

Approved Minutes of the Technical Advisory Committee Meeting

April 4, 2017

Attendees:	Roger Thompson	Mark Bannon
	Peter Boemig	Sille Larsen
	Ken White	Craig Heindel
	Rich Wilson	Terry Shearer
	Graham Bradley	Justin Willis
	Joe Rheaume	Steve Revell
	Ernest Christianson	Scott Stewart
	Claude Chevalier	Rodney Pingree

Scheduled meetings:

April 18, 2017	1-4 PM	Catamount Rm. at National Life Bld.
April 25, 2017	1-4 PM	at the Annex

Minutes:

The draft minutes of the March 21, 2017 meeting were approved.

Annual Report:

There were no comments about the draft Annual Report. Mark asked about the number of permit applications, specifically how many were for minor projects. Ernie said that he did not have a precise number at this point but that minor projects were certainly less than 50% of the total. Ernie will work on getting the last of the numbers ready for the report.

Rule Review:

Mark asked if there is a process to move a particular technology from the Innovative/Alternative (I/A) process to general use which would reduce the application and follow-up costs. The Presby Enviro-Septic is one example of a technology that does not need a review under the I/A process and does not require any routine inspection or maintenance. Ernie will look into adding a category that would still approve a proprietary technology with conditions specific to that technology but that does not need a review under the I/A process for each installation.

Mark also asked about situations where the system owner would like to make modifications to improve performance or extend the life of the system. An example might be adding air to the system. Ernie said this should be considered but there are concerns about doing this with a system that is too close to the water table or a water supply. These systems should be reconstructed to improve compliance with the Rules rather than being modified in ways that could extend the life of the system to continue the flow of effluent into a shallow water table.

Craig asked why towns that have delegation under the rules are not required to submit information to the electronic tracking system so that the public can find this information online. Apparently, some of this information is online at the town level. Craig suggested having a link from the town system or passing the information along to the Agency of Natural Resources information system. Ernie noted that Morrisville is considering taking partial delegation so that they would issue the permits for the connections to the municipal water and wastewater systems.

Mark asked about the BW classification in Chapter 8. This classification allows non-engineers to be approved for some buildings that share water systems if the shared system is not regulated as a Public Water System. Mark noted that the existing language allows for Designers with the BW classification to design up to two sprinkler heads while recent changes to the plumbing regulations seem to require that any sprinkler system work be designed by a Licensed Professional Engineer. Ernie said he would contact the Public Safety Division and ask about the conflict. One possible outcome would be to allow the two sprinkler heads only for a single-family residence.

Ernie reviewed a few changes for Chapter 9. Language has been added to make it clear that variances are not allowed for a replacement system that will serve a new project. This question arises when a property with an existing building and an existing wastewater system proposes to discontinue the use of the existing building and use the wastewater system to support a new building, particularly on another lot.

After TAC comments, Ernie said he would add a separate employee category for factories based on comments that projects with factory workers have higher wastewater flows than office buildings and other places of employment.

Mark asked if language should be added to the Rules that all designs should be arranged to not have isolation distances extending onto neighboring properties if possible. The TAC has discussed this question in the past and concluded that this should not be added to the Rules. One major concern is where would you draw the line on greatly increasing the cost of development to implement a technically possible solution. One example might be building an extensive roadway to move a well-drilling machine further onto a lot to eliminate or reduce the isolation distance intrusion onto the neighboring lot.

The TAC also asked about design flows for on-farm uses such as wedding barns, petting zoos, dining. One approach that is being used is to use flows that are assigned to places of assembly.

Ernie also discussed the DEC's work on clarifying when wastewater is regulated under the Wastewater System and Potable Water Supply Rules, the Indirect Discharge Rules, or the Underground Injection Control Rules. Some on farm wastewater such as small cheese making operations and apple processing operations may be regulated by the Department of Agriculture and therefore exempt under other rules.

Scott asked that language be moved in Chapter 10 with a recommendation that Zone 2 language be moved to the front of the section. Scott also asked that the Rules state that new wastewater systems in Class 1 and Class 2 groundwater zones are prohibited.

The TAC also discussed the issues related to having more than one well on a property. The Rules indicate that only one well will be approved for use unless more than one well is needed to support the normal project demands. One concern is that some landowners want to retain a second well, often a shallow well. A shallow well that maintains a protected isolation zone can have large negative effects on neighboring land owners so the Department works to minimize having two wells. If there are two pipes into a building and the only separation is a valve then both systems are in service and the isolation zone is protected. If one line into the building is just capped off, that well is not protected even if the owner suggests it might be used in the future. It was also noted, that regardless of the owner's preference, if a new well is constructed using the well-driller's exemption, the existing well must be discontinued.

Justin said that the draft rules for drawing well shields and wastewater protection zones still have a conflict. This conflict means that locating a wastewater system outside of the well-shield does not assure compliance with the requirements for drawing the wastewater protection zone. Ernie said that he thought this problem had been resolved but will recheck the language and make any corrections needed.

Executive Committee: Steve Revell, Ernest Christianson, Roger Thompson
Alternates – Claude Chevalier, Craig Heindel

Subcommittees:

Hydrogeology

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

Bottomless Sand Filters

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

Seasonal High Water Table Monitoring

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

Well Driller's Reporting Form

Rodney Pingree, Craig Heindel, Claude Chevalier, Peter Boemig, Mary Clark, Ernie Christianson

Surface Water Sources

Tim Raymond, John Beauchamp, Ray Soloman, Peter Boemig, Mark Bannon, Claude Chevalier,
Perry Thomas, Mark Clark, Scott Stewart, Rodney Pingree, Chris Russo, Ernie Christianson