

**Department of Human Services, Bureau of Health,
Division of Health Engineering
Wastewater and Plumbing Control Program Newsletter
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Program Director's Message

Public hearing held for MLS & Subsurface Wastewater Disposal Rules

The Wastewater and Plumbing Control Program held a public hearing on Tuesday, February 3, 2004 to accept public comments on proposed changes to the Subsurface Wastewater Disposal Rules (CMR 241) and the Minimum Lot Size Rules (CMR 243). Several interested persons attended and offered verbal comments on the proposed changes. The record remained open until Tuesday, February 13, 2004 to accept written comments. A response summary will be issued shortly.

Public water supply wells and setbacks

A public water system is defined as any publicly or privately owned system of pipes, structures and facilities through which water is obtained for or sold, furnished or distributed to the public for human consumption; if such system has at least 15 service connections or serves at least 25 individuals daily at least 60 days out of the year. The term "public water system" shall include any collection, treatment, storage or distribution pipes, structures or facilities under the control of the supplier of water and used primarily in connection with such system, and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such systems. - ***From the Maine Rules Relating to Drinking Water .***

This means that if a property owner serves water from the property owner's own source (well or surface intake) to 25 or more people per day or has 15 or more service connections, ***and*** operates for 60 or more days per year, the property owner is operating a public water system. There are three types of public water systems and each is regulated differently. A transient public water system is the type of public water supply most likely to be encountered by Site Evaluators. A transient public water system is a public water system which serves water to a constantly changing population of consumers. Examples include restaurants, camps and campgrounds, motels and hotels, and bottled water companies.

When designing an onsite sewage disposal system adjacent to a public water supply well, the setback from the disposal area to the well is 300 feet, regardless of the design flow of the system. Variances may be considered (and are required) for both first time and replacement systems, on a case by case basis, by both the Wastewater and Plumbing Control Program and the Drinking Water Program. Reductions in the setback from public water supply wells may require advanced wastewater treatment, water supply disinfection, additional well casing, and/or other protective measures. However, in accordance with Federal Safe Drinking Water Act, no variances of less than 150 feet can be considered, whether for new wells or for existing wells subject to a change in use.

SE written exam scheduled for 4/28

The 2004 Site Evaluator written examination is scheduled for April 28, 2002 in Augusta. Persons interested in taking the examination must contact Jay Hardcastle, State Site Evaluator, as quickly as possible.

JETCC Winter Training

The Joint Environmental Training Coordinating Committee, in association with the Maine County Soil and Water Conservation Districts, presents ***On-site Wastewater System Installer's Workshops*** each winter. The

workshops are in the planning stages. Contact J.E.T.C.C. at (207) 767-2649 for schedules and information on attending the workshops.

Changes to engineered system application process

There were some significant changes to Chapter 11 of the Rules this past February. Most notably, the Program will now require a pre-application discussion with the design engineer; a formal Engineered System Application Form will be required as part of the application process; and the requirements for the hydraulic mounding analysis and site transmissivity analysis will be explained in greater detail.

For several years now, the program has encouraged Professional Engineers to participate in a pre-application meeting prior to submitting engineered system applications for review. This has allowed all parties to spot problems before they became obstacles, and the engineers had the opportunity to get the Program's regulatory perspective relatively early in the process. We have found that these meetings are extremely useful to all parties in the application process, including ourselves. The majority of these meetings have taken place in the Program's office, while some have taken place in the field.

We will now require an application form be completed for all engineered system applications (copy enclosed), to promote uniformity of submissions and to reduce the number of incomplete applications we receive. A copy of the form, HHE-220, is attached and is also available for downloading on our web site.

The mounding analysis will now require that any additional vertical separation distance needed to offset mounding effects and maintain compliance with Section 605.0 of the Rules be stated in the mounding analysis report. The transmissivity analysis will now specify that the standard does not include normal discharges of groundwater to springs, major or minor watercourses, or other surface waters and wetlands located at or beyond setback distances established in Section 7, or lesser setbacks approved by variance.

Updated Enforcement Manual available

The Program formerly published an Enforcement Manual, for use by Local Plumbing Inspectors. This manual contained statutory references, enforcement processes, sample forms and letters, and rationale for enforcement of both the Subsurface Wastewater Disposal Rules and the Internal Plumbing Rules. Publication ceased in the early 1990s.

The Enforcement manual has been revised, to reflect changes in law and the transfer of promulgation of the Internal Plumbing Rules to the Plumbers Examining Board. This manual is once again available, in downloadable online versions as well as printed hardcopies.

Review of licensed establishments required

One of the changes to the Subsurface Wastewater Disposal Rules includes a revised review procedure for facilities licensed by the Department of Human Services. Note that this includes facilities licensed by the Department, not only those licensed by the Division of Health Engineering. These facilities are primarily, although not exclusively, eating places (excluding those licensed by the Department of Agriculture), lodging places, campgrounds, managed care facilities, and daycare facilities.

The following changes to a licensed establishment's status will now require a review of the subsurface wastewater disposal system by the Department before the LPI may issue a permit:

- The planned installation of a new, expanded, or replacement system; or
- Any planned increase in the licensed establishment's capacity.

The owner of the establishment shall submit the following items to satisfy these requirements:

- A clear description of the past, present, and intended future use of the establishment; and
- A description of any existing subsurface wastewater disposal systems proposed for use; and
- A copy of the HHE-200 form for any new, expanded, or replacement systems; and
- The review fee listed in Table 110.3 of the Rules.

Design flow percentile example from Rules change

The Rules will soon allow for an adjustment of water use records on a statistical basis. For example, proposed Section 503.2.4 states “If water use records are recorded on a quarterly basis, the 95th percentile value calculated using standard statistical methods shall be used for the design flow.” The 95th percentile value is that value at which 95 percent of the values under consideration are equal or lower than. Using the sample quarterly data below, the 95th percentile value would be 251 gallons per day (for sake of example, 90 day intervals were assumed.).

Date	cubic feet	gallons	# days	avg. gpd
7-Jan-2001	2259	16899.58	90	187.77
5-Apr-2001	2826	21141.31	90	234.90
5-Jul-2001	2997	22420.56	90	249.12
6-Oct-2001	2511	18784.79	90	208.72
7-Jan-2002	2556	19121.44	90	212.46
5-Apr-2002	2673	19996.71	90	222.19
5-Jul-2002	3042	22757.20	90	252.86
6-Oct-2002	2574	19256.09	90	213.96
3-Jan-2003	2385	17842.19	90	198.25
8-Apr-2003	2943	22016.58	90	244.63
3-Apr-2003	2709	20266.03	90	225.18
6-Oct-2003	2448	18313.49	90	203.48

The Program has created a Microsoft Excel 2000 spreadsheet that performs these calculations, and from which this example is taken. The spreadsheet is available for downloading on our web site.

Permit fees need to be accurately listed

Many municipalities charge permit fees higher than the State minimum. We have received many labels from these communities this past year, for applications with the locally adopted fees listed, rather than the State minimum. Our data base is designed to accept the State minimum permit fees, which are a minimum of \$24.00, or \$6.00 per fixture on internal plumbing application (HHE-211 Form). On the subsurface wastewater disposal system (HHE-200 Form) the application fee would be engineered system-\$200.00, non-engineered system-\$100.00, primitive system-\$100.00, etc. Any fees over and above the State minimum should not be put on these labels, since the municipality keeps all such additional fees. Following this procedure will help prevent an incorrect statement from being generated.

On a related issue, the LPI must not issue a permit for an HHE-200 Form if it requires a state approval. It must be sent into this Department for review and approval before it is permitted by the municipality. We mention this, since we have received many permits this past year for designs that required, but did not yet receive, Departmental approval.

Recently Approved Products

The following products have been approved since the September 2003 newsletter. Contact James Jacobsen with any questions.

Polylok PL-68 Effluent Filter. The Polylok PL-68 Effluent Filter consists of a plastic slotted filter. The Polylok PL-68 Effluent Filter is designed for use with conventional septic tanks. the Polylok PL-68 Effluent Filter will trap particles larger than 1/16 inch diameter from passing. Contact: Polylok Inc., Attn. Betsy Chaffet, 173 Church Street, Yalesville, CT 06492.

FRALO Plastech Plastic Septic Tanks. The FRALO Plastech Plastic Septic Tanks consist of models # ST-750, ST-1060, ST-1250, and ST-1500. In each instance, the model number corresponds with the tank capacity in gallons. The FRALO Plastech Plastic Septic Tanks are designed for use with conventional onsite sewage disposal areas. Contact: FRALO Plastech, Attn.: Mark Jones, PE, One General Motors Drive, Syracuse, NY 13206.

Zabel Z-200 and Z-200D Flow Dividers. The Z-200 and Z-200D Flow Dividers were revised in design by inclusion of dual inlet and outlet hubs to accommodate four inch diameter Schedule 40 and four inch diameter SDR pipe. Contact: Zabel Environmental Technology, Attn.: Theo B. Terry, III RS, P. O. Box 1520, Crestwood, Kentucky 40014.

Septi-chip tire chips. The Septi-chip tire chips have been approved as a proprietary device. The product consists of chipped used automobile tires. The Septi-chip tire chips are intended for use with conventional onsite sewage disposal areas. Chip sizes range from 3/8 inch to four inches diameter, based upon a nominal chip size of two inches. Installation of Septi-chip tire chips includes covering the disposal area with a layer of nonwoven filter fabric, specifically, Cultec 410 filter fabric or equivalent. Among other conditions of approval, Septi-chip tire chips are allowed for use in Maine as a substitute for stone aggregate, with the same square foot rating as stone aggregate, provided that the product must be specifically included in a design (HHE-200 Form); and shall not be installed in lieu of stone in a design that specifies stone, absent a revision of the design by a licensed site evaluator.