

**Virginia Department of Health
Drip Dispersal Technical Advisory Committee (DD TAC)
April 3, 2014 Meeting Summary**

List of attendees at central location:

Advisory Committee Members

Bob Mayer
Joel Pinnix

Trapper Davis

Valerie Rourke

VDH Staff and Guest

Lance Gregory
Kristin Clay

Sean McGuigan
Todd Grubbs

Mark Courtney

List of attendees at remote location:

Advisory Committee Members

Pat Duttry

Administrative

Mr. Gregory stated that the expectations for the meeting are to:

- Address public comments with specific recommendations for revisions to regulatory language;
- Address TAC comments with specific recommendations for revisions to regulatory language;
- Discuss additional TAC comments and formulate specific recommendation for revisions to regulatory language; and
- Determine whether future TAC meetings are necessary.

Current status of regulations and process moving forward.

Mr. Gregory commented that the 30 day public comment on NOIRA has ended. The Board of Health (the Board) has 180 days to present a proposed regulation. There will be another 60 day public comment period on the proposed regulations. The Board will then have 180 days to present final regulations for review. There are additional opportunities for comments and TAC meetings prior to presenting the final regulations.

Review public comments.

Mr. Gregory walked through general concerns presented during public comment period and specific recommendations to amend regulatory language.

Review proposed regulations and address public comments.

The TAC discussed a public comment from an anonymous onsite sewage system designer regarding section slope correction. Mr. Gregory stated that the TAC discuss whether to include slope correction requirements from Guidance Memorandum and Policy 107 (now rescinded) during the initial TAC meetings, and it was decided not to carry the requirement over to the emergency regulations. Mr. Mayer commented that landscape linear loading rates are the important factor.

The TAC then discussed a public comment from Mr. Paul Davis regarding section 955.L of the emergency regulations; startup inspections. Mr. Davis commented that system operators need the information required in section 955.L. Mr. Mayer stated that the information is important to verify the design. Mr. Pinnix commented that section 955.L is redundant with section 330, and voiced concern with creating a conflict between a prescriptive design under Va. Code Section 32.1-163.5 and a performance based design under Va. Code Section 32.1-163.6.

The TAC discussed a public comment from Mr. Tom Ashton regarding section 955.B.3 which deals with the installation depth of drip dispersal systems dispersing septic tank effluent. Mr. Aston suggested removing the reference to section 594 of the Sewage Handling and Disposal Regulations (12VAC5-610, the Regulations) included in the emergency regulations. Section 594 requires a minimum 18 inch installation for dispersal of septic tank effluent. Mr. Mayer commented that Virginia is the only state with this requirement, that the requirement reduces the benefits of the technology, and that there is no public health risk for shallower installs if designed properly. Mrs. Duttry commented that the Regulations set expectations for dispersal of septic tank effluent, and that the proposed revision would create a conflict in the Regulations. Mr. Pinnix commented that designers are given latitude under Va. Code Section 32.1-163.6 and the Regulations for Alternative Onsite Sewage Systems (12VAC5-613, the AOSS Regulations), but the Regulations set prescriptive requirements for designs completed under Va. Code Section 32.1-163.5.

The TAC also discussed another public comment from Mr. Aston regarding the listing of approved drip dispersal systems. Mr. Mayer commented that there is no national listing for drip dispersal systems, and that a VDH listing would create “pre-engineered” packages. Mr. Mayer stated this is done in Pennsylvania, New Jersey, North Carolina, and Delaware, among other states. Mr. Davis commented that product listing is based on the assumption that the product is one size fits all; that is not the case for drip dispersal because the designs are site specific. Mr. Pinnix commented that there are too many variables with drip dispersal designs.

Additional comments and proposed revisions from TAC.

Mr. Rourke commented that the language should clarify that this regulation is only for designs pursuant to Va. Code Section 32.1-163.5.

Mr. Pinnix commented that the prescriptive sizing for dispersal of septic tank effluent is too liberal, and suggested using a multiplication factor six.

Mr. Pinnix stated the section 955.C.2 should not reference the AOSS Regulations. He suggested developing a different multiplication factor; time 1.5.

Mrs. Rourke commented that the regulations need to reference potential overlap between VDH regulations, Department of Environmental Quality regulations, and the Statewide Building Code.

Mr. Pinnix commented that he has an issue with the term “greatest extent possible” used in section 955.C.3. He stated that the regulations should provide a prescriptive standard, and suggested using linear loading rates from the Wisconsin Mound Manual.

Mr. Pinnix stated the he and other engineers have noted issues with design that would comply with the emergency regulations. The emitters on several systems designed by Mr. Pinnix were being clogged by drain back of small sand particles contained in surface water from rain events on flat sites. Mr. Pinnix commented that the regulations need to account for this potential issue.

Adjourn

DRAFT

Appendix A: Agenda
Virginia Department of Health
Drip Dispersal Technical Advisory Committee (DD TAC)
April 3, 2014 Meeting

Date: April 3th, 2014
Time: 1:00 pm to 4:00 pm
Location: Madison Building, 5th Floor Main Conference Room
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. (20 minutes)
4. Review proposed regulations and address public comments. (60 minutes)
5. Break (10 minutes)
6. Additional comments and proposed revisions from TAC. (20 minutes)
7. Prioritize TAC comments and proposed revisions. (5 minutes)
8. Discuss TAC comments and proposed revisions. (45 minutes)
9. Moving forward, future TAC meetings. (10 minutes)
10. Adjourn

Handouts

Copy of public comments from:

<http://www.townhall.virginia.gov/L/comments.cfm?stageid=6765>