

NOTICES OF PROPOSED DELEGATION AGREEMENT

The Administrative Procedure Act requires the publication of notices of proposed delegation agreements in the *Register*. A delegation agreement is an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers, or duties conferred on the delegating agency by a provision of law. Delegation agreements are not intergovernmental agreements pursuant to A.R.S. Title 11, Chapter 7, Article 3. For at least 30 days after publication of the Notice of Proposed Delegation Agreement in the *Register*, the agency shall provide persons the opportunity to submit in writing statements, arguments, data, and views on the proposed delegation agreement and shall provide an opportunity for a public hearing if there is sufficient interest. The delegating agency shall follow the procedures for delegation agreements specified in A.R.S. Title 41, Chapter 6, Article 8.

NOTICE OF PROPOSED DELEGATION AGREEMENT

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. Name of the agency proposing the delegation agreement:

Arizona Department of Environmental Quality

2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:

Maricopa County

3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Name: Martha Seaman
Address: Arizona Department of Environmental Quality
Office of Special Counsel
1110 W. Washington, 6415A-1
Phoenix, AZ 85007
Telephone: (602) 771- 2221
Fax: (602) 771-2251
E-mail: seaman.martha@ev.state.az.us

4. A summary of the delegation agreement and the subjects and issues involved:

Under A.R.S. § 49-107, the Arizona Department of Environmental Quality proposes to delegate to Maricopa County, the local agency, the program elements listed below, subject to certain conditions and limitations described in the delegation agreement. The proposed delegated program elements include:

General functions and duties pertaining to the administration of Type 1 and Type 4 General Aquifer Protection Permits (as described in A.A.C. Title 18, Chapter 9, Article 3) delegated to the Local Agency (LA)

Complaint response, compliance assistance, and compliance and enforcement responsibilities for the following Type 1 General Aquifer Protection Permits:

- 1.07 Dockside facilities and watercraft
- 1.08 Earth pit privy
- 1.09 Sewage treatment facility with a flow less than 20,000 gallons per day operating under a general permit before January 1, 2001

Review and approval of the 4.02 General Aquifer Protection Permit for a Septic Tank System with Disposal by Trench, Bed, Chamber Technology, or Seepage Pit with a design flow of less than 3000 gallons per day

Compliance and enforcement responsibilities for the 4.02 General Aquifer Protection Permit for a Septic Tank System with Disposal by Trench, Bed, Chamber Technology, or Seepage Pit with a design flow of less than 3000 gallons per day

Notices of Proposed Delegation Agreement

Review and approval of the following 4.03 through 4.22 General Aquifer Protection Permits for On-Site Wastewater Treatment Facilities with a design flow of less than 3000 gallons per day:

- 4.03 Composting toilet
- 4.04 Pressure distribution system
- 4.05 Gravelless trench
- 4.06 Natural seal evapotranspiration bed
- 4.07 Lined evapotranspiration bed
- 4.08 Wisconsin mound
- 4.09 Engineered pad system
- 4.10 Intermittent sand filter
- 4.11 Peat filter
- 4.12 Textile filter
- 4.13 RUCK® system
- 4.14 Sewage vault
- 4.15 Aerobic system with subsurface disposal
- 4.16 Aerobic system with surface disposal
- 4.17 Cap system
- 4.18 Constructed wetlands
- 4.19 Sand lined trench
- 4.20 Disinfection devices
- 4.21 Sequencing batch reactor
- 4.22 Subsurface drip irrigation

Compliance and enforcement responsibilities for 4.03 through 4.22 General Aquifer Protection Permits for On-Site Wastewater Treatment Facilities with a design flow of less than 3000 gallons per day

Review and approval of the 4.23 General Aquifer Protection Permit for On-Site Wastewater Treatment Facilities with a design flow from 3000 to less than 24,000 gallons per day

Compliance and enforcement responsibilities for the 4.23 General Aquifer Protection Permit for On-Site Wastewater Treatment Facilities with a design flow from 3000 to less than 24,000 gallons per day

Review and approval of the 4.01 General Aquifer Protection Permit for Sewage Collection Systems

Compliance and enforcement responsibilities for the 4.01 General Aquifer Protection Permit for Sewage Collection Systems

Complaint response and compliance assistance for private residential Gray Water Systems authorized by the Type 1 Reclaimed Water General Permit

Review and approval of Sanitary Facilities for Subdivisions

Enforcement of rules governing Sanitary Facilities for Subdivisions

Issuance of Approval to Construct and Final Approval of Construction for Public Drinking Water Facilities

Operation & Maintenance Compliance Inspections of Public Drinking Water Systems with Drinking Water Treatment Plant(s)

Operation & Maintenance Compliance Inspections of Public Drinking Water Systems served only by wells

Monitoring & Reporting Compliance Determinations for Delegated Public Drinking Water Systems

Enforcement of Delegated Drinking Water Rules Governing Construction Approvals and Operation & Maintenance Requirements Public Drinking Water Systems

Notices of Proposed Delegation Agreement

Enforcement of Delegated Drinking Water Rules Governing Monitoring and Reporting Requirements Public Drinking Water Systems

Issuance of Approval to Construct and Final Approval of Construction for Public and Semipublic Swimming Pools

Enforcement of Rules Governing the Design and Construction of Public and Semipublic Swimming Pools

Inspection of septic tank cleaners for ADEQ licensing

Inspection of refuse haulers

Investigation of nuisance complaints, and enforcement to eliminate environmental nuisances

Investigation of, and enforcement to eliminate illegal disposal of solid waste

Investigation of and enforcement to eliminate illegal waste tire storage and disposal

Investigation of and enforcement to eliminate used oil disposal to land

Investigation and enforcement of used oil generators for compliance with storage, labeling, and release response requirements

Inspection of agricultural solid waste landfills operated by persons engaged in farming or ranching on at least 40 acres in an unincorporated area

Inspection of landfills for the disposal of solid waste resulting from residents' household activities at single family residences located on a farm or ranch of more than 40 acres in an unincorporated area

Approval of solid waste collection and disposal provisions for new subdivisions

Granting of refuse collection frequency variances for all commercial accounts and for residential areas outside city or town limits

Inspection of biohazardous medical waste transporters for ADEQ registration

Authority and jurisdiction to perform air quality management activities, expressly including jurisdiction pertaining to Major Sources, except as provided in B.5., New Source Review (NSR), Prevention of Significant Deterioration (PSD), portable sources pursuant to A.A.C. R18-2-324(A), trans-mix facilities, and certification of emission reduction credits.

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

An electronic copy may be downloaded from the following web site address:

Web site: <http://www.adeq.state.az.us/lead/osc/delegate.html>

Or contact: Martha Seaman
Arizona Department of Environmental Quality
Office of Special Counsel
1110 W. Washington
Phoenix, AZ 85007

Telephone: (602) 771-2221

E-mail: seaman.martha@ev.state.az.us

6. The schedule of public hearings on the proposed delegation agreement:

ADEQ will hold a public hearing to receive public comments in accordance with A.R.S. § 41-1081. The time, place, and location of the hearing is listed below:

December 11, 2002
6:30 p.m.

2nd Floor Conference Room
Arizona Department of Environmental Quality
1110 W. Washington
Phoenix, AZ 85007

ADEQ will accept written comments that are received by 5:00 p.m. on December 13, 2002 or postmarked no later than that date.

ADEQ is committed to complying with the Americans with Disabilities Act. If any individual with a disability needs any type of accommodation, please contact ADEQ at least 72 hours before the hearing.