



# Meeting Agenda/Summary

**Water Quality Division: On-Site Wastewater PPL TWG**  
**Meeting 10: Tuesday, January 25, 2022 10 am - Noon**  
*(See Link to Google Meets in Calendar Invite)*

**Members in Attendance:**

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|---|---|
| <input type="checkbox"/> Ashley Chatfield, Maricopa County Environmental Services | <input checked="" type="checkbox"/> Naveen Savarirayan, ADEQ                            |
| <input checked="" type="checkbox"/> Bryan Chiordi, Essential Operations           | <input checked="" type="checkbox"/> Michael Stidham, EZ TREAT, INC                      |
| <input type="checkbox"/> Todd Christianson, Premier Environmental Products, LLC   | <input checked="" type="checkbox"/> Michael Sundberg, MST Manufacturing DBA MicroSepTec |
| <input type="checkbox"/> Suzanne Ehrlich, Yavapai County                          | <input checked="" type="checkbox"/> Fred Vengrouskie, Eljen Corporation                 |
| <input type="checkbox"/> Marc Fleetwood, Fleetwood Engineering                    | <input checked="" type="checkbox"/> Joelle Wirth, Summit Environmental, LLC             |
| <input type="checkbox"/> Karthik Kumarasamy, ADEQ                                 | <input checked="" type="checkbox"/> Ray Morgan, ADEQ                                    |
| <input checked="" type="checkbox"/> Linneth Lopez, ADEQ                           | <input checked="" type="checkbox"/> Matt Ivers, ADEQ                                    |
| <input checked="" type="checkbox"/> Nicholas Noble, Orenco Systems Inc            | <input checked="" type="checkbox"/> Heidi Welborn                                       |

Agenda (Est Time)	Lead	Overview	NOTES
Process for Non-Members	Joelle		<b>NOTES FROM LAST MEETING:</b> Decision: Have non-members submit questions/topics/issues to Theresa and she will send to the group for review and determination of what needs to be on the agenda. Theresa reviewed this decision not to allow non-members in the meetings at this time.
ADEQ Decision re: PPL Reset	Matt		<p>Matt reported that ADEQ received request to consider “resetting” the unique numbers and just using the numbers in rule. ADEQ took this request seriously. We spoke with manufacturers, conducted internal analysis of the potential impact, and met with counsel. As a result, it has been determined the best approach is to continue allow unique numbers until such time until the PPL TWG provides recommendation on what should be changed during Phase 2 rulemaking at which time we will incorporate changes into rule to ensure a fair process.</p> <p>Comments from TWG members:</p> <ul style="list-style-type: none"> <li>• Had phone call with Karthik but did not hear back. Why didn’t manufacturers get to participate and make their case to the attorney general. Do they have discretion to meet with the attorney general? <ul style="list-style-type: none"> <li>○ ADEQ response: the attorney general is ADEQ’s counsel and is covered by attorney/client privilege.</li> </ul> </li> </ul>

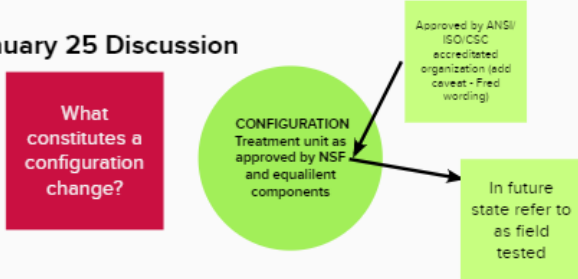
			<ul style="list-style-type: none"> <li>• Would like to have an opportunity to present their own position to the attorney general to provide the context instead of ADEQ speaking on behalf of the manufacturers. Attorney general should have interviewed all of the manufacturers directly instead of taking ADEQ's word. How do I have confidence my position is being accurately shared with the attorney general. Things often get miscommunicated.</li> <li>• How was the question asked of the attorney general? Do not know if we represented fairly. When did ADEQ get into decisions regarding the fair marketplace.</li> <li>• Manufacturers feel ADEQ created an unfair marketplace.</li> <li>• The applications are not being reviewed and treated fairly.</li> <li>• Have not been treated fairly in the 3 times have applied for a PPL. People with the advantage are opposing the decision. ADEQ has made an unfair market decision. The unique numbers are not protective of the environment and public health.</li> <li>• Where in the rule does it allow numbers under 15/15? The numbers (data) submitted to the ADEQ from other manufacturers were not a 30-day average which is not consistent with the rule and ADEQ submitted the PPL with unique numbers. Obtained through a records request. Those which submitted mean and median should be reviewed.</li> <li>• Some of the data which has been reviewed and approved in PPLs has not been achieved anywhere in the world.</li> <li>• What is the appeal process? Don't want to do litigation but believe I should be fairly represented and have a voice. Who can we meet with at ADEQ?</li> <li>• Who is ADEQ accountable to? Agency director and then to the governor's office.</li> <li>• What industry is saying has been said yet it seems that ADEQ is hearing new things. If ADEQ would have shared the answer earlier would have helped us resolve this discussion. When we feel not transparent it generates distrust. Getting permission to share attorney opinion doesn't feel transparent.</li> <li>• We are in it with you to fix this but there is an element of mistrust and hard for you to get our best when we feel this way.</li> <li>• Mike Stidham asked to be included with Nick in the meeting with the agency director along with Joelle, Sundberg and Bryan.</li> <li>• This has become a very time-consuming issue.</li> <li>• It is not only a letter of law but also of trust. If better than 50% of stakeholders say let's do a reset and ADEQ says no, how can we be assured you will implement the changes to be more protective.</li> <li>• Some PPLs had unique numbers that the state did not allow.</li> <li>• We can work through this and Arizona can be a leader but ADEQ can not bow down to those who have threatened lawsuits.</li> <li>• If required data in not submitted the PPL application should be kicked back.</li> <li>• Would like to understand how ADEQ is going to sample the systems in the field as many cannot be tested.</li> <li>• How can Arizona numbers be so far away from other product listing numbers? Both new and old PPLs have crazy numbers.</li> </ul>
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<b>Definitions – Typical Sewage</b>	Joelle		No comments on the proposed definition
<b>Consensus on Assumptions</b>	Joelle		The group discussed sharing
<b>What is a Change</b>	Joelle	What constitutes a change to the system	Brian prepared information on other state’s requirements  See image below for current thoughts on what is a configuration change.
<b>Next Steps</b>	Joelle	Open Discussion Next agenda topics	Next meeting Feb 8, 10 am

## Action Plan:

Task	Person Responsible	Due Date	Status
ADEQ to answer the industry the question about over reach and going beyond the rule today	ADEQ		Underway
Provide the citation in rule that ADEQ believes allows for unique numbers.	Matt to discuss with leadership and provide to PPL	End of next week	
Members of the group requested a meeting with Misael for February 1			
Future topic: Agency environmental risk matrix			

## January 25 Discussion



### Not a Configuration Change

Changing a component that doesn't impact treatment and is functionally equivalent to the tested component.

Adding alkalinity and / or carbon

### Configuration Change

Adding or changing something to the treatment train (including tank sizes) that changes how the unit provides treatment or performs

Changes proportionality

Tested In ground and installed above ground - this changes performance

### Scale Up for larger flow

Using NSF scale up letters to increase for flow if same treatment performance

For flows over 3,000 are engineered systems which may override the NSF tested configuration