



Meeting Agenda/Summary

Meeting	Water Quality Division: Onsite Wastewater Advisory Committee (OWAC) <i>(REVISED DURING MARCH MEETING)</i>
Date	January 20, 2022
Start / End Time	1:00 – 5:30 pm
Virtual Meeting	Zoom link in calendar invite
Documents	Located in ShareFile - https://azdeq.sharefile.com/

MEMBERS

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| <input checked="" type="checkbox"/> David Bartholomew, Bartholomew WW Services, Inc. | <input type="checkbox"/> Jaimee Griffin, PE Drilling (NEW) | <input checked="" type="checkbox"/> Michael Stidham, EZ Treat, Inc |
| <input checked="" type="checkbox"/> Mark Basic, Basic Drilling Company (RENEWED TERM) | <input checked="" type="checkbox"/> Thomas Hanson, Maricopa County | <input checked="" type="checkbox"/> Frederick Tack, GHD Inc. (NEW) |
| <input checked="" type="checkbox"/> Colin Bishop, Anua | <input checked="" type="checkbox"/> Dawn Long, First American Septic Service LLC | <input checked="" type="checkbox"/> Jenny Vitale, PE, Civil Engineer |
| <input checked="" type="checkbox"/> Bryan Chiordi, Orenco (NEW) | <input type="checkbox"/> Kathy Mills, Mills Engineering, LLC (OUTGOING) | <input checked="" type="checkbox"/> Joelle Wirth, Summit Environmental LLC |
| <input type="checkbox"/> Suzanne Ehrlich, Yavapai County (OUTGOING) | <input checked="" type="checkbox"/> David Monihan, PE, RLS, Coconino County (OUTGOING) | <input checked="" type="checkbox"/> Kitt Farrell-Poe |
| <input checked="" type="checkbox"/> Jake Garrett, Gila County, Chair (RENEWED 1 YR) | <input checked="" type="checkbox"/> Cullin Pattillo, Mohave County | <input type="checkbox"/> Ashley Chatfield (Design/Permit TWG Co-Chair) |

ADEQ STAFF

- | | |
|--|---|
| <input checked="" type="checkbox"/> Trevor Baggio, ADEQ, Water Quality Division Director | <input checked="" type="checkbox"/> Linneth Lopez, Environmental Engineering Specialist III |
| <input checked="" type="checkbox"/> Naveen Savarirayan, Manager, Groundwater Protection Value Stream | <input checked="" type="checkbox"/> Raymond Morgan, Trainer, Groundwater Protection, Groundwater Permits & Reuse Unit |
| <input checked="" type="checkbox"/> Matt Ivers, Groundwater General Permits and Reuse | <input checked="" type="checkbox"/> Luke Peterson, Environmental Engineer Specialist 3, Groundwater Protection |
| <input checked="" type="checkbox"/> Theresa Gunn, Project Manager | <input checked="" type="checkbox"/> Heidi Welborn, Legal Support |
| <input type="checkbox"/> Jon Rezabek, Legal Specialist | <input type="checkbox"/> Morgan O'Connor, Community Liaison |
| <input checked="" type="checkbox"/> Karthik Kumarasamy, PhD, Engineer III | |

Agenda Topic	Lead	Overview	Documents (* on ShareFile)	Action Requested	NOTES
Welcome (15 mins)	Jake Garrett, Chair	<ul style="list-style-type: none"> Roll Call Introduction of New Members 	Dec Summary* Jan Agenda* Ground Rules*	Approval of Notes	New members Frederick and Bryan introduced themselves to the group. Trevor and Jake expressed their thanks and gratitude to the outgoing members for their expertise and engagement in the process and look forward to their continued involvement. Jake reviewed

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		<ul style="list-style-type: none"> • Thank you to outgoing members • Meeting Notes • Review Agenda • Review Ground Rules 	2022 Roster*		the OWAC ground rules.
ADEQ's PPL Reset Decision (20 mins)	Matt Ivers, ADEQ, Groundwater General Permits Unit Manager	ADEQ received a stakeholder request to reset all PPL certifications to numbers in rule. Matt will announce ADEQ's decision.		For Information	<p>Matt Ivers stated that ADEQ received a request to reset all PPL certifications to the numbers in rule. ADEQ has discussed this request and reviewed the current certifications and believe that a reset will create an unfair market advantage and would not be as protective of the environment as assigning/allowing unique numbers. After discussion with legal counsel we have made the decision not to do a reset and will continue the current practice of unique numbers until we get recommendations on how to improve the program from the TWG. ADEQ is also doing a robust sampling project to ensure the systems installed are meeting the numbers as certified. Trevor stated if anyone has concerns on this decision can reach out individually and ADEQ will discuss it with them.</p> <p>OWAC Member Discussion:</p> <ul style="list-style-type: none"> • Once the TWG comes forward with a recommendation, what is ADEQ's capability to update or do new reviews? ADEQ has considered some options and are open to suggestions.
Phase 1 Rule Path Forward (20 mins)	Trevor Baggione, ADEQ Water Division Director	Trevor will discuss the recent comments from OWAC members about phase 1 rule.		For Discussion and Feedback	<p>Trevor stated ADEQ has received questions about what is the rush with the Phase 1 rulemaking. He stated the comment received during development of the 5-year plan was that we needed to do a technical fix quickly. ADEQ agreed to this recommendation and have moved forward to get the "band aid" fix completed as quickly as possible. Trevor reviewed the timeline which shows that we have been working on the rule for a year and he is pushing the staff to fulfill his promise to get the rulemaking finished in a timely manner. He apologized for any missteps and understand there may be a burden from trying to get the rule done quickly. He stated that he is ready to move forward but if OWAC members do not feel this rulemaking adds value and is a distraction then he is willing to stop the process.</p> <p>OWAC Member Discussion:</p> <ul style="list-style-type: none"> • On the fence about moving the rules forward. Can go either way. Is it worth it when most will be changed in phase 2. Feel we should move phase 1 forward and then fix in phase 2 • Happy with the rule changes and there are 2-3 items in the draft which will benefit Arizona residents and will help the regulators. Many of the changes are just clarifying

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					<p>the language</p> <ul style="list-style-type: none"> • In favor of reviewing a few sections today and then come to agreement on the language and whether we should agree to move forward • We as stakeholders have our integrity on the line. We said in the 5-year plan we wanted the phase 1 rule changes and we need to fulfill that goal • Concern that we are being watched closely to see if the industry and regulators can work together. Want to prove we can do that • Good effort has gone into the rule but I have 3-4 sections in phase 1 that are problematic and could have significant impact. Need to have this discussion after we discuss the rule today • Let's spend time reviewing it today. Start on page 1 and go change by change and then come back to the sections which need the most discussion • Option is to deal with the key issues and then go back page by page • At the end of this meeting today, we need to have an agreement on whether or not we are going to move forward with phase 1
<p>Phase 1 Draft Rule Language Review (3 hours)</p>	<p>Jake Garrett, Chair</p>	<p>Based on the path forward decision, the group will review the revised language in Phase 1 rule.</p>		<p>For Discussion and Feedback</p>	<p>OWAC members reviewed the proposed rule language. Changes were made in the rule draft word file. Below is a summary of the agreed upon changes.</p> <ul style="list-style-type: none"> • A309(A)(9) - Leave the first sentence and remove "functionally equivalent components" sentence in (a) and leave the language in b, c, and d and in section bi added language to clarify conversion of the system. Clarify (b)(i) "powered equipment" to "mechanical device" <ul style="list-style-type: none"> • <i>Additional Comment: Remove the word current</i> • A309(A) (11) – Add "Gray water, as defined in R18-9-101, may be utilized in accordance with Article 7 of this Chapter." These are existing requirements that have been put into one location. (Gray water references throughout rule were reviewed) • A309(C)(1)(b) – remove "regulatory representative" sentence, superfluous here • A309(C)(2)(f) – replaced applicant or applicant's agent etc. and replace with current engineer or designer of record; and add language about preventing backfill before verification <ul style="list-style-type: none"> • <i>Additional Comment: Backfilling language agreed upon was hard fought and more along the lines of "delegated inspector shall not authorize backfilling of system components prior to installation verification by engineer or designer of record"..in other words they may not put "ok to backfill" on the white tag or red tag. Permission to backfill would be an e-mail to both the party requesting the inspection and the engineer or designer of record AFTER the delegated authority has the COC from the engineer or designer of record.</i>

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					<ul style="list-style-type: none"> ● E323 - 3b change to ultraviolet radiation disinfection – also modify E320 to add “ultraviolet” to “radiation” ● New language regarding certification of completion <p>Issues raised that should be discussed as part of phase 2:</p> <ul style="list-style-type: none"> ● Hydraulic analysis ● A309 - always use sewer if available ● A309 - graywater use and aligning with recycled <p>Items included in chat which were not discussed during the meeting:</p> <ul style="list-style-type: none"> ● \$12,500 ● Table #1/ Fixture/Flows ● Tanks ● Under SAR table (pg. 29 of 55) it states "use the higher of the perc rate" it should say use the "slower" perc rate...if it falls between two values [ADEQ staff disagrees] ● Definition of cesspool should state "raw sewage" ● 351(B)(B)(1) should state "animal" and human excreta to cover shelters and kennels ● Under design flow for hotels - take out "assumes outsourced linen laundry" because small rural hotels DO NOT outsource laundry ● Under design flows - "kitchen Waste - disposal services" what is this and how is it different than a garbage disposal? ● <i>pg. 29 of 55 - "high perc rate".... although ADEQ disagrees, that's too bad...ADEQ needs to get on board with industry jargon...we say fast or slow perc rate...if someone tells me they have a high perc rate then I think the site percs too fast...not they have a high number.... not sure why ADEQ inserted this change, but it makes the rule more confusing</i> <p>Due to time constraints ADEQ agreed to review and include language from suggestions on the table before the vote. These items included one from Jake on altering language in E322 to open the drip tubing market to both tubing manufacturers now marketing in AZ. Please add notes as to what was left on the table and its disposition.</p> <p>Jake made a motion that OWAC agrees to move forward with phase 1 rulemaking and forward the language as existed at the time of the vote and including any additions that ADEQ would make from suggestions on the table at the time of the vote. Motion passed unanimously.</p>
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Adjourn	Jake Garrett, Chair				Next Meeting: March 1 <i>February meeting canceled due to the AzOWRA workshop and joint TWG meeting on Feb 2 and 3.</i>
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No.	Action to be Taken	Person Responsible	Due Date	Comments	Percent Complete				Date Complete
59	Trevor's challenge for the onsite vs. sewer discussion				25	50	75	100	
60					25	50	75	100	
61					25	50	75	100	
					25	50	75	100	
					25	50	75	100	
					25	50	75	100	