

Eljen Corporation Comments: Negotiated Rule Draft No. 3
Docket No. 58-0103-1901, Dated March 20, 2020

03. Definitions.

XX. Extended Treatment Package System. An advanced subsurface sewage treatment product that provides secondary wastewater treatment and/or tertiary wastewater treatment to septic tank effluent.

Comment/Observation: Does the term package need to be in the definition? Are all Extended Treatment Systems that treat secondary effluent package systems?

XX. Proprietary Wastewater System Media Technology. A manufactured product through which effluent flows and is stored before infiltration.

Comment/Observation: Not all products store effluent prior to infiltration (i.e. sand mound).

04. Proprietary Wastewater Treatment Systems.

g. Pressure distribution, when used with a proprietary wastewater treatment product, may be required to be designed by an Idaho licensed professional engineer. [TGM Section 4.19]

Comment/Observation: The wording MAY BE makes the definition unclear regarding when the use of an Idaho licensed professional engineer is required. Clarification on when an Idaho PE is required when using pressure distribution is recommended.

h. A proprietary wastewater treatment system may be required to follow the same operation maintenance, monitoring and reporting requirements described in Subsection 009.03.j. due to factors such as product complexity and/or site specific constituent reduction requirements.[TGM Section 1.4.2.4]

Comment/Observation: The wording MAY BE clouds the definition making it unclear if monitoring and reporting requirements described in Subsection 009.03.j must be followed. Clarify the wording if factors such product complexity and/or site specific constituent reduction requirements require

the same operation maintenance, monitoring and reporting requirements described in Subsection 009.03.j.

05. Permit and Permit Application.

c. If the proprietary wastewater treatment system gains general approval as described by the Technical Guidance Manual, sampling requirements may be removed.

Comment/Observation: Add the term General Approval to the .03 Definitions and define what needs to be done to gain a general approval.

09. Other Components.

01. Design Approval Required. Commercially manufactured wastewater treatment components and systems may not be used in the construction of a subsurface sewage system unless their design is approved by the Director.

Comment/Observation: Additional clarification is needed. May an Idaho licensed professional engineer design a system with unapproved commercially manufactured components if the system design is approved by the Director? We recommend avoiding the use of the word MAY.