

Frequently Asked Questions (FAQs) on the Following Topics:

- **Arizona State Drywell Registration Program Repeal**
- **ADEQ’s Prospective Safe Drinking Water Act Underground Injection Control Program Primacy**
- **Interim Period Drywell Regulation in Arizona**

Introduction & Context:

House Bill 2410 was passed through the Arizona Legislature and signed by the Governor this past Spring. This Bill will repeal the Arizona state-based drywell registration program at Arizona Revised Statutes, Title 49, Chapter 2, Article 8; effective September 24, 2022. Later this Fall, ADEQ plans to submit its application for primacy of the Safe Drinking Water Act’s Underground Injection Control program (“SDWA-UIC” or “UIC”) which would transfer primary enforcement authority of the regulatory program from the Environmental Protection Agency (EPA) to ADEQ. The UIC program has regulated “Class V” wells through an inventory since the early 1980s, including a requirement for drywells to be inventoried as Class V wells. Whether the UIC program is being enforced by EPA or ADEQ, its inventory requirement of Class V wells, including drywells, will continue to be in effect on Arizona land under state-jurisdiction. ADEQ’s primacy application, to be submitted to EPA this Fall, may be reviewed by EPA for over a year.

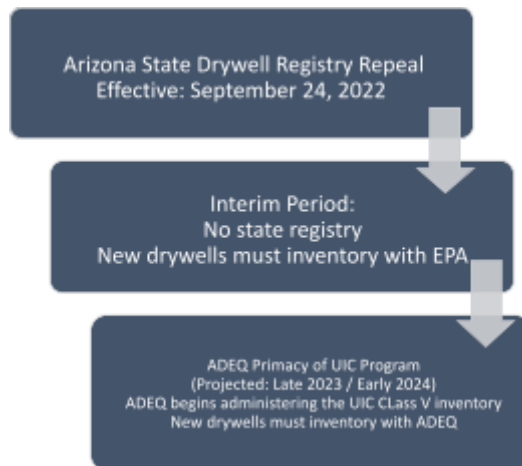
Q1: What does this mean for me?

A1: All drywells entered in the state drywell registry prior to the September 24, 2022 effective date of HB2410 will be reported to EPA. Once reported, EPA honors the reported state drywell registrations as inventories for the purposes of UIC Class V regulation. Upon the repeal of the state drywell registry and pending primacy of the UIC program (interim period), **ADEQ will not be issuing drywell registrations.** During the interim period, new drywells in Arizona should inventory with the EPA at the following web portal:

<https://www.epa.gov/uic/forms/underground-injection-well-registration-epas-pacific-southwest-region-9#form>

However, upon EPA granting ADEQ primacy of the UIC program, ADEQ will once again administer drywell regulation in the state. At that time, new drywells will be required to inventory with the ADEQ-administered UIC program, through a Class V inventory.

Below are the important, projected dates of the drywell regulation transition in Arizona:



Q2: What are the next steps?

A2: Starting September 24, 2022, NEW drywells and drywells wishing to MODIFY will need to be “inventoried” with EPA. The myDEQ application and the website will provide the required links to the EPA website for an easy transition:

<https://www.epa.gov/uic/forms/underground-injection-well-registration-epas-pacific-southwest-region-9#form>

Q3: What will happen to my Aquifer Protection Permit Program – Type 2.01 or Type 2.04 – drywell permit?

A3: The APP Type 2.01 and 2.04 permits will not be affected by the repealing of the state drywell registry, nor ADEQ’s prospective primacy of the UIC program. APP regulations, such as APP General Permits, Types 2.01 and 2.04, are issued under separate authority than that of the drywell registry. Types 2.01 and 2.04s will continue to be issued in myDEQ, but without a requirement to register. Instead of having to register with ADEQ, drywell owners will have to submit an inventory to EPA. For Type 2.01 and 2.04s, ADEQ is updating the myDEQ application to exclude the registration. Changes to myDEQ will be demonstrated in a Voice of the Customer meeting scheduled for July 11, 2022 from 1:00 P.M. to 3:00 P.M. Meeting details are available at:

<https://azdeq.gov/search/node/calendar>

Q4: Are there fees associated with an EPA-administered UIC Class V inventory of a drywell?

A4: Currently, EPA does not charge a fee to submit an inventory of a drywell.

Q5: Will there be an inventory fee once ADEQ starts regulating?

A5: Yes, similar to the fees associated with the state-based, drywell registration, ADEQ will charge a fee for a UIC Class V inventory, including drywells.

Q6: Where can I go to get more information?

A6: ADEQ Drywell Registration: https://azdeq.gov/drywell_registration

Underground Injection Control (UIC) Rulemaking: <https://azdeq.gov/node/8531>

Underground Injection Control (UIC) Stakeholder Materials: <https://azdeq.gov/UICDocs>

EPA UIC Class V Inventory Web Page:

<https://www.epa.gov/uic/forms/underground-injection-well-registration-epas-pacific-southwest-region-9#form>