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**MAXIMUM FEASIBLE COMPLINCE
WAIVER CHECKLIST INSTRUCTION SHEET**

What is Maximum Feasible Compliance?

- ❖ MassDEP Policy (BRP/DWM/PeP-P99-5) and the Westport Board of Health's Maximum Feasible Compliance Policy require that the Board of Health determine whether enhanced nitrogen removal is required for septic system upgrades/SAS replacement under its authority to achieve the goal of full or maximum feasible compliance with Title 5.

What Site Conditions Trigger the Application of Maximum Feasible Compliance?

- ❖ A property is subject to maximum feasible compliance where the proposed system's design flow exceeds the nitrogen loading limits set out in Title 5, 310 CMR 214.

What is the purpose of the MFC Waiver?

- ❖ The property owner requests a waiver of the general requirement to provide enhanced nitrogen removal to comply with Title 5 nitrogen loading limits.

What information is required for the request?

- ❖ The information required is set out on the checklist. There are two general waiver review criteria: site specific conditions and cost. All the requested information must be submitted, unless the request is not based on cost, then the financial information can be omitted.

Well Information

- ❖ Location of wells. In the absence of a groundwater study to determine groundwater flow on the site, a site plan for the project must include topographic delineations of the site and the abutting areas to assist in determining whether the site and abutting wells are downgradient of the proposed SAS.
- ❖ Depth of wells. If the actual well depths are not documented or cannot readily be determined, information about their type and method of installation should be provided: shallow, artesian, hand dug, drilled, etc.

System Cost Information:

- ❖ Cost estimates for the standard system and at least two innovative alternative nitrogen reducing systems must be submitted on letterhead of the estimator and must include;
 - The name, address, phone number, and credentials of the estimator
 - The address of the property the estimate is being prepared for
 - The name of the property owner(s)
 - Cost of the system as submitted per design plan
 - Cost of the system as submitted per design plan plus the enhanced nitrogen removal system(s)
 - The cost categories to provided include, are not limited to: Any additional costs above the system as submitted without enhanced removal to include but not limited too;
 - É System components cost
 - É Construction equipment cost
 - É Labor cost
 - É Electrical cost
 - É Plumbing cost
 - É Engineering cost
- ❖ The estimate is to be signed and dated by the estimator