

Technical Review Panel  
Environmental Public Health Division  
Indiana Department of Health  
Meeting Notes from April 11, 2025  
10:00am – 12:00pm, Yoho Conference Room, IDOH and via Teams

Panel Members Present:

In Person:

Kelly MacKinnon, IDOH, OLA  
Amanda Lahners, LaPorte County Health Department  
John Hack II, OSS Contractor  
Jason Ravenscroft, academia  
Mark McClain, IRSS  
Dick Blazer, IBA  
Matt Stieneker, Indiana State Building and Construction Trades Council

Via Teams:

Brian Neilson, PE, ACEC

Others Present:

In Person: Mike Mettler, Alice Quinn, Erin Elam, IDOH  
LA Brown, installer

Via Teams: John Linn, Carlie Hopper, IBA  
Stuart Meade  
Joe Rakoczy, IDOH  
Jason Armey, Steuben County Health Department  
Allison McCarty, Putnam County Health Department  
Gary Chapple, Allen County Health Department  
Dawn Bifoss  
Rohan Mehta  
Chad Schofield  
Dale (last name not provided)

MacKinnon called the meeting to order at 10:00am and indicated that the meeting was being recorded.

**Minutes**

Minutes of the January 24, 2025 meeting were reviewed.

McClain made a motion to accept the minutes as written; Ravenscroft seconded the motion.

Ayes: Ravenscroft, Blazer, Lahners, McClain, Hack, Stieneker, Neilson

Nays:

Motion passed.

**Legislative Update**

MacKinnon discussed changes to HB 1052 including a focus on revising rules and pausing ordinance reviews, TRP meetings for ordinance reviews would only be a maximum of one per quarter, meetings for TNI review or rule revision could be held once a month or as needed, IDOH removed as a voting member

of the TRP, required updates to the nonresidential rule, local ordinances passed after January 1, 2025 would be voided, and updates to standards in the rule.

There was a question about what “nonresidential” systems are. A definition of “nonresidential onsite sewage system” can be found in IC 16-19-3.5-3.5. This definition is very similar to the definition of a “commercial on-site sewage system” in Rule 410 IAC 6-10.1-8, excluding “except where such dwellings are connected to a cluster system. However, an on-site sewage system serving two (2) single-family dwellings on the same property, with a combined DDF of less than or equal to seven hundred fifty (750) gallons per day, is a residential on-site sewage system, not a commercial on-site sewage system.”

### **Review of Proposed Revisions to Rule 410 IAC 6-8.3**

Review of the proposed rule revisions proceeded based upon a letter received by TRP members from IOWPA and IBA, dated 4/10/25. The following sections of the proposed rule were discussed:

- Mine soil and moraine soils are requested to be defined in the rule. It was decided that these definitions would not be included in this revision of the rule due to timelines imposed by legislation. Both definitions would need extensive input from experts in those fields.
- 5.1 Base Flood Elevation definition – the concern for inclusion of “as calculated by a method and procedure that is approved by the Indiana natural resources commission” was not discussed. McClain indicated that he felt the rule should address who the base flood elevation was determined by and what to do if a permit was issued and then the base flood elevation changed.
- 16.1 Fixed Reference Point definition - It was discussed that at least 2 fixed reference points should be identified by the soil scientist so that all borings could be triangulated and more accurately located. It was decided to leave the definition as is and require a minimum of 2 fixed reference points in section 56 Onsite soil evaluation.
- 18.1 High Strength Waste definition – it was asked where these numbers came from. Mettler explained that they have been used in the Commercial rule for many years. Quinn stated that the definition and levels were originally taken from NSF, but NSF did not use this definition anymore. McClain stated that the numbers needed to be anchored into some reference, and we need to know why NSF does not use this definition anymore.
- 18.2 IAPMO definition – It is a concern that this standard eliminates the use of smaller tanks. This will be investigated.
- 19.2 Installer definition – Brown asked if this meant that someone who abandons a tank must be an “installer”. The concern is about someone who only abandons tanks but does not install having to be registered and possibly pass a competency test. It was determined the definition of installer would remain the same, but later in the rule, it will be stated that someone who abandons a tank(s) only has to register with the local health department in the jurisdiction in which the abandonment occurs, but a competency test will not be required if the individual only does abandonment and does not install.
- 33 Residential on-site sewage system failure definition – clause 5 was concerning because it referenced discharge to only a tile. It was recommended to add “or pipe.” There was much discussion, and the decision made was to add “or discharging to other than a soil absorption field” to clause 3 and leaving clause 5 as Sewage or effluent discharged to a drywell or cesspool.
- 35.1 Responsible charge definition – Brown questioned if this meant that the installer had to be onsite at all times. This does not mean that the registered installer has to be onsite at all times, but the installer is responsible for the work his/her staff or crew does at the site.

- 41.2 Sleeping spot definition – IBA is concerned that this will try to regulate how many people can occupy a home. They feel that counting sleeping spots is not warranted. It was determined to set a minimum DDF for a tiny home at 300 gpd and remove recreational vehicle and camper from the definition of tiny home. Recreational vehicles and campers will be assigned a DDF equal to the occupancy as rated by the manufacturer multiplied by 75 gpd.
- 50.2 Tiny Home definition – It was requested to remove recreational vehicle and camper from the definition and to require a minimum DDF of 300 gpd for tiny homes.
- 50.5 Watertight definition – There was concern over the standard used for this definition including how to ensure a distribution box is watertight. Blazer indicated that distribution boxes are rarely watertight, and they can leak up to 7 gal/minute. The biggest concerns are at the pipe penetration ports when the rubber gaskets can stretch and let water in or out of the box. Also, the lid for a concrete box cannot be removed if mastic is used to seal it to the box, but without mastic the distribution box lid does not make a watertight seal. It was decided to have Claude Goguen weigh in on this topic at the next meeting. There is also a mistake in the reference to the IAPMO standard; it should be 2019 not 2013.
- 52(b) General sewage disposal requirements – This was marked for discussion on the IOWPA/IBA letter. There was some discussion about why the 150% cost was included. Mettler stated that connection to sewer was the more sanitary long-term solution, and this section included the distance to the sewer line from the property line and the cost factor. It is similar to current statutes in place for municipalities, not-for-profit and district utilities, except those statutes used “or” rather than “and.” Those statutes do not give authority to require connections to LHDs. There was also discussion on short-term vs long-term costs and the potential for needing a replacement system if the first system ever failed. Linn stated that IBA was okay with this requirement.
- 53(d)(5)(A) Construction permits (complete application) – The requirement for all wells located within 100’ of any OSS component was questioned. There are times when the separation distance to a residential well, which is typically 50’, must be doubled to 100’ (when a soil loading rate  $>0.75$  gpd/ft<sup>2</sup> is within 34” of the ground surface). Also, the separation distance to a commercial well is at least 100’. Also, many well locations, especially if on an adjacent property, are overlooked.
- 53(d)(5) Construction permits (complete application) – It was requested that “Any other information as deemed necessary by the health officer” be removed and specific requirements be inserted. This is in the current rule and is not proposed for change. This covers those situations where something else is needed for a site (such as additional borings, a base flood elevation, or a topographic map) that can be expensive and are likely not needed on most sites. It is very difficult to list everything that may be needed in some cases but not in most.
- 53(i)(4) Construction permits (best judgment) – It was discussed if this section should be that the deviations to the rule should be “recorded on” or “documented in” the construction permit. The verbiage was agreed to be left as “recoded on.”
- 54.5(d)(4)(D) Requirements for inspection of existing on-site sewage systems – There was discussion about the requirement for the approximate depth of installation from original grade for an inspection report. It is very difficult to determine where original grade is after the system is installed and covered and in use. It would likely take a soil scientist to determine where existing grade was located. Measuring the depth of soil cover does not adequately describe how deep the system was installed in order to compare to the separation from a limiting layer whereas depth from original grade would. This is a difficult subject and will need additional work. IDOH will come up with alternative language for discussion.

- 54.5(d)(2)(E) Requirements for inspection of existing on-site sewage systems – It was asked what “functional and safe” meant. Functional means, does it work in the manner required. Safe would mean that the electrical connections, boxes, and wires are safe and do not pose a hazard to someone inspecting, maintaining, or working on the system.

While there were additional items on the list to be discussed, the time for the meeting had expired. Those items will be discussed at the next meeting.

The next meeting is scheduled for May 9, 2025 from 10:00 am to 2:00 pm EST.

The meeting was adjourned by MacKinnon at 12:00 pm.