



Development, Environmental Health, and Environmental Protection

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DRAFT



1. Should soil morphology and field-based training be a prerequisite for maintaining an active Sanitarian's or Inspector's certification?

Development

- Risk Mitigation: Identifies site-specific limitations early to prevent total system failure.
- Cost Efficiency: Matches system design to exact soil types to reduce the cost of new installs, repairs and extend lifespan.
- Regulatory Ease: Accelerates permitting and avoids fines through higher data accuracy.
- ???

Environmental

- Natural Filtration: Optimizes the use of soil microbes to strip bacteria and nutrients.
- Water Purity: Protects drinking wells by ensuring proper vertical separation from groundwater.
- Pathogen Control: Uses specific soil textures to effectively trap and neutralize viruses and *E. coli*.
- ???




2. Do you support a mandatory continuing education requirement for certified individuals?

Development

- Compliance: Prevents project delays by keeping professionals current on evolving health codes.
- Resilience: Provides training on designing systems that survive floods and climate shifts.
- ???

Environmental

- Health: Teaches professionals to identify "silent failures" before pathogens reach groundwater.
- Nutrient Management: Updates skills for nitrogen/phosphorus removal to prevent algae blooms.
- Soil Health: Keeps experts sharp on identifying erosion and compaction risks.
- ???




3. At what threshold or "trigger" should a certified Soil Scientist be required to assist the local official?

Development

- Unlocks Land: Identifies "unbuildable" lots that can support alternative systems like drip irrigation.
- Precision Engineering: Calculates exact load requirements to prevent costly overbuilding or failure.
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Environmental

- Water Table History: Identifies high-water marks (mottling) during dry seasons to prevent system drowning.
- Natural Filtration: Optimizes system placement where soil chemistry best neutralizes phosphorus.
- Watershed Health: Assesses "cumulative impacts" of large developments to protect regional aquifers.




4. Future Role and Transparency of the Codes Advisory Committee (CAC). How should the committee's structure, authority, and transparency be managed moving forward?

Development

- Predictability: Clear update timelines prevent sudden regulation shifts that derail project financing.
- Expert Oversight: Guaranteed seats for engineers and builders ensure codes are technically and economically feasible.
- Faster Innovation: Streamlines approvals for modern, high-tech systems on challenging sites.
- ???

Environmental

- Public Accountability: Open agendas and scientific "white papers" allow for transparent monitoring of standards.
- Scientific Integrity: Mandatory inclusion of researchers ensures data-driven groundwater protection.
- Uniform Standards: Prevents a "race to the bottom" by maintaining a high environmental baseline statewide.
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5. Should the DPH maintain a shared, searchable database of "Final Decisions" and legal challenge outcomes to ensure all towns apply regulations consistently?

Development

- Precedent & Predictability: Ensures uniform law application, preventing arbitrary denials based on local misinterpretations.
- Lower Legal Costs: Allows developers to research past outcomes to align designs with proven standards.
- Faster Approvals: Enables local officials to reference "pre-approved" solutions for complex sites.
- ???

Environmental

- Closing Loopholes: Immediately alerts all towns if a design or technology is flagged as scientifically insufficient.
- Defensible Science: Provides a library of expert testimony to help local boards uphold strict protections.
- Public Accountability: High visibility discourages "political approvals" or unsafe waivers.
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6. Would you support a simplified appeal process for technical disagreements that allows for a resolution without the formal issuance of a "Final Decision" or "Order"?

Development

- Speed of Resolution: Resolves technical disputes in weeks rather than months of administrative hearings.
- Lower Costs: Allows direct dialogue with state experts, avoiding expensive legal and court fees.
- Incentivizing Innovation: Developers feel safer proposing "green" tech when disagreements lead to meetings rather than denials.
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Environmental

- Expert-to-Expert Dialogue: Ensures outcomes are grounded in environmental data rather than legal technicalities.
- Proactive Solutions: Allows regulators to suggest design modifications (Plan B) that protect sensitive wetlands.
- Strategic Resource Use: Focuses enforcement resources on high-risk negligence rather than minor technical disputes.
- ???




7. How should "Nitrogen-Sensitive Areas" be identified for the purpose of stricter SSDS standards?

Development

- Targeted Costs: Mandates expensive nitrogen-reduction only in high-risk zones to keep housing elsewhere affordable.
- Investment Clarity: GIS mapping allows developers to identify costs before purchasing land, removing financial guesswork.
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Environmental

- Pathogen Prevention: Maintains the unsaturated soil buffer required for bacteria and virus die-off.
- Mitigating "Coastal Squeeze": Prevents sewage from surfacing during high tides as groundwater is pushed upward.
- Nitrogen Control: Maintains a dry buffer essential for trapping pollutants before they reach sensitive watersheds.
- ????




8. In response to fluctuating groundwater levels and sea-level rise, should the state re-evaluate the current 18"–24" minimum vertical separation distance?

Development

- Avoiding Obsolescence: Prevents systems from being submerged by rising water tables within 10–15 years.
- Future-Proofing: Encourages mound systems or "fill-packages" to ensure long-term functionality.
- Technological Flexibility: Allows reduced separation if Advanced Treatment Units (ATUs) are used to pre-clean effluent.
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Environmental

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- ????



9. For B100a reviews in Nitrogen-Sensitive areas, what increase in design flow should trigger a full code-compliant assessment?
(including hydraulics and 100% reserve area)

Development

- The Bedroom Trigger: Uses bedroom count as a proxy for occupancy and waste volume increases.
- Redesign vs. Repair: Clarifies that routine maintenance is exempt while total redesigns require modern technology
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Environmental

- Density-Based Limits: Triggers upgrades if a project exceeds density limits (e.g., one bedroom per 10,000 sq. ft.).
- Concentration Limits: Flags changes in use (e.g., retail to restaurant) that increase the nitrogen strength of effluent.
- ?????



10. Do you support increasing dedicated staffing and funding for the following departments?

Development

- Reducing Backlogs: Ensures plan reviews and inspections happen in days rather than months.
- Technical Assistance: Provides pre-application meetings to help developers avoid costly design flaws.
- Consistency: Sufficient personnel allows for thorough peer reviews and uniform regulation across all towns.
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Environmental

- Field Oversight: Ensures sanitarians verify "limiting layers" (bedrock/water) in person to prevent system drowning.
- Audit & Maintenance: Specialized staff audit annual reports to ensure nitrogen-reducing systems actually function.
- Proactive Management: Allows for area-wide surveys to catch failing clusters before they cause public health crises.
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What is considered a detrimental effect on ground or surface waters?

*(iii) Demonstrate an ability to solve the particular difficulty or defect associated with the area of special concern and which caused its classification. The Commissioner or local director of health, as the case may be, **may require a study of the capacity of the surrounding natural soil absorb or disperse the expected volume of sewage effluent without overflow, breakout, or detrimental effect on ground or surface waters if in their opinion such may occur.***

*(6) In such areas of special concern, the Commissioner of Public Health or the local director of health who has been approved by the Commissioner to review engineering plans in areas of special concern pursuant to Section 19-13-B103e (b) **may require a study of the capacity of the surrounding natural soil to absorb or disperse the expected volume of sewage effluent without overflow, breakout, or detrimental effect on ground or surface waters.***