



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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### APPROVAL FOR REMEDIAL USE

Pursuant to Title 5, 310 CMR 15.000

#### Name and Address of Applicant:

American Manufacturing Company, Inc.  
22011 Greenhouse Road, P.O. Box 97  
Elkwood, VA 22718

Trade name of technology and model: **PERC-RITE Drip Dispersal System, Models QM(WD), ASD-15, ASD-25 & ASD-40** (hereinafter called the "System"). A schematic drawing of a typical System, a Design Manual and a technology checklist are attached and are a part of this Approval.

Transmittal Number: X236091  
Date of Issuance: March 4, 2011 [January 27, 2006. Modified September 11, 2007, February 26, 2008]  
Expiration Date: March 4, 2016

#### Authority for Issuance

Pursuant to Title 5 of the State Environmental Code, 310 CMR 15.000, the Department of Environmental Protection hereby issues this Approval for Remedial Use to: American Manufacturing Company, PO Box 97, Elkwood, VA 22718 (hereinafter "the Company"), approving the System described herein for remedial use in the Commonwealth of Massachusetts. Sale and use of the System are conditioned on compliance by the Company and the System owner with the terms and conditions set forth below. Any noncompliance with the terms or conditions of this Approval constitutes a violation of 310 CMR 15.000.

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David Ferris  
Wastewater Management Program

March 4, 2011  
Date

## **I. Purpose**

1. The purpose of this Approval is to allow use of the System in Massachusetts to repair subsurface sewage disposal systems, on a Remedial Use basis.
2. With the necessary permits and approvals required by 310 CMR 15.000, this Approval for Remedial Use authorizes the use and installation of the System in Massachusetts.
3. The System may only be installed on facilities that meet the criteria of 310 CMR 15.284(2). The System is used to dispose of wastewater from an alternative system approved in accordance with 310 CMR 15.280 through 15.289 with effluent discharge concentrations that meet or exceed secondary treatment standards of 30 mg/L biochemical oxygen demand (BOD5) and 30 mg/L total suspended solids (TSS) and from conventional Title 5 septic systems.
4. This Approval for Remedial Use authorizes the use of the System where the local approving authority finds that the System is for upgrade of a failed, failing or nonconforming system and the design flow for the facility is less than 10,000 gallons per day (GPD).

## **II. Design and Construction Standards Standards**

1. The System, a subsurface drip distribution technology, is equivalent to a pressure distribution system designed in accordance with the Department's Pressure Distribution Guidance. In the event of conflict between the terms and conditions of this System's technology approval and Title 5, this approval shall control.
2. The System is a pressure distributed subsurface wastewater drip dispersal (disposal) system that replaces a soil absorption system (SAS) designed in accordance with 310 CMR 15.000. The System is designed to distribute effluent from a treatment system (I/A or conventional) and discharge it at a minimum depth of 6 inches below finished grade; it includes a pump, control panel, a filter module/hydraulic unit and drip dispersal zone(s). The dispersal zone includes small diameter flexible polyethylene tubing with pressure compensating emitters located at two foot spacing within the tubing. The emitters operate on a pressure differential across the emitter. Effluent wastewater is discharged in small doses from the emitters. Dispersal field dosing is timed and controlled electronically to provide pre-programmed volumes of effluent for discharge to each dispersal zone. The System includes a return line that allows periodic flushing of the dispersal tubing. All drip zone supply and return pipes that are maintained filled with effluent after a pump cycle shall be buried below the frost line or properly insulated. All drip tubing and shallow manifolds shall be designed to drain into the soil or back to the pump chamber upon completion of the pump cycle. The System shall include single (the QM/WD model) or two-stage (the ASD models) automatic backwashing disc filters within the filter module and air vents in each dispersal zone. Each zone shall have air release valves at the high points of manifolds and check valves on each return manifold in multi-zone systems. The system shall be equipped with a totalizing flow meter.
3. The System may be installed in the A, B or C soil horizon or in fill material meeting the specifications at 310 CMR 15.255(3) at a minimum depth of 6 inches below the finished grade.

4. All access ports and manhole covers shall be installed and maintained at grade to allow for maintenance of the System.
5. The control panel including alarms and controls shall be mounted in a location always accessible to the System operator.
6. The System may be installed in soils with a percolation rate of up to 90 minutes per inch (MPI). The System shall not be installed in Class IV soils as defined in 310 CMR 15.243.
7. Effluent loading rates shall be as specified in 310 CMR 15.242(1)(a) and (b) with the exception of Class IV soils.
8. The System shall be designed and constructed with drip tubing with a spacing of 24 inches unless obstructions are encountered or in cases where more than the required tubing is provided and equally distributed within the approved appropriately sized subsurface disposal area in which case a minimum separation of 12 inches is allowed. As much as possible the System shall be designed to provide equal distribution across the designated disposal area.
9. The System does not require a five foot over dig as indicated at 310 CMR 15.255(5).
10. The System includes the following:
  - a. Pumps capable of providing pressure of 10-60 psi throughout the dispersal zone(s). Each drip dispersal zone shall be dosed a minimum of four times per day, or as recommended by the Company. Duplex pumping shall be provided for facilities with design flows of 2000 gpd or greater. The pump chamber, combined with available storage in the pretreatment units if provided, shall provide at least one-day storage as required by 310 CMR 15.231.
  - b. Timed dosing for the drip system with a timer controller capable of operating the system during peak flow events without high-level alarms.
  - c. Automatically backwashed filter(s) capable of screening particles larger than 115 microns prior to discharge of the effluent to the drip tubing. Filter(s) backwash shall be conveyed back to a separate settling tank or to the septic tank.
  - d. Air vents in a zone shall be placed at a higher elevation than the drip tubing in that zone but below the ground surface. Air vents shall be accessible from finished grade and insulated to prevent freezing.
  - e. Drip tubing lines installed as level as possible on contour and a minimum of 6 inches below finished grade. Drip line spacing is typically 24 inches with drip tubing emitters spaced 24 inches on center. More than the minimum length of tubing may be utilized within a properly sized soil absorption system. When the drip lines spacing is greater than 24 inches by 24 inches, the size of the dispersal field shall be increased to provide equal distribution with adequate tubing separation. The drip dispersal tubing shall be automatically forward flushed after a pre-programmed number of dosing cycles as determined by the Company. Flushing velocity shall be at least 2 feet per second at the distal end(s) of each drip dispersal lateral within a zone. All drip line flushwater shall be conveyed back to a separate settling tank or to septic tank.

- f. The effective effluent dispersal area is calculated using the total area of the drip tubing system including a one-foot addition on each side or two square feet per foot of drip tube when tubing is spaced two feet apart. No sidewall credit shall be given for this System.
  - g. The dispersal area shall not be installed under a paved surface, or in areas of routine traffic, parking or storage of heavy equipment. In addition no planting or soil excavation shall be done in or within 5 feet of the drip disposal area after its installation. The system may be designed to allow for installation of drip tubing up to five feet from a building cellar wall.
  - h. No change in existing surface slope over the dispersal field is required to comply with 310 CMR 15.240(10).
11. All System control units, valve boxes, drip dispersal lines, conveyance lines and other System appurtenances shall be designed and installed to prevent freezing per the Company's recommendations.
  12. The System designer shall provide plans and specifications prepared in accordance with 310 CMR 15.220 for all proposed System installations to the approving authority with required standard details and installation instructions.
  13. Drip tubing may be installed with a vibratory plow, a static plow, a narrow trencher (<6" width), by hand trenching, or by scarifying the surface and bedding the drip tubing in clean sand meeting the requirements for fill material in Title 5 at 310 CMR 15.255(3) with cover consisting of sand and topsoil meeting the 6 inch minimum depth requirement. Vegetative cover must be replaced for installations where it is removed or buried during installation.
  14. Drip tubing shall not be installed when soils are frozen or saturated.
  15. Prior to System start up, a clean water test of the System shall be performed in the presence of the Company's representative and the approving authority to check for leaks and to ascertain and verify system design flush and dose rates.
  16. System unit malfunction and high water alarms shall each be connected to an independent power source from the operating pump(s) run from the main power source of the facility.
  17. For Systems with a design flow of 2,000 gpd or greater, the System shall be equipped to provide a flow meter and automatic remote telemetric notification to the operation and maintenance (O&M) provider.
  18. Installation of inspection ports is not required for this System.

### **III. Allowable Soil Absorption System Design**

1. Any reduction in System design sizing or setbacks shall be based on the MassDEP approved reduction allowed for the alternative treatment system that precedes the System or by variance or local upgrade approval in accordance with Title 5.

### **IV. General Conditions**

1. All provisions of 310 CMR 15.000 are applicable to the use of this System, the System owner and the Company, except those that specifically have been varied by the terms of this Approval.
2. Any required operation and maintenance, monitoring and testing shall be performed in accordance with a Department approved plan.
3. The facility served by the System and the System itself shall be open to inspection and sampling by the Department and the local approving authority at all reasonable times.
4. In accordance with applicable law, the Department and the local approving authority may require the System owner to cease operation of the system and/or to take any other action as it deems necessary to protect public health, safety, welfare and the environment.
5. The Department has not determined that the performance of the System will provide a level of protection to public health and safety and the environment that is at least equivalent to that of a sewer system. No System shall be installed, upgraded or expanded, if it is feasible to connect the facility to a sanitary sewer, unless as allowed by 310 CMR 15.004. When a sanitary sewer connection becomes feasible, the facility served by the System shall be connected to the sewer, within 60 days of such feasibility, and the System shall be abandoned in compliance with 310 CMR 15.354, unless a later time is allowed, in writing, by the approving authority.
6. Design, installation and operation shall be in strict conformance with the Company's DEP approved plans and specifications, 310 CMR 15.000 and this Approval.

**V. Conditions Applicable to the System Owner**

1. The System is approved for the treatment and disposal of sanitary sewage only. Any wastes that are non-sanitary sewage generated or used at the facility served by the System shall not be introduced into the System and shall be lawfully disposed.
2. The System owner shall have the Company or its designee conduct a design review for any proposed non-residential System or any residential System with a design flow 2,000 GPD or greater to ensure that the proposed use of the System is consistent with the unit's capabilities.
3. Operation and Maintenance Agreement:
  - A. Throughout its life, the owner shall operate and maintain the System in accordance with the Company and designer's operation and maintenance requirements and this Approval. To ensure proper operation and maintenance (O&M), the owner shall enter into an O&M agreement. No O&M agreement shall be for less than one year.
  - B. No System shall be used until an O&M agreement is submitted to the approving authority which provides for the contracting of a person or firm trained by the Company as provided in Section VI (5) and competent in providing services consistent with the System's specifications, with the operation and maintenance requirements specified by the Company and the designer, and with any specified by the Department. The O&M agreement shall also contain procedures for notification to the Department and the local board of health within five days of a System failure or alarm event and for corrective measures to be taken

immediately. It shall also require the System inspector, at each site visit and anytime there is an alarm event, to conduct an inspection using the Company's technology checklist of the System's filter system, pumps, valves, etc., disposal area where the System is installed for signs of breakout or dampness and complete any required maintenance. The System owner shall at all times have the System properly operated and maintained in accordance with this Approval, the designer's operation and maintenance requirements and the Company's approved procedures and sampling protocols. The System owner shall notify the Department and the local approving authority in writing within seven days of any cancellation, expiration or any other change in the terms and/or conditions of their O&M agreement.

4. Prior to transferring any or all interest in the property served by the System, or any portion of the property, including any possessory interest, the System owner shall provide written notice of all conditions contained in this Approval to the transferee(s). Any and all instruments of transfer and any leases or rental agreements shall include as an exhibit attached thereto and made a part thereof a copy of this Approval for the System. The System owner shall send a copy of such written notification(s) to the Department and local approving authority within 10 days of such notice being given.
5. By January 31<sup>st</sup> of each year for the previous year, the System owner shall submit to the local approving authority all data collected in accordance with item 3, above, including all Department Title 5 IA O&M checklists and System technology checklists completed during the previous calendar year by the System operator for each inspection performed
6. After final inspection of the System by the Approving Authority but prior to the issuance of a Certificate of Compliance for the System, the System owner shall record and/or register in the appropriate Registry of Deeds and/or Land Registration Office, a Notice disclosing both the existence of the alternative septic system subject to this Approval on the property and the Department's approval of the System. If the property subject to the Notice is unregistered land, the Notice shall be marginally referenced on the owner's deed to the property. Within 30 days of recording and/or registering the Notice, the System owner shall submit the following to the Department and the local approving authority: (i) a certified Registry copy of the Notice bearing the book and page/instrument number and/or document number; and (ii) if the property is unregistered land, a Registry copy of the owner's deed to the property, bearing the marginal reference.

#### **VI. Conditions Applicable to the Company**

1. By January 31<sup>st</sup> of each year, the Company shall submit a report to the Department, signed by a corporate officer, general partner or Company owner that contains information on the System, for the previous calendar year. The report shall state: the number of units of the System sold for use in Massachusetts including the installation date and date of start-up during the previous year; identify the treatment technology preceeding the System; the address of each installed System, the owner's name and address, the type of use (e.g. residential, commercial, institutional) and the design flow; and for all Systems installed since the date of issuance of this Approval, all known failures, malfunctions, and corrective actions taken and the address of each such event. An electronic file of this data in spreadsheet format may be provided to the Department at *Dep.Waterpermitting@state.ma.us*, if possible. The emailed file should identify in the subject line the technology name,

approval type and year of data included. The Company shall maintain copies of all completed inspection forms and certified laboratory results for possible audit for at least three years.

2. The Company shall notify the Director of the Wastewater Management Program at least 30 days in advance of the proposed transfer of ownership of the technology for which this Approval issued. Said notification shall include the name and address of the proposed new owner and a written agreement between the existing and proposed new owner containing a specific date for transfer of ownership, responsibility, coverage and liability between them. All provisions of this Approval applicable to the Company shall be applicable to successors and assigns of the Company, unless the Department determines otherwise.
3. The Company shall develop and submit to the Department within 60 days of the effective date of this Approval: minimum installation requirements; an operating manual, including information on substances that should not be discharged to the System; and a recommended schedule for maintenance of the System essential to consistent successful performance of the installed Systems.
4. The Company shall make available, in print and electronic format, the referenced procedures and protocol in Section VI (3) to owners, operators, designers and installers of the System.
5. The Company shall institute and maintain a program of operator training and continuing education, as approved by the Department. The company shall update the list of qualified operators and make the list known to users of the technology.
6. The Company or its designee shall conduct a design review for any proposed non-residential System or any residential System with a design flow 2,000 GPD or greater to ensure that the proposed use of the System is consistent with the unit's capabilities.
7. The Company shall furnish the Department any information that the Department requests regarding the System within 21 days of the receipt of that request.
8. The Company shall include copies of this Approval and the procedures and protocol described in Section VI (3) for each System that is sold. Also, in any contract executed by the Company for distribution or re-sale of the System, the Company shall require the distributor or re-seller to provide each purchaser of the System with copies of this Approval and the procedures and protocol described in Section VI (3).
9. The Company shall comply with 310 CMR 15.000 and all the Department policies and guidance that apply and as they may be amended from time to time.
10. If the Company wishes to continue this Approval beyond its expiration date, the Company shall apply for and obtain a renewal of this Approval. The Company shall submit a renewal application at least 180 days before the expiration date of this Approval, unless the Department grants written permission for a later date. This Approval shall continue in force until the Department has acted on the renewal application

## **VII. Reporting**

1. All notices and documents required to be submitted to the Department by this Approval shall be submitted to:

Director

Wastewater Management Program  
Department of Environmental Protection  
One Winter Street - 5th floor  
Boston, Massachusetts 02108

### **VIII. Rights of the Department**

1. The Department may suspend, modify or revoke this Approval for cause, including, but not limited to, non-compliance with the terms of this Approval, non-payment of the annual compliance assurance fee, for obtaining the Approval by misrepresentation or failure to disclose fully all relevant facts or any change in or discovery of conditions that would constitute grounds for discontinuance of the Approval, or as necessary for the protection of public health, safety, welfare or the environment, and as authorized by applicable law. The Department reserves its rights to take any enforcement action authorized by law with respect to this Approval and/or the System against the owner, or operator of the System and/or the Company.

### **IX. Expiration Date**

1. Notwithstanding the expiration date of this Approval, any System sold and installed prior to the expiration date of this Approval or any continuation of this Approval, that is approved, installed and maintained in compliance with this Approval (as it may be modified) and 310 CMR 15.000, may remain in use unless the Department, the local approving authority, or a court requires the System to be modified or removed, or requires discharges to the System to cease.