

**VDHCD and VBCOA Meeting  
Monday, December 21, 2020**

**Attendance:**

Amanda Albright, HRSD  
Mike Martin, HRSD  
Regina Duncan, HA  
Cathy Filipowski, CH  
Amy Ziemann, YK  
John Broughton, VBCOA  
Brent Werlein, VB FOG  
Lindsay Dierks, NO  
Jillian Terhune, NO

Chelsey Daughtery, SM  
Chad Krejcarek, PQ  
Chris Martin, Arlington  
Richard Grace, Fairfax  
James Moss, VBCOA  
Jeff Brown, DHCD  
Katie Cullipher, HRPDC  
Rebekah Eastep, HRPDC

**The meeting summary is as follows:**

**1. Introductions**

**2. Brief History of Grease Interceptors & FOG Programs**

Brent Werlein with the City of Virginia Beach and the askHRgreen.org FOG Education Committee lead the group through a brief history of grease interceptor regulations for Virginia.

- Correction: Proposed code changes would go into effect 2024. 2021 has been finalized.

**3. Discussion**

- How would SCAT regulations be applied to a grease interceptor?
  - Codes staff would consider these regulations on the sanitary sewer not the building occupants.
  - Local/municipal collection systems are built to SCAT regulations and POTWs. SCAT regulations cover the collection systems as well.
- How would SCAT apply to a particular FSE?
  - HRSD does effluence testing by building whenever possible. At times the sampling/monitoring must be done for multiple locations for malls and other multi-use buildings.
- Do building officials take local sewer use ordinances or FOG ordinances into consideration during their decision-making?
  - Localities have local sewer use ordinances and/or FOG MOAs requiring additional regulations from the plumbing code.
  - FOG enforcement programs don't have jurisdiction over certain aspects of grease interceptor installation and must rely on other departments to comply with the regulations.
  - Code officials indicated it is customary for building code officials to work with wastewater staff to determine a course of action in these circumstances.

- Some Hampton Roads building codes staff has pointed to the DHCD/DEQ MOA as their source of authority for using the plumbing code over local FOG ordinances. Enforcement and codes processes differ in each locality but southside Hampton Roads localities are experiencing the greatest push back when attempting to participate in the building code process.
- How can FOG Program Managers improve relations and communications with local building codes staff?
  - Building officials tend to err on the side of local FOG staff and FOG MOA process, generally speaking. It was suggested this may be a localized interpretation of state regulations.
  - If no agreement can be reached between departments, anyone can use the grievance process to challenge decisions made by building code officials.
    - Outcomes would impact single projects and would not impact decisions on future projects.
  - Generally speaking it was the opinion of the VBCOA that menu changes should prompt a change in occupancy and re-evaluation of grease control requirements even when a new plumbing permit is not pulled.
- Virginia Plumbing Code Section 3.16 f or Alternative Engineered Design - 1.2-1.3
  - Information must be submitted and stored for the life of the building, not the standard three years required under records retention for permits.

#### **4. Potential next steps and strategies for engaging the building officials:**

- Proposed changes to the plumbing code – 2024 proposals due by Jan. 11.
- Technical bulletins from VBCOA - VBCOA would be open to including a newsletter article in their quarterly publication on this topic or issuing other types of guidance. HRPDC staff can work with VBCOA on next steps.
- Individual meetings - DHCD can provide technical information and assist with discussions with local building codes staff.
- DHCD training for local building officials covers this topic. Staff can request guidance from DHCD and interpretation requests to state technical review board. State technical review board decisions are statewide binding actions.
- Clarifying discussions with DEQ to get their perspective on next steps.
- VBCOA Membership Monthly Discussions - platform for statewide discussion of important issues. Discussion could help determine if action is needed or if this is a training concern. HRPDC staff will follow up on next steps.