

Approved Minutes of the Technical Advisory Committee Meeting
June 14, 2005

Members present: Roger Thompson Alan Huizenga
 Spencer Harris Steve Revell
 Barb Willis Gail Center
 Jeff Wennberg Craig Heindel
 Jeff Williams Kim Kendall
 Rodney Pingree John Forcier
 Phil Dechert

Others present: Bruce Douglas Frank O'Brien
 Chris Thompson

Scheduled meetings:

July 19, 2005	1-4 PM	Room 100 Stanley Hall
August 9, 2005	1-4 PM	Room 107 Stanley Hall
September 20, 2005	1-4 PM	Room 107 Stanley Hall

Review of agenda

The agenda was reviewed. A short discussion of interior pump stations was added. Also added was a discussion of the training to allow Class B designers to design water systems and the general need for continuing education.

Review of minutes

The draft minutes of the May 10, 2005 meeting were reviewed and accepted as drafted.

Legislative overview by Commissioner Wennberg

Jeff provided an update noting that the bills important to DEC had passed this session, with the exception of the "dirty diesel" bill. There were no septic bills passed this session. Jeff noted that the TAC was instrumental in getting the rule making process finished that resulted in the January 1, 2005 version of the Wastewater System and Potable Water Supply Rules.

Legislators are still very concerned about the difficulty people in the clay soil areas are having getting permits. Jeff noted that he has asked TAC to review the situation and make recommendations. He also asked the legislators if they would take some sort of action indicating support for evaluating whether systems with a surface discharge, for

at least some of the time. This resulted in the petition that was distributed, which did not specifically address the issue. Jeff said that his sense of the principle sponsors – not reflective of all of the signers, is “You have to find a way to permit systems that will surface from time to time.”

Jeff said it is appropriate to investigate this topic, but that the outcome is unknown. It might work if there is a “best fix” approach for new construction but with no increase in risk. His staff has told him that technology has improved. We should look at experimenting with the use of these approaches.

Steve noted that all of the Senate Natural Resources Committee members seemed concerned about discharging systems during the meeting of April 14, 2005. He said there appeared to be concerns that changes made to accommodate Addison County would affect the whole state.

Jeff asked if using a pilot approach, only in towns that specifically act to allow these systems, would help with the statewide impact issues. Part of deciding to allow these systems would be deciding to accept the additional inspection and operation costs and requirements. Towns already have concerns about use of performance based systems and some have decided not to allow their use. Craig noted that this prohibition disappears on July 1, 2007.

John asked if the study project that TAC had discussed a few meetings ago might be useful. He also wondered if a pilot study would result in enough data to decide if a system was acceptable. If a major WWMD concern is that municipal wastewater treatment facilities have licensed operators and home systems don't, maybe the TAC focus should be on operation and reliability.

Craig noted that it would be difficult to state that surfacing systems result in no additional risk.

Alan indicated that failure would need to be redefined if surfacing systems would be used.

Kim noted that issues such as effluent crossing property lines would be a major issue to be addressed. Craig indicated this is a major policy issue and would need to be part of the regulations.

Jeff Williams asked if other states are allowing surfacing systems.

Rodney asked if it would be a better solution to consider municipal systems with cluster development.

Roger noted that Chris had prepared a list of issues that would need to be addressed which could be a starting point for the discussion.

Craig suggested that a sub-committee be formed that would review the questions and provide proposed answers to the full committee.

Jeff Wennberg suggested that TAC start down the road and see what policy questions arise.

Craig suggested still working within the pilot approach. Steve noted that at the previous TAC meeting that the initial reaction was to not deal with this issue, but that TAC should agree to work on this issue.

Jeff Wennberg “I am asking TAC to deal with these questions. This is an enormous issue for some legislators.”

Steve said that there are already existing systems installed that could be considered pilot systems, some not working, some substantially working, and no one knows how to determine which is which.

Bruce noted that 20 years ago, Eric Blatt, a regional engineer covering Addison County at the time, used to make a springtime inspection of mound systems. These were cursory inspections, but the systems were generally thought to be working.

Gail said that the existing health officer training program included an approach that any surfacing meant system failure, so retraining would be needed if surfacing was acceptable. Gail also noted that the Health Department has some concerns about surfacing effluent reaching surface waters. There is also concern about emerging health threats which include new pathogens and increasing concerns about medications and other materials that pass through the disposal system unabated. Surfacing systems might increase the exposure risk.

Bruce said that other states that have allowed surfacing systems are cutting back on their use, but that oversight used with an operating permit concept can be successful.

Jeff Wennberg observed that wastewater treatment facilities are well managed and successful and wondered what the difference is for individual systems and whether management of decentralized systems would not be successful.

Steve wondered if there are other locations where the Shoreham system could be used. Alan noted that Bristol had done about the same concept, though the final disposal was into a large leachfield regulated by the Indirect Discharge Rules.

Phil observed that being relatively larger systems, municipal management of these decentralized systems was workable.

Jeff Wennberg urged the TAC to look for whatever is possible. John suggested there should be a request to the legislature for money to do the work.

John asked how much change will be included in the next set of rules and the Commissioner indicated that as much as is ready to go forward should be included. John noted that the TAC appointments expire in 2007 and that he hoped that there would be a comprehensive update before then.

Gail asked that any proposal for a funding source to help people replace systems include water systems as well as wastewater systems.

Jeff Wennberg briefly mentioned the reorganization study ordered by the legislature. The Snelling Center will manage the process. There will be focus groups, data collection. The study needs to consider the mission, especially what the future mission might be.

The sub-committee to look at surfacing systems includes: Craig as chair, Steve, Bruce, Kim, Roger, Brian Kooiker, Frank, and Gail.

Roger will work on the pump station guidance.

John urged that someone start working on writing the requirements for drip disposal systems.

The lake water subcommittee includes : Rodney, Gail, Alan

Would like to consider the mound sand issues soon, along with the definition of when effluent is no longer wastewater.

Items ready for drafting:

1. Housekeeping changes
2. Inclusion of policies and procedures
3. Holes allowed up or down
4. Revised design and inspection certification language to reflect statutory changes

Items for subcommittee work

1. Drip disposal – alternative application method – draft language should be prepared by a subcommittee

Items prioritized for discussion with high, low, and medium ranking

1. Mound sand specifications **high**
2. Encourage I/A **low**
3. Soil identification vs. perc test **medium**
4. Colorado rule **low**
5. Permit by certification **low**

6. Lake water potable water supplies **high**
7. Curtain drain with presumption of effectiveness **high**
8. Terralift system **low**
9. Field change policy **high**
10. Revisions to desktop hydro chart **medium**
11. Minimum amount of sand under a mound **high**
12. Grandfathered design flow and conversion of use policy **high**
13. Updating of design flow chart **high**

Items requiring statutory change

1. Increasing maximum slopes from 20% to 30%.

Topics list

1. Drip disposal
2. Mound sand requirements
3. Encourage I/A
4. Changing the 20% slope restriction to 30%
5. Replacing perc test with soil identification approach
6. Defining when effluent is no longer wastewater
7. Disinfection
8. Colorado Rule – reduction in isolation distance to wells based on construction methods
9. Certification and audit approach to permitting
10. Lake water systems
11. Curtain drains
12. Terra-Lift System
13. Installation certification language
14. Field change policy
15. Revise existing desktop hydro chart
16. Conversion of use policy, including grandfathered flows
17. Revise design flows

Executive Committee

John Forcier, Steve Revell, Lance Phelps, Phil Dechert, and Roger Thompson
 Alternates – Chris Thompson, Bernie Chenette, Spencer Harris, Jeff Williams

Subcommittees

Hydrogeology - Allison Lowry, Craig Heindel, Dave Cotton and Steve Revell.

Training subcommittee - John Forcier, Roger Thompson, Allison Lowry, Dave Cotton, and Barbara Willis.

Licensed designers - Spencer Harris, Alan Huizenga, and Gerry Kittle.

Well driller's knowledge checklist - Jeff Williams, Rodney Pingree, Roger Thompson, Bernie Chenette, Gail Center and Steve Revell.

Interested in the delegation rules - Spencer Harris, Gerry Kittle, Phil Dechert, and Alan Huizenga

Drip Disposal – Frank O'Brien, Roger Thompson, Dave Cotton, Steve Revell, Alan Huizenga

Legislative field trip – Phil Dechert, Gerry Kittle, Dave Cotton, Roger Thompson