

NOTICE OF PUBLIC INFORMATION
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER POLLUTION CONTROL
AZPDES DE MINIMIS GENERAL PERMIT

Publication date: August 28, 2009, *Arizona Administrative Register*, Volume 15, Issue 35
Notice No. M09-301

1. **Name of the agency:** Department of Environmental Quality

2. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 9, Department of Environmental Quality - Water Pollution Control
Article and its heading: 9, Arizona Pollutant Discharge Elimination System
Section number: R18-9-A907(B)

3. **A brief description of the proposed general permit:**

The Department is proposing to re-issue a general permit that authorizes De Minimis discharges to surface waters. De Minimis discharges are point source discharges that meet the applicable surface water quality standards (SWQS, 18 A.C.C. 11, Article 1); are generally infrequent, of low volume, and/or short in duration; and are conducted with appropriate best management practices (BMPs) to ensure compliance with the conditions of the permit. De Minimis discharges include discharges from potable water system installation and maintenance activities; subterranean dewatering; well development and maintenance; aquifer testing; hydrostatic testing of pipes and vessels; reclaimed water system repair and pressure releases; residential cooling system condensate or overflow; charitable car washes; building and street washing; dechlorinated drainage from swimming pools; and other discharges specifically determined to be De Minimis by the Department. The proposed permit contains certain limitations and exclusions that apply to the above categories.

The proposed permit is intended to replace the original AZPDES De Minimis General Permit (DMGP, Permit No. AZG2004-001) which was issued on March 17, 2004, and expired on March 17, 2009. Proposed changes from the 2004 permit are listed in a fact sheet accompanying the draft 2009 permit (see Item #5, below).

Under the federal Clean Water Act and associated regulations (40 CFR 122), and under ARS § 49-255 *et seq.* for Arizona, all point source discharges to surface waters require some type of discharge permit coverage. As an alternative to obtaining individual AZPDES permits, the proposed general permit provides coverage for qualifying discharges that have the potential to enter surface waters, whether directly or via a storm sewer system or other conveyance.

In general, to obtain coverage under this permit, an eligible party must prepare and implement a Best Management Practices Plan (BMPP) and submit a completed Notice of Intent form to the Department. The BMPP and NOI requirements do not apply to certain types of discharge activities such as charitable car washes and dechlorinated swimming pool drainage. Where required, the BMPP must identify measures that will be implemented to

ensure compliance with the conditions of the permit. For discharges to certain types of waters (perennial, intermittent, impaired, or Outstanding Arizona Water) and for Areawide, Project-wide, and Facility-wide coverage, the BMPP must be submitted to the Department with the Notice of Intent form. With certain exceptions, the permittee must conduct discharge monitoring in accordance with permit conditions, and must terminate coverage by completing and submitting a Notice of Termination form to the Department after completion of the discharge.

4. A description of the permit area:

The proposed general permit covers discharges from the specified activities in Arizona, except for Indian Country as defined in 18 U. S. C. 1151.

5. How to obtain copies of the draft permit documents:

Copies of the proposed general permit and accompanying fact sheet are available upon request from the agency personnel listed in Item 7., below, and on the Department's website at <http://www.azdeq.gov/environ/water/permits/gen.html#demi>

The proposed general permit and fact sheet are also available at the Arizona Department of Environmental Quality, 1110 West Washington Street, Phoenix, Arizona and may be reviewed any time between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays.

6. The time during which the agency will accept written comments:

Comments on the proposed general permit must be submitted c/o Lavinia Wright at the address, fax number, or e-mail address provided below, and received or postmarked no later than September 28, 2009. Within the comment period, interested persons may also request a public hearing under A.A.C. R18-9-A908 concerning the proposed permit.

While no formal public hearing is currently scheduled, the Department is planning to hold a public meeting to accept written and oral comments on the proposed general permit. The time and place of the public meeting will be announced on the ADEQ website at <http://www.azdeq.gov/environ/water/permits/gen.html#demi>. Interested persons may also request notification about the public meeting by contacting Lavinia Wright at the e-mail address, postal address, or phone number below.

7. The name, address, and telephone number of agency personnel to whom questions and comments on the general permit may be addressed:

Name: Lavinia Wright
Address: Arizona Department of Environmental Quality
Water Quality Division, Surface Water Section
1110 West Washington, 5415A-1
Phoenix, Arizona 85007
Telephone: (602) 771-4585
Fax: (602) 771-4528
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