

Commonwealth of Pennsylvania
Sewage Advisory Committee
Minutes of the Meeting
September 17, 2008

Membership and function of this 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.

For purposes of quorum, there were thirteen (13) organizations with voting members/alternates recorded as present. Sixteen (16) organization's members/alternates were Not Present. There are four (4) member organizations having no current appointed member or alternate, including one Inactive statutory member organization. Minimum quorum is one third of 29 appointed members/alternates able to cast votes; for this meeting, quorum was 10.

Organizations and members and/or alternates present are indicated by mark (▶).

	Member Alternate	Representing
▶	▶ Joseph A. Valentine, CPSSc [chairperson]. ▶ Charles R. Waddy	Pennsylvania Onsite Wastewater Recycling Association, Inc.
▶	▶ James C. Elliott Andrew J. Hilt	American Council of Engineering Companies of Pennsylvania
	Arthur Hall Adams Caroline E. Boyce	American Institute of Architects-- Pennsylvania
▶	▶ John F. Wagman David L. Sheridan	American Society of Civil Engineers
	Mourice G. Waltz (no alternate)	American Planning Association
	Brian S. Funkhouser Scott E. Russell	American Water Works Association
	Harold Hurst Kristen Goshorn	County Commissioners Association of Pennsylvania

▶	▶ Ralph DeFazio Doug Range	County Departments of Health, Local Health Agencies
	Nomination pending Dr. Sean Sanderson	Department of Community & Economic Development
	Patricia Grimm Joanne R. Denworth	Governor's Policy Office
	(No member) (No alternate)	League of Cities and Municipalities
	Gabriel D. Alessi (no alternate)	Mortgage Bankers Association
	(No member) (No alternate)	National Association of Water Companies
	Walt Krzyzanowski Al Ruscito	Pennsylvania Association of Plumbing, Heating & Cooling Contractors
	Bruce P. Willman, CPSS William F. Beers	Pennsylvania Association of Professional Soil Scientists
▶	▶ Robert T. Wood Linda A. Peters	Pennsylvania Association of Realtors
▶	Barbara L. Brown ▶ Ralph M. Houck	Pennsylvania Association of Sewage Enforcement Officers
	Eugene E. Dice Kevin J. Garber	Pennsylvania Bar Association
▶	▶ Carl D'Amico ▶ John Gigliotti	Pennsylvania Builders Association
▶	▶ Eric R. Conrad, P.G. John Walliser	Pennsylvania Environmental Council, Inc.
▶	▶ Keith Klingler (no alternate)	Pennsylvania Land Owners Association, Inc.
▶	▶ Anita Stabile Peter Slack	Pennsylvania Municipal Authorities Association
	Bruce E. Fox Rusty Luzell	Pennsylvania Septage Management Association
	Brian L. Book, P.E.	Pennsylvania Society of Professional

	Shannon G. Williams, P.E.	Engineers
▶	▶ Dan O'Connell Thomas Klaum	Pennsylvania State Association of Boroughs
	Ginnie Anderson Kane Frank Linn	Pennsylvania Association of Township Commissioners
	Lester O. Houck James Wheeler	Pennsylvania State Association of Township Supervisors
▶	▶ Sam D'Alessandro, P.E., P.L.S. Charles B. Zwally, Esquire	Pennsylvania Vacation Land Developers Association
▶	▶ Duane E. Mowery ▶ Alison J. Shuler	Pennsylvania Water Environment Association
	Dr. Henry Lin Dr. Richard Stehouwer	The Pennsylvania State University
	John R. Williams Gary A. Rothrock	USDA Rural Economic and Community Development Service
	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	
	Lori Books	Lebanon County Planning Department
	Jeff Rachlin	Pennsylvania Septage Management Association
	Karen Atkinson	Pennsylvania State Association of Township Supervisors
	Joe Speese	Site Specific Design
	Brad Hengst	Sewage Enforcement Officer of York County
	DEP Representatives	
	John Diehl	Chief, Act 537 Management Section, Div of

		Planning and Permits, Bureau of Water Standards and Facilities Regulation, DEP (Act 537 Management)
	Jim Novinger	WPS, Act 537 Management
	John Borland	WPS, Act 537 Management
	David Bukowski	AA1, Program and 537 Grant Administration
	Duke D. Adams	Executive Policy Specialist 2, DEP Office of Policy and Communication

Meeting Opening

Joseph Valentine, Chairperson, called the meeting to order at 10:34 a.m. in Room 105 of the Rachel Carson State Office Building. Meeting sign-in sheets were circulated, and quorum was present.

John Diehl, Chief, Act 537 Management Section, was given the floor to make the following comments:

Mr. Diehl noted the extended absence of John McHale, Water Program Specialist, Act 537 Management Section, due to military deployment in Iraq. In Mr. McHale's absence designated Act 537 Management Section staff are providing secretarial support to the Committee.

Mr. Diehl also noted that the terms of all Committee members are due to expire in March of 2009. In keeping with the advisory committee appointment process, DEP will be sending notice letters to member organizations within the month. Those organizations will be required to provide member nominations to DEP for consideration by the Secretary.

Old Business

Approval of the Meeting Minutes of June 11, 2008

The minutes of the meeting of June 11, 2008 were approved by the Committee without changes.

Mr. Valentine questioned as to why the DEP process for approval of advisory committee meeting agendas calls for proposed agenda items to be submitted to DEP for approval two months prior to the date of the meeting. It was indicated that, if the procedure is followed, the Committee meeting now scheduled to be held on November 12 cannot be held because there is not enough time to have a proposed agenda submitted and approved. Following initial discussion, Duke Adams, Executive Policy Specialist 2, DEP Office of Policy and Communication, indicated that the procedure and timeframes are needed by the Department to allow for adequate public participation within the approval process. Mr. Adams also indicated that, though the window is small, there is time remaining to submit agenda items and have them approved for the proposed November meeting.

Mr. Valentine further questioned why certain items submitted for consideration within the proposed agenda for this meeting were excluded by DEP or were addressed via correspondence to the Committee rather than as agenda items for discussion. There was concern expressed within the Committee that DEP is losing the value of SAC input. To this, Mr. Diehl indicated that the Department was not in a position to discuss certain proposed agenda items. Mr. Adams added that the Department is open to discussing items with the Committee and that any items not included in the agenda can be raised for discussion as new business.

New Business

Educating the Committee about its member organizations

The following organizations scheduled for the item “Educating the Committee about its member organizations” were not present:

- The Pennsylvania Bar Association
- The Governor’s Policy Office

Eric Conrad, of the Pennsylvania Environmental Council, Inc. (PEC) presented on the history and mission of the PEC and encouraged those present to become PEC members. The mission of PEC is that the Commonwealth of Pennsylvania will be a model for implementing collaborative solutions to environmental protection and restoration. This mission is accomplished through innovation, collaboration, education, and advocacy. PEC believes in the value of partnerships with the private sector, government, communities, and individuals to improve the quality of life for all Pennsylvanians. PEC was established in January of 1970 as an organization to which other organizations, government, business, and industry could turn for information on environmental issues. Through the 1970s and into the second half of the 1980s PEC’s primary activities were legislative, regulatory advocacy and analysis, and holding multiple conferences to bring all sides to the table on environmental issues. The organization grew in the 1980s to include programs and projects that demonstrated elements of the environmental policies and approaches it was advocating. Today PEC has five regional offices and a staff of 33.

Chapter 71a – Current Content Overview

Jim Novinger, Water Program Specialist, Act 537 Management Section, presented a general overview of the content proposed to be included in the revision to the current sewage facilities regulations, Chapter 71a. This revision, which is a work still in progress, seeks to improve upon the structure of the current Chapter 71 regulations, revise and add necessary definitions, clarify the sewage facilities planning process, provide more clarity and reinforce requirements for sewage management programs, and clarify requirements regarding planning assistance grants, fees, and delegation of new land development planning. Next steps for this revision include review and comment by SAC, DEP consideration of SAC comments and finalization as rulemaking, and presentation to the Environmental Quality Board as proposed draft rulemaking. Mr. Novinger received and addressed comments by the Committee throughout the presentation. It is not clear when the Committee will receive Chapter 71a for review as the revision is still in progress.

New Act 537 Management Section Staff

Mr. Valentine questioned as to the staffing replacement for Gretchen Siy in the Act 537 Management Section. Mr. Diehl introduced Nick Hong as Ms. Siy's new replacement. Mr. Hong is an Environmental Engineering Specialist and will be working with new technologies and the Experimental Onlot Wastewater Technology Verification Program (TVP).

DelVal Project Status

Keith Klingler inquired as to the status of the DelVal project. Mr. Diehl responded that he and Mr. Hong had just traveled to Delaware Valley College to meet with Larry Hepner and discuss concerning the DelVal Phase II report. In light of the meeting, Mr. Diehl and Mr. Hong are forming direction to advance follow up on the project.

Status of Technical Guidance Documents

Mr. Valentine asked about the status of draft guidance documents. Mr. Diehl responded that the Sewage Management Activities guidance has been revised to more fully address Committee comments and to align with the Site Suitability and Alternatives Analysis Guidelines for New Land Development guidance. The Sewage Management Activities guidance is being resubmitted for Department internal review and will then be published in the *Pennsylvania Bulletin* for public comment as draft guidance.

The Site Suitability and Alternatives Analysis Guidelines for New Land Development guidance was published previously as draft guidance in the *Pennsylvania Bulletin* and the public comment for that guidance is now closed. The Department is now reviewing those comments and preparing a comment/response document. The guidance will then be submitted for public comment as proposed final guidance.

The Alternate Systems Guidance is undergoing efforts to incorporate new technologies prior to being published in the *Pennsylvania Bulletin* for public comment as draft guidance.

Status of Regulation Revisions

Mr. Valentine questioned the status of the regulation revisions. Mr. Diehl responded that Chapters 72a and 73a are being held waiting for Chapter 71a to catch up so that all three regulations can be addressed in the rulemaking process as a coordinated package.

Public Comments

Brad Hengst, Sewage Enforcement Officer of York County, questioned as to the status of testing regarding the Orenco AX-20 technology under the TVP. Mr. Diehl indicated that the data has been collected at all test sites and that NSF International, the TVP verification organization, is now preparing a final report. Following receipt and review of that report DEP will decide as to the disposition of the technology.

Next SAC Meeting

Mr. Valentine proposed that the Committee e-mail proposed agenda items to him by September 24 so that he can draft a proposed agenda and submit it to DEP in time to meet deadline requirements for the November 12 meeting.

The meeting was adjourned at 12:26 p.m.