

LAYOUT 7/15/09 INSP 4 _____
 INSP 2 7/16/09 INSP 5 _____
 INSP 3 7/17/09 INSP 6 _____

ISSUE DATE: 7/16/2009 PERMIT FOR P 531086

APPROVAL DATE: 7/20/09 HOOT H-600 BNR SEPTIC TANK In Pat Trac A _____

TAX ID # 04-315596
ON-SITE SEWAGE DISPOSAL SYSTEM
HOWARD COUNTY HEALTH DEPARTMENT
BUREAU OF ENVIRONMENTAL HEALTH

Farm and Home (Bill Ingram) INSTALL ALTER
 Has Permission To Septic System
 CONTRACTORS 901 Driver Road CONTRACTORS (410) 984-0189
 ADDRESS: Marriottsville, MD 21104 PHONE NUMBER: _____

SUBDIVISION _____ LOT _____
 PROPERTY 18369 New Cut Road PROPERTY OWNER: Oliver Furlong
 ADDRESS: Mount Airy, MD 21771 (301) 831-7420

HOOT SYSTEM BNR H-600 Top Seamed Three Compartment Tank with included
 CAPACITY (GALLONS): 600gpd Pump Chamber

LOCATION:	Existing tank must be pumped and collapsed. Installation of new 'Hoot' system tank should be kept 100' from existing well or no closer than existing tanks.
NOTES:	A test of the blower, alarm, sensors in pump chamber, and the unit itself is required. Install Hoot system unit per manufacturer's instructions. Unit cannot be deeper than 3 feet below grade.

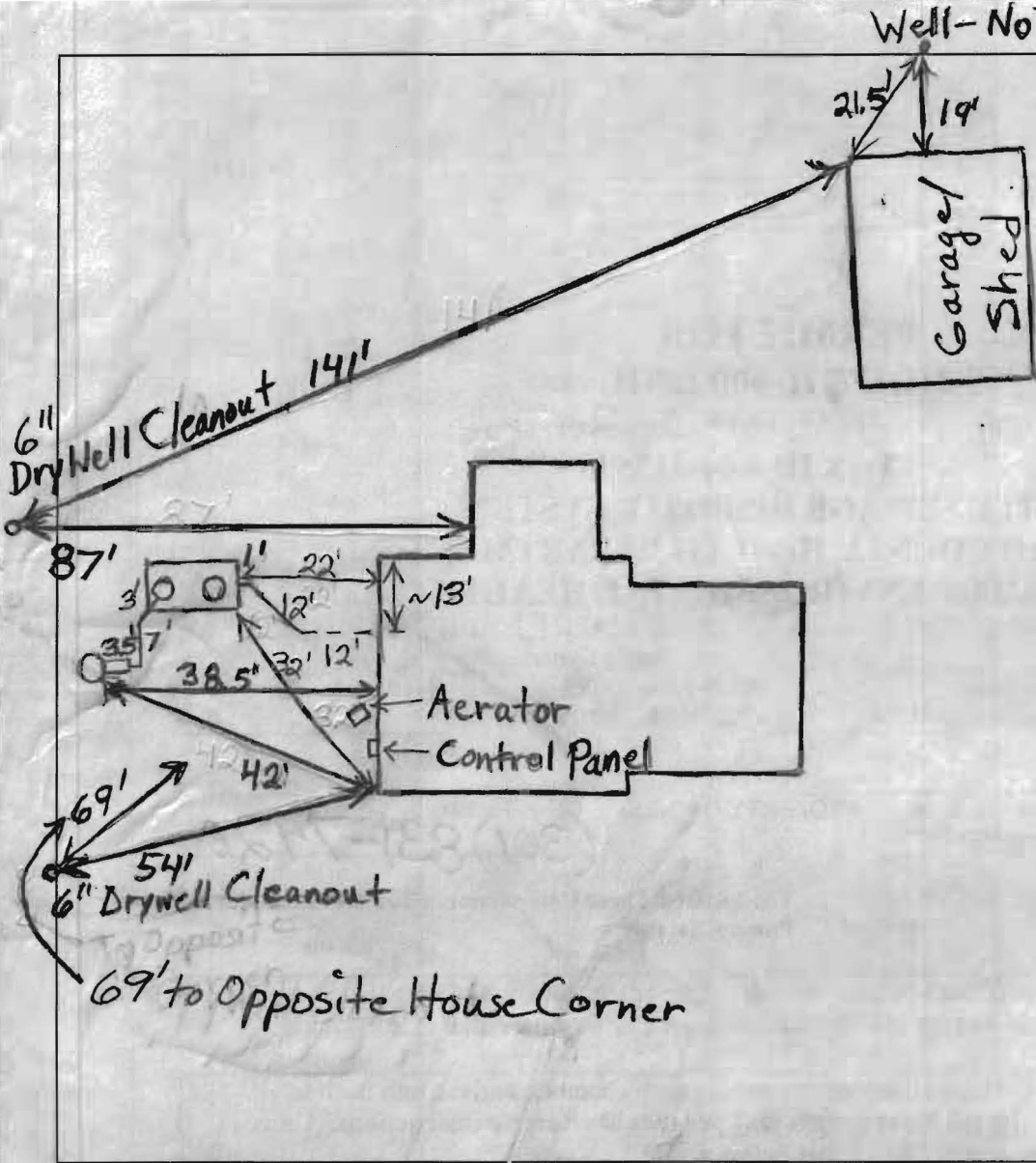
Note: 1) A certification start-up letter from the manufacturer needs to be submitted to the Health Dept. before the HOOT system can be approved for funding.

2) The existing system must be examined to verify that it is functioning properly. A suitable repair must be performed if the system is not functioning properly or at the point of failure. Percolation testing and additional fees may be required if additional work must be done for the septic system to operate correctly.

PLANS APPROVED: B. Baker DATE: 7/16/2009

NOTES: PERMIT VOID AFTER 2 YEARS
 CONTRACTOR IS RESPONSIBLE FOR SCHEDULING A PRE-CONSTRUCTION INSPECTION FOR ALL INSTALLATIONS
 WATERTIGHT SEPTIC TANKS REQUIRED
 ALL PARTS OF SEPTIC SYSTEM SHALL BE 100 FEET FROM ANY WATER WELL UNLESS SPECIFICALLY AUTHORIZED
 MANHOLE RISERS REQUIRED ON ALL SEPTIC TANKS AND PUMP CHAMBERS UNLESS SPECIFICALLY AUTHORIZED
 CONTRACTOR RESPONSIBLE FOR COMPLIANCE WITH APPLICABLE REGULATIONS, GUIDELINES AND THE TERMS OF THIS PERMIT

NEITHER THE HOWARD COUNTY COUNCIL NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM PERMITTEE RESPONSIBLE FOR OBTAINING FINAL APPROVAL ON THIS PERMIT CALL 410-313-1771 FOR INSPECTION OF SEPTIC SYSTEM



TRENCH/DRAINFIELD DATA
(If Installed/Needed)

WIDTH	INLET	BOTTOM
_____	_____	_____
NUMBER OF TRENCHES _____		
TOTAL LENGTH _____		
ABSORPTION AREA _____		
DIST. BOX LEVEL _____		
DIST. BOX BAFFLE _____		
DIST. BOX PORT <u>No</u>		

HOOT 600 GPD BNR SYSTEM
BAY RESTORATION FUND

MANUFACTURER Mayer Bros
CAPACITY 2000± GAL
SEAM LOCATION Top
TANK LID DEPTH 0.5'-2'
FRONT BAFFLES Yes
MANHOLE LOC Front+Rear
6" PORT LOC None
WATERTIGHT TEST No
AERATOR FUNCTIONING Per Mayer Bros
ALARM FUNCTIONING Per Mayer Bros
DATE ON LID 7/1/09

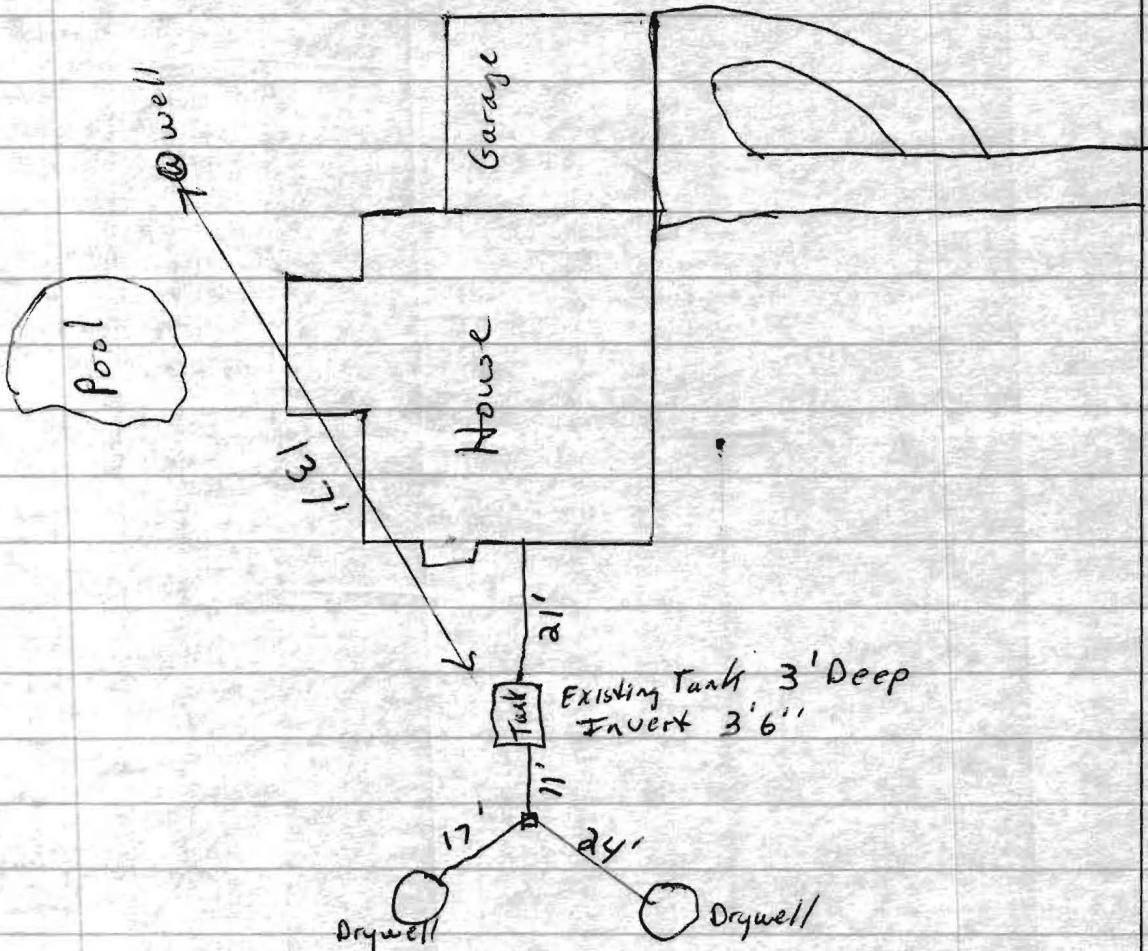
7/15/09 Did site visit to check and see if there were any foreseeable problems with HOOT installation. (BB)

7/16/09 Tank set, House connection made. (BB) 7/17/09 Tank wired up and connected to dist. box for drywells. HOOT system not working. To install new control panel. (BB)

7/20/09 Start-up certification based in from HOOT. (BB)

FINAL INSPECTOR B. Baker DATE OF APPROVAL 7/20/09

Oliver Furlong
18369
New Cut Rd.



New Cut Rd.

1" = 30'



MAYER BROS., INC.
Precast Concrete Products
6264 Race Rd. Elkridge, MD 21075
Federal ID 52-0706744

Letter of Satisfaction
Hoot System Installation

Address of Property: 18309 New out Rd
Mt. Airy MD 21771

Date of Final Inspection: 7-17-09

Installer: Farm's Home

Hoot Technician/Inspector: Ed McMullen

I hereby certify that the Hoot system installed at the property listed above has been installed according to proper Hoot installation practices. I also have verified the start up of the system and it is in proper working order.

Sincerely,

Name of Inspector
Mayer Bros., Inc.



PH: 410-796-1434
Fax: 410-796-1438

WBE
NPCA Certified Plant

mayerbro@connext.net
www.mayerbrosprecast.com



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

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Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

May 14, 2009

Oliver S. Furlong
18369 New Cut Road
Mt. Airy, MD 21771

RE: Tax Map 6, Grid 22, Parcel 61

Dear Applicant:

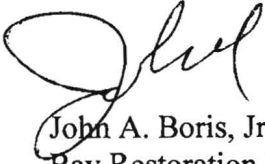
Your bid package for the Bay Restoration Fund (BRF) Onsite Sewage Disposal System (OSDS) Program has been approved for the use of funds totaling not more than \$13,100.00. The accepted bid amount is for the installation of a Hoot 600 by Farm & Home Excavating for your property located at 18369 New Cut Road. You may choose to deviate from the selected unit, however the grant award for acceptable reimbursable expenses may not exceed \$13,100.00. All grants awarded through the Maryland Department of the Environment (MDE) are reimbursable. This means that all work done prior to this letter cannot be considered for reimbursement. In order to be eligible for reimbursement you must sign and record a copy in the land records of Howard County the Agreement and Easement for Installation of Best Available Technology Systems with Bay Restoration Funds. You must provide MDE with the following:

- The contractor's and manufacturer's invoice. These invoices should include everything quoted in the bid. All expenditures greater than the bid amount will not be covered.
- A copy of the installation inspection performed by the Howard County Environmental Health program.
- A completed State Grant or Loan Payment Disbursement Request Form
- A copy of the Agreement and Easement for Installation of Best Available Technology Systems with Bay Restoration that shows that it has been recorded in the land records of Howard County.

All submitted documentation would be reviewed for compliance. Once all documentation is submitted, you will receive a payment directly from the State Comptroller's office.

The Maryland Department of the Environment thanks you for participating in this important program. If you have any further questions, please feel free to contact me at 410-537-3678 or 800-633-6101 ext 3678 or email at jboris@mde.state.md.us.

Sincerely,



John A. Boris, Jr., R.S.
Bay Restoration Fund Project Manager

Enclosure

cc: Jay Prager
Steve Krieg, Regional Consultant
Howard County Health Department

2009 FEB 20 AM 10:14



Bureau of Environmental Health
7178 Columbia Gateway Drive, Columbia, MD 21046-2147
(410) 313-2640 Fax (410) 313-2648
TDD (410) 313-2323 Toll Free 1-866-313-6300
website: www.hchealth.org

Peter L. Beilenson, M.D., M.P.H., Health Officer

May 5, 2009

Oliver Furlong
18369 New Cut Road
Mt. Airy, Maryland 21771

RE: Bay Restoration Fund On-site Sewage Disposal
System Program

Dear Oliver Furlong,

The Health Department received your preliminary approval letter from the Maryland Department of the Environment for funding from the Bay Restoration Fund. This funding is for the installation of best available technology (BAT) for removing nitrogen as part of your on-site sewage disposal system.

Once the specific technology has been determined and approved by the Maryland Department of the Environment, you or your consultant will be responsible for providing a detailed cross-sectional/spec sheet of what is proposed to be installed at your property, i.e. new tank, BAT to be used with existing tank, etc. If a new tank is to be used, a drawing showing the new, detailed tank along with a profile showing the depth and amount of earth cover shall be submitted to this office. These details should be available from the manufacturer. If the existing tank is to be used, a structural analysis of the tank, i.e. water tightness, mid or top seam, cosmetic or physical damage, slotted, etc., needs to take place and approved by the manufacturer.

In addition, a scaled site plan showing the exact locations of the well and septic components, i.e. septic tank and dry well, must be submitted to this department for review. Neighboring septic systems and wells may need to be included on the site plan. Elevations of system components may be required based on site characteristics. Also submit contact information of the contractor that is to install the system, including a phone number. BAT systems may be subject to Howard County Health Department Code and the Annotated Code of Maryland Regulations (COMAR), i.e. setback to dwelling, existing drive, existing well, slopes, etc.

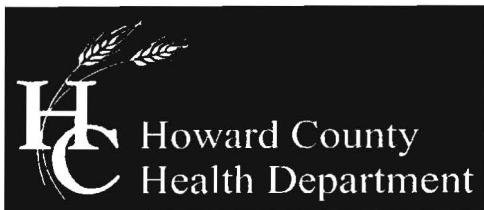
Once these comments have been reviewed by the Health Department, and a copy of the Agreement and Easement for Installation of Best Available Technology Systems with Bay Restoration has been received in the Health Department, the septic permit can be released. A fee of \$396.00 is required in order to receive this septic permit for installation of the pretreatment system for the above referenced property.

If you have further questions regarding this matter, please contact me at (410) 313-1771.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sara Sappington', is written over a horizontal line.

Sara Sappington, R.S.
Well and Septic Program



Bureau of Environmental Health
7178 Columbia Gateway Drive, Columbia, MD 21046-2147
(410) 313-2640 Fax (410) 313-2648
TDD (410) 313-2323 Toll Free 1-866-313-6300
website: www.hchealth.org

Peter L. Beilenson, M.D., M.P.H., Health Officer

March 6, 2009

Oliver Furlong
18369 New Cut Rd.
Mt. Airy, Maryland 21771

RE: Bay Restoration Fund On-site Sewage Disposal
System Program

Dear Mr. Furlong,

The Health Department received your preliminary approval letter from the Maryland Department of the Environment for funding from the Bay Restoration Fund. This funding is for the installation of best available technology (BAT) for removing nitrogen as part of your on-site sewage disposal system.

Once the specific technology has been determined and approved by the Maryland Department of the Environment, you or your consultant will be responsible for providing a detailed cross-sectional/spec sheet of what is proposed to be installed at your property, i.e. new tank, BAT to be used with existing tank, etc. If a new tank is to be used, a drawing showing the new, detailed tank along with a profile showing the depth and amount of earth cover shall be submitted to this office. These details should be available from the manufacturer. If the existing tank is to be used, a structural analysis of the tank, i.e. water tightness, mid or top seam, cosmetic or physical damage, slotted, etc., needs to take place and approved by the manufacturer.

In addition, a scaled site plan showing the exact locations of the well and septic components, i.e. septic tank and dry well, must be submitted to this department for review. Neighboring septic systems and wells may need to be included on the site plan. Elevations of system components may be required based on site characteristics. Also submit contact information of the contractor that is to install the system, including a phone number. BAT systems may be subject to Howard County Health Department Code and the Annotated Code of Maryland Regulations (COMAR), i.e. setback to dwelling, existing drive, existing well, slopes, etc.

Once these comments have been addressed and allocated by the Health Department for completion in its entirety, the septic permit can then be released. A fee of \$396.00 is required to receive this septic permit for the above referenced property.

If you have further questions regarding this matter, please contact me at (410) 313-1771.

Sincerely,

Sara Sappington, R.S.
Well and Septic Program



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
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Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

April 20, 2009

Oliver Furlong
18369 New Cut Rd.
Mt. Airey, MD 21771

Dear Oliver Furlong:

Thank you for completing an application for the Bay Restoration Fund (BRF) Onsite Sewage Disposal System (OSDS) Program. The application submitted is for the property located at 18369 New Cut Rd. Mt. Airey, MD 21771 and shown on Tax Map 6, Grid 22, Parcel 61. This letter is to notify you of preliminary approval and high priority for funding from the BRF for the installation of best available technology (BAT) for removing nitrogen as part of your on-site sewage disposal system.

This notification letter is intended to assist you through the process of contracting a vendor for the purchase and installation of a BAT, and invoicing procedures to obtain funding from the BRF. The following sections outline the requirements necessary for proceeding with the project.

➤ **Vendor Selection:**

(Option 1): Applicant Selects a Fixed Price Pre-Approved Vendor:

Maryland Department of the Environment has preselected the following three BAT vendors who will provide and install the technology at a predetermined cost:

- **Hoot Aerobic Systems, Inc. (Hoot BNR®):**
Distributor: Mayer Brothers, Inc. Contact: Nancy Mayer
 Phone: (410) 796-1434 Website: www.hootsystems.com Email: mayerbro@connext.net

Region	Bedrooms	Fixed Price
Western ¹	3 to 6	\$14,200
Central ²	3 to 6	\$13,100
Southern ³	3 to 6	\$13,500
Eastern ⁴	3 to 6	\$13,700

¹ Allegany, Garrett, Frederick, Washington,

² Baltimore, Harford, Howard, Carroll, Montgomery, Anne Arundel, Cecil

³ Prince George's, Charles, Calvert, St. Mary's

⁴ Caroline, , Queen Anne's, Dorchester, Kent, Somerset, Talbot, Wicomico, Worcester

- **Orenco Systems, Inc. (AdvanTex® AX)**

Distributor: Atlantic Solutions, Ltd.

Contact: Bob Johnson

Phone: 1-877-214-9283

Website: www.orenco.com

Email: bjohnson@septicssystems.net

Region	Bedrooms	Fixed Price
Western	3 to 4	\$14,868.40
	5	\$16,606.80
	6	\$20,422.80
Central	3 to 4	\$12,950.40
	5	\$14,464.80
	6	\$18,280.80
Southern	3 to 4	\$12,700.40
	5	\$14,264.80
	6	\$18,080.80
Eastern	3 to 4	\$13,068.40
	5	\$14,806.80
	6	\$18,622.80

- **Bio-Microbics, Inc. (MicroFast®)**

Distributor: Freemire & Associates

Phone: (410) 768-8500

Website: www.biomicrobics.com

Email: www.freemire.com

Region	Bedrooms	Fixed Price
Western	3 to 4	\$11,625
	5 to 6	\$13,807
Central	3 to 4	\$11,425
	5 to 6	\$14,107
Southern	3 to 4	\$11,525
	5 to 6	\$14,507
Eastern	3 to 4	\$10,625
	5 to 6	\$13,807

The applicant may choose any of the three pre-approved technologies and must contact the vendor directly. When choosing from the above technologies the applicant may want to request information on the annual cost of power consumption from the vendor. After vendor selection, the homeowner must provide MDE with a signed contract between the homeowner and the vendor. **MDE will provide BRF funding for 100% of the chosen technology.**

(Option 2): Applicant Selects Vendor and Procures Bids

Applicants may also select from other MDE approved BAT vendors, which are listed below. The applicant can procure bids from the other vendors however the grant amount will be limited to the least expensive of the preapproved vendor technologies appropriate for the designated region. Your property is located in the Central region and the total grant allotment is capped based on the following table:

Region	Bedrooms	Fixed Price
Western	3 to 4	\$11,625
	5 to 6	\$14,200
Central	3 to 4	\$11,425
	5 to 6	\$13,100
Southern	3 to 4	\$11,525
	5 to 6	\$13,500
Eastern	3 to 4	\$10,625
	5 to 6	\$13,700

The following is the list of other approved technologies:

Amphidrome

Manufacturer: **F.R. Mahony & Associates, Inc.** www.frmahony.com
 Distributor: David Kershner (610) 351-0963 d.kershner@kettllc.com

Bioclere

Manufacturer: **Aquapoint, Inc.** www.aquapoint.com
 Robbie Tippet (240) 298-7572 rtipp4@aol.com
 Sam Seymour (585) 473-3300 sseymour@aquapoint.com

Ecoflex

Manufacturer: **Premier Tech Environment**
 Allison Blodig (785) 250-3215 bloa@premiertech.com

Hoot H-Series, ANR

Manufacturer: **Hoot Aerobic Systems, Inc.** www.hootsystems.com
 Distributor: Nancy Mayer (410) 796-1434 mayerbro@connect.net

Nitrex

Manufacturer: **Lombardo Associates, Inc** www.lombardoassociates.com
 Pio Lombardo (617) 964-2924 pio@lombardoassociates.com

ReCip RTS

Manufacturer: **Bio-Concepts, Inc.** www.bioconceptsinc.com
 Al Privette (252) 249-7040 alprivette@coastal.net

SeptiTech

Manufacturer: **SeptiTech, Inc.** www.septitech.com
 Distributor: Bruce Melton (410) 878-2952 rbmelton@progressiveseptic.com
 Western MD, Scott Everhart (304) 676-3823 www.cseenterprises.net

Singular Model TNT

Manufacturer: **Norweco, Inc.** www.norweco.com
 Distributor: Eastern Shore - John Short (443) 786-0594 btowers62@gmail.com
 Western Shore - Jeff Earnshaw (301) 274-3772 superiortank@olg.com

Waterloo Biofilter

Manufacturer: **Waterloo BioFilter Systems, Inc.** www.waterloo-biofilter.com
 Distributor: Jones Pump Service (410) 836-9206 manager@jonespumpservice.com

If you choose to acquire bids according to this option, you are advised that MDE will provide BRF funding up to the aforementioned dollar amount, and you will have to pay any difference.

Conditions of Financial Assistance Document

By reading and signing this form, you agree to the limitations and conditions set forth in this document. This form must be returned with your submission of bids or vendor contract. Your submission will not be processed if this form does not accompany the bids or vendor contract when you submit them.

➤ **Award of Grant:**

- MDE will review the contract or bids submitted by the applicant. The grant award will be obligated based on the predetermined vendor/technology list or the lowest acceptable bid. The applicant may pay the cost difference of a more expensive bid.
- No change orders will be accepted by MDE.

- The applicant will be notified with an Award Letter with the amount of the grant obligation, Agreement and Easement document and further instructions.
- The award amount is available for reimbursement within 6 months of Department signature on the Agreement and Easement document. Upon request of the applicant, the original 6-month period may be extended at the discretion of the Department.

Agreement and Easement Document

The Agreement and Easement you will receive with the award letter must be signed by all parties and recorded in the Land Records of Howard County, Maryland. The cost of recordation is not eligible for BRF funding. A draft copy of the Agreement and Easement is provided to you in this letter for your review. A completed Agreement and Easement will be provided to you after you are notified of the grant approval amount.

➤ **Local Permitting Requirements:**

- All required local permits must be obtained.
- The County has the right to determine your availability to connect to public sewer. If you have access and your system is failing or your property is in an area that is scheduled to have a public sewer line your request for funds may be denied.
- Contact Howard County Health Department for more information.

➤ **Issuance of Funds From the BRF:**

After review of the submitted invoice and associated documents, the Office of the Comptroller of the State of Maryland will issue a check to the property owner.

Once again the Department thanks you for participating in this important program. If you have any questions, please feel free to contact me at 410-537-3678 or by email at jboris@mde.state.md.us.

Sincerely,



John Boris
Bay Restoration Fund Project Manager

Enclosure

cc: Jay Prager
MDE Regional Sanitarian
County Health Department or other related department

2009 SEP 30 11 08:28



MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

December 12, 2008

Oliver Furlong
18369 New Cut Rd.
Mt. Airey, MD 21771

A# 16788
p 19762

RE: 18369 New Cut Rd., Mt. Airey, MD 21771, Tax Map 6, Grid 22, Parcel 61

Dear Oliver Furlong:

Thank you for completing an application for the Bay Restoration Fund (BRF) Onsite Sewage Disposal System (OSDS) Program. The pre-application submitted is for your property located at 18369 New Cut Rd., Mt. Airey, MD 21771 and shown on Tax Map 6, Grid 22, Parcel 61. A review of the application indicates a high priority for funding. This letter is to notify you of preliminary approval for funding from the BRF for the installation of best available technology (BAT) for removing nitrogen as part of your on-site sewage disposal system.

This notification letter is intended to assist you through the process of obtaining proper BAT installation bids and invoicing procedures to obtain funding from the BRF. The following sections outline the requirements necessary for proceeding with the project.

Submission of Bids

The applicant must acquire bids from at least three separate manufacturers and at least 2 different installers for a minimum total of 3 bids to MDE for review. The installer can act as agent on behalf of the applicant but still must also supply a separate installer bid. A list of manufacturers is included in this letter. If you need additional participating installer information please contact your designated Project Manager or go to http://www.mde.state.md.us/Water/CBWRF/osds/bat_installers.asp for a list of installers. Bids must include the following:

- The installer, whether they are a manufacturer representative or one chosen by the property owner, must submit a separate installation quote with each manufacturer bid on a separate piece of paper from the manufacturer quote or the bid will be considered incomplete.
- Bids must be itemized. The manufacturer bid is to include the purchase cost of the unit and all other MDE requirements while the installation cost of the unit is to include the unit installation, components, and labor (including electrical connections) directly related to upgrading an onsite sewage disposal system to the best available technology for removing nitrogen are eligible for funding.



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December 12, 2008

Oliver Furlong
18369 New Cut Rd.
Mt. Airey, MD 21771

A# 16788
P 19762

RE: 18369 New Cut Rd., Mt. Airey, MD 21771, Tax Map 6, Grid 22, Parcel 61

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- The installer, whether they are a manufacturer representative or one chosen by the property owner, must submit a separate installation quote with each manufacturer bid on a separate piece of paper from the manufacturer quote or the bid will be considered incomplete.
- Bids must be itemized. The manufacturer bid is to include the purchase cost of the unit and all other MDE requirements while the installation cost of the unit is to include the unit installation, components, and labor (including electrical connections) directly related to upgrading an onsite sewage disposal system to the best available technology for removing nitrogen are eligible for funding.

Conditions of Financial Assistance

By reading and signing this form, you agree to the limitations and conditions set forth in this document. This form must be returned with your submission of bids. Your bid submission will be not be processed if this form does not accompany the bids when you submit them.

Award of Grant

- MDE will review the bids. The grant award will be obligated based on the lowest acceptable bid, however the applicant may pay the cost difference of a more expensive bid.
- The applicant will be notified by MDE as to the amount of the grant obligation and with further instructions as to how to pursue reimbursement of obligated funds.
- For awards greater than \$25,000 MDE must present a proposal to the Board Public Works for approval.
- No change orders will be accepted by MDE.
- The award amount is available for reimbursement within 6 months of Department signature on the Agreement and Easement document. Upon request of the applicant, the original 6-month period may be extended at the discretion of the Department.

Agreement and Easement

An Agreement and Easement must be completed, signed by all parties and recorded in the Land Records of Howard County Maryland. A draft copy of the Agreement and Easement is provided to you in this letter for your review. A completed Agreement will be provided to you after bids are submitted to MDE when you are notified of the grant approval amount. The purpose of this Agreement is to accomplish the following:

- To establish your voluntary participation in this program.
- To ensure that a minimum of five years operation and maintenance is performed by an approved provider (included in the upfront cost of the system).
- Allows access for State, County and the Manufacturer designee's to inspect and collect samples from the system.
- Establishes the amount of the grant award.

Local Permitting Requirements

- All required local permits must be obtained.
- Permit fees are not eligible for BRF funding.
- Contact Howard County Health Department for more information.

Issuance of Funds from the BRF

After review of the submitted invoice and associated documents, the Office of the Comptroller of the State of Maryland will issue a check to the property owner.

Once again the Department thanks you for participating in this important program. If you have any questions, please feel free to contact me at 410-537-3678 or by email at jboris@mde.state.md.us.

Sincerely,



John Boris
Bay Restoration Fund Project Manager

Enclosure

cc: Jay Prager, Deputy Program Manager
Steven Krieg, Regional Consultant
Howard County Health Department

2008 10 17 8:10

70

AGREEMENT AND EASEMENT FOR INSTALLATION OF BEST AVAILABLE TECHNOLOGY SYSTEMS WITH BAY RESTORATION FUNDS.

THIS AGREEMENT is made this 14th day of May, among Oliver S. Furlong, hereinafter referred to as "Owner," the Howard County Health Department hereinafter collectively referred to as the "County," and the Department of the Environment, hereinafter referred to as the "Department."

WHEREAS, Owner owns a tract of land located on 18369 New Cut Road, in the 4th Election District of Howard County, Maryland, and the deed to same is recorded among the Land Records of Howard County, Maryland, in Ellicott City and in Liber 8611 Folio 234.

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20
50

WHEREAS, the Bay Restoration Fund (BRF) may provide a grant for the cost attributable to upgrading an onsite sewage disposal system to the Best Available Technology (BAT) for the removal of nitrogen.

WHEREAS, the BRF may also provide a grant for the cost difference between a traditional onsite sewage disposal system and a system that utilizes the BAT for the removal of nitrogen.

WHEREAS, Owner understands that participation in the Bay Restoration Fund is voluntary.

NOW, THEREFORE, the parties hereto agree as follows:

- ~~A. Owner hereby grants to the Department and the County the right to enter upon the property at any reasonable time for access to the system to make periodic inspections and the Owner agrees to provide any information and data requested and needed by the Department to develop accurate and thorough test results.~~
- B. Owner acknowledges and agrees that a manufacturer-approved installer will install the BAT system.

- C. Owner acknowledges and agrees the manufacturer will provide for Operation and Maintenance of the BAT for a period of 5 years as a condition of sale of the BAT. After the 5 year period the Operation and Maintenance contract can be further extended at the behest of the property owner. The Department and County encourage the property owner to continuously maintain an Operation and Maintenance contract during the lifetime of the system.
- D. Owner acknowledges and agrees that the manufacturer appointed Operation and Maintenance provider will have access to the BAT system at all times.
- E. Owner acknowledges and agrees that the manufacturer or manufacturer's designee will have access to sample the effluent of the BAT system. Owner acknowledges and agrees that the proposed installation of a BAT system funded by the BRF is voluntary. Owner agrees that there shall be no liability on the part of the County or Department to Owner if this BAT system fails, and that the County and the Department do not warrant or guarantee that the BAT system will adequately or properly function.
- F. Owner acknowledges and agrees that neither the County nor the Department nor any of its agents or employees, either officially or individually, underwrites the operation of any system approved by them.
- G. The Owner will devote such care and effort to the maintenance of the BAT system so that any malfunction is not the result of poor maintenance, faulty operation, or neglect.
- H. The Department agrees to grant \$ 13,100.00 toward the cost of installation of the BAT System, and financial responsibility is limited to this amount. Owner will present to the Department a signed contract from the demonstrating the total cost of installation. Operating costs will be at the Owner's expense.

- I. The Owner acknowledges that the BRF grant can only be used for that portion of the OSDS attributable to (BAT) for the removal of nitrogen.
- J. Owner acknowledges in the event the total project cost is greater than \$25,000 the proposal will have to be approved by the Maryland State Board of Public Works.
- K. The Owner agrees to contact both the Water Management Administration, On-Site Systems Division of the Wastewater Permits Program and the County at least forty-eight (48) hours prior to system installation, so that the Department has the opportunity to be present at the time of installation or thereafter for inspection.

- L. The Owner must install BAT system according to the manufacturer recommended plans and specifications approved by the Department.
- M. The Owner agrees and acknowledges that if installation deviates substantially from the approved plans or changes such that performance of the system is compromised or reduced, BRF funding will not be provided.
- N. This agreement shall run with the land and binds the Owner, his heirs, successors, assigns except that the provisions of paragraph A, C, D and E shall be binding for a period of 5 years only after installation of the system and occupation of the home. Owner further agrees that he shall inform in writing any purchaser or lessee of the property that the system may require maintenance or other attention. The Owner agrees to record this agreement in the land records of Howard County.

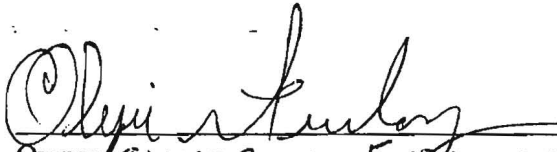
- O. This agreement shall not be construed to limit any authority of the Department to protect the public health, safety or comfort or to issue any other orders to take any other action that is now or may hereafter be within its authority.
- P. This agreement may be voided at the discretion of the Department if the system construction is not completed within forty-five (45) days of the effective date of this agreement.

- Q. This agreement contains the entire agreement and understanding between the County and the Owner and the Department. There are no additional terms other than as contained in this agreement. This agreement may not be modified except in writing signed by each of the parties or by their authorized representatives.
- R. The laws of the State of Maryland govern the provisions of all transactions pursuant to this agreement.

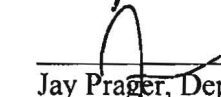
IN WITNESS WHEREOF, the parties have signed and sealed this agreement on the date indicated

above.

DATE: 5/21/09


 Owner / OLIVER S. FURLONG

DATE: 5/15/09


 Jay Prager, Deputy Program Manager
 Wastewater Permits Program
 Maryland Department of the Environment

DATE: _____

Howard County Health Department

TMP FD SURE \$ 20.00
 RECORDING FEE 20.00
 TOTAL 40.00
 Rec# CH06 Rcpt # 48553
 NOR SLC Blk # 235
 Jun 02, 2009 08:10 am