



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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### **MODIFIED CERTIFICATION FOR GENERAL USE**

Pursuant to Title 5, 310 CMR 15.000

Name and Address of Applicant:

EZ Flow, L.P. a wholly owned subsidiary of Infiltrator Systems, Inc  
4 Business Park Road  
P.O Box 768  
Old Saybrook, CT 06475

Trade name of technology and model number: EZ Flow Polystyrene (EPS) Aggregate System, Models, EZ1202V, EZ1203T, EZ1203T-24, EZ1203H, EZ1402V, EZ1203 Bed, EZ1203 Mound (hereinafter the "System"). Schematic drawings of each model are attached.

Transmittal Number: W225865

Date of Issuance: February 27, 2009; Modified November 9, 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: EZ Flow, L.P. a wholly owned subsidiary of Infiltrator Systems, Inc., 4 Business Park Road, Old Saybrook, CT 06475 (hereinafter "the Company"), for General Use in the Commonwealth of Massachusetts of 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.

David Ferris, Director  
Wastewater Management Program  
Bureau of Resource Protection

November 9, 2011

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.

**II. Design Standards**

1. The System is a mesh bag enclosed polystyrene non-aggregate leaching system. The System is installed on the bottom of a trench excavation. The area on each side of the unit is backfilled with Title 5 fill as defined in 310 CMR 15.255 and in strict accordance with the manufacturer’s installation guidelines. A four inch perforated distribution pipe is installed within one of the mesh covered polystyrene aggregate bags to distribute wastewater over the entire leaching system. The System is installed with a polypropylene, nonwoven, geotextile filter fabric cover to prevent intrusion of fine textured soils. The fabric shall have a minimum unit weight of 3.5 ounces per square yard (per ASTM D-5261), Mullen Burst of 210 p.s.i. (ASTM D-3786), an Apparent Opening Size (A.O.S.) (ASTM D-4751) of 70 and a Permittivity of 2.00 sec<sup>-1</sup> (ASTM D-4491) and shall be backfilled with naturally occurring pervious material or Title 5 fill and covered with a minimum of three inches of topsoil.
2. 310 CMR 15.251(1)(e): The System, when used in trench configuration, shall be sized as follows:

Unit <sup>1</sup>	Dimensions (Inches)	Allowable Trench Width (Inches)	Invert Height (Inches)	Leaching Area SF/LF
EZ1202V	12x18	12 to 36 <sup>2</sup>	18	4.0
EZ1203T	30x20	30	14	4.83
EZ1203T-24	24x22	24	16	4.67
EZ1203H	36x12	36	6	4.0
EZ1402V	14x28	14 to 36 <sup>2</sup>	22	4.83

1. See attached system configuration schematic for details of each Unit.
2. Title 5 fill shall be placed if trench width is greater than product width.
3. 310 CMR 15.251 (9): The effluent distribution lines shall be installed level.

4. The use of aggregate as specified in 310 CMR 15.247 is not necessary with the System.
5. The minimum separation between any two trenches shall be as specified in 310 CMR 15.251.
6. The System may be installed in a bed or field configuration, without aggregate, as defined in 310 CMR 15.252. When installed in a bed or mounded bed configuration the effective leaching area is limited to bottom area only.

### **III. General Conditions**

1. The 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. The owner of the System shall at all times properly operate and maintain the on-site sewage disposal system.
3. The 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.
4. No 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 February 15<sup>th</sup> 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.
2. The Company shall notify the Department's Director of 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 furnish the Department any information that the Department requests regarding the System, within 21 days of the date of receipt of that request.
4. Prior to any sale of the System, the Company shall provide the purchaser with a copy of this Certification. In any contract for distribution or sale of the System, the Company shall require the distributor or seller to provide the purchaser of the System, prior to any sale of the System, with a copy of this Certification.
5. The Company shall not sell the System to installers unless they are trained to install these Systems by the Company.
6. The Company shall provide to each System owner a five year written warranty transferable to a new owner that includes the following:

Full refund of the design and installation cost should the System fail as described in 310 CMR 15.303(1)(a)(1) and (2) within five years of installation provided that the System owner has maintained and has operated the System in accordance with the Company's specifications.
7. If the Company wishes to continue this Certification after its expiration date, the Company shall apply for and obtain a renewal of this Certification. The Company shall submit a renewal application at least 180 days before the expiration date of this Certification, unless written permission for a later date has been granted by the Department.

**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 Installer has been trained by the Company on installation of the System.

**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.