

October 2020 UIC Draft Rule Executive Summary

ADEQ would like to thank the stakeholders who submitted comment on the 2019 version of the AZ UIC Program Draft Rule. In total, eleven (11) stakeholders submitted over 160 comments. The Department has assessed and considered each one. Please find below a general summary of the comments received and a description of how ADEQ has addressed them:

- **Aquifer Exemptions:**
 - AZ UIC draft rule was clarified resulting in a more close alignment with Federal Regulation.
 - Language was added to the Draft Rule which explicitly incorporates currently exempted aquifers or portions of aquifers in the EPA UIC Permit Program into the AZ UIC program.
- **Decision-Making Process for Issuing Permits:**
 - AZ UIC draft rule was simplified for stakeholder and administrative clarity.
 - Language was removed from the previous Draft Rule due to the determination that existing ADEQ regulatory language in the Arizona Administrative Code's Licensing Time Frame Rules (A.A.C. R18-9, Article 5) currently covers certain requirements.
 - Language was modified to reflect components of ADEQ's AZPDES programmatic rule.
- **Public Participation Process/Requirements:**
 - AZ UIC Draft Rule was simplified and tailored to the state of Arizona for stakeholder and administrative clarity.
- **Changing Definitions for Well Components and Hydro-Geological Terms:**
 - The determination was made to leave definitions in the Draft Rule largely the same as the EPA definitions in order to ensure program continuity and EPA stringency.
 - As technical issues arise, with regard to definitions, ADEQ will consult with EPA for guidance.
- **Concerns Regarding Caverns and Natural Gas Storage Regulation Under UIC:**
 - Language was added to the Draft Rule in order to clarify the exemption of Natural Gas Storage in the AZ UIC program.
 - The determination was made to not include classification of constructed cavern wells in this rule-set. If issues arise with well classification for caverns, ADEQ intends to follow EPA interpretation of the UIC rules for the various well classes and their uses in construction and use of caverns.
 - A determination was made to not include cavern construction requirements. Given the limited experience with cavern construction in Arizona, ADEQ believes that technical requirements for cavern construction and maintenance would be best addressed on a site-specific basis, and using the best technical practices available at that time.
- **Transition of Permits from EPA to ADEQ at Primacy:**
 - Language was added to provide clarity on the transition from the EPA UIC Permit Program to the AZ UIC Permit Program, specifically for existing permits and applications that are in-process.
- **Editorial Comments:**
 - ADEQ incorporated a number of editorial changes in order to simplify and clarify the rule for stakeholders and administration. An example of this would be the clarification of continuity-language for expiring permits.

*If you wish to contact ADEQ concerning this rule-set, please email UIC@azdeq.gov