

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **2232**

Hendrix Floor Amendment

-
- Allows the Director of ADEQ to issue a general permit.
 - Changes the date for effectiveness of revised rules to after December 31, 2024.
 - Prohibits the Director from requiring any design modifications or fees that are associated with this transaction.
 - Provides that no later than January 1, 2026 the director is required to issue a general permit that authorizes a liquid effluent collection system if it meets certain criteria.
 - Defines:
 - o *Liquid effluent collection system;*
 - o *Septic tank effluent gravity system; and*
 - o *Septic tank effluent pump system.*

Amendment explanation prepared by Corbin W

Phone Number 63458

ra

2/25/2025

HENDRIX FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2232
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

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.

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

3 49-245. Criteria for issuing general permit: definitions

4 A. [EXCEPT AS PROVIDED IN SUBSECTION I OF THIS SECTION,] the
5 director [may] ~~[SHALL]~~ 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 [PROGRAM] shall include
23 terms and conditions to ensure that all discharges and facilities will
24 meet the requirements of this chapter and shall provide for the collective
25 or 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[, APPLY FOR COVERAGE UNDER THE
31 GENERAL PERMIT] and pay the applicable fee required pursuant to section
32 49-203.

33 E. Until revised rules that are proposed after [December 31, 2024
34 are effective, and only] ~~[THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS~~
35 ~~SECTION]~~ for on-site wastewater treatment facilities~~[, INCLUDING A LIQUID~~
36 ~~EFFLUENT COLLECTION SYSTEM AS PRESCRIBED IN SUBSECTION I OF THIS SECTION,]~~
37 with a design flow of three thousand gallons per day or more, an on-site
38 wastewater treatment facility with a design flow of three thousand gallons
39 per day or more but less than seventy-five thousand gallons per day may
40 discharge under a general permit if the on-site wastewater treatment
41 facility complies with [existing] general permit rules ~~[IN EFFECT ON THE~~
42 ~~EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION]~~ ~~[and]~~ [.] is [INSTALLED
43 BY AN INSTALLER THAT IS CERTIFIED BY THE TECHNOLOGY MANUFACTURER AND IS]
44 operated by a service provider that is certified by the technology
45 manufacturer. The director shall include an addendum to the general
46 permit authorization that requires on-site wastewater treatment
47 facilities~~[, INCLUDING A LIQUID EFFLUENT COLLECTION SYSTEM AS PRESCRIBED~~

1 ~~IN SUBSECTION I OF THIS SECTION,~~ to conduct maintenance, monitoring,
2 recordkeeping and reporting ~~[THAT ARE NECESSARY TO ACHIEVE THE SPECIFIED~~
3 ~~PERFORMANCE LEVELS THROUGHOUT A TWENTY-YEAR LIFE]~~ in addition to the
4 requirements of the general permit.

5 F. For an on-site wastewater treatment facility~~[, INCLUDING A~~
6 ~~LIQUID EFFLUENT COLLECTION SYSTEM AS PRESCRIBED IN SUBSECTION I OF THIS~~
7 ~~SECTION,]~~ with a design flow of fifty thousand gallons per day or more or
8 for a site with multiple on-site wastewater treatment facilities with a
9 collective design flow of fifty thousand gallons per day or more, the
10 director may require the facility by an addendum to the general permit
11 authorization to provide adequate financial assurance.

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

18 H. Not later than one hundred and eighty days after the effective
19 date of revised ~~[GENERAL PERMIT PROGRAM]~~ rules that are proposed after
20 ~~December 31, 2024~~ ~~THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION,~~
21 ~~[and only for on-site wastewater treatment facilities, INCLUDING A LIQUID~~
22 ~~EFFLUENT COLLECTION SYSTEM AS PRESCRIBED IN SUBSECTION I OF THIS SECTION,~~
23 ~~with a design flow of three thousand gallons per day or more,]~~ a permittee
24 prescribed by subsection E, ~~or~~ F ~~OR I~~ of this section shall ~~[INITIATE A]~~
25 transition ~~[OF]~~ the permittee's facility consistent with the revised
26 ~~[on-site wastewater treatment facility] [GENERAL] permit program. [THE~~
27 ~~DIRECTOR MAY NOT DUPLICATE FEES FOR THIS TRANSITION.] [THE DIRECTOR MAY~~
28 ~~NOT REQUIRE ANY DESIGN MODIFICATIONS OR FEES THAT ARE ASSOCIATED WITH THIS~~
29 ~~TRANSACTION.]~~

30 I. ~~[NOT LATER THAN JANUARY 1, 2026,]~~ ~~THE DIRECTOR SHALL [AUTHORIZE]~~
31 ~~[ISSUE] A [LIQUID EFFLUENT COLLECTION SYSTEM TO DISCHARGE PURSUANT TO A]~~
32 ~~GENERAL PERMIT [IF ALL OF THE FOLLOWING CONDITIONS APPLY] [THAT AUTHORIZES~~
33 ~~A LIQUID EFFLUENT COLLECTION SYSTEM THAT MEETS THE FOLLOWING~~
34 ~~REQUIREMENTS]:~~

35 ~~[1. THE SYSTEM COMPLIES WITH SUBSECTION A OF THIS SECTION.]~~

36 ~~[1.] [2.] THE SYSTEM IS DESIGNED AS A SEPTIC TANK EFFLUENT PUMP~~
37 ~~SYSTEM OR A SEPTIC TANK EFFLUENT GRAVITY SYSTEM, WHICH MAY INCLUDE SEPTIC~~
38 ~~TANKS, COLLECTION SYSTEMS, SECONDARY TREATMENT[.] [AND] DISPOSAL SYSTEMS~~
39 ~~[AND APPURTENANCES].~~

40 ~~[2. THE SYSTEM IS DESIGNED TO MEET APPLICABLE GENERAL PERMIT~~
41 ~~REQUIREMENTS IN EFFECT AS OF THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS~~
42 ~~SECTION.]~~

43 3. THE SYSTEM, INCLUDING ALL COMPONENTS, SEPTIC TANKS, COLLECTION
44 SYSTEM, SECONDARY TREATMENT ~~[AND] DISPOSAL SYSTEM [AND APPURTENANCE], IS~~
45 OWNED OR OPERATED BY A SINGLE ~~[LEGAL ENTITY THAT IS REGULATED BY THE~~
46 ~~CORPORATION COMMISSION, A SANITARY DISTRICT FORMED PURSUANT TO SECTION~~
47 ~~48-2084, A CITY OR A QUALIFIED COUNTY] [PERSON].~~

1 [J. FOR THE PURPOSE OF THIS SECTION:

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

6 2. "SEPTIC TANK EFFLUENT GRAVITY SYSTEM" MEANS A COLLECTION SYSTEM
7 THAT USES SEPTIC TANKS TO SEPARATE SOLIDS AND ALLOW GRAVITY FLOW OF
8 EFFLUENT TO A SUBSEQUENT COMPONENT.

9 3. "SEPTIC TANK EFFLUENT PUMP SYSTEM" MEANS A COLLECTION SYSTEM THAT
10 USES A SEPTIC TANK TO SEPARATE SOLIDS AND INCORPORATES A PUMP VAULT, PUMP
11 AND ASSOCIATED DEVICES TO CONVEY EFFLUENT UNDER PRESSURE TO A SUBSEQUENT
12 COMPONENT.]

13 Sec. 3. Legislative intent

14 The legislature intends that the director of the department of
15 environmental quality base fees that are adopted pursuant to section
16 49-245, Arizona Revised Statutes, as amended by this act, on the
17 department's direct and indirect costs associated with the type of
18 activity for which a fee is assessed.

19 Enroll and engross to conform

20 Amend title to conform

LAURIN HENDRIX

02/25/2025

08:53 AM

H: CW/l's