

**I&E Committee Meeting Notes  
December 3, 2013**

**Present at the meeting:**

Tom Konsler, Chairman  
Tim Bannister  
Cory Brantley  
Toney Jacobs  
Wayne Jones  
Shankar Mistry

Meeting agenda change: Under “Old Business”, Orenco Systems, Inc. to address the I&E Committee before EZ Treat Inc.

The minutes from the November 5, 2013 meeting were approved with Steven Berkowitz’s clarification edits.

**Old Business**

Orenco Systems, Inc.: Application for Innovative Approval for AdvanTex® models AX20RT and AX25RT  
(Todd Harrell; Nick Noble via telephone)

- RT model combines everything in one tank, all inclusive recirculation tank textile media w/ pump chamber
- Primarily aerobic digestion
- Spinner nozzle for better distribution and easier maintenance
- Large surface area, non-degradable, replaceable, engineered stable textile product
- Recirculation ratio determined by timer settings
- Will be a separate septic tank/primary tank
- Recirculating check valve/return valve
- Will continue to use the same Vericom systems, pumps, and textile material
- AX25RT has more textile sheets than the AX20RT, loading rate the same for both

Tom Konsler appointed subcommittee members for the review: Tim Bannister, Cory Brantley, David Lindbo (was volunteered), Harold Kelly (was volunteered); project manager (Steven Berkowitz)

Steven Berkowitz - has not finished the completeness review; plans to get it to the manufacturer after the meeting

EZ Treat, Inc.: Application for Innovative Approval; subcommittee meeting report

Nancy Deal - Subcommittee met in late October 2013, determined that the information submitted was not presented in a readily reviewable format (data was difficult to review as presented), agreed that if data was repackaged to be more easily reviewable format, the application should be returned to the full committee for consideration

Corey Brantley - Subcommittee felt there was sufficient data in the package to be evaluated

Subcommittee recommendation: Forward to the full Committee

Motion: To not recommend forwarding to the Section for Innovative Approval by Tom Konsler, Toney Jacobs seconded; two in favor (Tom Konsler, Toney Jacobs), two opposed (Cory Brantley, Tim Bannister), two abstention (Shankar Mistry, Wayne Jones)

Committee recommendation: No recommendation, no majority

## Aerobic Drip Systems – Draft Generic Approval (Steven Berkowitz)

Steven Berkowitz –

- Branch staff to develop a recommendation to the Committee
- Form a stakeholders group to include all of the aerobic drip manufacturers, the appointed subcommittee members, and to also invite some LHD personnel who have experience with drip systems
- So far the draft has only tackled common siting, sizing, and special site evaluation that go along with aerobic drip
- Generic approval to be available for aerobic drip manufacturers to incorporate the standard language into their drip approvals if they choose to do so
- Decide whether to expand the generic approval beyond the current siting, sizing, and special site evaluation items such as including common design and installation features; this would be a more drawn out process; Stakeholders group to flesh out the scope of the draft approval
- Develop consensus document out of the stakeholders group to forward to the Committee

Subcommittee: Cory Brantley, Harold Kelly, David Lindbo, Tim Crissman, Steven Berkowitz

## Off-Site/Remote Systems (Scott Greene, Heath Ward - Guilford County)

Scott Greene –

- Fact finding mission
- Applied for remote system presented years ago because believed the pieces and parts are allowed by Rule, however not accepted for review by the Committee
- Guilford County has local rules in regard to off-site systems
- Issue is not specifically described in Rules .1955 - .1958
- Wants to open it up for discussion propose remote systems as an accepted system

Cory Brantley – What did Guilford County discover during the trial & error process?

Scott Greene – (1) Must be able to get back on an easement when it's surrounded by other systems to do a repair without doing damage to another system; (2) Locally requiring initial and repair to be installed up-front and they are alternating areas every 6 months; (3) The sites have to be adjacent and contiguous.

Tom Konsler – usually dealing with this type of issue at the developer stage, not the homeowner stage

Heath Ward – document history: much of the Piedmont-Triad counties developed the document which was initially presented to Mabel Bullock and John Barkley (DOJ) and the I&E Committee; the document was not accepted; the question is whether the I&E Committee would currently entertain the thought of a document that would guide counties in how best to install systems that are potentially completely out-of-sight and out-of-mind.

Scott Green – There was no vote during the initial attempt. The application was never officially responded to hence he was hesitant to bring it back before the Committee.

Steven Berkowitz – Wake, Orange and Guilford address off-site systems in their local rules.

Nancy Deal - requested that John Barkley give a legal viewpoint on the thought

John Barkley - thinks it does not meet the specifications of the laws (§ 130A-343) to be considered an innovative wastewater system

Tom Konsler – Is there anything short of a rule change that will make this happen?

John Barkley – Does not think so. Only choices seem to be law change or rule change.

Question Called by Tom Konsler: Is the I&E Committee willing to review the off-site system guidance document for consideration as an innovative wastewater system; four in favor (Shankar Mistry, Tom Konsler, Tim Bannister, Wayne Jones); two opposed (Cory Brantley, Toney Jacobs)

Trish Angoli –there is an old draft approval (she was project manager first time), volunteered to find it and revise it for presentation to the Committee

Steven Berkowitz – suggests looking at the draft Rules as well as the county rules

## **New Business**

None

## **Status of Pending I and E Applications (Trish Angoli)**

- Clearstream Wastewater Systems, Inc.: Application for proposed modifications to current approvals CDWS-2009-02 and CDWS-2011-01 approved by the Committee in November; approvals have not been sent out yet as staff is working to update the approval format, trying to get some clarification from the manufacturer on some items.
- Delta Ecopod N: Application for Controlled Demonstration; Manufacturer is in the process of gathering additional information
- Infiltrator Systems, Inc. (ISI): Amended request for modifications to Innovative Approval for the Quick4 Plus Standard LP chamber (IWWS-2010-R1); sent additional information in regard to the Approval modification, Approval is still within the Branch
- Orenco Systems, Inc.: Application for Innovative Approval for AdvanTex® wastewater system models AX20RT and AX25RT; Notice of Application submitted for posting in the NC Register, needs a subcommittee
- Presby Environmental, Inc.: Application for Innovative Approval for Presby Advanced Enviro-Septic (AES) System; Notice of Application posted in NC Register, sent out on list serve, subcommittee appointed

## **Announcements**

The next Committee meeting will be Tuesday January 7, 2014, starting at 10 am, Cardinal Room, 5605 Six Forks Road, Raleigh, NC

Nancy Deal - A new I&E Committee Chair has not yet been selected, she hopes to be able to announce a selection before the next I&E Committee meeting.

### Non-Committee Members in Attendance at Meeting

Todd Harrell, Orenco Systems, Inc.  
Steve Barry, AQWA, Inc.  
Tom Ashton, American Manufacturing Company, Inc.  
Steven Berkowitz, OSWP  
Mike Stidham, E-Z Treat Company  
Carl Perry, E-Z Treat Company  
Nancy Deal, OSWP  
Ishwar Devkota, OSWP  
Gary MacConnell, MacConnell & Associates  
Doug Lassiter, NC Septic Tank Association  
Sean McGuigan, Presby Environmental, Inc.  
Robert Rubin, SAF  
Heath Ward, Guilford County Environmental Health  
John Barkley, NCDOJ  
Scott Greene, Guilford County Environmental Health

Meeting recorded by Tricia Angoli, OSWP