

House Engrossed

on-site wastewater treatment; general permit

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 26
HOUSE BILL 2232

AN ACT

AMENDING SECTIONS 49-210 AND 49-245, ARIZONA REVISED STATUTES; RELATING TO
ON-SITE WASTEWATER TREATMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 49-210, Arizona Revised Statutes, is amended to
3 read:

4 49-210. Water quality fee fund; appropriation; exemption;
5 monies held in trust

6 A. The water quality fee fund is established consisting of monies
7 appropriated by the legislature and fees received pursuant to sections
8 49-104, 49-203, 49-211, 49-241, 49-241.02, 49-242, 49-245, 49-255.01,
9 49-352, 49-353 and 49-361. The director shall administer the fund.

10 B. Monies in the fund are subject to annual legislative
11 appropriation to the department for water quality programs. Monies in the
12 fund are exempt from the provisions of section 35-190 relating to lapsing
13 of appropriations.

14 C. On notice from the director, the state treasurer shall invest
15 and divest monies in the fund as provided by section 35-313, and monies
16 earned from investment shall be credited to the fund.

17 D. Monies in the water quality fee fund shall be used for
18 activities required to implement this chapter, except for articles 1.1 and
19 5 of this chapter, and to implement section 49-104, subsection B,
20 paragraphs 9 through 13 and subsection C.

21 E. Any fee, assessment or other levy that is authorized by law or
22 administrative rule and that is collected and deposited in the water
23 quality fee fund shall be held in trust. The monies in the fund may be
24 used only for the purposes prescribed by statute and shall not be
25 appropriated or transferred by the legislature to fund the general
26 operations of this state or to otherwise meet the obligations of the
27 general fund of this state. This subsection does not apply to any taxes
28 or other levies that are imposed pursuant to title 42 or 43.

29 Sec. 2. Section 49-245, Arizona Revised Statutes, is amended to
30 read:

31 49-245. Criteria for issuing general permit; definitions

32 A. EXCEPT AS PROVIDED IN SUBSECTION I OF THIS SECTION, the director
33 may issue ~~by rule~~ a general permit for a defined class of facilities if
34 all of the following apply:

35 1. The cost of issuing individual permits cannot be justified by
36 any environmental or public health benefit that may be gained from issuing
37 individual permits.

38 2. The facilities, activities or practices in the class are
39 substantially similar in nature.

40 3. The director is satisfied that appropriate conditions under a
41 general permit for operating the facilities or conducting the activity
42 will meet the applicable requirements in section 49-243 or, as to
43 facilities for which the director has established best management
44 practices, section 49-246.

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

6 C. Rules establishing a general permit PROGRAM shall include terms
7 and conditions to ensure that all discharges and facilities will meet the
8 requirements of this chapter and shall provide for the collective or
9 individual revocation of the general permit if necessary to ensure
10 compliance with this chapter.

11 D. Rules adopted pursuant to ~~subsection A of~~ this section may
12 require a person who owns or operates a facility seeking coverage under a
13 general permit to notify the director of the person's intent to operate
14 the facility pursuant to the general permit, APPLY FOR COVERAGE UNDER THE
15 GENERAL PERMIT and pay the applicable fee required pursuant to section
16 49-203.

17 E. Until revised rules that are proposed after December 31, 2024
18 are effective, and only for on-site wastewater treatment facilities with a
19 design flow of three thousand gallons per day or more, an on-site
20 wastewater treatment facility with a design flow of three thousand gallons
21 per day or more but less than seventy-five thousand gallons per day may
22 discharge under a general permit if the on-site wastewater treatment
23 facility complies with existing general permit rules, ~~and~~ IS INSTALLED BY
24 AN INSTALLER THAT IS CERTIFIED BY THE TECHNOLOGY MANUFACTURER AND IS
25 operated by a service provider that is certified by the technology
26 manufacturer. The director shall include an addendum to the general
27 permit authorization that requires on-site wastewater treatment facilities
28 to conduct maintenance, monitoring, recordkeeping and reporting in
29 addition to the requirements of the general permit.

30 F. For an on-site wastewater treatment facility with a design flow
31 of fifty thousand gallons per day or more or for a site with multiple
32 on-site wastewater treatment facilities with a collective design flow of
33 fifty thousand gallons per day or more, the director may require the
34 facility by an addendum to the general permit authorization to provide
35 adequate financial assurance.

36 G. The director shall establish fees for general permits issued
37 pursuant to subsections E, ~~and~~ F AND I of this section. The department
38 shall deposit the fees, pursuant to sections 35-146 and 35-147, in the
39 water quality fee fund established by section 49-210. FEES ADOPTED
40 PURSUANT TO THIS SECTION ARE EXEMPT FROM THE REQUIREMENTS OF TITLE 41,
41 CHAPTER 6.

42 H. Not later than one hundred and eighty days after the effective
43 date of revised GENERAL PERMIT PROGRAM rules that are proposed after
44 ~~December 31, 2024~~ THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION,
45 ~~and only for on-site wastewater treatment facilities with a design flow of~~

1 ~~three thousand gallons per day or more,~~ a permittee prescribed by
2 subsection E, ~~or~~ F OR I of this section shall INITIATE A transition OF the
3 permittee's facility consistent with the revised ~~on-site wastewater~~
4 ~~treatment facility~~ GENERAL permit program. THE DIRECTOR MAY NOT REQUIRE
5 ANY DESIGN MODIFICATIONS OR FEES THAT ARE ASSOCIATED WITH THIS
6 TRANSACTION.

7 I. NOT LATER THAN JANUARY 1, 2026, THE DIRECTOR SHALL ISSUE A
8 GENERAL PERMIT THAT AUTHORIZES A LIQUID EFFLUENT COLLECTION SYSTEM THAT
9 MEETS THE FOLLOWING REQUIREMENTS:

10 1. THE SYSTEM COMPLIES WITH SUBSECTION A OF THIS SECTION.

11 2. THE SYSTEM IS DESIGNED AS A SEPTIC TANK EFFLUENT PUMP SYSTEM OR
12 A SEPTIC TANK EFFLUENT GRAVITY SYSTEM, WHICH MAY INCLUDE SEPTIC TANKS,
13 COLLECTION SYSTEMS, SECONDARY TREATMENT, DISPOSAL SYSTEMS AND
14 APPURTENANCES.

15 3. THE SYSTEM, INCLUDING ALL COMPONENTS, SEPTIC TANKS, COLLECTION
16 SYSTEM, SECONDARY TREATMENT DISPOSAL SYSTEM AND APPURTENANCE, IS OWNED OR
17 OPERATED BY A SINGLE PERSON.

18 J. FOR THE PURPOSES OF THIS SECTION:

19 1. "LIQUID EFFLUENT COLLECTION SYSTEM" MEANS A COLLECTION OF LINES
20 THAT CONVEY LIQUID EFFLUENT FROM MULTIPLE SEPTIC TANKS, AS PRIMARY TREATED
21 WASTEWATER, TO A COMMON SECONDARY TREATMENT SYSTEM OR COMMON DISPERSAL
22 AREA THROUGH A SMALL DIAMETER PUMPING SYSTEM OR GRAVITY SYSTEM.

23 2. "SEPTIC TANK EFFLUENT GRAVITY SYSTEM" MEANS A COLLECTION SYSTEM
24 THAT USES SEPTIC TANKS TO SEPARATE SOLIDS AND ALLOW GRAVITY FLOW OF
25 EFFLUENT TO A SUBSEQUENT COMPONENT.

26 3. "SEPTIC TANK EFFLUENT PUMP SYSTEM" MEANS A COLLECTION SYSTEM
27 THAT USES A SEPTIC TANK TO SEPARATE SOLIDS AND INCORPORATES A PUMP VAULT,
28 PUMP AND ASSOCIATED DEVICES TO CONVEY EFFLUENT UNDER PRESSURE TO A
29 SUBSEQUENT COMPONENT.

30 Sec. 3. Legislative intent

31 The legislature intends that the director of the department of
32 environmental quality base fees that are adopted pursuant to section
33 49-245, Arizona Revised Statutes, as amended by this act, on the
34 department's direct and indirect costs associated with the type of
35 activity for which a fee is assessed.

APPROVED BY THE GOVERNOR MARCH 31, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2025.