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September 4, 2008

Stephen A. Owens, Director
Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

Dear Mr. Owens:

It is with great concern that I write to you today. I am the Chair of the City of Tucson/Pima County Household Hazardous Waste (HHW) Program Steering Committee, a seven member committee, which oversees the first and largest HHW program in the State. The Steering Committee's concern is in reference to the recent Integrated Solid Waste Regulatory Framework Rulemaking, specifically the Agency's failure to notify HHW Program's in Arizona of the rulemaking process. As a result, HHW Program's were not able to participate in the informal Stakeholder Process. The Steering Committee respectfully requests the Stakeholder Process be extended to allow HHW program's the opportunity to further participate in the rulemaking process.

On July 10, 2008, HHW Program staff became aware that the Arizona Department of Environmental Quality (ADEQ) was developing solid waste rules, which will significantly affect these types of programs/facilities. However, this knowledge did not specifically come through the agency but rather through other affected solid waste organizations, who were surprised that program staff had not been involved in the stakeholder process. Our immediate reaction was of disbelief until further investigation revealed ADEQ had added specific rules significantly affecting HHW programs. In our investigation we further learned most HHW programs in the State had not been notified and were also in the process of becoming aware of such rules. Unfortunately, ADEQ's staff had already completed two phases of Stakeholder Workshops and had scheduled a third and final round of workshops for July 14 and July 15, 2008. The final direction from ADEQ was that additional comments were due by August 1, 2008. ADEQ staff further informed affected facilities the formal rule making process was scheduled to begin in the fall.

As you can see, a two week period is not sufficient time to review and comprehensively assess the proposed rules. In light of this short timeframe, we were able to address a handful of issues we felt should be clarified and submitted those comments to ADEQ. Our concern is the impact the proposed rules will have on the ability for HHW programs to efficiently and affordably collect, handle, consolidate, and properly dispose of these materials, including hazardous materials/waste generated from Conditionally Exempt Small Quantity Generators.

Protect Your Environment



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Please consider our request of extending the Stakeholder Process allowing us and the other HHW program's in the State the opportunity to further participate in the rulemaking process and provide ADEQ valuable input regarding the proposed rules.

The HHW Program Steering Committee has voted unanimously to send this letter and members are available to discuss this further with you. Please feel free to contact me at 520.321.9488.

Sincerely,



Ann Marie Wolf
HHW Steering Committee Chair

cc: Patrick Cunningham, ADEQ Deputy Director
Amanda Stone, ADEQ Waste Programs Division Director
Tucson/Pima County HHW Steering Committee
Ray Allen, City of Tucson Assistant Fire Chief
Dan Uthe, City of Tucson Deputy Fire Chief/Fire Marshal
Frank Bonillas, Tucson/Pima County HHW Coordinator