

2026 Session Legislative Proposals - 10/23/2025

Air Quality Division	Water Quality Division	Waste Programs Division
Division	Title and Description	
Water	Advanced Water Purification (AWP)	
	Amend existing “Direct Potable Reuse” terminology to align with “Advanced Water Purification” terminology; clarify existing statutory authority for pretreatment and pollutant control (source control) under the program; update inspection authority language to clarify that ADEQ has inspection and related authorities at AWP and drinking water facilities commensurate with the Department’s existing inspections authority for other programs; strengthen enforcement authority for the program commensurate with the Department’s existing enforcement authority for other programs.	
Air	Asbestos Fee Authority	
	Amend A.R.S. §§49-426.03 and 49-551 to establish a fee structure for the regulatory asbestos compliance program.	
Water	Public and Semi-Public Pools Fee Authority	
	Amend A.R.S. §49-104(B)(12) to provide ADEQ with explicit authority to collect fees associated with reviewing and permitting public and semi-public pools.	
Air	Air Quality Vehicle Registration Fee Increase	
	Amend A.R.S. §49-551 to remove the existing Air Quality Fee from statute and to establish authority to set the fee via rulemaking. ADEQ intends to increase the Air Quality Fee from \$1.50 to \$2.25, as well as include an annual Consumer Price Index (CPI) adjustment to the fee through the rulemaking process once this authority is established.	

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Division	Title and Description
Air	Omnibus - State Implementation Plan (SIP) Extensions for VEI and Oxygenated Fuels to 2029
	Amend A.R.S. §§3-3493 and 49-542 to extend the statutory conditional enactment dates to July 1, 2029. By doing so, ADEQ will ensure that the U.S. Environmental Protection Agency (EPA) has sufficient time to review two of the ADEQ SIPs: the 2013-2020 Cleaner Burning Gasoline (CBG) Program update SIP revision and the Arizona Vehicle Emission Inspection (VEI) Program SIP revision.
Waste	Omnibus - Remove Lead Acid Batteries from Solid Waste Regulations
	Amend A.R.S. §44-1322 to remove the requirement for facilities collecting lead acid batteries to register with ADEQ's solid waste program; amend A.R.S. §49-881 to remove initial and annual fee requirements for lead acid battery collection and recycling sites.
Waste	Omnibus - Solid Waste Fee Fund (SWFF) Technical Correction
	Amend A.R.S. §§49-836 and 49-881 to remove a one-time emergency funding requirement from 2004.
Waste	Omnibus - Used Oil Statute to Align with Federal Law
	Amend A.R.S. §49-802 to update the incorporation date of EPA used oil rules in statute to align with technical corrections and reduction in stringency since the original incorporation date of January 1, 1997.
Air	Omnibus - Clarify Open Burn Permitting
	Amend A.R.S. §49-501 to clarify that when ADEQ has assumed jurisdiction pursuant to A.R.S. §49-402 of open burning in a county, ADEQ may delegate issuance of such permits and, in those circumstances, the enforcement provisions of article 2 of this chapter (Title 49, Chapter 3) apply.

For questions or additional information, please contact:

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