

## I&E Committee Meeting Notes October 7, 2014

### Present at the meeting:

Edwin Stott, Chairman  
Tim Bannister  
Toney Jacobs  
Wayne Jones  
Harold Kelly  
Shankar Mistry  
Andy Smith

Edwin Stott read the statement of conduct

Committee voted to approve minutes from the June 3, 2014 meeting

Committee approved the agenda for the October 7, 2014 meeting

### Old Business

Off-Site/Remote Systems      *Tom Konsler (LHD Liaison)*

Scott Greene: Introduced Tom Konsler as the presenter.

Tom Konsler:

- Brief summary as to how and why the proposal is coming to the committee for off-site systems
  - ~ 20 years ago used as a last resort
  - '80s and '90s building boom – developers recognize off-site systems as a way to be able to utilize more land for building
  - In keeping with flexible development (e.g., tight clusters of homes pumping to a distant area)
- Has morphed into a different animal than the rules could fully address
- LHDs left to their own designs in dealing with permitting issues, some installation and design issues, and O&M issues
  - Distances - can create tough challenges to getting repairs affected in a timely manner.
  - Gangs of supply lines - design challenges, operation and maintenance issue, identification of responsible party, cost and time of identifying breached supply lines that need repair where we have a breach in one of the supply lines
  - Phasing issues – contractors and installers permitting and certifications
  - Timing – possibility of length time between beginning of system installation to the end and the operation permit
- Presented challenges that really were not fully covered by the Rules
- Development History
  - ~ 10 years ago a group of Piedmont counties health department representatives just got together for a consortium of counties
  - Committee developed a guidance document utilizing best management practices for off-site systems
  - Guidance not intended to replace the rules, but intended as an amendment to give counties assistance, offer them solutions when they are already dealing with off-site systems
  - Resulted in a 2-day workshop offered across the state through the NC State Academy courses taught by health department personnel, engineers, developers and installers from the private sector
  - This year, the I & E Committee was presented with the concept of reviving this application

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- A draft proposal was generated with the best management practices guidance manual and the course, serving as the basis for the draft document
- Distributed across the state - feedback from Coastal and Mountain counties was channeled back to subcommittee
- Not everybody is going to be happy with the end product, but a lot of compromises were made that actually strengthened the document and made it more usable statewide
- Even an imperfect document, but one that is standardized and consistent, is better than having nothing at all or just having the gaps that the Rules leave on dealing with off-site systems
- We have to recognize that whenever a supply line goes off of the property it becomes more and more vulnerable to damages.
  - Phone lines and other underground utilities
  - Driveways that have to cross that supply line
  - Installation of fence along property line has the potential to cause damage to the supply line and to preclude access to the drainfield for operation and maintenance
  - Ganged portions of systems may be under joint ownership or special ownership of a HOA. Rules don't really cover these ganged forcemains
  - How will systems be installed and maintained when systems serving individual lots are tightly grouped without damaging other systems or areas?
  - Locations of repair areas
  - Construction over supply line accesses. There are certain documents that need to be set-up to define what those alleyways can and can't be used for and it needs to be enforced by the HOA.
  - Fences can block access to the drainfields and supply lines.
  - There is stuff that gets done in real life that doesn't necessarily reflect in the planning stages on paper.
- Requesting that a subcommittee and project manager be appointed to work with the document and to see any tweaks are needed
- Owe the Committee some attachments or appendices, and some of the examples that document visually what terms mean
- Hopefully will come up with something that meets innovative approval status

Slides were shown to illustrate the point Tom Konsler mentioned and there was discussion about the different scenarios represented or situation involved. The discussion included gang forcemains, designs, easements, setbacks, hindrances, owner identification and responsibilities, flushing velocities, and tri-party agreements.

Tim Bannister raised the issue of the new law that just came into effect October 1, North Carolina 811 [*I think reference is to North Carolina 811 (NC811) Excavation Guide*] and the responsibilities outlined in the law.

- Everyone that owns, is considered an owner, homeowners are the only ones that are going to be exempt.
- Under NC 811, the HOA will be the ownership in a lot of cases and would be a subscriber to the 811 now
- Thinks NC 811 needs to be addressed in the proposed document and LHDs be aware of some of those issues, because a lot of cases where utilities are cutting through forcemains because they do not know they are there

Scott Greene asked if tracer wire would be required.

Tim Bannister replied no, but that he thought it should be.

- Just says as long as the owner is on record and a member of 811, they will have to respond to marking their lines
- That there will be no more reimbursement if you fail to respond to marking your utilities
- An assignment of responsibility to homeowners and HOAs that needs to be looked at

Steven Berkowitz followed-up with two related laws

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- Session Law 2013-407 [*SL2013-407, HB476*], rewriting the laws regulating underground utility damage prevention and that's Session Law 2013-407
- Session Law 2013-142 [*SL2013-142, SB9*] talks about requirements of utility owners to locate and describe and they even define small water or wastewater utility owner as conveying or distributing water under pressure or sanitary sewage that serves 100 or fewer service connections.

Edwin Stott appointed a subcommittee - Tim Bannister as Chair, Toney Jacobs, Cory Brantley, and Wayne Jones.

Questions arose as to what would have to be designed by a professional engineer. There were some opinions that sometimes, possibly due to experience with subsurface systems, that the soil scientist community and some of the surveyors may do a better functioning design than some professional engineers. The conclusion reached was even though there are State rules and guidance from NCBELS, the off-site/remotes systems guidance document is still needed.

### **New Business**

#### E-Z Treat, Inc.

E-Z Treat plans to submit an application in regard to their 30 square foot Model #600 pretreatment unit. Nancy Deal stated she had anticipated that someone from the company would be in attendance in case the Committee had any questions, however no representative was present.

#### Norweco, Inc.

Norweco plans to submit an application for modification of their CDWS-2007-01 approval. Nancy Deal stated that the company is proposing to add a filter to the dis-line of their units to increase their treatment performance. They've been directed to get the application together and pay. Because we don't have a fee for modification to a controlled demonstration, we are charging them \$100 to review that application.

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

- EZ Treat, Inc. – Innovative approval for 60 sq. ft. treatment unit at TS-I treatment standard and Controlled Demonstration approval for 60 sq. ft. treatment unit at TS-II treatment standard; both approvals were signed by Larry Michael (OSWP Section Chief) the second week of October; Trish Angoli will post to the webpage and send to the list serve.
- Infiltrator Systems, Inc. (ISI): Application for Innovative Approval for the Quick4 Plus Standard LP chamber (IWWS-2010-R1)
  - Revised approval IWWS 2010-1-R2 adds the Coastal Plains counties with the reduced soil requirements and is based on the dry season monitoring and the revised monitoring protocol in CDWS 2010-1-R1A; currently on Nancy's desk for final review
  - Revised approval CDWS 2010-1-R1A is the current approval for the Quick4 Plus Standard LP chamber in Coastal Plains counties posted to list serve and the webpage
  - Revised approval CDWS 2010-1-R1B is the current approval for the Quick4 Plus Standard LP chamber in Piedmont counties posted to list serve and the webpage
  - Revised approval CDWS 2010-1-R2B is for the Piedmont counties and increase the number of permits under the approval to 200 units; currently on Nancy Deal's desk for final review

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- Infiltrator Systems, Inc. (ISI): Amended request to modify existing Innovative Approvals to include credit for endcap footprint for IWWS-1993-02-R13, IWWS-1997-02-R10, and IWWS-2010-01; IWWS 1993-2-R14, IWWS-1997-2-R11, and IWWS 2010-1-R1 include the addition of end cap credit for the various Infiltrator chambers; all approvals were signed by Larry Michael (OSWP Section Chief) the second week of September, sent to the list serve, awaiting posting to the webpage; company going to the Commission for Public Health to get it added to their Accepted Approvals – the company had indicated that they planned to ask to be on the Commission meeting agenda for October 24th according to Nancy Deal
- Orenco Systems, Inc.: Application for Innovative Approval for AdvanTex® wastewater system models AX20RT and AX25RT; Branch is working with Orenco to edit and reformat to the Draft Innovative Approval; subcommittee is continuing to work with the company as the company gathers additional data
- Presby Environmental, Inc.: Application for Innovative Approval for Presby Advanced Enviro-Septic (AES) System; Subcommittee to meet again

**Announcements**

The next Committee meeting will be Tuesday December 2, 2014, starting at 10 am, Cardinal Room, 5605 Six Forks Road, Raleigh, NC

Anyone who wishes to present information to the Committee on that date should notify me by email (Lorna.Withrow@dhhs.nc.gov) no later than 5:00 pm EST, October 28, 2014. This information will be at the bottom of the email notice for the December 2<sup>nd</sup> I & E Committee meeting.

Discussion to change meeting scheduling from bi-monthly to quarterly. Meetings in 2015 will be scheduled to occur quarterly.

**Meeting Adjourned**

Non-Committee Members in Attendance at Meeting

Doug Lassiter, NCSTA  
Alan Clapp, Orange County  
Scott Greene, Guilford County  
Michael Halas, American Manufacturing Company, Inc.  
Heath Ward, Guilford County  
Tom Konsler  
Chad Rakes, Forsyth County  
Steve Barry, AQWA  
Ishwar Devkota, OSWP  
Alan McKinney, OSWP  
Tim Crissman, OSWP  
Tricia Angoli, OSWP  
Nancy Deal, OSWP  
Sushama Pradhan, OSWP  
Steven Berkowitz, OSWP  
Lorna Withrow, OSWP

Meeting recorded by Tricia Angoli, OSWP