



**Department of Health & Human Services
Division of Environmental Health
Subsurface Wastewater Program
Volume 23, Issue #15 September 2005**

Program Director's Message

Rule Changes

Changes to CMR 241 Maine Subsurface Wastewater Disposal Rules and CMR 243 Minimum Lot Size Rules have finally made it through the rulemaking process and are effective as of August 1, 2005. Replacement pages for your rule copies are included with this mailing; feel free to duplicate them as necessary. A 2005 Edition of the Rules will be printed, however we do not intend to mail a new copy to all parties. Changes to the Minimum Lot Size Rules parallel statutory changes which authorize the local plumbing inspector to process minimum lot waivers for single family dwellings when there are no other variances requested. The significant changes to the Subsurface Rules are:

Section 103.0 Existing Systems-Clarification of the status of systems built before July 1, 1974.

Section 108.8 Time limit – Requires systems to be completed within two years of permit issuance.

Section 207.1 Licensed Establishments – Set review criteria for establishments licensed by the Department of Health & Human Services.

Section 401.6.1 Location of system – Effective January 1, 2006 all HHE-200 Forms must include latitude and longitude of disposal system center.

Section 503.0 Water Use Data – New method of calculating design flows from water use data.

Table 501.2 Design Flows for other facilities – modifications to design flows for eating establishments and service stations.

Section 704.2 Setback from public water supply – Setback from treatment tank to public well increased to 150 feet.

Table 800.1 Maximum Percent Passing by Weight – Gradation table for stone used in disposal areas.

Section 1009.0 Gray Wastewater Disposal Systems – New section specifying gray wastewater disposal area to be utilized with alternative toilets.

Section 1702.2 Minor Expansion – Change in definition of minor expansion to exempt increases in design flow less than 10%.

Section 2006.2 Future public sewer connection – New section to recognize temporary use of holding tanks when public sewer service is imminent.

The remainder of the changes clarifies existing intent, correct typographical errors, and implement existing Program policy.

Design Flows for Islands

The Program has historically recognized a reduced design flow of 25 gallons/person/day for island residences where the use is seasonal, there is no wired electrical service, and the water supply is typically provided from an elevated storage tank. Most of these facilities are replacing and untreated overboard discharge. Use of this value is a replacement system variance to Section 501.1 of the Rules and must be specifically requested on the Replacement System Variance Form each time it is utilized. This variance exceeds the authority of the local plumbing inspector and must be reviewed and approved by the Department. Please note that this value is not intended for islands where electric service equivalent to the mainland is available.

Policy Statement on Distance from Replacement System to Abutter's Well

Attached is Policy Statement 08-05-011 which describes how the distance between a replacement system and abutter's well is to be determined. Please refer to the three sketches and remember that there may be situations that do not exactly fit these illustrations.

Use of ASTM-C33 Sand with Certain Proprietary Devices

Site Evaluators, Local Plumbing Inspectors, and System Installers are reminded that certain

proprietary devices require the placement of a specific type of sand beneath and around the devices as part of the manufacturer's recommendations for installation. This material must be specified and clearly shown on the HHE-200 Form and verified in place by the LPI during the inspection process. Failure to follow this procedure may lead to the premature malfunction of the system.

Quality of HHE-200 Form Completion

We appear to be experiencing a general decline in the quality of the submissions needing State review. Specifically, some HHE-200 Forms are incomplete, unclear, or contain contradictory information. These conditions delay the approval process and cause additional work for all parties. As site evaluators please make sure that your work is legible, complete, and accurate before providing your reports to your clients. Please advise your clients that all requested signatures on related forms are necessary for State review and approval. Local plumbing inspectors should not permit incomplete HHE-200 Forms

Training for 2006

The joint training schedule for 2006 will be finalized in the near future. We expect to conduct three Basic Installer Seminars, one System Inspector Seminar, and at least two sessions featuring manufacturers of proprietary and advanced treatment devices. The sessions will likely be held in the February to April timeframe at various locations around the state. Once the dates and locations are finalized we will post this information in on our website. You will also receive a direct mailing from JETCC. Contact J.E.T.C.C. at (207) 767-2649 to ensure that you are on their mailing list.

Policy Statement on Additional Permit Charges by Local Plumbing Inspectors in the Unorganized Territories

We are working on a policy statement that would allow LPIs serving the unorganized territories to charge an addition to the minimum permit fees set by Rule. Municipalities have the authority to establish by rule local permit fee schedules in excess of the minimums set by the State. This policy would help to offset the rising costs of

inspections needed in remote areas of the state. As soon as the Attorney General's Office has endorsed the policy a copy will be made available to all LPIs serving unorganized territories.

Kenneth Stratton Joins DHE

The Division is pleased to announce that Kenneth Stratton has been hired as the Division's State Site Evaluator. Mr. Stratton, former State Soil Scientist among other accomplishments, comes to the Division from private practice. Mr. Stratton will administer the Site Evaluator licensing program.

Department and Program Name Changes

As part of the re-organization of the Department of Health and Human Services, on September 19, 2005 the Bureau of Health officially became the Maine Center for Disease Control and Prevention. Along with this change the Division of Health Engineering added the Environmental Health Program to its roster, and changed its name to the Division of Environmental Health. Finally, the Wastewater and Plumbing Control Program has changed its name to the Subsurface Wastewater Program, to more accurately reflect our mandate and responsibilities.

Site Evaluator Exams

The 2005 Site Evaluator examination process began with the written exam held on April 27th in Augusta. There were 14 individuals found qualified to take the exam out of 19 original applicants. Between the initial written exam and the make-up, five individuals passed the test and were eligible for the field examination.

The field examination was held on August 31st on property owned by Steve and Kay Shepherd in Hallowell. Prior to the exam day, the test pits were judged by a panel of experienced Site Evaluators/Soil Scientists: Darryl Brown, Mark Cenci, Ron Olson and David Rocque. In spite of threats of heavy rains, the examinees completed all ten test pits.

Our congratulations go to the four new Licensed Site Evaluators:

Timothy Hodgkins, SE #375
34 Clover Lane
Brewer, ME 04412
Phone: 348-5714 (W); 989-4845 (H)

Steve Knapp, SE #376
82 Jefferson Street, Unit 2
Old Town, ME 04468
Phone 827-5149

Jeffrey L. Malinowski, SE #373
16 Maple Lane
West Gardiner, ME 04345
Phone: 724-2538

Robert L. Pelletier, SE #374
206 Pleasant Street
Mechanic Falls, ME 04256
Phone: 345-4741

On Thursday, September 1, our test site and pits were used by MASE and MAPSS for a field day. The weather cooperated, and the attendance was great. MASE hosted a luncheon with a discussion of the test pits attended by over 60 people. It's fair to say that there was not full agreement on the judges' findings for each of the test pits! Thanks to all for helping to make it a successful exam and field day.

Monthly Reports

Monthly reports are on the roll again. Please note that the reports may show a credit balance for the Town. Wendy Austin has been able to keep track of the monies coming in on the new database but she has not been able to enter the permits. All checks go into the data base as soon as they come into the office.

So until Wendy can get up to date with the permits, the Town may have a credit balance. Please go by your records and understand that not all the permits have been entered. Wendy is now able to enter these permits but it will take a while to get up to date on them. Wendy would like to thank all LPIs and Towns for their patience in this matter.

Permitting Notice to LPIs

Yet again, during this past year we received an unusually high number of variance requests that had permit stickers on them, prior to review and approval by the Division; were unsigned by the LPIs; or otherwise were incomplete. Frequently, these arrived with a batch of permits submitted for processing, rather than as a separate variance request.

Local Plumbing Inspectors, please note that when an onsite sewage disposal system needs a variance from the State, no permit should be issued until the Division has reviewed the variance and written a letter of approval. In some instances, the systems were installed according to designs that were inadequate, and the home owners incurred extra expenses to remove the systems and install systems that conformed to the Rules. These could have been caught before installation if the proper sequence had been followed.

New Products

The following products have been approved since the previous newsletter was published. Contact James Jacobsen with any questions.

Presby De-Nyte

Presby De-Nyte in conjunction with a Presby Enviro-Septic system reduces nitrate nitrogen. The Presby De-Nyte is designed for use with Presby Enviro-Septic systems exclusively. The units are placed beneath the Enviro-Septic lines and effluent drains down into them via gravity flow. The effluent passes through media filling the units and escapes into the surrounding soil through open topped corrugations. Contact:: Presby Environmental, Inc., Attn.: David W. Presby, President, 143 Airport Road, Whitefield, New Hampshire 03598 Telephone: 1-800-473-5298.

Bowco Industries EF 235

The Bowco Industries EF 235 consists of a molded plastic septic tank effluent filter

cartridge, rated at 1,500 gallons per day and designed to fit within standard four inch diameter plastic outlet “tees”. The Bowco Industries EF 235 has received National Sanitation Foundation (NSF) approval. Contact: Bowco Industries, Attn.: Richard R. Duffield, 5486 S.E. International Way, Portland, OR 97222 Telephone: 1-503-653-9405.

The Clean Solution

The Clean Solution consists of a separate treatment tank which follows a conventional septic tank. The volume of the various models range from 1,000 gallons to 2,600 gallons. The volume is comprised of a section dedicated to an aerated recirculating filter media, a section dedicated to settling, and a pump chamber. The ratio of filter media volume to settling volume varies from model to model. The large volume units have separate pump tanks and integral septic tanks. The Clean Solution is designed for use with conventional onsite sewage disposal areas, and receives a 75% reduction in system sizing when used with a stone and pipe trench. Contact: Wastewater Alternatives, Inc., Attn.: Wesley C. Brighton, 27 Kensington Road, Hampton Fall, NH 03488. Telephone: 1-903-926-9053.

Polylok PL-525 Effluent Filter

The Polylok PL-525 Effluent Filter consists of a plastic housing with a plastic filter insert having 525 linear feet of 1/16 inch slots. The Polylok PL-525 Effluent Filter is designed for use with conventional commercial onsite sewage disposal areas. Contact: Polylok Inc., Attn.: Patrick Mulhall, VP Sales, 60 Capital Drive, Wallingford, CT 06492. Telephone: 1-203-265-1605.

Staff Roster

Russell Martin, PE, Program Director

Wendy Austin, Plumbing Permits & Data Entry

James Jacobsen, Engineered Plans and Products Review, Webmaster

Dina LaFlamme, Secretary

Brent Lawson, State Plumbing Inspector & Municipal Performance Review

Jennifer Sanborn, Variances

Kenneth Stratton, Site Evaluator Licensing Program