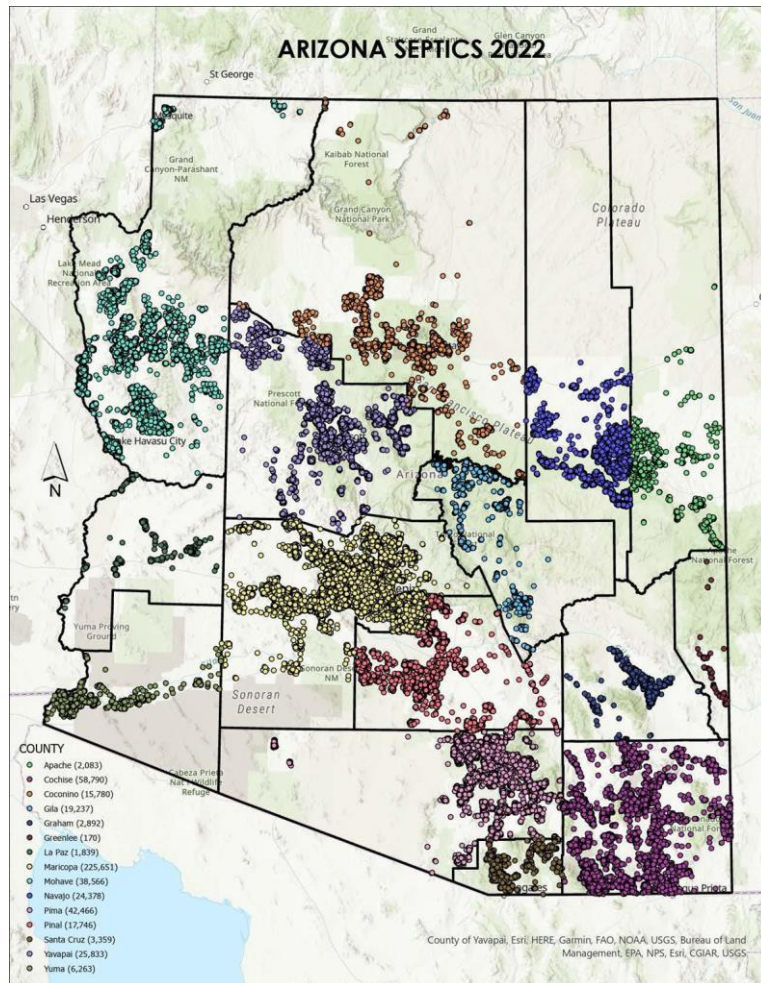


# A New Vision for Arizona's OWTF Regulation

Trevor Baggione, PE  
Water Quality Division Director



## Estimate: 600,000 systems in Arizona



Systems are 50+ Years Old

- 115,000 built prior to 1970
- Approximately 30,000 - 75,000 cesspools (*outlawed 1976*)

According to EPA, one of the top 3 causes of groundwater contamination are old and non operational systems.



ADEQ has neglected the program  
Rules are out of date  
Counties are inconsistent in reviews  
The program isn't responsive  
You make promises and don't keep them

Repair 

Dismantle 

Rebuild 

# 3 YEARS COMPLETED



5 Year Plan Published:  
January 2021

2021-2023:  
Thousands of volunteer hours in  
discussing options

**Today:**  
Framework for new program

## 5 Key Tasks



Initial Rulemaking   
*Effective June 19, 2023*

Ongoing Process Improvements 

Technical Work Groups   
*Began meeting in June 2021*

Additional Rulemaking   
*Proposed framework complete*

Implementation and Evaluation



Current permitting structure **limits innovation**

Permitting bottlenecks due to **lack of clarity** in the rule

Inability to **check** if the system is performing as designed

Limitations on using **recycled water**

**PPL evaluation** process is inconsistent

**Lack of information** on current systems statewide

**Transfer inspection** reports are inconsistent

# Homeowner Problems (2023 Survey)

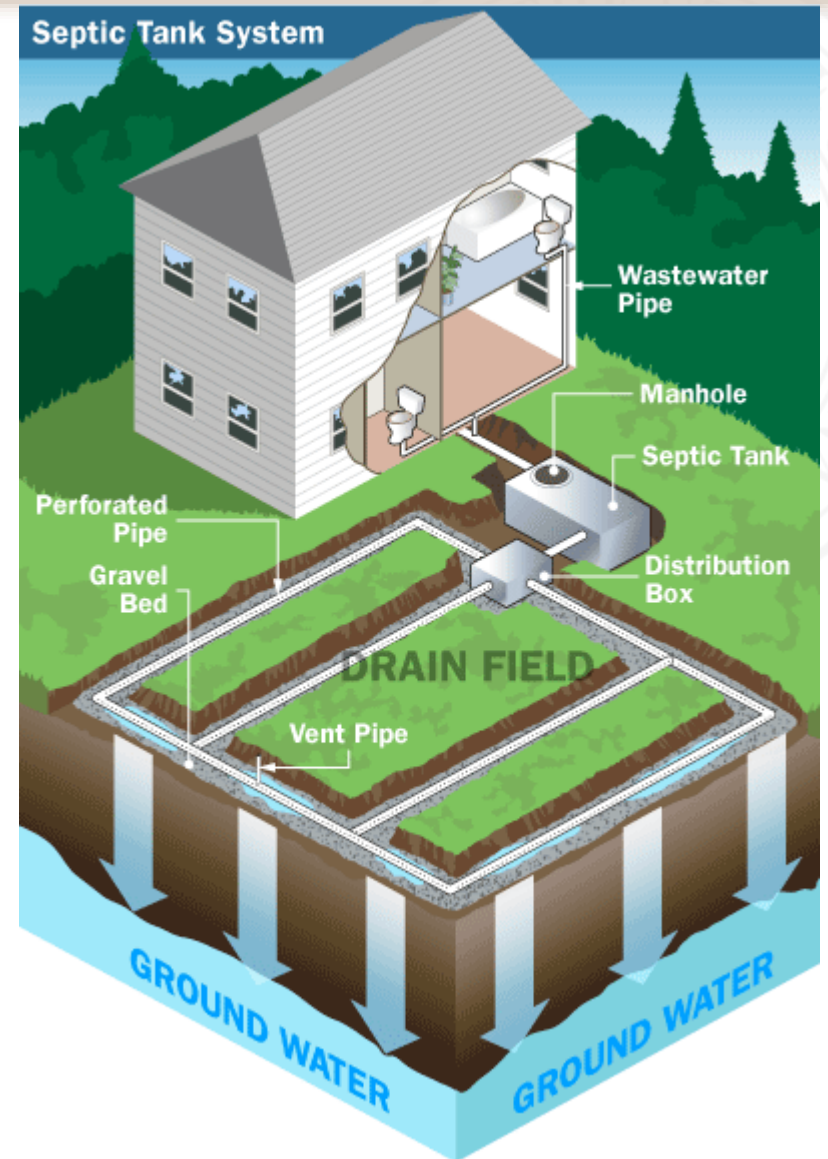
46% have systems **older than 20 years**

38% have had a **problem** with the system

72% **bought home** with existing system

- **67% were inspected**
- 49% received the report
- 60% were pumped
- 21% received permit and maintenance records

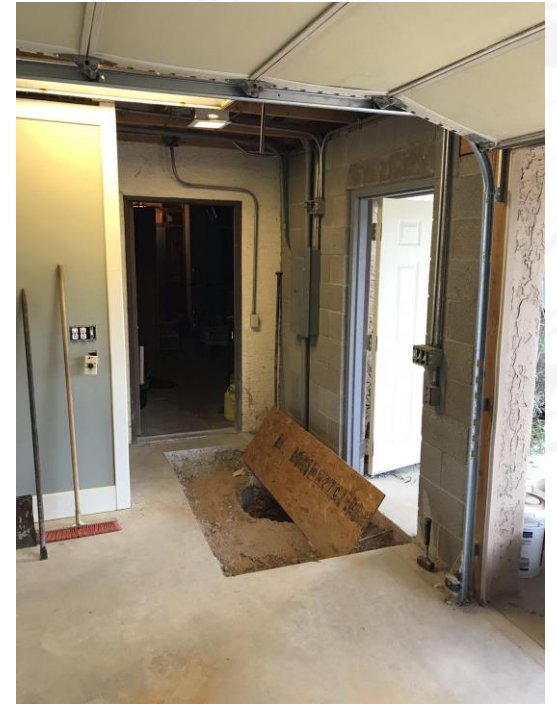
Numerous complaints about fraudulent inspections



## Realtors' Requests to Fix Program

*2023 Survey (535 Responses)*

- Certification of inspectors
- Easy online access to system records statewide
- State funding to help low income families with repairs
- Clarity on when a system is considered operational





# RV and Mobile Home Parks' Problems

- Many located in remote areas without sewer
- Large flow volumes require an individual permit
- Monitoring and financial requirements are cost prohibitive
- Takes longer to get a permit



# County Staff Problems

- 22 permits to manage
- Lack of permitting clarity
- Confusing permitting processes
- Lack of enforcement



# GUIDING PRINCIPLES

Based on **sound science**

Encourage the development and use of **new and evolving technologies**

Provide **leading-edge** environmental and public health protection

Ensures **competent personnel** through a certification program





Become a national leader in **reuse of wastewater**

**Balance** environmental, public health, economic, property impacts

**Radically simple** for customers and staff

**ADEQ commitment** to manage, support and implement program

# 7 Key Changes

## Advanced Treatment Products

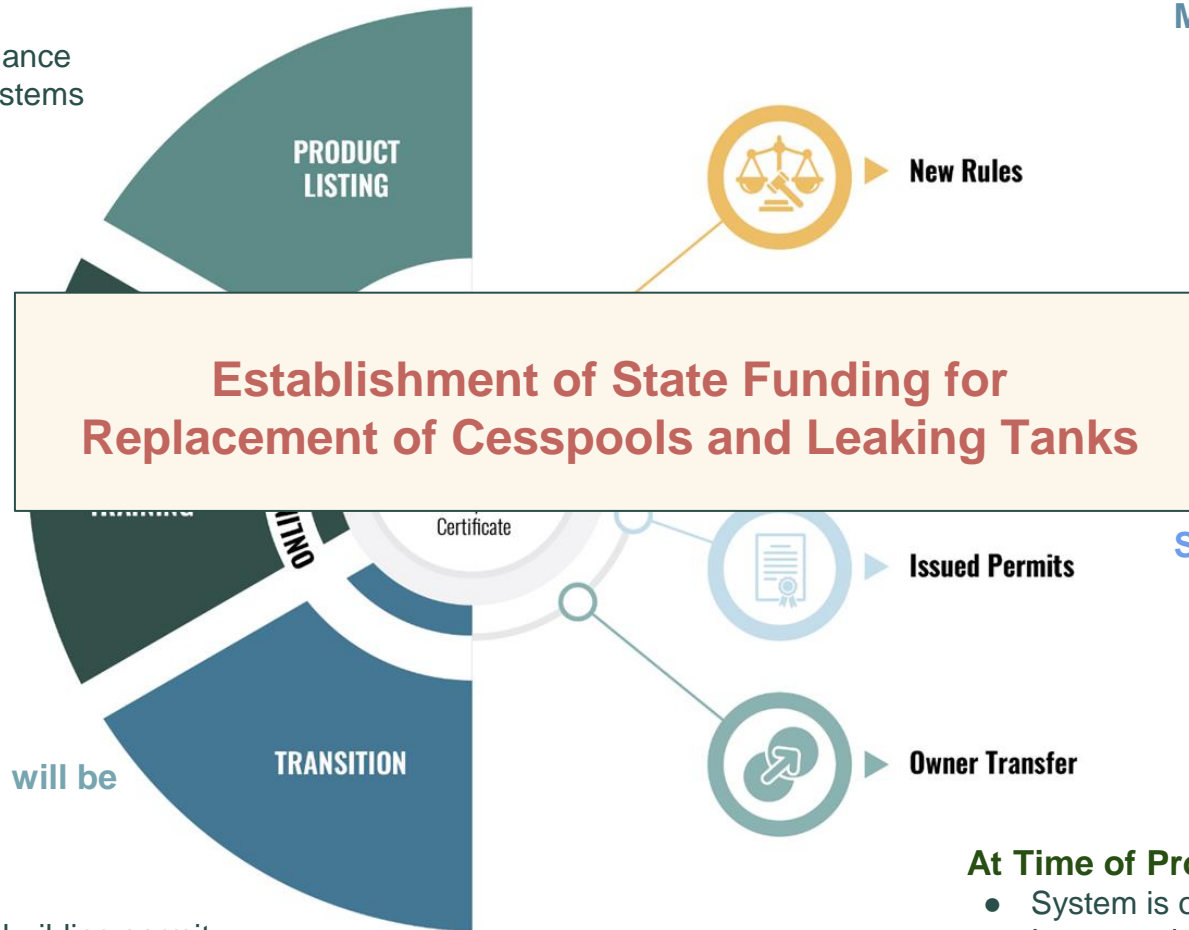
- State issued license
- ADEQ to monitor performance
- No change for existing systems
- Needs statutory change

## Protect Homeowners

- Ensures the professionals inspecting, installing and servicing systems are trained
- Needs statutory change

## Triggers when existing systems will be impacted

- At time of property sale
- Replacement of existing system
- Changes to structure requiring a building permit



## Move out of Aquifer Protection Rule

- Simplifies regulation for RV and mobile home parks and commercial facilities
- No change for existing systems
- Needs statutory change

## Establishes online state database

- Easier access to records for real estate agents and homeowners
- No change for existing systems

## Simplify General Permits

- Reduce number of permits from 22 to 3
- Eliminates multiple permits per site
- Renewable discharge permit (5 years)
- No change for existing systems

## At Time of Property Sale

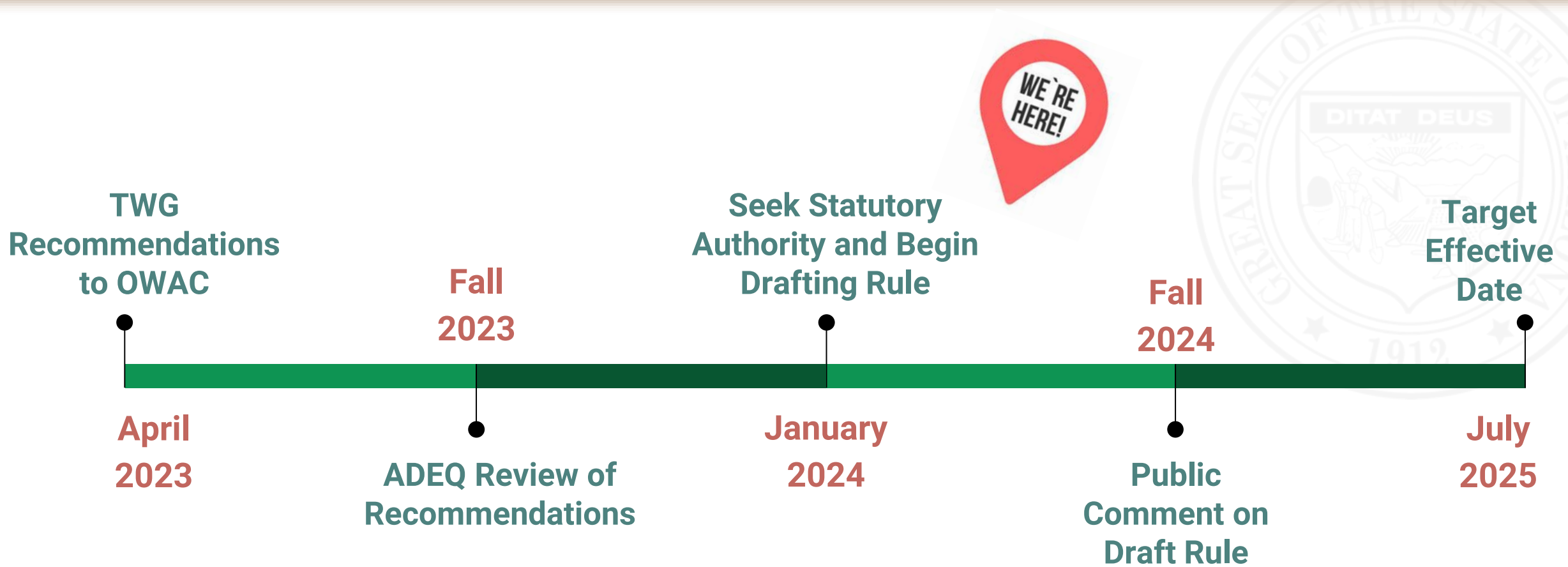
- System is operational
- Inspector is certified
- Online records search

# STATUTORY AUTHORITY NEEDED

- Move program out of APP
- Provide authority to issue permits and 5 year operating certificate
- Create a license for proprietary products
- Establish a certification program
- Update other sections of statute



# Rebuild: Timeline



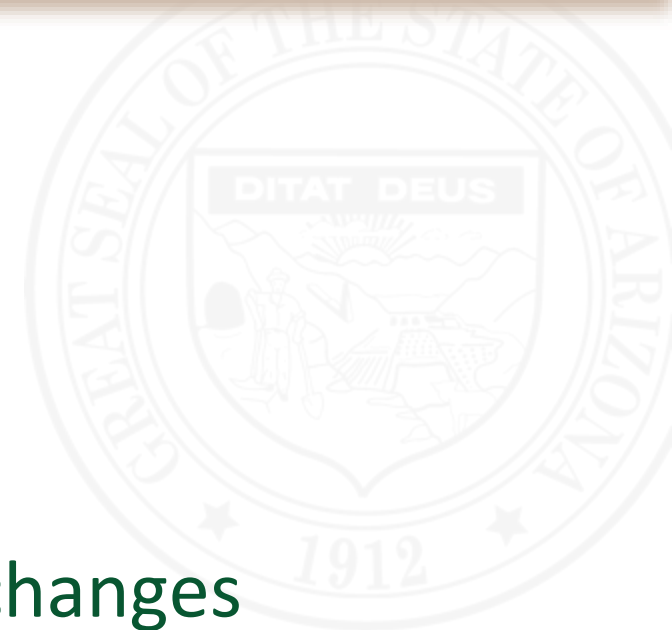
## NEXT STEPS

Seek comments on the Proposed Framework

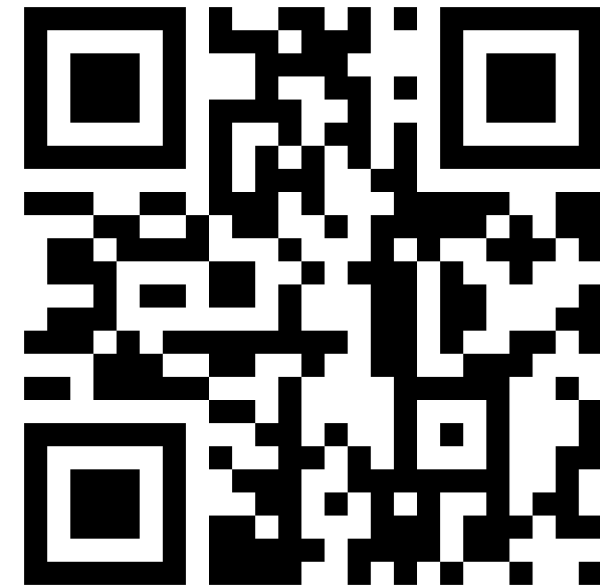
Continue to seek legislative support for statutory changes

Staff to begin drafting rule and general permit language

Determine next steps for the technical work groups







**Proposed  
Framework Link**

Thank  
you

*....to the 43 volunteers who  
have devoted your time,  
passions, and knowledge to  
assist ADEQ in this major  
endeavor*

