



Department of Public Works and Environmental Services

Technical Bulletin

Subject: Moratorium on Stackable, Modular Plastic Units as Underground Stormwater Management Facilities Suspended **Date: March 24, 2014** **No.: 14-05**

Summary: A moratorium placed on the use of stackable, modular plastic units as underground stormwater management facilities has been suspended. The units may now be conditionally approved for use on a case-by-case basis.

Effective Date: Immediately.

Background: On February 9, 2012, a notice was issued by Land Development Services (LDS) to place a moratorium on the installation of stackable, modular plastic underground stormwater management systems.

Policy: Effective immediately, this moratorium is suspended subject to the following practices:

1. A request for use of these systems will be reviewed on a case-by-case basis and approved by the Director of the Department of Public Works and Environmental Services as appropriate. These requests will be processed as a Public Facilities Manual (PFM) modification without a submission fee. The developer must provide full details and supporting data including:
 - Justification,
 - Technical details,
 - Manufacturer's material strength, testing and installation requirements,
 - Operation and maintenance requirements and program,
 - Any safety considerations,
 - Location and interaction with populated areas,
 - Pest control program, if required, and
 - Estimate of the 20-year maintenance costs, if required.
2. If the modification request is approved by the Director, then the following applies:
 - a. The design plan shall include all the items in #1 above.
 - b. The design plan sheets depicting the stackable, modular plastic underground stormwater management system(s) shall be sealed by a professional engineer(s) with structural and geotechnical engineering specialization.
 - c. A 20-year maintenance escrow shall be posted prior to plan approval in accordance with bonds and agreements practices for facilities located in residential areas (see also item #3).
 - d. The owner shall provide for inspection during construction of the facility by a professional engineer(s) with structural and geotechnical engineering



specialization. The licensed professional shall certify that the facility was installed in accordance with the approved plans. The licensed professional's certification, along with any material delivery tickets and certifications from the material suppliers and results of tests and inspections shall be submitted to the County prior to bond release. For projects requiring as-built plans, the required certification and supporting documentation shall be submitted with or incorporated in the as-built plans. For projects that do not require as-built plans, the required certification and supporting documents shall be submitted with the Residential Use Permit or Non-Residential Use Permit.

3. Stackable, modular plastic underground stormwater management systems shall be treated as underground detention facilities pursuant to PFM 6-0303.8 and may not be used in residential developments, including rental townhouses, condominiums and apartments unless specifically waived by the Board of Supervisors (Board) in conjunction with the approval of a rezoning, proffered condition amendment, special exception or special exception amendment. If approved by the Board, these facilities shall be privately maintained and will require execution of a private maintenance agreement. Please see PFM 6-0303.8 for additional requirements.
4. If the stackable, modular plastic system use is approved by the Director, these facilities may be used in commercial and industrial developments where private maintenance agreements are executed and the facilities are not located in a County storm drainage easement, unless the County is the owner/developer of the project.

As a matter of organizational mission and service level, LDS does not perform material testing and issue blanket "approvals" of proprietary facilities. When it is in the best interests of the County, LDS may elect to adopt certain facilities previously tested and approved by the Virginia Department of Environmental Quality, the Virginia Department of Transportation or other entities. The suspension of the stackable, modular plastic stormwater management system moratorium in no way endorses the use of these facilities. Only qualified structural and geotechnical professional engineers should be utilized in the design and installation of these facilities.

If you have any questions, please contact the Site Code Research & Development Branch at **703-324-1780, TTY 711.**

Approved by: Audrey Clark, Acting Director
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