

## **IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **Surface and Wastewater Division**

#### **58.01.14 – Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services**

##### **To whom does this rule apply?**

*This rule applies to those entities that seek and are issued an environmental service rendered by the Department or by its designees (such as individual Health Districts). This typically includes any fee associated with individual subsurface sewage or individual septic system permit to install issued by the health districts. Fees associated with other programs are generally included in the governing rule chapter.*

##### **What is the purpose of this rule?**

*This rule establishes reasonable fees for environmental operating permits, licenses, inspection services and waiver application processing rendered by the Department of Environmental Quality or its designees.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Health and Safety -

Environmental Quality:

- [Section 39-105, Idaho Code](#) – Powers and Duties of the Director
- [Section 39-107, Idaho Code](#) – Board-Composition – Officers – Compensation – Powers – Subpoena – Depositions – Review - Rules
- [Section 39-119, Idaho Code](#) – Collection of Fees for Services

##### **Who do I contact for more information on this rule?**

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**58.01.14 – RULES GOVERNING FEES FOR ENVIRONMENTAL OPERATING PERMITS, LICENSES, AND INSPECTION SERVICES**

**000. LEGAL AUTHORITY.**

Pursuant to Sections 39-105, 39-107 and 39-119, Idaho Code, the Board of Environmental Quality is authorized to promulgate rules establishing reasonable fees to be charged and collected for any service rendered by the Department of Environmental Quality. (3-24-22)

**001. TITLE AND SCOPE.**

**01. Title.** The rules are titled IDAPA 58.01.14, “Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services.” (3-24-22)

**02. Scope.** These rules establish reasonable fees for environmental operating permits, licenses, inspection services and waiver application processing rendered by the Department of Environmental Quality or its designees. (3-24-22)

**002. WRITTEN INTERPRETATIONS.**

In accordance with Section 67-5201(19)(b)(iv), any written statements pertaining to the interpretation of these rules will be available for review at the Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255. (3-24-22)

**003. ADMINISTRATIVE APPEALS.**

Persons may be entitled to appeal agency actions authorized under this chapter pursuant to IDAPA 58.01.23, “Contested Case Rules and Rules for Protection and Disclosure of Records.” (3-24-22)

**004. INCORPORATION BY REFERENCE.**

These rules do not contain documents incorporated by reference. (3-24-22)

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

The state office of the Department of Environmental Quality and the office of the Board of Environmental Quality are located at 1410 N. Hilton, Boise, Idaho 83706-1255, telephone number (208) 373-0502. The office hours are 8 a.m. to 5 p.m. Monday through Friday. (3-24-22)

**006. CONFIDENTIALITY OF RECORDS.**

Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Chapter 1, Title 74, Idaho Code, and IDAPA 58.01.21, “Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality.” (3-24-22)

**007. DEFINITIONS.**

**01. Board.** The Idaho Board of Environmental Quality. (3-24-22)

**02. Department.** The Idaho Department of Environmental Quality or its designee. (3-24-22)

**03. Director.** The Director of the Idaho Department of Environmental Quality or his designee. (3-24-22)

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

**100. ENVIRONMENTAL FEES.**

The fees specified in Sections 101 through 199 shall be charged for the following environmental services rendered by the Department or its designees. Fees for services rendered by designees that are equivalent or greater than the fees listed in Sections 101 through 199 may be adopted by the district health departments or local government. The fees are to be paid by the party receiving the services to the Department or designee performing the service, in the time, place and manner specified by the performing entity. (3-24-22)

**101. -- 109. (RESERVED)**

**110. INDIVIDUAL AND SUBSURFACE SEWAGE DISPOSAL SYSTEM PERMIT.**

For those services rendered in the process of issuing installation permits for individual and subsurface sewage disposal systems (see IDAPA 58.01.03, “Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks”), the following fees apply: (3-24-22)

**01. Individual Households or Buildings.** For individual households or buildings, if the individual and subsurface sewage disposal system is a new installation or a replacement or expansion of an existing system, the fee shall be ninety dollars (\$90). (3-24-22)

**02. Multiple Households or Buildings.** For individual and subsurface sewage disposal systems serving more than one (1) household or building in any combination, the fee shall be ninety dollars (\$90) plus ten dollars (\$10) per each household or per each two hundred fifty (250) gallons of flow from buildings. (3-24-22)

**111. -- 114. (RESERVED)**

**115. INDIVIDUAL AND SUBSURFACE SEWAGE DISPOSAL SYSTEM PUMPER PERMIT.**

For those services rendered in the process of issuing permits to persons operating individual and subsurface sewage disposal system pumping equipment (see IDAPA 58.01.03, “Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks”), the fee shall be forty dollars (\$40) plus ten dollars (\$10) for each tank truck or tank per annum. (3-24-22)

**116. -- 119. (RESERVED)**

**120. SUBSURFACE SEWAGE DISPOSAL SYSTEM INSTALLER'S REGISTRATION PERMIT.**

For those services rendered in the process of issuing Installer's Registration Permits (see IDAPA 58.01.03, “Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks”), the fee shall be fifty dollars (\$50) per annum for a standard and basic alternative system installer's registration permit and one hundred dollars (\$100) per annum for a standard, basic and complex alternative system installer's registration permit. (3-24-22)

**121. -- 149. (RESERVED)**

**150. PARCEL SURVEY.**

For those services rendered in evaluating existing water supply or sewage disposal systems when such evaluation is a condition for the sale of real property, the fee shall be sixty dollars (\$60) excluding laboratory services. (3-24-22)

**151. -- 159. (RESERVED)**

**160. SANITARY RESTRICTION ADMINISTRATION.**

For those services rendered in the administration of sanitary restrictions, pursuant to Section 50-1326, Idaho Code, the following fees apply: (3-24-22)

**01. Subdivisions or Plats Proposing Individual and Subsurface Sewage Disposal System Discharge to Subsurface.** For subdivisions or plats for which sewage treatment and disposal systems are designed to discharge to the subsurface, the fee shall be one hundred dollars (\$100) plus twenty dollars (\$20) per lot. (3-24-22)

**02. Subdivisions or Plats Proposing Other Than Individual and Subsurface Sewage Disposal System Discharge to Subsurface.** For subdivisions or plats for which sewage treatment and disposal systems are not designed to discharge to the subsurface, the fee shall be twenty-five dollars (\$25). (3-24-22)

**161. -- 899. (RESERVED)**

**900. WAIVER OF FEES.**

Upon written application to the Director of the Department of Environmental Quality, a waiver of a specific fee may be granted to an applicant who is required by these rules to pay such a fee. (3-24-22)

**01. Determination of Good Cause.** Good cause for such a waiver must be shown before it shall be granted by the Director. Good cause may include hardship or extenuating circumstances, as determined by the Director. (3-24-22)

**02. Duration of Waiver.** If the fee sought to be waived becomes due periodically, the fee may be waived for a designated period of time. (3-24-22)

**03. Limitations.** Granting of a waiver shall not be considered as precedent or be given any force or effect in any other proceeding. (3-24-22)

**901. -- 999. (RESERVED)**