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Commonwealth of Pennsylvania Sewage Advisory Committee Minutes of the Meeting June 10, 2009

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 seventeen (17) organizations with voting members/alternates recorded as present. Twelve (12) 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

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▶	▶ Ralph DeFazio Doug Range	County Departments of Health, Local Health Agencies
	Nomination pending Dr. Sean Sanderson	Department of Community & Economic Development
	Patricia Grim 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 (PASEO)
▶	▶ Steven Hann Eugene E. Dice	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

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	Brian L. Book, P.E. Shannon G. Williams, P.E.	Pennsylvania Society of Professional 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 (PSATS)
▶	▶ 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	
	Sue Ahern	Evans Mill Environmental, LLC
	Tom Ashton	AMC
	Karen Atkinson	PSATS
	Grant Goulibon	Pennsylvania Builders Association
	Mary Lou Harris	Independent Regulatory Review Commission
	Elizabeth Hensil	Pennsylvania Association of Realtors
	Cynthia Lee	The Wells Team / Orenco
	Sue Wilson	Citizens Advisory Council to DEP

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	DEP REPRESENTATIVES	
	Duke D. Adams	Executive Policy Specialist 2, Office of Policy and Communications
	John Borland	Water Program Specialist, BWSFR
	John Diehl	Environmental Group Manager, BWSFR
	Karen Fenchak	Water Program Specialist, BWSFR
	Nick Hong	Environmental Engineering Specialist, BWSFR
	Jim Novinger	Water Program Specialist, BWSFR

Meeting Opening

Joseph Valentine, Chairperson, called the meeting to order at 10:32 a.m. in the auditorium of the Rachel Carson State Office Building. Meeting sign-in sheets were circulated, and quorum was present.

Old Business

Approval of the Meeting Minutes

The minutes of the meeting of March 11, 2009 were approved by the Committee without changes.

Status of Nominations with SAC Organization Representatives

John Diehl announced that seven member organizations still had not nominated representatives for the new term beginning in the fall. After discussion, Mr. Diehl said he would personally contact these organizations and those that have no current representatives to request nominations.

New Business

SAC Review of Work Group Comments on Draft Chapters 71a, 72a, and 73a

Chairman Valentine announced that the workgroups met seven times since the last SAC meeting of March 11. He said that they presented their comments on Chapter 71a to DEP staff in May and that they discussed Chapters 72a and 73a with staff in separate meetings. He thanked all involved for their efforts, and then he asked Dan O'Connell to present the cover letters that the

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work groups had written to accompany their full comments on each of the three chapters. Mr. O'Connell read and discussed the bullet points of each letter. Other Committee members made additional comments or asked questions of DEP staff.

Some of the specific issues discussed included the following:

- In Chapter 71a, inconsistencies between the Chapter and the Act itself
- In Chapter 71a, the clarity of the wording of the sections on sewage management programs as addressing area wide management and not focusing management solely on new land development
- In Chapter 71a, the use of planning as a growth control tool
- In Chapter 71a, restrictions against use of small flow treatment facilities for new land development
- In Chapter 72a, system abandonment as a permitting issue at the local level
- In Chapter 72a, the clarity of the wording of the section on critical and non-critical variances
- In Chapter 73a, the necessity for and the science behind the requirement for increased sizing of absorption areas for onlot systems
- In Chapter 73a, the propriety of field testing all tanks
- In Chapter 73a, location requirements for probe test pits

Mr. Valentine said the proposed work group cover letters would need to be revised in light of the DEP staff responses during the discussion of certain of the items above.

SAC members were concerned with the August 2009 deadline (announced at the March 11 meeting) for the submission of the proposed regulations to the Environmental Quality Board (EQB) as a draft rule making. John Diehl informed the Committee that the previous deadline had been relaxed. He announced that Chapter 71a could now be finalized at the next (September 9, 2009) SAC meeting and that Chapters 72a and 73a could be finalized at the Committee's November 18 meeting. Mr. Valentine announced that he would work with Mr. Diehl to establish a schedule for further work group meetings and that he would provide that schedule to the Committee when it was completed.

Sam D'Alessandro moved that, in light of the new timeline and strategy for interaction on the regulations announced by Mr. Diehl and in lieu of submitting formal comments to the Secretary at this time, the Committee send its current comments and cover letters as draft documents directly to John Diehl and continue to work with DEP staff. However, in the event that the Department would be required to submit the regulations to the EQB sooner, the Chairman is authorized to submit these documents as official comments to the Secretary on behalf of the Committee, as it is charged to do by its bylaws.

The motion was adopted after debate and amendment.

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

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