

Technical Review Panel  
Environmental Public Health Division  
Indiana Department of Health  
Meeting Minutes of February 27, 2026  
10:00am – 12:00pm, Yoho Conference Room, IDOH and via Teams

Panel Members Present:

In Person:

Kelly MacKinnon, IDOH, OLA  
Dick Blazer, IBA  
Jason Ravenscroft, academia  
Mark McClain, IRSS  
Claude Goguen, IOWPA  
Matt Stieneker, IBCTC

Via Teams:

765-491-7795 (John Hack II, OSS  
Contractor)

Others Present:

In Person: Mike Mettler, Julia Hayes, Denise Wright, Erin Elam, Alice Quinn, IDOH  
L.A. Brown

Via Teams: Joe Rebori and Daniel Westrich, BioMicrobics  
Scott Rexroth, Brad Boyer, Watermark Engineered Products  
Chad Schofield and 419-668-4471, Norweco  
Anthony P.  
Barb Ninke and Mark Miller, IDOH  
American Home Health  
John Linn  
Danny  
Karl Glaze

MacKinnon called the meeting to order at 10:00am.

Minutes

The minutes of the July 25, 2025 meeting were reviewed. Stieneker made a motion to approve the minutes. Ravenscroft seconded.

Ayes: Ravenscroft, Blazer, McClain, Goguen, Stieneker (Hack was online, but could not participate.)

Nays:

Motion passed.

Residential Rule Promulgation Update

MacKinnon stated that OMB asked for more clarity, and, after minor changes to the Regulatory Analysis, it was approved by OMB. The rule and the regulatory analysis will be published in the Indiana Register on March 11, 2026, and the public hearing will be set for April 15, 2026. The public hearing will be streamed online, and anyone can join in person.

MacKinnon stated that if substantial comments were made in the first public hearing, a second public hearing will be required. Comments and agency response will be compiled. It is hoped that the second notice would be sent out by April 22, 2026. It will be necessary to move the IDOH Executive Board meeting back, potentially to May, in order to get the rule approved by July 1, 2026. The Attorney General will have 45 days to approve the rule, and the rule will be effective 30 days after all approvals. The TRP will likely have a meeting in April to bring all comments from public hearings back to the TRP.

McClain asked if people had to participate in both the public comment and public hearing to have concerns raised. MacKinnon stated participation is not required in both. It is easier for IDOH to have written comments, but comments may be made in person at the hearing as well.

McClain used an example of the number of soil borings required to be evaluated by a soil scientist. The current rule requires one evaluation, and the proposed rule would require 3. What if there was someone who wanted it to remain at one, and one person who wanted more than 3, such as 7. MacKinnon stated that the agency would make the final decision and provide reasoning for that decision. If it is a major decision, it could be brought back to TRP to decide.

Goguen asked if there was any opportunity for rebuttal during the public hearing. MacKinnon stated that if a comment was not substantive, such as a typo, that could be addressed in the public hearing. Substantive comments will require a thought-out written response. The TRP members do not have to be in the public hearing meeting. The meeting will be held at 2 N. Meridian St., Indianapolis, IN 46204 on the 8<sup>th</sup> floor.

MacKinnon advised that this meeting of the TRP was a public meeting and, in accordance with the open door law, it is being live streamed to the public and recorded. The recording will be archived and available to the public for no less than 90 days. By attending and participating in this meeting attendees acknowledge and consent to the livestreaming and recording including voice, image, and any contributions made.

Blazer asked if the number of people who comment on a section of the rule made a difference as to whether a change was made to the rule or not. MacKinnon stated that the more people who comment on something and the more evidence provided would certainly encourage more time for consideration, and with more consideration, it might be best to take that issue back to the TRP for final decision.

### Commercial Rule Revision Discussion

Mettler stated that IC 16-19-3-34 required that the rule for nonresidential onsite sewage systems be adopted, revised, updated, or repealed by January 1, 2027. He indicated that the residential and commercial rules could remain separate or they could be meshed together into one rule. He introduced Julia Hayes, Manager of the Commercial Plan Review Program.

MacKinnon stated that it would be more trouble to combine the rules; however, the Braun administration was looking to reduce the number of administrative rules in Indiana. The financial and regulatory burden would be greater and more complicated if the rules were combined. Ravenscroft asked if combining the rules would open up the entire rule for comment. The consensus was that it would.

Hayes stated that she had concern about the additional sections of the commercial rule and how they would fit into the residential rule. MacKinnon stated that the existing commercial rule would be repealed and that these sections would just numerically be fit into the residential rule.

Mettler stated that in his opinion, it would be easier at this point to keep the two rules separate. Ravenscroft agreed, stating that it would be more complex to combine them. Wright indicated she was concerned about high strength waste, and it was explained that high strength waste was now being addressed in the residential rule. Quinn stated that there were some things in the commercial rule that would be beneficial in the residential rule and, at this time, the only way to do that would be to combine the rules. Lift stations were given as an example. Blazer said that in residential situations, lift stations were usually in the basement and not part of the actual on-site sewage system. Quinn stated that was not always the case and gave an example of connection of a residential outbuilding to an existing system. There was nothing in the residential rule that actually allowed the use of a lift station in a residential system, but there were times that they were needed due to system configuration or topography and in some cases, they had to be used. MacKinnon stated that there would be increased fiscal and regulatory impact with changes such as those.

Hayes stated that she was concerned about several other rules, Indiana Codes, and guidance documents that referenced the current commercial rule. MacKinnon stated that in other rules and guidance, this could be done as a technical correction; however, with references in I.C. it may take an act of legislation to correct those references. Goguen stated that there seemed to be nothing to push the two rules to be combined, so he made a motion to keep the rules separate. Ravenscroft seconded the motion.

McClain stated that he would eventually like to see the two rules combined and a clarification on residential vs commercial. He felt that there were several instances when a small commercial project should be dealt with by the local health department. He also stated that Commercial Plan Review was needed for larger commercial systems and even some very large residential systems. He also questioned how businesses that are run out of a home were handled. Mettler stated that a home with a business would need to be served by a commercial OSS.

A vote was taken on the previous motion.

Ayes: Ravenscroft, Blazer, McClain, Goguen, Stieneker (Hack was online, but could not participate.)

Nays:

Motion passed.

Going back to his previous comments, McClain asked how IDOH felt about his concerns/suggestions. Hayes was concerned about having local health departments set flows for commercial systems. McClain stated that he would prefer that IDOH still set the design daily flow for all commercial projects. Quinn stated that there are some local health departments now that "fudge" on commercial projects and do not send them through IDOH, and that would likely become a bigger issue with those changes. McClain indicated that he felt one paragraph in the commercial rule could sufficiently address these issues.

#### BioMicrobics BioBarrier Product

Joe Rebori introduced himself and Daniel Westrich, both with BioMicrobics, as well as Scott Rexroth and Brad Boyer, both with Watermark Engineered Products, the local distributor of BioMicrobics products in Indiana.

Mr. Rebori then shared a PowerPoint presentation with the panel describing the BioBarrier product and how it is used in Illinois. Rather than relying on gravity separation and density such as in an ATU, the BioMicrobics BioBarrier, a membrane bioreactor, uses ultrafiltration membranes to remove organic pollutants and suspended solids with a resulting effluent that is 99% free of contaminants. The BioBarrier product is NSF/ANSI Std 40 class 1 plant, Std 245, and Std 350 certified. The product uses a two chamber tank including an effluent filter at the outlet of the primary chamber which retains large solids in the primary tank. The treatment unit aerates from the bottom of the filter in the second compartment effectively scouring the membrane filter and keeping it clean. The BioBarrier comes in models that will serve 500, 1000, and 1500 gpd.

Because the effluent leaving the treatment unit is so clean, there is no biomat formation in the soil. In Illinois, they are approved for use with soil loading rates based upon saturated hydraulic conductivity for clean water. Soil absorption fields in Illinois are drastically reduced in size and have reduced setback requirements. The BioBarrier is suitable for use in areas with high ground water. In Illinois, these systems are maintained and tested twice per year.

Currently, there are two BioBarrier units in use in Indiana; both are in Allen County and are used for permitted discharge systems. Most testing results from these units have been below detectable levels. Rexroth said that if the ultrafiltration membrane fouls and servicing is not provided, the unit will shut down; there is no possibility of bypassing the treatment unit. Wright agreed stating that there is another membrane bioreactor manufacturer that has presented its product to IDOH, but it does include a bypass option which is not approved in Indiana.

BioMicrobics is requesting a soil absorption field sizing reduction in Indiana based upon the NSF/ANSI certifications, proven testing on 300 units in Illinois since 2015, and the proven testing results in Allen County units. BioMicrobics proposes to study the hydraulic conductivity in Indiana soils and then work with IDOH to determine acceptable, more aggressive soil loading rates for use with soil absorption fields.

The size of the trash tank required in Illinois was unknown during this meeting, and Wright stated that with this unit, the homeowner will not incur additional maintenance requirements because of the filter used. Brown asked if the outlet filter has the ability to use a filter alarm. Wright questioned whether the filter could accommodate an alarm. Rebori states that if the control panel used for the treatment unit can accommodate the alarm, one could be installed.

McClain asked if BioMicrobics was submitting a request for approval just for the device or for both the device and saturated hydraulic conductivity testing for increased soil loading rates. Rebori stated that they would like to get approval for both concurrently. He stated that this very advanced unit could be used on very difficult sites and tight soils. McClain stated that he feels it is premature to alter soil loading rates at this time. Mettler cited IC 16-19-3-27.5 which requires TNI approved by the TRP for general use in Indiana to meet NSF/ANSI std 40, have an Indiana design and installation manual, and be certified by the panel confirming that the vertical and horizontal separation, sizing, and soil loading criteria of IDOH are met. This particular statute prevents the TRP from approving a sizing reduction as requested by BioMicrobics at this time.

Wright stated that the manufacturer would need to provide a list of acceptable tanks in Indiana which are suitable for the treatment unit and reiterated that there were 300 BioBarriers installed in Illinois that have been functioning since 2015, and the units in Allen County could be

monitored. She said that the key is to sell the homeowner on the required system maintenance. McClain stated that he had worked on both Allen County sites very recently and it appears that the systems are working very well.

Mettler provided a list of conditions for approval of the membrane biological reactor to the TRP. McClain asked if these conditions were the same as the SludgeHammer conditions. Mettler said there were identical except for a couple that pertain only to membrane bioreactors.

Goguen left the meeting at this time but was available for a vote by phone. This is Goguen's last meeting with the TRP as he is being replaced by L.A. Brown as the IOWPA representative.

McClain made a motion to approve the BioMicrobics BioBarrier product based upon the conditions outlined. Ravenscroft seconded the motion.

Ayes: Ravenscroft, Blazer, McClain, Stieneker, and Goguen (via phone), (Hack was no longer virtually attending the meeting)

Nays:

The BioMicrobics BioBarrier is approved is approved for use, but without any sizing reduction for the soil absorption field and pursuant to the conditions given.

MacKinnon stated that the next meeting date is not set, but if the draft of the commercial rule changes could be made in a couple of weeks, there could be a meeting held in March to discuss that. The meeting would be held on the fourth Friday in March and notification would be made.

MacKinnon adjourned the meeting.

Respectfully submitted,  
Alice Quinn