Meeting Notes from ADEQ/EPA FY18 End-of-Year Closeout

Thursday, October 11, 2018 from 11:00am-3:00pm w/ Lunch Break

Room 19310 - Havasupai

Conference line: Conference Line/Code / Ex. 6

1. Introductions – from ADEQ: Trevor Baggiore, Randy Matas, Krista Osterberg, Andy Koester, Jennifer Peterson, and David Dunaway in person. Rick, Natalie, Jason J., and Jade on phone.
2. Budget/organization updates (10 min)
    a. Janet Hashimoto going on IPA to Hawaii, Dave Smith managing WQ Assessment office, Peter Kozelka acting manager of NPDES, Jason Brush on detail to ENF, Tina Yin acting manager of Tribal office.
    b. Regional realignment – creation of lab services and applied sciences division; brownfields office moving to Land from SFD; EJ, NEPA, Border, Environmental Education, and Children's health moving to ORA; package went out last Friday but still needs Congressional approval – looking at Spring.
    c. ADEQ Deputy Brett Park leaving ADEQ; Andy Koester new Section Chief over permits and compliance units; Krista leading watersheds, TMDL, monitoring, WQS units and moving toward watershed focus including Oak Creek/Verde River, San Pedro, and Bradshaw Mountain (lots of abandoned mines).
    d. Shared funding chart.
3. EPA/ADEQ investment areas/overarching priorities (20 min)
    a. EPA: (1) small systems, technical and intrafrastructure assistance, WINN act funding; (2) Border – we asked NADBANK to ask Governor to request staffing for plant and to get with City of Naco, Sonora [Action item: Trevor will see if Misael can get SEA/Gov. involvement]; (3) 404 and UIC program development support – ADEQ was not sure if taking 1 IPA candidate for 404 program; (4) implementation of the multimedia PPG.
    b. ADEQ – shared priorities of small systems and Border; in addition: watersheds, groundwater APP and AZPDES noncompliance.
    c. EPA National Core Measures in development – we received public feedback on proposed measures, now proposing 33 measures, including drinking water measure of reducing by 25% the number of community water systems with health-based violations by 2022 – ADEQ's measure is similar but broader than community water systems; permit issuance timelines; once finalized, will work with ADEQ on what they mean – ADEQ would like to compare themselves against other states, so aligning metrics sounds good.
4. ADEQ/EPA feedback on supporting each other (20 min)

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a. EPA state feedback survey – we will be following up with those programs where we didn't receive high marks.

b. ADEQ absolutely interested in EPA convening a Clean Water Directors meeting (ex. would like to learn from Nevada on assessment system)

c. EPA training – noted LCR, sanitary surveys, advanced permitting/stormwater permitting; ADEQ would like to establish onboarding/career path training program for permit writers and inspectors – Thanne mentioned Hawaii used contractor support to develop credentialing program and that may be an option. Krista would like coordinated training between WQS and NPDES. Dave mentioned local capacity building on wastewater/stormwater and Andy mentioned the #1 reason for noncompliance was O&M issues.

d. EPA also received feedback to streamline reporting requirements, provide in-kind support, and convene meetings with other agencies and tribes.

5. FY18 grant conditions (5 min)

   a. Kudos to ADEQ for meeting all FY18 grant conditions!

--- Lunch Break (60 min) ---

6. EOY Assessment (attached)

   a. Summary of highlights/concerns/next steps (round-robin)

      i. Clean Water Programs (45 min)

         1) Wetlands

            a. 404 workgroups working hard, Elizabeth G. had call with Heidi and mentioned making 401 available to 404(b) workgroup. EPA plans to come out for face to face meeting with ADEQ once things are further along in development; adjust workplan schedule as move forward; next deliverable is the road map; ADEQ is developing an executive workgroup and Tomás may be asked to be involved; meeting with EPA every other week and participating in HQ monthly calls; [Action item:. Trevor to let Ellen know if ADEQ has suggestions for support HQ could provide to states who may be interested in seeking assumption.]

         2) WQS/Monitoring/TMDL

            a. EPA and ADEQ discussed previous Triennial Review and WQS specific 45-day Public Notice requirements concerns which caused problems in recent past. It was noted that these requirements are in addition to the current ADEQ process. Additionally, on-time TR status has become a LEAN measure for EPA.

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b. EPA made request on behalf of ADEQ re: getting nutrient WQS approved.
c. EPA requests ADEQ early engagement [Action item: ADEQ/EPA will set up a separate meeting to discuss lessons learned on recent early engagement issues]
d. Monitoring – kudos on citizen science monitoring; SAP needs updating; focus on 303(d) delisting okay but need more 305(b); need to update comprehensive monitoring plan.
e. Assessment and TMDL – EPA added listings for mercury; ADEQ successfully entered data into ATTAINS, Pinto and Queen Creek TMDL delays due to Corps looking at jurisdiction and model issues [Action item – determine whether EPA can provide additional technical support for Queen Creek TMDL model and or assessment calculator support]

3) NPDES Permitting
   a. Covered highlights/concerns – great on % current, but important get MSGP reissued per grant condition.
   b. EPA offered additional support, such as attending stakeholder meetings or sending supportive comment letters.
4) Non-Point Source
   a. Kudos on results of Hillside Mine!
   b. Upper Santa Cruz continues to be EPA priority – ADEQ says not a priority because of limited resources and the focus of the issue was point source-related. Dave suggested coordination with WIFA to obtain SRF funding to address.
   c. NPS 5-year plan approach – [Action item: ADEQ/EPA will set up separate time to present.]
5) 604(b)
   a. Potential process may include COGs providing proposals for ADEQ approval. Discussion over what ADEQ must provide.
6) Border
   a. [Action item: Roger will schedule next coordination call between EPA, ADEQ, NADBANK, IBWC regarding Naco.]
   b. Hans is taking on new role to lead San Pedro Watersheds team

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c. Nogales permit renewal in development.

ii. Clean Water Enforcement (10 min)

1. Ken retiring, will be selecting new section chief soon.
2. SRF program review – process will take awhile due to back and forth with HQ, inflexible audit process, and not designed to look at innovation. Trevor requested early informal feedback. Thanne mentioned some initial feedback would be to develop a credentialing program for inspections. [Action Item: EPA will contact Hawaii DOH and see if it is possible to share their new inspector training manual and credentialing protocols with ADEQ.]
3. Kudos on sanitary sewer inspection program.
4. EPA SNC workgroup – EPA requested information on ADEQ best practices. [Action Item: Ken will send ADEQ information on SNC workgroup calls to Andy Koester].

iii. Drinking Water/Groundwater Programs (20 min)

7) PWSS
   a. EPA appreciates ADEQ's operator certification efforts, ADEQ returned to compliance 31 systems with lead ALEs, AZ is first state to adopt CMDP.
   b. EPA will work with ADEQ regarding primacy packages – if can't obtain an AG statement by mid-november, will elevate issue. New EPA measure is to report on PP backlog.
   c. PN tracking and County oversight – ADEQ working on these, including auditing all delegated programs agency-wide (Maricopa this year, Pima next year). [Action item: EPA to share file review checklist].
8) Source Water Protection
   a. Kudos on efforts from notes
   b. [Action item: Set up separate meeting to discuss Tucson PFC issues.]
9) Groundwater/APP
   a. ADEQ really appreciates good coordination with EPA regarding UIC program development and hopes can establish similar process for CCR program development.
   b. Continued coordination on Florence copper.
   c. Excelsior petition withdrawn.

iv. Drinking Water Enforcement (10 min)

1. EPA will be doing Class 5 well inspections; great coordination with ADEQ on tips; EPA has tried to streamline reporting and meetings for aDEQ; good job on small system action plan; EPA willing to take case referrals and do joint sanitary surveys.
2. [Action item: Mike will send draft SFD lit review re: AZ Windsong to Trevor, which will also be shared with Navajo EPA.]

7. Coordination regarding 404 and UIC program development (20 min)
   a. Covered above.
8. Transitioning to multi-media PPG and midyear coordination (10 min)
   a. Midyear will follow Water model in terms of process. Shooting for mid-March. Should include individual meeting, division closeout, and multimedia closeout.
   b. [Action item: EPA will set up meeting with ADEQ to discuss level of management participation once determine whether RA or DD level will be involved.]
9. Wrap-up/closing comments (10 min)
   a. [Action Item: Trevor will send edits on draft EOY assessment to Elizabeth Sablad in a week or so.]

Action Items Summary (updated November 2, 2018):

1. Trevor will see if Misael can get SEA/Gov. involvement in meeting with NADBANK, Governor, City of Naco, Sonora (please check this one, as I'm not sure I got it right).
2. Trevor will let Ellen know if ADEQ has suggestions for support HQ could provide to states who may be interested in seeking assumption.
3. ADEQ will let EPA know the level of management support it would like for the 404 Assumption Executive Committee after Trevor talks to Misael.
4. EPA WTR will talk to EPA WST to let them know about how successful the relationship has been for UIC assumption as ADEQ pursues CCR authority.
5. ADEQ/EPA will set up a separate meeting to discuss lessons learned on recent early engagement issues regarding WQS.
6. Dave Smith and Jade Dickens to discuss whether EPA can provide additional technical support for Queen Creek TMDL model and or assessment calculator support.
7. ADEQ may set up separate time to present NPS 5-year plan approach.
8. Roger will schedule next coordination call between EPA, ADEQ, NADBANK, IBWC regarding Naco. ***Completed***
9. EPA will contact Hawaii DOH and see if it is possible to share their new inspector training manual and credentialing protocols with ADEQ
10. Ken will send ADEQ information on SNC workgroup calls to Andy to receive any ADEQ best practices. ***Completed***

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11. Daria will share EPA drinking water file review forms to Jennifer to support ADEQ's oversight of counties. ***Completed***
12. ADEQ/EPA will set up separate meeting to discuss Tucson PFC issues.
13. Mike will send draft EPA Superfund literature review re: Uranium in Sanders, AZ to Trevor. ***Completed***
14. EPA will set up meeting with ADEQ to discuss level of management participation in multimedia PPG midyear meetings once determine whether RA or DD level will be involved.
15. Trevor will send edits on draft EOY assessment to Elizabeth Sablad in a week or so. ***Completed***

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