Meeting Agenda/Summary

Meeting
Water Quality Division: Onsite Wastewater Advisory Committee (OWAC) (REVISED DURING MARCH MEETING)

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

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
☐ Morgan O’Connor, Community Liaison

<table>
<thead>
<tr>
<th>Agenda Topic</th>
<th>Lead</th>
<th>Overview</th>
<th>Documents (* on ShareFile)</th>
<th>Action Requested</th>
<th>NOTES</th>
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| Welcome (15 mins) | Jake Garrett, Chair | • 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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<th>ADEQ’s PPL Reset Decision (20 mins)</th>
<th>Matt Ivers, ADEQ, Groundwater General Permits Unit Manager</th>
<th>ADEQ received a stakeholder request to reset all PPL certifications to numbers in rule. Matt will announce ADEQ’s decision.</th>
<th>2022 Roster</th>
<th>2022 Roster*</th>
<th>the OWAC ground rules.</th>
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<td>OWAC Member Discussion:</td>
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<td>For Information</td>
<td>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.</td>
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<td>Phase 1 Rule Path Forward (20 mins)</td>
<td>Trevor Baggiore, ADEQ Water Division Director</td>
<td>Trevor will discuss the recent comments from OWAC members about phase 1 rule.</td>
<td>For Discussion and Feedback</td>
<td>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.</td>
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<td>OWAC Member Discussion:</td>
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<td>For Discussion and Feedback</td>
<td>OWAC Member Discussion:</td>
<td>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.</td>
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<td>OWAC Member Discussion:</td>
<td>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</td>
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<td>OWAC Member Discussion:</td>
<td>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</td>
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Phase 1 Draft Rule Language Review (3 hours)

| Jake Garrett, Chair | Based on the path forward decision, the group will review the revised language in Phase 1 rule. | For Discussion and Feedback |

| 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. |

- **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”
  - Additional Comment: Remove the word “current”

- **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
  - 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.
- E323 - 3b change to ultraviolet radiation disinfection – also modify E320 to add “ultraviolet” to “radiation”
- New language regarding certification of completion

Issues raised that should be discussed as part of phase 2:
- Hydraulic analysis
- A309 - always use sewer if available
- A309 - graywater use and aligning with recycled

Items included in chat which were not discussed during the meeting:
- $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?
- 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 perc too fast...not they have a high number.... not sure why ADEQ inserted this change, but it makes the rule more confusing

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.

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.
Adjourn: Jake Garrett, Chair

Next Meeting: March 1
February meeting canceled due to the AzOWRA workshop and joint TWG meeting on Feb 2 and 3.

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<th>No.</th>
<th>Action to be Taken</th>
<th>Person Responsible</th>
<th>Due Date</th>
<th>Comments</th>
<th>Percent Complete</th>
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<td>59</td>
<td>Trevor’s challenge for the onsite vs. sewer discussion</td>
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