

Environmental Law Alert: ADEQ Issues New AZPDES General Permit

ADEQ issued a new AZPDES general permit for certain wastewater discharges, making application for such permits easier, more expeditious, and less costly. According to the agency, individual permits previously costing as much as \$15,000 and taking up to a year to issue will now be available as general permits costing between \$1,500 and \$2,500 and will be issued in less time. AZPDES or Arizona Pollutant Discharge Elimination System permits are required for discharges to certain surface waters considered "Waters of the U.S."

The new AZPDES General Permits for Infrequent Discharges of Domestic Wastewater to Waters of the U.S.[1], which became effective July 23, 2012, applies to infrequent discharges of secondary treated effluent from domestic wastewater treatment facilities with design flows less than 20 million gallons per day to waters of the U.S. The permit is envisioned to be used for:

- (1) Planned discharges
 - Occurring no more frequently than twice per calendar year
 - With a duration of no more than 14 consecutive days, and
 - With at least 30 days between discharges; and
- (2) Emergency discharges
 - Occurring no more frequently than three times per permit term and
 - With a duration of no more than 14 consecutive days per discharge event.

In order to apply for a general permit, a Notice of Intent (NOI) must be submitted. ADEQ issues a Discharge Authorization Certificate (DAC) to the facility which confirms coverage, indicates the effective date and specifies any applicable permit conditions. General permit coverage is effective for five years from the date of issuance.

According to Director Darwin, ADEQ is "... continuously looking for ways to reduce permit processing times while maintaining the same or higher level of environmental protection." He noted that "[i]t generally takes a wastewater treatment plant from nine to 12 months to receive an individual permit. These new general permits will only take four to six months to process and will offer the same or better water quality protection due to the comprehensive monitoring required." [2]

ADEQ plans to continue developing additional AZPDES general permits, and the JHC environmental team will update you as more general permits are released.

Additional information on ADEQ's general permits is available at their [Web site](#).

For legal advice about obtaining ADEQ-issued permits, contact our environmental law team: [Karen Gaylord](#), [Ronnie Hawks](#), or [Janis Bladine](#)

[1] AZGP2012-001.

[2] ADEQ Press Release (July 23, 2012).

The information provided in this article is offered for informational purposes and does not offer legal advice to readers about specific situations. You should consult an attorney for advice regarding your individual situation.