

**Sewage Handling and Disposal Advisory Committee Meeting**  
**Virginia Department of Health**  
**May 17, 2012**

**Attendees:**

Advisory Committee Members:

Vincent Day – Chairman	Greg Evanylo	Dan Holmes
Peter Kesecker	Allen Knapp	Robert Lee
Michael Lynn	Curtis Moore	Joel Pinnix
Valerie Rourke	James Hall	

Guests:

Tom Ashton- AMC	Bob Mayer- AMC	Ted McCormack- VACO
Sean McGuigan- Presby	Charles Leonard- VDH	Jack Watts- VDH
Dan Richardson- VDH	Dwayne Roadcap- VDH	Peter Basanti- VDH
Patrick Bolling- VDH	Jay Conta- VDH	Eric Aschenbach- VDH
Lance Gregory- VDH	Marcia Degen – VDH	James Slusser

**Administrative**

1. Welcome & Introduction of Members and New Staff

The meeting was called to order by Committee Chairman Vincent Day. Initial comments were made by Allen Knapp to introduce new staff with the Office of Environmental Health Services (OEHS), Lance Gregory. Mr. Gregory has taken over primary duties of oversee the private well program.

Chairman Day reminded committee members of the Roberts Rule of Order, to address the chair, to allow other committee members to speak, and that guests are permitted to speak.

2. Approve Agenda

Chairman Day asked for additions to the agenda. Bob Lee requested that a discussion of shallow placed systems and the status of BMP's for onsite sewage system related to the Chesapeake Bay Total Maximum Daily Load (TMDL) be added to the agenda.

The agenda was approved with Mr. Lee's recommendations. See the modified agenda at the end of the minutes. (Attachment 1)

3. Review and Approve Minutes (April 1, 2011 and February 24, 2012)

Minutes the April 1, 2011, and February 24, 2012 meeting were presented with edits from the Department of Environmental Quality. Both sets of minutes were approved and will be posted as final minutes on Town Hall

## Old Business

### 1. Status of Anua's Platinum unit

At the previous meeting, VDH presented information regarding a European Union testing protocol, EN-12566-3, for Treatment Level 2 which produces both an average design flow and a peak design flow in its certification statement. The question VDH posed to the Committee was "Should VDH accept the average day design flow or the peak flow?" The Committee felt that if the peak testing was of adequate duration (2 weeks), then VDH should consider accepting the peak flow as the rated design capacity. VDH went back to the testing lab after the last meeting and confirmed that the peak testing was only conducted for 2 days and not 2 weeks. VDH will accept the average day flow as the rated capacity for treatment units tested under this protocol.

### 2. Implementation Manual Status

VDH presented an update on the Interim Implementation Manual for the *Regulations for Alternative Onsite Sewage Systems*. VDH is nearing a final draft, but is dealing with several difficult issues. Discussion is ongoing with the Office of the Attorney General, and that the manual should be out soon to the Health Districts for their review.

Michael Lynn noted certain Health Districts have been aggressive in sending out Operation and Maintenance requirement letters to homeowners of Alternative Onsite Sewage Systems (AOSS), while other district say they are waiting on direction from the Office of Environmental Health Services (OEHS) before beginning implementation. There is concern that lack of consistency from district to district and county to county could create confusion for homeowners and industry stakeholders.

Is there a deadline for getting all AOSS into the Health Departments database? It was noted that in areas where AOSS were entered into the database, and letters had been sent, the districts have seen good numbers of compliance without enforcement in place. Operators are entering this data in some cases, and should provide the benefit of completing updates of AOSS information into the database.

VDH noted that while the pace is slow there is movement forward. VDH is working on system type definitions and programming issues, as well as trying to import data that districts were keeping on separate spreadsheets outside of the database. The task of completing the database is in the Chesapeake Bay Watershed Implementation Plan, with a completion date of having all AOSS into the Health Department database by 2014.

### 3. Update of work on Groundwater Monitoring Plans and Hydrogeological Studies Technical Guidance

VDH is currently in the data gathering stage, and is working with the Chairman, Vincent Day who is a professional geologist to assemble available references on the topic. The next step would be to assemble a stakeholder group to meet later this summer or early this fall. DEQ expressed interest in being on the stakeholder group.

A question was raised regarding any new guidance for designs where water table is less than twelve (12) inches and wetlands are suspected. At this time VDH is relying on professional opinion for wetlands, unless there is evidence from some other source that contradicts the professional opinion.

## **New Business**

### **1. Housing Commission – Housing and the Environment Workgroup (May 9<sup>th</sup>)**

VDH (Knapp) stated that there has been an increased interest in AOSS in various parts of the state. Two bills were presented to the state legislature this past session. Delegate Timothy Hugo's bill would have created operation and maintenance exemptions for AOSS installed prior to January 1, 2010. Delegate Scott Lingamfelter's bill would have eliminated the ability for localities to require financial assurances for operation and maintenance of AOSS. Neither legislative measure was passed.

Allen Knapp and Joel Pinnix both recently attended a Housing Commission Workgroup lead by Senator John Watkins to further discuss AOSS. Workgroup members were curious of how VDH arrived at a one (1) year requirement for operation and maintenance inspections, and explained some of the frustration that has been voiced by constituents. It was explained to the Workgroup that VDH evaluated variable view points from stakeholders and that the consensus was minimum one (1) year operation and maintenance visit frequency. A review of data for AOSS inspection reports in Loudoun County was discussed with the Workgroup, namely that the data did show a high number of AOSS system failures during the first reporting cycle with a noticeable improvement in failure rates during the second reporting cycle. While VDH supports data driven decision making, there is insufficient data at this point to recommend revising the inspection frequency from one (1) year. Senator Watkins felt that there was merit to varying the frequency of operator visits for various systems. The Workgroup has asked for data as well as information on performance requirements for the next meeting. There were also questions from the Workgroup in regards to distribution of AOSS operators throughout the state and what impact that may have on cost in areas with fewer operators.

Delegate Lingamfelter convened a group to look at bonding for AOSS. The group has met once, and the next meeting is scheduled for June 13<sup>th</sup>. That meeting will discuss what happens if the owner of an AOSS cannot afford or refuses to operate an AOSS. Dan Holmes noted Delegate Lingamfelter's bill would have removed a locality's ability to require bonding. Additional to the bill was a request for the Attorney General's opinion on this issue. There is a sense that Delegate Lingamfelter's work group may also discuss the Attorney General's opinion.

Valerie Rourke asked if there a discussion of the statewide building code process. It was not discussed in the context of AOSS.

Mr. Knapp was also invited to give a presentation at a citizen's forum centered on AOSS, hosted by Piedmont Environmental Council (PEC). Mr. Holmes also presented at the forum, and both felt the meeting was very interesting. Members of the audience came in with very specific issues, many in regards to a local facility with a VPDES permit from DEQ. There was a broad range of attendees including developers, builders, members from DEQ, etc. Only two (2) of the

thirty (30) attendees were actually owners of AOSS. Mr. Lynn stated that similar forums should be repeated across the state as they give very unbiased information.

2. GMP 147 – Are the design expectations in GMP 147 still relevant or necessary in light of the AOSS Regulations, OSE's being regulated by DPOR, and DPOR's board defining what activity constitutes the practice of engineering?

VDH (Roadcap) OEHS is reexamining GMP 147 since the adoption of the *Regulations for Alternative Onsite Sewage Systems* has taken place. GMP 147 has two purposes. It provides a protocol for testing treatment units to a Treatment Level 3 (TL-3) and it provides design criteria with the appropriate waivers to the Sewage Handling and Disposal Regulations to allow for higher loading rates, various dispersal configurations, and other design criteria. VDH is splitting the testing protocol out and making that a separate GMP, but the question to this Committee is does VDH need to maintain the design criteria that are found in GMP 147? OEHS does not feel these design criteria are necessary as 32.1-163.6 allow for these designs.

Mike Lynn: Does OEHS feel that items such as pads are covered by the AOSS Regulations, and how that would affect the waivers and variances allowed in GMP 147?

Roadcap: The policy initially was implemented to provide recommendations for manufacturers to receive approval, based on manufacturers stating that the approval process in the *Sewage Handling and Disposal Regulations* (SHDR) was too expensive. VDH just needs assurance of treatment, not that highly treated effluent can have reduced loading rates. The reduction in loading rates with the higher quality effluent is already established. The waivers in GMP 147 are from the SHDR, not the AOSS Regulations. Presumably, anyone can use 163.6 to completed designs that GMP 147 allows. There is concern that by taking the design criteria out of the policy Onsite Soil Evaluator's (OSE's) would not be able to do designs. OEHS does not feel that way. OEHS would point to the regulations and DPOR's exemption to the practice of engineering. If a design meets that definition then an OSE can complete the design.

Valerie Rourke: Suggest that functional items in GMP 147 be moved to the Implementation Manual for the AOSS Regulations, to consolidate and eliminate redundancy.

Mr. Knapp: Could be done, but questions if it should be done. Should we have a design manual in a policy, when everything in GMP 147 can be done under the AOSS Regulations? Would the design manual become a defacto new standard?

Joel Pinnix: Does this policy cause any harm or conflict with the regulatory frame work in place?

Degen: The policy does not anticipate disinfection for any scenario, but that the AOSS Regulations do, so there is a conflict.

Curtis Moore: If the AOSS Regulations are silent on an issue then by default you would look at the SHDR. There are likely issues in this policy that are not address in the AOSS Regulations, therefore if you do not have the variance allow in GMP 147, then you end up with a professional engineer submittal under the AOSS Regulations rather than a variance.

Roadcap: A variance is not necessary in light of the AOSS Regulations. If you can use an existing regulation to do what the variance does, then you don't need the variance. The question is would this effect OSE's and their ability to design systems under their DPOR license and the exemption to the practice of engineering.

The Committee's discussion included the following points:

- The loss of the design criteria in GMP 147 would be confusing for AOSEs and EHSs
- If no variances provided to the SHDR and no design criteria, then concern over whether AOSE's would be operating outside their license (VDH does not think is a concern.)
- While the Committee understands that these designs can be done under the AOSS regs, there is concern over not having some guidelines
- Maintaining the design guidelines would assist EHSs and AOSEs and would facilitate permit processing
- The design guidelines in GMP 147 are relevant and useful.

Joel Pinnix made the following motion: The Committee should recommend to keep the design information in GMP 147 with modification being made to eliminate any conflicts with the current regulatory framework.

Dan Holmes amended the motion to add 'and remove any unnecessary information', but cautioned that "unnecessary information" should be looked at critically to make sure that the goal of maintaining the design criteria was reached.

Members noted that the form is not important, but only that the information be captured. It could be part of the Implementation Manual or a new GMP. VDH noted that they had considered splitting GMP 147 into two documents: the testing protocol and the design criteria. Most members appeared supportive of that concept.

Vote was unanimous to pass the motion as amended.

3. GMP 116, GMP 127, and GMP 135- Should these policies be revised? In light of licensing requirements of DPOR, should VDH continue its policy to allow contractors to substitute designs from licensed OSEs that work for VDH?

VDH (Lance Gregory): These 3 GMPs deal with gravel-less technologies and reduced footprints.

VDH is considering consolidating them and modifying them. For consideration is

- Should contractors be allowed to substitute without input from a VDH AOSE?
- Should VDH allow <1:1 substitutions on VDH designs?
- Should the financial assurance be eliminated?

Bob Lee stated that the permits should explicitly state what is allowed with regard to substitutions. Mike Lynn noted that contractors are already picking pumps and panels on VDH permits.

Pete Kesecker: VDH designers should have the same control over what goes in the ground as a private AOSE. Curtis Moore said that allowing installers to substantially affect design by reducing the footprint is a problem and it should left to the designer. He cited a scenario where

he does the soil work for a certification letter, but VDH comes back later and does the design based on his soil work. Installers modify the VDH design to use chambers and reduced footprint without any designer input.

VDH: VDH has policies that say that VDH staff don't specify proprietary products. VDH also has licensed AOSEs and shouldn't they have the ability to say 'No' if they don't want to allow a footprint reduction or use a gravel-less technology? Related to this issue is the authority of the installers to make these design changes. Are they allowed to do that under their DPOR license?

Options were discussed such as allowing 1:1 substitutions only for VDH designs. There are parts of the state where gravel is difficult to get and the gravel-less technologies are used often so would not want to eliminate the option entirely. If an owner/contractor wanted to reduce the footprint, they would have to work through a private consultant. VDH noted that if no reduction is allowed for VDH permits, then the financial assurance part of the GMPs could be eliminated.

In general the Committee was supportive of not allowing footprint reductions for VDH designed systems but was not opposed to the substitution of gravel-less technologies on a 1:1 basis. The general thought was that as licensed AOSEs they should have the same right to be consulted as a private sector AOSE about changes to their designs. However, there may be conflicts with the VDH policy of not specifying proprietary products so the safest answer is to allow the 1:1 substitution.

The question was raised "Would a policy still be needed if only private sector consultant were able to specify reduced footprint?" A policy would make it easier for EHSs and consultants to know what is acceptable/recommended reductions for different products and soil scenarios.

#### 4. EPA Needs Survey

VDH (Degen): VDH is participating with the EPA's Needs Survey. The survey started in 1972. DEQ has typically been involved, but the onsite sector in Virginia has not been captured before. The survey collects information on the needs of different wastewater sectors, and is used to create a report to Congress on wastewater infrastructure needs. It is not currently directly tied to funding. [Bob Lee noted that while it is a flat amount of money right now, but it does involve how it is allocated to the states. ] VDH believes that it is critical that the onsite wastewater needs be counted especially with the increasing demands on this sector. VDH has submitted draft protocol to EPA on how the survey data will be collected. The survey must be completed by October. VDH will work with DEQ to input the data. The needs are separated into new construction, repair/replacements, and community systems. The VENIS database contains data from 2004 to 2011 which covers a wide range of economic conditions so by averaging the data over that time period, VDH will produce a good average indicator of the needs for the next 20 years. To assess community needs, VDH is working with Health Managers, Planning Districts, etc. The Virginia Revolving Loan Fund can currently make loans for decentralized systems, but they can only loan to public entities. The only way to get funding to individuals is to loan to a locality, PDC, etc and they in turn loan the money to the individual.

Bob Lee noted that Loudoun County had accepted loan funds for decentralized systems, but that the process is cumbersome and time consuming. It needs to be changed to make it more effective.

Pinnix: When you look at repairs and replacements are you looking at conventional systems and the pending Chesapeake Bay TMDL requirements?

Degen: We had initially included the retrofit of a given number of conventional systems each year (12000), but EPA did not accept that figure as it was not a commitment or a defined goal at this point. Hopefully by the next survey we will have that better defined.

Mr. Lee noted that without nutrient credit trading for onsite systems, retrofits are the only valid option to meet the TMDL so he suggested that VDH reconsider and include the costs for the N retrofits until other options (like trading) are available.

#### 5. National Fish and Wildlife Grant Application

VDH (Eric Aschenbach) presented information on an application for NFWF Grant. See attached presentation. VDH requested \$750,000 and it has a 50% match. For homeowners, the match would be between 25 and 50% depending on income. VDH also asked to fund a position that would come from state funds to run the program. Projects will have to conform to one or more of the BMP's in the Chesapeake Bay model. The grant application is targeted to existing systems with House Bill 930 waivers.

The NFWF has been funded for many years. Greg Evanylo said that the fund is looking for on the ground improvements and that past applications have been primarily focused on agriculture BMPs. This application is unique and innovative and should be competitive.

Bob Lee: Would it only apply to systems that are in the ground, or would you be eligible in place of a 930 Waiver?

Allen Knapp: The fund cannot address mandated requirements so unless they have already obtained the waiver to the requirement, they would not qualify.

The idea is that this would primarily replace the treatment system, and identifies a maximum project cost of fifteen thousand (15,000) with seven thousand five hundred (7,500) coming from the program. This would cover design and installation cost. There will be a contract between the owner and VDH, not sure if they will need to follow procurement guidelines but would probably have to get three bids.

Curtis Moore: This will typically come up as income to the grant recipients. They may be prohibitive for low income individuals as they may not be able to afford the additional taxes.

Allen Knapp: In the process of filling out the application, VDH found out there is a DCR grant through the Soil and Water Conservation Districts. That money comes from the Water Quality Improvement Fund and Coastal Zone management and is associated with local TMDLs. However that program has a program manual that VDH will look to for programmatic structure.

Pete Kesecker: Could that information be placed on the VDH website. VDH hopes to have someone in our office to work on getting that type of information out to stakeholders and on the website. The DCR money however is tied to local TMDL implementation such as the elimination of straight pipes to address a bacterial impairment. It is not uniformly available and has advertising and notification requirements for the area with the TMDL implementation plan.

#### 5. Periodic Review of Sewage Handling and Disposal Regulations – Fall 2012

Seeking committee input on critical subjects to be reviewed such as

- Transfer of construction permits to new owners
- Issuing operation permits for sites with multi-year build-out schedules
- Review of existing systems pursuant to 32.1-163.5
- Graywater reuse
- Fill systems and SDMP
- Pump and Haul
- Prescriptive requirements for alternative systems
- Other topics? Brainstorming session
- DEQ – gray water and septage are some of DEQ's top issues
- VDH – do we need prescriptive criteria from GMP 147

VDH (Roadcap): According to executive order VDH must review all regulations every four years. We have a NOIRA active from 2008. The notice from 2008 was side tracked with the Emergency Regulations, talks about performance requirements, and repealing the Emergency Regulations and replacing with the final Regulation for Alternative Onsite Sewage Systems. VDH is going to withdraw the 2008 NOIRA. For the new NOIRA, VDH has the option of starting with the notice to consider modification OR starting with a notice to intend to open the regs. There have been numerous code changes and changes to the administrative process that should be captured in the SHDR, including some of the items listed above. Proposed regulations must be submitted within 180 days after the NOIRA comment period closes. VDH is targeting Fall 2012 for the NOIRA, but not sure when it'll actually be published. VDH would like to start a process to examine the regulations with this group.

Valerie Rourke: Is VDH asking this committee to become the technical advisory committee for the regulations?

Dwayne Roadcap: Yes

Dan Holmes Motion: The Sewage Handling and Disposal Regulation Advisory Committee should become the technical advisory group for the periodic review of the SHDR.

The committee discussed if the advisory committee had the proper representation to address all the issues in the regulations? The consensus was that there were some groups missing such as installers, operators, owners, etc.



Dan Holmes amended his motion to state the Sewage Handling and Disposal Regulation Advisory Committee should become the technical advisory committee for the SHDR review allowing for the addition of members as needed. Bob Lee seconded the motion.

All in favor; 1 abstaining.

Some members noted that VDH embarked on a very lengthy and time consuming rewrite of the regulations prior to the mandate to produce the Emergency Regulations with biweekly meetings. There should be a lot of draft language available already. It was suggested that summaries or recaps of those meetings be provided. Another member suggested that strawman document be developed to aid committee's review. DEQ noted that they use the strawman approach frequently in developing DEQ regs with technical advisory committees. VDH did not believe there would be time to develop a strawman. The committee asked for at least a list of key issues and concerns by section.

7. Local Ordinances – open discussion on pros and cons of local policies and ordinances

Mike Lynn requested this topic for discussion and asked VDH how many local ordinances were there regarding onsite sewage? VDH has not had an opportunity to look at the number. Mr. Lynn noted that in the area he works, every county had one. His concern is being able to implement things that should be fairly standard from county to county, but he's finding local ordinances that can make as much as a \$5 to 10,000 cost differential. He understands the local ordinances are enacted in response to planning policies, etc. and that with AOSS's, the local governments feel that they'll be hit with the cost to correct the failing AOSSs which resulted in the bonding bill. He has also seen where the changes in the onsite regs have caught localities off guard by opening areas previously off limits. So as revisions to the regs go forward perhaps it's time to assess what's good and bad in local ordinances and consider if localities need a heads up if changes are going to affect planning and zoning.

Mr. Lynn asked to get the members' thoughts on the pros and cons of local ordinances. [It was noted that localities have the authority to write ordinances that are more restrictive than state regulation, but they cannot lessen a state requirement. It was also discussed that they have to be delegated that authority by the state.]

Joel Pinnix: He is a proponent of a consistent set of statewide rules as it makes design, review, and permitting consistent. Also allows in case of dispute, a consistent dispute resolution mechanism. When there is overlapping requirements, the applicant is left in a gray area when denied base on local ordinances. But Mr. Pinnix also sees where localities may need more authority, specifically in regards to TMDL's. If we have statewide requirements then we need the program to account for items like the TMDL, but the state has divested itself of the implementation of the TMDL and has placed the burden on the localities. Should follow the Chesapeake Bay Act - make a standard and put it on the localities to adopt.

Dan Holmes: Feel like state has been fairly clear of what can and cannot be done. Have seen instances where boundaries have been pushed, lack of clarity. At this point the state is clear on maintenance requirements.

Bob Lee noted that it is a tough issue and that there is merit to a single set of requirements that go across the state. Where requirements differ from county to county, it becomes difficult for consultants to keep up. However, when the state doesn't act the localities get frustrated. Prior to the adoption of the AOSS Regulations, the counties tried to adapt and protect themselves by creating ordinances to implement Code required changes such as O&M. State needs to keep regulations updated and do it right, which includes enforcement.

Curtis Moore is a proponent of statewide consistency. Pump outs are state requirements, so if counties don't have the authority, that portion of the Bay Act may be thrown out. Difficult when localities set arbitrary requirements. Legal quandary if one complies with state requirement, and state employee evaluates requirements, then why aren't the state employees required to issue the permit, and leave it to the local building official to deny the permit? If denied by the local health department then there is no right of appeal.

Valerie Rourke: Similar to what happens with biosolids program. Localities can by law post additional requirements for storage facilities and it make sure applicants also work with local ordinances. So far works out fine, but is a smaller universe of applicants. She noted that it should be either state or local, but not both. DCR's Erosion and Sediment program can delegated its program to the local level, but inconsistency and enforcement has been an issue.

Both James Hall and Greg Evanylo support a level playing field, but Dr. Evanylo noted that there are times when you need local regulations that are more stringent due to local conditions.

Allen Knapp noted that this issue is not unique to onsite and gave the example of schools. The State sets the minimum standards, and then localities choose to exceed or not. It does not create a level playing field. He is concerned that there are two groups of citizens in the wastewater world, people who's wastewater is taken care of by the government who aren't affected /responsible for sewage [connected to public sewer], and people who operate private sewage systems that have to be reviewed by government for any actions that they want to take.

A guest noted that ordinances are outdated and arbitrary in some cases and prefers one standard code.

Mr. Holmes understands the older ordinances are problematic, but to assume that ordinances are all arbitrary is incorrect. It's not the job of VDH to intervene when localities are operating within their authority.

Chairman Day noted that counties have used drainfields to try and reduce growth. Good science should go into making those decisions.

#### 8. Other New Business – Added Items:

Progress report on BMP (shallow trench) for Chesapeake Bay TMDL

EPA through the Chesapeake Bay Program has put together three subcommittees to review treatment, soil treatment/dispersal, and siting considerations. VDH is on all 3 of these subcommittees. Currently reviewing the literature for these BMP's

Mike Lynn noted that if VDH implements NSF 245 as the rule and a locality disagrees then we may not meet the Bay TMDL requirements. Need to take that into account.

Bob Mayer noted that some of those local ordinances may eliminate some of the BMP options. For example, one county has minimum depth requirements that would eliminate the shallow placement option.

#### Nutrient Trading

Allen Knapp explained that a stakeholder group headed by DEQ was charged with expanding the nutrient credit exchange to include others involved in the Chesapeake Bay. However that group could not come to grips with how a private septic system would be placed into that program. Systems are certified for some period of years for credit exchanges, but for onsite systems there were suggestions that (1) local government would aggregate the credits, (2) that VDH aggregate, and (3) that VDH would charge a fee and aggregate, but no option went anywhere. The revisions to the nutrient trading program got passed without an onsite trading option, but the idea has not gone away.

Dan Holmes asked how we justify these credits to a federal level.

Mr. Knapp: Once localities figure it out they are going to be scrambling for the credits. But there are issues with the low volume (a few pounds of N per system per year at <\$10/lb, and who would certify those credits, is that system operating properly.

Chairman Day adjourned the meeting at 2pm.

## Administrative

1. Welcome & Introductions of Members and New Staff
2. Approve Agenda
3. Review and Approve Minutes (April 1, 2011, and February 24, 2012)

## Old Business

1. Status of Anua's Platinum unit...Degen
2. Implementation Manual Status ...Degen
  - Status of enforcement (Mike Lynn)
3. Update of work on Groundwater Monitoring Plans and Hydrogeological Studies...Degen

## New Business

1. Housing Commission – Housing and the Environment Workgroup (May 9<sup>th</sup>)...Knapp
2. GMP 147 – Are the design expectations in GMP 147 still relevant or necessary in light of the AOSS Regulations, OSEs being regulated by DPOR, and DPOR's board defining what activity constitutes the practice of engineering?  
<http://www.vdh.virginia.gov/EnvironmentalHealth/ONSITE/gmp/documents/2010/GMP-147%20Interim%20Policy.pdf>
3. GMP 116, GMP 127, and GMP 135 –  
<http://www.vdh.virginia.gov/EnvironmentalHealth/ONSITE/gmp/documents/2010/GMP-116alk.pdf>  
Should these policies be revised? In light of licensing requirements of DPOR, should VDH continue its policy to allow contractors to substitute designs from licensed OSEs that work for VDH?
4. EPA Needs Survey...Degen
5. National Fish and Wildlife Grant Application...Aschenbach
6. Periodic Review for Sewage Handling and Disposal Regulations – Fall 2012...Roadcap  
Seeking committee input on critical subjects to be reviewed such as
  - Transfer of construction permits to new owners
  - Issuing operation permits for sites with multi-year build-out schedules
  - Review of existing systems pursuant to 32.1-163.5
  - Graywater reuse
  - Fill systems and SDMP
  - Pump and Haul
  - Prescriptive requirements for alternative systems
  - Other topics? Brainstorming session
7. Local Ordinances – open discussion on pros and cons of local policies and ordinances (Mike Lynn)
8. Other New Business – ADDED: Update on BMP development for the Bay TMDL and Update on the nutrient trading option for the onsite sector

## Adjourn

Attachment II

NFWF Grant Presentation (see pdf attached to Town Hall documents)

DRAFT

# National Fish and Wildlife Foundation (NFWF) Grant Application



# What are the NFWF Grants?

- Competitive grants through a formal Request for Proposal (RFP) process for projects or programs designed to restore habitat and water quality in Chesapeake Bay watershed.
- \$10 million dollars in grants to be dispersed by the NFWF Chesapeake Bay Stewardship Fund.
- Major source of funding is EPA (Chesapeake Bay Program), Natural Resources Conservation Service (NRCS), U.S. Forest Service, and private corporations (e.g. Altria).
- Deadline for submittal was May 16, 2012.

# What types of grants are being offered?

- Small Watershed Grants (SWGAs)
  - Non-profits and local governments
  - \$20,000-\$200,000
- Innovative Nutrient and Sediment Reduction Grants (INSRGAAs)
  - Non-profits, local governments, universities, and **state agencies**
  - \$200,000-\$750,000
  - Looking for “innovative approaches to accelerate adoption” of nutrient control measures in the Chesapeake Bay watershed
  - Objectives:
    - Reduce nutrient and sediment pollution from residential and commercial properties to the Chesapeake Bay watershed
    - Restore and protect fish and shellfish habitat



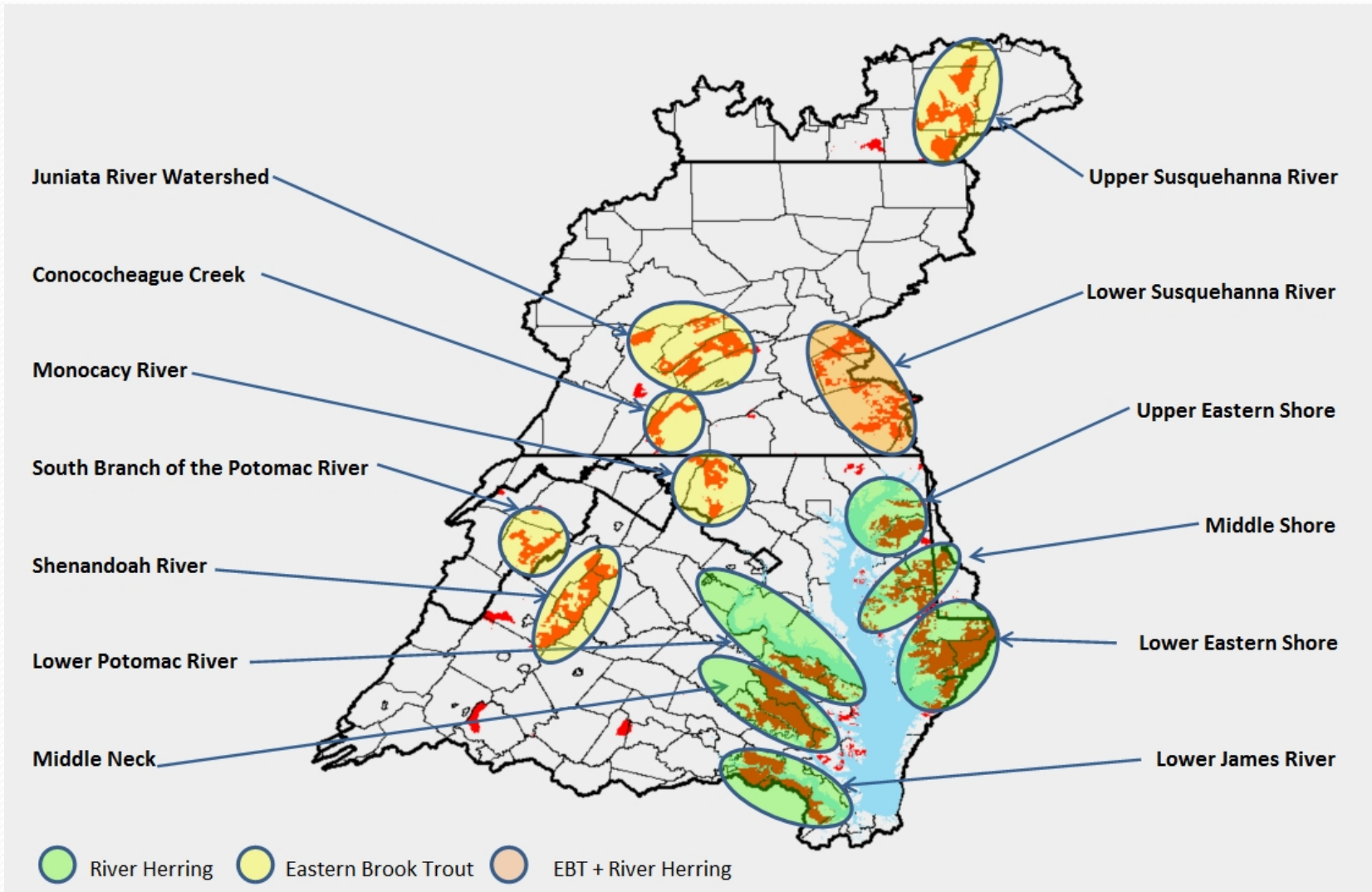
# What does VDH hope to do if awarded a grant?

- Offer a cost-share program to help pay for upgrading onsite sewage treatment facilities with systems that are capable of at least 50% nitrogen reduction
  - Cost-share would be 50%-75% (income dependent) of treatment system expense
  - Facilities holding a valid House Bill 930 Waiver are initially being targeted:
    - These facilities previously had a system failure and are at a high risk to fail again, and
    - Are most likely located in an environmentally sensitive area (e.g. proximity to surface waters) .

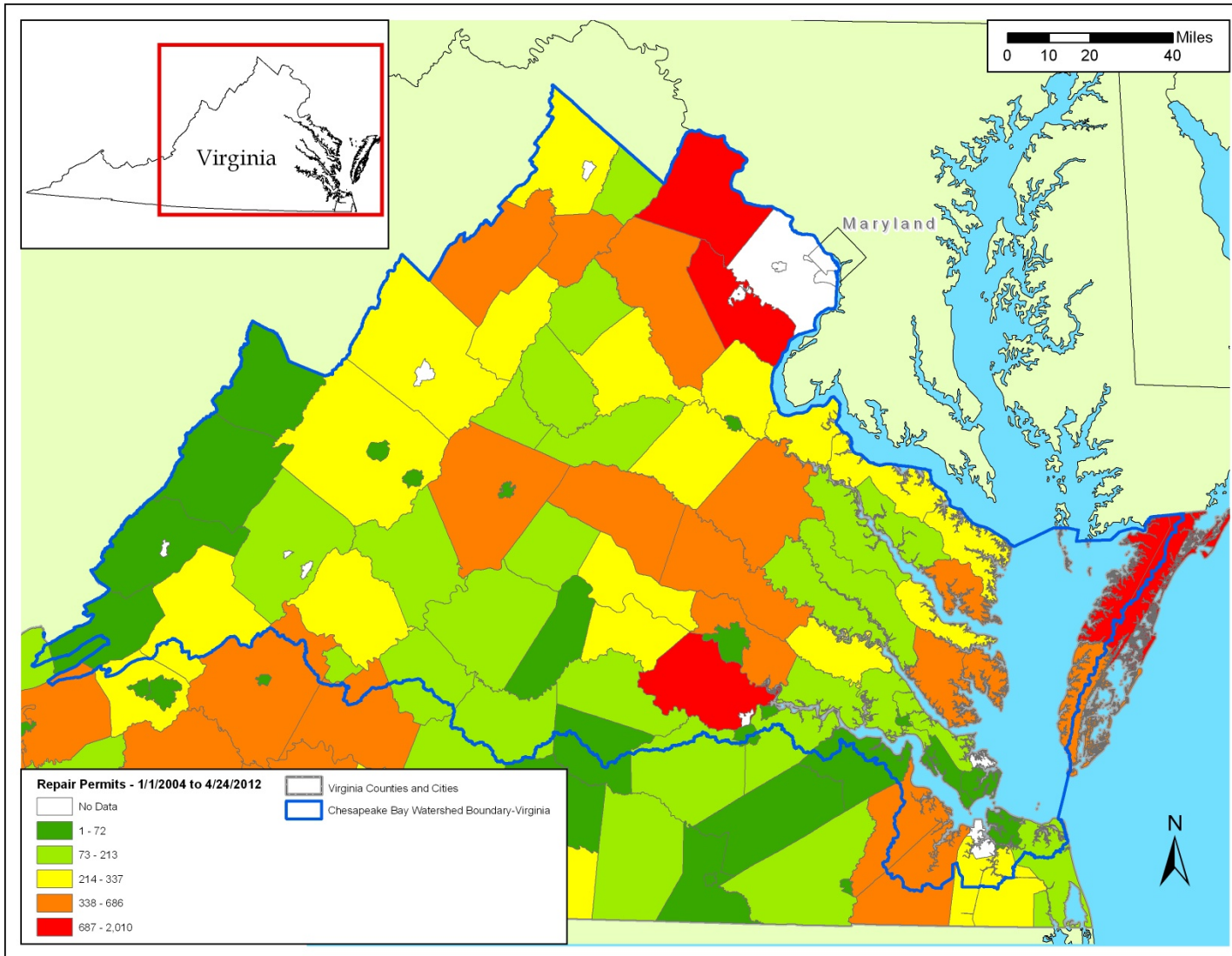
## Where will we focus our efforts?

- All projects need to be located in the Chesapeake Bay watershed
- NFWF has also identified “priority investment areas” to focus restoration:

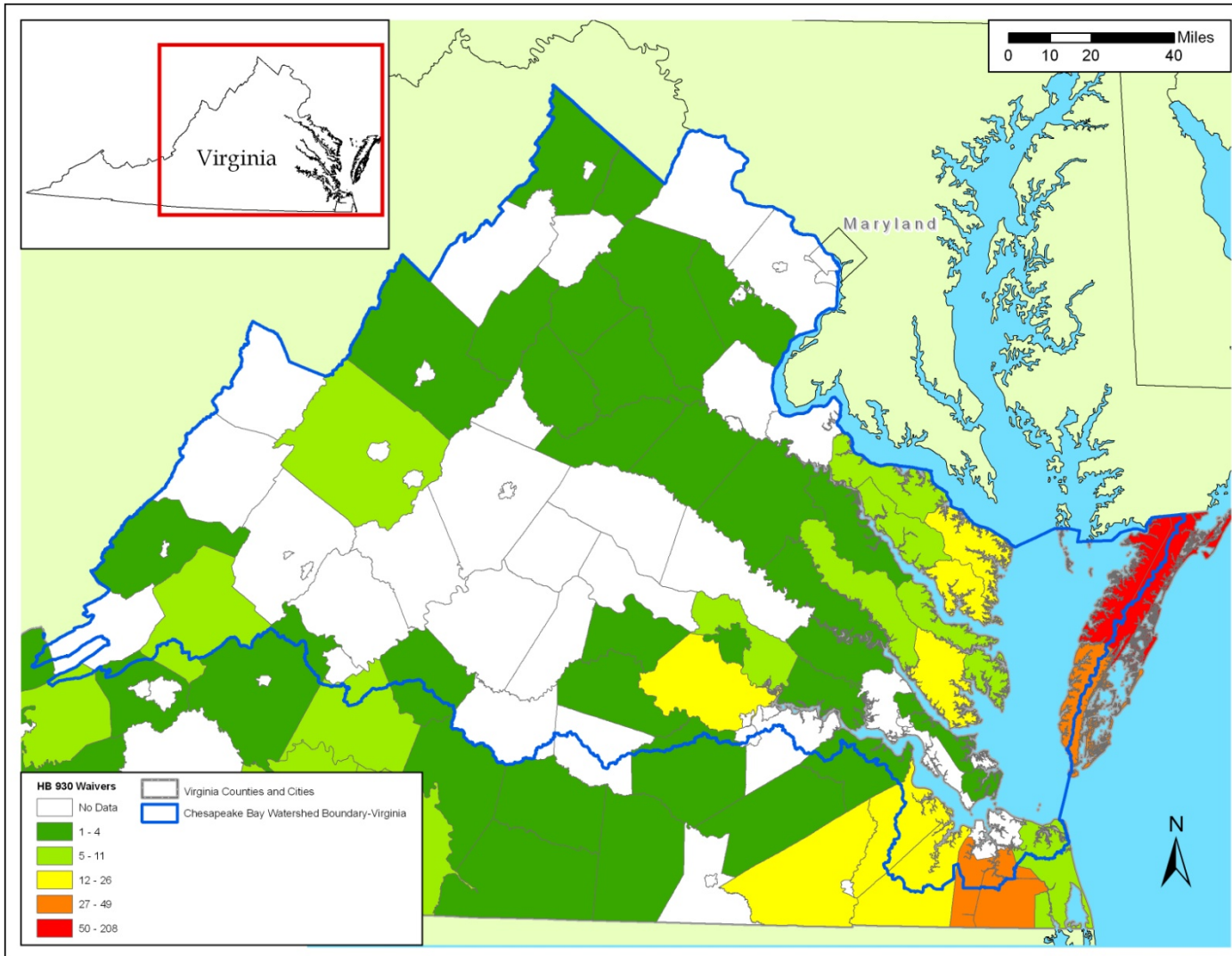
# NFWF Chesapeake Bay Stewardship Fund Targeted Watersheds



# VDH Onsite System Repair Permits



# VDH Onsite System Permits with HB 930 Waiver





# HB 930 Waivers and Shoreline Survey Data - Three Rivers Health District

