

Accepted

Minutes from the Individual Sewage Disposal System (ISDS) Task Force – Regulatory Working Group Meeting of September 11, 2001

The meeting was held in Conference Room 280, DEM Office of Water Resources, 235 Promenade Street and began at approximately 8:10 a.m.

In attendance:

Russ Chateaufneuf, Susan Licardi, Rob Adler, Eugenia Marks, Scott Moorehead, Tom D'Angelo, Tom Getz, Ernie Panciera, Deb Knauss

Review of Minutes from August 21, 2001

Accepted as presented.

Revised Fee Language

Additional discussion of the variance fee issue: When DEM requests a change of design on variance applications, there should be a meeting with the designer prior to DEM acting on the variance.

Objection was raised concerning the 2nd re-submission triggering an additional review fee for variance applications, because variance applications automatically involve two submissions to the Department.

Suggestions were made to clarify when to apply this re-submission fee for example “error in application of rules”, “design deficiencies” and “ non-compliance with rules”.

Russ stated that at this time he is uncertain as to whether the ISDS program has the authority to assess a fee for additional review to the designer (fees currently are assessed to the applicant). The fee for reinspection of test holes beyond three site visits was pointed out. Russ stated that this is seldom used and that the installer pays this fee. It was suggested that the Department could copy the applicant on a letter to the designer which clearly states that the additional fee is being assessed as a result of additional review which was necessitated by design deficiencies.

It was suggested that the rules be footnoted to clarify when fees are additive, such as the \$150 fee for the single family new construction application and the additional \$300 fee for variance applications for new residential and commercial construction, which results in \$450 total fees.

There was discussion about the fee associated with “specially engineered systems” in the “variance request” subsection of the proposed fee language. Russ stated that the definition should be reviewed, however he is inclined to eliminate this fee.

Leachfield Construction

Figure X – Bottom of stone below original grade – The following comments/suggestions were made:

- Amend the figure to indicate that soil between trenches will remain undisturbed and provide a footnote clarifying the conditions under which this soil may be removed and replace with compacted gravel, for example when boulders are present in the leachfield area.
- There was discussion concerning a comment that the distribution lines are not being placed high enough in the soil profile to maximize the treatment potential of the natural soil. It was noted that the figures being discussed at this meeting are typical of conventional systems and that without advanced treatment preceding the drainfield there is concern with odor and potential contact. (Following the meeting the EPA Design Manual for Onsite Wastewater Treatment and Disposal Systems was consulted. This document indicates inverts of distribution lines in conventional trench construction to be between 1.5-feet to 7-feet below grade; this minimum is consistent with the minimum cited in our draft).

Rule 38.2

It was suggested that the draft language be modified to require a deed restriction, rather than the filing of a sworn affidavit with the land evidence office. The opinion of DEM legal counsel will be requested concerning this issue.

Table 38.2.1

- It was noted that footnote 5 should be undeleted.

- It was suggested that footnote 1 be deleted, that if a percolation rate obtained, falls between two rates reported in the table, the system should be sized on the slowest rate which is nearest the rate obtained.

Rule 38.7 - Excavation

- The language concerning removal of fill will be modified to state that fill in the area of the leachfield must be removed unless the fill has been deemed acceptable by the Director.

Rule 38.9 – Stone

- It was asked why, the minimum diameter specification for stone is changed from ½ inch to ¾ inch.

Rule 38.12 – Backfill

- Delete “area” from last sentence in this section.

Rule 38.14 –

- Clarify, in the last sentence, that it is the toe of the 3:1 slope, which must be a minimum of five-feet from the property line.

Retaining Walls

- Figure Z – Sloping Sites, must depict a retaining wall option, which also must be specified in the rules.

Rule 39.2.3 – relating to pitch of distribution lines

- It was observed that range of 1% to 3%, which is stated in the draft language is too steep; it was agreed that this should be changed to 0.1% to 0.3%.

Adjournment

The meeting adjourned at approximately 10:15.

Next Meetings

Tuesday, September 25, 2001 – 8:00 a.m. to 10:00 a.m.

Conference Room 280, DEM Office of Water Resources, 235 Promenade Street