



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Title 5 Permitting
BRP WP 63 Disposal System Construction Permit for State or Federal
Facilities
Instructions and Supporting Materials

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Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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1. What is the purpose of this permit?

This permit is necessary to ensure that the disposal of sanitary sewage through the use of a subsurface sewage disposal system is performed in an environmentally acceptable manner and in accordance with the provisions of Title 5 of the Environmental Code, 310 CMR 15.000.

State and federal facilities must obtain approval from MassDEP for new systems, upgrade of small systems (less than 10,000 gallons per day), upgrade of large systems (10,000 to 15,000 gallons per day), which are *not* failing, expansion of an existing system, and pumping prior to septic tank, with or without variances pursuant to 310 CMR 15.000. In all cases, time extensions for issued Disposal System Construction Permits, Discontinuance of Percolation Tests, and Certificate of Compliance for state and federal facilities are part of this application.

2. Who must apply?

Any state or federal organization that is required to obtain MassDEP approval of a proposed subsurface sanitary sewage disposal system in accordance with 310 CMR 15.000.

Upgrades to large failing systems are *not* included as part of this application, such applications are filed under BRP WP 61d.

3. What other requirements should be considered when applying for this permit?

- Local Upgrade Approvals and Variances to Title 5 require notification to abutters prior to the date of submission of the application to MassDEP and proof of the notification to be submitted (see 310 CMR 15.411 and 15.405).
- A complete site evaluation including, but not limited to, a soil evaluation and percolation test must be completed prior to the issuance of the Disposal System Construction Permit.

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

4. What is the application fee?

The application fee is \$1140.

Note: This application and fee is for the approval of up to four (4) systems at one facility or at contiguous facilities (e.g., cottages at a state forest site).

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Locations:

For BRP WP 63:

Department of Environmental Protection (2 copies)

*** Regional Office**

Title 5 Permitting Program

*Find your region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>



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There are no Reserve Copy Locations for these permits.

6. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

7. What is the annual compliance fee?

There is no compliance fee for any of these categories.

8. How long is this permit in effect?

The approved systems must be built within 3 years of the date of issuance of the Disposal System Construction Permit. Provided the systems are built in this time frame, approvals remain valid as long as the systems and facilities served remain unchanged or until MassDEP revokes or modifies the approval.

9. How can I avoid the most common mistakes made in applying for this permit?

- a. Review application for completeness to be sure all questions are answered correctly.
- b. Make sure two (2) copies of plans and specifications are complete and signed and stamped by a Massachusetts Registered Sanitarian or Professional Engineer, whichever is appropriate.
- c. Attach all forms and information required by the application (i.e Local Upgrade Approval Form, notification to abutters).
- d. Submit fee and one copy of the MassDEP Transmittal Form (<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>) to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to this permit? Where can I get copies?

These regulations include, but are not limited to:

- a. Title 5 Regulations, 310 CMR 15.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376

MassDEP Regulations may also be obtained from MassDEP's website at <http://www.mass.gov/dep>.



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Application Completeness Checklist

- The MassDEP Transmittal Form is completed:
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>
- The application form has been completed. The following information has been provided:
 - Name and address of applicant/owner.
 - Location (address) of facility.
 - Name, address and telephone number of design engineer or sanitarian.
 - A completed Site Evaluation form.
 - A completed Local Upgrade Approval form, if applicable.
 - Two (2) complete sets of plans and specifications, including a locus map, have been properly signed and stamped by a Massachusetts Registered Professional Engineer or Massachusetts Registered Sanitarian, whichever is appropriate.
 - The required documentation in support of the variance request, if applicable.

To submit the application package:

- Checklist items have been completed.
- Send two copies of the application along with one copy from the MassDEP Transmittal Form to:
Department of Environmental Protection
_____ * Regional Office
Title 5 Permitting Program
*Find your region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>
- Send fee of \$1140 in the form of a check or money order made payable to *Commonwealth of Massachusetts*, along with one copy from the MassDEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



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 Transmittal Number

 Facility ID (if known)

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. General Information

1. Applicant:

 Name

 Address

 City/Town

 State

 Zip Code

 Telephone

2. Facility Address/Location (if different from applicant):

 Address

 City/Town

 State

 Zip Code

3. System Designer Information (Registered Sanitarian [RS] or Professional Engineer [PE] for systems under 2,000 gallons per day; PE for systems 2,000 gallons or more per day):

 Name

 Company Name

 Address

 City/Town

 State

 Zip Code

 Telephone

4. Registration:

 P.E.

 Sanitarian

 Registration Number

5. The legal entity which will own facility is: State/County Federal Other:

 Specify

6. Does this project require a filing under 301 CMR 11.00 and MGL c. 30, ss 61-62H, the Massachusetts Environmental Policy Act? Yes No

If yes, has a filing been made? Yes No

 If yes, EOE File #



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A. General Information (cont.)

7. Two complete set of plans and specifications, including a locus map, properly stamped and signed by a Massachusetts Registered Professional Engineer or Massachusetts Registered Sanitarian must accompany the application. Plans must be prepared in accordance with the provisions of 310 CMR 15.220.

Are plans and specifications enclosed? Yes No

8. Has a site evaluation been performed which includes, among other things, a percolation test and a soil evaluation by an approved soil evaluator? Yes (Attach all forms) No

If yes, was a discontinuance of the percolation test granted pursuant to 310 CMR 15.105(7)?

Yes No

9. Does the system design require approval of pumping prior to the septic tank pursuant to 310 CMR 15.229? Yes No

10. If applying for a Local Upgrade Approval, pursuant to 310 CMR 15.401 through 15.403, a completed DEP approved Local Upgrade Approval form must be submitted with this application.

Yes, Local Upgrade Approval Form attached No, not requesting Local Upgrade Approval

Note: System upgrades which cannot be performed in accordance with 310 CMR 15.404 and 15.405 require a variance which must be processed in accordance with 310 CMR 15.410 through 15.417.

11. If applying for a variance to Title 5 in accordance with 310 CMR 15.410 the applicant must prove that the strict enforcement of the provision of the Code for which the variance is being sought would result in manifest injustice and that the same degree of environmental protection required under the code can be achieved without strict application of the particular provision.

Also, for new construction, the applicant must prove that enforcement of the provision would deprive the owner of substantially all beneficial use of the property in order to be considered manifestly unjust.

Is documentation in support of meeting this requirement attached? Yes No

12. Variance(s) from the following Title 5 provision(s) is/are being sought:

13. If applying for a local variance approval (BRP WP 59b) which requires notification of the abutter to the subject property, a copy of the certified notification sent to the abutters must accompany this application.

Is proof of notification attached? Yes No



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B. Certification

"I certify under penalty of law that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Applicant's signature

Print Name

Name of Preparer

Date