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HB 2628: department of environmental quality; omnibus

Sponsor: Representative Griffin, LD 19

Transmitted to the Governor

Overview

Modifies provisions relating to several programs administered by the Arizona Department of Environmental Quality (ADEQ).

History

ADEQ is responsible for a variety of state and federal programs related to air quality, water quality, solid waste management, hazardous waste disposal and underground storage tank regulation. ADEQ shares responsibility for federal programs that have been delegated to the state by the U.S. Environmental Protection Agency (EPA) including the Clean Air Act, the Safe Drinking Water Act, the National Pollutant Discharge Elimination System program and the Resource Conservation and Recovery Act program (Title 49, A.R.S. and SOS).

The Small Drinking Water Systems Fund (Fund) consists of legislative appropriations. The Fund provides grants to operators and owners of public water systems that serve 10,000 or fewer persons. It provides information and assistance to improve compliance with drinking water system standards and provides grants to small water systems for infrastructure repair ([A.R.S. § 49-355](#)).

ADEQ's Monitoring Assistance Program was established to help public water systems comply with monitoring requirements of the federal Safe Drinking Water Act. The Monitoring Assistance Fund is used for program related work and administrative costs. The Monitoring Assistance Fund consists of fees collected from participating public water systems ([A.R.S. § 49-360](#)).

The Vehicle Emissions Inspection Program, established in 1967, requires vehicles in the Phoenix and Tucson metropolitan area to be tested to determine if emissions of certain pollutants are below a prescribed level.

Provisions

1. Allows disposal of waste tires in a landfill if the practice is part of the site's solid waste facility plan. (Sec. 2)
2. Authorizes disposal of whole tires, as part of a solid waste facility plan, if either:
 - a) the tires are used to form a layer immediately above the base liner of a new solid waste facility; or
 - b) the tires are buried with other waste at a depth of 50 feet or more. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note

3. Repeals applicability of federal definitions, contained in the federal Underground Injection Control (UIC) program of the Safe Drinking Water Act, to Arizona's UIC program. (Sec. 3)
4. Allows the Small Drinking Water Systems Fund to include federal monies. (Sec. 4)
5. Authorizes ADEQ to adopt rules to establish criteria for a public water system to opt out of the drinking water Monitoring Assistance Program. (Sec. 5)
6. Allows ADEQ to conduct additional sampling if a system triggers a detection limit set by the federal Safe Drinking Water Act. (Sec. 5)
7. Allows the Monitoring Assistance Fund to include federal monies. (Sec. 5)
8. Modifies the method to determine if a fund surplus exists in the Monitoring Assistance Fund that would trigger a reduction in fees for public water systems **in** the subsequent year. (Sec. 5)
9. Designates specific emissions tests for a vehicle, based on the model year and gross vehicle weight. (Sec. 6)
10. Modifies definitions of *closed solid waste facility* and *recycling facility* for ADEQ solid waste programs. (Sec. 7)
11. Deletes the definition of *conditionally exempt small generator waste*, defines *very small quantity generator waste* and makes conforming changes to relevant sections of statute. (Sec. 1, 7, and 8)
12. Modifies the timeline for a facility with a coal combustion residuals unit to submit a permit application to ADEQ. (Sec. 9)
13. Includes a conditional enactment for statutes related to vehicle emissions testing program protocols and provides that those provisions will not take effect until the EPA approves Arizona's state implementation plan (SIP). (Sec. 10)
14. Makes technical changes. (Sec. 1, 2, 5-9)