

West Virginia State Environmental Liaison Meeting

Date: November 9 2012

Location: DHHR Coop Facility, Flatwoods, WV

PRESENT

Brad Cochran, Judy Vallandingham. Steve Hinerman, Ryan Harbison JJ Rose, Denny Taketa, Dr. Don Thimsen, Jimmy Casdorff, Judy Ashcraft, Tim Miller

GUESTS

Meredith Vance, Christy Pitzenbarger – OEHS-EED – Compliance and Enforcement

RE: Suspension Orders for facilities under permit with the local health department for non-compliance with 64 CSR 3 Public Water System Rule

CALL TO ORDER

Brad Cochran called the meeting to order at 10:45 am.

MINUTES

JJ Rose moved and Tim Miller seconded and the minutes were approved as presented.

OLD BUSINESS

Brad discussed the make-up of the liaison committee for the benefit of the guests.

Brad informed the committee that A-22 Local Health Department Record Retention Policy has been finalized and will be posted soon. SG-74 – Index of Environmental Health Forms is still being revised and will be posted as soon as all revisions are complete. DW-51 Cathodic Wells policy was distributed by email and is posted on line in the Environmental Health Procedures Manual. Brad indicated that a permit is required for this type of well.

JJ Rose asked if a fee would be charged. Brad indicated that a fee would be charged if the LHD charged a fee for well permits.

Brad informed the committee that a policy is being developed for the use of hydrated lime instead of chlorinated lime by septic tank pumpers in cases of septage spill on the ground; Rick Hertges is working on this policy. Brad gave the group a copy of what Rick had to date, but indicated that the document would need to be put into policy

format. Brad indicated that PHSD will send out the policy to the committee members by email for their review. JJ Rose asked if this would be put into Rule, Brad indicated that the change would be made when the rule is revised, but until then we will use the policy. Steve Hinerman indicated that most of the septic tank pumpers in his are already using hydrated lime for this purpose.

Environmental Health Electronic Reporting Update

Brad indicated that all of the 10 Pilot counties are using the system to some degree. Tim Miller indicated that Mid-Ohio Valley LHD is using all the modules except for Land Development in the field to do all inspections. Tim indicated that he like the system and can see the benefits in the future. Time indicated that there is a learning curve for the Sanitarians, but his staff has adapted to the new process.

Brad indicated that Rick Hertges has had meeting with Michael Kinder and Health Space regarding the Sewage portion of Land Development and the EED staff has been working with Mr. Kinder on the Well portion. Brad also indicated that the Land Development Module has a component that can be used for Home Loan Evaluations.

Brad informed the committee that the Animal Encounter Module has been added to the Health Space System and that DIDE will be getting access to the Health Space Animal Encounter Module. Judy gave the committee the SG-58 Animal Encounter Report that PHSD and DIDE staff has been working on and asked the committees opinion of the form. The committee members indicated that they liked the form. Judy indicated that PHSD will put the form # on the form and post it as soon as possible.

Brad informed the committee that Health Space is working on a new Module for Clean Indoor Air and this will be rolled out at a later date.

Bred presented Fred Barley's update to the committee:

Phase I of the project continues to develop. Work persists on the Land Development module. The state geologists are working with the individual water well section. We are working with the Office of Laboratory Services (Christi Clark) and DIDE (Rachel Ratcliff) on the animal encounter module. It is hoped that we will discontinue the use of WVEDDS and only use the HealthSpace software. The indoor air quality module is on hold until all other modules that were in the original RFQ (Request for quotation) have been finalized.

Contact names for Phase II LHDs have been submitted so they can receive their IDs and passwords. Two names from each LHD were submitted. Once Phase II rolls out, a PAC (Primary Administrative Contact) will be named by each LHD.

Fred Barley's update continued

The PAC will basically be a "super-user" and will have the capability of assigning new IDs and passwords to other staff members in their LHD. This will allow Phase II participants to get into the program, look around, and play with different scenarios using training databases. It is expected that we will offer on-line training, GoToMeetings, and previously recorded sessions during December. In January, we hope to establish training sites, centrally located in each district. One-day training will be offered then, covering topics for field sanitarians as well as office staff.

Phase III will roll out sometime after this, hopefully sometime next spring.

Tim Miller indicated that Mid-Ohio Valley has experienced some problems with the Health Space system: one is that the billing module is only allowing invoicing one facility at a time instead of batch invoicing. Tim indicated that he liked the regular Go-To-Meeting with Health Space and that they have been responsive to his needs. He also indicated that the template that Health Space provided for import of existing data did not meet the needs of his particular LHD. Tim also suggested that the counties that are in Phase II of the project to use your tablets and get used to the computer before using Health Space or attempting field inspections with the equipment.

Brad informed the committee that the State Computer contact has expired and is in the process of being renewed.

The committee members discussed the set-up of the tablets, computer fees and the monies for the maintenance of the system beyond the grant funding. Brad indicated the OEHS intends to seek funding sources to maintain the Electronic Reporting System beyond the initial grant funding. A question was asked if Health Space has an auto-time tracking feature during inspections. Judy indicated that she will ask during the next conference call with Health Space.

NEW BUSINESS

Meredith Vance and Christy Pitzenbarger discussed with the committee trying to get some of the water systems that are not in compliance with the EPA regulation and 64 CSR 3 Public Systems Water Rule. Meredith thanked the local health departments for their cooperation with the food establishments, the efforts have helped get many water systems into compliance.

Meredith asked the committee if the members would be willing to take it “one step further” and be willing to suspend the permits for campgrounds, manufactured home communities, schools and hotels/motels.

Discussion by the committee with the consensus being yes the local health departments would be willing to suspend the permits of these facilities. There was discussion on suspending a permit for a manufactured home community (MHC) and the fact that these are permanent residences and what actions the local magistrate may take. Brad indicated that the suspension of a MHC permit would need more internal discussion among PHS staff.

Brad asked if the local health departments notify the ABC Commission (ABCC) when a food establishment permit is suspended and the facility also has a license with the ABCC. Tim Miller indicated that you must notify the ABCC if you suspend a food establishment permit for this type of facility.

Brad also indicated at any facility that falls under the General Sanitation Rule (64 CSR 18) or Manufactured Home Community Rule (64 CSR 40) must comply with the Public Water Systems Rule 64 CSR 3. If the permit was suspended for the campground then that facility could no longer rent out spaces until the permit was reinstated.

Denny raised an issue that the magistrates in his county will not use any of the penalties that are in a rule only those that are stated in the WV Code.

There was committee discussed what action would need to be taken in the case of suspending a permit for a school, it was the consensus of the committee that suspension letter would need to go to the County Board of Education and to the State Board of Education.

Tim mentioned that if the county has a building ordinance then the compliance officer for the building ordinance may be a resource to get some of the water system into compliance.

REPORTS

District Sanitarian Report – Ryan Harbison – No report

RTIA Division Report – Dr. Thimsen

More meth labs in the news and continue to find contaminated structures as a result. Meth labs are becoming an epidemic statewide. RTIA is expanding Radiation Safety monitoring to other industries not just confined to the medical community any more other industries are using forms of radiation in conducting business.

Also audits of Child Care Centers are being conducted by Tammy Potter with RTIA for compliance with the requirements of having lead assessment for pre 1978 buildings per

EPA requirements. She is starting with the larger population areas but will expand to all parts of WV.

Fairmont District Report - Steve Hinerman

A sanitarian had asked since WV can no longer use the PES exam and will have to take the NEHA RS exam will the candidates have to meet the 30 hours of science required by NEHA to obtain the RS for WV.

Brad indicated that a sanitarian does not have to meet the 30 hours of science requirement to take the NEHA RS exam – the candidate only has to meet all the requirements of the WV State Board of Sanitarians. Brad restated that all of the information about separate NEHA credentialing (REHS) is available on the State Board of Sanitarians web site.

Saint Albans District Report – Jimmy Casdorph -No Report

West Virginia Association of Sanitarians Report – Judy Ashcraft

Liz Greene is currently working on the agenda for the Mid-Year Meeting one track will offer the FDA Foodborne Investigation Course – this course will be a 3 day course May 8-10, 2013 (there will be 80 seats available) and there will be an alternate program for those Sanitarians that are interested in other topics.

A question was ask if there are any plans to move the Mid-Year meeting to another location to try to increase attendance – Brad answered that there were no plans to move the conference due to the low cost of the Cedar Lakes facility. He also told the committee that work is progressing on the construction of the On-Site training center at Cedar Lakes and with the completion of this site and the refurbishing of the On- Site Center at Chestnut Ridge OEHS will have 2 on-site training centers.

Mid-Ohio Valley Report - Tim Miller

Tim reported that they have 1 housing development that currently they are investigating 25 sewage complaints that were filed with his office on homes in this housing development.

He said that he and his sanitarians like the Health Space program for doing inspections.

Kearneysville District Report - Denny Taketa

Denny told the committee that there were a lot of complaints being filed with his LHD.

Denny ask if there were any plans for a Class II Sewage Installers Course.

Brad indicated that yes there are plans for a Class II Sewage Installers Course in Early Spring 2013. And in the future since we will have two (2) On-Site centers the plans are to have two (2) Class II courses per year.

Beckley District Report - JJ Rose

JJ reported that the sewage complaint at the community of Coalwood was on going – this is a coal camp with old terra cotta pipe central collection system going to the creek. There is no room on the individual lots for a conventional septic systems and DEP will not permit the large number of surface discharge permits required for correction using individual surface discharge systems. He indicated that what is happening is the central collection system is being repaired as needed until public sewage is installed in the area in a few years.

JJ reported that he has hired a new Sanitarian - Tim Eachus (formerly with Greenbrier County)

Environmental Update – Brad Cochran

Brad told the group that the Writ of Mandamus that was filed by a developer with the State Supreme Court was dismissed by the State Supreme Court after arguments were presented by the lawyers representing WVDHHR and WVDEP.

Jessica Douglas is the new General Sanitation Program Manager.

Judy Ashcraft is assisting Linda Whaley with the duties of Sanitarian Training Class and will assume the duties as Training Officer for the training class in 2013.

Linda Whaley applied for 5 FDA grant opportunities for additional funding and OEHS-PHSD was awarded all 5 grants – Food Manufacturing, Rapid Response Team, Retail Food, Food Safety Task Force and one other grant.

Training Class will resume after Thanksgiving with week 7 (Food Establishments) and 8 (Recreational Water – Final Exam) being held in Morgantown. Currently 11 Sanitarians in the class and 6 will be returning next year to complete training class.

Brad wanted to remind all Sanitarians that you must have your 15 CEH's by December 31, 2012.

He also informed the committee that Sandra Darien the secretary for the Board of Sanitarians is retiring this year.

Legislative Report

Brad reported that the Legislative Session begins on February 13, 2013.

He told the committee that OEHS had the following rules up for consideration for the 2013 Legislative Session – General Sanitation Rule, Fees for Service Rule, Pasteurized Milk Rule. He also advised the committee to expect legislation again regarding regulation of tanning salons – this rule will most likely be a comprehensive rule. The permit fee for this program has not been discussed at this time. Brad would like to encourage LHD input if this legislation goes forward.

Tim asked when OEHS will be updating the Food Code. Brad indicated that was going to be this legislative session, but the decision was made to postpone, because of some legislation that was introduced last year concerning exempting people who want to donate food to nonprofits. Tim asked about the fine listed in WV Code of five dollars/day for each offense, has there been any discussion of changing this fine. He brought this to the attention of the committee because the magistrates in his counties will only use the fine that is in the WV Code, not the penalties that are in a Rule.

Denny stated that the Kearneysville District – especially Mineral County are seeing a lot of food truck selling frozen meat and the LHD's are having a problem getting these vendors to get permits for all of the trucks. He also mentioned that the trucks may not always be in compliance with refrigeration/freezer temperatures. Brad suggested that the LHD may want to get the inspector from the Department of Agriculture involved, since this concerns a meat product.

Meeting was adjourned.

NEXT MEETING — February 15, 2013 in Charleston

Submitted by: Judy Vallandingham
Date: 11/21/12