

10. PLAN IMPLEMENTATION AND PROCEDURES

PAG and the Designated Management Agencies implement the Areawide Water Quality Management Plan. Implementation consists primarily of constructing, operating, monitoring and maintaining new and expanded wastewater treatment facilities, conveyance systems, effluent reuse systems, and solid waste disposal systems. The construction, operation, monitoring and maintenance of the wastewater treatment, conveyance and reuse facilities and systems is the responsibility of the DMAs and of the water providers holding rights to effluent. Solid waste facilities are operated by public and private entities in accordance with regulations enforced by ADEQ. PAG, ADEQ and the local jurisdictions also implement the plan by following the policies and procedures established within this plan.

In addition, successful water quality management relies heavily on the implementation of a variety of regulatory and non-regulatory programs. These programs, which are implemented by ADEQ or by PDEQ through a delegation agreement, are discussed later in this chapter.

10.1. DESIGNATED MANAGEMENT AGENCIES

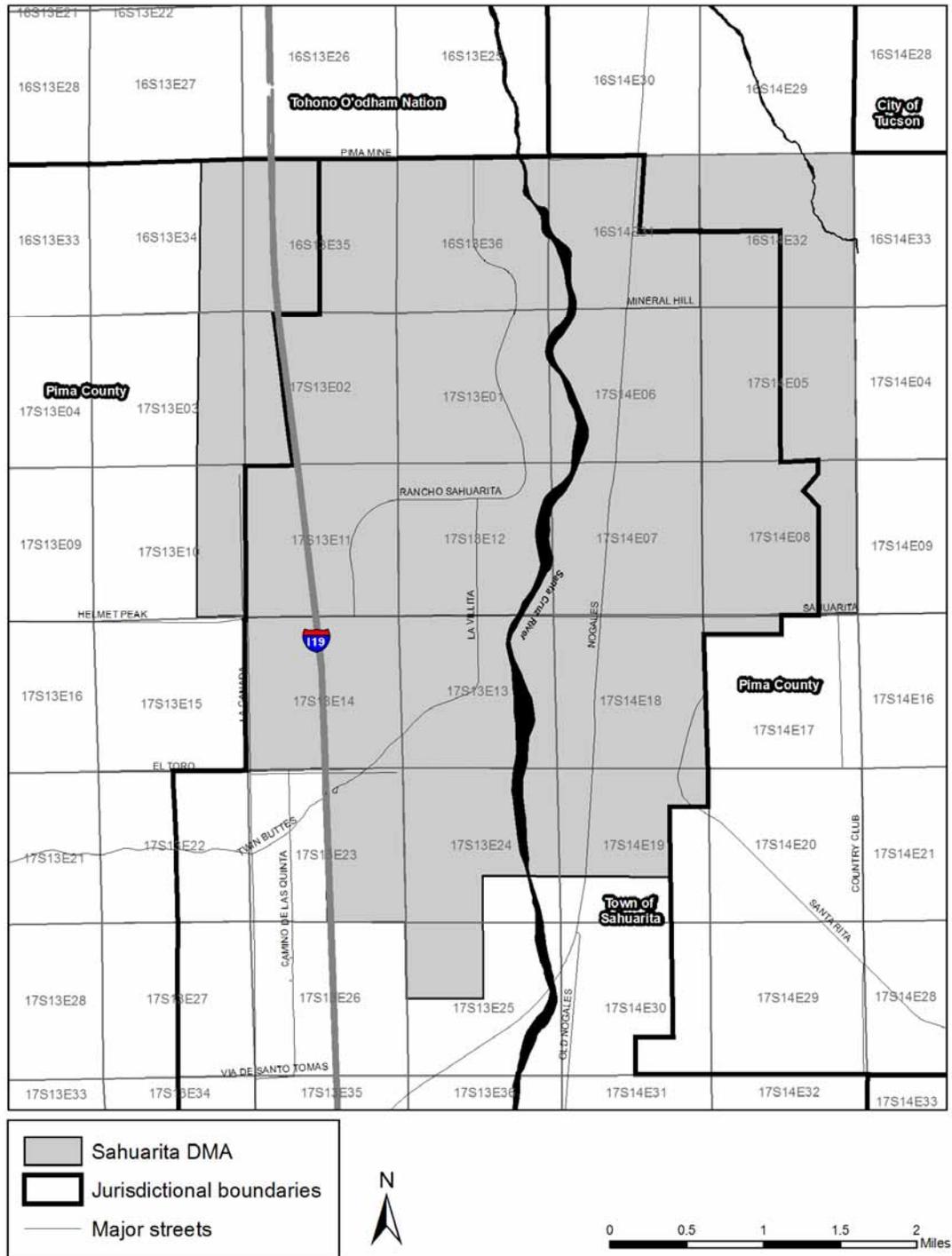
The Town of Sahuarita is the Designated Management Agency for areas shown on Figure 10-1. Pima County Wastewater Management Department is the Designated Management Agency for all remaining areas in Pima County, excluding tribal lands. At the request of adjacent counties and with the concurrence of any impacted local jurisdictions, Pima County may consider providing service to customers outside the Pima County limits to benefit the general health, environment and economy of these areas. As an example, Pima County Wastewater Management Department, at the request of Pinal County, currently provides service to an area north of the Pima/Pinal County line along Route 77, because service by Pima County is the most practical alternative in this area. Establishing additional Designated Management Agencies in the PAG region would require a 208 Plan Amendment, following procedures described later in this chapter.

In addition to the Designated Management Agencies, other entities play a key role in PAG's Section 208 water quality management planning program. In a 1985 Update to the 208 Plan, Pima County Wastewater and Tucson Water were assigned the role of performing technical review functions for 208 Plan Amendments. The 1985 Update also stated that "planning for wastewater treatment and effluent reuse treatment facilities will be done jointly by Pima County, the City of Tucson and local jurisdictions..." This type of planning is underway, particularly for the southeastern part of Tucson.

During the 20 years that have passed since these policies and procedures were established, the Town of Sahuarita has incorporated and become a DMA, and other public water providers and local jurisdictions in the region have secured rights to effluent. Therefore, since additional entities now have a significant stake in wastewater planning, PAG's 208 Planning Program will include all of its member jurisdictions and various local water interests in the planning process for wastewater treatment and effluent reuse facilities through their membership in PAG's Watershed Planning Subcommittee. The Watershed Planning Subcommittee will review all proposed 208 Plan Amendments and fill the key technical review and advisory role in wastewater treatment and reclamation facility planning for the region. In addition, member jurisdictions and potentially affected water providers may be included in the Scope of Work Task

Forces that are convened to conduct initial coordination and review of proposed 208 Plan Amendments.

Figure 10-1. Town of Sahuarita Designated Management Area



10.2. CONSTRUCTION PRIORITIES AND TIMELINES

This 208 Plan Update does not call for the construction of new wastewater treatment facilities in the immediate future. However, several outlying facilities are nearing capacity, and therefore expansion of these facilities should be considered a priority. Facilities to be expanded in the near future include Corona de Tucson, Avra Valley, Marana and Sahuarita. Pima County's Facility Plan Update indicates that expansions at Marana, Avra Valley and Corona de Tucson are all included in the County's Capital Improvement Program for the years 2005 – 2010. Expansion of the Sahuarita WWTF is included in the Town of Sahuarita's Capital Improvement Plan for 2005-2009. Initiation and completion of the construction activities for these expansions is expected to occur between 2005 and 2010.

Beyond 2010, facility expansions are expected to occur roughly in accordance with the population and wastewater volume projections discussed in Chapter 7. However, it is possible of course that growth will occur either faster or slower than the current projections, or in different areas than what is currently expected. Therefore these projections are subject to change.

In addition to WWTF expansions, the County's Capital Improvement Program for 2005-2010 includes several conveyance projects, the Roger Road WWTP to Ina Road WPCF Interconnect, and odor control and rehabilitation at the Roger Road WWTP. The County has recently suggested that the viability of the Roger Road WWTP should be re-evaluated.

10.3. INTEGRATION OF WASTEWATER INFRASTRUCTURE PLANNING WITH OTHER REGIONAL PLANNING EFFORTS

PAG's 208 Plan recognizes that planning for wastewater infrastructure affects, and is affected by, other planning efforts in the region, such as transportation planning, land use planning and water resource planning. For that reason, it is PAG policy that economic development served by wastewater infrastructure, including new wastewater treatment facilities, should occur in planned growth areas, where there is access not only to the regional wastewater conveyance and treatment system, but also to renewable water supplies and adequate transportation facilities. This policy will help ensure that PAG's 208 Planning program will be consistent with other regional plans and local jurisdictions' land use plans, and it will help ensure that infrastructure will be developed efficiently.

In addition, the region is facing significant water resource challenges, and treated wastewater will become an increasingly important source of water to meet various water-supply needs. It is therefore essential that wastewater planning be integrated with water resource planning, so that treated wastewater will be a convenient and readily available renewable resource. An example of this type of integrated planning is the cooperative planning effort on Tucson's southeast side underway by Pima County and the City of Tucson.

In developing this update to the 208 Plan, PAG used the same population projections that have been used to develop Tucson Water's long-range water resource plan, Pima County Wastewater's Facility Plan Update, and PAG's Regional Transportation Plan. These population projections reflect each of the member jurisdictions' general and comprehensive land use plans, which were developed in accordance with Arizona's "Growing Smarter" legislation. The local governments' Growing Smarter plans include identification of growth areas and areas to be set aside as open space. In addition, Pima County's Sonoran Desert Conservation Plan identifies "biological core" areas, which are areas subject to policies and plans aimed at protecting sensitive and endangered species. The population projections for these open space areas and

biological core areas indicate overall lower population densities, and these in turn are reflected in lower future wastewater treatment facility capacities for the facilities serving the areas.

PAG will continue to coordinate its 208 planning and other watershed planning activities with regional transportation planning, water-resource planning, solid waste planning and land-use planning.

10.4. GROUNDWATER

Protection of groundwater quality from the disposal of pollutants on land or in subsurface excavations is a required element in 208 Plans [§208(b)(2)(K)], and it has been a principal goal of PAG's 208 Planning Program since its inception. In Arizona, the Aquifer Protection Permit program is the major regulatory program aimed at protecting groundwater quality. PAG's 208 Plan helps ensure the success of the APP program by limiting the proliferation of potential pollutant sources and thus minimizing the strain that numerous, poorly planned facilities would otherwise place on the monitoring and enforcement resources available for the APP program. The 208 and APP programs are linked by state rules that preclude the issuance of permits to wastewater treatment facilities that do not conform to 208 Plans (R18-9-A201B).

PAG will continue to ensure that wastewater treatment facilities are sited, planned and managed in a way that ensures protection of groundwater quality. PAG will also continue its role of working with local governments to inventory land uses and identify the potential impacts on groundwater quality of various land uses and potential pollution sources.

10.5. BIOSOLIDS

Pima County's Regional Biosolids Facility at the Ina Road Water Pollution Control Facility (WPCF) began operation in 1987. The treated biosolids produced by the facility are applied to agricultural fields. Future disposal options for biosolids might include continued application on agricultural fields, mine tailing reclamation, drying and pelletizing, and composting. Pima County is studying options for upgrading treatment processes to produce Class A pathogen-free biosolids. This would increase the options for reuse of the material. Pima County is also considering transferring all the solids handling facilities to the Ina Road WPCF in lieu of having facilities at both the Ina Road WPCF and the Roger Road WWTP (Pima County WWM, 2005d).

The Town of Sahuarita WWTP's biosolids are taken to the Tangerine Road Regional Landfill.

Disposal or use of biosolids by any of the above methods is consistent with the 208 Plan, provided that all applicable local, state and federal regulations are followed.

10.6. FINANCING OPTIONS

Pima County Wastewater Management Department is an enterprise fund of Pima County and does not depend upon property or sales taxes. The department's expenses are financed or recovered primarily through user charges. The principal sources of revenue are sewer user fees, sewer connection fees and grants. Pima County also issues sewer revenue bonds for the rehabilitation, construction, acquisition and improvement of the sanitary sewerage system, and obtains low-interest loans from the Arizona Water Infrastructure Finance Authority. The department's revenues first fund operation and maintenance of the system, then debt service, and finally the system development fund (Pima County WWM, 2004a).

The Town of Sahuarita has the authority to issue bonds, levy taxes and receive grants to finance construction, improvements and operation of its system. Sewer connection fees are used to finance phased expansions to the Sahuarita WWTP (Town of Sahuarita, 2005a).

When evaluating proposals for new wastewater treatment facilities, PAG will adhere to the following policies, established in the 1985 update to the 208 Plan, which relate to economics, financing and cost effectiveness:

- A permanent facility will only be constructed if it is functionally and environmentally sound and is the most cost-effective alternative (to the public) for relief of deficiencies of conveyance system capacity.
- Temporary treatment facilities are prohibited unless needed because of lack of planned service to the area and a temporary plant is the most environmentally and economically beneficial (to the public) way of providing wastewater treatment or effluent reuse.
- Private treatment plants are prohibited unless the private facility is the most cost-effective to the public in the long term.
- All wastewater treatment plants must be based on a cost-effective analysis that substantiates the plant as the most viable method of serving the area in both the long and short term. A financing method must be provided, including local user fees if applicable.
- All temporary plants must have a plan for transition to a permanent method of wastewater treatment, including financing arrangements that will not adversely affect the public. These arrangements must include payment of sewage connection fees.

10.7. FEDERAL, STATE AND LOCAL REGULATORY AND NON-REGULATORY WATER QUALITY PROTECTION PROGRAMS

10.7.1. Clean Water Act

The objective of the Clean Water Act is to restore and maintain the biological, chemical and physical integrity of the nation's waters. Two key provisions that affect areawide water quality management planning are the National Pollutant Discharge Elimination System (NPDES) program (known in Arizona as "AZPDES") and Total Maximum Daily Loads (TMDLs).

10.7.1.1. AZPDES

All facilities that discharge pollutants from any point source into waters of the United States are required to obtain or seek coverage under an AZPDES permit (ADEQ, 2005c). The permits address effluent limitations, monitoring requirements, reporting requirements, and other special conditions such as best management practices. Applications for new discharges must be made no later than 180 days before the discharge begins. Applications for permit renewals (for existing dischargers) must be made at least 180 days prior to the expiration of the existing permit. Facilities must be consistent with the appropriate 208 Plan in order to receive a permit.

In 1990, EPA issued regulations authorizing the creation of a NPDES permitting system for stormwater discharges from certain industrial activities. In 1999, EPA published rules that began Phase II of the stormwater program. Phase II expanded permit coverage to include small

municipalities and construction sites that disturb between one and five acres. In PAG's region, Tucson and Pima County were permitted under Phase I of the program. Oro Valley, Marana, South Tucson and other regulated entities submitted permit applications under Phase II of the program. PAG helps the local regulated jurisdictions coordinate various activities related to stormwater management. PAG is particularly active in conducting outreach and education activities that are required by the member jurisdictions' permits.

10.7.1.2. TMDLs

A Total Maximum Daily Load (TMDL) is the maximum daily amount of a pollutant that can be carried by a waterbody without causing an exceedance of a water quality standard. TMDLs are calculated for waterbodies included on the Section 303(d) list of impaired waters. A TMDL is the sum of the pollutant loads from natural sources, non-point sources and point-source discharges of the pollutant (ADEQ, 2005d).

TMDLs are one of the required elements that must be included in 208 Plans or referenced as part of the Plans. Only one TMDL, for a mercury problem at Arivaca Lake, has been completed in PAG's Designated Planning Area as of July 2005. The Arivaca Lake TMDL is hereby incorporated by reference into the 208 Plan. ADEQ also has prepared a draft TMDL for Lakeside Lake, an urban lake in Tucson, but it has not been approved and finalized.

10.7.2. Aquifer Protection Permit program

The Aquifer Protection Permit (APP) program is a state program designed to protect the water quality of Arizona's aquifers. An APP is needed for any facility that discharges a pollutant to an aquifer, or to the land surface or vadose zone in such a way that the pollutant might reach the aquifer. Facilities requiring APPs include (ADEQ, 2005e):

- Surface impoundments, pits, ponds, and lagoons
- Solid waste disposal facilities, except for mining overburden and wall rock that has not been subject to mine leaching operations
- Injection wells
- Land treatment facilities
- Facilities adding pollutants to a salt dome, salt beds, or salt formations, dry wells, underground caves, or mines
- Mine tailings piles and ponds
- Mine leaching operations
- Septic tank systems
- Underground water storage facilities (if wastewater-effluent is used)
- Point source discharges to navigable waters
- Sewage or wastewater treatment facilities

In the case of wastewater treatment facilities, ADEQ will not issue an APP unless the facility is consistent with the appropriate 208 Plan.

10.7.3. Regulations governing the reuse of effluent

Arizona has effluent reuse regulations that apply to the facility generating the wastewater that will be reused and to the site where the reclaimed water is used or applied. The facility providing the reclaimed water must have an individual APP indicating the class of reclaimed water it generates. The APP requires the facility to monitor the effluent quality to ensure that the effluent limitations for the particular reclaimed water class are met. ADEQ (2005f) provides the following discussion of reclaimed water standards and reclaimed water classes.

Reclaimed Water Quality Standards establishes five classes of reclaimed water expressed as a combination of minimum treatment requirements and a limited set of numeric reclaimed water quality criteria. Class A reclaimed water is required for reuse applications where there is a relatively high risk of human exposure to potential pathogens in the reclaimed water. For uses where the potential for human exposure is lower, Class B and Class C are acceptable.

The Reclaimed Water Quality Standards include two "+" categories of reclaimed water, Class A+ and Class B+. Both categories require treatment to produce reclaimed water with a total nitrogen concentration of less than 10 mg/l. These categories of reclaimed water will minimize concerns over nitrate contamination of groundwater beneath sites where reclaimed water is applied. As a result, the general permits for the direct reuse of Class A+ and Class B+ reclaimed water do not include nitrogen management as a condition of the reuse.

10.7.4. RCRA

According to EPA (2005), the goals of the Resource Conservation and Recovery Act (RCRA) are to:

- Protect us from the hazards of waste disposal;
- Conserve energy and natural resources by recycling and recovery;
- Reduce or eliminate waste; and
- Clean up waste, which may have spilled, leaked, or been improperly disposed.

In Arizona, RCRA is implemented by ADEQ's Waste Programs Division, which is responsible for permitting facilities that treat, store or dispose of hazardous waste and for approving solid waste facility plans. According to ADEQ (2005g), the following types of facilities are subject to solid waste facility plan approval or will be once appropriate rules are promulgated.

- Biosolids Processing Facilities
- Composting Facilities
- Medical Waste Facilities
- Municipal Solid Waste Landfills
- Recycling Facilities
- Non Municipal Solid Waste Landfills
- Solid Waste Storage Facilities
- Special Waste Facilities
- Transfer Stations
- Waste Tire Collection Sites

10.7.5. CERCLA

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as Superfund, was enacted by Congress in 1980. CERCLA provides broad federal authority to respond to releases or threatened releases of hazardous substances that may endanger public health or the environment. The EPA maintains the National Priorities List, which is the list of national priorities among the known or threatened hazardous releases. The list guides the EPA in determining which sites warrant further investigation. Long-term remedial actions may only be taken at sites on the National Priorities List. The Tucson International Airport Area is the only site in Pima County on the National Priorities List.

10.7.6. WQARF

Arizona's Water Quality Assurance Revolving Fund (WQARF) supports cleanup of hazardous substance releases in Arizona. It is funded by legislative appropriations, cost recovery from responsible parties, taxes and fees. ADEQ maintains the "WQARF" registry, which is a list of sites most in need of cleanup. WQARF sites in Pima County are discussed in Chapter 3.

10.7.7. Nonpoint source program

ADEQ's Nonpoint Source Program focuses on the following land uses, which can negatively impact water quality (ADEQ, 2003):

- Agriculture
- Forestry
- Urban runoff
- Hydromodification
- Onsite/septic waste treatment systems
- Mining
- Recreation

The program is implemented using a watershed-based approach, working closely with stakeholders and local communities. Arizona's Nonpoint Source State Management Plan provides a framework for cooperative efforts and strategies to control nonpoint source pollution statewide.

10.7.8. Pretreatment

Pretreatment is required for wastewater treatment facilities 5 MGD or greater (Taunt, 2005). Pima County Wastewater Management Department is the only DMA with facilities of this size. Their pretreatment program is described as follows (Pima County Wastewater, 2002):

The Industrial Waste Control Group (IWC) is the pre-treatment arm of the Treatment Division. IWC has jurisdiction over commercial sewer users in the incorporated and unincorporated areas within Pima County boundaries. Because it has jurisdiction throughout the county, IWC is able to achieve consistency in permitting, monitoring, and enforcing discharge requirements. The Field Services Unit of IWC monitors all Significant Industrial Users of the system twice a year. Significant Industrial Users are those businesses that have discharges that significantly impact the sanitary sewage conveyance system or treatment facilities. Strict procedures are adhered to in gathering samples.

10.8. PUBLIC PARTICIPATION

Public participation in PAG's 208 Planning program will be guided by PAG's Public Involvement Policy and all applicable federal and state requirements, including 40 CFR25, R18-1-401 and R18-1-402 of the Arizona Administrative Code, and ADEQ's *Continuing Planning Process*. Public participation goals will be met primarily through:

- notification of interested parties and potentially affected property owners;
- review of plans and proposals by advisory committees;
- public hearings; and
- prominently posting information on PAG's web site.

Additional details are available in the discussion of the 208 Plan Amendment process (see below), in ADEQ's *Continuing Planning Process*, and in PAG's Public Involvement Policy document.

10.9. TITLE VI AND ENVIRONMENTAL JUSTICE

EPA (2001) defines environmental justice as the "fair treatment of people of all races, cultures, and incomes with respect to the development, implementation and enforcement of all environmental laws and policies and their meaningful involvement in the decision making processes of the government." Title VI of the 1964 Civil Rights Act provides a key legal basis for environmental justice. In addition, concern that minority populations and/or low-income populations bear a disproportionate amount of adverse health and environmental effects, led to the issuance of Executive Order 12898 on Environmental Justice, which applies to a wider population than Title VI.

Taken together, Title VI and Environmental Justice stakeholders are individuals and protected populations, including: (a) minorities based on race, religion, or national origin; (b) low income residents; (c) elderly residents; and (d) disabled residents. PAG staff will take a number of proactive measures to provide full and fair participation in water quality planning by all potentially affected communities, including striving to achieve and maintain a high level of diversity on advisory committees, use of up-to-date maps identifying Title VI and Environmental Justice protected populations, and communication in a culturally sensitive manner.

As a recipient of federal funding, PAG is subject not only to Executive Order 12898 on Environmental Justice and Title VI of the 1964 Civil Rights Act, but also Executive Order 13166 on Improving Access to Services for Persons with Limited English Proficiency, and the Americans with Disabilities Act. PAG's Public Involvement Policy provides a thorough description of PAG's efforts to ensure compliance with all of these requirements.

10.10. PROCEDURES FOR DETERMINING WHETHER A FACILITY OR PERMIT IS CONSISTENT WITH THE 208 PLAN

A 208 Consistency Review is conducted in a variety of circumstances, including:

- receipt by ADEQ of an application for an Arizona Pollutant Discharge Elimination System (AZPDES) permit;
- receipt by ADEQ of an application for an Aquifer Protection Permit for a new wastewater treatment facility;
- receipt by ADEQ of an application for an Aquifer Protection Permit for an existing wastewater treatment facility that is proposed to be expanded;
- receipt by ADEQ or PAG of an inquiry from parties planning to submit any of the above permit applications;
- receipt by ADEQ or PAG of an inquiry from parties considering construction of a new wastewater treatment facility or expansion of an existing wastewater treatment facility.

ADEQ, in consultation with PAG, will make the ultimate determination of 208 Consistency or lack thereof. In general, a facility (or a permit for a facility) will be considered consistent with the 208 Plan if the facility is identified in the plan, provided that the proposed facility's location, owner, service area and capacity are consistent with the 208 Plan. If not, the proposal will usually be considered inconsistent with the 208 Plan, unless it falls under a policy, described elsewhere in this document, that indicates otherwise.

In the case of large (greater than or equal to 5 MGD) public facilities or all private facilities, if a proposal is determined to be inconsistent with the 208 Plan, a 208 Plan Amendment will be necessary before construction can commence or permits can be issued. In the case of proposals involving construction of new, or expansion of existing, small (less than 5 MGD) public facilities owned and operated by a Designated Management Agency, PAG Regional Council approval of a 208 Consistency Report will be required.

10.11. PROCEDURES FOR AMENDING THE 208 PLAN

The following is the process that must be followed for 208 Plan Amendments addressing the construction of new wastewater treatment facilities or expanding existing wastewater treatment facilities.

1. A party requesting a change to the 208 Plan must first contact the appropriate Designated Management Agency (Pima County or Sahuarita) to obtain a letter indicating that the DMA declines to provide service to the area in question.
2. The party requesting a change to the 208 Plan contacts the PAG member jurisdiction where the facility will be located and requests jurisdictional sponsorship of the project. Sponsorship does not mean support; it only indicates a willingness to investigate the possibility of such a project and a desire to place the item on the agenda for the monthly meeting of PAG's Regional Council.
3. The jurisdiction contacts PAG staff and asks that an item be placed on the Regional Council's monthly meeting agenda directing staff to initiate the 208 Planning Process. This request may come from an elected official or a representative of the Manager's/Administrator's office. The item will be placed on the agenda for the Regional Council's monthly meeting.
4. The Regional Council directs staff to begin the 208 planning process.
5. The party requesting the amendment pays PAG a processing fee (\$3,500 as of July 2005).
6. A "Scope of Work" Task Force is convened to determine the scope of work for the plan amendment report. The Scope of Work Task Force will consist of representatives of entities with a direct stake in the project, such as the Designated Management Agency, the jurisdiction in which the project will be located, and the water provider whose service area includes the project site. The task force could also include additional EPAC and Watershed Planning Subcommittee members wishing to serve on the task force.
7. A draft report is prepared by the party requesting the amendment; several copies are submitted to the Scope of Work Task Force for review.
8. The Scope of Work Task Force determines if the draft plan amendment report contains the necessary elements and adequately addresses any issues. If so, the report is submitted to the Watershed Planning Subcommittee of PAG's Environmental Planning Advisory Committee (EPAC).
9. The Watershed Planning Subcommittee of EPAC reviews the report and makes a recommendation to EPAC.
10. EPAC reviews the report and makes a recommendation to the Regional Council.
11. A public hearing is held (requires 45-day legal notice).

12. PAG's Management Committee reviews the proposal, EPAC's recommendation, and the results of the public hearing, and determines whether the proposal will be forwarded to the Regional Council. (The Management Committee usually meets once a month.)
13. PAG Regional Council action. (The Regional Council usually meets once a month, roughly two weeks after the Management Committee meets.)
14. Action at the statewide Water Quality Management Working Group in Phoenix (meets every other month).
15. ADEQ approval.
16. Governor's office approval.
17. EPA approval.

10.12. CONTENTS OF 208 PLAN AMENDMENTS

208 Plan Amendments must adhere to ADEQ's content requirements, which are documented in a checklist (Appendix C). In addition, PAG has created a standard outline, approved by the Regional Council on October 27, 1999, that should be followed by anyone preparing a 208 Plan Amendment for new private wastewater treatment plants (Appendix G).

10.13. 208 PLAN AMENDMENTS ESTABLISHING NEW DESIGNATED MANAGEMENT AGENCIES

At its June 24, 1998, regular meeting, the PAG Regional Council adopted the following criteria for a DMA status change 208 Plan Amendment:

- 1) A single 208 Plan Amendment must be processed which includes:
 - Self-Certification information;
 - A map of the area to which the DMA status change applies; and
 - A letter of acknowledgment from Pima County that this will change its DMA status unless Pima County unreasonably withholds the letter of understanding.
- 2) In addition, a 20-year wastewater plan may be included in the DMA status change 208 Plan Amendment or may be processed concurrently with the DMA status change 208 Plan Amendment as a second 208 Plan Amendment.

At the time that these criteria were adopted, Pima County was the only Designated Management Agency in the PAG region. Sahuarita has since been established as the second Designated Management Agency in the region. In the future, a letter from the appropriate Designated Management Agency, acknowledging that the proposal would change its DMA status, will be required for 208 Plan Amendments establishing new Designated Management Agencies. 208 Plan Amendments establishing new Designated Management agencies must follow the procedures followed for other 208 Plan Amendments.

10.14. PROCEDURES FOR 208 CONSISTENCY REPORTS

208 Consistency Reports are prepared for new wastewater treatment facilities or expansions of existing wastewater treatment facilities that are owned and operated by Designated Management Agencies and that have a capacity less than 5 MGD capacity. The following is the process that is followed. 208 Consistency Reports are only prepared for public facilities. All

private facilities require a 208 Plan Amendment, unless they are otherwise deemed consistent with the 208 Plan.

- 1) Designated Management Agency interested in building or expanding a facility notifies PAG staff of the need for the report.
- 2) PAG staff and the DMA staff work together to prepare a draft report for review by local jurisdictions, interested parties and ADEQ.
- 3) PAG staff mail a written notice to all property owners within ½ mile of the project site, and other potentially interested parties. The notice must identify the project location, include a description of the project, discuss possible impacts to local residents, explain how the project will be funded, explain where to obtain more information, explain where and when a decision will be made, and how to provide input. The notice must be mailed at least one week prior to PAG's Environmental Planning Advisory Committee's (EPAC) scheduled action on the proposal.
- 4) EPAC reviews the proposal at its regular monthly meeting. The draft report must be made available to all EPAC members at least one week in advance of the meeting. EPAC issues a formal recommendation on the proposal. (EPAC could choose to refer the matter to the Watershed Planning Subcommittee for further review before making a decision.)
- 5) PAG staff prepares a summary of public involvement efforts and public input received.
- 6) PAG's Management Committee reviews the proposal along with staff's report on public input and guidance provided by EPAC.
- 7) PAG's Regional Council reviews the report, taking into consideration EPAC's recommendation, Management Committee's recommendation, and public input. Regional Council takes formal action on the proposal.
- 8) PAG provides ADEQ with a copy of the approved report so that ADEQ can make a 208 Consistency determination and issue the necessary permits.

10.15. CONTENTS OF 208 CONSISTENCY REPORTS

The 208 Consistency Report must contain all of the information that the PAG Regional Council will need to determine whether the proposal is consistent with the region's water quality management planning goals and policies. Also, in consideration of the fact that ADEQ is ultimately responsible for all 208 consistency determinations, the report also should contain information that ADEQ believes is necessary.

In general, a 208 Consistency Report will not contain as much information as a 208 Plan Amendment, but it should contain the following information at a minimum:

- Discussion of the purpose of the document and the reason a new or expanded facility is being proposed;
- Description of existing facility(s) (if any), including location, treatment method and capacity;
- Discussion of alternatives considered;
- Identification of the preferred alternative and the reason it is preferred;
- Delineation of the area that will be served by the new or expanded facility;
- Identification of the facility owner and operator;
- Description of the treatment process, capacity and effluent quality;
- Identification of effluent disposal method or effluent reuse sites;

- Discussion of impacts on surrounding land uses, water quality and air quality;
- Explanation of how the project will be funded.

10.16. 208 PLAN AMENDMENT PROCESSING FEES

On February 22, 1984, the PAG Regional Council approved implementation of a processing fee of \$3,500 for the administration of amendments to the Areawide Water Quality Management Plan. The Regional Council's action stated the following:

“The fee will apply to private and public entities alike; private entities may have the fees rebated through sewer connection fee credits; public entities will pay the amendment processing costs when the amendment is outside the scope of any intergovernmental agreement between PAG and the respective agency; and, the processing fee will be reviewed annually.”

10.17. ECONOMIC, SOCIAL AND ENVIRONMENTAL IMPACTS OF PLAN

For the most part, this 208 Plan Update reflects the content and policies of the original 208 Plan and previous amendments and updates to the plan. Therefore, the economic, social and environmental impacts of this update are expected to be minimal. The impacts that it does have are expected to be positive. No negative impacts on existing wastewater treatment facilities or service areas are anticipated. The watershed framework in which the plan is presented should produce no new impacts.

The key features of this 208 Plan Update are that it continues the policy of regionalizing wastewater treatment, and that it provides for the continued expansion of existing facilities. The regionalization policy provides benefits from regulatory efficiency and economies of scale aspects, and the provisions for WWTF expansions allow the region to continue to grow. The plan also provides social benefits by minimizing “not-in-my-backyard” conflicts and by ensuring that communities, residents and businesses have adequate sewage treatment capacity. The plan provides environmental benefits by limiting the number of point source discharges in the region, by encouraging effluent reuse, and by ensuring that the highest value waterbodies are protected from pollutant discharges.

10.18. UPDATING THIS PLAN

PAG intends to update the 208 Plan approximately every five years. A five-year interval was chosen for future 208 Plan updates in order to be consistent with ADEQ's watershed framework and the duration of individual AZPDES permits. PAG will update the 208 Plan at shorter intervals if the need arises. Significant changes in population projections, new TMDLs, or approval of several 208 Plan Amendments for new wastewater treatment facilities could prompt PAG to update the 208 Plan. As with this and previous updates to the 208 Plan, future updates will proceed through a thorough review and approval process, which will include a public hearing and action by EPAC and the Watershed Planning Subcommittee prior to submittal to the PAG Regional Council.

10.19. PERMITTING

Under federal and state environmental laws and regulations, various permitting decisions must be made in accordance with 208 Plans. In particular, Aquifer Protection Permits (APPs) and

National Pollutant Discharge Elimination System (NPDES or “AZPDES” in Arizona) permits may only be issued once conformance with the applicable 208 Plan has been demonstrated. This document identifies all of the wastewater treatment facilities that are consistent with the PAG 208 Plan. Therefore, this document is intended to provide ample demonstration of 208 conformance, and issuance of APPs and AZPDES permits to these facilities should be allowed. Additional permits, such as effluent reuse permits, 404 permits, and permits for the discharge of stormwater, may also be required for all of the facilities listed in this plan.