



AZ Primacy for Underground Injection Control (UIC)

December 4, 2017



A.R.S. 49-203.A. The director shall:

- 4. Adopt, by rule, an aquifer protection permit program to control discharges of any pollutant or combination of pollutants that are reaching or may with a reasonable probability reach an aquifer. The permit program shall be as prescribed by article 3 of this chapter.
- 5. Adopt, by rule, the permit program for underground injection control described in the safe drinking water act.

Why pursue UIC Primacy now?

EPA is encouraging
states to seek
primacy

Enhance
environmentally
responsible growth

Streamline
permitting process

Remove
redundancy

Improve quality

Reduce cost and
cycle time for
permits



The Underground Injection Control Program

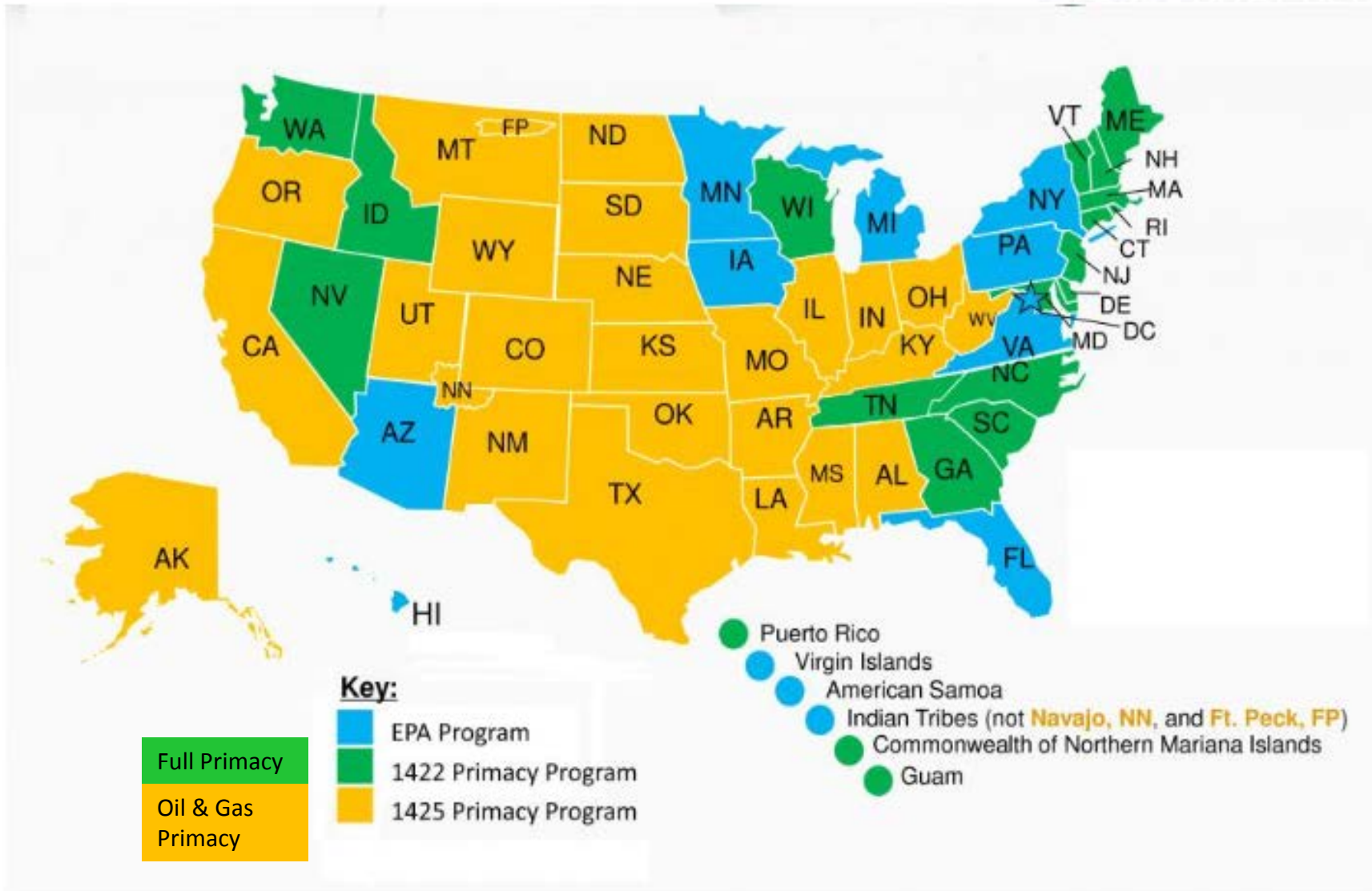
EPA regulates injection wells used to place fluids underground for Storage or Disposal

- Construction, operation, permitting, and closure of injection wells

State Primacy programs are established under two sections of the Safe Drinking Water Act (SDWA).

- Section 1422 requires primacy applicants meet EPA's minimum requirements for UIC programs.
- Section 1425 programs are not required to meet EPA's minimum requirements. It applies to Class II wells only (Oil & Gas).

Status of UIC Primacy by State



Authority to implement relevant portions of 40 CFR 144 through 146:

Permitting Requirements

Prohibition
of Class IV
wells

Inventory
and Plan for
regulating
Class V wells

Compliance
and
Enforcement
Authorities

Sharing
information
with EPA

Public
Notice and
Hearing

Technical
Standards

Monitoring
and
reporting

APP

- All aquifers are classified as a source of drinking water protected use, unless reclassified

UIC

- Mandate to protect underground sources of drinking water (USDWs)

APP coverage of UIC Facilities

UIC Well Class	UIC Well Class Description	APP required?
I	Deep hazardous (and non-hazardous) waste Injection	Y (hazardous prohibited)
II	Associated with Oil and Natural Gas – enhanced recovery and brine disposal	Y
III	Associated with mineral recovery – “in-situ” mining	Y
IV	Shallow hazardous or radioactive waste injection (prohibited)	Prohibited
V	Other injection wells (septic systems, drywells, ASR wells)	Y/N (drywells)
VI	Carbon Sequestration	Y

UIC permits in AZ



UIC Well Class	Individual UIC Permits	Current ADEQ APP Inventory	
I	none	none (deep brine injection would require APP)	
II	none	none	
III	3, 1 in process	4 Individual APPs	
IV	Prohibited since 1985	Prohibited	
V	1 (Class V UICs are generally permit by rule)	Drywell registrations -10,000s	
VI		none	On-site "large" septic APPs - 100s
			Other general permits (drywell Type 2s)- 100s
			Individual APPs (ASR wells) - 10s
VI	none	none	

In 1996-98,
ADEQ
attempted
UIC primacy

- through existing APP statutes
- It did not succeed, APP is similar but not equivalent to UIC

20 years
later, ADEQ
is rebooting

- Evaluated differences between the programs
- Recommending an AZ UIC program separate to APP
- Recommending both statutory and regulatory changes

Pollutant Management Areas (PMAs) are not Areas of Review (AoRs)

APP POCs are not UIC POCs

APP aquifer reclassification does not fit the UIC underground source of drinking water definition

AWQs are not MCLs

Pros

Opportunity for one permit, not two, for injection wells

Local control, one agency instead of two

Quicker permitting

Shorter lead time to facility startup

Cons

Still need an APP for ponds, etc.

More state regulations

ADEQ Fee for UIC services

