



NOTICES OF PROPOSED DELEGATION AGREEMENTS

This section of the *Arizona Administrative Register* contains Notices of Proposed Delegation Agreements.

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

[M16-141]

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:

Pima County

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

Drinking Water

Name: Daniel L. Czecholinski
 Title: Manager, Drinking Water Section
 Address: Department of Environmental Quality
 1110 W. Washington St.
 Phoenix, AZ 85007
 Phone: (602) 771-4617
 E-mail: dc5@azdeq.gov

Solid Waste

Name: Pamela Nicola, Manager
 Inspections & Compliance Section Waste Programs Division
 Address: Department of Environmental Quality
 1110 W. Washington St.
 Phoenix, AZ 85007
 Phone: (602) 771-4849
 E-mail: pn2@azdeq.gov

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 amend the delegation agreement with Pima County, the Local Agency (LA), to conform to an updated 2016 template that replaces the reference to A.R.S. § 11-952 with § 49-107; includes e-verify requirements pursuant to A.R.S. §§ 41-4401(A) and 23-214(A); replaces the word “intent” with “request” in Paragraph G.6; clarifies in Paragraph H.1 that ADEQ will pay for the Office of Administrative Hearing’s costs on behalf of the County, not County costs; updates Appendix B at Paragraph C.4. to change the job title to “Environmental Program Manager”; and adds to the signature page language to memorialize the date of approval by the County Board of Supervisors.

The proposed delegation agreement makes the following changes to Appendix A, Water Quality Management:

- Grants LA authority for R18-4-217 over blended water
- Grants LA authority for the Revised Total Coliform Rule R18-4-102, -210 and -126

The proposed delegation agreement makes the following changes to Appendix B, Solid Waste Management:

- Clarifies authority for refuse collection frequency variances in the City of Tucson
- Clarifies that list of septic tank inspections includes inspection dates

The proposed delegation agreement would eliminate Appendix C Air Quality Management because the LA now



has primacy over the formerly delegated facility instead of ADEQ, due to a retrofit that prevents the use of coal. All other delegated program elements remain the same as the current delegation agreement.

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 L. Zendri, Administrative Counsel
Department of Environmental Quality
Address: 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.