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March 16, 2015

Patricia Aho, Commissioner
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

Dear Commissioner Aho:

On behalf of the Executive Board and the membership of the Maine Association of Site Evaluators (the Association), I wish to convey our opinion on the merger of the Drinking Water Program (DWP), and more specifically the Subsurface Wastewater Unit (SWU) with the Department of Environmental Protection (DEP).

As practicing Site Evaluators, we have a significant vested interest in how the Department's proposed restructuring may affect our day to day work. However, the Association feels that with careful considerations, DEP could offer the SWU solutions to some long standing issues. The DEP already houses some of the key components that are considerations during many site evaluations, including Shore Land Zoning, NRPA, Wetland Protection, Stream Protection, Vernal Pool Protection, Aquifer Protection, Habitat Protection and Overboard Discharges. In certain instances, some of these regulations have proven to contradict sections of the Maine Subsurface Wastewater Disposal Rules (SWD Rules). These contradictions need to be addressed, and could be most effectively handled by one agency in lieu of multiple.

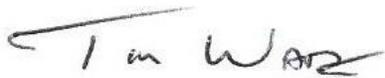
At a recent Maine Water Utilities Association meeting, you requested MASE's opinion for the most suitable location for the SWU. The Unit has historically been administered by the Division of Health Engineering, and has been affiliated with the DWP for many years. This location is logical considering the potential impacts that a malfunctioning system could pose to human health, especially in instances where contaminants are conveyed through a drinking water supply. Drinking water supplies are of the highest concern when siting and designing a septic system, and there cannot be any compromise when assessing the impact to drinking water. Furthermore, there has been a growing concern among our membership that the SWD Rules have become an unintended, but useful, tool for Land Use Regulation. I encourage you to read more about this in an opinion piece by one of our members, you can find it on our website:

<http://www.maine.com/wp-content/uploads/2015/02/Feb2014Newsletter.pdf>. The Article begins on page 8. An affiliation with DEP's proposed Bureau of Land Quality may serve to further promulgate these concerns.

The continued mission of MASE is to protect Public Health and Welfare, which shares the same statutory responsibility the Department of Health and Human Services currently operates under in their oversight of the SWU. This mission is most effective through a continued relationship with the Drinking Water Program. We understand that both Municipal Wastewater and DWP are slated to be placed in the proposed Bureau of Water Quality given their similar missions. The Maine Association of Site Evaluators strongly recommends moving the SWU to the proposed Bureau of Water Quality to maintain its current effective relationship with the DWP.

Thank you for your time and consideration of our collective position on this matter.

Respectfully Submitted,

A handwritten signature in black ink that reads "Tim Wade". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Tim Wade, President