

Approved Minutes of the Technical Advisory Committee Meeting

January 24, 2023

Participation by videoconference

Attendees:	Bruce Douglas*	Erin Stewart*
	Ernie Christianson*	Craig Heindel*
	Claude Chevalier*	Jen Fleckenstein*
	Gunner McCain*	Sheri Young*
	Roger Thompson*	Achouak Arfaoui
	Eric Deratzian	Bryan Harrington*
	Steve Revell*	Angela McGuire
	Cristin Ashmankas*	Terry Shearer
	Craig Jewett*	Denise Johnson-Terk
	Sille Larsen*	Tom DeBell*

*Technical Advisory Committee members or substitutes

Scheduled meetings:

February 21, 2023	Virtual
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Agenda:

The agenda was accepted as drafted.

Minutes:

The draft minutes of December 15, 2022 meeting were reviewed and accepted as drafted. The draft minutes appear in the Technical Advisory Committee (TAC) Annual Report for 2022. The approved minutes will be published on the Department of Environmental Conservation (DEC) website.

Wastewater System and Potable Water Supply Rules (WW Rules) revisions:

Bruce gave an update on the DEC approach for updating the Wastewater System and Potable Water Supply Rules (WW Rules). The current version of the WW Rules was adopted on April 12, 2019. It was quickly determined that some errors had been included and a plan to correct the errors was started. In November of 2020, a list of corrections and minor updates had been created by the DEC, which were reviewed and accepted by the TAC. This list was ready to

begin the formal rule making process. The DEC did not move forward with the process immediately and, therefore, DEC continued the discussion of rule updates with the TAC. Since November of 2020, a number of changes have been discussed and accepted by the DEC and the TAC. The proposed changes focus on rewriting sections to improve clarity and minor technical changes that would not change the scope or basic principles of design. These were selected with a goal of having a package that could be moved quickly into the formal rule making process. The DEC reviewed the proposed changes and decided that some of the changes proposed since the November, 2020 list would require a full review of the WW Rules which might take up to two years and consume a lot of DEC resources. The DEC has decided to return to the November, 2020 list believing it can be processed as a “housekeeping” rule that only corrects and clarifies the existing language.

Innovative/Alternative Systems:

Cristin said that GeoMatrix, LLC, has submitted an update to their application for use of their Geomat™ System as a filtrate disposal system. The system is currently approved as a dispersal system. Approval as a filtrate disposal system would allow the system to be smaller and reduce the vertical separation to bedrock and the seasonal high water table. The proposal requires use of at least 6” of ASTM specification C-33 sand under the system. The system has been evaluated at the Massachusetts test site using the requirements for NSF 40 approval. The design loading rate for the test was a maximum of 2 gal/sqft. It was tested using gravity flow but Vermont WW Rules requires use of pressure distribution.

An application has also been received for use of the ECOJOHN® incinerating toilet products. The system can be designed to handle the total waste flow from a house. The system uses propane, natural gas, or diesel fuel to evaporate the wastewater.

Installer and Service Provider Training Program:

Cristin said that the responses to a request for proposal (RFP) for a \$160,000 grant that will be used to provide training to installers and service providers are due next week.

Instantaneous Peak Demand (IPD):

Bruce made contact with the subcommittee members to see when people can meet. He is waiting for some responses and will then set a date.

Technical Advisory Committee Annual Report for 2022:

Bruce reported that the report was completed and submitted to the Legislature on time. Bruce met with some Legislative Members last year but has not had a request to discuss the 2022 Report as of yet. The Legislature intends to meet in person this year so it would be a good chance to provide information to Legislators.

Mound Sand Study:

Mary O’Leary will complete the report in the next month or so. Cristin shared an outline of topics that will be addressed in the report. One question will be if three sand specifications are needed or if one is sufficient.

Regional Office Staffing:

Bruce reported that the process for replacing the Regional Engineer working in the Rutland Regional Office is nearly complete. This position focuses on applications in the northern half of the Rutland District including Addison County. He is also adding two Regional Engineers to deal with the new workload associated with the American Recovery Planning Act (ARPA). About 750 additional permit applications are expected and will use ARPA funding. Two of the three new Regional Engineers are Licensed Designers.

Composting Toilets:

Bruce reviewed his appearance on Vermont Public Radio on this topic. One guest who is an advocate for more permissive use of the material from a composting toilet explained their system. Waste is collected in the house in a bucket with additions of organic material to aid in composting and then hand carried to a wooden bin outside. The material is placed in the bin for a period of time and then used as fertilizer. Another guest addressed urine collection. The DEC has approved a system of urine collection and reuse. The urine is high in nitrogen which aids plant growth. Bruce appeared for a short period of time and addressed some of the DEC public health concerns. Concerns include how to protect people from the waste, how to ensure that the composting process will achieve the required level of treatment, and how to dispose of the remaining wastewater.

There is a lot of information on the composting process. Several states have performed testing of the composting process and have identified some of the requirements needed for safe treatment of the waste. The process requires a sustained and elevated temperature to reduce pathogens to a safe level. Simply storing the waste in a container or pile, even for an extended time, does not ensure pathogen removal.

The TAC did a significant review of the issues of waste disposal from composting toilets during 2015. The results of these discussions are included in the Annual Report for 2015. The TAC intends to update the review of the disposal of waste from composting toilets and the use of alternative water supply systems. One item identified in 2015 was the need to consult with the Residuals Management Section.

The TAC supports creating a document that identifies issues and solutions. The Vermont Department of Health should be involved, and possibly the University of Vermont Soil Science Program.

Town Delegation:

The ability to administer the WW Rules was delegated to the Town of Colchester as of January 1, 2005. The town has decided to discontinue its delegation and return the responsibility to the DEC as of April 1, 2023. The town will stop accepting applications for permits under the WW Rules as of March 1, 2023 except for emergency applications to deal with failed systems. As of March 1, 2023 applications for permits may be filed with the State Regional Office Program, however they may not be processed until April 1, 2023. Colchester and the DEC will work to make all of the permitting information accumulated between 2005 and 2023 available online as part of the existing DEC system. Colchester was receiving a very large number of applications and the application fees were not sufficient to support the permitting work.

H.68:

H.68 is a bill intended to allow higher density development. One portion of the bill allows municipalities to issue permits for individual pipe connections for water and sewer when the municipality has control over both water and sewer systems. The current WW Rules already allow this partial delegation per §1-601(b). No municipality has requested this partial delegation. Licensed Designers also object to being required to certify that the design complies with the WW Rules believing that determining compliance is a regulatory responsibility. Craig Jewett noted that previous changes to the WW Rules already exempt some change in use projects with connections to municipal water and wastewater systems.

TAC Membership:

Bruce noted that Scott Stewart has retired and that Bryan Harrington will be retiring in a few months from State service and that Justin Willis has decided to withdraw from the TAC.

The TAC discussed the current makeup of the Committee. The legislation authorizing the Committee requires at least one representative of the following entities on the Committee: professional engineers, site technicians, well drillers, hydrogeologists, town officials with jurisdiction over potable water supplies and wastewater systems, water quality specialists, technical staff of the Agency of Natural Resources, and technical staff of the Department of Health. Claude, representing well drillers, said he would work on finding younger well drillers who are willing to be on the TAC. Sheri suggested adding a service provider and an installer for their on the ground perspective.

Topics for Future Discussion:

Tiny houses and the associated water and wastewater systems

Alternative water supplies, hand carried water

Short term rentals and the impact on water and wastewater systems

Campgrounds

Accessory dwellings

Food trucks

Alternative toilets

Update of the Water Supply Rule – consistent with Groundwater Rule and WW Rules

ARPA Programs:

Vermont received \$1.05B in one-time American Recovery Plan Act (ARPA) federal funds that must be committed to projects over a four-year period. A portion of the money will be spent on Economic and Community Recovery projects, Housing Development, and Water and Wastewater Infrastructure.

Bruce said that there are at least four programs related to water and wastewater. One program is the Healthy Homes Onsite Water and Wastewater program with about \$16M, is for addressing failed and insufficient water and wastewater systems for owner-occupied homes. The Healthy Homes Manufactured Housing Communities program that will provide about \$25M is for manufactured housing and mobile home water, wastewater, and stormwater projects, Another program is focused on water and wastewater systems for about a dozen small communities with about \$30M of funding. There is also an Agency of Commerce and Community Development Community Recovery and Revitalization Program (CRRP) ARPA funded grant RFP that can support projects with project funding of up to \$1M or 20% of the cost. The Drinking Water and Groundwater Protection Division's Wastewater Program will add 5 new limited service to do the permitting for the projects funded with ARPA money.

Minor Permits:

Sheri asked about progress on the process for minor permits. There are some changes coming once the new application process is completed. There are some software problems that must be resolved. Other suggestions included forming a subcommittee or scheduling a regular

TAC meeting to develop a list of actions that could be approved with a minor permit. Craig Jewett said that a general permit approach, starting with 4 or 5 actions might be a good approach.