

REFERENCE TITLE: **underground water storage; technical correction**

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

# **HB 2052**

Introduced by  
Representative Dunn

**AN ACT**

**AMENDING SECTION 45-811.01, ARIZONA REVISED STATUTES; RELATING TO UNDERGROUND WATER STORAGE.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 45-811.01, Arizona Revised Statutes, is amended  
3 to read:

4 45-811.01. Underground storage facility permit

5 A. A person may apply to the director for a constructed underground  
6 storage facility permit or a managed underground storage facility permit  
7 and may operate an underground storage facility only pursuant to a permit.

8 B. A person applying to the director for a managed underground  
9 storage facility permit may request to have the facility designated as a  
10 facility that could add value to a national park, national monument or  
11 state park if that park or monument includes any portion of a natural  
12 channel of a stream or adjacent floodplain that would benefit from the  
13 facility.

14 C. The director may issue a permit to operate an underground  
15 storage facility if the director determines that all of the following  
16 apply:

17 1. The applicant has the technical and financial capability to  
18 construct and operate the facility.

19 2. Storage of the maximum amount of water that could be in storage  
20 at any one time at the facility is hydrologically feasible.

21 3. Storage at the facility will not cause unreasonable harm to land  
22 or other water users within the maximum area of impact of the maximum  
23 amount of water that could be in storage at any one time at the  
24 underground storage facility over the duration of the permit.

25 4. The applicant has agreed in writing to obtain any required  
26 floodplain use permit from the county flood control district before  
27 beginning any construction activities.

28 5. The director of environmental quality has determined that the  
29 facility is not in a location that will promote either the migration of a  
30 contaminant plume or the migration of a poor quality groundwater area so  
31 as to cause unreasonable harm or is not in a location that will result in  
32 pollutants being leached to the groundwater table so as to cause  
33 unreasonable harm, if the proposed water storage at the underground  
34 storage facility is exempt from the requirement for an aquifer protection  
35 permit under section 49-250, subsection B, paragraph 12, 13 or 24. For  
36 any facility exempt under section 49-250, subsection B, paragraph 24, the  
37 director of water resources, after consultation with the director of the  
38 department of environmental quality, may include in the permit any  
39 requirements, including operation, maintenance, monitoring, ~~record keeping~~  
40 **RECORDKEEPING**, reporting, contingency plan or remedial action  
41 requirements, as the director of water resources deems necessary.

1           D. The director may designate a managed underground storage  
2 facility as one that could add value to a national park, national monument  
3 or state park if the director finds that ~~at~~ BOTH of the following apply:

4           1. The applicant has agreed in writing to maintain a quantified,  
5 minimum base flow and annual discharge to the stream for the duration of  
6 the permit.

7           2. The project will benefit the groundwater basin as a whole.