

House Engrossed

on-site wastewater treatment facilities; permitting

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

# HOUSE BILL 2195

AN ACT

AMENDING SECTION 49-245, ARIZONA REVISED STATUTES; RELATING TO WATER  
QUALITY CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 49-245, Arizona Revised Statutes, is amended to  
3 read:

4 49-245. Criteria for issuing general permit

5 A. The director may issue by rule a general permit for a defined  
6 class of facilities if all of the following apply:

7 1. The cost of issuing individual permits cannot be justified by  
8 any environmental or public health benefit that may be gained from issuing  
9 individual permits.

10 2. The facilities, activities or practices in the class are  
11 substantially similar in nature.

12 3. The director is satisfied that appropriate conditions under a  
13 general permit for operating the facilities or conducting the activity  
14 will meet the applicable requirements in section 49-243 or, as to  
15 facilities for which the director has established best management  
16 practices, section 49-246.

17 B. In addition to other applicable enforcement actions, if a person  
18 violates the conditions of a general permit, the director may revoke the  
19 general permit for that person and require that the person obtain an  
20 individual permit. A general permit may be revoked, modified or suspended  
21 at any time by the director if necessary to comply with this chapter.

22 C. Rules establishing a general permit shall include terms and  
23 conditions to ensure that all discharges and facilities will meet the  
24 requirements of this chapter and shall provide for the collective or  
25 individual revocation of the general permit if necessary to ensure  
26 compliance with this chapter.

27 D. Rules adopted pursuant to subsection A of this section may  
28 require a person who owns or operates a facility seeking coverage under a  
29 general permit to notify the director of the person's intent to operate  
30 the facility pursuant to the general permit and pay the applicable fee  
31 required pursuant to section 49-203.

32 E. AN ON-SITE WASTEWATER TREATMENT FACILITY WITH A DESIGN FLOW OF  
33 THREE THOUSAND GALLONS PER DAY OR MORE BUT LESS THAN SEVENTY-FIVE THOUSAND  
34 GALLONS PER DAY MAY DISCHARGE UNDER A GENERAL PERMIT IF THE ON-SITE  
35 WASTEWATER TREATMENT FACILITY COMPLIES WITH EXISTING GENERAL PERMIT RULES  
36 AND IS OPERATED BY A SERVICE PROVIDER THAT IS CERTIFIED BY THE TECHNOLOGY  
37 MANUFACTURER. THE DIRECTOR SHALL INCLUDE AN ADDENDUM TO THE GENERAL  
38 PERMIT AUTHORIZATION THAT REQUIRES ON-SITE WASTEWATER TREATMENT FACILITIES  
39 TO CONDUCT MAINTENANCE, MONITORING, RECORDKEEPING AND REPORTING IN  
40 ADDITION TO THE REQUIREMENTS OF THE GENERAL PERMIT.

41 F. FOR AN ON-SITE WASTEWATER TREATMENT FACILITY WITH A DESIGN FLOW  
42 OF FIFTY THOUSAND GALLONS PER DAY OR MORE OR FOR A SITE WITH MULTIPLE  
43 ON-SITE WASTEWATER TREATMENT FACILITIES WITH A COLLECTIVE DESIGN FLOW OF  
44 FIFTY THOUSAND GALLONS PER DAY OR MORE, THE DIRECTOR MAY REQUIRE THE  
45 FACILITY BY AN ADDENDUM TO THE GENERAL PERMIT AUTHORIZATION TO PROVIDE  
46 ADEQUATE FINANCIAL ASSURANCE.