

**Virginia Department of Health (VDH)
Sewage Handling and Disposal Regulations
Sewage Handling – Revisions Subgroup**

Date: April 15, 2022

Time: 10:00 am

Location: WebEx

Attendees:

Lance Gregory – VDH

Anne Powell – VDH

Curtis Moore – Virginia Onsite Wastewater Recycling Association (VOWRA)

John Sawdy – Onsite Sewage System Operator and Installer, Onsite Soil Evaluator

Neil Zahradka – Virginia Department of Environmental Quality (DEQ)

Elizabeth Denning - ?

Robert Wentz – Onsite Sewage System Operator

Tanya Pettus – Department of Professional and Occupational Regulation (DPOR)

Bill Timmins – Citizen

Jim Bowles – Central Virginia Health District

Josh Hepner – Loudoun County Health Department (LCHD)

Joshua Anderson – LCHD

1. Introductions

All in attendance introduced themselves to the group.

2. Review Workgroup’s Purpose and Policy

Anne Powell reviewed the purpose of the subgroup and the meetings, to gather thoughts and recommendations for revisions to the SHDR.

3. Background on specific aspects of SHDR and Code Authority

Anne Powell briefly reviewed the sections of the SHDR that specifically involve sewage handling and sewage hauling.

4. Proposal(s) from VDH Facilitator

Anne Powell proposed looking into the specific sections of the SHDR to evaluate where improvement and changes are needed.

5. Feedback from Subgroup Members

Jim Bowles stated that he thinks the SHDR are working pretty well for sewage handling/hauling as is. He would like to see improvements in the Temporary Pump and Haul specification for large projects. Mr. Bowles feels like VDH needs better assurance that large projects is going to be completed in a timely manner. Lance Gregory mentioned that there is a bonding component in the SHDR that is supposed to prevent these situations.

Josh Hepner mentioned that he would like to see stronger requirements for licensing. He sees pump and haulers doing business without a license in Loudoun County, even though Loudoun has a local ordinance that requires a license.

Bill Timmins said he feels there should be more OSHA training involved with the operator's license. Mr. Timmins also mentioned that he tried to track the final destination of his effluent after the last pump out at his residence, but he was unable to follow it. John Sawdy said that there is minimal tracking of effluent across the industry. He said most facilities still have hand-written logs for pumpers to fill out. Most facilities rely on an honor system for the logs and it leaves a big gap between what is being pumped and what is actually being dumped.

Mr. Sawdy continued to explain that he would like to see drivers licensed as actual DPOR operators and not just sewage haulers. Each pump out vehicle has a VDH number from the permit, but pump trucks come in a variety of sizes. Mr. Sawdy has seen smaller trucks that do not have the ability to pump out a septic tank. These vehicles do not have enough vacuum to remove the solids from the bottom of the tanks. John Sawdy also pointed out that Virginia Department of Transportation (VDOT) has weight limits for single-axle trucks. He feels like some pumpers are not being honest about thorough pump outs.

Josh Hepner asked if pumpers are actually pumping out the whole tank. He thinks that training and credentials for pumpers/operators are very important. Mr. Hepner pointed out that some Alternative Onsite Sewage Systems (AOSS) should not be completely emptied because of how the systems function. Mr. Hepner asked if the requirement for dumping effluent at an approved facility is being closely monitored across the local health districts of Virginia. He has witnessed some pumpers off-loading their pumped septage into septic tanks of new construction and call it their "leak test" for the new tanks. Mr. Hepner feels that tracking the ultimate disposal of effluent more efficiently and stricter licensing is necessary.

Curtis Moore offered background information on the licensure issue. He stated that an operator or journeyman could not pump an AOSS without a master license involved. Mr. Moore feels that it is important for pumpers to have a license because they need to have good knowledge of what they are working with, especially when it comes to the differences between conventional and alternative systems.

John Sawdy mentioned that pumpers need supervision in the field. He said that many pumpers are just pumping and quickly moving on to the next job. Mr. Sawdy also mentioned the difficulty his company has trying to hire drivers for pump trucks. The drivers need to have a Commercial Driver's License with a tanker certification and they need a license to work with onsite sewage systems.

Tanya Pettus explained that this topic was brought up during the regulation review committee meeting. The next meeting will likely be in June.

6. Additional Proposals from Subgroup Members

Lance Gregory said that the subgroup should gather topics for future meetings regarding sewage handling. So far, it is clear that there is a lack of disposal facilities and a reduction in volume for those remaining. Lance also explained that there is a need for a mechanism for tracking permitting of sewage haulers across districts. Mr. Gregory also stated there is a need to discuss anaerobic lagoons for septage. Other topics for discussion may include changes to pump truck inspections, licensure of operators, additional exemptions (currently only marinas), and permitting procedures for permanent pump and haul.

Josh Hepner added that reporting is another topic to discuss. For example, maybe a hauler goes to multiple properties, if they have a 2,000-gallon truck but they pump out five houses prior to dumping,

VDH needs to track that. A statewide reporting requirement would help to make sure that pump outs reported are going to an approved facility. There also needs to be enforcement action to stop inappropriate dumping.

Jim Bowles stated that bonding is problematic because typically the LHD does not have the resources to hold a bond so you have to hope the local government can do it properly. Mr. Bowles also agrees with the need for reporting.

Neil Zahradka explained that land application is a component that requires a DEQ permit if they are not land applying under an old VDH permit. Lime stabilization of septage is no longer an acceptable method for land application, so that needs to come out of the SHDR. In addition, the term “unstabalized” needs to come out. DEQ regulations also notes that VDH must respond to land application request.

Curtis Moore stated that many other states have instituted mandatory reporting and that helped create a better inventory of where septic systems are located. This would be a great benefit to reporting in Virginia. Mr. Moore thinks the pumpers would enjoy if you mandated at grade access on the tanks, which might limit the number of people pumping out of inspection ports.

Robert Wentz explained that everyone reports differently. He thinks the reporting system in Loudoun is fantastic, but it would take time to implement elsewhere. Mr. Wentz stated that what you pump has to equal what you dump. Some facilities do not have a record to fill out. A growing concern is the lack of facilities and limitation on acceptance of waste. Mr. Wentz is curious where that is going to go in the future. He turns down a lot of business because he does not have anywhere to take the septage. Mr. Wentz explained that the requirements are resource intensive - the CDL, DPOR license, and safety requirements. The cost of these requirements trickles down to the clients.

Josh Anderson stated that in Loudoun, office trailers are treated as pump and haul, but he is not sure they should be in the same category. He is not sure these office trailers should be considered temporary. For example, a temporary pump and haul for a commercial facility was built that would be connected to public sewer, but they had to build a lift station, big disagreements lead that to be a pump and haul for over two years. Another example, in one locality, there was a pumper that was dumping in a campground dump station and dumping at a friend’s house. Since there was not tracking of septage in place at the approved dump facility there was not a way to verify. Lagoons will also need to be considered in the SHDR revisions. Dump stations for marinas and campgrounds are sometimes used during the off-season by sewage haulers for final off-loading. Large holding tankers are used in several areas of the state that get dumped into by smaller haulers and then get hauled away to treatment plants. These types of vehicles and tanks are not really addressed in the SHDR. Mr. Anderson would also like this subgroup to consider a policy for spot inspection of trucks. There are companies that have nice clean hoses when they do the inspection, but look much different when the trucks are on site.

Anne Powell mentioned large septage holding containers used at music festivals and other similar events. These containers should be held to the same standards as other vehicles and tanks in the SHDR.

Josh Hepner stated that VDH should make sure to encourage the habits that we want to take place. If it becomes so burdensome we may need to rethink more efficient processes. Mr. Hepner would also like to see a shift away from paper forms and toward digitized records. This would need to be handled equitably and in a way that provides home owners with access to records.

Lance Gregory agreed that the public should have access to records, as well as the private sector. Through the recent House Bill 769, a reporting program will be initiated for the pump out program in Three Rivers and Eastern Shores Health Districts. This tracking method will be available statewide. Mr. Gregory also

agreed that spot checks of pump truck would help the program and VDH could inspect trucks anytime a truck was at a repair job.

Curtis Moore asked what the prevalence is of land application sites. Neil Zahradka stated that it is probably five or less. There is one facility in Shenandoah Valley that is completely under DEQ. Lance Gregory stated that VDH needs to reach out to LHDs to get a handle on how many exist(ed). Mr. Zahradka mentioned there are some facilities that have continued to do what they were doing under VDH and he hopes this process will help nail that down, on a list of facilities. Curtis Moore stated that it would be good to know if they are run by service authorities or privately owner.

Josh Hepner stated the importance in reporting. He feels there is value for the industry and all follow up service providers. He stated he is not suggesting that a private sector professional file anything that they have not been contracted to provide, but if someone does maintenance on a system, that should be reported. There is value in those reports and many times it results in an unsatisfactory report. VDH would not be able to capture 100%. If the Health Department finds out there is someone that is consistently not reporting, then that gives VDH some authority to go after that person who is not reporting.

Curtis Moore mentioned that with an AOSS, you are supposed to have a log for the system. Something similar would be accomplished with haulers. For instance, to say you have to have a log of where you pumped and where you took it.

Bill Timmins asked if reporting could be made available from VDH's database.

John Sawdy said it sounds like what is coming maybe to make pump outs be considered maintenance, and so anytime a system is pumped it has to be reported.

7. Next Steps for Subgroup / Preparation for Next Meeting

Lance Gregory concluded the meeting with the mention of the next meeting date on May 13, 2022 at 10:00 am.

AGENDA

1. Introductions
2. Review Workgroup's "Purpose and Policy"
3. Background on specific aspects of SHDR and Code Authority
4. Proposal(s) from VDH Facilitator
5. Feedback from Subgroup Members
6. Additional Proposals from Subgroup Members
7. Next Steps for Subgroup / Preparation for Next Meeting