

Underground Injection Control (UIC) Arizona Primacy



November 21, 2024

Photos Courtesy of Morton Salt



- Underground Injection Control In Arizona
- Status of Arizona's Primacy Package
- Regulatory Process
- Budget and Funding of Arizona's UIC Program
- Staffing and Resources
- Training and Development of Staff
- Program Benefits

The Underground Injection Control Program

EPA regulates
injection wells
used to place
fluids
underground for
Storage or
Disposal

- Construction
- Operation
- Permitting
- Closure



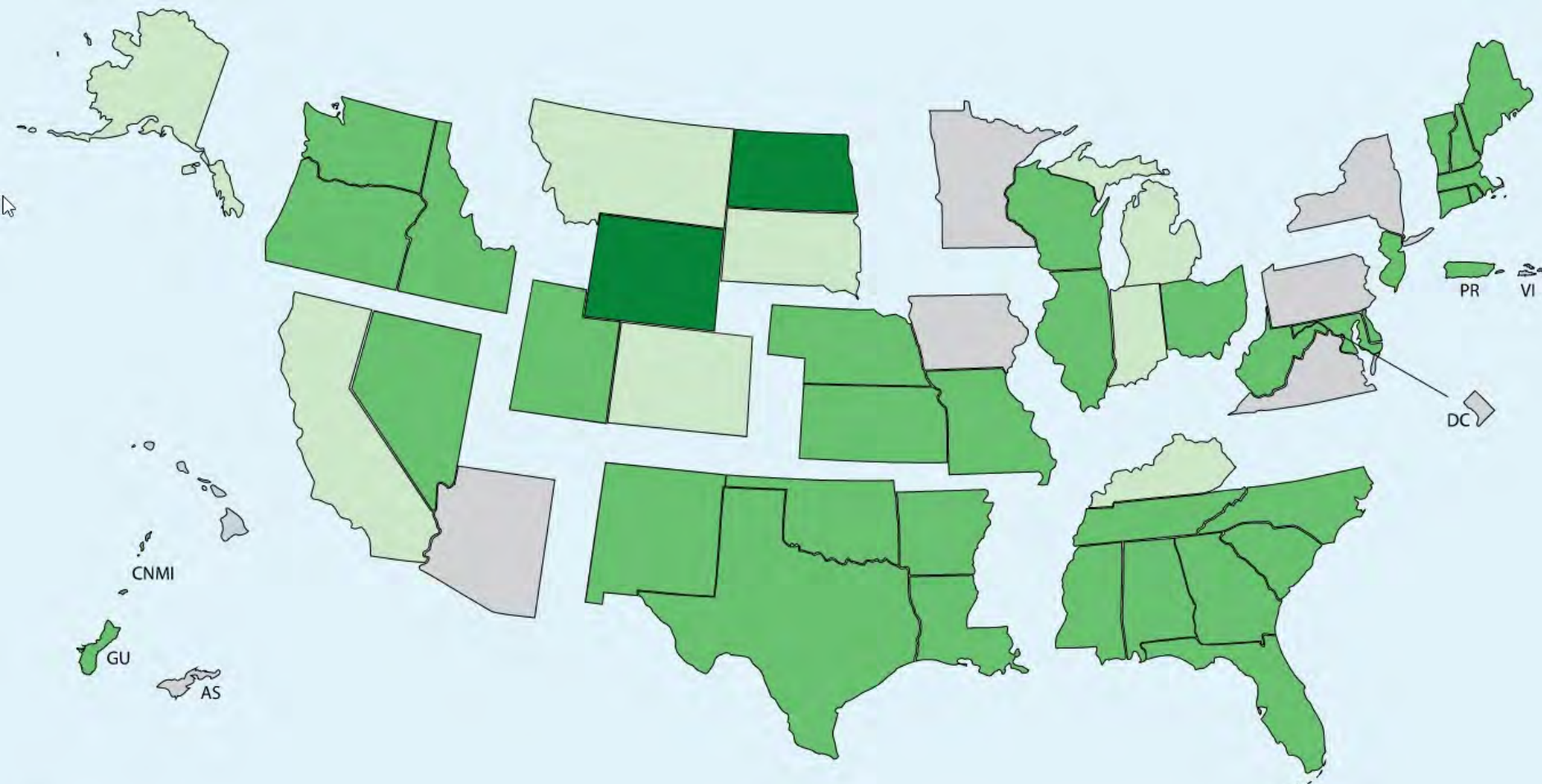
The Safe Drinking
Water Act (SDWA)
allows States to
assume primacy of
UIC if certain
requirements are
met.

- Arizona must satisfy EPA requirements to obtain and maintain UIC primacy.

Inventory of UIC Wells in Arizona

UIC Well Class	Description	Current UIC Facilities in Arizona
I	Used to inject hazardous and non-hazardous wastes into deep, isolated rock formations.	none
II	Used exclusively to inject fluids associated with oil and natural gas production.	none
III	Used to inject fluids to dissolve and extract minerals. ✓ These facilities will be exempt from APP upon effectivity of state codified UIC rules on September 6, 2022	✓ Morton Salt ✓ Florence Copper ✓ Gunnison Copper
IV	Shallow wells used to inject hazardous or radioactive wastes into or above a geologic formation that contains a USDW. Injection wells used for remediation fall under this classification	none
V	Used to inject non-hazardous fluids underground (drywells, large septic systems) ✓ Individual APPs – (mainly WWTPs that inject treated wastewater). ✓ ADWR USF permitted facilities that use injection wells for aquifer recharge ✓ General APPs <ul style="list-style-type: none"> • Type 2.01, 2.03, 2.04, 3.03 (with subsurface disposal system) • Type 4.23 (that serve > 20 people per day) 	>65,000 “authorization by rule”
VI	Used for injection of carbon dioxide (CO2) into underground subsurface rock formations for long-term storage, or geologic sequestration.	none

Primacy Map



Tribes

	Navajo Nation
	Fort Peck Tribes
	All Other Indian Tribes.

Key

	EPA manages all well classes.
	State has primacy for Class II wells only.
	State has primacy for multiple well classes.
	State has primacy for all well classes (Classes I, II, III, IV, V and VI).

Establishing Statute & Rule for State Program

A.R.S. § 49-203(A)

- The director shall: ... (5) Adopt, by rule, the permit program for underground injection control described in the safe drinking water act.
- est. ~1987

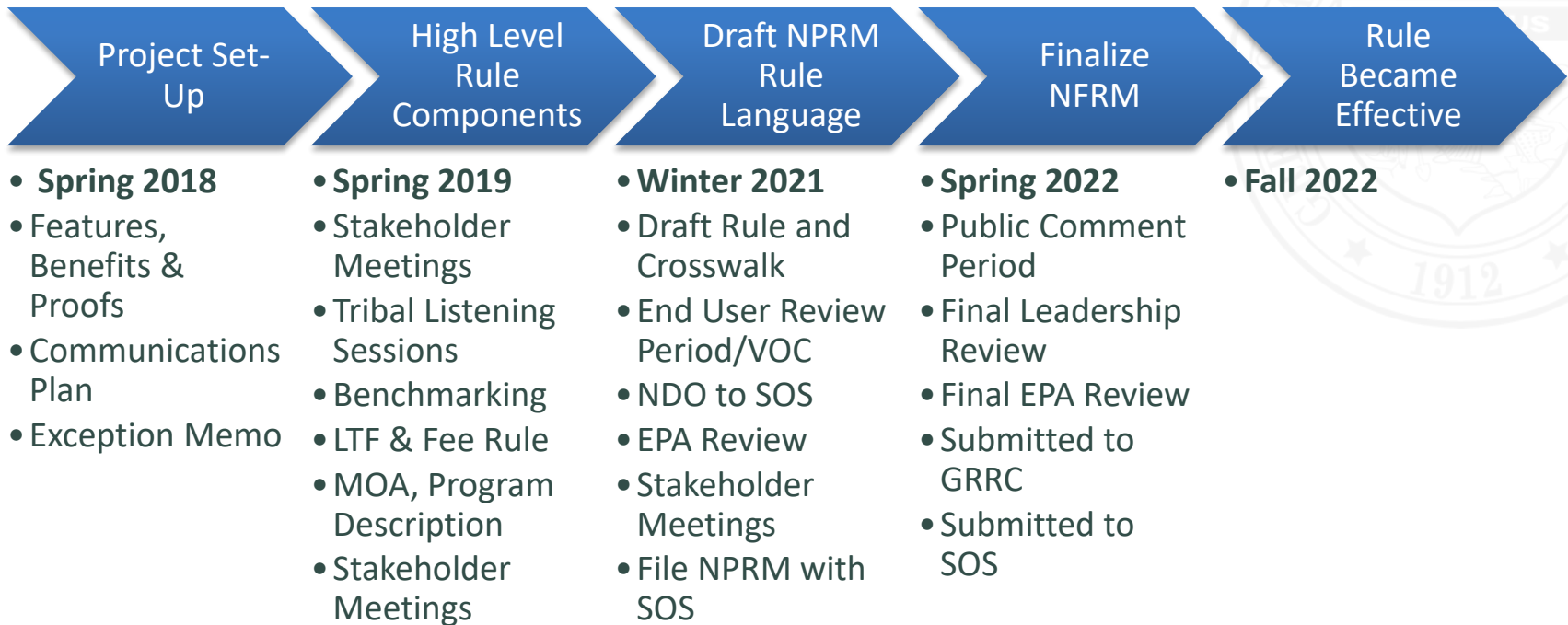
A.R.S. § 49-257.01(A)

- The department shall establish an underground injection control permit program, including a permitting process.
- est. 2018

A.A.C. R18-9-A601 *et seq.* (through A670)

- est. 2022

UIC Rulemaking Accomplishments



A.A.C. Title 18, Chapter 9, Article 6 (Underground Injection Control)

- Part A. General Provisions
- Part B. General Program Requirements
- Part C. Authorization By Permit for Underground Injection
- Part D. Permit Conditions for Underground Injection
- Part E. Class I Injection Well Requirements
- Part F. Class II Injection Well Requirements
- Part G. Class III Injection Well Requirements
- Part H. Class IV Injection Well Requirements
- Part I. Class V Injection Well Requirements
- Part J. Class VI Injection Well Requirements

40 CFR 145.22 - Elements of a [SDWA-UIC Primacy] program submission

Governor Letter

- A **letter from the Governor** of the State requesting program approval

Program Description

- A complete **Program Description**, as required by § 145.23, describing how the State intends to carry out its responsibilities under this part

Attorney General Statement

- An **Attorney General's statement** as required by § 145.24

Memorandum of Agreement

- With the Regional Administrator as required by § 145.25;

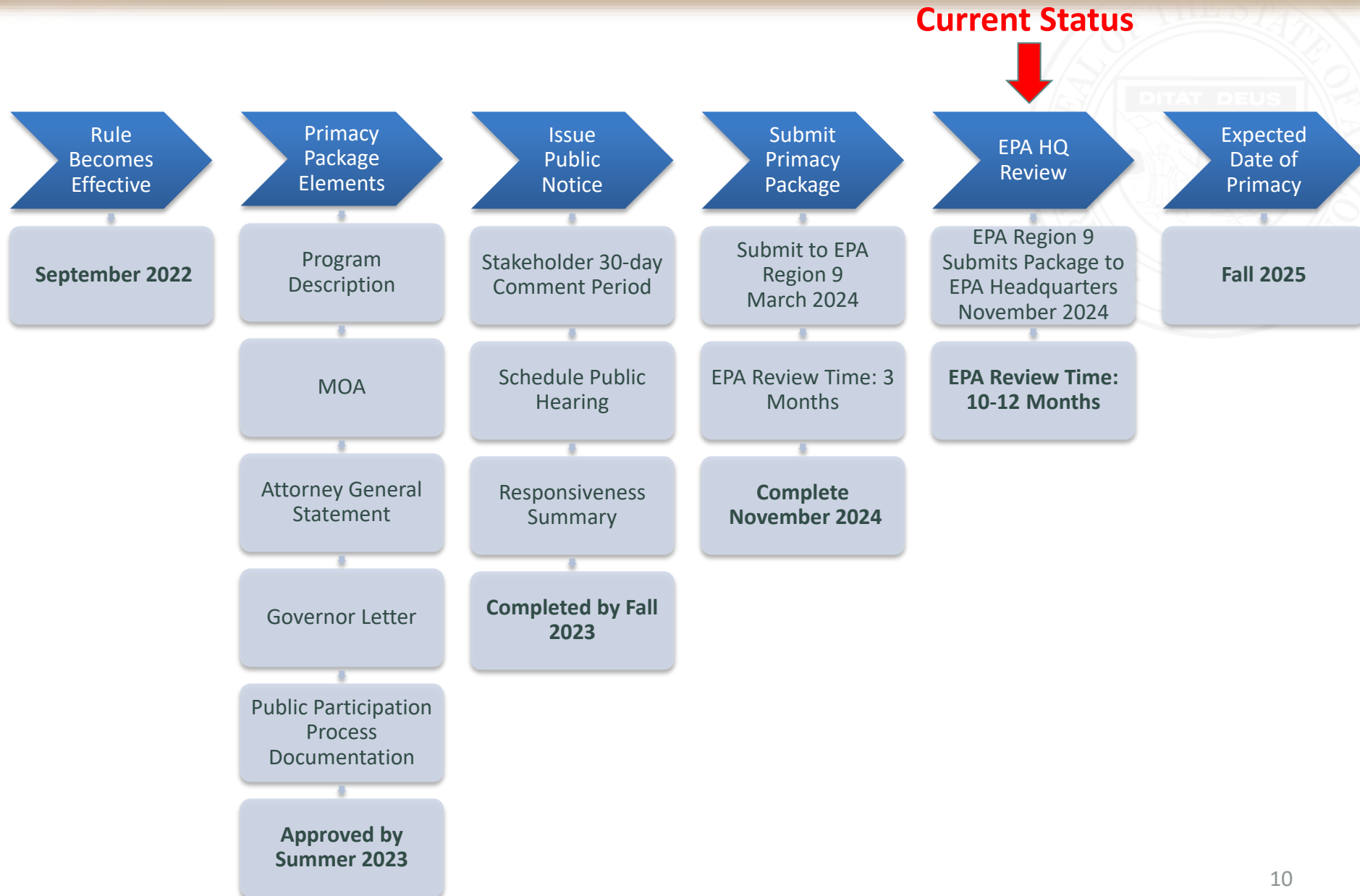
State Statutes and Regulations

- Copies of all applicable **State statutes and regulations**, including those governing State administrative procedures

Public Participation

- The showing required by § 145.31(b) of the State's public participation activities prior to program submission.

UIC Application Timeline



❑ Fee For Service Model vs. General Fund Model



❑ A.R.S. § 49-203(A)(9):

- “The director shall set fees that are reasonably related to the department’s costs of providing the service for which the fee is charged.”

UIC Permit Annual Registration Fees

Table 3.1. UIC Annual Fees

<u>Permit Type</u>	<u>Annual Registration Fee</u>	<u>Annual Waste Disposal Fee</u>
<u>Area</u>	<u>\$10,000 (and not subject to any other annual registration fee in Tables 3.1 and 3.2)</u>	<u>N/A</u>
<u>Class I</u>	<u>No Annual Registration Fee</u>	<u>\$0.002/gallon. Minimum Fee: \$10,000/year Maximum Fee: \$25,000/year</u>
<u>Class II</u>	<u>See Table 3.2</u>	<u>N/A</u>
<u>Class III</u>	<u>See Table 3.2</u>	<u>N/A</u>
<u>Class V</u>	<u>See Table 3.2</u>	<u>N/A</u>
<u>“Individual”</u>		
<u>Class VI</u>	<u>No Annual Registration Fee</u>	<u>\$0.08/ton Minimum Fee: \$10,000/year</u>

Table 3.2. UIC Annual Registration Fees

<u>Design Injection Flow Rate in Gallons per day^{1,2}</u>	<u>Annual Registration Fee</u>
<u>3,000 to 9,999</u>	<u>\$600</u>
<u>10,000 to 99,999</u>	<u>\$1,200</u>
<u>100,000 to 999,999</u>	<u>\$3,000</u>
<u>1,000,000 to 9,999,999</u>	<u>\$7,000</u>
<u>10,000,000 or more</u>	<u>\$10,000</u>

¹ A Class II, III or V Individual UIC permittee with multiple wells or multiple permits may consolidate their same-class wells for the purpose of “design injection flow rate in gallons per day” under Table 3.2.

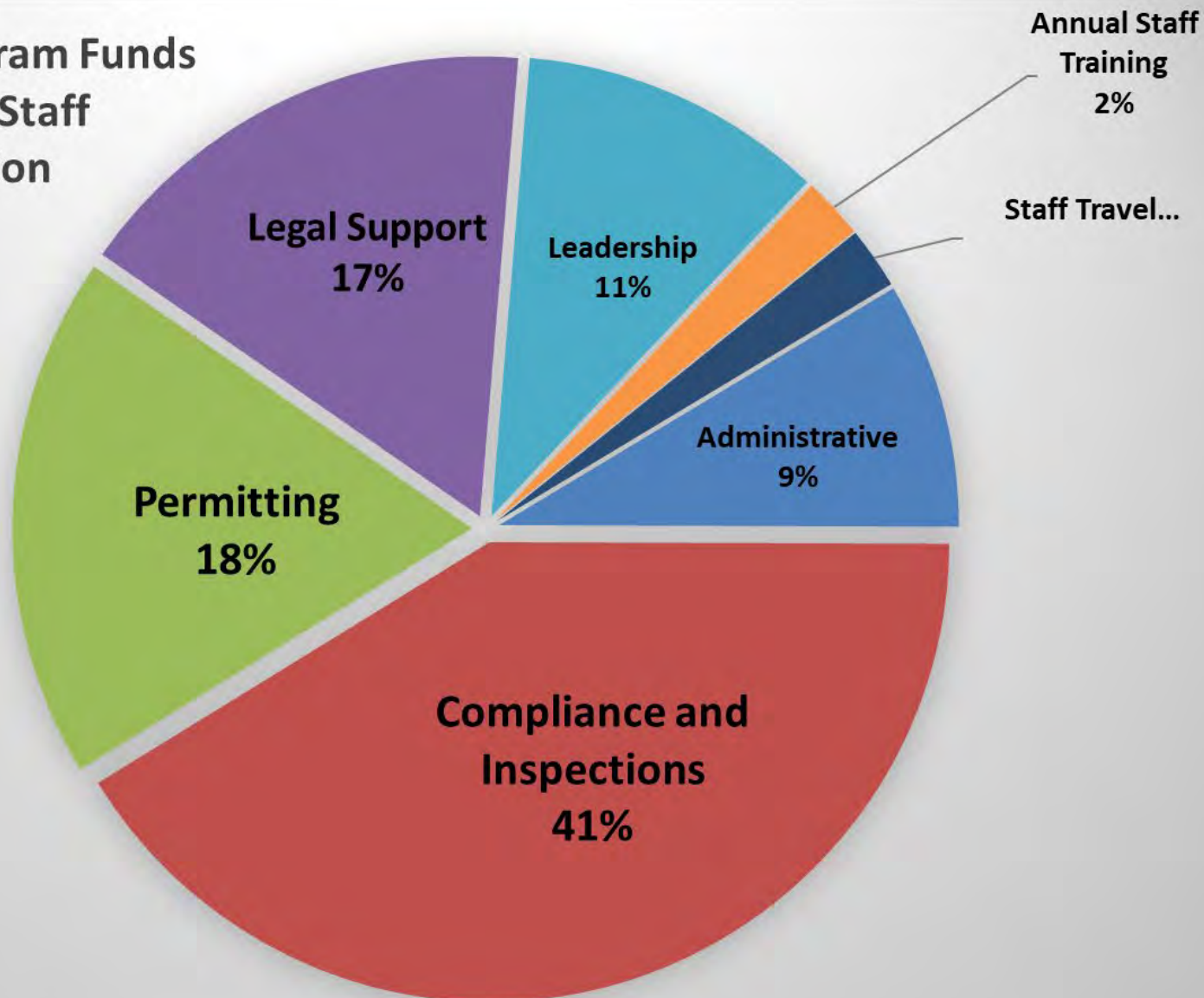
² An Area permit is not subject to Table 3.2.

Arizona UIC Program Staffing Allocation

Program Staffing and Roles	
Role	Position
Administrative (Inventory, LTF, Fees, Billing)	Administrative Support (0.50 FTE)
UIC Data Management	Environmental Engineer (0.25 FTE)
UIC Inspections, Compliance, Enforcement	Inspector (1.25 FTE)
UIC Permit Specialist	Environmental Engineer/Hydrogeologist (0.5 FTE)
Legal, Compliance Assurance & Enforcement Support	Compliance Case Manager/Legal Specialist (0.40 FTE)
Leadership	Unit and Section Managers/Agency Director/WQD Director (0.3 FTE)
Other Program Items	
Annual Staff Training	Technical Staff
Staff Travel	Inspector
Attorney General Office Support (70 <u>hrs/year</u>)	Assistant Attorney General

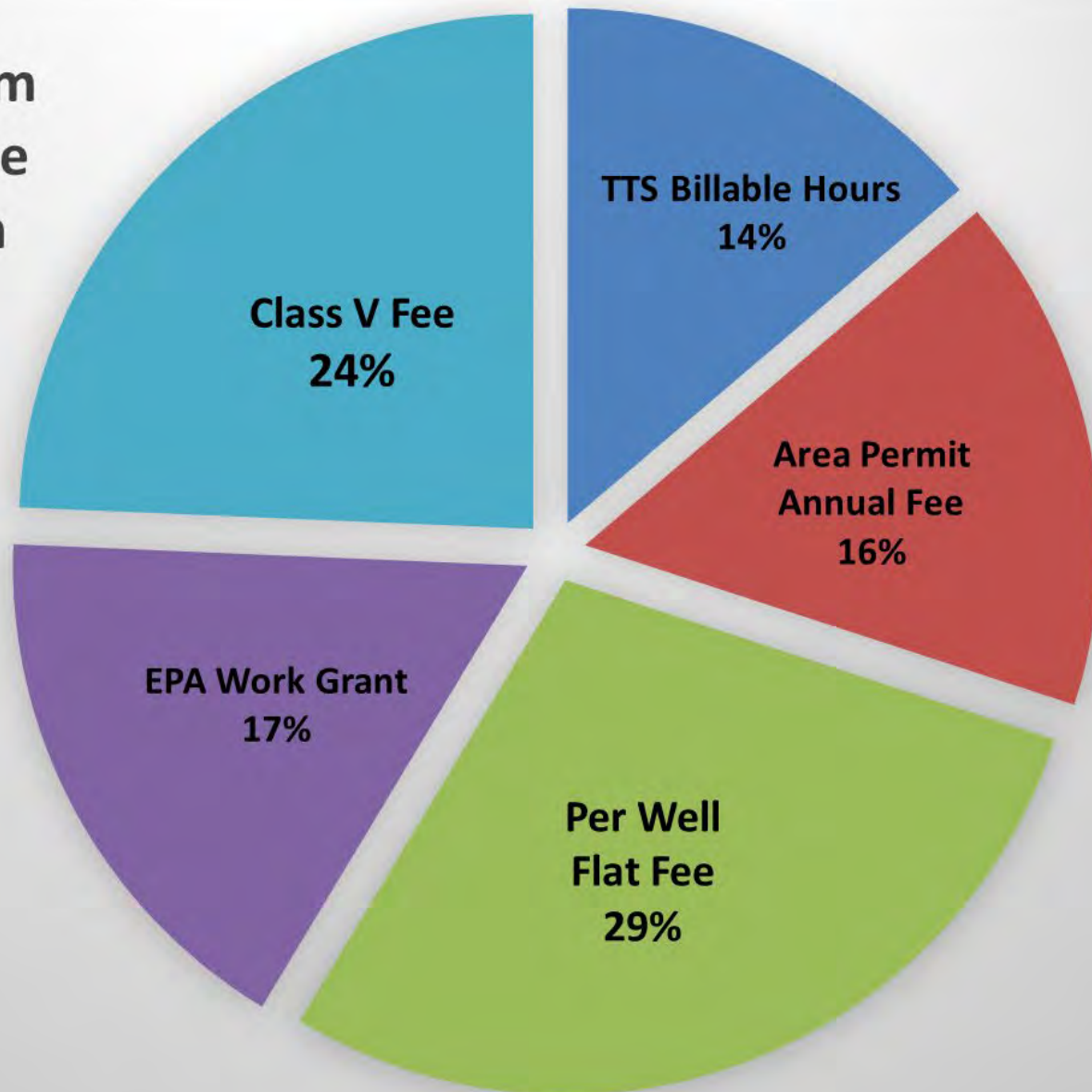
Estimated UIC Program Costs

**Visual of UIC Program Funds
Allocated to Staff
in Proportion**



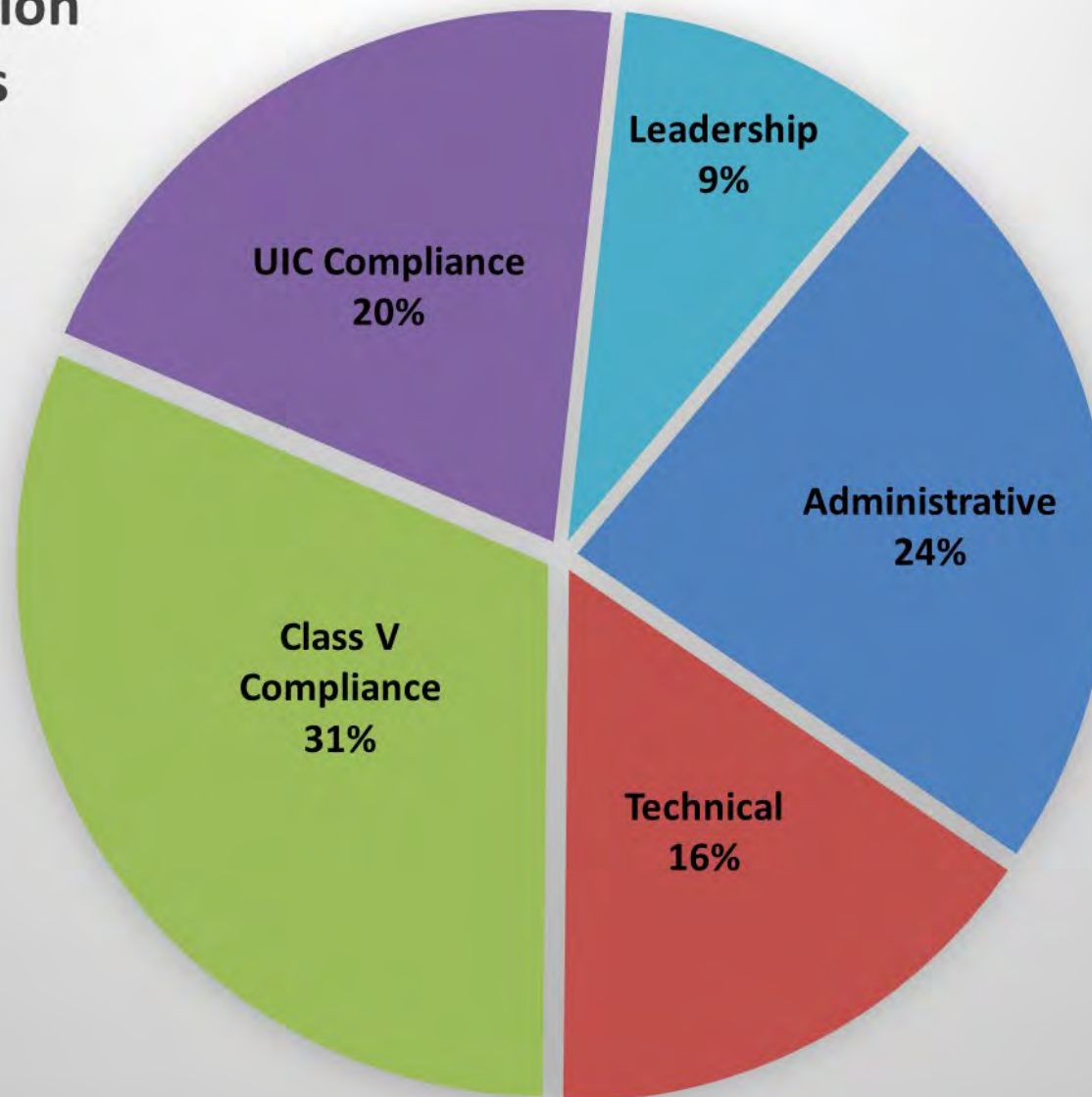
Fee Structure

AZ UIC Program Annual Income in Proportion



Staffing: Full Time Employees (FTEs)

FTE Allocation 3.2 FTE's



■ Assumptions

- 1.00 FTE: Dry Well and Class V inspections
- 0.25 FTE: Class III / Area inspections
- 1.95 FTE: Permitting, Compliance, Enforcement, Leadership

■ Basis

- 500 billable hours at \$145/hour
- Area Permit Annual Fees (\$10,000/Area Permit x 3)= \$30,000
- Per Well Flat Fee = \$200
 - 126 New Class III Wells Annually on average (2023 -2028)
- EPA Work Grant = \$105,000
- Class V One-Time Fee = \$200/well

EPA Resources

- UIC Online Interactive Training
- FedTalent Platform
- UIC Inspector Training

Professional Associations

- GWPC
- NGWA

TRRC

- Well Drilling/Well Completion
- MIT
- CCS/Cavern Storage

ADEQ Training Modules

- Area of Review
- Operations and Monitoring
- Cementing
- Determining Maximum Injection Pressures



Streamlining

- Faster Permitting
- Duplicative Regulation Eliminated
- Permit Timeframes (LTF)

Local Control

- ADEQ expertise on state's groundwater and water laws
- Easier access to local regulator

“One-stop” Program Rule

- Implements a clear, concise, and streamlined permitting process.
- Ensures AZ UIC is as careful in administering the program as EPA.
- Ensures coordination and alignment between ADEQ and EPA.
- Ensures a robust public participation process.

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Clean Air, Safe Water,
Healthy Land for Everyone
