

**Virginia Department of Health
Drip Dispersal Technical Advisory Committee (DD TAC)
November 19, 2015 Meeting Summary**

List of attendees at central location:

Advisory Committee Members

Bob Mayer	Valerie Rourke	Joel Pinnix	Tom Ashton
Pat Duttry			

VDH Staff and Guests

Marcia Degen	Lance Gregory	Todd Grubbs	Sean McGuigan
Reed Johnson	Curtis Moore		

Administrative.

Mr. Gregory welcomed the committee and guests, and opened the meeting by discussing the regulatory process and expectations for the meeting.

Current status of regulations and process moving forward.

Mr. Gregory then presented an update on the status of the proposed regulations. The regulations for gravelless material and drip dispersal are in the last stage of the process. A 60 day public comment period on the proposed regulations ended on October 26, 2015, and the agency now needs to develop the final regulations. The emergency regulations for gravelless material and drip dispersal were set to expire in September of 2015, however, Governor McAuliffe granted an extension to March of 2016. In order to have final regulations in place before the emergency regulations expire, the agency needs to have the final regulations approved by January 20, 2016.

Review public comments.

Next the DD TAC discussed comments received during the public comment period. The DD TAC first discussed the following comment from Nan Gray:

“Drip dispersal [955]B.3 requires 6 inches, manufacturers like to recommend install at 4 inches, justification either way?”

Mr. Gregory stated that this comment was referencing the section dealing with minimum cover over drip systems dispersing secondary effluent.

Mr. Ashton stated that he believed the question was about installation depth and not cover.

Mr. Mayer stated that the cover requirement was a protective measure to protect and cover the tubing.

There was discussion among the TAC about whether the combination of septic tank effluent system and secondary effluent system requirements in section 955.B.3 was creating confusion.

Mr. Pinnix suggested creating a B.3.a for septic tank effluent and B.3.b for secondary effluent.

There were additional suggestions to clarify the cover requirements for septic tank effluent drip systems and to strike the reference to 12VAC5-613.

The DD TAC also recommended contacting Ms. Gray to ensure her comment was properly understood.

Next the committee discussed a comment from Mr. Ashton stating that proposed section 955.B.6 was redundant, and recommended that the section be removed.

Proposed section 955.B.6 states that “the system design shall protect the drip emitters and system from the effects of siphoning or backflow through the emitters.”

Mr. Ashton stated that certain emitters are more prone to aspiration than other, and that the proposed regulations addressed the issue elsewhere.

Mr. Gregory commented that this section was added to address a previous comment from Mr. Pinnix.

Mr. Ashton stated that he had no issue leaving proposed section 955.B.6 in.

Mr. Moore suggested adding language to reference when the issue might with siphoning might occur.

The DD TAC then discussed Mr. Ashton’s comments regarding proposed section 955.C.3.

Propose section 955.C.3. states that “landscape linear loading rates shall be considered for sloping absorption areas. For sites where effluent flow is primarily horizontal, linear loading rates shall be less than four gallons per day per linear foot. For sites where the flow is primarily vertical, the linear loading rates shall be less than 10 gallons per day per linear foot.”

Mr. Ashton stated that he believes the values are misplaced, and are in conflicted with 12VAC5-613 which leaves it up to the professional engineer to determine the linear loading based on the soil evaluation and other factors. Additional, the values are used for above ground systems.

Mr. Moore stated that the terms “primarily horizontal” and “primarily vertical” where ambiguous.

Mr. McGuigan commented that other states use a simple ratio, like 3 to 1, once a threshold is reached.

Mr. Pinnix commented the 12VAC5-610 regulations set prescriptive requirements, and that a prescriptive regulation should have a number. There was concern with the language in the emergency regulations which simply states that linear loading rates must be considered.

There was considerable disagreement regarding the appropriate path forward for addressing the issue of landscape linear loading rates.

Next the DD TAC discussed a comment from Bob Marshall suggesting a modification to section 880.B.6. The DD TAC agreed the suggestion was outside the scope of the regulatory action but should be considered in future regulatory reviews.

The Committee also discussed several comments that we submitted by Harold Mathews to VDH via email.

Dr. Mathews first suggestion was to remove septic tank effluent to drip from proposed regulations. This issue was discussed in great detail during early DD TAC meeting. Dr. Mathews concern seemed to be directed at maintenance of the system. The DD TAC committee suggested adding “filter maintenance” to section 955.L.

Dr. Mathews also provide suggestions to require that header line be a minimum of 8 inches above the trench bottom, and that control panels be a minimum of 30 inches above grade. The DD TAC agreed these were both good recommendation but outside the scope of the regulatory action. The DD TAC recommended that VDH consider these comments for future regulatory changes.

Lastly, the DD TAC discussed a public comment from Mr. Mayer recommending that 955.C.3 be removed. Again, there was significant disagreement on the appropriate path forward.

Mrs. Duttry suggested describing the issue VDH is trying to avoid, clarifying the purpose of the section.

Mr. Gregory committed to providing the DD TAC with several options for draft language.

Additional comments and proposed revisions from TAC.

Mr. Pinnix commented that drip dispersal should not be in 12VAC5-610, as a professional engineer can already design a drip system under 12VAC5-613. He asked how many designs have been submitted under 12VAC5-610 versus 12VAC5-613.

Mr. Pinnix suggested the development of performance based regulations for drip dispersal under 12VAC5-613. Mr. Gregory provided a copy of Mr. Pinnix’s earlier proposal for performance regulations discussed at a previous DD TAC meeting.

Mr. Gregory asked whether the DD TAC would suggest bringing Mr. Pinnix’s performance regulation suggestion to the Sewage Handling and Disposal Advisory Committee (SHADAC) for further consideration. There was some discussion as to whether such a suggestion would be

outside the scope of the DD TACs charge. In general, the idea to move the recommendation to the SHADAC was supported.

Mr. Johnson had submitted information on a treatment process and an infiltration test kit to VDH. DD TAC members believed a review of the product was outside of their charge, but also agreed with recommendations to move discussion forward to the SHADAC.

Adjourn

**Virginia Department of Health
Drip Dispersal
Technical Advisory Committee Meeting**

Date: November 19, 2015
Time: 9:00 pm to 12:00 pm
Location: Madison Building, 12th Floor, Conference Room 1214
109 Governor's Street, Richmond, VA 23219

Meeting Agenda

1. Administrative. (5 minutes)
 - A. Welcome.
 - B. Expectations for the meeting.
 - C. Review and approve agenda.
2. Current status of regulations and process moving forward. (5 minutes)
3. Review public comments. (40 minutes)
4. Review proposed regulations and address public comments. (30 minutes)
5. Break (10 minutes)
6. Continue review to address public comments. (30 minutes)
7. Additional comments and proposed revisions from TAC. (10 minutes)
8. Prioritize TAC comments and proposed revisions. (5 minutes)
9. Discuss TAC comments and proposed revisions. (35 minutes)
10. Moving forward, future TAC meetings. (10 minutes)
11. Adjourn