

House Engrossed

~~solid waste; sludge; water quality~~
(now: prohibition; biosolids; land application)

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2669

AN ACT

AMENDING SECTION 49-255.03, ARIZONA REVISED STATUTES; RELATING TO SEWAGE
BIOSOLIDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 49-255.03, Arizona Revised Statutes, is amended
3 to read:

4 49-255.03. Sewage sludge program; rules and requirements

5 A. The director shall adopt rules to establish a sewage sludge
6 program that is consistent with the requirements of sections 402 and 405
7 of the clean water act. Except as otherwise required by this article, the
8 director shall not adopt any requirement that is more stringent than any
9 requirements of the clean water act. The director shall not adopt any
10 requirement that conflicts with any requirement of the clean water act.

11 B. The rules adopted by the director shall provide for the
12 regulation of all sewage sludge use or disposal practices used in this
13 state.

14 C. NOTWITHSTANDING ANY OTHER LAW OR RULE, EXCEPT FOR EXCEPTIONAL
15 QUALITY BIOSOLIDS, A PERSON MAY NOT REGISTER TO APPLY TO LAND AND MAY NOT
16 APPLY TO LAND A SUBSTANCE THAT CONTAINS BIOSOLIDS, SEWAGE SLUDGE OR
17 SEPTAGE WITHIN THREE MILES OF AN AREA WITH A POPULATION DENSITY EQUAL TO
18 OR GREATER THAN ONE HUNDRED TWENTY-EIGHT PERSONS PER SQUARE MILE OR WITHIN
19 ONE MILE OF A CROP PRODUCED FOR HUMAN CONSUMPTION OR ANY PROPERTY ZONED
20 RESIDENTIAL.

21 D. NOTWITHSTANDING ANY OTHER LAW OR RULE, THE DIRECTOR SHALL
22 REQUIRE ANY LAND APPLICATION OF A SUBSTANCE THAT CONTAINS BIOSOLIDS,
23 SEWAGE OR SEPTAGE TO COMPLY WITH THE RULES ESTABLISHED PURSUANT TO
24 SUBSECTION A OF THIS SECTION, INCLUDING PATHOGEN REDUCTION REQUIREMENTS
25 FOR BIOSOLIDS.

26 E. NOTWITHSTANDING ANY OTHER LAW OR RULE, A BIOSOLID COMBINED WITH
27 A SOLID WASTE SHALL BE REGULATED AS A SOLID WASTE PURSUANT TO CHAPTER 4 OF
28 THIS TITLE.