

November 28, 2012

Mr. David Presby
Presby Environmental, Inc.
143 Airport Road
Whitefield, NH 03598

Dear Mr. David Presby:

Re: Approval of the Presby Environmental Simple Septic onsite dispersal system for use in residential and commercial onsite sewage systems

The Presby Environmental Simple Septic onsite dispersal system is hereby conditionally approved for use in Indiana as a soil absorption field technology by the Indiana State Department of Health (department), under the provisions of *410 IAC 6-8.3-52(h)*, *410 IAC 6-10.1-49(h)*, and the *Advanced Enviro-Septic and Enviro-Septic Wastewater Treatment Systems Indiana Design and Installation Manual, October 2005 Edition with March 2007 Revisions, Including September 2009 Training Updates and Worksheets*. This approval is for the use in commercial onsite sewage systems and individual residential onsite sewage systems. Approval is effective this 28th day of November, 2012 and subject to renewal by the department no later than the 27th of May, 2013.

- I. Presby Environmental, Inc. is required to:
 - a) Compile a revised Indiana Design and Installation Manual which incorporates all three Presby Environmental, Inc. pipe technologies to be approved for use in Indiana: the Advanced Enviro-Septic, the Enviro-Septic, and the Simple Septic. Revisions must be submitted to the department in a timely fashion so that the new manual can be approved by this department prior to the renewal date of May 27, 2012.
 - b) Certify manufacturers, distributors, designers, installers and service providers;
 - c) Submit to the department a list of all certified installers, distributors, service providers and manufacturers for the State of Indiana on a quarterly basis the first year and annually after that; and notify the department immediately of the removal of any certified installer, distributor, service providers or manufacturer;
 - d) Submit for review and approval of the department any proposed changes to any system component of the Advanced Enviro-Septic, Enviro-Septic and Simple Septic systems prior to implementation of the changes;
 - e) Notify the department of any scheduled training event at least 10 working days prior to the event;
 - f) Provide on-going consultation to health department staffs, designers, installers, and service providers;
 - g) Submit to the department on a quarterly basis for the first year the installation of any onsite sewage system installed that includes a Presby Environmental Simple Septic onsite dispersal system using a data format provided by the department.

- II. The Presby Environmental Simple Septic onsite dispersal system is subject to:
- a) The applicable provisions of ISDH Rule 410 IAC 6-8.3, and ISDH Rule 410 IAC 6-10.1;
 - b) Receiving and dispersing only domestic and/or residential strength wastewater;
 - c) The *Advanced Enviro-Septic and Enviro-Septic Wastewater Treatment Systems Indiana Design and Installation Manual, October 2005 Edition with March 2007 Revisions, Including September 2009 Training Updates and Worksheets.*
 - d) Local ordinances, requirements and procedures.
- III. The Presby Environmental Simple Septic onsite dispersal system manufacturer, designer, distributor, installer, and service provider is subject to:
- a) Presby Environmental, Inc. Certification;
 - b) Maintaining a status of good standing with Presby Environmental, Inc.; and
 - c) Installation of the product specified by the designer and approved by the health department, unless approval for a substitution is submitted by the designer and is approved by the health department and the property owner. If the designer has specified an Advanced Enviro-Septic or an Enviro-Septic Wastewater Treatment System, the installer must install the system specified by the designer, unless the designer has the written approvals for substitution to another product.

This approval may be revoked or modified by the department for non-compliance, or if it is documented that it would not be in the best interests of public health for approvals to continue.

If you wish to request administrative review of this *Approval* pursuant to Indiana Code 4-21.5-3-5, you must file a petition for review within fifteen (15) days after this *Approval* is received. The petition for review and petition for stay of effectiveness must be postmarked no later than December 14, 2012.

The petition for review must be in writing and must include facts demonstrating that:

- The petitioner is a person to whom the *Approval* is specifically directed;
- The petitioner is aggrieved or adversely affected by the *Approval*; or
- The petitioner is entitled to review under any law.

If the petition for review is not filed timely, this *Approval* becomes FINAL. Any petition for review and petition for stay of effectiveness must be submitted in writing to:

Court Administrator
Office of Legal Affairs, #3H
Indiana State Department of Health
2 North Meridian Street
Indianapolis, IN 46204

If you do not object to this product submittal approval, you do not need to take any further action.

Sincerely,



Michael Mettler, REHS, Director
Environmental Public Health Division
317/233-7183
mmettler@isdh.in.gov

cc: Local Health Departments
Onsite Staff