

# THE SUMMIT

## ENVIRONMENTAL HEALTH SECTION NEWSLETTER

North Carolina Department of Health and Human Services | Division of Public Health

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## With Gratitude

Larry Michael

According to the American Psychological Association, recognizing and giving thanks for the positive aspects of life can result in improved mental and physical health. In fact, research published by the APA found that more gratitude in patients with asymptomatic heart failure was associated with better mood, better sleep, less fatigue, and lower levels of inflammatory biomarkers related to cardiac health.

With all the difficulties in the world, I hope you can take some time every day to reflect on the things you are thankful for. Among many things, I am grateful and privileged to know and work with the environmental health family across this state and country. I am convinced that there are no people on this planet like those of us who work in public health who give so much time, talent, and passion to make the world a better place. We give a lot of ourselves in this profession, and I sincerely hope you are able to rest and recharge over the coming holidays.

I wish you peace and happiness this holiday season!

Larry

Cultivate the habit of being grateful for every good thing that comes to you, and to give thanks continuously. And because all things have contributed to your advancement, you should include all things in your gratitude.

~Ralph Waldo Emerson



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Division of Public Health



## On the Job...

### With the Onsite Water Protection Branch



Anthony Williams, Regional Soil Scientist Team Leader, performing an auger boring in Western North Carolina. Anthony is conducting quality assurance to ensure that a soil evaluation by an authorized agent of the state was conducted in accordance with onsite wastewater laws and rules



NC Groundwater Association's 2023 Spring Drill Day in Marion, NC. Well contractors, along with regulators, from around the state attend to learn about the intricacies of well drilling.

## Section Highlights

### Children's Environmental Health (CEH):

- The Children's Environmental Health Branch welcomed a new staff member. Charles Letizia, Public Health Epidemiologist, started employment on July 2023.

### Onsite Water Protection Branch (OSWP):

- The OSWP Branch has been training for the new onsite wastewater rules, 15A NCAC 18E, which take effect January 1, 2024. We're still working out the kinks, and those kinks have been challenging, but we're doing everything in our power to make this as easy of a transition as possible.
- The OSWP Branch is now fully staffed after going through three staff retirements. Losing the wealth of experience of these retirees was painful, to say the least, but we are extremely excited about our new employees and the future of our program! Our most recent hire, Tre' Breedlove, is now handling program reviews for accreditation across the state. Tre was previously the Environmental Health Supervisor in Northampton County.
- Speaking of new employees, the General Assembly provided funding for three new training specialist positions! More details to come soon, but we are hoping to bring intern training to counties in the future and provide more mid-career training. These three new positions may not be able to immediately support everything we envision, but it's a great start!

### Food Protection and Facilities Branch (FP&F):

- The Food Protection and Facilities Branch has had two recent Session Laws pass that resulted in changes to our rules and Statutes.
  - Session Law 2023-137, Sections 29.1-29.3. modifies our .2600 rules by changing the time allowed for a reinspection for the purpose of raising the sanitation score from 15 days to 10 business days. It also changes how Category IV facilities are defined in 10A NCAC 46 .0213, by moving the required inspection frequency from once every three months to once every four months with an additionally required education visit. These changes also impact 15A NCAC 18A .2901--disbursement of fees.
  - Session Law 2023-229, Section 16 amends the definition of a bar in NC GS 130A-247. This new change allows for the regulation of bars that serve food that were previously exempt under a former private bar exemption under NC GS 130A-250 to now be permitted. A memo was distributed to local health departments to inform them of this change. Updated guidance has been shared that allows for a March 27, 2024, enforcement date for facilities to meet this new requirement.
- The Plan Review Team has welcomed a new staff member with the addition of Sarah Morgan. She previously worked with Wake County in their plan review department. We are excited to continue to help improve our plan review approval times and make some upgrades to our application and information with this additional help in staffing.

## Onsite Water Protection in NC: A New Approach to Age-Old Infrastructure

Lorna Withrow, PE and Sushama Pradhan, PhD



Privies. Perc tests. Hand dug wells. Bored wells. These were all, at one point in time, the accepted way of disposing of wastewater, evaluating soils, and delivering water to households. But things change over time, technology improves, and knowledge and wisdom are gained to improve old processes. We've certainly seen much change in Onsite Water Protection in the last decade or so: private option permitting, shrinking wastewater system footprints, engineered flow reductions, and many other laws that have greatly impacted our profession. In the

public health sector, we have been somewhat resistant to many of these changes. After all, we're human and change is hard on us all. But let's be honest with ourselves. Where would we have been over the last few years during the current housing boom if we didn't have private option permitting? Have engineered flow reductions created massive problems statewide, or has it helped the public? While change is difficult for us, it's also often needed to advance. And make no mistake about it, we are advancing in Onsite Water Protection.

January 1, 2024, will be the first complete re-write of North Carolina's onsite wastewater rules (18E) in over 40 years. Many stakeholders in our industry, both private and public, contributed to 18E. This was a grueling process that has been scrutinized and critiqued by many. I realize that there are some things in 18E that we don't love (best professional judgment, anyone?), but there are many new tools that we will have in our tool belt. Reclaimed water systems, more practical, reduced setbacks, design flows based on modern data, and control panels that will provide better data and control of wastewater systems to aid with repairs and malfunctions are just some of the innovations in 18E. Existing system approvals for reconnections and "no-flow" additions are codified for the first time ever. Some even argue that the changes with best professional judgment are positive, allowing homeowners to understand and take responsibility for the use of best professional judgment. Regardless of how you feel about 18E, though, the new rules are coming and will be here soon. I recommend studying and learning these rules, and we'll get through any challenges with 18E together as an industry.

The General Assembly provided funding for three new positions in the Onsite Water Protection Branch. These positions are specifically for the creation of a new onsite wastewater training team to help rectify some of the challenges that local health departments face with our current intern training and authorization process. Moving forward, we see a future where intern training will be more personalized and fitted for the employee's region. This should lead to quicker authorizations and improved skills and abilities related to an employee's area. We also have a goal of providing much more mid-career training to improve the competencies and skills of all our Environmental Health Specialists.

In addition, we're currently engaging with Northeastern University and NASA (yes, that NASA!) to develop a multi-hazard well water surveillance and response system to improve the state's ability to detect and respond to well water problems. We are currently collaborating to develop a better understanding of well water contamination drivers during natural hazards and evaluate health department responses. We hope our work with Northeastern University will lead to future research surrounding private wells and septic systems in North Carolina.

In summary, Onsite Water Protection is advancing and looking toward the future. We have lofty goals to better protect the public and our environment. Forward thinking will help accomplish our goals, and forward thinking will improve our profession. I firmly believe that. To paraphrase W. Edwards Deming, *"Forward thinking is equated to our survival. Our survival isn't necessary...it's just extremely important."*

## Update on Groundbreaking Lead & Asbestos Inspection and Mitigation in Child Care Centers and Public Schools

In the spring newsletter, we summarized the “Lead and Asbestos Inspection, Testing, Abatement, and Remediation in North Carolina Public Schools and Licensed Child Care Facilities” project. The project is supported by a \$150 million legislative appropriation from the federal American Rescue Plan Act (ARPA) and a set of permanent administrative rules adopted earlier this year, [10A NCAC 41C .1001-.1007](#), effective April 1, 2023. RTI International has been contracted to coordinate the water testing and mitigation, as well as lead-based paint and asbestos inspections (“Clean Classrooms for Carolina Kids”). The NC DPH Health Hazards Control Unit (HHCU) is the agency responsible for reimbursing public schools and licensed child care facilities for qualified expenses (“ARPA Reimbursement Program”).

Since that time, the project has officially launched. Beginning in mid-September, public school and child care facilities have been able to enroll via the Clean Classrooms [website](#) to have their facilities tested for lead in water and inspected for lead-based paint and asbestos. And since May, public school and child care facilities have been able to request reimbursement for eligible expenses related to lead-based paint or asbestos abatement and remediation activities via the [Asbestos and Lead-based Paint Reimbursement Program](#).

Officials in CEH, RTI and HHCU have conducted outreach with local health departments, most recently a November 2, 2023, webinar, and school systems about their roles, responsibilities and resources for implementation. The project’s activities are funded through December 31, 2026.

## The Work of Children’s Environmental Health Leads to FDA Advisory on WanaBana Apple Cinnamon Puree

On October 28, 2023, the U.S. Food and Drug Administration [released an advisory](#) for consumers not to purchase WanaBana apple cinnamon fruit puree pouches or feed them to young children because the product may contain elevated levels of lead. The announcement came on a Saturday afternoon following an intense period of back-and-forth communication between NC local health departments, Children’s Environmental Health regional and data staff, NC DHHS, the State Laboratory of Public Health, the NC Department of Agriculture & Consumer Services, and the FDA.



The NCDHHS [press release](#) about the topic states: “NCDHHS identified WanaBana apple cinnamon fruit puree pouches as a potential shared source of exposure following several cases of elevated blood lead levels in children in the western part of the state. As part of the investigation, NCDHHS analyzed multiple lots of the product, detecting extremely high concentrations of lead. The FDA has reviewed and supports NCDHHS’

findings and issued a voluntary recall of all WanaBana apple cinnamon fruit puree pouches regardless of lot code or expiration. WanaBana apple cinnamon fruit puree pouches are sold nationally and are available through multiple retailers including Sam’s Club, Amazon, and Dollar Tree.” WanaBana has also agreed to voluntarily recall all apple cinnamon fruit puree pouches regardless of expiration.”

Since that time, the FDA has broadened the brands of affected pouches to include certain Schnucks cinnamon-flavored applesauce pouches and variety pack and certain Weis cinnamon applesauce pouches. The [advisory](#) will be updated as more information becomes available. Interestingly, in all cases, cinnamon is a common ingredient.

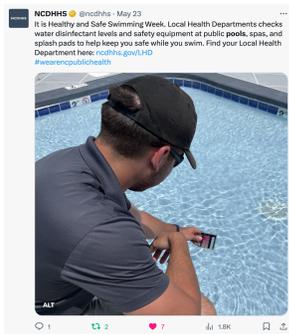
The work of CEH was integral to the discovery of this potential lead hazard. While this is undoubtedly an unfortunate situation, it is a great example of coordinated public health in action where local, state, and federal agencies came together to quickly disseminate important health information to the public. This is the kind of impact that many of us who began careers in public health want to have.

# The Inspector's Gadget

## Spotlighting Environmental Health Specialists in Social Media

Environmental Health Specialists are usually so focused on the work they do, that they don't tell their stories to the public. It has become increasingly important to share information about the impact Environmental Health has on everyday life.

Social media is one platform where the story of environmental health work can reach the public more broadly. The Environmental Health Section has been working on some campaigns to highlight the work of Environmental Health Specialists. The first was during National Safe Swimming Week in May



For Registered Environmental Health Specialist Week, a social media campaign was aimed at highlighting each of the Environmental Health disciplines and the EHSs that do the work each day.



# North Carolina Variance Committee

Jeff Jackson

The North Carolina Variance Committee (NCVC) was established in August 2012 as a response to the transition from *Rules Governing the Sanitation of Food Establishments* to incorporating the FDA Food Code, with the *Rules* as a regulatory foundation for sanitation in retail food establishments. The NCVC receives requests from food establishment owners/operators when there is a desire to utilize a food process that is not addressed in our current NC Food Code. Innovations in food are happening at a pace that is faster than any regulatory authority can match. The NCVC reviews, requests, and supports scientific documents to determine if the proposed process will be at least as safe as the minimum requirements in our Food Code. If the submitted information confirms that this process will be safe when done correctly, an approval is issued to the operator, and a copy of the approval letter is sent to the local health department.

The way the NCVC receives, and shares information has evolved over the years. When it first began, large brown envelopes would arrive at the Six Forks Road campus or may have been delivered to the Food Protection Branch staff members. These massive piles of paper have since been scanned and emailed to the NCVC chair; and the information saved onto a secure website intended for document sharing purposes.

We are now able to produce a fillable document that is the "Request for Variance" form & share it by email. This form can also be accessed and downloaded from our website. Operators may complete the form and email it to the NCVC, along with their supporting documentation, and we save this information digitally. A common complaint received by the NCVC involved the difficulty local regulators experienced accessing their county's approvals and safety plans, recordkeeping requirements, etc. There was no way of digitally sharing these large documents.

This summer, we were fortunate to have Makenna Thuringer working in an intern capacity. She is a graduate student at UNC-Chapel Hill, and she accepted the challenge of finding a way to share over 2000 documents with local health departments throughout the state. She created a new, private group on FoodSHIELD, and began uploading and organizing data. We are now able to invite Environmental Health Specialists to join this group. In it, they can view the information needed for inspections and visiting food establishments without compromising proprietary information. Also, this reduces the need for mailing large packages, stressing the storage capacities of these agencies.

If you would like to know more about the NCVC, please email us at [ncvariancecommittee@dhhs.nc.gov](mailto:ncvariancecommittee@dhhs.nc.gov).

## Environmental Health Section Annual Report

After receiving positive feedback from the 2021-2022 Annual Report, the Environmental Health Section is pleased to announce the publication of the 2022-2023 Annual Report. This report highlights the metrics from the Food



Protection and Facilities Branch, Children's Environmental Health Branch, Onsite Water Protection Branch, and the Centralized Intern Training and Authorization Program. The first Annual Report was released for the 2021-2022 Fiscal Year and received positive feedback. This year's annual report builds on the data that was previously analyzed and looks at some new metrics. It is important to pay attention to the trends in numbers of establishments, permits, authorizations, and other metrics to plan for growth and/or decline statewide. For example, there

were 47,303 food establishments in the 2022-23 fiscal year, and that number grew by about 2.5% each year.

The Annual Report tracks many performance metrics that help to inform the workplan and the priorities of the Environmental Health Section. Using these metrics, the Environmental Health Section can work on specific training, collaborative projects, and work toward goals to further promote public health in North Carolina. One example of this is monitoring the trends in reinspection and intent to suspend permit data in food service establishments. Increasing numbers of reinspections means that there is an increased number of inspection scores that are below 90. Since the number of reinspections has been rising over the last three years, this could mean that the number of grades below 90 has also been rising. This metric gives some valuable insight into compliance trends among food establishments, and the Environmental Health Section can use this to determine if the programs and educational materials are effective.

The full 2022-2023 Annual Report can be found [here](#) on our website. Each year, the Section will continue to monitor trends and evaluate data to inform the work plans for the coming years. If you have any feedback or suggestions for the Annual Report, please contact Veronica Bryant, [veronica.bryant@dhhs.nc.gov](mailto:veronica.bryant@dhhs.nc.gov).

## NC Health Hazards Control Unit (HHCU) Host the Southeastern States Asbestos Conference (SESAC)

Jeff Dellinger

During the week of October 16-18, 2023, the HHCU hosted a regional asbestos conference (SESAC) in Raleigh, NC. The last time a SESAC conference was held was in 2018. Those attending included individuals representing state and local asbestos programs from NC, SC, GA, AL, KY, TN, and FL. Also in attendance were individuals from the EPA Criminal Investigation Division and the EPA Office of Inspector General.

With over 35 individuals attending the conference each day, over half of those had never attended a SESAC before. Topics of interest included online asbestos refresher training, meeting EPA'S compliance requirements regarding online submittal for permitting and accreditation of individuals and the asbestos superfund cleanup policy. Several members from the HHCU staff provided presentations ranging from program updates to the Durham gas explosion resulting in asbestos contamination and the Davidson asbestos remediation project resulting in EPA spending several million dollars in asbestos clean up.

The conference allows individuals to discuss regulatory issues and determine if there is consistency when applying state and federal asbestos regulations within the region. Overall, the conference was a huge success and was partially supported financially with an EPA multi-purpose grant awarded to HHCU. It is important for states to continue to host the SESAC and pass down institutional knowledge to individuals new to their career with administering and enforcing environmental regulations.

## Public Pool Program: Making an Impact Outside North Carolina

Heather Misenheimer

The Pools, Tattoos, and State institutions team (PTSI) is one of the smallest of the regional teams, with only five members, and we are constantly educating, learning, assisting, and inspecting. The swimming pool industry



is a rapidly changing field and the PTSI team keeps up with those changes and actively participates in future changes. One way we keep up with industry change is by attending national aquatic conferences, such as the World Aquatic Health Conference (WAHC) and the Association of Aquatic Professionals (AOAP) each year. By attending these conferences, we are making numerous contacts with industry, academia, and other regulatory agencies. This allows us to broaden and sharpen our skills, and even assist other agencies.

The PTSI swimming pool program is a strong program, and we are making impacts outside of North Carolina. After networking at these conferences, I was asked by Dewey Case, Technical Director for the Council for the Model Aquatic Health Code, to serve as a member of the Technical Review Committee (TRC) for the CDC's Model Aquatic Health Code (MAHC). The purpose of the TRC is to review, process, and present all Change Requests submitted for the upcoming 5<sup>th</sup> Edition of the MAHC. The changes will be presented by the TRC at the Vote on the Code Conference that will be held in Nevada in February 2024. The TRC consists of only 13 members including industry, academia, and only five public health officials nationally. The MAHC has been adopted by several states and is used as a reference by other states, territories, and tribes. The MAHC is also used as guidance by numerous other countries around the world.

One of the most comprehensive Change Requests that has been submitted for the 5<sup>th</sup> Edition MAHC was submitted by Commander Joe Laco with the CDC. He has requested that language be added to the MAHC for Artificial Swimming Lagoons (ASL). North Carolina created and adopted ASL rules in 2020, making us only the third state in the country to do so. The CDC has since published its own ASL guidelines and referenced the North Carolina ASL rules in its publication. After adoption of the ASL rules in North Carolina, we have assisted Utah in developing its ASL guidance.

North Carolina has one of the most thorough VGB programs in the country. The PTSI team has assisted several states in the development of their VGB programs. We have been asked to present at future national conferences highlighting our VGB program, especially regulatory compliance with VGBA 2017. The North Carolina Swimming Pool Program is also one of the few regulatory agencies in the country that enforces the changes in VGBA 2017. Additionally, we have submitted a change request for the ANSI/PHTA/ICC-7 standard, clarifying requirements to ensure that VGBA 2017 compliance is met.

Even though the PTSI team is small, we are making a difference in North Carolina and around the country with the outstanding work that is being done. Aside from the everyday job duties, a large amount of work happens behind the scenes and is rarely recognized, but it still makes an impact. The WAHC and the AOAP Conference offer exciting learning and networking opportunities. You should attend one of these conferences if the opportunity arises. If you are authorized in the North Carolina Swimming Pool Program, be proud of the work that you do in protecting public health and keeping swimmers safe! Not many states do it like North Carolina does!