

The Arizona Department of Environmental Quality (ADEQ) is applying for primary enforcement authority (“Primacy”) over the Underground Injection Control (UIC) program, currently administered by the United States Environmental Protection Agency (EPA) under the Safe Drinking Water Act (SDWA) of 1974 (as amended). ADEQ has authority to apply for and obtain Primacy under both the SDWA and Arizona State law at 42 United States Code (U.S.C.) § 300h *et seq.* and Arizona Revised Statutes (A.R.S.) §§ 49-203(A)(6) and 49-257.01(A), respectively.

A successful application for Primacy allows ADEQ to administer the regulatory program for underground injection wells in the State of Arizona that is consistent with the SDWA, tailored to the specific needs of Arizonans and the State’s unique environment, and designed to protect underground sources of drinking water (USDWs) from underground injection activities.

Arizona’s UIC program regulates six classes of injection wells (Classes I through VI), including a permitting program for Classes I, II, III, and VI, as well as an inventory and authorization by rule for Class V. Class I wells are industrial and municipal waste disposal wells. Class II wells are oil-and-gas-related injection wells. Class III wells are solution mining injection wells. Class IV wells are shallow hazardous and radioactive waste injection wells and are prohibited. Class V wells inject non-hazardous fluids into or above USDWs. Class VI wells are geologic sequestration injection wells. The Arizona UIC Program does not apply to injection activities outside of the scope of the program, such as the underground injection of natural gas for purposes of storage nor the underground injection of fluids or propping agents pursuant to hydraulic fracturing operations related to oil, gas, or geothermal production activities (*see* A.A.C. R18-9-A601(68); 42 U.S.C. 300h(b)(2); 42 U.S.C. 300h(d)(1)(b)).

Pursuant to the Code of Federal Regulations, 40 CFR § 145.31(a), this Public Notice serves to inform the public, statewide, of Arizona’s intention to obtain Primacy over EPA’s UIC program and administer the program through ADEQ.

ADEQ hereby welcomes public review of Arizona’s proposed UIC Primacy Application submission materials, currently available for zero cost on ADEQ’s website, <https://www.azdeq.gov/UIC>. Furthermore, ADEQ appreciates and invites public participation in the Public Notice and Comment period, open from October 15, 2023 – November 20, 2023, with comments submitted to ADEQ via email at [uic@azdeq.gov](mailto:uic@azdeq.gov) or at the virtual Public Hearing.

The details for the virtual Public Hearing are as follows:

Date: November 20, 2023

Time: 10:00 AM – 12:00 PM (MST)

Location: Virtual

Online:

Register: *GoToWebinar*

<https://attendee.gotowebinar.com/register/6679782062526501472> after registering, you will receive a confirmation email containing information and instructions on how to join)

By Phone:

562-247-8321 (Access Code: 821-374-244)

ADEQ staff member that may be contacted for further information:

Jon Rezabek: [uic@azdeq.gov](mailto:uic@azdeq.gov)

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write or understand English and/or to those with disabilities. Requests for language translation, ASL interpretation, CART captioning services or disability accommodations must be made at least 48 hours in advance by contacting the Title VI Nondiscrimination Coordinator, Leonard Drago, at 602-771-2288 or [Drago.Leonard@azdeq.gov](mailto:Drago.Leonard@azdeq.gov). For a TTY or other device, Telecommunications Relay Services are available by calling 711.

ADEQ tomará las medidas razonables para proveer acceso a los servicios del departamento a personas con capacidad limitada para hablar, escribir o entender inglés y/o para personas con discapacidades. Las solicitudes de servicios de traducción de idiomas, interpretación ASL (lengua de signos americano), subtítulo de CART, o adaptaciones por discapacidad deben realizarse con al menos 48 horas de anticipación comunicándose con el Coordinador de Anti-Discriminación del Título VI al 602-771-2288 o [Drago.Leonard@azdeq.gov](mailto:Drago.Leonard@azdeq.gov). Para un TTY u otro dispositivo, los servicios de retransmisión de telecomunicaciones están disponible llamando al 711.