

**SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE  
REQUEST: HHE-204**

Maine CDC: Drinking Water Program,  
Attn: SSWW Unit  
286 Water Street, 3<sup>rd</sup> Floor  
Augusta, ME 04330

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

**THIS FORM MUST BE  
SUBMITTED WITH THE HHE-200**

**GENERAL INFORMATION**

Town/City/Plantation		System's Address	
Owner's Name		Phone	
		Email	
Property Owner's Address		State	
		Zip Code	

**The subsurface wastewater disposal system design for the subject requires:**

- First Time System Variance     Replacement System Variance    **With...**     Local Approval     Local & State Approval

**SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator) SEE PAGE THREE**

**SITE EVALUATOR**

When a property is found to be unsuitable for subsurface wastewater disposal by a licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a variance to the Rules, and the Evaluator in his professional opinion feels the variance request is justified and the site limitations can be overcome, he/she shall document the soil and site conditions on the Application. The Evaluator shall list the specific variances necessary plus describe below the proposed system design and function.

The Evaluator shall further describe how the specific site limitations are to be overcome and provide any other support documentation as required prior to consideration by the Department. Attach a separate sheet if necessary.

I, \_\_\_\_\_ (Printed Name), S.E., certify that a variance to the Rules is necessary since a system cannot be installed which will completely satisfy all the Rules requirements. In my judgment, the proposed system design on the attached Application is the best alternative available; enhances the potential of this site for subsurface wastewater disposal; and that the system should function properly.

*Signature of Site Evaluator*

Date

**PROPERTY OWNER**

I, \_\_\_\_\_ (Printed Name), am the  owner /  agent for the owner of the subject property. I understand that the installation on the Application is not in total compliance with the Rules. Should the proposed system malfunction, I release all concerned provided they have performed their duties in a reasonable and proper manner, and I will promptly notify the Local Plumbing Inspector and make any corrections required by the Rules. By signing the variance request form, I acknowledge permission for representatives of the Department to enter onto the property to perform such duties as may be necessary to evaluate the variance request.

*Signature of:*  Owner or  Agent for Owner

Date

**APPROVAL AT LOCAL LEVEL (ONLY)**

The Local Plumbing Inspector shall review all variance requests prior to rendering a decision.

I, \_\_\_\_\_ (Printed Name), the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the subsurface wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property.

The proposed system (  does /  does not ) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (  do /  do not ) approve the request variance.

I (  will /  will not ) issue a permit for the system's installation as proposed by the application.

*Signature of LPI*

Date

**APPROVAL REQUIRING REFERRAL TO THE DEPARTMENT**

**FOR LPI USE ONLY:**

The local plumbing inspector shall review all variance requests prior to forwarding to the Division of Environmental Health I, \_\_\_\_\_ (Printed Name), the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the subsurface wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property.

The proposed system (  does /  does not ) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (  do /  do not ) approve the request variance.

I (  will /  will not ) issue a permit for the system's installation as proposed by the application.

*Signature of LPI*

Date

**FOR USE BY THE DEPARTMENT ONLY:**

The Department has reviewed the variance(s) and  does /  does not give its approval. Any additional requirements, recommendations, or reasons for the Variance denial are given in the attached letter.

*Signature of Department*

Date

**NOTES:**

1. Variances for soil conditions may be approved at the local level if the total point assessment is at least the minimum allowed. (See Section 14(E)) in the Subsurface Wastewater Disposal Rules for LPI Authority.)
2. Variances for other than soil conditions or soil conditions beyond the limit of the LPI's authority are to be submitted to the Department for review. (See Section 14(F)) The LPI's signature is required on these variance requests prior to sending them to the Department

**SOIL, SITE, AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE Tables 14A- 14K).**

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Ground Water		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposable Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
<b>TOTAL POINT ASSESSMENT:</b>		

Soils (From HHE-200)	Soil Profile	Soil Condition	Limiting Factors	Ground Water Table	Restrictive Layer	Bedrock				
Site Features vs. disposal system components of various sizes			Disposal Fields (total design flow)			Septic Tanks and Holding Tanks (total design flow)			Disposal Fields	Septic Tanks
			Less than 1,000 gpd	1,000 to 1,999 gpd	Over 2,000 gpd	Less than 1,000 gpd	1,000 to 1,999 gpd	Over 2,000 gpd	To:	To:
Wells with water usage of under 2,000 or more gpd or public water supply wells			300 ft	300 ft	300 ft	150 ft	150 ft	150 ft		
Potable Supply Well			100 down to 60 ft	200 down to 100 ft	300 down to 150 ft	50 down to 25 ft [a]	100 down to 50 ft [a]	100 down to 50 ft		
Water supply line			10 ft	20 ft	25 ft	10 ft	10 ft	10 ft		
Water course, major [c]			100 down to 50 ft	200 down to 120 ft	300 down to 180 ft	100 down to 25 ft [a]	100 down to 50 ft	100 down to 50 ft		
Water course, minor [c]			50 down to 25 ft	100 down to 50 ft	150 down to 75 ft	50 down to 25 ft	50 down to 25 ft	50 down to 25 ft		
Drainage ditches			25 down to 12 ft	50 down to 25 ft	75 down to 35 ft	25 down to 12 ft	25 down to 12 ft	25 down to 12 ft		
Slopes greater than 3:1			10 ft	18 ft	25 ft	N/A	N/A	N/A		
No full basement (e.g. slabs, columns, posts)			15 down to 7 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down to 10 ft		
Full basement (below grade foundation, frost wall)			20 down 10 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down 10 ft		
Property Lines			10 down to 5 ft [b]	18 down to 9 ft [b]	20 down to 10 ft [b]	10 down to 4 ft [b]	15 down to 7 ft [b]	20 down to 10 ft [b]		
Burial sites or graveyard boundaries, measures from the down toe of the fill extension			25 ft	25 ft	25 ft	25ft	25 ft	25 ft		
Stormwater infiltration systems			100 down to 60 ft	200 down to 120 ft	300 down to 180 ft	100 down to 50 ft	100 down to 50 ft	100 down to 50 ft		
Wet-ponds, retention ponds, and detention basis (excavated below grade); Soil filters under-drained swales, under-drained outlets, and similar structures			50 down to 25 ft [d]	100 down to 50 ft [d]	150 down 75 ft [d]	50 down to 25 ft [d]	50 down to 25 ft [d]	50 down to 25 ft [d]		
Stormwater detention basins (basin bottom at, or above, pre-development grade)			25 down to 12 ft	50 down to 25 ft [d]	75 down to 35 ft [d]	25 down to 12 ft	25 down to 12 ft	25 down to 12 ft		

**Additional Notes:**

**Notes:**

- [a] This distance may be reduced to 25 feet, if the septic or holding tank is tested in the LPI's presence and shown to be watertight pursuant to water tightness standards found in Section 7(H)(8) or of monolithic construction.
- [b] Additional setbacks may be needed to prevent fill material extensions from encroaching onto abutting property.
- [c] All ground disturbance or clearing of woody vegetation necessary for the installation of a subsurface wastewater disposal system that occurs within 100 feet of the normal high-water mark of a major or minor water body/course must comply with this rule pertaining to work adjacent to or within wetlands and water bodies (for more details, see Section 13).
- [d] The reduced setback distance may be further reduced down to 12 feet if the stormwater structure has an impervious liner and the fill extensions do not encroach onto the stormwater structure.
- [e] The above table comes from Table 9A for **replacement systems**. **First-time systems may use this form but should refer to Section 8.**