

Meeting	Onsite Wastewater Advisory Committee (OWAC)
Date	April 6, 2021
Start / End Time	10 am – 1:30 pm

## MEMBERS

- David Bartholomew, Bartholomew WW Services, Inc.
- Mark Basic, Basic Drilling Company
- Colin Bishop, Anua
- Suzanne Ehrlich, Yavapai County
- Jake Garrett, Gila County
- Thomas Hanson, Maricopa County
- Maher Hazine, PE, REI Development Services, LLC
- Dawn Long, First American Septic Service LLC
- Kathy Mills, Mills Engineering, LLC
- David Monihan, PE, RLS, Coconino County
- Cullin Pattillo, Mohave County
- Craig Rasmussen, University of Arizona
- Michael Stidham, EZ Treat, Inc
- Jenny Vitale, PE, Civil Engineer
- Joelle Wirth, Summit Environmental LLC

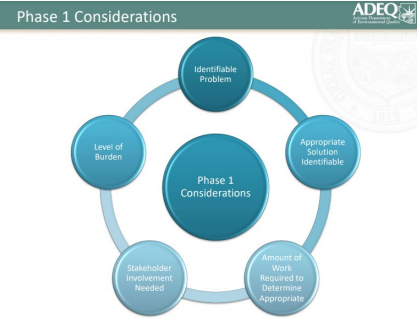
## ADEQ STAFF

- Trevor Baggiore, ADEQ, Water Quality Division Director
- Naveen Savarirayan, Manager, Groundwater Protection Value Stream
- Matt Ivers, Groundwater General Permits and Reuse
- Theresa Gunn, Project Manager
- Jon Rezabek, Legal Specialist
- Karthik Kumarasamy, PhD, Engineer III
- Linneth Lopez, Environmental Engineering Specialist III
- Raymond Morgan, Trainer, Groundwater Protection, Groundwater Permits & Reuse Unit
- Luke Peterson, Environmental Engineer Specialist 3, Groundwater Protection
- Heidi Welborn, Legal Support
- Mannie Bowler, Community Liaison Unit Manager
- Morgan O'Connor, Community Liaison

## ACTION ITEMS

Action Required	Person Assigned	Due Date	Status
Send the following materials to all members: March meeting notes, TWG descriptions and key issues, phase 1 rulemaking criteria, rule changes matrix, seepage pit memo, research project scope and information/complaint forms.	Theresa Gunn	After Meeting	Completed on 4/6/21
Determine if the rule exemption memo may be shared with OWAC members	Matt Ivers		
OWAC comments on initial rule matrix due to Theresa	All Members	4/13	
ADEQ to send second rule matrix including stakeholder comments to OWAC members	Theresa Gunn	4/13	
OWAC comments on information request and complaint forms due to Theresa	All Members	4/16	
OWAC comments on stakeholder rule comments due to Theresa	All Members	4/20	
OWAC comments on March meeting notes, TWG descriptions and issues, research project scope	All Members	4/27	
Next meeting	All	5/4	

Agenda Topic	Discussion	Feedback Received
Welcome	<p>Jake Garrett, Chair, called the meeting to order. Theresa Gunn called roll. Kitt and Craig were welcomed as new members. Jake asked members to review the March meeting notes and submit any changes prior to the May meeting.</p>	
Review Agenda	<p>Theresa Gunn, Facilitator, reviewed the agenda for the meeting. Actions completed since last meeting included inviting Kitt Farrell-Poe to join OWAC, launched the TWG member applications and posted information on the website for public to submit questions/issues to OWAC.</p>	<p><b>Do You Have a Question for OWAC?</b>        You may request to have OWAC address a specific question or issue by contacting one of the current members or by emailing a request   <a href="#">Email &gt;</a>        Please describe the issue or question you would like OWAC to address and include your contact information so we may follow-up with you. Requests will be reviewed by the OWAC Chair and ADEQ.</p>
Vision for the Onsite Program	<p>Trevor Baggione stated although he has some thoughts about the future of the program, he would really like to have OWAC members consider the ideal future state and provide input to the agency. Baggione would like to work together to create the vision and is looking for the Ideal Future State Work Group to provide recommendations.</p>	
TWG Charters and Assigned Issues	<p>Theresa Gunn provided an overview of the base charter and the descriptions and issues for each work group. She also reviewed the draft white paper outline.</p> <p>Currently ADEQ has received 33 applications. Once ADEQ has reviewed and made initial recommendations on the group assignments and potential chairs, the draft rosters will be distributed to OWAC members for their review.</p> <p>Membership assignments will be based on technical expertise and geographic diversity.</p>	<p>Members discussed the process for determining the meeting schedule and timeline for the work groups. During the first meeting each group will determine the best time to meet and prioritize the issues for which they will make recommendations.</p> <p>Questions were asked to clarify the role of the work group in writing rule. The work groups are expected to make recommendations of what rule changes are needed. ADEQ legal specialists will draft the actual rule language.</p>

<p>Phase 1 Rulemaking</p>	<p>Heidi Welborn reviewed the criteria for determining if a requested rule change would be included in phase 1 or phase 2.</p>  <p>The diagram, titled "Phase 1 Considerations", features a central blue circle labeled "Phase 1 Considerations". Surrounding this central circle are five smaller blue circles, each connected to the center by a line. The surrounding circles are labeled: "Identifiable Problem" (top), "Appropriate Solution Identifiable" (top-right), "Amount of Work Required to Determine Appropriate" (bottom-right), "Stakeholder Involvement Needed" (bottom-left), and "Level of Burden" (left). The entire diagram is set against a light blue background with a faint ADEQ logo.</p> <p>Welborn also reviewed a matrix of the rule changes recommended by OTAG. ADEQ staff had added information on the program to be solved and the complexity of the proposed solution.</p> <p>OWAC members were asked to review the matrix and add comments in the last two columns to indicate if they felt the change was a phase 1 or phase 2 and add additional information to be considered by ADEQ.</p>	<p>Members expressed concern about the difficulty of understanding the scope of the phase 1 changes without having a copy of the rule exemption memo and authorization from the Governor's office. ADEQ staff agreed to ask agency counsel if the memo may be distributed.</p> <p>Members also expressed concerns regarding the limited scope of the phase 1 changes. Some members suggested it should be the work groups reviewing the matrix and proposing the changes. It was stated the work groups could solve the issues much faster than ADEQ staff.</p> <p>ADEQ staff expressed concerns that having the work group review the matrix and propose recommendations for phase 1 rule changes would delay the phase 1 rule which is currently scheduled to be drafted by the Fall.</p> <p>As a compromise, the group agreed to do an initial review of the matrix and when the work groups are formed, TWG members would be asked to also review the matrix and determine which issues they felt their group could make a recommendation on quickly.</p>
<p>Seepage Pit Memo</p>	<p>Jon Rezabek reviewed ADEQ's position on how seepage pits should be regulated based on the existing rule. Rezabek reviewed each of the issues ADEQ has been asked to resolve and explained the rule interpretations made by the department.</p>	<p>Two members expressed concern that the interpretations reference to good professional judgement would allow a county to deny permits. They discussed the need to have additional clarification on what was good professional judgement and who was to make that call.</p>
<p>Research Project</p>	<p>Karthik Kumarasamy stated ADEQ's intent to collect data to better understand the environmental impact of onsite wastewater treatment systems to allow for more informed decision making. He reviewed a memo drafted by staff outlining potential research projects to gain a better understanding. He asked members to review and provide additional input.</p>	<p>Responses from members included the following:</p> <ul style="list-style-type: none"> <li>● This appears to be multiple research projects</li> <li>● A lot of this research already exists and does not need to be repeated</li> <li>● The older research is still valid and does not need to be updated</li> </ul>

<p>Report of Inspection Pilot Project</p>	<p>Linneth Lopez reported on the pilot project testing the revised ROI form. Based on the results, the team will make the final changes, post the form online and share with the Counties.</p>	
<p>Information Request and Complaint Forms</p>	<p>Trevor Baggiore stated the agency was developing two forms to assist staff in tracking and responding to requests from the public. One form is for a rule clarification and the other is to file a complaint against a delegated agency. Theresa will send the forms to the group for their review and input.</p>	<p>Members expressed concern that ADEQ has not finalized the rule clarifications that were submitted to the agency more than a year ago. They stated ADEQ needs to provide more timely response to the public and the delegated agencies.</p>
<p>Upcoming Schedule (Subject to Change)</p>	<p>Matt Ivers stated ADEQ will finalize the outstanding rule issues but in the future will be focusing more on rule changes instead of clarification of the existing rule.</p> <p>The following is an anticipated schedule for upcoming OWAC meetings. This schedule is subject to change and will be updated by ADEQ.</p> <ul style="list-style-type: none"> <li>● May: Review proposed TWG membership and chairs; begin review of draft rule language</li> <li>● June: Continue review of draft rule language; potential first report from TWG chairs</li> <li>● Late June: Stakeholder meeting on draft rule</li> <li>● July: Review stakeholder comment on draft rule; TWG chair reports</li> <li>● August: Review final draft rule language; TWG chair reports</li> </ul>	
<p>Meeting Evaluation</p>	<p><b>PLUS: What did we do well?</b></p> <ul style="list-style-type: none"> <li>● I appreciate the open and mostly respectful dialogue</li> <li>● Presenters were good</li> <li>● Good information provided by ADEQ for the OTAG comments, NOT form survey, research areas, pit clarification.</li> </ul>	<p><b>DELTA: How can we improve?</b></p> <ul style="list-style-type: none"> <li>● Thank you for your help today, my hand was getting tired. Mark Basic.</li> <li>● Should have had the chart (matrix) in advance of the meeting</li> <li>● Openness to change, appears people have pre-determined outcomes of this rulemaking</li> <li>● Think we should of had the chat in advance of the meeting ... maybe would not have gotten so far in the weeds</li> </ul>

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| <ul style="list-style-type: none"> <li>● We shared good discussion with ADEQ on the how's and whys of policy development.</li> <li>● Heard from everyone</li> <li>● Good discussion</li> <li>● The meeting was well organized, please follow-up with the docs you need this group to comment on and please provide a timeline in which to complete those tasks...deadlines help us stay on target and help us juggle workload and OWAC workload</li> <li>● Stayed on time and stuck to the agenda. Felt like there is hope to finally make some progress after years!!</li> <li>● Detailed agenda, trying to stay on track</li> <li>● Good moderation by the Chair</li> <li>● We are moving forward</li> <li>● A lively discussion of the direction for Phase 1 was basically civil</li> <li>● Presenters were prepared for their parts of the agenda</li> <li>● We are moving forward</li> </ul> | <ul style="list-style-type: none"> <li>● Make a rule that things should not get personal in discussions!!!</li> <li>● Stay within meeting times</li> <li>● Be prepared to response to ADEQ comments</li> <li>● Need documents in advance to allow time to review</li> <li>● Managing the meeting and not get personal with anyone</li> </ul> |
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