

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, 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.

NOTICE OF PROPOSED DELEGATION AGREEMENT

[M12-327]

1. Name of agency proposing the delegation agreement:

Arizona Department of Environmental Quality

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

City of Phoenix Fire Department

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

Name: Nick Velasquez
Title: Manager, Underground Storage Tanks Inspections & Compliance Unit
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Phone: (602) 771-4315
E-mail: nlv@azdeq.gov

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

A.R.S. § 41-2163 allows cities with populations greater than 100,000 to assume jurisdiction in fire code matters. The City of Phoenix Fire Department falls into this criterion and agrees to perform those underground storage tank management functions which are listed below to provide an increased field presence and enhance information gathering capabilities to assist the Arizona Department of Environmental Quality (ADEQ) in regulating Underground Storage Tanks.

Functions and Duties	Applicable Laws (Arizona Revised Statutes)
Installation and upgrade project inspections	§ 49-1011
	§ 49-1009
Closure inspections	§ 49-1008
	§ 49-1011

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

An electronic copy of the existing Agreement may be downloaded from the following web site address:
<http://azdeq.gov/function/permits/delegated.html>

Or contact: Sherri Zendri, Administrative Counsel
Address: Arizona Department of Environmental Quality
Office of Administrative Counsel
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-2242
E-mail: zendri.sherri@azdeq.gov

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

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m. or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency's decision on whether to enter into the proposed delegation agreement.

ADEQ is committed to complying with the Americans with Disabilities Act. If any individual with a disability needs any type of accommodation, please contact ADEQ at least 72 hours before the hearing at (602) 771-2300 or TDD (602) 771-4829 or contact us via the web at azdeq.gov.

NOTICE OF PROPOSED DELEGATION AGREEMENT

[M12-328]

1. Name of the agency proposing the delegation agreement:

Arizona Department of Environmental Quality

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

City of Tucson Fire Department

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

Name: Nick Velasquez
Title: Manager, Underground Storage Tanks Inspections & Compliance Unit
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Phone: (602) 771-4315
E-mail: nlv@azdeq.gov

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

A.R.S. § 41-2163 allows cities with populations greater than 100,000 to assume jurisdiction in fire code matters. The City of Tucson Fire Department falls into this criterion and agrees to perform those underground storage tank management functions which are listed below to provide an increased field presence and enhance information gathering capabilities to assist the Arizona Department of Environmental Quality (ADEQ) in regulating Underground Storage Tanks.

Functions and Duties	Applicable Laws (Arizona Revised Statutes)
Installation and upgrade project inspections	§ 49-1011 § 49-1009
Closure inspections	§ 49-1008 § 49-1011

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