

## NOTICES OF PROPOSED DELEGATION AGREEMENT

The Administrative Procedure Act requires the publication of notices of proposed delegation agreements in the *Register*. A delegation agreement is an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers or duties conferred on the delegating agency by a provision of law. Delegation agreements are not intergovernmental agreements pursuant to A.R.S. Title 11, Chapter 7, Article 3. For at least 30 days after publication of the Notice of Proposed Delegation Agreement in the *Register*, the agency shall provide persons the opportunity to submit in writing statements, arguments, date, and views on the proposed delegation agreement and shall provide an opportunity for a public hearing if there is sufficient interest. The delegating agency shall follow the procedures for delegation agreements specified in A.R.S. Title 41, Chapter 6, Article 8.

### NOTICE OF PROPOSED DELEGATION AGREEMENT

1. **Name of the agency proposing the delegation agreement:**  
Office of the Attorney General
2. **The name of the political subdivision to which functions, powers, or duties of the agency are proposed to be delegated:**  
Office of the Pima County Attorney
3. **The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:**  
Name: Sydney K. Davis  
Address: Office of the Attorney General  
1275 West Washington  
Phoenix, Arizona 85007-2926  
Telephone: (602) 542-3702
4. **A summary of the delegation agreement and the subjects and issues involved:**  
The proposed delegation agreement will delegate to the Pima County Attorney the authority to enforce the provisions of the Consumer Fraud Act (A.R.S. § 44-1521 *et seq.*). The effective date of this agreement will commence 60 days after the publication of Notice of Proposed Delegation Agreement by the Secretary of State, provided there are no comments. The expiration date of this agreement is December 31, 1998.
5. **Copies of the proposed delegation agreement may be obtained from the agency as follows:**  
Name: Sydney K. Davis  
Address: Office of the Attorney General  
1275 West Washington  
Phoenix, Arizona 85007-2926  
Telephone: (602) 542-3702
6. **The schedule of public hearings on the proposed delegation agreement:**  
No public hearings are scheduled at this time.

### NOTICE OF PROPOSED DELEGATION AGREEMENT

1. **Name of the agency proposing the delegation agreement:**  
Department of Environmental Quality
2. **The name of the political subdivision to which functions, powers, or duties of the agency are proposed to be delegated:**  
City of Tucson
3. **The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:**  
Name: Sharon Turner  
Address: Department of Environmental Quality  
3033 North Central Avenue #157  
Phoenix, Arizona 85012  
Telephone: (602) 207-4778
4. **A summary of the delegation agreement and the subjects and issues involved:**  
Under A.R.S. § 49-107, the Department of Environmental Quality proposes to delegate the program elements listed below to the City of Tucson serving as the local agency. A.R.S. § 41-2163 allows cities with populations greater than 100,000 to assume jurisdiction in fire code matters. The delegated functions include monitoring, regulating, and enforcing existing laws relating to underground storage tanks (USTs) within the state of Arizona. The effective date of this Agreement is the date of filing of this Agreement with the Secretary of State. The expiration date of this Agreement is June 30, 2000.  
**Delegated Functions:**
  1. Installation and upgrade project inspections.
  2. Closure inspections.

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3. Assist in emergency responses to UST incidents.
4. Assist in identification of responsible parties.
5. Outreach.

*Editor's Note: The above summary specifies that the effective date of this delegation agreement is the date of filing with the Secretary of State. However, delegation agreements are not filed with the Secretary of State. As specified in A.R.S. § 41-1081(E), "the delegation agreement is effective 30 days after written notice of the agency's final decision is given unless an appeal is filed and pending before the [governor's regulatory review] council pursuant to subsection F."*

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

Name: Sharon Turner  
Address: Department of Environmental Quality  
3033 North Central Avenue #157  
Phoenix, Arizona 85012  
Telephone: (602) 207-4778

6. The schedule of public hearings on the proposed delegation agreement:

Date: September 7, 1995  
Time: 10 a.m. (MST)  
Location: Tucson Main Public Library  
Basement Conference Room  
101 North Stone  
Tucson, Arizona 85701

NOTICE OF PROPOSED DELEGATION AGREEMENT

1. Name of the agency proposing the delegation agreement:

Department of Environmental Quality

2. The name of the political subdivision to which functions, powers, or duties of the agency are proposed to be delegated:

Yavapai County Health Department/Environmental Services Department

3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Name: Sharon Turner  
Address: Department of Environmental Quality  
3033 North Central Avenue #157  
Phoenix, Arizona 85012  
Telephone: (602) 207-4778

4. A summary of the delegations agreement and the subjects and issues involved:

Under A.R.S. § 49-107, the Department of Environmental Quality proposes to delegate the program elements listed below to the Yavapai County Health Department, serving as the local agency. The delegated functions include portions of the Safe Drinking Water Program, the Water Pollution Control Program, and the Solid Waste Management Program. The effective date of this Agreement is the latter of the following: 1) Filing with the Secretary of State, 2) Filing with the Yavapai County Recorder, or 3) 30 days from the Notice of Final Decision to Enter into the Delegation Agreement. Provisions of this Agreement will not be implemented by LA and DEQ until January 1, 1996. The expiration date of this Agreement is June 30, 2000.

Delegated Functions:

1. Approval to construct for drinking water facilities. (Line extension only)
2. Approval of construction for drinking water facilities. (Line extension only)
3. Approval of plans (approval to construct) for wastewater facilities.
4. Approval of construction for wastewater facilities.
5. Approval of plans and construction of septic tank systems with subsurface disposal.
6. Enforcement of regulations governing septic tank systems with subsurface disposal.
7. Approval of plans and construction of alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12.
8. Enforcement of regulations governing alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12.
9. Approval of sanitary facilities for subdivisions.
10. Enforcement of regulations governing sanitary facilities for subdivisions.
11. Compliance and construction inspections of water and sanitary facilities delegated in Appendix A.
12. Inspection, permitting, and licensing of septic tank cleaners.
13. Investigation of nuisance complaints.
14. Investigation of, and enforcement to eliminate, illegal and "wildcat" dumps.
15. Inspection and permitting of refuse haulers.
16. Approval of solid waste collection and disposal provisions for new subdivisions.

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Notices of Proposed Delegation Agreement

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

Name: Sharon Turner  
Address: Department of Environmental Quality  
3033 North Central Avenue #157  
Phoenix, Arizona 85012  
Telephone: (602) 207-4778

6. The schedule of public hearings on the proposed delegation agreement:

Date: September 12, 1995  
Time: 10:30 a.m. (MST)  
Location: Yavapai County Administration Building  
Supervisor's Hearing Room  
255 East Gurley Street  
Prescott, Arizona 86301

NOTICE OF PROPOSED DELEGATION AGREEMENT

1. Name of the agency proposing the delegation agreement:

Department of Environmental Quality

2. The name of the political subdivision to which functions, powers, or duties of the agency are proposed to be delegated:

Apache County Health Department

3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Name: Sharon Turner  
Address: Department of Environmental Quality  
3033 North Central Avenue #157  
Phoenix, Arizona 85012  
Telephone: (602) 207-4778

4. A summary of the delegation agreement and the subjects and issues involved:

Under A.R.S. § 49-107, the Department of Environmental Quality proposes to delegate the program elements listed below to the Apache County Health Department, serving as the local agency. The delegated functions include portions of the Water Pollution Control Program and the Solid Waste Management Program. The effective date of this Agreement is the latter of the following: 1) Filing with the Secretary of State, 2) Filing with the Apache County Recorder, or 3) 30 days from the Notice of Final Decision to Enter into the Delegation Agreement. Provisions of this Agreement will not be implemented by LA and DEQ until January 1, 1996. The expiration date of this Agreement is June 30, 2000.

Delegated Functions:

1. Approval of plans and construction of septic tank systems with subsurface disposal. (Outside the Alpine area)
2. Enforcement of regulations governing septic tank systems with subsurface disposal. (Outside the Alpine area)
3. Approval of plans and construction of alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12. (Outside the Alpine area)
4. Enforcement of regulations governing alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12. (Outside the Alpine area)
5. Inspection, permitting, and licensing of septic tank cleaners.
6. Investigation of nuisance complaints.
7. Investigation of, and enforcement to eliminate, illegal and "wildcat" dumps.
8. Inspection and permitting of refuse haulers.

*Editor's Note: The above summary specifies that the effective date of this delegation agreement is the date of filing with the Secretary of State. However, delegation agreements are not filed with the Secretary of State. As specified in A.R.S. § 41-1081(E), "the delegation agreement is effective 30 days after written notice of the agency's final decision is given unless an appeal is filed and pending before the [governor's regulatory review] council pursuant to subsection F."*

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

Name: Sharon Turner  
Address: Department of Environmental Quality  
3033 North Central Avenue #157  
Phoenix, Arizona 85012  
Telephone: (602) 207-4778

6. The schedule of public hearings on the proposed delegation agreement:

Date: September 12, 1995  
Time: 7 p.m. (MST)  
Location: St. Johns Community Center  
395 South First West  
St. Johns, Arizona 85936  
(Located directly behind courthouse at 75 West Cleveland)