

AZPDES De Minimis General Permit (DMGP)



Potable water line flushing using a hydrant. Discharges to streets need DMGP coverage if they drain to surface waters.

What is the DMGP?

The AZPDES De Minimis General Permit (DMGP) is a statewide general permit that is available for coverage of certain types of non-stormwater discharges to surface waters (“waters of the U.S.”). The Clean Water Act, associated regulations (40 CFR Part 122), and Arizona law (ARS § 49-255 et seq.) require discharge permits for nearly all point source discharges to waters of the U.S., whether made directly or by way of storm sewer systems or other conveyances. The DMGP provides an alternative to individual permits for discharges that meet its eligibility requirements. The Arizona Department of Environmental Quality (ADEQ) issued the current DMGP for a five-year term beginning June 1, 2016, replacing the 2010 DMGP.

Eligible Discharges

The DMGP is designed to cover discharges from potable or reclaimed water systems, subterranean dewatering, well develop-

ment, aquifer testing, hydrostatic testing of pipelines and tanks, residential cooling water, charitable car washes, building and street washing, and dechlorinated freshwater swimming pool drainage (as described in the DMGP Part I.B.6). The permit also allows ADEQ to authorize other types of proposed discharges on a case-by-case basis if they are determined to be De Minimis. By definition (DMGP Part VII), De Minimis discharges meet Arizona surface water quality standards; are low-flow, infrequent, or otherwise determined by ADEQ to have no significant impacts on water quality or the environment; are managed using appropriate Best Management Practices; and do not exceed 30 days of continuous discharge unless approved in advance by ADEQ. The permit is applicable to qualifying discharges throughout Arizona, except for those conducted on lands within Indian Country as defined by federal law (Title 18 USC § 1151).

Obtaining coverage under the DMGP

Discharges that were authorized under the 2010 DMGP are covered automatically under the 2016 DMGP if a Notice of Termination has not been filed. Submittal of a new Notice of Intent (NOI) is not required to transfer coverage from the 2010 permit to the 2016 permit. With some exceptions, to obtain a new authorization under the DMGP, the discharger must submit a complete NOI to ADEQ at the address on the NOI form. The NOI must be submitted far enough in advance to allow for the review periods under “timeframes”, below. The permittee must develop and implement a Best Management Practices Plan (BMPP), and must submit the BMPP with the NOI in some cases. A Notice of Termination must be submitted after discharges cease permanently, or after transfer of responsibility to another entity.

Areawide, Facilitywide, and Projectwide coverage

As alternatives to single-source authorizations for specific discharges, the DMGP allows several types of comprehensive coverage for multiple locations and/or extended time frames:

- **Areawide:** Municipalities and public water suppliers may apply for “areawide” coverage of discharges from multiple locations within their water systems or municipal boundaries.
- **Facilitywide:** Commercial, industrial, governmental, and other facilities which provide their own water supplies for potable use, irrigation, or fire suppression may apply for “facilitywide” coverage of discharges from maintenance and testing of their water system(s).

- Projectwide: Utilities, agencies, hydrogeologic consulting firms, and other entities may apply for “projectwide” coverage for multiple discharge locations and/or extended time periods needed for specific projects.

To request any of the above types of comprehensive coverage, the appropriate areawide, facilitywide, or projectwide NOI forms must be submitted to ADEQ with a BMPP. If authorization is granted, a Notice of Termination should not be submitted after each discharge, but only if the permittee wishes to terminate the entire areawide, facilitywide, or projectwide coverage.

Fees

Per A.A.C. R18-14-109, DMGP submittals must include fee payment as follows:

Type of Submittal	Fee Amount
Single Source NOI	\$250 ¹
Area-wide NOI	\$500 ¹
Project-wide NOI	\$500 ¹
Facility-wide NOI	\$500 ¹
Best Management Practices Plan (BMPP)	
BMPP Review	\$1,000 ²
BMPP Re-review	\$500 ³

¹ After the first year of permit coverage, the permittee is assessed an annual fee in the same amount until a Notice of Termination (NOT) form is submitted to ADEQ (if applicable).

² A BMPP review fee is due only if the BMPP is submitted to ADEQ for review. BMPP review is required for NOIs listed in DMGP Part II.A.4.- A.7.; or if specifically requested by ADEQ.

³ A BMPP re-review fee is assessed if a BMPP is determined deficient and must be resubmitted.

Timeframes

The timeframe for discharge authorization depends on the receiving water(s) and the type of discharge. Unless ADEQ notifies the applicant otherwise:

- For single-source discharges that are further than ¼ mile from the nearest perennial, intermittent, or impaired water, authorization takes place 7 calendar days after ADEQ receives a complete and accurate NOI. Exceptions: See Item 4, below.
- For discharges to canals with drinking water source uses, or when the discharge point is within ¼ mile of perennial or intermittent waters, authorization takes place 30 calendar days after ADEQ receives a complete and accurate NOI. Exceptions: See Item 4, below.
- Areawide, Facility-wide, or Projectwide coverage is authorized 30 calendar days after ADEQ receives a complete and accurate Areawide, Facilitywide, or Projectwide NOI submittal. Exceptions: See Item 4, below.
- The following are not authorized until written approval is issued by ADEQ: discharges that are subject to specific approvals (Part I.B.7), discharges that will last more than 30 consecutive days, and discharges within ¼ mile of an Outstanding Arizona Water (OAW) or impaired water. These may require 30 business days or more for ADEQ review.

Monitoring and reporting

With some exceptions, permittees must monitor discharges as listed in DMGP Appendix A. Monitoring is based on the discharge activity and the type of receiving water. It may include flow rate, duration of flow, total residual chlorine (if present), and any known constituents of concern. Results must be submitted to ADEQ for discharges exceeding certain thresholds in size or duration.

Further details and DMGP forms

See the ADEQ website at:
<http://www.azdeq.gov/why-do-i-need-arizona-pollutant-discharge-elimination-system-azpdes-de-minimis-general-permit>

For More Information Contact:

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