

Meeting Agenda/Summary

Meeting	Water Quality Division: Onsite Wastewater Advisory Committee (OWAC)
Date	Tuesday, December 6, 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.
X 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.

☐ Jenny Vitale, PE, Civil Engineer
X Joelle Wirth, Summit Environmental LLC
X Kitt Farrell-Poe
X GUEST: Nick Noble, PPL Co-Chair

ADEQ STAFF

X Trevor Baggiore, ADEQ, Water Quality Division Director
☐ Naveen Savarirayan, Mgr, GW Protection Value Stream
X 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

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 November 	November Notes* December Agenda* Ground Rules*	For Information	November notes: Motion to approve the notes as written made by Kitt, seconded by Frederick. Motion passed unanimously. Jake also reminded

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		Notes ● Review Ground Rules			the members of the ground rules and thanked them for being respectful and courteous to each other.
10:10 am A312G LECS Conveyance (50 mins)	Ray Morgan, ADEQ	Review of Comments Received to the Key Questions			<p>Ray reviewed the additional comments received on this topic since the last OWAC meeting and asked if there is any additional input.</p> <p>OWAC Discussion:</p> <ul style="list-style-type: none"> ● Intent was to allow a path forward until phase 2 rulemaking ● To go to an individual permit would be over regulation and burdensome ● Having permits split between the county and the state is not desirable ● If touching an existing collection system there are other permits involved and another individual permit would be over regulation ● Counties should have the flexibility to add O&M and other requirements under A312G ● Huge potential for orphan systems if not tracked and enforced ● Against having as a general permit ● This should not have become such a major issue ● County is comfortable with applicants coming to them to approve as a general permit ● Use the A312G as a stopgap and add a temporary O&M requirement ● Shift focus to the A312G instead of general versus individual permit to find the way to allow ● How can it be considered as an interim permit? Temporary permits until phase 2? No, they would not need to get a new permit after phase 2 ● Counties use A312G to negotiate / use discretion to require additional requirements for a permit ● If you sell a 4.01, the department is notified and ownership transferred. If it doesn't happen, the original 4.01 permittee is responsible for any SOS. ● When managed by an HOA they are self-regulated and they are operated by a third party ● A 4.23 requires a maintenance plan and could be used ● Only 1.09 permits are considered grandfathered, not those previous to the rule.

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					<ul style="list-style-type: none"> A312G(3) is where we have the flexibility if the applicant can address more satisfactory that rule requirements <p><i>Motion: Bryan moved and Joelle seconded to refer this to the 4.01 Decoupling Subgroup for further discussion. Motion passed unanimously.</i></p>
11:00 am Recommendations from PPL TWG (20 mins)	Joelle Wirth, Chair	Review and determine if the PPL recommendations should be moved forward to ADEQ		For Decision	<p>Unique #s: In Phase 2 technologies should be certified based on the treatment levels and not unique numbers from the technology's performance testing data. <i>(After O&M, training program, database and field-testing programs established then unique numbers could be considered)</i></p> <ul style="list-style-type: none"> PPL is still working on the field-testing program and other groups are working on the other items listed in italics above. <p><i>Motion to accept the recommendation above and forward to ADEQ: Bryan moved, Frederick seconded. Motion passed unanimously.</i></p> <p>Advisory Committee: An advisory committee will review and provide a recommendation on PPL applications. <i>(Could also be used for getting best science on other issues)</i></p> <ul style="list-style-type: none"> The advisory committee could be an expanded OWAC with additional roles to give advice on a broad range of issues and potentially review permit decisions. The charter and rules of engagement of the group will be important. In the past citizens and practitioners brought issues to OWAC for review <p><i>Motion to accept recommendation above and forward to ADEQ: Bryan moved, Kitt seconded. Motion passed unanimously.</i></p> <p>Reciprocity: Arizona should not accept any PPL certificates issued by other states.</p> <p><i>Motion to accept recommendation above and forward to ADEQ: Frederick moved,</i></p>

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					<i>Dave seconded. Motion passed unanimously.</i>
11:20 am 2023 Members (10 mins)	Theresa Gunn, PM	Update on applications and discussion of January meeting			<p>Have received 12 applications which are being reviewed by the chair and ADEQ. ADEQ will decide on new members this week. Members discussed the January and February meeting schedules.</p> <p><i>Motion to schedule the January OWAC meeting on the 13th in person with virtual option and an all-day TWG meeting face to face on January 12. Kitt moved and Joelle seconded. Motion passed unanimously.</i></p> <p><i>(NOTE: After the meeting, due to conference room availability, ADEQ switched the days for the OWAC and in-person meeting.)</i></p> <p>ADEQ staff introduced the idea of changing the operating policies to have a vice chair and chair instead of just a chair. Vice chair would serve one year and then one year as chair.</p> <p><i>Motion to amend by Joelle, seconded by Frederick. Motion passed unanimously.</i></p> <p>Send out the new roster to all OWAC members and then ask if they want to nominate someone or self-nominate for the chair and vice chair.</p> <p>Consider extending Jake's term one more year to serve as chair and train a vice chair.</p>
11:30 am TWG Reports (15 mins)	TWG Chairs	<ul style="list-style-type: none"> ● Design/Permitting: Jake ● Future State: Dave L ● Operations Maintenance Certification: Dave B ● PPL: Joelle 			<p>Design and Permitting - Jake reported the group will be meeting next week. Topic is the development of the existing SARA formula and how it applies to reductions in vertical and horizontal setbacks. Ray has done a lot of research on the formula and Colin Bishop and Morgan Stine were involved in developing the formula during previous rulemakings.</p> <p>Future State has met and Theresa will follow up with Dave Lentz.</p> <p>PPL is continuing to work on the application submittal process and the components</p>

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		<ul style="list-style-type: none"> • 4.01 Decoupling: Bryan • Statewide Database: Theresa 			<p>of the technical advisory group. Need to go back to treatment levels to add in the conventional systems and placeholder for indicator organisms. Developing justification for the tiers. The group will be setting up a parking lot of the items to be discussed. Have met with design and permitting and will need to meet with OMC. Meeting every two weeks for two hours. Need to focus on doing the homework between meetings.</p> <p>OMC is considering the tiers for the certification. The direction they were headed began to not make sense. Homework is doing comparison with other states and how they organize the certification tiers. ADEQ staff is pulling language from other states on operation of the certification program.</p> <p>4.01 Decoupling: Joelle stated the group is editing a document (to serve as guidance for phase 2. Document based on the Iowa STEP and STEG document. The group will also provide additional guidance on the A312G key questions.</p> <p>Statewide Database: Met with Gila County and will have a demo for Online RME at the next meeting.</p>
11:45 Program Update (10 mins)	Matt Ivers, Unit Mgr	<ul style="list-style-type: none"> • NPRM (Phase 1) • SPSs 			<p>Matt updated that the staff is finishing responses to comments for NPRM phase 1 and will then file with the Secretary of State.</p> <p>SPS - The RV holding tank and odor prohibitor SPS has been sent to the Secretary of State and notice will be sent to the delegated authorities.</p> <p>Phase 2 rule exemption has been approved by Governor Ducey's office. This gives the agency authority to move forward with phase 2 rulemaking.</p>
11:50 Review New Action Items (5 mins)	Theresa Gunn, Project Mgr	New Action Items	Action Plan	For Information Only	Theresa reviewed the action items. (See below.)

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12:00 Adjourn	Jake Garrett, Chair				<p>The meeting was adjourned at: 12:05 Next Meeting: Rescheduled to January 13, 2022 Agenda: TBD</p> <p>Motion to adjourn: Motion by Kitt, seconded by Dave, Motion passed unanimously.</p>

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	On agenda	25	50	75	100	
88	Assist Ray with Table 1 Revisions	Colin	end of year	Ray sent draft to Colin	25	50	75	100	
89	Add discussion of a technical review board as part of phase 2	Future State		Part of the recommendation from PPL	25	50	75	100	
90	4.01 Decoupling to review the pros and cons on the A312G for LECS and provide additional input to ADEQ	4.01 Decoupling Group	End of year		25	50	75	100	
91	Reschedule the January OWAC meeting and an all day TWG meeting	Theresa	ASAP		25	50	75	100	12/6/22
92	Send out roster of new members to OWAC and ask for leadership nominations	Theresa	12/13/2022		25	50	75	100	
93	Consider extending Jake's term one more year to serve as chair and train a vice chair.	Theresa			25	50	75	100	
94	Amend the operating procedures to allow for a vice chair in addition to chair	Theresa			25	50	75	100	12/6/2022
95	Consider extending Jake's term one year to allow him to continue as the chair and train a vice chair	ADEQ	12/9/2022		25	50	75	100	
96	Send RV Holding SPS to OWAC	Theresa			25	50	75	100	
97	Add to TWG December meetings an agenda item to discuss topics for the January joint meeting	Theresa		Completed for D/P and PPL	25	50	75	100	12/6/2022