

Drainfield to Surface Water Setback Distance Subcommittee

Teleconference Meeting Minutes

Tuesday, 02/08/11, 10:00 am

Teleconference
Date: 2011-02-08
Start: 10:05 a.m.

ATTENDEES:

Athol: George Miles, PE
Boise: AJ Maupin, PE; Joe Canning, PE; Michael Cook, Soil Scientist
Coeur d'Alene: Allen Worst
Hayden: Dick Martindale, REHS
Rapid City, SD: Bill Holder, PE
Kimberley: Dr. Jim Ippolito, Ph.D. USDA

Absent:

Idaho Falls: Nathan Taylor, REHS
Idaho Falls: Brett Skidmore (Building Contractors Association Representative)
Coeur d'Alene: John Corcoran (Realtor Association Representative)

Support Staff: Lindsey Stanton, DEQ clerical

Meeting called to order: 10:05 a.m.

Past Meeting minutes:

The subcommittee reviewed the January 25th minutes. The term "white paper" will be changed to "progress report." A motion was made to approve the minutes with the change. The motion was seconded and the minutes passed unanimously.

Progress Report

The subcommittee reviewed comments that were submitted to AJ via email.

If the Technical Guidance Committee (TGC) was to embrace an operating permit scheme it would require a Rule change. Concerns were voiced about what methods regulators be allowed to use to force homeowners to maintain and properly operate systems.

The results from the septic tank effluent study will not be available in time for the due date of the progress report. Future results would still be useful for the Technical Guidance Committee.

Bill commented that the information in the Nutrient section of the progress report is identical to that in the previous section. The redundancy will be removed.

The subcommittee members agree that wastewater dispersal should be kept as high in the soil column as practical. If the subcommittee were to recommend a phosphorus removal technology, an operating permit would be needed because the media is expendable and requires periodic replacement. Allen mentioned that there are alternatives to an operating permit – leasing the equipment. The Rules would need to be negotiated to support enforcement on those systems not maintained or not meeting their discharge criteria. What actions would be supported by the legislature? Enforcing on a company who is contaminating ground and surface water is different than enforcing on Joe and Sally Homeowner. Many subcommittee members support issuing operating permits.

Mike suggested that if there was a type of system that required regular maintenance, it could be required that the user check in on a scheduled basis to renew the license. What would be the consequence for repeat offenders who refuse to participate? The health district would be the one to file liens for non-compliant people. Mike commented that if there was ongoing operation permitting, monitoring, reporting, and enforcement it would require a regulatory structure that is not currently in place.

The subcommittee is supposed to have the progress report available for TGC review by February 15th in preparation for the March 15th meeting. The progress report may not be ready by the 15th, but maybe March 1st. The

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subcommittee has a good understanding of the issues and problems but needs to figure out the next steps to submit to the TGC.

AJ will prepare the progress report with various positions and recommended courses of action so that TGC understands all of the issues the subcommittee has looked at. There needs to be a thorough executive summary so that non-technical people can understand it.

Appendix C needs to be replaced with the combined pathogen report.

The flow chart does not need to be presented until the time is right.

The summation of amorphous metals in Jim's equation needs to be corrected. AJ made the correction.

Getting the progress report to the TGC and the DEQ Director is the immediate hurdle. In the longer context, this may be a continuing ongoing mission.

The subcommittee needs a better understanding of phosphorus sequestering in calcareous soils. Mike Cook has been enlisted to help address this better. Mike spoke with Gary Stevens from the DEQ Coeur d'Alene Regional Office, who has put a lot of effort into phosphorus issues. Gary submitted a grant request to study this, but the grant was denied. Phosphorus sequestering is a bigger issue which will need to be taken in the entire context of phosphorus adsorption. A phosphorus study would benefit the entire state.

The subcommittee's directive is to evaluate the current setback criteria and make a determination if it is applicable or not. Other states didn't base their setback distances on science, but Idaho could lead the way on this. A value judgment will also need to be made on this decision, though. The subcommittee can come up with a phosphorus concentration that limits the health risk associated with blue/green algae blooms.

Action Items: AJ requested that the subcommittee submit any comments on the progress report by the end of the week. AJ will incorporate the comments and distribute the edited report to subcommittee members. At the next meeting, they will work to get the report more finalized for the TGC. The TGC needs to be fully versed in the report by the March 15th meeting so the subcommittee needs to submit the report two weeks beforehand.

NEXT SCHEDULED MEETING:

The next meeting is scheduled for Tuesday, 22 February 2011, from 10:00 am MDT (9:00 am PDT) to 12:00 pm MDT (11:00 am PDT).

ADJOURN: Meeting Adjourned at 11:20 p.m.

Next Meeting Topics:

Progress Report