

# NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rule-making information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

## NOTICE OF PUBLIC INFORMATION DEPARTMENT OF ENVIRONMENTAL QUALITY

- 1. Title and its heading:** 18, Environmental Quality
- Chapter and its heading:** 14, Department of Environmental Quality  
Permits and Compliance Fees
- Article and its heading:** 1, Water Quality Protection Fees
- Section number:** R18-14-104

**2. The public information relating to the listed Section:**

As provided under A.R.S. §§ 49-241(E) and 49-241.02, and in accordance with R18-14-104, the Department of Environmental Quality (the Department) proposes the following Annual Fee Schedule (in Table 1) that applies to fees for the review of applications for individual aquifer protection permits (APP), amendments to existing APPs, and clean closure approvals from July 1, 2003 through June 30, 2004. The hourly rate applies to review hours incurred by Department staff for a particular permit action. The maximum fees apply to any application that is deemed administratively complete during the specified time-frame.

<b>TABLE 1 PROPOSED Annual Fee Schedule for Aquifer Protection Permit Actions July 01, 2003 through June 30, 2004</b>				
<b>Hourly Rate Fee: \$61 per hour.</b>				
<b>Maximum Fee for Applications Deemed Administratively Complete between July 01, 2003 - June 30, 2004</b>				
Sector	Individual or Area-wide APP	Complex Modifications	Clean Closures	Standard Modi- fications
Drywell	\$3,300	\$3,300	\$3,300	\$3,300
Industrial - operating non- utilities and closures	\$8,200	\$8,200	\$8,200	\$8,200
Industrial - operating utilities and area-wide permits	\$17,800	\$17,800	\$17,800	\$15,000
Landfills	\$12,400	\$12,400	\$12,400	\$12,400
Mining	\$75,000	\$75,000	\$35,000	\$15,000
Wastewater	\$11,000	\$11,000	\$11,000	\$11,000

**FACTORS USED TO DERIVE FEES IN ANNUAL FEE SCHEDULE**

**HOURLY RATE:** No change is proposed for the hourly rate from the FY2003 Fee Schedule. The factors used to derive the hourly rate were specified in the Notice of Final Rulemaking for Water Quality Protection Fees, published at 7 A.A.R. 564, January 26, 2001.

**MAXIMUM FEES:** In accordance with A.R.S. § 49-241.02(A) and (B), the Department derived the formula-based maximum fee using the 75th percentile of the review hours for individual aquifer protection permit applications

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within certain sectors when the review was completed from July 1, 1998 through June 30, 2002 (FY1999 - FY2002). The Department compared the formula-based maximum fee for each sector with the statutorily specified maximum fee and selected the least restrictive to apply in the Annual Fee Schedule. Specifically, the Department used the information summarized in Table 2 to derive each maximum fee.

<b>TABLE 2 - SUMMARY OF FACTORS USED IN DERIVING FY2004 FORMULA-BASED MAXIMUM FEES</b>				
Sector	Data for Sector	Number of Observations	75th percentile of Billable Hours	Maximum Fee (75th percentile multiplied by \$61 per hour)
Drywell	See Table 3 below	25	53.0	\$3,233
Industrial - Operating Non-Utilities and Closures	See Table 4 below	48	133.0	\$8,112
Industrial - Operating Utilities and Area-wide Permits	See Table 5 below	19	291	\$17,751
Landfills	See Table 6 below	8	201.7	\$12,306
Mining	See Table 7 below	7	1558.6	\$95,072
Wastewater	See Table 8 below	118	180	\$10,981

The Department rounded up the fee to the nearest one hundred dollars. The formula-based maximum fee applies for most scenarios specified in Table 1. The statutory fee caps specified at A.R.S. §§ 49-241.02(1) and (2) apply for applications for Clean Closure and Standard Modifications for facilities within the Mining sector and applications for Standard Modifications for facilities within the Industrial - Operating Utilities and Area-wide Permits sector. The Department has added a subsector under the industrial sector for Landfill APPs. APPs for these facilities are processed by the Department's Waste Programs Division Solid Waste Section (SWS). The maximum fees for Landfill APPs are based on the projects completed by the SWS since FY1999.

<b>TABLE 3 - DATA FOR DRY WELL SECTOR</b>			
Fiscal Year	Facility Name	Inventory Number	Total Billable Hours Charged for Project Review
1999	Allied Signal Aviation Svcs-Drywell #1	102776	30.70
1999	Maricopa Cnty-NW Eqpt Svc Fac	102804	27.40
1999	Steris Laboratories Inc.	102838	29.20
1999	Handy & Harman Refining Group, Inc.	102755	126.10
1999	Budget Rent-a-Car	102853	26.70
1999	Quality Printed Circuits	102892	106.50
1999	Penske Truck Leasing	103083	39.30
1999	A-1 Imports Only	103113	83.50
1999	Chevron #9-1440	104146	19.00
2000	Honeywell Inc.-Satellite Systems	104015	35.50

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2000	Union Dist-Petrostop #4	104003	53.00
2000	Mobil SS#18-NQX Closure	103410	53.00
2001	Consolidated Freightways Corp of Delaware	102911	146.80
2001	7-Eleven Corp-#32824	104200	28.00
2001	7-Eleven No. 32393	104182	36.00
2001	7-Eleven No. 32392	104181	27.00
2001	7-Eleven #32321	104180	33.50
2001	7-Eleven #32281	104179	12.50
2001	7-Eleven #32280	104178	13.50
2001	Arco AM/PM Minimarket Fac No 5345	102512	44.00
2001	Arco AM/PM Minimarket Fac No 5439	102516	46.40
2001	7-Eleven #32265	104177	33.00
2001	Arco AM/PM Minimarket Fac No 5522	102523	55.20
2001	7-Eleven #32319	103581	31.00
2002	Consolidated Freightways Corp of Delaware	102911	47.70

**TABLE 4 - DATA FOR INDUSTRIAL SECTOR  
ACTIONS RELATING TO CLOSURES AND OPERATING NON-UTILITIES**

Fiscal Year	Facility Name	Inventory Number	Total Billable Hours Charged for Project Review
1999	Tony's Auto Service	102639	149.70
1999	APS-Goodyear Service Ctr	102601	26.10
1999	Yuma County Public Works-Maintenance Yard Truck-wash	102627	317.00
1999	Lake Havasu Marina	102681	22.00
1999	Unocal Corp-Svc Sta #5048	102618	105.50
1999	United Metro Materials Inc. Plant #12	102071	79.40
1999	Presto Casting	102742	78.50
1999	Coreslab Structures	101428	85.40
1999	United Muscial Instruments, USA	100311	499.10
1999	Petro Pcslp-Petro Stopping Center	100283	311.20
1999	Universal Propulsion Co, Inc.	102500	98.80
1999	Unocal Corp-Svc Sta #3818	102615	89.70

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1999	Imsamet of AZ, Brine Pond Closure	102997	108.50
1999	Concrete Designs Inc.-Broadmont	102738	30.50
1999	Secor International Inc.-Frito-Lay Inc. Logistics Facility	103158	85.60
1999	Apache Railway	103169	235.20
1999	Shea Homes	103358	62.00
1999	B.J. Cecil Trucking Inc.	103206	104.50
1999	USAF/Luke AFB - Fire Training Facility	103360	90.00
1999	AZ Army Natl Grd	103609	62.70
1999	Sea Ray Boats Inc.	103337	21.50
1999	Pima Cty Swan Rd	103621	64.50
1999	Tucson, City Of-Public Safety Training Academy Basin 3 Impoundment	103584	91.80
1999	Rapid Harvest Vehicle Insurance	103614	18.00
2000	United Metro Materials, Inc.-Plant #1	103223	80.30
2000	Unocal #3782	102616	114.70
2000	IWX Motor Freight-Kingman	101841	128.00
2000	Classy Chassis Car Wash	102625	45.00
2000	Booth Machinery, Inc.	103619	63.50
2000	Talley Defense #3	101370	230
2000	The AZ Republic-former Phx Newspapers, Inc. Bldg	103903	70.80
2000	Five Star Car Wash	104024	33.50
2001	Fortuna Car Wash	100286	30.00
2001	Caterpillar Inc.-Tucson Proving Ground/Tinaja Trng Ctr	100425	107.50
2001	Chandler Ready Mix Inc.	102531	188.80
2001	Omya, Inc.	104187	169.50
2001	Former Desert Seed Farm Shop	104194	56.00
2001	The Jordan Property	501831	61.00
2001	Phoenix Body Works	501931	10.50
2002	Lake Havasu City, City of - Kiowa Ponds	101415	413.40
2002	Southwest Petroleum Terminals Parker Facility	103160	157.25
2002	Fresh Express (Formerly BC. Systems, Inc.)	100307	80.75
2002	The Jordan Property	501831	61.00
2002	Heritage Env Svcs, LLC	501910	11.75

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2002	Scottsdale, City of -	501915	148.00
2002	Meadowcraft, Inc.	501912	84.00
2002	Az Army Natl Guard	502028	178.50
2002	Smithsonian Institution Base Camp Facility	502586	60.50

**TABLE 5 - DATA FOR INDUSTRIAL SECTOR  
ACTIONS RELATING TO OPERATING UTILITIES AND AREAWIDE**

Fiscal Year	Facility Name	Inventory Number	Total Billable Hours Charged for Project Review
1999	APS-Yucca Power Plant	100787	55.20
1999	Ferrellgas Adamana Terminal	102338	131.60
2000	Black Mesa Pipeline, Inc. Pump St #4	103992	47.50
2000	Black Mesa Pipeline, Inc.-Pump Sta #3	103991	75.00
2000	Griffith Energy Project	103707	350.00
2001	Abitibi Consolidated Sales Corp-Snowflake Mill Plant	103168	410.60
2001	Abitibi Consolidated Sales-Dry Lake Closure	103193	265.60
2001	Panda Energy-Panda Gila River Project	104166	177.55
2001	PWEC-West Phoenix Power Plant Combined Cycle Unit 4	501828	134.50
2001	Reliant Energy Desert Basin Gen Station	501832	146.00
2002	US Marine Corp - Air Station - Cannon Complex	103381	186.45
2002	Sundance Energy Project	502451	134.50
2002	Duke Energy, Arlington Valley, L.L.C.	501916	293.00
2002	Gila Bend Power Partners, L.L.C.	501903	300.75
2002	PWEC-Redhawk Combined Cycle Power Plant	501913	220.75
2002	Mesquite Generating Station (App)	12947	120.50
2002	SRP-Kyrene Generating Station K-7	100617	174.00
2002	Harquahala Generating Plant	104190	522.70
2002	SRP-Santan Generating Station	100601	289.00

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<b>TABLE 6 - DATA FOR LANDFILL SECTOR</b>			
Fiscal Year	Facility Name	Site Code	Total Billable Hours Charged for Project Review
1999	Mohave Valley Landfill Impoundments	080046-00	99.00
1999	Deer Valley C&D Landfill	070648-00	62.92
2000	Buckhead Mesa Landfill Impoundments	040026-00	63.80
2000	Central Ave C&D Landfill	500174-00	201.32
2001	Bradley C&D Landfill	070647-00	456.00
2002	Phelps Dodge Bagdad C&D Landfill	500073-00	81.00
2002	Iron King C&D Landfill	504097-00	203.00
2002	South Yuma County Landfill Impoundments	503661-00	47.14

<b>TABLE 7 - DATA FOR MINING SECTOR</b>			
Fiscal Year	Facility Name	Inventory Number	Total Billable Hours Charged for Project Review
1999	Asarco Inc.-Mission Complex	100508	568.30
1999	Equatorial Mineral Park	100517	1,051.60
1999	BHP Copper Inc.-Copper Cities Deep Pit Tailing Repository	101888	552.50
1999	Santa Cruz Joint Venture In-Situ Copper Mining Project	103147	2,266.70
2000	AMT Inc.-Ryland Expl Decl-Copper Creek Project	102406	351.10
2001	Phelps Dodge Morenci	100193	2,065.50
2001	The Phoenix and Westside Mine	100571	302.90

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<b>TABLE 8 - DATA FOR WASTEWATER SECTOR</b>			
<b>Fiscal Year</b>	<b>Facility Name</b>	<b>Inventory Number</b>	<b>Total Billable Hours Charged for Project Review</b>
1999	Sierra Vista, City Of-WRP	101489	267.5
1999	Taylor, Town Of-WWTP	101416	109.20
1999	Lake Havasu City, City Of-Mulberry WWTP	101612	114.70
1999	USAF-Luke AFB WWTP	100563	268.00
1999	Phoenix, City Of-23rd Ave WWTP	100578	307.20
1999	Chaparral Country Club	100233	54.40
1999	Country Breeze Estates	100038	87.90
1999	Wickenburg, Town Of-WWTP	100495	174.50
1999	Pima Cnty WWMD-Corona De Tucson	100644	187.30
1999	Coolidge, City Of-WWTP	100665	181.00
1999	Prescott, City Of-Airport WWTP	101733	132.00
1999	Roles Inn of America-Cotton Lane RV & Golf Resort	101836	48.00
1999	Pebblecreek Prop Ltd-Phase II Stormwater Ret Basins & Vadose Zone Inj Wells	103615	78.00
1999	Biasi WWTP	103612	46.50
1999	Yuma County Housing Dept WWTP	103171	82.80
1999	Glendale, City Of-West Area WWRP	103580	50.00
1999	Havasu Springs Resort	102186	141.10
1999	Pilot Corp-Pilot Travel Ctr #211 WWTF	103546	82.30
1999	Correction Corp of America-Eloy Detention Ctr	102749	147.00
1999	Colorado River KOA	103557	102.50
1999	Snowbase Subdivision	103139	142.30
1999	Camp Lomia	103351	246.20
1999	Wing Mountain Ranch Subd, Units 3 & 4	103333	242.40
1999	Pecan Valley Inv LC-Plo Verde Util Co WWTP	103558	31.50
1999	Pine Country Investments-High Country Pines	103425	74.30
1999	Johnson Ranch Util Co-Johnson Ranch WWTP	103081	104.70
1999	Phoenix, City Of-Sander Transfer Station	103320	55.00
1999	Far West Water & Sewer	103608	59.80
1999	Citrus View WWTP	103545	76.50

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2000	Buckskin San Dist-Sandpiper WWTP	100804	200.90
2000	Clear Springs Util WWTP	100824	144.00
2000	Pima Cnty WWMD-Avra Valley WWTP	100642	329.90
2000	Hidden Shores RV Park	100789	88.50
2000	Gila Bend, Town Of-WWTP	100576	76.30
2000	Buckeye, Town Of-WWTP	100574	32.00
2000	Springerville, Town Of-WWTP	100827	280.10
2000	USBR-Hoover Dam	102131	60.50
2000	White Mtn Lakes WWTP	100277	243.30
2000	Clifton, Town Of-WWTP	100973	70.50
2000	Tempe, City Of-Kyrene	100405	415.30
2000	Founders Corp Ctr	100145	45.50
2000	Sanders Unif School Dist #18 WWTP	101317	76.00
2000	Eloy, City Of-WWTP	101689	264.84
2000	Sunscape WWTP	100077	32.00
2000	Westwind RV & Golf Resort	100050	171.20
2000	Sun Vista RV Resort	103414	135.00
2000	Williams, City Of-WWTP	101368	169.50
2000	Recot Inc.-Frito-Lay WWT & Disp Fac	100381	56.00
2000	Paradise Peak West WWTP	102182	159.50
2000	Bradshaw Mtn RV Resort	103556	25.00
2000	Alpine Sanitary Dist	101437	163.70
2000	Kachina Village Improv Dist WWTP	100362	156.50
2000	Phelps Dodge-Ajo Improvement Dist	101678	288.00
2000	Fredonia, Town of	103594	183.20
2000	Tomahawk Auto/Truck Stop & RV Park WWTP	103595	185.50
2000	Sahuarita WWTP	103602	38.50
2000	Pima Cnty FCD-Marana High Plains Effluent Rechg Proj	103195	133.80
2000	Glendale, City Of-West Area WWRF	103611	256.00
2000	USBR-Yuma Desalting	100306	65.50
2000	Beaver Dam Heights	103361	131.50
2000	Houston Creek Landing	103676	83.50
2000	Sedona Summit-Navoti WWTP	103678	60.00



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2000	Pinal Cnty HUD Housing-Stanfield WWTP	103679	62.10
2000	Pinal Cnty HUD Housing- Maricopa WWTP	103680	31.50
2000	Sunlake Village LLC-Sunlake Village Phase B WWTP	103681	67.80
2000	Clear Skies MHP-WWTP	103696	62.00
2000	Bison Ranch WWTP	103703	42.50
2000	Holbrook, City Of-Painted Mesa WRF	103725	58.00
2000	Picacho WWTP	103890	48.00
2000	Mohave Corr Properties-Sacramento Rd WWTP	103892	54.50
2000	Meadow Vista WWTP	104081	89
2001	Bullhead City, City Of - Sierra WWTP	100603	190.90
2001	Beaver Dam Sewer Company WWTP	104153	72.00
2001	Buckeye, Town Of - Blue Horizon Villages WRF	104165	154.00
2001	Robson Ranch Quail Creek	104174	33.50
2001	Seven Canyons PF Sedona WWTP	103334	53.00
2001	Sunshine Estates WWTP	104176	39.50
2001	Pima County WWMD -Green Valley POTW	100629	252.20
2001	Palm Valley WRF	100310	60.00
2001	Miraval Resort Septic Tank - Leach Field System	100216	65.10
2001	Somerton, City Of - Sewage Plant	100791	48.05
2001	Pima, Town Of - WWTP	100805	145.50
2001	El Mirage, City Of - WWTP	101943	177.00
2001	Flagstaff Ranch Golf Club WWTP	21396	43.50
2001	Rip Griffin Truck/Travel Center	101834	80.50
2001	Sandpoint Marina & RV Park WWTS	101620	41.50
2001	Tombstone, City Of - WWTP	100834	64.00
2001	Miami, Town Of - WWTP	100814	279.50
2001	US DOJ-Safford FCI WWTP	100809	99.20
2001	Safford, City Of - WWTP	100806	154.41
2001	Kearny, Town Of - WWTP	103709	89.50
2002	Flagstaff Ranch Golf Club WWTP	21396	43.50
2002	Pine Meadows WWTP	21397	194.50
2002	Chandler, City Of- Chandler Ocotillo Recharge & Recovery Project	21507	71.50
2002	Del Pueblo Rv & Tennis Resort	22845	76.30

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2002	Palm Valley WRF	100310	60.00
2002	Pima, Cnty Of-WWMD-Ina Road WWTP	100630	261.00
2002	Pima, City Of-WWMD-Marana WWTP	100631	167.00
2002	Pima, Cnty of - EEMD - Roger Road	100655	249.50
2002	Oracle San Dist WWTP	100679	198.05
2002	US NPS-Grand Canyon NPS-North Rim WWTP	100749	292.50
2002	Huachuca City, Town Of-WWTP	100832	52.50
2002	Tombstone, City Of-WWTP	100834	60.00
2002	Eager, Town Of WWTP	101042	206.75
2002	Colorado City/Hildale WWTF	101419	140.50
2002	Southland Sanitation-Golden Acres	101491	65.00
2002	Queen Valley SD WWTP	101699	246.50
2002	Bulhead City Sunridge Estates	102012	86.00
2002	Snowflake, Town Of-WWTP	102019	190.50
2002	Desert Garden Apts II- WWTP	102435	123.50
2002	Biosphere 2 - Student Village WWTP	102464	43.50
2002	Wilcox, City of	102778	228.10
2002	Tucson, Ajo Detention Center	103617	113.50
2002	Flagstaff Meadows WWTP	104083	194.50
2002	Bensch Ranch WWTP	105001	149.75
2002	American Ranch WWTP	105009	95.50
2002	Far West Water & Sewer - Section 14	105014	53.32
2002	Coolidge, City of Pilot Recharge Project	502623	69.00

**3. The name and address of agency personnel with whom persons may communicate regarding the public information:**

Name: Kym Kneadler  
 Address: Arizona Department of Environmental Quality  
 MC 5415B-3  
 1110 N. Washington  
 Phoenix, AZ 85007  
 Telephone: (602) 207-4691 (Metro-Phoenix area) or (800) 234-5677, ext. 4691 (other areas)

**4. The time during which the agency will accept written comments about the public information and the time and place where oral comments or questions may be made:**

The Department will accept written comments on the factors used to derive the Annual Fee Schedule until close of business on April 23, 2003. Written comments may be directed to the contact person in item #3.