

Proposed Rule for Frequency of Collection

Waste Programs Division

April 4, 2024



Clean Air, Safe Water,
Healthy Land for Everyone

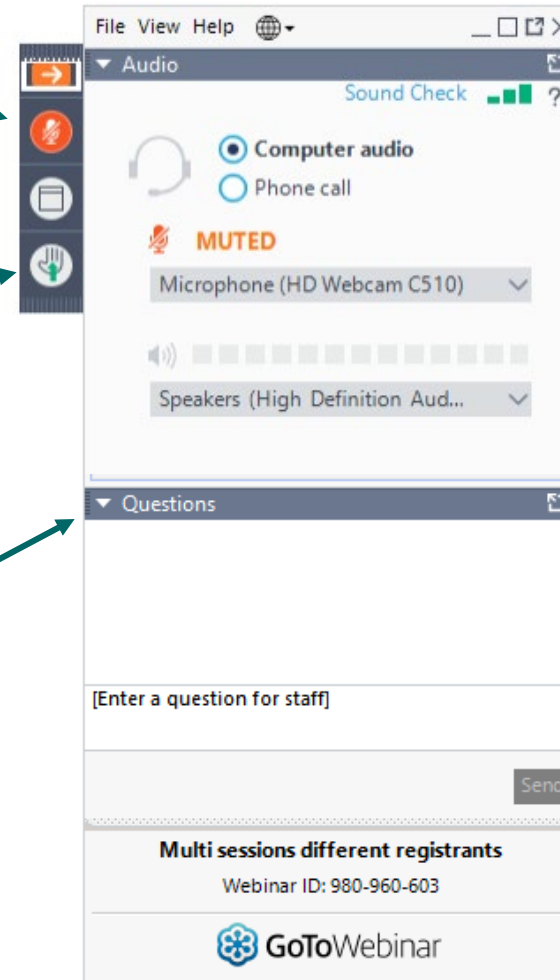




Muted

Raise your hand

Use the Question Tool





Director: Julie Riemenschneider

Solid & Hazardous Waste Section Manager: Robin Thomas

Project Manager: Jordan Martin Adams

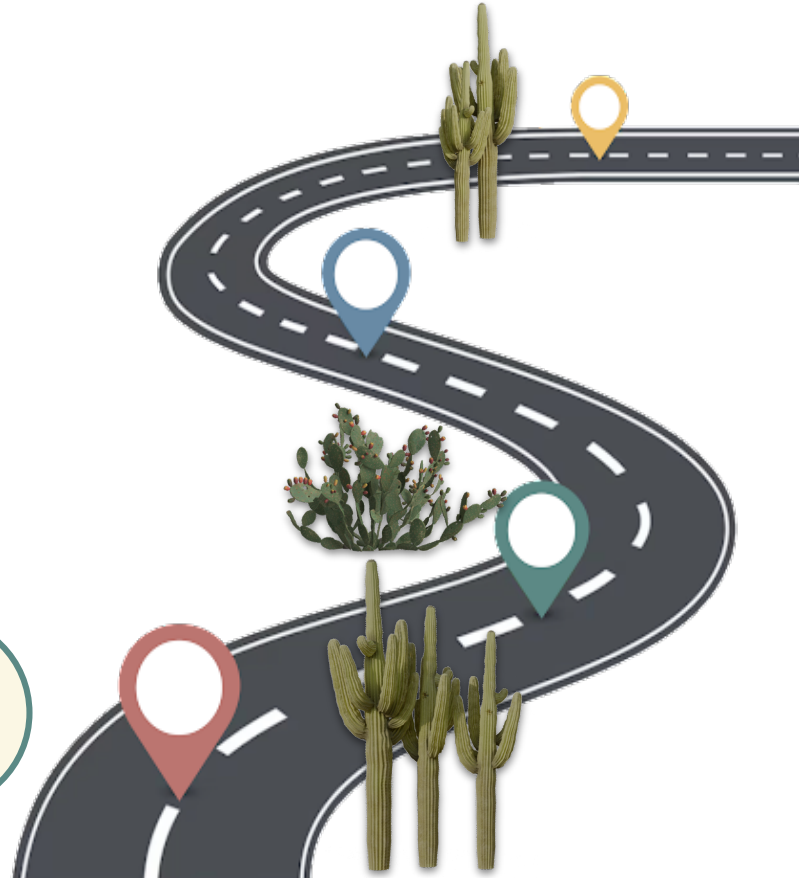
Rule Writer: Matt Rippentrop

Today's Presenter: Terry Baer

Projected Path Forward

Final Rule and GRRC
Approval
July, 2024

Stakeholder Meeting
April 4, 2024



Final Becomes
Effective
November, 2024

Notice of Proposed
Rulemaking
April/ May, 2024

*****Stakeholder Meetings in April and May of 2023..... Revised Docket Opening published on Nov 10, 2023**

What is the current Frequency of Collection?



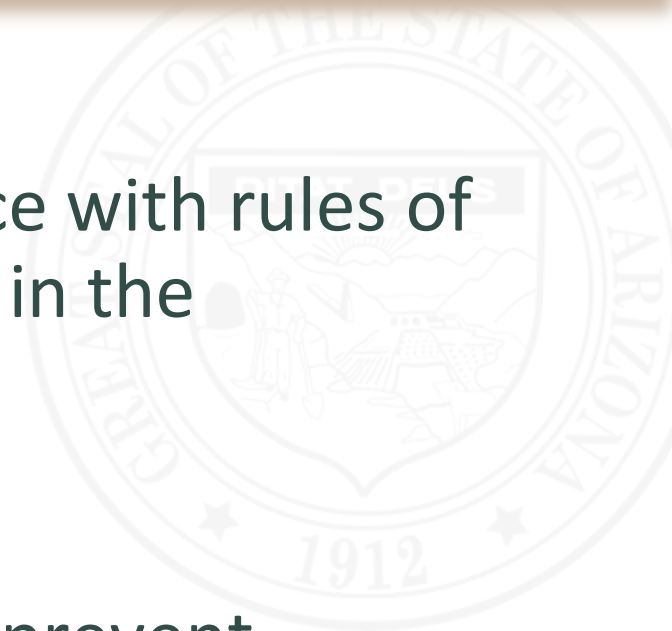
Clean Air, Safe Water,
Healthy Land for Everyone



R18-13-308. *Frequency of Collection*

A. The frequency of collection shall be in accordance with rules of the collection agency but not less than that shown in the following schedules:

1. Garbage only -- twice weekly.
2. Refuse with garbage -- twice weekly.
3. Rubbish and ashes -- as often as necessary to prevent nuisances and fly breeding.



R18-13-308. *Frequency of Collection*

B. A variance from the required frequency rate may be granted to allow for the collection of garbage once weekly. The variance may be granted by the Department of Environmental Quality upon submission of an acceptable plan approved by the local health department demonstrating that no public health hazards or nuisances will exist and that fly breeding will be controlled by either biological, chemical, or mechanical means. The variance may be revoked whenever the Department of Environmental Quality determines that the circumstances warranting the variance no longer exist.

What is the current rate of approval for frequency of collection variances?

100%

43 of 43 variance collection applications have been approved by ADEQ

ADEQ-Approved Variances

Bullhead City
City of Apache Junction
City of Casa Grande
City of Chandler
City of Flagstaff
City of Glendale
City of Holbrook
City of Mesa
City of Phoenix
City of Prescott
City of Scottsdale
City of Sierra Vista
City of Surprise
City of Tempe

City of Tombstone
City of Tucson
City of Winslow
Cochise County
Lake Havasu City
Maricopa County Municipalities
Maricopa County RS
Mohave County (Unincorporated Areas)
Navajo County
Parks & Sons of Sun City, Inc.
Pinal County - Right Away Disposal
Pinal County - Copper Corridor Area
RAD - Town of Queen Creek
Sam's Club Compactors

Town of Buckeye
Town of Florence
Town of Gilbert
Town of Guadalupe
Town of Miami
Town of Paradise Valley
Town of Pima
Town of Queen Creek
Town of Superior
Unincorporated Areas of Pinal County
Yavapai County WMA

Option 1

Minimum collection is once-per-week.

A variance from the state minimum collection frequency will be assessed on a case by case basis, with a demonstration that no public health hazards, vector breeding, or nuisances will exist.

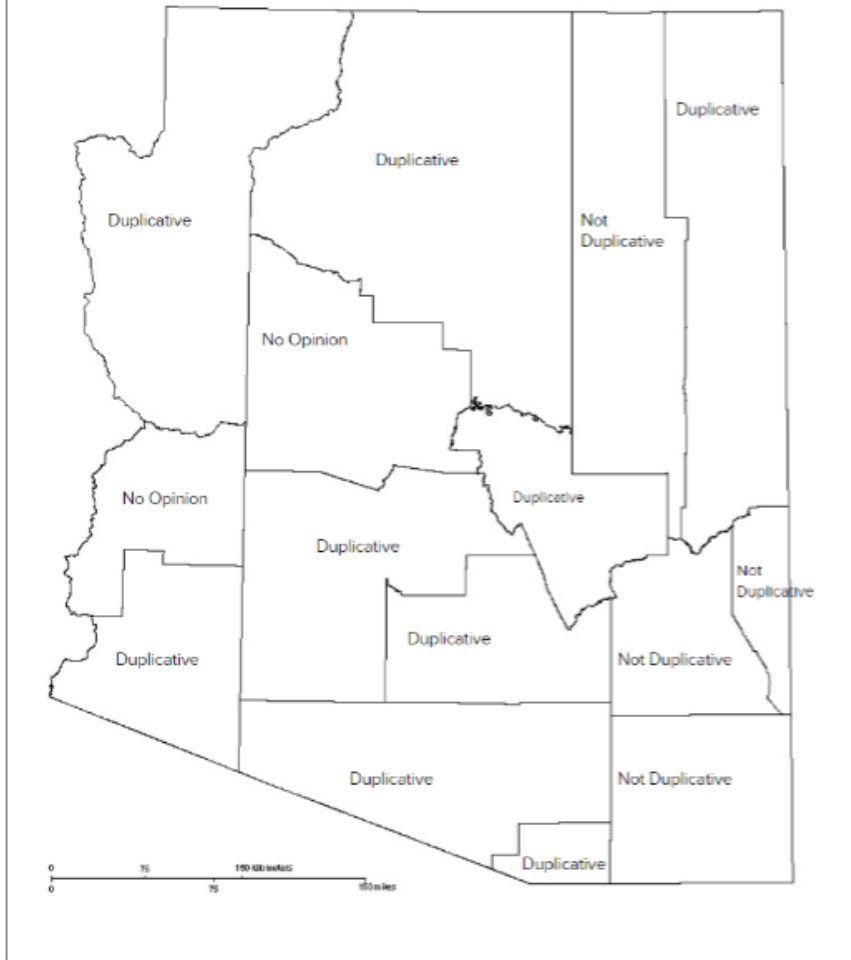
Option 2

Minimum collection is twice-per-week.

Two Types of Variances:

- **General:** In addition to requiring local health dept. approval, general variances are approved with a demonstration that no public health hazards, vector breeding, or nuisances will exist. Approved on a case by case basis.
- **Diversion:** Diversion rate variances are approved by the Department when the applicant demonstrates that their facility prevents a prescribed minimum percentage of total waste from entering a landfill.

308 Rulemaking County Feedback



Is ADEQ's role in the variance process duplicative?

Feedback Results

County	Duplicative	Not Duplicative	No Opinion	No Response
Apache	✓			
Cochise		✓		
Coconino	✓			
Gila	✓			
Graham		✓		
Greenlee		✓		
La Paz			✓	
Maricopa	✓			
Mohave	✓			
Navajo		✓		
Pima	✓			
Pinal	✓			
Santa Cruz	✓			
Yavapai			✓	
Yuma	✓			
Total	9	4	2	0

- Authority?

- Purpose?

- Role?

Proposed Rule Based on Feedback, Authority and Purpose



Clean Air, Safe Water,
Healthy Land for Everyone



R18-13-308. Frequency of Collection

A. ~~The frequency of collection~~ **of garbage, refuse, rubbish, and ashes** shall be in accordance with rules of the collection agency ~~but~~ **except that the frequency of collection shall not be less than once per week.** ~~that shown in the following schedules:~~

~~1. Garbage only -- twice weekly.~~

~~2. Refuse with garbage -- twice weekly.~~

~~3. Rubbish and ashes -- as often as necessary to prevent nuisances and fly breeding.~~

R18-13-308. Frequency of Collection

B. A variance from the required frequency **of collection in subsection (A)** ~~rate~~ may be granted **by the county department designated by the county to approve variances** to allow for ~~the collection of garbage less than~~ once weekly. The variance may be granted ~~by the Department of Environmental Quality~~ upon submission of an acceptable plan **by the collection agency approved by to the designated county** ~~local health~~ department demonstrating that no public health hazards or nuisances will exist and that fly breeding will be controlled by either biological, chemical, or mechanical means. The variance may be revoked whenever the ~~Department of Environmental Quality~~ **designated county department** determines that the circumstances warranting the variance no longer exist.

R18-13-308. Frequency of Collection

C. The county may request ADEQ to assume the functions of granting and revoking variances under this Section.

D. For the purposes of this Section, “collection agency” means a city, town, person, or commercial service that offers collection or transportation of garbage, refuse, rubbish, and ashes as a service.

A.R.S. § 49-765

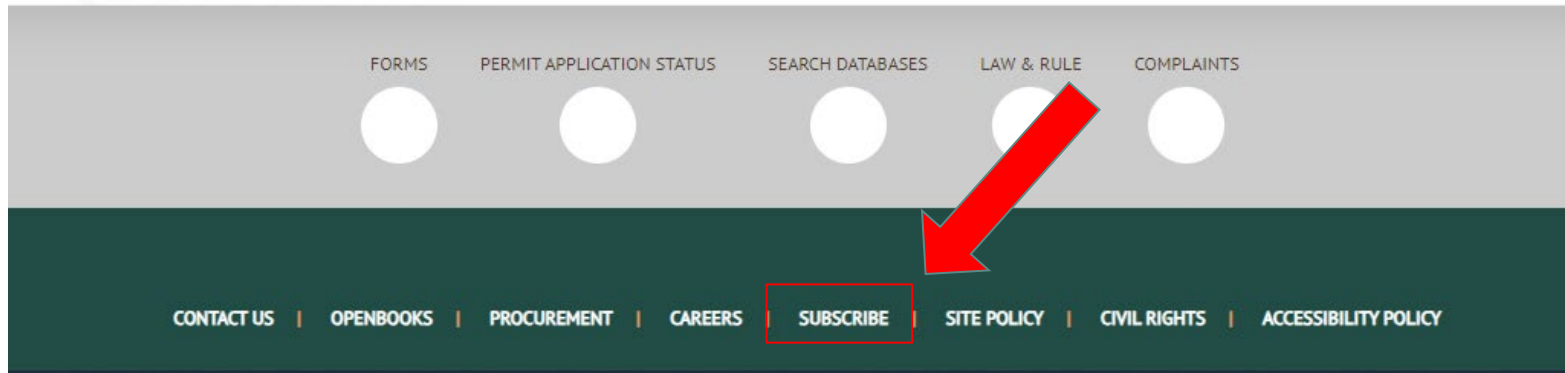
Each county, city or town may establish regulations for private collection of solid waste within its area of jurisdiction, including standards for equipment, hours of operation, license fees and insurance requirements as necessary and appropriate to operate a solid waste collection program. Ordinances or regulations authorized by this section and section 49-704 shall be equal to or more stringent than this chapter and rules and regulations adopted by the department under this chapter.

Subscribe to Receive Notifications

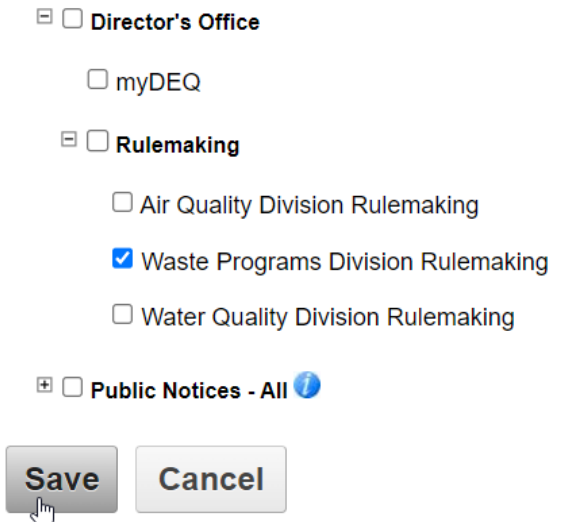
1. Go to www.azdeq.gov/



2. Scroll down to the bottom of the webpage and click "Subscribe"



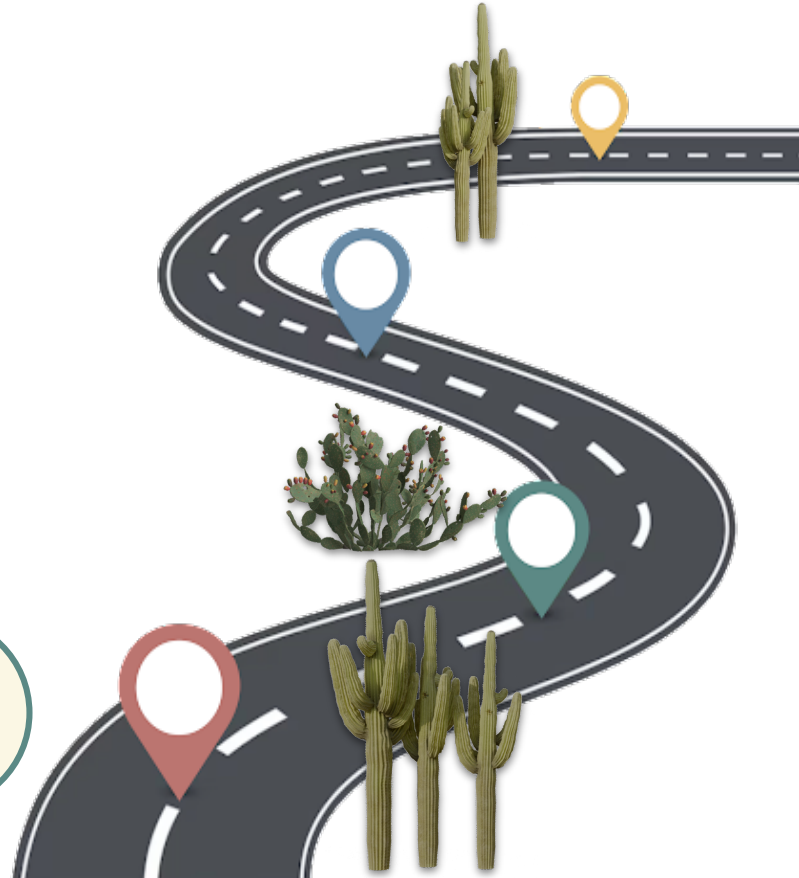
3. Enter your email and follow the prompts
4. Scroll down and click: Waste Programs Division Rulemaking and save your preferences



Projected Path Forward

**Final Rule and GRRC
Approval**
July, 2024

Stakeholder Meeting
April 4, 2024



**Final Becomes
Effective**
November, 2024

**Notice of Proposed
Rulemaking**
April/ May, 2024

Questions, Comments, & Suggestions?

Waste Rules Inbox:

wasterulemaking@azdeq.gov



Clean Air, Safe Water,
Healthy Land for Everyone

Questions, Comments, & Suggestions?

Waste Rules Inbox:
wasterulemaking@azdeq.gov

00:00:00



Clean Air, Safe Water,
Healthy Land for Everyone
