

## **Draft**

### **Minutes from the Individual Sewage Disposal System (ISDS) Task Force – Regulatory Working Group Meeting of May 22, 2001**

The meeting was held in Conference Room 280, DEM Office of Water Resources, 235 Promenade Street and began at approximately 8:00 AM.

In attendance:

Russ Chateaufneuf, Rob Adler, Kendra Beaver, George Loomis, Alison Walsh, Eugenia Marks, Scott Moorehead, Joe Frisella, Tom D'Angelo, Susan Licardi, Tom Getz, Ernie Panciera, Deb Knauss

#### Review of minutes from May 9, 2001

Minutes were accepted as submitted.

#### Follow-up on previous issues previously discussed

Realtor Disclosure Forms for developed property and for undeveloped land, which had been provided electronically by Monica Staaf, were distributed. These forms are used for disclosure by a property owner, of known defects associated with a home or property. The relevance for this group, is disclosure of cesspools if a requirement for cesspool removal is incorporated into the ISDS Regulations.

Alison Walsh reported that 20% of 319 funds may be applied to assessment-related projects, so identification of cesspool location could potentially be an allowed application of these funds under the rules. The problem for RI is that all the 319 money available for RI, has been allocated to completion of TMDLs, as such there is no more available for targeting cesspools. She offered to contact Margharita Pryor at EPA concerning the availability of other sources of funding for identifying location of cesspools and identifying waterbodies at risk of impacts from septic systems.

#### Denitrification requirement in welled areas

DEM previously distributed a draft proposal for requiring nitrogen-reducing technologies in welled areas. The proposal addressed only new construction and alterations, however interest had been expressed to include repairs. Russ clarified that the nitrogen dilution model applied by DEM staff in development of the denitrification requirement proposal, was based on dilution at the property line to 10 mg/l N, which is the drinking water standard, rather than 5 mg/l, which was stated at the last meeting.

Discussion of model:

- Impervious surfaces were not considered.
- Amount of water infiltrated is not expressed as average rainfall for RI, because the model used rainfall minus evapotranspiration and runoff (23" represents water expected to infiltrate using this formula). The 23" is the figure reported by USGS for infiltration in outwash soils, if the figure reported for till soils of 9" is used, 1.5 acres would be required to dilute N to 10 mg/l at the property line versus .5 acre.

Tom D'Angelo requested examples of where nitrogen impacts to groundwater have been a problem with half-acre zoning. Russ stated that Jamestown and Charlestown Beach are both densely developed and wells in both areas have been impacted. Jamestown mostly has drilled wells, Charlestown may have some drilled wells, but due to the presence of outwash soils, may have dug or driven-point wells, which could be expected to be at greater risk of intercepting wastewater contaminated groundwater, than drilled bedrock wells.

Objections/concerns with the draft proposal

- Application of the drinking water standard is not pro-active; when nitrogen is detected at 10 mg/l the water has tripped the standard. If 5 mg/l were applied and N concentrations were

detected at 5 mg/l there is opportunity to implement protective measures to prevent further degradation of the groundwater.

- This could be used as a zoning tool and may be anti-smart growth.
- If public water is available in the area, applicants in that area should not be required to have a nitrogen-reducing system, just because there is one lot that has not tied-in to the public water supply.
- This proposal requires evaluation of an area within a 500-foot radius of the system, yet the well setback is 100-feet (the proposal is intended to account for regional groundwater quality – ISDS beyond 100-feet will contribute to nitrate loading that will potentially impact the wells).
- It was suggested that rather than the 500-foot radius, that a rectangular area may be considered, such that groundwater flow down-gradient of the system could be considered.
- If a farm has sold development rights to the town, that parcel should not be considered in the build out analysis as potentially developable at current zoning.

#### Adjournment

The meeting adjourned at approximately 10:10.

#### Next Meetings:

- Wednesday, June 20, 2001 - 8 AM to 10:00 AM  
Conference Room 280, DEM Office of Water Resources,  
235 Promenade Street.
- Tuesday, July 10, 2001 - 8 AM to 10:00 AM  
Conference Room 280, DEM Office of Water Resources,  
235 Promenade Street.