



# BRP WP 60 Variances for Schools

## Instructions and Supporting Materials

---

### Table of Contents

- introduction
- permit fact sheet
- completeness checklist

### Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at [mass.gov/dep](http://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.



# BRP WP 60 Variances for Schools

## Permit Fact Sheet

---

### 1. What is the purpose of this variance?

This is necessary to ensure that the disposal of sanitary sewage utilizing a variance from the design flow for schools and/or for increased flow to a large system for a school under Title 5 of the Environmental Code, 310 CMR 15.000, will maintain a level of environmental protection that is at least equivalent to 310 CMR 15.000 without strict application of the specific provision of 310 CMR 15.000 from which the variance is sought. The purpose of Title 5 is to provide for the protection of public health, safety, welfare and the environment by requiring the proper siting construction, upgrade, and maintenance of on-site sewage disposal systems and appropriate means for the transport and disposal of septage.

You must obtain approval from MassDEP for flow variances from Title 5 for schools pursuant to 310 CMR 15.416.

### 2. Who must apply?

Any individual, business or organization owning or operating an elementary, middle or secondary school and proposing a variance to 310 CMR 15.203(5) or 15.006 pursuant to 310 CMR 15.416.

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

Other variances are granted by the local approving authority and/or MassDEP pursuant to 310 CMR 15.000. Consult the guidance for other variances under BRP WP 59b and BRP WP 59c. These other variances are not included in this category.

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

### 4. What is the application fee?

The application fee is \$1,940.

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

Primary Permit Location:  
Department of Environmental Protection (2 copies)  
\_\_\_\_\_ \* Regional Office  
Title 5 Program

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

There is no Reserve Copy Location for this variance.

### 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 annual compliance fee for this category.



## **BRP WP 60 Variances for Schools Permit Fact Sheet**

---

### **8. How long is this variance in effect?**

This variance remain valid as long as the system and facility served remain unchanged or until MassDEP revokes or modifies the variance.

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

- a. Review application for completeness to be sure all questions are answered correctly.
- b. Make sure two copies of plans and specifications are complete and signed and stamped by a Massachusetts Registered Sanitarian or Professional Engineer, whichever is appropriate.
- c. Submit fee and one copy of the MassDEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

### **10. What are the regulations that apply to this variance? 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 House Bookstore  
Room 116  
Boston, MA 02133  
617-727-2834

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



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Title 5 Permitting

# BRP WP 60 Variances for Schools Application Completeness Checklist

---

- The MassDEP Transmittal Form is completed:  
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>. If the applicant is a municipality, "Fee Exempt" has been selected from among the Special Provisions under the Amount Due section of the Transmittal Form.
- A MassDEP application form for the permit category BRP WP 60 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.
  - Identification of the variance requested and the necessary documentation to support this request.
- 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.
- A copy of a signed approval letter from the local approving authority for the subject variance, including a list of notified abutters, has been provided.

To submit the application package:

- Checklist items have been completed.
- Send two copies of the application along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection  
\_\_\_\_\_ \* Regional Office  
Title 5 Program  
\*Find your region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>
- Send fee of \$1,940 in the form of a check or money order made payable to Commonwealth of Massachusetts, along with one copy of the MassDEP Transmittal Form to:

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



# BRP WP 60

## Variances for Schools

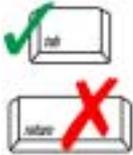
Transmittal Number \_\_\_\_\_

Facility ID# (if known) \_\_\_\_\_

Please read the Instructions and Supporting Materials before filling out this form.

### A. General Information

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



1. Applicant:

Name \_\_\_\_\_

Doing Business as (dba) \_\_\_\_\_

Street 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/Name of Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Telephone \_\_\_\_\_

4. Registration:

P.E. \_\_\_\_\_

Sanitarian \_\_\_\_\_

Registration Number \_\_\_\_\_

5. Does this project require a filing under 301 CMR 11.00, the Massachusetts Environmental Policy Act?

Yes     No    If yes, has a filing been made?  Yes  No

\_\_\_\_\_  
If yes, EOE File #



# BRP WP 60

## Variations for Schools

Transmittal Number \_\_\_\_\_

Facility ID# (if known) \_\_\_\_\_

### A. General Information (continued)

6. The legal entity which owns or will own this facility is:

- |                                                 |                                         |
|-------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Individual             | <input type="checkbox"/> Federal        |
| <input type="checkbox"/> Municipality           | <input type="checkbox"/> State / County |
| <input type="checkbox"/> Private Partnership    | <input type="checkbox"/> Corporation    |
| <input type="checkbox"/> Other (specify): _____ |                                         |

7. Two sets 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. The plans must be prepared in accordance with 310 CMR 15.220.

Are plans and specifications enclosed?  Yes  No

Have the plans been revised?  Yes  No

\_\_\_\_\_  
If yes, date of revision

8. This application is for a variance to (check one):

- System Design Flow Criteria, 310 CMR 15.203(5)  
 Prohibition to increase flows for systems with design flows of 10,000 gallons per day (gpd) but less than 15,000 gpd, 310 CMR 15.006

9. In accordance with 310 CMR 15.416(2), the applicant must prove that the requested variance is necessary to accommodate an overriding community, regional, state, or national public interest and that a level of environmental protection at least equivalent to that provided under Title 5 can be achieved without strict application of the particular provision.

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

10. If applying for a variance pursuant to 310 CMR 15.416(3), the applicant also must demonstrate through the use of metered maximum daily flow readings from the facility or similar facilities in the same or surrounding communities, that the daily flows will be substantially different and that the system design has accounted for any anticipated pollutant loadings and the greater concentration of pollutants resulting from reduced flows.

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

Note: If DEP grants such a variance, it shall require a determination of design flows based on 200% of the average daily water meter readings when school is in session in order to assimilate maximum daily flows.



# BRP WP 60

## Variations for Schools

Transmittal Number \_\_\_\_\_

Facility ID# (if known) \_\_\_\_\_

### A. General Information (continued)

11. If applying for a variance pursuant to 310 CMR 15.416(5), the applicant also must demonstrate that there are no reasonable conditions or alternatives that would allow system expansion in compliance with the provisions of Title 5 or other applicable requirements; and, that the upgraded system with increased flow provides better protection of public health and safety and the environment than the existing system with no flow increase.

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

Note: If any school with a design flow of 10,000 gpd up to 15,000 gpd is threatening public health, safety, and the environment pursuant to 310 CMR 15.304(2), a groundwater discharge permit will be required, unless DEP determines after consideration of factors set forth in 310 CMR 15.304(3) that this requirement would be manifestly unjust, and the owner/operator of the school has established that a level of environmental protection that is at least equivalent to that provided under 310 CMR 15.000 can be achieved without strict application of this requirement.

12. Is the variance requested for new construction?  Yes  No

13. Is the complete application submitted to the local authority attached?  Yes  No

14. The school is:  Elementary  
 Middle  
 Secondary

### 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 \_\_\_\_\_