

Arizona Administrative Code
Title 18. Environmental Quality
Chapter 9. Department of Environmental Quality - Water Pollution Control
Article 1. Aquifer Protection Permits - General Provisions
R18-9-101. Definitions

In addition to the definitions established in A.R.S. § 49-201, the following terms apply to Articles 1, 2, 3, and 4 of this Chapter:

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3. “AQL” means an aquifer quality limit and is a permit limitation set for aquifer water quality measured at the point of compliance that either represents an Aquifer Water Quality Standard or, if an Aquifer Water Quality Standard for a pollutant is exceeded in an aquifer at the time of permit issuance OR AMENDMENT TO INCORPORATE A NEW OR ADJUSTED AQUIFER WATER QUALITY STANDARD, represents the ambient OR BASELINE water quality for that pollutant.
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31. “NEW OR ADJUSTED AQUIFER WATER QUALITY STANDARD” MEANS A STANDARD ESTABLISHED UNDER A.R.S. §§ 49-221 AND 49-223 AFTER AUGUST 1, 2024.

Arizona Administrative Code
Title 18. Environmental Quality
Chapter 9. Department of Environmental Quality - Water Pollution Control
Article 2. Aquifer Protection Permits - Individual Permits

R18-9-A215. New or Adjusted Aquifer Water Quality Standards

- A. Upon the establishment of a new or adjusted Aquifer Water Quality Standard, the Director shall develop a schedule to amend Individual Aquifer Protection Permits pursuant to section R18-9-A211.
- B. Individual Aquifer Protection Permittees shall be compliant with a new or adjusted Aquifer Water Quality Standard either upon a permit amendment incorporating new or adjusted Alert Levels, Discharge Limitations and AQLs or no later than four years after the new or adjusted Aquifer Water Quality Standard effective date, whichever occurs first.
1. The requirement in Subsection B to comply with a new or adjusted Aquifer Water Quality Standard no later than four years after the effective date may be waived if a successful demonstration is made pursuant to Subsection F that a pollutant is not likely to be in a facility’s discharge.
2. The requirement in Subsection B to comply with a new or adjusted Aquifer Water Quality Standard no later than four years after the effective date may be waived if an administratively complete application for an amendment to incorporate new or adjusted Alert Levels, Discharge Limitations and AQLs has been received by the Department.
- C. New Individual Aquifer Protection Permits issued after the effective date of a new or adjusted Aquifer Water Quality Standard shall be compliant with a new or adjusted Aquifer Water Quality

Standard either upon permit or amendment issuance or in accordance with other permit conditions such as compliance schedule items.

1. The requirement in Subsection C may be waived if a successful demonstration is made that pollutant levels at the point of compliance well are above the new or adjusted Aquifer Water Quality Standard at permit or amendment issuance.

D. Persons holding Individual Aquifer Protection Permits with active discharge or groundwater monitoring locations, or both, specified shall begin Baseline Discharge and Groundwater Monitoring for all new or adjusted Aquifer Water Quality Standards upon their effective date unless a successful demonstration is made pursuant to Subsection F.

1. Baseline discharge and groundwater monitoring shall be reported to the Director throughout the monitoring period in a method specified by the Director;

2. Subsection R18-9-A206(B) applies to baseline discharge and groundwater monitoring;

3. All reports shall be accompanied by laboratory data unless the Director specifies otherwise;

4. Baseline monitoring shall occur at the active monitoring locations specified in the permit;

5. Permittees that monitor groundwater at their site, pursuant to an Individual Aquifer Protection Permit, shall conduct sampling for baseline groundwater monitoring for eight quarters or until the Director specifies otherwise. Baseline groundwater monitoring shall occur up, cross or down gradient from the facility, if available;

i. Sampling shall be conducted using an ADHS approved method for each pollutant with a newly established or adjusted Aquifer Water Quality Standard, if available;

ii. If an ADHS approved method for a pollutant with a newly established or adjusted Aquifer Water Quality Standard does not exist, sampling shall be conducted using an EPA approved method or a method specified by the Director;

6. Permittees that monitor their discharge, pursuant to an Individual Aquifer Protection Permit, shall conduct baseline discharge monitoring for newly established or adjusted Aquifer Water Quality Standards on a monthly frequency for one year or until the Director specifies otherwise;

i. Sampling shall be conducted using an ADHS approved method for each pollutant with a newly established or adjusted Aquifer Water Quality Standards, if available;

ii. If an ADHS approved method for a pollutant with a newly established or adjusted Aquifer Water Quality Standards does not exist, sampling shall be conducted using an EPA approved method or a method specified by the Director;

7. At the conclusion of the baseline discharge and groundwater monitoring, permittees shall submit to the Department a Baseline Monitoring Report within three months of the date of the last sample collection. The samples collected and the report shall characterize the discharge and groundwater quality at the facility and the facility's site in relation to the pollutants with new or adjusted Aquifer Water Quality Standards. The report shall include but is not limited to:

i. The quantity and characteristics of any pollutants with new or adjusted Aquifer Water Quality Standards detected through discharge or groundwater monitoring;

ii. A demonstration of the background concentrations of each new or adjusted Aquifer Water Quality Standard at the facility's site;

iii. The facility's current methods of disposal and site conditions in relation to new or adjusted Aquifer Water Quality Standards detected through discharge or groundwater monitoring;

iv. In the event baseline groundwater sampling data results in a level above a new or adjusted Aquifer Water Quality Standard in either the up, cross or downgradient samples, a demonstration of whether the sample results are caused or contributed to by direct or indirect facility discharge;

(1) If the facility is determined to be causing or contributing to sampling data results of a level above a new or adjusted Aquifer Water Quality Standard, a demonstration of whether or not the facility's discharge will further degrade, at the applicable point of compliance, the quality of any aquifer;

v. An Alert Level, Discharge Limit and AQL proposal, as applicable, for each pollutant with a new or adjusted Aquifer Water Quality Standard detected through discharge or groundwater monitoring to be at a level above the standard;

vi. Permittees that have existing and collected baseline discharge and groundwater samples from up, cross or down gradient from the facility may use that data to develop the Baseline Monitoring Report.

8. Based on the quantity and characteristics of pollutants discharged, methods of disposal, site conditions and the Baseline Monitoring Report, the Department may require the applicant to provide additional information.

9. Upon submission of the Baseline Monitoring Report, the Department shall determine whether new or adjusted Alert Levels, Discharge Limits and AQLs are required for each new or adjusted Aquifer Water Quality Standard in accordance with A.A.C. R18-9-A205. Thereafter, the Department may effectuate limits, if necessary, into the applicable Individual Aquifer Protection Permits through an amendment pursuant to subsection A of this section.

F. A pollutant with a new or adjusted Aquifer Water Quality Standard may be removed from the scope of baseline discharge and groundwater monitoring upon a successful demonstration that the

pollutant is not likely to be in a facility's discharge. Demonstrations shall be submitted to the Director within three months of the effective date of a pollutant with a new or adjusted Aquifer Water Quality Standard. Demonstrations may include, but are not limited to:

1. A characterization of the facility's discharge in relation to the pollutant with a new or adjusted Aquifer Water Quality Standard,
2. Past monitoring and sampling data at the facility and the facility's site,
3. A demonstration of the background concentrations of the pollutant at the facility's site.

G. The Department may require persons holding Individual Aquifer Protection Permits with or without active discharge or groundwater monitoring to perform monitoring or a demonstration for the purpose of characterizing the discharge and groundwater quality at a facility or a facility's site in relation to pollutants with new or adjusted Aquifer Water Quality Standards unless a successful demonstration is made that a pollutant is not likely to be in a facility's discharge pursuant to Subsection F.