



Regulatory Agenda for Calendar Year 2025

This agenda was produced by the Arizona Department of Environmental Quality (ADEQ) to inform the public of the anticipated regulatory agenda for 2025 and to comply with A.R.S. § 41-1021.02. Pursuant to A.R.S. § 41-1021.02(D), ADEQ may undertake a rulemaking in calendar year 2025 even if the rulemaking is not included on the annual regulatory agenda. For information about active rulemakings, please check the Department’s Laws, Rules & Policies Web page at azdeq.gov/LawsAndRules.

NOTE: Currently, ADEQ is not engaging in informal or formal rulemaking activities, except where approved by the Governor's Office, in compliance with A.R.S. § 41-1039(A), which requires prior written approval of the governor. Information about active Public Notices and Hearings is available on ADEQ’s website at azdeq.gov/PublicNotices. ADEQ will send a notice to stakeholders if the public process on any particular rule package begins or resumes.

I. Rulemakings Expected to Be Underway in 2025

Rulemaking	Rulemaking Approval Status	Docket Opening ¹	NPRM ²	NFRM ³	Federal Funding ⁴	Context
Air Quality Division						
Incorporating Hayden SO2 and Pb Permit Terms (18 A.A.C. 2, Art. 13, Part B)	Approved 5/1/24	5/31/24	TBD	TBD	Performance Partnership Grant (Partial)	EPA requirement for State Implementation Plan (SIP). To revise the controls applicable to the Hayden copper smelter to reduce emissions of Sulfur Dioxide (SO2) and Lead (Pb).
Miami SO2 Nonattainment Area (18 A.A.C. 2, Article 13)	Approved 10/8/24	11/1/24	TBD	TBD	Performance Partnership Grant (Partial)	EPA requirement for SIP. To revise the emission limit and/or controls applicable to the Miami (Freeport) copper smelter to reduce emissions of SO2.

¹ Publication of the Notice of Docket Opening in the *Arizona Administrative Register*.

² Publication of the Notice of Proposed Rulemaking (NPRM) in the *Arizona Administrative Register*.

³ Publication of the Notice of Final Rulemaking (NFRM) in the *Arizona Administrative Register*.

⁴ Some of ADEQ’s rules implement federal laws such as the Clean Air Act, Clean Water Act, and Safe Drinking Water Act. ADEQ’s related programs are partially funded by the U.S. Environmental Protection Agency, pursuant to a cooperative agreement under which ADEQ assumes responsibility for implementing the laws in Arizona.

New Source Review (NSR) Updates (aka Voluntary Air Permit Requirements) (18 A.A.C. 2, Art. 1, 3, & 5)	Approved 5/26/23	6/30/23	11/15/24	TBD	No	To: 1) continue to allow permitted facilities to adopt voluntary permit conditions to protect ambient air quality; 2) make technical corrections related to ADEQ's NSR rules; 3) correct the gaps between ADEQ's rules and EPA's Title V requirements; and 4) fulfill five-year rule review report commitment to clarify rules.
NSR & PM2.5 National Ambient Air Quality Standards (NAAQS) (18 A.A.C. 2, Art. 1, 2, 3, & 4)	Approved 8/21/24	9/20/24	TBD	TBD	No	To: 1) adopt Clean Air Act NSR requirements for serious ozone nonattainment areas necessary to secure approval from EPA of the serious nonattainment area SIP that will be required for the Phoenix-Mesa ozone nonattainment area; 2) adopt EPA's PM2.5 NAAQS; 3) improve and clarify the state's minor NSR program in R18-2-334; 4) cure deficiencies identified by EPA in its 3/18/15 proposed limited approval/disapproval of a revision to the SIP designed to update Arizona's federally approved NSR program; and 5) make various non-substantive changes within the rules to improve clarity.
Rillito PM10 Nonattainment Area (18 A.A.C. 2, Art. 13)	Approved 5/8/24	5/31/24	TBD	TBD	Performance Partnership Grant (Partial)	EPA requirement for SIP. To establish controls to reduce PM10 emissions in the Rillito nonattainment area.
Stationary Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants Updates (18 A.A.C. 2, Art. 7, 9 & 11)	Approved 5/26/23	9/22/23	TBD	TBD	No	To incorporate federal requirements needed to redesignate areas from nonattainment to attainment, incorporate current federal rules as part of a five-year rule review report commitment, eliminate ambiguity, and correct minor typographical errors.
Standards of Performance for Existing Sources: Oil and Natural Gas Sector (18 A.A.C. 2, Art. 7 & 9)	Approved 5/8/24	5/31/24	TBD	TBD	No	To incorporate new federal emission guidelines for methane under NSPS and 111(d) requirements for existing sources.

Vehicle Emissions Program Update (18 A.A.C. 2, Art. 10)	Approved 5/26/23	TBD	TBD	TBD	No	To clarify the rules to reflect the current industry standards and practices, eliminate ambiguity, respond to stakeholder comments regarding the requirements for vehicle tampering inspections, and to correct minor typographical and technical errors.
Yuma PM10 Moderate Nonattainment Area (18 A.A.C. 2, Art. 13)	Approved 2/8/24	2/23/24	TBD	TBD	Performance Partnership Grant (Partial)	EPA requirement for SIP. To establish controls to reduce PM10 emissions from anthropogenic sources to meet Clean Air Act requirements and support exceptional event demonstrations for PM10 exceedances during high wind events.
Waste Programs Division						
Biohazardous Medical Waste (18 A.C.C. 13)	Not yet Requested	TBD	TBD	TBD	No	Closure and financial assurance requirements.
Category Types for Solid Waste Facility Plan Changes (18 A.A.C. 13)	Not yet Requested	TBD	TBD	TBD	No	To establish solid waste facility plan amendment category types as identified in A.R.S. 49-762.06.
Coal Combustion Residuals (CCR) (18 A.A.C. 13, Art. 10 & 17)	Approved 5/2/22	6/10/22	7/12/24	TBD	No	Rulemaking for CCR authorization by EPA.
Composting (18 A.A.C. 13)	Not yet Requested	TBD	TBD	TBD	No	To establish design and operation requirements for composting facilities.
Emergency Planning and Hazardous Materials Training (18 A.A.C. 18, Art. 1 & 2)	Approved 7/31/23	10/27/23	10/4/24	TBD	No	Technical fixes as part of a five-year rule review report commitment.
Recycling (18 A.A.C. 13)	Not yet Requested	TBD	TBD	TBD	No	Adopt rules for the administration of Title 49, Chapter 4, Article 8 (Arizona Recycling Program) and rules relating to recycling facilities pursuant to A.R.S. 49-761(k) and 49-762.02.
Remedial Action (18 A.A.C. 7)	Approved 7/31/23	10/27/23	10/4/24	TBD	No	Technical fixes as part of a five-year rule review report commitment.

Solid Waste Non-Municipal Landfills (18 A.A.C. 13)	Not yet Requested	TBD	TBD	TBD	No	Establish design and operating rules pursuant to 40 CFR part 257.
Solid Waste Transfer Facilities (18 A.A.C. 13)	Approved 2/7/24	2/23/24	TBD	TBD	No	To establish design and operation, closure, and financial assurance requirements for covered waste transfer facilities pursuant to State statute.
Solid Waste Treatment Requirements (18 A.A.C. 13)	Not yet Requested	TBD	TBD	TBD	No	Establish requirements for treatment of waste to make acceptable for landfill disposal, i.e. liquid solidification.
Tier II Reporting Fees (18 A.A.C. 18, Art. 1)	Not Yet Requested (anticipated Q1 2025)	TBD	TBD	TBD	No	Update Tier II Hazardous Materials Reporting fees to correct imbalance between amount in fees collected and appropriated funds.
Waste Tire Disposal (18 A.A.C. 13, Art. 13)	Not yet Requested	TBD	TBD	TBD	No	To clarify requirements for waste tire disposal pursuant to State statute.
Oil, Gas, Helium, and Geothermal Resources (12 A.A.C. 7, Art. 1)	Approved	1/26/24	TBD	TBD	No	To: 1) clarify terms in the rules to harmonize them with the statutes and provide clarity generally; 2) modify the rules to support more secure financial assurance, prepare for potentially regulating artificial stimulation through the Aquifer Protection Program and the Underground Injection Control Program, update well spacing requirements, and require electronic submittals; and 3) fulfill five-year rule review report commitments. <i>*This rulemaking is conducted by the Arizona Oil and Gas Conservation Commission with the assistance of ADEQ.</i>
Water Quality Division						
Advanced Water Purification (fka Direct Potable Reuse)	Approved 3/5/24 8/28/24	9/20/24	11/1/24	TBD	No	To allow for expansion of potable reuse for facilities as required by legislative funding allocations.
Aquifer Water Quality Standards (AWQS) Update	Approved 8/24/22 2/5/24	6/28/24	11/15/24	TBD	No	To update AWQS pursuant to State statute and findings of the Auditor General.

Capacity Development Requirements and Technical Assistance (18 A.A.C. 4, Art. 6 & 8)	Not yet Requested	TBD	TBD	TBD	Capacity Development: No Technical Assistance - Performance Partnership Grant (Partial), Drinking Water State Revolving Fund	To fulfill five-year rule review report commitments, including improving and updating technical, managerial, financial capacity requirements, elementary business plan requirements, amend the technical assistance master priority list requirements to prioritize health needs.
Impaired Waters Identification (18 A.A.C. 11, Art. 6)	Approved 7/17/23	TBD	TBD	TBD	Performance Partnership Grant (Partial)	Technical fixes and updates to align with the required rulemakings for the Surface Water Protection Program.
Monitoring Assistance Program (18 A.A.C. 4, Art. 3)	Approved 11/27/23	05/10/24	TBD	TBD	No	To update program providing routine monitoring assistance to small systems; expand program to include triggered monitoring; fulfill five-year rule review report commitments; and conform with A.R.S. § 49-360, as amended in 2024.
Nonpoint Source Program	Not yet requested	TBD	TBD	TBD	Yes	Develop a set of rules pursuant to A.R.S. § 49-203(A)(4) that will help mitigate nonpoint source pollution into Water of the United States (WOTUS).
Numeric Surface Water Quality Standards Update (a/k/a Surface Water Triennial Review 2023) (18 A.A.C. 11, Art. 1)	Approved 7/17/23	7/28/23	5/17/24 Supplemental NPRM: 11/8/24	TBD	Performance Partnership Grant (Partial)	Update water quality standards to meet federal requirements.
Onsite Wastewater Treatment Facilities - Phase 2 (18 A.A.C. 9)	Approved 8/28/24 4/22/24	TBD	TBD	TBD	No	To improve rule clarity and overall customer experience; reduce permitting inefficiencies; ease water supplies through improved technological considerations; better protect people and the environment from the health and pollution risks associated with onsite facilities; and protect property interests and values.

Primary and State Drinking Water Regulations - Updates and Sanitary Surveys (18 A.A.C. 4, Art. 1 & 2)	Approved 10/10/24	TBD	TBD	TBD	Performance Partnership Grant (Partial), Drinking Water State Revolving Fund	To fulfill five-year rule review report commitments and ensure consistency with federal regulations.
Public Water System Minimum Design Criteria (18 A.A.C. 5, Art. 5)	Approved 7/9/21	TBD	TBD	TBD	Performance Partnership Grant (Partial), Drinking Water State Revolving Fund	To fulfill five-year rule review report commitments, including removing ambiguity, incorporating current engineering standards and practices, and responding to stakeholder comments and concerns.
Water Quality Rule Corrections (18 A.A.C. 4, 5, 9, 11)	Approved 5/6/24	6/21/24	9/6/24	TBD	No	To fulfill five-year rule review report commitments and correct additional typographical errors, update outdated citations and references, clarify language, and fix similar clerical issues in these chapters.
Yuma Wetland (18 A.A.C. 11, Art. 1)	Not yet Requested	TBD	TBD	TBD	No	To add the Paradise Cove West federal mitigation wetland to R18-11 Appendix B list of protected surface waters and assign appropriate designated uses.

II. Reviews of Existing Rules Due in 2025

5-Year-Review Due	Rules Being Reviewed
April 30, 2025	18 A.A.C. 11, Art. 1, 4, 5 - Water Quality Standards
May 30, 2025	18 A.A.C. 2, Art. 7, 9, 11, App. 8 - Air Pollution Control
July 31, 2025	18 A.A.C. 12 - Underground Storage Tanks
December 22, 2025	18 A.A.C. 14 - Permit and Compliance Fees

III. Rule Makings Terminated in 2024

The Lead and Copper Rule Revisions (18 A.A.C. 4, Art. 1) Rulemaking was Terminated in 2024. *See* 30 A.A.R. 179 (Jan. 26, 2024).

IV. Privatization Options and Other Nontraditional Regulatory Approaches Being Considered

N/A