

Champions for Change

By Dean Srygley

It all began for me in the fall of 2012, when D.J. Shannahan, owner of Sharp Water and a Water Quality Assn. (WQA) board member, provided me with his wealth of experience to assist the state of Delaware in revising a restrictive septic law. During a visit in February 2013, Richard Mest, WQA president and president of Master Water Conditioning Corp., immediately offered his years of legislative experience throughout the U.S. and specifically in Washington, D.C., to help in Delaware.

Mest's proactive leadership and friendly, no-nonsense approach has helped everyone understand the evolution of science, technology and WQA's training/certification programs. His easy-to-understand communications style also impressed Delaware legislators, Delaware Department of Natural Resources and Environmental Conservation (DNREC) staff and the staff of various associations.

Laying Down the Law

The crux of the problem is a little-known law that prevents homeowners in Delaware with water treatment systems that vent to septic tanks from selling their homes without permission from a master plumber who represents DNREC. The impact this law has not only on the homeowner but also on the business that originally installed the system dates back to 1999. The law was not made public until approximately 2007, however, and is of prime concern in Delaware. Currently, numerous homes are unable to be sold until compliance is assured. This compliance, known as a Class H inspection, can cost the homeowner or water treatment business up to \$3,500.

According to the statute, "No cooling water, air conditioning water, groundwater, oil, water softener brine or roof drainage shall be discharged into any system without specific authorization of the Department. Water softening brine shall be discharged in

a manner that does not allow surface discharge (curtain drain)."

The law further states, "The GWDS [Ground Water Discharges Section] considers the cost to correct the problem and any potential liability a civil matter between the homeowner and the person or company responsible for installing the water softener discharge line."

The law also requires that residential water softener brine must be disposed of through a subsurface trench approximately 12 in. wide and no deeper than 24 in. The length of the trench varies from site to site. The problem with these trenches is that they can affect not only the homeowner's property but surrounding

properties as well. The brine can penetrate surface conditions to well water depths on all properties, and can be a potential hazard for all living things.

Campaigning for Change

Over the years, Shannahan has championed the cause for change. His efforts finally began to bear some hope, and in spring 2013, Mest and David Loveday, director of government affairs and communications for WQA, joined efforts to elevate their concerns to higher levels in Delaware.

In June 2013, I located a sympathetic legislator who requested private discussions with several other legislators. Mest, Shannahan, Loveday and I entered those discussions, along with



Associations work
toward revised septic
laws in Delaware

numerous subsequent discussions with a variety of decision-makers in the state.

Mest and Loveday offered the legislators and DNREC specific language for a revised septic law. They also offered proposed WQA/Eastern Water Quality Assn. (EWQA) support for training, certification and liaison for any and all water treatment areas, including for master plumbers to assist in conforming to the revised law. These offers are designed to be friendlier to the environment, homeowners, certified water treatment professionals and legislators.

Revised Regulations

In November 2013, final discussions of revisions to laws in Delaware pertaining to wetlands and septic issues were presented to Secretary of DNREC Collin O'Mara. He released the following determination of the new septic regulations, approved by DNREC, in January 2014.

Among other changes, the regulations effective Jan. 11, 2014:

- Require inspection of all septic systems prior to property

transfers. Most mortgage lending institutions currently require the inspection of a septic system prior to sale. This requirement informs buyers of a system's type and condition, and protects them from acquiring a malfunctioning septic system;

- Clarify the permitting process for siting, installing and maintaining all small systems;
- Create new inspection protocols for system contractors and inspectors;
- Allow homeowners to maintain their own innovative/alternative systems, once certified through a homeowner training program;
- Standardize the permitting process for spray irrigation and onsite systems; and
- Include procedures for distributing treated wastewater for agricultural use and other authorized purposes.

The revised septic regulations still do not meet industry concerns regarding master plumbers or financial impacts on homeowners and water treatment professionals. For example,

master plumbers are typically not trained or certified in water treatment to the extent of WQA's water treatment training and certification program, and thus may be ill equipped to approve or deny a homeowner's pending sale.

In addition, the obvious financial and emotional impact on all licensed water treatment professionals and homeowners in Delaware is enormous.

DNREC was provided with the latest science from Virginia Tech, which states that brine, regulated properly, actually enhances a septic system. Other scientific materials from Texas, California and Canada were offered to assist in a more favorable final ruling.

Do Your Part

Licensed water treatment professionals and homeowners in other states also may be adversely affected by laws approved by misguided lawmakers, who either have not learned about advancements in water treatment technology and science from sources such as WQA

or EWQA, or were misguided by outdated information before approving legislation.

Legislative awareness in all states is key to success for everyone in this industry, and for reducing its impact on the environment. WQA and other regional water quality associations are working to educate their members, as success is not an automatic—it requires focus and skills.

This is where you can help. WQA and other regional water treatment associations have resources to assist in efforts to help legislators in your state make informed decisions. Contact your local water treatment association for additional information. It is not hard to do and it is rewarding to be a part of the success. *wqp*

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