

January 31, 2023

Sheryl Ervin, Senior Regulatory Specialist  
Infiltrator Water Technologies  
4 Business Park Road  
PO Box 768  
Old Saybrook, CT 06475

**RE: Product Registration Renewal #1 – Notice of Conditional Product Registration for Proprietary Treatment Product Listing**

Description: Sewage Treatment System, Attached Growth  
Manufacturer: Delta Treatment Systems, LLC, an Infiltrator Water Technologies, LLC Subsidiary  
Product Name: ECOPOD-D Model Series  
Model Number: ECOPOD-D models E50-N, E60-N, E75-N, E100-N, E150-N, E150-D, E200-D, E250-D, E300-D, E350-D, E400-D, E450-D, E500-D, E900-D, and E1000-D  
Design flows (gpd) 500, 600, 750, 1000, 1500, 1500, ,2000, 2500, 3000, 3500, 4000, 4500, 5000, 9000, 10000  
Product Listing: Category B (high strength sewage)

Dear Sheryl Ervin:

Thank you for your application for product renewal, dated May 2, 2019, for the ECOPOD-D Model Series, which includes the following models: E50-N, E60-N, E75-N, E100-N, E150-N, E150-D, E200-D, E250-D, E300-D, E350-D, E400-D, E450-D, E500-D, E900-D, and E1000-D.

In accordance with Minn. R. ch. 7080 through 7083, the Minnesota Pollution Control Agency (MPCA) has reviewed Delta Environmental Systems' submitted materials requesting registration for Category B (high strength sewage) treatment product listing of the ECOPOD-D Model Series in this application. Based on the submitted documentation, the MPCA finds that the ECOPOD-D Model Series is eligible for Interim Conditional Product Registration as meeting the following treatment level:

- **Treatment Level C** (CBOD<sub>5</sub> of 125 mg/L, TSS of 60 mg/L and Oil & Grease of 25 mg/L)

The ECOPOD-D Model Series is conditionally registered with a design rated capacity of 1.25, 1.5, 2.5, 3.75, 5, 6.25, 7.5, 8.75, 10, 11.25, 12.5, 22.5, 25 pounds of BOD<sub>5</sub> per day, as shown in Table 1.

Subject to this determination, the ECOPOD-D Model Series, including models E50-N, E60-N, E75-N, E100-N, E150-N, E150-D, E200-D, E250-D, E300-D, E350-D, E400-D, E450-D, E500-D, E900-D, and E1000-D will be placed on the List of Registered Subsurface Sewage Treatment System (SSTS) Products for High Strength Wastewater. The product information listed in this Notice of Interim Conditional Product Registration for Proprietary Treatment Product Listing will be maintained on the MPCA website and may not be altered or misrepresented by the manufacturer or any other person without permission by the MPCA.

**Table 1. ECOPOD-D Model Series.**

Product Name Model	Treatment Process	Design Flow (gpd)	BOD <sub>5</sub> Removed (lbs/day)	Highest Treatment Level	Product Information
ECOPOD Model E50-N	Attached Growth	500	1.25	C	<ul style="list-style-type: none"> <li>• Notice of Product Listing <ul style="list-style-type: none"> <li>o MPCA Letter</li> <li>o Conditions of Registration</li> <li>o Expiration Date</li> </ul> </li> <li>• ECOPOD Manual <ul style="list-style-type: none"> <li>o Submitted Drawings</li> <li>o Known Limitations</li> <li>o Installation</li> <li>o O&amp;M</li> <li>o Owners Information</li> <li>o Regulators Checklist</li> <li>o Service Contract</li> </ul> </li> <li>• Management Plan</li> <li>• Operating Permit Template</li> </ul>
ECOPOD Model E60-N	Attached Growth	600	1.5	C	
ECOPOD Model E75-N	Attached Growth	750	1.5	C	
ECOPOD Model E100-N	Attached Growth	1000	2.5	C	
ECOPOD Model E150-N	Attached Growth	1500	3.75	C	
ECOPOD Model E150-D	Attached Growth	1500	3.75	C	
ECOPOD Model E200-D	Attached Growth	2000	5	C	
ECOPOD Model E250-D	Attached Growth	2500	6.25	C	
ECOPOD Model E300-D	Attached Growth	3000	7.5	C	
ECOPOD Model E350-D	Attached Growth	3500	8.75	C	
ECOPOD Model E400-D	Attached Growth	4000	10	C	
ECOPOD Model E450-D	Attached Growth	3500	11.25	C	
ECOPOD Model E500-D	Attached Growth	5000	12.5	C	

Product Name Model	Treatment Process	Design Flow (gpd)	BOD <sub>5</sub> Removed (lbs/day)	Highest Treatment Level	Product Information
ECOPOD Model E900-D	Attached Growth	9000	22.5	C	
ECOPOD Model E1000-D	Attached Growth	10000	25	C	

The registration of the treatment products in Minnesota is contingent upon compliance with the following conditions:

1. Products must be used in compliance with the MPCA rules and the plans and design information provided during the period of initial product application.
2. The manufacturer shall have readily accessible information, specific to a product's registered use in Minnesota, for designers, regulators, installers, system owners, service providers and other interested parties for the following items: a) product manual; b) design instructions; c) installation instructions; d) information regarding operation and maintenance; e) homeowner instructions; and f) list of representatives and manufacturer-certified service providers, if any, as required by Minn. R. ch. 7083.4040 (H).
3. The design parameters for pounds of BOD<sub>5</sub> applied to the ECOPOD-D Model Series are as follows:
  - 1.25 pounds BOD<sub>5</sub> per day for the E50-N
  - 1.5 pounds BOD<sub>5</sub> per day for the E60-N
  - 1.5 pounds BOD<sub>5</sub> per day for the E75-N
  - 2.5 pounds BOD<sub>5</sub> per day for the E100-N
  - 3.75 pounds BOD<sub>5</sub> per day for the E150-N
  - 3.75 pounds BOD<sub>5</sub> per day for the E150-D
  - 5 pounds BOD<sub>5</sub> per day for the E200-D
  - 6.25 pounds BOD<sub>5</sub> per day for the E250-D
  - 7.5 pounds BOD<sub>5</sub> per day for the E300-D
  - 8.75 pounds BOD<sub>5</sub> per day for the E350-D
  - 10 pounds BOD<sub>5</sub> per day for the E400-D
  - 11.25 pounds BOD<sub>5</sub> per day for the E450-D
  - 12.5 pounds BOD<sub>5</sub> per day for the E500-D
  - 22.5 pounds BOD<sub>5</sub> per day for the E900-D
  - 25 pounds BOD<sub>5</sub> per day for the E1000-D

4. The manufacturer's designated representative(s) is required to review all designs provided by Advanced Designers for treatment systems proposed to use the ECOPOD-D Model Series. Advanced Designers need to work directly with the manufacturer to ensure the wastewater is properly characterized and that ECOPOD-D products, and other related components used in treatment train (e.g. septic tanks and grease interceptors), are properly sized and compatible to meet designed performance requirements.
5. The manufacturer's designated representative will issue a review letter to the Advanced Designer documenting: a) details of the manufacturer's review, and b) agreement that the product is an appropriate fit for the planned system at the facility. The review letter will be signed by a manufacturer's designated representative.
6. Septic tank capacity shall be per manufacturer's size requirements. Sewage tank(s) shall be designed to withstand the pressures to which it will be subjected. Tanks and all pipe penetrations, risers, and other connections to tanks shall be watertight. The external grease interceptor (also known as external grease trap and grease tank) shall be sized according to the MPCA Advanced Design Guidance or provide at least 24 hours of detention time.
7. Each system must be delivered with an installation manual and owner's manual for the ECOPOD-D Model Series. Each component must be installed in accordance with the manufacturer's installation manual.
8. Delta Treatment Systems, LLC, along with the Advanced Designer and Installer, are responsible to ensure that proper flow splitting devices are used to split flows between two or more units in parallel. Flow splitting devices must meet the following criteria: a) designed specifically and reliably to split wastewater flows; b) accessible for on-going operation and maintenance; c) monitored to determine flow rates; d) adjustable after construction should settlement occur; and e) have infinite or continuous adjustment features.
9. To protect for potential system malfunction, all systems shall be designed and operated with a suitable alarm device(s) that monitors the ECOPOD-D Model Series.
10. The treatment products contained in this notice of product registration are considered a Minnesota-registered product for Type IV systems.
11. When the ECOPOD-D Model Series are used in systems to achieve Treatment Level C, effluent loading rates to the soil, method of distribution, and vertical separation requirements shall meet the minimum requirements contained in Minn. R. ch. 7080.2150 for flows less than 5,000 gallons per day (gpd). For flows greater than 5,000 gpd, final treatment and dispersal must also meet Minn. R. ch. 7081.0270.
12. Systems may only be designated as Type IV systems when designed and installed per the drawings submitted as part of the Application for Registration, dated May 2, 2019, and subsequent documents submitted prior to this registration.
13. As a Type IV system, the system must be constructed and operated under the required local permits.
14. The manufacturer is responsible to provide a listing of other known limitations, made available on the company's website, manuals, or other means.
15. Training shall be provided to MPCA-licensed SSTS practitioners before designing, installing, or providing service to ECOPOD-D Model Series treatment systems registered for use in Minnesota.

16. At the time of product renewal during the year 2025 and according to the “Proprietary treatment technology registration guidance – high strength waste,” manufacturers must submit data in accordance with the HSW verification protocol for each system installed under this protocol. If product manufacturers fail to submit data as outlined in the HSW verification protocol for each system installed their registration will be discontinued until submission of the required data. Renewal requirements as stated in this guidance will be communicated to manufacturers in a letter from the MPCA prior to their expiration deadline. Product manufacturers must submit renewal materials as specified in their renewal letters.

## HSW verification protocol

An established set of requirements to verify product performance is necessary to set a consistent standard among all registered HSW treatment technologies. This protocol (table 1) requires quarterly sampling on every system installed after registration, in perpetuity, until such time that the TAP modifies, expands, alters, or cancels the protocol requirements.

**Table 1. HSW verification protocol**

Item	Description
Sample identification	Third-party sample reports must clearly indicate from which system/facility the samples were derived. Reports must also contain sample dates and times, sample location information, name of sampler, chain of custody information, sample collection method, and sample transportation information (time/container/temperature).
Sampling intervals	Four (4) sampling events (for both influent and effluent analysis as described below) must be taken quarterly each calendar year. The TAP will consider alternate intervals on seasonal use facilities to ensure required sampling events align with peak usage. Example: Q1: Jan – Mar, Q2: Apr – Jun, Q3: Jul – Sep, and Q4: Oct – Dec.
Influent Sampling	Influent BOD <sub>5</sub> , TSS, and O&G composite/grab samples must be taken at the first location of sewage collection within the system and be representative of the waste being discharged from the facility. Each of these three constituents must be sampled at each sampling event per facility.
Influent waste characterization	For each set of influent data provided, the waste must be characterized as HSW in accordance with Minn. R. 7080.1550 Subp. 2 B (1). Raw sewage must exceed 300 mg/L BOD <sub>5</sub> , 200 mg/L TSS, and/or 50 mg/L O&G in order to be considered high strength waste.
Effluent sampling	Effluent cBOD <sub>5</sub> (or BOD <sub>5</sub> ), TSS, and O&G composite/grab samples must be taken after the treatment device and before discharge to the soil dispersal area. Each of these constituents must be sampled for each sampling event per facility.
Effluent waste results	In all cases, the effluent waste concentrations must meet, at a minimum, the outlined parameters for Treatment Level C: BOD <sub>5</sub> of 170mg/L (or cBOD <sub>5</sub> of 125mg/L), TSS of 60mg/L, and O&G of 25mg/L.
Flow measurements	Daily flow for thirty (30) days prior to each sampling event must be provided.
Third-party testing	All sampling results must be submitted on original reports from third-party entities (e.g. certified laboratories).
O&M summary	Create an O&M summary specifying the maintenance performed throughout the test period, such as pumping events or adjustments made, and include a list of tasks necessary for the product to adequately perform within the specified parameters in all configurations. Tasks should be given a specific frequency for when each shall occur (e.g. every 6 months).

Item	Description
Summary report	Items 1-5 below shall be prepared in order for each system/facility: <ol style="list-style-type: none"><li>1. Cover page with facility name, address, product model, and design flow</li><li>2. Influent results</li><li>3. Effluent results</li><li>4. Flow measurements</li><li>5. O&amp;M summary</li></ol> Combine the summary reports for each system/facility into one PDF document, and submit to the agency

17. During the period of product registration and as part of the renewal process, systems using registered treatment products are subject to an audit by the MPCA.

**Please be advised that this registration expires December 31, 2025.** Manufacturers desiring to continue product registration beyond this date must obtain MPCA renewal according to the requirements in Minn. R. ch. 7083.4040 (E). If the product has changed or is retested according to the protocol required for registration, renewal shall be based on the most recent test results. If the MPCA finds the product has changed in any way that may affect performance, it may not be renewed and must meet the requirements for initial registration.

The MPCA is in no way endorsing these products or any advertising, and is not responsible for any situation which may result from its use or misuse. The MPCA is not liable for any product failure and these statements are not intended and cannot be relied upon to establish any substantive or procedural rights with the state of Minnesota or the MPCA, either express or implied, that can be enforced in litigation or any administrative proceeding.

If you have any questions, please contact Freya Linnett at 651-757-2724 or by email at [freya.linnett@state.mn.us](mailto:freya.linnett@state.mn.us).

Sincerely,



*This document has been electronically signed*

Freya Linnett  
Environmental Specialist  
Municipal Division

FL:map

cc: File