



Meeting Agenda/Summary

Meeting	Water Quality Division: Onsite Wastewater Advisory Committee (OWAC)
Date	Tuesday, November 12, 2024
Start / End Time	9:00 am – 11:00 am (MST)
Location	Google Meets link in calendar invite
Documents	Located in ShareFile - https://azdeq.sharefile.com/

MEMBERS

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|--|--|---|
| <input checked="" type="checkbox"/> Frederick Tack, PE, Chair | <input type="checkbox"/> Haiden LaFoy, Greenlee County | <input type="checkbox"/> Mark Basic, Basic Drilling Company |
| <input checked="" type="checkbox"/> Dave Bartholomew, Vice Chair | <input type="checkbox"/> Jaimee Griffin, PE Drilling | <input checked="" type="checkbox"/> Mike Stidham, EZ Treat |
| <input type="checkbox"/> Aline Parker-Eaton, Northern Arizona Inspection | <input checked="" type="checkbox"/> Jeremy Griffin, Apollo Drain and Septic Services | <input checked="" type="checkbox"/> Nicholas Noble, Orenco (9:15 Arrival) |
| <input checked="" type="checkbox"/> Brian Knisley, Maricopa County | <input checked="" type="checkbox"/> Kevin Sherman, SeptiTech | |
| <input checked="" type="checkbox"/> Crystal McKee, Mohave County | <input type="checkbox"/> Kitt Farrell-Poe, University of Arizona | |

ADEQ STAFF

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Trevor Baggiore, Water Quality Division Director | <input checked="" type="checkbox"/> Natalie Kilker, Legal Specialist | <input checked="" type="checkbox"/> David Lelsz, Project Manager |
| <input checked="" type="checkbox"/> Randall Matas, Water Quality Division Deputy | <input checked="" type="checkbox"/> Raymond Morgan, Trainer | <input checked="" type="checkbox"/> Dan Borns, Project Manager |
| <input type="checkbox"/> Chloe Woods, Delegation Agreement Coordinator | <input checked="" type="checkbox"/> Linneeth Lopez, Environmental Engineering Specialist | <input checked="" type="checkbox"/> Mannie Bowler, Community Liaison |
| <input checked="" type="checkbox"/> Kyle Uptergrove, Unit Manager | <input type="checkbox"/> Ali Baadiyan, Environmental Engineer Specialist III | |
| <input checked="" type="checkbox"/> JW Thompson, Environmental Engineering Specialist | <input checked="" type="checkbox"/> Luke Peterson, Environmental Engineer Specialist III | |

Meeting Agenda/Summary

Agenda Topic	Lead	Overview	Documents (* on ShareFile)	Action Requested	NOTES
9:00 am Welcome (15 mins)	Frederick Tack, Chair	Roll Call	Ground Rules* Operating Procedures* Members Acknowledgment Form*	For Decision	Call to order at 9:02 a.m. by chair.
9:15 am Minutes review (10 mins)	Frederick Tack, Chair	Review October meeting minutes for approval	OWAC October 1, 2024 Meeting Minutes.docx	For Decision	Motion: Mike S. Second: Vice Chair, Dave B. Discussion: None Vote: Unanimously approved. Minutes Approved 9:08
9:25 am Subcommittee Update (30 min)	Crystal McKee, Subcommittee Chair	Type 4 or 1.09, 1.5 Permit Trigger Subcommittee Presentation	OWAC-Presentation-July 2, 2024 w subcommittee members.pdf Updated Presentation:	For Information	Discussing the 20k limit and determining relevance, committee suggested nitrogen loading be used. Verification of existing system before permitting under 1.5 .Recommends possible permit options in leu of full system replacement.

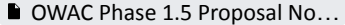
Meeting Agenda/Summary

			<p>P 1.5 Presentation (Triggers, Fi...</p>	<p>OWAC Recommendations:</p> <p>Mike S - Possible Owner appeal process?</p> <p>Kevin S.- Discuss repair, replacement, and modification need to be well defined to know what triggers the permit.</p> <p>Nicholas N. -</p> <p>Brian Knisley</p> <p>Repairs.</p> <p>a. A Notice of Intent to Discharge is not required for routine work that maintains a facility.</p> <p>b. The following work is not considered routine work and a Notice of Intent to Discharge is required:</p> <p>i. Converting a facility from operation only under gravity to one requiring a pump or other powered equipment for treatment or disposal;</p> <p>ii. Modifying or replacing a facility operating under the 1.09 General Permit with a different type of treatment or disposal technology;</p> <p>iii. Changing the treatment.</p>
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					<p>Recommendations - Slide Included in Presentation and displayed below. Below</p> <p>Next meeting to vote on results -</p>
<p>9:55 am</p> <p>Subcommittee Update</p> <p>(10 mins)</p>	<p>Frederick Tack, Chair & Subcommittee Chair - Crystal McKee</p>	<p>Type 4 permit amnesty Subcommittee Updates</p>	<p>OWAC-Presentation-July 2, 2024 w subcommittee members.pdf</p> <p>Updated Presentation:</p> <ul style="list-style-type: none"> OWAC-SC-Type 4 permit amn... 	<p>For Decision</p>	<p>Update moved till after ADEQ 1.5 update.</p> <p>Start: 10:48</p> <p>Recommend allowing amnesty to 4.23</p> <p>For 4.02 - 4.22 can prequalify for amnesty under review of a panel.</p> <p>OWAC Vote:</p> <p>Motion: Yes, with considerations.</p> <p>Move: Nicholas N.</p> <p>Second: Mike S.</p> <p>Discussion: No path for how ADEQ will do this.</p> <p>Approve:</p> <p>Opposed: (Kevin S.)</p>
<p>10:05 am</p> <p>Phase 1.5 Updates from ADEQ</p>	<p>David Lelsz, ADEQ</p>	<p>Recurring action item: ADEQ staff to provide an update on Phase 1.5, if available.</p>	<p>Rulemaking for Onsite Wastewater Treatment Facilities</p>	<p>For Information</p>	<p>Start 9:38</p> <p>Discussion:</p> <p>Mike S. - Operator Cert: Legal obligation between manufacturer and operator. Needs</p>

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<p>(30 min)</p>			<p>Presentation: </p> <p>Feedback Form https://forms.gle/A5vTikjUGkJSz6mgZ</p>		<p>continuing education for operators. Need installation certification process on top of O&M.</p> <p>Nickolas N. - New Technology approval process. Operating Permits recommended.</p> <p>Add comments to Old Business for the next meeting.</p>
<p>10:35 am</p> <p>OWAC ADEQ Collaborative Training Events</p> <p>(10 min)</p>	<p>Ray Morgan, JW Thompson</p> <p>ADEQ</p>	<p>OWAC / ADEQ Training Development</p> <p>Discuss Fats, Oils, and Grease (FOG) presentation.</p> <p>Mass Loading</p> <p>A315 and implementation of grease interceptor</p>			<p>Moved to next meeting for discussion:</p> <p>ADEQ Delegation Agreement Training ADEQ</p>



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<p>10:45 am</p> <p>Open Floor/New Business</p> <p>(15 min)</p>	<p>Frederick Tack, Chair</p>			<p>For Information</p>	<p>Details of the training event were briefly discussed.</p>
<p>11:00 am</p> <p>Adjourn</p>	<p>Frederick Tack, Chair</p>			<p>For Decision</p>	<p>Motion Kevin 2nd Jeremy</p>

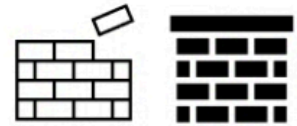
Type 4 or 1.09, 1.5 Permit Trigger Subcommittee Presentation highlights

R18-9-B301(I); -101(20&47); -A309(A)(9) *(simplified)*

- ▶ Currently, the example system would only require replacement (updated permitting) if:
 - ▶ The system was installed after the rule update without notice/approval of the Department. (In the case of today, after 2001)
 - ▶ The system is accepting more than 20k gpd.
 - ▶ The system is failing (violating a water quality standard / creating a nuisance) or is a cesspool.
 - ▶ The flow rate is being increased.
 - ▶ The sewage is more than typical strength (hazardous or otherwise).
 - ▶ The treatment / disposal works are being modified.

- ▶ But...
 - ▶ Are these sufficient, or should there be additional/modified triggers?
 - ▶ How does the owner/operator prove a trigger hasn't occurred?
 - ▶ Should there be other options than just replacement for updated permitting?

Building on Existing Foundations



- ▶ Are these sufficient, or should there be additional/modified triggers?
 - ▶ + The system should have to meet certain code setbacks [ie, a system installed less than 100' to a well should not be granted amnesty and should trigger a 1.5 due to the significant risk to health/safety, however minor setbacks that pose little risk should not trigger this (ie, buildings, drive ways, etc)]. R18-9-A312(C)
 - ▶ + When a system is accepting over 3k, in lieu of 20k, due to the change in permitting considerations under 4.23 (nitrogen). R18-9-E323
 - ▶ “Increase in Flow” should be quantified, a 5gpd increase is unlikely to significantly impact a system, whereas a 150gpd could.*
 - ▶ “Change in Type/Character” should be qualified, an increase in WW strength (ie office to restaurant) impacts a system more than a decrease (ie restaurant to office).*
 - ▶ “Change in Treatment/Disposal process” could be qualified, ie replacing a 1' section of crushed pipe may not significantly impact a system. *

- ▶ + When a system is accepting over 3k, in lieu of 20k, due to the change in permitting considerations under 4.23 (nitrogen). R18-9-E323

In Summary:

- ▶ An existing Type 4, 1.09, or otherwise amnestied onsite wastewater facility should only require replacement by 1.5 standards if the system has been evaluated and found to be either contributing to a health/safety risk, accepting 3,000+gpd, or the characteristics of the system are being modified in such a way as to significantly and negatively impact the functioning status of the system. Additionally, standards regarding *how* evaluate these should be accepted, and depending on the circumstances, an alternative option to add advanced treatment in lieu of full replacement should be considered.

Type 4 permit amnesty Subcommittee highlights

Type 4 permit amnesty

Considerations

- Metrics and Record Keeping
 - One of the issues is record keeping, regarding older OWTFs. Potential records prior to ~7 years ago may not fully exist.
 - If records do not exist, how would one, could one, qualify what was there to grant amnesty to?
 - Would there be factors that qualify for amnesty?
 - To what degree/extent of amnesty is proposed?
 - Who is granting the amnesty? ADEQ or County, and who is responsible for record keeping.
 - Are we feeling around in the dark?
- Peer-Jurisdictional Reviews:

Type 4 permit amnesty

Recommendations

- 4.23 expired systems
 - Yes, allow amnesty
 - Concerned about impact/burden to Owners if amnesty is not provided. Bad actors or failed/failing systems that need improvement, would still fall under a new permit condition.
 - Would be very helpful to expressly re-state, that any changes needed, beyond the boundaries, of current conditions.
 - If they don't have a permit, and they are failing, then they need a new permit anyway.
- Other Type 4 permits (4.02 through 4.22)
 - If, the following can be pre-qualify, then a path for amnesty could be supported
 - What are the factors that qualify for amnesty?
 - Who is granting the amnesty and maintaining the records?
 - Consider amnesty review panel, including review by external SME's, non-regulatory input to elevate acceptance by public.