

REISSUANCE OF AZPDES DE MINIMIS GENERAL PERMIT

Notice of Public Information No. M16-95

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Arizona Administrative Register

1. **Name of the agency:** Department of Environmental Quality
2. **Type of notice filed:** Reissuance of AZPDES De Minimis General Permit
3. **Notice of final permit determination:**

On April 13, 2016, the Arizona Department of Environmental Quality (ADEQ) reissued an Arizona Pollutant Discharge Elimination System (AZPDES) general permit (No. AZG2016-001) with an effective date of June 1, 2016, authorizing De Minimis discharges to waters of the United States. This permit, known as the De Minimis General Permit (DMGP), covers qualifying discharges in Arizona, except for Indian Country as defined in 18 U.S.C. 1151, and will be effective for a period of five years. On June 1, 2016, the reissued permit will replace the current DMGP (Permit No. AZG2010-001) which has been administratively continued and will remain in effect until May 31, 2016.

De Minimis discharges are point source discharges that meet the applicable surface water quality standards (18 A.C.C. 11, Article 1); are generally infrequent, of low volume, and/or short in duration; and are conducted with appropriate best management practices (BMPs) to ensure compliance with the conditions of the permit. De Minimis discharges include discharges from potable water system installation and maintenance activities; subterranean dewatering; well development, testing, and maintenance; hydrostatic testing of pipes and vessels; reclaimed water system repair and pressure releases; residential cooling system condensate or overflow; charitable car washes; washing of building exteriors and streets; dechlorinated drainage from freshwater swimming pools; and other discharges specifically determined to be De Minimis by the Department. The permit contains certain conditions, limitations, and exclusions that apply to the above categories.

ADEQ placed a public notice (PN) of the proposed permit action in the Arizona Administrative Register on June 12, 2015, (Notice No. M15-118, page 840) and accepted public comments until July 13, 2015. Extensive comments on the draft permit were submitted by three stakeholders, including two municipalities and one State agency. ADEQ revised the draft permit, where appropriate, to address a number of the comments received. Additional revisions were made in consideration of Federal regulatory requirements. A complete "SUMMARY OF CHANGES" made in the final permit appears in the "Response to Comments" document issued with the permit. The following are the most significant changes from the draft to the final De Minimis General permit:

- A) **Future electronic reporting.** In several sections of the permit, modifications have been made to allow for implementation of a recently published US EPA regulation which requires electronic reporting and sharing of Clean Water Act National Pollutant Discharge Elimination System (NPDES) program information instead of the current paper-based reporting (*Federal*

Register, Vol. 80, No. 204, October 22, 2015). The permit no longer identifies a specific ADEQ form for submittal of monitoring results, but instead refers to “a form as prescribed by ADEQ”. Sections that specify methods of submittal or reporting now include the proviso, “unless ADEQ specifies another method of submittal”. Details about electronic reporting are provided in the item pertaining to **Appendix A, Part B.1.a.i.**, in the Response to Comments, “Summary of Changes” list.

- B) Part I.B.1.c. and I.C.4., coverage for potable waterline breaks and leaks.** In response to stakeholder comments, discharges resulting directly from potable water pipeline breaks and leaks will be conditionally eligible for coverage upon the effective date of the reissued permit.
- C) Part IV.E.2.d., annual reporting of noncompliance.** The draft permit called for reporting of all instances of noncompliance (unless subject to 24-hour reporting under Part IV.E.2.c) at the time the Notice of Termination (NOT) and/or discharge monitoring reports are submitted. Federal rules governing the AZPDES program require reporting of any such instances noncompliance at least annually (40 CFR §122.44(i)(5)). However, long-term permittees may never need to submit NOTs, and they may have only a single due date (February 28, 2020) for submitting discharge monitoring reports. For conformance with the Federal rules, ADEQ has revised the permit to require reporting by February 28 each year for any such noncompliance that occurred during the previous calendar year.
- D) Appendix A, Part A, new item 7, exceptions to monitoring requirements.** In response to stakeholder comments, this item provides exceptions to the requirements for numeric monitoring and photographic documentation for discharges from potable water systems under certain conditions.
- E) Appendix A, Part A, Table 1.** In response to stakeholder comments, the sensitivity requirement for field testing equipment for total residual chlorine has been modified to reflect the best available field technology.

4. The final general permit and associated documents:

A complete itemization of the public comments and ADEQ’s responses, the final fact sheet, and the final permit are available on the ADEQ web site at:

<http://www.azdeq.gov/environ/water/permits/gen.html#demi>

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Email: RecordsCenter@azdeq.gov

FAX: (602) 771-4389

By mail: ADEQ Records Center
1110 West Washington Street
Phoenix, Arizona 85007

To request an auxiliary aid or service for accessible communication, please contact Adriana Colon at (602) 771-4791 or at ac10@azdeq.gov or dial 7-1-1 for TTY/TTD Services.