

# 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

[M14-01]

**1. Name of the agency proposing the delegation agreement:**

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:**

Mohave County

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

**Water Quality Management**

Approvals of Drinking Water Systems, Subdivisions, On-Site Wastewater Treatment Facilities and Sewage Collection Systems; Private Residential Gray Water

Name: John A. Calkins  
Title: Manager, Drinking Water Section  
Address: Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-4617  
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**Compliance and Enforcement**

Name: Mindi Cross  
Title: Manager, Water Quality Compliance Section  
Address: Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-2209  
E-mail: mc4@azdeq.gov

**Solid Waste Management**

Name: Randall Matas  
Title: Manager, Solid Waste Programs Inspections and Compliance Section  
Address: Department of Environmental Quality  
1110 W. Washington St.  
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Phone: (602) 771-4849  
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**4. A summary of the delegation agreement and the subjects and issues involved:**

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

**Water Quality Management**

- General functions and duties pertaining to the administration of Type 1 and Type 4 General Aquifer Protection Permits delegated to the LA pursuant to this table.
- 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.
  - 1.10 Sewage collection systems subject to R18-9-B301(J)
  - 1.11 Sewage collection systems subject to R18-9-B301(K)
- Application review, inspection, issuance or denial of Construction and Discharge Authorizations, compliance and enforcement for the 4.01 General Aquifer Protection Permit for Sewage Collection Systems
- 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
- Review and approval of indicated 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 Denitrifying w/separated wastewater streams
  - 4.14 Sewage vault
  - 4.15 Aerobic System
  - 4.16 Nitrate-reactive media filter
  - 4.17 Cap system
  - 4.18 Constructed wetlands
  - 4.19 Sand lined trench
  - 4.20 Disinfection devices
  - 4.21 Surface disposal
  - 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 following 4.23 General Aquifer Protection Permits for On-Site Wastewater Treatment Facilities with a design flow from 3000 gallons per day to less than 24,000 gallons per day of those General Aquifer Protection Permits with a design flow of less than 3000 gallons per day that are delegated
- Compliance and enforcement responsibilities for 4.23 General Aquifer Protection Permit for On-Site Wastewater Treatment Facilities with a design flow from 3000 gallons per day to less than 24,000 gallons per day
- Notice of Transfer for On-Site Wastewater Treatment Facilities
- Complaint response and compliance assistance for private residential Gray Water Systems authorized by the Type 1 Reclaimed Water General Permit
- Certificate of Approval for Sanitary Facilities for Subdivisions
  - Application review, inspection, and certificate issuance or denial as appropriate
  - Compliance and enforcement

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- Public Drinking Water Facilities
  - Approval to Construct (ATC) and Approval of Construction (AOC)
  - Application review, construction inspection, and certificate issuance or denial as appropriate
  - Compliance and enforcement

**Solid Waste Management**

- 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
- Approval of solid waste collection and disposal provisions for new subdivisions

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

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

<http://azdeq.gov/function/permits/delegated.html>

Or contact:                      Sherri Zendri, Administrative Counsel  
Arizona Department of Environmental Quality  
Office of Administrative Counsel  
1110 W. Washington  
Phoenix, AZ 85007

Telephone:                      (602) 771-2242

E-mail:                              slz@azdeq.gov

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

Where there is sufficient public interest, 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 hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m. or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency's decision on whether to enter into the proposed delegation agreement.

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 at (602) 771-2300 or TDD (602) 771-4829 or contact us via the web at [azdeq.gov](http://azdeq.gov).