



# Transfer Facility Design and Operation Rulemaking

January 15, 2026

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# ADEQ Panel

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# Agenda

- Timelines
- What is/is not a solid waste transfer facility?
- Structure of the rule
- New definitions and exemptions
- Registration requirements
- Design & operation requirements
- Closure requirements
- Financial assurance
- Next steps
- Discussion with stakeholders



# Recap of Rulemaking Events

By statute under A.R.S. § 49-761 and A.R.S. § 49-770, ADEQ must adopt rules for solid waste transfer facilities.

**FEB 2024**  
Rulemaking  
Initiated

**AUG 2024**  
Stakeholder  
Meeting #1

**OCT 2024**  
Stakeholder  
Meeting #2

**JAN 2025**  
Temporary  
Postponement

**DEC 2025**  
Rule Language  
Posted

# Rulemaking Timeline

**Rule Effective**

2nd/3rd Quarter 2026

**Final Rule and Governor's  
Regulatory Review Council  
Approval**

2nd Quarter 2026

**Today's Meeting**

January 15, 2026

**Notice of Proposed  
Rulemaking  
additional public comment  
period and public hearing**

1st Quarter 2026



Previous Stakeholder Meetings on August 22, 2024 & October 29, 2024

# Solid Waste Transfer Facility Definition

## A.R.S. § 49-701 "Transfer Facility"

Means a site that is owned, operated or used by any person for the **re-handling or storage** for ninety days or less of solid waste that was **generated off site** for the primary **purpose of transporting** that solid waste.



## Transfer Facility Categories

A.R.S. §49-762.01

**Self Certification Facility:** Transfer Facilities with a throughput greater than 180 cy/day

A.R.S. §49-762.02

**Best Management Practice (BMP) Site:** Transfer Facilities with a throughput of 180 cy/day or less

# What is a Solid Waste Transfer Facility?



Public sites consolidating off-site waste into transfer vehicles or containers for shipment to disposal sites

- Includes citizen drop-off stations and community convenience centers

# What is a Solid Waste Transfer Facility?



Private sites consolidating waste from off-site location(s) into larger volume containers for shipment to disposal sites

- Example: Construction companies that transport waste from job sites back to central location for the purpose of consolidation and transfer

# What is a Solid Waste Transfer Facility?



Sites re-handling or storing bulk or containerized non-hazardous liquid waste generated off-site for the purpose of transport or disposal

# What is a Solid Waste Transfer Facility?



Mixed-Use sites that include solid waste transfer operations on the same property as other exempted operations

- Example: Sites performing dedicated transfer operations alongside exempted recycling or other permitted operations

# What are NOT Solid Waste Transfer Facilities? \*



## Other Waste Handling Sites

- Hazardous Waste Treatment, Storage and Disposal Facilities
- Hazardous Waste 10-Day transfer sites
- Biohazardous Medical Waste transfer sites



## Recycling Sites

- Recycling transfer facilities that collect or handle recyclable solid waste generated offsite for the purpose of recycling and transport
- Material Recovery Facilities where the incoming materials are predominantly recyclable solid waste
- Community or neighborhood recycling collection containers
- Advanced Recycling Facilities
- Composting facilities that collect or handle green waste/food waste for the purpose of composting and transport

\*may still be considered mixed-use site for portion of facility operation

# What are NOT Solid Waste Transfer Facilities? \*



## Onsite Collection and Transfer

- Residential dumpsters and bins
- Commercial dumpsters
- Jobsite dumpsters



## Operations included in a Permit or Facility Plan Approval

- Transfer operations occurring at landfills
- Landfill customer convenience/drop-off areas



## New Draft Definitions & Clarifications

- Temporary Drop-Site locations (<30 days)
- Small containers 20 cubic yards (cy) or less (municipal solid waste only)
- Biohazardous Medical Waste & Special Waste Facilities

# Draft Rule



# Articles Affected

## Arizona Administrative Code

### Title 18. Environmental Quality

### Chapter 13. Department of Environmental Quality - Solid Waste Management

- Article 4 (new) – BMP Facilities
- Article 5 (edited) – Self-Certification Facilities
- Article 17 (edited) - Financial Assurance



#### TITLE 18. ENVIRONMENTAL QUALITY

#### CHAPTER 13. DEPARTMENT OF ENVIRONMENTAL QUALITY - SOLID WASTE MANAGEMENT

The table of contents on page one contains links to the referenced page numbers in this Chapter.  
Refer to the notes at the end of a section to learn about the history of a rule as it was published in the *Arizona Administrative Register*.  
This Chapter contains rules that were filed to be codified in the Arizona Administrative Code between the dates of October 1, 2021 through December 31, 2021.

<a href="#">R18-13-1401</a>	<a href="#">Definitions</a>	<a href="#">22</a>	<a href="#">R18-13-1412</a>	<a href="#">Treatment Facilities: Application Requirements, Design and Operation</a>	<a href="#">26</a>
<a href="#">R18-13-1402</a>	<a href="#">Applicability</a>	<a href="#">24</a>	<a href="#">R18-13-1413</a>	<a href="#">Changes to Approved Medical Waste Facility Plans</a>	<a href="#">26</a>
<a href="#">R18-13-1403</a>	<a href="#">Exemptions: Partial Exemptions</a>	<a href="#">24</a>	<a href="#">R18-13-1414</a>	<a href="#">Alternative Medical Waste Treatment Methods</a>	<a href="#">26</a>
<a href="#">R18-13-1404</a>	<a href="#">Exemptions</a>	<a href="#">24</a>	<a href="#">R18-13-1415</a>	<a href="#">Regeneration and Reclamation Specifications</a>	<a href="#">31</a>
<a href="#">R18-13-1405</a>	<a href="#">Exemptions: Medical Waste Transported Off Site for Treatment</a>	<a href="#">24</a>	<a href="#">R18-13-1416</a>	<a href="#">Treatment Standards: Quantification of Microbiol</a>	<a href="#">31</a>
<a href="#">R18-13-1407</a>	<a href="#">Non-Sharps Packaging</a>	<a href="#">26</a>	<a href="#">R18-13-1417</a>	<a href="#">Inactivation and Efficacy Testing Protocols</a>	<a href="#">31</a>
<a href="#">R18-13-1408</a>	<a href="#">Solids</a>	<a href="#">27</a>	<a href="#">R18-13-1418</a>	<a href="#">Disposal Facilities: Design and Operation</a>	<a href="#">32</a>
<a href="#">R18-13-1409</a>	<a href="#">Transporter License: Fees, Transportation</a>	<a href="#">27</a>	<a href="#">R18-13-1419</a>	<a href="#">Discarded Items</a>	<a href="#">32</a>
<a href="#">R18-13-1410</a>	<a href="#">Fee Table - Transporter Annual Fee, Application for Transporter License</a>	<a href="#">28</a>	<a href="#">R18-13-1420</a>	<a href="#">Medical Sharps</a>	<a href="#">33</a>
<a href="#">Table 1</a>	<a href="#">Fee Table - Transporter Annual Fee</a>	<a href="#">28</a>	<a href="#">R18-13-1420</a>	<a href="#">Additional Hazardous Requirements for Certain Wastes</a>	<a href="#">33</a>
<a href="#">R18-13-1411</a>	<a href="#">Fee Table - Transporter Annual Fee, Storage and Transfer Facilities: Design and Operation</a>	<a href="#">28</a>			

Questions about these rules? Contact:  
Department: Arizona Department of Environmental Quality Waste Programs Division  
Address: 1110 W. Washington St. Phoenix, AZ 85007  
Website: [www.azdes.gov](http://www.azdes.gov)  
Name: Terry Baez  
Telephone: (602) 771-4303  
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E-mail: [baezserv@azdes.gov](mailto:baezserv@azdes.gov)

The release of this Chapter in Supp. 21-4 replaces Supp. 21-1, 1-41 pages.  
Please note that the Chapter rules are shown to replace any rules still in effect after the publication date of this supplement. Therefore, all superseded material should be removed in a separate binder and archived for future reference.

# Structure of the Rules

## Article 4: BMP

- Definitions
- BMP Facilities & Exemptions
- Registration
- Throughput
- Design and Operations
  - Specific requirements for liquid waste
- Closure Requirements
- Financial Assurance Requirements
- Record Keeping

## Article 5: Self Certification (Self Cert.)

- Definitions
- Self Cert. Facility Exemptions
- Registration
- Throughput
- Design and Operations
  - Specific requirements for liquid waste
- Closure Requirements
- Financial Assurance Requirements
- Record Keeping

# Clarifying Definition of Transfer Stations

- Language added to clarify that biohazardous medical waste facilities and special waste receiving facilities **are not** transfer stations for the purposes of these rules. R18-13-402(A)(1), R18-13-502(A)(1)

# New Exemptions

- Temporary Drop-Site Locations
  - Defined in R18-13-401(F) as a temporary or seasonal site receiving solid waste from vehicles other than those designed to compact waste... for a period of time not to exceed 30 days.
- Small Municipal Containers
  - i.e., bins, drop boxes, or roll off containers with 20 cy or less of cumulative capacity used to collect residential, business, or government solid waste. R18-13-402(1)(c)

# Clarifying Throughput - 180 cy/day

- Throughput threshold: The daily threshold for BMP facilities remains 180 cy.
  - New rule text clarifies that any single day's throughput over this limit is considered an exceedance and the facility should be classified as a self-certification facility.

# Throughput Exceedance Allowance

- Scheduled exceedance allowance: the new rules will allow a BMP facility to exceed the 180 cy/day limit on a scheduled basis, not to exceed four instances in a calendar year.
  - Written notice must be provide to the department at least 30 days prior to the exceedance.
  - Notice must specify dates and anticipated volumes.
  - Facility must comply with all other BMP requirements during the exceedance period.

# Registration Requirements



# Registration Requirements for BMPs

## Initial Registration

- Facility name, address, records location, owner contact
- Legal description of property
- Description of waste storage and handling equipment, methods of waste management, time waste remains on site, and designed capacity
- Diagram of property showing location of solid waste facilities and designated handling, storage, and transfer locations

## Annual Registration

- Any changes to information submitted during the previous registration

# Registration Requirements for Self Cert.

## Initial Registration

- Facility name, address, records location, owner contact
- Legal description of property
- Description of operations including:
  - Waste management methods
  - Types and volumes of waste handled
  - Waste storage, handling and treatment equipment
  - Time waste remains on site

# Registration Requirements for Self Cert. (Cont.)

## Initial Registration (continued)

- Description of steps necessary to close facility.
- Diagram of property showing location of solid waste facilities and designated handling, storage, and transfer locations.
- Documentation that facility will comply with local zoning laws.
- Documentation that facility has any other environmental permit that is required by statute.
- Certification that information provided is true and accurate.

# Registration Requirements for Self Cert. (Cont.)

## Annual Registration

- Any changes to information submitted during previous registration.
- Certification that information provided is true and accurate.

# Design & Operation Requirements



# Design & Operation Requirements

- Restrict unauthorized access with signs or physical barriers.
- Cover or otherwise manage tipping floors, storage areas, and storage bins to prevent wind dispersal and other dispersion.
- Prevent vector breeding.
- Ensure access to all waste handling and storage areas for emergency vehicles.
- Post signage with facility operating information.

# Design & Operation Requirements

- Keep solid waste areas free of standing water.
- Ensure all containers used in handling solid waste are leak-proof, constructed of durable materials, and are maintained in good condition.
- Ensure waste is only handled within designated waste handling areas.
- Manage stormwater run-on to and run-off from the facility to divert water from contacting solid waste.
- Implement spill and leak response management procedures.

# Design & Operation Requirements Cont.

- Implement waste screening measures to prevent acceptance of unauthorized waste.
  - Train personnel to identify unacceptable waste.
  - Procedures for segregation and disposal of unauthorized waste.
  - Notify ADEQ within 24 hours of discovery of unauthorized waste.
- Accept, manage, store, and handle waste only within facility capacity.
- Ensure waste is not stored for more than 90 days.
- Notify ADEQ of uncontained releases, fires, or impact to subsurface soil requiring response by third party or emergency personnel within 48 hours.

# Design & Operation Requirements Specific to Self-Cert. Facilities.

- Limit vehicular traffic to use on improved surfaces.
- Ensure adequate fire prevention and control.
- Manage any water that has come into contact with waste, that may include leachate, to prevent ponding.

# Facilities Handling Liquid Waste

- Ensure liquid waste is in a container or tank that is:
  - Watertight, leakproof, and constructed from materials compatible with the waste stored.
  - Labeled with a description of the contents.
- Areas used to load or unload liquid waste tanks or containers are designed to contain spills and accidental releases.
- Liquid waste may only be mixed with other liquid waste that is the same or substantially similar and shall not be diluted with any other material or substance.

# Facilities Handling Liquid Waste Cont.

- Provide on-duty personnel at all times when facility is open to the public.
- Maintain a liquid waste management plan that consists of:
  - Emergency preparedness procedures to respond to spills.
  - Waste handling procedures to prevent mixing and ensure proper handling, storage, and transport.
  - Documentation of throughput by weight or volume of liquid waste.

# Closure Requirements



# Closure Requirements

- Submit notice of intent to close the facility to ADEQ at least 30 days before final closure activities.
- Take necessary steps to minimize or eliminate the release of waste, waste constituents, or leachate to ensure no future threat of harm; including:
  - Posting signage of expected closure date and date waste no longer accepted 30 days prior to end of operations.
  - Remove and properly dispose of all solid waste.
  - Wash all areas of facility, containers, equipment, etc. that were in contact with solid waste.
  - Collect and properly dispose of all wash water and rinse water.

# Closure Requirements

- Any ongoing or required release investigations and required corrective actions must be completed before final closure can occur.
- Upon final closure, submit written notice to ADEQ and certify compliance with closure requirements.

# Financial Assurance



# Financial Assurance

- Owners or operators of solid waste transfer facilities must submit a financial demonstration of capability to meet closure, post-closure care, and corrective action requirements resulting from known releases.
  - Existing facilities: must submit within 180 days of rule effective date.
  - New facilities: must submit prior to beginning operation.

# Financial Assurance

- The costs estimate for financial assurance requirements shall be updated every three years to adjust for inflation and reflect any increased costs from facility conditions, and be resubmitted to ADEQ.
- Any one or combination of financial assurance mechanisms listed in R18-13-1704 may be used to demonstrate financial capability.

# Acceptable Mechanisms For Financial Assurance

Financial Assurance mechanisms under A.A.C. R18-13-1704 / A.R.S. § 49-761(J)

Surety Bond	Certificate of Deposit	Trust Fund
Letter of Credit	Insurance Policy	Certificate of Self-Insurance
Deposit with State Treasurer	Guarantees and Financial Tests	Other as Approved by the Director

# Next Steps



# What will transfer facilities need to do?

**Within 180 days after the rule becomes effective or before operation of new facilities**

Existing previously-registered facilities shall:

- Implement any necessary changes to design and operation to comply with the rule.
- Re-submit a registration showing how you comply with the rules including any new required information.
- Develop and submit your closure plan and financial assurance.

# What will transfer facilities need to do?

**Within 180 days after the rule becomes effective or before operation of new facilities**

Existing unregistered facilities shall:

- Implement any necessary changes to design and operation to comply with the rule.
- Submit a registration showing how you comply with new rules.
- Develop and submit your closure plan and financial assurance.

# What will transfer facilities need to do?

**Within 180 days after the rule becomes effective or before operation of new facilities**

New planned facilities:

- Submit a registration showing how you comply with the rule prior to construction.
- Develop and submit your closure plan and financial assurance before operations begin.
- Pay initial registration fee.

Please reach out to ADEQ at [solidwastepermits@azdeq.gov](mailto:solidwastepermits@azdeq.gov) if you need assistance in determining what facilities are currently registered under your organization

# Rulemaking Timeline

**Rule Effective**

2nd/3rd Quarter 2026

**Final Rule and Governor's  
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2nd Quarter 2026

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