed materials, shall not be affixed on any interior surface of the Common Space not designed for that purpose. No items may be leaned or propped against any interior surface of the Common Space. (4-19-12)T

06. Materials Causing Damage to Interior Surface. Stages, risers, chairs, tables, sound equipment, props, materials, displays, and similar items shall be constructed and used in a manner that will not damage, scratch, dent, dig or tear any surface in the Common Space or any systems or utilities of the Interior State Facilities, including but not limited to fire suppression systems, drains, ventilation systems, and lighting systems. (4-19-12)T

309. ITEMS SUBJECT TO SEARCH.

To enhance security and public safety, Security Personnel may inspect: (4-19-12)T

01. Packages and Bags. Packages, backpacks, purses, bags, and briefcases reasonably suspected of concealing stolen items or items prohibited by these rules. (4-19-12)T

02. Items. Items brought to the Interior State Facilities, if there is a reasonable suspicion that an item may be capable of destructive or disruptive uses at the Interior State Facilities. (4-19-12)T

310. PROHIBITED ITEMS.

Explosives, missiles, chemicals or other incendiary devices are not permitted in the Interior State Facilities. Security Personnel or law enforcement may direct that any person at the Interior State Facilities immediately remove any club, bat or other item that can be used as a weapon from the Interior State Facilities. (4-19-12)T

311. UTILITY SERVICE.

The public may not use the utility services of the Interior State Facilities. (4-19-12)T

312. LAW ENFORCEMENT AND FACILITY EXIGENCY.

In case of a fire, bomb threat, utility malfunction, structural failure or other unforeseen emergency or threat endangering public safety or health, or endangering public property, law enforcement, Security Personnel and state employees or officials may direct all persons out of the Interior State Facilities and delay or postpone any activity until the emergency or threat is abated. (4-19-12)T

313. COMPLIANCE WITH LAW.

All use of the Interior State Facilities shall comply with applicable law, including but not limited to fire and safety codes. (4-19-12)T

314. MAINTENANCE OF INTERIOR STATE FACILITIES.

01. Clean Condition After Use. Users shall leave the Interior State Facilities in reasonably clean condition after use, including depositing all trash in designated receptacles. (4-19-12)T

02. Items Return to Proper Location. Users shall return all items, including but not limited to movable furniture and trash receptacles to their location at the conclusion of use. (4-19-12)T

315. -- 999. (RESERVED)

IDAPA 38 - DEPARTMENT OF ADMINISTRATION
38.04.08 - RULES GOVERNING USE OF IDAHO STATE CAPITOL EXTERIOR
DOCKET NO. 38-0408-1201 (NEW CHAPTER)
NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 17, 2012.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-1604 and 67-5709, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

These rules establish a new chapter governing public use of the exterior of the Idaho State Capitol. The rules expand and incorporate the existing facilities use policies for the exterior of the Idaho State Capitol. The expanded and clarified requirements for use of the exterior protect persons and property at the Idaho State Capitol.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

House Bill No. 693, passed by the 2012 Idaho Legislature, provides authority for the Director of the Department of Administration to promulgate rules governing use of the facilities governed by these rules. The Bill directed that the rules be promulgated within thirty (30) days of the Bill's effective date.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

ACCEPTANCE OF WRITTEN PUBLIC COMMENT: Although not required by law, the Department of Administration will accept written public comment for the purpose of developing proposed rules at the address set forth below through 5:00 p.m. on Friday, June 1, 2012.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Teresa Luna, Director, at (208)332-1827.

DATED this 16th day of April, 2012.

Teresa Luna
Director
Department of Administration
650 W. State St.
P. O. Box 83720
Boise, ID 83720-0013
Phone: (208) 332-1827
Fax: (208) 334-2307

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 38-0408-1201

IDAPA 38
TITLE 04
CHAPTER 08

38.04.08 - RULES GOVERNING USE OF IDAHO STATE CAPITOL EXTERIOR

000. LEGAL AUTHORITY.

Section 67-1604, Idaho Code, gives the Director of the Department of Administration authority to promulgate rules governing access to and use by the public of the capitol building and its grounds. Section 67-5709, Idaho Code, gives the Director authority to promulgate rules governing certain public facilities. (4-17-12)T

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 38.04.08, "Rules Governing Use of Idaho State Capitol Exterior." (4-17-12)T

02. Scope. These rules contain the provisions for use of the exterior of the Idaho State Capitol. Rules governing the exterior of the other state facilities are codified under IDAPA 38.04.06, "Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities." Rules governing the interior of the Capitol Mall properties, other state properties, and the multi-agency facilities are codified under IDAPA 38.04.07, "Rules Governing Use of Interior State Property in the Capitol Mall and Other State Facilities." Rules governing parking are codified under IDAPA 38.04.04, "Capitol Mall Parking Rules." (4-17-12)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of the rules of this chapter, or to compliance with the rules of this chapter. Any such documents are available for public inspection and copying at cost at the Department's office. (4-17-12)T

003. ADMINISTRATIVE APPEALS.

These rules provide for appeals of the denial of a Permit under Section 403 of these rules. (4-17-12)T

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (4-17-12)T

005. OFFICE – OFFICE HOURS – MAILING AND STREET ADDRESS.

01. Office Hours. The Department is open from 8:00 a.m. to 5:00 p.m. except Saturday, Sunday, and legal holidays. (4-17-12)T

02. Mailing Address. The Department's mailing address is P.O. Box 83720, Boise, Idaho 83720-0013. (4-17-12)T

03. Street Address. The Department's principal place of business is located at 650 West State Street, Boise, Idaho 83702-5972. (4-17-12)T

04. Website Address. The Department's website address is <http://adm.idaho.gov/>. (4-17-12)T

006. PUBLIC RECORDS ACT COMPLIANCE.

All records associated with these rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (4-17-12)T

007. SEVERABILITY.

Pursuant to IDAPA 44.01.01, "Rules of the Administrative Rules Coordinator," all administrative rules in Idaho are presumed severable unless specifically provided to the contrary. If any rule, or part thereof, or the application of such rule to any person or circumstance is declared invalid, that invalidity does not affect the validity of any remaining portion. (4-17-12)T

008. -- 099. (RESERVED)

100. DEFINITIONS.

01. Commemorative Installation. Any statue, monument, sculpture, memorial or landscape feature designed to recognize a person, group, event or element of history. (4-17-12)T

02. Department. The Department of Administration. (4-17-12)T

03. Director. The Director of the Department of Administration or his designee. (4-17-12)T

04. Event. Any press conference, performance, ceremony, presentation, meeting, rally, reception or gathering of people held on the State Capitol Exterior. As used in this definition, a rally is a gathering of two (2) or more people for the purpose of actively promoting a cause or position. An Event is not the transit of individuals, without stopping to promote a cause or position, through the State Capitol Exterior. (4-17-12)T

05. Exhibit. Any temporary Commemorative Installation and any attended or unattended display, including but not limited to equipment, machines, vehicles, products, samples, paintings, sculptures, arts and crafts, photographs, signs, banners or other graphic displays. (4-17-12)T

06. Jefferson Steps. The building entrance at the second floor of the State Capitol, the steps extending from the entrance, and the hard surface extending between the steps and the public sidewalk along Jefferson Street. (4-17-12)T

07. Permit. A written authorization issued by the Director allowing use of the State Capitol Exterior as set forth in the Permit. (4-17-12)T

08. Private Event. Any activity sponsored or initiated by a member of the public that is open only to invited or qualifying individuals or groups. Private Events include, but are not limited to, weddings, dinners, award ceremonies, memorials, and seminars. (4-17-12)T

09. Public Use. Use that is not an Event, Exhibit or use by a public officer, official, employee, contractor, agency, board or commission for state of Idaho business. (4-17-12)T

10. Security Personnel. A state of Idaho employee or a staff member of a state of Idaho contractor whose job duties include monitoring compliance with and enforcing these rules. (4-17-12)T

11. State Business Day. Monday through Friday, excluding the holidays set forth in Section 73-108, Idaho Code. (4-17-12)T

12. State Capitol Exterior. The exterior of the Idaho State Capitol, the real property, the grounds, and the improvements on the exterior of the Idaho State Capitol or its grounds, all of which is located at capitol square as identified on the Boise City original townsite plat filed in the Ada County Recorder's office in book 1 on page 1. The State Capitol Exterior is bounded by the following streets: State Street, Sixth Street, Jefferson Street, and Eighth Street. (4-17-12)T

13. State Events and Exhibits. All functions initiated and controlled by any state of Idaho agency, board, commission, officer or elected official acting on behalf of the state of Idaho. (4-17-12)T

101. -- 199. (RESERVED)

200. USE OF STATE CAPITOL EXTERIOR.

01. Authorized Uses by the Public. Except as provided otherwise in these rules, the State Capitol Exterior is available for use by the public for the following: (4-17-12)T

a. Events. Events not within Subsection 200.01.c. of this rule shall be held only in the locations and during the hours set forth in these rules. Events shall not exclude any member of the public from attending the Event. (4-17-12)T

b. Exhibits. Exhibits not within Subsection 200.01.c. of this rule shall be held only in the locations and during the hours set forth in these rules. Exhibits shall not exclude any member of the public from attending the Exhibit. (4-17-12)T

c. State Events and Exhibits. State Events and Exhibits may occur in any portion of the State Capitol Exterior. The Director may waive all or a portion of these rules for a State Event or Exhibit. (4-17-12)T

02. Prohibited Uses. The following uses are prohibited in the State Capitol Exterior: (4-17-12)T

a. Commercial Activity. The State Capitol Exterior shall not be used for any activity conducted for profit and no persons shall solicit to sell any merchandise or service on the State Capitol Exterior. (4-17-12)T

b. Camping. Pursuant to Section 67-1613, Idaho Code, camping is prohibited on the State Capitol Exterior. Camping includes use of the State Capitol Exterior for living accommodation purposes such as sleeping, making preparations for sleeping, cooking, storing personal belongings, and using a tent or other shelter for sleeping. (4-17-12)T

c. Private Events. Private events are not allowed on the State Capitol Exterior. (4-17-12)T

03. Priority of Uses. State Events and Exhibits shall have priority over public Events and Exhibits. Events and Exhibits held under a Permit shall have priority over other public Events and Exhibits and Public Use. (4-17-12)T

201. EVENT AND EXHIBIT DURATION.

01. Duration. The duration of an Event or Exhibit on the State Capitol Exterior, including time for set-up and clean-up, shall not exceed the following: (4-17-12)T

a. Four (4) consecutive hours on the Jefferson Street Steps; (4-17-12)T

b. Eleven (11) consecutive hours on the State Capitol Exterior; (4-17-12)T

c. Seven (7) consecutive days on the State Capitol Exterior; and (4-17-12)T

d. Beyond the hours for Event or Exhibit use of the State Capitol Exterior set forth in Section 302 of these rules. (4-17-12)T

02. Removal of Exhibits. Exhibits must be removed at the earlier of the conclusion of the Event or the daily conclusion of the hours for Event and Exhibit use of the State Capitol Exterior. (4-17-12)T

202. EQUIPMENT AND SUPPLIES.

Except as provided in these rules, the Department will not provide equipment or supplies for use on the State Capitol Exterior. Where requested in a Permit application for use of the Jefferson Street Steps, the Department may provide a podium and a public address system. (4-17-12)T

203. ESTABLISHMENT OF PERIMETERS.

Security personnel and law enforcement may establish perimeters separating participants in Exhibits and Events. Participants in and observers of any Event or Exhibit shall observe perimeters set pursuant to this Section. (4-17-12)T

204. -- 299. (RESERVED)

300. RESTRICTIONS AND LIMITATIONS ON USE.

The restrictions and limitations on use of the State Capitol Exterior set forth in Sections 301 through 399 of these rules shall apply to all Events, Exhibits, and Public Use of the State Capitol Exterior. (4-17-12)T

301. USES INTERFERING WITH ACCESS OR USE OF FACILITY.

01. Interference With Primary Use of State Capitol Exterior. Events, Exhibits, and Public Use of the State Capitol Exterior shall not interfere with the primary use of the Idaho State Capitol or the adjacent real property and improvements. The primary use of the Idaho State Capitol includes, but is not limited to, the conduct of public business by agencies or officials of the state of Idaho that normally occupy and use the Idaho State Capitol or the State Capitol Exterior. (4-17-12)T

02. Interference With Access. Events, Exhibits, and Public Use of the State Capitol Exterior shall not block fire hydrants, fire or emergency vehicle lanes, vehicular drives, pedestrian walkways, doorways, steps or similar access routes through, in or out of the State Capitol Exterior. (4-17-12)T

302. HOURS AND LOCATIONS OF USE.

01. Hours. The hours for Events and Exhibits on the State Capitol Exterior are as follows: (4-17-12)T

a. General Hours. The general hours for Events and Exhibits are 7:00 a.m. to 6:00 p.m. (4-17-12)T

b. Legislative Sessions. When either house of the legislature or a legislative committee is in session prior to or following general hours for an Event or Exhibit, the State Capitol Exterior will be open for an Event or Exhibit thirty (30) minutes before commencement of the session and closed thirty (30) minutes after adjournment of the legislative body conducting business. (4-17-12)T

c. Public Events in the State Capitol. When any Event is publicly scheduled in the interior of the Idaho State Capitol outside the general hours for an Event or Exhibit, the State Capitol Exterior will be open for an Event or Exhibit thirty (30) minutes before commencement of the Event and closed thirty (30) minutes after the published time for the conclusion of the Event. (4-17-12)T

02. Locations. In addition to limitations on the interference with access set forth in Section 301 of these rules and compliance with all fire and safety codes, all Events and Exhibits on the State Capitol Exterior shall be on the Jefferson Street Steps or on hard surfaces, including concrete and granite, on the State Capitol Exterior, and shall be at least fifteen (15) feet from the exterior walls and windows of the Idaho State Capitol. Events or Exhibits may use the Jefferson Street Stairs for podiums, equipment, standing, and seating, subject to compliance with fire and safety codes. No persons shall place items on, sit or stand on stairways other than the Jefferson Street Steps. (4-17-12)T

303. MOTORIZED VEHICLES.

Motorized vehicles not owned or operated by the state of Idaho or law enforcement must remain on designated roadways and parking areas. Parking of motorized vehicles shall be governed by IDAPA 38.04.04, "Capitol Mall Parking Rules." Wheelchairs, motorized scooters, and other equipment providing individual mobility to the disabled are not motorized vehicles for the purposes of this Section. (4-17-12)T

304. BICYCLES, SKATES, SKATEBOARDS, SCOOTERS, AND OTHER NON-MOTORIZED TRANSPORTATION.

Bicycles, skates, skateboards, and scooters may not be used on the State Capitol Exterior. Users of all other non-motorized transportation must remain on designated pathways during use. Where indicated by a posted notice or where requested by Security Personnel, law enforcement or a state employee or agent supervising the State Capitol Exterior, users must store non-motorized transportation in a designated storage area on the State Capitol Exterior. Wheelchairs and other equipment providing individual mobility to the disabled are not non-motorized transportation for the purposes of this Section. (4-17-12)T

305. ANIMALS.

The following shall apply to animals on the State Capitol Exterior: (4-17-12)T

01. Wildlife. Unless authorized by the Director no person shall: (4-17-12)T

a. Interfere with, hunt, molest, harm, frighten, kill, trap, chase, tease, annoy, shoot or throw any object at a wild animal on the State Capitol Exterior. (4-17-12)T

b. No person shall feed, give or offer food or any noxious substance to a wild animal on the State Capitol Exterior. (4-17-12)T

02. Domestic Animals. (4-17-12)T

a. Domestic animals are not allowed on the State Capitol Exterior unless leashed and under the control of the person bringing the animal to the State Capitol Exterior. (4-17-12)T

b. The person bringing the animal to the State Capitol Exterior shall have in his possession the equipment necessary to remove the animal's fecal matter and shall immediately remove all fecal matter deposited by the animal. (4-17-12)T

306. LANDSCAPING.

No person other than state employees or contractors designated by the Director shall: (4-17-12)T

01. Plants. Damage, cut, carve, transplant or remove any plant, including but not limited to trees, on the State Capitol Exterior. (4-17-12)T

02. Grass. Dig in or otherwise damage grass areas on the State Capitol Exterior. (4-17-12)T

03. Irrigation Equipment. Interfere with, damage or remove irrigation equipment on the State Capitol Exterior. (4-17-12)T

04. Landscaping Materials. Move or alter landscaping materials on the State Capitol Exterior, including but not limited to rock, edging materials, and bark or mulch. (4-17-12)T

05. Climbing. Climb or scale buildings, Commemorative Installations, trees, fences, posts or other improvements on the State Capitol Exterior. (4-17-12)T

307. FOOD AND BEVERAGES.

Consumption of food and beverages on the State Capitol Exterior is subject to the following: (4-17-12)T

01. Consumption May Be Prohibited. The consumption of food and beverages may be prohibited by a notice posted at the entrance to all or a portion of the State Capitol Exterior. (4-17-12)T

02. Alcohol. Alcohol may not be consumed or distributed on the State Capitol Exterior. (4-17-12)T

308. SMOKING.

All persons shall observe the smoke free entrance notices and shall smoke only in designated areas of the State Capitol Exterior. (4-17-12)T

309. FIRES, CANDLES, AND FLAMES.

No fires, candles or other sources of open flame are permitted on the State Capitol Exterior. (4-17-12)T

310. POSTERS, PLACARDS, BANNERS, SIGNS, EQUIPMENT, TABLES, MATERIALS, AND DISPLAYS.

01. Electrical Cords. Electrical cords must be protected by cord covers or gaffers tape to prevent an

electrical or trip hazard. (4-17-12)T

02. Railings. No items may be placed on railings and no persons shall sit or stand on railings. (4-17-12)T

03. Tossing or Dropping Items. No items may be tossed or dropped over railings or from one level of the Idaho State Capitol or improvements on the grounds of the State Capitol Exterior to another level or to the ground. (4-17-12)T

04. Ingress or Egress. No item, including tables, chairs, exhibits, equipment, materials, and displays shall be located so as to block ingress or egress to any portion of the State Capitol Exterior, or to restrict the follow of individuals using the facility, or to restrict emergency egress or ingress. (4-17-12)T

05. Attaching, Affixing, Leaning or Propping Materials. Posters, placards, banners, signs, and displays, including any printed materials, shall not be affixed on any exterior surface of the State Capitol Exterior or on any permanent Commemorative Installation, post, railing, fence or landscaping, including trees. All posters, placards, banners, signs, and displays must be free-standing or supported by individuals. No items may be leaned or propped against any exterior surface of the State Capitol Exterior or embedded into the ground, including but not limited to placement of a stake, post or rod into the ground to support materials. (4-17-12)T

06. Materials Causing Damage to Surfaces. Stages, risers, chairs, tables, sound equipment, props, materials, displays, and similar items shall be constructed and used in a manner that will not damage, scratch, dent, dig or tear any surface on the State Capitol Exterior or any systems or utilities of the State Capitol Exterior, including but not limited to fire suppression systems, storm drains, ventilation systems, and landscape watering systems. (4-17-12)T

07. Free Distribution of Literature and Printed Material. All literature and printed material must be distributed at no charge. The party distributing literature and printed material shall ensure periodically and at the conclusion of its use of the State Capitol Exterior that such material is not discarded outside of designated trash receptacles. (4-17-12)T

311. ITEMS SUBJECT TO SEARCH.
To enhance security and public safety, Security Personnel may inspect: (4-17-12)T

01. Packages and Bags. Packages, backpacks, purses, bags, and briefcases reasonably suspected of concealing stolen items or items prohibited by these rules. (4-17-12)T

02. Items. Items brought onto the State Capitol Exterior, if there is a reasonable suspicion that an item may be capable of destructive or disruptive uses on the State Capitol Exterior. (4-17-12)T

312. PROHIBITED ITEMS.
Explosives, missiles, chemicals or other incendiary devices are not permitted on the State Capitol Exterior. Security personnel or law enforcement may direct that any person on the State Capitol Exterior immediately remove any club, bat or other item that can be used as a weapon from the State Capitol Exterior. (4-17-12)T

313. SOUND LEVEL AND AMPLIFICATION.
Sound amplification may not be used on the State Capitol Exterior unless authorized by a Permit. Sound levels, whether amplified or not, must not cause a disruption to the primary use of the State Capitol Exterior. Security Personnel, law enforcement or a state employee or agent supervising the State Capitol Exterior may discontinue an Event, Exhibit or Public Use if they request that the sound level be reduced and those in attendance do not reduce the sound level. (4-17-12)T

314. UTILITY SERVICE.
Events, Exhibits, and the public may not use the utility services of the State Capitol Exterior; provided, however, the Director may authorize limited use of electrical service for the duration of an Event or Exhibit authorized by these rules. Utility services include but are not limited to electrical, sewage, water, heating, and geothermal services. The Director may terminate the use of utilities if such use interferes with the utility services of the State Capitol Exterior

or the equipment or apparatus using utility service fails to comply with applicable rules or codes. (4-17-12)T

315. LAW ENFORCEMENT AND FACILITY EXIGENCY.

In case of a fire, bomb threat, utility malfunction, structural failure or other unforeseen emergency or threat endangering public safety or health, or endangering public property, law enforcement, security personnel and state employees or officials may direct all persons off of the State Capitol Exterior and delay or postpone any Event, Exhibit, Public Use or other activity until the emergency or threat is abated. (4-17-12)T

316. COMPLIANCE WITH LAW.

All use of the State Capitol Exterior shall comply with applicable law, including but not limited to fire and safety codes. (4-17-12)T

317. HEALTH, SAFETY AND MAINTENANCE OF STATE FACILITIES.

01. Clean Condition After Use. Users shall leave the State Capitol Exterior in reasonably clean condition after use, including depositing all trash in designated receptacles. (4-17-12)T

02. Items Return to Proper Location. Users shall return all items, including but not limited to movable furniture and trash receptacles, to their location at the conclusion of the Event or Exhibit. (4-17-12)T

03. Public Health. No person shall excrete human waste at the State Capitol Exterior except in designated restroom facilities. For purposes of this section, excrete means the discharge of human waste from the body, including the acts of defecation and urination. For purposes of this section, human waste means human feces or human urine. (4-17-12)T

04. Personal Safety and Firearms. No person, except for authorized law enforcement personnel, shall discharge firearms, pneumatic weapons, air rifles, spring guns, bows and arrows, slings or any other form of weapon or otherwise purposefully or negligently endanger, damage or injure the property or the life of any person or animal at the State Capitol Exterior. (4-17-12)T

05. Fireworks. No person shall possess or use fireworks on the State Capitol Exterior. (4-17-12)T

318. -- 399. (RESERVED)

400. PERMITS.

01. Permit Areas. The Director will consider and grant Permits only for Event or Exhibit use of the Jefferson Street Steps. (4-17-12)T

02. Application Period. Permit applications must be received and complete at least five (5) State Business Days prior to the requested date and time period of the Permit. The Department will not accept applications submitted more than six (6) months prior to the requested date of the Permit. (4-17-12)T

03. Validity. Permits are valid only for the dates, times, and locations specified on the Permit as approved by the Director. (4-17-12)T

04. Distribution. Permits shall be granted by the Director on a first-come, first-served basis, subject to Section 200.03 of these rules. Only one (1) Permit will be granted for the Jefferson Street Steps during any period of time. (4-17-12)T

05. Application Requirements. Applications for a Permit shall be in writing on a form prescribed by the Director and available at the office of the Division of Public Works and the Department's website. The Director will only process applications that are complete and signed by the individual making a request or an authorized representative of the entity or organization making the request. The Director may make reasonable inquiry to confirm the accuracy of the application and the authority of the party signing the application. (4-17-12)T

06. Fees and Costs. There is no fee for a Permit. Individuals, entities, and organizations may be

charged for direct costs as set forth in the Permit, including but not limited to the following: trash collection, janitorial services, and security services. (4-17-12)T

07. Conditions. The Director may impose reasonable conditions on the use of the State Capitol Exterior in the Permit for the purpose of protecting persons and property. Conditions may include the acquisition of liability insurance and a bond as security for costs arising from the use. (4-17-12)T

08. Transferability. Permits are non-transferable. (4-17-12)T

401. APPROVALS AND DENIALS OF A PERMIT APPLICATION.

01. Period for Approval or Denial. The Department will approve or deny a complete application within two (2) State Business Days of the submission of the application. The failure of the Department to issue a Permit within (2) State Business Days of the submission of a complete application shall be deemed a denial of the application. (4-17-12)T

02. Basis for Denial. Permits may be denied for one (1) or more of the following: (4-17-12)T

a. A Permit has been granted for all or part of the requested location during all or part of the requested time period. (4-17-12)T

b. A public entity or official will be using all or part of the requested location during all or part of the requested time period. (4-17-12)T

c. The requested use would violate any provision of these rules or applicable law. (4-17-12)T

d. These rules do not authorize the use for the location or times requested or do not authorize the issuance of a Permit for the location requested. (4-17-12)T

e. The Permit application is incomplete, contains a material falsehood, or contains a material misrepresentation. (4-17-12)T

f. The Permit applicant has not certified that the applicant will comply with these rules or applicable law. (4-17-12)T

g. The party signing the application is not legally competent to bind themselves or the organization or entity submitting the application. (4-17-12)T

h. The individual, organization or entity submitting the application: (4-17-12)T

i. Failed to pay costs or damages arising from an earlier use of any state facility; (4-17-12)T

ii. Made a material misrepresentation regarding the nature or scope of the use on a prior Permit application; (4-17-12)T

iii. Violated the terms of prior Permits issued to the individual, organization or entity; or (4-17-12)T

iv. Violated any applicable law in the course of a previous Event or Exhibit. (4-17-12)T

i. The requested use would cause a clear and present danger to the orderly processes of state of Idaho government or to the use of the State Capitol Exterior due to advocacy of: (4-17-12)T

i. The violent overthrow of the government of the United States, the state of Idaho, or any political subdivision thereof; (4-17-12)T

ii. The willful damage or destruction, or seizure and subversion of public property; (4-17-12)T

- iii. The forcible disruption or impairment of or interference with the regularly schedule functions of the state of Idaho; (4-17-12)T
- iv. The physical harm, coercion, intimidation or other invasions of the lawful rights of public officials or the public; or (4-17-12)T
- v. Other disorders of a violent nature. (4-17-12)T

402. REVOCATION OF A PERMIT.

A Permit may be revoked by the Director for the violation of any term or condition of the Permit or the violation of law, including but not limited to the violation of any provision of these rules. (4-17-12)T

403. APPEALS.

01. Time for Appeal. The individual or the organization or entity submitting an application may request that the Department initiate a contested case within the period set forth below. The Department will not initiate a contested case after the following periods. (4-17-12)T

- a. Seven (7) State Business Days following the written denial of an application for a Permit. (4-17-12)T
- b. Seven (7) State Business Days following the revocation of a Permit. (4-17-12)T
- c. Seven (7) State Business Days following the date the Department was required to approve or deny the application for a Permit pursuant to Section 402.01 of these rules. (4-17-12)T

02. Requesting an Appeal. The individual or the organization or entity submitting an application shall request an appeal in writing, with a physical copy delivered to the Director at the address set forth in Section 005 of these rules. Electronic delivery shall not be deemed a physical copy. The written request shall contain the following: (4-17-12)T

- a. The name, address, and contact information of the appellant; (4-17-12)T
- b. A concise statement of the reason the appeal should be granted; (4-17-12)T
- c. Whether the appellant requests informal disposition to expedite the contested case; and (4-17-12)T
- d. A description of the Permit sought. (4-17-12)T

03. Informal Disposition. If an appellant requests informal disposition, the Director will accept written evidence submitted within five (5) State Business Days of the appeal request, or as otherwise agreed by the Director and the appellant. The Director will issue a final written order affirming, reversing or modifying the denial or revocation of the Permit. (4-17-12)T

04. Contested Cases. If an appellant does not request informal disposition, the Director will schedule a hearing and proceed as set forth in Title 67, Chapter 52, Idaho Code. Contested cases will be governed by the provisions of IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (4-17-12)T

05. Judicial Review. Judicial review of orders issued in an appeal is provided as set forth in Title 67, Chapter 52, Idaho Code. (4-17-12)T

404. -- 499. (RESERVED)

500. LIABILITY AND INDEMNIFICATION.

01. User Retains Liability. Individuals, entities, and organizations using the State Capitol Exterior are responsible and liable for all suits, damages, claims or liabilities arising from use of the State Capitol Exterior. The

state of Idaho shall have no liability for injury to private property, including posters, placards, banners, signs, equipment, tables, materials, and displays on the State Capitol Exterior for use in an Event or Exhibit. (4-17-12)T

02. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (4-17-12)T

03. Indemnification. Any individual, entity or organization permitted to use the State Capitol Exterior is deemed to agree to indemnify the state of Idaho from and against all claims, demands, actions or causes of action, together with any and all losses, costs or related expenses asserted by any group or persons for bodily injury or damage to property arising out of or in any way connected with the use of the State Capitol Exterior. (4-17-12)T

04. No Endorsement. The grant of a Permit and any action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in an Event or Exhibit. (4-17-12)T

501. -- 999. (RESERVED)

IDAPA 46 - BOARD OF VETERINARY MEDICINE

46.01.01 - RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

DOCKET NO. 46-0101-1101

NOTICE OF RULEMAKING - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the Legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 46-0101-1101 and that the agency is publishing this notice of final rulemaking pursuant to that legislative action. This agency action is authorized pursuant to Sections 54-2105 and 67-5291, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for publishing the final rule and a statement of any change between the text of the pending rule and text of the final rule with an explanation for any changes:

Pursuant to [House Concurrent Resolution 37](#), Section 100, Subsection 02, Paragraph c., of the pending rule promulgated under Docket No. 46-0101-1101 is not consistent with legislative intent and has been rejected and declared null, void and of no force and effect.

In accordance with the concurrent resolution, the affected Paragraph 100.02.c. remains as currently codified without amendment and Subsection 100.02 is being republished here in its final codified version following this notice. The remainder of the docket has been codified into the Idaho Administrative Code in accordance with the provisions of House Concurrent Resolution 37.

The original text of the proposed rule was published in the [October 5, 2011 Idaho Administrative Bulletin, Vol. 11-10, pages 225 through 231](#). The pending rule was published in the [December 7, 2011 Idaho Administrative Bulletin, Vol. 11-12, page 107](#).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this final rule, contact Karen Ewing, Executive Director, (208) 332-8588.

DATED this 9th day of April, 2012.

Karen Ewing, Executive Director
Board of Veterinary Medicine
2270 Old Penitentiary Rd.
P. O. Box 7249
Boise, ID 83707
Phone: (208) 332-8588
Fax: (208) 334-2170

THE FOLLOWING IS THE FINAL TEXT OF DOCKET NO. 46-0101-1101 SECTIONS AFFECTED BY HCR 37, ONLY

100. CERTIFICATION OF VETERINARY TECHNICIANS.

Any person representing himself as a veterinary technician, licensed veterinary technician, registered veterinary technician, or certified veterinary technician, shall hold a valid, unexpired certificate to practice veterinary technology in the state of Idaho. (3-30-07)

[Subsection 100.02]

02. Application for Certification -- Fee -- Deadline -- Validity. (3-30-01)

a. A completed application, other required documents, and first year's certification fee in the amount established by the Board shall be received at the Board office by the first day of January or June. (3-30-01)

b. The Board will review applications and issue certifications in January and June of each year. Veterinary Technician Certifications shall be consecutively numbered beginning with the number one (1) and all numbers shall be prefixed with the letters CVT. If an applicant is found not qualified, the Board shall notify the applicant in writing of such finding and grounds therefor. An applicant denied certification may request a hearing pursuant to the procedures set forth in Title 67, Chapter 52, Idaho Code. Any applicant who is denied certification shall be allowed the return of the certification fee portion of the application fee. (3-30-01)

c. Any applicant taking and passing the Idaho Veterinary Technician Jurisprudence Examination and not wanting to be certified at the next review by the Board shall be allowed the return of the certification fee portion of the application fee only. (3-30-01)

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.08 - IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS

DOCKET NO. 58-0108-1101

NOTICE OF RULEMAKING - PROPOSED RULEMAKING

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking. The action is authorized by Chapter 1, Title 39, Idaho Code, and Chapter 21, Title 37, Idaho Code.

PUBLIC HEARING SCHEDULE: No hearings have been scheduled. Pursuant to Section 67-5222(2), Idaho Code, a public hearing will be held if requested in writing by twenty-five (25) persons, a political subdivision, or an agency. Written requests for a hearing must be received by the undersigned on or before May 16, 2012. If no such written request is received, a public hearing will not be held.

DESCRIPTIVE SUMMARY: This rulemaking has been initiated to make revisions to the Idaho Rules for Public Drinking Water Systems, 58.01.08, to define terminology and to establish consistent requirements for new water treatment technologies such as membrane filtration and ultraviolet (UV) disinfection. The current rules do not adequately identify requirements for the design and operation of these systems.

The proposed rule includes the following revisions:

1. Update of federal regulations incorporated by reference to include those revised as of July 1, 2011 (Subsection 002.01);
2. Update of list of specific referenced material (Subsection 002.02);
3. Addition or revision of common definitions (Section 003);
4. Deletion of definitions of terms that are not used in the Idaho Rules for Public Drinking Water Systems. Many of these definitions define terms used in the federal regulations incorporated by reference. Section 003 incorporates by reference relevant federal regulation definitions. In order to avoid confusion, these definitions have been deleted from the state rules;
5. Clarification of general design requirements, including pilot studies (Section 501);
6. Reorganization of preliminary engineering report requirements (Section 503);
7. Addition of new sections for membrane filtration (Section 525) and UV disinfection (Section 529), relatively new technologies that are used for drinking water treatment;
8. Update of operating criteria (Section 552); and
9. Clarification of language to improve usability.

This proposed rule also includes other revisions identified during the negotiated rulemaking process as necessary for improving clarity, for maintaining primacy status, and for consistency with other laws and rules.

Drinking water system owners and operators, developers, consultants, engineers, cities, counties, industry, drinking water professional organizations, and the public at large may be interested in commenting on this proposed rule. The proposed rule text is in legislative format. Language the agency proposes to add is underlined. Language the agency proposes to delete is struck out. It is these additions and deletions to which public comment should be addressed.

After consideration of public comments, DEQ intends to present the final proposal to the Board of Environmental Quality at the October 2012 Board meeting for adoption of a pending rule. The rule is expected to be final and effective upon adjournment of the 2013 legislative session if adopted by the Board and approved by the Legislature.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the incorporation by reference is necessary:

This proposed rule incorporates federal regulations by reference. Incorporation by reference is necessary to ensure that the state rules are consistent with federal regulations. An electronic copy of the federal regulations incorporated by reference can be obtained at <http://www.gpoaccess.gov/ecfr/index.html>.

NEGOTIATED RULEMAKING: The text of the proposed rule has been drafted based on discussions held during negotiations conducted pursuant to Section 67-5220, Idaho Code, and IDAPA 58.01.23.810-815. On October 5, 2011, the Notice of Negotiated Rulemaking was published in the [Idaho Administrative Bulletin, Vol. 11-10, pages 746 and 747](#), and a preliminary draft rule was made available for public review. Meetings were held on October 26, 2011 and December 1, 2011. Members of the public participated in the negotiated rulemaking process by attending the meetings and by submitting written comments. The negotiated rulemaking record, which includes the negotiated rule drafts, written public comments received, documents distributed during the negotiated rulemaking process, and the negotiated rulemaking summary, is available at www.deq.idaho.gov/58-0108-1101.

IDAHO CODE 39-107D STATEMENT: This proposed rule does not regulate an activity not regulated by the federal government, nor is it broader in scope or more stringent than federal regulations.

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective: Not applicable.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this rulemaking, contact Mike Piechowski at (208) 373-0274, mike.piechowski@deq.idaho.gov.

Anyone may submit written comments by mail, fax or e-mail at the address below regarding this proposed rule. DEQ will consider all written comments received by the undersigned on or before May 30, 2012.

DATED this 4th day of April, 2012.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706-1255
(208)373-0418/Fax No. (208)373-0481
paula.wilson@deq.idaho.gov

THE FOLLOWING IS THE TEXT OF THE PROPOSED RULE FOR DOCKET NO. 58-0108-1101

002. INCORPORATION BY REFERENCE AND AVAILABILITY OF REFERENCED MATERIALS.

01. Incorporation by Reference. The following documents are incorporated by reference into these rules. (4-11-06)

a. 40 CFR Part~~s~~ 141, revised as of July 1, 2011, and 40 CFR Part 143, revised as of July 1, 2011. Any reference in these rules to requirements, procedures, or specific forms contained in any section or subsection of 40 CFR Parts 141 and 143 shall constitute the full adoption by reference of that section or subsection, including any notes and appendices therein, unless expressly provided otherwise in these rules (4-11-06)()

b. American Water Works Association (AWWA) Standards, effective December 2009, available for a fee from the AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235, Telephone (800) 926-7337, <http://apps.awwa.org/ebusmain/OnlineStore.aspx>. (4-7-11)

02. Availability of Specific Referenced Material. Copies of specific documents referenced within these rules are available at the following locations: (4-11-06)

a. All federal regulations: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, Telephone (202)783-3238; U.S. Government Bookstore, Room 194, Federal Bldg., 915 Second Ave., Seattle, WA 98174, (206) 553-4270; or **Online at <http://www.gpoaccess.gov/ecfr/index.html>**. (4-7-11)

b. All documents incorporated by reference are available for review at the Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255, (208) 373-0502. (4-7-11)

c. Recommended Standards for Water Works: a report of the Water Supply Committee of the Great Lakes -- Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, published by Health Education Services, P.O. Box 7126, Albany, New York 12224, Telephone (518) 439-7286. (4-7-11)

d. Manual of Individual and Non-Public Water Supply Systems (EPA 570/9-91-004), published by the U.S. Environmental Protection Agency, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C.20402, Telephone (202) 782-3238. (5-3-03)

e. U.S. Department of Commerce, National Bureau of Standards Handbook, No. 69, "Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure" as amended in 1963, NCRP Publications, P.O. Box 20175, Washington, D.C. 20014. (12-10-92)

f. Rules of the Idaho Water Resources Board are available **at <http://www.adminrules.idaho.gov/rules/37/37index.htm>**, or the Idaho Department of Water Resources, Idaho Water Center, 322 E. Front St., P.O. Box 83720, Boise, Idaho 83720-0098, Telephone (208) 287-4800. (3-30-07)

g. ANSI/NSF Standard 44-2002e -- 2004, Residential Cation Exchange Water Softeners, available from the National Sanitation Foundation, 789 N. Dixboro Road, Ann Arbor, Michigan 48105, Telephone (734) 769-8010. (4-6-05)

h. ANSI/NSF Standard 53-2002e -- 2003, Drinking Water Treatment Units -- Health Effects, available from the National Sanitation Foundation, 789 N. Dixboro Road, Ann Arbor, Michigan 48105, Telephone (734) 769-8010. (4-6-05)

i. ANSI/NSF Standard 55-2002 -- 2002, Ultraviolet Microbiological Water Treatment Systems, available from the National Sanitation Foundation, 789 N. Dixboro Road, Ann Arbor, Michigan 48105, Telephone (734) 769-8010. (4-6-05)

j. ANSI/NSF Standard 58-2003 -- 2004, Reverse Osmosis Drinking Water Treatment Systems, available from the National Sanitation Foundation, 789 N. Dixboro Road, Ann Arbor, Michigan 48105, Telephone (734) 769-8010. (4-6-05)

k. ANSI/NSF Standard 60-2000a -- 2000, Drinking Water Treatment Chemicals -- Health Effects, available from the National Sanitation Foundation, 789 N. Dixboro Road, Ann Arbor, Michigan 48105, Telephone (734) 769-8010. (4-6-05)

l. ANSI/NSF Standard 61-2000a -- 2000, Drinking Water System Components -- Health Effects, available from the National Sanitation Foundation, 789 N. Dixboro Road, Ann Arbor, Michigan 48105, Telephone (734) 769-8010. (4-6-05)

m. American Water Works Association (AWWA) Standards, available from the AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235, (800) 926-7337, www.awwa.org. (3-30-07)

n. Cross Connection Control Manual, available from Pacific Northwest Section of the American Water Works Association, P.O. Box 19581, Portland, OR, 97280-0581, Telephone (503) 246-5845. (3-30-07)

- o.** Manual of Cross-Connection Control, Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, KAP-200 University Park MC-2531, Los Angeles, CA 90089-2531, (866)545-6340, www.usc.edu/dept/fccchr/. (3-30-07)
- p.** Manual on Slow Sand Filtration (1991), published by AWWA Research Foundation 6666 West Quincy Avenue, Denver, CO 80235, (800)926-7337, www.awwa.org. (3-30-07)
- q.** Slow Sand Filtration (1991), published by the American Society of Civil Engineers American Society of Civil Engineers, 1801 Alexander Bell Drive, Reston, VA 20191, (800)548-2723, www.asce.org. (3-30-07)
- r.** Slow Sand Filtration and Diatomaceous Earth Filtration for Small Water Systems, DOH Pub #331-204 (4/03), Washington State Department of Health, Division of Environmental Health, Office of Drinking Water, PO Box 47828, Olympia WA 98504-7828, (360)236-3100 or (800)521-0323, http://www.doh.wa.gov/ehp/dw/Programs/water_sys_design.htm. (3-30-07)
- s.** Water System Design Manual, DOH Pub #331-123 (Rev. 8/01), Washington State Department of Health, Division of Environmental Health, Office of Drinking Water, PO Box 47828, Olympia WA 98504-7828, (360)236-3100 or (800)521-0323, http://www.doh.wa.gov/ehp/dw/Programs/water_sys_design.htm. (3-30-07)
- t.** Submersible Motors: Application, Installation, Maintenance (Franklin Electric AIM manual), Franklin Electric, Bluffton, Indiana 46714, (800)348-2420, <http://www.franklin-electric.com/aim-manual.aspx>. (3-30-07)
- u.** Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems Using Surface Water Sources (March 1991 Edition), U.S. Environmental Protection Agency, <http://water.epa.gov/lawsregs/rulesregs/sdwa/swtr/upload/guidsws.pdf>. (3-30-07)
- v.** Standard Methods for the Examination of Water and Wastewater, a joint publication of the American Public Health Association, the Water Environment Federation, and the American Water Works Association, 6666 West Quincy Avenue, Denver, CO 80235, 800-926-7337, www.standardmethods.org (3-30-07)
- w.** F480-02 Standard Specification for Thermoplastic Well Casing Pipe and Couplings Made in Standard Dimension ratios (SDR), SCH 40 and SCH 80, American Society for Testing and Materials (ASTM Standard F480-02). (3-30-07)
- x.** "Idaho Standards for Public Works Construction," ~~2005 Edition, and subsequent revisions~~, Local Highway Technical Assistance Council, 3330 Grace Street, Boise, ID 83605, (208)344-0565. ~~(4-11-06)~~()
- y.** Memorandum of Understanding between the Idaho Department of Environmental Quality and the Idaho Division of Building Safety Plumbing Bureau, Idaho Department of Environmental Quality, 1410 North Hilton, Boise, Idaho 83706, www.deq.idaho.gov. (3-30-07)
- z.** Idaho General Safety and Health Standards (IGSHS), available from the Idaho Division of Building Safety, 1090 E. Watertower St., Meridian, Idaho 83642, (208)334-3950, <http://dbs.idaho.gov/>. (3-30-07)
- aa.** Implementation Guidance for the Long Term 2 Enhanced Surface Water Treatment Rule, Idaho Department of Environmental Quality, 1410 North Hilton, Boise, Idaho 83706, www.deq.idaho.gov. (4-2-08)
- bb.** Implementation Guidance for the Stage 2 Disinfectants and Disinfection Byproducts Rule, Idaho Department of Environmental Quality, 1410 North Hilton, Boise, Idaho 83706, www.deq.idaho.gov. (4-2-08)
- cc.** Implementation Guidance for the Ground Water Rule, Idaho Department of Environmental Quality, 1410 North Hilton, Boise, Idaho 83706, www.deq.idaho.gov. (5-8-09)
- dd.** AWWA Recommended Practice for Backflow Prevention and Cross-Connection Control (M14), available from the AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235, Telephone (800) 926-7337.

(4-7-11)

ee. Membrane Filtration Guidance Manual (EPA 815-R-06-009) published by the U.S. Environmental Protection Agency, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, Telephone (202) 782-3238, [http://www.epa.gov/ogwdw/disinfection/lt2/pdfs/guide lt2 membranefiltration final.pdf](http://www.epa.gov/ogwdw/disinfection/lt2/pdfs/guide%20membranefiltration%20final.pdf). ()

ff. Ultraviolet Disinfection Guidance Manual for the Final Long Term 2 Enhanced Surface water Treatment Rule (EPA 815-R-06-007) published by the U.S. Environmental Protection Agency, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C.20402, Telephone (202) 782-3238, [www.epa.gov/safewater/disinfection/lt2/pdfs/guide lt2 uvguidance.pdf](http://www.epa.gov/safewater/disinfection/lt2/pdfs/guide%20uvguidance.pdf). ()

gg. Improving Clearwell Design for CT Compliance, Report #90756, available from the Water Research Foundation, [http://waterrf.org/ProjectsReports/PublicReportLibrary/RFR90756 2000 271.pdf](http://waterrf.org/ProjectsReports/PublicReportLibrary/RFR90756%202000%20271.pdf). ()

hh. SWTR Compliance Guidance, dated January 10, 1996, Idaho Department of Environmental Quality, www.deq.idaho.gov. ()

ii. Uniform Plumbing Code, available at Division of Building Safety, 1090 E. Watertower St., Meridian, Idaho 83642; and at the Division of Building Safety, 1250 Ironwood Dr., Ste. 220, Coeur d'Alene, Idaho 83814, <http://dbs.idaho.gov>. ()

03. Precedence. In the event of conflict or inconsistency between the language in these rules and that found in any document incorporated by reference, these rules shall prevail. (4-11-06)

003. DEFINITIONS.

The definitions set forth in 40 CFR 141.2, ~~revised as of July 1, 2006~~, are herein incorporated by reference except for the definition of the terms "action level," "disinfection," "noncommunity water system," and "person." (4-2-08)()

01. Action Level. The concentration of lead or copper in water that determines, in some cases, whether a water system must install corrosion control treatment, monitor source water, replace lead service lines, or undertake a public education program. (12-10-92)

02. Administrator. The Administrator of the United States Environmental Protection Agency.(4-5-00)

03. Annual Samples. Samples that are required once per calendar year. (12-10-92)

04. Annular Opening. As used in well construction, this term refers to the nominal inside diameter of the borehole minus the outside diameter of the casing divided by two (2). (3-30-07)

05. Aquifer. A geological formation of permeable saturated material, such as rock, sand, gravel, etc., capable of yielding an economic quantity of water to wells and springs. (5-3-03)

~~06. Available. Based on system size, complexity, and source water quality, a properly licensed operator must be on site or able to be contacted as needed to initiate the appropriate action in a timely manner. (4-6-05)~~

~~07. Average Day Demand.~~ The volume of water used by a system on an average day based on a one (1) year period. See also the definition of Water Demand in these rules. (5-8-09)

~~08. Backflow.~~ The reverse from normal flow direction in a plumbing system or water system caused by back pressure or back siphonage. (12-10-92)

~~09. Bag Filters.~~ Pressure-driven separation devices that remove particulate matter larger than one (1) micrometer using an engineered porous filtration media. They are typically constructed of a non-rigid, fabric filtration media housed in a pressure vessel in which the direction of flow is from the inside of the bag to the outside. (4-2-08)

109. Bank Filtration. A water treatment process that uses a well to recover surface water that has naturally infiltrated into ground water through a river bed or bank(s). Infiltration is typically enhanced by the hydraulic gradient imposed by a nearby pumping water supply or other well(s). (4-2-08)

110. Board. The Idaho Board of Environmental Quality. (5-3-03)

121. Capacity. The capabilities required of a public drinking water system in order to achieve and maintain compliance with these rules and the requirements of the federal Safe Drinking Water Act. It is divided into three (3) main elements: (4-5-00)

a. Technical capacity means the system has the physical infrastructure to consistently meet drinking water quality standards and treatment requirements and is able to meet the requirements of routine and emergency operations. It further means the ability of system personnel to adequately operate and maintain the system and to otherwise implement technical knowledge. Training of operator(s) is required, as appropriate, for the system size and complexity. (4-6-05)

b. Financial capacity means the financial resources of the water system, including an appropriate budget; rate structure; cash reserves sufficient for current operation and maintenance, future needs and emergency situations; and adequate fiscal controls. (5-8-09)

c. Managerial capacity means that the management structure of the water system embodies the aspects of water system operations, including, but not limited to; (5-8-09)

i. Short and long range planning; (4-5-00)

ii. Personnel management; (4-5-00)

iii. Fiduciary responsibility; (4-5-00)

iv. Emergency response; (4-5-00)

v. Customer responsiveness; (4-5-00)

vi. Source water protection; (4-5-00)

vii. Administrative functions such as billing and consumer awareness; and (4-5-00)

viii. Ability to meet the intent of the federal Safe Drinking Water Act. (4-5-00)

132. Cartridge Filters. Pressure-driven separation devices that remove particulate matter larger than one (1) micrometer using an engineered porous filtration media. They are typically constructed as rigid or semi-rigid, self-supporting filter elements housed in pressure vessels in which flow is from the outside of the cartridge to the inside. (4-2-08)

143. Combined Distribution System. The interconnected distribution system consisting of the distribution systems of wholesale systems and of the consecutive systems that receive finished water. (4-2-08)

154. Community Water System. A public water system which serves at least fifteen (15) service connections used by year-round residents or regularly serves at least twenty-five (25) year-round residents. See also the definition of a Public Drinking Water System in these rules. (5-8-09)

165. Components of Finished Water Storage. Storage is available to serve the system if the storage structure or facility is elevated sufficiently or is equipped with sufficient booster pumping capability to pressurize the system. Components of finished water storage are further defined as: (5-8-09)

a. Dead Storage. Storage that is either not available for use in the system or can provide only

substandard flows and pressures. (3-30-07)

b. Effective Storage. Effective storage is all storage other than dead storage and is made up of the additive components described in Paragraphs c. through f. of this Subsection. (5-8-09)

c. Operational Storage. Operational storage supplies water when, under normal conditions, the sources are off. This component is the larger of; (3-30-07)

i. The volume required to prevent excess pump cycling and ensure that the following volume components are full and ready for use when needed; or (3-30-07)

ii. The volume needed to compensate for the sensitivity of the water level sensors. (3-30-07)

d. Equalization Storage. Storage of finished water in sufficient quantity to compensate for the difference between a water system's maximum pumping capacity and peak hour demand. (3-30-07)

e. Fire Suppression Storage. The water needed to support fire flow in those systems that provide it. (3-30-07)

f. Standby Storage. Standby storage provides a measure of reliability or safety factor should sources fail or when unusual conditions impose higher than anticipated demands. Normally used for emergency operation, if standby power is not provided, to provide water for eight (8) hours of operation at average day demand. (5-8-09)

176. Composite Correction Program (CCP). A systematic approach to identifying opportunities for improving the performance of water treatment and implementing changes that will capitalize on these opportunities. The CCP consists of two (2) elements: (4-5-00)

a. Comprehensive Performance Evaluation (CPE). A thorough review and analysis of a treatment plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. The CPE must consist of at least the following components: assessment of plant performance; evaluation of major unit processes; identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of a CPE report. (4-5-00)

b. Comprehensive Technical Assistance (CTA). The implementation phase that is carried out if the CPE results indicate improved performance potential. During the CTA phase, the system must identify and systematically address plant-specific factors. The CTA consists of follow-up to the CPE results, implementation of process control priority setting techniques, and maintaining long term involvement to systematically train staff and administrators. (4-5-00)

187. Compositing of Samples. The mixing of up to five (5) samples by the laboratory. (4-5-00)

198. Confining Layer. A nearly impermeable subsurface stratum which is located adjacent to one (1) or more aquifers and does not yield a significant quantity of water to a well. (5-3-03)

2019. Confirmation Sample. A sample of water taken from the same point in the system as the original sample and at a time as soon as possible after the original sample was taken. (12-10-92)

240. Connection. Each structure, facility, or premises which is connected to a water system, and which is or could be used for domestic purposes, is considered a single connection. A single family residence is considered to be a premises. Multi-family dwellings and apartment, condominium, and office complexes are considered single connections unless individual units are billed separately for water by the water system, in which case each such unit shall be considered a single connection. (4-7-11)

221. Consecutive System. A public water system that receives some or all of its finished water from one (1) or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one

- (1) or more consecutive systems. (4-2-08)
- ~~232.~~ **Consumer.** Any person served by a public water system. (12-10-92)
- ~~243.~~ **Consumer Confidence Report (CCR).** An annual report that community water systems must deliver to their customers. The reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner. (4-5-00)
- ~~254.~~ **Contaminant.** Any physical, chemical, biological, or radiological substance or matter in water. (12-10-92)
- ~~265.~~ **Cross Connection.** Any actual or potential connection or piping arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable water system used water, water from any source other than an approved public water system, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. Cross connections include bypass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices which, or because of which "backflow" can or may occur. (10-1-93)
- ~~276.~~ **Dead End Main.** A distribution main of any diameter and length that does not loop back into the distribution system. (3-30-07)
- ~~287.~~ **Dead Storage.** Storage that is either not available for use in the system or can provide only substandard flows and pressures. See also the definition of Components of Finished Water Storage in these rules. (5-8-09)
- ~~298.~~ **Department.** The Idaho Department of Environmental Quality. (12-10-92)
- ~~3029.~~ **Director.** The Director of the Department of Environmental Quality or his designee. (12-10-92)
- ~~30.~~ **Direct Integrity Test (DIT).** A physical test applied to a microfiltration or ultrafiltration membrane unit in order to identify integrity breaches. ()
- ~~31.~~ **Disinfection.** Introduction of chlorine~~or~~, other agents, or processes that are approved by the Department; (such as ultraviolet light) in sufficient concentration~~or~~, dosage, or application, and for the time required to kill or inactivate pathogenic and indicator organisms. (~~3-30-07~~)()
- ~~32.~~ **Disinfection Profile.** A summary of daily Giardia lamblia inactivation through the drinking water treatment plant. The procedure for developing a disinfection profile is contained in 40 CFR 141.172 and 40 CFR 141.530-141.536. (5-3-03)
- ~~33.~~ **Distribution System.** Any combination of pipes, tanks, pumps, and other equipment which delivers water from the source(s), treatment facility(ies), or a combination of source(s) and treatment facility(ies) to the consumer. Chlorination may be considered as a function of a distribution system. (5-8-09)
- ~~34.~~ **Drinking Water.** Means "water for human consumption." (3-30-07)
- ~~35.~~ **Drinking Water System.** All mains, pipes, and structures through which water is obtained and distributed, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use. (12-10-92)
- ~~36.~~ **Dual Sample Set.** A set of two (2) samples collected at the same time and same location, with one (1) sample analyzed for TTHM and the other sample analyzed for HAA5. Dual sample sets are collected for the purposes of conducting an Initial Distribution System Evaluation (40 CFR Part 141, Subpart U) and for determining compliance with the TTHM and HAA5 MCLs under the Stage 2 Disinfection Byproducts Requirements (40 CFR Part 141, Subpart V). (4-2-08)

~~37. DWIMS. Idaho Department of Environmental Quality Drinking Water Information Management System. Replaced by SDWISS April 2001. (3-15-02)~~

37. Effective Contact Time. For the purpose of these rules, effective contact time means the time in minutes that it takes for water to move from the point of completely mixed chemical application to the point where residual concentration is measured. It is the “T” in contact time (CT) calculations and is either “demonstrated” or “calculated.” It is the contact time sufficient to achieve the inactivation of target pathogens under the expected range of raw water pH and temperature variation and must be demonstrated through tracer studies or other evaluations or calculations acceptable to the Department. “Improving Clearwell Design for CT Compliance,” referenced in Subsection 002.02, contains information that may be used as guidance for these calculations. ()

38. Effective Storage. Effective storage is all storage other than dead storage and is made up of the additive components described in Paragraphs c. through f. of the definition of Components of Finished Water Storage in these rules. (5-8-09)()

39. Enhanced Coagulation. The addition of sufficient coagulant for improved removal of disinfection byproduct precursors by conventional filtration treatment. Conventional filtration treatment is defined in 40 CFR 141.2. (5-3-03)

40. Enhanced Softening. The improved removal of disinfection byproduct precursors by precipitative softening. (4-5-00)

41. Equalization Storage. Storage of finished water in sufficient quantity to compensate for the difference between a water system’s maximum pumping capacity and peak hour demand. See also the definition of Components of Finished Water Storage in these rules. (5-8-09)

42. Equivalent Dwelling Unit (EDU). A unit of measure that standardizes all land use types (housing, retail, office, etc.) to the level of demand created by a single-family detached housing unit within a water system. The demand for one (1) equivalent dwelling unit is equivalent to the amount of water provided to the average single-family detached housing unit within a water system. For example, a business designed to use three (3) times as much water as an average single-family detached housing unit would have a demand of three (3) equivalent dwelling units. (5-8-09)

43. Exemption. A temporary deferment of compliance with a maximum contaminant level or treatment technique requirement which may be granted only if the system demonstrates to the satisfaction of the Department that the system cannot comply due to compelling factors and the deferment does not cause an unreasonable risk to public health. (12-10-92)

44. Facility Plan. The facility plan for a public drinking water system describes the overall system, including sources of water, treatment processes and facilities, pumping stations and distribution piping, finished water storage, and waste disposal. It is a comprehensive planning document for infrastructure and includes a plan for the future of the system/facility, including upgrades and additions. It is usually updated on a regular basis due to anticipated or unanticipated growth patterns, regulatory requirements, or other infrastructure needs. A facility plan is sometimes referred to as a master plan or facilities planning study. In general, a facility plan is an overall system-wide plan as opposed to a project specific plan. (3-30-07)

45. Facility Standards and Design Standards. Facility standards and design standards are described in Sections 500 through 552 of these rules. Facility and design standards found in Sections 500 through 552 of these rules must be followed in the planning, design, construction, and review of public drinking water facilities. (3-30-07)

46. Fee Assessment. A charge assessed on public drinking water systems based on a rate structure calculated by system size. (10-1-93)

47. Filter Profile. A graphical representation of individual filter performance, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash inclusively, that includes an assessment of filter performance while another filter is being backwashed. (4-5-00)

48. Filtrate. As the term relates to microfiltration and ultrafiltration, the product water or the portion of the feed stream that has passed through the membrane. ()

489. **Finished Water.** Water that is introduced into the distribution system of a public water system and is intended for distribution and consumption without further treatment, except as necessary to maintain water quality in the distribution system (e.g., booster disinfection, addition of corrosion control chemicals). (4-2-08)

4950. **Finished Water Storage Structures or Facilities.** Finished water storage structures or facilities are defined as: (5-8-09)

a. Above-ground storage structure or facility. A finished water storage structure or facility with a bottom elevation above normal ground surface. (5-8-09)

b. Ground-level storage structure or facility. A finished water storage structure or facility with a bottom elevation at normal ground surface. (5-8-09)

c. Partially buried storage structure or facility. A finished water storage structure or facility with a bottom elevation below normal ground surface and any portion of the structure or facility above normal ground surface. (5-8-09)

d. Below-ground storage structure or facility. A finished water storage structure or facility with a bottom elevation and top elevation below normal ground surface. (5-8-09)

501. **Fire Flow Capacity.** The water system capacity, in addition to maximum day demand, that is available for fire fighting purposes within the water system or distribution system pressure zone. Adequacy of the water system fire flow capacity is determined by the local fire authority or through a hydraulic analysis performed by a licensed professional engineer to establish required fire flows in accordance with the International Fire Code as adopted by the State Fire Marshal. (3-30-07)()

512. **Fire Suppression Storage.** The water needed to support fire flow in those systems that provide it. See also the definition of Components of Finished Water Storage in these rules. (5-8-09)

523. **Fixture Protection.** The practice of installing backflow prevention assemblies or devices to isolate one (1) or more cross connections within a customer's facility. (5-8-09)

534. **Flowing Stream.** As used in the Long Term 2 Enhanced Surface Water Treatment Rule (40 CFR Part 141, Subpart W), this term means a course of running water flowing in a definite channel. (4-2-08)

~~**54.** **GAC10.** Granular activated carbon filter beds with an empty bed contact time of ten (10) minutes based on average day demand and a carbon reactivation frequency of every one hundred eighty (180) days, except that the reactivation frequency for GAC10 used as a best available technology for compliance with MCLs established in the Stage 2 Disinfection Byproducts Requirements (40 CFR Part 141, Subpart V) shall be one hundred twenty (120) days. (5-8-09)~~

~~**55.** **GAC20.** Granular activated carbon filter beds with an empty bed contact time of twenty (20) minutes based on average daily flow and a carbon reactivation frequency of every two hundred forty (240) days. (4-2-08)~~

55. **Flux.** The throughput of a pressure-driven membrane filtration process expressed as flow per unit of membrane area, usually in gallons per square foot per day or liters per hour per square meter. ()

56. **Ground Water System.** A public water system which is supplied exclusively by a ground water source or sources. (12-10-92)

57. **Ground Water Under the Direct Influence of Surface Water (GWUDI).** Any water beneath the surface of the ground with significant occurrence of insects or other macroorganisms, algae, or large diameter

pathogens such as *Giardia lamblia* or *Cryptosporidium*, or significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH which closely correlate to climatological or surface water conditions. Direct influence ~~must~~ shall be determined by the Department for individual sources ~~in accordance with criteria established by the State~~. The ~~State~~ determination of direct influence may be based on site-specific measurements of water quality, documentation of well construction characteristics and geology with field evaluation, ~~or~~ a combination of water quality and documentation, or other information required by the Department.

~~(5-8-09)~~()

58. Haloacetic Acids (Five) (HAA5). The sum of the concentrations in milligrams per liter of the haloacetic acid compounds (monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromoacetic acid, and dibromoacetic acid) rounded to two (2) significant figures after addition. (4-5-00)

59. Health Hazards. Any condition which creates, or may create, a danger to the consumer's health. Health hazards may consist of, but are not limited to, design, construction, operational, structural, collection, storage, distribution, monitoring, treatment or water quality elements of a public water system. See also the definition of Significant Deficiency, which refers to a health hazard identified during a sanitary survey. (5-3-03)

60. Indirect Integrity Monitoring. Monitoring some aspect of filtrate water quality that is indicative of the removal of particulate matter. ()

~~601.~~ **Inorganic.** Generally refers to compounds that do not contain carbon and hydrogen. (12-10-92)

~~612.~~ **Internal or In-Plant Isolation.** The practice of installing backflow prevention assemblies to protect an area within a water customer's structure, facility, or premises from contaminating another part of the structure, facility, or premises. (4-7-11)

623. Laboratory Certification Reciprocity. Acceptance of a laboratory certification made by another state. Laboratory reciprocity may be granted to laboratories outside of Idaho after application, proof of home state certification, and EPA performance evaluation results are submitted and reviewed. Reciprocity must be renewed after a time specified by the Idaho Laboratory Certification Officer to remain valid. (4-5-00)

634. Lake/Reservoir. As used in the Long Term 2 Enhanced Surface Water Treatment Rule (40 CFR Part 141, Subpart W), this term means a natural or man-made basin or hollow on the Earth's surface in which water collects or is stored that may or may not have a current or single direction of flow. (4-2-08)

645. License. A physical document issued by the Idaho Bureau of Occupational Licenses certifying that an individual has met the appropriate qualifications and has been granted the authority to practice in Idaho under the provisions of Chapter 24, Title 54, Idaho Code. (4-6-05)

~~656.~~ **Locational Running Annual Average (LRAA).** The average of sample analytical results for samples taken at a particular monitoring location during the previous four (4) calendar quarters, as set forth in the Stage 2 Disinfection Byproducts Requirements (40 CFR Part 141, Subpart V). (4-2-08)

~~667.~~ **Log.** Logarithm to the base ten (10). In the context of these rules, it is used in the determination of removal or inactivation efficiencies. It is expressed as the logarithm to the base ten (10) or "log" of the concentration of the feed or raw water minus the log of the concentration in the filtrate or product water. For example, if the incoming feed or raw water concentration is one hundred (100), and the outgoing filtrate or product water concentration is ten (10), a 10-fold reduction was attained; or 1-log removal. 1-log removal also equates to ninety percent (90%) removal, as ninety (90) of the original feed concentration counts had been removed, leaving ten (10) in the filtrate. Similarly, 2-log equates to ninety-nine percent (99%) removal. ~~(12-10-92)~~()

68. Log Removal Value (LRV). LRV is a measure of filtration removal efficiency for a target organism, particulate, or surrogate expressed as Logarithm to the base ten (10). ()

~~679.~~ **Material Deviation.** A change from the design plans that significantly alters the type or location of facilities, requires engineering judgment to design, or impacts the public safety or welfare. (4-11-06)

~~68~~**70. Material Modification.** Those modifications of an existing public water system that are intended to increase system capacity or alter the methods or processes employed. Any project that adds source water to a system, increases the pumping capacity of a system, increases the potential population served by the system or the number of service connections within the system, adds new or alters existing drinking water system components, or affects the water demand of the system is considered to be increasing system capacity or altering the methods or processes employed. Maintenance and repair performed on the system and the replacement of valves, pumps, or other similar items with new items of the same size and type are not considered a material modification. (5-8-09)

~~69~~**71. Maximum Contaminant Level (MCL).** The maximum permissible level of a contaminant in water which is delivered to any user of a public water system. (3-30-07)

~~70~~**2. Maximum Day Demand.** The average rate of consumption for the twenty-four (24) hour period in which total consumption is the largest for the design year. See also the definition of Water Demand in these rules. (5-8-09)

~~71~~**3. Maximum Pumping Capacity.** The pumping capacity with the largest source or pump out of service. (5-8-09)

~~72~~**4. Maximum Residual Disinfectant Level (MRDL).** A level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects. For chlorine and chloramines, a public water system is in compliance with the MRDL, when the running annual average of monthly averages of samples taken in the distribution system, computed quarterly, is less than or equal to the MRDL. For chlorine dioxide, a public water system is in compliance with the MRDL when daily samples are taken at the entrance to the distribution system and no two (2) consecutive daily samples exceed the MRDL. MRDLs are enforceable in the same manner as maximum contaminant levels under Section 1412 of the Safe Drinking Water Act. There is convincing evidence that addition of a disinfectant is necessary for control of waterborne microbial contaminants. Notwithstanding the MRDLs listed in 40 CFR 141.65, operators may increase residual disinfectant levels of chlorine or chloramines (but not chlorine dioxide) in the distribution system to a level and for a time necessary to protect public health to address specific microbiological contamination problems caused by circumstances such as distribution line breaks, storm runoff events, source water contamination, or cross-connections. (4-5-00)()

~~73~~**5. Maximum Residual Disinfectant Level Goal (MRDLG).** The maximum level of a disinfectant added for water treatment at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety. MRDLGs are nonenforceable health goals and do not reflect the benefit of the addition of the chemical for control of waterborne microbial contaminants. (4-5-00)

~~74~~**6. Membrane Filtration.** A pressure or vacuum driven separation process in which particulate matter larger than one (1) micrometer (μm) is rejected by an engineered barrier, primarily through a size-exclusion mechanism, ~~and which has a measurable removal efficiency of a target organism that can be verified through the application of a direct integrity test.~~ This definition includes the common membrane technologies of microfiltration, ultrafiltration, nanofiltration, and reverse osmosis. (4-2-08)()

~~77. Membrane Unit.~~ A group of treatment systems or membrane modules that usually share common control and valving so that the group can be isolated for testing or cleaning. ()

~~75~~**8. Method Detection Limit (MDL).** The lowest concentration which can be determined to be greater than zero with ninety-nine percent (99%) confidence, for a particular analytical method. (12-10-92)

~~79. Microfiltration (MF).~~ A low pressure membrane filtration process with pore diameter normally in the range of 0.1 to 0.5 μm . ()

~~80. Module.~~ As the term relates to membrane filtration, it is the smallest component of a membrane unit in which a specific membrane surface area is housed. The component is typically equipped with a feedwater inlet, a filtrate outlet, and concentrate or backwash outlet structure. ()

~~81. Nanofiltration (NF).~~ A membrane filtration process that removes dissolved constituents from

water. Nanofiltration is similar to reverse osmosis but allows a higher percentage of certain ions to pass through the membrane. These systems typically operate under higher pressure than microfiltration and ultrafiltration. ()

7682. New System. Any water system that meets, for the first time, the definition of a public water system provided in Section 1401 of the federal Safe Drinking Water Act (42 U.S.C. Section 300f). This includes systems that are entirely new construction and previously unregulated systems that are expanding. (4-5-00)

7783. Noncommunity Water System. A public water system that is not a community water system. A non-community water system is either a transient noncommunity water system or a non-transient noncommunity water system. See also the definition of a Public Drinking Water System in these rules. (5-8-09)

84. Non-Potable Fluids. Any fluids that do not meet the definition of potable water. This definition also includes any gases that are heavier than air such as propane. ()

785. Non-Potable Mains. ~~The p~~Pipelines that collect, and deliver, or otherwise convey non-potable ~~discharges from or to multiple service connections~~ fluids. (4-11-06)()

7986. Non-Potable Services or Lines. ~~The p~~Pipelines that collect, deliver, or otherwise convey non-potable ~~discharges from~~ fluids to or from a non-potable main. These pipelines connect individual facilities to ~~a connection with~~ the non-potable main. This term also refers to pipelines that convey non-potable ~~water~~ fluids from a pressurized irrigation system, reclaimed wastewater system, and other non-potable systems to individual consumers. (4-11-06)()

807. Nontransient Noncommunity Water System. A public water system that is not a community water system and that regularly serves at least twenty-five (25) of the same persons over six (6) months per year. See also the definition of a Public Drinking Water System in these rules. (5-8-09)

81. Nuclear Facility. ~~Factories, processing plants or other installations in which fissionable material is processed, nuclear reactors are operated, or spent (used) fuel material is processed, or stored.~~ (12-10-92)

828. Operating Shift. That period of time during which water system operator decisions that affect public health are necessary for proper operation of the system. (4-5-00)

839. Operational Storage. Operational storage supplies water when, under normal conditions, the sources are off. This component is the larger of the volume required to prevent excess pump cycling and ensure that the following volume components are full and ready for use when needed or the volume needed to compensate for the sensitivity of the water level sensors. See also the definition of Components of Finished Water Storage in these rules. (5-8-09)

90. Operation and Maintenance Manual. An operation and maintenance manual typically covers three main subjects: a water system specific operations plan (see definition of Operations Plan); maintenance information and checklists; and manufacturer's product information (including trouble shooting information, a parts list and parts order form, special tools, spare parts list, etc.). An operation and maintenance manual may cover every aspect of the water system or any part of the water system, including but not limited to the following: treatment, pump stations, storage reservoirs, distribution system, pressure reducing valve stations, etc. ()

91. Operations Plan. The operations plan is part of an operation and maintenance manual. Depending on which facilities of the water system are being addressed, the operations plan may cover many types of information including but not limited to the following: daily, weekly, monthly, and yearly operating instructions; information specific to a particular type of treatment; location of valves and other key distribution system features; pertinent telephone and address contact information including the responsible charge water system operator and water system owner; operator safety procedures; alarm system; emergency procedures; trouble-shooting advice; water quality testing; depressurization events; customer service; and response to customer complaints. ()

8492. Owner/Purveyor of Water/Supplier of Water. The person, company, corporation, association, or other organizational entity which holds legal title to the public water system, who provides, or intends to provide, drinking water to the customers, and who is ultimately responsible for the public water system operation. (5-8-09)

8593. Peak Hour Demand. The highest hourly flow, excluding fire flow, that a water system or distribution system pressure zone is likely to experience in the design year. See also the definition of Water Demand in these rules. (5-8-09)

8694. Person. A human being, municipality, or other governmental or political subdivision or other public agency, or public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent or other legal representative of the foregoing or other legal entity. (12-10-92)

8795. Pesticides. Substances which meet the criteria for regulation pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, and any regulations adopted pursuant to FIFRA. For example, pesticides include, but are not limited to insecticides, fungicides, rodenticides, herbicides, and algacides. (12-10-92)

96. Plant Design Capacity. The maximum design flow through treatment units. The minimum plant design capacity could be equal to peak hour demand but could also be equal to the maximum day demand if equalization storage is provided. ()

8897. Plant. A physical facility where drinking water or wastewater is treated or processed. (3-30-07)

89. Plant Intake. ~~The works or structures at the head of a conduit through which water is diverted from a source (e.g., river or lake) into the treatment plant.~~ (4-2-08)

908. Point of Use (POU) Treatment Device. A treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap. (3-30-07)

949. Point of Use (POU) Treatment System. A collection of POU treatment devices. (3-30-07)

92100. Potable Mains. Pipelines that deliver potable water to multiple service connections. (3-30-07)

93101. Potable Services. Pipelines that convey potable water from a connection to the potable water main to individual consumers. (3-30-07)

102. Potable Water. Water for human consumption. See the definition of Water for Human Consumption in Section 003. ()

94103. Preliminary Engineering Report. The preliminary engineering report for a public drinking water system facility is a report that addresses specific portions of the system or facility for which modifications are being designed. Modifications may include, but are not limited to, significant changes to existing processes or facilities, system expansion, addition of treatment, or installation of other processes and facilities. This report addresses specific purpose and scope, design requirements, alternative solutions, costs, operation and maintenance requirements, and other requirements as described in Section 503. Preliminary engineering reports are generally project specific as opposed to an overall system-wide plan, such as a facility plan. ~~However, the preliminary engineering report shall describe modifications to the facility plan that may be required as a result of the proposed project.~~ (3-30-07)()

95104. Premises Isolation or Containment. The practice of separating the customer's structure, facility, or premises from the purveyor's system by means of a backflow prevention assembly installed on the service line before any distribution takes place. (4-7-11)

96105. Presedimentation. A preliminary treatment process used to remove gravel, sand, and other particulate material from the source water through settling before the water enters the primary clarification and filtration processes in a treatment plant. (4-2-08)

97106. Public Notice. The notification of public water system consumers of information pertaining to that water system including information regarding water quality or compliance status of the water system. (12-10-92)

98107. Public Drinking Water System. A system for the provision to the public of water for human

consumption through pipes or, after August 5, 1998, other constructed conveyances, if such system has at least fifteen (15) service connections, regardless of the number of water sources or configuration of the distribution system, or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. Such term includes: any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any "special irrigation district." A public water system is either a "community water system" or a "noncommunity water system" as further defined as: (5-8-09)

a. Community water system. A public water system which serves at least fifteen (15) service connections used by year-round residents or regularly serves at least twenty-five (25) year-round residents. (5-8-09)

b. Noncommunity water system. A public water system that is not a community water system. A noncommunity water system is either a transient noncommunity water system or a non-transient noncommunity water system. (5-8-09)

c. Nontransient noncommunity water system. A public water system that is not a community water system and that regularly serves at least twenty-five (25) of the same persons over six (6) months per year. (5-8-09)

d. Transient noncommunity public water system. A noncommunity water system which does not regularly serve at least twenty-five (25) of the same persons over six (6) months per year. (5-8-09)

~~99~~108. **Public Water System/Water System/System.** Means "public drinking water system." (4-5-00)

~~100~~9. **Pump House.** ~~An above-grade~~ structure containing important water system components, such as a well, hydropneumatic tank, booster pump, pump controls, flow meter, well discharge line, or a treatment unit. Pump houses are often called well houses in common usage, even though in modern construction these structures may not contain either a well or a pump. These terms are used interchangeably in national standards and trade publications. (~~3-30-07~~)()

~~101~~10. **Qualified Licensed Professional Engineer (QLPE).** A professional engineer licensed by the state of Idaho; qualified by education or experience in the specific technical fields involved in these rules; and retained or employed by a city, county, quasi-municipal corporation, or regulated public utility for the purposes of plan and specification review. (5-8-09)

~~102~~11. **Quasi-Municipal Corporation.** A public entity, other than community government, created or authorized by the legislature to aid the state in, or to take charge of, some public or state work for the general welfare. For the purpose of these rules, this term refers to drinking water districts. (4-11-06)

~~112.~~ **Raw Water.** Raw water is any ground water, spring water, or surface water utilized as source water prior to treatment for the purpose of producing potable water. ()

~~113.~~ **Redundancy.** The installation of duplicate components or backup systems that are designed to maintain minimum pressure and capacity of the system should any component fail or otherwise be out of service for maintenance or repair. ()

~~103.~~ **Regulated Public Utility.** For the purpose of these rules, any public water system that falls under the jurisdiction of the Idaho Public Utilities Commission and is subject to the rules thereof. (3-30-07)

~~115.~~ **Reverse Osmosis (RO).** A membrane filtration process that removes dissolved constituents from water. Reverse osmosis is similar to nanofiltration but allows a lower percentage of certain ions to pass through the membrane. These systems typically operate under higher pressure than microfiltration and ultrafiltration. ()

~~104~~16. **Repeat Compliance Period.** Any subsequent compliance period after the initial compliance period. (12-10-92)

~~117.~~ **Resolution.** As the term relates to membrane treatment, it is the size of the smallest integrity breach

that contributes to a response from a direct integrity test when testing low pressure membranes. ()

10518. Responsible Charge (RC). Responsible Charge means active, daily on-site or on-call responsibility for the performance of operations or active, on-going, on-site, or on-call direction of employees and assistants. (4-8-09)

10619. Responsible Charge Operator. An operator of a public drinking water system, designated by the system owner, who holds a valid license at a class equal to or greater than the drinking water system classification, who is in responsible charge of the public drinking water system. (4-6-05)

10720. Reviewing Authority. For those projects requiring preconstruction approval by the Department, the Department is the reviewing authority. For those projects allowing for preconstruction approval by others, pursuant to Subsection 504.03.b. of these rules, the qualified Idaho licensed professional engineer (QLPE) is also the reviewing authority. (5-8-09)

10821. Sampling Point. The location in a public water system from which a sample is drawn. (12-10-92)

10922. Sanitary Defects. Any faulty structural condition which may allow the water supply to become contaminated. (12-10-92)

11023. Sanitary Survey. An onsite review of the water source, facilities, equipment, operation and maintenance of a public water system for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water. The sanitary survey will include, but is not limited to the following elements: (4-5-00)

- a. Source; (4-5-00)
- b. Treatment; (4-5-00)
- c. Distribution system; (4-5-00)
- d. Finished water storage; (4-5-00)
- e. Pumps, pump facilities, and controls; (4-5-00)
- f. Monitoring and reporting and data verification; (4-5-00)
- g. System management and operation; and (4-5-00)
- h. Operator compliance with state requirements. (4-5-00)

11124. SDWIS-State. An acronym that stands for "Safe Drinking Water Information System-State Version." It is a software package developed under contract to the U.S. Environmental Protection Agency and used by a majority of U.S. states to collect, maintain, and report data about regulated public water systems. *See also the definition of DWIMS.* (5-3-03)()

125. Sensitivity. As the term relates to membrane treatment, it is the maximum log removal value (LRV) for a specific resolution that can be reliably verified by the direct integrity test associated with a given low pressure membrane filtration system. ()

1126. Sewage. The water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. (3-30-07)

11327. Significant Deficiency. As identified during a sanitary survey, any defect in a system's design, operation, maintenance, or administration, as well as any failure or malfunction of any system component, that the Department or its agent determines to cause, or have potential to cause, risk to health or safety, or that could affect the

reliable delivery of safe drinking water. See also the definition of Health Hazards. (5-3-03)

1428. Simple Water Main Extension. New or replacement water main(s) that require plan and specification review by a qualified licensed professional engineer (QLPE) or by the Department per these rules and that is connected to existing water main facilities and does not require the addition of system components designed to control quantity or pressure, including, but not limited to, booster stations, new sources, pressure reducing valve stations, or reservoirs; and continues to provide the pressure and quantity requirements of Subsection 552.01. (4-7-11)()

1429. Special Irrigation District. An irrigation district in existence prior to May 18, 1994 that provides primarily agricultural service through a piped water system with only incidental residential or similar use where the system or the residential or similar users of the system comply with the exclusion provisions in Section 1401(4)(B)(i)(II) or (III) of the Safe Drinking Water Act. (4-6-05)

1430. Spring. A source of water which flows from a laterally percolating water table's intersection with the surface or from a geological fault that allows the flow of water from an artesian aquifer. (12-10-92)

1431. Standby Storage. Standby storage provides a measure of reliability or safety factor should sources fail or when unusual conditions impose higher than anticipated demands. See also the definition of Components of Finished Water Storage in these rules. (5-8-09)

1432. Substantially Modified. The Department shall consider a public water system to be substantially modified when, as the result of one (1) or more projects, there is a combined increase of twenty-five percent (25%) or more above the system's existing configuration in the population served or number of service connections, the total length of transmission and distribution water mains, and the peak or average water demand. (5-8-09)

1433. Substitute Responsible Charge Operator. An operator of a public drinking water system who holds a valid license at a class equal to or greater than the drinking water system classification, designated by the system owner to replace and to perform the duties of the responsible charge operator when the responsible charge operator is not available or accessible. (4-6-05)

12034. Surface Water System. A public water system which is supplied by one (1) or more surface water sources or ground water sources under the direct influence of surface water. Also called subpart H systems in applicable sections of 40 CFR Part 141. (4-5-00)

~~**121. SUVA (Specific Ultraviolet Absorption).** SUVA means Specific Ultraviolet Absorption at two hundred fifty four (254) nanometers (nm), an indicator of the humic content of water. It is a calculated parameter obtained by dividing a sample's ultraviolet absorption at a wave length of two hundred fifty four (254) nm (UV254) (in m=1) by its concentration of dissolved organic carbon (DOC) (in mg/l). (3-30-07)~~

12235. Total Organic Carbon (TOC). Total organic carbon in mg/l measured using heat, oxygen, ultraviolet irradiation, chemical oxidants, or combinations of these oxidants that convert organic carbon to carbon dioxide, rounded to two (2) significant figures. (4-5-00)

1236. Total Trihalomethanes (TTHM). The sum of the concentration in milligrams per liter of the trihalomethane compounds (trichloromethane [chloroform], dibromochloromethane, bromodichloromethane and tribromomethane [bromoform]), rounded to two (2) significant figures. (4-2-08)

12437. Transient Noncommunity Public Water System. A noncommunity water system which does not regularly serve at least twenty-five (25) of the same persons over six (6) months per year. See also the definition of a Public Drinking Water System in these rules. (5-8-09)

12538. Treatment Facility. Any place(s) where a public drinking water system or nontransient noncommunity water system alters the physical or chemical characteristics of the drinking water. Chlorination may be considered as a function of a distribution system. (4-5-00)

12639. Turbidity. A measure of the interference of light passage through water, or visual depth restriction

due to the presence of suspended matter such as clay, silt, nonliving organic particulates, plankton and other microscopic organisms. Operationally, turbidity measurements are expressions of certain light scattering and absorbing properties of a water sample. Turbidity is measured by the Nephelometric method. (12-10-92)

~~127. Two Stage Lime Softening. A process in which chemical addition and hardness precipitation occur in each of two (2) distinct unit clarification processes in series prior to filtration. (4-2-08)~~

~~128. Uncovered Finished Water Storage Facility. A tank, reservoir, or other facility that is directly open to the atmosphere and used to store water that will undergo no further treatment to reduce microbial pathogens except residual disinfection. (4-2-08)~~

~~140. Ultrafiltration (UF). A low pressure membrane filtration process with pore diameter normally in the range of five thousandths to one tenth micrometer (0.005 to 0.1 μm). ()~~

~~141. Ultraviolet (UV) Light Technology. A physical disinfection process that has proven effective against common pathogens in drinking water. ()~~

~~142. UV Transmittance (UVT). A measure of the fraction of incident light transmitted through a material (e.g., water sample or quartz). The UVT is usually reported for a wavelength of two hundred fifty-four (254) nm and a pathlength of one (1) cm. It is often represented as a percentage. ()~~

~~129~~43. **Unregulated Contaminant.** Any substance that may affect the quality of water but for which a maximum contaminant level or treatment technique has not been established. (12-10-92)

~~130~~44. **Use Assessment.** For the purpose of obtaining a waiver from certain monitoring requirements, a use assessment is an evaluation as to whether synthetic organic contaminants are being or have been used, manufactured, transported, stored, or disposed of in the watershed for surface water or the zone of influence for ground water. (5-8-09)

~~131~~45. **Variance.** A temporary deferment of compliance with a maximum contaminant level or treatment technique requirement which may be granted only when the system demonstrates to the satisfaction of the Department that the raw water characteristics prevent compliance with the MCL or requirement after installation of the best available technology or treatment technique and the deferment does not cause an unreasonable risk to public health. (12-10-92)

~~132~~46. **Very Small Public Drinking Water System.** A Community or Nontransient Noncommunity Public Water System that serves five hundred (500) persons or less and has no treatment other than disinfection or has only treatment which does not require any chemical treatment, process adjustment, backwashing or media regeneration by an operator (e.g. calcium carbonate filters, granular activated carbon filters, cartridge filters, ion exchangers). (4-5-00)

~~133~~47. **Volatile Organic Chemicals (VOCs).** VOCs are lightweight organic compounds that vaporize or evaporate easily. (10-1-93)

~~134~~8. **Vulnerability Assessment.** A determination of the risk of future contamination of a public drinking water supply. (12-10-92)

~~135~~49. **Waiver.** (12-10-92)

a. For the purposes of these rules, except Sections 500 through 552, "waiver" means the Department approval of a temporary reduction in sampling requirements for a particular contaminant. (3-30-07)

b. For purposes of Sections 500 through 552, "waiver" means a dismissal of any requirement of compliance. (3-30-07)

c. For the purposes of Section 010, "waiver" means the deferral of a fee assessment for a public drinking water system. (10-1-93)

13650. Wastewater. Any combination of liquid or water and pollutants from activities and processes occurring in dwellings, commercial buildings, industrial plants, institutions and other establishments, together with any ground water, surface water, and storm water that may be present; liquid or water that is chemically, biologically, physically or rationally identifiable as containing blackwater, gray water or commercial or industrial pollutants; and sewage. See IDAPA 58.01.16, "Wastewater Rules," for additional information. (4-7-11)

13751. Water for Human Consumption. Water that is used by humans for drinking, bathing for purposes of personal hygiene (including hand-washing), showering, cooking, dishwashing, and maintaining oral hygiene. In common usage, the terms "culinary water," "drinking water," and "potable water" are frequently used as synonyms. (5-3-03)

13852. Water Demand. The volume of water requested by system users to satisfy their needs. Water demand can be further categorized as: (5-8-09)

a. Average day demand. The volume of water used by a system on an average day based on a one (1) year period. (5-8-09)

b. Maximum day demand. The average rate of consumption for the twenty-four (24) hour period in which total consumption is the largest for the design year. (5-8-09)

c. Peak hour demand. The highest hourly flow, excluding fire flow, that a water system or distribution system pressure zone is likely to experience in the design year. (5-8-09)

13953. Water Main. A pipe within a public water system which is under the control of the system operator and conveys water to two (2) or more service connections or conveys water to a fire hydrant. The collection of water mains within a given water supply is called the distribution system. (5-8-09)

14054. Watershed. The land area from which water flows into a stream or other body of water which drains the area. (3-30-07)

14155. Wholesale System. A public water system that treats source water as necessary to produce finished water and then delivers some or all of that finished water to another public water system. Delivery may be through a direct connection or through the distribution system of one (1) or more consecutive systems. (4-2-08)

(BREAK IN CONTINUITY OF SECTIONS)

005. GENERAL PROVISIONS FOR WAIVERS, VARIANCES, AND EXEMPTIONS.

40 CFR 141.4, *revised as of July 1, 2004*, is herein incorporated by reference.

(4-6-05)()

01. Waivers. (12-10-92)

a. The Department may waive any requirement of Sections 500 through 552 that is not explicitly imposed by Idaho Statute, if it can be shown to the satisfaction of the Department that the requirement is not necessary for the protection of public health, protection from contamination, and satisfactory operation and maintenance of a public water system. (3-30-07)

b. The Department may at its discretion waive the requirements outlined in Section 010. (10-1-93)

c. Waiver of monitoring requirements is addressed in Subsection 100.07. (5-3-03)

02. Variances. (5-3-03)

a. General Variances. A variance may be granted by the Department if a public water system submits

an application and demonstrates to the satisfaction of the Department that the following minimum requirements as required by 42 USC Section 1415(a) (The Safe Drinking Water Act) are met. These include but are not limited to: (5-3-03)

i. The system has installed the best available technology, treatment techniques, or other means to comply with the maximum contaminant level; and (5-3-03)

ii. Alternative sources of water are not reasonably available to the system. (5-3-03)

iii. For provisions of a national primary drinking water regulation which requires the use of a specific treatment technique with respect to a contaminant, the system must demonstrate that the technique is not necessary to protect the health of the system's customers. (5-3-03)

b. Small System Variances. A small system variance for a maximum contaminant level or treatment technique may be granted by the Department if a public water system submits an application and demonstrates to the satisfaction of the Department that the following minimum requirements as required by 42 USC Section 1415(e) are met. These include, but are not limited to: (5-3-03)

i. The system serves three thousand three hundred (3,300) or fewer persons; (5-3-03)

ii. If the system serves more than three thousand three hundred (3,300) persons but fewer than ten thousand (10,000) persons, the application shall be approved by the U.S. Environmental Protection Agency; (5-3-03)

iii. The U.S. Environmental Protection Agency has identified a variance technology that is applicable to the size and source water quality conditions of the public water system; (5-3-03)

iv. The system installs, operates and maintains such treatment technology, treatment technique, or other means; and (5-3-03)

v. The system cannot afford to comply with a national primary drinking water regulation in accordance with affordability criteria established by the [state Department](#), including compliance through treatment, alternative source of water supply, restructuring or consolidation. (~~5-3-03~~)()

03. Exemptions. An exemption may be granted by the Department if a public water system submits an application and demonstrates to the satisfaction of the Department that the following minimum requirements as required by 42 USC Section 1416(a) are met. These include but are not limited to: (5-3-03)

a. The system is unable to comply with a maximum contaminant level or treatment technique due to compelling factors, which may include economic factors; (5-3-03)

b. The system was in operation by the effective date of such contaminant level or treatment technique and no reasonable source of water is available to the system; or (5-3-03)

c. If the system was not in operation by the effective date of such contaminant level or treatment technique, then no reasonable alternative source of water is available to the system; and (5-3-03)

d. The granting of an exemption will not result in an unreasonable risk to health; (5-3-03)

e. Management or restructuring changes cannot reasonably be made to comply with the contaminant level or treatment technique to improve the quality of the drinking water; (5-3-03)

f. The system cannot meet the standard without capital improvements which cannot be completed prior to the date established pursuant to 42 USC Section 1412b(10); (5-3-03)

g. If the system needs financial assistance, the system has entered into an agreement to obtain such financial assistance; or (5-3-03)

h. The system has entered into an enforceable agreement to become a part of a regional public water system and is taking all practical steps to meet the standard. (5-3-03)

04. Conditions. A waiver, exemption or variance may be granted upon any conditions that the Department, in its discretion, determines are appropriate. Failure by the public water system to comply with any condition voids the waiver, variance or exemption. (12-10-92)

05. Public Hearing. The Department shall provide public notice and an opportunity for public hearing in the area served by the public water system before any exemption or variance under Section 005 is granted by the Department. At the conclusion of the hearing, the Department shall record the findings and issue a decision approving, denying, modifying, or conditioning the application. (5-3-03)

06. Exceptions. Any person aggrieved by the Department's decision on a request for a waiver, variance or exemption may file a petition for a contested case with the Board. Such petitions shall be filed with the Board, as prescribed in, IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

07. Surface Water Variances. Variances from the requirements of Sections 300 through 303 are not allowed. (4-5-00)

08. Surface Water Exemptions. Exemptions from 40 CFR 141.72(a)(3) and 40 CFR 141.72(b)(2); ~~incorporated by reference herein;~~ are not allowed. (~~10-1-93~~) ()

(BREAK IN CONTINUITY OF SECTIONS)

010. FEE SCHEDULE FOR PUBLIC DRINKING WATER SYSTEMS.

All regulated public drinking water systems shall pay an annual drinking water system fee. The fee shall be assessed to regulated public drinking water systems as provided in this section. (10-1-93)

01. Effective Date. Annual fees shall be paid for each fee year beginning October 1, 1993, and continuing for each succeeding year. (10-1-93)

02. Fee Schedule. (10-1-93)

a. Community and Nontransient noncommunity public drinking water systems shall pay an annual fee according to the following fee schedule:

Number of Connections	Fee
1 to 20	\$100
21 to 184	\$5 per connection, not to exceed a total of \$735 per system
185 to 3,663	\$4 per connection, not to exceed a total of \$10,988 per system
3,664 or more	\$3 per connection

(7-1-97)

b. The annual fee for transient public drinking water systems is twenty-five dollars (\$25). (10-1-93)

c. New public drinking water systems formed after October 1 will not pay a fee until the following October. (10-1-93)

03. Fee Assessment. (10-1-93)

a. An annual fee assessment will be generated for each community and nontransient noncommunity public drinking water system listed in the Department's Safe Drinking Water Information System (SDWIS~~S~~). (3-15-02)()

b. Community and nontransient noncommunity public drinking water systems will be notified each year of the official number of connections listed in SDWIS~~S~~. Systems will have at least one (1) month to notify the Department if the number of connections listed in SDWIS~~S~~ is not in agreement with the system's records. (3-15-02)()

c. The official number of connections listed in SDWIS~~S~~ following each yearly update, as required in Subsection 010.03.b., will be used to calculate the annual fee for community and nontransient noncommunity public drinking water systems for the next fee year of October 1 through September 30. (3-15-02)()

04. Billing. An annual fee shall be assessed and a statement will be mailed to all community, nontransient noncommunity, and transient public drinking water systems listed in SDWIS~~S~~ by the Department on or before September 1 of each year. (3-15-02)()

05. Payment. (10-1-93)

a. Payment of the annual fee shall be due on October 1, unless it is a Saturday, a Sunday, or a legal holiday, in which event the payment shall be due on the successive business day. Fees paid by check or money order shall be made payable to the Idaho Department of Environmental Quality and sent to 1410 North Hilton Street, Boise, ID 83706-1255. (10-1-93)

b. If a public water system consists of two hundred fifty (250) connections or more, the system may request to divide its annual fee payment into equal monthly or quarterly installments by submitting a request to the Department on the proper request form provided with the initial billing statement. (10-1-93)

c. The Department will notify applicable systems, in writing, of approval or denial of a requested monthly or quarterly installment plan within ten (10) business days of the Department receiving such a request. (10-1-93)

d. If a public water system has been approved to pay monthly installments then each installment shall be due by the first day of each month, unless it is a Saturday, a Sunday, or a legal holiday, in which event the installment shall be due on the successive business day. (10-1-93)

e. If a public water system has been approved to pay quarterly installments then each installment shall be due by the first day of the month of each quarter (October 1, January 1, April 1, and July 1), unless it is a Saturday, a Sunday, or a legal holiday, in which event the installment shall be due on the first successive business day. (10-1-93)

06. Delinquent Unpaid Fees. A public water system will be delinquent in payment if its annual fee assessment has not been received by the Department by November 1; or if having first opted to pay monthly or quarterly installments, its monthly or quarterly installment has not been received by the Department by the last day of the month in which the monthly or quarterly payment is due. (10-1-93)

07. Suspension of Services and Disapproval Designation. (7-1-97)

a. For any system delinquent in payment of fee assessed under Subsections 010.02 and 010.06, in excess of ninety (90) days, technical services provided by the Department may be suspended except for the following: (7-1-97)

i. Issuance of monitoring waivers; (7-1-97)

ii. Review and processing of engineering reports; and (7-1-97)

552. iii. Review of plans and specifications for design and construction as set forth in Sections 501 through (3-30-07)
- b. For any system delinquent in payment of fee assessed under Subsections 010.02 and 010.06, in excess of one hundred and eighty (180) days, the Department may suspend all technical services provided by the Department including any of the following: (7-1-97)
- i. Review and processing of engineering reports; (7-1-97)
- 552; ii. Review of plans and specifications for design and construction as set forth in Sections 501 through (3-30-07)
- iii. Renewal of monitoring waivers; or (7-1-97)
- iv. Granting of new monitoring waivers. (7-1-97)
- c. For any system delinquent in payment of fee assessed under Subsections 010.02 and 010.06, in excess of one hundred and eighty (180) days, the Department may disapprove the public water system pursuant to Subsection 007.06. (7-1-97)

08. Reinstatement of Suspended Services and Approval Status. For any public water system for which delinquency of fee payment, pursuant to Subsection 010.07, has resulted in the suspension of technical services, the disapproval of a public water system, or both, continuation of technical services, reinstatement of public water system approval, or both, will occur upon payment of delinquent annual fee assessments. (5-8-09)

09. Enforcement Action. Nothing in Section 010 waives the Department's right to undertake an enforcement action at any time, including seeking penalties, as provided in Section 39-108, Idaho Code. (7-1-97)

10. Responsibility to Comply. Subsection 010.07 shall in no way relieve any system from its obligation to comply with all applicable state and federal drinking water statutes, rules, regulations, or orders. (7-1-97)

(BREAK IN CONTINUITY OF SECTIONS)

050. MAXIMUM CONTAMINANT LEVELS AND MAXIMUM RESIDUAL DISINFECTANT LEVELS.

- 01. Maximum Contaminant Levels for Inorganic Contaminants.** ~~(10-1-93)~~(____)
- a. 40 CFR 141.11, ~~revised as of July 1, 2001~~, is herein incorporated by reference. ~~(3-15-02)~~(____)
- b. 40 CFR 141.62, ~~revised as of July 1, 2004~~, is herein incorporated by reference. ~~(4-6-05)~~(____)
- c. The maximum contaminant level for cyanide is two-tenths milligram per liter (0.2 mg/l). (12-10-92)
- 02. Maximum Contaminant Levels for Organic Contaminants.** 40 CFR 141.61 is herein incorporated by reference, except that the best available technology (BAT) treatment listed in 40 CFR 141.61(b) shall be changed to reflect that packed tower aeration will not be listed for toxaphene but will be listed for toluene. ~~(4-2-08)~~(____)
- 03. Maximum Contaminant Levels for Turbidity.** 40 CFR 141.13 is herein incorporated by reference. ~~(10-1-93)~~(____)
- 04. Maximum Contaminant Levels for Radionuclides.** 40 CFR 141.66, ~~revised as of July 1, 2001~~, is

herein incorporated by reference.

~~(3-15-02)~~()

05. Maximum Contaminant Levels for Microbiological Contaminants. 40 CFR 141.63, ~~revised as of July 1, 2001,~~ is herein incorporated by reference. ~~(3-15-02)~~()

06. Maximum Contaminant Levels for Disinfection Byproducts. 40 CFR 141.64, ~~revised as of July 1, 2006,~~ is herein incorporated by reference. ~~(4-2-08)~~()

07. Maximum Residual Disinfectant Levels. 40 CFR 141.65, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. ~~(5-3-03)~~()

08. Effective Dates. ~~40 CFR Part 141, revised as of July 1, 2004, is herein incorporated by reference.~~ Effective date information provided in 40 CFR 141.6 and 40 CFR 141.60 is applicable. ~~(4-6-05)~~()

051. -- 099. (RESERVED)

100. MONITORING AND ANALYTICAL REQUIREMENTS.

01. Microbiological Contaminant Sampling and Analytical Requirements. (10-1-93)

a. 40 CFR 141.21, ~~revised as of July 1, 2010,~~ is herein incorporated by reference. ~~(4-7-11)~~()

b. The Department may reduce the total coliform monitoring frequency for community water systems serving twenty-five (25) to one thousand (1000) persons, as specified in 40 CFR 141.21(a)(2) and Subsection 100.01. The Department may allow community water systems serving twenty-five (25) to one thousand (1000) persons to reduce the total coliform monitoring frequency to once per quarter when; (12-10-92)

i. The system submits a written request to the Department in advance of the requirement; and (12-10-92)

ii. There has been no history of total coliform contamination in its current configuration; and (10-1-93)

iii. The system has been in compliance with the total coliform monitoring requirements for the last three (3) years; and (12-10-92)

iv. A sanitary survey has been conducted within the past five (5) years which indicates to the Department that there are no deficiencies which could affect microbial quality; and (12-10-92)

v. The system uses only a ground water source that is protected. (12-10-92)

c. The Department may reduce the total coliform monitoring frequency for noncommunity water systems serving less than one thousand (1000) persons as specified in 40 CFR 141.21(a)(3)(i) and Subsection 100.01 of this rule. The Department may allow noncommunity water systems serving less than one thousand (1000) persons to reduce the total coliform monitoring frequency to once per year when; (12-10-92)

i. The system submits a written request to the Department in advance of the requirement; and (12-10-92)

ii. No coliforms have been detected in the last three (3) years of monitoring; and (12-10-92)

iii. The system has been in compliance with the total coliform monitoring requirements for the last three (3) years; and (12-10-92)

iv. A sanitary survey has been conducted within the past five (5) years which indicates to the Department that there are no deficiencies which could affect microbial quality; and (12-10-92)

- v. The system uses only a ground water source that is protected. (12-10-92)
- d.** The Department may reduce the total coliform monitoring frequency for noncommunity water systems serving more than one thousand (1000) persons during any month the system serves one thousand (1000) persons or fewer as specified in 40 CFR 141.21(a)(3)(ii) and Subsection 100.01. The Department will allow noncommunity water systems serving more than one thousand (1000) persons to reduce the total coliform monitoring frequency for any month the system serves one thousand (1000) persons or fewer, down to a minimum of one (1) sample per year, provided; (10-1-93)
- i. The system submits a written request to the Department in advance of the requirement; and (12-10-92)
- ii. No coliforms have been detected in the last three (3) years of monitoring; and (12-10-92)
- iii. The system has been in compliance with the total coliform monitoring requirements for the last three (3) years; and (12-10-92)
- iv. A sanitary survey has been conducted within the past five (5) years which indicates that there are no deficiencies which could ~~effect~~ **affect** microbial quality; and (~~12-10-92~~)()
- v. The system uses only a ground water source that is protected. (12-10-92)
- e.** A system must collect repeat samples within twenty-four (24) hours of notification of positive results as specified in 40 CFR 141.21(b) and Subsection 100.01. The Department may allow a system to delay collection of repeat samples if the system: (12-10-92)
- i. Identifies the cause of the contamination; (12-10-92)
- ii. Is making progress towards correcting the problem; (12-10-92)
- iii. Submits a written request to delay collecting repeat samples and a written statement admitting an acute MCL violation; (12-10-92)
- iv. Follows public notification requirements specified under 40 CFR Part 141, Subpart Q, ~~revised as of July 1, 2006~~, for Tier 1 MCL violations including notice for consumers to boil their water; (~~4-2-08~~)()
- v. Continues to collect the regularly scheduled number of routine samples; (12-10-92)
- vi. Collects all repeat samples immediately following correction of the problem; and (12-10-92)
- vii. Collects five (5) routine samples during the month following the end of the violation as required under 40 CFR 141.21 (b)(5), unless waived as allowed under that paragraph. (12-10-92)
- 02. Turbidity Sampling and Analytical Requirements.** 40 CFR 141.22, ~~revised as of July 1, 2001~~, is herein incorporated by reference. (~~3-15-02~~)()
- 03. Inorganic Chemical Sampling and Analytical Requirements.** 40 CFR 141.23, ~~revised as of July 1, 2010~~, is herein incorporated by reference. (~~4-7-11~~)()
- 04. Organic Chemicals—~~Other Than Total Trihalomethanes~~, Sampling and Analytical Requirements.** 40 CFR 141.24, ~~revised as of July 1, 2010~~, is herein incorporated by reference. (~~4-7-11~~)()
- 05. Analytical Methods for Radioactivity.** 40 CFR 141.25, ~~revised as of July 1, 2010~~, is herein incorporated by reference. (~~4-7-11~~)()
- 06. Monitoring Frequency and Compliance Requirements for Radioactivity in Community Water Systems.** 40CFR 141.26, ~~revised as of July 1, 2001~~, is herein incorporated by reference. (~~3-15-02~~)()

07. Monitoring Waivers. 40 CFR 141.23(b) 141.23(c), 141.24(f), 141.24(h), ~~revised as of July 1, 2009~~, are herein incorporated by reference. (4-7-11)()

a. Waivers from sampling requirements in Subsections 100.03, 100.04, 200.01, ~~503.03.k.i.~~ and 503.03.~~k.ii.v.~~ may be available to all systems for all contaminants except nitrate, nitrite, and disinfection byproducts and are based upon a vulnerability assessment, use assessment, the analytical results of previous sampling, or some combination of vulnerability assessment, use assessment, and analytical results. (4-7-11)()

b. There are two (2) general types of monitoring waivers: (12-10-92)

i. Waivers based exclusively upon previous analytical data (12-10-92)

ii. Waivers based on a use or vulnerability assessment. (12-10-92)

c. Waivers are to be made by the Department on a contaminant specific basis and must be in writing. (12-10-92)

d. Vulnerability assessments may be conducted by the Department, the water system, or a third party organization. The Department shall approve or disapprove all vulnerability assessments in writing. (12-10-92)

e. Water systems which do not receive waivers shall sample at the required initial and repeat monitoring frequencies. (12-10-92)

f. If a system elects to request a waiver from monitoring, it shall do so in writing at least sixty (60) days prior to the required monitoring deadline date. (10-1-93)

08. Initial Monitoring Schedule. In addition to the requirements specified in 40 CFR 141.23, ~~revised as of July 1, 2004~~, 40 CFR 141.24, ~~revised as of July 1, 2004~~, and 40 CFR 141.40, ~~revised as of July 1, 2001~~, initial monitoring must be completed according to the following schedule unless otherwise specified by the Department: (4-6-05)()

a. Public water systems serving more than one hundred (100) people must conduct initial monitoring before January 1, 1995 except that: (10-1-93)

i. Initial monitoring for nitrate and nitrite must be completed before January 1, 1994 for all surface water sources serving transient noncommunity public water systems and for all ground water sources serving any public water system. (10-1-93)

ii. Initial monitoring for nitrate and nitrite must be completed before April 1, 1993 for all surface water sources serving community or nontransient noncommunity public water systems. (10-1-93)

iii. Initial monitoring required under 40 CFR 141.23(c) must be completed before January 1, 1994 for all surface water sources serving community or nontransient noncommunity public water systems. (10-1-93)

b. Public water systems serving one hundred (100) or less people must conduct initial monitoring before January 1, 1996 except that: (10-1-93)

i. Initial monitoring for nitrate and nitrite must be completed before January 1, 1994 for all surface water sources serving transient noncommunity public water systems and for all ground water sources serving a public water system. (10-1-93)

ii. Initial monitoring for nitrate and nitrite must be completed before April 1, 1993 for all surface water sources serving community or nontransient noncommunity public water systems. (10-1-93)

iii. Initial monitoring required under 40 CFR 141.23(c) must be completed before January 1, 1994 for all surface water sources serving community or nontransient noncommunity public water systems. (10-1-93)

09. **Alternate Analytical Techniques.** 40 CFR 141.27 is herein incorporated by reference. (10-1-93)
10. **Approved Laboratories.** 40 CFR 141.28, ~~revised as of July 1, 2007~~, is herein incorporated by reference. All analyses conducted pursuant to these rules, except those listed below, shall be performed in laboratories certified or granted reciprocity by the Idaho Department of Health and Welfare, Bureau of Laboratories, as provided in IDAPA 16.02.13, "Rules Governing Certification of Idaho Water Quality Laboratories." The following analyses may be performed by any person acceptable to the Department of Environmental Quality: ~~(5-8-09)~~()
- a. pH; (12-10-92)
 - b. Turbidity (Nephelometric method only); (12-10-92)
 - c. Daily analysis for fluoride; (12-10-92)
 - d. Temperature; (5-8-09)
 - e. Disinfectant residuals, except ozone, which shall be analyzed using the Indigo Method or an acceptable automated method pursuant to Subsection 300.05.c.; (5-8-09)
 - f. Alkalinity; (5-8-09)
 - g. Calcium; (5-8-09)
 - h. Conductivity; (5-8-09)
 - i. Silica; and (5-8-09)
 - j. Orthophosphate. (5-8-09)
11. **Monitoring of Consecutive Water Systems.** 40 CFR 141.29 is herein incorporated by reference. ~~(10-1-93)~~()
12. ~~Total Trihalomethane Sampling, Analytical and Other Requirements~~ **Disinfection Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors.** 40 CFR Part 141, Subpart L, ~~revised as of July 1, 2010~~, is herein incorporated by reference. ~~(4-7-11)~~()
101. -- 149. (RESERVED)
150. **REPORTING, PUBLIC NOTIFICATION, RECORDKEEPING.**
01. **Reporting Requirements.** 40 CFR 141.31, ~~revised as of July 1, 2001~~, is herein incorporated by reference. ~~(3-15-02)~~()
02. **Public Notification of Drinking Water Violations.** 40 CFR Part 141, Subpart Q, ~~revised as of July 1, 2007~~, is herein incorporated by reference. ~~(5-8-09)~~()
03. **Record Maintenance.** 40 CFR 141.33, ~~revised as of July 1, 2006~~, is herein incorporated by reference. ~~(4-2-08)~~()
04. **Reporting for Unregulated Contaminant Results.** ~~Reporting and Public Notification Monitoring~~ 40 CFR 141.35, ~~revised as of July 1, 2003~~, is herein incorporated by reference. ~~(3-20-04)~~()
05. **Reporting and Record Keeping Requirements for the Interim Enhanced Surface Water Treatment Rule.** 40 CFR 141.175, ~~revised as of July 1, 2002~~, is herein incorporated by reference. ~~(5-3-03)~~()
06. **Reporting and Record Keeping Requirements for the Disinfectants and Disinfectant**

Byproducts Rule. 40 CFR 141.134, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. ~~(5-3-03)~~()

151. CONSUMER CONFIDENCE REPORTS.

40 CFR Part 141, Subpart O, ~~revised as of July 1, 2008,~~ is herein incorporated by reference. ~~(5-8-09)~~()

152. -- 199. (RESERVED)

200. SPECIAL REGULATIONS.

01. ~~Inorganic and Organic Chemical Special~~ Monitoring Requirements for Unregulated Contaminants. 40 CFR 141.40 is herein incorporated by reference. ~~(10-1-93)~~()

02. ~~Sodium~~ Special Monitoring for Sodium. 40 CFR 141.41 is herein incorporated by reference. ~~(10-1-93)~~()

03. Special Monitoring for Corrosively Characteristics. 40 CFR 141.42 is herein incorporated by reference. (10-1-93)

04. Prohibition on Use of Lead Prohibition Pipes, Solder, and Flux. 40 CFR 141.43, ~~revised as of July 1, 2000,~~ is herein incorporated by reference. ~~(3-30-01)~~()

201. -- 249. (RESERVED)

250. MAXIMUM CONTAMINANT LEVEL GOALS AND MAXIMUM RESIDUAL DISINFECTION LEVEL GOALS.

01. Maximum Contaminant Level Goals for Organic Contaminants. 40 CFR 141.50 is herein incorporated by reference. ~~(10-1-93)~~()

02. Maximum Contaminant Level Goals for Inorganic Contaminants. 40 CFR 141.51, ~~revised as of July 1, 2004,~~ is herein incorporated by reference. ~~(4-6-05)~~()

03. Maximum Contaminant Level Goals for Microbiological Contaminants. 40 CFR 141.52, ~~revised as of July 1, 1999,~~ is herein incorporated by reference. ~~(4-5-00)~~()

04. Maximum Contaminant Level Goals for Disinfection Byproducts. 40 CFR 141.53, ~~revised as of July 1, 2006,~~ is herein incorporated by reference. ~~(4-2-08)~~()

05. Maximum Residual Disinfectant Level Goals for Disinfectants. 40 CFR 141.54, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. ~~(5-3-03)~~()

06. Maximum Contaminant Level Goals for Radionuclides. 40 CFR 141.55, ~~revised as of July 1, 2001,~~ is herein incorporated by reference. ~~(3-15-02)~~()

251. -- 299. (RESERVED)

300. FILTRATION AND DISINFECTION.

01. General Requirements. 40 CFR 141.70, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. Each public water system using a surface water source or ground water source directly influenced by surface water shall be operated by personnel, as specified in Sections 553 and 554, who have met state requirements for licensing of water system operators. ~~(4-6-05)~~()

02. Filtration. 40 CFR 141.73, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. ~~(4-7-11)~~()

a. Each system which provides filtration treatment shall submit engineering evaluations, other

documentation, or some combination of engineering evaluations and other documentation as required by the Department to demonstrate ongoing compliance with these rules. (4-7-11)

b. The Department will establish filtration removal credit on a system-by-system basis. Unless otherwise demonstrated to the satisfaction of the Department, the maximum log removal credit allowed for filtration is as follows:

Maximum Log Removal			
Filtration Type	Giardia lamblia	Viruses	Cryptosporidium
Conventional	2.5	2.0	<u>2.5</u>
Direct	2.0	1.0	<u>2.0</u>
Slow sand	2.0	2.0	<u>2.0</u>
Diatomaceous earth	2.0	1.0	<u>2.0</u>
Membrane Microfiltration	3.0	4.0 <u>0.5</u>	<u>3.0</u>
<u>Ultrafiltration</u>	<u>3.5</u>	<u>2.0</u>	<u>3.5</u>
<u>Nanofiltration</u>	<u>4.0</u>	<u>3.0</u>	<u>4.0</u>
<u>Reverse Osmosis</u>	<u>4.0</u>	<u>3.0</u>	<u>4.0</u>
Alternate technology	2.0	0	<u>2.0</u>

(4-7-11)()

c. Filtration removal credit shall be granted for filtration treatment provided the system is: (4-7-11)

i. Operated in accordance with the Operations Plan specified in Subsection 552.03.a.; and (4-7-11)

ii. The system is in compliance with the turbidity performance criteria specified under 40 CFR 141.73; and (4-7-11)

iii. Coagulant chemicals must be added and coagulation and flocculation unit process must be used at all times during which conventional and direct filtration treatment plants are in operation; and (4-7-11)

iv. Slow sand filters are operated at ~~rates~~ not to exceed: ()

(1) ~~One-tenth (0.1) gallons per minute per square foot when anticipated temperatures are expected above five degrees Celsius (5°C); and~~ (4-7-11)()

(2) ~~Five hundredths (0.05) gallons per minute per square foot when anticipated temperatures are expected at or below five degrees Celsius (5°C); and~~ ()

v. Diatomaceous earth filters are operated at a rate not to exceed one point five (1.5) gallons per minute per square foot. (4-7-11)

03. **Criteria for Avoiding Filtration.** 40 CFR 141.71, ~~revised as of July 1, 2002~~, is herein incorporated by reference. (4-7-11)()

04. **Disinfection.** 40 CFR 141.72 is herein incorporated by reference. (10-1-93)

a. In addition to the disinfection requirements in 40 CFR 141.72, each system with a surface water source or ground water source directly influenced by surface water shall maintain a minimum of at least two-tenths

(0.2) parts per million of chlorine in the treated water after an ~~actual~~ effective contact time of at least thirty (30) minutes at peak hour demand before delivery to the first customer. Effective contact time is either demonstrated or calculated. Demonstrated effective contact time is generally determined by tracer studies on a completed contact basin. Calculated effective contact time for tank type contact basins is based on tank baffling and inlet/outlet configurations for the maximum hourly flow rate through that contact basin. Calculated effective contact time in a "pipeline type contact basin" (often called a pipeline contactor) is calculated by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipeline contactor. (5-8-09)(____)

b. The Department may allow a system to utilize automatic shut-off of water to the distribution system whenever total disinfectant residual is less than two-tenths (0.2) mg/l rather than provide redundant disinfection components and auxiliary power as required in 40 CFR 141.72(a)(2). An automatic water shut-off may be used if the system demonstrates to the satisfaction of the Department that, at all times, a minimum of twenty (20) psi pressure and adequate fire flow can be maintained in the distribution system when water delivery is shut-off to the distribution system and, at all times, minimum Giardia lamblia and virus inactivation removal rates can be achieved prior to the first customer. (12-10-92)

c. Each system which is required to provide ~~s~~ filtration ~~treatment~~ must provide disinfection treatment such that filtration plus disinfection provide at least 3-Log or ninety-nine and nine tenths percent (99.9%) inactivation/removal of Giardia lamblia cysts and at least 4-Log or ninety-nine and ninety-nine ~~one~~ hundredths percent (99.99%) inactivation/removal of viruses as specified in 40 CFR 141.72 and Section 300, and at least 2-Log or ninety-nine percent (99%) removal of Cryptosporidium as required by 40 CFR Part 141, Subpart P or Subpart T. However, in all cases the disinfection portion of the treatment train shall be designed to provide not less than five tenths (0.5) log Giardia lamblia inactivation, irrespective of the Giardia lamblia removal credit awarded to the filtration portion of the treatment train. (5-8-09)(____)

05. Analytical and Monitoring Requirements. 40 CFR 141.74, ~~revised as of July 1, 2010,~~ is herein incorporated by reference. (4-7-11)(____)

a. Each public water system which is required to provide ~~filtration treatment~~ disinfection shall monitor as follows: (12-10-92)(____)

i. Each day the system is in operation, the purveyor shall determine the total level of inactivation of Giardia lamblia cysts and viruses achieved through disinfection based on CT99.9 values provided in 40 CFR 141.74(b)(3) (Tables 1.1 through 1.6, 2.1 and 3.1). (12-10-92)

ii. At least once per day, the system shall monitor the following parameters to determine the total inactivation ratio achieved through disinfection: (12-10-92)

(1) Temperature of the disinfected water at each residual disinfectant concentration sampling point; and (12-10-92)

(2) If using chlorine, the pH of the disinfected water at each chlorine residual sampling point. (12-10-92)

(3) The ~~disinfectant~~ effective contact time, "T," must be determined each day during peak hour demand. Disinfectant contact time, "T," in pipelines used for Giardia lamblia and virus inactivation shall be calculated by dividing the internal volume of the pipe by the peak hour flow rate through that pipe. Disinfectant Effective contact time, "T," for all other system components used for Giardia lamblia and virus inactivation shall be determined by tracer studies or ~~equivalent methods~~ other evaluations or calculations acceptable to the Department. (5-8-09)(____)

(4) The residual disinfectant concentrations at each residual disinfectant sampling point at or before the first customer, must be determined each day during peak hour demand, or at other times approved by the Department. (5-8-09)

iii. The purveyor may demonstrate to the Department, based on a Department approved on-site disinfection challenge study protocol, that the system is achieving disinfection requirements specified in Subsection

300.034 utilizing CT99.9 values other than those specified in 40 CFR 141.74(b)(3) (Tables 2.1 and 3.1) for ozone, chlorine dioxide, and chloramine. ~~(10-1-93)~~()

- iv. The total inactivation ratio shall be calculated as follows: (12-10-92)
 - (1) If the system applies disinfectant at only one (1) point, the system shall determine the total inactivation ratio by either of the two (2) following methods: (12-10-92)
 - (a) One inactivation ratio (CTcalc/CT99.9) is determined at/or before the first customer during peak hour demand; or (5-8-09)
 - (b) Sequential inactivation ratios are calculated between the point of disinfectant application and a point at or before the first customer during peak hour demand. The following method must be used to calculate the total inactivation ratio: (5-8-09)
 - (i) Step 1: Determine (CTcalc/CT99.9) for each sequence. (12-10-92)
 - (ii) Step 2: Add the (CTcalc/CT99.9) values for all sequences. The result is the total inactivation ratio. (12-10-92)
 - (2) If the system uses more than one point of disinfectant application at or before the first customer, the system must determine the CT value of each disinfection sequence immediately prior to the next point of disinfectant application during peak hour demand. The sum of the (CTcalc/CT99.9) values from all sequences is the total inactivation ratio. (CTcalc/CT99.9) must be determined by the methods described in 40 CFR 141.74(b)(4)(i)(B). (5-8-09)
 - v. Log removal credit for disinfection shall be determined by multiplying the total inactivation ratio by three (3). (12-10-92)
 - vi. The Department may reduce the CT monitoring requirements specified under Section 300, for any system which demonstrates that the required inactivation levels are consistently exceeded. Reduced CT monitoring shall be allowed only where the reduction in monitoring will not endanger the health of consumers served by the water system. (12-10-92)
- b.** Residual disinfectant concentrations for ozone must be measured using the Indigo Method, or automated methods may be used if approved by the Department as provided for in 40 CFR 141.74(a)(54) ~~and Subsection 300.05. Automated methods for ozone measurement must be approved by the Department. (4-6-05)~~()
- c.** As provided for in 40 CFR 141.74(b), the Department may specify interim monitoring requirements for unfiltered systems notified by the Department or U.S. Environmental Protection Agency that filtration treatment must be installed. Until filtration is installed, systems shall conduct monitoring for turbidity and disinfectant residuals as follows unless otherwise specified by the Departments; ~~(12-10-92)~~()
- i. Disinfectant residual concentrations entering the distribution system shall be measured at the following minimum frequencies, and samples must be taken at evenly spaced intervals throughout the workday.

Minimum Frequencies	
Population	Samples/day
Less than 500	1
501 - 1000	2
1,001 - 2,500	3
Greater than 2501	4

(12-10-92)

ii. Turbidity shall be measured at least once per day at the entry point to the distribution system. (12-10-92)

iii. The Department may, at its discretion, reduce the turbidity monitoring frequency for any noncommunity system which demonstrates to the satisfaction of the Department: (12-10-92)

(1) A free chlorine residual of two-tenths (0.2) part per million is maintained throughout the distribution system; (12-10-92)

(2) The water source is well protected; (12-10-92)

(3) The total coliform MCL is not exceeded; and (12-10-92)

(4) No significant health risk is present. (12-10-92)

d. The Department may allow systems with surface water sources or ground water sources under the direct influence of surface water, to substitute continuous turbidity monitoring for grab sample monitoring as specified in 40 CFR 141.74(b)(2) and 40 CFR 141.74(c)(1) and Subsection 300.05. The Department may allow continuous turbidity monitoring provided the continuous turbidimeter is operated, maintained, standardized and calibrated per the manufacturers recommendations. For purposes of determining compliance with turbidity performance criteria, discrete values must be recorded every four (4) hours water is supplied to the distribution system. (10-1-93)

e. The Department may allow systems using both a surface water source(s), or ground water source(s) under the direct influence of surface water, and one (1) or more ground water sources, to measure disinfectant residual at points other than the total coliform sampling points, as specified in 40 CFR 141.74(b)(6)(i) and 40 CFR 141.74(c)(3)(i) and Subsection 300.05. The Department may allow alternate sampling points provided the system submits an acceptable alternate monitoring plan to the Department in advance of the monitoring requirement. (10-1-93)

f. The Department may allow a reduced turbidity monitoring frequency for systems using slow sand filtration or technology other than conventional, direct, or diatomaceous earth filtration, as specified in 40 CFR 141.74(c)(1) and Subsection 300.05. To be considered for a reduced turbidity monitoring frequency, a system must submit a written request to the Department in advance of the monitoring requirement. (12-10-92)

06. Reporting and Recordkeeping Requirements. 40 CFR 141.75, ~~revised as of July 1, 2001,~~ is herein incorporated by reference. (3-15-02)()

a. As provided in 40 CFR 141.75(a), ~~revised as of July 1, 2001,~~ and Section 300, the Department may establish interim reporting requirements for systems notified by the Department or U.S. Environmental Protection Agency that filtration treatment must be installed as specified in 40 CFR 141.75(a), ~~revised as of July 1, 2001,~~ and as referred to in Subsection 300.06. Until filtration treatment is installed, systems required to install filtration treatment shall report as follows: (3-15-02)()

i. The purveyor shall immediately report to the Department via telephone or other equally rapid means, but no later than the end of the next business day, the following information: (12-10-92)

(1) The occurrence of a waterborne disease outbreak potentially attributable to that water system; (12-10-92)

(2) Any turbidity measurement which exceeds five (5) NTU; and (12-10-92)

(3) Any result indicating that the disinfectant residual concentration entering the distribution system is below two-tenths (0.2) mg/l free chlorine. (12-10-92)

ii. The purveyor shall report to the Department within ten (10) days after the end of each month the system serves water to the public the following monitoring information using a Department-approved form: (12-10-92)

- (1) Turbidity monitoring information; and (12-10-92)
- (2) Disinfectant residual concentrations entering the distribution system. (12-10-92)

iii. Personnel qualified under Subsection 300.01 shall complete and sign the monthly report forms submitted to the Department as required in Subsection 300.06. (12-10-92)

b. In addition to the reporting requirements in 40 CFR 141.75(b), ~~revised as of July 1, 2001,~~ pertaining to systems with filtration treatment, each public water system which provides filtration treatment must report the level of Giardia lamblia and virus inactivation/removal achieved each day by filtration and disinfection. (5-8-09)()

07. Recycle Provisions. 40 CFR 141.76, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. (5-3-03)()

a. The Department shall evaluate recycling records kept by water systems pursuant to 40 CFR 141.76 during sanitary surveys, comprehensive performance evaluations, or other inspections. (5-3-03)

b. The Department may require a system to modify recycling practices if it can be shown that these practices adversely affect the ability of the system to meet surface water treatment requirements. (5-3-03)

301. ENHANCED FILTRATION AND DISINFECTION - SYSTEMS SERVING TEN THOUSAND OR MORE PEOPLE.

This Section incorporates, 40 CFR Part 141, Subpart P, of the National Primary Drinking Water Regulations, known as the Interim Enhanced Surface Water Treatment Rule. (4-5-00)

01. General Requirements. 40 CFR 141.170, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. (5-3-03)()

02. Criteria for Avoiding Filtration. 40 CFR 141.171, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. (5-3-03)()

03. Disinfection Profiling and Benchmarking. 40 CFR 141.172, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. (5-3-03)()

04. Filtration. 40 CFR 141.173, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. (5-3-03)()

05. Filtration Sampling Requirements. 40 CFR 141.174, ~~revised as of July 1, 2002,~~ is herein incorporated by reference. (5-3-03)()

302. SANITARY SURVEYS FOR SYSTEMS USING SURFACE WATER OR GROUND WATER UNDER THE DIRECT INFLUENCE OF SURFACE WATER.

The Department shall conduct a sanitary survey of all public water systems which use surface water or ground water under the direct influence of surface water. (4-5-00)

01. Frequency. For noncommunity water systems, a sanitary survey shall be conducted every five (5) years. For community water systems, a sanitary survey shall be conducted every three (3) years, except that a community water system that has been determined to have outstanding performance, according to criteria established by the Department, may have a sanitary survey conducted every five (5) years. (4-5-00)

02. Report. A report describing the results of the sanitary survey will be provided to the water system. (4-5-00)

a. As part of the sanitary survey report or as an independent action, the Department shall provide written notice to the water system describing any significant deficiency within thirty (30) days after the Department identifies the significant deficiency. The notice may specify corrective actions and deadlines for completion of corrective actions. (5-8-09)

b. The Department may, at its discretion, provide this written notice at the time of the sanitary survey. (5-8-09)

03. Response Required. The owner of a public water system must respond in writing, describing how and on what schedule the system will address all significant deficiencies, not later than forty-five (45) days after receiving notification from the Department. ()

034. **Consultation with the Department.** Public water systems shall consult with the Department prior to taking specific corrective actions in response to significant deficiencies identified during a sanitary survey, unless such corrective actions are specified in detail by the Department in its written notification under Subsection 302.02. (5-8-09)

045. **Violation.** Failure to address significant deficiencies identified in a sanitary survey that are within the control of the public water system and its governing body shall constitute a violation of these rules. (4-5-00)

303. SANITARY SURVEYS FOR PUBLIC WATER SYSTEMS USING GROUND WATER.

The Department shall conduct a sanitary survey of all public water systems that use ground water. 40 CFR Part 141, Subpart S, is herein incorporated by reference. (~~5-8-09~~)()

01. **Frequency.** For non-community water systems, a sanitary survey shall be conducted every five (5) years. For community water systems, a sanitary survey shall be conducted every three (3) years, except as provided below. (5-8-09)

a. A community water system may have a sanitary survey conducted every five (5) years if the system provides at least a four (4)-log treatment of viruses (using inactivation, removal, or a Department approved combination of 4-log inactivation and removal) before or at the first customer for all of its ground water sources. (5-8-09)

b. A community water system may have a sanitary survey conducted every five (5) years if it has an outstanding performance record, as determined by the Department and documented in previous sanitary surveys, and has no history of Total Coliform Rule MCL or monitoring violations under Subsection 100.01.a. since the last sanitary survey. (5-8-09)

02. **Report.** A report describing the results of the sanitary survey shall be provided to the water system. (5-8-09)

a. As part of the sanitary survey report or as an independent action, the Department shall provide written notice to the water system describing any significant deficiency within thirty (30) days after the Department identifies the significant deficiency. The notice may specify corrective actions and deadlines for completion of corrective actions. (5-8-09)

b. The Department may, at its discretion, provide this written notice at the time of the sanitary survey. (5-8-09)

03. **Significant Deficiencies.** For each of the eight (8) elements of a sanitary survey of a ground water system, the following deficiencies shall in all cases be considered significant for the purposes of the notice required in Subsection 303.02. Decisions about the significance of other deficiencies identified during the sanitary survey shall be at the Department's discretion, as indicated in the Department's sanitary survey protocol. (5-8-09)

a. Source: Lack of a sanitary well cap as specified in Subsection 511.06.b. (5-8-09)

- b. Treatment: ()
- ~~i.~~ Chemical addition ~~is not flow proportioned or~~ lacks emergency shut-off; as specified in Subsection 531.02.b.ii. (5-8-09)()
- ~~ii.~~ Chemical addition is not flow proportioned where the rate of flow or chemical demand is not reasonably constant, as specified in Subsection 531.02.b.ii. ()
- c. Distribution system: No means for flushing dead end water mains, as specified in Subsection 542.09. (5-8-09)
- d. Finished water storage: Roof leaking, as specified in Subsections 544.09 and 544.09.c. (5-8-09)
- e. Pumps, pump facilities, and controls: No accessible check valve between pump and shut-off valve, as specified in Subsection 511.04. (5-8-09)
- f. Monitoring, reporting, and data verification: Repeated failure to collect the required number and type of Total Coliform Rule samples during the most recent two (2) year period, as specified in Subsection 100.01.a. (5-8-09)
- g. System management and operation: History of frequent depressurization in the distribution system in violation of Subsection 552.01. (5-8-09)
- h. Operator compliance with state licensing requirements: Responsible charge operator is not licensed as required in Subsection 554.02. (5-8-09)

04. Response Required. The owner of a public water system must respond in writing, describing how and on what schedule the system will address all significant deficiencies, not later than thirty (30) days after receiving notification from the Department. ()

045. Consultation with the Department. Public water systems shall consult with the Department prior to taking specific corrective actions in response to significant deficiencies identified during a sanitary survey unless such corrective actions are specified in detail by the Department in its written notification under Subsection 303.02. (5-8-09)

056. Violation. Failure to address significant deficiencies identified in a sanitary survey that are within the control of the public water system and its governing body shall constitute a violation of these rules. (5-8-09)

304. COMPOSITE CORRECTION PROGRAM (CCP).

In accordance with 40 CFR 142.16(g)(1), ~~the~~ Department may require a public water system to conduct a composite correction program, as defined in Section 003 of these rules, for the purpose of identifying and correcting deficiencies in water treatment and distribution. Composite Correction Programs consist of a Comprehensive Performance Evaluation (CPE) and Comprehensive Technical Assistance (CTA). Failure to implement ~~the~~ any Department-required performance improvement factors identified through the CCP constitutes a violation of these rules. (4-5-00)()

01. Comprehensive Performance Evaluation (CPE). If required, the CPE must be conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance. It must emphasize approaches that can be implemented without significant capital improvements and must consist of at least the following components: assessment of plant performance; evaluation of major unit processes; identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of a CPE report. ()

02. Comprehensive Technical Assistance (CTA). During the CTA phase, the system must identify and systematically address plant-specific factors. The CTA consists of follow-up to the CPE results, implementation of process control priority setting techniques, and maintaining long term involvement to systematically train staff and administrators. ()

305. -- 309. (RESERVED)

310. ENHANCED FILTRATION AND DISINFECTION - SYSTEMS SERVING FEWER THAN TEN THOUSAND PEOPLE.

40 CFR 141, Subpart T, ~~revised as of July 1, 2002~~, is herein incorporated by reference. (5-3-03)()

311. ENHANCED ~~FILTRATION AND DISINFECTION~~ TREATMENT FOR CRYPTOSPORIDIUM -- LONG TERM 2 ENHANCED SURFACE WATER TREATMENT RULE.

40 CFR Part 141, subpart W, ~~revised as of July 1, 2010~~, is herein incorporated by reference. (4-7-11)()

01. **Cryptosporidium Treatment Credit for Approved Watershed Control Program.** The Department shall award 0.5 (zero point five) logs cryptosporidium removal credit to systems that have a Department approved Watershed Control Program. Requirements for a watershed control program are set forth in 40 CFR 141, Subpart W. Guidance on how to develop a watershed control program and obtain Department approval is provided in "Implementation Guidance for the Long Term 2 Enhanced Surface Water Treatment Rule," as referenced in Section 002. (4-2-08)

02. **Assessment of Significant Changes in the Watershed.** As part of the sanitary survey process set forth in Section 302, the Department, or an agent approved by the Department, shall assess significant changes in the watershed of a surface water system that have occurred since the system conducted source water monitoring. If changes in the watershed have the potential to significantly increase contamination of the source water with cryptosporidium, the Department shall consult with the water system owner on follow-up actions that may be required under 40 CFR 141, Subpart W, including, but not limited to, source water monitoring and/or additional treatment requirements. "Implementation Guidance for the Long Term 2 Enhanced Surface Water Treatment Rule," as referenced in Section 002, provides a description of factors that will be considered by the Department when making an assessment of changes in the watershed. These factors include, but are not limited to the following: (4-2-08)

- a. New NPDES permits or changes in existing NPDES permits that involve increased loading of contaminants. (4-2-08)
- b. Changes in land use patterns. (4-2-08)
- c. Changes in agricultural cropping, chemical application, or irrigation practices. (4-2-08)
- d. Changes in other non-point discharge source activities (such as grazing, manure application, commercial or residential development). (4-2-08)
- e. Stream or riverbed modifications. (4-2-08)
- f. NPDES permit violations at wastewater treatment plants and confined animal feedlot operations. (4-2-08)
- g. Dramatic natural events such as floods, forest fires, earthquakes, and landslides that may transport or expose contaminants. (4-2-08)
- h. Prolonged drought conditions that may warrant special preparatory measures to minimize impacts from waste accumulations that are washed into source waters when precipitation returns. (4-2-08)
- i. Status of the water system's emergency response plan. (4-2-08)
- j. Accidental or illegal waste discharges and spills. (4-2-08)

312. -- 319. (RESERVED)

320. DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS.

This Section incorporates 40 CFR Part 141, Subpart L, of the National Primary Drinking Water Regulations, known as the Disinfectants and Disinfection Byproducts Rule. (4-5-00)

01. General Requirements. 40 CFR 141.130, ~~revised as of July 1, 2006~~, is herein incorporated by reference. (4-2-08)()

02. Analytical Requirements. 40 CFR 141.131, ~~revised as of July 1, 2010~~, is herein incorporated by reference. DPD colorimetric test kits may be used to measure residual disinfectant concentrations for chlorine, chloramines, and chlorine dioxide. (4-7-11)()

03. Monitoring Requirements. 40 CFR 141.132, ~~revised as of July 1, 2006~~, is herein incorporated by reference. (4-2-08)()

04. Compliance Requirements. 40 CFR 141.133, ~~revised as of July 1, 2006~~, is herein incorporated by reference. (4-2-08)()

05. Treatment Techniques for Control of Disinfection Byproduct (DBP) Precursors. 40 CFR 141.135, ~~revised as of July 1, 2006~~, is herein incorporated by reference. (4-2-08)()

321. INITIAL DISTRIBUTION SYSTEM EVALUATIONS.

40 CFR Part 141, Subpart U, ~~revised as of July 1, 2006~~, is herein incorporated by reference. "Implementation Guidance for the Stage 2 Disinfectants and Disinfection Byproducts Rule," as referenced in Section 002, provides assistance to public water system owners and operators in understanding and achieving compliance with the requirements of 40 CFR 141, Subpart U. (4-2-08)()

322. STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS.

40 CFR Part 141, Subpart V, ~~revised as of July 1, 2009~~, is herein incorporated by reference. "Implementation Guidance for the Stage 2 Disinfectants and Disinfection Byproducts Rule," as referenced in Section 002, provides assistance to public water system owners and operators in understanding and achieving compliance with the requirements of 40 CFR Part 141, Subpart V. (4-7-11)()

323. GROUND WATER RULE.

40 CFR 141, Subpart S, ~~revised as of July 1, 2010~~, is herein incorporated by reference. "Implementation Guidance for the Ground Water Rule," as referenced in Section 002, provides assistance to public water system owners and operators in understanding and achieving compliance with the requirements of 40 CFR 141, Subpart S. (4-7-11)()

~~**01. Monitoring and Compliance Requirements for Membranes.** Ground water systems that use membrane filtration (or a combination of membrane filtration and disinfection) to achieve a four (4) log inactivation/removal of viruses at a ground water source must comply with the following requirements in addition to those specified in 40 CFR 141, Subpart S. (5-8-09)~~

~~**a.** All membrane skids or modules must undergo direct integrity testing a minimum of once each week that the source is contributing water to the distribution system. More frequent direct integrity testing may be required by the Department. Membrane systems shall contain sufficient redundancy to allow for offline direct integrity testing of all skids at the required interval while retaining the capability to supply peak hour demand to the water system. No membrane system shall have fewer than two (2) skids or modules. (5-8-09)~~

~~**i.** The direct integrity test shall have a resolution capable of detecting a response at the absolute molecular weight cut-off or other parameter that describes the exclusion capability of the membrane, as provided by the manufacturer. (5-8-09)~~

~~**ii.** The direct integrity test shall have a sensitivity capable of verifying four (4) log virus removal (or a lesser Department approved log removal that achieves, in combination with disinfection, a total of four (4) log virus treatment). (5-8-09)~~

~~b. Systems using membrane filtration shall submit a monthly operating report which includes the following information. (5-8-09)~~

~~i. Verification of direct integrity testing of each membrane skid or module and action taken in response to a failure of the direct integrity test. (5-8-09)~~

~~ii. Records of any monitoring conducted for the purpose of indirect integrity verification. (5-8-09)~~

~~iii. Any additional information considered necessary by the Department on a case-specific basis to verify proper operation and maintenance of the membrane filtration process. (5-8-09)~~

021. Discontinuation of Treatment. Systems that wish to discontinue four (4)-log virus treatment at a ground water source must meet the following criteria. Ground water sources on which treatment has been discontinued shall be subject to the triggered source water monitoring requirements of 40 CFR 141, Subpart S. (5-8-09)

a. Demonstration that any known source of contamination has been removed. (5-8-09)

b. Demonstration that structural deficiencies of the well have been rehabilitated and no longer exist. (5-8-09)

c. Provide evidence that the well is drawing from a protected or confined aquifer. (5-8-09)

d. Submit results of one (1) year of monthly monitoring for a fecal indicator organism during which no positive results occurred. (5-8-09)

032. Chlorine Purgings Prior to Triggered Source Sampling. 40 CFR 141.402(e), ~~incorporated by reference into these rules at Section 323,~~ requires that ground water source samples be collected at a location prior to any treatment. Pursuant to this requirement, systems that add chlorine to a source, either in the well bore or near enough to the wellhead that chlorinated water could backflow into the well, shall ensure that all chlorine residual has been purged prior to taking a triggered source water sample. This shall be accomplished by measuring chlorine residual in the source water until a reading of zero is obtained and be recorded in the space provided for chlorine residual on the sample submittal form. (5-8-09)()

(BREAK IN CONTINUITY OF SECTIONS)

450. USE OF NON-CENTRALIZED TREATMENT DEVICES.

01. Criteria and Procedures for Public Water Systems Using Point of Entry Devices. 40 CFR 141.100, ~~revised as of July 1, 1999,~~ is herein incorporated by reference. (4-5-00)()

02. Point of Use (POU) Treatment Devices. (3-30-07)

a. A public water system may use point of use (POU) treatment in order to achieve compliance with certain maximum contaminant levels (MCL) or treatment techniques, in accordance with Subsection 450.02.b., when the following conditions are met: (3-30-07)

i. A program for long-term operation, maintenance, and monitoring of the POU treatment system is approved by the Department, pursuant to Section 450.02.d. (3-30-07)

ii. The public water system or a vendor of POU treatment devices under contract with the public water system shall own, control, and maintain the POU treatment system to ensure proper operation and maintenance and compliance with the MCL or treatment technique. (3-30-07)

iii. Each POU treatment device is equipped with a mechanical warning mechanism to ensure that customers are automatically notified of operational problems. (3-30-07)

iv. The POU treatment device must be certified by an accredited American National Standards Institute (ANSI) certification body to meet applicable ANSI/National Sanitation Foundation (NSF) Standards. (3-30-07)

b. POU treatment devices shall not be used to achieve compliance with a MCL or treatment technique requirement for a microbial contaminant or an indicator of a microbial contaminant. Community water systems may not use POU treatment devices to achieve compliance with a nitrate MCL. (3-30-07)

c. The Department will waive the ~~Subsection 551.04~~ plan and specification requirements of Section 504 relating to material modifications for the following systems only to the extent that the material modification proposed is limited to the installation or use of a POU treatment device(s): ~~(5-8-09)~~()

i. Community water systems serving two hundred (200) or fewer service connections. (3-30-07)

ii. Non-transient non-community water systems. (3-30-07)

iii. Transient non-community water systems. (3-30-07)

iv. Community water systems serving more than two hundred (200) service connections if approved by the Department through the waiver process outlined in Subsection 005.01.a. (3-30-07)

d. A public water system must obtain written approval by the Department before installation of a POU treatment device for the purpose of achieving compliance with a MCL or treatment technique. The public water system shall submit the following documentation for approval to the Department: (3-30-07)

i. Information identifying the public water system name and number, total number of service connections, contaminant(s) to be treated, type of POU treatment device to be installed, manufacturer and model number of the POU treatment device, type and function of the mechanical warning mechanism (performance indicator) on the POU treatment device, certification verification for ANSI/NSF, installer qualifications, and a proposed date for installation of the POU treatment device(s). (3-30-07)

ii. The manufacturer's specifications for the POU treatment device including demonstration that the POU treatment device is suited for the water chemistry of the public water system and contaminant(s) of concern and is of sufficient design and capacity for the particular application. (3-30-07)

iii. Information relating to how other drinking water dispensing units, such as instant hot water dispensers and refrigerator water and ice dispensers, whose primary function is to provide drinking water, will be provided with treated water. If water is transported from a POU treatment device to another drinking water dispensing unit, the conducting tube shall be of non-reactive material. (3-30-07)

iv. For non-transient non-community water systems and transient non-community water systems, demonstration that the drinking water dispensing units are located in areas adequate to protect public health. (3-30-07)

v. Demonstration that all POU treatment devices are owned, controlled, and maintained by the public water system or by a vendor of POU treatment devices under contract with the public water system. (3-30-07)

vi. A sampling plan identifying the location of all service connections and demonstrating how the system will ensure that all POU treatment devices are sampled for compliance with the contaminant(s) being treated during every compliance period or at a frequency designated by the state Department. ~~(3-30-07)~~()

vii. Documentation that a customer at each service connection has agreed to installation and use of a POU treatment device and has granted access for installation, maintenance, and sampling. (3-30-07)

viii. A plan that describes how the public water system will address any non-compliance with Subsection 450.02.d.vii. (3-30-07)

ix. A maintenance plan that demonstrates how on-going maintenance activities will be performed and on what frequency, including: frequency of treatment media replacements, frequency of POU treatment device replacements, periodic verification that the mechanical warning device is functional, schedule of planned maintenance activities, plan of how the system will address unscheduled maintenance problems, and a plan and method of waste disposal. (3-30-07)

x. Documentation that the system meets the current requirements for a certified operator pursuant to Section 554. (3-30-07)

xi. A plan for on-going education and outreach to the customers of the public water system, including rental customers, on POU treatment and health effects of the contaminant(s) of concern. (3-30-07)

xii. A plan for how the system will ensure real estate disclosures for the POU treatment system. (3-30-07)

xiii. A statement of recognition that failure to maintain compliance with the MCL, or the failure to operate and maintain compliance with a POU treatment system as approved by the Department, may necessitate installation of centralized treatment. (3-30-07)

e. Within thirty (30) days of installing the approved POU treatment system, the public water system shall notify the Department in writing that the POU treatment system was installed as approved by the Department. (3-30-07)

f. Within thirty (30) days of installing the approved POU treatment system, the public water system shall submit samples from each POU treatment device to a certified laboratory for the contaminant(s) being treated by the POU treatment device. The samples shall be used to demonstrate initial compliance with the MCL. (3-30-07)

g. The water system owner or operator must maintain records for a POU treatment system. Records shall be submitted to the Department at a frequency and in a format specified by the Department. Records to maintain shall include: (3-30-07)

i. Requirements of Subsection 450.02.d.; (3-30-07)

ii. All sampling performed on the POU treatment devices; (3-30-07)

iii. Maintenance logs and schedules; (3-30-07)

iv. Log of installed units; and (3-30-07)

v. Contracts, lease agreements, or other legal documents with vendors and consumers. (3-30-07)

03. Use of Bottled Water. 40 CFR 141.101, ~~revised as of July 1, 1999,~~ is herein incorporated by reference. (4-5-00)()

451. TREATMENT TECHNIQUES.

01. General Requirements. 40 CFR 141.110 is herein incorporated by reference. (10-1-93)

02. Treatment Techniques for Acrylamide, and Epichlorohydrin. 40 CFR 141.111 is herein incorporated by reference. (12-10-92)()

452. -- 499. (RESERVED)

500. FACILITY AND DESIGN STANDARDS: DEMONSTRATION OF TECHNICAL, FINANCIAL, AND MANAGERIAL CAPACITY OF PUBLIC DRINKING WATER SYSTEMS.

No person shall proceed, or cause to proceed, with construction of a new or substantially modified community or nontransient, noncommunity drinking water system until it has been demonstrated to the Department that the water system will have adequate technical, financial, and managerial capacity, as defined in Section 003 of these rules. With the exception of water sources, demonstration of capacity shall be submitted to the Department prior to or concurrent with the submittal of plans and specifications, as required in Section 39-118, Idaho Code, and Subsection 504.03 of these rules. Plans and specifications for water sources may be submitted to the Department prior to demonstration of capacity for the water system. The Department shall issue its approval of the new system capacity demonstration in writing. ~~(5-8-09)~~()

01. Technical Capacity. In order to meet this requirement, the public water system shall submit documentation to demonstrate the following: (5-5-00)

- a. The system meets the relevant design, construction, and operating requirements of these rules; (5-8-09)
- b. The system has an adequate and consistent source of water; (4-5-00)
- c. A plan is in place to protect the water source and deal with emergencies; (4-5-00)
- d. A plan exists for replacement or improvement of infrastructure as necessary; and (4-5-00)
- e. The system has trained personnel with an understanding of the technical and operational characteristics of the system. (5-3-03)

02. Financial Capacity. A demonstration of financial capacity must include but is not limited to the following information: (4-5-00)

- a. Documentation that organizational and financial arrangements are adequate to construct and operate the public water system in accordance with these rules. This information can be provided by submitting estimated construction, operation, and maintenance costs, letters of credit, or other access to financial capital through public or private sources and, if available, a certified financial statement; (5-8-09)
- b. Demonstration of revenue sufficiency, that includes but is not limited to billing and collection procedures; a proposed rate structure which demonstrates the availability of operating funds, revenues for depreciation and reserves, and the ability to accrue a capital replacement fund. A preliminary operating budget shall be provided; and (5-8-09)
- c. Adequate fiscal controls must be demonstrated. (4-5-00)

03. Managerial Capacity. In order to demonstrate adequate managerial capacity, the owner or operator of a new drinking water system shall submit at least the following information to the Department: (5-8-09)

- a. Clear documentation of legal ownership and any plans that may exist for transfer of that ownership upon completion of construction or after a period of operation; (5-8-09)
- b. The name, address, and telephone number of the person who will be accountable for ensuring that the water system is in compliance with these rules; (4-5-00)
- c. The name, address, and telephone number of the responsible charge operator (5-8-09)
- d. A description of the manner in which the water system will be managed. Information such as by-laws, restrictive covenants, articles of incorporation, or procedures and policy manuals which describe the management organizational structure shall be provided; (5-8-09)

e. A recommendation of staff qualifications, including training, experience, certification or licensing, and continuing education; (5-8-09)

f. An explanation of how the water system will establish and maintain effective communications and relationships between the water system management, its customers, professional service providers, and any applicable regulatory agencies; and (4-5-00)

g. Evidence of planning for future growth, equipment repair and maintenance, and long term replacement of system components. (4-5-00)

04. Submittal Form. The Department shall provide a standard form to be used in preparing a new system capacity demonstration. The submittal form and general guidance on how to prepare a new system capacity document is provided in, "How to Demonstrate Financial, Technical, and Managerial Capacity in New Public Water Systems." This document may be requested from the Department and is available on the DEQ website at <http://www.deq.idaho.gov>. (5-8-09)

05. Expanding Systems. A public water system which comes into existence as a result of growth in population or number of service connections within a previously unregulated system will be considered a new system under these rules and is subject to all design, construction and operating requirements herein. (4-5-00)

06. Consolidation. In demonstrating new system capacity, the owner of the proposed new system must investigate the feasibility of obtaining water service from an established public water system. If such service is available, but the owner elects to proceed with an independent system, the owner must explain why this choice is in the public interest in terms of environmental protection, affordability to water users, and protection of public health. (4-5-00)

07. Exclusion. New public water systems which are public utilities as defined in Sections 61-104 (Corporation), 61-124 (Water System), 61-125 (Water Corporation), and 61-129 (Public Utility), Idaho Code, must meet the regulatory requirements of the Idaho Public Utilities Commission (IPUC) in Chapter 1, Title 61, Idaho Code, Public Utilities Law, and IDAPA 31.01.01, "Rules of Procedure of the Idaho Public Utilities Commission." Such water systems will not be required to meet any requirements of this Section which are in conflict with the provisions and requirements of the IPUC. (4-5-00)

501. FACILITY AND DESIGN STANDARDS: GENERAL DESIGN REQUIREMENTS FOR PUBLIC DRINKING WATER SYSTEMS.

Unless otherwise specified by the Department, the design of new drinking water systems, or modifications to existing, public drinking water systems, shall be in conformance with the facility and design standards set forth in Sections 006 and 500 through 552 of these rules. The following general design requirements shall apply as applicable for the type of water system and the treatment or other processes employed. (3-30-07)

01. Materials Used in Construction. Products that are used to construct public drinking water systems and have water contact surfaces shall conform to applicable AWWA standards and be certified by an accredited ANSI certification body to meet applicable ANSI/NSF standards, where products meeting such AWWA and ANSI/NSF standards exist. In the absence of such products, products meeting applicable product standards and acceptable to the reviewing authority may be selected. Corrosion control shall be taken into account during all aspects of public water system design. (5-8-09)

02. Additives Used in Operation. No chemical or other substance shall be added to drinking water, nor shall any process be utilized to treat drinking water, unless specifically approved by the Department. All chemicals shall conform to applicable AWWA standards and be certified by an accredited ANSI certification body to meet ANSI/NSF Standard 60, referenced in Subsection 002.02. (3-30-07)

03. Design Basis. The system, including the water source and treatment facilities, shall be designed to provide either peak hour demand of the system or maximum day demand plus equalization storage at the design year. (5-8-09)

04. Design of Treatment Facilities. Design of treatment facilities shall address: (3-30-07)

- a. Functional aspects of facility layout and provisions for future facility expansion; (3-30-07)
- b. Provision for expansion of waste treatment and disposal facilities ([see Section 540](#)); ~~(3-30-07)~~()
- c. Roads constructed to provide year-round access by vehicles and equipment needed for repair and maintenance; (3-30-07)
- d. Site grading and drainage; and (3-30-07)
- e. Chemical ~~delivery~~ Feed or Injection. Unless otherwise approved by the Department based on documentation provided by the design engineer, all chemical feed or injection systems must be designed to ensure complete mixing through rapid mix devices or other measures. ~~(3-30-07)~~()

f. Redundancy. Unless otherwise approved by the Department or as specified in other sections of these rules, to ensure that minimum quality, quantity, and pressure requirements of these rules are continuously met during maintenance, breakdowns, structural failures, emergencies, or other periods when components must be out of service, water system treatment, filtration, and disinfection components for all new or substantially modified community or nontransient, noncommunity drinking water systems shall be designed such that plant design capacity can be maintained with any component out of service. Raw water intake structures are excluded from the general redundancy requirement but shall be designed to ensure that plant design capacity will be maintained. ()

05. Design of Buildings. The design of buildings that are a part of public drinking water systems shall provide for: (3-30-07)

- a. Adequate ventilation, lighting, heating, and air conditioning; (3-30-07)
- b. Adequate drainage; (3-30-07)
- c. Dehumidification equipment, if necessary; (3-30-07)
- d. Accessibility of equipment for operation, servicing, and removal; (3-30-07)
- e. Flexibility and convenience of operation and safety of operators; and (3-30-07)
- f. Separate room(s) for chemical storage and feed equipment that may be required based on type of chemicals and associated hazards. (5-8-09)

06. Electrical. Main switch gear electrical controls shall be located above grade, in areas not subject to flooding. All electrical work shall conform to the requirements of the National Electrical Code or to relevant state/local codes. The National Electrical Code is available from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, (617)770-3000. (5-8-09)

07. Reliability and Emergency Operation. New community water systems constructed after April 15, 2007 are required to have sufficient dedicated on-site standby power, with automatic switch-over capability, or standby storage so that water may be treated and supplied to pressurize the entire distribution system during power outages. During a power outage, the water system shall be able to meet the operating pressure requirements of Subsection 552.01.b. for a minimum of eight (8) hours at average day demand plus fire flow where provided. A minimum of eight (8) hours of fuel storage shall be located on site unless an equivalent plan is authorized by the Department. Standby power provided in a public drinking water system shall be coordinated with the standby power that is provided in the wastewater collection and treatment system. (5-8-09)

- a. The Department may require the installation of standby power or storage facilities in existing systems if the frequency and duration of power outages a system experiences constitute a health hazard. (3-30-07)
- b. Existing community public water systems that are substantially modified after April 15, 2007 shall

meet the requirements of Subsection 501.07. in those portions of the system affected by the modifications. (3-30-07)

c. New sources and booster pumps intended to increase system capacity shall be provided with standby power or equivalent unless, during a power outage, the public water system or distribution system pressure zone can already meet the minimum operating capacity and pressure requirements in Subsection 501.07 for a minimum of eight (8) hours at average day demand plus fire flow where provided for each pressure zone. (3-30-07)()

d. For both new and existing public water systems, the Department may reduce the requirements of Subsection 501.07 if the system can demonstrate the capacity to adequately protect public health during a power outage. Any decision by the Department will be based on, but not limited to, the following considerations: (3-30-07)

- i. An adequate emergency response and operation plan and the capacity to implement that plan. (3-30-07)
- ii. The adequacy of the system's cross connection control program and the capacity to protect public health in the event of a system wide depressurization. (3-30-07)
- iii. Demonstration of historical and projected reliability of the electrical power supplied to the water system. (3-30-07)
- iv. A strategy for providing information to the public during power outages, including instructions to stop irrigation, boil water, etc., until notified otherwise. (3-30-07)
- v. The level of reliability acceptable to consumers. This can be accomplished with either a vote of the majority of consumers for privately owned and operated systems or a decision by the governing body for publicly governed systems. (3-30-07)
- vi. Other considerations that may be pertinent, including connections to other public water systems, agreements to provide water in emergency situations, and the availability of dedicated portable auxiliary power. (3-30-07)

08. On-Site Analysis and Testing Capabilities. Each public water system shall have equipment and facilities for routine testing necessary to ensure proper operation. Equipment selection shall be based on the characteristics of the raw water source and the complexity of the treatment process involved. (3-30-07)

09. Sample Taps. Sample taps shall be provided so that water samples can be obtained from each water source and from appropriate locations in each unit operation of treatment, and from the finished water. Taps shall be consistent with sampling needs and shall not be of the petcock type. Taps owned by the water system and used for obtaining samples for bacteriological analysis shall be of the smooth-nosed type without interior or exterior threads, shall not be of the mixing type, and shall not have a screen, aerator, or other such appurtenance. (3-30-07)

10. Facility Potable Water Supply. The facility water supply service line and the plant finished water sample tap shall be supplied from a source of finished water at a point where all chemicals have been thoroughly mixed, and the required disinfectant contact time, if applicable, has been achieved. There shall be no cross connections between the facility water supply service line and any piping, troughs, tanks, or other treatment units containing wastewater, treatment chemicals, raw or partially treated water. (3-30-07)

11. Meters. All water supplies shall have an acceptable means of measuring the flow from each source, the wash water, the recycled water, any blended water of different quality, and the finished water. (3-30-07)

12. Operation and Maintenance Manual. ~~An operation and maintenance manual or manuals shall be provided for all public water systems. The manual shall include, but is not limited to, the following contents: daily operating instructions, operator safety procedures, location of valves and other key system features, parts list and parts order form, and information for contacting the water system operator. An operational trouble shooting section shall be supplied to the water works as part of any proprietary unit installed in system facilities. A new or updated operation and maintenance manual that addresses all water system facilities shall be submitted to the Department for~~

review and approval prior to start-up of the new or materially modified public water system unless the same system components are already covered in an existing operation and maintenance manual. For existing systems with continual operational problems as determined by the Department, the Department may require that an operation and maintenance manual be submitted to the Department for review and approval. The operator shall ensure that the system is operated in accordance with the approved operation and maintenance manual. ~~(3-30-07)~~()

13. Start-Up Training. Provisions shall be made for operator instruction at the start-up of a new plant or pumping station. (3-30-07)

14. Safety. Consideration shall be given to the protection of maintenance personnel and visitors from typical and foreseeable hazards in accordance with the engineering standards of care. The design shall comply with all applicable safety codes and regulations that may include the Uniform Building Code, ~~Uniform~~ **International** Fire Code, National Fire Protection Association Standards, and state and federal OSHA standards. Items to be considered include, but are not limited to, noise arresters, noise protection, confined space entry, protective equipment and clothing, gas masks, safety showers and eye washes, handrails and guards, warning signs, smoke detectors, toxic gas detectors and fire extinguishers. ~~(3-30-07)~~()

15. Security. Appropriate design measures to help ensure the security of water system facilities shall be incorporated. Such measures, at a minimum, shall include means to lock all exterior doorways, windows, gates and other entrances to source, treatment, pumping stations, and water storage facilities. (3-30-07)

16. Other Regulations. Consideration must be given to the design requirements of other federal, state, and local regulatory agencies for items such as safety requirements, special designs for the handicapped, plumbing and electrical codes, and construction in the flood plain. (3-30-07)

17. Ground Water Source Redundancy. New community water systems served by ground water shall have a minimum of two (2) sources if they are intended to serve more than twenty-five (25) connections or equivalent dwelling units (EDUs). Under normal operating conditions, with any source out of service, the remaining source(s) shall be capable of providing either the peak hour demand of the system or a minimum of the maximum day demand plus equalization storage. See Subsection 501.18 for general design and redundancy requirements concerning fire flow capacity. (5-8-09)

18. Redundant Fire Flow Capacity. (3-30-07)

a. Public water systems that provide fire flow shall be designed to provide maximum day demand plus fire flow. Fire flow requirements and system adequacy shall be determined by the local fire authority or by a hydraulic analysis by a licensed professional engineer to establish required fire flows in accordance with the International Fire Code as adopted by the State Fire Marshal. Pumping systems supporting fire flow capacity must be designed so that fire flow may be provided with any pump out of service. ~~(5-8-09)~~()

b. The requirement for redundant pumping capacity specified in Subsection 501.18.a. may be reduced to the extent that fire suppression storage is provided in sufficient quantity to meet some or all of fire flow demands. Where fire suppression storage is not provided, the requirement for fire flow pumping redundancy may be reduced or eliminated if the following conditions are met: (5-8-09)

i. The local fire authority ~~states in writing~~ **justifies** that the fire flow capacity of the system is acceptable and is compatible with the water demand of existing and planned fire-fighting equipment and fire-fighting practices in the area served by the system. ~~(3-30-07)~~()

ii. In a manner appropriate to the system type and situation, **positive** notification is provided to customers that describes the design of the system's fire-fighting capability and explains how it differs from the requirements of Subsection 501.18.a. ~~The notice shall indicate that the local fire authority has provided written acceptance of the system's fire flow capacity.~~ ~~(5-8-09)~~()

19. Pilot Studies. Unless otherwise approved by the Department based on documentation provided by the design engineer, pilot studies are required for treatment processes other than chlorine disinfection or point of use installations. Pilot studies may be performed in the field using the proposed source water or in conjunction with

bench scale testing in the lab using the proposed source water. The system shall obtain the Department's approval of a pilot study plan before the pilot study is implemented. A pilot study shall be conducted for a period that shall be determined by the design engineer and approved by the Department. A final pilot study report with results shall be submitted to the Department for review and approval. Upon completion of the pilot study, final approval of equipment and treatment processes is subject to the applicable requirements of Sections 500 through 552. ()

a. Pilot Study Plan. A pilot study plan shall include the following and any other items required by the Department: ()

i. Introduction and Background. The plan shall discuss general information about the project including the existing system, the reason for conducting the pilot study, and anticipated results of a successful pilot study. ()

ii. Alternative Processes. Provide a brief description of alternative processes that could be used if the proposed process is shown to be ineffective from the study. ()

iii. Procedures and Methods. The procedures and methods section shall discuss how the pilot study will be conducted, the time frame of the study, source water quality, how source water may be altered to mimic various source water quality conditions, and the water quality parameters that are monitored and evaluated to determine if the treatment process was effective. ()

b. Pilot Study Report. The pilot study report shall include the following and any other items required by the Department: ()

i. Introduction and Background. ()

ii. Results. A discussion of the overall pilot study progress, including any issues or problems and a general discussion of results of the study and what the results indicate. This discussion should determine parameters necessary for full scale implementation. ()

iii. Conclusions. Conclusions and recommendation to proceed with the treatment process if the results of the study proved successful. ()

c. Additional specific pilot study requirements in Sections 500 through 552 shall be included in pilot study plans and reports. ()

d. Engineer's Seal Required. Pilot study plans and pilot study reports submitted to the Department shall bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the engineer. ()

(BREAK IN CONTINUITY OF SECTIONS)

503. FACILITY AND DESIGN STANDARDS: PRELIMINARY ENGINEERING REPORTS.

See the definition of Preliminary Engineering Report in Section 003. Preliminary engineering reports are required for all new water systems or material modifications to existing water systems that require plan and specification review and approval pursuant to Subsection 504.03. The preliminary engineering report shall be in conformance with the approved facility plan or shall describe any modifications to the facility plan. Preliminary engineering reports must be completed for all major water system projects including, but not limited to, source, pump station, pressure control, storage, and treatment projects. Preliminary engineering reports are not required for simple water main extensions that are approved in accordance with Subsections 502.01.a. or 502.01.b. (5-8-09)()

01. Submittal to Reviewing Authority. Preliminary engineering reports shall be submitted to the Department for review and must be approved by the Department prior to the submission of plans and specifications. The Department may allow well construction plans and specifications to be submitted concurrently with a

preliminary engineering report for these projects. (5-8-09)

02. Seal Required. Preliminary engineering reports submitted to the Department shall bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the engineer. The Department will accept the seal and signature of an Idaho licensed professional geologist on preliminary reports for well source, spring source, or infiltration gallery site reports, and for well construction. (5-8-09)()

03. Preliminary Engineering Report Contents. The preliminary engineering report must include sufficient detail to demonstrate that the proposed project meets applicable criteria. The items included in Subsections 503.03.a. through 503.03.pe., and all applicable issues and items specifically required in Sections 500 through 552, shall be addressed in detail. As applicable required, a preliminary engineering report shall also identify and evaluate drinking water related problems, assemble basic information, present criteria and assumptions, examine alternative solutions with preliminary layouts and cost estimates, offer a conclusion with a proposed project, and outline official actions and procedures to implement the project. If specific items in Subsections 503.03.a. through 503.03.pe. are not applicable to a particular design, then the designer shall state this in the preliminary engineering report and state the reason why it is not applicable. Items adequately addressed in the facility plan under which the project is being designed may be addressed by reference for purposes of the preliminary engineering report. (5-8-09)()

- ~~a. Existing System. A general description of the existing system. (5-8-09)~~
- ~~b. Location. A general description and location of the project. (5-8-09)~~
- ~~c. Size. The estimated system size based on number of persons, number of connections, or number of EDUs served or impacted by the project. (5-8-09)~~
- ~~d. Water Quantity. Design data for domestic, irrigation, fire fighting, commercial and industrial water uses, including peak hour, maximum day, and average day demands. (5-8-09)~~
- ~~e. Storage. Storage requirements. (3-30-07)~~
- ~~f. Operating Pressure. Pressure ranges for all flow conditions prescribed by these rules. (5-8-09)~~
- ~~g. Hydraulic Analysis. A computer analysis of the hydraulics of the distribution system if requested by the Department; any analysis of an existing distribution system shall be properly calibrated. The type and sophistication of analysis shall be dependent on the type of system. (5-8-09)~~
- ~~h. Sources of Water. Adequacy, quality and availability of sources of water. A water system that is to be served by a separate non potable irrigation system must provide documentation to demonstrate the actual availability of water in sufficient quantity to ensure that the irrigation system will not compete with or in any way diminish the source of water for the potable water system. (5-8-09)~~
- ~~i. Sewage. Describe the sewage collection system and sewage treatment works, with special reference to their relationship to existing or proposed water works structures which may affect the operation of the water supply system, or which may affect the quality of the supply. (3-30-07)~~
- ~~j. Treatment Wastes. Characterize the various wastes from the water treatment processes and, if applicable, their volumes, constituents, and proposed treatment and disposal. If discharging to a sanitary sewage system, verify that the system is capable of handling the flow to the treatment works and that the treatment works is capable and willing to accept the additional loading. (3-30-07)~~
- ~~k. Monitoring Results. Unless unobtainable, as in the case of a ground water source for a new public water system, monitoring results shall be included for any project that adds capacity, treatment, or has the potential to affect the water quality of the existing system. (5-8-09)~~
- ~~i. Community Systems. Results of analysis for total coliform, inorganic chemical contaminants, organic chemicals, and radionuclide contaminants set forth in Subsections 050.01, 050.02, 050.05, 100.01, 100.03, 100.04, 100.05, and 100.06, unless analysis is waived pursuant to Subsection 100.07. (5-8-09)~~

- ~~ii. Nontransient noncommunity systems. Results of analysis for total coliform and inorganic and organic chemical contaminants listed in Subsections 050.01, 050.02, 100.01, 100.03, 100.04, unless analysis is waived pursuant to Subsection 100.07. (5-8-09)~~
- ~~iii. Transient noncommunity systems. Results of a total coliform, nitrite, and nitrate analysis listed in Subsections 050.01, 100.01 and 100.03. (5-8-09)~~
- ~~iv. Turbidity. For any system supplied by surface water or ground water under the direct influence of surface water, results of turbidity analysis listed in Subsection 100.02. (3-30-07)~~
- ~~l. Potential Contamination. Identify sources of contamination near proposed sources of water and describe how the sources will be protected. (3-30-07)~~
- ~~m. Flooding. Mechanisms for protection of the system from flooding. (3-30-07)~~
- ~~n. Additional Information—Surface Water. In addition to the items listed in Subsections 503.03.a. through 503.03.m., the following information must be provided for proposed surface water sources and ground water sources under the direct influence of surface water: (5-8-09)~~
 - ~~i. Hydrological and historical stream flow data. (3-30-07)~~
 - ~~ii. A copy of the appropriate permit(s) or application(s) from the Idaho Department of Water Resources regarding authorization to appropriate public waters of the state of Idaho in sufficient quantity to meet the design requirements of the system. (5-8-09)~~
 - ~~iii. Anticipated turbidity ranges, high and low. (3-30-07)~~
 - ~~iv. Treatment selection process and alternative evaluations. (3-30-07)~~
 - ~~v. Assessment of the degree of control the water system will be able to exercise over the watershed. (3-30-07)~~
 - ~~vi. Projected future uses of impoundments or reservoirs within the watershed. (3-30-07)~~
 - ~~vii. Assess degree of hazard to the supply by agricultural, industrial, recreational, and residential activities in the watershed, and by accidental spillage of materials that may be toxic, harmful or detrimental to treatment processes. (3-30-07)~~
 - ~~viii. Assess all waste discharges and activities that could impact the water supply. The location of each waste discharge shall be shown on a scale map. (3-30-07)~~
 - ~~ix. Obtain source water samples over a sufficient period of time to assess the microbiological, physical, chemical and radiological characteristics of the water. (3-30-07)~~
 - ~~x. Consideration of currents, wind and ice conditions, and the effect of confluent streams. (3-30-07)~~
- ~~o. Additional Information—Ground Water. In addition to the items listed in Subsections 503.03.a. through 503.03.m., the following information must be provided for a proposed ground water source: (5-8-09)~~
 - ~~i. A site evaluation report as required in Section 510 for wells and Section 514 for springs. (3-30-07)~~
 - ~~ii. Dimensions of the well lot and location of source. Include geographical coordinates of the source location. (3-30-07)~~
 - ~~iii. Underground geological data and existing well logs. (3-30-07)~~

~~iv. If the water is to be treated, summarize the adequacy of proposed processes and unit parameters for the treatment of the specific water. Bench scale testing, pilot studies, or demonstrations of treatment adequacy may be required. (3-30-07)~~

~~v. A copy of the appropriate permit(s) or application(s) from the Idaho Department of Water Resources regarding authorization to appropriate public waters of the state of Idaho in sufficient quantity to meet the design requirements of the system. (5-8-09)~~

~~vi. Evaluation of surface water influence. For all new ground water sources, including but not limited to wells, springs, and infiltration galleries, systems shall supply information as required by the Department to determine if these sources are under the direct influence of surface water. This requirement shall also apply to any existing ground water source that is found to be at risk of surface water influence during a field survey conducted by the Department. (5-8-09)~~

~~p. Soils and ground water levels. Generally discuss soil, ground water conditions, and potential building foundation problems, including a description of: (3-30-07)~~

~~i. The character of the soil through which water mains are to be laid. (3-30-07)~~

~~ii. Characteristics of the soil, water table, and geological substrate that may affect the design and construction of the foundations of proposed structures. (3-30-07)~~

~~iii. The approximate elevation of ground water in relation to subsurface structures. (3-30-07)~~

~~a. All preliminary engineering reports shall include items in Subsection 503.03.a. and the applicable items from Subsections 503.03.b. through 503.03.e. ()~~

~~i. General information. The preliminary engineering report general information shall include, but is not limited to: ()~~

~~(1) Project description. A detailed description of the proposed project; ()~~

~~(2) Site selection. A general description of the location of the project and justification of the site selection; ()~~

~~(3) Access and utilities. A general discussion of adequacy of local roadways and availability of power or other utilities; ()~~

~~(4) Surrounding land use. A general discussion of surrounding land use, including any potential sources of contamination; and ()~~

~~(5) Security. A general discussion of planned security features such as fencing, lighting, alarm systems, etc. ()~~

~~ii. Coordination with facility plan. The preliminary engineering report shall discuss or reference items provided in the Department-approved facility plan. These items include, but are not limited to: ()~~

~~(1) Existing System. A general description of the existing system and how the project fits into the overall system and facility plan; ()~~

~~(2) Size. The estimated system size based on number of persons, number of connections, or number of EDUs served or impacted by the project; ()~~

~~(3) Water Quantity. Design data for domestic, irrigation, fire fighting, commercial and industrial water uses, including peak hour, maximum day, and average day demands; ()~~

~~(4) Storage. How the project will affect various storage requirements. See definition of Components of ()~~

Finished Water Storage in Section 003: ()

(5) Operating Pressure. Pressure ranges for all flow conditions prescribed by these rules; ()

(6) Hydraulic Analysis. A computer analysis of the hydraulics of the distribution system if requested by the Department; any analysis of an existing distribution system shall be properly calibrated. The type and sophistication of analysis shall be dependent on the type of system; ()

(7) Sources of Water. A general discussion of the adequacy, quality and availability of source of water. A water system that is to be served by a separate non-potable irrigation system must provide documentation to demonstrate the actual availability of water in sufficient quantity to ensure that the irrigation system will not compete with or in any way diminish the source of water for the potable water system; ()

(8) Sewage. Describe the sewage collection system and sewage treatment works, with special reference to their relationship to existing or proposed water works structures which may affect the operation of the water supply system, or which may affect the quality of the supply; ()

(9) Treatment wastes. Assesses and characterize all anticipated waste discharges generated by the project and any activities that could impact the water supply. The location of each waste handling area or discharge point shall be shown on a scale map; ()

(10) Financing methods. Provide brief discussion of financing options investigated or planned; and ()

(11) Flooding. Discuss mechanisms for protection of the system from flooding. ()

iii. Code provisions. The preliminary engineering report shall include a summary of applicable codes and standards that apply to the proposed project. ()

iv. Cost estimate. The preliminary engineering report shall provide, as applicable, estimated construction costs for public works projects or projects funded through public monies. ()

v. Construction schedule. The preliminary engineering report shall include the proposed construction schedule. ()

vi. Potential sources of contamination. Identify sources of contamination and describe how the drinking water sources will be protected. ()

vii. Soils and ground water levels. Generally discuss soil, ground water conditions, and potential building foundation problems, including a description of; ()

(1) The character of the soil through which water mains are to be laid; ()

(2) Characteristics of the soil, water table, and geological substrate that may affect the design and construction of the foundations of proposed structures; and ()

(3) The approximate elevation of ground water in relation to subsurface structures. ()

b. Drinking water wells and spring construction projects. In addition to items listed in Subsection 503.03.a., a preliminary engineering report for source water construction projects shall include all items listed in Subsection 503.03.b., applicable items in Sections 510 through 514, and Sections 500 to 552 should be evaluated for their relevance to the project. ()

i. Anticipated geology and hydrogeology. Include geological data and existing well logs. ()

ii. Drilling methodology. Describe the anticipated drilling method and well construction. ()

- iii. Water quality. Anticipated potability and water quality including monitoring results required for new sources by these rules. ()
- iv. Water rights. Provide the appropriate documentation for the water rights for the drinking water source. ()
- v. Dimensions of the well lot and location of source. Include geographical coordinates of the source location. ()
- vi. Evaluation of surface water influence. For all new ground water sources, including but not limited to wells, springs, and infiltration galleries, systems shall supply information as required by the Department to determine if these sources are under the direct influence of surface water. ()
- vii. Provide a site evaluation report as required by Section 510 for wells and 514 for springs. ()
- c. Well and pump house construction projects. In addition to items listed in Subsection 503.03.a., preliminary engineering reports for well and pump house construction projects shall include all items listed in Subsection 503.03.c., applicable items in Sections 511, 541, 547, and Sections 500 to 552 should be evaluated for their relevance to the project. ()**
- i. Well house. Include information on the anticipated construction and well house equipment such as heating, ventilation, interior lighting, and drain(s). ()
- ii. Water Level. Provide a brief description of the means for measuring the water level in the well. ()
- iii. Well pump. Include information on the proposed or planned pump, including the pump curve. ()
- iv. Controls. Describe the equipment and controls for the well and pump house. This includes but is not limited to system control and data acquisition, variable frequency drive, and other manual or automated controls within the well house. ()
- v. Piping and appurtenances including but not limited to sample taps, discharge piping, flow meters, check valves, and pressure gauges. Describe the receiving system for the pump to waste volume of water including an evaluation of the capacity of the receiving system and, if applicable, provide documentation that the system owner will accept the estimated volume of water and any limitations the owner places upon that acceptance. ()
- vi. Well vent. Describe the well vent if applicable. ()
- vii. Casings and well caps. Describe the anticipated casing and well cap type and materials. ()
- viii. Pitless adapters and units. Describe the anticipated pitless adapter for the well. ()
- ix. Soil and water conditions. Describe the soil and groundwater conditions that may affect the design and construction of proposed structure(s). ()
- d. Reservoir and storage construction projects. In addition to items listed in Subsection 503.03.a., preliminary engineering reports for reservoir and storage construction projects shall include all items listed in Subsection 503.03.d., applicable items in Sections 544, and Sections 500 to 552 should be evaluated for their relevance to the project. ()**
- i. Sizing. Describe the required storage capacity and the related components of finished water storage. ()
- ii. Overflow. Describe the anticipated overflow system for the water storage project and where the overflow will discharge. ()

- iii. Vents. Describe the venting system used for the water storage project if applicable. ()
- iv. Construction materials. Describe the construction materials used for the storage project. ()
- v. Protection from freezing. Describe the protection of storage facility features from freezing especially riser pipes, overflows, and vents. ()
- vi. Grading. Describe any site work or grading that may be necessary. ()
- vii. Corrosion prevention. Provide a discussion on methods to prevent corrosion such as coatings, cathodic protection, corrosion resistant materials, and encasement. ()
- viii. Disinfection. Describe the methods to be used to disinfect the storage facility and the testing to check for proper disinfection. ()
- e. Surface water and ground water under the direct influence of surface water (GWUDI) treatment construction projects. In addition to items listed in Subsection 503.03.a., preliminary engineering reports for surface water treatment and GWUDI construction projects shall include all items listed in Sections 503.03.e., applicable items in Sections 515 through 540, and Sections 500 to 552 should be evaluated for their relevance to the project. ()
- i. Intake structures. Describe the intake structures that will be used. ()
- ii. Off-stream raw water storage. If applicable, describe the proposed off-stream raw water storage. ()
- iii. Treatment methods. Describe the treatment methods and potential alternatives including the removal of pathogens, disinfection, enhanced disinfection, water quality monitoring, and redundancy provisions. ()
- iv. Treatment Wastes. Characterize the various wastes from the water treatment processes and, if applicable, their volumes, constituents, and proposed treatment and disposal. If discharging to a sanitary sewage system, verify that the system is capable of handling the flow to the treatment works and that the treatment works is capable and willing to accept the additional loading. ()
- v. Monitoring Results. Provide applicable raw water monitoring results as required by these rules including anticipated turbidity ranges, microbiological, physical, chemical, radiological, and other parameters as determined by the Department. ()
- vi. Potential contamination. An assessment of the degree of hazard to the supply by agricultural, industrial, recreational, and residential activities in the watershed, and by accidental spillage of materials that may be toxic, harmful or detrimental to treatment processes. ()
- vii. Waste discharge. Assess all waste discharges and activities that could impact the water supply. The location of each waste discharge shall be shown on a scale map. ()
- viii. Hydrological and historical stream flow data. Provide any available records and data. ()
- ix. Water rights and water quantity. A copy of the appropriate permit(s) or application(s) from the Idaho Department of Water Resources regarding authorization to appropriate public waters of the state of Idaho in sufficient quantity to meet the design requirements of the system. ()
- x. Turbidity. Anticipated turbidity range. ()
- xi. Watershed. Assessment of the degree of control the water system will be able to exercise over the watershed. ()

xii. Projected future uses of impoundments or reservoirs within the watershed. ()

xiii. Water quality. Submit source water sample data over a sufficient period of time to assess the microbiological, physical, chemical and radiological characteristics of the water. ()

xiv. Stream characteristics. Provide consideration of currents, wind and ice conditions, and the effect of confluent streams. ()

504. FACILITY AND DESIGN STANDARDS: REVIEW OF PLANS AND SPECIFICATIONS.

The facility and design standards set forth in these rules shall be applied in the review of plans and specifications for public water system facilities. If design issues are not addressed by the facility and design standards set out in these rules, then guidance documents, some of which are listed in Subsection 002.02, shall be used as guidance in the design and review of plans and specifications for public drinking water facilities. See also Section 013. (3-30-07)

01. Ownership. Documentation of the ownership and responsibility for operating the proposed system shall be made available to the Department prior to or concurrent with the submittal of plans and specifications as required in Subsection 504.03. The documentation must show organization and financial arrangements adequate to assure construction, operation and maintenance of the system according to these rules. Documentation shall also include the name of the water system, the name, address, and phone number of the supplier of water, the system size, and the name, address, and phone number of the system operator. (3-30-07)

02. Connection to an Existing System. If the proposed project is to be connected to an existing public water system, a letter from the purveyor must be submitted to the Department stating that the purveyor will be able to provide services to the proposed project. The Department may require documentation supporting the ability of the purveyor to provide service to the new system without diminishing quality of service to existing customers. This letter must be submitted prior to or concurrent with the submittal of plans and specifications as required in Subsection 504.03. (3-30-07)

03. Plans and Specifications Required. (3-30-07)

a. Prior to construction of new public drinking water systems, new drinking water systems designed to serve fifteen (15) or more service connections, or material modifications of existing public water systems, plans and specifications must be submitted to the Department for review and approval. Construction should commence as soon as practical after approval, and if construction is not completed within twelve (12) months of the Department's final approval, an extension or re-approval must be obtained from the Department. The Department may require re-submittal of all or part of the plans and specifications prior to issuing an extension or re-approving the plans and specifications. (4-7-11)

b. Plans and specifications for simple water main extensions shall not require pre-construction approval by the Department when such extensions will be owned and operated by a city, county, quasi-municipal corporation or regulated public utility, provided that such plans and specifications are reviewed and approved by a QLPE who was not involved in the preparation of the plans and specifications being reviewed to verify compliance with the requirements of these rules prior to initiation of construction. Any plans and specifications approved pursuant to Subsection 504.03.b. shall be transmitted to the Department at the time construction is authorized and shall be marked or stamped as "Approved for Construction." Along with the plans and specifications, the transmittal must include the items listed in Subsections 504.03.b.i. through 504.03.b.vii. The plans and specifications must ~~be sealed, signed, and dated by the professional engineer in responsible charge of their preparation~~ bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the engineer, and the approval or transmittal letter must be sealed, signed, and dated by the QLPE that is approving the plans and specifications. (5-8-09)()

i. A statement that the author of the transmittal letter is the QLPE representing the city, county, quasi-municipal corporation or regulated public entity. (5-8-09)

ii. A statement that the extension project complies with the current facility plan or preliminary engineering report, or a statement that the water system has adequate capacity. Please see Subsection 502.01.b. for

further information. (5-8-09)

iii. A statement from the city, county, quasi-municipal corporation or regulated public entity or its authorized agent that the water system purveyor will serve the project. (5-8-09)

iv. A statement from the city, county, quasi-municipal corporation or regulated public entity or its authorized agent that the water system purveyor will own and operate the project after construction is complete. (5-8-09)

v. A statement by the QLPE that the plans and specifications are approved for construction. (5-8-09)

vi. A statement by the QLPE that the plans and specifications comply with the facility standards within these rules. (5-8-09)

vii. A statement recommending whether sanitary restrictions can be released or should remain in force. (5-8-09)

c. Subsections 504.03.c.i. through 504.03.c.vi. outline the projects which QLPEs may approve and which QLPEs may not approve. (5-8-09)

i. A QLPE may approve plans and specifications for simple water main extensions that are able to connect to an existing water system owned by a city, county, quasi-municipal corporation, or regulated public utility at the time the extension is approved for construction by the QLPE. (5-8-09)

ii. A QLPE may approve plans for simple water main extensions which will connect to an existing water system, but are unable to connect to the system at the time the extension is approved for construction by the QLPE, provided sanitary restrictions remain in force for the proposed extension. (5-8-09)

iii. A QLPE may not approve plans and specifications which include mechanical systems such as booster stations. (5-8-09)

iv. A QLPE may not approve plans and specifications for projects which the QLPE was the design engineer or otherwise involved in the design. (5-8-09)

v. A QLPE employed by a city, county, quasi-municipal corporation, or regulated public utility may approve a design that was prepared by a subordinate engineer or an engineer from a separate design group within the city, county, quasi-municipal corporation, or regulated public utility. (5-8-09)

vi. A QLPE who is not employed by a city, county, quasi-municipal corporation, or regulated public utility, but is retained by a city, county, quasi-municipal corporation, or regulated public utility for the purpose of plan and specification review may not approve projects designed by the company with which the QLPE is employed. (5-8-09)

d. At the discretion of the city, county, quasi-municipal corporation or regulated public utility, the plans addressed by Subsection 504.03.b. may be referred to the Department for review and approval prior to initiation of construction. (3-30-07)

~~e. *New or updated operation and maintenance manual or manuals, as required in Subsection 501.12, shall be submitted to the Department for review and approval prior to start-up of the new or modified public water system.* (3-30-07)~~

04. Criteria for Review. The Department shall review plans and specifications to determine compliance with these rules and engineering standards of care. If the plans and specifications comply with these rules and engineering standards of care, the Department shall not substitute its judgment for that of the owner's design engineer concerning the manner of compliance with the rule. (3-30-07)

05. Schedule for Review. The Department shall review plans and specifications and endeavor to

resolve design issues within forty-two (42) calendar days of submittal such that approval can be granted. If the Department and applicant have not resolved design issues within forty-two (42) calendar days or at any time thereafter, the applicant may file a written demand to the Department for a decision. Upon receipt of such written demand, the Department shall deliver a written decision to the applicant within no more than seven (7) calendar days explaining any reasons for disapproval. The Department shall maintain records of all written demands for decision made pursuant to Subsection 504.05 with such records including the final decision rendered and the timeliness thereof. (3-30-07)

06. Engineer's Seal Required. Plans and specifications submitted to the Department shall bear the imprint of an Idaho licensed professional engineer's seal; except that the Department will accept the seal of an Idaho licensed professional geologist on the following: (3-30-07)

a. Well source, spring source, or infiltration gallery site evaluation reports, as specified in Subsections 510 and 514. (3-30-07)

b. Plans and specifications for well construction and results of field inspection and testing, as specified in Section 510. (3-30-07)

07. Contents of Plans and Specifications. Plans and specifications shall, where pertinent, provide the following: (3-30-07)

a. General layout, including: (3-30-07)

i. Suitable title. (3-30-07)

ii. Name of municipality or other entity or person responsible for the water supply. (3-30-07)

iii. Area or institution to be served. (3-30-07)

iv. Scale of drawings. (3-30-07)

v. North arrow. (3-30-07)

vi. Datum used. (3-30-07)

vii. General boundaries of municipality or area to be served. (3-30-07)

viii. Date, name, and address of the designing engineer. (3-30-07)

ix. Legible prints suitable for reproduction. (3-30-07)

x. Location and size of existing water mains, if applicable. (3-30-07)

xi. For systems undergoing material modification, location and nature of existing water works structures and appurtenances affecting the proposed improvements. (3-30-07)

b. Detailed plans, including: (3-30-07)

i. Stream crossings, providing profiles with elevations of the stream bed and the estimated normal and extreme high and, where appropriate, low water levels. (3-30-07)

ii. Location and size of the property to be used for the development with respect to known references such as roads, streams, section lines, or streets. (3-30-07)

iii. Topography and arrangement of present or planned wells or structures. (3-30-07)

iv. Elevations of the one hundred (100) year flood level in relation to the floor of structures, upper

- termination of protective casings, and grade surrounding facilities. (3-30-07)
- v. Details of well construction, including diameter and depth of drill holes, casing and liner diameters and depths, grouting depths, elevations, and designation of geological formations, water levels and other data as specified in Section 510. (3-30-07)
- vi. Location of all known existing and potential sources of pollution within five hundred (500) feet of water sources or underground treated storage facilities. (3-30-07)
- vii. Size, length, and materials of proposed water mains. (3-30-07)
- viii. Location of existing or proposed streets; water sources, ponds, lakes, and drains; storm sanitary, combined and house sewers; septic tanks, disposal fields and cesspools. (3-30-07)
- ix. Schematic flow diagrams and hydraulic profiles showing the flow through various plant units. (3-30-07)
- x. Piping in sufficient detail to show flow through the plant including waste lines. (3-30-07)
- xi. Locations of all chemical storage areas, chemical feeding equipment, and points of chemical application. (3-30-07)
- xii. All appurtenances, specific structures, equipment, water treatment plant waste disposal units and points of discharge having any relationship to the plans for water mains or water works structures. (3-30-07)
- xiii. Locations of sanitary or other facilities, such as lavatories, showers, toilets, and lockers, when applicable or required by the Department. (3-30-07)
- xiv. Locations, dimensions, and elevations of all proposed plant facilities. (3-30-07)
- xv. Locations of all sampling taps owned by the water system. (3-30-07)
- xvi. Adequate description of any significant features not otherwise covered by the specifications that may impact public safety or welfare. (3-30-07)
- c.** Complete, detailed technical specifications shall be supplied for the proposed project, including: (3-30-07)
- i. A program for keeping existing water works facilities in operation during construction of additional facilities so as to minimize interruption of service. (3-30-07)
- ii. Laboratory facilities and equipment. (3-30-07)
- iii. Description of chemical feeding equipment. (3-30-07)
- iv. Procedures for flushing, disinfection and testing, as needed, prior to placing the project in service. All wells, pipes, tanks, and equipment which can convey or store potable water shall be disinfected in accordance with AWWA Standards, incorporated into these rules at Subsection 002.01. Plans or specifications shall outline the procedure and include the disinfectant dosage, contact time, and method of testing the results of this procedure. (3-30-07)
- v. Materials or proprietary equipment for sanitary or other facilities, including any necessary backflow or back-siphonage protection. (3-30-07)
- d.** Complete design criteria, as set forth in these rules. (3-30-07)
- e.** The Department may require additional information which is not part of the construction drawings,

including, but not limited to, head loss calculations, proprietary technical data, and copies of contracts. (3-30-07)

08. Notification of Material Deviations. As set forth in Subsection 504.03, during construction or modification, the reviewing authority must be notified of any material deviation from the approved plans. The reviewing authority's prior written approval is required before any material deviation is allowed. (3-30-07)

09. Record Plans and Specifications Required. (5-8-09)

a. Within thirty (30) calendar days of the completion of construction of facilities for which plans are required to be reviewed pursuant to Subsection 504.03, record plans and specifications based on information provided by the construction contractor and field observations made by the engineer or the engineer's designee depicting the actual construction of facilities performed, must be submitted to the Department by the engineer representing the city, county, quasi-municipal corporation or regulated public utility that owns the project, or by the design engineer or owner-designated substitute engineer if the facilities will not be owned and operated by a city, county, quasi-municipal corporation or regulated public utility. Such submittal by the professional engineer must confirm material compliance with the approved plans and specifications or disclose any material deviations therefrom. If the construction does not materially deviate from the approved plans and specifications, the owner may have a statement to that effect prepared by an Idaho licensed professional engineer and filed with the Department in lieu of submitting a complete and accurate set of record drawings. (3-30-07)

b. Record plans and specifications, or a statement submitted in lieu of record plans and specifications, must ~~be sealed, signed,~~ bear the imprint of an Idaho licensed professional engineer's seal that is both signed and dated by the ~~professional~~ engineer in responsible charge of their preparation. (5-8-09)()

c. The Department will accept the seal and signature of an Idaho licensed professional geologist on record plans and specifications, or a statement bearing the seal and signature of an Idaho licensed professional geologist in lieu of record plans and specifications, for record plans and specifications for well construction and results of field inspection and testing, as specified in Section 510. (5-8-09)()

10. Exception. The Department may waive the plan and specification approval required of any particular facility or category of facilities when doing so will have no significant impact on public health or the environment. (3-30-07)

11. Requirement to Have Approved Plans and Specifications and Approval Letter On-Site During Construction. It is the responsibility of the owner to maintain one (1) copy of the approved plans and specifications and the approval letter from the reviewing authority on-site during construction at all times. (3-30-07)

12. Construction. Except as provided in Subsection 504.03.b., no construction shall commence until all of the necessary approvals have been received from the Department. The owner shall provide for the inspection of the construction of a public drinking water system facility by an Idaho licensed professional engineer to the extent required to confirm material compliance with the approved plans and to produce accurate record documents as required by Subsection 504.09. (3-30-07)

505. -- 509. (RESERVED).

510. FACILITY AND DESIGN STANDARDS: SITING AND CONSTRUCTION OF WELLS.

Written approval by the Department is required before water from any new or reconstructed well may be served to the public. Any supplier of water for a public water system served by one (1) or more wells shall ensure that the following requirements are met: (3-30-07)

01. Site Approval. Prior to drilling, the site of a public water system well must be approved in writing by the Department. The Department shall require the supplier of water to submit a well site evaluation report that takes into account the proposed size, depth, and location of the well. The evaluation may include, but is not limited to the following types of information: (3-30-07)

a. An evaluation of the ~~potability and~~ quality of anticipated ground water. (5-3-03)()

b. Identification of the known aquifers and the extent of each aquifer, based on the stratigraphy, sedimentation, and geologic structure beneath the proposed well site. (5-3-03)

c. An estimate of hydrologic and geologic properties of each aquifer and confining layers. (5-3-03)

d. Prediction of the sources of water to be extracted by the well and the drawdown of existing wells, springs, and surface water bodies that may be caused by pumping the proposed well. This prediction may be based on analytical or numerical models as determined by the Idaho Department of Water Resources permitting process. (3-30-07)

e. Demonstration of the extent of the capture zone of the well, based on the well's design discharge and on aquifer geology, using estimates of hydraulic conductivity and storativity. (5-3-03)

f. Description of potential sources of contamination within five hundred (500) feet of the well site. (5-3-03)

02. Location. Each well shall be staked by the design engineer or licensed professional geologist prior to drilling, be located a minimum of fifty (50) feet from the nearest property line, be located a minimum of fifty (50) feet from any potential source of contamination, and be no closer to specified sources of contamination than set forth in Subsection 900.01. In vulnerable settings, the Department may require engineering or hydrologic analysis to determine if the required setback distance is adequate to prevent contamination. (5-8-09)

03. Construction Standards. In addition to meeting the requirements of these rules, all wells shall be constructed in accordance with IDAPA 37.03.09, "Well Construction Standards Rules," and related rules and laws administered by the Idaho Department of Water Resources. All wells shall comply with the drilling permit requirements of Section 42-235, Idaho Code. (5-3-03)

a. Casing that meets the requirements set forth in Subsection 900.02 (Table 2). The use of plastic well casing for public water system wells may be considered on a case-by-case basis. Plastic casing shall meet or exceed ASTM Standard F480-02 and ANSI/NSF Standard 61. (5-8-09)

b. Public water system wells shall have no less than fifty-eight (58) feet of annular seal of not less than one and one-half (1 ½) inches thickness as measured from land surface to the bottom of the seal unless: (3-30-07)

i. It can be demonstrated to the Department's satisfaction that there is a confining layer at lesser depth that is capable of preventing unwanted water from reaching the intake zone of the well; or (5-3-03)

ii. The best and most practical aquifer at a particular site is less than fifty-eight (58) feet deep; or; (5-3-03)

iii. The Department specifies a different annular seal depth based on local hydrologic conditions. (5-3-03)

iv. More stringent standards are required by applicable Rules of the Idaho Water Resources Board, referenced in Subsection 002.02. (3-30-07)

c. Specifications shall include allowable tolerances for plumbness and alignment in accordance with AWWA Standards, incorporated by reference into these rules at Subsection 002.01, or as otherwise approved by the Department. If the well fails to meet these requirements, it may be accepted by the Department if it does not interfere with the installation or operation of the pump or uniform placement of grout. (3-30-07)

d. Geological data shall be collected at each pronounced change in formation and shall be recorded in the driller's log. Supplemental data includes, but is not limited to, accurate geographical location such as latitude and longitude or GIS coordinates, and other information on accurate records of drillhole diameters and depths, assembled order of size and length of casing, screens and liners, grouting depths, formations penetrated, and water levels. (3-30-07)

- e. The owner of each well shall retain all records pertaining to each well until the well has been properly abandoned. (3-30-07)
- f. Wells with intake screens shall: (3-30-07)
- i. Be constructed of materials resistant to damage by chemical action of ground water or cleaning operations. (3-30-07)
- ii. Have openings based on sieve analysis of formation or gravel pack materials. (5-8-09)
- iii. Have sufficient length and diameter to provide adequate specific capacity and aperture entrance velocity not to exceed point three (0.3) feet per second, or as otherwise approved by the Department. (3-30-07)
- iv. Be installed so that the pumping water level remains above the screen under all operating conditions, or otherwise approved by the Department. Where a bottom plate or sump is utilized, it shall be of the same material as the screen, or as otherwise approved by the Department. Where a washdown assembly, tailpipe or sump is used below the screen, it may be made of a different material than the screen. (3-30-07)
- g. Permanent well casing shall be surrounded by a minimum of one and one-half (1 ½) inches of grout to the depth required by Subsection 510.03.b. of these rules, or by the Rules of the Idaho Water Resources Board referenced in Subsection 002.02, whichever is greater. All casing identified in plans and specifications as temporary casing shall be removed prior to well completion. (5-8-09)
- i. Neat cement grout consisting of cement that conforms to AWWA Standard A-100, and water, with not more than six (6) gallons of water per ninety-four (94) pounds of cement, shall be used for one and one-half (1 ½) inch openings. Additives may be used to enhance effectiveness and are subject to approval by the reviewing authority and the Idaho Department of Water Resources on a case-by-case basis. (3-30-07)
- ii. Bentonite grout shall have a solids content not less than twenty-five (25) percent by weight when mixed with water and be specifically manufactured for use in sealing of well casing. Bentonite grout shall not contain weighting agents to increase solids content. Bentonite grout shall not be used above the water table. All bentonite grout shall be installed by positive displacement from the bottom up through a tremmie or float shoe. (3-30-07)
- iii. Where a dry annular space is to be sealed, a minimum of two (2) inches on all sides of the casing shall be required to place bentonite to depths not greater than one hundred (100) feet, using #8 mesh granular bentonite. All dry pour granular bentonite shall be tagged at appropriate intervals to verify placement. If a bridge occurs, a tremmie pipe shall be washed or jetted through the bridge to allow for pumping of grout. Bentonite chips shall be of sufficient size to accommodate proper placement for the existing subsurface conditions. (3-30-07)
- iv. Dry granular bentonite used in wells where a dry annular space is to be sealed with depths greater than one hundred (100) feet shall require an annulus of at least three (3) inches on all sides of the casing, or as approved by the reviewing authority and the Idaho Department of Water Resources. If a bridge occurs, a tremmie pipe shall be washed or jetted through the bridge to allow for pumping of grout. Bentonite chips shall be of sufficient size to accommodate proper placement for the existing subsurface conditions. (3-30-07)
- v. All chip bentonite seals installed through water shall only be used in annular spaces of at least four (4) inches on all sides of the casing. If a bridge occurs, a tremmie pipe shall be washed or jetted through the bridge to allow for pumping of grout. Bentonite chips shall be of sufficient size to accommodate proper placement for the existing subsurface conditions. Chip bentonite seals installed through water shall be: (3-30-07)
- (1) Installed in accordance with manufacturer's specifications; or (3-30-07)
- (2) Installed by pouring chips over a one-quarter (1/4) inch mesh screen for three-eighths (3/8) inch chips to remove fines to prevent bridging at the water table; or (3-30-07)
- (3) Installed using coated pellets to retard hydration if approved by the reviewing authority and the

Idaho Department of Water Resources. (3-30-07)

vi. Concrete may be approved on a case-by-case basis by the reviewing authority and the Idaho Department of Water Resources. Upon such approval, the approved method shall use a six (6) sack minus one-half (1/2) inch Portland cement concrete and shall be installed by positive displacement from the bottom up through a tremmie pipe. (3-30-07)

04. Disinfection. All tools, bits, pipe, and other materials to be inserted in the borehole shall be cleaned and disinfected in accordance with the Well Construction Standards and permitting requirements of the Idaho Water Resources Board, referenced in Subsection 002.02 This applies to new well construction and repair of existing wells. (3-30-07)

05. Well Completion Report Required. Upon completion of a well, and prior to its use as a drinking water source, the following information and data must be submitted by the water system to the Department. The well completion report must be submitted to the Department prior to or concurrent with the submittal of the preliminary engineering report for well house construction/modification. The well completion report shall bear the imprint of an Idaho licensed professional engineer's or an Idaho licensed professional geologist's seal that is both signed and dated by the engineer or geologist: (4-7-11)

- a. A copy of all well logs; (12-10-92)
- b. Results of test pumping, as specified in Subsection 510.06; (4-7-11)
- c. As constructed plans showing at least the following: (12-10-92)
 - i. Annular seal, including depth and sealant material used and method of application; (5-3-03)
 - ii. Casing perforations, results of sieve analysis used in designing screens installed in sand or gravel aquifers, gravel packs; and (5-3-03)
 - iii. Recommended pump location; ~~and~~; (4-7-11)()

~~i. For community water systems, a permanent means for measuring water level. All equipment required for conducting water level measurements shall be purchased and made available to the water system operator at the time well construction is completed. Where pneumatic or electronic water level measuring equipment is used, it shall be made using corrosion resistant materials attached firmly to the drop pipe or pump column and in such a manner as to prevent entrance of foreign materials. (3-30-07)~~

- d. Other information as may be specified by the Department. (12-10-92)
- e. Sampling results for iron, manganese, corrosivity, and other secondary contaminants specified by the Department. Other monitoring requirements are specified in Subsections 510.05.e.i. through 510.05.e.iii. (5-8-09)
 - i. Community Systems. Results of analysis for total coliform, inorganic chemical contaminants, organic chemicals, and radionuclide contaminants set forth in Subsections 050.01, 050.02, 050.05, 100.01, 100.03, 100.04, 100.05, and 100.06, unless analysis is waived pursuant to Subsection 100.07. (5-8-09)
 - ii. Nontransient Noncommunity Systems. Results of analysis for total coliform and inorganic and organic chemical contaminants listed in Subsections 050.01, 050.02, 100.01, 100.03, 100.04, unless analysis is waived pursuant to Subsection 100.07. (5-8-09)
 - iii. Transient Noncommunity Systems. Results of a total coliform, nitrite, and nitrate analysis listed in Subsections 050.01, 100.01 and 100.03. (5-8-09)

06. Test Pumping. Upon completion of a ground water source, test pumping shall be conducted in accordance with the following procedures to meet the specified requirements: (12-10-92)

a. The well shall be test pumped at the desired yield (design capacity) of the well for at least twenty-four (24) consecutive hours after the drawdown trend has stabilized, as determined by the supervising engineer or geologist. Alternatively, the well may be pumped at a rate of one hundred fifty percent (150%) of the desired yield for at least six (6) continuous hours after the drawdown trend has stabilized, as determined by the supervising engineer or geologist. The field pumping equipment must be capable of maintaining a constant rate of discharge during the test. Discharge water must be piped an adequate distance to prevent recharge of the well during the test. If the well fails the test protocol, design of the water system shall be re-evaluated and submitted to the Department for approval.

(3-30-07)

b. Upon completion of well development, the well shall be tested for sand production. Fifteen (15) minutes after the start of the test pumping (at or above the design production rate), the sand content of a new well shall not be more than five (5) parts per million. Sand production shall be measured by a centrifugal sand sampler or other means acceptable to the Department. If sand production exceeds five (5) ppm, the well shall be screened gravel packed, or re-developed.

(3-30-07)

c. The following data shall be provided: (5-3-03)

i. Static water level in the well prior to test pumping; (5-3-03)

ii. Well yield in gpm and duration of the pump test, including a discussion of any discrepancy between the desired yield and the yield observed during the test; (5-3-03)

iii. Water level in the well recorded at regular intervals during pumping; (5-3-03)

iv. Profile of water level recovery from the pumping level projected to the original static water level. (5-3-03)

v. Depth at which the test pump was positioned in the well; (5-3-03)

vi. Test pump capacity and head characteristics; (5-3-03)

vii. Sand production data. (5-3-03)

viii. Results of analysis based on the drawdown and recovery test pertaining to aquifer properties, long term sustained yield, and boundary conditions affecting drawdown. (4-7-11)

d. The Department may allow the use of other pump test protocols that are generally accepted by engineering firms with specialized experience in well construction, by the well drilling industry, or as described in national standards (such as ANSI/AWWA A100-97), as long as the minimum data specified in Subsection 510.06.c. are provided. The Department welcomes more extensive data about the well, such as step-drawdown evaluations used in determining well capacity for test pumping purposes, zone of influence calculations, and any other information that may be of use in source protection activities or in routine water system operations. (3-30-07)

e. Where aquifer yield, sustainability, or water quality are questionable, the Department, at its discretion, may require additional site specific investigations that could include test well construction, long-term pumping tests, or other means to demonstrate that the aquifer yield is sufficient to meet the long-term water requirements of the project. (4-11-06)()

07. Conversion of Non-Public Water System Wells for Public Water System Use. Any existing well constructed for use other than as a public water system source may be considered for use as a public water system source on a case-by-case basis. The owner of such a well must demonstrate to the Department's satisfaction that the well site conforms to the requirements of Subsections 510.01, 510.02, and Section 512, the well is constructed in a manner that is protective of public health and that both the quantity and quality of water produced by the well meet public water system standards set forth in these rules. (5-8-09)

08. Observation Wells. If observation wells are used and are intended to remain in service after completion of the water supply well, the observation wells shall be constructed in accordance with the requirements

for permanent wells and be protected at the upper terminal to preclude entrance of foreign materials. See Rules of the Idaho Water Resources Board referenced in Subsection 002.02. (3-30-07)

09. Well Abandonment. Any water supply well that will no longer be used must be abandoned by sealing the borehole carefully to prevent pollution of the ground water, eliminate any physical hazard, conserve aquifer yield, maintain confined head conditions in artesian wells, and prevent mixing of waters from different aquifers. The objective of proper well abandonment procedures is to restore, as far as possible, the original hydrogeologic conditions. The services of a licensed well driller are required. Instructions for abandoning various types of wells may be obtained from the Idaho Department of Water Resources. See Rules of the Idaho Water Resources Board referenced in Subsection 002.02. (3-30-07)

511. FACILITY AND DESIGN STANDARDS: WELL PUMPS, DISCHARGE PIPING, AND APPURTENANCES.

01. Sample Tap Required. A sample tap suitable for collecting bacteriological samples shall be provided on the discharge piping from every well at a point where pressure is maintained but prior to any treatment. This sample tap shall be of the smooth-nosed type without interior or exterior threads, shall not be of the mixing or petcock type, and shall not have a screen, aerator, or other such appurtenance. The sample tap for collecting bacteriological samples may be used for other sampling purposes. In addition, threaded hose bib taps may also be used for collecting samples, other than bacteriological samples, if equipped with an appropriate backflow prevention device as may be necessary to protect the public water system from contamination. (5-8-09)

02. Discharge Piping. The discharge line shall be equipped with the necessary valves and appurtenances to allow a well to be pumped to waste at the design capacity of the well via an approved air gap through an approved non-corrodible screen at a location prior to the first service connection, and shall meet the following requirements: (3-30-07)()

- a. Be designed to minimize friction loss. (3-30-07)
- b. Have control valves and appurtenances located above the pump house floor when an above-ground discharge is provided. (3-30-07)
- c. Be protected against contamination. (3-30-07)
- d. Vertical turbine pumps shall be equipped with an air release-vacuum relief valve, or equivalent, located upstream from the check valve, with exhaust/relief piping terminating in a down-turned position at least eighteen (18) inches above the floor and covered with a twenty-four (24) mesh corrosion resistant screen. (3-30-07)
- e. Have all exposed piping, valves and appurtenances protected against physical damage and freezing. (3-30-07)
- f. Be properly anchored to prevent movement, and protected against surge or water hammer. (3-30-07)
- g. The pump to waste discharge piping shall be valved to ensure that other system components that could be negatively affected by the quality of the discharged water are not pressurized by the water that is being pumped to waste. ()
- h. Where two (2) or more wells are connected to a common well house, the discharge piping shall be designed to ensure that each well can be pumped to waste independently without affecting the ability of the other well or wells to pressurize the system. ()

03. Pressure Gauge Required. A pressure gauge shall be provided on all discharge piping. (4-7-11)

04. Flow Meter and Check Valve. Unless otherwise approved by the Department based on documentation provided by the design engineer, an instantaneous and totalizing flow meter equipped with nonvolatile memory shall be installed on the discharge line of each well in accordance with the manufacturer's specifications.

Meters installed on systems with variable frequency drives shall be capable of accurately reading the full range of flow rates. An accessible check valve, which is not located in the pump column, shall be installed in the discharge line of each well between the pump and the shut-off valve. Additional check valves shall be located in the pump column as necessary. (4-7-11)()

05. Well Vent. All wells shall be vented, unless it can be demonstrated that the drawdown under maximum pumping conditions will not exceed ten (10) feet. ()

a. For wells not in a pump house, the open end of the vent shall be screened with a twenty-four (24) mesh or similar non-corrodible screen and terminated downward at least eighteen (18) inches above the final ground surface. ()

b. If the well is in a pump house, the open end of the vent shall be screened with a twenty-four (24) mesh or similar non-corrodible screen and must terminate at least twelve (12) inches above the pump house floor. ()

c. Artesian wells equipped with pumps may need venting or an air valve as determined by the Department. (4-7-11)()

06. Casings and Sanitary Well Caps. The following requirements apply to well casings and sanitary caps: (3-30-07)

a. Casings shall extend at minimum of least eighteen (18) inches above the final ground surface. If the well is located within a pump house, casings shall extend least twelve (12) inches above the pump house floor. For a well located in an area subject to flooding, the Department may require an extension of the casing above the one hundred (100) year or highest known flood level, whichever is higher. (4-7-11)()

b. Wells shall be cased and provided with an approved cap in such a manner that surface water cannot enter the well. (4-7-11)

c. For community water systems, a permanent means for measuring water level within the casing must be provided. For other water systems, a temporary means to measure water levels should be made available. All equipment required for conducting water level measurements shall be purchased and made available to the water system operator at the time the well is put into service. Where pneumatic or electronic water level measuring equipment is used, it shall be made using corrosion resistant materials attached firmly to the drop pipe or pump column and in such a manner as to prevent entrance of foreign materials. ()

07. Well Houses. For regulatory purposes, a well house is considered a pump house as defined in Section 003. Well houses must meet the requirements for pump houses as set forth in Section 541. All above ground discharge piping shall be contained in a well house or otherwise protected from freezing. (4-7-11)

08. Pitless Adapters and Units. Pitless adapters or pitless units: (3-30-07)

a. Shall be of the type marked approved by the National Sanitation Foundation or Pitless Adapter Division of the Water Systems Council. (12-10-92)

b. Shall be designed, constructed and installed to be watertight including the cap, cover, casing extension and other attachments. (12-10-92)

c. Shall be field tested for leaks before being put into service. The procedure outlined in "Manual of Individual and Non-Public Water Supply Systems," referenced in Subsection 002.02, or other procedure approved by the Department shall be followed. (3-30-07)

d. Pitless adapters with a two (2) inch or smaller discharge line shall be provided with a swing joint outside the pitless adapter unit to reduce strain, deformation, and possible leakage of the pitless seal caused by settling soils in the trench. The orientation of swing joints shall be such that any settling that occurs will tighten the threads. The hole in the casing shall be cut with a saw rather than a torch with an opening large enough to allow

- seating of gaskets. (3-30-07)
- e. Shall be provided with a contamination-proof entrance connection for electrical cable. (3-30-07)
 - f. In the case of pitless adapters: (3-30-07)
 - i. Threaded adapters shall be installed by drilling a hole not more than one quarter (1/4) inch larger than the outer diameter of the pitless shank. No torch-cut holes shall be accepted. The orientation of swing joints shall be such that any settling that occurs will tighten the threads. (3-30-07)
 - ii. The only field welding permitted will be that needed to connect a pitless adapter to the casing. (3-30-07)
 - g. In the case of pitless units: (3-30-07)
 - i. Shall be shop-fabricated from the point of connection with the well casing to the unit cap or cover. (3-30-07)
 - ii. Shall be constructed of materials and weight at least equivalent to and compatible with the well casing. (3-30-07)
 - iii. Shall be threaded or welded to the well casing. Threaded units shall be installed by drilling a hole not more than one quarter (1/4) inch larger than the outer diameter of the pitless shank. No torch-cut holes shall be accepted. If the connection to the casing is by field weld, the shop-assembled unit must be designed specifically for field welding to the casing. (3-30-07)
 - iv. Shall terminate at least eighteen (18) inches above final ground elevation or three (3) feet above the 100-year flood level or the highest known flood elevation, whichever is higher, or as otherwise approved by the Department. (3-30-07)
 - v. Shall be provided with access to disinfect the well. (3-30-07)
 - vi. Shall have field connection to the lateral discharge from the pitless unit of threaded, flanged, or mechanical joint connection. (3-30-07)
 - h. After installation of a pitless adapter or unit ~~and depending on ground water levels and other subsurface conditions, any the~~ disturbed well seal ~~may require~~ shall be repaired or replacement~~d~~ to meet original seal specifications ~~as determined unless otherwise proposed by the design engineer and approved~~ by the Department. The engineering proposal shall ensure that the material surrounding the final seal is moisture controlled and compacted such that it equals or exceeds the characteristics of the native soil prior to being disturbed. (4-7-11)()

09. Wells Not Allowed in Pits. Wells shall not be located in pits. Exceptions to this requirement will be granted by the Department if the well was constructed prior to November 5, 1964, and the installation is constructed or reconstructed in accordance with the requirements of the Department to provide watertight construction of pit walls and floors, floor drains and acceptable pit covers. (3-30-07)

- 10. Discharge Pumps.** Discharge pumps shall be subject to the following requirements: (3-30-07)
- a. Line shaft pumps shall. (3-30-07)
 - i. Have the casing firmly connected to the pump structure or have the casing inserted into a recess extending at least one-half (1/2) inch into the pump base. (3-30-07)
 - ii. Have the pump foundation and base designed to prevent water from coming into contact with the joint. (3-30-07)
 - iii. Use lubricants that meet ANSI/NSF Standard 61. (3-30-07)

- b. When a submersible pump is used: (3-30-07)
 - i. The top of the casing shall be effectively sealed against the entrance of water under all conditions of vibration or movement of conductors or cables. (3-30-07)
 - ii. The electrical cable shall be firmly attached to the drop pipe at twenty-one (21) foot intervals or less, or at each coupling or joint. (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

514. FACILITY AND DESIGN STANDARDS: SPRING SOURCES.

Written approval by the Department is required before water from any new or reconstructed spring source may be served to the public. For new spring sources, the Department shall require a site evaluation report containing applicable required information listed in Subsection 510.01. This information includes, but is not limited to, the following: an evaluation of the potability and quality of anticipated spring water; an estimate of hydrologic and geologic properties of the aquifer; and a description of potential sources of contamination within five hundred (500) feet of the spring. Any supplier of water for a public water system served by one (1) or more springs shall ensure that the following requirements are met: (4-7-11)

01. Protection of the Spring. Springs shall be housed in a permanent structure and protected from contamination including the entry of surface water, animals, and dust. ~~The spring box shall be equipped with a screened overflow. The inlet shall be screened as determined by the Department and located above the floor of the collection chamber.~~ (4-7-11)()

02. Access to Spring Box or Combined Spring Box/Finished Water Storage Design. ~~Each spring box access shall be elevated at least twenty four (24) inches above the top of the box or the ground level, whichever is higher. The actual height above the top of the box or the ground level must be sufficient to prevent incidental contamination from snow accumulation, storm water runoff or accumulation, irrigation water, or other potential sources of contamination. Each access shall be fitted with a solid water tight cover which overlaps a framed opening and extends down around the frame at least two (2) inches. The frame shall be at least four (4) inches high and shall have a locking device. To facilitate efficient design and review of spring box or combined spring box/finished water storage designs, these site-specific designs should be coordinated in advance with the Department. Specific issues to be addressed are:~~ (5-8-09)()

a. ~~The inlet shall be screened as determined by the Department and located above the floor of the collection chamber.~~ ()

b. ~~Unless otherwise approved by the Department based on documentation provided by the design engineer, the spring box or combined spring box/finished water storage tank shall meet the applicable design requirements of Section 544 - Facility and Design Standards: General Design of Finished Water Storage.~~ ()

03. Sample Tap Required. A sample tap suitable for collecting bacteriological samples shall be provided. This sample tap shall be of the smooth-nosed type without interior or exterior threads, shall not be of the mixing or petcock type, and shall not have a screen, aerator, or other such appurtenance. The sample tap for collecting bacteriological samples may be used for other sampling purposes. In addition, threaded hose bib taps may also be used for collecting samples, other than bacteriological samples, if equipped with an appropriate backflow prevention device as may be necessary to protect the public water system from contamination. (5-8-09)

04. Flow Measurement. A flow meter or other flow measuring device shall be provided. (3-30-07)

05. Protected Area. The entire area within a one hundred (100) foot radius of the spring box shall be owned by the supplier of water or controlled by a long term lease, fenced to prevent trespass of livestock and void of buildings, dwellings and sources of contamination. Surface water shall be diverted from this area. (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

518. FACILITY AND DESIGN STANDARDS: ADDITIONAL DESIGN CRITERIA FOR SURFACE WATER TREATMENT.

Performance criteria for surface water treatment facilities are specified in National Primary Drinking Water Regulations, as set forth in Sections 300, 301, and 310 of these rules. Surface water treatment systems must comply with applicable general design requirements in Section 503. In addition, the following design requirements apply specifically to surface water treatment facilities: (3-30-07)

01. Engineering Design Requirements. The system shall ensure that filtration and disinfection facilities for surface water or ground water directly influenced by surface water sources are designed, constructed and operated in accordance with all applicable engineering practices designated by the Department. The design of the water treatment plant must consider the worst raw water quality conditions that are likely to occur during the life of the facility. (3-30-07)

02. Removal of Pathogens. Filtration facilities (excluding disinfection) shall be designed, constructed and operated to achieve at least two (2) log removal of *Giardia lamblia* cysts, two (2) log removal of *Cryptosporidium* oocysts, and one (1) log removal of viruses, except as allowed under Subsection 518.09.b. (3-30-07)

03. Disinfection. Disinfection facilities shall be designed, constructed and operated so as to achieve at least point five zero (0.50) log inactivation of *Giardia lamblia* cysts; and (3-30-07)

a. Two (2) log inactivation of viruses if using conventional and slow sand filtration technology; or (12-10-92)

b. Three (3) log inactivation of viruses if using direct and diatomaceous earth filtration technology; or (12-10-92)

c. Four (4) log inactivation of viruses if using alternate filtration technology. (12-10-92)

d. Four (4) log inactivation of viruses if filtration treatment is not used. (10-1-93)

04. Enhanced Disinfection. Higher levels of disinfection than specified under Subsection 518.03 may be required by the Department in order to provide adequate protection against ~~g~~*Giardia lamblia* and viruses. (~~5-8-09~~)()

05. Filter to Waste. For plants constructed after December 31, 1992, each filter unit must be capable of filter to waste. For plants constructed prior to December 31, 1992, each filter unit must be capable of filter to waste unless the system demonstrates through continuous turbidity monitoring or other means acceptable to the Department that water quality is not adversely affected following filter backwashing, cleaning or media replacement. (3-30-07)

06. Continuous Turbidity Monitoring. For conventional, direct, membrane, and diatomaceous earth filtration technology, equipment must be provided to continuously measure the turbidity of each filter unit. (3-30-07)

07. Continuous Monitoring of Disinfectant. Equipment must be provided and operated for continuous measurement of disinfectant residual prior to entry to the distribution system, unless the system serves fewer than three thousand three hundred (3,300) people. (3-30-07)

08. Continuous Operation Required. Diatomaceous earth filtration facilities shall include an alternate power source with automatic startup and alarm, or be designed in a manner to ensure continuous operation. (3-30-07)

09. Acceptable Technology. The purveyor shall select a filtration technology acceptable to the Department. (3-30-07)

a. Conventional, direct, membrane, slow sand, ~~and~~ diatomaceous earth, ~~and membrane~~ filtration technologies are generally acceptable to the Department on a case-by-case basis. (~~5-3-03~~)()

b. Alternate filtration technologies may be acceptable if the purveyor demonstrates all of the following to the satisfaction of the Department: (12-10-92)

i. That the filtration technology: (12-10-92)

(1) Is certified and listed by the National Sanitation Foundation (NSF) under Standard 53, Drinking Water Treatment Units - Health Effects, as achieving the NSF criteria for cyst reduction; or (12-10-92)

(2) Removes at least ninety-nine percent (99%) (two (2) logs) of Cryptosporidium oocysts or surrogate particles and removes or inactivates at least ninety-nine percent (99%) (two (2) logs) of Giardia lamblia cysts or Giardia lamblia cyst surrogate particles in a challenge study acceptable to the Department. (3-30-07)

ii. Based on field studies or other means acceptable to the Department, it must be demonstrated that the filtration technology has the following capabilities: (3-30-07)

(1) In combination with disinfection treatment, consistently achieves at least ninety-nine percent (99%) (two (2) logs) removal of Cryptosporidium oocysts or surrogate particles and at least ninety-nine and nine tenths percent (99.9%) (three (3) logs) removal or inactivation of Giardia lamblia cysts and ninety-nine and ninety-nine hundredths percent (99.99%) (four (4) logs) removal or inactivation of viruses; and (3-30-07)

(2) Meets the turbidity performance requirements of 40 CFR 141.73 (b). (12-10-92)

10. Pilot Studies. The system shall conduct pilot studies in accordance with the following requirements ~~and in accordance with Subsection 501.19~~ for all proposed filtration facilities and structural modifications to existing filtration facilities, unless the Department modifies the requirements in writing: (~~12-10-92~~)()

a. The system shall obtain the Department's approval of the pilot study plan before the pilot filter is constructed and before the pilot study is undertaken. (12-10-92)

b. The design and operation of the pilot study shall be overseen by an Idaho licensed professional engineer. (3-30-07)

c. The system's pilot study plan shall identify at a minimum: (12-10-92)

i. The objectives of the pilot study; (12-10-92)

ii. Pilot filter design; (12-10-92)

iii. Water quality and operational parameters to monitor; (12-10-92)

iv. Amount of data to collect; and (12-10-92)

v. Qualifications of the pilot plant operator. (10-1-93)

d. The system shall ensure that the pilot study is: (12-10-92)

i. Conducted to simulate conditions of the proposed full-scale design; (12-10-92)

ii. Conducted for at least twelve (12) consecutive months or for a shorter period upon approval by the Department; (5-3-03)

iii. Conducted to evaluate the reliability of the treatment system to achieve applicable water quality

treatment criteria specified for filtration systems in 40 CFR 141.72 and 40 CFR 141.73; and (12-10-92)

iv. Designed and operated in accordance with good engineering practices documented in references acceptable to the Department. (12-10-92)

11. Redundant Disinfection. Surface water systems constructed after July 1, 1985, are required to install redundant disinfection components or maintain a backup unit on site as required to maintain constant application of disinfectant whenever water is being delivered to the distribution system. (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

520. FACILITY AND DESIGN STANDARDS: SURFACE WATER TREATMENT: CLARIFICATION PROCESSES.

Treatment facilities designed to include clarification for processing surface water shall meet the following requirements: (3-30-07)

01. Two Units Required. A minimum of two (2) units for redundancy shall be provided for flocculation and sedimentation such that plant design capacity can be maintained with any component out of service for maintenance or repairs. (~~3-30-07~~)()

02. Parallel or Serial Operation. The units shall be capable of being operated either in series or parallel where softening is performed. (3-30-07)

03. Independent Units. The units shall be constructed in such a way that each can be taken out of service without disrupting operation, and with drains or pumps sized to allow dewatering in a reasonable period of time. (3-30-07)

04. Manual Start-Up. The units shall be started manually following shutdown. (3-30-07)

05. Pre-Treatment. Waters exhibiting high turbidity may require pretreatment, usually sedimentation with or without the addition of coagulation chemicals. When presedimentation is provided, the following requirements must be met: (3-30-07)

a. Incoming water shall be dispersed across the full width of the line of travel as quickly as possible. Short circuiting must be prevented. (3-30-07)

b. Provisions for bypassing pre-sedimentation basins shall be included. (3-30-07)

c. The need for redundant pretreatment components shall be evaluated according to the type and necessity of the pretreatment. ()

06. Rapid Mix. Unless otherwise approved by the Department based on documentation provided by the design engineer, a rapid mix device or chamber is required prior to flocculation, clarification, sedimentation, and settler units. The need for redundant rapid mix components shall be evaluated. Rapid mix shall mean the rapid dispersion of chemicals throughout the water to be treated, usually by violent agitation. The engineer shall submit the design basis for the velocity gradient (G value) selected, considering the chemicals to be added and water temperature, color and other related water quality parameters. Basins or mixing chambers shall be equipped with devices capable of providing adequate mixing for all treatment flow rates. (~~3-30-07~~)()

07. Flocculation. Flocculation shall mean the gathering together of fine particles in water by gentle mixing after the addition of coagulant chemicals to form larger particles. (3-30-07)

a. Basin inlet and outlet design shall minimize short-circuiting and destruction of floc. A drain, pumps, or a combination of both drain and pumps shall be provided to accomplish dewatering and sludge removal.

(5-8-09)

b. The flow-through velocity shall not be less than one-half (0.5) nor greater than one and one-half (1.5) feet per minute with a detention time for floc formation of at least thirty (30) minutes unless otherwise approved by the Department. (3-30-07)

c. Agitators shall be driven by variable speed drives. (3-30-07)

d. Flocculation and sedimentation basins shall be as close together as possible. The velocity of flocculated water through pipes or conduits to settling basins shall be not less than one-half (0.5) nor greater than one and one-half (1.5) feet per second. Allowances must be made to minimize turbulence at bends and changes in direction. (3-30-07)

08. Small Systems May Use Baffling. Baffling may be used to provide for flocculation in small plants upon approval by the Department. (3-30-07)

09. Sedimentation Units. The following criteria apply to conventional sedimentation units: (3-30-07)

a. A minimum of two (2) hours of settling time shall be provided following flocculation unless adequate settling in less time can be demonstrated. (3-30-07)

b. Inlets shall be designed to distribute the water equally and at uniform velocities. (3-30-07)

c. Outlet weirs or submerged orifices shall maintain velocities suitable for settling in the basin and minimize short-circuiting. Outlet weirs shall be designed so that the rate of flow over the outlet weirs or through the submerged orifices shall not exceed twenty-thousand (20,000) gallons per day per foot of the outlet launder. The entrance velocity through the submerged orifices shall not exceed one-half (0.5) feet per second. (3-30-07)

d. The velocity through settling basins shall not exceed one-half (0.5) feet per minute. The basins must be designed to minimize short-circuiting. Fixed or adjustable baffles must be provided as necessary to achieve the maximum potential for clarification. (3-30-07)

e. When an overflow weir or pipe is provided the overflow shall discharge by gravity with a free fall at a location where the discharge will be noted. (3-30-07)

f. Adequate sludge collection equipment that ensures proper basin coverage shall be provided and basins must be provided with a means for dewatering. (3-30-07)

g. Flushing lines or hydrants shall be provided and must be equipped with backflow prevention devices acceptable to the Department. (3-30-07)

h. Sludge removal design shall provide that sludge pipes are not less than three (3) inches in diameter and arranged so as to facilitate cleaning. Entrance to sludge withdrawal piping shall be designed to prevent clogging. Provision shall be made for the operator to observe and sample sludge being withdrawn from the unit. (3-30-07)

i. Sludge shall be disposed of in accordance with applicable regulations, as set forth in Section 540. (3-30-07)

10. Solids Contact Clarifiers. Solids contact clarifiers are generally acceptable for combined softening and clarification where water characteristics, especially temperature, do not fluctuate rapidly, flow rates are uniform and operation is continuous. A minimum of two (2) units are required for surface water treatment as required in Subsection 520.01. ~~(3-30-07)~~ ()

a. Chemicals shall be applied at such points and by such means as to ensure satisfactory mixing of the chemicals with the water. (3-30-07)

b. Unless otherwise approved by the Department based on documentation provided by the design

engineer, a rapid mix device or chamber ahead of the solids contact clarifier is required to assure proper mixing of the chemicals applied. Mixing devices employed shall be constructed so as to provide good mixing of the raw water with previously formed sludge particles and prevent deposition of solids in the mixing zone. ~~(3-30-07)~~()

c. Flocculation equipment shall be adjustable as to speed, pitch, or a combination of speed and pitch and must provide for coagulation in a separate chamber or baffled zone within the unit. (5-8-09)

d. Sludge removal design shall provide that sludge pipes are not less than three (3) inches in diameter and arranged so as to facilitate cleaning. Entrance to sludge withdrawal piping shall be designed to prevent clogging. Provision shall be made for the operator to observe and sample sludge being withdrawn from the unit. (3-30-07)

e. Blow-off outlets and drains must terminate and discharge at places acceptable to the Department in regard to control of potential cross connections. Cross connection control must be included for the potable water lines used to backflush sludge lines. (3-30-07)

f. The detention time shall be established on the basis of the raw water characteristics and other local conditions that affect the operation of the unit. The Department may request data to support decisions made with respect to detention times. The Department may alter detention time requirements. (3-30-07)

g. Controls for sludge withdrawal which minimize water losses shall be provided. (3-30-07)

h. Unless otherwise approved by the Department based on documentation provided by the design engineer, weirs shall be adjustable and at least equivalent in length to the perimeter of the tank. Weir loading shall not exceed ten (10) gallons per minute per foot of weir length for units used as clarifiers or twenty (20) gallons per minute per foot of weir length for units used for softening. Where orifices are used, the loading rates per foot of launder rates shall be equivalent to weir loadings. Either shall produce uniform rising rates over the entire area of the tank. ~~(3-30-07)~~()

i. Upflow rates shall not exceed one (1) gallon per minute per square foot of area at the sludge separation line for units used as clarifiers or one and three-quarters (1.75) gallons per minute per foot of area at the slurry separation line for units used as softeners. The Department may consider higher rates if supporting data is provided. (3-30-07)

11. Settler Units. Settler units consisting of variously shaped tubes or plates installed in multiple layers and at an angle to the flow may be used for sedimentation following flocculation. (3-30-07)

a. Inlets and outlets shall be designed to maintain velocities suitable for settling in the basin and to minimize short-circuiting. Plate units shall be designed to minimize unequal distribution across the units. (3-30-07)

b. Drain piping from the settler units must be sized to facilitate a quick flush of the settler units and to prevent flooding other portions of the plant. (3-30-07)

c. Although most units will be located within a plant, outdoor installations must provide sufficient freeboard above the top of settlers to prevent freezing in the units. (3-30-07)

d. Water shall be applied to tube settlers at a maximum rate of two (2) gallons per minute per square foot of cross-sectional area for tube settlers, unless higher rates are justified through pilot plant or in-plant demonstration studies. See Subsection 501.19 for general information on conducting pilot studies. ~~(3-30-07)~~()

e. Water shall be applied to plate settlers at a maximum plate loading rate of one-half (0.5) gallons per minute per square foot, based on eighty (80) percent of the projected horizontal plate area. (3-30-07)

f. Flushing lines shall be provided to facilitate maintenance and must be properly protected against backflow or back siphonage. (3-30-07)

12. High Rate Clarification. High rate clarification processes may be approved upon demonstrating satisfactory performance under on-site pilot plant conditions or documentation of full scale plant operation with

similar raw water quality conditions. Reductions in detention times and/or increases in weir loading rates shall be justified. [See Subsection 501.19 for general information on conducting pilot studies.](#) Examples of such processes include dissolved air flotation, ballasted flocculation, contact flocculation/clarification, and helical upflow.

(3-30-07)()

521. FACILITY AND DESIGN STANDARDS: SURFACE WATER TREATMENT: FILTRATION USING RAPID RATE GRAVITY FILTERS.

01. Pretreatment. The use of rapid rate gravity filters shall require pretreatment in the form of coagulation, flocculation, and sedimentation. (3-30-07)

02. Rate of Filtration. The filter rate must be proposed and justified by the design engineer to the satisfaction of the Department prior to the preparation of final plans and specifications. (3-30-07)

03. Number of Units. ~~At least two (2) units shall be provided. Where only two (2) units are provided, each shall be capable of meeting the plant design capacity (normally the projected maximum daily demand) at the approved filtration rate. Where more than two (2) filter units are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one (1) filter removed from service. A minimum of two (2) units for redundancy shall be provided for filtration such that plant design capacity can be maintained with any component out of service for maintenance or repairs.~~ Where declining rate filtration is provided, the variable aspect of filtration rates, and the number of filters must be considered when determining the design capacity for the filters.

(3-30-07)()

- 04. Structure and Hydraulics.** The filter structure shall be designed to provide for: (3-30-07)
- a. Vertical walls within the filter. There shall be no protrusion of the filter walls into the filter media. (3-30-07)
 - b. Cover by superstructure with sufficient headroom to permit normal inspection and operation. (3-30-07)
 - c. Minimum depth of filter box of eight and one-half (8.5) feet. (3-30-07)
 - d. Minimum water depth over the surface of the filter media of three (3) feet. (3-30-07)
 - e. Trapped effluent to prevent backflow of air to the bottom of the filters. (3-30-07)
 - f. Prevention of floor drainage to the filter with a minimum four (4) inch curb around the filters. (3-30-07)
 - g. Prevention of flooding by providing overflow. (3-30-07)
 - h. Maximum velocity of treated water entering the filters of two (2) feet per second. (3-30-07)
 - i. Cleanouts and straight alignment for influent pipes or conduits where solids loading is heavy, or following lime-soda softening. (3-30-07)
 - j. Washwater drain capacity to carry maximum flow. (3-30-07)
 - k. Walkways around filters to be not less than twenty-four (24) inches wide and equipped with safety handrails or walls. (3-30-07)
 - l. Construction so as to prevent cross connections and common walls between potable water and non-potable water fluids. (3-30-07)()
- 05. Washwater Troughs.** Washwater troughs shall be constructed to have: (3-30-07)

- a. The bottom elevation above the maximum level of expanded media during washing. (3-30-07)
 - b. A two (2) inch freeboard at the maximum rate of wash. (3-30-07)
 - c. The top edge level and all at the same elevation. (3-30-07)
 - d. Spacing so that each trough serves the same number of square feet of filter area. (3-30-07)
 - e. Maximum horizontal travel of suspended particles to reach the trough not to exceed three (3) feet. (3-30-07)
- 06. Filter Material.** The media shall be clean silica sand or other natural or synthetic media free from detrimental chemical or bacterial contaminants, approved by the Department, and having the following characteristics: (3-30-07)
- a. A total depth of not less than twenty-four (24) inches and generally not more than thirty (30) inches. (3-30-07)
 - b. An effective size range of the smallest material no greater than forty-five hundredths (0.45) of a millimeter to fifty-five hundredths (0.55) of a millimeter. (3-30-07)
 - c. A uniformity coefficient of the smallest material not greater than one and sixty-five hundredths (1.65). (3-30-07)
 - d. A minimum of twelve (12) inches of media with an effective size range no greater than forty-five hundredths (0.45) of a millimeter to fifty-five hundredths (0.55) of a millimeter and a specific gravity greater than other filtering materials within the filter. (3-30-07)
 - e. Types of filter media are as follows: (3-30-07)
 - i. Clean, crushed anthracite or a combination of anthracite and other media may be considered on the basis of experimental data specific to the project. The anthracite shall have the following characteristics: (3-30-07)
 - (1) Effective size of forty-five hundredths (0.45) of a millimeter to fifty-five hundredths (0.55) of a millimeter with uniformity coefficient not greater than sixty-five hundredths (1.65) when used alone. (3-30-07)
 - (2) Effective size of eight tenths (0.8) of a millimeter to one and two-tenths (1.2) millimeters with a uniformity coefficient not greater than one and eighty-five hundredths (1.85) when used as a cap. (3-30-07)
 - (3) Effective size for anthracite used as a single media on potable ground water for iron and manganese removal only shall be a maximum of eight tenths (0.8) of a millimeter (effective sizes greater than this may be approved based upon onsite pilot plant studies or other demonstration acceptable to the Department). [See Subsection 501.19 for general information on conducting pilot studies.](#) ~~(3-30-07)~~(____)
 - ii. Sand media shall have the following characteristics: (3-30-07)
 - (1) Effective size of forty-five hundredths (0.45) of a millimeter to fifty-five hundredths (0.55) of a millimeter. (3-30-07)
 - (2) Uniformity coefficient of not greater than one and sixty-five hundredths (1.65). (3-30-07)
 - (3) Larger size sand media may be allowed by the Department where full-scale tests have demonstrated that treatment goals can be met under all conditions. (3-30-07)
 - iii. Granular activated carbon (GAC) as a single media may be considered for filtration only after pilot or full-scale testing and with prior approval of the Department. [See Subsection 501.19 for general information on conducting pilot studies.](#) The design shall include the following: ~~(3-30-07)~~(____)

(1) The media must meet the basic specifications for filter media as given in Subsections 51821.06.a. through d., except that larger size media may be allowed where full scale tests have demonstrated that treatment goals can be met under all conditions. (3-30-07)()

~~(2) There must be provisions for a free chlorine residual and adequate contact time in the water following the filters and prior to distribution. (3-30-07)~~

~~(32)~~ (3) There must be a means for periodic treatment of filter material for control of bacterial and other growth. (3-30-07)

~~(43)~~ Provisions must be made for frequent replacement or regeneration. (3-30-07)

iv. Other media will be considered based on experimental data and operating experience. (3-30-07)

v. A three (3) inch layer of torpedo sand shall be used as a supporting media for filter sand where supporting gravel is used, and shall have an effective size of eight-tenths (0.8) millimeters to two (2.0) millimeters, and a uniformity coefficient not greater than one and seven-tenths (1.7). (3-30-07)

vi. Gravel, when used as the supporting media, shall consist of cleaned and washed, hard, durable, rounded silica particles and shall not include flat or elongated particles. The coarsest gravel shall be two and one-half (2.5) inches in size when the gravel rests directly on a lateral system and must extend above the top of the perforated laterals. Not less than four (4) layers of gravel shall be provided in accordance with the size and depth distribution specified in the table below. Reduction of gravel depths and other size gradations may be considered upon justification to the reviewing authority for slow sand filtration or when proprietary filter bottoms are specified.

Size of Gravel	Depth
2 ½ to 1 ½ inches	5 to 8 inches
1 ½ to ¾ inches	3 to 5 inches
¾ to ½ inches	3 to 5 inches
½ to 3/16 inches	2 to 3 inches
3/16 to 3/32 inches	2 to 3 inches

(3-30-07)

07. Filter Bottoms and Strainer Systems. Departure from the standards set out in Subsection 521.07 may be acceptable for high rate filters and for proprietary bottoms. Porous plate bottoms shall not be used where iron or manganese may clog them or with waters softened by lime. The design of manifold-type collection systems shall: (3-30-07)

a. Minimize loss of head in the manifold and laterals. (3-30-07)

b. Ensure even distribution of wash water and even rate of filtration over the entire area of the filter. (3-30-07)

c. Provide the ratio of the area of the final openings of the strainer systems to the area of the filter at about three-thousandths (0.003), (3-30-07)

d. Provide the total cross-sectional area of the laterals at about twice the total area of the final openings. (3-30-07)

e. Provide the cross-sectional area of the manifold at one and one-half (1.5) to two (2) times the total area of the laterals. (3-30-07)

- f. Lateral perforations without strainers shall be directed downward. (3-30-07)
- 08. Surface or Subsurface Wash.** Surface or subsurface wash facilities are required except for filters used exclusively for iron or manganese removal, and may be accomplished by a system of fixed nozzles or a revolving-type apparatus. All devices shall be designed with: (3-30-07)
- a. Provision for water pressures of at least forty-five (45) pounds per square inch. (3-30-07)
- b. A properly installed vacuum breaker or other approved device to prevent back siphonage if connected to the treated water system. (3-30-07)
- c. Rate of flow of two (2.0) gallons per minute per square foot of filter area with fixed nozzles or one-half (0.5) gallon per minute per square foot with revolving arms. (3-30-07)
- d. Air wash can be considered based on experimental data and operating experiences. (3-30-07)
- 09. Air Scouring.** Air scouring can be considered in place of surface wash provided the following conditions are met: (3-30-07)
- a. Air flow for air scouring the filter must be three (3) to five (5) standard cubic feet per minute square foot of filter area when the air is introduced in the underdrain; a lower air rate must be used when the air scour distribution system is placed above the underdrains. (3-30-07)
- b. A method for avoiding excessive loss of the filter media during backwashing must be provided. (3-30-07)
- c. Air scouring must be followed by a fluidization wash sufficient to restratify the media. (3-30-07)
- d. Air must be free from contamination. (3-30-07)
- e. Air scour distribution systems shall be placed below the media and supporting bed interface with the following exception: if placed at the interface the air scour nozzles shall be designed to prevent media from clogging the nozzles or entering the air distribution system. (3-30-07)
- f. Piping for the air distribution system shall not be flexible hose which will collapse when not under air pressure and shall not be a relatively soft material which may erode at the orifice opening with the passage of air at high velocity. (3-30-07)
- g. Air delivery piping shall not pass down through the filter media nor shall there be any arrangement in the filter design which would allow short circuiting between the applied unfiltered water and the filtered water. (3-30-07)
- h. The backwash water delivery system must be capable of fifteen (15) gallons per minute per square foot of filter surface area (37 m/hr); however, when air scour is provided the backwash water rate must be variable and should not exceed eight (8) gallons per minute per square foot (20 m/hr) unless operating experience shows that a higher rate is necessary to remove scoured particles from filter media surfaces. (3-30-07)
- i. The filter underdrains shall be designed to accommodate air scour piping when the piping is installed in the underdrain. (3-30-07)
- 10. Filter Appurtenances.** The following shall be provided for every filter: (3-30-07)
- a. Influent and effluent sampling taps. (3-30-07)
- b. A gauge capable of indicating loss of head. (3-30-07)

c. A meter indicating rate-of flow. A modified rate controller which limits the rate of filtration to a maximum rate may be used. However, equipment that simply maintains a constant water level on the filters is not acceptable, unless the rate of flow onto the filter is properly controlled. A pump or a flow meter in each filter effluent line may be used as the limiting device for the rate of filtration only if approved by the Department on a site-specific basis. (3-30-07)

11. **Backwash.** Provisions shall be made for washing filters as follows: (3-30-07)

a. A minimum backwash rate such that a fifty (50) percent expansion of the filter bed is achieved. (3-30-07)

b. Filtered water provided at the required rate by wash water tanks, a wash water pump, from the high service main, or a combination of these. (3-30-07)

c. Wash water pumps in duplicate unless an alternate means of obtaining wash water is available. (3-30-07)

d. Not less than fifteen (15) minutes wash of one filter at the design rate of wash. (3-30-07)

e. A wash water regulator or valve on the main wash water line to obtain the desired rate of filter wash with the wash water valves on the individual filters open wide. (3-30-07)

f. A rate-of-flow indicator, preferably with a totalizer, on the main wash water line, located so that it can be easily read by the operator during the washing process. (3-30-07)

g. Design to prevent rapid changes in backwash water flow. Backwash shall be operator initiated. Automated systems shall be operator adjustable. (3-30-07)

12. **Roof Drainage.** Roof drains shall not discharge into the filters or basins and conduits preceding the filters. (3-30-07)

522. FACILITY AND DESIGN STANDARDS: SURFACE WATER TREATMENT: FILTRATION USING DIATOMACEOUS EARTH.

The use of these filters may be considered for application to surface waters with low turbidity and low bacterial contamination, and may be used for iron removal for ground waters providing the removal is effective and the water is of satisfactory sanitary quality before treatment. (3-30-07)

01. **Conditions of Use.** Diatomaceous earth filters are expressly excluded from consideration for the following conditions: (3-30-07)

a. Bacteria removal; (3-30-07)

b. Color removal; (3-30-07)

c. Turbidity removal where either the gross quantity of turbidity is high or the turbidity exhibits poor filterability characteristics; or (3-30-07)

d. Filtration of waters with high algae counts. (3-30-07)

02. **Treated Water Storage.** Treated water storage capacity in excess of normal requirements shall be provided to allow operation of the filters at a uniform rate during all conditions of system demand at or below the approved filtration rate, and guarantee continuity of service during adverse raw water conditions without by-passing the system. (3-30-07)

03. **Number of Units.** ~~The requirements of Subsection 521.03 shall apply to diatomaceous earth filtration.~~ A minimum of two (2) units for redundancy shall be provided for filtration such that plant design capacity can be maintained with any component out of service for maintenance or repairs. (5-8-09)()

04. Precoat. A uniform precoat shall be applied hydraulically to each septum by introducing a slurry to the tank influent line and employing a filter-to-waste recirculation system. (3-30-07)

05. Body Feed. A body feed system to apply additional amounts of diatomaceous earth slurry during the filter run is required to avoid short filter runs or excessive head losses. (3-30-07)

a. The rate of body feed is dependent on raw water quality and characteristics and must be determined in the pilot plant study. [See Subsection 501.19 for general information on conducting pilot studies.](#) ~~(3-30-07)~~()

b. Continuous mixing of the body feed slurry is required. (3-30-07)

06. Filtration Requirements. (3-30-07)

a. Rate of filtration shall be controlled by a positive means. (3-30-07)

b. Head loss shall not exceed thirty (30) psi for pressure diatomaceous earth filters, or a vacuum of fifteen (15) inches of mercury for a vacuum system. (3-30-07)

c. A recirculation or holding pump shall be employed to maintain differential pressure across the filter when the unit is not in operation in order to prevent the filter cake from dropping off the filter elements. A minimum recirculation rate of one-tenth (0.1) gallon per minute per square foot of filter area shall be provided. (3-30-07)

d. The septum or filter elements shall be structurally capable of withstanding maximum pressure and velocity variations during filtration and backwash cycles, and shall be spaced such that no less than one (1) inch is provided between elements or between any element and a wall. (3-30-07)

e. The filter influent shall be designed to prevent scour of the diatomaceous earth from the filter element. (3-30-07)

07. Backwash. A satisfactory method to thoroughly remove and dispose of spent filter cake shall be provided. (3-30-07)

08. Appurtenances. The following shall be provided for every filter: (3-30-07)

a. Sampling taps for raw and filtered water. (3-30-07)

b. Loss of head or differential pressure gauge. (3-30-07)

c. Rate-of-flow indicator. (3-30-07)

d. A throttling valve used to reduce rates below normal during adverse raw water conditions. (3-30-07)

e. Evaluation of the need for body feed, recirculation, and any other pumps. (3-30-07)

f. Provisions for filtering to waste with appropriate measures for backflow prevention. (3-30-07)

09. Monitoring. A continuous monitoring turbidimeter with recorder is required on each filter effluent for plants treating surface water. (3-30-07)

523. FACILITY AND DESIGN STANDARDS: SURFACE WATER TREATMENT: SLOW SAND FILTRATION.

The use of these filters shall require prior engineering studies to demonstrate the adequacy and suitability of this method of filtration for the specific water supply. Slow Sand Filtration and Diatomaceous Earth Filtration for Small Water Systems, Manual on Slow Sand Filtration, and Slow Sand Filtration referenced in Subsection 002.02, may be used as guidance in design of slow sand filtration facilities. (3-30-07)

01. Quality of Raw Water. Slow rate gravity filtration shall be limited to waters having maximum turbidities of ten (10) nephelometric units and maximum color of fifteen (15) units; such turbidity must not be attributable to colloidal clay. Raw water quality data must include examinations for algae. For source water having variable turbidity, the potential use of a roughing filter or other pretreatment technology should be evaluated. The Department may allow the use of a pretreatment technology on raw waters that exceed the normal limits for turbidity and color, if it can demonstrated to the Department's satisfaction that pretreatment will enable slow sand filtration to properly operate and comply with these Rules. (3-30-07)(____)

02. Number of Units. ~~At least two (2) units shall be provided. Where only two (2) units are provided, each shall be capable of meeting the plant design capacity (normally the projected maximum daily demand) at the approved filtration rate. Where more than two (2) filter units are provided, the filters shall be capable of meeting the plant design capacity at the approved filtration rate with one (1) filter removed from service.~~ A minimum of two (2) units for redundancy shall be provided for filtration such that plant design capacity can be maintained with any component out of service for maintenance or repairs. The Department may allow a single bed filter if it can be demonstrated to the Department's satisfaction that an alternative water source is available such that the water system can provide plant design capacity with the filter taken out of service for maintenance and repairs. (3-30-07)(____)

03. Structural Details and Hydraulics. Slow rate gravity filters shall be so designed as to provide a cover, unless otherwise approved by the Department based on documentation provided by the design engineer, headroom to permit normal movement by operating personnel for scraping and sand removal operations, adequate access hatches and access ports for handling of sand and for ventilation, filtration to waste, an overflow at the maximum filter water level, and protection from freezing. A permanent means of determining sand depth shall be provided. (3-30-07)(____)

04. Underdrains. Each filter unit shall be equipped with a main drain and an adequate number of lateral underdrains to collect the filtered water. The underdrains shall be so spaced that the maximum velocity of the water flow in the underdrain will not exceed three-fourths (0.75) feet per second. The maximum spacing of laterals shall not exceed three (3) feet if pipe laterals are used. (3-30-07)

05. Filter Material. The following requirements apply: (3-30-07)

- a. A minimum depth of thirty (30) inches of filter sand shall be placed on graded gravel layers. (5-8-09)
- b. The effective size shall be between fifteen hundredths (0.15) of a millimeter and thirty-five hundredths (0.35) of a millimeter. Larger sizes may be considered by the Department based on the results of a pilot testing study. See Subsection 501.19 for general information on conducting pilot studies. (3-30-07)(____)
- c. The uniformity coefficient shall not exceed three point zero (3.0). (3-30-07)
- d. The sand shall be cleaned and washed free from foreign matter. (3-30-07)
- e. The sand shall be rebedded to the original minimum depth of thirty (30) inches when scraping has reduced the bed depth to no less than twenty-four (24) inches. Where sand is to be reused in order to provide biological seeding and shortening of the ripening process, rebedding shall utilize a "throw over" technique whereby new sand is placed on the support gravel and existing sand is replaced on top of the new sand. The maximum filtration rate shall not exceed zero point one (0.1) gallon per minute per square foot for each individual bed. (5-8-09)(____)

06. Filter Sand Support. (5-8-09)

- a. A three (3)-inch layer of sand shall be used as a supporting media for filter sand. The supporting sand shall have an effective size of zero point eight (0.8) millimeters to two point zero (2.0) millimeters and a uniformity coefficient not greater than one point seven (1.7). (5-8-09)
- b. Gravel shall consist of cleaned and washed, hard, durable, rounded rock particles and shall not

include flat or elongated particles. The coarsest gravel shall be two and one-half (2.5) inches in size when the gravel rests directly on a lateral system and must extend above the top of the perforated laterals. Not less than four (4) layers of gravel shall be provided in accordance with the size and depth distribution specified in the table below. Reduction of gravel depths and other size gradations may be considered upon justification to the Department.

Size of Gravel	Depth
2 1/2 to 1 1/2 inches	5 to 8 inches
1 1/2 to 3/4 inches	3 to 5 inches
3/4 to 1/2 inches	3 to 5 inches
1/2 to 3/16 inches	2 to 3 inches
3/16 to 3/32 inches	2 to 3 inches

(5-8-09)

07. Depth of Water Over Filter Beds. The design shall provide a depth of at least three (3) to six (6) feet of water over the sand. Influent water shall not scour the sand surface. (3-30-07)

08. Control Appurtenances. Each filter shall be equipped with a loss of head gauge, an orifice, Venturi meter, or other suitable means of discharge measurement installed on each filter to control the rate of filtration, and an effluent pipe designed to maintain the water level above the top of the filter sand. The effluent piping must not be directly interconnected with the other filter beds. A sample tap shall be provided for each filter bed. (3-30-07)()

09. Ripening. ~~Slow sand filters shall be operated to waste after scraping or rebedding during a ripening period until the filter effluent turbidity falls to consistently below the regulated drinking water standard established for the system.~~ Slow sand filters must be filtered-to-waste until they are biologically mature before being put into service following construction, scraping, re-sanding, or reopening after extended shutdown. The period of filter-to-waste shall be as follows: (3-30-07)()

a. Filters shall be filtered-to-waste after scraping or cleaning until the effluent turbidity falls consistently below the pre-cleaning level, unless otherwise approved by the Department based on documentation provided by the design engineer. ()

b. Filters shall be filtered-to-waste following construction, re-sanding, or extended shutdown based on project specific protocols that have been approved by the Department and then incorporated into a Department approved operation and maintenance manual. These protocols may be based on factors from standard literature such as those listed in Subsection 002.02 but typically include factors such as minimum filter-to-waste time periods, bacteriological testing, and effluent turbidity. Sampling results from the filter-to-waste period shall be provided to the Department for review and the Department must provide authorization prior to restarting service to the public. ()

10. Supernatant Drain Required. Filter beds shall be equipped with a supernatant drain to allow for quick removal of water standing over sand that has become impermeable because it requires scraping or rebedding. (3-30-07)

11. Filter Bed Control and Minimum Rate of Flow. Each filter bed shall be controlled separately and filters must be operated at a constant filtration rate with any changes made gradually. The minimum rate of filtration shall be at least two hundredths (0.02) gallons per minute per square foot. ()

524. FACILITY AND DESIGN STANDARDS: SURFACE WATER TREATMENT: DIRECT FILTRATION.

Direct filtration, as used herein, refers to the filtration of a surface water following chemical coagulation and possibly flocculation but without prior settling. The nature of the treatment process will depend upon the raw water quality. A full scale direct filtration plant shall not be constructed without prior pilot studies which are acceptable to the

reviewing authority. In-plant demonstration studies are required where conventional treatment plants are converted to direct filtration. Where direct filtration is proposed, an engineering report shall be submitted prior to conducting pilot plant or in-plant demonstration studies. See Subsection 501.19 for general information on conducting pilot studies.

(3-30-07)()

01. Filtration Requirements. (3-30-07)

a. Filters shall be rapid rate gravity filters with dual or mixed media. The final filter design shall be based on the pilot plant or in-plant demonstration studies, and all portions of Section 518 apply. Pressure filters or single media sand filters shall not be used. (3-30-07)

b. A continuous recording turbidimeter shall be installed on each filter effluent line and on the composite filter effluent line. (3-30-07)

c. Additional continuous monitoring equipment such as particle counting or streaming current metering to assist in control of coagulant dose may be required by the reviewing authority. (3-30-07)

02. Siting Requirements. The plant design and land ownership surrounding the plant shall allow for modifications of the plant. (3-30-07)

03. Redundancy. A minimum of two (2) units shall be provided for filtration such that plant capacity can be maintained with any component out of service for maintenance or repairs. ()

525. FACILITY AND DESIGN STANDARDS: LOW PRESSURE MEMBRANE FILTRATION.

Low pressure filtration, as used herein, refers to microfiltration or ultrafiltration processes. Low pressure membrane systems can provide greater than 3-log removal of Giardia lamblia and Cryptosporidium, and ultrafiltration systems can also provide up to 2-log virus removal. The Department will determine maximum available removal credits for the specific membrane under consideration. The actual log removal credit that a low pressure membrane filtration system will receive is the lower of the values determined by the following: the removal efficiency demonstrated during challenge testing, or the maximum log removal that can be verified by direct integrity testing required during the course of normal operation. Membrane systems shall contain sufficient design to allow for offline direct integrity testing of all units or modules at the required interval while retaining the capability to supply maximum day demand to the water system. Membrane systems shall have at least two (2) units unless it can be demonstrated to the satisfaction of the Department that a secondary source or treatment component can supply the required minimum plant design capacity. ()

01. Membrane Selection and Design Considerations. ()

a. Challenge Testing. Challenge testing involves seeding feed water with an organism or particulate and measuring the log reduction of the organism or particulate between the feed and filtrate. It is a one-time product-specific test event performed by an approved third party designed to demonstrate the removal ability of the membrane. Challenge testing shall be conducted by the third party entity in general conformance with the USEPA Membrane Filtration Guidance Manual referenced in Subsection 002.02 (Membrane Filtration Guidance Manual). The challenge test report shall be submitted to the Department along with the preliminary engineering report for the project. The Department may accept another state's challenge test report approval. ()

b. Water Quality Considerations for Design. A review of historical source water data shall be conducted to determine the degree of pretreatment needed if any, the feasibility of membrane filtration, and an estimated cost of the system. At a minimum, the following parameters shall be investigated: Seasonal temperature and turbidity profiles, total organic loading, occurrence of algae, microbial activity, iron, manganese, and hardness levels, and any other inorganic or physical parameters determined to be necessary by the Department. The data shall be used to determine anticipated fouling and scaling, backwash and cleaning cycles and regimens, acceptable trans-membrane pressure differentials, and design flux, especially during lowest anticipated water temperature. ()

c. Pilot Study. A pilot study shall be conducted for a period that shall be determined by the design engineer and approved by the Department. The duration should include the season of lowest water temperatures and the season including the highest anticipated turbidity, algal bloom, TOC, and iron/manganese event or otherwise

cover four seasons of source water quality conditions. The Department may approve a shorter duration proof pilot to verify design criteria that affect the reliable production capacity of the membrane system. The Department may approve the use of a full scale pilot study where the full scale facility will act as the pilot study. The Department may also waive the pilot study requirement. Proof pilot studies, full scale pilot studies, and the waiving of the pilot study requirement will only be approved in circumstances where source water conditions and fouling characteristics are already well understood. Such source waters include but are not limited to ground water under the influence of surface water, waters with existing membrane plants, waters where sufficient pilot test data has already been generated, and extensively used or tested membrane products where production or test data on similar waters is available (i.e., same lake, reservoir, or same reach for stream sources). In addition to the requirements in Subsection 501.19, the pilot study shall include: ()

- i. A means to identify the best membrane to use for the anticipated water quality; ()
- ii. Analysis of any need for pretreatment; ()
- iii. Range of anticipated flux rates; ()
- iv. Operating and transmembrane pressure; ()
- v. Fouling and scaling potential; ()
- vi. Backwash and recovery cleaning, cleaning processes, and intervals; ()
- vii. Efficiency and process mass balance; ()
- viii. Waste stream volume, characterization, and disposal method; ()
- xi. Turbidity; and ()
- x. Integrity testing results and procedures. ()

02. Monitoring and Compliance Requirements for Membranes. Public drinking water systems that use low pressure membrane filtration must comply with the following requirements. ()

- a. Initial Start-Up.** ()
 - i. The Department shall be notified at least one (1) week in advance of the planned start-up date. ()
 - ii. The design engineer shall oversee start-up procedures. ()
 - iii. All monitoring equipment shall be calibrated prior to start-up. ()
 - iv. The system shall pass direct integrity testing prior to going on-line and producing water for distribution. ()
 - v. A method for the disposal of start-up water shall be approved by the Department prior to start-up. ()
- b. Direct Integrity Testing.** ()
 - i. Scale of Testing. Testing must be conducted on each membrane skid in service at least daily for the first year of operation. ()
 - ii. Resolution. The test method used must have a resolution of three (3) µm or less for Cryptosporidium and Giardia lamblia removal credit. ()

iii. Sensitivity. The test method used must have sensitivity sufficient to verify the ability of the membrane filtration system to remove the constituent at a level commensurate with the credit awarded by the Department. ()

(1) Formulae for sensitivity calculation for pressure-based tests are available in the Membrane Filtration Guidance Manual referenced in Subsection 002.02. The volumetric concentration factor used in the calculation may be either calculated or determined experimentally. ()

(2) Formulae for sensitivity calculation for marker-based tests are available in the Membrane Filtration Guidance Manual referenced in Subsection 002.02. ()

iv. Control Limit. A control limit must be established within the sensitivity limits of the direct integrity test that is indicative of an integral membrane unit capable of achieving the log removal credit awarded by the Department. ()

(1) If the direct integrity test results exceed the control limit for any membrane unit, that unit must be removed from service. ()

(2) Any unit taken out of service for exceeding a direct integrity test control limit cannot be returned to service until repairs are confirmed by subsequent direct integrity test results that are within the control limit. ()

v. Frequency. Direct integrity testing must be conducted on each membrane unit at a frequency of at least once per day that the unit is in operation. The Department may extend testing frequency up to a duration of once per week after one (1) year of daily testing showing a less than five percent (5%) testing failure rate for the previous year. During weekly testing, if at any time the system fails more than two (2) direct integrity tests within a three (3) month period, the system shall return to daily testing. ()

c. Indirect Integrity Monitoring. ()

i. Scale of Testing. Testing must be conducted on each membrane unit in service. ()

ii. Monitoring Method. Continuous indirect integrity monitoring must be conducted using turbidity monitoring unless the Department approves an alternative method. ()

iii. Frequency. Continuous indirect integrity monitoring must be conducted at a frequency of at least one (1) reading every fifteen (15) minutes. The Department may allow a time delay in reporting compliance turbidity measurements if it can be demonstrated that elevated turbidity readings above fifteen hundredths (0.15) NTU immediately following direct integrity testing or maintenance are the result of factors related to entrained air or membrane wettability and are not related to membrane integrity. ()

iv. Control Limit. If the continuous indirect integrity monitoring results exceed the specified control limit for any membrane unit for a period greater than fifteen (15) minutes (i.e., two (2) consecutive readings at fifteen (15) minute intervals), direct integrity testing must be immediately conducted on that unit. ()

(1) The control limit for turbidity monitoring is fifteen hundredths (0.15) NTU. ()

(2) Control limits for Department approved alternative methods shall be established by the Department. ()

d. Operations Plan. A project specific operation and maintenance manual shall be provided as required in Subsection 501.12. See definition of Operation and Maintenance Manual in Section 003 for the typical contents of an operation and maintenance manual and the included operations plan. The operations plan in the operation and maintenance manual for membrane systems shall include, but is not limited to the following information: ()

i. Filtration: ()

- (1) Control of feed flow to the membrane system: ()
- (2) Measurement of inlet/outlet pressures and filtrate flows: ()
- (3) Measurement of transmembrane pressure changes during filter run; and ()
- (4) Feed flow control in response to temperature changes. ()
- ii. Membrane backwashing: ()
 - (1) Programming automated frequency: ()
 - (2) Proper backwash venting and disposal; see Section 540: ()
 - (3) Appropriate backwash rate; and ()
 - (4) Monitoring during return of filter to service. ()
- iii. Chemical cleaning: ()
 - (1) Selection of proper chemical washing sequence: ()
 - (2) Proper procedures for dilution of chemicals: ()
 - (3) Monitoring of pH through chemical cleaning cycle: ()
 - (4) Rinsing of membrane system following chemical clean; and ()
 - (5) Return of filter to service. ()
- iv. Chemical feeders (in the case that chemical pretreatment is applied): ()
 - (1) Calibration check: ()
 - (2) Settings and adjustments (how they should be made); and ()
 - (3) Dilution of chemicals and polymers (proper procedures). ()
- iv. Monitoring and observing operation: ()
 - (1) Observation of feed water or pretreated water turbidity: ()
 - (2) Observation of trans-membrane pressure increase between backwashes: ()
 - (3) Filtered water turbidity: ()
 - (4) Procedures to follow if turbidity breakthrough occurs. ()
- vi. Troubleshooting. A troubleshooting checklist or guide shall be included. Suggested troubleshooting items include but are not limited to the following: ()
 - (1) No raw water (feed water) flow to plant: ()
 - (2) Can't control rate of flow of water through equipment: ()
 - (3) Valving configuration for direct flow and cross-flow operation modes: ()

- (4) Poor raw water quality (raw water quality falls outside the performance range of the equipment): ()
- (5) Poor filtrate quality: ()
- (6) Failed membrane integrity test: ()
- (7) Low pump feed pressure: ()
- (8) Automatic operation (if provided) not functioning: ()
- (9) Filtered water turbidity too high: ()
- (10) Head loss builds up excessively rapidly: ()
- (11) Reduced flux: ()
- (12) Machine will not start and "Power On" indicator off: ()
- (13) Machine will not start and "Power On" indicator on: ()
- (14) Pump cavitation: ()
- (15) Valve stuck or won't operate; and ()
- (16) No electric power. ()

e. Reporting. The sensitivity, resolution, and frequency of the direct integrity test proposed for use with the full-scale facility must be reported to the Department prior to initial operation. The following shall be reported to the Department on a monthly basis: ()

i. Any direct integrity test results exceeding the control limit, as well as the corrective action taken in response, must be reported to the Department within ten (10) days of the end of the monthly monitoring cycle on a Department reporting form. The form is available at www.deq.idaho.gov; ()

ii. Any continuous indirect integrity monitoring results triggering direct integrity testing, as well as any corrective action taken in response, must be reported to the Department within ten (10) days of the end of the monthly monitoring cycle on a Department reporting form. The form is available at www.deq.idaho.gov; ()

iii. Any additional information considered necessary by the Department on a case-specific basis to verify proper operation and maintenance of the membrane filtration process; and ()

iv. All direct integrity test results and continuous indirect integrity monitoring results must be retained for a minimum of three (3) years. ()

5256. -- 5298. (RESERVED)

529. FACILITY AND DESIGN STANDARDS: DISINFECTION OF DRINKING WATER, ULTRAVIOLET LIGHT.

01. General. ()

a. Ultraviolet (UV) light technology is a primary disinfectant typically used for Cryptosporidium, Giardia lamblia, and virus inactivation of both surface water and groundwater supplies. Reactor performance in terms of inactivation of any particular organism is a function of the delivered dose which is determined by validation testing. ()

b. UV disinfection credit will be awarded for filtered systems and unfiltered systems if the system meets the requirements for unfiltered systems in 40 CFR 141.71. Systems will receive Cryptosporidium, Giardia lamblia, and virus treatment credits by achieving the corresponding UV dose values for the appropriate target pathogen and log reduction shown in Section 529.03, calculated to take into account the validation factor and reduction equivalent dose. The target pathogen and the target log inactivation shall be used to identify the corresponding required UV dose. ()

c. For water systems using UV light to meet microbial treatment requirements, at least ninety-five percent (95%) of the water delivered to the public every month must be treated by UV reactors operating within validated conditions for the required UV dose. ()

d. When reviewing proposed UV disinfection projects, the Department will use the USEPA UV Disinfection Guidance Manual for the Final Long Term 2 Enhanced Surface Water Treatment Rule referenced in Subsection 002.02 (UV Disinfection Guidance Manual) for guidance. ()

02. Pilot Studies and Validation. ()

a. The Department may allow on-site pilot studies on a case by case basis. Pilot studies are usually used to determine how much fouling occurs on site, to evaluate UV system reliability (e.g. UV sensors, UV transmittance (UVT) monitors, ballast reliability) and to provide operators experience running a UV system. They may also be used to assess lamp aging or impacts of power quality. See Subsection 501.19 for general information on conducting pilot studies. ()

b. Validation testing determines the operating conditions and monitoring algorithms that the UV system will use to define how much UV dose is being delivered by the reactor during operation. The validated dose as determined through validation testing is compared to the required dose in the UV Dose Table (Subsection 529.03) to determine inactivation credit. The validated dose is calculated by dividing the determined reduction equivalent dose by a validation factor to account for biases and experimental uncertainty. UV light treatment reactors shall be validated by a third party entity approved by the Department. At a minimum, validation testing must account for the following: UV absorbance of the water; lamp fouling and aging; measurement uncertainty of on-line UV sensors; UV dose distributions arising from the velocity profiles through the reactor; failure of UV lamps and other critical system components; inlet and outlet piping configuration of the UV reactor; lamp and UV sensor locations; and other parameters required by the Department. The Department may allow alternative test microbes such as MS2 phage where the UV dose response better matches that of Cryptosporidium and Giardia lamblia to provide more accurate and efficient UV dose monitoring. Additional guidance is available in the UV Disinfection Guidance Manual, referenced in Subsection 002.02, or another validation standard as approved by the Department. ()

c. Validation testing shall be conducted on full scale testing of a reactor that conforms uniformly to the UV reactors used by the system and inactivation of a test microorganism whose dose response characteristics have been quantified with a low pressure mercury vapor lamp. ()

d. Validation testing must determine and establish validated operating conditions under which the reactor delivers the required UV dose in Section 529.03. Validated operating conditions include: ()

i. Flow rate; ()

ii. UV Intensity as measured by a UV sensor; ()

iii. UV lamp operating status. ()

e. The department may approve an alternative approach to validation testing. ()

03. UV Dose Table. The treatment credits listed in the dose table are based on UV light at a wavelength of two hundred fifty-four (254) nm as produced by a low pressure mercury vapor lamp. To receive treatment credit for other lamp types, the system shall demonstrate an equivalent germicidal dose through validation

testing.

UV Dose Table (millijoules per square centimeter)			
Log	Cryptosporidium	Giardia lamblia	Virus
<u>0.5</u>	<u>1.6</u>	<u>1.5</u>	<u>39</u>
<u>1.0</u>	<u>2.5</u>	<u>2.1</u>	<u>58</u>
<u>1.5</u>	<u>3.9</u>	<u>3.0</u>	<u>79</u>
<u>2.0</u>	<u>5.8</u>	<u>5.2</u>	<u>100</u>
<u>2.5</u>	<u>8.5</u>	<u>7.7</u>	<u>121</u>
<u>3.0</u>	<u>12</u>	<u>11</u>	<u>143</u>
<u>3.5</u>	<u>15</u>	<u>15</u>	<u>163</u>
<u>4.0</u>	<u>22</u>	<u>22</u>	<u>186</u>

()

04. Reactor Design. Inlet and outlet conditions shall ensure that UV dose delivery at the plant is equal to or exceeds that utilized during validation. At a minimum, design criteria shall address target pathogen(s), required log inactivation and UV dose, flow rate, UVT, and lamp aging and fouling factors. UVT and flow rate shall be selected to account for seasonal changes in UVT. Lamp aging and fouling factors shall be supported by documentation or pilot study data. Recommended approaches of the UV Disinfection Guidance Manual, referenced in Subsection 002.02, shall be used in meeting this requirement. ()

a. The reactor systems must be designed to monitor and record parameters to verify the operation within the validated operating conditions approved by the Department. The system must be equipped with facilities to monitor and record UV intensity as measured by a UV sensor, flow rate, lamp status, UVT, and other parameters designated by the Department. ()

b. The ultraviolet treatment device shall be designed to provide a UV light dose equal to or greater than that specified in the UV Dose Table for the required log reduction. The UV Disinfection Guidance Manual, referenced in Subsection 002.02, shall be utilized in evaluating the appropriate dose required for the target microbe. The reactor shall also deliver the target dose while operating within the validated operating conditions for that particular unit. ()

c. The ultraviolet treatment assemblies shall be designed to allow for cleaning and replacement of the lamp, lamp sleeves, and sensor window or lens. ()

d. All ultraviolet treatment device designs shall evaluate lamp fouling and aging issues and manufacturer's recommendations regarding fouling, aging, and replacement shall be discussed in the Operation and Maintenance Manual. ()

e. For in-situ cleaning of the lamp sleeve, the design shall protect the potable water from cleaning solutions. ()

f. When off-line chemical cleaning systems are used, the UV enclosure shall be removed from service, drained, flushed with an NSF/ANSI Standard 60 certified solution, drained, and rinsed before being placed back in service. ()

g. On-line systems that use wipers or brushes may use chemical solutions provided they are NSF/ANSI Standard 60 certified. ()

h. An automatic shutdown valve shall be installed in the water supply line from the ultraviolet treatment device such that if power is not provided to the reactor or valve, the valve shall be in the closed position.

()

i. The design of the inlet and outlet piping configuration and the locations of expansions, bends, tees and valves shall assure that the UV dose delivery is equal to or greater than the required UV dose. Approach length prior to each reactor included in the credited dose calculations, downstream length following each reactor, and locations of any cleaning device/mechanism shall be based on validation testing. ()

j. For parallel trains, the flow to each reactor shall be equally distributed and metered or otherwise account for uneven flows in the design to ensure that the required UV dose is delivered to each train under varying flow conditions. ()

k. Valves shall be provided to allow isolating and removing from service each UV reactor. ()

l. Reactors shall be provided with air relief and pressure control valves per manufacturer requirements. ()

m. UVT analyzers shall be provided if UVT is part of the dose monitoring strategy. It is recommended that UVT be monitored on a regular basis for all systems to assess UVT variability. ()

n. A single train with a standby reactor or a sufficient number of parallel ultraviolet treatment devices shall be installed to ensure that adequate disinfection is provided when one unit is out of service. The Department may approve an alternate method that provides adequate disinfection such as standby chlorination. Any system that produces water on an irregular schedule may provide documentation for the Department's review and approval that a single reactor would be an acceptable design by demonstrating there would be adequate for time for maintenance and cleaning during operation shutdowns. ()

o. No bypass of the ultraviolet treatment process may be installed unless an alternate method of providing adequate disinfection is provided. ()

05. Controls. ()

a. A delay mechanism shall be installed to provide sufficient lamp warm-up prior to allowing water to flow from the ultraviolet treatment unit. ()

b. An automatic shutdown shall be designed to activate the shutdown valve in cases where the ultraviolet light dose falls below the approved design dose or outside of the validated specifications. ()

06. Reliability. The system must be capable of producing the plant design capacity at all times. ()

a. Standby equipment. Unless otherwise approved by the Department based on documentation provided by the design engineer and in accordance with Subsection 529.04.n., a minimum of two (2) reactors is required to maintain disinfection when one unit is taken out of service. Each reactor must be sized to deliver the required UV dose under the operating conditions of flow and UVT that occur at the plant. The conditions shall fall within the validated range of the reactor as determined during validation testing. ()

b. Power supply. The quality and reliability of the power supply shall be analyzed and back-up power supplies shall be discussed in the contingency plan. ()

c. Validated operating conditions. If UVT is above the validated range of UVT, the UV dose monitoring algorithm shall default to the maximum of the validated range. If UVT is below the validated range, the UV system operation shall be recorded as outside of the validated operating conditions. When UVT falls outside of ranges identified in the validated operating conditions, the contingency plan shall be enacted if UVT is part of the dose monitoring strategy. ()

d. Contingency plan. A contingency plan for total UV disinfection failure, loss of power, or in the event that water quality changes produce water quality unsuitable for UV disinfection shall be described in the preliminary engineering report. ()

07. Monitoring. Water systems using UV light must monitor for the parameters necessary to demonstrate operation within the validated conditions of the required UV dose. PWSs must check the calibration of UV sensors and online UVT monitors and recalibrate in accordance with a protocol approved by the Department. At a minimum, the following parameters must be monitored: ()

a. Flow rate. If the flow rate is below the validated range, then the UV dose monitoring algorithm shall default to the validated range. If the flow rate is above the validated range, then the UV system operation shall be recorded as outside of the validated operating conditions: ()

b. UV intensity as measured by UV sensors: ()

c. UVT if UVT is part of the dose monitoring strategy; and ()

d. Lamp status. ()

08. Alarms. The settings or predetermined set points for the alarms shall be specified in the preliminary engineering report. The report shall also specify the alarms that shall activate the contingency plan response. At a minimum, the following alarms are required: ()

a. Low UV intensity; ()

b. High turbidity if required by the Department; ()

c. Low UVT; ()

d. Low UV dose; ()

e. Lamp failure; ()

f. UVT monitor failure; ()

g. UV sensor failure; ()

h. Low water level; and ()

i. High flow rate. ()

09. Initial Startup. The following items shall be tested and verified before UV disinfected water is distributed: ()

a. Electrical components; ()

b. Water level; ()

c. Flow split between reactor trains if applicable; ()

d. Controls and alarms; and ()

e. Instrument calibration. ()

10. Operation and Maintenance Manual. A project specific operation and maintenance manual shall be provided as required in Subsection 501.12. See definition of Operation and Maintenance Manual in Section 003 for the typical contents of an operation and maintenance manual and the included operations plan. The operations plan in the operation and maintenance manual shall include, but is not limited to the following information: ()

a. Lamp aging and replacement intervals. Lamp replacement intervals may be based on the degree of

lamp aging as indicated by the UV sensors: ()

b. Lamp fouling analysis and cleaning procedures: ()

c. Lamp replacement; and ()

d. Lamp breakage. ()

530. FACILITY AND DESIGN STANDARDS: DISINFECTION OF DRINKING WATER, DISINFECTING AGENTS.

Disinfection may be accomplished with gas and liquid chlorine, calcium or sodium hypochlorites, chlorine dioxide, ozone, or ultraviolet light. Other disinfecting agents will be considered, providing reliable application equipment is available and testing procedures for a residual are recognized in "Standard Methods for the Examination of Water and Wastewater," referenced in Subsection 002.02, or an equivalent means of measuring effectiveness exists. The required amount of primary disinfection needed shall be specified by the Department. Consideration must be given to the formation of disinfection by-products (DBP) when selecting the disinfectant. See Section 531, Facility Design Standards - Design Standards for Chemical Application. For public water systems using only ground water and that voluntarily chlorinate, see Subsection 552.04. (3-30-07)()

01. Chlorination. (3-30-07)

a. In addition to the requirements of Section 531, ~~Chlorination~~ equipment shall meet the following requirements: (3-30-07)()

i. Solution-feed gas chlorinators or hypochlorite feeders of the positive displacement type must be provided. (3-30-07)

ii. Standby or backup equipment of sufficient capacity shall be available to replace the largest unit. Spare parts shall be on hand to replace parts subject to wear and breakage. (5-8-09)

iii. Automatic proportioning chlorinators ~~will be~~ are required where the rate of flow or chlorine demand is not reasonably constant. (3-30-07)()

iv. Each eductor (submerged jet pump) must be selected for the point of application with particular attention given to the quantity of chlorine to be added, the maximum injector waterflow, the total discharge back pressure, the injector operating pressure, and the size of the chlorine solution line. (3-30-07)

v. The chlorine solution injector/diffuser must be compatible with the point of application to provide a rapid and thorough mix with all the water being treated. (3-30-07)

vi. Automatic switch-over of chlorination treatment units shall be provided, where necessary, to assure continuous disinfection. (5-8-09)

b. Effective ~~Chlorination~~ contact time and point of application requirements are as follows: (3-30-07)()

i. Effective ~~Chlorination~~ contact time sufficient to achieve the inactivation of target pathogens under the expected range of raw water pH and temperature variation must be demonstrated through tracer studies or other evaluations or calculations acceptable to the Department. ~~Appendix E of EPA Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems Using Surface Water Sources~~ Improving Clearwell Design for CT Compliance, referenced in Section 002.02, contains ~~tables~~ information that may be used as guidance ~~to develop contact time requirements for specific target organisms and disinfectants for these calculations.~~ Additional baffling can be added to new or existing basins to minimize short circuiting and increase contact time. (3-30-07)()

ii. ~~At plants treating surface water, except slow sand filtration systems, provisions shall be made for applying the disinfectant to the raw water, settled water, filtered water, and water entering the distribution system. Disinfectant application equipment shall be controlled by a flow sensing device so that injection of the disinfectant~~

~~will not continue when the flow of water stops.~~ At least two (2) contactors shall be provided which are each capable of providing the required effective contact time at one-half (1/2) of the plant design capacity. Alternatively, a single contactor that can provide effective contact time at plant design capacity may be designed with separate sections and bypass piping to allow sections to be cleaned or maintained individually during low flow conditions. Any system that produces water on an irregular schedule may provide documentation for the Department's review and approval that a single contactor would be an acceptable design by demonstrating there would be adequate time for maintenance and cleaning during operation shutdowns. (3-30-07)()

iii. ~~At a minimum, at plants treating ground water, provisions shall be made for applying the disinfectant to the contact chamber inlet.~~ At plants treating surface water, except slow sand filtration systems: (5-8-09)()

(1) Unless otherwise approved by the Department, in addition to the injection point prior to the disinfection contact tank, injection points shall also be provided for applying the disinfectant to the raw water, settled water, and water entering the distribution system. ()

(2) Unless otherwise approved by the Department, chemical piping or tubing shall be installed from the disinfectant feed system to each injection system during the initial construction. ()

iv. For pipeline contactors, provision shall be made to drain accumulated sediment from the bottom of the contactor if the discharge from the contactor is not located at the bottom. ()

c. Chlorine residual test equipment recognized in the "Standard Methods for the Examination of Water and Wastewater," referenced in Subsection 002.02, shall be provided for use by the operator. All surface water treatment plants that serve a population greater than three thousand three hundred (3,300) must have equipment to measure chlorine residuals continuously entering the distribution system. A sample tap shall be provided to measure chlorine residual and shall be located at a point after receiving the required contact time and at or prior to the first service connection. (5-8-09)

d. Chlorinator piping requirements: (3-30-07)

i. Cross connection protection: The chlorinator water supply piping shall be designed to prevent contamination of the treated water supply by sources of questionable quality. At all facilities treating surface water, pre- and post-chlorination systems must be independent to prevent possible siphoning of partially treated water into the clear well. The water supply to each eductor shall have a separate shut-off valve. No master shut-off valve will be allowed. (3-30-07)

ii. The pipes carrying elemental liquid or dry gaseous chlorine under pressure must be Schedule 80 seamless steel tubing or other materials recommended by the Chlorine Institute (never use PVC). Rubber, PVC, polyethylene, or other materials recommended by the Chlorine Institute must be used for chlorine solution piping and fittings. Nylon products are not acceptable for any part of the chlorine solution piping system. (3-30-07)

02. Disinfection with Ozone. Systems that are required to maintain a disinfectant residual in the distribution system shall supplement ozone disinfection with a chemical disinfectant. (3-30-07)

a. The following are requirements for feed gas preparation: (3-30-07)

i. Feed gas can be air, oxygen enriched air, or high purity oxygen. Sources of high purity oxygen include purchased liquid oxygen conforming with AWWA Standard B-304; on site generation using cryogenic air separation; or temperature, pressure or vacuum swing (adsorptive separation) technology. In all cases, the design engineer must ensure that the maximum dew point of -76°F (-60°C) will not be exceeded at any time. (3-30-07)

ii. Air compression: (3-30-07)

(1) Air compressors shall be of the liquid-ring or rotary lobe, oil-less, positive displacement type for smaller systems or dry rotary screw compressors for larger systems. (3-30-07)

(2) The air compressors shall have the capacity to simultaneously provide for maximum ozone demand, provide the air flow required for purging the desiccant dryers (where required) and allow for standby capacity. (3-30-07)

(3) Air feed for the compressor shall be drawn from a point protected from rain, condensation, mist, fog and contaminated air sources to minimize moisture and hydrocarbon content of the air supply. (3-30-07)

(4) A compressed air after-cooler, entrainment separator, or a combination of the two (2) with automatic drain shall be provided prior to the dryers to reduce the water vapor. (5-8-09)

(5) A back-up air compressor must be provided so that ozone generation is not interrupted in the event of a break-down. (3-30-07)

iii. Air drying: (3-30-07)

(1) Dry, dust-free and oil-free feed gas must be provided to the ozone generator. Dry gas is essential to prevent formation of nitric acid, to increase the efficiency of ozone generation and to prevent damage to the generator dielectrics. Sufficient drying to a maximum dew point of -76°F (-60°C) must be provided at the end of the drying cycle. (3-30-07)

(2) Drying for high pressure systems may be accomplished using heatless desiccant dryers only. For low pressure systems, a refrigeration air dryer in series with heat-reactivated desiccant dryers shall be used. (3-30-07)

(3) A refrigeration dryer capable of reducing inlet air temperature to 40°F (4°C) shall be provided for low pressure air preparation systems. The dryer can be of the compressed refrigerant type or chilled water type. (3-30-07)

(4) For heat-reactivated desiccant dryers, the unit shall contain two (2) desiccant filled towers complete with pressure relief valves, two (2) four-way valves and a heater. In addition, external type dryers shall have a cooler unit and blowers. The size of the unit shall be such that the specified dew point will be achieved during a minimum adsorption cycle time of sixteen (16) hours while operating at the maximum expected moisture loading conditions. (3-30-07)

(5) Multiple air dryers shall be provided so that the ozone generation is not interrupted in the event of dryer breakdown. (3-30-07)

(6) Each dryer shall be capable of venting "dry" gas to the atmosphere, prior to the ozone generator, to allow start-up when other dryers are "on-line." (3-30-07)

iv. Air filters: (3-30-07)

(1) Air filters shall be provided on the suction side of the air compressors, between the air compressors and the dryers and between the dryers and the ozone generators. (3-30-07)

(2) The filter before the desiccant dryers shall be of the coalescing type and be capable of removing aerosol and particulates larger than 0.3 microns in diameter. The filter after the desiccant dryer shall be of the particulate type and be capable of removing all particulates greater than 0.1 microns in diameter, or smaller if specified by the generator manufacturer. (3-30-07)

v. Piping in the air preparation system can be common grade steel, seamless copper, stainless steel or galvanized steel. The piping must be designed to withstand the maximum pressures in the air preparation system. (3-30-07)

b. The following requirements apply to the ozone generator: (3-30-07)

i. Capacity. (3-30-07)

- (1) The production rating of the ozone generators shall be stated in pounds per day and kWhr per pound at a maximum cooling water temperature and maximum ozone concentration. (3-30-07)
- (2) The design shall ensure that the minimum concentration of ozone in the generator exit gas will not be less than one (1) percent (by weight). (3-30-07)
- (3) Generators shall be sized to have sufficient reserve capacity so that the system does not operate at peak capacity for extended periods of time resulting in premature breakdown of the dielectrics. (3-30-07)
- (4) The production rate of ozone generators will decrease as the temperature of the coolant increases. If there is to be a variation in the supply temperature of the coolant throughout the year, then pertinent data shall be used to determine production changes due to the temperature change of the supplied coolant. The design shall ensure that the generators can produce the required ozone at maximum coolant temperature. (3-30-07)
- (5) Appropriate ozone generator backup equipment must be provided. (3-30-07)
- ii. Electrical. The generators can be low, medium or high frequency type. Specifications shall require that the transformers, electronic circuitry and other electrical hardware be proven, high quality components designed for ozone service. (3-30-07)
- iii. Cooling. Adequate cooling shall be provided. The cooling water must be properly treated to minimize corrosion, scaling and microbiological fouling of the water side of the tubes. Where cooling water is treated, cross connection control shall be provided to prevent contamination of the potable water supply. (3-30-07)
- iv. Materials. To prevent corrosion, the ozone generator shell and tubes shall be constructed of Type 316L stainless steel. (3-30-07)
- c. The following requirements apply to ozone contactors: (3-30-07)
- i. Bubble diffusers. (3-30-07)
- (1) Where disinfection is the primary application, a minimum of two (2) contact chambers, each equipped with baffles to prevent short circuiting and induce countercurrent flow, shall be provided. Ozone shall be applied using porous-tube or dome diffusers. (3-30-07)
- (2) The minimum contact time shall be ten (10) minutes. A shorter contact time (CT) may be approved by the Department if justified by appropriate design and "CT" considerations. (3-30-07)
- (3) Where taste and odor control is of concern, multiple application points and contactors shall be considered. (3-30-07)
- (4) Contactors shall be separate closed vessels that have no common walls with adjacent rooms. The contactor must be kept under negative pressure and sufficient ozone monitors shall be provided to protect worker safety. (3-30-07)
- (5) Contact vessels can be made of reinforced concrete, stainless steel, fiberglass or other material which will be stable in the presence of residual ozone and ozone in the gas phase above the water level. If contact vessels are made of reinforced concrete, all reinforcement bars shall be covered with a minimum of one and one-half (1.5) inches of concrete. (3-30-07)
- (6) Where necessary, a system shall be provided between the contactor and the off-gas destruct unit to remove froth from the air and return the other to the contactor or other location acceptable to the reviewing authority. If foaming is expected to be excessive, then a potable water spray system shall be placed in the contactor head space. (3-30-07)
- (7) All openings into the contactor for pipe connections, hatchways, etc. shall be properly sealed using welds or ozone resistant gaskets such as Teflon or Hypalon. (3-30-07)

- (8) Multiple sampling ports shall be provided to enable sampling of each compartment's effluent water and to confirm "CT" calculations. (3-30-07)
- (9) A pressure/vacuum relief valve shall be provided in the contactor and piped to a location where there will be no damage to the destruction unit. (3-30-07)
- (10) The depth of water in bubble diffuser contactors shall be a minimum of eighteen (18) feet. The contactor shall also have a minimum of three (3) feet of freeboard to allow for foaming. (3-30-07)
- (11) All contactors shall have provisions for cleaning, maintenance and drainage of the contactor. Each contactor compartment shall also be equipped with an access hatchway. (3-30-07)
- (12) Aeration diffusers shall be fully serviceable by either cleaning or replacement. (3-30-07)
- ii. Other contactors, such as the venturi or aspirating turbine mixer contactor, may be approved by the Department provided adequate ozone transfer is achieved and the required contact times and residuals can be met and verified. (3-30-07)
- d.** The following requirements apply to ozone destruction units: (3-30-07)
- i. A system for treating the final off-gas from each contactor must be provided in order to meet safety and air quality standards. Acceptable systems include thermal destruction and thermal/catalytic destruction units. (3-30-07)
- ii. The maximum allowable ozone concentration in the discharge is 0.1 ppm (by volume). (3-30-07)
- iii. At least two (2) units shall be provided which are each capable of handling the entire gas flow. (3-30-07)
- iv. Exhaust blowers shall be provided in order to draw off-gas from the contactor into the destruct unit. (3-30-07)
- v. Catalysts must be protected from froth, moisture and other impurities which may harm the catalyst. (3-30-07)
- vi. The catalyst and heating elements shall be located where they can easily be reached for maintenance. (3-30-07)
- e.** Piping materials: Only low carbon 304L and 316L stainless steels shall be used for ozone service with 316L preferred. (3-30-07)
- f.** The following requirements apply to joints and connections: (3-30-07)
- i. Connections on piping used for ozone service are to be welded where possible. (3-30-07)
- ii. Connections with meters, valves or other equipment are to be made with flanged joints with ozone resistant gaskets, such as Teflon or Hypalon. Screwed fittings shall not be used because of their tendency to leak. (3-30-07)
- iii. A positive closing plug or butterfly valve plus a leak-proof check valve shall be provided in the piping between the generator and the contactor to prevent moisture reaching the generator. (3-30-07)
- g.** The following requirements apply to instrumentation: (3-30-07)
- i. Pressure gauges shall be provided at the discharge from the air compressor, at the inlet to the refrigeration dryers, at the inlet and outlet of the desiccant dryers, at the inlet to the ozone generators and contactors,

and at the inlet to the ozone destruction unit. (3-30-07)

ii. Each generator shall have a trip which shuts down the generator when the wattage exceeds a certain preset level. (3-30-07)

iii. Dew point monitors shall be provided for measuring the moisture of the feed gas from the desiccant dryers. Where there is potential for moisture entering the ozone generator from downstream of the unit or where moisture accumulation can occur in the generator during shutdown, post-generator dew point monitors shall be used. (3-30-07)

iv. Air flow meters shall be provided for measuring air flow from the desiccant dryers to each of the other ozone generators, air flow to each contactor, and purge air flow to the desiccant dryers. (3-30-07)

v. Temperature gauges shall be provided for the inlet and outlet of the ozone cooling water and the inlet and outlet of the ozone generator feed gas and, if necessary, for the inlet and outlet of the ozone power supply cooling water. (3-30-07)

vi. Water flow meters shall be installed to monitor the flow of cooling water to the ozone generators and, if necessary, to the ozone power supply. (3-30-07)

vii. Ozone monitors shall be installed to measure zone concentration in both the feed-gas and off-gas from the contactor and in the off-gas from the destruct unit. For disinfection systems, monitors shall also be provided for monitoring ozone residuals in the water. The number and location of ozone residual monitors shall be such that the amount of time that the water is in contact with the ozone residual can be determined. (3-30-07)

viii. A minimum of one ambient ozone monitor shall be installed in the vicinity of the contactor and a minimum of one shall be installed in the vicinity of the generator. Ozone monitors shall also be installed in any areas where ozone gas may accumulate. (3-30-07)

h. Safety requirements are as follows: (3-30-07)

i. The maximum allowable ozone concentration in the air to which workers may be exposed must not exceed one-tenth part per million (0.1 ppm) by volume. (3-30-07)

ii. Noise levels resulting from the operating equipment of the ozonation system shall be controlled to within acceptable limits by special room construction and equipment isolation. (3-30-07)

iii. Emergency exhaust fans must be provided in the rooms containing the ozone generators to remove ozone gas if leakage occurs. (3-30-07)

iv. A sign shall be posted indicating "No smoking, oxygen in use" at all entrances to the treatment plant. In addition, no flammable or combustible materials shall be stored within the oxygen generator areas. (3-30-07)

03. Disinfection with Chlorine Dioxide. Chlorine dioxide may be considered as a primary and residual disinfectant, a pre-oxidant to control tastes and odors, to oxidize iron and manganese, and to control hydrogen sulfide and phenolic compounds. When choosing chlorine dioxide, consideration must be given to formation of the regulated by-products, chlorite and chlorate. (3-30-07)

a. Chlorine dioxide generation equipment shall be factory assembled pre-engineered units with a minimum efficiency of ninety-five (95) percent. The excess free chlorine shall not exceed three (3) percent of the theoretical stoichiometric concentration required. (3-30-07)

b. Other design requirements include: (3-30-07)

i. The design shall comply with all applicable portions of Subsections 530.01.a. through 530.01.d. (3-30-07)

ii. The maximum residual disinfectant level allowed shall be zero point eight (0.8) milligrams per liter (mg/l), even for short term exposures. (3-30-07)

iii. Notification of a change in disinfection practices and the schedule for the changes shall be made known to the public; particularly to hospitals, kidney dialysis facilities and fish breeders, as chlorine dioxide and its by-products may have effects similar to chloramines. (3-30-07)

04. Other Disinfecting Agents. Proposals for use of disinfecting agents other than those listed shall be submitted to the Department for approval prior to preparation of final plans and specifications. (3-30-07)

531. FACILITY AND DESIGN STANDARDS: DESIGN STANDARDS FOR CHEMICAL APPLICATION.

01. General Equipment Design. General equipment design shall be such that: (3-30-07)

a. Feeders will be able to supply, at all times, the necessary amounts of chemicals at an accurate rate, throughout the range of feed. (3-30-07)

b. Chemical-contact materials and surfaces are resistant to the aggressiveness of the chemical solution. (3-30-07)

c. Corrosive chemicals are introduced in such a manner as to minimize potential for corrosion. (3-30-07)

d. Chemicals that are incompatible are not stored or handled together. At facilities where more than one (1) chemical is stored or handled, tanks and pipelines shall be clearly labeled to identify the chemical they contain. (3-30-07)

e. All chemicals are conducted from the feeder to the point of application in separate conduits. (3-30-07)

f. Chemical feeders are as near as practical to the feed point. (3-30-07)

g. Chemical feeders and pumps shall operate at no lower than twenty percent (20%) of the feed range unless two fully independent adjustment mechanisms such as pump pulse rate and stroke length are fitted when the pump shall operate at no lower than ten percent (10%) of the rated maximum. (3-30-07)

h. Spare parts shall be on hand for parts of feeders that are subject to frequent wear and damage. (5-8-09)

i. Redundant chemical feeders with automatic switchover shall be provided when necessary to ensure adequate treatment. If the water treatment system includes at least two (2) process trains of equipment so that the plant design capacity can be maintained with any component out of service, redundant chemical feeders are not required on each process train. ~~(5-8-09)~~()

02. Facility Design. (3-30-07)

a. Where chemical feed is necessary for the protection of the supply, such as disinfection, coagulation or other essential processes, a minimum of two feeders shall be provided and a separate feeder shall be used for each chemical applied. (3-30-07)

b. Chemical application control systems shall meet the following requirements: (3-30-07)

i. Feeders may be manually or automatically controlled, with automatic controls being designed so as to allow override by manual controls. (3-30-07)

- ii. Chemical feeders shall be controlled by a flow sensing device so that injection of the chemicals will not continue when the flow of water stops. (3-30-07)
- iii. ~~Chemical feed rates shall be proportional to flow.~~ Automatic proportioning chlorinators are required where the rate of flow or chlorine demand is not reasonably constant. (3-30-07)()
- iv. A means to measure water flow must be provided in order to determine chemical feed rates. (3-30-07)
- v. Provisions shall be made for measuring the quantities of chemicals used. (3-30-07)
- vi. Weighing scales shall be provided for weighing cylinders at all plants utilizing chlorine gas, fluoride solution feed. (3-30-07)
- vii. Weighing scales shall be capable of providing reasonable precision in relation to average daily dose. (5-8-09)
- viii. Where conditions warrant, for example with rapidly fluctuating intake turbidity, coagulant and coagulant aid addition may be made according to turbidity, streaming current or other sensed parameter. (3-30-07)
- c. Dry chemical feeders shall measure chemicals volumetrically or gravimetrically, provide adequate solution water and agitation of the chemical in the solution pot, and completely enclose chemicals to prevent emission of dust to the operating room. (3-30-07)
- d. Positive displacement type solution feed pumps must be capable of operating at the required maximum head conditions found at the point of injection. (3-30-07)
- e. Liquid chemical feeders shall be such that chemical solutions cannot be siphoned or overfed into the water supply, by assuring discharge at a point of positive pressure, or providing vacuum relief, or providing a suitable air gap, or providing other suitable means or combinations as necessary. (3-30-07)
- f. Cross connection control must be provided to assure that the following requirements are satisfied. (3-30-07)
 - i. The service water lines discharging to solution tanks shall be properly protected from backflow. (5-8-09)
 - ii. No direct connection exists between any sewer and a drain or overflow from the feeder, solution chamber or tank by providing that all drains terminate at least six (6) inches or two pipe diameters, whichever is greater, above the overflow rim of a receiving sump, conduit or waste receptacle. (3-30-07)
- g. Chemical feed equipment shall be readily accessible for servicing, repair, and observation of operation. (3-30-07)
- h. In-plant water supply for chemical mixing shall be: (3-30-07)
 - i. Ample in quantity and adequate in pressure. (3-30-07)
 - ii. Provided with means for measurement when preparing specific solution concentrations by dilution. (3-30-07)
 - iii. Properly treated for hardness, when necessary. (3-30-07)
 - iv. Properly protected against backflow. (3-30-07)
 - v. Obtained from a location sufficiently downstream of any chemical feed point to assure adequate mixing. (3-30-07)

- i. Chemical storage facilities shall satisfy the following requirements: (3-30-07)
- i. Storage tanks and pipelines for liquid chemicals shall be specified for use with individual chemicals and not used for different chemicals. Off-loading areas must be clearly labeled to prevent accidental cross-contamination. (3-30-07)
- ii. Chemicals shall be stored in covered or unopened shipping containers, unless the chemical is transferred into an approved storage unit. (3-30-07)
- j. Bulk liquid storage tanks shall comply with the following requirements: (5-8-09)
- i. A means which is consistent with the nature of the chemical solution shall be provided in a solution tank to maintain a uniform strength of solution. Continuous agitation shall be provided to maintain slurries in suspension. (3-30-07)
- ii. Means shall be provided to measure the liquid level in the tank. (3-30-07)
- iii. Bulk liquid storage tanks shall be kept covered. Bulk liquid storage tanks with access openings shall have such openings curbed and fitted with overhanging covers. (5-8-09)
- iv. Subsurface locations for bulk liquid storage tanks shall be free from sources of possible contamination, and assure positive drainage for ground waters, accumulated water, chemical spills and overflows. (5-8-09)
- v. Bulk liquid storage tanks shall be vented, but shall not vent through vents common with day tanks. Acid storage tanks must be vented to the outside atmosphere, but not through vents in common with day tanks. (5-8-09)
- vi. Each bulk liquid storage tank shall be provided with a valved drain, protected against backflow. (5-8-09)
- vii. Bulk liquid storage tanks shall have an overflow that is turned downward with the end screened with a twenty-four (24) mesh or similar non-corrodible screen, have a free fall discharge, and be located where noticeable. (4-7-11)
- viii. Bulk liquid storage tanks shall be provided with secondary containment so that chemicals from equipment failure, spillage, or accidental drainage shall be fully contained. A common receiving basin may be provided for each group of compatible chemicals. The bulk liquid storage tank basin or the common receiving basin shall provide a secondary containment volume sufficient to hold **one hundred ten percent (110%)** of the volume of the largest storage tank. Piping shall be designed to minimize or contain chemical spills in the event of pipe ruptures. (~~5-8-09~~) ()
- ix. Where chemical feed is necessary for the protection of the supply, a means to assure continuity of chemical supply while servicing a bulk liquid storage tank shall be provided. (5-8-09)
- k. Day tanks are subject to the requirements in Subsections 531.02.k.i. through 531.02.k.iv. For the purposes of Section 531, day tanks are defined as liquid chemical tanks holding no more than a thirty (30) hour chemical supply. (5-8-09)
- i. Day tanks shall be provided where bulk storage of liquid chemicals are provided. The Department may allow chemicals to be fed directly from shipping containers no larger than fifty-five (55) gallons. (5-8-09)
- ii. Day tanks shall meet all the requirements of Subsection 531.02.j., with the exception of Subsection 531.02.j.viii. Shipping containers do not require overflow pipes or drains as required by Subsection 531.02.j. and are not subject to the requirements of Subsection 531.02.j.viii. (5-8-09)

iii. Where feasible, secondary containment shall be provided so that chemicals from equipment failure, spillage, or accidental drainage of day tanks shall be fully contained. A common receiving basin may be provided for each group of compatible chemicals. The common receiving basin shall provide a secondary containment volume sufficient to hold the volume of the largest storage tank. If secondary containment is not feasible, day tanks shall be located and protective curbing provided so that chemicals from equipment failure, spillage, or accidental drainage of day tanks shall not enter the water in conduits, treatment, or storage basins. Secondary containment is not required for a day tank if an Idaho licensed professional engineer demonstrates to the Department that the chemical concentration and volume, if spilled, will not be a safety hazard to employees, will not be hazardous to the public health, and will not harm the environment. (5-8-09)

iv. Day tanks and the tank refilling line entry points shall be clearly labeled with the name of the chemical contained. (5-8-09)

l. Provisions shall be made for measuring quantities of chemicals used to prepare feed solutions. (3-30-07)

m. Vents from feeders, storage facilities and equipment exhaust shall discharge to the outside atmosphere above grade and remote from air intakes. (3-30-07)

03. Chemicals. Chemical shipping containers shall be fully labeled to include chemical name, purity and concentration, supplier name and address, and evidence of ANSI/NSF certification where applicable. (3-30-07)

04. Safety Requirements for Chemical Facilities. (3-30-07)

a. The following requirements apply to chlorine gas feed and storage rooms: (3-30-07)

i. Each storage room shall be enclosed and separated from other operating areas. They shall be constructed in such a manner that all openings between the chlorine room and the remainder of the plant are sealed, and provided with doors equipped with panic hardware, assuring ready means of exit and opening outward only to the building exterior. (3-30-07)

ii. Each room shall be provided with a shatter resistant inspection window installed in an interior wall. (3-30-07)

iii. Each room shall have a ventilating fan with a capacity which provides one (1) complete air change per minute when the room is occupied. Where this is not appropriate due to the size of the room, a lesser rate may be allowed by the Department on a site specific basis. (3-30-07)

iv. The ventilating fan shall take suction near the floor as far as practical from the door and air inlet, with the point of discharge so located as not to contaminate air inlets to any rooms or structures. Air inlets shall be through louvers near the ceiling. (3-30-07)

v. Louvers for chlorine room air intake and exhaust shall facilitate airtight closure. (3-30-07)

vi. Separate switches for the fan and lights shall be located outside of the chlorine room and at the inspection window. Outside switches shall be protected from vandalism. A signal light indicating fan operation shall be provided at each entrance when the fan can be controlled from more than one (1) point. (3-30-07)

vii. Vents from feeders and storage shall discharge to the outside atmosphere, above grade. (3-30-07)

viii. Where provided, floor drains shall discharge to the outside of the building and shall not be connected to ~~other~~ any internal drainage systems or external drainage systems unless the external drainage systems drain to an approved discharge point. ~~(3-30-07)()~~

ix. Chlorinator rooms shall be heated to sixty degrees Fahrenheit (60°F) and be protected from excessive heat. Cylinders and gas lines shall be protected from temperatures above that of the feed equipment. (3-30-07)

- x. Pressurized chlorine feed lines shall not carry chlorine gas beyond the chlorinator room. (3-30-07)
 - xi. Critical isolation valves shall be conspicuously marked and access kept unobstructed. (3-30-07)
 - xii. All chlorine rooms, buildings, and areas shall be posted with a prominent danger sign warning of the presence of chlorine. (3-30-07)
 - xiii. Full and empty cylinders of chlorine gas shall be isolated from operating areas and stored in definitely assigned places away from elevators, stairs, or gangways. They shall be restrained in position to prevent being knocked over or damaged by passing or falling objects. In addition, they shall be stored in rooms separate from ammonia storage, out of direct sunlight, and at least twenty (20) feet from highly combustible materials. Cylinders shall not be kept in unventilated enclosures such as lockers and cupboards. (3-30-07)
 - b.** Where acids and caustics are used, they shall be kept in closed corrosion-resistant shipping containers or storage units. Acids and caustics shall not be handled in open vessels, but shall be pumped in undiluted form from original containers through suitable hose to the point of treatment or to a covered day tank. (3-30-07)
 - c.** Sodium chlorite for chlorine dioxide generation. Proposals for the storage and use of sodium chlorite shall be approved by the Department prior to the preparation of final plans and specifications. Provisions shall be made for proper storage and handling of sodium chlorite to eliminate any danger of fire or explosion associated with its oxidizing nature. (3-30-07)
 - i. Chlorite (sodium chlorite) shall be stored by itself in a separate room. It must be stored away from organic materials. The storage structure shall be constructed of noncombustible materials. If the storage structure must be located in an area where a fire may occur, water must be available to keep the sodium chlorite area cool enough to prevent heat-induced explosive decomposition of the chlorite. (3-30-07)
 - ii. Care shall be taken to prevent spillage. An emergency plan of operation shall be available for the clean up of any spillage. Storage drums shall be thoroughly flushed prior to recycling or disposal. (3-30-07)
 - d.** Where ammonium hydroxide is used, an exhaust fan shall be installed to withdraw air from high points in the room and makeup air shall be allowed to enter at a low point. The feed pump, regulators, and lines shall be fitted with pressure relief vents discharging outside the building away from any air intake and with water purge lines leading back to the headspace of the bulk storage tank. (3-30-07)
 - e.** Where anhydrous ammonia is used, the storage and feed systems (including heaters where required) shall be enclosed and separated from other work areas and constructed of corrosion resistant materials. (3-30-07)
 - i. Pressurized ammonia feed lines shall be restricted to the ammonia room. (3-30-07)
 - ii. An emergency air exhaust system, as described in Subsection 531.04.a., but with an elevated intake, shall be provided in the ammonia storage room. (3-30-07)
 - iii. Leak detection systems shall be fitted in all areas through which ammonia is piped. (3-30-07)
 - iv. Special vacuum breaker/regulator provisions must be made to avoid potentially violent results of backflow of water into cylinders or storage tanks. (3-30-07)
 - v. Consideration shall be given to the provision of an emergency gas scrubber capable of absorbing the entire contents of the largest ammonia storage unit whenever there is a risk to the public as a result of potential ammonia leaks. (3-30-07)
- 05. Operator Safety.** The Idaho General Safety and Health Standards, referenced in Subsection 002.02, may be used as guidance in designing facilities to ensure the safety of operators. The following requirements are in addition to the requirements of Subsection 501.12. (3-30-07)

a. Respiratory protection equipment, meeting the requirements of the National Institute for Occupational Safety and Health (NIOSH) shall be available where chlorine gas is handled, and shall be stored at a convenient heated location, but not inside any room where chlorine is used or stored. The units shall use compressed air, have at least a thirty (30) minute capacity, and be compatible with or exactly the same as units used by the fire department responsible for the plant. (3-30-07)

b. Chlorine leak detection. A bottle of concentrated ammonium hydroxide (fifty-six (56) per cent ammonia solution) shall be available for chlorine leak detection. Where ton containers are used, a leak repair kit approved by the Chlorine Institute shall be provided. (3-30-07)

c. Protective equipment. (3-30-07)

i. At least one pair of rubber gloves, a dust respirator of a type certified by NIOSH for toxic dusts, an apron or other protective clothing, and goggles or face mask shall be provided for each operator. (3-30-07)

ii. A deluge shower and eyewashing device shall be installed where strong acids and alkalis are used or stored. A water holding tank that will allow water to come to room temperature shall be installed in the water line feeding the deluge shower and eyewashing device. Other methods of water tempering will be considered on an individual basis. (5-8-09)

iii. For chemicals other than strong acids and alkalis, an appropriate eye washing device or station shall be provided. (5-8-09)

iv. Other protective equipment shall be provided as necessary. (3-30-07)

06. Design Requirements for Specific Applications. In addition to Subsection 531.01 through 531.03, the following design requirements apply for the specific applications within Subsection 531.06 of this rule. (5-8-09)

a. Sodium chlorite for chlorine dioxide generation. Positive displacement feeders shall be provided. Tubing for conveying sodium chlorite or chlorine dioxide solutions shall be Type 1 PVC, polyethylene or materials recommended by the manufacturer. Chemical feeders may be installed in chlorine rooms if sufficient space is provided. Otherwise, facilities meeting the requirements of chlorine rooms shall be provided. Feed lines shall be installed in a manner to prevent formation of gas pockets and shall terminate at a point of positive pressure. Check valves shall be provided to prevent the backflow of chlorine into the sodium chlorite line. (3-30-07)

b. Hypochlorite facilities shall meet the following requirements: (5-8-09)

i. Hypochlorite shall be stored in the original shipping containers or in hypochlorite compatible containers. Storage containers or tanks shall be sited out of the sunlight in a cool and ventilated area. (5-8-09)

ii. Stored hypochlorite shall be pumped undiluted to the point of addition. Where dilution is unavoidable, deionized or softened water shall be used. (3-30-07)

iii. Storage areas, tanks, and pipe work shall be designed to avoid the possibility of uncontrolled discharges and a sufficient amount of appropriately selected spill absorbent shall be stored on-site. (3-30-07)

iv. Hypochlorite feeders shall be positive displacement pumps with compatible materials for wetted surfaces. (5-8-09)

v. To avoid air locking in smaller installations, small diameter suction lines shall be used with foot valves and degassing pump heads. In larger installations flooded suction shall be used with pipe work arranged to ease escape of gas bubbles. Calibration tubes or mass flow monitors which allow for direct physical checking of actual feed rates shall be fitted. (3-30-07)

vi. Injectors shall be made removable for regular cleaning where hard water is to be treated. (3-30-07)

c. When ammonium sulfate is used, the tank and dosing equipment contact surfaces shall be made of corrosion resistant non-metallic materials. Provision shall be made for removal of the agitator after dissolving the solid. The tank shall be fitted with a lid and vented outdoors. Injection of the solution should take place in the center of treated water flow at a location where there is high velocity movement. (3-30-07)

d. When aqua ammonia (ammonium hydroxide) is used, the feed pumps and storage shall be enclosed and separated from other operating areas. The aqua ammonia room shall be equipped as required for chlorinator rooms with the following changes: (3-30-07)

i. A corrosion resistant, closed, unpressurized tank shall be used for bulk storage, vented through an inert liquid trap to a high point outside and an incompatible connector, or lockout provisions shall be made to prevent accidental addition of other chemicals to the storage tank. (3-30-07)

ii. The storage tank shall be designed to avoid conditions where temperature increases cause the ammonia vapor pressure over the aqua ammonia to exceed atmospheric pressure. This capability can be provided by cooling/refrigeration or diluting or mixing the contents with water without opening the system. (5-8-09)

iii. The aqua ammonia shall be conveyed direct from storage to the treated water stream injector without the use of a carrier water stream unless the carrier stream is softened. (3-30-07)

iv. The point of delivery to the main water stream shall be placed in a region of turbulent water flow. (3-30-07)

v. Provisions shall be made for easy access for removal of calcium scale deposits from the injector. (3-30-07)

532. FACILITY AND DESIGN STANDARDS: DESIGN STANDARDS FOR SOFTENING.

The softening process selected must be based upon the mineral qualities of the raw water and the desired finished water quality in conjunction with requirements for disposal of sludge or brine waste (see Section 540), cost of plant, cost of chemicals, and plant location. Applicability of the process chosen shall be demonstrated. (3-30-07)()

01. Lime or Lime-Soda Process. Rapid mix, flocculation, and sedimentation processes shall meet the requirements of Section 520. In addition the following requirements must be met: (3-30-07)

a. When split treatment is used, an accurate means of measuring and splitting the flow must be provided. (3-30-07)

b. Rapid mix basins must provide not more than thirty (30) seconds detention time with adequate velocity gradients to keep the lime particles dispersed. (3-30-07)

c. Equipment for stabilization of water softened by the lime or lime-soda process is required, see Section 537. (3-30-07)

d. Mechanical sludge removal equipment shall be provided in the sedimentation basin. (3-30-07)

e. Provisions must be included for proper disposal of softening sludges; see Section 540. (3-30-07)

f. The plant processes must be manually started following shut-down. (3-30-07)

02. Cation Exchange Process. (3-30-07)

a. Pre-treatment is required when the content of iron, manganese, or a combination of the two, is one milligram per liter (1 mg/l) or more. (3-30-07)

b. The units may be of pressure or gravity type, of either an upflow or downflow design. Automatic regeneration based on volume of water softened shall be used unless manual regeneration is justified and is approved

by the Department. A manual override shall be provided on all automatic controls. (3-30-07)

c. Rate-of-flow controllers or the equivalent shall be used to control the hydraulic loading of cation exchange units. (3-30-07)

d. The bottoms, strainer systems and support for the exchange resin shall conform to the criteria provided for rapid rate gravity filters in Section 521. (3-30-07)

e. Cross Connection Control. Backwash, rinse and air relief discharge pipes shall be installed in such a manner as to prevent any possibility of back-siphonage. (3-30-07)

f. A bypass must be provided around softening units to produce a blended water of desirable hardness. Totalizing meters must be installed on the bypass line and on each softener unit. The bypass line must have a shutoff valve. (3-30-07)

g. When the applied water contains a chlorine residual, the cation exchange resin shall be a type that is not damaged by residual chlorine. (3-30-07)

h. Smooth-nose sampling taps must be provided for the collection of representative samples. The taps shall be located to provide for sampling of the softener influent, effluent, blended water, and on the brine tank discharge piping. The sampling taps for the blended water shall be at least twenty (20) feet downstream from the point of blending. Petcocks are not acceptable as sampling taps. (3-30-07)

i. Brine and salt storage tanks shall meet the following requirements: (3-30-07)

i. Salt dissolving or brine tanks and wet salt storage tanks must be covered and must be corrosion-resistant. (3-30-07)

ii. The make-up water inlet must be protected from back-siphonage. (3-30-07)

iii. Wet salt storage basins must be equipped with manholes or hatchways for access and for direct dumping of salt from truck or railcar. Openings must be provided with raised curbs and watertight covers having overlapping edges similar to those required for finished water reservoirs. (3-30-07)

iv. Overflows, where provided, must be protected with twenty-four (24) mesh or similar non-corrodible screens, and must terminate with either a turned down bend having a proper free fall discharge or a self-closing flap valve. (4-7-11)

v. The salt shall be supported on graduated layers of gravel placed over a brine collection system. (3-30-07)

vi. Alternative designs which are conducive to frequent cleaning of the wet salt storage tank may be considered. (3-30-07)

vii. An eductor may be used to transfer brine from the brine tank to the softeners. If a pump is used, a brine measuring tank or means of metering shall be provided to obtain the proper dilution. (3-30-07)

j. Suitable disposal must be provided for brine waste; see Section 540. Where the volume of spent brine must be reduced, consideration may be given to using a part of the spent liquid concentrate for a subsequent regeneration. (3-30-07)

k. Pipes and contact materials must be resistant to the aggressiveness of salt. Plastic and red brass are acceptable piping materials. Steel and concrete must be coated with a non-leaching protective coating which is compatible with salt and brine. (3-30-07)

l. Bagged salt and dry bulk salt storage shall be enclosed and separated from other operating areas in order to prevent damage to equipment. (3-30-07)

533. FACILITY AND DESIGN STANDARDS: DESIGN STANDARDS FOR TASTE AND ODOR CONTROL.

Provision shall be made for the control of taste and odor. Chemicals shall be added sufficiently ahead of other treatment processes to assure adequate contact time for an effective and economical use of the chemicals. Where severe taste and odor problems are encountered, in-plant studies, pilot plant studies, or both in-plant and pilot plant studies may be required. [See Subsection 501.19 for general information on conducting pilot studies.](#) ~~(5-8-09)~~(____)

01. Chlorination. When using chlorination as a method of taste and odor control adequate contact time must be provided to complete the chemical reactions involved. (3-30-07)

02. Chlorine Dioxide. Provisions shall be made for proper storing and handling of the sodium chlorite, so as to eliminate any danger of explosion. (3-30-07)

03. Powdered Activated Carbon. (3-30-07)

a. The carbon can be added as a pre-mixed slurry or by means of a dry-feed machine as long as the carbon is properly wetted. (3-30-07)

b. Continuous agitation or resuspension equipment is necessary to keep the carbon from depositing in the slurry storage tank. (3-30-07)

c. Provision shall be made for adequate dust control. (3-30-07)

d. Powdered activated carbon shall be handled as a potentially combustible material. (3-30-07)

04. Granular Activated Carbon. Replacement of anthracite with GAC may be considered as a control measure for geosmin and methyl isoborneol (MIB) taste and odors from algae blooms in surface water applications. Demonstration studies are required by the Department. (3-30-07)

05. Copper Sulfate and Other Copper Compounds. Continuous or periodic treatment of surface water with copper compounds to kill algae or other growths shall be controlled to prevent copper in excess of one point zero (1.0) milligrams per liter as copper in the plant effluent or distribution system. Care shall be taken to assure an even distribution of the chemical within the treatment area. (3-30-07)

06. Potassium Permanganate. Application of potassium permanganate may be considered, providing the treatment shall be designed so that the products of the reaction are not visible in the finished water. (3-30-07)

07. Ozone. Ozonation may be used as a means of taste and odor control. Adequate contact time must be provided to complete the chemical reactions involved. (3-30-07)

08. Other Methods. Other methods of taste and odor control shall be made only after pilot plant tests and approval of the Department. (3-30-07)

534. FACILITY AND DESIGN STANDARDS: AERATION PROCESSES.

Public water systems that install aeration treatment are subject to the Rules of the Department of Environmental Quality, IDAPA 58.01.01, "Rules for the Control of Air Pollution in Idaho." The system owner or the design engineer shall contact one of the Department's regional offices for information on obtaining a permit or an exemption for the emissions resulting from the aeration process. General information may be found on the DEQ website <http://www.deq.idaho.gov>. (3-30-07)

01. Natural Draft Aeration. Design shall provide: (3-30-07)

a. Perforations in the distribution pan three sixteenths to one-half (3/16 – 1/2) inches in diameter, spaced one to three (1-3) inches on centers to maintain a six (6) inch water depth. (3-30-07)

b. For distribution of water uniformly over the top tray. (3-30-07)

- c. Discharge through a series of three (3) or more trays with separation of trays not less than twelve (12) inches. (3-30-07)
- d. Loading at a rate of one to five (1-5) gallons per minute for each square foot of total tray area. (3-30-07)
- e. Trays with slotted, heavy wire (1/2 inch openings) mesh or perforated bottoms. (3-30-07)
- f. Construction of durable material resistant to aggressiveness of the water and dissolved gases. (3-30-07)
- g. Protection from insects by twenty-four (24) mesh or similar non-corrodible screen. (4-7-11)
- 02. Forced or Induced Draft Aeration.** Devices shall be designed to: (3-30-07)
 - a. Include a blower with a weatherproof motor in a tight housing and screened enclosure. (3-30-07)
 - b. Ensure adequate counter current of air through the enclosed aerator column. (3-30-07)
 - c. Exhaust air directly to the outside atmosphere. (3-30-07)
 - d. Include a down-turned and twenty-four (24) mesh or similar non-corrodible screened air outlet and inlet. (4-7-11)
 - e. Be such that air introduced in the column shall be as free from obnoxious fumes, dust, and dirt as possible. (3-30-07)
 - f. Be such that sections of the aerator can be easily reached or removed for maintenance of the interior or installed in a separate aerator room. (3-30-07)
 - g. Provide loading at a rate of one to five (1-5) gallons per minute for each square foot of total tray area. (3-30-07)
 - h. Ensure that the water outlet is adequately sealed to prevent unwarranted loss of air. (3-30-07)
 - i. Discharge through a series of five (5) or more trays with separation of trays not less than six (6) inches or as approved by the Department. (3-30-07)
 - j. Provide distribution of water uniformly over the top tray. (3-30-07)
 - k. Be of durable material resistant to the aggressiveness of the water and dissolved gases. (3-30-07)
- 03. Spray Aeration.** Design shall provide: (3-30-07)
 - a. A hydraulic head of between five (5) and twenty-five (25) feet. (3-30-07)
 - b. Nozzles, with the size, number, and spacing of the nozzles being dependent on the flowrate, space, and the amount of head available. (3-30-07)
 - c. Nozzle diameters in the range of one (1) to one and one-half (1.5) inches to minimize clogging. (3-30-07)
 - d. An enclosed basin to contain the spray. Any openings for ventilation must be protected with a twenty-four (24) mesh or similar non-corrodible screen. (4-7-11)
- 04. Pressure Aeration.** Pressure aeration may be used for oxidation purposes only if the pilot plant

study indicates the method is applicable; it is not acceptable for removal of dissolved gases. [See Subsection 501.19 for general information on conducting pilot studies.](#) Filters following pressure aeration must have adequate exhaust devices for release of air. Pressure aeration devices shall be designed to give thorough mixing of compressed air with water being treated and provide twenty-four (24) mesh or similar non-corrodible screened and filtered air, free of obnoxious fumes, dust, dirt and other contaminants. ~~(4-7-11)~~()

05. Packed Tower Aeration. Packed tower aeration may be used for the removal of volatile organic chemicals, trihalomethanes, carbon dioxide, and radon. Final design shall be based on the results of pilot studies and be approved by the Department. (3-30-07)

a. Process design criteria. (3-30-07)

i. Justification for the design parameters selected (i.e., height and diameter of unit, air to water ratio, packing depth, surface loading rate, etc.) shall be provided to the Department for review. The pilot study shall evaluate a variety of loading rates and air to water ratios at the peak contaminant concentration. Special consideration shall be given to removal efficiencies when multiple contaminations occur. Where there is considerable past performance data on the contaminant to be treated and there is a concentration level similar to previous projects, the Department may approve the process design based on use of appropriate calculations without a pilot ~~testing study.~~ ~~(3-30-07)~~()

ii. The tower shall be designed to reduce contaminants to below the maximum contaminant level and to the lowest practical level. (3-30-07)

iii. The type and size of the packing used in the full scale unit shall be the same as that used in the pilot study. (3-30-07)

iv. The maximum air to water ratio for which credit will be given is 80:1. (3-30-07)

v. The design shall consider potential fouling problems from calcium carbonate and iron precipitation and from bacterial growth. It may be necessary to provide pretreatment. Disinfection capability shall be provided prior to and after packed tower aeration. (3-30-07)

vi. The effects of temperature shall be considered. (3-30-07)

vii. Redundant packed tower aeration capacity at the design flowrate shall be provided. (3-30-07)

b. The tower may be constructed of stainless steel, concrete, aluminum, fiberglass or plastic. Uncoated carbon steel is not allowed. Towers constructed of light-weight materials shall be provided with adequate support to prevent damage from wind. Packing materials shall be resistant to the aggressiveness of the water, dissolved gases and cleaning materials and shall be suitable for contact with potable water. (3-30-07)

c. Water flow system. (3-30-07)

i. Water shall be distributed uniformly at the top of the tower using spray nozzles or orifice-type distributor trays that prevent short circuiting. (3-30-07)

ii. A mist eliminator shall be provided above the water distributor system. (3-30-07)

iii. A side wiper redistribution ring shall be provided at least every ten (10) feet in order to prevent water channeling along the tower wall and short circuiting. (3-30-07)

iv. Sample taps shall be provided in the influent and effluent piping. The sample taps shall satisfy the requirements of Subsection 501.09. (5-8-09)

v. The effluent sump, if provided, shall have easy access for cleaning purposes and be equipped with a drain valve. The drain shall not be connected directly to any storm or sanitary sewer. (3-30-07)

- vi. The design shall prevent freezing of the influent riser and effluent piping when the unit is not operating. (3-30-07)
- vii. The water flow to each tower shall be metered. (3-30-07)
- viii. An overflow line shall be provided which discharges twelve (12) to fourteen (14) inches above a splash pad or drainage inlet. Proper drainage shall be provided to prevent flooding of the area. (3-30-07)
- ix. Means shall be provided to prevent flooding of the air blower. (3-30-07)
- d.** Air flow system. (3-30-07)
 - i. The air inlet to the blower and the tower discharge vent shall be down-turned and protected with a non-corrodible twenty-four (24) mesh screen to prevent contamination from extraneous matter. (3-30-07)
 - ii. The air inlet shall be in a protected location. (3-30-07)
 - iii. An air flow meter shall be provided on the influent air line or an alternative method to determine the air flow shall be provided. (3-30-07)
 - iv. A positive air flow sensing device and a pressure gauge must be installed on the air influent line. The positive air flow sensing device must be a part of an automatic control system which will turn off the influent water if positive air flow is not detected. The pressure gauge will serve as an indicator of fouling buildup. (3-30-07)
 - v. A backup motor for the air blower must be readily available. (3-30-07)
- e.** Other features that shall be provided: (3-30-07)
 - i. A sufficient number of access ports with a minimum diameter of twenty-four (24) inches to facilitate inspection, media replacement, media cleaning and maintenance of the interior. (3-30-07)
 - ii. A method of cleaning the packing material when iron, manganese, or calcium carbonate fouling may occur. (3-30-07)
 - iii. Tower effluent collection and pumping wells constructed to clearwell standards. (3-30-07)
 - iv. Provisions for extending the tower height without major reconstruction. (3-30-07)
 - v. No bypass shall be provided unless specifically approved by the Department. (3-30-07)
 - vi. Disinfection and adequate contact time after the water has passed through the tower and prior to the distribution system. (3-30-07)
 - vii. Adequate packing support to allow free flow of water and to prevent deformation with deep packing heights. (3-30-07)
 - viii. Operation of the blower and disinfectant feeder equipment during power failures. (3-30-07)
 - ix. Adequate foundation to support the tower and lateral support to prevent overturning due to wind loading. (3-30-07)
 - x. Fencing and locking gate to prevent vandalism. (3-30-07)
 - xi. An access ladder with safety cage for inspection of the aerator including the exhaust port and demister. (3-30-07)
 - xii. Electrical interconnection between blower, disinfectant feeder and supply pump. (3-30-07)

06. Other Methods of Aeration. Other methods of aeration may be used if applicable to the treatment needs. Such methods include but are not restricted to spraying, diffused air, cascades and mechanical aeration. The treatment processes are subject to the approval of the Department. (3-30-07)

07. Protection of Aerators. All aerators except those discharging to lime softening or clarification plants shall be protected from contamination by birds, insects, wind borne debris, rainfall and water draining off the exterior of the aerator. (3-30-07)

08. Disinfection. Ground water supplies exposed to the atmosphere by aeration must receive disinfection as [described in Section 530 as](#) the minimum additional treatment. (~~3-30-07~~)()

535. FACILITY AND DESIGN STANDARDS: DESIGN STANDARDS FOR IRON AND MANGANESE CONTROL SYSTEMS.

Iron and manganese control, as used herein, refers solely to treatment processes designed specifically for this purpose. The treatment process used will depend upon the character of the raw water. The selection of one (1) or more treatment processes must meet specific local conditions as determined by engineering investigations, including chemical analyses of representative samples of water to be treated, and receive the approval of the Department. The Department may require a pilot plant study in order to gather all information pertinent to the design. [See Subsection 501.19 for general information on conducting pilot studies.](#) (~~3-30-07~~)()

01. Removal by Oxidation, Detention and Filtration. (3-30-07)

a. Oxidation may be by aeration or by chemical oxidation with chlorine, potassium permanganate, ozone or chlorine dioxide. (3-30-07)

b. Detention time: (3-30-07)

i. A minimum detention time of thirty (30) minutes shall be provided following aeration to ensure that the oxidation reactions are as complete as possible. This minimum detention may be omitted only where a pilot plant study indicates no need for detention. The detention basin may be designed as a holding tank without provisions for sludge collection but with sufficient baffling to prevent short circuiting. (3-30-07)

ii. Sedimentation basins shall be provided when treating water with high iron or manganese content, or where chemical coagulation is used to reduce the load on the filters. Provisions for sludge removal shall be made. (5-8-09)

c. Filtration. Rapid rate pressure filters are normally used for iron and manganese removal. Pressure filters shall not be used in the filtration of surface or other polluted waters or following lime-soda softening. (3-30-07)

i. The rate of filtration shall not exceed three (3) gallons per minute per square foot of filter area except where in-plant testing as approved by the Department has demonstrated satisfactory results at higher rates. (3-30-07)

ii. The filters shall be designed to provide for: (3-30-07)

(1) Loss of head gauges on the inlet and outlet pipes of each battery of filters. (3-30-07)

(2) An easily readable meter or flow indicator on each battery of filters. (3-30-07)

(3) Filtration and backwashing of each filter individually with an arrangement of piping as simple as possible to accomplish these purposes. (3-30-07)

(4) Minimum side wall shell height of five (5) feet. A corresponding reduction in side wall height is acceptable where proprietary bottoms permit reduction of the gravel depth. (3-30-07)

- (5) The top of the wash water collectors to be at least eighteen (18) inches above the surface of the media, (3-30-07)
- (6) The underdrain system to efficiently collect the filtered water and to uniformly distribute the backwash water at a rate not less than fifteen (15) gallons per minute per square foot of filter area. (3-30-07)
- (7) Backwash flow indicators and controls that are easily readable while operating the control valves. (3-30-07)
- (8) An air release valve on the highest point of each filter. (3-30-07)
- (9) An accessible manhole to facilitate inspection and repairs for filters thirty-six (36) inches or more in diameter. Sufficient handholds shall be provided for filters less than thirty-six (36) inches in diameter. (3-30-07)
- (10) A means to observe the wastewater during backwashing and construction to prevent cross connection. (3-30-07)

02. Removal by Manganese Coated Media Filtration. This process consists of a continuous or batch feed of potassium permanganate to the influent of a manganese coated media filter. (3-30-07)

- a. Other oxidizing agents or processes such as chlorination or aeration may be used prior to the permanganate feed to reduce the cost of the chemical. (3-30-07)
- b. An anthracite media cap of at least six (6) inches or more as required by the Department shall be provided over manganese coated media. (3-30-07)
- c. Normal filtration rate shall be three (3) gallons per minute per square foot. (3-30-07)
- d. Normal wash rate shall be eight (8) to ten (10) gallons per minute per square foot with manganese greensand and fifteen (15) to twenty (20) gallons per minute with manganese coated media. (3-30-07)
- e. Sample taps shall be provided prior to application of permanganate, immediately ahead of filtration, at points between the anthracite media, and at the filter effluent. The sample taps shall satisfy the requirements of Subsection 501.09. (5-8-09)

03. Removal by Ion Exchange. This process is not acceptable where either the raw water or wash water contains dissolved oxygen or other oxidants. (3-30-07)

04. Biological Removal. Biofiltration to remove manganese, iron, or a combination of manganese and iron requires on-site piloting testing to establish effectiveness. The final filter design shall be based on the on-site pilot plant studies. (5-8-09)

05. Sequestration by Polyphosphates. This process shall not be used when iron, manganese or a combination thereof exceeds one point zero (1.0) mg/l. The total phosphate applied shall not exceed ten (10) mg/l as PO₄. Where phosphate treatment is used, satisfactory chlorine residuals shall be maintained in the distribution system. Possible adverse affects on corrosion must be addressed when phosphate addition is proposed for iron sequestering. (3-30-07)

- a. Stock phosphate solution must be kept covered and disinfected by carrying approximately ten (10) mg/l free chlorine residual unless it is demonstrated to the satisfaction of the Department that the phosphate solution is not able to support bacterial growth and the phosphate solution is being fed from the covered shipping container or an approved disinfected tank. Phosphate solutions having a pH of two point zero (2.0) or less may also be exempted from this requirement by the Department. ~~(3-30-07)~~()
- b. Polyphosphates shall not be applied ahead of iron and manganese removal treatment. The point of application shall be prior to any aeration, oxidation or disinfection if no iron or manganese removal treatment is provided. (3-30-07)

06. Sequestration by Sodium Silicates. Sodium silicate sequestration of iron and manganese is allowed only for ground water supplies prior to air contact. On-site pilot ~~tests~~ studies are required to determine the suitability of sodium silicate for the particular water and the minimum feed needed. Rapid oxidation of the metal ions such as by chlorine or chlorine dioxide must accompany or closely precede the sodium silicate addition.

(3-30-07)()

a. Sodium silicate addition is applicable to waters containing up to two (2) mg/l of iron, manganese or combination thereof. (3-30-07)

b. Chlorine residuals shall be maintained throughout the distribution system to prevent biological breakdown of the sequestered iron. (3-30-07)

c. The amount of silicate added shall be limited to twenty (20) mg/l as SiO₂, but the amount of added and naturally occurring silicate shall not exceed sixty (60) mg/l as SiO₂. (3-30-07)

d. Sodium silicate shall not be applied ahead of iron or manganese removal treatment. (3-30-07)

07. Sampling Taps. Smooth-nosed sampling taps shall be provided for control purposes. Taps shall be located on each raw water source, each treatment unit influent and each treatment unit effluent. The sample taps shall satisfy the requirements of Subsection 501.09. (5-8-09)

(BREAK IN CONTINUITY OF SECTIONS)

540. FACILITY AND DESIGN STANDARDS: DESIGN STANDARDS FOR TREATMENT AND DISPOSAL OF TREATMENT PLANT WASTE RESIDUALS.

Provisions must be made for proper disposal of water treatment plant waste such as sanitary, laboratory, clarification sludge, softening sludge, iron sludge, filter backwash water, and liquid concentrates. In locating waste disposal facilities, due consideration shall be given to preventing potential contamination of the water supply. (3-30-07)

01. Sanitary Waste. The sanitary waste from water treatment plants, pumping stations, and other waterworks installations must receive treatment. Waste from these facilities shall be discharged directly to a sanitary sewer system, when available and feasible, or to an adequate on-site waste treatment facility approved under the provisions of IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules." (3-30-07)

02. Liquid Concentrates. (3-30-07)

a. Waste from ion exchange plants, demineralization plants, reverse osmosis, on-site chlorine generators, or other plants which produce liquid concentrates may be disposed of by the following methods: (3-30-07)()

i. Liquid concentrates that contain radionuclides must be further treated to remove the radioactive constituents as sludge. See Subsection 540.03.e. for disposal requirements for sludge that contains radionuclides. The residual liquids from which radionuclides have been removed may be disposed of in accordance with Subsections 540.02.a.ii. through 540.02.a.iv. (3-30-07)()

ii. Controlled discharge to a stream or other receiving water body if adequate dilution is available. Such discharge will require a National Pollution Elimination System Permit from the U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, WA 98101, Telephone (206) 553-1200. (3-30-07)

iii. Liquid concentrates may be discharged to a sanitary sewer, if available and feasible. Acceptance of such waste must be approved by the sewer authority. (3-30-07)

iv. Subsurface disposal or land application of liquid concentrates may be permitted, but only if such

discharge meets the requirements of IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules" for subsurface disposal or the requirements of IDAPA 58.01.17, "Recycled Water Rules" for land application. (5-8-09)

~~v. Liquid concentrates may be discharged to an injection well if in accordance with Rules of the Idaho Water Resources Board, IDAPA 37.03.03 "Rules and Minimum Standards for the Construction and Use of Injection Wells," referenced in Subsection 002.02. (3-30-07)~~

b. Should the nature of the liquid concentrate cause it to be ineligible for permitted discharge as described in Subsection 540.02.a., further onsite treatment of the liquid concentrate may be required in order to produce sludge and liquid waste that will meet the permit criteria for one (1) or more of the disposal options. (3-30-07)

03. Sludge Waste. Sludge is the solid waste resulting from coagulation, precipitation, or passive settling of liquid concentrates. Depending on composition, liquids remaining after sludge removal may be disposed of by methods described in Subsection 540.02, recycled through the treatment plant, or may be pure enough to be unregulated. The following methods of treatment and disposal apply to sludge: (3-30-07)

a. Precipitative Softening Sludge. (3-30-07)

i. At least two (2) temporary storage lagoons must be provided in order to give flexibility in operation. Provisions must be made for convenient cleaning. An acceptable means of final sludge disposal must be provided. (3-30-07)

ii. Liquid or dewatered precipitative softening sludge may be applied to farm land if heavy metals or other contaminants do not exceed the requirements of IDAPA 58.01.02, "Water Quality Standards." (3-30-07)

iii. Dewatered precipitative softening sludge may be disposed of in a sanitary landfill in accordance with the requirements of IDAPA 58.01.06, "Solid Waste Management Rules." Acceptance of such waste is at the discretion of the landfill authority. (3-30-07)

b. Alum or Ferric Sludge. (3-30-07)

i. Temporary storage lagoons must contain at least two (2) compartments to facilitate independent filling and dewatering operations. Mechanical concentration may be considered. If mechanical dewatering is used, it shall be preceded by sludge concentration and chemical pre-treatment. A pilot plant study is required before the design of a mechanical dewatering installation. [See Subsection 501.19 for general information on conducting pilot studies.](#) (3-30-07) ()

ii. Alum or ferric sludge may be discharged to a sanitary sewer if available and feasible. Acceptance of such waste must be approved by the sewer authority. (3-30-07)

iii. Dewatered alum or ferric sludge may be disposed of in a sanitary landfill in accordance with the requirements of IDAPA 58.01.06, "Solid Waste Management Rules." Acceptance of such waste is at the discretion of the landfill authority. (3-30-07)

iv. Alum or ferric sludge may be disposed of by land application if the permitting requirements of IDAPA 58.01.02, "Water Quality Standards," and IDAPA 58.01.17, "Recycled Water Rules," are met. (3-30-07)

v. Water removed from alum or ferric sludge may be disposed of in the same manner as liquid concentrates, as described in Subsection 540.02. (3-30-07)

c. Red Water. Red water is the waste filter wash water from iron and manganese removal plants. (3-30-07)

i. If sand filters are used they shall have the following features: (3-30-07)

(1) Total filter area shall be sufficient to adequately dewater applied solids. Unless the filter is small

enough to be cleaned and returned to service in one (1) day, two (2) or more cells are required. (3-30-07)

(2) The “red water” filter shall have sufficient capacity to contain, above the level of the sand, the entire volume of wash water produced by washing all of the production filters in the plant, unless the production filters are washed on a rotating schedule and the flow through the production filters is regulated by true rate of flow controllers. Then sufficient volume shall be provided to properly dispose of the wash water involved. (3-30-07)

(3) Where freezing is a problem, provisions should be made for covering the filters during the winter months. (3-30-07)

(4) “Red water” filters shall not have common walls with finished water. (3-30-07)

ii. Subsurface infiltration lagoons may be permitted, but only if such discharge meets the requirements of IDAPA 58.01.03, “Individual/Subsurface Sewage Disposal Rules.” (3-30-07)

iii. “Red water” may be discharged to a sanitary sewer if available and feasible. Acceptance of such waste must be approved by the sewer authority. Design shall prevent cross connections and there shall be no common walls between potable and non-potable ~~water~~ **fluid**. (3-30-07)()

d. Filter Backwash Water. (3-30-07)

i. Recycling is permitted if the backwash waters are returned to the head of the treatment plant or another entry point if supported by engineering studies. Backwash water shall be held for a sufficient time prior to recycling to allow solids to settle out. (3-30-07)

ii. Dewatered sludge from backwash water clarification processes may be disposed of in a sanitary landfill in accordance with the requirements of IDAPA 58.01.06, “Solid Waste Management Rules.” Acceptance of such waste must be approved by the landfill authority. (3-30-07)

e. Radioactive Sludge. Waste residuals containing radioactive substances, including, but not limited to granular activated carbon used for radon removal or ion-exchange regeneration waste from uranium removal, must be disposed of in accordance with IDAPA 58.01.10, “Rules Regulating the Disposal of Radioactive Materials Not Regulated Under The Atomic Energy Act of 1954, As Amended.” (3-30-07)

i. The buildup of radioactive materials such as uranium or radon and its decay products shall be considered and adequate shielding and safeguards shall be provided for operators and visitors. (3-30-07)

ii. Waste residuals containing naturally occurring radioactive materials that have been concentrated by human activities must be disposed of in an approved hazardous waste landfill (Class D), in accordance with the IDAPA 58.01.10, “Rules Regulating the Disposal of Radioactive Materials not Regulated Under the Atomic Energy Act of 1954, as Amended,” and IDAPA 58.01.06, “Solid Waste Management Rules.” (3-30-07)

iii. Waste residuals containing greater than point zero five (.05) percent by weight of uranium are subject to licensing and disposal under the regulations of the U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011, Phone 817-860-8299. (3-30-07)

f. Arsenic Sludge. Solid waste residuals containing arsenic at a concentration less than five (5) mg/l may be disposed of at a sanitary landfill if permitted under IDAPA 58.01.06, “Solid Waste Management Rules.” Solid waste containing arsenic at a concentration greater than five (5) mg/l must be disposed of at an approved hazardous waste landfill. Liquid wastes generated by arsenic treatment processes are subject to the handling and disposal requirements for liquid concentrates, as discussed under Subsection 540.02. (3-30-07)

04. Spent Media. Exhausted ion exchange media, adsorption media, disposable filters, and other components of treatment processes that contain concentrated contaminants shall be disposed of in accordance with IDAPA 58.01.06, “Solid Waste Management Rules,” and/or IDAPA 58.01.10, “Rules Regulating the Disposal of Radioactive Materials not Regulated Under the Atomic Energy Act of 1954, as Amended.” (3-30-07)

541. FACILITY AND DESIGN STANDARDS: PUMPING FACILITIES.

Pumping facilities shall be designed to maintain the sanitary quality of pumped water. (3-30-07)

01. Pump Houses. Unless otherwise approved by the Department based on documentation provided by the design engineer, pump house components shall be located above-grade. The following requirements apply to pump houses as defined in Section 003 unless it can be shown that some or all of these requirements are not needed to protect the combination of system components in a given structure: ~~(3-30-07)~~()

a. Pump houses shall be readily accessible for operation, maintenance, and repair at all times and under all weather conditions unless permitted to be out of service for a period of inaccessibility. (3-30-07)

b. Pump houses shall be protected from flooding and shall be adequately drained. The ground surface shall be graded so as to lead surface drainage away from the pump house. Unless otherwise approved by the Department based on documentation provided by the design engineer, the floor surface shall be at least six (6) inches above the final ground surface and pump house components shall be located at least six (6) inches above the floor surface. ~~(3-30-07)~~()

c. Pump houses shall be of durable construction, fire and weather resistant, and with outward-opening doors. All underground structures shall be waterproofed. (3-30-07)

d. Provisions shall be made for adequate heating for the comfort of the operator and the safe and efficient operation of the equipment. In pump houses not occupied by personnel, only enough heat need be provided to prevent freezing of equipment or treatment processes. (3-30-07)

e. Ventilation shall conform to existing local and/or state codes. Adequate ventilation shall be provided for all pumping stations for operator comfort and dissipation of excess heat and moisture from the equipment. In all cases, measures must be taken to minimize corrosion of metallic and electrical components. (3-30-07)

f. Pump houses shall be provided with a locking door or access to prohibit unauthorized entrance and shall be protected to prevent vandalism and entrance by animals. Plans and specifications for pump houses must provide enough detail to enable the reviewing engineer to determine that the facility is secure, safe, accessible, and that it conforms to electrical and plumbing codes. (3-30-07)

g. Pump houses shall be kept clean and in good repair and shall not be used to store toxic or hazardous materials other than those materials required for treatment processes. (3-30-07)

h. A suitable outlet shall be provided for drainage from pump glands without discharging onto the floor. (3-30-07)

i. Floor drains shall not be connected to sewers, storm drains, chlorination room drains, or any other source of contamination unless otherwise approved by the Department based on documentation provided by the design engineer. Gas chlorination room drains shall not be connected to any other drainage system and should terminate in a properly located below ground sump. Sumps for pump house floor drains shall not be closer than thirty (30) feet from any well. ~~(3-30-07)~~()

j. Adequate space shall be provided for the installation of potential additional units and for the safe and efficient servicing of all equipment. (5-8-09)

k. Suction basins shall be watertight, have floors sloped to permit removal of water and settled solids, be covered or otherwise protected against contamination, and have two (2) pumping compartments or other means to allow the suction basin to be taken out of service for inspection maintenance or repair. (3-30-07)

l. Pump houses shall be designed to allow efficient equipment servicing. Crain-ways, hoist beams, eyebolts, or other adequate facilities for servicing or removal of pumps, motors or other heavy equipment shall be provided. Openings in floors, roofs or wherever else shall be provided as needed for removal of heavy or bulky equipment. (3-30-07)

m. All remote controlled stations shall be electrically operated and controlled and shall have signaling apparatus of proven performance. Signaling apparatus shall report automatically when the station is out of service. (3-30-07)

n. Any threaded hose bib installed in the pump house must be equipped with an appropriate backflow prevention device. (3-30-07)

02. Pumping Units. At least two (2) pumping units shall be provided for raw water and surface source pumps. Pumps using seals containing mercury shall not be used in public drinking water system facilities. With any pump out of service, the remaining pump or pumps shall be capable of providing the peak hour demand of the system or a minimum of the maximum day demand plus equalization storage. See Subsection 501.18 for general design requirements concerning fire flow capacity and Subsection 501.07 regarding reliability and emergency operation. The pumping units shall meet the following requirements: (5-8-09)

a. The pumps shall have ample capacity to supply the maximum demand against the required pressure without dangerous overloading. (3-30-07)

b. The pumps shall be driven by prime movers able to meet the maximum horsepower condition of the pumps. (3-30-07)

c. The pumps shall be provided with readily available spare parts and tools. (3-30-07)

d. The pumps shall be served by control equipment that has proper heater and overload protection for air temperature encountered. (3-30-07)

e. Suction lift shall be avoided if possible. When suction lift is used, it shall be within the limits allowed by the manufacturer of the pumps, and provision shall be made for priming the pumps. (3-30-07)

f. Prime water must not be of lesser sanitary quality than that of the water being pumped. Means shall be provided to prevent either backpressure or backsiphonage backflow. When an air-operated ejector is used, the twenty-four (24) mesh or similar non-corrodible screened intake shall draw clean air from a point at least ten (10) feet above the ground or other source of possible contamination, unless the air is filtered by an apparatus approved by the reviewing authority. Vacuum priming may be used. (4-7-11)

03. Appurtenances. The following appurtenances shall be provided for all water pumps. Additional requirements specific to well pumps are provided in Section 511. (4-7-11)

a. Pumps shall be protected against freezing and valved to permit satisfactory operation, maintenance, and repair of the equipment. If foot valves are necessary, they shall have a net valve area of at least two and one-half (2.5) times the area of the suction pipe and they shall be screened. Each pump shall have an accessible check valve on the discharge side between the pump and the shut-off valve or a combination valve that performs both control valve and check valve functions. Surge relief measures shall be designed to minimize hydraulic transients. (4-7-11)

b. In general, piping shall be designed so that it will have watertight joints, be protected against surge or water hammer, be provided with suitable restraints where necessary, be designed so that friction losses will be minimized, and not be subject to contamination. Each pump shall have an individual suction line or the suction lines shall be manifolded such that they will ensure similar hydraulic and operating conditions. (3-30-07)

c. Each pump station shall have a standard pressure gauge on its discharge line and suction line. (3-30-07)

d. Water seals shall not be supplied with water of a lesser sanitary quality than that of the water being pumped. Where pumps are sealed with potable water and are pumping water of lesser sanitary quality, the seal shall: (3-30-07)

i. Be provided with either an approved reduced pressure principle backflow preventer or a break tank

open to atmospheric pressure, (3-30-07)

ii. Where a break tank is provided, have an air gap of at least six (6) inches or two (2) pipe diameters, whichever is greater, between the feeder line and the flood rim of the tank. (3-30-07)

e. Pumps, their prime movers, and accessories shall be controlled in such a manner that they will operate at rated capacity without dangerous overload. Where two (2) or more pumps are installed, provision shall be made for alternation. Provision shall be made to prevent energizing the motor in the event of a backspin cycle. Equipment shall be provided or other arrangements made to prevent surge pressures from activating controls which switch on pumps or activate other equipment outside the normal design cycle of operation. (3-30-07)

04. Booster Pumps. In addition to other applicable requirements in Section 541, booster pumps must comply with the following: (3-30-07)

a. In-line booster pumps shall maintain an operating pressure that is consistent with the requirements specified in Subsection 552.01, and shall be supplied with an automatic cutoff when intake pressure is less than or equal to five (5) psi. (3-30-07)

b. Booster pumps with a suction line directly connected to any storage reservoirs shall be protected by an automatic cutoff to prevent pump damage and avoid excessive reservoir drawdown. (3-30-07)

c. Each booster pumping station shall contain not less than two (2) pumps with capacities such that peak hour demand, or a minimum of the maximum day demand plus equalization storage, can be satisfied with any pump out of service. See Subsection 501.18 for general design requirements concerning fire flow capacity. (5-8-09)

542. FACILITY AND DESIGN STANDARDS - DISTRIBUTION SYSTEM.

01. Protection from Contamination. The distribution system shall be protected from contamination and be designed to prevent contamination by steam condensate or cooling water from engine jackets or other heat exchange devices. (3-30-07)

02. Installation of Water Mains. Division 400 of "Idaho Standards for Public Works Construction," referenced in Subsection 002.02, may be used as guidance for installation of water mains. In addition, the following provisions shall apply: (3-30-07)

a. Installed pipe shall be pressure tested and leakage tested in accordance with the applicable AWWA Standards, incorporated by reference into these rules at Subsection 002.01. (3-30-07)

b. New, cleaned, and repaired water mains shall be disinfected in accordance with AWWA Standard C651, incorporated by reference into these rules at Subsection 002.01. The specifications shall include detailed procedures for the adequate flushing, disinfection, and microbiological testing of all water mains. (3-30-07)

c. In areas where aggressive soil conditions are suspected or known to exist, analyses shall be performed to determine the actual aggressiveness of the soil. If soils are found to be aggressive, action shall be taken to protect metallic joint restraints and the water main, such as encasement in polyethylene, provision of cathodic protection, or use of corrosion resistant materials. (3-30-07)

d. The Department must approve any interconnection between potable water supplies, taking into account differences in water quality between the two systems. (3-30-07)

e. A continuous and uniform bedding shall be provided in the trench for all buried pipe. Backfill material shall be tamped in layers around the pipe and to a sufficient height above the pipe to adequately support and protect the pipe. Stones found in the trench shall be removed for a depth of at least six (6) inches below the bottom of the pipe. (3-30-07)

f. Water mains shall be covered with sufficient earth or other insulation to prevent freezing. (3-30-07)

g. All tees, bends, plugs and hydrants shall be provided with reaction blocking, tie rods or joints designed to prevent movement. (3-30-07)

03. Pressure Relief Valves. All pumps connected directly to the distribution system shall be designed in conjunction with a water pressure relief valve of type, size, and material approved by the Department unless the Department approves another method that will prevent excessive pressure development. (3-30-07)

04. Flow Meter Required. Unless otherwise approved by the Department based on documentation provided by the design engineer, all source pumps and booster pumps connected directly to the distribution system shall have an instantaneous and totalizing flow meter, equipped with nonvolatile memory, installed in accordance with manufacture's specifications. (4-7-11)()

05. Pipe and Jointing Materials. Pipe and jointing materials comply with the standards set forth in Subsection 501.01. Pipe shall be manufactured of materials resistant internally and externally to corrosion and not imparting tastes, odors, color, or any contaminant into the system. Where distribution systems are installed in areas of ground water contaminated by organic compounds: (3-30-07)

a. Pipe and joint materials which do not allow permeation of the organic compounds shall be used; and (4-11-06)

b. Non-permeable materials shall be used for all portions of the system including pipe, joint materials, hydrant leads, and service connections. (4-11-06)

06. Size of Water Mains. When fire hydrants are provided, they shall not be connected to water mains smaller than six (6) inches in diameter, and fire hydrants shall not be installed unless fireflow volumes are available. If fire flow is not provided, water mains shall be no less than three (3) inches in diameter. Any departure from this minimum standard shall be supported by hydraulic analysis and detailed projections of water use. (3-30-07)

07. Separation of Potable, ~~and~~ Non-Potable, ~~and~~ Raw Water Pipelines. The ~~relation between requirements for the protection of~~ potable ~~and mains from contamination by~~ non-potable pipelines ~~shall be as are~~ described in Subsections 542.07.a. through 542.07.c. For the purposes of Subsection 542.07, the term "pipeline" applies to both mains and services. The Department will use the Memorandum of Understanding with the Plumbing Bureau as guidance in determining the relative responsibilities for reviewing service lines. The conditions of Subsections 542.07.a. and 542.07.b. shall apply to all potable services constructed or reconstructed after April 15, 2007 and where the Department or the QLPE is the reviewing authority. Raw water pipelines must be protected from contamination from non-potable pipelines, and must not contaminate potable pipelines. They shall therefore meet equivalent separation distances shown below from either potable or non-potable pipelines. (5-8-09)()

a. Parallel installation requirements. (5-8-09)

i. Potable mains in relation to non-potable mains. (5-8-09)

(1) Greater than ten (10) feet separation: no additional requirements ~~based on separation distance.~~ (5-8-09)()

(2) Ten (10) feet to six (6) feet separation: separate trenches, with the bottom of the potable main above the top of the non-potable main, and non-potable main constructed with potable water class pipe. (5-8-09)()

(3) Less than six (6) feet separation: design engineer to submit data to the Department for review and approval showing that this installation will protect public health and the environment, ~~and~~ non-potable main to be constructed of potable water class pipe, and with the bottom of the potable main above the top of the non-potable main. (4-11-06)()

(4) Non-potable mains are prohibited from being located in the same trench as potable mains. (3-30-07)

(5) Pressure wastewater mains or other pressurized mains or lines containing non-potable fluids shall

be no closer horizontally than ten (10) feet from potable mains. (4-7-11)

ii. New potable services in relation to non-potable services, new potable services in relation to non-potable mains, and new non-potable services in relation to potable mains. (5-8-09)

(1) Greater than six (6) feet separation: no additional requirements based on separation distance. (5-8-09)

(2) Less than six (6) feet separation: design engineer to submit data that this installation will protect public health and the environment and non-potable service constructed with potable water class pipe. (5-8-09)

(3) New potable services are prohibited from being located in the same trench as non-potable mains or non-potable services. (5-8-09)

b. Requirements for potable water mains or services crossing non-potable water mains or services. *For the purposes of this section, the term "pipeline" applies to both mains and services.* (5-8-09) ()

i. If there is eighteen (18) inches or more vertical separation with the potable water pipeline above the non-potable pipeline, then the potable pipeline joints must be as far as possible from the non-potable water pipeline. (4-7-11)

ii. If there is eighteen (18) inches or more vertical separation with the potable water pipeline below the non-potable pipeline, then the potable pipeline joints must be as far as possible from the non-potable pipeline, and the non-potable pipeline must be supported through the crossing to prevent settling. (4-7-11)

iii. Less than eighteen (18) inches vertical separation: (5-8-09)

(1) Potable pipeline joint to be as far as possible from the non-potable pipeline; and either: (5-8-09)

(a) Non-potable pipeline constructed with potable water class pipe for a minimum of ten (10) feet either side of potable pipeline with a single twenty (20) foot section of potable water class pipe centered on the crossing; or (5-8-09)

(b) Sleeve non-potable or potable pipeline with potable water class pipe for ten (10) feet either side of crossing. Use of hydraulic cementitious materials such as concrete, controlled density fill, and concrete slurry encasement is not allowed as a substitute for sleeving. (5-8-09)

(2) If potable pipeline is below non-potable pipeline, the non-potable pipeline must also be supported through the crossing to prevent settling. (5-8-09)

iv. Pressure wastewater mains or other pressurized mains or lines containing non-potable fluids shall be no closer vertically than eighteen (18) inches from potable mains. (4-7-11)

c. Existing potable services in relation to new non-potable mains, existing non-potable services in relation to new potable mains, and existing potable services in relation to new non-potable services shall meet the requirements of Subsection 542.07.b., where practical, based on cost, construction factors, and public health significance. If the Department determines that there are significant health concerns with these services, such as where a large existing service serves an apartment building or a shopping center, then the design shall conform with Subsection 542.07.b. (5-8-09)

08. Separation from Subsurface Wastewater Systems and Other Sources of Contamination. A minimum horizontal distance of twenty-five (25) feet shall be maintained between any potable water pipe and a septic tank or subsurface wastewater disposal system. Guidance on separation from other potential sources of contamination, such as stormwater facilities, may be found on the DEQ website <http://www.deq.idaho.gov>. (3-30-07)

09. Dead End Mains. All dead end water mains shall be equipped with a means of flushing and shall be flushed at least semiannually at a water velocity of two and one-half (2.5) feet per second. (3-30-07)

a. Dead ends shall be minimized by making appropriate tie-ins whenever practical in order to provide increased reliability of service and reduce head loss. (4-11-06)

b. Flushing shall be performed in such a way as to minimize any erosion of unprotected areas and, if applicable, shall be coordinated with the owner of the receiving system. No water main flushing device shall be directly connected to any sewer. (~~4-11-06~~)()

c. Stub outs for future main connections shall meet all requirements for dead end mains listed in Subsection 542.09 as determined by the Department. Flushing devices may be temporary in nature. (4-7-11)

10. Repair of Leaks. Leaking water mains shall be repaired or replaced upon discovery and disinfected in accordance with American Water Works Association (AWWA) Standards, incorporated by reference into these rules at Subsection 002.01. (3-30-07)

11. Separation from Structures. Water mains shall be separated by at least five (5) feet from buildings, industrial facilities, and other permanent structures. (3-30-07)

12. Meter Vault Required. All new public water systems shall include a meter vault at each service connection. A lockable shut-off valve shall be installed in the meter vault. This requirement shall also apply to extensions of the distribution system of existing public water systems. (3-30-07)

13. Minimum Pressure at Building Sites. Any public water system constructed or undergoing material modification where topographical relief may affect water pressure at the customers' premises shall provide the Department with an analysis which demonstrates that the pressure at each designated building site will be at least forty (40) psi, based on dynamic pressure in the main, as set forth in Subsections 552.01.b.i. and 552.01.b.ii., plus a static compensation from the elevation of the main to the elevation of each building site. (5-8-09)

a. If forty (40) psi cannot be provided at each designated building site, the Department may require that reasonable effort be made to provide notification to existing and potential customers of the expected pressure. (5-3-03)

b. The Department will not authorize a service connection at any designated building site where analysis indicates that pressure will be less than twenty (20) psi static pressure (or twenty-six point five (26.5) psi for two (2) story buildings). (5-3-03)

14. Isolation Valves. A sufficient number of valves shall be provided on water mains to minimize inconvenience and sanitary hazards during repairs. (3-30-07)

15. Air Valves. At high points in water mains where air can accumulate, provisions shall be made to remove the air by means of air release and vacuum relief valves or combination air release/vacuum relief valves. Air release valves, vacuum relief valves, or combination air release/vacuum relief valves may not be required if vacuum relief and air release functions in the pipeline can be adequately handled by approved appurtenances such as fire hydrants. (5-8-09)

a. The open end of an air valve shall be extended to at least one (1) foot above grade and provided with a twenty-four (24) mesh or similar non-corrodible screened, downward-facing elbow. When the air vent on an air relief valve cannot be practically installed above ground, the vent may be below grade provided that the valve is manually operated and the air vent is extended to the top of the valve vault and provided with a twenty-four (24) mesh or similar non-corrodible screened, downward-facing elbow. In addition, for below ground vents, the valve vault must be rated for appropriate traffic loading in traffic areas and the vault drained to daylight or provided with adequate drainage to prevent flooding of the vault. (4-7-11)

b. Discharge piping from air valves or combination air release/vacuum relief valves shall not connect directly to any storm drain, storm sewer, or sanitary sewer. (4-7-11)

16. Backflow Protection. Automatic air relief valves shall be equipped with a means of backflow

protection. (3-30-07)

17. Surface Water Crossings. For the purposes of Subsection 542.17, surface water is defined as all surface accumulations of water, natural or artificial, public or private, or parts thereof which are wholly or partially within, which flow through or border upon the state. This includes, but is not limited to, rivers, streams, canals, ditches, lakes, and ponds. Surface water crossings, whether over or under water, shall be constructed as follows: (5-8-09)

a. Above water crossings: the pipe shall be adequately supported and anchored, protected from damage and freezing, and shall be accessible for repair or replacement. (4-11-06)

b. Under water crossings: A minimum cover of two (2) feet shall be provided over the pipe. When crossing a water course that is greater than fifteen (15) feet in width, the following shall be provided: (4-11-06)

i. The pipe shall be of special construction, having flexible, restrained, or welded water-tight joints; and (4-11-06)

ii. Valves shall be provided at both ends of water crossings so that the section can be isolated for testing or repair; the valves shall be easily accessible and not subject to flooding; and (4-11-06)

iii. Permanent taps or other provisions to allow insertion of a small meter to determine leakage and obtain water samples shall be made on each side of the valve closest to the supply source. (4-11-06)

543. FACILITY AND DESIGN STANDARDS: CROSS CONNECTION CONTROL.

There shall be no connection between the distribution system and any pipes, pumps, hydrants, water loading stations, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into a public water system. The water purveyor is responsible through its cross connection control program to take reasonable and prudent measures to protect the water system against contamination and pollution from cross connections through premises isolation or containment, internal or in-plant isolation, fixture protection, or some combination of premises isolation, internal isolation, and fixture protection. (4-7-11)

01. Testable Assemblies. All double check valve backflow prevention assemblies, reduced pressure principle backflow prevention assemblies, spill resistant vacuum breakers, and pressure vacuum breakers used must pass a performance test conducted by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research (USC Foundation) and be included on the USC Foundation "List of Approved Assemblies." (4-7-11)

02. Atmospheric Vacuum Breakers. All atmospheric vacuum breakers used shall be marked approved either by the International Association of Plumbing and Mechanical Officials (IAPMO) or by the American Society of Sanitation Engineers (ASSE). (5-8-09)

03. Replacement Parts and Components. All replacement parts and components, including resilient seated shutoff valves, shall meet original specifications or otherwise be approved by the USC Foundation as replacement parts or components for use on double check valve backflow prevention assemblies, reduced pressure principle backflow prevention assemblies, and pressure vacuum breakers. The design, material, or operational characteristics of any assembly must not be altered during maintenance or repair. (~~4-7-11~~)()

04. Assembly Selection. Appropriate and adequate backflow prevention assembly types for various facilities, fixtures, equipment, and uses of water should be selected from the AWWA Pacific Northwest Section Cross Connection Control Manual, the Uniform Plumbing Code, the AWWA Recommended Practice for Backflow Prevention and Cross Connection Control (M14), the USC Foundation Manual of Cross Connection Control, or other sources deemed acceptable by the Department. The selected assembly manufacturer model number must be included on the USC Foundation "List of Approved Assemblies" and must comply with local ordinances. (~~4-7-11~~)()

544. FACILITY AND DESIGN STANDARDS: GENERAL DESIGN OF FINISHED WATER STORAGE. The materials and designs used for finished water storage structures shall provide stability and durability as well as protect the quality of the stored water. Finished water storage structures shall be designed to maintain water

circulation and prevent water stagnation. Steel structures and facilities such as steel tanks, standpipes, reservoirs, and elevated tanks shall be designed and constructed in accordance with applicable AWWA Standards, incorporated by reference into these rules at Subsection 002.01. Other materials of construction are acceptable when properly designed to meet the requirements of Section 544. (5-8-09)

01. Sizing and Isolation Requirements. ()

a. Storage facilities shall have sufficient capacity, as determined from engineering studies that consider peak flows, fire flow capacity, and analysis of the need for various components of finished storage as defined under the term "Components of Finished Water Storage" in Section 003. The requirement for storage may be reduced when the source and treatment facilities have sufficient capacity with standby power to supply peak demands of the system. (3-30-07)

b. All storage structures which provide pressure directly to the distribution system, such as elevated storage structures or ground level storage structures with associated pumping systems, shall be designed so they can be isolated and drained for cleaning or maintenance without causing a loss of pressure in the distribution system. ()

02. Location. Storage facilities shall be located in a manner that protects against contamination, ensures structural stability, protects against flooding, and provides year-round access by vehicles and equipment needed for repair and maintenance. (5-8-09)

a. If the bottom elevation of a storage reservoir must be below normal ground surface, it shall be placed above the seasonal high ground water table. (3-30-07)

b. Non-potable mains and services, standing water, and similar sources of possible contamination must be kept at least fifty (50) feet from any partially buried or below-ground storage structure or facility, except that non-potable mains and services constructed of potable water class pipe are allowed as close as twenty (20) feet from a partially buried or below-ground storage structure or facility. Partially buried or below-ground storage structures or facilities shall be located a minimum of fifty (50) feet from the nearest property line. (5-8-09)

c. No public water supply storage tank shall be located within five hundred (500) feet of any municipal or industrial wastewater treatment plant or any land which is spray irrigated with wastewater or used for sludge disposal. (3-30-07)

d. The top of a partially buried storage structure shall not be less than two (2) feet above normal ground surface. (3-30-07)

e. Ground-level or above-ground storage structures or facilities shall be located a minimum of twenty (20) feet from the nearest property line and a minimum of twenty (20) feet from any potential source of contamination. (5-8-09)

03. Protection from Contamination. All finished water storage structures shall have suitable watertight roofs which exclude birds, animals, insects, and excessive dust. The installation of appurtenances, such as antennas, shall be done in a manner that ensures no damage to the tank, coatings or water quality, or corrects any damage that occurred. (3-30-07)

04. Protection from Trespassers. Fencing, locks on access manholes, and other necessary precautions shall be provided to prevent trespassing, vandalism, and sabotage. (3-30-07)

05. Drains. No drain on a water storage structure may have a direct connection to a sewer or storm drain. The design shall allow draining the storage facility for cleaning or maintenance without causing loss of pressure in the distribution system. (3-30-07)

06. Overflow. Overflow pipes of any storage structure or facility shall discharge to daylight in a way that will preclude the possibility of backflow to the reservoir and, where practical, be provided with an expanded metal screen installed within the pipe that will exclude rodents and deter vandalism. The overflow pipe shall be of

sufficient diameter to permit waste of water in excess of the filling rate. The overflow shall discharge over a drainage inlet structure or a splash plate and, when practical, discharge at an elevation between twelve (12) and twenty-four (24) inches above the receiving surface. (5-8-09)

a. When an internal overflow pipe is used on above-ground tanks, it shall be located in the access tube. (5-8-09)

b. The overflow for ground-level, partially buried, or below-ground storage structures or facilities shall have a vertical section of pipe at least two (2) pipe diameters in length and either: (5-8-09)

i. Be screened with a twenty-four (24) mesh non-corrodible screen installed within the pipe when practical or an expanded metal screen installed within the pipe plus a weighted flapper valve or check; or (5-8-09)

ii. Be an equivalent system acceptable to the Department. (5-8-09)

07. Access. Finished water storage structures shall be designed with reasonably convenient access to the interior for cleaning and maintenance. At least two (2) manholes shall be provided above the waterline at each water compartment where space permits, as determined by the Department. One (1) manhole may be allowed on smaller tanks on a case-by-case basis. (4-7-11)

a. The following access requirements apply to above-ground and ground-level storage structures. Each access manhole shall be framed a minimum of four (4) inches above the surface of the roof at the opening. The actual height above the surface of the roof must be sufficient to prevent incidental contamination from snow accumulation, storm water runoff or accumulation, irrigation water, or other potential sources of contamination. (5-8-09)

b. The following access requirements apply to, partially buried or below-ground storage structures. Each access manhole shall be elevated a minimum of twenty-four (24) inches above the surface of the roof or the ground level, whichever is higher. The actual height above the surface of the roof or the ground level must be sufficient to prevent incidental contamination from snow accumulation, storm water runoff or accumulation, irrigation water, or other potential sources of contamination. (5-8-09)

c. Each manhole shall be fitted with a solid water tight cover ~~which overlaps~~ designed to prevent the entrance of contaminants. Each cover shall be hinged only on one (1) side and shall have a locking device. Unless otherwise approved by the Department based on documentation provided by the design engineer, each cover shall have a framed opening and with the lid extending down around the frame at least two (2) inches, or otherwise prevents the entrance of contaminants. and the frame should shall be at least four (4) inches high. Each cover shall be hinged on one side, and shall have a locking device. (4-7-11)()

08. Vents. Finished water storage structures shall be vented. The overflow pipe shall not be considered a vent. Open construction between the sidewall and roof is not permissible. Vents shall: (3-30-07)

a. Prevent the entrance of surface water and rainwater and extend twelve (12) inches above the roof. (3-30-07)

b. Exclude birds and animals. (3-30-07)

c. Exclude insects and dust, as much as this function can be made compatible with effective venting. (3-30-07)

d. On ground-level, partially buried, or below-ground structures, open downward with the opening at least twenty-four (24) inches above the roof or the ground level and covered with twenty-four (24) mesh non-corrodible screen. The screen shall be installed within the pipe at a location least susceptible to vandalism. (5-8-09)

e. On above-ground tanks and standpipes, open downward, and be fitted with twenty-four (24) mesh or similar non-corrodible screen. (4-7-11)

09. Roof and Sidewall. The roof and sidewalls of all water storage structures must be watertight with no openings except properly constructed vents, manholes, overflows, risers, drains, pump mountings, control ports, or piping for inflow and outflow. Particular attention shall be given to the sealing of roof structures which are not integral to the tank body. (3-30-07)

a. Any pipes running through the roof or sidewall of a metal storage structure must be welded, or properly gasketed. In concrete tanks, these pipes shall be connected to standard wall castings which were poured in place during the forming of the concrete. (3-30-07)

b. Openings in the roof of a storage structure designed to accommodate control apparatus or pump columns shall be curbed and sleeved with proper additional shielding to prevent contamination from surface or floor drainage. (3-30-07)

c. The roof of the storage structure shall be sloped to facilitate drainage. Downspout pipes shall not enter or pass through the reservoir. Parapets, or similar construction which would tend to hold water and snow on the roof, will not be approved unless adequate waterproofing and drainage are provided. (3-30-07)

d. Reservoirs with pre-cast concrete roof structures must be made watertight with the use of a waterproof membrane or similar product. (3-30-07)

10. Construction Materials. Materials used in storage facility construction shall meet the requirements for water contact surfaces set forth in Subsection 501.01. Porous materials such as wood or concrete block are not acceptable for use in storage construction. (3-30-07)

11. Protection from Freezing. Finished water storage structures and their appurtenances, especially the riser pipes, overflows, and vents, shall be designed to prevent freezing which will interfere with proper functioning. (3-30-07)

12. Internal Catwalk. Every catwalk over finished water in a storage structure shall have a solid floor with sealed raised edges, designed to prevent contamination from shoe scrapings and dirt. (3-30-07)

13. Silt Stops. Removable silt stops shall be provided to prevent sediment from entering the reservoir discharge pipe. (3-30-07)

14. Grading. The area surrounding a ground-level, partially buried, or below-ground structures shall be graded in a manner that will prevent surface water from standing within fifty (50) feet of it. (5-8-09)

15. Coatings and Cathodic Protection. Proper protection shall be given to metal surfaces by paints or other protective coatings, by cathodic protective devices, or by both. (3-30-07)

16. Disinfection. Storage facilities shall be disinfected in accordance with AWWA Standard C652, incorporated by reference into these rules at Subsection 002.01. Two (2) or more successive sets of samples, taken at twenty-four (24) hour intervals, shall indicate microbiologically satisfactory water before the facility is placed into operation. (3-30-07)

17. Abandonment. All unused subsurface storage tanks shall be removed and backfilled, or abandoned by extracting residual fluids and filling the structure with sand or fine gravel. (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

548. FACILITY AND DESIGN STANDARDS: DISINFECTION OF FACILITIES PRIOR TO USE. Any supplier of water for a public water system shall ensure that new construction or modifications to an existing system shall be flushed and disinfected in accordance with American Water Works Association (AWWA) Standards, incorporated by reference into these rules at Subsection 002.01, prior to being placed into service. ~~Disposal of~~

~~chlorinated water from disinfection activities shall be coordinated with the DEQ Regional Office. (4-7-11)()~~

549. -- 551. (RESERVED)

552. ~~FACILITY AND DESIGN STANDARDS:~~ OPERATING CRITERIA FOR PUBLIC WATER SYSTEMS.

01. **Quantity and Pressure Requirements.** Design requirements regarding pressure analysis are found in Section 542.13. (5-8-09)

a. **Minimum Capacity.** The capacity of a public drinking water system shall be at least eight hundred (800) gallons per day per residence. (5-8-09)

i. The minimum capacity of eight hundred (800) gallons per day shall be the design maximum day demand rate exclusive of irrigation and fire flow requirements. (5-8-09)

ii. The minimum capacity of eight hundred (800) gallons per day is only acceptable if the public drinking water system has equalization storage of finished water in sufficient quantity to compensate for the difference between a water system's maximum pumping capacity and peak hour demand. (5-8-09)

iii. The design capacity of a public drinking water system for material modifications may be less than eight hundred (800) gallons per day per residence if the water system owner provides information that demonstrates to the Department's satisfaction the maximum day demand for the system, exclusive of irrigation and fire flows, is less than eight hundred (800) gallons per day per residence. (5-8-09)

b. **Pressure.** All public water systems shall meet the following requirements: (4-7-11)

i. Any public water system shall be capable of providing sufficient water during maximum day demand conditions, including fire flow where provided, to maintain a minimum pressure of twenty (20) psi throughout the distribution system, at ground level, as measured at the service connection or along the property line adjacent to the consumer's premises. (4-7-11)

ii. Public Notification. ()

(1) During unplanned or emergency situations, when water pressures within the system are known to have fallen below twenty (20) psi, the water system supplier must notify the Department, provide public notice to the affected customers within twenty-four (24) hours, and disinfect the system. When sampling and corrective procedures have been conducted and after determination by the Department that the supply is safe, the water supplier shall re-notify the affected customers that the supply is safe for consumption. (4-7-11)()

(2) During planned maintenance or repair situations, when water pressure within the system is expected to fall below twenty (20) psi, the water supplier must provide public notice to the affected customers prior to the planned maintenance or repair activity and shall ensure that the supply is safe for consumption. ()

iii. If an initial investigation by the water system supplier fails to discover the causes of inadequate or excessive pressure, the Department may require a public drinking water system supplier to conduct a local pressure monitoring study to diagnose and correct pressure problems. Compliance with these requirements by water systems that do not have a meter vault or other point of access at the service connection or along the property line adjacent to the consumer's premises where pressure in the distribution system can be reliably measured shall be determined by measurements within the consumer's premises, or at another representative location acceptable to the Department. (4-7-11)()

iv. Copies of pressure monitoring study reports required under Subsection 552.01.b.iii. detailing study results and any resulting corrective actions planned or performed by the public water system shall be submitted to the Department in accordance with these rules. (4-7-11)

v. The following public water systems or service areas of public water systems shall maintain a

minimum pressure of forty (40) psi throughout the distribution system, during peak hour demand conditions, excluding fire flow, measured at the service connection or along the property line adjacent to the consumer's premises. (5-8-09)

- (1) Any public water system constructed or substantially modified after July 1, 1985. (5-8-09)
- (2) Any new service areas. (5-8-09)
- (3) Any public water system that is undergoing material modification where it is feasible to meet the pressure requirements as part of the material modification. (5-8-09)

vi. Any public water system shall keep static pressure within the distribution system below one hundred (100) psi and should ordinarily keep static pressure below eighty (80) psi. Pressures above one hundred (100) psi shall be controlled by pressure reducing ~~devices~~ valve stations installed in the distribution main. In areas where failure of installed pressure reducing valve stations would result in extremely high pressure, pressure relief valves may be required. The Department may approve the use of pressure reducing devices at individual service connections on a case by case basis, if it can be demonstrated that higher pressures in portions of the distribution system are required for efficient system operation. If system modification will cause pressure to routinely exceed eighty (80) psi, or if a check valve or an individual pressure reducing device is added to the service line, the water system owner shall notify affected customers. Notification may include reasons for the elevated pressure, problems or damage that elevated pressure can inflict on appliances or plumbing systems, and suggested procedures or mitigation efforts affected property owners may initiate to minimize problems or damage. (4-7-11)()

vii. The Department may allow the installation of booster pump systems at individual service connections on a case by case basis. However, such an installation may only occur with the full knowledge and agreement of the public water system, including assurance by the water system that the individual booster pump will cause no adverse effects on system operation. (4-11-06)

viii. For elevated storage tanks, pressure calculations during peak hour demand shall be based on the lowest water level after both operational storage and equalization storage have been exhausted. Pressure calculations during fire flow demands shall be based on the lowest water level after operational storage, equalization storage, and fire suppression storage have been exhausted. ()

ix. For hydropneumatic tanks, pressure calculations shall be based on the lowest pressure of the pressure cycle and this requirement shall be noted in the operation and maintenance manual. ()

c. Fire Flows. Any public water system designed to provide fire flows shall ensure that such flows are compatible with the water demand of existing and planned fire-fighting equipment and fire fighting practices in the area served by the system. (5-3-03)

d. Irrigation Flows. (12-1-92)

i. Any public water system constructed after November 1, 1977, shall be capable of providing water for uncontrolled, simultaneous foreseeable irrigation demand, which shall include all acreage that the system is designed to irrigate. (5-3-03)

(1) The Department must concur with assumptions regarding the acreage to be irrigated. In general, an assumption that no outside watering will occur is considered unsound and is unlikely to be approved. (5-3-03)

(2) An assumption of minimal outside watering, as in recreational subdivisions, may be acceptable if design flows are adequate for maintenance of "green zones" for protection against wildland fire. (5-3-03)

ii. The requirement of Subsection 552.01.d.i. may be modified by the Department if: (5-3-03)

(1) A separate irrigation system is provided; or (12-10-92)

(2) The supplier of water can regulate the rate of irrigation through its police powers, and the water

system is designed to accommodate a regulated rate of irrigation flow. The Department may require the water system to submit a legal opinion addressing the enforceability of such police powers. (5-3-03)

iii. If a separate non-potable irrigation system is provided for the consumers, all mains, hydrants and appurtenances shall be easily identified as non-potable. The Department must concur with a plan to ensure that each new potable water service is not cross-connected with the irrigation system. (5-3-03)

02. Ground Water. (12-10-92)

a. Public water systems constructed after July 1, 1985, and supplied by ground water, shall treat water within the system by disinfection if the ground water source is not protected from contamination. (12-10-92)

b. The Department may, in its discretion, require disinfection for any existing public water system supplied by ground water if the system consistently exceeds the MCL for coliform, and if the system does not appear adequately protected from contamination. Adequate protection will be determined based upon at least the following factors: (12-10-92)

i. Location of possible sources of contamination; (12-10-92)

ii. Size of the well lot; (12-10-92)

iii. Depth of the source of water; (12-10-92)

iv. Bacteriological quality of the aquifer; (12-10-92)

v. Geological characteristics of the area; and (12-10-92)

vi. Adequacy of development of the source. (12-10-92)

03. Operating Criteria. The operating criteria for systems ~~supplied by surface water or ground water under the direct influence of surface water~~ that provide filtration shall be as follows: (12-10-92)()

a. ~~Each system must develop and follow a water treatment operations plan acceptable to the Department, by July 31, 1993, or within six (6) months of installation of filtration treatment, whichever is later. For a maximum of twelve (12) months, this may be a draft operations plan based on pilot studies or other criteria acceptable to the Department. After twelve (12) months the plan shall be finalized based on full scale operation. A project specific operation and maintenance manual shall be provided as required in Subsection 501.12. See definition of Operation and Maintenance Manual in Section 003 for the typical contents of an operation and maintenance manual and the included operations plan. For the operations plan in the operation and maintenance manual, additional guidance for several types of filtration systems can be found in the Department's SWTR Compliance Guidance referenced in Subsection 002.02.~~ (12-10-92)()

b. ~~The purveyor shall ensure that treatment facilities are operated in accordance with good engineering practices such as those found in the Recommended Standards for Water Works, A Report of the Water Supply Committee of the Great Lakes - Upper Mississippi River Board of Public Health and Environmental Managers as set forth in Subsection 002.02.c., or other equal standard designated by the Department. The system shall conduct monitoring specified by the Department before serving water to the public in order to protect the health of consumers served by the system.~~ (4-6-05)()

c. New treatment facilities shall be operated in accordance with Subsection 552.03.b., and the system shall conduct monitoring specified by the Department for a trial period specified by the Department before serving water to the public in order to protect the health of consumers served by the system. (3-30-07)

04. Chlorination. Systems that regularly add chlorine to their water are subject to the provisions of Section 320. Systems using surface water or ground water under the direct influence of surface water, are subject to the disinfection requirements of Sections 300 and 518. (3-30-07)

a. Systems using only ground water that add chlorine for the purpose of disinfection, as defined in Section 003, are subject to the following requirements: (4-6-05)

i. Chlorinator and chlorine contact tank capacity shall be such that the system is able to demonstrate that it is routinely achieving four (4) logs (ninety-nine point ninety-nine percent) (99.99%) inactivation/removal of viruses. The required effective contact time will be specified by the Department. This condition must be attainable even when the peak-hour demand plant design capacity coincides with anticipated maximum chlorine demands. (~~5-8-09~~)()

ii. A detectable chlorine residual shall be maintained throughout the distribution system. (4-6-05)

iii. Automatic proportioning chlorinators are required where the rate of flow or chlorine demand is not reasonably constant. (~~12-10-92~~)()

iv. Analysis for free chlorine residual shall be conducted at a location at or prior to the first service connection at least daily and records of these analyses shall be kept by the supplier of water for at least one (1) year. A report of all daily chlorine residual measurements for each calendar month shall be submitted to the Department no later than the tenth day of the following month. The frequency of measuring free chlorine residuals shall be sufficient to detect variations in chlorine demand or changes in water flow. (5-8-09)

v. ~~A separate and ventilated room for~~ If gas chlorination equipment ~~shall be~~ is provided, a separate and ventilated room is required. (~~12-10-92~~)()

vi. The Department may, in its discretion, require a treatment rate higher than that specified in Subsection 552.04.a.i. (3-30-07)

vii. When chlorine gas is used, chlorine leak detection devices and safety equipment shall be provided and equipped with both an audible alarm and a warning light. (5-8-09)

viii. The Department may require redundant chlorine pumping capabilities with automatic switchover for systems with documented source water contamination problems and that lack adequate storage to supply the system during a pump failure. (5-8-09)

b. Systems using only ground water that add chlorine for the purpose of maintaining a disinfectant residual in the distribution system, when the source(s) is not at risk of microbial contamination, are subject to the following requirements: (4-6-05)

i. Automatic proportioning chlorinators are required where the rate of flow or chlorine demand is not reasonably constant. (~~4-6-05~~)()

ii. Analysis for free chlorine residual shall be made at a frequency that is sufficient to detect variations in chlorine demand or changes in water flow. (4-6-05)

c. Systems using only ground water that add chlorine for other purposes, such as oxidation of metals or taste and odor control, when the source(s) is known to be free of microbial contamination, must ensure that chlorine residual entering the distribution system after treatment is less than four (4.0) mg/L. The requirements in Subsection 552.04.b.ii. also apply if the system maintains a chlorine residual in the distribution system. (3-30-07)

05. Fluoridation. (12-1-92)

a. Commercial sodium fluoride, sodium silico fluoride and hydrofluosilicic acid which conform to the applicable American Water Works Association (AWWA) Standards, incorporated by reference into these rules at Subsection 002.01, are acceptable. Use of other chemicals shall be specifically approved by the Department. (3-30-07)

b. Fluoride compounds shall be stored in covered or unopened shipping containers. (3-30-07)

c. Provisions shall be made to minimize the quantity of fluoride dust. Empty bags, drums, or barrels shall be disposed of in a manner that will minimize exposure to fluoride dusts. (3-30-07)

d. Daily records of flow and amounts of fluoride added shall be kept. An analysis for fluoride in finished water shall be made at least weekly. Records of these analyses shall be kept by the supplier of water for five (5) years. (12-10-92)

06. Cross Connection Control Program - Community Water Systems. The water purveyor is responsible through its cross connection control program to take reasonable and prudent measures to protect the water system against contamination and pollution from cross connections through premises isolation, internal or in-plant isolation, fixture protection, or some combination of premises isolation, internal isolation, and fixture protection. Pursuant to Section 543, all suppliers of water for community water systems shall implement a cross connection control program to prevent the entrance to the system of materials known to be toxic or hazardous. The water purveyor is responsible to enforce the system's cross connection control program. The program will at a minimum include: (4-7-11)

a. An inspection program to locate cross connections and determine required suitable protection. For new connections, suitable protection must be installed prior to providing water service. (5-8-09)

b. Required installation and operation of adequate backflow prevention assemblies. Appropriate and adequate backflow prevention assembly types for various facilities, fixtures, equipment, and uses of water should be selected from the AWWA Pacific Northwest Section Cross Connection Control Manual, the Uniform Plumbing Code, the AWWA Recommended Practice for Backflow Prevention and Cross Connection Control (M14), the USC Foundation Manual of Cross Connection Control, or other sources deemed acceptable by the Department. The assemblies must meet the requirements of Section 543 and comply with local ordinances. (4-7-11)()

c. Annual inspections and testing of all installed backflow prevention assemblies by a tester licensed by a licensing authority recognized by the Department. Testing shall be done in accordance with the test procedures published by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research. See the USC Foundation Manual of Cross-Connection Control referenced in Subsection 002.02. (4-7-11)

d. Discontinuance of service to any structure, facility, or premises where suitable backflow protection has not been provided for a cross connection. (4-7-11)

e. Assemblies that cannot pass annual tests or those found to be defective shall be repaired, replaced, or isolated within five (5) business days. If the failed assembly cannot be repaired, replaced, or isolated within five (5) business days, water service to the failed assembly shall be discontinued. ()

07. Cross Connection Control-Program - Non-Community Water Systems. All suppliers of water for non-community water systems shall ensure that cross connections do not exist or are isolated from the potable water system by an approved backflow prevention assembly. Backflow prevention assemblies shall be inspected and tested annually for functionality by an Idaho licensed tester, as specified in Subsection 552.06.c. (5-8-09)()

(BREAK IN CONTINUITY OF SECTIONS)

554. LICENSE REQUIREMENTS.

01. Licensed Operator Required. (4-6-05)

a. Owners of all community and nontransient noncommunity public drinking water systems must place the direct supervision of their drinking water system, including each treatment facility and distribution system, under the responsible charge of a properly licensed operator. (5-8-09)

b. Owners of all surface water systems must place the direct supervision of their public drinking water

system under the responsible charge of a properly licensed operator. (4-6-05)

02. Responsible Charge Operator License Requirement. An operator in responsible charge of a public drinking water system must hold a valid license equal to or greater than the classification of the public water system where the responsible charge operator is in responsible charge. Responsible charge means active, daily on-site or on-call responsibility for the performance of operations or active, on-going, on-site, or on-call direction of employees and assistants. (4-6-05)()

03. Substitute Responsible Charge Operator License Requirement. At such times as the responsible charge operator is not available, a substitute responsible charge operator shall be designated to replace the responsible charge operator. A substitute responsible charge operator of a public water system must hold a valid license equal to or greater than the classification of the public water system where the substitute responsible charge operator is in responsible charge. (4-6-05)

04. Shift Operator Requirement. Any public drinking water system subject to these requirements with multiple operating shifts must have a designated properly licensed operator available for each operating shift. An on-duty designated shift operator does not replace the requirements in Subsections 554.01 and 554.03 for responsible charge operator coverage during all operating shifts. (4-6-05)

05. Water Operator License Requirement. All operating personnel at public drinking water systems subject to these requirements making process control/ system integrity decisions about water quality or quantity that affect public health must hold a valid and current license. (4-6-05)

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO

59.01.03 - CONTRIBUTION RULES OF PERSI

DOCKET NO. 59-0103-1201

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 59-1314(1) and 72-1405, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 16, 2012.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

To delay scheduled increase in contribution rates for employers and employees.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: None.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted because it would be inconsistent with the Retirement Board's exclusive fiduciary responsibility for plan operations.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Joanna L. Guilfoy, Deputy Attorney General, PERSI, 287-9271.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 23, 2012.

DATED this 3rd day of April, 2012.

Don Drum, Executive Director
Public Employee Retirement System of Idaho
607 N. 8th Street, Boise, ID 83702
P.O. Box 83720, Boise, ID 83720-0078
Phone: 208-287-9230
Fax: 208- 334-3408

Pursuant to Section 67-5221(1), Idaho Code, this docket is being published as a proposed rule.

This docket has been previously published as a temporary rule.
The temporary effective date is December 6, 2011.

The original text of the temporary rule was published in the Idaho Administrative Bulletin,
[Volume 12-3, March 7, 2012, pages 35 through 37.](#)

THE FOLLOWING IS THE TEXT OF THE PROPOSED RULE FOR DOCKET NO. 59-0103-1201

026. PERSI EMPLOYER GENERAL MEMBER CONTRIBUTION RATE (RULE 26).

The PERSI employer contribution rate as provided in Section 59-1322, Idaho Code, shall be nine point seventy-seven percent (9.77%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point thirty-nine percent (10.39%) of payroll through June 30, 201~~2~~³. Beginning July 1, 201~~2~~³, the rate shall be eleven point thirty-two percent (11.32%) of payroll through June 30, 201~~3~~⁴. Beginning July 1, 201~~3~~⁴, the rate shall be twelve point twenty-four percent (12.24%) of payroll through June 30, 201~~4~~⁵. Beginning July 1, 201~~4~~⁵, the rate shall be thirteen point sixty-five percent (13.65%) of payroll until next determined by the Board.

Statutory Reference: Sections 59-1302(16), 59-1391, 59-1394, and 59-1397, Idaho Code. Cross References: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) (4-7-11)()

027. FIREFIGHTER RETIREMENT FUND EMPLOYER RATE (RULE 27).

The Firefighter Retirement Fund employer rate shall be: (10-1-94)

01. Option I and II Firefighters. For option I and II firefighters hired before October 1, 1980, as follows:

Option I And II Firefighters	
PERSI Employer Contribution Rate:	Ten point eleven percent (10.11%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point seventy-three percent (10.73%) of payroll through June 30, 201 2 ³ . Beginning July 1, 201 2 ³ , the rate shall be eleven point sixty-six percent (11.66%) of payroll through June 30, 201 3 ⁴ . Beginning July 1, 201 3 ⁴ , the rate shall be twelve point fifty-eight percent (12.58%) of payroll through June 30, 201 4 ⁵ . Beginning July 1, 201 4 ⁵ , the rate shall be thirteen point ninety-nine percent (13.99%) of payroll until next determined by the Board.
Additional Employer Rate:	One percent (1.00%)
Social Security Rate:	Seven point sixty-five percent (7.65%)
Excess Merger Costs:	Seventeen point twenty-four percent (17.24%) until next determined by the Board.
TOTAL Contribution:	Thirty-six percent (36%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be thirty-six point sixty-two percent (36.62%) of payroll through June 30, 201 2 ³ . Beginning July 1, 201 2 ³ , the rate shall be thirty-seven point fifty-five percent (37.55%) of payroll through June 30, 201 3 ⁴ . Beginning July 1, 201 3 ⁴ , the rate shall be thirty-eight point forty-seven percent (38.47%) of payroll through June 30, 201 4 ⁵ . Beginning July 1, 201 4 ⁵ , the rate shall be thirty-nine point eighty-eight percent (39.88%) of payroll until next determined by the Board.

(4-7-11)()

02. Class D Firefighters. For class D firefighters (firefighters employed on or after October 1, 1980, by a city or fire district that employs paid firefighters who are participating in the Firefighters' Retirement Fund), as follows:

Class D Firefighters	
PERSI Employer Contribution Rate:	Ten point eleven percent (10.11%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point seventy-three percent (10.73%) of payroll through June 30, 201 23 . Beginning July 1, 201 23 , the rate shall be eleven point sixty-six percent (11.66%) of payroll through June 30, 201 34 . Beginning July 1, 201 34 , the rate shall be twelve point fifty-eight percent (12.58%) of payroll through June 30, 201 45 . Beginning July 1, 201 45 , the rate shall be thirteen point ninety-nine percent (13.99%) of payroll until next determined by the Board.
Excess Merger Costs:	Seventeen point twenty-four percent (17.24%) until next determined by the Board.
TOTAL Contribution:	Twenty-seven point thirty-five percent (27.35%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be twenty-seven point ninety-seven percent (27.97%) of payroll through June 30, 201 23 . Beginning July 1, 201 23 , the rate shall be twenty-eight point nine percent (28.9%) of payroll through June 30, 201 34 . Beginning July 1, 201 34 , the rate shall be twenty-nine point eighty-two percent (29.82%) of payroll through June 30, 201 45 . Beginning July 1, 201 45 , the rate shall be thirty one point twenty-three percent (31.23%) of payroll until next determined by the Board.

Statutory References: Sections 59-1302(16), 59-1391, 59-1394, 59-1397, 72-1403, and 72-1434, Idaho Code. Cross References: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 7-1-03) (Amended 3-20-04) ~~(4-7-11)~~()

03. Class E Members. For class E members (general members who meet the definition of paid firefighter under Section 59-1391(f), Idaho Code, but are not firefighters as defined in Section 59-1302(16), Idaho Code) the employer general member contribution rate as provided in Rule 26, plus the excess merger costs specified in Subsection 027.01. (3-20-04)

028. PERSI EMPLOYER CLASS II CONTRIBUTION RATE (RULE 28).

The PERSI employer contribution rate as provided in Section 59-1322, Idaho Code, for an employee classified as a police officer member excluding those listed in Rule 29 of this chapter when applicable, and firefighters excluding those listed in Rule 27 of this chapter, shall be ten point eleven percent (10.11%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point seventy-three percent (10.73%) of payroll through June 30, 201~~23~~. Beginning July 1, 201~~23~~, the rate shall be eleven point sixty-six percent (11.66%) of payroll through June 30, 201~~34~~. Beginning July 1, 201~~34~~, the rate shall be twelve point fifty-eight percent (12.58%) of payroll through June 30, 201~~45~~. Beginning July 1, 201~~45~~, the rate shall be thirteen point ninety-nine percent (13.99%) of payroll until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 7-1-03) (Amended 3-20-04) ~~(4-7-11)~~()

(BREAK IN CONTINUITY OF SECTIONS)

100. PERSI EMPLOYEE GENERAL MEMBER CONTRIBUTION RATE (RULE 100).

The PERSI employee contribution rate as provided in Section 59-1333, Idaho Code, for all members not classified as police members or firefighters, shall be five point eighty-six percent (5.86%) of salary through June 30, 2004. Beginning July 1, 2004, the rate shall be six point twenty-three percent (6.23%) of salary through June 30, 201~~23~~. Beginning July 1, 201~~23~~, the rate shall be six point seventy-nine percent (6.79%) of salary through June 30, 201~~34~~. Beginning July 1, 201~~34~~, the rate shall be seven point thirty-four percent (7.34%) of salary through June 30, 201~~45~~. Beginning July 1, 201~~45~~, the rate shall be eight point nineteen percent (8.19%) of salary until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(4-7-11)~~()

101. PERSI EMPLOYEE CLASS II CONTRIBUTION RATE (RULE 101).

The employee contribution rate as provided in Section 59-1334, Idaho Code, for an employee classified as a police officer member is seven point twenty-one percent (7.21%) of salary through June 30, 2004. Beginning July 1, 2004, the rate shall be seven point sixty-five percent (7.65%) of salary through June 30, 201~~2~~³. Beginning July 1, 201~~2~~³, the rate shall be eight point thirty-two percent (8.32%) of salary through June 30, 201~~3~~⁴. Beginning July 1, 201~~3~~⁴, the rate shall be eight point ninety-nine percent (8.99%) of salary through June 30, 201~~4~~⁵. Beginning July 1, 201~~4~~⁵, the rate shall be ten percent (10%) of salary until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(4-7-11)~~()

HOUSE CONCURRENT RESOLUTION NO. 33

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 33
BY REVENUE AND TAXATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE STATE TAX COMMISSION
RELATING TO INCOME TAX ADMINISTRATIVE RULES

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the State Tax Commission relating to Income Tax Administrative Rules is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 35.01.01, State Tax Commission, Income Tax Administrative Rules, Section 263, Subsection 04, only, adopted as a pending rule under Docket Number [35-0101-1102](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21223

This concurrent resolution would reject a subsection in a pending rule of the State Tax Commission relating to Income Tax Administrative Rules as being not consistent with Legislative intent. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the subsection from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

Name: Representative Dennis Lake
Phone: (208) 332-1125

Adopted: February 27, 2012.

HOUSE CONCURRENT RESOLUTION NO. 37

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 37
BY AGRICULTURAL AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE BOARD OF VETERINARY MEDICINE
RELATING TO RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Board of Veterinary Medicine relating to Rules of the State of Idaho Board of Veterinary Medicine is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 46.01.01, Board of Veterinary Medicine, Rules of the State of Idaho Board of Veterinary Medicine, Section 100, Subsection 02.c, only, adopted as a pending rule under Docket Number [46-0101-1101](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21270

This concurrent resolution would reject a paragraph in a pending rule of the Board of Veterinary Medicine relating to Rules of the State of Idaho Board of Veterinary Medicine as being not consistent with Legislative intent. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the paragraph from going into effect.

FISCAL NOTE

This concurrent resolution has no negative fiscal impact.

Contact:

Name: Representative Ken Andrus
Phone: (208) 332-1137

Adopted: March 8, 2012.

SENATE CONCURRENT RESOLUTION NO. 114

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 114
BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF HEALTH AND WELFARE
RELATING TO MEDICAID ENHANCED PLAN BENEFITS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 16.03.10, Department of Health and Welfare, Rules Governing Medicaid Enhanced Plan Benefits, Section 119, Subsections 02.b and 03, Section 140, Subsections 08.b and 09, Section 659, Subsections 01.b and 02, Section 706, Subsections 04 and 05, and Section 736, Subsections 09 and 10, only, adopted as pending rules under Docket Number [16-0310-1104](#), be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21166

This concurrent resolution would reject seven subsections and three paragraphs in a pending rule of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the seven subsections and three paragraphs from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

Name: Senator Patti Anne Lodge

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 115

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 115
BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING
A CERTAIN RULE OF THE BUREAU OF OCCUPATIONAL LICENSES RELATING TO RULES OF
THE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Bureau of Occupational Licenses relating to Rules of the Board of Drinking Water and Wastewater Professionals is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 24.05.01, Bureau of Occupational Licenses, Rules of the Board of Drinking Water and Wastewater Professionals, Section 375, Subsection 02.c, only, adopted as a pending rule under Docket Number [24-0501-1101](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21167

This concurrent resolution would reject one paragraph in a pending rule of the Bureau of Occupational Licenses relating to Rules of the Board of Drinking Water and Wastewater Professionals. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the paragraph from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

Name: Senator Patti Anne Lodge

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 117

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 117
BY AGRICULTURAL AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF AGRICULTURE
RELATING TO RULES GOVERNING THE IMPORTATION OF ANIMALS

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Agriculture relating to Rules Governing the Importation of Animals is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 02.04.21, Department of Agriculture, Rules Governing the Importation of Animals, Section 600, Subsection 02, relating to Parasiticide, only, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21149

This concurrent resolution would reject a subsection of a final rule of the Department of Agriculture relating to Rules Governing the Importation of Animals as being not consistent with Legislative intent. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the subsection from remaining in effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

Name: Senator Jeff Siddoway
Phone: (208) 332-1330

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 118

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 118
BY COMMERCE AND HUMAN RESOURCES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE DIVISION OF BUILDING SAFETY
RELATING TO RULES GOVERNING THE USE OF NATIONAL ELECTRICAL CODE

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Division of Building Safety relating to Rules Governing the Use of National Electrical Code is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 07.01.06, Division of Building Safety, Rules Governing the Use of National Electrical Code, the entire rulemaking docket, adopted as a pending rule under Docket Number [07-0106-1101](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21171

This concurrent resolution would reject a pending rule docket of the Division of Building Safety relating to Rules Governing the Use of the National Electrical Code. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the entire pending rule docket from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

Name: Senator John Andreason
Phone: (208) 332-1333

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 119

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 119
BY COMMERCE AND HUMAN RESOURCES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF ADMINISTRATION
RELATING TO RULES GOVERNING GROUP INSURANCE

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Administration relating to Rules Governing Group Insurance is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.03.01, Department of Administration, Rules Governing Group Insurance, Section 040, Subsection 02.a, only, adopted as a pending rule under Docket Number [38-0301-1101](#), be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

**STATEMENT OF PURPOSE
RS21174**

This concurrent resolution would reject a paragraph in a pending rule of the Department of Administration relating to Rules Governing Group Insurance. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the paragraph from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

Name: Senator John Andreason

Phone: (208) 332-1333

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 121

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 121
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE IDAHO FISH AND GAME
COMMISSION RELATING TO RULES GOVERNING LICENSING

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho Fish and Game Commission relating to Rules Governing Licensing is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 13.01.04, Idaho Fish and Game Commission, Rules Governing Licensing, adopted as a pending rule under Docket Number [13-0104-1102](#), the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21255

This concurrent resolution would reject a pending rule docket of the Idaho Fish and Game Commission relating to Rules Governing Licensing as being not consistent with Legislative intent. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the entire pending rule docket from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:

Name: Senator Steve Bair
Phone: (208) 332-1346

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 122

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 122
BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE IDAHO STATE POLICE RELATING TO
RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 11.11.01, Idaho State Police, Rules of the Idaho Peace Officer Standards and Training Council, Sections 091 and 092, only, adopted as pending rules under Docket Number [11-1101-1102](#), be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21259

This concurrent resolution would reject two sections in a pending rule of the Idaho State Police relating to Rules of the Idaho Peace Officer Standards and Training Council as being not consistent with Legislative intent. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the two sections from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:
Name: Senator Denton Darrington
Phone: (208) 332-1317

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 128

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 128
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS
AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE,
WITH STATED EXCEPTIONS, AND REJECTING AGENCY RULES THAT IMPOSE A FEE
OR CHARGE THAT ARE NOT APPROVED BY THIS OR BY SEPARATE CONCURRENT RESOLUTION

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, the Legislature finds that a certain rule docket of the Bureau of Occupational Licenses, Rules of the Idaho Driving Businesses Licensure Board, is not consistent with legislative intent; and

WHEREAS, the Legislature finds that a certain rule docket of the Division of Building Safety, Rules Governing Continuing Education Requirements, is not consistent with legislative intent; and

WHEREAS, the Legislature finds that a certain rule docket of the Division of Building Safety, Rules Governing Plumbing Safety Licensing, is not consistent with legislative intent; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of Rules Coordinator to the Legislature for review during the 2012 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

IDAPA 24.25.01, Bureau of Occupational Licenses, Rules of the Idaho Driving Businesses Licensure Board, adopted as a pending fee rule under Docket Number [24-2501-1101](#), the entire rulemaking docket;

IDAPA 07.01.07, Division of Building Safety, Rules Governing Continuing Education Requirements, adopted as a pending fee rule under Docket Number [07-0107-1101](#), the entire rulemaking docket; and

IDAPA 07.02.05, Division of Building Safety, Rules Governing Plumbing Safety Licensing, adopted as a pending fee rule under Docket Number [07-0205-1101](#), the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 24.25.01, Bureau of Occupational Licenses, Rules of the Idaho Driving Businesses Licensure Board, adopted as a pending fee rule under Docket Number 24-2501-1101, the entire rulemaking docket; IDAPA 07.01.07, Division of Building Safety, Rules Governing Continuing Education Requirements, adopted as a pending fee rule under Docket Number 07-0107-1101, the entire rulemaking docket; and IDAPA 07.02.05, Division of Building Safety, Rules Governing Plumbing Safety Licensing, adopted as a pending fee rule under Docket Number 07-0205-1101, the entire rulemaking docket, are hereby rejected and not approved, and thereby pursuant to Sections 67-5224 and 67-5291, Idaho Code, are declared null, void and of no force and effect.

BE IT FURTHER RESOLVED that rule provisions imposing fees or charges that were not submitted through the Office of Rules Coordinator for legislative review or that otherwise are not included and approved in this

concurrent resolution shall be null, void and of no force and effect unless approved by adoption of a separate concurrent resolution by both houses of the Legislature as provided in Section 67-5224, Idaho Code.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE
RS21414

By statute, agency rules adopted under the Administrative Procedure Act that impose a fee or charge do not go into effect unless approved by concurrent resolution of the Legislature. This concurrent resolution would approve agency rules imposing a fee or charge that have been adopted during the last calendar year and that were submitted through the Office of the Rules Coordinator to the Legislature for review during the current legislative session, with the exception of a rule docket of the Bureau of Occupational Licenses, relating to Rules of the Idaho Driving Businesses Licensure Board and two rule dockets of the Division of Building Safety, one relating to Rules Governing Continuing Education Requirements and one relating to Rules Governing Plumbing Safety Licensing.

FISCAL NOTE

Adoption of this concurrent resolution, in and of itself, could have no fiscal impact upon any state or local government funds or accounts, beyond the scope or impact of the individual fee rules themselves.

Contact:

Name: Dennis Stevenson
Office: Administrative Rules Coordinator
Phone: (208) 332-1820

Adopted: March 21, 2012.

SENATE CONCURRENT RESOLUTION NO. 129

LEGISLATURE OF THE STATE OF IDAHO
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 129
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING AND EXTENDING TEMPORARY RULES REVIEWED BY THE LEGISLATURE, WITH STATED EXCEPTIONS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature by statute must approve temporary rules by adoption of a concurrent resolution approving the rule if the temporary rule is to remain in effect beyond the end of the current legislative session; and

WHEREAS, the expiration of temporary rules would occasion additional expense to state agencies in readopting and republishing temporary rules needed to conduct state business; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of Rules Coordinator for review during the 2012 legislative session, and all temporary rules previously approved and extended by concurrent resolution adopted in a prior regular session of the Idaho Legislature, be, and the same are approved, with the exception of the following enumerated temporary rules:

IDAPA 16.03.09, Department of Health and Welfare, Medicaid Basic Plan Benefits, adopted as a temporary rule under Docket Number [16-0309-1201](#), the entire rulemaking docket; and

IDAPA 26.01.36, Department of Parks and Recreation, Rules Governing the Winter Recreational Parking Permit Program, adopted as a temporary rule under Docket Number [26-0136-1101](#), the entire rulemaking docket.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the First Regular Session of the Sixty-second Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2012 legislative session shall expire by operation of statute upon adjournment of the Second Regular Session of the Sixty-first Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS21415

By statute, temporary rules adopted by state agencies under the Administrative Procedures Act expire at the end of the current legislative session. This concurrent resolution would approve and extend agency temporary rules beyond the current legislative session, with the exception of a temporary rule of the Department of Health and Welfare relating to Medicaid Basic Plan Benefits and a temporary rule of the Department of Parks and Recreation relating to Rules Governing the Winter Recreational Parking Permit Program.

FISCAL NOTE

Adoption of this concurrent resolution, in and of itself, could have no fiscal impact upon any state or local government funds or accounts, beyond the scope or impact of the individual rules themselves. By adopting this

resolution, the legislature avoids having agency rules expire, which would occasion additional expense to state agencies for readopting and republishing temporary rules needed to conduct state business.

Contact:
Name: Dennis Stevenson
Office: Administrative Rules Coordinator
Phone: (208) 332-1820

Adopted: March 21, 2012.

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LEGAL NOTICE

Summary of Proposed Rulemakings

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

*The written comment submission deadline is May 23, 2012 unless otherwise listed.
(Temp & Prop) indicates the rule is both Temporary and Proposed.
(*PH) indicates that a public hearing has been scheduled.*

IDAPA 02 - DEPARTMENT OF AGRICULTURE P.O. Box 790, Boise, ID 83701-0790

02-0408-1201, Rules Governing Grade A Milk and Milk Products. (Temp & Prop) Updates documents incorporated by reference that amend the existing somatic cell count standard from 500,000 mL to 400,000 mL to ensure the marketability of Idaho dairy products internationally.

IDAPA 10 - BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS 1510 E. Watertower St., Suite 110, Meridian, ID 83642

***10-0101-1201, Rules of Procedure.** (PH) (Temp & Prop) Conforms rule to HB 374 to restrict the assignment to examination for initial licensing or certification to Idaho residents with some exceptions, but Idaho residency is not defined.

***10-0104-1201, Rules of Continuing Professional Development.** (PH) (Temp & Prop) No longer exempts permanent non-residents of the US from complying with this chapter.

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES 700 W State St., Boise, ID 83720-0063

24-1801-1201, Rules of the Real Estate Appraiser Board. (Temp & Prop) Allows for on-line education for pre-licensure and continuing education; clarifies the process and the approval of on-line provider courses.

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY 1410 N. Hilton, Boise, ID 83706-1255

58-0108-1101, Idaho Rules for Public Drinking Water Systems. Updates federal regulations incorporated by reference and a list of specific referenced material; adds to or revises common definitions; deletes definitions of terms not used in this chapter; clarifies general design requirements, including pilot studies; reorganizes preliminary engineering report requirements; adds new sections for membrane filtration and UV disinfection that are relatively new technologies used for drinking water treatment; and updates operating criteria. Comment by: 5/30/12.

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO PO Box 83720, Boise, ID 83720-0078

59-0103-1201, PERSI Contribution Rules. Delays a scheduled increase in contribution rates for employers and employees.

NOTICE OF ADOPTION OF TEMPORARY RULE

Idaho State Police

11-1301-1201, Motor Carrier Rules (eff. 3/1/12)

State Tax Commission

35-0103-1201, Property Tax Administrative Rules (eff. 1/1/12)

Department of Administration

38-0406-1201, Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities. (eff. 4/17/12)

38-0407-1201, Rules Governing Use of the Interior of State Property in the Capitol Mall and Other State Facilities. (eff. 4/19/12)

38-0408-1201, Rules Governing Use of Idaho State Capitol Exterior. (eff. 4/17/12)

Please refer to the Idaho Administrative Bulletin, **May 2, 2012, Volume 12-5**, for notices and text of all rulemakings, public hearings and negotiated meeting schedules, Governor's executive orders, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at adminrules.idaho.gov.

Office of the Administrative Rules Coordinator, Dept. of Administration, PO Box 83720, Boise, ID 83720-0306
Phone: 208-332-1820; Fax: 332-1896; Email: rulescoordinator@adm.idaho.gov

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Idaho Department of Administration
Office of the Administrative Rules Coordinator*

July 1, 1993 -- Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*This online index provides a history of all agency rulemakings from 1993 to the present.
It tracks all rulemaking activities on each chapter of rules and includes negotiated,
temporary, proposed, pending and final rules, public hearing notices,
vacated rulemaking notices, and executive orders of the Governor.*

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Idaho Department of Administration
Office of the Administrative Rules Coordinator*

April 7, 2011 -- May 2, 2012

*(eff. *PLR) - Final Rule Adoption Date Pending Legislative Review And Approval*

(eff. date)L - Denotes Adoption by Legislative Action

(eff. date)T - Temporary Rule Effective Date

SCR # - denotes the number of a Senate Concurrent Resolution (Legislative Action)

HCR # - denotes the number of a House Concurrent Resolution (Legislative Action)

*(This Abridged Index includes rules promulgated before April 7, 2011 that have not been
adopted as final rules and all rulemakings being promulgated after April 7, 2011 - Sine Die.)*

IDAPA 02 -- DEPARTMENT OF AGRICULTURE**02.01.04, Rules Governing the Idaho Preferred™ Promotion Program**

- 02-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 02-0104-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0104-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.02.14, Rules for Weights and Measures

- 02-0214-1101** Proposed Rulemaking, Bulletin Vol. 11-8
- 02-0214-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0114-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.03.03, Rules Governing Pesticide and Chemigation Use and Application

- 02-0303-1101** Proposed Rulemaking, Bulletin Vol. 11-8
- 02-0303-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0303-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.04.08, Rules Governing Grade A Milk and Milk Products

- 02-0408-1201** Temporary and Proposed Rulemaking, Bulletin Vol. 12-5 (eff. 6-1-12)T

02.04.09, Rules Governing Milk and Cream Procurement and Testing

- 02-0433-1101*** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
**Chapter number has been changed (02.04.09) to keep it numerically aligned with the Department's other milk rules*
- 02-0409-1101** Proposed Rulemaking (New Chapter - Fee Rule), Bulletin Vol. 11-10
- 02-0409-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0409-1101** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

02.04.14, Rules Governing Dairy Waste

- 02-0414-0902** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-10

02.04.18, Rules Governing CAFO Site Advisory Team

- 02-0418-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- 02-0418-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 02-0418-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0418-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.04.20, Rules Governing Brucellosis

- 02-0420-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 5-1-11)T
- 02-0420-1101** Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 11-12 (eff. (10-1-11)T, *PLR 2012)
- 02-0420-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.04.21, Rules Governing the Importation of Animals

- 02-0421-1200L** Notice of Final Rule - Agency Filing - Rejection of Rulemaking by SCR 117, Bulletin Vol. 12-5 (3-21-12)
- 02-0421-1200L** OAR Omnibus Rulemaking Notice - Notice of Legislative Action - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-21-12)

02.04.26, Rules Governing Livestock Marketing

- 02-0426-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 02-0426-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0426-1101** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

02.04.30, Rules Governing Nutrient Management

- 02-0430-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- 02-0430-1101** Proposed Rulemaking, Bulletin Vol. 11-10

- 02-0430-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0430-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.04.32, Rules Governing Poultry Operations

- 02-0432-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- 02-0432-1101** Proposed Rulemaking (New Chapter - Fee Rule), Bulletin Vol. 11-10
- 02-0432-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0432-1101** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

02.04.33, Rules Governing Milk and Cream Procurement and Testing

- 02-0433-1101*** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- *Chapter number has been changed (02.04.09) to keep it numerically aligned with the Department's other milk rules*

02.06.02, Rules Pertaining to the Idaho Commercial Feed Law

- 02-0602-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 02-0602-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0602-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.06.12, Rules Pertaining to the Idaho Fertilizer Law

- 02-0612-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 02-0612-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0612-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.06.13, Rules Relating to Rapeseed Production and Establishment of Rapeseed Districts in the State of Idaho

- 02-0613-0801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 08-9
- 02-0613-0801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 08-10
- 02-0613-0801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 08-11

02.06.20, Rules Governing Grape Planting Stock

- 02-0620-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 02-0620-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0620-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.06.30, Rules Under the Idaho Bee Inspection Law

- 02-0630-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 02-0630-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0630-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.06.33, Organic Food Products Rules

- 02-0633-1101** Proposed Rulemaking, Bulletin Vol. 11-9
- 02-0633-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0633-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

02.06.41, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001

- 02-0641-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 02-0641-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 02-0641-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 03 -- STATE ATHLETIC COMMISSION**03.01.01, Rules of the State Athletic Commission**

- 03-0101-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 03-0101-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 03-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

IDAPA 05 -- DEPARTMENT OF JUVENILE CORRECTIONS

05.01.02, Rules and Standards for Secure Juvenile Detention Facilities

- 05-0102-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 05-0102-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 05-0102-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 06 -- STATE BOARD OF CORRECTION

(Pursuant to Section 20-212, Idaho Code, all rules adopted by Proclamation by the Board of Correction become final and effective 30 days after publication in the Administrative Bulletin unless made effective sooner by an emergency proclamation signed by the Governor)

06.01.01, Rules of the Board of Correction

- 06-0101-1101** Notice of Proclamation of Rulemaking, Bulletin Vol. 11-10 (eff. 11-4-11)
- 06-0101-1201** Notice of Emergency Proclamation of Rulemaking, Bulletin Vol. 12-2 (eff. 1-11-12)
- 06-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 11-4-11)
- 06-0101-1201** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 1-11-12)

IDAPA 07 -- DIVISION OF BUILDING SAFETY

07.01.03, Rules of Electrical Licensing and Registration - General

- 07-0103-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0103-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0103-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

07.01.04, Rules Governing Electrical Specialty Licensing

- 07-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0104-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0104-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0104-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0104-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 07-0104-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

07.01.05, Rules Governing Examinations

- 07-0105-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0105-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0105-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

07.01.06, Rules Governing the Use of National Electrical Code

- 07-0106-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0106-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0106-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-4
- 07-0106-1101** Notice of Final Rule - Agency Filing - Rejection of Rulemaking by SCR 118, Bulletin Vol. 12-5 (3-21-12)
- 07-0106-1101** OAR Omnibus Rulemaking Notice - Rejection of Rulemaking by SCR 118, Bulletin Vol. 12-5

07.01.07, Rules Governing Continuing Education Requirements

- 07-0107-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 07-0107-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0107-1101** Notice of Final Rule - Agency Filing - Rejection of Rulemaking by SCR 128, Bulletin Vol. 12-5
- 07-0107-1101** OAR Omnibus Rulemaking Notice - Rejection of Rulemaking by SCR 128, Bulletin Vol. 12-5

07.02.05, Rules Governing Plumbing Safety Licensing

- 07-0205-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 07-0205-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0205-1103** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0205-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0205-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0205-1103** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0205-1101** Notice of Final Rule - Agency Filing - Rejection of Rulemaking by SCR 128, Bulletin Vol. 12-5 (3-21-12)
- 07-0205-1101** OAR Omnibus Rulemaking Notice - Rejection of Rulemaking by SCR 128, Bulletin Vol. 12-5
- 07-0205-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 07-0205-1103** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

07.02.06, Rules Concerning Uniform Plumbing Code

- 07-0206-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-5

07.02.07, Rules Governing Civil Penalties

- 07-0207-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0207-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0207-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

07.03.01, Rules of Building Safety

- 07-0301-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-3

07.03.12, Rules Governing Manufactured or Mobile Home Installations

- 07-0312-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-4

07.04.02, Safety Rules for Elevators, Escalators, and Moving Walks

- 07-0402-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0402-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0402-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

07.05.01, Rules of the Public Contractors License Board

- 07-0501-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 07-0501-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0501-1101** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

07.07.01, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems

- 07-0701-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0701-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 07-0701-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0701-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 07-0701-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 07-0701-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 07-0701-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-5

**IDAHO 08 -- IDAHO STATE BOARD OF EDUCATION AND
STATE DEPARTMENT OF EDUCATION****08.01.04, Rules Governing Residency Classification**

- 08-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0104-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0104-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

08.01.09, Rules Governing the GEAR UP Idaho Scholarship Program

- 08-0109-1101** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-10 (eff. 6-24-11)T
- 08-0109-1101** Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 12-1 (eff. (11-3-11)T, *PLR 2012)
- 08-0109-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools

- 08-0111-1101** Temporary Rulemaking, Bulletin Vol. 11-10 (eff. 6-24-11)T
- 08-0111-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0111-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0111-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

08.01.14, Idaho Rural Physician Incentive Program

- 08-0114-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 6-24-11)T
- 08-0114-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0114-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

08.02.01, Rules Governing Administration

- 08-0201-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0201-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0201-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

08.02.02, Rules Governing Uniformity

- 08-0202-1101** Proposed Rulemaking, Bulletin Vol. 11-8
- 08-0202-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1103** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1104** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1105** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1106** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0202-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0202-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0202-1103** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0202-1104** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0202-1105** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0202-1106** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0202-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0202-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0202-1103** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0202-1104** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0202-1105** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0202-1106** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

08.02.03, Rules Governing Thoroughness

- 08-0203-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 5-18-11)T
- 08-0203-1102** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-8
- 08-0202-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0203-1103** Proposed Rulemaking, Bulletin Vol. 11-10
- 08-0203-1104** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-11-11)T
- 08-0203-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0203-1102** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0203-1103** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0203-1104** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 08-0203-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0203-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0203-1103** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 08-0203-1104** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 09 -- IDAHO DEPARTMENT OF LABOR***09.01.30, Unemployment Insurance Benefits Administration Rules***

- 09-0130-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T
- 09-0130-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)
- 09-0130-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

09.01.35, Unemployment Insurance Tax Administration Rules

- 09-0135-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T
- 09-0135-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)
- 09-0135-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

***IDAPA 10 -- IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS******10.01.01, Rules of Procedure***

- 10-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 10-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-7
- 10-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-9 (eff. *PLR 2012)
- 10-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 10-0101-1201** Temporary and Proposed Rulemaking, Bulletin Vol. 12-5 (eff. 7-1-12)T

10.01.02, Rules of Professional Responsibility

- 10-0102-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 10-0102-1101** Proposed Rulemaking, Bulletin Vol. 11-7
- 10-0102-1101** Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. *PLR 2012)
- 10-0102-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

10.01.04, Rules of Continuing Professional Development

- 10-0104-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 10-0104-1101** Proposed Rulemaking, Bulletin Vol. 11-7
- 10-0104-1101** Adoption of Pending Rule, Bulletin Vol. 11-9 (eff. *PLR 2012)
- 10-0104-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 10-0104-1201** Temporary and Proposed Rulemaking, Bulletin Vol. 12-5 (eff. 7-1-12)T

IDAPA 11 -- IDAHO STATE POLICE***11.02.01, Rules of the Idaho State Brand Board***

- 11-0201-1201** Temporary Rulemaking (Fee Rule), Bulletin Vol. 12-3 (eff. 2-1-12)T

11.02.02, Idaho Livestock Dealer Licensing

- 11-0202-1201** Temporary Rulemaking (Fee Rule), Bulletin Vol. 12-3 (eff. 2-1-12)T

11.03.01, Rules Governing Alcohol Testing, Idaho State Forensic Laboratory

- 11-0301-1201** Temporary Rulemaking, Bulletin Vol. 12-1 (eff. 11-1-11)T
- 11-0301-1201** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 129, Bulletin Vol. 12-5

11.05.01, Rules Governing Alcohol Beverage Control

- 11-0501-1101** Temporary Rulemaking, Bulletin Vol. 11-7 (eff. 7-6-11)T
- 11-0501-1201** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 129, Bulletin Vol. 12-5

11.10.02, Rules Establishing Fees for Services - Idaho Criminal Justice Information System

- 11-1002-1101 Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 11-1002-1101 Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 11-1002-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

11.10.03, Rules Governing the Sex Offender Registry

- 11-1003-1101 Proposed Rulemaking, Bulletin Vol. 11-11
- 11-1003-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 11-1003-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

11.11.01, Rules of the Idaho Peace Officer Standards and Training Council

- 11-1101-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1101-1102 Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1101-1103 Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1101-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 11-1101-1102 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 11-1101-1103 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 11-1101-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 11-1101-1102 Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by SCR 122, Bulletin Vol. 12-5 (eff. 3-21-12)
- 11-1101-1102 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by SCR 122, Bulletin Vol. 12-5
- 11-1101-1103 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

11.11.02, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers

- 11-1102-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1102-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 11-1102-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

11.11.06, Rules of the Idaho Peace Officer Standards and Training Council for Misdemeanor Probation Officers

- 11-1106-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 11-1106-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 11-1106-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

11.13.01, The Motor Carrier Rules

- 11-1301-1201 Temporary Rulemaking, Bulletin Vol. 12-5 (eff. 3-1-12)T

IDAPA 12 -- DEPARTMENT OF FINANCE**12.01.10, Rules Pursuant to the Idaho Residential Mortgage Practices Act**

- 12-0110-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 12-0110-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 12-0110-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 13 -- IDAHO FISH AND GAME COMMISSION**13.01.02, Rules Governing Public Safety - Idaho Fish and Game Commission**

- 13-0102-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 6-23-11)T
- 13-0102-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 13-0102-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

13.01.04, Rules Governing Licensing

- 13-0104-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- 13-0104-1102 Proposed Rulemaking, Bulletin Vol. 11-10
- 13-0104-1103 Temporary Rulemaking, Bulletin Vol. 11-10 (eff. 8-24-11)T (*Expires Sine Die 2012*)
- 13-0104-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 13-0104-1102 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

- [13-0104-1103](#) Rescission of Temporary Rule, Bulletin Vol. 12-1
- [13-0104-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- [13-0104-1102](#) Notice of Final Rule - Agency Filing - Rejection of Rulemaking by SCR 121, Bulletin Vol. 12-5
- [13-0104-1102](#) OAR Omnibus Rulemaking Notice - Rulemaking Rejected by SCR 121, Bulletin Vol. 12-5

13.01.05, Rules Governing Fishing Contests

- [13-0105-1101](#) Proposed Rulemaking, Bulletin Vol. 11-10
- [13-0105-1101](#) Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- [13-0105-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

13.01.06, Rules Governing Classification and Protection of Wildlife

- [13-0106-1101](#) Proposed Rulemaking, Bulletin Vol. 11-10
- [13-0106-1101](#) Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- [13-0106-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

13.01.08, Rules Governing the Taking of Big Game Animals in the State of Idaho

- [13-0108-1101](#) Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- [13-0108-1102](#) Notice of Proclamation, Bulletin Vol. 11-10
- [13-0108-1103](#) Notice of Proclamation, Bulletin Vol. 11-10
- [13-0108-1101](#) Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- [13-0108-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

13.01.09, Rules Governing the Taking of Game Birds in the State of Idaho

- [13-0109-1101](#) Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- [13-0109-1102](#) Notice of Proclamation, Bulletin Vol. 11-10
- [13-0109-1103](#) Notice of Proclamation, Bulletin Vol. 11-10
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13.01.10, Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife

- [13-0110-1101](#) Proposed Rulemaking, Bulletin Vol. 11-10
- [13-0110-1101](#) Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- [13-0110-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

13.01.11, Rules Governing Fish

- [13-0111-1101](#) Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- [13-0111-1102](#) Notice of Proclamation, Bulletin Vol. 11-10
- [13-0111-1101](#) Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- [13-0111-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

13.01.12, Rules Governing Commercial Fishing

- [13-0112-1101](#) Proposed Rulemaking, Bulletin Vol. 11-10
- [13-0112-1101](#) Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- [13-0112-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

13.01.16, The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals

- [13-0116-1101](#) Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 8-1-11)T
- [13-0116-1101](#) Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- [13-0116-1101](#) OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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15-0401-1101	Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 7-1-11)T
15-0401-1101	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
15-0401-1101	OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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16-0101-1101	Proposed Rulemaking (New Chapter), Bulletin Vol. 11-7
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16.01.07, Emergency Medical Services (EMS) -- Personnel Licensing Requirements

16-0107-1101	Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-7 (eff. 7-1-11)T
16-0107-1102	Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-7 (eff. 7-1-11)T
16-0107-1101	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
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16.01.12, Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions

16-0112-1101	Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-7 (eff. 7-1-11)T
16-0112-1101	Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
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16.02.02, Rules of the Idaho Emergency Medical Services (EMS) Physician Commission

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16.02.03, Emergency Medical Services

16-0203-0901	Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-5
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- 16-0203-0901 Temporary and Proposed Rulemaking, Bulletin Vol. 09-10 (eff. 7-1-09)T
 - 16-0203-0901 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
 - 16-0203-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-3
 - 16-0203-0901 Rescission and Vacation of Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)
 - 16-0203-1101* Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T
 - 16-0203-1101* Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
 - 16-0203-1101* OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- *Changes chapter name to: "Emergency Medical Services" from: "Rules Governing Emergency Medical Services"*

16.02.25, Fees Charged by the State Laboratory

- 16-0225-1101 Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8
- 16-0225-1101 Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 16-0225-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

16.03.01, Eligibility for Health Care Assistance for Families and Children

- 16-0301-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 16-0301-1003 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
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- 16-0301-1101 Proposed Rulemaking, Bulletin Vol. 11-10
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- 16-0301-1003 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
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16.03.03, Rules Governing Child Support Services

- 16-0303-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 16-0303-1001 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
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- 16-0303-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.03.04, Rules Governing the Food Stamp Program in Idaho

- 16-0304-1004 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 16-0304-1004 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0304-1004 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)
- 16-0304-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. 2-1-11)T - (3-1-11)T - (11-1-11)T)
- 16-0304-1101 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 12-1 (eff. (2-1-11)T, *PLR 2012)
- 16-0304-1004 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 16-0304-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.03.05, Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD)

- 16-0305-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 16-0305-1003 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0305-1003 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)
- 16-0305-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. (7-1-11)T)
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- 16-0305-1102 Proposed Rulemaking, Bulletin Vol. 11-10
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- 16-0305-1201 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-3
- 16-0301-1003 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 16-0301-1102 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.03.08, Rules Governing Temporary Assistance for Families in Idaho

- 16-0308-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)
- 16-0308-1002 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0308-1002 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)
- 16-0308-1101 Proposed Rulemaking, Bulletin Vol. 11-10
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- 16-0308-1002 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
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16.03.09, Medicaid Basic Plan Benefits

- 16-0309-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
 16-0309-1102 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T
 16-0309-1103 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T
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 16-0309-1104 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
 16-0309-1105 Rescission of Temporary Rule/Vacation of Proposed Rulemaking, Bulletin Vol. 12-1.
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 16-0309-1108 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
 16-0309-1201 OAR Omnibus Rulemaking Notice - Temporary Rule Rejected by SCR 129, Bulletin Vol. 12-5

16.03.10, Medicaid Enhanced Plan Benefits

- 16-0310-0902 Temporary and Proposed Rulemaking, Bulletin Vol. 09-1 (eff. 1-1-09)T
 16-0310-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 09-6
 16-0310-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
 16-0310-1004 Temporary Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T (Expires June 30, 2011)
 16-0310-1005 Temporary and Proposed Rulemaking, Bulletin Vol. 10-11 (eff. 11-1-10)T
 16-0310-1006 Notice of Agency Action Regarding The Adoption of Temporary Rules, Bulletin Vol. 10-11
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 16-0310-1007 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T
 16-0310-1101 Temporary Rulemaking, Bulletin Vol. 11-1 (eff. 9-1-10)T - (1-1-11)T - *Expires June 30, 2011*
 16-0310-1102 Temporary Rulemaking, Bulletin Vol. 11-1 (eff. 10-1-10)T - *Expires June 30, 2011*
 16-0310-1101 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
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 16-0310-1005 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-6 (eff. 11-1-10)T
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 16-0310-1104 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T
 16-0310-1105 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T
 16-0310-1104 Notice of Public Hearings and Extension of Comment Period, Bulletin Vol. 11-9
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 16-0310-1105 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
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 16-0310-1103 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

- 16-0310-1104 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by SCR 114, Bulletin Vol. 12-5
- 16-0310-1104 Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by SCR 114, Bulletin Vol. 12-5 (eff. 3-21-12)
- 16-0310-1105 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 16-0310-1201 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-5
- 16-0310-1202 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-5

16.03.13, Consumer-Directed Services

- 16-0313-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T
- 16-0313-1101 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 11-12 (eff. (7-1-11)T, *PLR 2012)
- 16-0313-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.03.18, Medicaid Cost-Sharing

- 16-0318-1101 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10, eff. (11-1-11)T and (1-1-12)T
- 16-0318-1101 Adoption of Pending Fee and Amendment to Temporary Rule, Bulletin Vol. 12-1, (eff. (11-1-11)T and (1-1-12)T, *PLR 2012)
- 16-0318-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

16.03.19, Rules Governing Certified Family Homes

- 16-0319-1101 Notice of Public Meetings, Bulletin Vol. 11-5
- 16-0319-1101 Temporary and Proposed (Fee Rule) Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T
- 16-0319-1101 Notice of Public Hearings and Extension of Comment Period, Bulletin Vol. 11-9
- 16-0319-1101 Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0319-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

16.04.11, Developmental Disabilities Agencies (DDA)

- 16-0411-1101 Adoption of Temporary Rule, Bulletin Vol. 11-1 (eff. 1-1-11)T (*Expires 6-30-11*)
- 16-0411-1101 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5

16.04.14, Rules Governing the Low Income Home Energy Assistance Program

- 16-0414-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 16-0414-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0414-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.04.17, Rules Governing Residential Habilitation Agencies

- 16-0417-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (8-5-11)T
- 16-0417-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0417-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.05.01, Use and Disclosure of Department Records

- 16-0501-1101 Proposed Rulemaking, Bulletin Vol. 11-9
- 16-0501-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0501-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.05.04, Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding

- 16-0504-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T
- 16-0504-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0504-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.05.06, Criminal History and Background Checks

- 16-0506-1101 Proposed Rulemaking, Bulletin Vol. 11-9
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- 16-0506-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

16.06.01, Child and Family Services

- 16-0601-1101 Proposed Rulemaking, Bulletin Vol. 11-9

- 16-0601-1102 Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-9
- 16-0601-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0601-1102 Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0601-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 16-0601-1102 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

16.06.02, Rules Governing Standards for Child Care Licensing

- 16-0602-1101 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-7 (eff. 7-1-11)T
- 16-0602-1101 Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 16-0602-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

16.06.12, Rules Governing the Idaho Child Care Program (ICCP)

- 16-0612-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T
- 16-0612-1003 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 16-0612-1003 Adoption of Pending Rule, Bulletin Vol. 11-5 (eff. *PLR 2012)
- 16-0612-1201 Temporary and Proposed Rulemaking, Bulletin Vol. 12-1 (eff. 12-1-11)T
- 16-0612-1003 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 16-0612-1201 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 129, Bulletin Vol. 12-5

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- 17-0209-1101 Temporary Rulemaking, Bulletin Vol. 11-4 (eff. (4-7-11)T (*Expires under own terms on 12-31-2011*))
- 17-0209-1102 Proposed Rulemaking, Bulletin Vol. 11-10
- 17-0209-1102 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 17-0209-1102 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

17.02.11, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation -- Self-Insured Employers

- 17-0211-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 17-0211-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 17-0211-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 18 -- DEPARTMENT OF INSURANCE**18.01.05, Health Carrier External Review**

- 18-0105-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (eff. 7-1-11)T
- 18-0105-1101 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. *PLR 2012)
- 18-0105-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

18.01.46, Recognition of New Mortality Tables for Use in Determining the Minimum Standard of Valuation for Annuities and Pure Endowment Contracts

- 18-0146-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 18-0146-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 18-0146-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

18.01.50, Adoption of the International Fire Code

- 18-0150-1101 Proposed Rulemaking, Bulletin Vol. 11-10
- 18-0150-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 18-0150-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 19 -- BOARD OF DENTISTRY

19.01.01, Rules of the Idaho State Board of Dentistry

- 19-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-8
- 19-0101-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 19-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 19-0101-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 19-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 19-0101-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 20 -- DEPARTMENT OF LANDS**20.03.15, The Issuance of Geothermal Resource Leases**

- 20-0315-1101** Temporary Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T (*Expires Sine Die 2012*)
- 20-0315-1102** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- 20-0315-1102** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 20-0315-1102** Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 20-0315-1102** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

20.07.02, Conservation Of Crude Oil and Natural Gas in the State of Idaho

- 20-0702-1101** Temporary Rulemaking, Bulletin Vol. 11-6 (eff. 4-19-11)T
- 20-0702-1102** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-7
- 20-0702-1102** Proposed Rulemaking, Bulletin Vol. 11-10
- 20-0702-1101** Rescission of Temporary Rule, Bulletin Vol. 12-1
- 20-0702-1102** Adoption of Pending and Temporary Rule, Bulletin Vol. 12-1 (eff. *PLR 2012) - (12-21-11)T
- 20-0702-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 21 -- DIVISION OF VETERANS SERVICES**21.01.07, Rules for Education and Training Programs for Veterans**

- 21-0107-1101** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 11-10 (eff. 8-1-11)T
- 21-0107-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 21-0107-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 23 -- BOARD OF NURSING**23.01.01, Rules of the Idaho Board of Nursing**

- 23-0101-1002** Adoption of Temporary Rule, Bulletin Vol. 10-12 (eff. 11-5-10)T
- 23-0101-1002** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 23-0101-1002** Proposed Rulemaking, Bulletin Vol. 11-6
- 23-0101-1002** Adoption of Pending Rule, Bulletin Vol. 11-8 (eff. *PLR 2012)
- 23-0101-1002** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 24 -- BUREAU OF OCCUPATIONAL LICENSES**24.01.01, Rules of the Board of Architectural Examiners**

- 24-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 24-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 24-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.04.01, Rules of the Idaho Board of Cosmetology

- 24-0401-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8

- 24-0401-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-0401-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

24.05.01, Rules of the Board of Drinking Water and Wastewater Professionals

- 24-0501-1101** Proposed Rulemaking, Bulletin Vol. 11-10
24-0501-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-0501-1101 Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by SCR 115, Bulletin Vol. 12-5 (eff. 3-21-12)
24-0501-1101 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by SCR 115, Bulletin Vol. 12-5

24.10.01, Rules of the State Board of Optometry

- 24-1001-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)
24-1001-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1001-1201 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-2
24-1001-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.11.01, Rules of the State Board of Podiatry

- 24-1101-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
24-1101-1101 Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1101-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

24.13.01, Rules Governing the Physical Therapy Licensure Board

- 24-1301-1101** Proposed Rulemaking, Bulletin Vol. 11-10
24-1301-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1301-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.14.01, Rules of the State Board of Social Work Examiners

- 24-1401-1101** Proposed Rulemaking, Bulletin Vol. 11-10
24-1401-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1401-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

- 24-1501-1101** Proposed Rulemaking, Bulletin Vol. 11-10
24-1501-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1501-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.16.01, Rules of the State Board of Dentistry

- 24-1601-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8
24-1601-1101 Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1601-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

24.17.01, Rules of the State Board of Acupuncture

- 24-1701-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-10 (eff. (8-5-11)T)
24-1701-1101 Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1701-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

24.18.01, Rules of the Real Estate Appraiser Board

- 24-1801-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
24-1801-1101 Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1801-1101 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)
24-1801-1201 Temporary and Proposed Rulemaking, Bulletin Vol. 12-5 (eff. 3-23-12)T

24.19.01, Rules of the Board of Residential Care Facility Administrators

- 24-1901-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)
24-1901-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
24-1901-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.22.01, Rules of the Idaho State Liquefied Petroleum Gas Safety Board

- 24-2201-1101** Proposed Rulemaking, Bulletin Vol. 11-8
- 24-2201-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 24-2201-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.23.01, Rules of the Speech and Hearing Services Licensure Board

- 24-2301-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. (7-1-11)T)
- 24-2301-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 24-2301-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

24.25.01, Rules of the Idaho Driving Businesses Licensure Board

- 24-2501-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-8
- 24-2501-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 24-2501-1101** Notice of Final Rule - Agency Filing - Rejection of Rulemaking by SCR 128, Bulletin Vol. 12-5 (3-21-12)
- 24-2501-1101** OAR Omnibus Rulemaking Notice - Rejection of Rulemaking by SCR 128, Bulletin Vol. 12-5

IDAPA 26 -- DEPARTMENT OF PARKS AND RECREATION***26.01.36, Rules Governing the Winter Recreational Parking Permit Program***

- 26-0136-1101** Temporary Rulemaking, Bulletin Vol. 11-11 (eff. 1-1-12)T
- 26-0136-1101** OAR Omnibus Rulemaking Notice - Temporary Rule Rejected by SCR 129, Bulletin Vol. 12-5

IDAPA 27 -- BOARD OF PHARMACY***27.01.01, Rules of the Idaho State Board of Pharmacy***

- 27-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 27-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-6 (Second Notice)
- 27-0101-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-8 (Third Notice)
- 27-0101-1101** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-10
- 27-0101-1102** Proposed Rulemaking (Chapter Rewrite - Fee Rule), Bulletin Vol. 11-10
- 27-0101-1101** Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 27-0101-1102** Adoption of Pending Fee Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
- 27-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- 27-0101-1102** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)
- 27-0101-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-5

IDAPA 30 -- IDAHO COMMISSION FOR LIBRARIES***30.01.01, Rules of the Idaho Commission for Libraries Governing the Use of Commission Services***

- 30-0101-1101** Temporary Rulemaking, Bulletin Vol. 11-2 (eff. 12-3-10)T
- 30-0101-1101** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 11-5
- 30-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-6
- 30-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-8 (eff. *PLR 2012)
- 30-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 31 -- PUBLIC UTILITIES COMMISSION***31.11.01, Safety and Accident Reporting Rules for Utilities Regulated by Idaho Public Utilities Commission***

- 31-1101-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 31-1101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

31-1101-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

31.71.03, Railroad Safety and Accident Reporting Rules

31-7103-1101 Proposed Rulemaking, Bulletin Vol. 11-10

31-7103-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

31-7101-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 34 -- SECRETARY OF STATE

34.04.02, Rules Governing Business Entity Names

34-0402-1101* Temporary and Proposed Rulemaking, Bulletin Vol. 11-11 (eff. 10-6-11)T

34-0402-1101* Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 12-1 (eff. (10-6-11)T, *PLR 2012)

34-0402-1101* OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

**Changes chapter name to: "Rules Governing Business Entity Names" from: "Corporate Name Availability"*

34.05.01, Rules Governing Farm Products Central Filing System

34-0501-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 4-7-11)T

35-0501-1101 Adoption of Pending Rule, Bulletin Vol. 11-8 (eff. *PLR 2012)

34-0501-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 35 -- STATE TAX COMMISSION

35.01.01, Income Tax Administrative Rules

35-0101-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 1-1-11)T

35-0101-1102 Proposed Rulemaking, Bulletin Vol. 11-10

35-0101-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

35-0101-1102 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

35-0101-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

35-0101-1102 Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by HCR 33, Bulletin Vol. 12-5

35-0101-1102 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by HCR 33, Bulletin Vol. 12-5 (eff. 2-27-12)

35.01.02, Idaho Sales and Use Tax Administrative Rules

35-0102-1101 Proposed Rulemaking, Bulletin Vol. 11-10

35-0102-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

35-0102-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

35.01.03, Property Tax Administrative Rules

35-0103-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 1-1-11)T

35-0103-1102 Temporary Rulemaking, Bulletin Vol. 11-6 (eff. 1-1-11)T (*Expires Sine Die 2012*)

35-0103-1103 Temporary Rulemaking, Bulletin Vol. 11-9 (eff. 7-1-11)T

35-0103-1104 Proposed Rulemaking, Bulletin Vol. 11-9

35-0103-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

35-0103-1104 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

35-0103-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

35-0103-1104 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

35-0103-1201 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 129, Bulletin Vol. 12-5

35-0103-1201 Temporary Rulemaking, Bulletin Vol. 12-5 (eff. 1-1-12)T

35-0103-1202 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-5

35.01.05, Motor Fuels Tax Administrative Rules

35-0105-1101 Proposed Rulemaking, Bulletin Vol. 11-10

35-0105-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)

35-0105-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

35.01.07, Idaho Kilowatt Hour Tax Administrative Rules

- 35-0107-1101** Proposed Rulemaking, Bulletin Vol. 11-10
35-0107-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
35-0107-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

35.01.08, Idaho Mine License Tax Administrative Rules

- 35-0108-1101** Proposed Rulemaking, Bulletin Vol. 11-10
35-0108-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
35-0108-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

35.02.01, Tax Commission Administration and Enforcement Rules

- 35-0201-1101** Proposed Rulemaking, Bulletin Vol. 11-10
35-0201-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
35-0201-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 37 -- DEPARTMENT OF WATER RESOURCES**37.03.02, Beneficial Use Examination Rules**

- 37-0302-1101** Proposed Rulemaking, Bulletin Vol. 11-10
37-0302-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
37-0302-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

37.03.03, Rules and Minimum Standards for the Construction and Use of Injection Wells

- 37-0303-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-4

37.03.11, Rules for Conjunctive Management of Surface and Ground Water Resources

- 37-0311-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-2

37.03.13, The Water Management Rules

- 37-0313-9701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 97-12
37-0313-9701 Proposed Rulemaking, Bulletin Vol. 98-10
37-0313-9701 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (2nd Notice), Bulletin Vol. 00-11

37.03.14, Transfers

- 37-0314-9801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 98-5

37.03.15, Water Management Rules - Eastern Snake Plain Aquifer

- 37-0315-0001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 00-12

IDAPA 38 -- IDAHO DEPARTMENT OF ADMINISTRATION**38.03.01, Rules Governing Group Insurance**

- 38-0301-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (eff. 7-1-11)T
38-0301-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
38-0301-1101 Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by SCR 119, Bulletin Vol. 12-5
38-0301-1101 OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by SCR 119, Bulletin Vol. 12-5 (eff. 3-21-12)

38.04.06, Rules Governing Prequalification of Contractors on Capitol Building Projects

- 38-0406-1101** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-9
38-0406-1101 Adoption of Pending Rule, Bulletin Vol. 12-1 (eff. *PLR 2012)
38-0406-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

38.04.06, Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities

38-0406-1201 Temporary Rulemaking (New Chapter), Bulletin Vol. 12-5 (eff. 4-17-12)T

38.04.07, Rules Governing Use of the Interior of State Property in the Capitol Mall and Other State Facilities

38-0407-1201 Temporary Rulemaking (New Chapter), Bulletin Vol. 12-5 (eff. 4-19-12)T

38.04.08, Rules Governing Use of Idaho State Capitol Exterior

38-0408-1201 Temporary Rulemaking (New Chapter), Bulletin Vol. 12-5 (eff. 4-17-12)T

IDAPA 39 -- IDAHO TRANSPORTATION DEPARTMENT

39.02.03, Rules Governing Vehicle Dealer's Principle Place of Business

39-0203-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T

39-0203-1101 Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)

39-0203-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

39.02.47, Rules Governing Revocation of Vehicle Registration for Failure to Comply With a Motor Vehicle Emission Inspection Ordinance

39-0247-1101 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-8

39-0247-1101 Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)

39-0247-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

39.02.70, Rules Governing Restricted Driving Permits

39-0270-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-7 (eff. 7-1-11)T

39-0270-1101 Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)

39-0270-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

39.02.72, Rules Governing Administrative License Suspensions

39-0272-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-6 (eff. 5-1-11)T

39-0272-1101 Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)

39-0272-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

39.02.75, Rules Governing Names on Driver's Licenses and Identification Cards

39-0275-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T

39-0275-1101 Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)

39-0275-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

39.02.76, Rules Governing Driver's License Renewal-by-Mail and Electronic Renewal Process

39-0276-1101* Proposed Rulemaking, Bulletin Vol. 11-10

39-0276-1101* Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)

39-0276-1101* OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

*Changes chapter name from: "Rules Governing Driver's License Renewal-by-Mail Process"
to: "Rules Governing Driver's License Renewal-by-Mail and Electronic Renewal Process"

39.03.01, Rules Governing Definitions Regarding Overlegal Permits

39-0301-1101* Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T

39-0301-1101* Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)

39-0301-1101* OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

*Changes chapter name to: "Rules Governing Definitions Regarding Overlegal Permits"
from: "Rules Governing Definitions (For Terms Used in Title 03 Dealing With Highway Matters)"

39.03.16, Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads

39-0316-1101 Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T

39-0316-1101 Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)

39-0316-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

39.03.21, Rules Governing Special Permit Fees

- 39-0321-1101** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-9
- 39-0321-1101** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 39-0321-1101** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

39.03.41, Rules Governing Traffic Control Devices

- 39-0341-1101** Temporary and Proposed Rulemaking, Bulletin Vol. 11-9 (eff. 9-15-11)T
- 39-0341-1101** Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 11-12 (eff. (9-15-11)T, *PLR 2012)
- 39-0341-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 45 -- HUMAN RIGHTS COMMISSION***45.01.01, Rules of the Idaho Human Rights Commission***

- 45-0101-1101** Temporary Rulemaking, Bulletin Vol. 11-8 (eff. 5-24-11)T (*Expires Sine Die 2012*)
- 45-0101-1102** Proposed Rulemaking, Bulletin Vol. 11-8
- 45-0101-1102** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 45-0101-1102** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

IDAPA 46 -- BOARD OF VETERINARY MEDICAL EXAMINERS***46.01.01, Rules of the Idaho State Board of Veterinary Medical Examiners***

- 46-0101-1101** Proposed Rulemaking, Bulletin Vol. 11-10
- 46-0101-1102** Proposed Rulemaking (Fee Rule), Bulletin Vol. 11-10
- 46-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 46-0101-1102** Adoption of Pending Fee Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 46-0101-1101** Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by HCR 37, Bulletin Vol. 12-5
- 46-0101-1101** OAR Omnibus Rulemaking Notice - Partial Rejection of Rulemaking by HCR 37, Bulletin Vol. 12-5 (eff. 3-8-12)
- 46-0101-1102** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 128, Bulletin Vol. 12-5 (eff. 3-21-12)

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- 47-0101-1201** Temporary Rulemaking, Bulletin Vol. 12-4 (eff. 2-15-12)T

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- 52-0103-1101** Proposed Rulemaking, Bulletin Vol. 11-9
- 52-0103-1101** Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. *PLR 2012)
- 52-0103-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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- 54-0101-1101** Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 11-8 (eff. 7-1-10)T
- 54-0101-1101** Adoption of Pending Rule, Bulletin Vol. 11-10 (eff. *PLR 2012)
- 54-0101-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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- 57-0101-1101*** Temporary and Proposed Rulemaking, Bulletin Vol. 11-8 (eff. 7-1-11)T
 - 57-0101-1101*** Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. *PLR 2012)
 - 57-0101-1101*** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- *Changes IDAPA name to: *SEXUAL OFFENDER MANAGEMENT BOARD* from: *SEXUAL OFFENDER CLASSIFICATION BOARD*; and changes chapter name to: *"Rules of the Sexual Offender Management Board"* from: *"Rules of the Sexual Offender Classification Board"*

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- 58-0000-1102** The Black Lake TMDL (HUC 17010303), Bulletin Vol. 11-5
- 58-0000-1103** Addendum to the Bear River/Malad Subbasin Assessment and TMDLs (HUCS 16010102, 16010201, 1610202 & 16010204), Bulletin Vol. 11-8
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- 58-0102-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-5
- 58-0102-1102** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-6
- 58-0102-1103** Proposed Rulemaking, Bulletin Vol. 11-7
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- 58-0102-1103 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
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- 58-0104-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-10
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- 58-0104-1001 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. *PLR 2012)
- 58-0104-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

58.01.05, Rules and Standards for Hazardous Waste

- 58-0105-1101 Proposed Rulemaking, Bulletin Vol. 11-8
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- 58-0105-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

58.01.06, Solid Waste Management Rules

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- 58-0106-1101 Negotiated Rulemaking Terminated, Bulletin Vol. 11-12

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- 58-0108-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-10
- 58-0108-1101 Proposed Rulemaking, Bulletin Vol. 12-5

58.01.09, Rules Regulating Swine Facilities

- 58-0109-1101* Proposed Rulemaking, Bulletin Vol. 11-7
 - 58-0109-1101* Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. *PLR 2012)
 - 58-0109-1101* OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)
- *Changes chapter name from: "Rules Regulating Swine and Poultry Facilities" to: "Rules Regulating Swine Facilities"*

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- 58-0110-1101 Proposed Rulemaking, Bulletin Vol. 11-8
- 58-0110-1101 Adoption of Pending Rule, Bulletin Vol. 11-12 (eff. *PLR 2012)
- 58-0110-1101 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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- 58-0112-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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- 58-0120-1001 Adoption of Pending Rule, Bulletin Vol. 11-11 (eff. *PLR 2012)
- 58-0112-1001 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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- 58-0124-1101** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 12-5 (eff. 3-29-12)

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- 59-0103-1201** Proposed Rulemaking, Bulletin Vol. 12-5

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- 59-0106-1102** Temporary Rulemaking, Bulletin Vol. 11-3 (eff. 3-1-11)T
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