

**Commonwealth of Pennsylvania
Sewage Advisory Committee
Minutes of the Meeting
March 24, 2015**

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.

Sixteen (16) organizations with voting members/alternates were recorded as present. Fourteen (14) 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, sixteen (16) 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 (▶).

Member Alternate Member	Organization
Jacqueline Peleschak, P.E. Mark Malarich, P.E.	American Council of Engineering Companies of Pennsylvania
Arthur Adams, AIA No alternate	American Institute of Architects--Pennsylvania
▶ John Wagman Bernard Telatovich	American Society of Civil Engineers
Scott Russell, P.E. Michael Schober, P.E.	American Water Works Association (PA Section)
▶ Commissioner Matt Osterberg Lisa Schaefer	County Commissioners Association of Pennsylvania
Ralph DeFazio ▶ Kyle Schmeck	County Departments of Health, Local Health Agencies
Secretary Alan Walker ▶ Sandra Orth	Department of Community & Economic Development
▶ Jessica Shirley Andrew Paris	Governor's Policy Office
Charles Herr Andy Jantzer	PA Municipal League
(No member)	Mortgage Bankers Association of Pennsylvania

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

Dr. Henry Lin	
► Duane E. Mowery [Chairperson] Alison J. Shuler	Pennsylvania Water Environment Association
Samuel M. D'Alessandro, P.E., P.P., P.L.S. (No alternate)	Pennsylvania Vacation Land Developers Association
John Williams 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
Other attendees:	
Kevin Callahan	Site Specific Design Inc.
Susan Myerov	PA Environmental Council
DEP Representatives:	
Kim Childe	Attorney, Regulatory Counsel
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
Beth Mahoney	Sewage Planning Supervisor, SERO
Lee McDonnell	Director, BPNPSM
Donna Suevo	Sewage Planning Supervisor, SERO
Michelle Tate	PA CAC
Janice Vollero	WPS, Act 537 Management Section, BPNPSM

Call to Order

The meeting was called to order by Chairman Duane Mowery at 10:34 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 November 5, 2014 Meeting**

The meeting minutes from November 5, 2014 were unanimously approved without changes by the Committee.

Administrative Items:**In Memoriam of Barbara Brown**

In recognition of Barbara Brown who served on the Sewage Advisory Committee (SAC) both as Chairperson and as a long time member, a plaque honoring her services was given to Art Brown, Barbara's spouse, at the Western PASEO Conference in March 2015. Barbara Brown passed away in August 2014.

Nominations for Chairperson/Vice-Chairperson

Due to Ralph Defazio's retirement from the Chester County Health Department and departure from the SAC, a new nominating committee to elect officers for the sewage advisory committee was formed after the November 2014 meeting. A nominating committee comprising of John Wagman, Dan O'Connell, and Joe Valentine nominated Duane Mowery as Chairperson and James Wheeler as Vice-Chairperson. The committee unanimously elected the nominees.

Discussion / Information Items:**SAC Bylaws**

DEP's Policy Office suggested that advisory committees review their committee bylaws for possible changes. Attachment 1 shows the suggested changes made by DEP personnel.

The committee requested that the following changes be made:

- (1) The bylaws should include the organizations identified in Act 537 and the organizations as the Secretary deems as necessary.
- (2) In Section 6a, the procedure for using a "ballot" is archaic and should be replaced with the procedure identified by Robert's Rules of Order.

The committee suggested that the bylaws reflect the aforementioned changes and be placed on the agenda at the next meeting for committee approval.

Geothermal Well Isolation Distance

For geothermal well isolation distances, John Diehl proposed that the isolation distances suggested in the draft Chapter 73a be utilized. The impetus for the isolation distance proposal is concern that the borehole may act as a conduit for contaminants to adversely impact a water supply well. The draft geothermal well isolation distance proposed by DEP to the advisory committee is shown as Exhibit 1.

Exhibit 1***Draft Geothermal Well Isolation Distance***

The minimum horizontal isolation distances between the features named and treatment tanks, dosing tanks, holding tanks, lift pump tanks, filter tanks, chlorine contact tanks and evapotranspiration systems shall comply with the following:

<i>50 feet</i>	<i>Geothermal heating system wells, except wells sealed in accordance with the Department's well abandonment guidelines</i>
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The following minimum horizontal isolation distances shall be maintained between the features named and the perimeter of the aggregate in the absorption area:

<i>100 feet</i>	<i>Geothermal heating system wells, except wells sealed in accordance with the Department's well abandonment guidelines</i>
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The following minimum horizontal isolation distances shall be maintained between the features named and the wetted perimeter of the spray field:

<i>100 feet</i>	<i>Geothermal heating system wells except wells sealed in accordance with the Department's well abandonment guidelines</i>
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The committee indicated that conversations with several different professional geologists suggested that the geothermal well isolation distance is dependent upon how the well is constructed. Current practice has the isolation distance between 0 and 100 feet. The committee suggested that the DEP's proposal include additional clarity. In particular, utilizing the well abandonment procedure suggests that the geothermal well isolation distance is no longer in use when it is in fact active. Chairperson Mowery appointed Greg Marshall to Chair a subcommittee to propose isolation distances for geothermal wells.

Workgroup Comments on drafts Chapter 71, 72, and 73

Chairman Mowery announced that a workgroup subcommittee had convened in December 2014 to review and comment on the Department's proposed amendments to Chapter 71, 72 and 73. The primary objective to the changes was targeted amendments to the regulations that allow for the use of onlot alternate technologies during new land development planning.

The Department distributed electronic copies of the proposed regulatory amendments compiled by the SAC workgroup and the Department.

Comments on Chapter 71

Draft Section 71.55(a)(2): The committee suggested that the term "any" onlot sewage disposal be removed. The revised language should read "The subdivision has been determined to have soils and site conditions which are suitable for the use of onlot sewage disposal technology approved for use by the Department."

Draft Section 71.62(b)(2)(iii): The committee suggested that selection of an onlot system during planning should not be required to submit an amended plan if the selected technology differs from the original plan provided that the site testing is the same.

Comments on Chapter 72

No comments.

Comments on Chapter 73

Draft Section 73.14(a)(1): The committee questioned whether a minimum of two soil excavations should be required in repair situations. In repair situations, they suggested that the regulation include language for discretion by the soil scientists on the number of soil pits. The committee also suggested in repair situations to accommodate for smaller usable lot area to include language that would not eliminate the disturbed areas near the excavation profile. The committee agreed to incorporate this suggestion in the companion document.

The Department suggested that the local agency has latitude in repair situations through Section 73.3(b).

Draft Section 73.1 and 73.55: The committee suggested that the sand specifications for elevated sand mounds should not be changed from the current regulations unless there is some science to support a change in the sand specifications. They stated that malfunctioning sand mounds may be due to the quality of the sand and not the sand specification.

Draft Section 73.1- Definition of limiting zone: An excerpt for the draft regulations on limiting zone is as follows:

Limiting zone—A soil horizon or condition in the soil profile or underlying strata that includes one of the following:

- (i) Evidence of prolonged saturation determined by direct observation or indicated by redoximorphic features.*

The committee was concerned about amending the regulations to substitute redoximorphic features in place of a seasonal high water table. They suggested that the definition of redoximorphic features is more inclusive and may define the limiting zone outside the definition of seasonal high water table only.

The Department responded by indicating that terminology defined in the Act 537 would be restricted from any amendment. The committee invited PSMA and PAPSS to suggest language to be used for the regulation.

On behalf of the committee, Chairperson Mowery stated that the committee's comments on the draft Chapter 71, 72, and 73 proposal will be forwarded to Secretary Quigley. Any person wishing to have additional time to submit comments is encouraged to do so during the full public comment period.

New Business:

Comment on the Sewage Facilities Planning Application Mailer (Section 2e)

Greg Marshall suggested that Section 2e is an archaic method for locating a property site by requiring specification of the appropriate USGS quadrangle topographical map. He suggested that the internet has online programs that eliminate the need for submitting a USGS quadrangle topographical map.

Public Comments Concerning Committee Business:

Michelle Tate, Executive Director of the Citizens Advisory Council, stated that the CAC conducted a survey of approximately 25 advisory committees including the SAC. The purpose of the survey was to receive feedback from committee heads on how to more effectively and efficiently conduct advisory committees. The CAC anticipates providing the Department its findings and recommendations from the survey.

The CAC also provided an itemized list of transition recommendations to Governor Wolf and Secretary John Quigley. Among the items was CAC's interest in promulgating an amendment to

the regulations allowing alternate technologies during planning and the possibility of amending Act 537.

Meeting Adjournment

The meeting was adjourned at approximately 12:04 pm.