

# I and E Committee Meeting Minutes

## August 19, 2013

### Committee Members Present:

Tom Konsler, EH Supervisor and Chair  
Tim Bannister, Operator  
Cory Brantley, Installer  
Toney Jacobs, Soil Scientist - Private Sector  
Wayne Jones, EH Specialist  
Harold Kelly, Soil Scientist – Public Sector  
David Lindbo, Academia (joined at noon)  
Shankar Mistry, Engineer - Private Sector  
Andy Smith, NC Association of Local Health Directors

### I. **Call to Order** *Tom Konsler, Chair*

- Opening remarks
  - Update on changes in the OSWP Branch and the I & E Staff Coordinator
  - Introductions around the room
- Status of Revised I&E Committee Meeting Protocols- A draft of the revised I&E Committee protocols will be distributed to members to review, discuss, and approve.
- Reading of Newly Revised Statement of Conduct

### II. **Approval of Agenda and Minutes**

- Agenda for August 19, 2013 meeting approved
- Review of draft minutes from April 4, 2013 meeting; Motion to approve by Tim Bannister, seconded by Wayne Jones; unanimously approved by voice vote.

### III. **Old Business**

- **Item 1: American Manufacturing Revised Innovative Approval for Anaerobic Drip System** (represented by Tom Ashton)

American Manufacturing: Proposed modification to the siting criteria for anaerobic drip irrigation (IWW-93-1-R6A) - Ultra-shallow placement below the naturally occurring soil surface and clarification of special site assessment requirement.

Discussion of additions, clarifications, and “wordsmithing” to three (3) sections of the manufacturer’s revised application (refer to meeting minutes of April 4, 2013):

- Section IV Special Site Evaluation and Appendix A
  - Parity with what is allowed in anaerobic fill systems with clarification of conditions under which a special site evaluation would be required
- Section V Headworks
  - Drainage required if headworks installed in-ground (instead of at grade)
  - Stipulation of what the reports to designers should include

Tom Konsler clarified that only the latest revisions made in Section IV Special Site Evaluation, Section V Headworks, and Appendix A (since the April 4, 2013 meeting) were what was being presented to the I & E Committee for approval. The change allowing sites with 13” to wetness was approved at a previous meeting and is not

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included in this action. Wayne Jones made a motion to conditionally accept the draft approval (conditions – grammatical and formatting edits to make the process flow); Seconded by Tim Banister; 7 ayes, 1 abstention. The grammatical edits will be completed by OSWP.

- **Item 2: Presby Application for Controlled Demonstration now changed to request for Innovative Approval** (represented by Sean McGuigan)

Presby Environmental, Inc.: modification of application type, currently applying for Application for Innovative Approval for a treatment system product (previously submitted an Application for Controlled Demonstration of a distribution product)

Discussion of the change by the company to apply for Innovative Approval as outlined in Rule .1970 based on the number of installed systems, the data available, and the BNQ approval. The Bureau de Normalisation du Québec (BNQ) is accredited by the Standards Council of Canada (SCC) as a standards development body. To avoid double testing, NSF and BNQ have signed an agreement for mutual recognition of test results. This simplifies certification to ANSI/NSF 40 for products certified under NQ 3680-910 and those products already certified ANSI/NSF 40 need less testing in order to comply with NQ 3680-910.

Tom Konsler asked if the AG's office had lifted the stay on this application so that the I&E Committee could proceed with the review process. Nancy Deal contacted John Barkley (AG's office) and confirmed that the committee could proceed with the subcommittee appointment. Tom Konsler appointed new subcommittee members for the treatment product review: Dave Lindbo, Shankar Mistry, Harold Kelly; the project managers remain the same (Steven Berkowitz & Kevin Neal); the Subcommittee is to assess the completeness of the application to be considered for Innovative Approval prior to moving forward in the review process, keep the rest of I & E Committee updated when the Subcommittee holds meetings and if there is a punch list of concerns/issues that need to be addressed. The Subcommittee is to carbon copy the Staff Coordinator on pertinent communications.

#### **IV. New Business**

- Aerobic drip systems generic approval – Nancy Deal confirmed that the generic approval was currently being drafted by OSWP staff.
- Product Information to Committee Members – Lorna Withrow will be requesting product manufacturers provide hard copies of submittals 2-3 weeks ahead of time so the Committee members will have sufficient time for review. She stated that the product manufacturer contact the project manager to determine what materials need to be sent to Committee members. After the determination is made, the request would be sent to Lorna, and she would then provide the email and mailing/shipping addresses to the manufacturer.
- Tentative I & E Committee Meeting Dates for 2014 – Lorna Withrow will send out a list of the tentative meeting dates for 2014 to each Committee member for planning purposes and comments. She pointed out that the meeting dates in July and September are in question due to holidays.

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### **V. Status of Pending I and E Applications**

- Presby – (as presented earlier) has requested a change to their product Application for Controlled Demonstration to an Application for Innovative Approval (changed product application from a distribution product to a treatment product); forwarded to new Subcommittee
- Delta Ecopod N: manufacturer decision to modify the unit previously proposed for Application for Controlled Demonstration; waiting on the manufacturer to provide us with something (fees)
- EZ Treat, Inc.: Application for Innovative Approval, data and report submitted via email by Bob Rubin 07/01/2013; Company has been advised that they must submit the information specified by the Subcommittee before another meeting can be scheduled.
- American Anaerobic Drip: (as presented earlier) the Committee will recommend approval to the Environmental Health Section (Layton Long, Section Chief) after the remaining grammatical edits have been completed by the OSWP Branch; to be sent to Section
- Eljen Corporation, Inc.: Application for Innovative Approval; the application was requested to be put on-hold by Jim King (Eljen Corp.)
- Aquapoint, Inc.: Manufacturer applied for proposed modifications to currently approved Bioclere configurations, design/siting criteria, and O&M requirements (IWWS-2002-1). The draft approval is the process of being revised and edits made by Trish Angoli so that it can be brought before the Committee for final approval; still in Subcommittee

### **VI. Announcements**

- Next scheduled meeting date: Tuesday October 1, 2013; Cardinal Room, 5605 Six Forks Road, Raleigh, NC
- Committee will receive the schedule of next year's meeting dates so they can get them on their calendars

### **VII. Adjourn**

#### **Others present at this meeting:**

Ishwar Devkota, DPH, EH OSWP  
Danny Thornton, Brunswick County  
Bruce Withrow, Brunswick County  
Sean McGuigan, Presby Environmental, Inc.  
Damon Hunley, ADS  
Tim Wood, Infiltrator Systems, Inc.  
Steven Levitas, Kilpatrick Townsend  
Kevin Neal, OSWP  
Nancy Deal, OSWP  
Tom Ashton, American Manufacturing, Inc.  
Trisha Angoli, OSWP  
Joanne Rutkofske, WCC  
Steven Berkowitz, OSWP  
*Minutes by Lorna Withrow, OSWP*