

Approved Minutes of the Technical Advisory Committee Meeting
January 8, 2013

Attendees: Roger Thompson Peter Boemig
 Cindy Parks Kim Greenwood
 John Beauchamp Mary Clark
 Mark Bannon Ernest Christianson
 Bill Zabiloski Scott Stewart
 Jessanne Wyman Denise Johnson-Terk
 Steve Revell Gail Center
 Anne Whiteley Craig Heindel
 Claude Chevalier

Scheduled meetings:

January 25, 2013	1-4 PM	DEC Conf. Rm. @ National Life – Montpelier
February 12, 2013	1-4 PM	Liquor Control Conference Room – Montpelier
March 19, 2013	1-4 PM	Liquor Control Conference Room – Montpelier
April 16, 2013	1-4 PM	Liquor Control Conference Room – Montpelier

Agenda:

The annual report was added as a topic. Kim asked for a chance to comment on a coming event.

Minutes:

The minutes of the December 11, 2012 meeting were accepted. John had a follow-up question about the data base required in Act 163 (related to water testing at the time of sale) and if testing laboratories know where to send the information. Gail said the contact is George Mills at the Vermont Department of Health. The information is being submitted but not entered into an electronic system.

Annual Report:

Scott asked if he had been officially appointed to the TAC as stated in the draft annual report. Scott said that he had not been contacted by the Governor's office and none of the other new appointees present have received notice. Roger said that the report was based on a memo from Christine Thompson that was approved by the DEC Commissioner and ANR Secretary and forwarded to the Governor's office. Ernie will follow-up on this to make sure the process was completed. Ernie asked if Gunner McCain should be added to

the TAC. Gunner is a Class B Licensed Designer. Steve and Kim said they would support this appointment. Ernie will contact Gunner and ask if he will join. Mary asked if there should be any technology vendors added to the TAC. Steve said he would have some concerns as did other committee members about how it would be viewed if one vendor was on the committee while others were not. Roger noted that the TAC can, and has, invited vendors to attend meetings to gather information about a specific technology. Steve said that a service provider, not tied to a specific technology, might be useful. John supports this as well. Roger said that one issue has been that the innovative system approvals require that the service providers be approved by the manufacturer of the technology and in some cases only there seems to be only one service provider. Steve said he would like to see a situation where there are people who can choose to focus on providing service and who can cover multiple technologies. Having a small number of widely scattered systems makes for inefficient and expensive annual inspections but if a person could cover all of the technologies in a smaller area the system would be more efficient.

Steve said that he wanted to discuss section #3 of the report dealing with closing in all overflowing wells. The statement that the Drinking Water and Groundwater Protection Division is proposing that all wells be closed in is a major concern. Steve thinks this will create an incentive to file inaccurate well reports. Steve said that he already sees problems with abuse of the replacement well exemption. Some wells serving other than individual single family residences and wells that are added to systems rather than replacing existing wells, are being drilled without the required permits. The Division proposal to close in overflowing wells will be reviewed extensively before any final decision about implementation is made.

Roger asked Anne if a licensing category for service providers can be created. Anne said authority for Licensed Designers, as described in the Wastewater System and Potable Water Supply Rules, was created in the section of Vermont Statute regulating Professional Engineers. Because it is unlikely that service providers would be doing work considered to be the practice of engineering it is probably not appropriate to add a category for service providers to the current list of Licensed Designers. Anne said that she would have concerns about not requiring service providers to be approved by the manufacturer of a technology. The manufacturer's approval helps ensure that the service provider understands the technology and may be necessary to maintain the factory warranty. Steve agreed saying that manufacturers do require approval of the service providers. Steve asked if DEC is tracking permits to see if the required inspections are being done. Ernie said that he has hired new person, who will start next week, to follow-up on the permit conditions. Steve said that he did not think very many of the systems are being inspected in full compliance with the permit requirements. In addition to systems with advanced treatment systems, few of the systems using the performance based design approach are being inspected which is required annually for the first three years of operation. Roger said that this was intended to be a temporary requirement that would be used to determine if systems using the performance based design actually function as intended. There have not been any reports of failures related to this approach

and maybe with a little more follow-up to confirm the lack of failures the permit condition could be removed.

There was a short discussion of H.0003 which is a bill that repeals all of requirements related to notification of neighboring property owners when the isolation distances from water and wastewater systems extend onto neighboring properties, AKA overshadowing. When asked if TAC should take any action to support this bill Anne said it would be better to not make any recommendations at this time.

Claude said that some of the language in section #3 of the report related to closing in overflowing wells might be a little too dogmatic. The large variation in geologic conditions in Vermont can affect the decisions on how to, or if to, close in a well. Roger will revise this section. Claude also said that he understood Dr. Irwin to say that radionuclides in Vermont water are a low risk. Gail said that she thinks the low risk referred to the risks associated with the installation, operation, and maintenance of water treatment systems because drinking water with radionuclides is considered to be a significant risk.

Press Conference:

Kim said that there is a press event scheduled for tomorrow. There are about 30 groups supporting a resolution that: 1. there is a high risk of water contamination from aging pipes and other infrastructure, 2. the existing funding for upgrades is insufficient, and 3. that because funding is critical taxes should be raised to take measures to protect the waters of Vermont.

Innovative/Alternative:

Cindy said that Cromaglass is up for renewal. There are few changes in the system since the last approval. Steve noted that there have been questions about the size of the tankage which is less than a standard septic tank size.

The review of the EnviroSeptic system is ongoing. They have Ernie's review comments and are working on updating the Vermont Design Manual.

The Geoflo review is also continuing. They need to make some changes to their design manual as well.

The Elgin Mantis product is under review. This is an evolution of the In-Drain product.

Anua, formerly Bord na Mona, a peat filter, is being reviewed. There are few of these in Vermont. One difference with this system in comparison to the Ecoflo is that the Ecoflo system has the peat in a single container that is sized for the design flow while the Anua used one container per bedroom grouped together. The Ecoflo distribution is by a tipping system while the Anua uses pumps with timed dosing. Anua is requesting approval for the disposal bed to be located under the system. This system can also be used as a

polishing filter after another treatment system, particularly when the wastewater is high in FOG that might be a problem if applied directly to a packed bed filter. Anua also has an aeration ATU.

Meeting Schedule:

The next meetings will be: February 12th, March 19th, and April 16th.

Installer Training:

Mary is working on a voluntary program for installer certification. She has scheduled 4 meetings with installers to get feedback on what installers need and would support.

Underground Injection Control Rules:

Cindy said that the DEC Commissioner and the ANR Secretary have reviewed the draft and agree with the list of prohibited wells. Cindy distributed a summary of the draft rules and reviewed the information. Gravel pits were discussed and Craig said that where the pit slopes to the excavation face, but does not have a specific spot to dispose of stormwater, there is no injection well. Cindy agreed. This concept should be clearly stated in the rules. Anne noted that one change is that food processing water of 6,500 GPD or more will need an Indirect Discharge Permit while all process water for systems of less than 6,500 GPD will be regulated with a Wastewater System and Potable Water Supply Permit.

Claude noted that 30,000 BTU is too low of a number for the geothermal well exemptions. There was some discussion about what the number should be which will be considered for the next revision to the draft. Scott suggested exempting all sizes of geothermal systems.

Roger noted that the use of “qualified Hydrogeologist” is a problem because the definition does not have any measurable requirements for determining if a person is qualified. This has been somewhat of a problem in the Wastewater System and Potable Water Supply Rules where this concept is drawn from. There was discussion about creating a license category but everyone seems to feel that the Legislature would be unlikely to support a new license. Steve said that Cindy had talked with him and Craig about developing a better term which they are working on. Mary asked about using standard definitions across the Agency. Anne said this is her goal and that she is working on it.

Mark asked if outside maintenance, such as on a bus, would be regulated under the draft rules. If there is no injection well then a permit is not required. Scott said that this might be regulated based on SOCs, VOCs, radiochems, etc. Anne said this would be covered under the list of prohibited wells for various SICs.

Because of the time schedule the group decided to schedule an extra meeting for January 25th at the National Life Building just to finish going through the draft UIC Rules.

Executive Committee

Steve Revell, Ernest Christianson, Roger Thompson

Alternates – Chris Thompson, Spencer Harris, Claude Chevalier, Craig Heindel

Subcommittees:

Hydrogeology

Craig Heindel, Bill Zabiloski, Mark Bannon, Scott Stewart, Steve Revell, Mary Clark, Roger Thompson, Peter Boemig, Ernie Christianson, Spencer Harris

UIC Rules

Craig Heindel, Steve Revell, Roger Thompson, Ernie Christianson, Scott Stewart, Rodney Pingree, Kim Greenwood, Cindy Parks, John Beauchamp, Gail Center

Wastewater Strength

Mary Clark, Cindy Parks, Peter Boemig, Bill Zabiloski, Roger Thompson, John Akielaszek,

Bottomless Sand Filters

Peter Boemig, Mark Bannon, Cindy Parks, Mary Clark, Denise Johnson-Terk, Craig Heindel, Ernie Christianson

Seasonal High Water Table Monitoring

Craig Heindel, Steve Revell, Roger Thompson, Ernie Christianson, Bill Zabiloski, Dan Wilcox, Mary Clark