

Approved Minutes of the Technical Advisory Committee Meeting  
May 20, 2014

**Attendees:** Roger Thompson  
Craig Heindel  
Gail Center  
Gunner McCain  
Rodney Pingree  
Ernie Christianson  
Mary Clark

Steve Revell  
Anne Whiteley  
Steve Rebillard  
Claude Chevalier  
John Beauchamp  
Peter Boemig

**Scheduled meetings:**

June 24, 2014          1-4 PM          Winooski Con. Rm., National Life – Montpelier

**Agenda:**

No comments.

**Minutes:**

Gunner had some editorial comments. Craig asked that the appropriate numbers be included when referencing legislative bills.

**Legislative Update:**

Ernie provided an update of the legislative session.

S.211 passed which expanded the use of holding tanks. The previous legislation required that the buildings be owned by the state or a municipality. The legislation now includes building owned for a charitable, religious, or non-profit use, such as a library or church. The new legislation requires that a bond be posted that is sufficient to cover the cost of at least 20 years of operation of the holding tank system. The bill allows the buildings to be converted to private use in the future while continuing the use of the holding tank system. This bill also created a study committee to evaluate ways to improve the delegation of authority to municipalities, including partial delegation.

H.526 passed which regulates development within 250 feet of lakes and ponds greater than 10 acres in size. The bill takes effect on July 1, 2014. There are conditional exemptions for the installation and maintenance of water and wastewater systems. If an area must be permanently cleared for the installation or maintenance of a water or wastewater system the area will count towards the total impact on the lot. Ernie will work on guidance for licensed designers and the Regional Office staff.

The language in H.857 was attached to S.211 and requires the Agency to submit a report to the legislature on how to create a partial delegation allowing municipalities to

administer projects that connect to sewer and water when the sewer and water mains are owned by the municipality.

H.823 passed. This bill is related to reducing permitting requirements in designated downtown areas. The bill includes changes to the Wastewater System and Potable Water Supply Rules that requires issuance of a permit under the rules based on the certification of a the design be a licensed designer and municipal approval for connection to the water and wastewater systems. There will be little effect on Regional Office operations because existing permit reviews are already done this way and there are only a few designated downtown areas at this time.

**Rule Revisions:**

Anne discussed the process for approval of rule revisions. She noted that the process has become more formal over the years and that the legislators expect complete answers to changes in the Rules by use of a cover sheet that must accompany the rules. Issues include who will be affected, the costs, climate impact, and technical justification. Anne said that any technical changes need to have a scientific basis; just saying that some other state uses the same approach is not a sufficient justification.

Ernie discussed the section related to groundwater monitoring and how the results should be used when calculating the induced groundwater mounding. The current monitoring process was created when only prescriptive designs were allowed and it works well for those designs. The current process is not easy to apply to systems using the performance based design approach and there are concerns that in some cases the resulting design limitations may be more restrictive than necessary. The group discussed this issue extensively and proposed to amend the rules to allow the use of the second highest groundwater level reading rather than the highest provided that any reading that is less than 6” below ground surface makes that monitor well location unacceptable. Ernie will draft up the committee’s comments and circulate prior to the next meeting. They also agreed to taking readings at intervals of 5 days or less. The TAC also recommended that all groundwater reading be taken by a licensed designer rather than relying on a property owner to take some of the reading.

Ernie will circulate a completed draft of all chapters of the rules prior to the next meeting in both annotated and unannotated versions.

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**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