

## Liaison Committee Meeting Minutes – November 17, 2006

**Present:** Brad Cochran, Michelle Cochran, Nathan Douglas, Ryan Harbison, Stan Walls, Mark Whittaker (for Fairmont District), Steve Bayer, Arletta Lancaster, and Mike Tranthum

**Absent:** Lock Johnson, Representative from Nursing Liaison Committee

The meeting was called to order at 10:20 a.m. by Brad Cochran.

Brad presented updates from the Public Health Sanitation Division. Brad has been appointed as Interim Director of PHSD until OEHS Director, Barb Taylor completes interviews to fill the Director position permanently.

Jessica Lucas, formerly of the Wayne County Health Department, recently joined the PHSD as Assistant Food and Training Officer.

The Interstate Environmental Health Seminar is scheduled to July 17-20, 2007, in Louisville, Kentucky. The registration fee is \$125, and rooms at the Seelbach Hilton will be \$81 a night. All Sanitarians are encouraged to attend the meeting. For more information visit the IEHS page on the West Virginia Association of Sanitarians site: <http://www.wvdhhr.org/wvas>.

Food establishment vulnerability assessments were distributed to each district sanitarian at the end of October. District Sanitarians are passing out the assessment packets as they are able. Linda Whaley asks that every food establishment in each county be given a vulnerability assessment packet. Completion of the assessment is voluntary and LHDs are not required to do any additional work, but this does provide an excellent opportunity to communicate with and advise establishment operators.

The water well rule revision committee continues to meet. Sanitarians representatives on the committee are Keith Lee – Cabell County, and newly appointed VJ Davis – Preston County. For more information about the process the committee is making, visit the SWAP web site: <http://www.wvdhhr.org/oehs/eed/swap/rule-revisions.asp>

Brad discussed follow-up information to old and new business from last meeting. The A-4 Revision Committee had nothing new to report. Several additional sections need reviewed by PHSD staff and the document should be finalized.

Petting zoo handwashing requirements, there are none currently. Linda Whaley was to discuss this issue at an Ag/Health meeting but it was cancelled. It was discovered that Ag has issued an advisory compelling handwashing after touching animals, or abstaining from touching animals when handwash stations are not available. Unfortunately nothing is required yet. The issue will be discussed with Ag at the next available opportunity.

Boil Water Notice (BWN) and procedure memorandum DW-18, no change from previous meeting. PHSD is waiting on EED to finalize the BWN document. The DW-18 and additional boil water advisory document will be posted as soon as updates are completed.

Regarding a requirement for homeowners to pass an exam in order to conduct percolation tests, there is nothing in the regulation that requires homeowners to pass a test. Discussion on the topic revealed that it is handled differently in the various districts. The issue will be posed to the PHSD On-site Sewage Program Manager and a policy will be developed and disseminated as necessary.

Mark Whittaker interjected that he's received numerous questions about whether a class I installer is allowed to install a pump system and Section 11.4.a. of 64 CSR 9, Sewer Systems Rule, states that class I certificates apply to ...effluent lift stations. This means that class I installers are allowed to install pump systems.

Regarding the requirement for a 50' set back from a manmade cuts that intersect rock or shale, and its applicability to foundations cut into rock, technically the set back would apply because the foundation is a manmade cut that intersects rock or shale. The intent of the Rule was for roads and high-walls and ultimately to prevent sewage from following rock or shale seams to any outlet down-slope. The On-Site Sewage Program Manager will be consulted for more detailed information on set back requirements for up-slope system installations.

Michelle Cochran presented the threat preparedness update from OEHS. TP will be included in the Public Health 101 course that will be taught the week of November 28<sup>th</sup> as part of the Sanitarians Training Course. Due to this, disaster sanitation and a discussion on the emergency manual have been switched and will be presented later in the training course.

Flu tabletop exercises have been scheduled across the state, the following is a listing of dates and locations. Note: not all locations had been selected at the time of the meeting, and the dates and locations may be subject to change.

Dec 13 <sup>th</sup>	EPHRT	Romney
Jan 9 <sup>th</sup>	Mid Ohio Valley Region	Parkersburg
Jan 30 <sup>th</sup>	Bundle Team + Kanawha	no location specified
Feb 16 <sup>th</sup>	PACT	Fairmont
Mar 2 <sup>nd</sup>	Region 1 Collaboration	Country Inns & Suites, Beckley
Mar 15 <sup>th</sup>	Northern Region	no location specified
Mar 29 <sup>th</sup>	SPHERE	no location specified

Pre-scripted messages for pandemic flu are being developed for the Governor's office on food and water safety. They are due to Kim Coleman and John Law by December 1<sup>st</sup>.

Radiological incident pamphlets for first responders were distributed to the various TP regions, more are available upon request.

Michelle is exploring the possibility of putting radiation training on the intranet soon. Look for more information in the near future.

The Health Guide for the Public has been recreated in PowerPoint in full and abbreviated versions for use by LHD personnel giving presentations to public groups. The PowerPoints are available on the OEHS internet site but will be moved to the intranet in the future.

The booklet is also available to the public on the OEHS web site in normal size and large print booklet layout: <http://www.wvdhhr.org/oehs/disaster-readiness-response.asp>

It has been printed in Spanish and Braille. The Braille copies have already been distributed and the Spanish copies will be distributed in the near future. Please contact Michelle with any urgent needs.

The WV Library Commission will be developing an audio booklet on CD that will be made available once completed.

Michelle offered to provide GIS mapping for critical structures to local health departments that do not have GIS mapping capabilities, as time permits. LHDs would need to submit the coordinates and would receive a map with the facilities indicated. Contact [Michelle](#) for more information, 558-6981.

Nathan discussed possible revisions to the R-3 procedure requiring lifeguards to remain in/at an elevated chair or platform for the duration of their watch. The new design standards do not specify requirements for elevated chairs or that guards remain at their stations. Mike Tranthum volunteered to work with Nathan to come up with some recommendations to present to the Liaison Committee at the next meeting.

District Updates were presented as follows:

Beckley District – Question about regulations requiring porta-jons to be cleaned or serviced. Discussion revealed that the General Sanitation Rule would require a regulated facility to have portable toilets maintained and operated in a sanitary manner. However, if the toilet is not located at a facility we regulate, the person responsible for the site should be put under notice for creation of a health hazard.

Stan indicated that the Environmental Engineering Division is not sending out any violation notices on food establishments. He also expressed concern about not receiving copies of plans for facilities regulated by the LHD (i.e., mobile home parks, etc.). The issue of not receiving copies of facility plans has not occurred recently but was a concern. Brad stated that he would present these issues to EED

Rabies has been a big issue in Greenbrier county as of late after a rabid cat scratched several people and potentially exposed numerous animals within a hollow. PHSD, IDEP and WV Dept of Ag personnel visited Greenbrier County to assist and discuss quarantine and/or euthanization of animals and pen requirements. During discussion it became apparent that public health needs to do a better job of educating the public about the need to vaccinate all animals. There was also a question about enforcement authority, the consensus was that county Sheriffs would have that authority.

WVU – Mike posed a question about garbage complaints and who had jurisdiction. Brad stated that the policy memo provides jurisdiction to DNR unless there is a public health hazard. Mike indicated that there wasn't necessarily a health hazard as much as a nuisance about the way the

waste is handled. The issue involved an apartment complex located next to a WVU dormitory building. The apartment complex trash is piled in an outside area but not in cans. The trash is removed in a timely manner, but the waste is not contained and gives a poor appearance.

Mike also discussed the vast remodeling that WVU is currently undertaking to various dormitory food services throughout campus. Other major modifications in the works will take place at the natatorium as WVU doubles the size of the lap pool to achieve an Olympic size.

Kearneysville – Arletta asked whether there are any protocols for monitoring experimental on-site sewage systems. Mark and Stan indicated that the Sewage Advisory Board is currently working on such protocols in relation to the product verification protocol which will be the process used to review and recommend new alternative systems for approval in the state.

Experimental systems must be installed in order to monitor the experimental parameters of the new technology. Provisions for monitoring include: monitoring /sampling ports, shallow groundwater monitoring wells for observing adverse site conditions, etc; and the owner must agree to allow access for observation and sampling. Experimental systems will not be used as a condition for new subdivision lot approvals.

Another question was how to handle the destruction of pre-approved reserve areas after construction takes place? The consensus of the group was that the destructive actions would void the permit to construct a system. The property would have to be abandoned if no workable solution could be reached, but the Sanitarian should attempt to work with the homeowner to get a system installed. It is imperative that a note be included on the inspection report to detail what occurred on the property and that if the system does not meet standards the Sanitarian must check that box on the inspection report.

Side note to the above issue from the On-Site Sewage Program Manager – it is important to consider the following options in instances of compromised reserve areas: the availability of easements, split reserve areas, the possibility of using pump systems to go up hill, and consider alternative systems even if the lot was previously approved for conventional systems due to the situation.

Mid-Ohio Valley – Steve asked whether food in an unopened, sealed container could be stored on the floor or it must be six inches. Guidance from the Food Program Manager directs you to see Section 3.305.11 of the Food Code for all of the variables with this issue.

Another issue was how to handle a failing system on a small lot with no room to add additional field and no chance of an easement? The consensus of the group was that the Sanitarian should attempt to abate the problem as best as can be achieved. One suggestion was to replace the tank with an HAU. HAUs or other pretreatment devices which provide aerobic effluent can other rehabilitate a failing drainfield or extend the life of an undersized system. In addition to providing cleaner water which is more readily absorbed by the soil, increased oxygen breaks down the biomat, buildup of biological material, which seals off the soil interface.

How should a mercury maximum registering thermometer that breaks in an automatic dishwasher be handled? Mike reminded the group that the Food Code requires the use of a permanent recording device, and a maximum registering thermometer is not permanent because the

device can be shaken down and reused. The recommendation and consensus of the group was that Sanitarians should be using temperature tapes. The issue will be forwarded to Barb Smith with the ATSDR program for an answer on the mercury issue.

As far as Sanitarians designing a septic system, how far is too far? Does the installer need to fill in exactly what is going to be done at the site? Does changing the requirements in the application during an on-site visit change the permit to install? If so, should the permit be reissued? The consensus of the group was that the basic system should be provided on the application and will nearly always need to be tweaked at installation to deal with site characteristics. However, if major changes are required, the final inspection must clearly indicate what was installed, to include any modifications from the permit.

It is also useful to encourage installers to make the property owner do their part by providing all necessary documentation (plat plan, tax map, etc.) and making property boundaries. The Sanitarian should make notes on the sketch during the site evaluation as to the location of system components relative to property lines, roads, etc. for reference when changes are necessary during installation. The same should be done for proposed water wells so there is no question about original placement of the well.

Steve wanted to comment on the food survey that Mid-Ohio Valley sent out. The purpose of the survey was to get a feel for the number of violations being cited at various size food establishments across the state. They had conducted an in house survey and wanted something to compare themselves to. The process has resulted in their conducting a food quality assurance program, currently underway.

Fairmont – Mark indicated that Monongalia County Health Department’s environmental health staff has decreased to three field Sanitarians and that was the reason for Jon stepping down from the position and asking Mark to take his place.

One issue from the district is mobile home dealers with shady business practices that include overcharging for on-site sewage systems as part of a package deal, and disturbing reserve areas by uprooting trees during home installation or site preparation. The group discussed several ideas on how to handle the situation, and recommended having the On-Site Sewage Program Manager send a letter to their association expressing our concerns.

St. Albans – Ryan reported that he had not received anything to report. Wayne County had been involved and kept rather busy with the food recalls from Ballards.

Wheeling – Lock submitted the following report. Wheeling-Ohio County had a possible foodborne outbreak they were currently investigating.

The meeting was adjourned.

The next meeting will be held at 10:30 a.m. on February 9, 2007, at the Office of Environmental Health Services building at 1 Davis Square in Charleston.