

Department of Human Services, Division of Health Engineering
Wastewater and Plumbing Control Program Newsletter
Volume 23, Issue #12 September, 2003

This document differs slightly in format from the published newsletter, but contains the same text, with the exception of the Staff Roster, which is published separately on the Program's "About Us" Page.

Program Director's Message

I would like to highlight the following items, which represent major program activities over the last six months. As always, we welcome your comments .

DHE Internal Changes

We recently purchased a new microfiche reader/printer which provides a much improved copy of old HHE-200 Forms. This unit does not speed up the record search process but does provide a legible copy and is easier to use and less costly.

The Division has contracted with Stroudwater Technologies to update all of the internally developed software used to process plumbing permits; project reviews; and administer licensed and certified individuals. Stroudwater is completing a similar project for the Eating & Lodging Program, and should complete ours by early next spring.

LPI Training Initiative

We are developing a series of training sessions for local plumbing inspectors that will be delivered through the Department of Human Services video conferencing system. Each Regional office is equipped to receive visual and audio transmissions from the DHS Central office in Augusta. Each session will last a half day with both morning and afternoon presentations. LPI's will go to the DHS Regional office closest to them to participate. We can broadcast to three sites simultaneously and will plan the schedule to give everyone several opportunities to attend. If the program is successful it may be expanded to cover site evaluators, installers, and inspectors. The first sessions are planned for January.

a horizontal line follows, signifying the end of the program director's message.

Rule Changes

Anyone wishing to propose rule changes must submit them to our office for consideration in February 2004 by November 1, 2003. We plan to incorporate several policy statements into the Rules and may consider other changes to the section dealing with design flows.

Minimum Lot Size Law

Action by the legislature last spring modified the Minimum Lot Size Law, 12 M.R.S.A. § 4807 et. seq. The bill was presented on behalf of the Mid-Coast Code Inspectors Association. This law, approved by the Legislature, authorizes the Local Plumbing Inspector in the municipalities and unorganized territories to approve the installation of subsurface wastewater disposal systems on residential lots that are less than 20,000 square feet, providing certain criteria are met.

These criteria are: a) Must have a current HHE 200 form, b) the system meets "first time" requirements, and c) the system is not an engineered disposal system.

If the criteria are not met or if the proposal is for a nonresidential use, the approving body is the Department of Human Services. The law also authorizes the municipality to charge a review fee not to exceed \$50 per review. This law became effective on September 13, 2003. A copy of the actual law is available at <http://janus.state.me.us/legis/ros/lom/lomdirectory.htm> .

Premature Permit Issuance

During the past summer, we received an unusually high number of variance requests that had permit stickers on them, prior to review and approval by the Division. 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.

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 soon to be in the planning stages. Contact J.E.T.C.C. at (207) 767-2649 for information about other training they provide, or for next year's workshops.

Highmoor Farm

Program Staff participated in the Onsite Demonstration held by the State Planning Office on September 16 and 17, 2003 at Highmoor Farm in Monmouth. The Onsite Demonstration consists of mock installations of several types of onsite sewage disposal systems. The mock systems are used for training Local Plumbing Inspectors and Code Enforcement Officers to inspect systems. The attendance was very good in spite of the heavy rains on the first day.

Site Evaluator Field Exam

On September 10, 2003 the Division gave the second part (Field Exam) of the Site Evaluator licensing exam, which was held at the University of Maine Cooperative Extension at Highmoor Farm, Monmouth, Maine. Four (4) persons were qualified to take the exam, as they first had to pass the Site Evaluator written exam. All of the Field Exam candidates reside south of Waterville, two of whom are employed by a single design firm. Over the past six years, the number of persons qualifying, taking, and passing the Site Evaluator Exam has dropped dramatically from approximately 20 persons per year to less than five candidates per year.

The Field Exam was immediately followed in the afternoon by the Maine Association of Site Evaluators (MASE) Annual Field Seminar which was attended by about 50 licensed Site Evaluators. Also, members of the Maine Association of Professional Soil Scientists and several Federal employees from Natural Resource Conservation Services joined MASE for a review of the soil test pits.

Replacement System Setback Policy

The Division has developed a policy to address legally existing, nonconforming uses, colloquially known as "grandfathered" uses. This policy is based on the premise that a "legal" system as used in Section 1906.1.7 of the rules is any conforming or non-conforming system that existed on or before July 1, 1974, or any system serving a structure built after July 1, 1974 that can be documented by HHE-200 Form and permit. Had the systems installed prior to the major code change in 1974 been deemed "illegal", the Rules would have required their replacement with a system meeting the current code requirements within some time frame. As many existing properties cannot meet all of the soil and setback requirements of the current Rules, variances would have been necessary to allow people to remain in their homes.

The inclusion in the rules of a section dealing with "grandfathered" systems dates to 1980. The concept of "grandfathering" has always meant that some condition or use of a property that does not conform to current rules; but existed prior to the adoption of the current rule; is allowed to continue to exist without modification. The rules were changed significantly in 1974, resulting in a large number of existing systems and properties that did not conform to the current rules. It has always been the Department's intent to require these non-conforming systems to be replaced; by the current rule standards; when they malfunction

as defined by the Rules. Individuals requesting replacement system variances are not asking to continue to utilize the existing subsurface wastewater disposal system, but to replace one with a design that conforms as closely as possible to the current Rules. A copy of the actual policy is available on our web site.

Recently Approved Products

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

Lotus Wastewater Treatment System

The Lotus Wastewater Treatment System consists of a modular, self-contained fixed film, aerated biological reactor system. The Lotus Wastewater Treatment System consists of pretreatment/screening, fixed film block media, floating media, and thin film filter modules. The modules are chosen and arranged according to specific design flows and specific applications. The Lotus Wastewater Treatment System is designed for use with conventional onsite sewage disposal areas. Contact: Aquapoint, Inc., Attn.: Mark Lubbers, 241 Duchaine Boulevard, New Bedford, MA 02745

Septic Sentry

The Septic Sentry consists of a slotted plastic pipe within which is located a floating reed switch, and which is installed within a disposal area. The reed switch activates an alarm system when effluent levels reach a predetermined level, thereby alerting the owner(s) of a ponding condition in the disposal area. The Septic Sentry is designed for use with conventional onsite sewage disposal areas. Contact: Aeration Systems, Attn.: Matthew Engleman, 155 Gray Road, Falmouth, ME 04105

OxyBoost

The OxyBoost consists of a plastic distribution box within which is an air intake system and a proprietary venturi assembly. As effluent is pumped through the device, air is drawn into the waste stream via the venturi, thereby oxygenating the effluent prior to final disposal. The OxyBoost is designed for use with conventional onsite sewage disposal areas and drip irrigation disposal areas. Contact: Aeration Systems, Attn.: Matthew Engleman, 155 Gray Road, Falmouth, ME 04105

OxyPro Mound Buster, Pilot Approval

The OxyPro Mound Buster consists of four inch diameter, perforated plastic pipes which are wrapped in one layer of non-woven geotextile fabric. The pipes are placed 12 inches apart, center to center, in a bed of gravelly coarse sand, which would surround the pipes with a minimum of six inches of sand on all sides. A solid four inch diameter pipe manifold would be placed at each end of the pipes, when placed in a level bed configuration. Serial distribution systems would utilize inverted 180 degree bends in the connecting manifolds. Contact: Aeration Systems, Attn.: Richard Sweet, 155 Gray Road, Falmouth, ME 04105

Amphidrome Wastewater Treatment System

The Amphidrome consists of three components: a 2,000 gallon settling and primary clarification tank, a reactor tank, and a 1,000 gallon storage tank/clear well. The Amphidrome is designed for use with conventional onsite sewage disposal areas. Contact: F. R. Mahony & Associates, Inc., Attn.: Keith Dobie, President, 273 Weymouth Street, Rockland, MA 02370