

REFERENCE TITLE: on-site wastewater treatment facilities; permitting

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

HB 2195

Introduced by
Representative Hendrix

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.