

**Commonwealth of Pennsylvania  
Sewage Advisory Committee  
Minutes of the Meeting  
March 22, 2016**

Membership and function of the Sewage Advisory Committee is established by 35 P.S § 750.4. Successors to the entities listed in the statute retain the right to representation of the original organization named in the statute, but are not entitled to more than one member, if they have merged.

Twenty (20) organizations with voting members/alternates were recorded as present. Twelve (12) organizations' members/alternates were Not Present. Three (3) member organizations have no current appointed member or alternate. The minimum quorum is one third of 30 appointed members/alternates able to cast votes. For this meeting, twenty (20) organizations were present which exceeds the minimum ten (10) for a quorum.

Members are shown in boldface. Organizations and members and/or alternates present are indicated by mark (▶).

<b>Member</b> Alternate Member	<b>Organization</b>
<b>Jacqueline Peleschak, P.E.</b> No alternate	American Council of Engineering Companies of Pennsylvania
▶ <b>Joshua Kiehl</b> No alternate	American Institute of Architects--Pennsylvania
▶ <b>John Wagman</b> Gregory Scott	American Society of Civil Engineers
▶ <b>Scott Russell, P.E.</b> ▶ <b>Michael Schober, P.E.</b>	American Water Works Association (PA Section)
<b>Commissioner Matt Osterberg</b> Lisa Schaefer	County Commissioners Association of Pennsylvania
▶ <b>Kyle Schmeck</b> No alternate	County Departments of Health, Local Health Agencies
<b>Sandra Orth</b> No alternate	Department of Community & Economic Development
▶ <b>Jessica Shirley</b> No alternate	Governor's Policy Office
(No member) (No alternate)	Mortgage Bankers Association of Pennsylvania
▶ <b>David R. Kauffman, P.E.</b>	National Association of Water Companies

J.T. Hand	
<b>Michael McGraw</b> (No alternate)	Pennsylvania Association of Plumbing, Heating & Cooling Contractors
▶ <b>Bruce Willman</b> ▶ Mark Mills	Pennsylvania Association of Professional Soil Scientists (PAPSS)
▶ <b>Robert Wood</b> ▶ Bette McTamney	Pennsylvania Association of Realtors
▶ <b>Chris Wood</b> Kevin Bitz	Pennsylvania Association of Sewage Enforcement Officers
▶ <b>Andrew Bockis</b> Martin Siegel	Pennsylvania Bar Association
▶ <b>John Gigliotti</b> ▶ Sarah Miller	Pennsylvania Builders Association
▶ <b>Susan Myerov</b> No alternate	Pennsylvania Environmental Council, Inc.
▶ <b>Keith Klingler</b> (no alternate)	Pennsylvania Landowners Association, Inc.
▶ <b>Wayne Schutz</b> Cory Miller	Pennsylvania Municipal Authorities Association
<b>Andrew Jantzer</b> No alternate	Pennsylvania Municipal League
▶ <b>Gregory Marshall</b> Bradley Hengst	Pennsylvania Onsite Wastewater Recycling Association
<b>Mourice Waltz</b> Eugene Briggs, AICP	Pennsylvania Planning Association
▶ <b>Joe Valentine</b> Jeff Rachlin	Pennsylvania Septage Management Association
<b>Brian Book, P.E.</b> John Fuehrer, II, P.E.	Pennsylvania Society of Professional Engineers
▶ <b>Dan O'Connell</b> Ronald Grutza	Pennsylvania State Association of Boroughs
▶ <b>Comm. Ginnie Anderson Kane</b> (No alternate)	Pennsylvania Association of Township Commissioners
▶ <b>James Wheeler [Vice-Chairperson]</b> Andrew Boni	Pennsylvania State Association of Township Supervisors
<b>Dr. Patrick Drohan</b>	The Pennsylvania State University

Richard Stehouwer	
► <b>Duane E. Mowery [Chairperson]</b> Alison J. Shuler	Pennsylvania Water Environment Association
<b>Samuel M. D'Alessandro, P.E., P.P., P.L.S.</b> Charles Zwally	Pennsylvania Vacation Land Developers Association
<b>Delwayne Becker</b> Susanne Gantz	USDA Rural Development Mission Area
Organization internal policy no longer allows participation	US Department of Housing and Urban Development
Organization currently no longer functioning	Pennsylvania Environmental Health Association
<b>Other attendees:</b>	
Tom Ashton	American Manufacturing Company
Chris Glesson	Pennsylvania Builders Association
<b>John Peffer</b>	Montgomery County Health Department
<b>DEP Representatives:</b>	
Katherine Hetherington Cunfer	Acting Executive Director Citizens Advisory Council (CAC)
John Diehl	Chief, Act 537 Management Section, Division of Planning and Permits, Bureau of Point and Non-Point Source Management (BPNPSM)
Ronald Furlan	Environmental Program Manager, BPNPSM
Nick Hong	EES, Act 537 Management Section, BPNPSM
Hayley Jeffords	Executive Policy Specialist 2, Policy Office
Janice Vollero	WPS, Act 537 Management Section, BPNPSM

### Call to Order

The meeting was called to order by Chairman Duane Mowery at 10:30 am in Room 105 of the Rachel Carson State Office Building. Meeting sign-in sheets were circulated and a quorum was present.

**Action Items:**

**Approval of the Minutes of the March 24, 2015 Meeting**

Subsequent to the March 24, 2015 meeting, the committee compiled comment on the targeted Chapter 71, 72, and 73 regulations. The Committee requested that the comments by the Committee and PAPSS be included with the minutes as an attachment. The meeting minutes from March 24, 2015 were unanimously approved without further changes by the Committee.

**Administrative Items:**

**Nominations for SAC Representative on State Board for Certification of SEOs**

The State Board for Certification of Sewage Enforcement Officers (State Board for Certification for SEOs) is comprised of five (5) members. There are currently two vacancies available at this time- a Sewage Advisory Committee representative and a local government representative. A nomination for a sewage enforcement officer representative will be forthcoming in October 2016.

Subsequently, the Sewage Advisory Committee nominated John Wagman to fill the four-year term as the Sewage Advisory Committee representative. The Committee thanked Alison Shuler who formerly held the position for over 10 years.

**Discussion / Information Items:**

**SAC Bylaws**

The proposed changes to the bylaws include (1) the complete removal of the list of organizations that comprise the Committee and (2) an adjustment to schedule of the two meetings held each calendar year.

After discussion, the Committee requested the Department seek a legal opinion on the inclusion or complete removal of the list of organizations that comprise the Committee.

The Committee voted to amend the schedule of the meetings in the bylaws to March and September. Logistically, this more evenly spaces the meetings to every six months and it also schedules the meetings to avoid inclement weather.

John Wagman requested that Section 6a of the bylaws be amended using elected officers rather than ballot.

With the exception of the list of organizations comprising the Committee and the terminology amendment for elected officers, the Committee by majority vote accepted the proposed changes to the bylaws.

**Status of Proposed Draft Chapters 71a, 72a, and 73a**

The Department headed by Secretary Quigley has directed the Planning Section to comprehensively overhaul the existing regulations through Chapters 71a, 72a, and 73a. The Department intends to utilize the draft Chapters 71a, 72a, and 73a as a springboard to proceed further with the regulatory update.

Some of the major proposed changes include updating definitions, including newer NSF/ANSI standards, requiring official plans to be reviewed on a 10 year basis, tightening sewage management requirements, updating SEO training and certification requirements, and removing the 10 acre permit exemption.

The Committee expressed that changes to the proposed regulations may be limited by the Act 537 statute. The Committee and the Department concur that a complete re-write of the Act 537 legislation would be advantageous prior to the advancement of the proposed regulation changes.

While a comprehensive re-write of Act 537 is not being proposed at this time, currently, there are three (3) bills in the legislature amending Act 537. House Bill 914 (HB914) amends Act 537 by increasing the cap on the fee for individuals seeking to install a permit-exempt septic system from \$25 to \$100.

House Bill 1424 (HB1424) amends Act 537 by *providing [provide] for the use of a holding tank, whether permanent or temporary, to which sewage is conveyed by a water carrying system and which is designed and constructed to facilitate ultimate disposal of the sewage at another site, for new construction on a lot that is less than one acre and was created prior to May 15, 1972, when another sewage treatment option is not available;*

Senate Bill (SB1114) proposes to amend Act 537 to allow alternate technologies during the planning process. SB1114 reads *when proposing a plan supplement or plan revision for a new land development, the applicant may submit and the department shall accept, for the purpose of satisfying general site suitability requirements, any conventional or alternate onlot system permittable by a sewage enforcement officer.*

Senator Yaw suggested in his December 9, 2015 memo to the Senate that a complete re-write may be proposed in the near future.

### **Draft Guidance Document: Utilization of NSF/ANSI 350 Testing Standards for Alternate Onlot Wastewater Disposal Technologies**

John Diehl provided an overview of the draft guidance document. The slide presentation is included as Attachment 1.

The NSF/ANSI 350 became available in December 2012 and sets minimum standards for onsite residential and commercial water treatment systems. There are three classes of influent strength. The influent strength that applies to this draft guidance document is residential wastewater. This influent strength is the same strength of wastewater used for the NSF 40 test center testing. Manufacturers that meet the NSF 350 Class R will have the performance standard shown in

Attachment 1 for BOD/TSS. DEP's position is that effectively, this will demonstrate the technologies' ability to meet the advanced treatment performance criteria.

The Committee stated concerns that manufacturers would receive advanced treatment based upon test center testing while absent requirements for field testing. Upon receiving a copy of the NSF/ANSI 350 standard, the Committee will forward comments on the draft guidance document to the Department.

Generally, as new NSF/ANSI standards become available, the Department will take under consideration the utilization of these standards to maintain consistent testing and approval procedures among interested manufactures in the Commonwealth of PA.

### **Chesapeake Bay Data Sharing Memorandum of Cooperation**

John Diehl provided an overview of the Chesapeake Bay Data Sharing Memorandum of Cooperation (MOC). The slide presentation is included as Attachment 2.

The MOC among the Chesapeake Bay States (DE, MD, PA, VA, and WVA) was signed in April 2015. A manufacturer interested in obtaining approval for a nitrogen reduction treatment tank is required to complete two phases of testing. Phase 1 involves testing the product at a test center and certifying the product under NSF 245. Phase 2 involves field testing the product at 12 different sites. Six (6) must be in PA and the remaining 6 can be from the other Chesapeake Bay watershed states. This agreement recognizes 3<sup>rd</sup> party field testing by the Chesapeake Bay States for field testing completed within the Chesapeake Bay Watershed. The objective of the data sharing is to provide a more effective and cost effective process to evaluate and approve nitrogen reduction technologies. The test data obtained from the 12 subject sites would be recognized as acceptable 3<sup>rd</sup> party data by all the Chesapeake Bay states.

### **Fact Sheet- Bureau of Forestry Leased Camp Sites**

John Diehl provided an overview of the Bureau of Forestry Leased Camp Sites Fact Sheet. The fact sheet is included as Attachment 3.

A state park leased campsite is a small parcel of state forest/park that is leased by Department Conservation and Natural Resource (DCNR) to an individual or to a group of individuals to maintain a cabin solely for recreational purposes. There are approximately 4,000 leased campsites across Pennsylvania. DCNR stopped leasing campsites in 1970 but existing leases are still utilized by the public. Since DCNR is the property manager, they have responsibility to ensure environmental stewardship of the state forest and state park land.

For sewage disposal, some of the major restriction that are required by DCNR and DEP are the following:

- The local District Forester/Park Manager must approve of any system installation/repair on state forest or state park land.

- New sewage systems utilizing any type of drainfield is not to be permitted. Allowable sewage disposal includes composting, incinerating, and recycling toilets if installed and permitted according to DEP regulations;
- Water under pressure is not allowed to enter any camp building (effective January 2016).

**New Business:**

Chris Wood had the following comments:

- (1) To protect the privacy of SEO's personal email address, the ALL SEO distribution should be distributed via email by blind carbon copy.
- (2) In the event of corrected information disclosure, information available on the DEP website should be re-transmitted to SEOs through email distribution.
- (3) Due to an aging SEO population, Mr. Wood suggested that there may be a shortage of SEOs in the near future. He expressed concerns that newly certified SEOs completing the academy would need several years of field experience before becoming fully trained to be qualified to function as SEO.

Greg Marshall stated that due to proposed well regulations, the subcommittee group in charge of proposing guidance on isolation distance from a geothermal well was put on hold.

**Public Comments Concerning Committee Business:**

There were no comments from the public.

**Meeting Adjournment**

The meeting was adjourned at approximately 12:35 pm.