West Virginia State Environmental Liaison Meeting
Date: February 20, 2015
Location: One Davis Square, Charleston, WV

PRESENT
Brad Cochran, Judy Vallandingham, Steve Hinerman, Tom Ong, JD Douglas, Mike Trantham, Greg Young, Denny Taketa, Jimmy Casdorph, and Jarod Dellinger

GUESTS

CALL TO ORDER
Brad Cochran called the meeting to order at 10:35 am.

MINUTES
Jarod Dellinger moved and Jimmy Casdorph seconded and the minutes were approved as presented.

OLD BUSINESS

Environmental Health Electronic Reporting
Judy Vallandingham reported that HealthSpace is working on Land Development Module updates and will deploy the updates April 2015. She has been working with local health departments on formatting and starting to use their databases. HealthSpace is still working on the Monthly Report. Information that is manually entered for categories that is not related to modules is not pulling to the monthly report. User Group and HealthSpace will resume monthly go-to-meetings once the contact issues are resolved. Local Health Department staff is assisting others with HealthSpace issues.

Brad reported that support services from HealthSpace have been suspended due to unresolved contract issues. Some of the issues have been resolved – due to the new OASIS financial system HealthSpace was required to submit a new W-9 so that payment to them could be processed. There were issues on getting the W-9.

Brad stated that OEHS will be funding the current contact period with HealthSpace. When the current contact period is over on December 15, 2015, funding for the next contact period is still undetermined, but the LHD’s may have to pay for their users. The cost per user will be $448.00/user/year for the contact years ending Dec 15th 2015, 2016 & 2017.

Jimmy Casdorph asks if he should inform the St. Albans district LHD’s. Brad indicated he may want to make the lead sanitarian or administrator aware, but when the contact issues are resolved and the plan for paying for the contact year beginning December 15, 2015 is in place there will be written communication from OEHS regarding funding and payment for the HealthSpace users.
Steve Hinerman asks if OEHS staff will inform all of the LHDs when the HealthSpace Support Forum is again answering questions and dealing with other database issues. Brad and Judy indicated that OEHS staff will let all of the users know when communication thru the HealthSpace support forum has been reestablished.

WVDEP UIC Permitting Update

Brad gave a report from Rick Hertges; a cooperative effort to resolve the LHD concerns is ongoing. There are 2 issues that are being addressed:

1. Submitting of unnecessary applications to WVDEP – establishing a clearer designation of when an on-site sewage system would need a UIC permit. Right now it is everything but a single family dwelling.
2. Premature issuance of on-site sewage permits that may require a UIC permit.
   a. Like for RV campgrounds/beauty shops – some items in the memo have been modified or retracted

What will be required for on-site sewage system for mortuary waste and slaughter house waste are still in the discussion phase.

Steve indicated that one of the main issues that the LHD faces with the turnaround time after the UIC paperwork is submitted to WVDEP, normally WVDEP does not respond to the LHD in a consistent time frame. Steve when the submission is for on-site sewage system that is creating a public health hazard (failing), the LHD needs to act as soon as possible.

Discussion of the group regarding the UIC issues related to RV campgrounds.

Ebola

Brad report that Ruby Memorial Hospital in Morgantown, WV has been given the designation by CDC to assess and treat Ebola patients. Also there is has not been any new guidance put out by CDC regarding Ebola in the recent weeks. There are links to the Ebola guidance on WVBPH website.

NEW BUSINESS

Providing Copies of Sanitary Surveys

JD Douglas advised the group that OEHS – EED will no longer be providing the LHD’s or the PSC with a copy of the sanitary surveys. OEHS has been advised by their legal staff that this information cannot be shared; this also applies to the Source Water Protection Plans.

Steve asks if the LHD can obtain information regarding testing done by the water system. JD indicated that water testing results are public information.

JD expressed that the Sanitary surveys contain engineering data that can’t be disclosed for security reasons. If a LHD is needing information regarding a water system then EED staff will work with the LHD on a case by case basis to try to provide the information the LHD needs.
Drug Rehabilitation Facilities

Brad indicated that there was a question regarding drug rehabilitation facilities if the LHD should require a general sanitation permit and/or food establishment permit. Brad indicated that he had talked to PHS staff and the opinion that yes these facilities should have a food establishment permit if the facility is providing meals for the residents – if the facility has more than 12 residents then a commercial style kitchen would be required.

Regarding the general sanitation permit, Brad indicated that he would check with OFLAC to see if their agency requires these facilities to obtain a license or register with OFLAC.

Waste Disposal from Mobile Food Units

Question was submitted regarding dumping of waste water from mobile food units. Brad indicated that the issue is addressed in Environmental Health Procedures Manual - F-15 Guide for Mobile/Pushcarts/Temporary Food Establishments. F-15 allows the waste to go to an approved method of sewage disposal. Brad ask Rick Hertges his opinion on a mobile food unit dumping waste water in a septic system. Ricks opinion was that if this was an occasional basis the extra wastewater may not cause any harm to a septic system, but if extra wastewater was added to a septic system on a regular basis then provisions need to be made for the septic system to accommodate the extra wastewater also this scenario may also require a WVDEP-UIC permit.

RRT Trainings

Judy mentioned that the WV Rapid Response Team will be sponsoring 2 training PER-298 Course - Team Approach to Foodborne Illness. The trainings are a 2 day course. There will be a course in Beckley at the Tamarack Convention Center June 8-9, 2015 and a course in Morgantown at Lakeview Conference Center June 10-11, 2015. Information will be sent out and posted on the PHS website.

Bakery selling products to Restaurants

Discussion by the group on this topic: the consensus was that if the restaurant is purchasing the goods at the bakery the same as a private customer then the bakery would not be a food manufacturer and would only need a food establishment permit with the local health department.

REPORTS

District Sanitarian Report

Rich informed the group that a complaint had been received from WVDEP that a cathodic well had been drilled on a gas well site without a permit and the well driller was not certified. He just wanted to advise LHD’s that cathodic wells are being drilled on the gas well drilling sites.
WVU Report

Mike reported that in the future there will be new food stands at the football stadium. There is a lot of construction taking place on campus - new PE building, Ag Science building, Engineering Research building. More new food places on campus. The new baseball stadium will be completed and open this spring. Currently Sodexo is the food service provider on campus. He indicated that another office had been combined with the Office of Environmental Health and Safety. He also mentioned that there had been some issues with the fraternities and sororities this year.

WV Office of Laboratory Services Report

Tom reported that the position of Lab Director has not been filled yet. He stated that the lab in Moorefield will be certified by April 1st to do water testing. Brad asks if the lab is still having an issue with samples not being received on time – Tom indicated that yes this is still an issue and that with the recent cold weather that some samples had been received frozen.

Greg reported that the Environmental Chemistry lab will be inspected by the EPA this year. He also stated that in the future the lab will have the ability to test for insecticides and herbicides and that there will be a submission form for these tests. He stated that he will send a copy to Brad to disseminate to the group for comments.

Environmental Engineering Division Report

JD reported that 64CSR3 is currently making its way through the legislative process the rule updates the new revised coliform rule and sampling plan for public water systems. The new rule requires all public water systems to submit their sampling plan to EED for approval in advance.

Fairmont District Report

No Report

Saint Albans District Report

No Report

West Virginia Association of Sanitarians Report

Jarod reported that Mid Year Conference will be April 28-30, 2015 at Cedar Lakes Conference Center. Jarod and Jimmy indicated that the agenda for the conference should be finalized soon. The agenda will be sent out to the sanitarians and posted on the WVAS website.

Kearneysville District Report

No Report
Environmental Update

Brad reported that JD Douglas is the new EED director as of January 1, 2015.

He indicated the PHS is currently in the process of revising 2 rules to be submitted to the Legislature for consideration in January 2016:

64CSR56 Infectious Medical Waste Rule – PHS has been working with at stakeholders group to revise this rule. The next meeting for this group is March 19th, this rule may be finalized by April 30, 2015.

64CSR17 Food Establishment Rule – PHS and the Food Safety Task Force has been working on this rule. This rule will adopt the 2013 FDA Food Code:

   Changes will include:
   
   • a 3 tiered system for violations – Priority, Priority Foundation, and Core
   • Cut Leafy Greens and Sliced Tomatoes added to the list of TCS(time temperature control for safety)/PHF foods
   • the addition of non-typhoid Salmonella to the diseases of concern
   • the requirement of a Certified Food Protection Manager training – with a 1 year phase in period
   • the requirement for cut leafy greens to be stored at 41°F - with a 5 years phase in for equipment upgrades

He announced that there will be a RS study course at Cedar Lakes Conference Center on March 16-17, 2015 with the RS exam being held on March 18, 2015. Currently there are 14 people sign up to attend the study course with 7 people sign up to take the RS exam.

PHS will be sponsoring the FDA 312 Course – Special Processes at Retail - March 24-25, 2015 at the NiSource (old Columbia Gas) Building on MacCorkle Ave in Charleston. If anyone is interested let Jessica Douglas know, there are 6 prerequisite courses for the course.

The 2015 Sanitarian Training Class begins August 3, 2015. There is a tentative schedule on the PHS website. The most notable change is that Recreational Water has been moved to the second week, due to scheduling issues.

PHS - Fairmont office and EED – Phillipi office will be combined and the new office will be in the new state office building in Fairmont. The current projected date for the move into this building is April 1, 2015 all the offices affected will be given a move in date.

Legislative Report

SB 30 Raw milk (Herd Sharing) currently is on the second reading in the Senate and if it passes will move on to the House. The bill allows an individual to buy a share of a cow or herd and by doing so the individual will be allowed milk from the cow or herd. The bill requires that the Dairy Farm owner
provide the individual purchasing the share information on inherent risks of consuming raw milk and obtain a signed acknowledgement. This bill also requires that physicians report any disease related to the consumption of raw milk to the local health department. Other bills related to raw milk or herd sharing have not appeared on any committee agenda.

SB60 – Food Handlers Cards this bill has passed the Senate and is currently in the House – Gov. Org. Committee. This bill would allow for an individual to obtain a statewide food handlers card – the LHD can charge up to an additional $10.00 for the statewide card. All food handlers’ cards will be good to 3 years. PHS will be responsible for setting minimum guidelines for food handler training i.e. the curriculum to include handwashing, personal hygiene, cross contamination, etc. for example. Exam will be optional and approved On-line courses.

SB304 – Farmers Market Permit Currently in the Senate Judiciary committee. This bill would allow Farmer Market vendors to obtain a food establishment permit in their county of domicile and the permit would be valid in all counties the permit fee will be $25.00 for 2 years or $15.00 for an annual permit. LHD’s are trying to derail this bill until next due to regulatory issues. PHS and WVDA will have to work together on a rule using the Farmers Market Guide and EH Procedure F-16.

HB2208 Smoking Bill the original bill if passed would have repealed all of the current CIAR’s and would require these regulations to go through the county commission this bill in currently in the House Gov. Org. committee. There is a public hearing on this bill today.

HB2390 Regulation of Public Restrooms this bill would require the development rules which would require hand sanitizer in all public restrooms and a yearly inspection. This bill has had no movement since it was introduced. Brad stated that public restrooms are covered under the General Sanitation Rule and handled on a complaint basis only, unless the restrooms are in a facility that is permitted by the LHD, then they are inspected as part of the inspection.

HB2103 Relating to Generally to Boards of Examination and Registration would not apply to WVSBO, but would require background checks for licensing of boards listed in the bill.

HB2500 Allowing local boards of health to appoint physicians as local health officers this bill was assigned to the House Health and Human Services Committee.

SB423 and HB2574 Aboveground Tank bills these bills would amend SB373-2014 both bills are still in committee in their respective house of origin.

SB175 DHHR bundle bill that includes 64CSR3 Public Water Rule – OEHS expects this bill to pass.

Mike inquired about if there is a cottage industry bill. Brad indicated at there was no movement on the cottage industry bill.

Brad told the group that the last day to introduce bills is February 23, 2015.
NEXT MEETING — May 29, 2015 at the OEHS COOP facility in Flatwoods

Meeting Adjourned.

Submitted by: Judy Vallandingham
Date: March 13, 2015