

# CHARTER

## Onsite Wastewater Treatment Technical Work Group



ADEQ is establishing technical work groups to research and provide recommendations on specific issues to improve the onsite wastewater treatment facility permitting program in accordance with the ADEQ mission and vision.

### ADEQ Mission

Our mission is to protect and enhance public health and the environment in Arizona.

### ADEQ Vision

Our vision is to be the No. 1 state in the nation in:

- balanced, leading-edge environmental protection through
- technical and operational excellence, and
- radical simplicity for customers and staff.

<b>Work Group</b>	<b>Operation and Maintenance</b>	<b>Chair</b>	David Bartholomew
<b>Date</b>	June 9, 2021	<b>Version</b>	#2

<b>Objective</b>	<p>The charter for this group is to determine whether permitted OWWTFs are being properly operated and maintained and the potential impact to public health and the environment if not. This work group will review and obtain data necessary to identify the problems caused by the lack of O&amp;M requirements. The group will make recommendations on the best practices to monitor the O&amp;M of permitted facilities and what type of inspection or compliance actions might be needed as a result.</p> <p><b>List of specific issues and questions to consider is attached.</b></p>
<b>Major Tasks</b>	<ul style="list-style-type: none"><li>• Review the draft list of assigned issues and prepare prioritized final list of issues to be discussed (<i>Prioritization Worksheet: <a href="http://azdeq.gov/onsitewastewater">http://azdeq.gov/onsitewastewater</a></i>)</li><li>• Monthly status updates to the Onsite Wastewater Advisory Committee (OWAC)</li><li>• Report out and seek additional input at stakeholder meetings</li><li>• Conduct peer review of other States' programs</li><li>• Collect, review existing studies and research</li><li>• Determine if new research is needed and create plan to obtain the research</li><li>• Review and incorporate input from stakeholders/customers/counties</li><li>• Once the group has completed the deliverables, it will be disbanded</li></ul>

<b>Deliverable: Issue Paper(s)</b>	<p>The group will prepare a white paper to provide background and explanation of each recommendation. The paper should include the following. <i>(Issue Paper Outline: <a href="https://static.azdeq.gov/wqd/rulemaking/onsite/twg_wp.pdf">https://static.azdeq.gov/wqd/rulemaking/onsite/twg_wp.pdf</a>)</i></p> <ul style="list-style-type: none"> <li>● Evaluate current program</li> <li>● Fully list, explain, and discuss the problems and identified gaps in the current program</li> <li>● Provide analysis and data to support why the issues discussed are in fact a problem for stakeholders, including the regulated public</li> <li>● Fully list, explain and discuss alternatives considered and the final recommendation to resolve the issue</li> <li>● Identify issues or opportunities that reflect a future state approach that requires significant research, such as those issues that may intersect with a more flexible future state approach to be analyzed in tandem by the Ideal Future State Exploration Work Group</li> </ul>
<b>Member Role</b>	
<b>Volunteers</b>	<ul style="list-style-type: none"> <li>● TWG is a voluntary working group, which will make recommendations to the OWAC and ADEQ</li> <li>● Neither the group nor individual members will make decisions on behalf of ADEQ</li> </ul>
<b>Behavior</b>	<ul style="list-style-type: none"> <li>● Members are expected to comport themselves in a professional manner at all times (i.e., treat each other with mutual courtesy, respect and dignity)</li> <li>● It is expected that members will actively participate in good faith</li> <li>● If either the ADEQ Water Quality Director or the chair are concerned about the commitment, behavior, or performance of a workgroup member, the two shall consult to determine appropriate corrective action, if any, that may be taken. Such action may require removal and replacement of the member</li> </ul>
<b>Attendance</b>	<ul style="list-style-type: none"> <li>● Members may withdraw at any time</li> <li>● Members represent their affiliations and bring their special expertise to the discussions</li> <li>● Full participation is needed to ensure a variety of viewpoints are voiced</li> <li>● Members who are unable to participate on a consistent basis may be replaced upon consultation between the Director and the Chair</li> </ul>
<b>Responsibilities</b>	
<b>Chair</b>	<ul style="list-style-type: none"> <li>● Establish a work group timeline</li> <li>● Select member to take meeting notes</li> <li>● Move the discussion forward to keep the agenda moving forward on time</li> <li>● Ensure that the work group remains productive and encourage participation</li> </ul>

	<ul style="list-style-type: none"> <li>● Ensure that all sides of an issue are explored, including hidden or unpopular aspects</li> <li>● Assist the work group in reaching consensus and articulating issues where consensus is not possible</li> <li>● Assist work group members in preparing the deliverables</li> <li>● Report monthly progress to OWAC or upon request from the Director</li> <li>● Ensure that workgroup deadlines are met, and the final report is delivered to ADEQ on schedule</li> </ul>
<b>ADEQ Unit Manager</b>	<p>Matt Ivers: <a href="mailto:ivers.matthew@azdeq.gov">ivers.matthew@azdeq.gov</a>; 602-771-6723  Ground Water Protection General Permits &amp; Water Reuse Unit Manager</p> <ul style="list-style-type: none"> <li>● Provide technical support and resources as needed</li> </ul>
<b>ADEQ Project Manager</b>	<p>Theresa Gunn: <a href="mailto:gunn.theresa@azdeq.gov">gunn.theresa@azdeq.gov</a>; 602-771-0016  Assist the chair and members, as needed, with:</p> <ul style="list-style-type: none"> <li>● Scheduling meetings</li> <li>● Preparing agendas</li> <li>● Posting reports on website</li> <li>● Facilitating meetings</li> <li>● Resolving issues</li> </ul>
<b>Legal Specialist</b>	<p>Heidi Welborn</p> <ul style="list-style-type: none"> <li>● Provide legal analysis as needed and appropriate</li> <li>● If legal analysis assistance is needed, contact the onsite unit manager, Matt Ivers</li> </ul>
<b>Public Information Officer</b>	<p>Caroline Oppleman: <a href="mailto:oppleman.caroline@azdeq.gov">oppleman.caroline@azdeq.gov</a>; 602-540-8072</p> <ul style="list-style-type: none"> <li>● TWG chair and members may refer any media requests to ADEQ’s Public Information Officer</li> <li>● Members contacted by the media or any organization to answer questions or asked to speak at an event will not present themselves as representing ADEQ or the work group in any way</li> <li>● The chair is the designated spokesperson for the work group for purposes of public meetings and ADEQ management meetings</li> </ul>
<b>Meetings</b>	
<b>Meeting Format</b>	<ul style="list-style-type: none"> <li>● Format to be determined by the members</li> <li>● ADEQ to provide virtual meeting platform</li> <li>● TWG meetings are working meetings and will not include an open call to the public</li> <li>● Meeting dates will be shared only with work group members</li> <li>● TWG agendas and meeting notes will be posted on the ADEQ website</li> </ul>

	<i>NOTE: Stakeholder meetings will be held periodically to provide non-members an opportunity to provide input</i>
<b>Meeting Schedule</b>	<ul style="list-style-type: none"> <li>• Members will establish a meeting schedule sufficient to complete the objectives by the stated deadline</li> </ul>
<b>Decision Making</b>	<ul style="list-style-type: none"> <li>• TWGs will operate on a consensus basis</li> <li>• If a consensus cannot be reached, to move forward, a decision will be made by a majority of the members present</li> <li>• Dissenting voters may provide a written explanation of the reasons for disagreement to be included in the meeting notes and issue paper</li> </ul>

### Specific Issues and Question

- Identify the existing problems or issues which are caused by the lack of operation and maintenance of OWWTF. (Coordinate this task with the 1.09 Facilities work group)
  - What is the environmental impact of failing facilities or facilities out of compliance?
  - How could a compliance and inspections program benefit the environment and public health?
- Discuss potential tiered approaches based on the complexity and need for ongoing monitoring and maintenance.
  - Inventory and compare other current state programs in a systematic format (current models may include EPA, North Carolina, Texas, and Virginia)
  - Evaluate specific benefits and drawbacks (including cost and risks)
- Propose an ideal approach and possible rule language
  - Provide data to support the recommendation

### Inspections

- Review and evaluate the current inspection program.
- Recommend improvements to the current program.
  - Consider if all facilities in the state should be inspected in a phased approach, first for (1) mechanical functionality and then move towards also inspecting (2) biological functionality.
  - Consider modifying the point-of-sale inspection process to be a joint responsibility of the seller and buyer of a property served by onsite, decentralized and recycling facilities.
  - Consider establishing a new inspection framework in rule and supporting guideline protocol for construction verification; and for inspections in support of a complaint, point-of-sale, operational surveillance and compliance activities.
- Identify and evaluate the risks and challenges associated with inspecting residential facilities. Identify best practices to address these risks and challenges.

### Compliance

- Identify the current compliance issues.
  - Do they differ among the counties?
  - What is the pollutant impact of noncompliant systems?
  - Are there analogous state programs that might have similar soil composition and impacts?
  - Does a study need to be done?
  - How would such a study be conducted?
  - What expertise would need to be involved?

- Recommend an approach for determining the impact of noncompliant systems.

**Upgrade/Remediation**

- Identify current issues related to upgrades and remediation.
  - Are there programs in other states that would be helpful?
  - What problems or issues need to be overcome to update the systems?
- Recommend a potential pathway to address upgrades and remediation of existing systems.