State and Local Environmental Health Liaison Group Meeting Minutes
November 9, 2007

Present: Steve Bayer, Brad Cochran, Nathan Douglas, Ryan Harbison, Gail Harris, Arletta Lancaster, Susan Plum, Jennifer Walls (Nursing), and Stan Walls.

Absent: Brian Carrico (MU), Clarence Christian, Craig Cobb (EED), Lock Johnson, Kay Shamblin, Mike Tranthum (WVU), OEHS Readiness Coordinator, and representative from RTIA.

The meeting was called to order at 10:30 a.m. by Brad Cochran.

Brad gave the Group an update on Joe Wyatt. Unfortunately Joe’s condition has not improved. Testing has revealed that the cancer has spread to his lungs and kidneys and the prognosis is less than three months. Joe’s doctors have decided to cease treatment at this time. Joe, Betty, and their family need our support at this very difficult time.

Old Business:

Updates to procedure memo A-4 have not yet been completed. The necessary changes will be made by PHS staff and the revised memo should be ready for the next meeting.

Updates to procedure memo DW-23 are nearing completion. Karol Wallingford had intended to present a draft at this meeting but should have it completed for the next meeting. Upon final approval of the DW-23, PHS will release an updated DW-18 memo.

Dr. Henzler and the Rabies Task Force continue work on updating the DC-4 memo. More information will be available on the status of their revisions after their next committee meeting.

Procedure memo H-12 was discussed at the last meeting and the recommended changes were made. As a result of those changes several questions have arisen. Those questions include:

- For HAU’s permitted and installed prior to January 1, 1999, if the DEP intends to require the new homeowner to obtain a Registration, what about systems where the stream is now in an area placed under a DEP moratorium for additional wasteload allocations?

- If an old HAU system with chlorination is required to be modified to provide Dechlorination would the LHD need to issue a permit to modify?

- It used to be a requirement to have the tank uncovered for inspection, should that not be a requirement still?

- Should the SG-55 form include information about most recent date tank pumped, inspected?

A request was made to provide all old sewage design standards on the web site.
For public sewage systems experiencing a failure, can the home loan indicate the failure and require corrective actions? The consensus of the Group was that the evaluation was on the property and the onsite components, not the treatment system or collection lines.

Would Sanitarians need to verify that the home was in fact connected to the public sewage system? Should a letter from the PSD or homeowners’ association be required as this verification? The question stems from a situation in Kanawha County where a cluster of homes in an area served by public sewage were not tied into the system. This was discovered only after talking to the entity running the system, the homeowners were either not aware or unwilling to disclose this information.

New Business:

Brad commented that there are presently several vacant seats in the Environmental Health Liaison Group. The OEHS Readiness Coordinator position is vacant, and RTIA has not named a new member since Richard Peggs moved to PHS.

Note: the selection of a LHD Sanitarian from each district should be done by election at an In-Service meeting. It was requested that all vacancies be filled by the February meeting.

A summary of OEHS Legislative Rules that will be active in the upcoming session were reviewed. The following rules have been submitted for review during the November and December Legislative Interim meetings, and should be assigned to a committee for the January session:

- Clandestine Drug Laboratory Remediation Rule, 64CSR92
- Food Establishments Rule, 64CSR17
- Water Well Rule, 64CSR19
- Water Well Design Standards, 64CSR46

Another Legislative issue is the draft bill to amend §30-17, relating to the Board of Registration for Sanitarians. The modifications are a result of recommendations following a Legislative audit last fiscal year. The Board is actively seeking support from Legislators, and Sanitarians are urged to contact their local Legislators in support of the bill.

Clean Indoor Air was mention as another Legislative issue. There is concern that a statewide regulation may be proposed this session. The problem is that some fear it may preempt local health from strengthening the language locally, and that the requirements might be a step backwards for public health.
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Public Health Day at the Legislature will be held February 5th, 2008. Please contact the WVPHA Executive Secretary, Danya Canterbury, for more information and to register.

The last Legislative issue was the funding study. The Association of Local Health Departments’ report concluded that in order to meet national standards, a budgetary increase of $14 million per year over the next 3 years would be required. The Association’s lobbyist recommended that a Legislative Study Resolution be requested this session. It would then be suggested that all Public Health personnel contract local Legislators who sit on health-related committees to provide rationale about what things need to change, regardless of the funding.

Environmental Updates:

PHS is presently fully staffed for the first time in a long, long time. Richard Peggs was brought on in a new position to PHS as Milk & Bottled Water Assistant. Fred Barley was selected to fill the General Sanitation Program Manager position in central office. Ryan Harbison and Judy Vallandingham were selected as the St. Albans and Beckley District Sanitarians, respectively. Mark Uraco is actively training with Clarence Christian on the roles and responsibilities of the Milk Survey Officer.

The Sanitarians Training Class is finishing up week 5. Three of the thirteen Sanitarians have completed the entire course at the conclusion of this week. Week 6 will be in Charleston, weeks 7 and 8 will be in Morgantown.

PHS staff conducted a home loan evaluation course to certify individuals wishing to conduct home loans for lending institutions. Thirty-five people completed the course.

Linda is working on scheduling the FDA Managing Retail Food Safety course in July. More information will be provided when a date and location have been selected.

The annual WV Association of Sanitarians Mid-Year Meeting will be held May 6-8th at Cedar Lakes Conference Center. The meeting agenda includes Cross-Connections, taught by an industry expert from California; and panel discussions on Retail Food Emergency Preparedness and Ethical Considerations for Sanitarians.

Linda Whaley and Jessica Lucas are also working on plans for holding another PES Study Course. The course would be held in the northern part of the state and at this point no definite date has been set, but it will likely be held in late spring.
The WV Sewage Advisory Board submitted a written request to BPH Commission Chris Curtis for approval of a 2 day mandatory Sanitarian training. Chris reported the request at the last Public Health Partnership meeting, but as of this meeting, no decision had been made. The training will likely be held regardless of the outcome of the request. It is anticipated that the training will be held in each district, perhaps two one-day sessions at different times. More information will be provided in the near future.

District Reports:

Arletta shared that Jefferson County has hired a new administrator who was previously employed as a nurse with the department. She also indicated that Jefferson and Morgan Counties will be looking for new threat preparedness employees after the previous employee they shared resigned. In other personnel news from the District, Karen Dawson retired in Morgan County.

Arletta also gave an update on Richard Wheeler. He is doing well in Iraq, and has been promoted to Lieutenant Colonel. The latest report from Richard stated that he’ll get some time off in March and plans to visit Australia, where he’ll be joined by his family. If anyone wants to contact him, his information is:

LTC Richard L. Wheeler
Unit 42166, 52 MHD
HHSC STB 3ID
Camp Victory, Iraq
APO AE 09342

richard.l.wheeler@iraq.centcom.mil

Susan mentioned the cemetery issue that Lewis County had at the last meeting. She indicated that a committee had worked on the issue and she had a large file of background information that she will be making a copy of for PHS. Brad interjected that Vital Statistics has requirements for moving a corpse.

Another question from the Fairmont District was about UIC permitting. There is a golf course that DEP is now requiring to be registered. The concern was that the system has been installed and operational for a long time. Discussion revealed that DEP is going out and requiring permits on places around the state and this is not uncommon.

Another question about UIC permits is, are Sanitarians supposed to, or are they expected to, hold a permit until DEP issues their permit? According to correspondence from DEP, they seem to be expecting that we hold the permit. More guidance is needed on this issue.

Susan raised a question about the use of the pask permeameter. Is there a formal way that a LHD should approve the use of a permeameter in their county? Can it be used in place of a perc test? Where is the conversion chart to compare the results to the perc test results?
The last question was about perc tests. Someone has requested a copy of the explanation of the requirement for a 6-8” perc test hole. There is a question about whether a larger or smaller sized hole will change the perc results? Discussion revealed that there is an old engineering equation about the size of the perc test hole.

Steve had several issues from the Mid-Ohio Valley HDs. The first was a failing system serving a residence with an adjoining structure that may or may not have been used as a residence or office. The permit was issued for the house, but a realtor had an installer tie the adjoining structure into the same system. The question is, what should the HD do about reporting the installer’s actions? Brad indicated that all HDs should notify PHS as soon as possible about infractions to document the inappropriate actions, and so enforcement actions can be initiated.

Discussion continued about this situation and the consensus was that if the structure were tied into the existing system, it would need to be sized accordingly, and UIC permit paperwork should be filed with DEP.

Steve raised a question about assisted living facilities in homes. Brad indicated that the Office of Health Facility Licensure and Certification does inspections on these facilities, and a HD inspection of the food service area is required for renewal of their license. LHDs should also be permitting any onsite sewage disposal systems. For Legally Unlicensed Care Homes, LHDs would not need to permit or inspect the food service as these facilities are not licensed, OHFLAC simply keeps a list of registered facilities. OHFLAC inspectors should be notifying the LHDs of violations they observe in the food service areas. More information about these facilities is available on OHFLAC’s website: [http://www.wvdhhr.org/ohflac](http://www.wvdhhr.org/ohflac). The Food Establishment Rule also provides an exemption that permits residential style equipment in the kitchen of residential care homes with up to twelve (12) residents, 64CSR17, Section 4.1.b.

Mid-Ohio Valley continues to have issues with water hauling operations. DW-27 addresses the requirements for water hauling. Sanitarians should be registering all operations that haul water, verifying their source is approved, reviewing sanitation issues, and periodically taking bacteriological samples. It was mentioned that the PHS should contact the State Fire Marshal’s office to disseminate DW-27 again. Some other issues taking place in MDOVHD are: operations attempting to sell water they do not pay for, and operations that exceed the maximum number of customers without becoming a public water supply themselves. Sanitarians should keep an eye out for these issues.

Steve also raised the question about a formal policy allowing newly trained Sanitarians to work in areas that they have completed training school, prior to finishing the entire school. The consensus of the group was that the WV Board of Registration for Sanitarians should make a determination about the appropriateness of this practice.
Stan stated that there was little to report from the Beckley District. Raleigh County will be conducting interviews next week for a new Sanitarian, having lost Judy Vallandingham. Stan also mentioned that McDowell County has been looking for a new Sanitarian but have had few candidates that meet the requirements.

Ryan presented issues from the St. Albans District, along with comments from Gail Harris. Kanawha County may be posting for a food sanitarian in the near future as they face impending retirements. They are also wrestling with the potential lose of their building and where they might be relocated.

Lock was unable to attend the meeting but submitted a request for information about counties who have implemented risk-based inspections. Brad mentioned that Annex 4 of the ’99 Food Code provided detailed information about how to categorize the facilities. He also stated that while he worked in Marion County they conducted risk based inspections. Their system was based on the recommendations in the Food Code, but they moved fast food establishments to the next higher ranking based on the population served. Brad also stated that he thought risk based inspections were being conducted in two other counties.

Gail mentioned that in Kanawha County they base their risk categorization on the number of people served. They have created their own inspection and re-inspection forms. Steve inquired about a system to move a facility up or down a risk category based on consistent inspection results. Brad recommended that Local Boards of Health approve the process for risk-based inspections prior to implementation.

Nursing Liaison Report:

Jennifer Walls reported that Judy McGill with the Division of Local Health has nearly completed a web-based public health nursing education program to provide certification for public health nurses in WV. She indicated that all LHDs are busy giving flu vaccinations at this time. Other issues include their upcoming Liaison meeting that will be held the first week of December. Also, Cabell County is working with the lab about the new lab forms and their acceptance protocol. There are some issues about the new forms being cumbersome, but are working towards a resolution.

The next meeting will be held at 10:30 a.m., Feb 22nd, at the Office of Environmental Health Services located in the Davis Square building in Charleston.