The Underground Injection Control Program

- Construction
- Operation
- Permitting
- Closure

EPA regulates injection wells used to place fluids underground for Storage or Disposal.

The Safe Drinking Water Act (SDWA) allows States to assume primacy of UIC if certain requirements are met.

- Arizona must satisfy EPA requirements to obtain UIC primacy.
### Pros and Cons to AZ UIC Primacy

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<th>Pros</th>
<th>Cons</th>
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Stakeholder Input - Pros

Streamlining

- Faster Permitting
- Reduce duplication
- Permit Timeframes (LTF)

Local Control

- ADEQ expertise on state’s groundwater and water laws
- Easier access to local regulator
Stakeholder Input - Cons

Adequate funding and expertise
- limited staff resources
- “Rubber stamping” permits
- “Pay for play” fee system
- Lack of AZ expertise and experience with UIC
- Cost for permitting
- Loss of other Federal Program oversight (NEPA, ESA)

Local political influence
- lack of EPA oversight
- lack of stringency

UIC coordination with APP
- UIC Aquifer Exemption versus AZ Aquifer Reclassification
- AWQSs versus Drinking Water Standards
EPA Oversight:

- Technical expertise
- Distance from local politics
- Exemptions for saline aquifers
- Public review including cultural & environmental impacts
- Simple no cost Class V well notification; online forms
Stakeholder Input – Delta (Existing Program)

Lengthy Permitting

- Burdensome reporting requirements – particularly for Class III
- Lengthy NEPA and NHPA
- Lack of alignment between ADEQ and EPA
- Permitting Timelines
- Lack of regulatory clarity in current program
- Duplication and misalignment between UIC and APP

Environmental Protection

- Aquifer Exemptions
- Insufficient environmental protection
Stakeholder Input - Other

Questions on other Federal Programs And Tribes

- Tribal consultations
- Endangered species, NEPA, cultural resources

Questions on Public Participation and Protection

- Private right to action
- Public notice and public participation
- Enforcement, monitoring, contamination
- Protection of private wells
- “Pay for play” permitting fee structure
Guiding Principles and Design Values

- Develop a clear streamlined permitting process
- Ensure AZ has sufficient technical expertise
- Develop sufficient funding source(s) that are not reliant upon granting permit approval
- Ensure AZ UIC is as careful in approving permits as EPA
- Ensure that APP and UIC programs are compatible
- Develop simplified permit reporting requirements
Guiding Principles and Design Values (cont.)

- Ensure coordination and alignment with EPA
- Ensure the AZ UIC program meets other applicable federal program requirements, including tribal consultation
- Ensure adequate protection of individual private rights
- Develop a robust enforcement program
- Develop a robust public participation process
Voice of the Customer (You)

This is the part where we listen to you

- What pitfalls do you see?
- What do you value?
- What concerns do you have about transitioning from APP to UIC?
- What principals and features are important for the rule?
Guiding Principles and Design Values – Plain

- 1. Develop a clear streamlined permitting process
- 2. Ensure AZ has sufficient technical expertise
- 3. Develop sufficient funding source(s) that are not reliant upon granting permit approval
- 4. Ensure AZ UIC is as careful in approving permits as EPA
- 5. Ensure that APP and UIC programs are compatible
- 6. Develop simplified permit reporting requirements
- 7. Ensure coordination and alignment with EPA
- 8. Ensure the AZ UIC program meets other applicable federal program requirements, including tribal consultation
- 9. Ensure adequate protection of individual private rights
- 10. Develop a robust enforcement program
- 11. Develop a robust public participation process
Projected Timeline

Initial Stakeholder Meetings
- Summer 2018

Send High Level Program and Rule Components
- Fall 2018

Stakeholder Meetings on Preliminary Draft Rule
- Spring 2019

Formal Rule Process (Public Hearing, GRRC)
- Winter 2019

Submit to EPA
- Spring 2020