



PINAL COUNTY

Aquifer Protection Program (APP) - Proposed Fee Study

COMMUNITY DEVELOPMENT

PRESENTED BY: BRENT BILLINGSLEY

A little introduction...

- APP's main job is to protect ground water in Pinal County.
- APP has a staff of five full time employees and receives administrative assistance.
- The last time fees were adopted was in January 2001.
- In the past the APP division was a part of Public Health and Environmental Health departments.
- A majority of the functions of this division are delegated from ADEQ.



**ARIZONA
DEPARTMENT OF
ENVIRONMENTAL QUALITY**

**Aquifer Protection Permit Program
18 A.A.C. 9, Articles 1, 2, 3, 4**

11.251.08

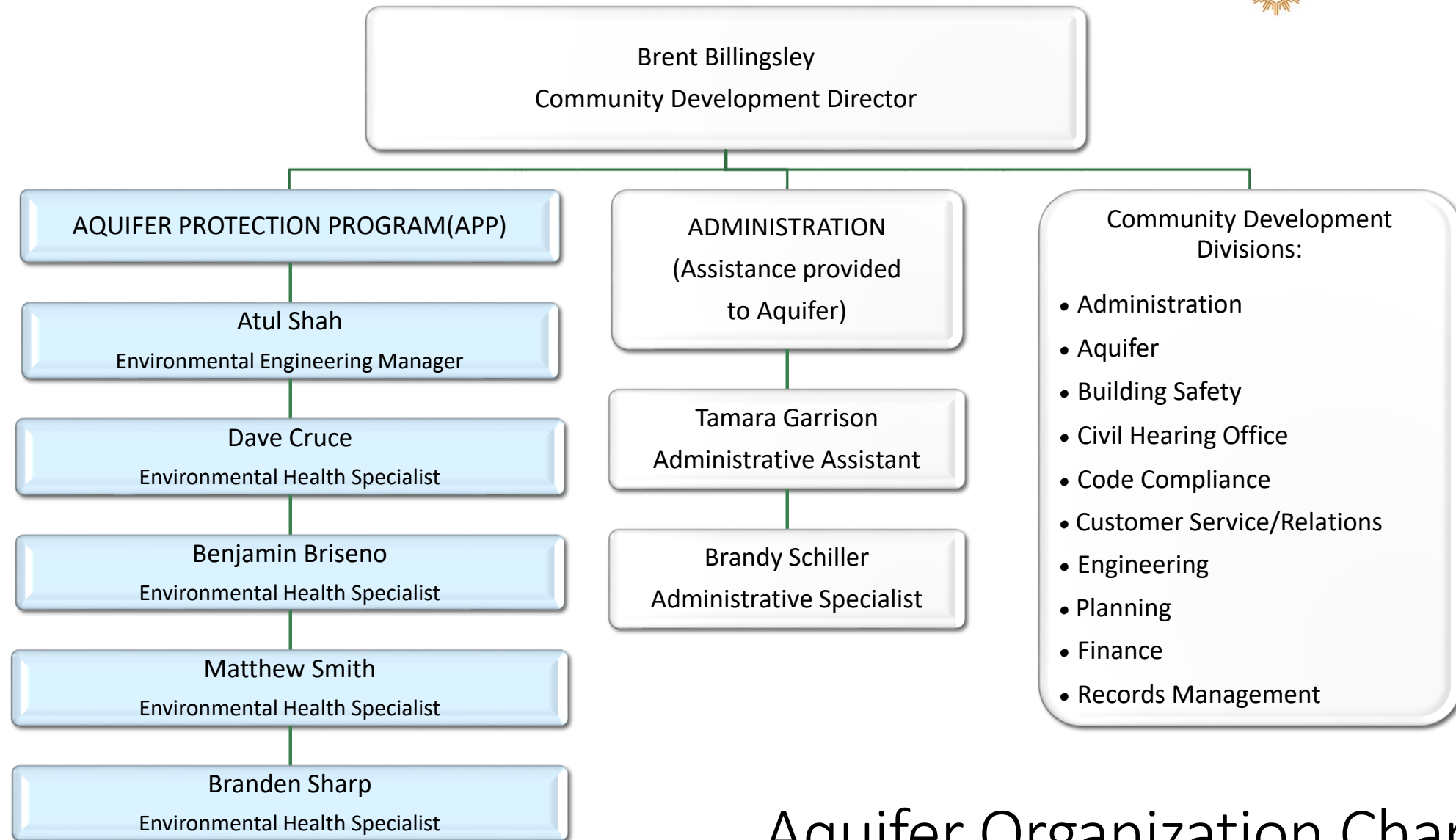
November 12, 2005

What is ADEQ?

- “ADEQ stands for the Arizona Department of Environmental Quality. We administer the state’s environmental laws and delegated federal programs to prevent air, water and land pollution and ensure cleanup.
- Under the Environmental Quality Act of 1986, the Arizona State Legislature created ADEQ in 1987 as the state’s cabinet-level environmental agency. ADEQ is composed of three environmental programs: Air Quality, Water Quality and Waste, with functional units responsible for technical, operational and policy support.
- ADEQ carries out several core functions: planning, permitting, compliance management, monitoring, assessment, cleanups and outreach.”



<http://azdeq.gov/AboutUs>



Aquifer Organization Chart

Fee Authority

A.R.S. 11-251.08. County fee for service authority; alternate fee schedule; fee limits; adoption procedures

- A. In addition to any other county power or authority the board of supervisors may adopt fee schedules for any specific products and services the county provides to the public. Notwithstanding fee schedules or individual charges in statute, a board of supervisors may adopt an additional charge or separate individual charge.
- B. Any fee or charge established pursuant to this section must be attributable to and defray or cover the expense of the product or service for which the fee or charge is assessed. A fee or charge shall not exceed the actual cost of the product or service.
- C. Before adoption of a fee for service or an additional or separate charge pursuant to this section, the board of supervisors shall hold a public hearing on the issue with at least fifteen days' published notice.
- D. Nothing in this section shall apply to products and services provided to cities and towns.

Delegation Agreement



DELEGATION AGREEMENT

Between

Arizona Department of Environmental Quality

And

Pinal County, hereinafter, County, a political subdivision of the State of Arizona

Delegation Agreement # EV12-0061

Whereas, Arizona Revised Statutes (A.R.S.) § 49-107, authorizes the Director of the Arizona Department of Environmental Quality (ADEQ) to delegate to a local environmental agency, or county health department, any functions, powers, and duties, hereinafter, Functions and Duties, which the Director believes can be competently, efficiently, and properly performed by the local environmental agency, or county health department and

Whereas, Pinal County includes: an Environmental Health Division, which is an operating division of the Health Department; and Air Quality Control District, which is an operating division of the Development Services Department; and an Emergency Management Department, which is an operating division of the Development Services Department, and therefore, Pinal County is the local environmental agency or county health department, hereinafter, LA, as set forth in A.R.S. § 49-107, and

Whereas, A.R.S. §§ 11-201(A)(3) and 11-952 authorize the County Board of Supervisors (and by delegation the LA, where the LA is a local environmental agency or health department) to enter into contracts as necessary to assist LA in exercising its powers, and

Whereas, the LA deems that it is in its best interests to accept such delegation,

Therefore, the Director of ADEQ delegates to Pinal County as LA, and the LA accepts the delegation of those Functions and Duties described in the Appendices of this Delegation Agreement, hereinafter Agreement, (Appendix A of this Agreement for Wastewater and Drinking Water Delegations, Appendix B of this Agreement for Solid Waste Delegations, and Appendix C of this Agreement for Air Quality Delegations) on behalf of ADEQ and in accordance with the terms and conditions specified in this Agreement.

Delegation Agreement Continued



DELEGATION AGREEMENT

Between

Arizona Department of Environmental Quality

And

Pinal County, hereinafter, County, a political subdivision of the State of Arizona

Delegation Agreement # EV12-0061

C. FEE AUTHORITY AND TYPES OF FEES

1. To the extent permitted by law, ADEQ delegates the authority to collect fees under its established fee rules to assure the LA may accomplish delegated Functions and Duties according to the applicable standards.

The LA shall annually report delegated program authority fees to ADEQ on or before September 1. The report shall list all permits issued that year and the total revenue for each general permit category. ADEQ shall provide the LA with a template for the report. The report shall be delivered to ADEQ Central Office, 1110 West Washington Avenue, Phoenix, Arizona 85007, to the Office of the Chief Financial Officer.

Unless otherwise provided by statute, fees imposed by the LA shall be limited to the cost of service, including all direct and indirect costs.

2. Fees are authorized by, and shall conform to, the requirements of state laws and rules and county ordinances.
3. All fees collected by the LA pursuant to this Agreement shall be retained by the LA as consideration for performing the Functions and Duties described in this Agreement.

ADEQ Proposed Fees

<p>4.23 General Permit: 3,000 to less than 24,000 Gallons per day Design Flow</p>	<ul style="list-style-type: none"> ▪ Onsite wastewater treatment facility with up to: <ul style="list-style-type: none"> • Three treatment technologies and disposal methods consisting of technologies or designs that are covered under other Type 4 general permits; and • Two onsite wastewater treatment facilities ▪ Maximum fee (cumulative) ▪ Each additional onsite wastewater treatment facility on same Notice of Intent to Discharge up to maximum fee ▪ Each additional treatment technology or disposal method consisting of technologies or designs that are covered under other Type 4 general permits on same Notice of Intent to Discharge up to maximum fee 	<p>\$3,600 <u>\$5,137</u></p> <p>\$7,500 <u>\$10,703</u></p> <p>\$1,200 <u>\$1,712</u></p> <p>\$500 <u>\$714</u></p>
<p>4.23 General Permit Annual Report</p>	<p>Annual report required under A.A.C. R18-9-E323(G)</p>	<p>\$200 <u>\$285</u></p>
<p>Type 4 General Permits (4.02 through 4.22)</p>	<ul style="list-style-type: none"> ▪ Maximum fee ▪ First Type 4 general permit ▪ Each additional Type 4 general permit on same Notice of Intent to Discharge 	<p>\$3,700 <u>\$5,280</u></p> <p>\$1,200 <u>\$1,712</u></p> <p>\$500 <u>\$714</u></p>
<p>Alternate Design under A.A.C. R18-9-A312(G)</p>	<p>A request for an alternative design, installation, or operational feature, per alternative design:</p> <ul style="list-style-type: none"> ▪ Type 4.01 general permit ▪ All other Type 4 general permits 	<p>\$750 <u>\$1,070</u></p> <p>\$250 <u>\$357</u></p>
<p>Interceptor under A.A.C. R18-9-A315</p>	<p>A design requiring an interceptor (per interceptor)</p>	<p>\$100 <u>\$143</u></p>
<p>Transfer</p>	<p>Transfer of discharge authorization</p>	<p>\$50 <u>\$71</u></p>
<p>Priority Review</p>	<p>If an applicant requests priority review, the Department shall approve or deny the request. When determining whether to approve a priority re- view request, the Department shall consider the complexity of the project and the Department’s current work load.</p>	<p>Double the Applicable Fee (including any applicable maximum fee)</p>

APP Proposed Fees for Onsite Sewage Disposal System

Service	ADEQ Proposed Fees	ADEQ Current Fees	Pinal County Proposed fees	Pinal County Current fees
4.23 General Permit: 3,000 to less than 24,000 Gallons per day Design Flow <ul style="list-style-type: none"> ▪ Onsite wastewater treatment facility with up to: <ul style="list-style-type: none"> • Three treatment technologies and disposal methods consisting of technologies or designs that are covered under other Type 4 general permits; and two onsite wastewater treatment facilities 	\$5137.00	\$3600.00	\$3600.00	\$700-\$1000
4.23 General Permit: 3,000 to less than 24,000 Gallons per day Design Flow Maximum fee (cumulative)	\$10703.00	\$7500.00	\$7500.00	\$700-\$1000
4.23 General Permit: 3,000 to less than 24,000 Gallons per day Design Flow Each additional onsite wastewater treatment facility on same Notice of Intent to Discharge up to maximum fee	\$1712.00	\$1200.00	\$1200.00	\$700-\$1000
4.23 General Permit: 3,000 to less than 24,000 Gallons per day Design Flow <ul style="list-style-type: none"> ▪ Each additional treatment technology or disposal method consisting of technologies or designs that are covered under other Type 4 general permits on same Notice of Intent to Discharge up to maximum fee 	\$714.00	\$500.00	\$500.00	\$296.00
4.23 General Permit - Annual report required under A.A.C. R18-9-E323(G)	\$285.00	\$200.00	\$200.00	NA
Type 4 General Permits (4.02 through 4.22) - Maximum fee	\$5280.00	\$3700.00	\$3700.00	\$700-\$1000
Type 4 General Permits (4.02 through 4.22) - First Type 4 general permit	\$1712.00	\$1200.00	\$1200.00	\$700-\$1000
Type 4 General Permits (4.02 through 4.22) - Each additional Type 4 general permit on same Notice of Intent to Discharge	\$714.00	\$500.00	\$500.00	\$296.00
Alternative Design under A.A.C. R18-9-A312(G) A request for an alternative design, installation, or operational feature, per alternative design: All other Type 4 general permits	\$357.00	\$250.00	\$250.00	NA
Interceptor under A.A.C. R18-9-A315 - A design requiring an interceptor (per interceptor)	\$143.00	\$100.00	\$100.00	NA
Transfer - Transfer of discharge authorization	\$71.00	\$50.00	\$50.00	\$50.00
Subdivision Review and Approval (conceptual approval to ADEQ)	NA	NA	\$1,000.00	\$55.00
Refuse Solid and Liquid Waste hauler	NA	NA	\$200.00	\$94.00
ADWR Domestic Well Approval	NA	NA	\$200.00	\$50.00
ADWR Domestic Well Site Evaluation per Hour	NA	NA	\$130.00	NA
Field or office service fee per hour	NA	NA	\$130.00	NA
Onsite Investigation per Hour	NA	NA	\$130.00	NA

Aquifer Resources

Aquifer Protection

- Email: aquiferprotection.sharedmailbox@pinal.gov
- Website: <https://www.pinal.gov/185/Septic-Wells>

Arizona Department of Environmental Quality

- Website: <https://azdeq.gov>
- ADEQ Proposed Fee Link: https://static.azdeq.gov/pn/wqd_fees_18-14-1.pdf
- <http://www.azdeq.gov/proposed-increases-water-quality-permit-service-fees-stakeholder-meetings-materials>

Questions?