

COUNTY NOTICES PURSUANT TO A.R.S. § 49-112

COUNTY NOTICES PURSUANT TO A.R.S. § 49-112(A) OR (B)

NOTICE OF PROPOSED RULE ADOPTED PURSUANT TO A.R.S. § 49-112(A) OR (B)

PIMA COUNTY CODE

TITLE 7 – WATER QUALITY CONTROL

CHAPTER 3

1. Sections Affected

PCC 7.03.120
PCC 7.03.125

Rulemaking Action

Amend
New Rule

2. Summary of the proposed rules, ordinance or other regulations:

Deletion of Rules: 7.03.120 – Pima County is proposing to delete this section of county ordinance relating to fees for plan reviews and final inspections. This section will be replaced by a new section 7.03.125.

New Rule 7.03.125, Water and Wastewater Fees – Pima County is proposing to revise existing fees to implement the Water Quality Management program, which will not exceed reasonable cost of the county. This program administers the permitting, complaint response, compliance enforcement, and customer assistance related to on-site disposal systems, public water systems and wastewater collection systems.

3. A demonstration of the grounds and evidence of compliance with A.R.S. § 49-112(A) or (B):

Based on the information and belief, the Pima County Department of Environmental Quality affirms the following:

- Pima County is in compliance with A.R.S. § 49-112(A) in that Pima County Department of Environmental Quality is proposing to adopt rules that are not more stringent nor are they in addition to any applicable provisions of A.R.S. Title 49 or adopted by the Director of ADEQ or any Board or Commission authorized to adopt these rules pursuant to A.R.S. Title 49.
- Pima County is in compliance with A.R.S. § 49-112(B) in that Pima County Department of Environmental Quality is proposing to adopt rules that are as stringent as a provision of A.R.S. Title 49 or rule adopted but the Director of ADEQ or and Board or Commission authorized to adopt rules pursuant to A.R.S. Title 49. The cost of obtaining permits or other approvals from Pima County will be approximately equal or less than the fee or cost of obtaining similar permits or approvals under A.R.S. Title 49. If the state had not adopted a fee or tax for similar programs or approvals, Pima County fees do not exceed the reasonable costs of the county to issue and administer that permit or plan approval program. A report on costs and fees is also available.

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Marian Conrad
Program Coordinator
Address: Pima County DEQ
130 W. Congress, 3rd Floor
Tucson, AZ 85701
Telephone: (520) 740-3978
Fax: (520) 882-7709

5. Where persons may obtain a full copy of the proposed rules, ordinance, or other regulation:

Name: Pima County Department of Environmental Quality
Address: 130 W. Congress, 3rd Floor
Tucson, AZ 85701
Telephone: (520) 740-3978
Fax: (520) 882-7709

Note: Copies of the proposed ordinance are also available at all Tucson-Pima County Public Libraries. Pima County Department of Environmental Quality has scheduled an oral proceeding to take comment and answer any questions regarding the proposed changes.

All interested persons may submit written comments on the summary of the proposed rules, the proposed rules, ordinance or other regulations, and the written demonstrations described above within 30 days of the publication in the Register.

NOTICE OF PUBLIC HEARING AND ORAL PROCEEDING

PURSUANT TO A.R.S. § 49-112(A) OR (B)

PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY

TITLE 7 – WATER QUALITY CONTROL

CHAPTER 3

1. Sections Affected

PCC 7.03.120
PCC 7.03.125

Rulemaking Action

Amend
New Rule

2. Summary of the proposed rules, ordinance or other regulations:

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New Rule 7.03.125, Water and Wastewater Fees – Pima County is proposing to revise existing fees to implement the Water Quality Management program, which will not exceed reasonable cost of the county. This program administers the permitting, complaint response, compliance enforcement, and customer assistance related to on-site disposal systems, public water systems and wastewater collection systems.

3. The date, time, and location of scheduled public workshops and hearings:

A. Public Hearing Before the Pima County Board of Supervisors

Date: March 18, 2003

Time: 9:00 a.m. or thereafter

Location: Pima County Board of Supervisors Hearing Room
Pima County Administration Building
130 W. Congress, 1st Floor

Nature of Meeting: Public Hearing before the Pima County Board of Supervisors to consider formal adoption of the above described ordinance amendments.

B. Oral Proceeding/Workshop

Date: February 10, 2003

Time: 1:00 p.m.

Location: Main Site, Basement Conference Room
Tucson Public Library
101 N. Stone Avenue
Tucson, AZ 85701

Nature of Meeting: Oral Proceeding before the control officer to accept public comment and answer questions on the above described ordinance amendments.

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Marian Conrad
Program Coordinator

Address: Pima County DEQ
130 W. Congress
Tucson, AZ 85701

Telephone: (520) 740-3978

Fax: (520) 882-7709

5. Any other pertinent information concerning the above described rules, ordinance or other regulations:

The current staff recommendations to the Board of Supervisors, as drafted in proposed ordinance amendments and supporting documents, conforms most provisions of county ordinance to corresponding ADEQ rules related to program fees. Technical justification (findings) is available supporting the provisions in this proposed rulemaking. The options available to the Board of Supervisors include:

- Adopting staff recommendation, as modified based on public comment;
- Supplementing or revising the support documents and findings in response to public comment or further investigation;
- Rejecting all findings;
- Any combination of the above actions.

Also, please refer to the Notice of Proposed Rule, Ordinance or other Regulation Adopted pursuant to A.R.S. § 49-112(A) or (B).

Pursuant to A.R.S. § 49-112(D)(4), the county shall publish the notice of public hearing at least 20 days before the hearing.