

Wastewater Infrastructure Policy Working Group (WWIWG)
September 29, 2022, 10:00 a.m. to 12:00 p.m.
Meeting Summary

Meeting Location

Virginia Department of Health
5th Floor Main Conference Room
109 Governor Street
Richmond, Virginia 23219

Virtual: Virtual access via WebEx platform

List of Attendees:

Working Group Members

Scott Morris – Chief Deputy, Virginia Department of Environmental Quality (DEQ)
Shawn Crumlish – Virginia Resource Authority (VRA)
Chase Sawyer – Virginia Department of Housing and Community Development (DHCD)
Lance Gregory – Virginia Department of Health (VDH)

Other Participants

Karen Doran	Danna Revis	Tanya Pettus	Dave Tiller
Nicole Sandberg	Joey Hiner	Jess Kraus	Gabriel Irigaray
Grace Loudermilk	Amy Pemberton	Darlene Hughes	John Bateman
Kelly Hengler	Carolyn White		

1. Call to order, welcome and introductions.

Mr. Morris welcomed members and stakeholders to the meeting. Participants introduced themselves to the group.

2. Review summary from June 30, 2022 meeting.

Members approved meeting minutes from the June 30, 2022 meeting as well as the April 26, 2022 meeting.

3. Public comment.

During the meeting there were several members of the public that shared thoughts and concerns about wastewater infrastructure needs. Ms. White expressed concerns with “paper streets” in Suffolk that have not been accepted into the Virginia Department of Transportation system while stormwater fees have been collected by the city. Mr. Morris commented that DEQ would share points of contact to address those concerns at the local level. Ms. White also requested a listing of all addresses in Pughsville that had an alternative onsite sewage system with a mound, the frequency of the maintenance, and the last time a notice was sent to property owners. Mr. Gregory noted that VDH would respond with the requested records.

4. Old Business
 - a. Wastewater infrastructure funding updates.

Ms. Doran provided a update on the status of American Rescue Plan Act (ARPA) funding. Through the American Rescue Plan Act (ARPA), DEQ received \$75 million in funding for septic, straight pipe, and sewer collection system repairs. An additional \$125 million was provided to address combined sewer overflows in three specific localities; Alexandria, Lynchburg, and Richmond. DEQ also received \$100 million for nutrient removal projects and infrastructure improvements in the Town of Pound and the City of Petersburg.

Ms. Doran noted that DEQ finalized an implementation plan for ARPA funds in early August and began outreach to eligible applicants. Solicitation for application for the Combined Sewer Overflow and ENRC Pound Petersburg Program began on September 1, 2022. Applications for the Sewer Collection System and Septic Local Partner Program will open on October 15, 2022.

Ms. Doran also commented that DEQ received 73 applications for \$496,000,000 in projects for the Virginia Clean Water Revolving Loan Fund during the fiscal year 2023 solicitation.

Mr. Gregory noted that VDH closed the applications from homeowners for VDH's Septic and Well Assistance Program on September 2, 2022. This was to ensure that VDH has sufficient funds for the more than 300 project applications received along with applications received through the local partners program.

5. New Business

- a. Review outline for 2022 report to the General Assembly.

The workgroup then discuss a draft outline for the 2022 report to the General Assembly (see outline attached). Members discuss the need to reach out to the Department of Education to follow up on workgroup goals to increase wastewater literacy in K through 12 education.

6. Adjournment.



DEQ Wastewater Funding Update

Karen Doran

Clean Water Financing and Assistance Program

September 29, 2022

ARPA WW Funds Update

GA 2021 Special Session II – ARPA funds appropriated to DEQ

- \$75,000,000 – septic, straight pipe, and sewer collection system repair, replacement, and upgrades
- \$125,000,000 – combined sewer overflow (CSO) grants to specific localities – Alexandria, Lynchburg, and Richmond
- \$100,000,000 – ENRC Program nutrient removal projects, and infrastructure improvements in Town of Pound and City of Petersburg

ARPA WW Funds Update

GA 2022 Special Session I – ARPA funds appropriated to DEQ

- \$165,000,000 – combined sewer overflow (CSO) grants to specific localities – Alexandria, Lynchburg, and Richmond
- \$110,151,500 – grants to specific localities for water and wastewater projects
- \$7,325,000 – grants to specific localities for stormwater projects

ARPA WW Funds Update

DEQ's ARPA Implementation Plan

- Sewer Collection System (SCS) Program
- Septic Local Partner Program (SLPP)
- Combined Sewer Overflow (CSO) Program
- ENRC Pound Petersburg (ENRCPP) Program
- 2022 Appropriation Program

<https://www.deq.virginia.gov/water/clean-water-financing/american-rescue-plan-act>

ARPA WW Funds Update

Timeline

- Implementation Plan finalized early August
- Provided direct outreach to eligible applicants – August
 - CSO, ENRCPP, 2022 Appropriation
- Provided two webinars – September
 - SCS and SLPP
- Solicitations open 9/1/22
 - CSO, ENRCPP, 2022 Appropriation
- Solicitations open 10/15/22
 - SCS, SLPP

Virginia Clean Water Revolving Loan Fund

- VCWRLF
 - Provides below market rate loans to localities (and other entities)
 - FY23 solicitation results
 - 73 applications for \$496M
 - Capacity to fund approximately \$300M
 - Director approved tentative funding list
 - 64 applications for \$307.5M
 - Tentative list currently under public review
 - Comment period ends 10/21/22
 - Final Project Priority List
 - SWCB meeting 11/29/22

Contact information

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Program website

<https://www.deq.virginia.gov/water/clean-water-financing>

WASTEWATER INFRASTRUCTURE WORKING GROUP REPORT

December 2022

Wastewater Infrastructure Working Group

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EXECUTIVE SUMMARY

In July of 2019, the Secretary of Natural and Historic Resources, the Secretary of Health and Human Resources, and the Secretary of Commerce and Trade, signed a joint letter of agreement (Appendix A) establishing an interagency Wastewater Infrastructure Work Group to assess wastewater infrastructure needs in the Commonwealth and to develop policy recommendations. The Wastewater Infrastructure Work Group explored the prevalence of failing septic systems, particularly in Tidewater and Southwest Virginia, learned of a pilot program to assess and resolve problems with small municipal sewer systems, and discussed existing barriers to adequate waste treatment. The Wastewater Infrastructure Work Group recommended establishing a policy that prioritizes the Commonwealth’s commitment to providing all Virginians access to affordable waste treatment that supports their health, local economies, and clean water. To position the Commonwealth to seek and prioritize limited

funding, the Wastewater Infrastructure Work Group identified research and data needs to more comprehensively and effectively assess wastewater infrastructure problems. Several recommendations from the Wastewater Infrastructure Work Group centered on educating students and the public about wastewater treatment and to prevent infrastructure failures through adequate oversight and proper maintenance. Finally, the Wastewater Infrastructure Work Group identified opportunities to maximize use of existing funding sources for wastewater treatment and recommended increased funding.

In 2021, the General Assembly approved Chapter 382 of the Acts of Assembly (SB1396) which codified certain recommendations from the Wastewater Infrastructure Work Group. SB 1396 amended the Code of Virginia (the Code) to strengthen the Commonwealth's wastewater infrastructure by adding § 62.1-223.1 to the Code establishing a policy for the Commonwealth to prioritize universal access to wastewater treatment that is protective of public health and the environment, and supports local economic growth and stability. The legislation accomplishes the policy through education, collaboration of government entities, coordination and innovative use of available wastewater infrastructure funding, the consideration of climate change impacts in wastewater regulations, and with a preference for community-based solutions. SB 1396 also added § 62.1-223.2 to the Code to codify the Wastewater Infrastructure Policy Working Group (the Working Group) to consist of appropriate government entities and stakeholders to support and advise the Administration and General Assembly regarding the Commonwealth's wastewater policy. The legislation also added § 62.1-223.3 to the Code to direct the Department of Environmental Quality (DEQ) in partnership with the Virginia Department of Health (VDH) to estimate the amount of wastewater infrastructure funding necessary to implement the Commonwealth's wastewater policy every four years. The legislation amended § 32.1-164 of

the Code to authorize VDH to include considerations for the impacts of climate change in the regulations for design and permitting of onsite sewage systems. Lastly, the legislation amended §32.1-164.1.01 of the Code to authorize VDH to use the funds collected and deposited into the Onsite Sewage Indemnification Fund for loans and grants to assist qualifying homeowners with repairing or improving onsite sewage systems.

PROBLEM STATEMENT

While the majority of Virginia residents have access to adequate wastewater treatment, even in 2022 a number of individuals and communities throughout the Commonwealth continue to lack access to affordable wastewater solutions that are protective of their health and the environment, some even live without access to any indoor plumbing. Inadequate and failing wastewater treatment, whether onsite sewage (septic) or sewerage systems, threatens human health, water quality, and economic development in the Commonwealth.

Despite significant efforts by multiple state agencies, local government organizations, the federal government and nongovernmental organizations, the existence of pockets of failing wastewater infrastructure remains a statewide issue of grave concern. The goal of the Working Group is to better understand the scope and extent of the problem, to provide specific and actionable recommendations for improving coordination and alignment of programs, and to identify means to target limited state and federal resources to deliver the greatest results for individuals and communities in need.

WWIWG 2022 ACTION SUMMARY

- Brief summary from April 26, 2022 meeting.
- Brief summary from June 30, 2022 meeting.
- Brief summary from September 29, 2022 meeting.
- Brief summary of (insert date of 4th meeting).
- New Chief Deputy at DEQ chair of workgroup.
- New Wastewater Infrastructure Manager at VDH.

- VDH stakeholder groups to revise the Sewage Handling and Disposal Regulations, including consideration of impact of climate change per SB 1396.
- (Other general action items taken by DEQ, VDH, DHCD, VRA, related to WWIWG)

RESEARCH DATA NEEDS TO FULLY ASSESS WASTEWATER INFRASTRUCTURE

PROBLEMS

- Funding for VIMS Hot Spot Map expansion west of I-95.
- VDH CDC Environmental Health Capacity Grant – onsite sewage and private well inventory efforts.
 - Public facing website for onsite sewage and private well information.
- SB 200 – 2022 Legislative Session; proposed FOIA exemption for septic complaint investigations.
- Wastewater Infrastructure Needs Assessment.

PREVENT THE HUMAN HEALTH, WATER QUALITY, AND ECONOMIC IMPACTS THROUGH PUBLIC EDUCATION AND PROPER MAINTENANCE

- Incorporating wastewater treatment in appropriate K-12 curricula; steps necessary to implement based on other similar legislative initiatives.
- Reporting of conventional onsite sewage system pump outs; reporting system being developed in response to HB 769 of the 2022 General Assembly Session.
- Public education efforts for Septic Smart Week.

ELIMINATE BARRIERS TO FULLY UTILIZE EXISTING RESOURCES AND

INCREASE FUNDING

- Overview of VDH ARPA funds for Septic and Well Assistance program; addressing how the program helps to:
 - Resolves the backlog of existing onsite system needs in disadvantaged communities and households.
 - Ensures funding the full suite of needs including maintenance, repair, and replacement of onsite systems and connection to municipal wastewater treatment.
 - Prioritizes regional solutions over multiple single household solutions.
 - Considers the cumulative, long-term cost of onsite repairs versus installation of a community-based solution.
 - Provide full funding prior to project construction to eliminate the barriers caused by grant programs that only reimburse homeowners after private funds are expended.
 - Coordinates grant requirements and timelines with other state funding programs.

- Overview of DEQ ARPA, WQIF, 319, and other funds; addressing how the program helps to:
 - Trends on applications for each of the programs; resources.
 - Resolves the backlog of wastewater infrastructure needs in disadvantaged communities and households.
 - Prioritizes regional solutions over multiple single household solutions.
 - Considers the cumulative, long-term cost of onsite repairs versus installation of a community-based solution.
 - Provide full funding prior to project construction to eliminate the barriers caused by grant programs that only reimburse homeowners after private funds are expended. Coordinates grant requirements and timelines with other state funding programs.
- Using backlog of need to consistently advocate for federal resources.
- (Additional funding components for discussion by DHCD; e.g. 2021 recommendation for maintaining funding for planning district commissions 1, 2, and 3)
- (Additional funding components for discussion by VRA)
- (Additional funding components from stakeholders and partners; e.g. unique funding opportunities provided by local governments.)

CONSIDERATIONS OF STAKEHOLDER RESPONSES DURING THE 2021

REGIONAL ROUNDTABLE SESSIONS.

- Discussion agency actions related to stakeholder suggestions from 2021 roundtable.
 - (Cover items in table from April 26, 2022 meeting not covered in previous section of the report)

APPENDICES

- Include table from April 26, 2022 meeting with agency actions related to stakeholder suggestions from 2021 roundtable.