

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.

Work Group	PPL Process	Chair	Joelle Wirth
Date	June 9, 2021	Version	#2

Objective	ADEQ reviews Proprietary Product Listing (PPL) applications and issues PPL approval certificates for those products that meet the Arizona Administrative Code standards. This work group’s charter is to review the existing process and identify potential improvements which will streamline the process and ensure quality approvals. Additionally, the group should consider whether a PPL delisting process should be developed and implemented and if so, recommend specific steps of a delisting process. List of specific issues and questions to consider is attached.
Major Tasks	<ul style="list-style-type: none"> • Review the draft list of assigned issues and prepare prioritized final list of issues to be discussed (<i>Prioritization Worksheet: http://azdeq.gov/onsitewastewater</i>) • Monthly status updates to the Onsite Wastewater Advisory Committee (OWAC) • Report out and seek additional input at stakeholder meetings • Conduct peer review of other States’ programs • Collect, review existing studies and research • Determine if new research is needed and create plan to obtain the research • Review and incorporate input from stakeholders/customers/counties • Once the group has completed the deliverables, it will be disbanded

<p>Deliverable: Issue Paper(s)</p>	<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: https://static.azdeq.gov/wqd/rulemaking/onsite/twg_wp.pdf)</i></p> <ul style="list-style-type: none"> ● Evaluate current program ● Fully list, explain, and discuss the problems and identified gaps in the current program ● Provide analysis and data to support why the issues discussed are in fact a problem for stakeholders, including the regulated public ● Fully list, explain and discuss alternatives considered and the final recommendation to resolve the issue ● 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
<p>Member Role</p>	
<p>Volunteers</p>	<ul style="list-style-type: none"> ● TWG is a voluntary working group, which will make recommendations to the OWAC and ADEQ ● Neither the group nor individual members will make decisions on behalf of ADEQ
<p>Behavior</p>	<ul style="list-style-type: none"> ● Members are expected to comport themselves in a professional manner at all times (i.e., treat each other with mutual courtesy, respect and dignity) ● It is expected that members will actively participate in good faith ● 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
<p>Attendance</p>	<ul style="list-style-type: none"> ● Members may withdraw at any time ● Members represent their affiliations and bring their special expertise to the discussions ● Full participation is needed to ensure a variety of viewpoints are voiced ● Members who are unable to participate on a consistent basis may be replaced upon consultation between the Director and the Chair
<p>Responsibilities</p>	
<p>Chair</p>	<ul style="list-style-type: none"> ● Establish a work group timeline ● Select member to take meeting notes ● Move the discussion forward to keep the agenda moving forward on time ● Ensure that the work group remains productive and encourage participation

	<ul style="list-style-type: none"> ● Ensure that all sides of an issue are explored, including hidden or unpopular aspects ● Assist the work group in reaching consensus and articulating issues where consensus is not possible ● Assist work group members in preparing the deliverables ● Report monthly progress to OWAC or upon request from the Director ● Ensure that workgroup deadlines are met, and the final report is delivered to ADEQ on schedule
ADEQ Unit Manager	<p>Matt Ivers: ivers.matthew@azdeq.gov; 602-771-6723 Ground Water Protection General Permits & Water Reuse Unit Manager</p> <ul style="list-style-type: none"> ● Provide technical support and resources as needed
ADEQ Project Manager	<p>Theresa Gunn: gunn.theresa@azdeq.gov; 602 478-0580 Assist the chair and members, as needed, with:</p> <ul style="list-style-type: none"> ● Scheduling meetings ● Preparing agendas ● Posting reports on website ● Facilitating meetings ● Resolving issues
Legal Specialist	<p>Heidi Welborn</p> <ul style="list-style-type: none"> ● Provide legal analysis as needed and appropriate ● If legal analysis assistance is needed, contact the onsite unit manager, Matt Ivers
Public Information Officer	<p>Caroline Oppleman: oppleman.caroline@azdeq.gov; 602-540-8072</p> <ul style="list-style-type: none"> ● TWG chair and members may refer any media requests to ADEQ’s Public Information Officer ● 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 ● The chair is the designated spokesperson for the work group for purposes of public meetings and ADEQ management meetings
Meetings	
Meeting Format	<ul style="list-style-type: none"> ● Format to be determined by the members ● ADEQ to provide virtual meeting platform ● TWG meetings are working meetings and will not include an open call to the public ● Meeting dates will be shared only with work group members ● TWG agendas and meeting notes will be posted on the ADEQ website

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

Specific Issues and Questions

Evaluate the current process including the following:

- What is working well?
- What are the problems/issues?
- What is the impact on the manufacturers, end users and delegated agencies?
- Transparency of the process
- Recommend a future process which includes the following:
 - Uniform review process standards and transparency
 - Timeframes
 - Pros and cons
 - Evaluation of long-term impact of new technologies
 - Establish an “even playing field”
 - Performance-based criterion for "open" and "proprietary" technologies
 - Accommodation of generic technologies
 - How to unify performance algorithms for proprietary and open technologies based on recognized physical, chemical and biological process research findings
 - Consider if a technical appeals process and/or an independent peer review process is needed to improve the quality of the approvals. If so, why is this needed? What are the risks and benefits? What would be the proposed process?
 - Consider if a third party testing procedure is more appropriate than a peer review process. How might a third party testing procedure be implemented? What be the appropriate review criteria?
 - Consider if a delisting process is needed. If so, why and what is the proposed process.
- Recommend changes necessary to implement the recommended process.
 - Rule modifications (if needed)
 - Program implementation changes (if needed)