

IDAPA 41- IDAHO PUBLIC HEALTH DISTRICT #1 (Panhandle Health District)
DOCKET NO. 41-0101-2100

NOTICE OF OMNIBUS RULEMAKING - PROPOSED RULEMAKING

[Idaho Office of Administrative Rules](#)

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 Section(s) 39-413 and 39-416, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This proposed rulemaking publishes the following rule chapter(s) previously submitted to and reviewed by the Idaho Legislature under IDAPA 41.01.01, rules of Public Health District #1.

This is an existing rule that addresses the protection of public health as related to contamination associated with the Bunker Hill Superfund Site, and protection of the water quality of the Rathdrum Prairie Aquifer, which is the designated sole source of drinking water for over 120,000 Idaho citizens. The rule was enacted with broad community support which continues to this day. The rule was reviewed by the agency in 2019 in accordance with the Governor's Red Tape Reduction act, which resulted in the elimination of obsolete, outdated or unnecessary language. This rule was reviewed by the Legislature during the 2020 session and approved by both respective House and Senate Committees, and again by the Senate Committee this past legislative session; the Legislature recessed prior to the House Committee voting on the rule.

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

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: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2022 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rule(s) being reauthorized by this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not feasible because engaging in negotiated rulemaking for all previously existing rules will inhibit the agency from carrying out its ability to serve the citizens of Idaho and to protect their health, safety, and welfare.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, incorporated material may be obtained or electronically accessed as provided in the text of the proposed rule(s) attached hereto.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule(s), contact Mr. Erik Ketner, PHD#1 Environmental Health Section Manager at (208) 415-5224.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered within twenty-one (21) days after publication of this Notice in the Idaho Administrative Bulletin. Oral presentation of comments may be requested pursuant to Section 67-5222(2), Idaho Code, and must be delivered to the undersigned within fourteen (14) days of the date of publication of this Notice in the Idaho Administrative Bulletin.

DATED this October 20, 2021.

Joseph Righello

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