

Approved Minutes of the Technical Advisory Committee Meeting
January 14, 2014

Attendees: Roger Thompson
Mary Clark
Gail Center
Craig Heindel
Carl Fuller
Claude Chevalier
John Beauchamp
Gunner McCain
Anne Whiteley
Denise Johnson-Terk
Scott Stewart
Steve Revell
Bill Zabiloski
Peter Boemig
Ken White
Ernie Christianson
Mark Bannon

Scheduled meetings:

February 25, 2014 1-4 PM Winooski Con. Rm., National Life – Montpelier
March 18, 2014 1-4 PM Winooski Con. Rm., National Life – Montpelier

Agenda:

Accepted

Minutes:

The minutes of the December 13, 2013 meeting were circulated by e-mail by e-mail prior to the meeting for comments. There were no additional comments.

Annual Report of the TAC:

The draft annual report was circulated by e-mail prior to the meeting and the editorial comments that were received were included in the most recent draft. There were no additional comments. Roger and Ernie will deal with the finishing touches of putting the published date on the document and getting copies made and circulated to everyone. The report will also be published on the Regional Office page of the Agency website.

High Strength Wastewater:

Mary reviewed the document that she had circulated by e-mail prior to the meeting. John Akeilaszek and Cindy Parks of the Indirect Discharge Program also commented. Steve said that the document was well conceived and well written. He recommended that the document be adopted by the Agency as guidance. Ernie asked if there is agreement to keep this as guidance. Steve said yes as putting it into the Wastewater System and Potable Water Supply Rules (Rules) would be a lengthy process. Peter said that the Rules should include a section that would require attention to the issue of high strength wastewater. Mary noted that there are some national standards defining high strength

wastewater that could be included in revision of the Rules. Ernie said that there might be a section in the Rules referring designers to guidance so that the details of how to deal with high strength wastewater would not get locked into the Rules. There was discussion of how to link high strength wastewater with treatment systems approved under the Innovative/Alternative (I/A) portion of the Rules. Roger said this may be one more reason to support the request by Craig and others to come up with a better name than Innovative/Alternative systems.

Mary asked if the group supported going forward with publishing the document on High Strength Wastewater. The group strongly supported use of the document.

Legislative Issues:

Anne discussed S.211 which deals with the use of holding tanks. The current Rules allow use of holding tanks in limited situations for certain public buildings, such as town halls and libraries, when the buildings are owned by a municipality or the state. S.211 proposes to include buildings with similar uses and situations that are not owned by a municipality or by the state. There are several locations with existing small churches, libraries, and similar uses where the use of the building is infrequent and by a limited number of people and the installation of conventional water and wastewater systems is either impossible or extremely expensive.

Anne also reviewed S.182 which would require that an applicant own or control by easement or other legal means all of the land needed to provide the required isolation distances to water or wastewater systems. This would apply to replacement systems as well as to systems for new projects. The impact of this would be widespread as many of the currently issued permits would not comply.

H.3, which was introduced a year ago, would repeal all of the requirements to notify neighboring landowners when an isolation distance extends onto neighboring property. There has been no action on this bill to date.

Anne said that there are legal cases ongoing related to the impact that isolation distances have on neighboring properties. Eventually there will be one or more court decisions that determine if the Agency can issue permits that include isolation distances that extend onto neighboring properties.

Draft Wastewater Rules:

Ken asked if Subchapters 6 and 11 are finished. Ernie said that Subchapter 11 is pretty close.

Ernie reviewed the latest draft of Subchapter 8 (01-07-2014). One issue is when in the process must legal easements be obtained for systems that will not be on land owned by the applicant. Gunner said that getting an easement before the permit is issued can be a problem. In some cases the project does not go forward and any money spent to buy an

easement would be lost. Peter suggested that the state issue an approval letter that indicates the permit will be issued once the easement has been obtained. This would allow the applicant to be assured that the permit qualifies for a permit while not having a permit that is issued without assurance that the off-lot system can be constructed.

Gunner asked about the practice of installing charcoal filters in plumbing vent pipes above the building roof. He said that he has used this approach but has been told that installing a filter is a violation of the plumbing code. This approach has been used in situations where there is an objectionable odor from the roof vent as well as for vents from pump stations and other portions of a wastewater system. The concern about installing a filter is that it might freeze over from the moisture in the air in the vent pipe which would keep the vent from serving its intended purpose of allowing air into the piping system to prevent any siphoning of plumbing traps.

Mary asked if existing section 1-805 (minimum site conditions) should be retained in section 8. Anne said that it should be in section 9.

Ernie discussed the section on metered flows. He said that in the current rules metered flows can be used to change the design flows given in the Rules, for facilities with no design flow in the table, and for replacement systems that do not have room for full compliance. He would like to limit the use of metered flows to only facilities without a specified design flow or for replacement systems.

Roger suggested keeping the existing language related to waivers for water and wastewater systems (1-802 and 1-803 of the current Rules). Ernie said he was trying to simplify by putting the sections together. Some rewording is needed if the proposed version is used and Ernie will look at this.

In addition the group commented on various sections where the wording can be clarified. The group noted that this is a much improved draft and getting close to being ready to start the adoption process.

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