

HEALTH CARE ADVISORY BOARD

Meeting Summary May 12, 2003

MEMBERS PRESENT

Marlene Blum, Chairman
Rose Chu, Vice Chairman
Bill Finerfrock, Vice Chair
John Clark
J. Martin Lebowitz
Susan Randall
Rosanne Rodilloso
David West

GUESTS

Gloria Addo-Ayensu, Health Department
John Milgram, Health Department
Glen Smith, Health Department
Kevin Wastler, Health Department

STAFF

John Ruthinoski

The meeting was called to order at 6:36 p.m.

New Regulations Regarding Onsite Sewage Disposal

Glen Smith began by reporting that these regulations have not been updated since 1992. In July of 2000, the State of Virginia modified its regulations, which allowed the County to adopt new regulations. He noted that the new regulations will incorporate policies that the Fairfax County Health Department is already using. It will establish new fees and reduce liability to the County. He reported that a draft of the proposed regulations were reviewed by the Environmental Health Coordinating Committee and have been posted on the County's website. He also reported that staff held a work day with industry representatives, who made many good comments, some of which were incorporated into the regulations. There will be a public hearing regarding the regulations before the Board of Supervisors on May 19th at 4:00 PM.

John Clark asked if the \$150 fee for alternative system review was high. Glen Smith responded that alternative systems require a lot of staff time. Susan Randall asked what kinds of systems fall into this category. Glen Smith responded that high-tech systems such as PuraFlo or peat biofiltration fall into this category. Marlene Blum asked if the first amendment listed of the handout meant that a homeowner would have to have a traditional system in addition to the experimental system. Glen Smith responded that it meant that there must be an area set aside for a traditional system in case the experimental one fails, but it does not have to be hooked up.

Marlene Blum asked about spray irrigation, which she recently read about in connection with pig farms in the Midwest, and about concerns over air pollution. Glen Smith responded that these systems require high maintenance, which the Health Department cannot guarantee will happen. Marlene Blum asked if the regulations would affect currently functioning systems. Glen Smith noted that current regulations require the abandonment of a functioning drainfield when a dwelling is being expanded by more

than 50%. The new regulations require only that a reserve area be set aside in case the existing field fails. Marlene Blum asked about how the new fees were developed. Glen Smith responded that most fees were raised by 25%. Marlene Blum asked whether individual homeowners would know about the regulations. Glen Smith responded that the Health Department has been trying to get the word out as best as they could. He reported that they have not received a lot of comments even from industry. He added that the fees aren't that high and industry representatives suggested they raise them even higher.

Dr. Lebowitz explained that he has no problem with the proposed changes. He noted that sewers are still being built, and stated that he believed sewer would be extended to any large area of development in the County. John Milgram explained the percentage of new construction with septic systems is small compared to the number with sewer. However, he added that the Board of Supervisors has designated areas of the County as "non-sewer sheds" in the hopes of limiting development in these areas. Dr. Lebowitz commented that this effort has not been very successful. Bill Finerfrock asked about the minimum lot size for a septic system. John Milgram responded that there is no minimum size, only a requirement of a minimum set-back. Septic systems can be put on lots as small as 1/3 of an acre. Bill Finerfrock asked about reserve requirements. Glen Smith responded that currently if you have a flow diversion valve, the requirement is 50% reserve, otherwise it is 100%. This requirement is being raised to 100% reserve for everyone because most of the good soils are used up and new septic systems are being put on marginal soils.

Bill Finerfrock asked how experimental systems are classified. Glen Smith responded that the State designates systems in this manner. Bill Finerfrock asked how many there are. Glen Smith responded that there are only about 300 experimental systems in the state right now. Bill Finerfrock asked if the regulations discourage the use of experimental systems. Glen Smith responded that the system actually encourages the proliferation of systems, as there needs to be a minimum number of homes with experimental systems in order to collect data on them. Susan Randall asked of the reserve area is indicated on the plat. Kevin Wastler responded that the plot is deeded as an experimental system.

Bill Finerfrock asked if these requirements only apply to new systems. He asked if the new requirements would apply when an existing system fails and needs to be replaced, or would they be grandfathered in under the old regulations. Glen Smith responded that the new requirements would apply when an existing system fails, but added that when there is a failing system, the Department will work with the homeowner to try to get it working again.

Dr. Lebowitz made a motion to support the proposed change in regulations. John Clark seconded the motion which passed unanimously. Marlene Blum suggested that the HCAB include mention of the fact that the new regulations are less restrictive in places

than the current regulations, such as in the current requirement that a functioning system be abandoned when a dwelling is expanded by more than 50%.

Approval of the Minutes

The minutes of the February 10, 2003 HCAB meeting were accepted as submitted.

Other Business

Marlene Blum reported that the HCAB had received a memo from Inova regarding their non-compliance with the ADU bed requirement in a number of their assisted living facilities. Inova representatives will be attending the June meeting to discuss this issue with the HCAB.

There being no further business, the meeting was adjourned at 7:00 p.m.