

Meeting Agenda/Summary

Meeting	Water Quality Division: Onsite Wastewater Advisory Committee (OWAC)
Date	Tuesday, November 15, 2022
Start / End Time	10 am - Noon
Virtual Meeting	Zoom link in calendar invite
Documents	Located in ShareFile - https://azdeq.sharefile.com/

MEMBERS

X David Bartholomew, Bartholomew W Services, Inc.

☐ Mark Basic, Basic Drilling Company (RENEWED TERM)

X Colin Bishop, Anua

X Bryan Chiordi, Orenco

X Jake Garrett, Gila County, Chair

☐ Jaimee Griffin, PE Drilling

☐ Dawn Long, First American Septic Service LLC

X Michael Stidham, EZ Treat, Inc

X Frederick Tack, GHD Inc.

X Jenny Vitale, PE, Civil Engineer

X Joelle Wirth, Summit Environmental LLC

X Kitt Farrell-Poe

☐ Doug Disbrow, OMC Co-Chair

X Dave Lentz, Future State Chair

ADEQ STAFF

X Trevor Baggione, ADEQ, Water Quality Division Director

☐ Naveen Savarirayan, Mgr, GW Protection Value Stream

☐ Matt Ivers, Mgr, GW General Permits and Reuse Unit

X Theresa Gunn, Project Manager

☐ Jon Rezabek, Legal Specialist

☐ Karthik Kumarasamy, PhD, PE

X Linneth Lopez, Environmental Engineering Specialist III

X Raymond Morgan, Trainer

X Cullin Pattillo, Environmental Engineering Specialist III

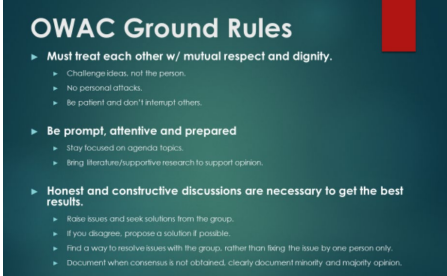
X Luke Peterson, Environmental Engineer Specialist III

X Chloe Woods, Delegation Agreement Coordinator

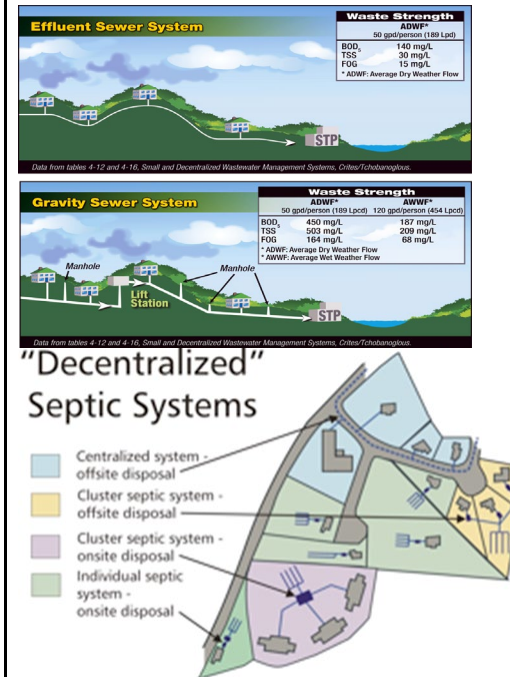
X Heidi Welborn, Legal Support

☐ Morgan O'Connor, Community Liaison

Meeting Agenda/Summary

Agenda Topic	Lead	Overview	Documents (* on ShareFile)	Action Requested	NOTES
10:00 am Welcome (10 mins)	Jake Garrett, Chair	<ul style="list-style-type: none"> • Roll Call • Review October Notes • Review Ground Rules 	October Notes* November Agenda* Ground Rules*	For Information	 <p>Kitt made a motion to accept the October meeting notes pending review by Bryan. Fredrick seconded the motion and it passed. Bryan to provide any additional comments to Theresa next week. Trevor thanked the members for their continued participation. He stated this was still a priority for him; however, the election will result in state leadership changes and at this time we do not know the potential impact to ADEQ.</p>
10:10 am A312G LECS Conveyance (50 mins)	ADEQ	ADEQ response to OWAC recommendation for A312G for current use			<p>Ray provided an update on the ADEQ discussions regarding the recommendation and key questions for which ADEQ needs additional input. (See attached presentation)</p> <p>Discussion:</p> <ul style="list-style-type: none"> • Permitting bifurcation is not a good and should be avoided if possible • Delegate as much as possible including reuse • Would like more time to review and give additional comments • ADEQ comments: <ul style="list-style-type: none"> ○ Is it being used to overcome site limiting conditions only? ○ Difficult to understand who is responsible and more of a risk under a general permit if something was to go wrong ○ If individual it would be issued by ADEQ • How can we shore up the accountability under a general permit? • What would be considered an effluent collection system? Where is the effluent coming from and where is it going? (See attached definition and images)

Meeting Agenda/Summary





- Use the same approach as gravity systems are treated today
- Shouldn't starve out a media filter
- Lot of options for dividing up the collection areas and the treatment areas
- This change does provide flexibility for the designers
- Can we have a mixed gravity and collection system?
- Potential for regulatory headaches around the responsibility of maintenance and who is accountable
 - This is a major concern for ADEQ. In phase 2 we can address these issues, but challenges with the current rule
- A liquid sewer isn't in the current rule
- PPLs have been approved to accommodate this
- This isn't anything new and is being used in locations
- Could be both general and individual permits
- Can create public/private partnerships for innovative solutions
- Homeowner disputes can get ugly and impact the system operation

Meeting Agenda/Summary

					<ul style="list-style-type: none"> • Need to have an association created with defined responsibilities to ensure the system is maintained properly <ul style="list-style-type: none"> ○ Is there a way to make that happen under A312G? ○ Counties can require the bond and other accountability ○ Don't currently have in rule the operation and maintenance requirements ○ Believe when the rule is silent, the counties have the right to use good design judgment to add requirements ○ Encourage ADEQ to go beyond what we think we can ○ Have the O&M in the PPL certification; put the accountability on the manufacture for an assurance program • This helps alleviate issues with the large tank maintenance and pumping issues • This is a state program and needs to be consistency and reasonable justifications with adequate notice • May need to include on whether or not these systems would be grandfathered into the • OK to be an individual permit if delegated to the counties • Department needs to figure out how to do this under the current rule • Treat the same as sewer instead of calling it sewer • New idea of having a PPL submittal and approving it in that manner <ul style="list-style-type: none"> ○ PPLs typically focus on the treatment not disposal • Would like to have an independent group to which an applicant can appeal a 312G opinion <p>4.01 subgroup will discuss the key questions and provide additional input on the key questions proposed by Jake. All other members should send their input to Ray before the December meeting.</p>
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Meeting Agenda/Summary

11:00 am Phase 2 Schedule (10 mins)	Theresa Gunn, PM				<div> <div>TENTATIVE SCHEDULE</div> <div>   </div> <div> <p>TWG Recommendations to OWAC</p> <ul style="list-style-type: none"> • May 2023 </div> <div> <p>OWAC Recommendations to ADEQ</p> <ul style="list-style-type: none"> • July 2023 (those requiring legislation) • August 2023 </div> <div> <p>ADEQ Decisions</p> <ul style="list-style-type: none"> • October 2023 </div> <div> <p>Rulemaking</p> <ul style="list-style-type: none"> • 2024 </div> <p>Theresa reviewed the proposed schedule. Jake stated the TWGs need to be done in April since the OWAC meeting is in early May. We need to be moving forward in each of the work groups.</p> <p>The group discussed the need to be reaching out to other stakeholders. It was stated that input is needed from the homebuilders, developers and others. Also, include engineers, property management companies for HOAs. Theresa stated that leadership is reviewing a communications and engagement strategy which includes several phases of reaching out to others throughout the state.</p> </div>
11:10 TWG Task List (10 mins)	Theresa Gunn, PM	Review google sheet available to all members		Onsite Wastewater Task Assignments	Theresa reviewed the task assignment spreadsheet. Members are encouraged to review the document so they are aware of what others are doing. Theresa will work with the chairs to keep it up to day.
11:25 TWG Reports (15 mins)	TWG Chairs	<ul style="list-style-type: none"> • Design/Permitting: Jake • Future State: Dave L • Operations Maintenance Certification: Dave B 			<p>Future State TWG: The group is focusing on wastewater reuse. They have defined the potential reuses and will apply log reductions. The TWG will coordinate with the PPL TWG to ensure they align. Second focus is on the implementation of the rule and implications such as workforce training and regulatory program changes. It is the desire to ensure the rule is implemented in a logical manner.</p> <p>OMC TWG: Group is meeting tomorrow. Continue with certification levels and operator training. About ¾ done with the certification requirements.</p>

Meeting Agenda/Summary

		<ul style="list-style-type: none"> • PPL: Joelle • 4.01 Decoupling: Bryan • Statewide Database: Theresa 			<p>Design and Permitting TWG: Jake stated the group is focused on horizontal setbacks and will adjust as needed to align to the log reductions coming from the PPL and future state. Also working on vertical separations. The December meeting will discuss the SARA formula and a recommendation on the formula.</p> <p>PPL TWG: Working on the product approval process using input from other states. Partnering with DP TWG on the overlap issues.</p> <p>4.01 Decoupling: Anyone wanting to make comments on Ray's presentation forward to Ray or Bryan.</p> <p>Statewide Database: Theresa reported the group has met and is receiving support from the ADEQ IT and GIS team. The group is reaching out to the counties to learn what systems they currently use.</p> <p>The group discussed the work Ray is doing on potential changes to Table 1. Colin will help Ray with the Table 1 revisions. Need to ensure the table is useful for the practitioners.</p>
11:35 2023 OWAC Members (10 mins)	Theresa Gunn, Project Mgr	Discuss the process for the annual OWAC membership application process		For Information	Theresa stated that the applications for 2023 were announced on November 1. Currently 8 applications have been received. ADEQ will review the applications, seek input from the OWAC chair and then make recommendations to leadership who will appoint the members. Intent is to have the new members attend the January meeting. In January, the members will also elect a new chair.
11:45 Program Update (10 mins)	Matt Ivers, Unit Mgr	<ul style="list-style-type: none"> • NPRM (Phase 1) • SPSs • Phase 2 Exemption Memo 			Matt was unable to attend the meeting. Theresa reported the Notice of Final Rulemaking should be filed in mid-December. In addition, the Governor's office approved the Phase 2 rulemaking exemption memo so we have authority for Phase 2. It is unknown if the new Governor will put a halt to all rulemaking until they review.
11:50 Review New Action Items (5 mins)	Theresa Gunn, Project Mgr	New Action Items	Action Plan	For Information Only	Theresa reviewed the new action items. See below.
12:00 Adjourn	Jake Garrett,				The meeting was adjourned at: 12:02 pm. Next Meeting: December 6

Meeting Agenda/Summary

	Chair				Agenda: TBD
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No.	Action to be Taken	Person Responsible	Due Date	Comments	Percent Complete				Date Complete
82	Summary of FY23 infield testing to OWAC members	ADEQ			25	50	75	100	
84	Review the 312G draft and make determination if it can be used statewide	ADEQ	12/6/2022	Members to provide input to questions	25	50	75	100	
86	Change the schedule to have TWG input to OWAC by April	Theresa			25	50	75	100	
87	Provide a response to Ray's questions	4.01 Decoupling	12/6/2022		25	50	75	100	
88	Assist Ray with Table 1 Revisions	Colin	end of year		25	50	75	100	
89	Add discussion of a technical review board as part of phase 2	Future State			25	50	75	100	

Decision Matrix for an Effluent Collection System

An effluent collection system could be defined as a treatment and conveyance system that consists of an upstream septic tank (providing primary treatment) that discharges effluent by either gravity or pump to a collection sewer that ultimately discharges to either a municipal sewer system or a downstream onsite treatment and disposal system.

The question then arises as to how to permit this effluent collection system using the current rules in the Arizona Administrative Code. The following decision matrix (in an outline format) lists some key questions and the pros and cons associated with a possible yes or no to that question.

1. Should an effluent collection system be permitted as an individual permit?

a. Pros

- 1) More accountability in terms of operation and maintenance
- 2) More accountability in a financial area since the permittee must post bonds or some form of financial assurance that the collection and treatment systems will be properly operated and maintained
- 3) Increased flexibility in preparing the design for the collection and treatment systems

b. Cons

- 1) Increased regulatory burden on the permittee
 - a) More monitoring reports will be required
 - b) Greater frequency in submitting monitoring reports
- 2) Increased costs associated with applying for an individual permit

Meeting Agenda/Summary

- 3) Increased costs associated with completing the tests required under an individual report and submitting that testing information to ADEQ
- 4) More time required to issue an individual permit
- 5) Individual permit is also subject to a public hearing which could create some additional delays
- 6) Additional 208 review may be required beyond that typically done for a Type 4.23 permit
- 7) Would require ADEQ to issue permit
2. Should an effluent collection system (either gravity or pressure system) be permitted as a general permit?
 - a. Pros
 - 1) Enough engineering details are present in various permits to prepare a suitable design
 - 2) Less regulatory burden to the permittee
 - 3) Less cost to the permittee
 - 4) Shorter time period to issue a general permit
 - 5) Shorter 208 review for a Type 4.23 permit
 - 6) No public hearings
 - 7) Delegated agencies can issue the permit
 - b. Cons
 - 1) Limited accountability for the operation and maintenance of the collection and treatment systems. This accountability will depend upon the permittee. The Permittee could be a Home Owner's Association (HOA) or a Sanitary Improvement District (SID). If it is an HOA, the accountability will probably not be as significant as a SID.
 - 2) Limited accountability for the financial integrity of the collection and treatment system. See comments above for an HOA and SID.
 - 3) An A312G will need to be used more extensively in some design scenarios. The term "feature" in R18-9-A312G.1 may need to be interpreted more broadly than has been done in the past.
 - 4) Greater chance of environmental or health problems

Summary of Key Questions

1. Should an effluent collection system be permitted as an individual permit?
2. Should an effluent collection system (either gravity or pressure system) be permitted as a general permit?
3. How should an A312G be used?

Meeting Agenda/Summary

4. Should an effluent collection system be allowed to discharge to a public sewer that connects to a municipal treatment plant?
5. Should an effluent collection system be allowed to discharge to an onsite wastewater treatment facility?
6. Will an effluent discharge to a municipal treatment plant starve the treatment plant of needed carbon for the treatment process?

Comments from Delegated County Agencies

1. Some counties are not delegated to issue the Type 4.01 permit.
2. Pima County would only use the effluent collection system if the development could not be connected to the public sewer.
3. Pima County liked the idea of effluent collection system since it gave them more flexibility in solving development problems.
4. Maricopa County supported the idea of the effluent collection system since it gave them more flexibility in solving development problems. There are treatment capacity problems at the present time in Maricopa County.
5. Maricopa County had some concerns about the HOA owning and operating the effluent collection system.
6. Gila County supports the use of an effluent collection system and would like it tied to all the Type 4 onsite treatment permits without being tied to the Type 4.01 permit and just use an A312G to tie the design requirements to the Type 4 treatment permit.
7. Gila County has not had problems with their effluent collection systems.
8. Mohave County and Gila County had concerns about the permittee having to work with both ADEQ and the local county in getting a development permitted.
9. Mohave County questioned why the effluent collection system needed to be tied to the Type 4.01 permit.
10. Mohave County had questions about how to permit the effluent collection system.
11. Mohave County and some of the other counties questioned what fee that would charge for permitting an effluent collection system since they did not have it in the present fee structure.
12. Coconino County sent some comments to me in a separate email. Some key comments are listed as follows:
 - a. Supports the use of an effluent sewer system
 - b. Believes the Type 4.01 permit is clearly for large sewer systems
 - c. The IPC or IRC may be a better choice in some situations
 - d. Believes the design standards in Manual of Practice FD-12 of the Water Environment Federation may be a good design standard
 - e. Permitting is somewhat complicated because it would be split between several divisions
 - f. Believes there is a problem with large tanks and their maintenance

Revised TWG Schedule:

TENTATIVE SCHEDULE

TWG Recommendations to OWAC

- **APRIL 2023**

OWAC Recommendations to ADEQ

- July 2023 (those requiring legislation)
- August 2023

ADEQ Decisions

- October 2023

Rulemaking

- 2024

