The State Environmental Code, 310 CMR 15.000 is known as:

Title 5, not Title V.
System Inspection Timelines for Pump-outs
Clarification of the pump out schedule for system inspections

- For several years there has been confusion of the pump out schedule for system inspections.
- This discussion will clarify how the pump out schedule impacts the validity of a Title 5 inspection.
Inspection at Time of Transfer: “........ a system shall be inspected at or within two years prior to the time of transfer of title to the facility served by the system. An inspection conducted up to three years before the time of transfer may be used if the inspection report is accompanied by system pumping records demonstration that the system has been pumped at least once a year during that time.”

The confusion lies as to how the “three years” is defined.

- Does it mean each pump out must be done within a calendar year?
- Does it mean the pump out must be done by the inspection anniversary date?
The three-year schedule

- MassDEP interprets this section to require that if a homeowner wishes to get the benefit of an additional year for the validity of the inspection, then:

  - The system must be pumped out once per year starting from the date of the inspection (i.e., by the anniversary date of the inspection).
Example

- System Inspected: April 22, 2019.
- To get the inspection to be valid for 3 years, pump outs need to occur at the following schedule:
  - Pump out #1 between April 22, 2019 and April 22, 2020
  - Pump out #2 between April 22, 2020 and April 22, 2021
  - Pump out #3 between April 22, 2021 and April 22, 2022
- As long as the system meets this pump out schedule then the inspection is good until April 22, 2022. However, if any dates are missed then it expired on April 22, 2021.
Brewery/Winery Wastewater

- Food products SIC
- Non-sanitary wastewater
- 310 CMR 15.004(4) and (5)
- Holding tank is required – WP56 application
- Possible WP70a application (discharge of non-sanitary wastewater)
- Sewer connection if possible
Title 5 Setbacks in Reverse

Addition planned to an existing structure with a septic system

- Building addition
- Pool
- Shed
- Garage
- Deck

Locational inspection, not required if plans on file.

310 CMR 15.301(5). Addition may not be:
- Placed on any component; or
- Within any setback distance of 15.211.
Do you need help reviewing Title 5 plans?

Review checklist is available:
www.mass.gov/lists/title-5-septic-system-forms#title-5-construction-&-repairs-forms-
What is DEP’s role nowadays regarding Title 5?

Approving authority for certain facilities:

• Stated owned
• Federally owned
• Large systems 10,000 gpd or greater
  (BOH authority ends at 9,999 gpd)
• Case by Case basis due to BOH referral or Enforcement

Approval of System Inspectors & Soil Evaluators
DEP’s role (cont.)

Enforcement of Inspectors and Evaluators

Approving of certain variances such as school flow and setbacks to surface water supplies.

I/A program

Technical and Regulatory Assistance
Due to Covid, DEP working on catching up with backlog (250+ signed up).

Classes were cancelled during 2020 and early 2021, classes now back in session (Spring and Fall). Attempt to fund an additional class next Spring.

DEP pursuing funding for 2 trainers to work under NEIWPC for BoH training as circuit riders.
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QUESTIONS ?