



**Department of Human Services, Bureau of Health,  
Division of Health Engineering,  
Wastewater and Plumbing Control Program  
Volume 23, Issue #7      Spring, 2001**

Internet: <http://www.state.me.us/dhs/eng/plumb/plumb.htm>

### **Wendy Austin Joins the Program**

Wendy Austin (287-5672) has taken over the Program's Data Control Clerk position, effective October 23, 2000. Ms. Austin is responsible for administration and maintenance of plumbing permit, Site Evaluator, Local Plumbing Inspector, and contractor databases; for issuing plumbing permit labels to Local Plumbing Inspectors; for creating and issuing a quarterly financial report for all Maine municipalities; for issuing plumbing permits when no Local Plumbing Inspector is available for a given community or township; and for coordinating Local Plumbing Inspector appointments.

### **Jim Jacobsen Resumes ES IV Duties**

Effective January 1, 2001 Jim Jacobsen, Environmental Specialist IV relinquished the Program Manager position, which he had been filling on a *pro tem* basis since December of 1997. Until such time as the vacancy is filled, questions concerning the administration of the Program should be directed to Clough Toppan, Director of the Division of Health Engineering (287-5686). Mr. Jacobsen can be contacted regarding engineered systems, product registrations, site inspections, and general questions concerning the Subsurface Wastewater Disposal Rules.

The position of manager of the Wastewater and Plumbing Control Program is likely to be filled in late June or July, 2001. The position requirements and job description are on the web site

#### **\*\*\*\*\* Legislative Update \*\*\*\*\***

##### **LD 787, An Act to Require the Filing of Soils Tests**

Submitted by Sen. Goldthwaite, Hancock. This bill would have required licensed site evaluators to file a copy of any soil evaluation report prepared by the evaluator with both the Department of Human Services and the municipality in which the evaluation is conducted. The status at this time is not fully known. The Committee, once in control of the bill decided to kill the bill and in lieu of that consider allowing an Local Plumbing Inspector

to require one additional soil test. We have spoken to the committee staff and Clough Toppan and Jay Hardcastle will be present at the work session to try to offer advice and suggestions.

##### **LD 1398, An Act to Create a Sprawl Offset Tax**

Submitted by Rep. Lemoine, Old Orchard Beach. This bill establishes a new tax to counter the effects of development sprawl. The bill creates a tax on the installation of new subsurface wastewater disposal systems in locations that are not included within a growth area designated by a municipality as part of a comprehensive planning process. The tax is equal to \$750 per toilet installed in residential facilities and \$1,000 per toilet installed in other facilities. The tax must be paid to the municipal plumbing inspector before a permit may be issued. The municipality retains 10% of the revenue to cover its collection costs. The remaining 90% of revenue is sent to the State and the net amount deposited 1/2 in the Municipal Investment Trust Fund to assist municipalities with public infrastructure improvements and downtown development and 1/2 in the Housing Opportunities for Maine Fund to support affordable housing. The status of this bill is that it was referred to the Committee on Natural Resources on 3/13/01, however, we have no date for the hearing yet. It is likely that this bill will go nowhere.

### **Documents Now Available Online**

Several documents previously available only in hardcopy are now available online on the Program's web site. These include "NITRATE-NITROGEN IMPACT ANALYSIS FOR ENGINEERED SYSTEMS", "WASTEWATER MOUNDING IMPACT ANALYSIS", "A NUMERICAL CLASSIFICATION SYSTEM TO DETERMINE OVERALL SITE SUITABILITY FOR SUBSURFACE WASTEWATER DISPOSAL (10/87)", newsletters, and a list of approved products, among others.

### **2001 Public Hearings for Rulemaking**

**CMR 241, 242, & 243**



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Public Hearings were held February 6, 2001 in Augusta, for the Maine Subsurface Wastewater Disposal Rules, Seasonal Conversion Rules, and Minimum Lot Size Rules. The record for comment closed on February 16, 2001. Many comments were received. A copy of the Division's Response Summary is available upon request.

**CMR 245**

A public Hearing was held March 28, 2001 in Augusta to consider changes to the Rules for Site Evaluators of Subsurface Wastewater Disposal Systems. Changes to the Rules for Site Evaluators include a new Ethics section and a progressive discipline section for processing complaints.

**Consultant Recommends Against Relocation to Department of Environmental Protection**

Pursuant to "An Act to Improve Public Water Supply Protection" a consultant was hired to review the relative merit, or lack of same, in moving the Drinking Water Program and the Wastewater and Plumbing Control Program to the Department of Environmental Protection by July 1, 2001. The report issued by the consultant (Berry, Dunn, McNeil & Parker) recommended that both the Drinking Water Program and the Wastewater and Plumbing Control Program remain in the Bureau of Health, having found no advantage in relocating either program.

**Program Forms Now Available Online**

The Program is pleased to announce that our forms are now available online. The following forms have been posted to the Program's web site: HHE-200 (Subsurface Wastewater Disposal System Application), HHE-204 (Replacement System Variance Request Form), HHE-215 (First Time System Variance Request Form), HHE-238 (Notice of Intent to Install a Subsurface Wastewater Disposal System), HHE-236 (Minimum Lot Size Law Waiver Application), HHE-238A (Statement of Rule Compliance), and HHE-306 (Well Setback Release Form).

**Recently Approved Products**

The following products have been approved for use in Maine since the Autumn 2000 newsletter was issued. Listing of these products does not represent Division preference or recommendation for these products over similar products.

**BioDiffuser Bio 2 and Bio 3**

PSA Inc., Attn: Dick Bachelder, 71 Orchard Farm Road, York, Maine 03909

**PTI Multi-Pipe Drainfield System**

Plastic Tubing Industries, Inc., Attn.: Chris Petersen, P. O. Box 607356, Orlando, FL 32860-7356

**Forthcoming Documents**

The Division is currently revising the *Site Evaluation for Subsurface Wastewater Disposal Design in Maine* booklet, last updated in 1983 and out of print for many years. The booklet will reflect current policies and procedures, but is largely unchanged since so much of the original document remains relevant. The booklet will be accompanied by a Supplement, which will incorporate updated information on subjects not covered in the 1983 version, and which will be revised as necessary when new products, processes, etc., are made known.

The Division is also working on a *Technical Guidance Manual*, as a supplement to the Subsurface Wastewater Disposal Rules. Several of the Appendices from previous versions of the Rules are incorporated into this manual. This manual will provide guidance and rationale for the siting, design, construction, and inspection of onsite wastewater disposal systems and components. This document is intended to provide assistance to designers, installers, and inspectors of onsite sewage disposal systems. We anticipate release of the booklet and the manual in Summer of 2001.



## **Reminder to LPI's**

The Division would like to remind Local Plumbing Inspectors that permits should not be issued on outdated HHE-200 Forms. In particular, forms pre-dating the 1995 Rules revisions must be updated by a Site Evaluator prior to receiving a permit. Most important is the first page

**New HHE-200 page 2 and 3 available**

The Division of Health Engineering has available on the website a slightly revised version of page 2 and 3 of the HHE 200 form. The grid is a bit lighter which has been a complaint since the form was changed several years ago.

## **Training and Seminars**

The Joint Environmental Training Coordinating Committee presented their annual On-site Wastewater System workshops at various locations in February and March. This year, the workshops included Basic, Advanced Treatment, and Proprietary Devices sessions. The response to these seminars has been very good. Contact J.E.T.C.C. for information about other training they provide, or for next year's seminars, at (207) 767-2539.

## **Septic Tank-Only Installations**

It has come to the Division's attention that in some areas, some contractors are installing replacement septic tanks without permits. While it is true that replacement septic tanks do not require a soil test (if the disposal area is working well), they do require a permit from the Local Plumbing Inspector. Before a septic tank installer sets a tank into the ground, he or she should make sure that a permit has been issued either to the property owner, or to the installer on behalf of the owner. Otherwise, the tank should not be set. This is similar in concept to a plumber making sure the homeowner has either obtained a permit, or authorized the plumber to obtain the permit. The Division is interested in determining if this is a wide-spread problem or not. Please contact Brent Lawson if you have any information, or if you have questions on this issue.

## **Staff Roster**

## Vacant, Program Manager

## [James Jacobsen](#), Engineered Plans and Products Review

[Jay Hardcastle](#), Site Evaluator Licensing Program

## Linda Robinson, Variances

## Brent Lawson, State Plumbing Inspector & Municipal Performance Review

Dina Laflamme, Secretary

Wendy Austin, Plumbing Permits & Data Entry