



ARIZONA STATE SENATE
Fiftieth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2799

voluntary environmental stewardship program

Purpose

Establishes a Voluntary Environmental Stewardship Program to be administered by the Arizona Department of Environmental Quality.

Background

Arizona Department of Environmental Quality's (ADEQ) mission is to protect and enhance public health, welfare and the environment in Arizona. ADEQ is responsible for administering the state's environmental laws as well as certain delegated federal programs that relate to air, water and land pollution. ADEQ is comprised of three divisions: air quality, water quality and waste programs. In support of its mission, ADEQ performs four central functions, including monitoring, assessment and standards; pollution control; compliance management; and cleanups.

The Arizona Environmental Performance Track (AzEPT) program was created administratively by ADEQ to encourage companies and business to exceed environmental regulatory standards in Arizona. It is a voluntary program for organizations to join, based on their history of environmental regulatory compliance. AzEPT requires that member organizations cannot have had any criminal activity for the past five years and no more than three significant civil actions in the past three years.

Organizations in the AzEPT benefit from incentives within the program. Some benefits include advance notice of enforcement, permit flexibility and reduction in reporting requirements. In addition, members also have facility benefits such as distinguished facility recognition, public or agency recognition, and the ability to learn best management practices from fellow members. Although the AzEPT program currently exists, it is no longer functioning in the full manner for which it was created (Source: *ADEQ*).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires ADEQ to develop, implement and administer the Voluntary Environmental Stewardship Program (Program) to provide recognition and incentives for organizations that have a good history of environmental compliance.

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2. As session law, requires ADEQ to conduct stakeholder meetings before developing policies, guidelines or rules for the Program. The stakeholders must include representatives from the Legislature, the AzEPT, the regulated community, local governments and environmental advocacy groups.
3. Requires the Program to include tiers based on an organization's environmental impact and commitment to the Program.
4. Stipulates that membership in the Program is voluntary, but is limited to organizations that commit to a specified list of performance items.
5. Specifies that membership in the Program does not constitute a license that is required for regulated activities. Also, specifies that ADEQ's action to approve or deny membership in the Program cannot be appealed through the administrative hearings process.
6. Defines the following terms: *environmental laws*, *environmental management system*, *environmental performance* and *organization*.
7. Becomes effective on the general effective date.

House Action

ENV	2/14/12	DP	5-0-1-1-0
3 rd Read	3/05/12		49-9-2-0-0

Prepared by Senate Research

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