

**Arizona SWANA Legislative Update  
January 27, 2017**

**1. State**

**Legislature:**

Arizona's 53<sup>rd</sup> legislature convened January 9, 2017. Some bills of interest:

- SB1054: Require testing for blood alcohol when there is a fatality/serious injury in a motor vehicle accident.
- SB1073: Prohibits application of a cover or electronically obscuring a license plate.
- SB1088: Adds manual wireless communication while operating a vehicle to the list of reasons a person is strictly liable for causing a fatality or serious bodily injury in a motor vehicle collision.
- SB1143: Allows for online instruction for traffic survival courses.
- SB1160: Authorizes courts to impose limitations on driving (place of employment, education, corrections, etc.) when convicted of motor vehicle violations.
- HB2065: Waste tire disposal. Extends waste tire program sunset provision from 12/17 to 12/27.
- HB2133: Prohibits the display of political organizations (including labor unions) and political speech on vehicles owned by the State or a political subdivision of the State.

**ADEQ Agenda:**

- Provide authority to set permit fees for responsibilities transferred from the Oil and Gas Conservation Commission.
- Extend sunset provision from 2017 to 2027 for the waste tire disposal program.
- Extend deadline for implementing 2014 VEI program changes from 7/1/17 to 7/1/20.
- Extend sunset provision from 7/1/17 to 7/1/20 for small business compliance advisory panel.
- Regulatory simplification:
  - Eliminate duplication of state/county requirements for septage haulers.
  - Eliminate statutory mandate for establishing an official recycling emblem.
  - Eliminate statutory provision regulating hazardous waste facilities on state land.
  - Eliminate ADEQ jurisdiction of public swimming pool design standards.

## **2. Local**

### **Maricopa County:**

#### Rule 280 (Fees):

Maricopa County adopted a new fee rule on January 4, 2017 to update permit fees by 11.7%. Annual Title V administration fees for landfills will be increasing from \$18,140 to \$20,270 (11.7%). Emissions based fees will be increasing from \$38.25/ton to \$42.74/ton. Permit processing fees will increase from \$133.50/hour to \$149.20/hour.

Rule 372 (HAPs). Superior court previously ruled ADEQ does not have authority to set de minimis HAP emissions. Maricopa County is rescinding Rule 372 establishing de minimis HAP emissions consistent with the ruling. Public hearing scheduled for February 1, 2017.

## **3. Federal**

### **EPA:**

Greenhouse Gas Reporting Rule: On 12/9/16, the EPA published a final rule amending specific provisions in the GHG Reporting Rule to improve the quality and consistency of the data collected under the rule and to clarify or provide minor updates to certain provisions that have been the subject of questions from reporting entities. Landfills will no longer have to report the operating hours for the collection system and destruction devices associated with a given measurement location. Landfills no longer have to report the total surface area for each type of cover material (only total surface area), and will use a volume weighted average instead of an area weighted average for collection efficiency. The rule broadens the list of available final cover types and revises the application of oxidation in cover soil. This action also expands confidentiality determinations for the reporting of certain data elements to the program.