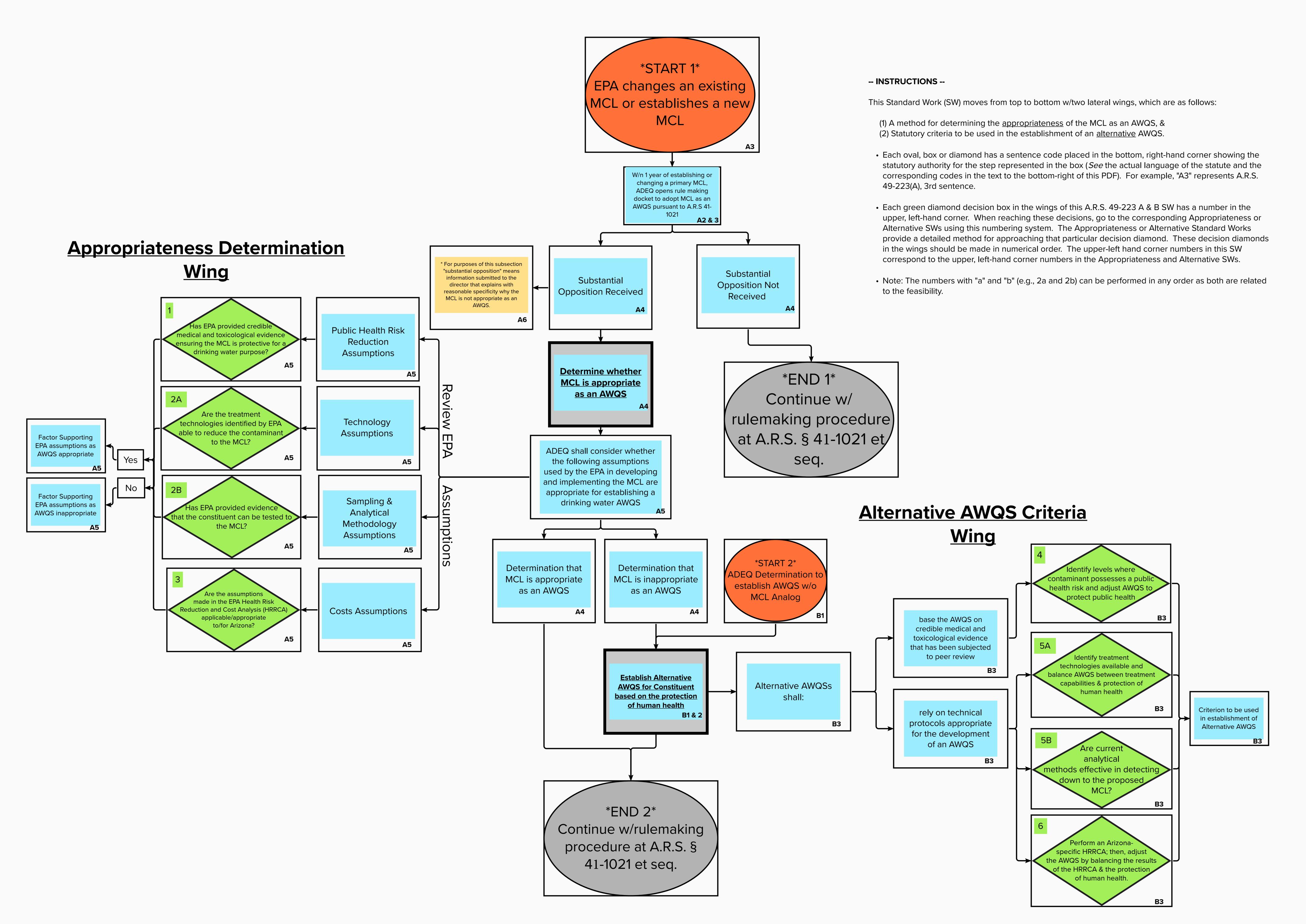
A.R.S. 49-223 A & B - Standard Work



-- BOX / STEP COLOR KEY --

ORANGE OVAL: A.R.S. § 49-223 duties have been triggered by an action external to the statute.

BLUE SQUARE: Regular Process Step based in statute (A.R.S. § 49-223). YELLOW SQUARE: Statutory "Substantial Opposition" Definition (A.R.S. § 49-223(A)).

GREEN DIAMOND: Discretionary sub-process step generated by ADEQ to fulfill statutory consideration criteria in subsection-sentences A5 & B3 of A.R.S. § 49-223).

GREY OVAL: Statutory process ends & normal rulemaking procedures are triggered.

-- Acronyms --

EPA: Environmental Protection Agency
MCL: Maximum Contaminant Limit
ADEQ: Arizona Department of Environmental Quality
AWQS: Aquifer Water Quality Standard
ARS: Arizona Revised Statutes
MDL: Method Detection Limit
HRRCA: Health Risk Reduction & Cost Analysis (EPA)

-- Actual Language of A.R.S. § 49-223. Aquifer water quality standards -- w/Sentence Codes included --

Subsection A:

Sentence 1 (A1): Primary drinking water maximum contaminant levels established by the administrator before August 13, 1986 are adopted as drinking water aquifer water quality standards.

Sentence 2 (A2): The director may only adopt additional aquifer water quality standards by rule.

Sentence 3 (A3): Within one year after the administrator establishes additional primary drinking water maximum contaminant levels, the director shall open a rule making docket pursuant to section 41-1021 for adoption of those maximum contaminant levels as drinking water aquifer water quality standards.

Sentence 4 (A4): If substantial opposition is demonstrated in the rule making docket regarding a particular constituent, the director may adopt for that constituent the maximum contaminant level as a drinking water aquifer water quality standard upon making a finding that this level is appropriate for adoption in Arizona as an aquifer water quality standard.

Sentence 5 (A5): In making this finding, the director shall consider whether the assumptions about technologies, costs, sampling and analytical methodologies and public health risk reduction used by the administrator in developing and implementing the maximum contaminant level are appropriate for establishing a drinking water aquifer water quality standard.

Sentence 6 (A6): For purposes of this subsection "substantial opposition" means information submitted to the director that explains with reasonable specificity why the maximum contaminant level is not appropriate as an aquifer water quality standard.

Subsection B:

Sentence 1 (B1): The director may adopt by rule numeric drinking water aquifer water quality standards for pollutants for which the administrator has not established primary drinking water maximum contaminant levels or for which a maximum contaminant level has been established but the director has determined it to be inappropriate as an aquifer water quality standard pursuant to subsection A of this section.

Sentence 2 (B2): These standards shall be based on the protection of human health.

Sentence 3 (B3): In establishing numeric drinking water aquifer water quality standards, the director shall rely on technical protocols appropriate for the development of aquifer water quality standards and shall base the standards on credible medical and toxicological evidence that has been subjected to peer review.