

TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 14. DEP'T. OF ENVIRONMENTAL QUALITY - PERMIT AND COMPLIANCE
FEEES
ARTICLE 1. WATER QUALITY PROTECTION FEES

R18-14-101. Definitions

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2. “AWP” means Advanced Water Purification permit.

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11+0. “Water quality protection service” means:

- a. Reviewing a request for an APP determination of applicability;
- b. Pre-application consultation, issuing, renewing, amending, modifying, transferring, or denying an aquifer protection permit, an AWP Permit, an AZPDES permit, a UIC permit, a UIC application for an aquifer exemption or an injection depth waiver or a reclaimed water permit;
- c. Reviewing supplemental information required by a permit condition, including annual reports and closure for an APP;
- d. Performing an APP clean closure plan review;
- e. Issuing or denying a Certificate of Approval for Sanitary Facilities for a Subdivision;
- f. Registering or transferring registration of a dry well;
- g. Conducting a site visit;
- h. Reviewing proprietary and other reviewed products under A.A.C. R18-9-A309(E);
- i. Reviewing, processing, and managing documentation related to an AZPDES general permit, including a notice of intent, notice of termination, certificate of no exposure, and waiver;
- j. Registering and reporting land application of biosolids; or
- k. Pretreatment program review, inspection, or audit.
- l. Reviewing and commenting on AWP permit components submitted to the Department both before and after AWP Permit issuance.

R18-14-102. Hourly Rate and Maximum Fees for Water Quality Protection Services

- A. The Department shall assess and collect an hourly rate fee for a water quality protection service, except for APP minor permit amendments specified under A.A.C. R18-9-A211(C)(1), (2) and (3) and A.A.C. R18-9-B906(B), unless a flat fee is otherwise designated in this Article, and UIC minor modifications specified under A.A.C. R18-9-C633(A).
- B. Hourly rate fees. The Department shall calculate the fee using an hourly rate of \$174, adjusted annually under subsection (D), except for the UIC program, where the Department shall calculate the fee using an hourly rate of \$145, and the AWP program, where the Department shall calculate the fee using an hourly rate of \$223, both adjusted annually under subsection (D). These rates shall then be multiplied by the number of review hours to provide a water quality protection service, plus any applicable review-related costs, up to the maximum fee specified in subsection (C), adjusted annually under subsection (D).
- C. Maximum fees for a water quality protection service assessed at an hourly rate in Table 1, adjusted annually under subsection (D).
- D. The Director shall adjust the hourly rate and maximum fees listed in subsections (B) and (C) every August 1 to the nearest \$10, beginning August 4, 2023, by multiplying the hourly rate or maximum fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year.

Table 1. Maximum Fees

Program Area	Permit Type	Maximum Fee
<u>AWP</u>	<u>AWP Permit</u>	<u>No Max.</u>
<u>AWP</u>	<u>AWP Demonstration Permit</u>	<u>No Max.</u>
<u>AWP</u>	<u>Significant Amendment</u>	<u>No Max.</u>

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R18-14-104. Annual Fees for Water Quality Protection Services Subject to Hourly Rate Fee

- A. Annual Registration Fees. The annual registration fee required under A.R.S. § 49-242 is in Table 2, adjusted annually under subsection (E).

- B. The Department shall assess an annual fee for an AZPDES related water quality protection service subject to an hourly rate fee as listed in Table 3, adjusted annually under subsection (E).
 - C. The Department shall assess an annual fee of \$714, adjusted annually under subsection (E), for an individual reclaimed water permit.
 - D. The Department shall assess an annual fee and an annual waste disposal fee as applicable to UIC regulated facilities, subject to an hourly rate fee, as listed in Tables 3.1 and 3.2, adjusted annually under subsection (E).
 - E. The Department shall assess an annual fee of \$5850, adjusted annually under subsection (F), for an AWP permit.
- ~~E.~~ The Director shall adjust the annual fees listed in subsections (A), (B), (C), and (D) every August 1, to the nearest \$10, beginning August 4, 2023, by multiplying the annual fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2023. The CPI for any year is the average of the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items published by the United States Department of Labor, as of the close of the 12-month period ending on June 30 of that year.

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R18-14-115. UIC Program Fees Review

- A. The Department shall review the revenues derived from the implementation of the UIC program from the date of primacy through June 30, 2025. By September 30, 2025, the Department shall determine the adequacy of the fees in comparison to the relevant data from the time period. The Department shall repeat the review every three years based on the initial review date of June 30, 2025.
- B. The Department shall review the revenues derived from the implementation of the Advanced Water Purification program and shall determine the adequacy of the fees in comparison to the relevant data from the time period. The Department shall repeat the review every three years from the date the program is effective.

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