

## **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?**

Mary Anne Nelson

Department of Environmental Quality

1410 N. Hilton

Boise, ID 83706

Phone: (208) 373-0291

Email: [mary.anne.nelson@deq.idaho.gov](mailto:mary.anne.nelson@deq.idaho.gov)

[www.deq.idaho.gov](http://www.deq.idaho.gov)

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

**000. LEGAL AUTHORITY.**

Sections 39-105, 39-107, 39-119, and 39-175C, Idaho Code. (7-1-25)

**001. 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. (7-1-25)

**002. 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)

**003. DEFINITIONS.**

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

**02. De minimis.** A type of reuse permit issued to small-scale or low-risk recycled water reuse activities that are deemed to pose minimal risk to public health or the environment in the associated permit staff analysis. De minimis permits typically involve limited analysis, monitoring, and reporting obligations due to low-risk of activity. (7-1-25)

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

**04. Equivalent Dwelling Unit (EDU).** A measure where one (1) EDU is equivalent to wastewater generated from one (1) single-family residence. For assessing fees associated with publicly or privately owned domestic sewage treatment, the number of EDUs is calculated as the population served divided by the average household size as defined in the most recent US Census Bureau data (for that municipality, county, or average number of persons per household for the state of Idaho). For fees associated with industrial wastewater treatment owned by a municipality, EDUs are calculated according to the definition of EDU in IDAPA 58.01.16, “Wastewater Rules.” (7-1-25)

**05. Major Facility.** (7-1-25)

**a.** A publicly or privately owned treatment works with a design flow equal to or greater than one million gallons per day (1 MGD), or serves a population of ten thousand (10,000) or more, or causes significant water quality impacts; or (7-1-25)

**b.** A non-municipal facility that equals or exceeds the eighty (80) point accumulation described in the Score Summary of the NPDES Non-municipal Permit Rating Work Sheet (June 27, 1990) or the Department equivalent. (7-1-25)

**004. -- 099. (RESERVED)**

**100. ENVIRONMENTAL FEES.**

Fees for services rendered by designees that are equivalent or greater than the fees listed in Sections 110 through 160 may be adopted by those designees and are intended to cover the cost of maintaining an adequate permitting program. Fees should be formulated consistent with these rules. 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. (7-1-25)

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

**110. SUBSURFACE SEWAGE DISPOSAL.**

Fees listed here are intended as minimum fees for specific permit types. Designees may adopt different fees through their governing board, must have their fee schedules published online in an easy to find and searchable manner, and should use the following criteria. (7-1-25)

**01. Subsurface Sewage Disposal System Permit.** Base the fee calculation on: (7-1-25)

**a.** The proposed daily wastewater flow; (7-1-25)

**b.** The number of proposed systems; (7-1-25)

- c. The number of structures to be connected to the proposed system; (7-1-25)
- d. The county where the proposed system is located; (7-1-25)
- e. Whether the proposed system is a standard, basic alternative, or complex alternative design; or (7-1-25)
- f. Whether the proposed system is a new, expansion of an existing system, or a repair or replacement, of a failing system. (7-1-25)

**02. Subsurface Sewage Disposal System Pumper Permit.** The fee is an annual fee and determined based on: (7-1-25)

- a. The amount of pumping vehicles per owner or business in service each year; and (7-1-25)
- b. The county where the business is located. (7-1-25)

**03. Subsurface Sewage Disposal System Installer’s Registration Permit.** The fee is an annual fee and calculated based on: (7-1-25)

- a. Whether the applicant will install standard, basic alternative, or complex alternative systems; and (7-1-25)
- b. The county where the business is located. (7-1-25)

**04. Fees.** Minimum fees for services rendered include but are not limited to the following:

Item	Fee
Sewage Disposal Permit: Basic or Complex System	\$400
Sewage Disposal Permit: Large Soil Absorption System or Central System	\$1,000
Sewage Disposal Permit: Tank Only	\$300
Sewage Disposal Permit Renewal	\$40
Installers Registration or Service Provider Certification:	
Basic (annual)	\$50
Complex (annual)	\$100
Pumper Truck License (annual)	\$40
Pumper Additional Truck Fee (per truck annually)	\$20

(7-1-25)

**111. -- 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 is sixty dollars (\$60) excluding laboratory services. (7-1-25)

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

**160. SANITARY RESTRICTION ADMINISTRATION.**

For those services rendered in the administration of sanitary restrictions, the following fees apply: (7-1-25)

**01. Subdivisions or Plats Proposing Individual and Subsurface Sewage Disposal System Discharge to Subsurface.** The fee is one hundred dollars (\$100) plus twenty dollars (\$20) per lot. (7-1-25)

**02. Subdivisions or Plats Proposing Other Than Individual and Subsurface Sewage Disposal System Discharge to Subsurface.** The fee is twenty-five dollars (\$25). (7-1-25)

**161. -- 169. (RESERVED)**

**170. IPDES AND REUSE PERMIT FEE SCHEDULE.**

**01. IPDES Fee Schedule.** (7-1-25)

**a.** Publicly and privately owned treatment works, and other dischargers designated by the Department (IDAPA 58.01.25.105.11.a.), must pay an annual fee based on the number of EDUs. The fee is \$1.74 per EDU. EDUs and the appropriate annual fee will be calculated according to the definition of EDUs in IDAPA 58.01.14.003 by the following: (7-1-25)

- i. The Department calculates facility EDUs; or (7-1-25)
- ii. Existing facilities may annually report to the Department the number of EDUs served; or (7-1-25)
- iii. New facilities may report to the Department the number of EDUs to be served, based on the facility planning design as part of the IPDES permit application. (7-1-25)

**b.** Other permitted IPDES dischargers must pay an annual fee, an application fee, or both according to:

Permit Type	Application	Annual
<b>Non-POTW Individual Permits</b>	-	-
<b>Major</b>	\$0	\$13,000
<b>Minor</b>	\$0	\$4,000
<b>Storm Water General Permits</b>	-	-
<b>Construction (CGP)</b>	-	-
<b>1-10 acres<sup>1</sup></b>	\$200	\$0
<b>&gt;10-50 acres</b>	\$400	\$75
<b>&gt;50-100 acres</b>	\$750	\$100
<b>&gt;100-500 acres</b>	\$1,000	\$400
<b>&gt;500 acres</b>	\$1,250	\$400
<b>Low Erosivity Waiver (CGP)</b>	\$125	\$0
<b>Industrial (MSGP) Permits</b>	\$1,500	\$1,000
<b>Cert. of No Exposure (MSGP)</b>	\$250	\$100

Permit Type	Application	Annual
Other General Permits	\$0	\$0

<sup>1</sup>This includes notices of intent for construction that will disturb one or more acres of land or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land. (7-1-25)

**02. Reuse Permit Fee Schedule.** (7-1-25)

a. Permitted municipal reuse facilities must pay an annual fee according to population from the most recent 10-year US Census Bureau data:

Type	Fee
De minimis <sup>a</sup>	\$500
Industrial <sup>a</sup>	\$3,000
Municipal Over 15,000 people	\$3,000
Municipal Between 1,000 and 15,000 people	\$1,000
Municipal Under 1,000 people	\$500
Private Domestic or Other <sup>a</sup>	\$750

<sup>a</sup> De minimis, industrial, and private domestic or other recycled water reuse permits are assessed a flat fee not based on US Census Bureau data. (7-1-25)

b. Reuse general permits will be charged a flat fee of \$100 for processing applications. (7-1-25)

**03. Fee Assessment.** (7-1-25)

a. An annual fee assessment will be generated for each permitted facility for which an annual fee is required under Subsection 170.01 and 170.02. Annual fees will be determined based on the twelve (12) months between October 1 and September 30 each year. (7-1-25)

b. Application Fees and Annual Fees. (7-1-25)

i. Application fees, as identified in Subsection 170.01.b., are assessed upon application submittal for coverage under an individual permit or notice of intent for coverage or waiver under a general permit. (7-1-25)

ii. Owners or operators of multi-year storm water facilities or construction projects are subject to annual fees that will be assessed in the year (October through September) following the receipt of the application or notice of intent for coverage. (7-1-25)

c. Assessment of annual fees will consider the number of months a permittee was covered under either a general or an individual permit in a year (October through September of each year). If the permittee was covered for less than a full twelve (12) months, the assessed fee will be pro-rated to account for less than a full year's coverage under the permit. (7-1-25)

d. Permittees with both an IPDES and reuse permit will have the reuse permit fee waived. (7-1-25)

**04. Billing.** For permitted facilities subject to an annual fee, the annual fee will be assessed, and the Department will send a statement on or before October 1 of each year. The Department will also assess and send annual fee statements when permit coverage is terminated. (7-1-25)

**05. Payment.** (7-1-25)

**a.** Payment of the annual fee is due on December 31, unless it is a Saturday, Sunday, or legal holiday, in which event the payment is due on the successive business day. Payment of annual fees for terminated permit coverage is due at the time of termination. (7-1-25)

**b.** Payment of the application fee is due with the application for an individual permit or notice of intent for coverage under a general permit. The Department will not authorize permit coverage until the application fee is paid. (7-1-25)

**c.** A publicly owned treatment works (POTW) may request, in writing, monthly or quarterly installment payments upon receipt of the billing statement. The Department will approve or deny the request and inform the POTW within ten (10) business days. (7-1-25)

**06. Delinquent Unpaid Fees.** A permittee covered under a general or individual permit will be delinquent in payment if the Department does not receive the assessed annual fee by January 1; or if the permittee opted to pay monthly or quarterly, its monthly or quarterly installment is not received by the Department by the last day of the month the payment is due. (7-1-25)

**07. Suspension of Services and Disapproval Designation.** Permittees delinquent in payment of fees assessed under Subsections 170.01 and 170.02: (7-1-25)

**a.** After ninety (90) days, the Department will suspend all technical services it provided. The permittee will receive a warning letter identifying administrative enforcement actions the Department may pursue if the permittee does not comply with the terms of the permit. (7-1-25)

**b.** After one hundred and eighty (180) days, the Department will consider the permittee in non-compliance with permit conditions and these rules, and subject to provisions described in IDAPA 58.01.25.500 (Enforcement) and Section 39-108, Idaho Code. (7-1-25)

**08. Reinstatement of Suspended Services and Approval Status.** Permittees for which delinquency of fee payment under Subsection 170.07 resulted in the suspension of technical services, determination of non-compliance of permit condition, or both, the continuation of technical services, determination of compliance based on payment of fee, or both, will occur upon payment of delinquent annual fee assessments. (7-1-25)

**09. Enforcement Action.** Nothing in Section 170 waives the Department's right to undertake a non-fee-related enforcement action at any time, including seeking penalties, as provided in Sections 39-108, 39-109, and 39-117, Idaho Code. (7-1-25)

**10. Responsibility to Comply.** Subsection 170.07 does not relieve a permittee from its obligation to comply with the state and federal statutes, rules, regulations, permits, or orders. (7-1-25)

**171. -- 899. (RESERVED)**

**900. WAIVER OF FEES.**

Upon written application to the Department, a waiver of a specific fee may be granted to an applicant who is required by these rules to pay such a fee. (7-1-25)

**01. Determination of Good Cause.** Good cause for such a waiver must be shown before it will be granted by the Department. Good cause may include hardship or extenuating circumstances, as determined by the Department. (7-1-25)

**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 will not be considered as precedent or be given any force or

effect in any other proceeding.

(7-1-25)

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