



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

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MODIFIED CERTIFICATION FOR GENERAL USE
Pursuant to Title 5, 310 CMR 15.000

Name and Address of Applicant:

Eljen Corporation
125 McKee Street
East Hartford, CT 06108

Trade name of technology and model number: Eljen In-Drain System, models B43 and A42 (Hereinafter the "System"). The "Geotextile Sand Filter, (GSF) Design & Installation Manual", September, 2008 version, including calculations and schematic drawings of typical Systems, are part of this Certification. A Technology checklist is also part of this Certification.

Transmittal Number: W062318
Date of Issuance: May 22, 2006, revised November 29, 2007, revised September 30, 2008
Expiration Date: May 22, 2011

Authority for Issuance

Pursuant to Title 5 of the State Environmental Code, 310 CMR 15.000, the Department of Environmental Protection hereby issues this Certification to: Eljen Corporation, 125 McKee Street, East Hartford, CT 06108 (Hereinafter "the Company"), for the System described herein. Sale and use of the System are conditioned on and subject to 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 Certification constitutes a violation of 310 CMR 15.000.

Glenn Haas, Director
Division of Watershed Management
Department of Environmental Protection

September 30, 2008
Date

I. Purpose

1. The purpose of this Certification is to allow the use of the System in Massachusetts on a General Use basis.
2. With the necessary permits and approvals required by 310 CMR 15.000, this Certification authorizes the use of the System in Massachusetts.
3. The System may be installed on all facilities where a system in compliance with 310 CMR 15.000 exists on site or could be built and for which a site evaluation in compliance with 310 CMR 15.000 has been approved by the local approving authority; or by DEP if DEP approval is required by 310 CMR 15.000. This Certification does not allow the use of the System on facilities for nitrogen reduction in a Department designated nitrogen sensitive or limited area as defined in 310 CMR 15.214 and 15.215. This Certification does not allow the use of the System with any reduction to estimated high groundwater or any reduction in naturally occurring pervious material.
4. The System is approved for use at facilities with a maximum design flow less than 10,000 gallons per day (GPD).

II. Design Standards

1. The System is a modular absorption system constructed with geotextile fabric and cusped plastic cores bedded on a twelve inch layer and surrounded by at least six inches of Specified Sand. The System is installed without aggregate. A four inch perforated distribution pipe is installed on top of the System to distribute wastewater over the entire absorption system. A geotextile cover of non-woven polypropylene fabric shall be placed over the System to prevent the intrusion of fines from backfill.
2. An observation well shall be installed in the sand adjacent to the cusped plastic core and set to the elevation where the sand layer meets the plastic core.
3. The Specified Sand shall meet the requirement of ASTM C-33 with less than 10% passing a #100 sieve, and less than 5% passing a #200 sieve.
4. The System shall be installed with a differential venting for aeration and inspection at end of each section or bed.
5. The System shall be designed and installed using distribution boxes for inspection ports. The pipe between the distribution box and the System shall be installed at a minimum slope of 0.02 feet/foot.

6. System can be installed in trench or bed or field configuration, as defined in 310 CMR 15.251 and 15.252. The effective leaching area shall be as presented in the Company's "Geotextile Sand Filter, (GSF) Design & Installation Manual", September 2008 version.
7. Effluent loading rates adjusted to reduce the soil absorption system by 40 percent shall be in accordance with 310 CMR 15.242. No System shall be installed with a leaching area of less than 400 square feet.
8. Systems with design flows of 2,000 gpd or greater shall require pressure distribution in accordance with 310 CMR 15.231.

III. General Conditions

1. All provisions of 310 CMR 15.000 are applicable to the use of the System, except those that specifically have been varied by the terms of this Certification.
2. 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.
3. In accordance with applicable law, the Department and the local approving authority may require the owner of the System to cease use of the System and/or to take any other action as it deems necessary to protect public health, safety, welfare or the environment.
4. The Department has not determined that the performance of the System will provide a level of protection to the environment that is at least equivalent to that of a sewer. Accordingly, no new System shall be constructed, and no System shall be upgraded or expanded, if it is feasible to connect the facility to a sanitary sewer, unless as allowed by 310 CMR 15.004.
5. Design, installation and use of the System shall be in strict conformance with the Company's DEP approved plans and specifications and 310 CMR 15.000, subject to this Certification.

IV. 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 on-site sewage disposal system and shall be lawfully disposed of.
2. For new construction, the System owner initially shall size the SAS in accordance with 310 CMR 15.242 to demonstrate that a conventional Title 5 SAS using aggregate, including a reserve area, can be installed on the site. The System owner may then size the SAS for the System. The total area required for the aggregate system, which may include the area designated for the System, and a reserve area shall be preserved and the owner shall ensure that no permanent structures or other structures are constructed on that area and that the area is not disturbed in any manner that will render it unusable for future installation of a conventional Title 5 SAS.

3. The System owner shall at all times properly operate and maintain the on-site sewage disposal system.
4. The System owner shall have the System inspected annually by an operator trained by the Company and shall submit the results of that inspection, on a technology checklist, to the local approving authority.
5. The System owner shall furnish the Department any information that the Department requests regarding the operation and performance of the System, within 21 days of the date of receipt of that request.
6. No System owner shall authorize or allow the installation of the System other than by a person trained to install the System.

V. Conditions Applicable to the Company

1. By January 31st of each year, the Company shall submit to the Department a report, 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 during the reporting year; and for all systems installed since the first issuance of Certification for the System, all known failures, malfunctions, and corrective actions taken and the address of each such event. Electronic file submittal of annual reports, in spreadsheet format, is encouraged and can be sent to the Department at Dep.Waterpermitting@state.ma.us. The emailed file should identify and include in the subject line the technology name, approval category and reporting year. Also, the Company must 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 Department's Director of the Wastewater Management Program at least 30 days in advance of any proposed transfer of ownership of the technology for which this Certification is 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 Certification 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: 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 within 60 days of the effective date of this Approval.
4. Company shall make available, in print and electronic format, the referenced procedures in paragraphs 3 above to owners, operators, designers and installers of the System.
5. The Company shall institute and maintain a training program in the proper design, installation and inspection techniques of its System and provide a training course at

least annually for prospective designers, installers and inspectors. The Company shall certify that installers and inspectors have completed the Company's training class, maintain a list of certified installers and inspectors, submit a copy to the Department, and update the list annually. Updated lists shall be forwarded to the Department.

6. The Company shall furnish the Department any information that the Department requests regarding the System, within 21 days of the receipt of that request.
7. The Company shall include copies of this Approval and the procedures in Section V (3) with each System that is sold. 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 described in Section V (3).
8. The Company shall comply with 310 CMR 15.000 and all Department policies and guidance that apply and as they may be amended from time to time.
9. If the Company wishes to continue this Approval after 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 written the Department has granted permission for a later date in writing. This approval shall continue in force until the Department has acted on the renewal application.

VI. Conditions Applicable to Installers of the System

1. Each Installer shall install the System in accordance with Company training on the installation of the System and the conditions of this Certification.
2. No Installer shall install the System unless the Company has trained the Installer on the installation of the System or a Company representative(s) oversees the installation.
3. Installers shall complete the System Installation Form and forward a copy to the Company and the local approving authority.
4. The System installer shall provide the System owner and the local approving authority with a bill of lading certifying that the specified sand meets the requirements of ASTM C-33 with less than 10% passing a #100 sieve, and less than 5% passing a #200 sieve.

VII. Reporting

1. All submittals of notices and documents to the Department required by this Certification 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 Certification for cause, including, but not limited to, non-compliance with the terms of this Certification, non-payment of an annual compliance assurance fee, for obtaining the Certification 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 Certification, 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 Certification, the System, the owner, or operator of the System and the Company.

IX. Expiration Date

1. Notwithstanding the expiration date of this Certification, any System installed prior to the expiration date of this Certification, and approved, installed and maintained in compliance with this Certification (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.