

# Streamlining the 208 Water Quality Management Plan Process



**MAG Regional Council**  
**August 26, 2015**

# Background

## ENVIRONMENTAL PROGRAMS

- In 1974, the Governor designated MAG as the Regional Water Quality Management Planning Agency for Maricopa County (Section 208 of the Clean Water Act). MAG prepares the 208 Water Quality Management Plan.
- There are two major elements in the MAG 208 Plan:
  - Point Source - preferred wastewater treatment system to serve the wastewater treatment needs of the area over a twenty year time period.
  - Nonpoint Source – regional surface and groundwater quality, and the federal and state program activities designed to control nonpoint source pollution.



# Wastewater Treatment Facility Permits and Approvals Linked to the MAG 208 Water Quality Management Plan

## MAG 208 Water Quality Management Plan

Includes the desired wastewater treatment configuration for the region

### Arizona Department of Environmental Quality Permits that Require Consistency with the MAG 208 Plan

- Aquifer Protection Permit (APP)
- Arizona Pollutant Discharge Elimination System Permit (AZPDES)
- Reclaimed Water Permit (requires an APP)

### Arizona Department of Water Resources Permits that Require an Aquifer Protection Permit

- Underground Storage Facility Permit
- Water Storage Permit

### Maricopa County Environmental Services Department Approvals that Require Consistency with the MAG 208 Plan

- Approval to Construct
- Approval of Construction

### Arizona Corporation Commission Approval that Requires an Aquifer Protection Permit

- Certificate of Convenience and Necessity (CC&N)

#### Notes:

- MAG is not a regulatory agency and does not issue permits for wastewater treatment facilities.
- The permits and approvals listed in this flowchart do not include all permits and approvals necessary for construction and operation of a wastewater treatment facility.

# Stakeholder Group for 208 Streamlining

## ENVIRONMENTAL PROGRAMS

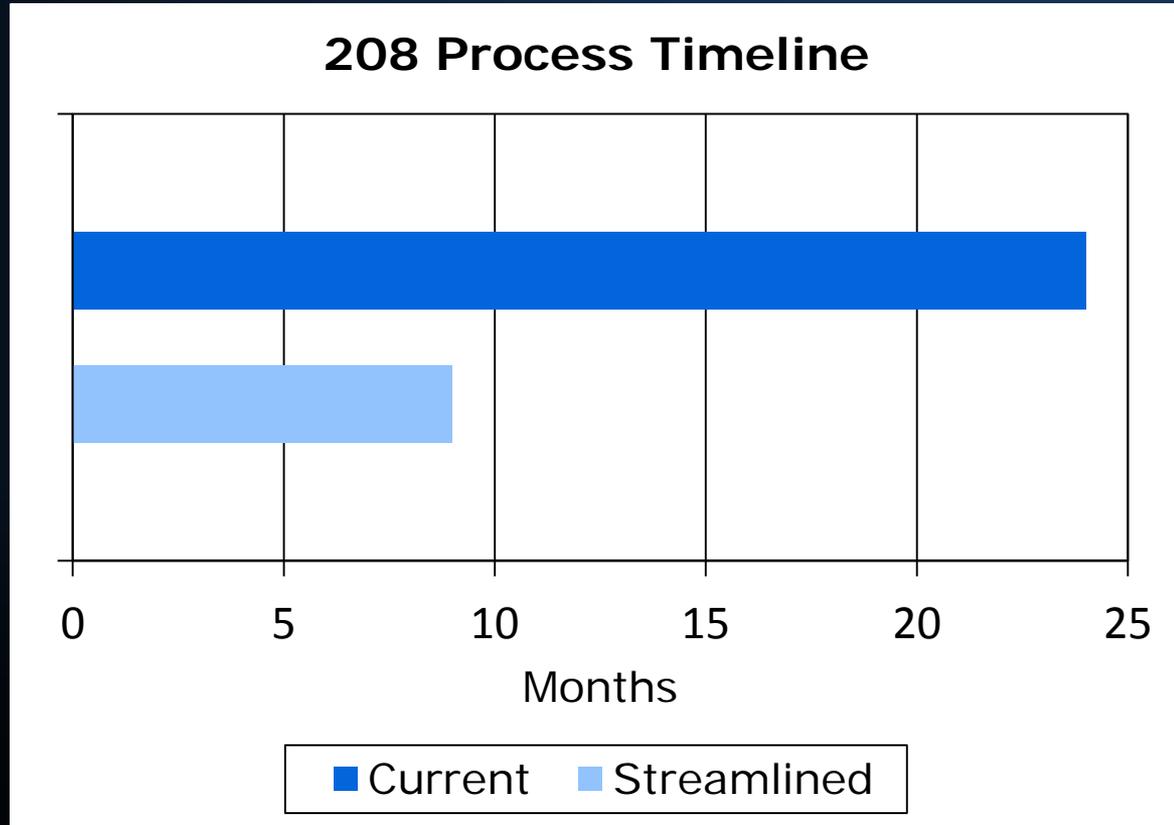
- **MAG Member Agencies**
  - City of Buckeye
  - City of Glendale
  - City of Phoenix
  - Town of Queen Creek
  - Maricopa County
- **EPCOR**
- **Liberty Utilities**
- **Homebuilders Association of Central Arizona**
- **Arizona Department of Environmental Quality**

**A representative from the Governor's Office was invited to participate.**



# 208 Streamlining Results

- The current 208 Process - approximately 18 to 24 months.
- The streamlined 208 Process - approximately 9 months.
- Changes result in a 50 to 63 percent reduction in the overall timeline.



# 208 Streamlining Efforts

## ENVIRONMENTAL PROGRAMS



- **Improvements made to the entire 208 Process.**
  - Local process, before an amendment is submitted to MAG.
  - MAG process, regional level.
  - ADEQ process, from the point in which the approved amendment is submitted to ADEQ from MAG.
- **A proposal was prepared identifying streamlining efforts.**
- **Two business friendly 208 fact sheets have been prepared.**
- **Two streamlined 208 amendment checklists have been developed.**
- **A white paper on the 208 Process in other areas of the country was prepared.**
- **The 208 planning approach used in rural areas of Arizona was thoroughly reviewed (SouthEastern Arizona Governments Organization and Yuma County).**

# Proposal for 208 Streamlining

## ENVIRONMENTAL PROGRAMS

- **Improvements on the MAG Member Agency Portion of the 208 Process**
  - Applicant would contact the jurisdiction in which the facility would be located to discuss the need for the amendment and pre-application packet.
  - Deadline of 60 days set for completeness determination.
  - Deadline of 60 days set for amendment review and submittal to MAG.
  - A workshop would be held with jurisdictions within three miles.
  - Updates would be provided to MAG staff on timelines.
  - Private utilities within three miles would be identified and contacted by the applicant.

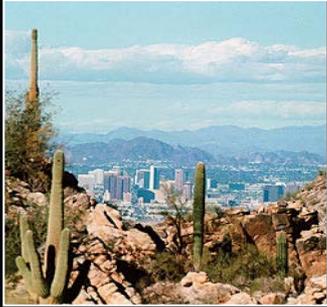


# Proposal for 208 Streamlining

## ENVIRONMENTAL PROGRAMS

### Improvements on the MAG Portion of the 208 Process

- MAG would develop a pre-application packet, including:
  - Business friendly 208 fact sheets.
  - Streamlined 208 amendment checklists.
  - Links to previously approved amendments to use as an example.
- No longer require a 208 amendment for service area expansions. Impacted jurisdictions would provide letters to MAG indicating agreement on the expansion.
- Include a Water Utilities Association of Arizona representative on the MAG Water Quality Advisory Committee.
- MAG would develop a table for the MAG Water Quality Advisory Committee on the review and approvals conducted by other agencies for wastewater treatment facility permits.



Streamlined MAG 208 Amendment Process	
When is a MAG 208 Water Quality Management Plan Amendment Required or Not Required?	
<p>The MAG 208 Water Quality Management Plan will be updated to accommodate the three established processes: Amended Water Services of the 208 Plan, the 208 Amendment Process, and the 208 Plan Review and Approval Process. While each of these processes has been utilized multiple times since the original plan was developed, questions are commonly asked about what requires a 208 Plan amendment. The table below lists the projects that require an action. 208 Plan amendment is required and when it is not required.</p>	
Amendment Required	Amendment Not Required
<ul style="list-style-type: none"><li>New publicly or privately owned wastewater treatment facility process flow or treatment gallons per day that is not identified in the MAG 208 Plan.</li><li>New publicly or privately owned wastewater treatment facility with a discharge requiring an Arizona Pollution Discharge Elimination Act (APD) permit that is not identified in the MAG 208 Plan.</li><li>Increasing the capacity of a publicly or privately owned wastewater treatment facility that is identified in the MAG 208 Plan.</li><li>New APD/NSD Permit discharge not identified in the MAG 208 Plan.</li><li>Response to a Discharge Management Agency (currently 11 of them) and various in Maricopa County per DWRM.</li></ul>	<ul style="list-style-type: none"><li>New publicly or privately owned wastewater treatment facility or existing facility per the APD/NSD Permit discharge that is not identified in the MAG 208 Plan.</li><li>Change in wastewater treatment facility ownership.</li><li>Change in wastewater treatment technology.</li><li>Change in effluent quality.</li><li>Change in disposal method (except to add a new APD/NSD Permit discharge not identified in the MAG 208 Plan).</li><li>Change or adoption of new state site specific water quality standards or effluent limits daily load (DLD).</li><li>Expansion of Municipal Planning Area boundaries.</li></ul>
<p>Note: The procedures for updating the MAG 208 Water Quality Management Plan are described in the October 2002 MAG 208 Plan beginning on Page 8, 122 and the June 2014 MAG 208 Plan Amendment Update beginning on Page 7. Additional information is available on the MAG website at: <a href="http://www.maricopa.gov">www.maricopa.gov</a></p>	

# Proposal for 208 Streamlining

## ENVIRONMENTAL PROGRAMS

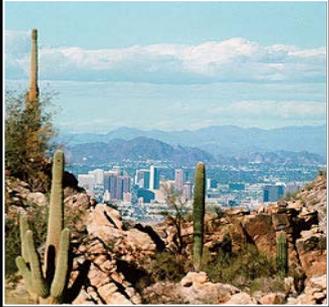
- **Improvements on the ADEQ Portion of the 208 Process**
  - **ADEQ could issue a conditional Aquifer Protection Permit and/or Arizona Pollutant Discharge Elimination System Permit that would allow for parallel processing and concurrent reviews with the 208 Process.**
  - **The State Water Quality Management Working Group could meet as needed and use conference calls.**
  - **Within 15 days, ADEQ will make certification decision. If no Clean Water Act nexus, the process would be complete. If there is a Clean Water Act nexus, ADEQ would submit the amendment to the Environmental Protection Agency for approval.**
  - **If no comments are received from the Environmental Protection Agency within 30 days, ADEQ considers the amendment approved.**



## ENVIRONMENTAL PROGRAMS

## Next Steps

- **Make corresponding changes to the MAG Small Plant Review and Approval Process.**
  - **Wastewater treatment facilities 2.0 million gallons per day or less with no discharge.**
- **Conduct an annual evaluation of the streamlined 208 Process to determine if additional improvements are necessary.**





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