



# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

## Groundwater Section

### NOTICE OF INTENT (NOI)

For Type 3 General Permit Coverage under A.A.C. R18-9-719 for a  
*Gray Water Irrigation System*

**Instructions:** Every person who applies for a Type 3 Reclaimed Water General Permit, as provided by Arizona Administrative Code (A.A.C.) Title 18, Chapter 9, Article 7 must file a Notice of Intent to Operate (NOI) required under A.A.C. R18-9-708(C). A separate NOI form must be completed for each reclaimed water activity intended to be covered under a general permit. A person intending to operate under a general permit must comply with all the provisions of the general permit and other applicable requirements of statute and rule. The NOI shall be filed with the Department at least 90 days prior to the date the proposed activity will start. **Please submit two (2) copies** of this NOI and any supplemental documentation to the address shown on page five.

This NOI is an application to use Gray Water under a Type 3 General Permit (18 A.A.C. 9, Article 7). A person holding a Type 3 Reclaimed Water General Permit for Gray Water is responsible for the direct reuse of reclaimed water by more than one end user. Persons seeking approval of this NOI must: (1) meet the requirements of Article 7 and the specific terms of the Type 3 Reclaimed Water General Permit for Gray Water in R18-9-719; (2) file the NOI form; (3) pay the \$2000 general permit review fee (review fees, which are flat rate fees specified in A.A.C. R18-14-110, Table 7, are NON-REFUNDABLE); (4) satisfy any deficiency requests from the Department; and (5) receive a written **Verification of General Permit Conformance** from the Department.

Note: Please ensure the narrative, design drawings, and any supplemental information provided is comprehensive and adequate to demonstrate conformance with A.A.C. R18-9-719.

### **Requirement for Reusing Reclaimed Water Under a Type 3 General Permit (A.A.C R18-9-709(C))**

A person may operate under a Type 3 Reclaimed Water General Permit after filing an applicable Notice of Intent to Operate with the Department and receiving a written Verification of General Permit Conformance for the operation.

1. Application submittal. The applicant shall submit, either by certified mail, in person at the Department, or by another method approved by the Department:
  - a. The Notice of Intent to Operate on a form provided by the Department containing the information specified in the applicable Type 3 Reclaimed Water General Permit under A.A.C. R18-9-717(B), R18-9-718(C), or R18-9-719(B), and
  - b. The applicable fee established in 18 A.A.C. 14.
2. Verification issuance. If, after reviewing the Notice of Intent to Operate, the Department determines that the direct reuse conforms with the conditions of a Type 3 Reclaimed Water General Permit and all other applicable requirements of this Article, the Department shall issue the Verification of General Permit Conformance.
3. Verification denial.
  - a. If the Department determines on the basis of its review or an inspection that the direct reuse does not conform to the conditions of the applicable Type 3 Reclaimed Water General Permit or other applicable requirements of this Article, the Department shall notify the applicant of its decision not to issue the Verification of General Permit Conformance.
  - b. If an application is denied, the applicant shall not operate under a Type 3 Reclaimed Water General Permit.
  - c. The applicant may appeal the decision not to issue a Verification of General Permit Conformance under A.R.S. §§ 41-1092 through 41-1092.12.

1. **Application Type** (please check one) New \_\_\_\_\_ Renewal \_\_\_\_\_

2. **Applicant Information** (please print)

Name of Applicant (city, town, irrigation district, homeowner's association, etc.): \_\_\_\_\_ Authorized Contact Person for the Gray Water System: \_\_\_\_\_

Name of Signatory, and Title (person responsible for overall compliance): \_\_\_\_\_ Title of Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_ Address of Contact Person: \_\_\_\_\_

Phone No: \_\_\_\_\_ Fax No. \_\_\_\_\_ Phone No: \_\_\_\_\_ Fax No. \_\_\_\_\_

3. **End User/Reuse Site Information**

Provide the following information as an appendix to this NOI for each end user or reuse site to be supplied reclaimed water by the Gray Water System:

- a. Name and address for each reuse site (example: ABC Golf Course, 191 N. Main Street...), including county. If the site has no physical address, please describe the location.
- b. Township, Range, Section, 1/4, 1/4, 1/4 for each reuse site.
- c. Latitude and longitude of the approximate center point for each reuse site.
- d. Description of the reuse activity, including type of vegetation being irrigated (turf, trees, shrubs, alfalfa, etc), approximate acreage (if applicable), and approximate **annual** volume of reclaimed water to be used. (Note: If delivering Class A+ or B+ reclaimed water, annual volume does not need to be provided on this form.)
- e. The design plans for the gray water irrigation system.

4. **Description of Source of Gray Water:** \_\_\_\_\_  
\_\_\_\_\_

**5. Technical Requirements:**

1. Design of the gray water irrigation system shall meet the on-site wastewater treatment facility requirements under R18-9-A312(C), (D)(1), (D)(2), (E)(1), (G), and R18-9-E302(C)(1), except the septic tank specified in R18-9-E302(C)(1) is not required if pretreatment of gray water is not necessary for the intended application;
2. Design of the dispersal trenches for the gray water irrigation system shall meet the on-site wastewater treatment facility requirements for shallow trenches specified in R18-9-E302(C)(2);
3. The depth of the gray water dispersal trenches shall be appropriate for the intended irrigation use but not more than 5 feet below the finished grade of the native soil; and
4. The void space volume of the aggregate fill in the gray water dispersal trench below the bottom of the distribution pipe shall have enough capacity to contain two days of gray water at the design flow.

The Department may review design plans and details and accept a gray water irrigation system that differs from the requirements specified in number (4) above if the system provides equivalent performance and protection of human health and water quality.

**6. Existing Environmental Permits**

List any federal or state environmental permits currently held by the Applicant:

_____	_____
_____	_____
_____	_____

**7. Review Fee**

The review fee for all Type 3 General Permits is \$2000 and must accompany this NOI upon submittal to the Department. Review fees, which are flat rate fees specified in A.A.C. R18-14-110, Table 7, are NON-REFUNDABLE.

**8. Certification of Compliance** (to be completed by Applicant as identified in No. 1 above)

I, \_\_\_\_\_, certify that this Notice of Intent and all attachments were prepared under my direction or authorization and all information is, to the best of my knowledge, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including permit revocation as well as the possibility of fines and imprisonment for knowing violations. I also certify that I have read and understand the requirements to operate a Gray Water System under a Type 3 general permit as stated in 18 A.A.C. 9, Articles 6 and 7, and 18 A.A.C. 11, Article 3, and that I shall abide by the terms of these rules.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Pursuant to A.R.S. § 41-1030:

- (1) ADEQ shall not base a licensing decision, in whole or in part, on a requirement or condition not specifically authorized by statute or rule. General authority in a statute does not authorize a requirement or condition unless a rule is made pursuant to it that specifically authorizes the requirement or condition.
- (2) Prohibited licensing decisions may be challenged in a private civil action. Relief may be awarded to the prevailing party against ADEQ, including reasonable attorney fees, damages, and all fees associated with the license application.
- (3) ADEQ employees may not intentionally or knowingly violate the requirement for specific licensing authority. Violation is cause for disciplinary action or dismissal, pursuant to ADEQ's adopted personnel policy. ADEQ employees are still afforded the immunity in A.R.S. §§ 12-821.01 and 12-820.02.

**9. Submit two (2) copies of this NOI (one must include original signature), supplemental documentation, and the fee to the following address:**

Arizona Department of Environmental Quality  
APP and Reuse Unit  
1110 West Washington Street  
Phoenix, AZ 85007