

Notices of Proposed Delegation Agreements

NOTICES OF PROPOSED DELEGATION AGREEMENTS

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:**
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:**
Pinal County Department of Health and Human Services
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 (DEQ) proposes to delegate the Water Pollution Control Program elements listed below to the Pinal County Department of Health and Human Services, serving as the local agency (LA). Pursuant to A.R.S. § 41-1081(F), this Agreement shall be 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. The expiration date of this Agreement is June 30, 2000. The summary notice of proposed Delegation Agreement published on August 11, 1995, in the *Register* excluded intent to delegate functions in the water pollution control program.
Delegated Functions:
 1. Approval of plans and construction of septic tank systems with subsurface disposal.
 2. Enforcement of regulations governing septic tank systems with subsurface disposal.
 3. Approval of plans and construction of alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12.
 4. Enforcement of regulations governing alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12.
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:**
There is no public hearing 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:**
Maricopa County Environmental Services Department

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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
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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 Maricopa County Environmental Services Department, serving as the local agency. The delegated functions include portions of the Safe Drinking Water Program, the Water Pollution Control Program, the Solid Waste Management Program, and the Air Quality Management Program. Pursuant to A.R.S. § 41-1081(F), this Agreement shall be effective 30 days after the written notice of the agency's final decision is given unless an appeal is filed and pending before the Governor's Regulatory Review Council. The expiration date is June 30, 2000.

Delegated Functions:

1. Approval to construct for drinking water facilities.
2. Approval of construction for drinking water facilities.
3. Enforcement of regulations governing drinking water systems, including but not limited to the issuance of compliance orders.
4. Compliance inspections of drinking water facilities.
5. Approval of plans (approval to construct) for wastewater facilities.
6. Approval of construction for wastewater facilities.
7. Approval of plans and construction of septic tank systems with subsurface disposal.
8. Enforcement of regulations governing septic tank systems with subsurface disposal, including but not limited to the issuance of compliance orders.
9. Approval of plans and construction of alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12.
10. Enforcement of regulations governing alternate, individual, on-site disposal systems with designs that conform to Engineering Bulletin 12.
11. Approval of sanitary facilities for subdivisions.
12. Enforcement of regulations governing sanitary facilities for subdivisions.
13. Compliance and construction inspections of water and sanitary facilities delegated in Appendix A.
14. Approval of plans for trailer coach parks.
15. Inspection, permitting, and licensing of septic tank cleaners.
16. Investigation of, and enforcement to eliminate, illegal and "wildcat" dumps.
17. Inspection and permitting of refuse haulers.
18. Approval of solid waste collection and disposal provisions for new subdivisions.
19. Granting of refuse collection frequency variances for all commercial accounts and for residential areas outside city or town limits.
20. DEQ hereby delegates, and Maricopa County on behalf of the LA agrees to accept, a delegation of authority and jurisdiction throughout Maricopa County to perform air quality management activities meeting at least the minimal requirements and standards established under the Clean Air Act and A.R.S. Title 49, Chapter 3, and expressly including therein jurisdiction pertaining to portable sources as provided in R18-2-324(A), and Major Sources, except as provided in Appendix C, subsections (B)(1) and (B)(4).
21. General: Administer air quality permit program with respect to portable sources within Maricopa County.
22. Approval of plans to construct for air pollution portable sources.
23. Approval of construction for air pollution portable sources.
24. Enforcement of regulations governing air pollution portable sources:
 - a. Obtaining special inspection warrants.
 - b. Issuing orders of abatement and conditional orders and conducting procedures incident thereto.
 - c. Requiring production of records.
25. Compliance inspections of air pollution portable sources.
26. Collection of fees for portable source permits.
27. Require permits or certificates for portable sources, including reviewing notifications or plans.

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

Date: December 18, 1995
Time: 7 p.m.
Location: Department of Environmental Quality
Public Hearing Room - South Mall
3033 North Central Avenue
Phoenix, Arizona 85012

NOTICES OF FINAL DELEGATION AGREEMENTS

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, data, 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. While the law does not require the Secretary of State to publish Notice of Final Delegation Agreements, we are doing so for public information

NOTICE OF FINAL DELEGATION AGREEMENT

1. Name of the agency adopting the final 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 Department of Environmental Services
3. Date of final decision on delegation agreement:
October 26, 1995
4. Effective date of delegation agreement:
November 25, 1995
5. Date of Notice of Proposed Delegation Agreement published in the Register:
I A.A.R. 1279, August 4, 1995