TECHNICAL REVIEW AND ADVISORY PANEL

ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS

ADVISORY TO THE DEPARTMENT OF HEALTH

AUTHORITY: SECTION 381.0068, FLORIDA STATUTES

TECHNICAL REVIEW AND ADVISORY PANEL (TRAP) MEETING

DATE: Thursday, August 27, 2009
TIME: 9:00 A.M.
PLACE: Orlando Airport Marriott
7499 Augusta National Drive
Orlando, Florida 32822
407-851-9000

THIS MEETING IS OPEN TO THE PUBLIC.

AGENDA

1. Introductions
2. Review minutes of last meeting
3. Research Update
4. Old Business
   07-23 Performance-Based Systems-Standards
   08-10 When Engineer or Master Contractors are Required
   08-15 Bedroom Definition Project
   09-02 Metered Water Use Records

5. New Business
   08-09 Innovative Systems-Test Data Required
   09-01 Non-Transient Recreational Vehicle Space Flow
   09-03 Requiring ATU's to be installed by the maintenance entity.
   09-04 Portable restroom cleaning requirements
   09-05 Fill between drainfield chambers
   09-07 Low pressure design
   09-09 Spodic Horizons
   09-10 septage logs
   09-11 ATU and PBTS Maintenance Entity Certification by Manufacturers
   09-12 Maintenance activity requirements
   09-13 septage storage tanks
   09-14 Protected Steel Treatment Receptacles
   09-15 Duplexes on one lot
   09-16 Triple-Wide mobile home spaces and cleanup language
   09-17 Site Plans
   09-18 PBTS plans
   09-19 Commercial Sewage Waste Definition
   09-20 Incinerating Toilets
   09-21 Inspection by engineers
   Other items of interest to the Technical Review and Advisory Panel.

6. Public Comment

MINUTES OF MEETING
TECHNICAL REVIEW AND ADVISORY PANEL (TRAP)
August 27, 2008

Members present were:

Robert Harper III, Florida Home Building Industry, Chairman
Ken Odom, Florida Home Building Industry
Clay M. Tappan, P.E., Professional Engineer
Ted Kirk, Septic Tank Industry
Greg Liskey, Septic Tank Manufacturer
Russell Melling, County Health Department
Patti Sanzone, Florida Environmental Health Association

Alternate members present:

Scott Franz, Soil Scientist
Pamela Tucker, Real Estate Professional
Jim Peters, Florida Engineering Society
Gerald Prescott, Septic Tank Industry
William Sirmans, County Health Department
Ellen Vause, Septic Tank Manufacturer

Department of Health staff present:

Gerald Briggs, Chief, Bureau of Onsite Sewage Programs
Dale Holcomb, Environmental Administrator
Paul Booher, P.E., Professional Engineer III
Eberhard Roeder, Ph.D, P.E., Professional Engineer III
Elke Ursin, Environmental Health Program Consultant

Absent members and Alternates:

David Collins, Real Estate Professional
Frank Dragoun, Consumer
Dikran Kalaydjian, P.E., Home Building Industry
Ken Maggard, Florida Environmental Health Association
Roy Pence, Home Building Industry
Joseph Schuster, Soil Scientist

Speakers

John Byrd, Orange County Commission (for Fred Brummer)
Quentin Beitel, Markham Woods Association, Inc.
Dominique Buhot, Green's Environmental Services
Carl Thompson, Infiltrator Systems, Inc.
Damon Anderson, Hazen and Sawyer
Roxanne Groover, FOWA
Bob Woodall

Others present:

Numerous Interested Persons including representatives from:
Florida Onsite wastewater Association
Industry Representatives

Chairman Harper called the meeting to order at 9:20 AM. He greeted attending panel members, department staff and the audience participants while commenting on the recent devastating impact from Hurricane Fay on many areas of Florida. Flooding, caused by torrential rains leaving many residents stranded, power outages, roads washed out culminated into tragedy for many. Mr. Harper recalled the TRAP's challenges of establishment when the Legislature first mandated the panel 12 years ago. During those early years there were times when there was barely a quorum in attendance with few or no people in the audience. He expressed appreciation of the loyalty exhibited by the panel speaking of the good representative balance initially established, further noting the addition of another representative position passed by the most recent Legislature. He commented about the selection process for the new position expressing his opinion that a selection should have been made by now with the new member in attendance at today's meeting. He is aware that numerous names have been submitted to the Department of Health. As Chairman, he is concerned about the slow selection process. Mr. Briggs replied that the Governor's office requested the nomination letters for review. Mr. Harper asked if that has ever been done before. Mr. Briggs replied "no" further explaining that the League of Cities and the Association of Counties were the nominating entities but there were also a lot of inputs from outside as well that elevated the decision making process to the extra level. Mr. Harper said the TRAP has always sought to avoid political influence further stating that he would like to see the nominating organizations that submitted the original recommendations retract and recommend only one primary appointee and one alternate appointee. He referred to 64E and Chapter 381 that is very open about the selection process but asked for confirmation of how the selection process has been done heretofore, i.e. receipt of one letter from an organization or person giving their recommendation for member and alternate appointments followed by letters to the recommended persons from the Department of Health formally appointing the individual member and/or alternate to the TRAP. Mr. Briggs confirmed that process.

Self introductions were made by the attending panel members, department staff, and persons in the audience followed with a review of the minutes from the June 5, 2008 meeting. Mr. Tappan noted a misspelled word ~~sturdy~~ should be *study* on page 5 and Mr. Harper noted another typo on page 6, ~~contact~~ should be *contract*. There were no other corrections or discrepancies found. Mr. Kirk motioned to approve the minutes with Mr. Odom calling the second. The minutes were approved with the noted corrections. The excerpt from the February 26, 2008 meeting requested by Mr. Peters regarding the discussion about two letters received from the Florida Association of Counties and the Florida Water Environment Association Utility Council stating their opposition to a policy proposal was noted. Mr. .Liskey, seconded by Mr. Melling, motioned to approve the excerpt and was voted approval by the panel.

Elke Ursin gave an update of the status of specific projects of the research program this year. Printed copies of her power point presentation were provided to the panel. A copy of the power point presentation will also be attached to these minutes. A sampling of issues covered by Ms. Ursin included *Increased Nutrients in Water Bodies, Finding the Onsite Sewage Input in Impaired Water Bodies, Measuring the Performance of Onsite Systems,* and *New Technologies and Management Methods for Onsite Systems.* Ms. Ursin talked about the million dollar research appropriation that was recently signed by the Governor. An invitation to negotiate for an anticipated three year project with a budget of $5,000,000 is being done. Ms. Ursin said each year

a progress report will be sent to the Legislature and a request for any additional funds. The basic scope of the study is to look at cost effective ways to reduce the impact of nitrogen from onsite systems in Florida. She continued speaking of specific objectives of the onsite sewage nitrogen reduction strategies study. The Research Review and Advisory Committee have control over this project as outlined in the legislation. Ms. Ursin talked about an ambitious timeline involving the review process with expectations to begin the bid process at the beginning of September followed with bid closure by the beginning of October followed with selection of a provider. Presentations to the Research Review and Advisory Committee would follow with the possibility of having a contract in place by mid November. Mr. Harper stated his concerns about possible exclusion of the TRAPs involvement in this project. Mr. Briggs said he does not think there is anything that takes the TRAP out of that process but pointed out that in this case there is very specific legislative tasking about what is to be done with that money. He assured Mr. Harper that the TRAP will be kept in the loop and furnished with progress reports. Mr. Harper asked for the panel's concurrence by way of a unanimous vote that the TRAP be recognized in some manner in this process. Ms. Ursin said that progress reports will be provided and documents will be made available to TRAP for review and comment just as she does with all the research reports. Mr. Harper said he realizes the RRAC is on a fast tract and emphasized his opinion that the TRAP should be kept informed. Mr. Odom, seconded by Ms. Tucker, made the motion to approve the information as presented today as well as continuation of being kept in the loop of this project. The panel voted concurrence.

Ms. Ursin talked about another study funded by a grant form the National Oceanic and Atmospheric Administration to evaluate the impact of sewering an area previously on OSTDS in the town of Suwannee. She described another study made possible through a grant from the Environmental Protection Agency (EPA) involving optical wastewater tracers for Phillippi Creek in Sarasota County as well as another EPA grant study to reduce onsite sewage impacts in the Manatee Springs area. Still another EPA grant is to assess water quality protection by advanced onsite sewage treatment and disposal Systems. Ms. Ursin also enumerated future research projects, some of which include long term deformation of tanks of different materials, alternative drainfield product assessment, and restoration of the University of South Florida Lysimeter Station. She talked in some detail about the passive nitrogen removal study as well as developing a comprehensive statewide inventory of the approximate 2.5 million onsite sewage systems. Several questions followed. Ms. Sanzone asked if negotiations have begun with the USF Lysimeter station. Mr. Prescott asked about tracked inventories of septic systems in the state and how far back the records go. Ms. Tucker asked if there is a deadline on updating the memorandum of understanding between USF and the DOH for the Lysimeter station. Mr. Harper wanted to know about summaries of final reports of any of the studies presented by Ms. Ursin. There is a final report on the passive nitrogen study that is available on the department's website. Most of the others are either in preliminary stages or are ongoing. Mr. Harper asked that the reports be furnished to the TRAP as they are finished and summarized. Mr. Briggs promised to provide the panel executive summaries from each research study/project upon completion.

Mr. Harper asked if he was correct in stating that Mr. Briggs was given the directive to withhold the Wekiva study area issue from this meeting. Mr. Briggs responded affirmatively. Mr. John Byrd affiliated with Orange County government reporting directly to Commissioner Brummer said he wanted to clarify a couple of things with Mr. Briggs. He asked if the rule that was tabled during the August 21, 2007 TRAP meeting is still the same rule. Mr. Briggs responded that rule is dead at the moment. Options are being reviewed and there will be ample opportunity for public comment on whatever is proposed. Mr. Byrd emphasized, "And it will come here to the TRAP for discussion?" Mr. Briggs responded, "yes, absolutely." "We will follow our normal rulemaking procedure which is to bring it to the TRAP."

Ms. Roxanne Groover, Executive Director, Florida Onsite Wastewater Association requested to speak about agenda Item 08-12, Drainfield Loading Rates, slated for panel discussion at this meeting. Ms. Groover is also an Onsite Engineer. She wanted it notated that the specific language presented in the proposed rule change does not exactly match the language for change that FOWA originally suggested. FOWA is looking at reducing the loading rates which would cause an increase in the drainfield sizing. Some of the questions discussed earlier were what would the financial impact be to the communities affected by this decision if it moved forward. She spoke of a paper written by Dr. Kevin Sherman in 1998 regarding "What is Going on With Wastewater in Soils" noting Dr. Sherman's excellent credentials and expertise. One of the findings made by Dr. Sherman is that the average lifespan of onsite systems in Florida is approximately 18 years. However, surrounding states, Georgia, Alabama, and Kentucky, typically have a 25 to 30 year lifespan. One of the main things seen when looking at the discrepancy between the 18 years and the 25 to 30 years was the size of the drainfields. Florida much more aggressively loads its soils which could be contributing to the shortened lifespan. Another significant point was found in Sarasota County who implemented a county ordinance to increase drainfield sizing from 10 to 30 percent increasing the life expectancy of onsite systems by ten years. She pointed out that different life styles of homeowners and different products used by some could affect onsite systems. Ms. Groover referenced an EPA manual from 2001 to demonstrate that FOWA's proposal is well within the realm of the EPA's standard while Florida's loads are generally much higher than those recommended by EPA. Ms. Groover pointed out differences in loading rates recommended by FOWA to those proposed by the DOH as well as other differences. She also talked about a large survey that looks at different information sent to FOWA's membership. The survey included a cost comparative study requested by the TRAP for non excavated, in-ground systems and excavated mound systems. She described specifics of the survey regarding determining potential cost increase. Ms. Groover underscored FOWA's desire to protect public health and the environment as well as making sure that homeowners understand the value of their onsite systems, and that we do a good job with wastewater systems by ensuring that drainfields are lasting 25 to 30 years and are in the ball park with turn around times at bigger plants. She said it would also help bring Florida to standards already in place in neighboring states. As an engineer she emphasized that she can attest to the fact that Florida loads its soils much heavier than a lot of other states. One of the recommendations FOWA asks is if the "…75 percent of the unobstructed area…" is stricken then they would like to change the multiplier of the unobstructed area from 1.6 to 1.5. Questions and comments followed. Ms. Tucker asked Ms. Groover to elaborate about the difference in the cost analysis indicated for the north, central and south Florida. Sam Averett stated that the Department of Health's estimates are not a 25 percent increase in drainfield size citing numerical specifics. Mr. Harper commented on and questioned parts of Dr. Sherman's study.

Dr. Roeder, Professional Engineer III with the Bureau of Onsite Sewage Programs followed with a power point presentation depicting more information about drainfield loading rates. He referenced scientific literature on loading. Two points, one being that the drainfield has to handle the water along with the wastes in the water. He pointed out the differences in movement through different soil types and the causes for some drainfield failures. Consider a typical septic tank affluent concentration and see how much one should be able to load with slightly limited soil you would come up with .8, the number that Ms. Groover mentioned in the EPA manual. Dr. Roeder said getting rid of water becomes an issue in moderately limited soils and described different limiting factors involved. The idea of FOWA's proposal to reduce the loading rates proposes to look at loading rates not just as an across the board cut but would also look, in particular, at the rates loaded aggressively at the high end to determine if we actually have problems with the moderately limited soils that are loaded less aggressively and which are controlled by a different factor. If all loading rates failed at the same way and rate, then ratios between repairs and existing

systems should be the same across the board. However what is seen on the charts is a pronounced trend with the loading rates. The highest loading rates have the highest number of repairs and in the larger than 0.80 the soils in the moderately limited range also have a higher rate of repairs. Dr. Roeder reiterated that the across the board cuts do not particularly address those high risk loading rates at the high end. He talked about statistics of repair rates for the past 15 years. Higher loading rates have higher failure rates. Dr. Roeder also talked about alternative drainfield materials, compared to aggregate in drainfield sizing, a question brought up before in terms of drainfield product sizing. Ms. Vause commented that in NE Florida probably 95 percent of all installations use alternative materials, not aggregates. She could not comment on other parts of Florida but expressed her opinion that aggregate is no longer the norm. Mr. Kirk stated that very little aggregate is used in South Florida. Dr. Roeder continued with pertinent information supporting the proposed issue language. He compared regular subsurface systems and mounds to trench and bed loading rates. Looking at the big picture, Mr. Harper compared cost to benefit. Is the concern focused on failure rates or health betterment of individuals living on site? Mr. Briggs stated his opinion that any thing that reduces the failure rate extends the life of the system which is certainly a health benefit to people. Dr. Roeder has pointed out statistics indicating a higher failure rate with the heavier loaded sands. Department staff thinks there is evidence here in Florida to make adjustments to extend the life of systems and, again, any reduction in failures is positive to health protection. Mr. Harper reiterated that he wants to feel the benefit is worth the cost. Mr. Franz also expressed concerns about increased costs pointing out that septic tank contractors charge more for repairs per square foot than they do for installations, a fact that should be taken into consideration. Salient comments and observations about drainfield loading rates followed from Ms. Vause, Mr. Booher, Mr. Kirk, Mr. Melling, Mr. Averett and others from the audience. Mr. Briggs stated that it is interesting to hear what other states are doing, but research here in Florida supports this change. Mr. Harper reiterated that this would be a major change that will pose other ramifications such as effects to future studies and research. Each time a change is made, i.e. adding a filter, baffle, whatever…it protects and benefits the public in the protection of their health and that is what TRAP strives to do. Mr. Dominic Buhot commented about system failures caused by root intrusion. Ms. Tucker wanted to know the timeframe for impacting existing homes if these changes occur. Mr. Briggs responded that this issue was crafted around trying to make sure that we stay within the footprint of the unobstructed area that should have been in place from the beginning. Mr. Prescott observed that underground systems would be the ones increased and, basically, the mounded systems would not change. He also noted from the research paper that mounds have a shorter lifespan than the underground systems and wondered how that fits into what Dr. Roeder found in his data. Mr. Melling, seconded by Mr. Kirk, motioned to approve the issue. Mr. Liskey asked if the language would read that the unobstructed area shall be 1.6 or 1.5. Mr. Briggs responded that the department is okay with the 1.5 figure. The motion was unanimously approved with one opposing vote from Ms. Tucker.

Mr. Dominic Buhot, Master Septic Tank Contractor at Greens Environmental Services, gave a power point presentation entitled Alternative Method to Remove Nitrate and Phosphorus from Waste Water Based on a Swedish Invention and Used in Denmark, Germany, Holland, Austria, New Zealand, Australia, China…" He has followed the TRAP's meetings for the past two or three years and admires the work done by the panel. He said he tries to do his own homework to come with fresh ideas. His presentation references the Swedish Department of Environment that compares nitrogen levels from urine, feces and other sources, i.e. laundry; shower, dishwasher, kitchen wastes. The largest percentages of nitrogen, phosphorus and potassium are found in urine, also called yellow water. He stated statistics about human discharge of urine from the Swedish study as well as three different styles of urine diverting toilet/no mix toilets. He also talked about disposal solutions and recycling waste as fertilizer. He compared cost of a standard toilet to a urine separator and also submitted a 30 years comparative breakdown of cost for a passive

system, PBTS and urine separator. He maintains that this is a very cost effective technology for nutrient removal. Mr. Harper said he thinks this idea is a worthy enough to pursue but it would need to be presented to the Florida Building Commission or whoever regulates new products.

Issue 08-05 – Subject: Site Evaluation Date
Rule Sections: 64E-6.004

This issue was approved by the TRAP and sent to the Variance Committee for review and comment. The Variance Committee had comments some being that 90 days would be better. Mr. Odom asked about the 180-day period for site evaluations. Mr. Prescott, seconded by Ms. Sanzone, motioned to approve the issue. The panel voted approval. Mr. Tappan observed that it did not appear the Variance Committee signed off on the issue. Mr. Briggs responded the committee is required to only provide comments and input.

Issue 08-06 – Allowing soil scientists to conduct site evaluations
Rule Sections: 64E-6.004(3)

Another issue approved by the TRAP at the last meeting and forwarded to the Variance Committee. Again, the Variance Committee had a variety of comments and is now back to the TRAP for more review. Mr. Liskey said he would like to see this tabled to bring some guidelines forward from the soil scientists industry. Mr. Franz anticipated this request and brought information to the meeting for the panel's perusal. Mr. Franz summarized information about the certification program that the Florida Association of Environmental Soil Scientists has instituted in conjunction with the Soil Science Society of America. Educational requirements involve a two-part testing, one part is for fundamentals and the second part is a practical exam. The fundamentals must be passed before taking the practical exam. More discussion followed with questions and comments from several panel members. Mr. Melling motioned to approve the issue. Mr. Tappan called the second followed by unanimous vote by the panel.

A lunch break was taken between 11:50 AM and 1:05 PM.

08-10 – Subject: When Engineer or Master Contractors are Required
Rule Sections:

First off, Ms. Vause asked about the justification language on the cover of the issue, specifically why split systems were included with large systems and drip systems. Mr. Holcomb responded to "delete 'split systems' as that is inappropriate on the front page." Mr. Harper needed explanation of split systems. Ms. Vause explained that sometimes a three bedroom home has insufficient room to install a large system, and in that case the homeowner might want to split the flows in the house and put a small system on each side of the house. Ms. Vause expressed her opinion that master contractors should be able to do that. Mr. Holcomb responded that bureau staff will look more closely at what master contractors can do with an eye especially toward single family residences in order to try to lower costs, etc. Mr. Briggs interjected before delving further into this issue that Mr. Tappan had told him that he had not yet gathered input from the engineers and planned to request tabling this issue again pending input from the engineers. With that said, Mr. Tappan motioned to table until he can bring more information to the panel. Mr. Odom seconded the motion and the panel voted to table the issue.

08-11 – Subject: Effluent Transmission Line Setbacks
Rule Sections: 64E-6.005(8)

Mr. Holcomb said this is the second look at this issue having been sent to and reviewed by the Variance Committee. Essentially, the issue proposes to get rid of the schedule 20 sleeve inside a schedule 40 PVC and it lets storm water lines cross effluent transmission lines the same way that drinking water lines cross effluent transmission lines. It also reduces the setback from building foundations and property lines. Mr. Odom, seconded by Mr. Melling, motioned to approve the issue. Motion passed.

08-04 – Subject: Retesting Tanks to 2006 Standard
Rule Sections: 64E-6-013

Mr. Booher contacted a professor at the University of Florida who has been working with one of the tank providers and asked what could be gotten from finite element analysis. The professor said a model could be written that could test the effectiveness of the model against the measurements already taken. It could tell us the stresses already determined but still would not know what stresses were acceptable or not acceptable. He suggests testing all tanks to the new rule. He believes we should also retest tanks when the facility is moved, i.e. from Florida to another state. He mentioned knowing about three changes in facility locations.

Mr. Greg Wade with NORWESCO clarified that production of the Rochester Tanks to which Mr. Booher referred never changed locations. There is a manufacturing facility in Lakeland, Florida owned by NORWESCO. A company in Minnesota purchased a product line and the facility but the production facility still exists and the process is still undertaken by the exact same employees. Moving the manufacturing facility never took place. Mr. Wade agrees with a number of the comments made over the years about testing poly tanks. The one and two percent deflection rates that are in the current code are based off of nothing more than it is greater than what previously existed. From that standpoint he is opposed to retesting to the standard that exists now unless scientific data is brought forward that validates where we are today. Mr. Booher countered that there is evidence from recent testing of a new tank meeting the standard but they met it at category 3 which suggests to Mr. Booher that we are very close to that standard. Other tanks that have had deformations under the old rule also tested very close to Category 3. As an engineer, Mr. Booher is of the opinion that the industries have not spent enough time on the shape of their tanks. He thinks more attention to the shape of the tanks would be beneficial to meeting the required categories. He realizes that building new molds is an expensive process but is adamant that the tanks need to be built better. Mr. Leonard Moore talked about issues with integrity of tanks stating that the test is easy to conduct but a hard test to pass. He agreed with Mr. Booher's comments and said, "don't drop the standard but rather raise the standard and make the manufacturers meet them." A sales representative spoke on behalf of Roth Global Plastics, Inc. He read comments from an email letter authored by Joe Brown in which Mr. Brown wanted the record to show that he spoke to the TRAP at a meeting in 2005 protesting the proposed standards as they had no scientific basis nor was there statistical evidence that a problem existed in poly tanks to the extent that standards needed to be revised. He further maintains that the problem was invented by the manufacturers of pre-cast concrete tanks. Mr. Brown said the new standards will do little or nothing to solve any supposed issues with poly tanks. Roth Global Plastics will pass the Category 3 standard without any changes but will be detrimentally affected due to the loss of their Category 4 approval.

In response, Mr. Briggs stated that the Department's position is straight forward. The rule change was made in 2006. In retrospect department staff feel that poly tanks should have been re-tested at that point as was done with the change of pre-cast concrete tank standards. Mr. Booher talked about the differences in poly tank shapes, internal structural supports, etc. Florida is at the front line of tank testing with regard to deformation and feels the situation is critical enough

to pursue assurance of making the tanks shaped properly, using the right high density, high molecular materials. Mr. Liskey wanted the record to reflect Mr. Brown's comment that the move to change the standards for pre-cast poly tanks was invented by the manufacturers of pre-cast concrete tanks is incorrect.

Mr. Prescott asked if this has to be put in the rule, could the Department simply require certain changes in the testing without going through this process. Mr. Briggs replied that the Department's attorney advised that it would be better established in the rule, and further, as with revision of testing of pre-cast concrete tanks, to allow a reasonable amount of time to work through the process to comply. Mr. Harper asked about that time frame to which Mr. Briggs replied would probably be six months after the effective date of the rule. More comments followed about a reasonable timeframe as well as the benefit of the poly tank manufacturers forming an ad hoc committee with Mr. Booher to iron out specifics. Mr. Kirk motioned approval of the issue with the addition to the language of a one year timeframe. Ms. Sanzone called the second and the motion was unanimously approved.

Issue 08-16 – Subject: Requirements for Engineer's Staff to do Site Evaluations
Rule Sections: 64E-6.004

Mr. Holcomb explained that this issue merely dovetails with the statutory change that went into effect July 1. The proposal essentially mimics the statute language that adds people who have passed a department approved soils course and who work under the direct supervision of an engineer to the list of people who can perform site evaluations. Following brief discussion, Mr. Tappan, seconded by Mr. Melling, motioned to approve the issue. The panel concurred.

Issue 08-17 – Subject: Issues suggested by Mr. David O. Scharr
Rule Sections: numerous sections

This issue encompasses several issues proposed by Mr. Scharr, an engineer, i.e. low pressure design, water billing records, and spodic horizons. Mr. Scharr briefly explained each proposal of which he had also provided written copy to the panel. He said items 1, *Lot Fill*, and 2, *Fill Between Chambers,* would help ensure better systems and level the playing field for contractors. Proposed items 3, *Unobstructed Area;* 4, *Low Pressure Design*; and 5, *Table I – Residential*, would lower the cost of systems needed by many of the applicants and meet public health requirements. He further stated that in his opinion items 6, *Water Billing Records*, and 7, *Effluent Dispersion*, warrant further study and input. His recommendation for item 8, *Spodic Horizons*, would result in simplification and consistency in site evaluations and review. Mr. Scharr noted that the issue proposal submitted for TRAP review and consideration speaks to only three of his proposed items, those being items number 4, 6, and 8. He wanted to know if the other 5 items would be submitted at another meeting. Mr. Holcomb responded that at this point those items would not be presented unless Mr. Scharr has convincing argument of their importance. Mr. Holcomb stated that those other 5 items relate to situations where interpretation is already in place that deals with those situations. Mr. Holcomb reiterated to Mr. Scharr that he and other department staff would be happy to discuss all of his proposals if he so desires. Mr. Scharr expressed his opinion that the three of his proposals selected were not the most important of the eight submitted.

Discussion continued. Mr. Kirk stated that he thought item 5, *Table I – Residential*, was a great proposal for the TRAP. Mr. Briggs responded that particular proposal was not brought forward because the TRAP already has in progress the bedroom issue that includes sizing for single family residences that is currently being worked on with the Building Commission toward a

resolution. Mr. Scharr commented in-depth his concerns about proposal items 1, 2, and 3 that were not brought forward by the Department in issue format. Each of his comments was countered by Mr. Harper and Mr. Briggs that those issues are already covered by rule.

Mr. Scharr also talked about item 7, *Effluent Dispersion* that did not make the agenda. He feels that the dispersion limitation should be revised. Mr. Briggs responded by using the example of larger clustered decentralized systems that would put thousands and thousands of gallons of sewage in one spot and the departments conviction that the sewage should be dispersed so that the average flow per acre is not exceeded.

Mr. Scharr proceeded with item 4, *Low Pressure Design* that was included in the proposed issue for today's review. He voiced his concerns generating conversation among several of the panel members. Ms. Vause suggested getting FOWA's input. Mr. Booher stated that the one pump versus two pumps issue should be a part of the review and discussion by FOWA.

Mr. Scharr stated his reasons for proposing item 6, *Water Billing Records,* about the many factors that may cause billing records to be substantially higher than real sewage flow unnecessarily increasing the size and cost of repair installations. More conversation ensued about the inconsistency of water billing records. Mr. Briggs said the Department shares those concerns of water records being problematic. Mr. Harper suggested that department staff look further into using Table 1 or other options.

Mr. Scharr referenced a memorandum sent out by the Department of Health several years ago (October 16, 1986) as he explained his concerns about *Spodic Horizons* in item 8. Interpretation of Spodic Horizons can be confusing and inconsistent creating problems during site evaluation and design. Mr. Franz commented that if the soil is spodic, it has to be cemented and has to meet color requirements. A sub-surface soil horizon that is dark does not necessarily mean that it is spodic. Joe Schuster wrote the referenced memo in which he attempted to create an umbrella effect to get every evaluator on the same page because of inconsistencies in county health department workers to determine specific soil types. Considerable debate followed. Mr. Briggs said department staff will work with Mr. Franz and Mr. Schuster on the issue, further stating that this may be a training issue as much as anything else.

Mr. Harper thanked Mr. Scharr for bringing these proposals forward stating his appreciation for this type of input. It is very valuable for the panel to understand some of these issues that might need to be addressed.

Issue 08-18 – Subject: Portable restrooms for temporarily displaced persons
Rule Sections: 64E-6.001, 0101

Mr. Holcomb said this proposed language takes a paragraph from Chapter 64E-10 and puts it in our rule. The language provides a fixture ratio for temporarily displaced persons. Ms. Sanzone questioned the proposed language resulting in a united decision to change the language to read…"(y) Whenever temporary housing is provided to people who are homeless as a result of displacement from their homes ~~either by immigration, natural disaster, or financial hardship,~~ a minimum of one toilet, one hand washing sink, and one shower for each 20 people or fraction thereof shall be provided at the housing facility." Mr. Liskey, seconded by Ms. Sanzone, motioned to approve the issue. Unanimous approval by the panel followed.

Mr. Greg Wade needed clarification of the term a PVC structural support system allows passage of the code as it presently exists. Is it correct that all that is needed is a 120 waiver? Mr.

Briggs responded that would be the only option at present. Another item for clarification, “if a manufacturer is producing a product in point “A” and then starts manufacturing a product in point “B” do they need to re-test if that tank was originally approved when it was manufacturer at point “A”. Mr. Briggs responded that he would think that we would want to test at each plant producing product.

A date for the next meeting was briefly discussed but undetermined. The meeting adjourned at 2:25 PM.