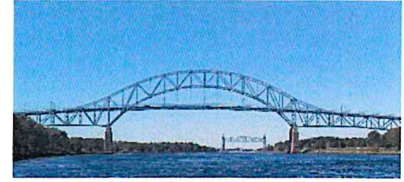


Board of Sewer Commissioners

Meeting Agenda **AMENDED**



Date
August 30, 2022

Time
7:00 PM

Location
Bourne Community Center
239 Main St., Buzzards Bay

Note this meeting is being televised, streamed or recorded by Bourne TV. All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners.

7:00 P.M. Call Public Session to Order in Open Session

1. Moment of Silence to recognize our Troops and our public safety personnel
2. Salute to the Flag
3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. Public Comment on Non-Agenda Items: Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. Board of Sewer Commissioners Business
 - a. 3rd Reading – Draft *Sewer Rules & Regulations*
 - b. Request from Pocasset Water Quality Coalition for TMDLs for Pocasset Harbor, Red Brook Harbor, Hen Cove, and Pocasset River.
 - c. **Vote to put a placeholder article on the October 24, 2022 Town Meeting Warrant for possible budget adjustments.**
7. Minutes: 9/28/21; 10/28/21; 1/25/22; 5/31/22; 6/21/22; 7/19/22
8. Future Agenda Items
9. Town Administrator Report
10. Committee Reports
11. Correspondence
12. Adjourn

RECEIVED
2022 AUG 26 PM 3:02
TOWN CLERK BOURNE

**Board of Sewer Commissioners
Minutes of Tuesday, August 30, 2022
Bourne Community Center
239 Main Street, Buzzards Bay**

TA Marlene McCollem

Board of Sewer Commissioners

Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair
Judith Froman, Clerk
Melissa Ferretti
Peter Meier

RECEIVED
2022 OCT 13 PM 1:00
TOWN CLERK BOURNE

Others: Michael Rausch, and Gary Maloney.

Note this meeting is being televised, streamed or recorded by Bourne TV. All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners. Michael Rausch acknowledged that he is recording the meeting.

7:00 PM Call Public Session to Order in Open Session

Chair Mastrangelo said they will be skipping items 1 through 4 because they already did them at the Board of Selectmen's meeting that was held prior to this meeting.

- 1. Moment of Silence to recognize our Troops and our public safety personnel. .**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
- 5. Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
- 6. Board of Sewer Commissioners Business**

- a. **3rd Reading – Draft *Sewer Rules & Regulations*.**
- b. **Request from Pocasset Water Quality Coalition for TMDL's for Pocasset Harbor, Red Brook Harbor, Hen Cove, and Pocasset River.**
- c. **Vote to put a placeholder article on the October 24, 2022, Town Meeting Warrant for possible budget adjustments.**

6.a. 3rd Reading – Draft *Sewer Rules & Regulations*.

Town Administrator Marlene McCollem said that she sent out the final version of the Sewer Rules and Regulations. She thanked Maria in the Town Administrator's office for all her work as a second set of eyes on the document. Ms. McCollem said she did get some comments regarding section D-7, Grease Traps, whereas the Board of Health would not inspect these in the sewer service area.

Chair Mastrangelo said she had a few comments about the Rules and Regulations, with the first one being that the sewer abatement process gets deleted completely and if they should have something in the Rules and regulations stating that it gets done administratively. After a brief conversation, it was decided to leave it out for now. She said the second item she had was the definition of projected available capacity, and she thinks it should be removed. Ms. McCollem agreed and said that it could just lead to more confusion.

There was some discussion about the preliminary review by the Town Planner's office, and what the Town Planner will do going forward. There was also a discussion about how it will get documented.

Voted: Peter Meier moved, and Jared MacDonald seconded to approve the interim Sewer Rules and Regulations presented on August 30th, 2022, with the following amendments: 1.) include the red-lined amendments in section D-7, 2.) remove the definition of Projected Available Capacity, 3.) remove the preliminary allocation extension fee from attachment C.

Vote: 5-0-0.

Ms. McCollem said that the Rules and Regulations will get filed with the Town Clerk and will be posted on the website. She wanted to know if she could use the Board of Selectmen's stamp on the adoption and import, and Chair Mastrangelo approved this request.

6.b. Request from Pocasset Water Quality Coalition for TMDL's for Pocasset Harbor, Red Brook Harbor, Hen Cove, and Pocasset River.

Ms. McCollem said that this request was sent to the Board of Selectmen and was included in the correspondence, and she wanted both boards to decide which Board should listen to the request. The Board of Sewer Commissioners decided to have a conversation at this meeting about the request. The Pocasset Harbor and Pocasset River watersheds encompass this whole request. Chair Mastrangelo said that there is some information from some earlier studies. She said these TMDLs would help with the Comprehensive Wastewater Management Plan (CWMP). Ms. McCollem said that the speed at which the TMDLs can be done may take some time and the request must go to DEP. Ms. Froman said that the TMDL for Buttermilk Bay should be requested at the same time.

Voted: Jared MacDonald moved, and Judith Froman seconded to direct the Town Administrator to draft a letter requesting DEP to work on TMDLs for Pocasset Harbor, Pocasset River, and the Buttermilk watersheds.

Gary Maloney wanted to know what the plan will be once they get the information. Chair Mastrangelo said that the CWMP establishes the priority for how they will address water quality issues. She said that one of her concerns is that they address a water quality issue that is of less concern than a water quality issue that is of higher concern, and the way to not do that is to know where the higher concerns are located, to make good decisions on where to spend the money and on what areas to fix first. There was a conversation about amending the CWMP as more information comes forward.

Vote: 5-0-0.

There was some discussion about the “dos and don’ts” of what can be flushed, and how to get the word out to the sewer users.

6.c. Vote to put a placeholder article on October 24th, 2022, Town Meeting Warrant for possible budget adjustments.

Ms. McCollem said that she would like the ability to come before the Sewer Commissioners prior to the Fall Town Meeting for budget adjustments for FY23. She also said that she wanted to make the Sewer Commissioners aware that in FY24 there will be a lot of debt coming online.

Voted: Judith Froman moved, and Jared MacDonald seconded to vote to put a placeholder article on the October 24th, 2022, Town Meeting Warrant for the Fiscal Year 2023 possible budget adjustments.

Vote: 5-0-0.

7. Minutes: 9/28/21; 10/28/21; 1/25/22; 5/31/22; 6/21/22; 7/19/22

Voted: Peter Meier moved, and Jared MacDonald seconded to approve the minutes of 9/28/21 as presented.

Vote: 4-0-1. Melissa Ferretti abstained.

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the October 28th, 2021, minutes of the Board of Sewer Commissioners meeting.

Vote: 4-0-1. Melissa Ferretti abstained.

Voted: Judith Froman moved, and Peter Meier seconded to approve the January 25th, 2022, Board of Sewer Commissioners meeting minutes.

Vote: 4-0-1. Melissa Ferretti abstained.

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the May 31st, 2022, Board of Sewer Commissioners minutes.

Vote: 5-0-0.

Voted: Judith Froman moved, and Peter Meier seconded to approve the minutes of June 21st, 2022.

Vote: 5-0-0.

Voted: Peter Meier moved, and Melissa Ferretti seconded to approve the minutes of July 19th, 2022, Board of Sewer Commissioners.

Vote: 4-0-1. Jared MacDonald abstained.

8. Future Agenda Items

Ms. Froman suggested that the Wastewater Advisory Committee membership and Chair Mastrangelo said that it will be on the agenda for a future meeting, although it will not be on the agenda for the September meeting, due to it being a heavy meeting already. Chair Mastrangelo said that updates on allocation and on the CWMP will be on the agenda for the September meeting.

9. Town Administrator Report

Ms. McCollem said that she has the Wastewater Advisory Committee membership tentatively penciled in for September 27th, along with budget adjustments for FY23 and the six-month project updates.

10. Committee Reports

None.

11. Correspondence

None.

12. Adjourn

Voted: Peter Meier moved, and Jared MacDonald seconded to adjourn.

Vote: 5-0-0.

The Board of Sewer Commissioner's Meeting ended at 7:51 PM

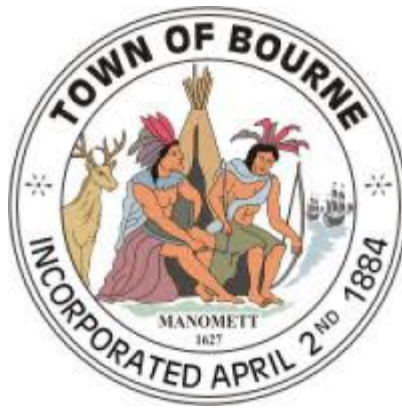
Respectfully Submitted,

Kim Johnson, Recording Secretary

TOWN OF BOURNE

SEWER USE

RULES AND REGULATIONS



Adopted Month Day, 2022

Board of Sewer Commissioners

Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair
Melissa Ferretti, Clerk
Peter Meier, Member
Judith MacLeod Froman, Member

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1 ADOPTION AND IMPORT

1.1 ADOPTION

The **Bourne Board of Sewer Commissioners (BOSC)** held a public hearing on _____, 2022 at the _____ and then and there adopted the following **Interim Sewer Use Rules and Regulations** related to the connection of properties to the municipal sewer system and to the use, operation and administration of the municipal sewer system. These **Interim Sewer Use Rules and Regulations** may be amended by the BOSC as they deem necessary. However, any modification to these **Interim Sewer Use Rules and Regulations** is subject to federal and state rules, regulation and funding programs including the State Revolving Fund.

Chair

Vice Chair

Clerk

Member

Member

DATE ADOPTED:

2 INTRODUCTION

The Town of Bourne Board of Sewer Commissioners (BOSC) manages the municipal sewer system in the village of Buzzards Bay, providing sewer services to more than one thousand units daily. The BOSC oversees the allocation of the availability of wastewater disposal and in turn guides the approved development and redevelopment in the Town of Bourne.

The BOSC was created due to a critical environmental need for municipal sewer in the Town, replacing separate septic systems on individual properties in the Buzzards Bay village that contributed to severely degraded water quality. The BOSC is a five-member board that is comprised of the elected board of selectmen and shall serve until such time as the town adopts legislation creating a board of sewer commissioners.

In 2019, the BOSC set out to codify and amend its various regulations, procedures and policies, and these regulations are a result of comprehensive and extensive review. The Department of Public Works, Engineering Office, Board of Health, Town Administration and its consultants have contributed wholly or partly to provide the residents and business owners of Bourne with a safe, practical, and pragmatic document to guide current use and future growth of the municipal sanitary sewer in Bourne.

In April 2022, the BOSC, sitting jointly as the Board of Selectmen, voted to allocate a portion of the Town's American Rescue Plan Act (ARPA) funds to rehabilitate and standardize the low-pressure collection system. Many of the components have reached the end of their useful life, have failed, and are in need of immediate repair. In addition, many of the individual grinder pumps have failed and must be replaced. Furthermore, alarm panels are failing and due for upgrade.

It was determined that the best course of action is to adopt this set of interim rules and regulations to govern the system while the low-pressure components are upgraded. After this capital investment is complete, the system components will be standardized and a new baseline condition will be established. After the rehabilitation, these interim rules and regulations will be updated accordingly to reflect the rebuilt system, and a new set of regulations will be considered and voted by the BOSC.

2.1 GOALS

The goal of the BOSC is to provide residents and businesses in the Town of Bourne with high quality sewer service that both protects the environment and is financially efficient. Expansion of the municipal system by the Town will be guided by the most recently adopted Comprehensive Wastewater Management Plan (CWMP) which is currently underway in 2022.

2.2 HISTORY

For over 30 years the BOSC has consistently delivered efficient sanitary sewer services to over a thousand units every day with fiscal integrity in a manner that protects and promotes public and environmental health. BOSC's system comes from an extensive focus on water quality and a desire to promote business growth in the downtown village of Buzzards Bay. Since 1990, the Town of Bourne has sent up to 200,000 gallons per day (gpd) to the Town of Wareham Wastewater Treatment Plant (WWWTP) on the Agawam River. In 2015, the Town undertook the responsibility of constructing its own WWTP at Queen Sewell Park (BWWTP) after several feasibility studies dating back to 2005. The BWWTP has a discharge permit for up to 100,000 gpd, and began operating in August 2021.

2.3 WAREHAM REGULATIONS

No provision of these Regulations shall be deemed to contravene or render ineffective any valid Wareham regulation, with regard to areas connected to the Wareham Sewer system.

2.4 SUPERSEDES PRIOR REGULATIONS

These Regulations take precedence over any prior Bourne Sewer Commissioner and Town of Bourne DPW sewer (or drain) regulations.

2.5 SEVERABILITY

The invalidity of any section, clause, sentence, or provision of these Regulations shall not affect the validity of any other part which can be given effect without such invalid part or parts.

2.6 RIGHT TO AMEND REGULATIONS

The Sewer Commissioners reserve the right to amend these Regulations in any manner and to establish any more stringent limitations or requirements as are deemed necessary or appropriate.

3 SEWER USE POLICY

These Sanitary Sewer Regulations are promulgated pursuant to M.G.L. Ch. 83, §10, and shall also constitute a pricing structure adopted pursuant to M.G.L. Ch. 40, §39J.

The use of all public sewers in the Town shall be controlled by the Department of Public Works (DPW), subject to policy direction by the Board of Sewer Commissioners. No person shall, without prior authorization from the DPW, uncover, make any connection with or opening into, alter, or disturb the Town's sanitary sewer system.

The purpose of these Sewer Use Rules and Regulations is to provide for the optimum beneficial public use of the Town's sewer system, including:

- regulation of sewer installation, connection, sewer use, and wastewater discharges;
- inspection of public and private sewers;
- justification and even distribution of the costs to operate, maintain and improve the system;
- provision of procedures for complying with the requirements contained herein including fines and penalties for violations thereof.

In general, the Sewer Service Area consists of the properties abutting the existing wastewater system and the properties abutting proposed extensions as determined from the Town's approved planning documents. The Town quantified anticipated wastewater flows from the Sewer Service Area based on water usage records, Title 5 (310 CMR 15), and current zoning. See Attachment A – Buzzards Bay Sewer Infrastructure Sewer Service Area.

Properties located within the Sewer Service Area are required to connect to the Town's sanitary sewer system in accordance with these Sewer Use Rules and Regulations.

3.1 APPLICABLE REGULATIONS

Any user of the Town's sewer system shall be subject to Town rules and regulations and to any charges, rates, fees, and assessments which are or may be established by the Town. Any user of the Town's sewer system shall also be subject to applicable Federal and State regulations. In instances where various regulations contain different requirements, the most stringent requirements shall be met.

3.2 WASTEWATER CONNECTIONS

The DPW requires that wastewater disposal facilities be connected to the municipal sewer system whenever the lack of such connections would endanger public health, create a public nuisance, or impair water quality. Connection to the sewer system shall be subject to the available capacity in the system as determined by the Board of Sewer Commissioners. The Commissioners may require that any Applicant perform an analysis to show that the Town sewer system has adequate capacity to accept the additional proposed flow. Connections shall be made in compliance with all DPW rules, regulations, and specifications, and at the owner's expense.

3.3 SEWER CONNECTION APPLICATION FLOW CHART

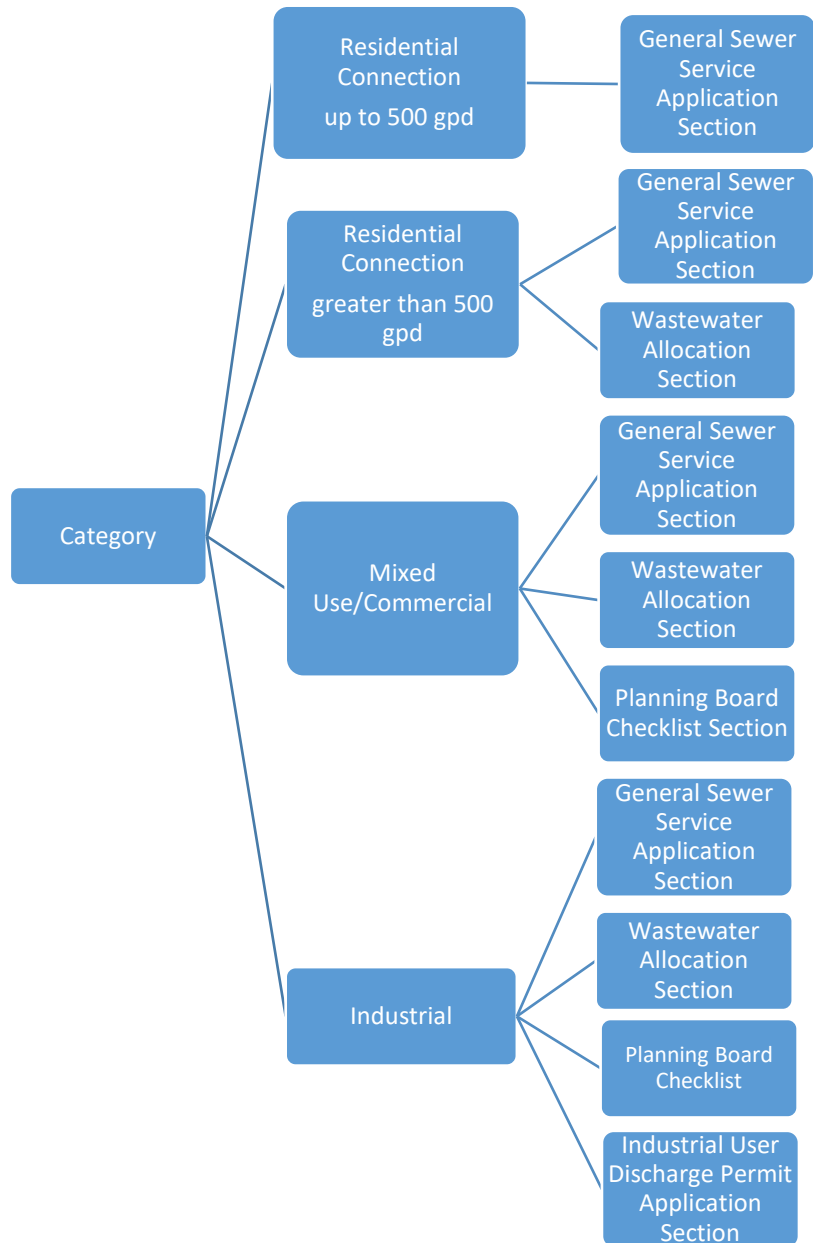
The sewer connection application is dependent on the type of use associated with the proposed sewer connection. Every sewer connection requires a permit. Permits to connect are issued by the Department of Public Works.

The applicant will identify the category of application at the time of filing. Categories include:

- Residential; New connection or redevelopment under 500 gpd
- Residential; New connection or redevelopment over 500 gpd
- Mixed Use/Commercial new or redevelopment
- Industrial.

Table 3-1 presents the Sewer Connection Application Flow Chart to follow when filling out a Sewer Connection Application for a property in the Town of Bourne Sewer Service areas.

Table 3-1: Sewer Connection Application Flow Chart



4 CONNECTION APPLICATION PROCESS

4.1 APPLICATION REQUIRED FOR BUILDING SEWER

The property owner shall complete a General Sewer Service Application prior to construction, reconstruction, abandonment, repair, or modification of a new or existing building sewer which connects to the Town's sanitary sewer system. The application shall include building site plans as required by the DPW, and by such other permits, plans, specifications, and information as the DPW requires. An application/design review fee, as defined in Section 6 shall be paid at the time the application is filed. Construction, reconstruction, repair, or modification of the building sewer shall not proceed without authorization by the DPW. A DPW inspector will be assigned to inspect the building sewer and connection to a public sanitary sewer.

The property owner shall specify the nature of the work to be performed, including the proposed flow to be discharged into the sewer (calculated in accordance with Title 5 (310 CMR 15)) and the size, material, mode of construction, location, direction and grade of all pipes and appurtenances to convey those flows to the public sewer. The DPW may require the applicant to hire a Massachusetts Registered Professional Engineer (Design Engineer) to evaluate the public sewer downstream of the proposed connection to demonstrate that adequate hydraulic capacity exists in the public sewer system. The DPW may also require that the Applicant perform a condition assessment of sewer infrastructure in the downstream flow path of the proposed connection. If, in the opinion of the DPW, flow from the proposed project may cause system surcharges and/or overflows, or existing sewer deficiencies in the downstream flow path to further deteriorate, rehabilitation of the downstream infrastructure may be required prior to connection.

The DPW has the discretion to deny the owner's request to extend, replace or relocate a public sewer, or private sewer.

4.2 CONNECTION PERMIT REQUIRED

No user shall connect to the public sewer without a Connection to Sewerage System Permit issued and approved by the DPW and issued by the Massachusetts Division of Water Pollution Control, if applicable. See General Sewer Service Application Form Attachment B.

Prior to issuance of a permit, the DPW shall require the Applicant to demonstrate review of and, if applicable, compliance with the requirements of the following, as well any other applicable state or

local regulations:

- 301 CMR 11.00, Massachusetts Environmental Policy Act
- 310 CMR 10.00: Wetlands Protection Act Regulations
- 314 CMR 7.00, Sewer System Extension and Connection Permit Program
- 314 CMR 12.00, Operation & Maintenance & Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers
- Cape Cod Commission

4.3 SPECIAL CONDITIONS

4.3.1 Connections to Wareham WWTP Service Area

For permits associated with flow to the Wareham WWTP, in order to comply with Special Grant Condition No. 25 of the Federal Grant Offer for Project C-250 476-02 dated September 30, 1988, the BOSC will not permit the following:

- a) The connection of any house, business or other structure located in the Flood Hazard Velocity Zones on Taylors Point and in Hideaway Village to the wastewater system unless that house, business or other structure was in existence prior to the effective date of 310 CMR 15.00, Title V, July 1, 1977. The Flood Hazard Velocity Zone is defined by FEMA's most recent terms. FEMA is a federal agency within the US Department of Homeland Security.
- b) The construction of additional living space to any house, business or other structure located in the Flood Hazard Velocity Zones on Taylors Point and in Hideaway Village connected to the wastewater system. Living space shall not mean porches, decks, garages or buildable space not suitable for human habitation.

Attachment A shows the Wareham Sewer Service Area boundaries and the statutory limits of the service area based on the Inter-Municipal Agreement between Wareham and Bourne.

4.4 ALLOCATION FORM REQUIRED

The Bourne Board of Sewer Commissioners shall require any property owner who is requesting: change of use for a business currently connected to the sewer, increasing proposed flow, or a new connection to fill out an Allocation Form (See Table 3-1 Flow Chart).

4.5 INDUSTRIAL DISCHARGE PERMIT

A non-transferable industrial discharge permit shall be issued to all Significant Industrial Users (SIU) for a period not to exceed five (5) years. It will contain, at a minimum, operational parameters, sampling requirements and schedules, discharge limitation, and statement of violation penalties.

A Significant Industrial User shall mean any industrial user discharging to the Town's wastewater system that meets any of the following criteria:

- The user is regulated by the National Categorical Pretreatment Standards.
- The user discharges an average of ten thousand (10,000) gallons or more per operational day of wastewater.
- The user discharges wastewater that makes up to five (5) percent or more of the average dry weather hydraulic or organic capacity of the Town's wastewater system.
- The user has a reasonable potential for upsetting the operational process of the Town's wastewater system or violating any pretreatment standard.

5 ALLOCATION POLICY

5.1 PURPOSE

The Town of Bourne, through an Inter-Municipal Agreement, may send up to 200,000 gallons per day (gpd) of wastewater for treatment and disposal to a plant owned by the Town of Wareham. Another 100,000 gpd is also available for allocation from the Town's Queen Sewell Park Plant. The BOSC controls the allocation of wastewater treatment capacity among parcels in the sewer service areas of the Village of Buzzards Bay and assigns allocations on a parcel-by-parcel basis.

5.2 UNCOMMITTED ALLOCATION

Uncommitted Allocation is that portion of the wastewater system's treatment capacity remaining after subtracting the Preliminary Allocations, the Operational Allocations, existing flow and the Residential Reserve (domestic wastewater) from the systems' designated treatment capacity.

5.2.1 Managing Allocations and Actual Flows

The BOSC shall determine the amount of the Uncommitted Allocation annually and designate the Uncommitted Allocation to be available for the next fiscal year.

- The capacity shall be determined by comparing all allocations, Preliminary and Operational, with actual flows for the previous fiscal year, on a parcel or project basis.
- Parcel/project owners with significant differences between allocations and flows shall explain the difference and describe any changes expected in the next 12 months.
- The BOSC may establish a reserve capacity for exempt residential and municipal uses.
- The existing usage or actual flow in functional facilities shall be considered the approved capacity.
- Parcels or portions thereof which have betterments paid but have no development are considered to have no allocation.
- Parcels or portions thereof which have had no flow for a period of at least 2 years are considered to have no allocation.
- When a project that has been granted its Operational Allocation is complete and has been operating for three years, the BOSC shall compare actual flows against the amount granted in the Operational Allocation.
 - If actual average daily flow exceeds the Allocation, the applicant shall apply for an allocation equal to the difference, and shall pay an allocation fee assessed per gallon per day by the Town at the time.

- If water meter readings reveal that 85% of water usage exceeds the sewage flow dated on the permit (as averaged over the billing period) or if any unauthorized increase or change in sewage flow is detected, the DPW shall notify the property owner in writing. Upon receipt of notice, the property owner shall take whatever corrective action is deemed necessary to reduce the sewage flow in accordance with the limit of the permit within 30 days.
- If actual average daily flow is less than the Operational Allocation, the excess capacity shall revert to the Town's Uncommitted Allocation unless the Applicant can demonstrate a continuing need. There shall be no refund of previously paid fees.

5.2.2 Awarding Wastewater Allocation

To create a fair and objective process of awarding wastewater allocations, the BOSC shall apply the following procedures for granting allocations from the Town's Uncommitted Allocation for new development and re-development in the Sewer Service Area.

These procedures apply to properties proposing a change of use and/or change in wastewater flow. Any development that will result in increased flow shall be reviewed by the Board of Sewer Commissioners as described below.

5.3 OBTAINING A PRELIMINARY ALLOCATION

Any project that requires a Sewer Allocation (See Table 3-1) shall complete the Wastewater Allocation Section of the Sewer Use Permit with the BOSC for a Preliminary Allocation determination. The Application is reviewed by staff within 30 days, then placed on a BOSC agenda once deemed complete.

5.3.1 Application Review

The BOSC shall review applications on a first come, first served basis within sixty days after the Application is deemed complete. If the requested allocation is available within the Uncommitted Allocation, the Board may grant Preliminary Allocations to projects which:

1. Demonstrate evidence of adequate financing;
2. Demonstrate control of the project's parcels (i.e., Purchase and Sale agreement, evidence of ownership);
3. Documentation from the Town Planner's Office that the proposed project can comply with Zoning in the proposed location;

4. Demonstrate that the requested allocation is based on state and local regulations providing a detailed breakdown of the existing and proposed allocation being requested based on the actual design flow criteria within Title 5 of the State Environmental Code and other applicable state and local regulations.

5.3.2 Application Process – Exceeding Uncommitted Allocation

If an applicant requests flow in excess of the Uncommitted Allocation, but is otherwise complete, it will be dated and put on a waiting list. If additional allocation becomes available, the applicant may ask for an updated review by Town Staff, requests on the waiting list will be considered in the order in which they were dated. If the full allocation is available and the application fee is paid, the project application will be deemed complete and accepted.

5.3.3 Terms of Preliminary Allocation

Once a Preliminary Allocation is granted, the Applicant shall have up to two years to begin construction.

1. During the two years, the Applicant shall show substantial progress in regular six-month reports to the BOSC. The BOSC retains the right to revoke the Preliminary Allocation if the Applicant cannot demonstrate progress, although the BOSC may allow for the continuation or extension of a Preliminary Allocation in any case. If the Preliminary Allocation is revoked, the allocation shall revert to the Town.
2. Once the Board grants a Preliminary Allocation, the Applicant shall pay a Preliminary Allocation Fee as set forth in the Town's Schedule of Rates and Fees, Attachment C.
3. After the Board's vote to grant a Preliminary Allocation, the Applicant will be issued a letter signed by the Town Administrator certifying the Preliminary Allocation for that specific project/parcel(s) and including any conditions imposed by the Board. The Town Planner, the Building Inspector and the Health Agent will be copied on the allocation letter issued by the Town Administrator.
4. Failure to meet the conditions of the allocation letter will result in revocation of the allocation and the allocation shall revert to the Town.

5.3.4 Preliminary Allocation Fees

1. During the process of obtaining a Preliminary Allocation, the applicant shall be assessed fees as periodically established by the Board, which is hereby authorized to establish or amend wastewater allocation fees from time to time as follows:
 - a. Application Fee: due upon application for a Preliminary Allocation.
 - b. Preliminary Allocation Fee: due within 30 days of the Board's approval of the Preliminary Allocation. The fee shall be based upon the projected wastewater flow.
2. Sewer connection plans, specifications and fees must be submitted prior to the issuance of building permits. Residential projects in excess of 500 gpd, commercial, mixed use, and industrial projects shall also pay a system development fee at the time of building permit application as designated by the BOSC.
3. In cases where a Preliminary Allocation expires and a new owner applies for capacity for the same project on the same site, the BOSC may consider previous fees paid by the original applicant when establishing fees for the new project.

5.3.5 Operational Allocations

1. The Preliminary Allocation shall be converted to an Operational Allocation when the project has been issued a Building Permit.
 - a. The BOSC may attach conditions and may reduce or increase the allocation based on Massachusetts DEP regulations and final approved project design.
 - b. If allocation is reduced by the BOSC action, the excess allocation shall revert to the Town.
2. After the BOSC's vote to grant an Operation Allocation, the Applicant shall be issued a Certificate of Operational Allocation for that specific project/parcel(s) subject to terms and conditions. Copies of the certificate will be sent to the DPW, Engineering Office, Building Inspector, Health Agent, and Town Planner.

6 SEWER USE FEES, RATES AND FINES

Sewer fees, rates and fines are reviewed on an annual basis and fees currently in effect are found in Attachment C.

Funds may be expended only upon the authorization of the BOSC for the construction, operation, maintenance, repair or improvement of the sewer system and its related components and for the acquisition, maintenance, repair and replacement of equipment used in connection with the sewer system.

6.1 SEWER FEES

Sewer use fees consist of: one-time application fees; the annual base charge; and annual user rates (including overage and surcharge rates). Rates and fees shall be determined by the BOSC and may be changed at the time of annual review.

Table 6-1: List of One- Time Application Fees by Type

Class	Fees
Residential (new or redevelopment) up to 500 gpd	1. Application & Design Review Fee 2. Sewer Connection Fee
Residential (new or redevelopment) over 500 gpd	1. Application & Design Review Fee 2. Preliminary Allocation Fee 3. Sewer Connection Fee 4. Sewer System Development Fee
Mixed Use/Commercial	1. Application & Design Review Fee 2. Preliminary Allocation Fee 3. Sewer Connection Fee 4. Sewer System Development Fee
Industrial	1. Application & Design Review Fee 2. Preliminary Allocation Fee 3. Sewer Connection Fee 4. Sewer System Development Fee 5. Industrial Permit Fee (additional review needed)

6.1.1 Application & Design Review Fee (Residential, Commercial, and Industrial)

A flat-rate review fee charged at the time the sewer application is submitted. This fee must be paid before the application will be deemed complete.

6.1.2 Allocation Fees

Allocation fees are based on the Allocation Policy (Section 5). The allocation is a specified amount of wastewater treatment capacity measured in gallons per day (gpd) assigned to a specific project on a specific parcel or parcels upon a majority vote of the BOSC. All project allocations shall be based on state and local regulations. The transfer of all or part of an allocation is prohibited unless approved in writing by the BOSC.

6.1.3 Sewer Connection Fee

Applicants (residential, commercial and industrial) must pay a one-time connection fee to tap into the Town's sanitary sewer systems. The sewer system connection fee must be received before the DPW will process the application, and before a building permit will issue.

The Connection Fee applies to all new connections to the sewer system. A "Re-connect" fee will only be applicable to residential properties with a proposed flow of less than 500 gpd, and will be used in the case where an existing structure, which is connected to the public sewer system, is completely re-built or substantially renovated. See Attachment C for current sewer rates, fees and fines.

Table 6-2: Fee by Class

Class	Fees
Residential	Base Fee plus an additional fee per sewer unit
Commercial	Base Fee plus an additional fee per square foot of building floor space
Industrial	Base Fee plus an additional fee per square foot of building floor space

6.1.4 Sewer System Development Fee

A system development fee is a one-time charge paid at the time of new construction or more intensive redevelopment of an existing site to recover a portion of the cost of constructing the sewer capacity. This fee is the cost of buying into the existing infrastructure, including, but not limited to, treatment facilities, effluent disposal facilities, and collection and transmission mains. These fees minimize the extent to which existing users bear the capital costs of the facilities that will serve new users. Sewer system development fees must be paid prior to the issuance of building permits.

6.1.5 Expenses Borne by the Owner

All costs and expenses incidental to the: application, design and permitting, installation, connection, and maintenance of the sewer service line, other private sewers, retaining tanks, grease and oil traps, or other appurtenance shall be borne by the property owner. The owner shall indemnify the Town, and shall reimburse the DPW for, any loss or damage directly or indirectly occasioned by the installation of any sewer service line or associated component.

All costs and expenses incidental to the installation, connection, repair and maintenance of the private service line, as well as: septic system abandonment, public and private property restoration, fees, insurance, etc. for establishing connection to the municipal system shall be the responsibility of the applicant and/or property owner.

NOTE: At the time of adoption of these Interim Rules and Regulations, the Town of Bourne Board of Sewer Commissioners is undertaking a system-wide upgrade of the low-pressure portion of the sewer system. This is the part of the system with properties served by an in-line booster/grinder pump installed in the service between the public main and the private system.

These system improvements are being undertaken using ARPA funds provided by the Federal Government. A phasing plan will be developed identifying the general order in which neighborhoods will be upgraded. The scope of the project includes replacing the grinder pumps with a standard unit, installing new electrical wiring within an underground conduit, and replacing alarm components.

After the low-pressure system is standardized and brought up to code, the BOSC will determine if those components on private property (located outside of a public road layout), shall remain the responsibility of the public system, or if the private property owners shall be responsible for maintaining the upgraded pumps and other components. If any access easements are necessary to properly maintain the system, the easements shall also be recorded at the time of the upgrade project.

6.1.5.1.1 Maintenance of Building Sewers

The property owner owns the sewer service from the structure to the public road layout/lot line. The property owner shall keep such sewers in good repair in order not to cause excessive infiltration, exfiltration or inflow, depletion of groundwater, damage to property, or harm to the public sewers. Should the Town be required to perform emergency maintenance or repair on any private service line to eliminate a potential hazard to the public, property, or the environment, the owner of said private service shall reimburse the Town on a time and materials basis and be subject to the Town's direct labor burden and equipment overhead costs.

6.1.5.1.2 Private Sewers

All private sewer lines in the Town that connect to the public sewer shall be under the jurisdiction of the DPW. All private systems discharging to the municipal system are subject to fees and annual

user charges. The private property owner is responsible for maintaining and operating the private systems in compliance with these rules and regulations, subject to inspection by the DPW. Repairs to private sewers, including repairs required to comply with these Regulations, shall be made by an approved drain layer at the expense of the owner. The applicant will be required to file an Operations and Maintenance plan for private sewer components which will remain in effect in perpetuity. The plan will include information on procedures for emergency maintenance including contact names and numbers.

6.1.5.1.3 Bonding Requirements

The DPW shall have the right to require that the owners of proposed service lines, other private sewers, retaining tanks, grease traps, and other wastewater facilities connected to the Town's wastewater system post a bond in a form satisfactory to the DPW and in an amount and for a period of time sufficient to guarantee construction quality and operating performance.

6.2 SEWER RATES (USER CHARGES)

The use of the Town's wastewater system shall be based on one hundred (100%) percent of the actual quantity of water used. The quantity of water used shall include but not be limited to local Water Districts, other water utilities and private water wells. Properties that utilize private wells to provide potable water are required to install a water meter at the Applicant's expense which will be utilized to measure the actual quantity of water used.

6.2.1 Water Overage Fees & Surcharges

All sewer rates are based on the fee established by the Board of Sewer Commissioners on an annual basis plus a surcharge (overage) for water use above a designated quantity of the water that passes through the water meter. Consumption is billed at rates in effect at time of use.

The discharge of unpermitted commercial or industrial wastes, septage, or any wastes of unusual character or amount is prohibited and will be subjected to a fine in addition to any other user charges. The amount of fine shall reflect the additional cost incurred by the Town in repair, maintenance and operation of the wastewater system for transport and treatment of such wastes.

6.2.2 Sump Pump Connections

Sump pumps connected to the public sewer are generally prohibited by the Town of Bourne and would only be considered in extreme cases and may be assessed additional fees.

6.2.3 Grease Trap/Interceptors Permit Fees

All grease traps/tanks will be permitted as required in the Sewer Use Rules and Regulations and subject to inspection by the DPW. An annual permit fee will be charged. See calculation in Attachment C.

DPW will inspect all FOG traps/interceptors upon installation. Inspection fees will be charged in accordance with Attachment C schedule.

Permits will require the submission of a FOG Management Plan. Operation without a FOG Management Plan or Permit shall be fined in accordance with Attachment C.

6.2.4 Capital Improvement Fees

The BOSC may set an appropriate fee as part of the annual user charge for capital improvements to the wastewater system as they deem necessary. Capital Improvement Fees will be outlined in Attachment C Adopted Sewer Use Fees.

6.3 SEWER FINES

6.3.1.1 Protection from Damage

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewerage system. Any person violating this provision shall be subject to immediate arrest and subject to fines as presented in Attachment C.

7 BUILDING SEWERS AND CONNECTIONS

7.1 LIMITATIONS

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the DPW. Furthermore, all new connections or any increase in flow will require a design review and inspection upon installation. An Application/Design Review Fee is required at the time of permit application. Details on building and sewer connection design and construction are provided in Attachment D.

7.2 APPROVED DRAIN LAYER/PLUMBER

All building sewer installation, repair or maintenance work shall be performed by a drain layer approved by the DPW. A drain layer's bond, must be submitted to the DPW in advance of installation for projects exceeding \$10,000.

Plumbers and drain layers shall be licensed as Master Drainlayers. The DPW shall keep a list of authorized firms who have been approved to install connections to the Bourne Sewer System.

It is the responsibility of the installer to check with all utilities (Dig-Safe) and with the Buzzards Bay Water District prior to excavation.

7.3 VIOLATIONS TO BE REPORTED

All drain layers are required to give a full written report to the DPW within 24 hours if, in the course of performing their work, either (a) prohibited substances are found in a building drain, building sewer, building storm drain, or building storm sewer, or if plumbing is found that would allow discharges of such substances to a building drain, building sewer, building storm drain, or building storm sewer or (b) interconnections are observed.

7.4 RIGHT TO INSPECT DURING CONSTRUCTION

The DPW shall inspect building service lines and other private sewers, retaining tanks, grease and oil traps, sump pumps and other wastewater facilities contributing to the public sewer and storm drainage systems, while construction is underway. The Applicant or his representative must inform the Department twenty-four (24) hours prior to beginning installation procedures and shall notify the DPW when such facility is installed and ready for final inspection and for connection to the Town's wastewater system. A representative of the Bourne Department of Public Works must approve of the installation prior to backfilling and final connection. Connection to the Town's wastewater system shall be made in the presence of a DPW inspector. No facility shall be backfilled until it has passed inspection by the DPW. If the owner fails to notify the DPW in advance, all costs to uncover the connection as necessary for inspection by the DPW shall be borne by the owner.

Upon completion of construction, the Applicant shall submit a set of Record Drawings (as-builts) indicating all changes made to the design plans in the field, to be prepared and stamped by a Design Engineer. Upon final inspection by the DPW and receipt of Record Drawings, the DPW shall issue a Certificate of Compliance.

8 WASTEWATER DISCHARGE PROHIBITIONS AND RESTRICTIONS

8.1 GENERAL PROHIBITIONS

No persons shall discharge or cause or allow to be discharged into a public sewer or into a private sewer tied into the public sewer, any substances, waters or wastes that the DPW has identified as likely, either singly or by interaction with other substances, to:

1. Harm any wastewater system, wastewater treatment facility, or wastewater treatment process;
2. Pass through or be otherwise incompatible with the wastewater treatment process or sludge disposal;
3. Cause a violation of Federal or State discharge permits issued to either the DPW;
4. Cause a violation of water quality standards or otherwise adversely affect the receiving waters;
5. Endanger life, limb or property, or
6. Constitute a health hazard or nuisance.
7. Any liquid or vapor having a temperature higher than one hundred and fifty degrees (150 F)
8. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not in excess of one hundred milligrams per liter (100mg/L) or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32 F) and one hundred and fifty degrees (150 F).
9. Any garbage that has not been properly shredded. The installation and operation of any food grinder equipment with a motor of $\frac{3}{4}$ horsepower or greater shall be subject to the review and approval of the DPW.
10. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits established by the Sewer Commissioners for such materials.
11. Any waters or wastes containing phenols or other taste or odor producing substances, in concentrations which exceed maximum limits which may be established by the Commissioners, after treatment of the composite sewage in order to meet the requirements of the State, Federal, or public agencies or jurisdiction for such discharge to the receiving waters.

12. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Commissioners in compliance with applicable State or Federal regulations.
13. Any waters or wastes having a pH in excess of 9.5.
14. Material which exerts or cause:
 - a. Unusual concentrations of inert suspended solids, such as but not limited to, Fullers earth, lime slurries, and lime residues, or of dissolved liquids, such as but not limited to, sodium chloride and sodium sulfate.
 - b. Excessive discoloration, such as by not limited to, dye wastes and tanning solutions.
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewerage treatment works.
 - d. Unusual volume of flow or concentration of wastes constituting 'slugs' as defined herein.
15. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to receiving waters.

Unless otherwise stated herein the provisions of these rules and regulations and any supplementary revisions shall govern all discharges to the sanitary sewer system.

8.2 PROHIBITED WASTES AND SUBSTANCES

No person shall discharge or cause or allow to be discharged into a public sewer or into a private sewer tied into the public sewer any of those wastes and substances specifically prohibited as identified in 360 CMR 10.023 and 10.024.

1. No septage shall be discharged to the public sewers in the Town of Bourne or at the Buzzards Bay Wastewater Treatment Facility.
2. Septage originating from the Town of Bourne may be discharged at the Regional Wastewater Treatment Facility in Wareham. Septage will only be accepted by licensed haulers. Septage must comply with Industrial Pre-Treatment Regulations.
3. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
4. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, so as to injure or

interfere with any sewage treatment process, or which will constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment process and system.

5. Any waters or wastes having a pH lower than 5.5, or higher than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage works.
6. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interferences with the proper operation of the sewage works such as, but not limited to, ashes, blood, cinders, fleshing, glass, paper, dishes, medical wastes, metal, milk containers, mud, plastics, rags, sand, straw, shavings, tar, wood, etc.
7. Additional Items that cannot be flushed into the Sewer System:
 - a. Feminine Hygiene Products
 - b. Wet Wipes
 - c. Flushable Wipes
 - d. Floss, Q-tips, and Cotton Balls
 - e. Diapers
 - f. Pills and Medications
 - g. Paper Towels
 - h. Cigarette Butts
8. Any liquid or vapor having a temperature higher than one hundred fifty (150) degree Fahrenheit.
9. Any water or waste containing: iron, chromium, copper, zinc, radioactive wastes or isotopes and similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement to such degree that any such material receive in composite sewage that the wastewater treatment facilities exceed the limits established by the BOSC and the Town and Wareham IMA limits.

If any waters or wastes are discharged or are proposed to be discharge to the public sewers, which contain the substances or proposes the characteristics enumerated in Section 8.4, and which, in the judgement of the BOSC may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town may:

1. Reject the water or wastes
2. Require pretreatment to an acceptable condition for discharge to the public sewers
3. Require control over the quantities and rates of discharge
4. Require payment to cover the added costs of handling and treating the waters or wastes not covered by existing sewer charges

8.3 PROHIBITED DISCHARGES INTO SANITARY SEWERS

No user shall directly or indirectly discharge or cause or allow to be discharged into any public sanitary sewer or any private sewer connected to the public system: any groundwater, stormwater, surface water, roof runoff, subsurface drainage or any Allowable Non- Stormwater Discharge specifically stated as such in the Town's General Permit for Stormwater Discharges from Small Municipal Storm Sewer Systems that can be discharged to the Town's storm drain system.

8.4 PROHIBITED DISCHARGES INTO STORM DRAINS

No user shall directly or indirectly discharge or cause or allow to be discharged any wastewater into a building storm sewer or a public storm drain.

8.5 DILUTION PROHIBITED

No user shall dilute a wastewater discharge to comply with the provisions of these Regulations.

8.6 VARIANCES

Notwithstanding the limitations set forth in these Regulations, a special variance or amendment to a Sewer Use Discharge Permit may be issued by the DPW, whereby wastes of unusual character or strength may be accepted on an interim basis when, in the opinion of the DPW, unusual or extraordinary circumstances compel special terms and/or conditions of temporary duration. Such permit shall be issued only when, in the opinion of the DPW, the discharge associated with such a variance or amendment would not cause any interference with or disruption in the wastewater system; would not cause either directly or through interaction, violations of either:

1. any Federal discharge permit then held by the Town
2. the municipal discharge permit then held by the Town or
3. State water quality standards; and would not force additional controls on other dischargers to achieve compliance with effluent limitations. A variance or amendment to a Sewer Use Discharge Permit must be applied for in writing by the proposed discharger. No discharge to be covered by such a variance or amendment shall take place prior to its issuance.

9 INDUSTRIAL DISCHARGE AND PRE-TREATMENT REQUIREMENTS

9.1 INDUSTRIAL DISCHARGE REQUIREMENTS

9.1.1 Compliance with MA DEP Regulations

The intent of these Regulations is to comply with Massachusetts DEP regulations governing industrial users. These Regulations shall accordingly be construed to conform with such MA DEP regulations as they now exist or may be amended, including 314 CMR 12.

9.1.2 Prohibited Discharges

No industrial user shall discharge or cause or allow to be discharged into any public sewer or into any private sewer tributary thereto any prohibited or restricted wastes identified in Section 8 and this section.

9.1.3 Discharge Permits

No user shall discharge industrial wastes into the Town's wastewater system without a Sewer Use Discharge Permit. Every user proposing a new or modified discharge of industrial wastes shall obtain such a permit and shall file a General Service Application prior to constructing a building sewer to convey such wastes.

1. Every user required to obtain a Sewer Use Discharge Permit shall complete and file with the DPW a permit application form which may be obtained from the DPW.
2. The DPW shall evaluate the adequacy of data furnished in the application and may require the applicant to provide additional data within a specified time. After receipt of adequate data, the DPW may issue a permit.
3. The DPW may stipulate special conditions and terms upon which the permit is issued. Permits may contain the following terms and conditions.
 - a. Limits on rate, time and characteristics of discharge and requirements for flow regulation, equalization and retention.
 - b. Installation of inspection, flow measurement and sampling facilities, and provisions for access to such facilities for inspection and/or sampling related to the permit terms and conditions.
 - c. Specifications for monitoring programs which may include flow and measurement, biological tests, data sampling, physical, chemical recording, and reporting schedules.

- d. Pre-treatment requirements and implementation schedules, including schedules for reporting progress towards meeting such requirements.
 - e. Periodic submission of discharge reports.
 - f. Special service charges or fees.
 - g. Other provisions deemed appropriate by the DPW to ensure compliance with these Regulations and with applicable requirements of State or Federal laws.
4. The DPW may change the conditions of a Sewer User Discharge Permit from time to time as circumstances (including Federal or State statutes or regulations) may require.
5. A permit shall not be assigned or transferred.
6. If an industrial user discharge types, amounts or rates of pollutants in violation of these Regulations or its permit, the DPW may revoke its permit in accordance with Section 10.1.8 of these regulations. If changes in the industrial process have improved the characteristics and/or volume of its discharge, an industrial user may apply to the DPW for modification of its discharge permit.
7. When required by its permit, an industrial user shall submit to the DPW at a designated frequency and in a form acceptable to the DPW a duly signed discharge report containing all information requested by the DPW. Any additional information requested from time to time by the DPW shall also be furnished.
8. The DPW may use the information provided in permit applications, permits and discharge reports as a basis for determining user charges

9.1.4 Monitoring Facility Requirements

When required by the DPW, an industrial user or discharger of industrial wastes shall install suitable control or measuring devices together with manholes, chambers, meters, and other appurtenances in its building sewer(s) to facilitate waste observation, sampling and measurement. Such manholes, chambers or meters shall be accessibly and safely located, shall be constructed in accordance with site plans approved by the DPW, shall be installed by and at the expense of the owner, and shall be maintained by the owner in good operating condition at all times. All meters and other measuring devices shall be approved by the DPW prior to installation and use. The facilities shall be constructed in accordance with all applicable construction standards. Construction shall be completed in compliance with a time schedule established by the DPW and Wareham. All records from meters and measuring devices all be kept for at least two years and furnished to the DPW upon request. During construction and after installation, the DPW shall have the right to inspect the facilities.

9.1.4.1 Annual Report.

Each industrial user may be required to submit an annual report to the Town on the first of July each year or such other time as designated by the BOSC containing information as to the minimum,

average and peak industrial wastewater discharges during the previous year.

9.1.5 Sampling and Analysis

All measurements, tests and analyses of the characteristics of water and wastes required to conform to these Regulations shall be performed in accordance with Standard Methods. Samples analyzed shall be collected at locations designated by the DPW and by methods acceptable to the DPW. The DPW will stipulate whether a composite or grab sample(s) should be taken.

9.1.5.1 Measurement and Analysis of Industrial Wastewaters

To be reported in the annual report and shall include the following list where applicable. If any item is not applicable, it shall be so stated on the report of the measurements and the reason for deletion stated.

1. Physical Parameters
 - a. Flow
 - b. pH
 - c. Temperature
 - d. Color
 - e. Specific conductance
2. Chemical and Biological Parameters
 - a. Total solids
 - b. Total volatile solids
 - c. Total suspended solids
 - d. Total dissolved solids
 - e. Acidity
 - f. Alkalinity
 - g. 5-day BOD
 - h. COD
 - i. Oil and grease
 - j. Chloride
 - k. Sulfate
 - l. Sulfide
 - m. Phenols
 - n. NH₃ (as N)
 - o. NO₃ (as N)
 - p. NO₂ (as N)
 - q. Kjeldahl Organic Nitrogen (as N)
 - r. Ortho-phosphorus (as P)
 - s. Total phosphorus (as P)

t. Cr, CU, Fe, Cd, Pb, Mn, Zn, F, As, Hg, Ni, Ag

9.1.6 Notification of Violations

User shall notify the DPW Director immediately upon discharging wastes in violation of these Regulations or their permits. Each notification shall be followed within 15 days of the date of occurrence by a detailed written statement sent by the user to the DPW describing the causes of the discharge and the measures being taken to prevent a recurrence. Such notification will not relieve users of liability for any expense, loss or damage to the public sewer system, or for any fines imposed on the Town due to such discharge.

9.1.7 Preventative Measures

Each user shall provide reasonable and appropriate protection from any discharge, including accidental discharges, in violation of these Regulations.

9.1.8 Notification to Employees

Industrial users shall inform their employees of the existence of these Regulations. At least one copy of the Regulations shall be permanently and conspicuously posted by each user. Each user shall also permanently post a notice identifying the employee who has been designated as the individual responsible for compliance with, and who should be notified of, any violation of these Regulations.

9.1.9 Confidentiality of Data and Documents

All information and data regarding any user, whether obtained from reports, questionnaires, permit applications, permits, monitoring programs, or inspections, may be made available upon request to other governmental agencies and to the public.

9.2 PRE-TREATMENT REQUIREMENTS

9.2.1 Pretreatment Regulations,

All industrial users and discharges of industrial wastes shall comply with Federal, State, and local regulations pertinent to industrial pretreatment.

9.2.2 Pretreatment Facilities

Prior to construction or installation of any pretreatment facilities required by any applicable industrial pretreatment regulations, detailed plans and operating procedures, along with a proposed implementation schedule, shall be submitted to the DPW for review. The review of such plans and operating procedures will in no way relieve such user from the responsibility of modifying the pretreatment facility as may be necessary to produce an effluent acceptable to the DPW under the provisions of their respective regulations and the requirements of Federal or State agencies. An

approved implementation schedule will be incorporated in the Sewer Use Discharge Permit. Any subsequent proposed changes in a pretreatment facility or method of operation shall be reported to the DPW before modification of such facility. Pretreatment facilities shall be continuously maintained in satisfactory and effective operation. All costs associated with pretreatment facility planning, design, construction, operation and maintenance shall be borne by the owner or user. The DPW shall have the right to inspect such facilities in accordance with Section 10.0 of these regulations.

10 ENFORCEMENT

10.1 INSPECTION

10.1.1 Right of Access

Duly authorized representatives of the DPW may inspect the property or facilities of any user (including facilities under construction) to ascertain compliance with these Regulations. Owners or occupants of premises where stormwater or wastewater is either generated or discharged shall allow DPW representatives ready access, at all reasonable times during normal business hours and at such other times as the DPW reasonably suspects that a violation of these Regulations may be occurring, to such parts of the premises as would enable DPW personnel to inspect, observe, measure, sample and test

1. Internal plumbing;
2. Pre-treatment facilities;
3. Internal discharge points or connections;
4. Exterior connections;
5. Building sewers;
6. Backwater Valves;
7. Sump pumps and basement floor drains;
8. Oil traps and grease traps;
9. Any other facilities required by the DPW utilized; to be constructed, installed or
10. Measurement, sampling and testing facilities and procedures that have been required by the DPW;
11. Such other facilities as the DPW reasonably believes may be contributing to a violation of these Regulations; and
12. DPW shall not be held responsible for damage of property when working on stoppages or backups on private property.

The DPW may conduct routine, periodic inspections of certain types of facilities. It is anticipated that restaurants, other food handling or food processing establishments, service stations, and other entities which deal with petroleum products are particularly likely to be subject to such an inspection program. Other industrial users or generators of high strength wastes (with BOD and TSS concentrations in excess of typical residential or domestic wastewater strength) may also be so inspected, as the DPW deems appropriate. Owners or occupants shall provide any labor or equipment needed by DPW personnel to open and inspect oil and grease traps and other facilities.

10.1.2 Right of Entry

Upon proper identification and at reasonable times during normal business hours and at such other times as the DPW reasonably suspects that a violation of these Regulations may be occurring, duly

authorized representatives of the DPW shall be permitted to enter all private property through which the DPW holds an easement for the purposes of inspection, observation, measurement, sampling, testing, maintenance, repair, or reconstruction of any portion of the Town's wastewater systems lying within said easement.

1. Security Clearance

Where a user has security measures in place which would require clearance before any entry to the premises, the user shall make all necessary arrangements to permit DPW personnel to enter without undue delay for the purpose of carrying out their specific responsibilities.

10.1.3 Governmental Function

The Town and the DPW shall be deemed to be performing a governmental function for the benefit of the general public. The Town and the DPW shall not be liable for any loss or damage as a result of the performance of such government function.

10.1.4 Consequences of Denial or Entry or Access

Where an owner or user, after having received reasonable notice from the DPW, refuses to permit DPW personnel to enter or have access to premises or facilities, the DPW may give written notice of its intent to notify the Board of Sewer Commissioners to assess fines and/or terminate sewer service to such user.

10.1.5 Indemnification

An owner or user shall indemnify and hold harmless the DPW for any damages or civil liabilities the DPW may sustain or be required to pay in consequence of an injury or property damage resulting from that owner's or user's violation of these Regulations.

10.1.6 Record Keeping

10.1.6.1 Maintenance of Records

An owner or user shall maintain on its premises all documents pertinent to any of (a) the volume, components or frequency of its discharges to the Town's wastewater system, (b) its industrial pretreatment equipment and procedures, if any, and (c) its design, installation, maintenance, and operation of any special facilities, grease or oil traps, building sewers or storm sewers, private sewers, or other wastewater-related facilities or equipment. Every such document shall be maintained for at least five full years following its preparation or receipt by the user.

10.1.6.2 Inspection of Records

Users and owners shall permit authorized representatives of the DPW to inspect and review, upon reasonable notice and during normal business hours, any and all of the records maintained pursuant to this section.

10.1.6.3 Consequences of Denial of Access to Records

Where an owner or user, after having received reasonable notice from the DPW, refuses to permit DPW personnel to have access to records in accordance with this section, the DPW may give written notice of its intent to notify the Board of Sewer Commissioners to assess fines and/or terminate sewer service to such user.

10.1.7 Monetary Liability

10.1.7.1 Penalties

- a. Any person who violates any provision of these Regulations shall forfeit and pay to the Town an amount not exceeding five thousand dollars (\$5,000) as set by the Board of Sewer Commissioners, pursuant to attached Schedule of Penalties, in accordance with Massachusetts General Laws Chapter 83, Section 10, as then in effect. For purposes of this section, each day of a continuous violation shall be deemed to be a separate violation. If a violation is intermittent, each occurrence shall be deemed to be a separate violation.

10.1.7.2 Reimbursement for Costs to DPW

- b. Failure to comply with any portion of these Regulations, or with any permit or order issued thereunder, shall be sufficient cause for the DPW to levy on and collect from each violator any additional cost for any expense, loss, or damage occasioned by such violation, including assessment of penalties or fines levied or imposed on the DPW pursuant to Bourne's Sewer Policy and Regulations, or the United States Environmental Protection Agency.

10.1.8 Enforcement Actions

Any person found to be violating any provision of these regulations shall be served by the BOSC or their designee, with written notice stating the nature of the violation and providing a time limit of ten calendar days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.

Multiple Alternatives exist when the DPW determines that a violation of these Regulations, or any permit, or any damage to the Town's collection system, is threatened or has occurred. The DPW shall take the following actions, in any sequence or simultaneously:

1. The DPW may issue a request or an order to cease and desist any such violation, and/or an implementation schedule for undertaking specific actions or practices.
2. The DPW may require the user in question to submit a detailed time schedule setting forth specific actions to be taken in order to prevent or correct a violation. The DPW may issue an implementation schedule to the user containing or modifying such specific actions within such times as the DPW deems appropriate.
3. The DPW may issue an order directing the user to pay to the Town penalties and fines, and/or discontinue sewer service to the property.
4. The DPW may request that the Sewer Commissioners take direct enforcement action by filing suit in any court of competent jurisdiction pursuant to Massachusetts General Laws Ch. 83, or any other applicable statute or regulation.
5. The DPW may take any other action available to it under any applicable statute or regulation.
6. The DPW may issue citations pursuant to M.G.L. Ch. 40 § 210, non-criminal disposition, to the extent allowed by law.
7. Any person who shall continue any violation beyond the time limit provided herein, shall be charged with a misdemeanor.
8. Any person who shall be charged with a misdemeanor and on conviction, shall be fined in the amount not exceeding Five Hundred Dollars (\$500).

Any person violating any of the provisions of these regulations shall become liable to the BOSC or Town for any expense, loss, or damage occasioned the BOSC or Town by reason of such violation.

11 APPELLATE PROCEDURES

11.1 ADMINISTRATIVE PROCEDURE AT THE DIRECTOR LEVEL

11.1.1 Informal Conference by the Director

Whenever the DPW issues a Sewer Use Discharge Permit; denies, revokes, modifies, or amends any form of permit or application; requires an owner or user to build or install any particular facility or devices; issues a cease and desist order, a compliance order, or an implementation schedule; or assesses penalties or other charges for non-compliance with these Regulations, any permit, or other lawful requirement, the DPW shall promptly inform the owner or user to whom such action is addressed. Such notice shall be sent first class mail and shall inform the addressee of their right to submit, within 21 days after the date of such notice, a written request for reconsideration of the DPW's action.

A request for reconsideration shall be addressed to the DPW Director and shall set forth in detail the facts supporting it. Such a request shall not have any effect to stay or delay the DPW action, unless the DPW Director provides otherwise in a writing mailed to the entity making the request. Upon receiving a timely request for reconsideration, the DPW Director or their designee shall schedule an informal conference with the entity making the request. Written notice of the conference date, time and place shall be mailed to that entity at least 10 (unless waived by the owner) days before the date of the conference, which shall be held no later than 21 days (unless waived by the owner) after receipt of the request. The DPW's Director or their designee shall rule in writing on the request for reconsideration within 14 days (unless waived by the owner) after completion of the conference.

11.1.2 Right to Hearing by the Board of Sewer Commissioners

A copy of the ruling on the request for reconsideration shall be mailed to the entity which submitted the request. The ruling shall be accompanied by a notice that such entity has the right to request a hearing before the Board of Sewer Commissioners. The notice shall inform the addressee that a hearing on the DPW's action must be requested within 30 days after the date of such notice, in writing, and addressed to the Town Administrator.

11.1.3 Notice of Hearing by the Board of Sewer Commissioners

Within 45 days (unless waived by the owner) after receiving a timely written request for a hearing, the Board of Sewer Commissioners shall schedule a hearing and shall mail to the entity which requested the hearing, written notice specifying the date, time, place, and subject matter of the hearing. The notice shall also state that the entity requesting a hearing has the right to be

represented by legal counsel and to present evidence (in the form of both documents and testimony) at the hearing.

11.1.4 Hearing Record and Decision by the Board of Sewer Commissioners

The documents and other evidence offered at the hearing shall constitute the hearing record. The hearing decision shall be based solely on the hearing record and shall be made within 30 days (unless waived by the owner) after the conclusion of the hearing. The decision shall be in writing which summarizes the matters considered and the reasons for the determination made on each such matter. The written decision shall be signed by the Sewer Commissioners and shall be mailed to the entity which had requested the hearing.

12 DEFINITIONS

Terms which are not defined herein shall be interpreted as defined in the most recent edition of Glossary Water and Wastewater Control Engineering, published by the Water Pollution Control Federation (WPCF), Washington, D.C. Throughout these Regulations, shall is mandatory, and may is permissive. Unless the context specifically indicates otherwise, the meaning of the terms used in these Regulations shall be as follows:

Acceptance	shall mean the wastewater system is substantially complete in accordance with industry standards and all permit requirements and/or conditions have been completed and the wastewater system has been formally accepted by the Board of Sewer Commissioners.
Act	shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 United States Code 1251, et seq.
Actual Flow	The volume of wastewater from any individual unit (residential, commercial or institutional) connected to the sewers as measured by a certified watermeter.
Allocation	A specified amount of wastewater treatment capacity measured in gallons per day (gpd) assigned to a specific project on a specific parcel or parcels upon a majority vote of the Board. All allocations to projects shall be based on state and local regulations. The transfer of all or part of an allocation is prohibited unless approved in writing by the Board.
Allocation Fee:	A non-refundable fee established by the Board to be paid by the Applicant within 30 days of the time the Allocation, Preliminary or Operational, is voted.
Applicant	Shall mean any person or entity applying for sewer service or for a sewer main extension, replacement, alteration, removal or relocation. If Applicant is different than Property Owner, the Applicant must receive a signature from the Property Owner and/or an Agent Letter from the Property Owner.
Application	A form which shall be completed by the Applicant to request an allocation of wastewater management capacity from the Uncommitted Reserve Capacity. A sample form is attached to this policy statement. The Board may from time-to-time vote adjustments in the information requested on the form.
Application & Design Review Fee	A non-refundable one-time fee established by the Board to be paid at the time the Application is deemed complete and accepted. An application shall be deemed complete when it is date stamped and signed by the receiving Town official. Incomplete applications, including applications without the required fee, shall not be processed.
Approval	Shall mean written approval by the Board of Sewer Commissioners or their authorized representative.
ASTM:	Shall mean the American Society of Testing and Materials. When referenced it shall mean the latest edition/version of the specification.

Authority	Shall mean the Board of Sewer Commissioners or their authorized representative.
Available	A public sewer or storm sewer shall be considered available when the property upon which a building is situated abuts a street, alley, easement or right of way in which a public sewer is located. If the property line of the subject parcel is more than one hundred (100) feet from the nearest public sewer, application may be made in writing to the Department to declare the public sewer "Not Available."
Backflow Valve	Shall mean a valve located at the property line and installed by the property owner which is used to prevent wastewater backup from flowing from the Town's wastewater infrastructure into the building/structure located on the property.
Biochemical Oxygen Demand or BOD	Shall mean the quantity of oxygen utilized in 5 days at 20 degrees Celsius(C), expressed in milligrams per liter (mg/l), in the biochemical oxidation of wastewater as determined by a procedure described in Standard Methods.
Board of Health	The Board of Health (BOH).
Building	Shall mean any structure used for human occupancy, employment, recreation other purposes.
Building Drain	Shall mean that part of the lowest horizontal piping of a plumbing system, which receives the discharge from soil, waste, and other pipes, inside the walls of the building, and conveys it to the building sewer, beginning ten (10) feet outside the inner face of the building wall.
Building Sewer	Also referred to as house connections, shall mean the pipe which extends from the building drain to the sewer connection conveying wastewater to a public sewer, a private sewer, or other place of disposal.
Building Sewer Connection	Shall mean the connection of a building sewer to a public sanitary sewer owned and operated by the DPW.
Cape Cod Commission	Shall mean the Regional planning agency that oversees Developments of Regional Impact (DRI) in Barnstable County.
Chemical Oxygen Demand or COD	Shall mean the oxygen equivalent of the portion of the organic matter that is susceptible to oxidation by a strong chemical oxidant, expressed in milligrams per liter, as determined by a procedure described in Standard Methods.
Cleanout/Inspection Port	Shall mean a capped pipe or capped access point used to inspect and/or clean out blockages in the sewer or services lateral.
Color	Shall mean the optical density at the visual wavelength of maximum adsorption, relative to distilled water One hundred (100) percent transmittance

is equivalent to zero (0) optical density.

Collection System Shall mean the pipes (gravity sewer and low-pressure sewers), conduits, pumping stations, and appurtenances involved in the collection and transport of wastewater and storm water.

Commercial User Shall include any property occupied by an establishment which is not a residential property and not within the definition of an "Industrial User" and which is connected to the wastewater system. Commercial users include, but are not limited to, dry cleaning, hairdressing and film processing.

Commonwealth Shall refer to the Commonwealth of Massachusetts.

Composite Sample

Shall mean a combination of individual samples of wastewater taken at pre-selected intervals to represent the integrated composition of the sample source.

Comprehensive Wastewater Management Plan (CWMP)

Shall mean the plan prepared by the Town to evaluate the current and future wastewater needs as amended and as may be subsequently modified by the BOSC.

Contractor shall mean a person, partnership or corporation which has been actively engaged in work of similar nature, and which has sufficient equipment, labor, and resources to construct the proposed work, and which has obtained a valid drain layers license from the BOSC or the Board of Health. The Contractor shall be employed by the Applicant and shall be responsible to them for the construction in accordance with the approved plans.

Cooling Water Shall mean clean wastewater from air conditioning, industrial cooling, condensing and similar apparatus and from hydraulically powered equipment. In general, cooling water will include only water that is sufficiently clean and unpolluted to be discharged, without treatment or purification, into any natural open stream or watercourse without offense.

Development and re-development

The construction of improvements on a parcel or parcels of land for any purpose, including, but not limited to institutional, commercial and/or industrial activity.

DPW Shall mean the Town of Bourne Department of Public Works. However, the Town Administrator has all the authority and powers of the Department and its Director.

Design Engineer Shall mean Engineer under contract with the Property Owner or Applicant and acting entirely within the scope of the authority granted by the Property Owner or Applicant, directly or through properly authorized agents. The Design Engineer shall be a Professional Civil or Environmental Engineer registered in the Commonwealth of Massachusetts.

Domestic Wastewater

Shall mean liquid wastes from non-commercial preparation, cooking, and handling of food or containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

Drain Layer Shall mean a person or corporation who has met the qualifications set by the Town to install sewer and/or sewer connections.

Dwelling Unit Shall mean one or more rooms intended as a single housekeeping unit for use of one (1) or more individuals living together, and having cooking, sanitary and sleeping facilities. A “dwelling unit” does not include garages, sheds or accessory or additional structure, whether attached or unattached.

Easement Shall mean an acquired legal right for the specific use of land owned and maintained by others.

Effluent Shall mean wastewater or other liquid, partially or completely treated, flowing out of a treatment facility or part thereof.

Excessive Amounts or Concentration of a Constituent

Shall mean more than the limits established in these Regulations, (a) directly or by reference, or more than limits judged by the DPW or Wareham will cause damage to the Town’s wastewater system; (b) will be harmful to a wastewater treatment process; (c) cannot be removed in the Town treatment works to the degree required to meet the discharge permit; (d) can otherwise endanger life, limb or public property; or (e) can constitute a nuisance.

Fats, Oils, and Grease (FOG)

Shall mean shall mean organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules that are used in, or are byproducts of, the cooking or food preparation process, and that turn or may turn viscous or solidify with a change in temperature or other conditions. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as “grease” or “greases” such that it will separate by gravity from wastewater by treatment in an approved pre-treatment facility.

- Indoor Automatic Grease Recovery Unit or Device: (AGRU or AGRD) are active automatic grease traps which separate and remove FOG from effluent discharge and clean themselves of accumulated FOG at least once every twenty-four (24) hours utilizing an electromechanical apparatus to accomplish removal to separate FOG from wastewater.
- Indoor Passive Grease Trap: A passive grease trap installed inside a building designed to remove FOG from flowing wastewater while allowing wastewater

to flow through it. Wastewater flows from the drain of the sink into the inlet side of the trap which must have a vented flow restrictor. As the wastewater slows and cools, the FOG hardens and floats to the top and the food solids (sludge) settle and sink to the bottom displacing the wastewater from the middle of the grease trap and into the sanitary sewer.

- Outdoor/Underground Grease Tank: A passive grease tank installed outside a building (having a capacity of 1,000 Gallons or more) designed to remove FOG from flowing wastewater while allowing wastewater to flow through it.
- For our purposes Trap and Interceptors are interchangeable and devices which will be referred to as Grease Tanks. Grease trap requirements and sizing should follow 248 CMR Board of State Examiners of Plumbers and Gas Fitters.

Food Grinder Shall mean any device installed in the plumbing or sewage system for the purpose of grinding food waste and/or food preparation byproducts prior to disposing of in an onsite wastewater disposal system or wastewater sewer.

Food Establishment

Shall mean, but is not limited to, any facility preparing and/or serving food for commercial use or sale. This includes restaurants, cafes, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation and packaging, meat cutting and preparation (excluding grocery stores with only food warming operations), meat packing facilities and other food handling facilities not listed above where fats, oil and grease may be introduced into the wastewater infrastructure, either directly or indirectly via haulers and cause line blockages and sewer overflows.

Garage Shall mean any building wherein one or more motor vehicles are serviced, kept, or stored, and shall include (without limitation) a public or private garage, carport, motor vehicle repair or paint shop, service station, car wash, or any building used for similar purposes.

Garbage Shall mean the animal and vegetable wastes resulting from the domestic or commercial handling, storage, sale, preparation, cooking, or dispensing of food.

General Service Application

Shall mean the form completed by the property owner or by the owner's agent prior to construction, reconstruction, repair or modification to the Town's sanitary sewers or storm drains.

GPD Shall mean gallons per day.

Grab Sample Shall mean a sample of wastewater taken on a one-time basis without consideration of time.

Grease Trap Referred to as a grease interceptor by the Commonwealth of Massachusetts, "Uniform State Plumbing Code and Massachusetts Fuel Gas Code", shall mean a receptacle designed to collect and retain or remove grease and fatty

	substances from wastewater normally resulting from the commercial handling, preparation, cooking, or dispensing of food.
Groundwater	Shall mean a supply of water under the earth's surface contained within or flowing through a geological formation.
Groundwater Discharge Permit	Shall mean a permit issued to the Town for operation of the Wastewater Treatment Facility by the Massachusetts Department of Environmental Protection (the MassDEP) in accordance with the Massachusetts Clean Water Act (M.G.L. c.21, s.21-53) which was amended by Chapter 246 of the Acts of 1973.
Hauler	Shall mean any person who contracts for the pumping, transports, and legally disposal of septage and FOG and who has obtained a license to do so from the Town.
Hazard Communication	Standard (HCS), also known as HazCom, HCS, 29 CFR 1910.1200, is a U.S. regulation that governs the evaluation and communication of hazards associated with chemicals in the workplace. The HCS mandates that chemical manufacturers must communicate a chemical's hazard information to chemical handlers by providing a Safety Data Sheet (SDS).
Holding Tank Waste	Shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.
Incompatible Pollutant	Shall mean a substance that is not amenable to removal by the receiving wastewater treatment facility or which may cause damage to the transmission or treatment facilities or adversely impact overall treatment. Incompatible pollutants include, but are not limited to, heavy metals and persistent organics.
Industrial User	Shall mean any user identified in the U.S. Office of Management and Budget Standard Industrial Classification Manual, 1972, as amended and supplemented, under the following divisions: <ul style="list-style-type: none"> a) Division A - Agriculture, Forestry, and Fishing b) Division B - Mining c) Division D - Manufacturing d) Division E - Transportation, Communication, Electric, Gas, and Sanitary Services e) Division I - Services Class III also shall include any user that discharges wastewater containing toxic or poisonous substances as defined in Section 307 and Section 502 of the Clean Water Act or substance(s) causing interference in the wastewater system.

Industrial User Discharge Permit

Shall mean a non-transferable written and duly signed document by the Town issued to all Significant Industrial Users (SIU) for a period not to exceed five years. This document shall contain, at a minimum, operational parameters, sampling requirements and schedules, discharge limitations, and statements of violation penalties.

Industrial Wastes Shall mean the solid, liquid, or gaseous wastes generated by industrial users from, but not limited to, industrial manufacturing processes; trade, business, or service activities; or the development, recovery or processing of natural resources. Industrial wastes do not include, and are distinct from, sanitary sewage, uncontaminated cooling water, and uncontaminated industrial process water.

Infiltration Shall mean water other than wastewater that enters any sanitary sewer (including building sewers) from the ground through means which include, but are not limited to, defective pipes, pipe joints, service connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

Infiltration and Inflow (I/I)

Shall mean the quantity of water from both infiltration and inflow.

Inflow Shall mean precipitation or surface runoff that enters a sanitary sewer through direct and indirect sources such as downspouts, catch basins, area drains, sump pumps, subsurface drains, interconnections between sanitary sewers and storm drains, etc.

Interference Shall mean an inhibition or disruption of the wastewater treatment facility, its treatment process, treatment operation, effluent disposal, or sludge processes, use or disposal which is a cause in whole or part of a violation of any requirement of the Town's Groundwater Discharge Permit.

Invert shall mean the bottom inside of the sewer pipe.

Manhole Shall mean a vertical access shaft from the ground surface to a sewer or storm drain, usually at a junction, to allow cleaning, inspection, connections, and repairs.

MassDEP Shall mean Massachusetts Department of Environmental Protection.

May Shall mean permissible.

Medical Waste Shall mean isolation wastes, infection agents, human blood and blood byproducts, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, dialysis wastes, and medications.

Massachusetts Environmental Policy Act (MEPA)

Requires that state agencies study the environmental consequences of their actions, including permitting and financial assistance. It also requires them to take all feasible measures to avoid, minimize, and mitigate damage to the environment.

Massachusetts Environmental Policy Act Office

Part of the Executive Office of Energy and Environmental Affairs (EEA). The office provides meaningful opportunities for public review of the potential environmental impacts of projects for which state agency action is required. The office serves the general public, state agencies, municipalities and project proponents.

National Categorical Pretreatment Standard

Shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act which applies to specific category of Industrial Users.

Natural Outlet Shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Oil Trap Referred to as a separator by the Commonwealth of Massachusetts, "Uniform State Plumbing Code and Massachusetts Fuel Gas Code", shall mean a receptacle used for separating materials of different specific gravity, such as oil from water and sand from water that meets these Standards.

Owner Shall mean a person who alone or jointly or severally with others has the legal title to any premises or has care, charge or control of any premises as agent, executor, administrator, trustee, lessee, or guardian of the estate of the holder of legal title.

Pass Through Shall mean the discharge of pollutants through the wastewater treatment facility into navigable water in quantities or concentrations which are a cause in whole or in part of a violation of any requirement of the Town's Groundwater Discharge Permit, including an increase in the magnitude or duration of a violation.

Person Shall mean any individual, firm, company, partnership, association, society, corporation, group, or any political subdivision of the Commonwealth.

pH Shall mean the logarithm of the reciprocal of the hydrogen ion concentration, expressed in moles per liter. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} . Any method of measurement approved by the U.S. Environmental Protection Agency may be used.

Plumbing Shall mean piping falling under the jurisdiction of the plumbing code, generally piping within a building and extending outside the building ten (10) feet from the building wall.

Pollutant Shall mean dredged spoil, solid waste, incinerator residue, wastewater, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat, rock, sand, dirt, and industrial, municipal and agricultural waste.

Pollution Shall mean the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such waters for domestic use.

Preliminary Allocation

An amount of wastewater treatment capacity in gallons per day assigned for a period of two years to a project in its early stages of development. If all appropriate conditions to the project are met, this Preliminary Allocation assures the applicant that the required wastewater treatment capacity will be available when the project is ready for operations. As a condition for retaining the Preliminary Allocation, the Applicant must provide status reports to the Board every six months. The Preliminary Allocation shall be voided by majority vote of the Board if the Applicant does not provide information for these periodic reviews or no if no progress has been demonstrated. The Board can extend a Preliminary Allocation beyond two years or convert a Preliminary Allocation to an Operational Allocation by majority vote.

Preliminary Allocation Fee

A non-refundable one-time fee based on the project's projected flow. This fee shall be due within 30 days of the Board's vote to grant a Preliminary Allocation.

Premises Shall mean a parcel of real estate or portion thereof, including any improvements thereon, which is determined by the DPW to be a single user for purposes of receiving, using, and paying for service.

Pretreatment Shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the wastewater system. Dilution is not pre-treatment.

Pretreatment Regulation

Shall mean any regulation containing pollutant discharge limits promulgated by the EPA, MassDEP and/or Town's Pre-Treatment Standards and shall include National Categorical Pretreatment Standards, prohibited discharges and local limits.

Private Sewer Shall mean a sewer which is not owned by the Town.

Projected Available Capacity

The projected available capacity of the WWTP is based on estimated actual use – which is generally 50% of Title 5 requirements. Since Preliminary Allocations are based on Title 5, if the Preliminary Allocation is 25,000 gpd then Projected Available Capacity at the WWTP to serve the project is 50,000 gpd.

Properly Shredded Garbage

Shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half-inch in any dimension.

Property Owner Shall mean the individual or entity in possession of title for land and/or structure. The property owner may be responsible for paying taxes in relation

to the property.

Public Sewer Shall mean the system of pipes used to convey wastewater from the private building sewer and service connection to the wastewater treatment facility. In addition, it shall mean every sewer laid in any land, easement, street or way, public or private, to which all owners of abutting properties have equal rights, and which is controlled and has been accepted by the Town. No sewer shall be deemed to be a public sewer unless it meets all of these criteria, even if such sewer is located in any land, street or way, public or private.

Pump Stations

1. Pump Station shall mean a system designed to take the flow from a gravity sewer system and boost it to a higher elevation. The Town Pumping Station shall include, but not be limited to (a) Wetwell with submersible pumps, piping, and level controls; (b) Valve Vault with Piping, Flow Meter(s) and Odor Control System; (c) Stand-by Generator; and (d) Control Pedestal with Control Panels, Transfer Switch, and SCADA System
2. Prefabricated Low-Pressure Sewage Pump System (complete factory-built and tested system of the wetwell/drywell type) designed to take the flow from the property and boost into the Town's wastewater infrastructure (gravity sewer or low-pressure sewer). The System shall include, but not be limited to: (a) wetwell containing grinder pump(s) (semi-positive displacement type grinder unit) mounted in a high-density polyethylene (HDPE) basin and anti-siphon valve and check valve assembly; (b) drywell containing an electrical quick-disconnect; pump removal system and shut-off valve; and (c) electrical alarm/disconnect panel.

Receiving Waters Shall mean any watercourse, river, pond, ditch, lake, aquifer, ocean, or other body of surface water or groundwater that receives a discharge of wastewater or effluent.

Record Drawings Shall mean detailed drawings prepared upon completion of the wastewater infrastructure, sealed by the Design Engineer which show actual construction and field dimensions, elevations, details, changes made to the construction drawings by modification, details which were not included on the construction drawings, and horizontal and vertical locations of underground utilities, which have been impacted by the utility installation.

- The Horizontal Datum used for Record Drawings shall be Massachusetts State Plane, Mainland Coordinate System (NAD83).
- The Vertical Datum used for Record Drawings shall be North American Vertical Datum of 1988 (NAVD88).
- Record Drawings shall be compatible with the Department's CAD System.
- Digital photographs of the site and wastewater infrastructure shall be submitted with the drawings.

Residential Reserve

Two percent of the systems' designated treatment capacity held in reserve to allow expansion by existing single-family residences. This reserve is to be calculated annually as part of the determination of the Uncommitted Reserve Capacity.

Sanitary Sewage Shall mean liquid and water-carried human and domestic wastes from buildings, exclusive of ground, storm, and surface water, and industrial wastes and uncontaminated cooling water and uncontaminated industrial process water.

Sanitary Sewer Shall mean a sewer designed to carry sewage and industrial wastes.

Septage Material passing through any part of the sewer system, including, but not limited to, the solids, semi-solids, scum, sludge and liquid contents of a septic tank, privy, chemical toilet, cesspool, holding tank, or other sewage waste receptacle. It does not include any material which is hazardous waste.

Sewer Shall mean a pipe or conduit that carries either wastewater or storm or surface water.

Sewer Commissioner

Shall mean a member of the Bourne Board of Sewer Commissioners

Sewer Extension Shall mean the addition to a sewer system of a sewer pipe, together with appurtenant works which extend and increase the facilities used for collecting and conveying sewage.

Sewer Betterment Assessment

Shall mean the unit of measure which the BOSC shall use to assess the owners of land abutting the wastewater system installed by the Town based upon the uniform unit method. A single residential Sewer Unit shall be equal to 55 gallons per day of water usage. The number of Sewer Units assessed shall be calculated in accordance with the Town's Sewer Assessment By-Law.

Sewer User Discharge Permit

Shall mean the permit required and issued by the DPW to an industrial user for discharging wastewater to the Town's wastewater system.

Sludge Shall mean waste containing varying amounts of solids that are removed from water and wastewater through treatment by physical, chemical, or biological processes

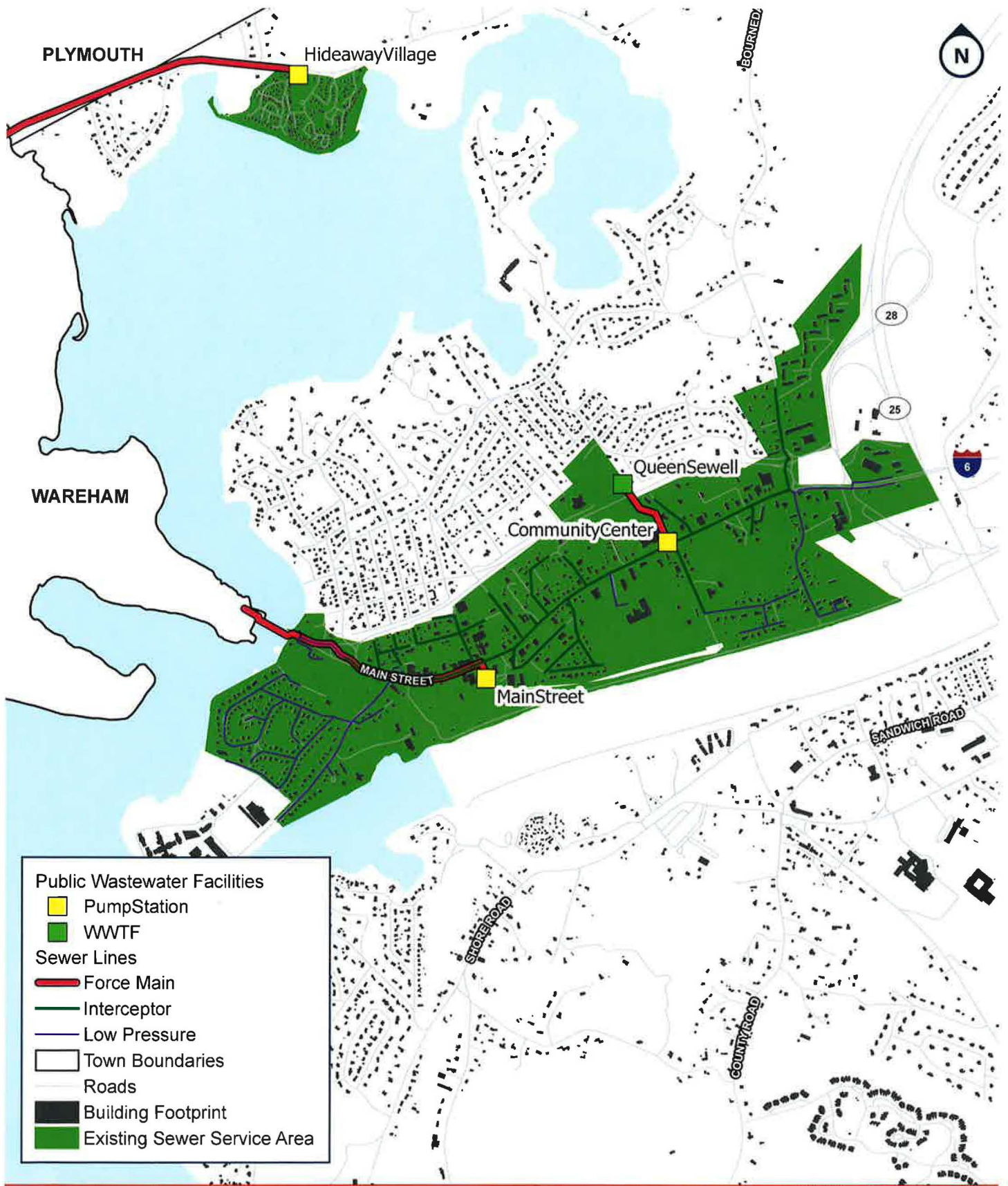
Slug or Shock Load Shall mean any discharge of water, wastewater or industrial waste that will interfere with the operation or efficiency of a wastewater treatment facility due to an excessive concentration of any given constituent or due to an excessive rate of flow in a reduced period of time or at intermittent intervals. Slug shall also mean any discharge of water, wastewater or industrial waste which contains a concentration of any given constituent or a rate of flow that exceeds more than five times the average twenty-four (24) hour concentration or flow during normal operation for any period of duration longer than fifteen (15) minutes.

Spill	Shall mean the release, accidental or otherwise, of any material not normally released in the Town's wastewater system, which by virtue of its volume concentration or physical or chemical characteristics creates a hazard to the Town's wastewater system, its operation or personnel. Such characteristics shall include, but are not limited to, volatile, explosive, toxic, or otherwise unacceptable materials.
State	Shall mean the Commonwealth of Massachusetts.
Storm Drain	Shall mean a drain which carries storm and surface waters and drainage, but excludes wastewater and industrial wastes, other than unpolluted cooling water.
Standard Methods	Shall mean the current edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association, American Water Works Association, and the WPCF.
Sump Pump	Shall mean a pump used to remove liquid from a sump or pit, especially water that has accumulated in a basement.
Surface Water	Shall mean all water appearing on the earth's surface exposed to the atmosphere, such as rivers, lakes, streams, and oceans.
Suspended Solids	Shall mean solids that either float on the surface or are in suspension in water, wastewater, or other liquids and are removable by laboratory filtering procedures as described in Standard Methods.
Total Suspended Solids (TSS)	Shall mean solids that either float on the surface or are in suspension in water, wastewater, or other liquids and are removable by laboratory filtering procedures as described in Standard Methods
Title 5 (310 CR 15)	Shall mean The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage (310 CMR 15).
Title 5 Flow	Shall mean the design flow of sanitary sewage from a building or buildings as defined by the State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage (310 CMR 15) as amended.
Town	Shall mean the Town of Bourne, Massachusetts.
Toxic	Shall mean any of the pollutants designated by federal regulations pursuant to Section 307 (a)(1) of the Federal Clean Water Act,
Uncommitted Allocation	That portion of the treatment capacity remaining after subtracting the Preliminary Allocations, the Operational Allocations, existing flow and the Residential Reserve from the systems' designated treatment capacity. All allocations, Preliminary and Operational, shall be compared with actual flows

for the previous fiscal year, on a parcel or project basis. Parcel /project owners with significant differences between allocations and actual flows shall be required to explain the difference and describe any changes expected in the next 12 months. The Board reserves the right to reduce the operational allocation for projects more than three years old demonstrating a significant excess of allocation. In that case, the difference between the operational allocation and actual flow shall revert to the Town and be counted in the Uncommitted Allocation. The Board shall determine the amount of the Uncommitted Allocation annually and designate such to be available for the next fiscal year.

Unpolluted Water	Shall mean water of a quality equal to or better than the applicable effluent criteria or water that would not cause Violation of receiving water quality standards
User	Shall mean any person discharging wastewater directly or indirectly into the public sanitary sewers within the Town.
User Fees or Sewer User Fees	Annual fees established by vote of the BOSC
Waiting List	A list of applications that are otherwise complete but have been held because the requested allocation is not available. The list is stored with the dated applications.
Waste	Shall mean wastewater and any and all other waste substances whether liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any production, manufacturing or processing operation.
Wastewater	Shall mean the spent water of a community, which may be a combination of the liquid and water-carried wastes from buildings. Groundwater and storm water entering as infiltration and inflow may also be present.
Wastewater Retaining Tank	Shall mean a tank or a chamber for retaining wastewater for a specified period of time prior to discharge to a wastewater system.
Wastewater System	Shall mean the totality of the devices, equipment or works used in recycling, or reclamation of transportation, pumping, storage, treatment, wastewater or in the disposal of the effluent.
Wastewater Treatment Facility	Shall mean an arrangement of devices and structures for treating wastewater, septage and sludge in the Town of Bourne.
Wastewater Treatment Process	Shall mean the physical, chemical, and biological operations and processes, considered individually or in combination, that are applied at a wastewater treatment facility to remove, reduce, or alter the pollutant loading of wastewater.

ATTACHMENT A: BUZZARDS BAY SEWER INFRASTRUCTURE



ATTACHMENT B: GENERAL SEWER SERVICE APPLICATION

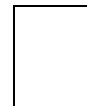


Sewer Service Application Form
Town of Bourne, Massachusetts

Section 1: General Information

- A. Applicant Name _____
- B. Applicant Address and Phone: _____
- C. Is the Applicant the Property Owner? Yes _____ No _____
- D. Property Owner Name _____
- E. Property Owner Address _____
- F. Property Owner Mailing Address _____
- G. Property Owner Phone/Email _____
- H. Building Contractor Name, Address, Phone,
and License Number _____
- I. Licensed Drain Layer or Master Plumber
Name, Address, Phone, and License Number _____
- J. Source of Property Water Supply _____
- K. Number of Residential Bedrooms _____
- L. Types of Plumbing Fixtures
- | | |
|--------------------|--------------------|
| Kitchen Sink _____ | Water Closet _____ |
| Lavatory _____ | Bath Tub _____ |
| Laundry Tub _____ | Shower _____ |
| Urinal _____ | Disposal _____ |
- M. Dig Safe # _____
- N. Water District/Department Connection
(if applicable) _____

- O. Plans and Specifications for the proposed building sewer, as required, by the Planning Board checklist, are attached hereto (Refer to the Bourne Planning Board Department for the updated checklist)



- P. Connection Request:

Residential Connection less than 500 Gallons per Day (GPD)

Residential Connection greater than 500 GPD

Mixed Use/Commercial Change of Use or Increase in Flow

Industrial User

Skip to Section 5.

Complete Sections 2, 3, and 5

Complete Sections 2, 3, and 5

Complete Sections 2 through 5

Section 2: Wastewater Allocation Form

- A. Location of Proposed Project (Address)

Location of Proposed Project (Map and Parcel)

- B. Is Applicant Leasing or Buying?

Leasing _____ Buying _____

If buying, attach Purchase & Sale

- C. Is there an existing connection to the sewer system?

- D. Description of Proposed Project

- E. Financing is in Place

_____ *Copy of Documentation Attached*

- F. Applicant has a letter of intent to finance

_____ *Copy Attached*

- G. Allocation Requested

- H. Any unusual characteristics of projected flow?

Yes _____ No _____

If Yes, describe type of wastewater flow:

- I. Requested Amount Exceeds Available Allocation

Yes _____ No _____

Section 3: General Commercial/Mixed Use

A. Company Name _____

B. Facility Address and Phone: _____

C. Property Owner Name _____

D. Property Owner Address _____

E. Property Owner Mailing Address _____

F. Property Owner Phone/Email _____

G. Name and Title of Corporate Officer Signing
Application _____

H. Name and Title of Facility Manager _____

I. Name and Title of Employee Responsible for
Wastewater Discharge _____

J. Type of Business: _____

K. Principle Product or service: _____

L. Describe Operation and Activities of Facility _____

M. Describe any factors affecting operation
(Seasonal production, scheduled shutdown,
peak operation, batch operation, etc.) _____

N. Number of Employees _____

Section 4: Industrial Users

A. Standard Industrial Classification Code (SIC) and/or North American Industry Classification System (NAICS) Code _____

B. List all raw materials used in the operation
Attach additional pages if necessary _____

C. List any flammable, combustible, or explosive substances which are stored, utilized, or produced at this facility: *Attach additional pages if necessary*

D. List any hazardous substances, SDS sheets (as defined in 310 CMR 30.00), which are stored, utilized, or produced at this facility: *Attach additional pages if necessary*

E. Describe all measures which are taken to isolate those areas of the facility where the substances listed in Item C. and D. are stored, utilized, or produced. In particular, list efforts to prevent the discharge of these substances to the sewer system (*attach additional pages if necessary*):

F. Is there a Spill Prevention Plan? Yes _____ → **Attach Copy** No _____

G. Attach copies of Statement of Violation Penalties issued to the Industrial User Attached _____ Not Applicable _____

H. Name and Title of Employee Responsible for Wastewater Discharge

I. List the size, location, average daily flow and maximum daily flow of all connections to the sewer system. *Note: The maximum daily flow listed will be considered the maximum day permitted flow, if this application is accepted; attach additional pages if necessary*

- J. List all other methods of wastewater disposal (e.g. direct to waterbody or ground, waste hauling service). *Attach additional pages if necessary.*

K. Baseline Monitoring Report

Attached _____ Date Completed _____

Note: The Department requires that an applicant for an industrial connection permit submit a "Baseline Monitoring Report" which shall be prepared by a Professional Civil Engineer, registered in the Commonwealth of Massachusetts, in accordance with the U.S. EPA "General Pretreatment Regulations for Existing and New Sources of Pollution" (40 CFR 403, as amended). The completed Baseline Monitoring Report shall be reviewed by the Manager of the facility from which the wastewater is discharged and the Manager of the facility shall certify in writing that "all sampling for the Report was performed under normal operating conditions at the Facility, particularly with regard to the quantity and characteristics of the wastewater which was generated during the sampling."

- L. Operating Parameter Ranges of Wastewater Effluent (% ranges if not operational yet):

	Effluent Range	Efficiency Removal (%)
pH		
Temperature		
BOD (mg/L)		
TSS (mg/L)		
Oil & Grease (mg/L)		

- M. Attach copies of the results of all analyses conducted on the wastewater (raw and pretreated) over the past two years.

Attached _____ Not Applicable _____

- N. Describe any proposed or existing pretreatment which this wastewater will receive prior to discharge. If this is a proposed process or modification to an existing process, attach a copy of the design report prepared by a Professional Civil Engineer, registered in the Commonwealth of Massachusetts, including a detailed flow schematic, plans, and specifications.

Section 5: Certification

In consideration of granting this permit, the undersigned agrees:

1. To accept and abide by all provisions of "Sewer Use Regulations" of the Town of Bourne, Massachusetts and of all other pertinent rules and regulations that may be adopted in the future.
2. That no person shall excavate, construct, effect, maintain, modify, or use any sewer connection or extension without a currently valid permit from the Town of Bourne. The permit must be "in-hand" before work can commence.
3. To pay all the cost of said particular sewer and its connection with the public sewer in said street, including all labor and materials or any other expense incurred necessary for proper construction of said particular sewer as determined by the Sewer Commission.
4. To maintain the building sewer at no expense to the Town.
5. For himself, his heirs, devisees and assigns, that the said Department of Public Works shall have access at all reasonable hours, to the said premises, to see that all the laws, rules, and regulations relating to the sewer are complied with.
6. To notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer, but before any portion of the work is covered. Notice of two (2) business days shall be provided to the Superintendent.
7. That construction of the sewer connection will be completed within ninety (90) days of issuance of this permit.

Signed: _____

Applicant's Name: _____ Date: _____

DO NOT WRITE BELOW THIS LINE – OFFICE USE ONLY

Total Fee Paid: _____

Street Opening Permit _____ Valid Bond and Insurance _____

Approved _____ Not Approved _____

Permit Number _____ Expires _____

Signed: _____ Title: _____

Date: _____

ATTACHMENT C: SEWER USE RATES, FEES, AND FINES
Adopted by Board of Sewer Commissioners
August 30, 2022

Application and Design Review Fee: \$1,500.

Preliminary Allocation Fee: \$5 per projected gallon per day flow for first 1000 gallons plus \$1 per gallon per day of flow over 1000 gallons.

Preliminary Allocation Extension Fee: \$5 per projected gallon per day flow for first 500 gallons or \$2,500 for projects greater than 500 gallons per day.

Residential Connection Fee: \$100 for residential properties and \$100 for each additional unit.

Commercial Connection Fee: \$150 plus \$0.10 per square foot of building floor space.

Sewer System Development Charge: \$75 per foot of frontage plus \$11,500 per acre.

Annual Sewer User Fee: Annual rate times the number of units.

Effective August 9, 2022 - \$583.50 per unit for the period July 1 – December 31, 2022

Annual Overage (surcharge) for calendar year 2022: \$0.0125 per gallon of water use over 45,000 gallons for the calendar year.

Grease Trap / Interceptor Permit Fees: TBD

Grease Trap / Interceptor Inspection Fees: TBD

Fine for operating a grease trap / interceptor without a FOG management plan or permit: TBD

Capital Improvement Fees: None currently in place

Fines for violating the terms of the Sewer Rules & Regulations, or causing damage to the municipal system: Not to exceed \$5,000. Each day of a continuous violation shall be deemed to be a separate violation. If a violation is intermittent, each occurrence shall be deemed to be a separate violation.

Reimbursement of Costs: The DPW shall levy and collect any additional cost for any expense, loss, or damage caused by any violation to these Rules and Regulations.

*ATTACHMENT D: SEWER CONSTRUCTION INSTALLATION REQUIREMENTS
AND DETAILS*

D-1 ABANDONMENT OF SEPTIC SYSTEM

If applicable, the existing septage system of the property being connected shall be completely pumped out; contents shall not be disposed of via the public sewerage system. Disposal shall follow the requirements of Section 8.1.

Failure to properly pump out and seal the septage system in accordance with Board of Health Regulations may result in the revocation of installer's license.

D-2 SEPARATE BUILDING SEWERS

Separate and independent building sewer connections shall be provided for all new or substantially rehabilitated buildings. Where one building stands behind another on an interior lot, and no private sewer is available or can be constructed to the rear of the building through an adjoining alley, court, yard, or driveway, the building sewer may be extended from the front building to the rear building with the approval of the Board of Sewer Commissioners.

D-3 EXISTING BUILDING SEWERS AND BUILDING STORM SEWERS

With DPW approval, existing building sewers may be used to accommodate new uses which result in changes in volumes or characteristics of wastewater and stormwater. The property owner is required to perform a television inspection of the existing sewer proposed for use prior to reuse. If, in the opinion of the DPW, the existing gravity sewer pipe is not suitable for reuse it must be replaced with SDR35 PVC pipe. The costs of any inspection and testing required by the DPW as a precondition to such approval shall be at the owner's expense.

D-4 GRAVITY DISCHARGE TO SEWER

All building sewers shall discharge by gravity to the public sewer. In all new or substantially rehabilitated buildings in which any building sewer is too low to permit gravity discharge (other than for a low-pressure sewer system), wastewater shall be lifted by an approved means and allowed to discharge by gravity (i.e., not under pressure) to the sewer.

D-5 BACKWATER VALVES

All existing or new building drains from plumbing fixtures liable to backflow from a public sewer, or a private sewer connected to the public sewer, shall be required to have backwater valves installed at the owner's expense. Any plumbing fixture located at an elevation below the top of the manhole on the public sewer serving the fixture shall be considered to be liable to backflow. Backflow valves

shall be installed in accordance with 248 CMR Section 2.09(4) of the Uniform State Plumbing Code, as amended. The DPW shall have the right to inspect all backwater valves in accordance with this section of the regulations. Where backwater valves are required, they shall be installed and maintained continuously in satisfactory and effective operation by and at the expense of the owner or user.

D-6 OIL TRAPS FOR COMMERCIAL AND INDUSTRIAL GARAGES

Oil traps shall be required on sewers directly or indirectly tributary to the Town's wastewater system from existing or new garages, and other establishments capable of discharging petroleum-based oil or grease, flammable wastes, sand, or other harmful substances. Oil traps shall not normally be required for garages associated with private dwelling units. The determination as to whether an oil trap is required rests with the Town Plumbing Inspector/Building Department and the DPW. All oil traps shall be of a type and capacity approved by the DPW and shall be located so as to be readily accessible for maintenance and inspection. The DPW shall have the right to inspect such facilities in accordance with Section 10 of these regulations. Where oil traps are required, they shall be installed and maintained continuously in satisfactory and effective operation by and at the expense of the owner or user.

D-7 GREASE TRAPS/INTERCEPTORS

Grease traps shall be required for all restaurants, facilities that prepare and/or package food or beverages for sale or consumption, on or off-site, and any other industrial or commercial establishments which discharge significant amounts of animal or vegetable fat, oil or grease. The discharge concentration shall not exceed 100 milligrams per liter for any building sewer. Such devices shall not normally be required for private dwelling units. The Board of Health Agent will determine whether a grease trap is required. All grease traps shall be of a type and capacity approved by the Board of Health Agent and shall be located so as to be readily accessible for maintenance and inspection. Where grease traps are required, they shall be installed, inspected at least once each month, and maintained continuously in satisfactory and effective operation and in accordance with the requirements of the Uniform State Plumbing Code and the State Environmental Code, Title 5, all by and at the expense of the owner and user. The DPW shall have the right to inspect such facilities in accordance with Section 10 of these regulations. All grease trap/interceptors shall be subject to the following:

1. All grease traps/interceptors shall comply with the Massachusetts Plumbing and Building Codes. Grease traps/interceptors shall be sized in accordance with 310 CMR 15 (Title V) and the Plumbing and Drainage Institute (PDI) standard G-101, as amended.

2. In every case where a food establishment is preparing or selling food or business of a similar nature is carried on, a suitable internal grease trap in compliance with Board of Health Regulations must be installed.
3. Establishments in excess of 150 seats that prepare food must install an external grease interceptor. External grease interceptors shall have a minimum depth of four feet, minimum capacity of 1,500 gallons, have a grease retention capacity of not less than two (2) pounds for each gallon per minute of flow, and provide a minimum 24- hour detention time for kitchen flows. Interceptors shall be easily accessible for maintenance and have 24-inch (minimum) diameter risers to grade. Flow rates from the State Environmental Code, Title V, 310 CMR 15, shall be used to determine the size of a grease interceptor. Other alternative and innovative approved methods of grease removal and disposal may be used if approved by the Board of Health, Plumbing Inspector and DPW. All new facilities must install industrial type grease interceptors.
4. The owner or his designee shall inspect grease traps/interceptors at least monthly. Internal grease traps must be cleaned monthly by the owner, operator or approved vendor. External grease traps must be pumped by an approved vendor a minimum of every six months and more frequently if required by the Director. Service records must be maintained and readily accessible to Board of Health, and Plumbing agents and inspectors. Failure to clean traps/interceptors and provide evidence of such cleaning shall be considered a violation of these regulations. Failure to maintain adequately sized grease traps/interceptors in proper working order shall result in fines. Repeated failure to maintain adequately sized grease traps/interceptors in proper working order shall result in suspension of the Food Establishment Permit.
5. Grease traps/interceptors shall be permitted annually, in collaboration with the renewal and inspection for a Food Establishment Permit. There shall be no additional charge for the grease trap/interceptor permit. The grease trap/interceptor permit shall be displayed prominently at the facility.
6. Disposal of waste materials from grease traps/interceptors shall be by a licensed disposal facility/hauler only. Owner shall maintain records of disposal readily available for review by the Director or their authorized agent.
7. Any facility with a grease trap/interceptor permit shall post

educational information (e.g., fact sheet, maintenance requirements, etc.) in the vicinity of the grease trap/interceptor.

8. Any facility with a grease trap/interceptor permit shall keep a maintenance log available at the facility.
9. The Town Plumbing Inspector and Board of Health Agent have the authority to act on behalf of the Town for the purpose of inspecting grease traps/interceptors, issuing permits for grease traps/interceptors, or issuing violations relative to the operation of a grease trap/interceptor.
10. Grease traps/interceptors shall be installed and maintained at the Owner's expense.
11. Failure to comply with these Sewer Use Rules and Regulations will result in re-inspection. Violators will be required to attend a BOH hearing that may result in suspension or termination of a food permit.

D-8 WASTEWATER – STORMWATER SEPARATION

The plumbing of any existing or new building shall be so constructed as to keep all stormwater, surface water, groundwater, roof and surface runoff, subsurface drainage, and allowable non-stormwater discharges separate from the building sewer. In no case shall a building storm sewer be connected to a sanitary sewer. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer which in turn is connected directly or indirectly to the sanitary sewer. No wastewater shall be discharged into a storm drain. (All wastewater-stormwater separation shall comply with the requirements outlined in the Town's Board of Health regulation regarding Illegal (Illicit) Discharges to any storm drainage system, as well as the Town's Zoning Bylaw (especially Section 3490) and any other Federal, State, and local laws pertaining to stormwater.)

D-9 CONNECTION TO MANHOLES

Building sewer connections for new or substantially rehabilitated buildings shall not be made directly to publicly owned manholes unless expressly authorized by the DPW.

D-10 SPECIAL FACILITIES

The DPW may require the owner of a new or substantially rehabilitated building to construct, operate, and maintain facilities, such as oil traps, particle separators, and wastewater retaining tanks, which will provide for the regulation and control of wastewater discharged to the Town's

wastewater system. Such special facilities shall be constructed, operated, and maintained at the owner's expense. The DPW shall have the right to inspect such special facilities in accordance with Section 10, to ascertain compliance with these regulations.

D-11 DEWATERING DRAINAGE

In no circumstances shall dewatering drainage be discharged into a sanitary sewer. Such discharges shall comply with all other applicable regulations.

D-12 DESIGN AND CONSTRUCTION STANDARDS

All applicants for permits or licenses to connect to the Bourne Sewer System shall abide by all the Sewer Use Regulations as adopted herein.

No Connection to the Bourne Sewer System shall be made unless a permit is obtained from the BOSC and the installer is licensed by the BOSC as set forth in these regulations.

New building sewers, other private sewers, wastewater retaining tanks, grease traps, oil traps, appurtenances, and other wastewater facilities tributary to the public wastewater system shall be designed and constructed in conformance with DPW standards and specifications, and as depicted in standard Town details. All new building sewers must be constructed of SDR 35 PVC pipe. All materials used must meet approved industry standards and be approved by the Bourne Department of Public Works. In the absence of such specifications or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials, the WPCF Manual of Practice No. 9 New England Interstate Water Pollution Control Commission Guides for the Design of Wastewater Treatment Works, and Title 5 of the State Environmental Code shall apply.

D-12.1 Installation Requirements

The following is a list of minimum installation requirements.

1. Installers who are unable to locate connections should contact the DPW immediately. Installers are to make their best effort to locate the connection prior to calling for assistance.
2. No installations or inspections are to be made on Saturdays, Sundays or Holidays.
3. All joints are to be elastomeric gasket joints which provide a water tight seal. All connection shall be made in accordance with

the pipe manufacturer's recommendations.

4. Piping for connection to the gravity system shall be four (4) or six (6) inch PVC SDR-35. For grinder pump connections, piping shall be four (4) inch PVC SDR-21.
5. Bedding material shall be free from clay, loam and organic matter.
6. Sand cushion material shall be free from organic matter, with a maximum of 15% retained on the #4 sieve and a maximum of 5% passing the #200 sieve.
7. Suitable material for trench backfill above sand cushion shall be material excavated during the course of construction, but excluding debris, pieces of pavement, frozen material, organic matter, top soil, all wet or soft muck, peat or clay, ledge excavation and rocks over six inches in largest dimensions, or any material which, as determined by the Town will not provide sufficient support or maintain the completed construction in a stable condition.
8. Pipe shall be laid with spigot end pointing in direction of flow.
9. Building sewer connections shall be laid at least ten (10) feet apart from any new or existing water service connection.
10. No 90-degree elbow are allowed at any time. 90-degree corners are to be accomplished through the use of smaller bend fittings or are to be T wye with a cleanout opposing the direction of flow. See Sewer Construction Details Attachment D.
11. Proper pitch is to be maintained throughout the entire length of the installation.
12. Cleanouts are required at all direction changes of 90 degrees and at selected locations on extremely long lines in one direction. Cleanouts shall be brought to within 18 inches of ground level and properly capped.
13. Connections to house services shall be either a flexible coupling of the proper size equipped with stainless steel fasteners or a rubber doughnut of the proper diameter installed in a uniform manner.
14. Special care must be taken when connecting to grinder pumps in order to ensure that no earth, sand, gravel or any other materials are introduced into the tank. Upon completion of installation and after ensuring that the connecting is tight and the tank is free from foreign materials, the pump core shall be installed.

15. It is the responsibility of the property owner and the installer to ensure that the provisions of Section 6, 7, 8 and 9 of the Bourne Sewer Use Regulation are not violated.

D-12.2 Construction of Below Grade Fixtures

Construction of below grade fixtures shall be in accordance with the Uniform State Plumbing Code Section 248 CMR 10.00, and a plumbing permit is required to complete the work. Plumbing that is subject to the requirements of this section shall include faucets, showers, baths, toilets and washing machine hookups. All plumbing fixtures located at an elevation below the top of the manhole on the public sewer serving the proposed plumbing shall be considered liable to backflow and shall be equipped with a backwater valve in accordance with 248 CMR Section 10.15 (10) (f) of the Uniform State Plumbing Code and 780 CMR Chapter 29 of the State Building Code. The backwater valve shall be installed and maintained at the owner's expense.

D-12.3 Acceptance

Before acceptance, the completed installation will be inspected by a representative of the BOSC/DPW for any imperfections such as cracks, displace joints, objectionable variations from line and grade, or leaks, and shall be repaired to the satisfaction of the Inspector. Installers shall arrange for inspection at least one day in advance and are to be aware that inspections will be made as promptly as the Inspector's schedules allow.

No inspections of incomplete installations will be made unless special conditions exist, examples of which are: utilities which require outside support while the installer works, work which renders streets impassable to emergency vehicles and for which no other access is available.

Installers are to be on site when the inspection is made to assure that corrections or changes required are fully comprehended. Inspectors will return to re-inspect when time permits or if arrangements are made for a specific time.

D-12.4 Dye Testing of Building Sewers

Prior to issuance of an occupancy permit, every new building sewer shall be dye tested by the owner or their designee in the presence of a Town inspector to establish that the building sewer is properly connected to the public sanitary sewer. At any time, the DPW may require an owner to conduct dye testing of an existing building sewer to confirm that it is properly connected to the public sanitary sewer. If the building sewer is not connected to the public sanitary sewer, the owner shall use whatever means necessary to determine the actual point of connection. The DPW shall require the owner to eliminate any connection from a building sewer to the MS4 or any other natural outlet {also referred to as an illicit connection) at the owner's expense. Where separate sanitary and storm drains exist, the DPW may also require the owner to dye test in the presence of a Town inspector, a

new or existing building storm drain to establish that it is properly connected to the MS4. The DPW may also require the owner to eliminate a connection from a building storm drain to a public sanitary sewer at the owner's expense.

D-12.5 Sump Pump Connections

Sump pumps may be connected to the public storm drainage system at the discretion of the Director if the Director determines that discharge on-site is not feasible. The owner shall pay a separate sump pump fee. The connection shall be in compliance with the Town's Board of Health regulation regarding Illegal (Illicit) Discharges to any storm drainage system.

D-12.6 Private Inflow Removal

Illicit sewer connections to the public sewer system, which include stormwater connections associated with basement sump pumps, roof leaders, foundation/cellar french drains, and driveway drains, are prohibited. Illicit sewer connections that are not removed in accordance with DPW Policy will be subject to a fine as outlined in Attachment C. The use charge is assessed on the additional water that is being contributed to the sewer system, but not being registered by the water meter. Duly authorized representatives of the DPW may inspect the property or facilities of any user (including facilities under construction) to ascertain compliance with these Regulations. If inspection access to the property is not permitted by the owner, an additional use charge shall be assessed. The charge will be removed following inspection if an illicit discharge to the sewer system is not identified.

D-12.7 Low Pressure Sewer Grinder Pump Policy

The Town of Bourne has standardized requirements for the installation of grinder pumps.

D-12.8 Pump Stations

Where pump stations are required for extension, replacement, or connection to the public sanitary sewer, the Applicant must adhere to the following requirements, as certified by a Professional Engineer licensed in the Commonwealth:

1. Pump stations shall be designed and constructed in accordance with the latest version of TR-16 Guide to Wastewater Treatment Works, or other accepted industry-standard design manual practice.
2. The permittee must provide a full set of buoyancy calculations for pump station wet well and associated underground vaults.
3. At a minimum, pump stations shall be equipped with the following:
 - a. SCADA (Supervisory Control and Data Acquisition) system
 - b. Alarm system with visual and audible components mounted outside
 - c. Alternative/back-up power

- d. An Odor Control component for stations with a design flow rate higher than 350 gpm
 - e. Flow meter and run-time recorder
- 4. Connection to the public sanitary sewer system shall be by gravity, not under pressure unless part of a low-pressure sewer system.
- 5. Upon completion of construction of the pump station, the Contractor shall provide to the Town copies of as-built drawings and an Operation & Maintenance Manual for the pump station.
- 6. The permittee shall be required to enter into an annual operation and maintenance service contract for emergency services after the commencement of operation of the pump station.
- 7. The permittee shall provide financial assurance for emergency repair and a long-term capital fund for replacement of the station or its components before useful life has been expended.



Pocasset Water Quality Coalition

P.O. Box 852 Pocasset, MA 02559

Bourne Select Board

24 Perry Avenue

Buzzards Bay, MA 02532-3441

July 29, 2022

Dear Select Board Members,

The Pocasset Water Quality Coalition (PWQC) wants to make our thoughts know on a TMDL for Pocasset Harbor, Red Brook Harbor, Hen Cove, and the Pocasset River. We are aware that new state DEP regulations are proposed for Cape Cod. These regulations would take effect January 1, 2023.

Part of the new regulation that concerns PWQC is the need for a TMDL for water sheds before Towns can mandate that residents update their Title 5 septic systems to meet the new regulations. In Bourne the only TMDLs that we know of are Phinney's Harbor and a TMDL for Megansett/Squeteague Harbors that is shared with Falmouth.

A TMDL for the watersheds, harbors and coves of Pocasset should a priority for Bourne. If PWQC can be of any assistance in this process, please let us know.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Keith Barber", written over a horizontal line.

Keith Barber - President Pocasset Water Quality Coalition

Board of Sewer Commissioners
Minutes of Tuesday, September 28, 2021
Bourne Veterans' Community Center
Buzzards Bay, MA

ATA Tim King
ATA Glenn Cannon

Board of Selectmen

Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair
George Slade, Clerk
Peter Meier
Judith Froman

Others: William Mohan, Mr. Murat, Terri Guarino, Health Agent, Tim Lydon, Engineering Department, Kristen Berger, and Steven Souza, Buzzards Bay Water District.

7:00 PM Call Public Session to Order in Open Session

Chair Mary Jane Mastrangelo called the meeting of the Sewer Commissioners to order.

Note this meeting is being televised, streamed, or recorded by Bourne TV.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners. Michael Rausch acknowledged that he is recording the meeting.

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
- 5. Public Comment on Non-Agenda Items**
 - a. Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

6. Minutes: No minutes to approve.**7. Board of Sewer Commissioners Business****a. Sewer Allocation and Grease Trap Waiver Request – Domino's Pizza 2 Bridge Approach 2F, William Mohan**

Mr. Mohan said he is a licensing and permitting consultant and he works with several corporations and fast-food franchises and Domino's is one of them. Mr. Murat introduced himself and said he is the franchise owner of Domino's Pizza in Bourne and Wareham and Marshfield.

Mr. Mohan explained where the Domino's will be located and why they are there for the waiver request. He said that there would be no grease escaping anywhere and that it is self-contained because everything is pre-cooked and baked. He also explained that the allocation of 1000 gallons a day is too much for this business and that they would not even use 500 gallons a day.

There was some discussion about how the Board of Health and the Fire Department monitor requests such as these. Terri Guarino said that a grease trap is typically a requirement and the Wareham Dominos has an exterior grease trap. There was more discussion about external grease traps and internal grease traps. Ms. Guarino said that the Health Department is recommending an external grease trap for the Bourne Domino's location. Mr. Mohan said that there is not an external grease trap in Wareham, he said they have an internal grease trap in Wareham.

Tim Lydon said that he met with Mr. Mohan at length and told him that he needs to go in front of the Board of Sewer Commissioners. Mr. Lydon said that grease threatens the sewer system. He explained how they came to 1000 gallons of water a day and said he thinks the external grease trap is the right thing to do because it protects the system.

Judith Froman said with the different answers about the grease traps, she does not feel that a decision can be made at this meeting. Mr. Mohan said that they will get the correct information for the Board.

Voted: Peter Meier moved, and Judith Froman seconded to continue this to the next available Sewer Commissioner's meeting.

Vote: 5-0-0.

b. Buzzards Bay Water District update – Kristen Berger, P.E., ENV SP and town staff will update the Board of Sewer Commissioners on a recent meeting between the three Bourne Water Districts, the Department of Environmental Protection (DEP) and Town of Bourne Staff. -

Kristen Berger with Resilience Civil Engineering said she has been working with the Buzzards Bay Water District on their Water Management Act Permit. She said that they applied for a new Water Management Act Permit in October of 2020, and that was to be able to increase their annual authorized withdrawal that DEP regulates. This was to be able to supply water to some new

developments that had been coming up in Town that had requested connection to the Buzzards Bay Water System. She said in August of 2021, Mass DEP issued a draft Water Management Permit and the public comment period just ended. The existing permit is 0.53 million gallons per day and the draft permit came out at 0.79 million gallons per day, which is what they had asked for. She said the new permit does have some additional caveats, including a new baseline threshold in which mitigation is required.

Ms. Berger said that on September 21st, there was a meeting with representatives of the Mass DEP Water Management Program which Steven Souza and Glenn Cannon attended as well as the Superintendents from the other two water districts. She said that once the other 2 districts get their new permits, they will see the need to mitigate as well. She said that Bourne Water District will need to mitigate about 20,000 gallons per day. She also said that the team that met in September will be meeting regularly with the next meeting scheduled for November.

c. Review Fiscal Year 2021 Final Sewer Enterprise Fund Budget and Fiscal Year 2022 Enterprise Fund Budget

Chair Mastrangelo said that the original purpose to have this on the agenda was to talk about potentially having a consultant out of this year's budget. Mr. Cannon said there were some significant turnbacks in the Sewer Enterprise Fund last fiscal year, which he equates to the change in leadership and in salaries. He does not think this past year is a good year to judge by going forward and this has affected moving forward with obtaining a consultant.

d. Report from the Policy Sub-Committee – Discussion 9/9/21 including Sewer Overage Rate, Sewer Development Charge and Allocation Fees

Mr. Cannon said that at the last Sewer Policy Sub-Committee meeting they discussed what had been done regarding regulations and fees in the past. They were not able to make any changes on either due to complications, although they did have a good discussion about existing regulations and fees. He said that they discovered a little bit of overlap in the fees. Jared MacDonald said they had a good conversation about definitions and the flow chart, and they still have a long way to go.

Chair Mastrangelo said they also discussed the sewer overage rate and that the overage rates that the Town currently has at 0.01 per gallon, do not cover the cost of overage or processing. She said that trying to bring that up to speed quickly would be a burden to businesses and others. She said they talked about doing it incrementally over 4 or 5 years. There was some discussion about overage rates and the complexity of increasing the fees.

e. Sewer Overage Rate – Discussion and possible vote on the 2022 calendar year sewer overage rate.

There was some discussion about what the increase in the sewer overage rate should be. It was discussed that for the average user this rate increase will not be seen, it is for the heavy users.

Voted: Judith Froman moved, and Jared MacDonald seconded to approve the sewer overage rate for Calendar Year 2022 at \$ 0.125 dollars per gallon for usage in excess of 45,000 gallons per calendar year.

Vote: 5-0-0.

f. American Rescue Plan Act (ARPA) Funds –

- i. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to implement the recommendation outlined in the Inflow and Infiltration (I/I) Study conducted by Environmental Partners including trenchless sewer pipe lining and manhole repair recommendations (approximately \$750,000).**

Acting Town Administrator Tim King said that he has researched the use of ARPA funds and he said they are quite specific on what the funds can be used for. He provided a document for the Commission on what they can be used for. His recommendation given the circumstances in Bourne is to use the funds to pay for some of the sewer projects including the implementation of the I/I study, redo the policies and regulations, and do a rate study.

- ii. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to complete the DRAFT Sewer Regulations.**
- iii. Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to review and make recommendations on both the existing sewer rates/fees and any proposed new sewer rates/fees structure.**

Voted: Jared MacDonald moved, and Peter Meier seconded to approve the use of American Rescue Plan Act funds to review sewer rates and fees, complete the draft sewer regulations, implement the recommendations outlined in the I/I study conducted by Environmental Partners including the sewer line study, and recommend that it go to the Board of Selectmen for final approval.

Vote: 5-0-0.

8. Future Agenda Items

Chair Mastrangelo said that Environmental Partners will be at the meeting next month to give a quarterly review. The six-month application will be discussed also.

9. Correspondence

George Slade said there were 7 items of correspondence:

- Skip Barlow looking to craft language for an article for Special Town Meeting.
- Mark Durell looking at development possibilities within the community because of the Wastewater Treatment Plant.
- Various emails and voice conversations between sewer users and Kathleen Thut about sewer bills:
 - M. Barrios
 - Resident from 9F Hideaway Village

- Notes from a conversation with someone from 20 Bay Drive
- Phone call from the last name Zaner
- Notes from someone living at 9 Wright Lane

There was some discussion about second home water usage.

10. Adjourn

Voted: Jared MacDonald moved, and Judith Froman seconded to adjourn.

Vote: 5-0-0.

This meeting of the Bourne Board of Sewer Commissioners was adjourned at 8:40 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Sewer Commissioners
Minutes of Thursday, October 28, 2021
Bourne Veterans' Community Center
Buzzards Bay, MA**

**TA Tony Schiavi
ATA Glenn Cannon**

Board of Selectmen

Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair
George Slade, Clerk
Peter Meier
Judith Froman

Others: Helen Gordon, William Mohan, Korrin Peterson, Skip Barlow, Tom Barlow, Renee Gratis, and Tim Lydon.

7:30 PM Call Public Session to Order in Open Session

Chair Mary Jane Mastrangelo called the meeting of the Sewer Commissioners to order. Judith Froman and Jared MacDonald were excused.

Note this meeting is being televised, streamed, or recorded by Bourne TV.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners. Michael Rausch acknowledged that he is recording the meeting.

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
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- 5. Public Comment on Non-Agenda Items**
 - a. Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

6. Minutes: No minutes to approve.**7. Board of Sewer Commissioners Business**

- a. Abatement Request – 21 F Nautical Way – The owner of 21F Nautical Way has requested a sewer abatement for the 2021 first-half bill.**

Assistant Town Administrator Glenn Cannon said that the applicant was not present. He said that the homeowner pulled a permit to replace their roof and back deck. There was some miscommunication during construction which resulted in the house being removed. Once the house was removed, they had to go to FEMA first to get a building permit within a flood zone and the house needs to be raised up which has caused delays. They are applying for an abatement due to there not being a house on the property.

Voted: George Slade moved, and Chair MJ Mastrangelo seconded to approve a sewer abatement in the amount of \$591.50, for 21F Nautical Way, Buzzards Bay.

Vote: 2-0-1. Peter Meier abstained.

- b. Board of Sewer Commissioners Policy Subcommittee Report – The Board of Sewer Commissioners Policy Subcommittee will give a report from their October 7, 2021, meeting.**

Mr. Cannon said that the Policy Subcommittee talked about possibly going to quarterly billing, the fee schedule, and existing sewer regulations. He said that Helen Gordon of Environmental Partners is now under contract to re-write the sewer regulations.

Chair Mastrangelo read aloud the latest fee schedule and she said it would supersede all previous fee schedules outlined in the Commercial Wastewater Management Allocation Policy, 2017 and the sewer use charges voted in 2006:

“The capacity allocation process fees would be the application and design review fee, which is a one-time fee of \$1,500.00, and the preliminary allocation fee, which is a one-time fee of \$5.00 per projected gallon per day flow for the first 1,000 gallons per day plus \$1.00 per gallon per day of flow over 1,000 gallons. The preliminary allocation extension fee is \$5.00 per projected gallon per day flow for the first 500 gallons or \$2,500.00 for projects greater than 500 gallons per day. The sewer connection fees – the residential sewer permit fee one time for \$100.00 for residential properties and \$100.00 for each additional unit. The commercial sewer permit fee one time is \$150.00, plus \$0.10 per square foot of building floor space, the sewer system development charge one time is \$75.00 per foot of frontage plus \$11,500.00 per acre, and the sewer user fee annual sewer use fee times the number of units.”

Voted: Peter Meier moved, and George Slade seconded to approve and move forward with the fee schedule.

Vote: 3-0-0.

c. Sewer Allocation and Grease Trap Waiver Request – Domino's Pizza, 2 Bridge Approach 2F, William Mohan.

William Mohan said that he is the licensing and permitting consultant for Domino's Pizza. He said that they are looking to become part of the mall next to Starbucks. He said that they will not be using close to the thousand gallons per day allocation as the Town states is the standard for restaurants. He said that he did a study on water usage from other Domino's Pizzas in the area and he passed the results on to Mr. Cannon.

Tim Lydon, Engineering Department, talked about a grease interceptor and the request to waive it at this Dominos location. He talked to the Superintendent of the Wareham Wastewater Treatment Plant and learned that they waived the external grease trap at a Dominos in Wareham because they went through records of 10 years or so at the location and there was barely any grease recorded. Mr. Lydon feels that they could waive the grease trap in this case and the Town owns the grinder pump at this location.

Mr. Lydon also said that regarding the water, he has seen the amounts that the Domino's in both Wareham and Marshfield use, and they are typical and would most likely be the same at the location in Bourne. He feels that it would be appropriate to start it at 500 gallons per day.

Voted: Peter Meier moved, and George Slade seconded to approve the sewer allocation for the Wareham Pizza Corporation, dba Domino's Pizza, located at 2 Bridge Approach for 500 gallons per day.

Vote: 3-0-0.

Voted: Peter Meier moved, and George Slade seconded to waive the grease trap requirement with four conditions: the owner will provide a copy of their grease removal contract for the internal grease trap, and the grease removal contract shall include the name of the grease generator, the grease removal schedule and where the grease is being taken for disposal. The owner shall install an internal grease trap and keep a log of when the grease is cleaned and have the log available for the Sewer Department and the Health Department personnel to periodically review. The owner is to be notified in writing that if the Sewer Department finds that the grease is creating a problem in the collection system, further action may be needed to be implemented to protect the Town's sewer system and the waiver is valid for this applicant only, and if the business changes or conditions listed on the application change, a new waiver shall be requested.

Vote: 3-0-0.

d. Comprehensive Wastewater Management Plan (CWMP) Quarterly Update – Helen Gordon of Environmental Partners will update the BOSC on the Comprehensive Wastewater Management Plans activities.

Helen Gordon of Environmental Partners gave a report on the Comprehensive Wastewater Management Plan. She said that in terms of the Needs Assessment, they have completed their detailed analysis. She said they now will be focusing on the watersheds. There was some discussion about having the next update on November 9th.

- e. **Discussion of Special Town Meeting Article 17 Citizens Petition – To see if the Town will vote to request that the Board of Selectmen and Sewer Commissioners oppose any federal, state, or local wastewater permits for a collection system for the Massachusetts Maritime Academy in the Taylors Point area of Buzzards Bay, and the subsequent disposal by direct discharge of treated or untreated wastewater into the Cape Cod Canal or the waters immediately adjacent thereto.**

Chair Mastrangelo said the article number has changed and she is unsure what the new number the article now is. Tom Barlow from Buzzards Bay said he was involved in the design, building, and operation of the current sewer system. He said that the main mission of the coalition is that they see contaminants that destroy the marine environment, and they are concerned about using the outfall at Mass Maritime Academy. He said that they collected 735 signatures of people that are concerned.

Korrin Peterson of the Buzzards Bay Coalition addressed a few items concerning the citizen's petition. She talked about the nitrogen problem in Bourne due to on-site septic systems and an alternative for the Town to look at. She said that Coalition would like the Town to consider all options and wait until Environmental Partners does their due diligence before making any decisions at this time.

There was a discussion about decisions that were made in 2015. Ms. Peterson would like the Boards of Selectmen and Sewer Commissioners from both Bourne and Wareham to open lines of communication and have meetings together.

Renee Gratis said that she has concerns about this petition because it could open the door to many more citizen petitions. She said that there is a wastewater issue not only in Bourne but everywhere and solutions need to be thought about. She said that if this article passed, it cannot stop the project. George Slade said that he agrees and feels that this petition needs more vetting.

Chair Mastrangelo said that she will not vote for this citizen's petition because she does not feel that it is necessary for this petition to pass to be vigilant about protecting the water quality and monitoring the permits and being active.

Voted: Peter Meier moved, and George Slade seconded for further discussion, to defer action of the citizen's petition Town Meeting article until the night of the Special Town Meeting on November 15, 2021.

There was some discussion about waiting to have the other two members of the Board of Sewer Commissioners be able to be a part of the discussion and decision.

Vote: 3-0-0.

- f. **American Rescue Plan Act (ARPA) Funds – Discussion and possible vote to approve the use of American Rescue Plan Act (ARPA) funds to conduct a study of the Cataumet Harbor Wastewater Treatment Facility in two (2) phases for a total of \$66,400.**

Mr. Cannon said that this has been a project that has been talked about for years. He said the intent was to develop this plant and then turn it over to the Town. He said that they don't have as many users as they need for the system. He said that Helen Gordon has taken a deep dive into the plant, which is a good idea before moving forward.

Helen Gordon said that when the Cataumet Harbor Wastewater Treatment Facility was first envisioned it appeared there was excess capacity available for future potential connections. She said since they started treatment at the facility there is capacity. She said the question is if there are needs areas in that general location that could potentially connect to an existing treatment facility that may have the capacity needed and if that were the case, would the Town want to entertain taking over that wastewater treatment plant.

She said her recommendation is a two-phased assessment. The phase one assessment would be meeting with the representatives that run the wastewater treatment facility and doing a visual inspection of it and looking at its records. Once they finish their phase one assessment, they would come back to the Board to see if they would want to go to the next steps which would be operations, planning, and discussion about how to go about taking over that treatment facility and the costs associated with doing so. Then they would do a financial and engineering management plan.

Voted: Peter Meier moved, and George Slade seconded for further discussion, to approve the use of America Rescue Plan Funds to conduct the engineering study as outlined in the Environmental Partners proposal dated October 2021, entitled Cataumet Harbor Wastewater Treatment Facility Ownership Transfer Study.

Vote: 3-0-0.

- g. Toxic Materials input into the Buzzards Bay Wastewater Treatment Facility – Discussion relative to toxic materials being input into the new Buzzards Bay Wastewater Treatment Facility and possible vote to authorize staff to investigate the events leading up to the temporary closure of the new plant.**

Chair Mastrangelo said there was a situation when there were high levels of ammonia and acetone and it shut down the MBR plant. She said a mailing needs to go out to the people that are using the plant to make sure that these kinds of items do not get into the plant. There is a flyer that has been proposed and she said the one thing that she is concerned about is that the flyer does not have specific amounts of ammonia and bleach. There was a discussion on adjusting the flyer and to which sewer users the flyer needs to reach.

8. Future Agenda Items

Chair Mastrangelo said that possibly the Wastewater Advisory Committee will be discussed again. Also, Peter Meier would like to receive an update on the complaint in Wareham. Mr. Cannon said that the odors are basically due to fewer people in the winter in Hideaway Village. Ms. Gordon said she recommends looking at the operation of the pump station and potentially adjusting the pumping rates and using the chemicals to reduce the hydrogen sulfide.

9. Correspondence

There is no correspondence.

10. Adjourn

Voted: Peter Meier moved, and George Slade seconded to adjourn.

Vote: 3-0-0.

This meeting of the Bourne Board of Sewer Commissioners was adjourned at 9:25 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

DRAFT

**Board of Sewer Commissioners
Minutes of Tuesday, January 25, 2022
Zoom Remote – Public Access**

ATA Glenn Cannon

Board of Selectmen

Peter Meier
George Slade, Clerk
Judith Froman
Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair

Others: Corey Repucci, Weston & Sampson, James Meeker, Kathy Alfano, Neil Langille, Mary Andrews, Keith Barber, Chris Hyldburg, Jim Potter, and Alan Metcalfe.

Note this Zoom videoconference meeting is being televised, streamed or recorded by Bourne TV. If anyone from the public wishes to provide public comment, then can access the Zoom meeting by calling: **1-929-205-6099 Meeting ID: 847 9052 4776 Passcode: 059436.**

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above or go to <https://zoom.us/meetings> and look for the Join Meeting button. Please MUTE your phone/microphone upon entry.

Participants wishing to speak should click the “Reactions” icon on the lower toolbar and then click “Raise Hand” in the dialog box to notify the Chair. The Chair will recognize participants. The Chair will recognize participants. The “Chat” keyboard feature will not be utilized for discussion or recognition during this meeting.

For participants who are calling into the meeting and wishing to speak should press *9 to notify the Chair. The Chair will recognize participants.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:38 PM Call Public Session to Order in Open Session

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. **Public Comment on Non-Agenda Items:** Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. **Approval of Minutes:** No minutes to approve
7. **Board of Sewer Commissioners Business**
 - a. **Update on the NEW Wastewater Treatment Facility – Corey Repucci from Weston & Sampson will address the Board of Sewer Commissioners (BOSC) relative to noise complaints, operation of the new treatment facility and transfer of operations to Sewer Department –**
 - b. **The Vice President of the Hideaway Village Association is requesting maintenance support for their sewer system in Hideaway Village.**
 - c. **Discussion and possible vote to appoint members to the Wastewater Advisory Committee**
 - d. **Discussion and possible vote on 2021 Sewer Overage Rate.**
 - e. **Discussion and possible vote on the FY23 Sewer Department Operational Budget and the FY23 Sewer Capital Budget.**
 - f. **Review allocation requests and discuss the use of allocation payments.**
 - g. **Barnstable County officials have requested comments on the use of American Rescue Plan Act (ARPA) Funds – The BOSC will discuss and possible vote to provide comments.**
 - h. **Massachusetts Maritime Academy outfall renewal permit – discussion and possible vote to provide comments on the outfall renewal permit.**
 - i. **Update on Cape and Islands Water Protection Fund Strategy.**
 - j. **Update on the proposal to divert a portion of the Community Preservation Act funding to a new Wastewater Infrastructure Investment Fund (WIIF) and strategy.**
 - k. **Update from the BOSC Policy Sub-committee.**
- 7.a. **Update on the NEW Wastewater Treatment Facility – Corey Repucci from Weston & Sampson will address the Board of Sewer Commissioners (BOSC) relative to noise complaints, operation of the new treatment facility and transfer of operations to Sewer Department –**

Corey Repucci said there is a meeting scheduled for January 26th with Weston & Sampson, Robert B. Our, and the OPM to discuss the transfer of operations to the Sewer Department. He said that regarding the noise complaint, Weston & Sampson was hired to subcontract with an acoustical engineer. He said that he just received a copy of the acoustical report, and it needs to be reviewed internally and then coordinated.

7.b. The Vice President of the Hideaway Village Association is requesting maintenance support for their sewer system in Hideaway Village.

James Meeker, Vice President of the Hideaway Village Association, said there was an agreement with the Town made in March of 2016 that if Hideaway Village presented receipts for maintenance of their sewer system at the end of each year, then the Town would reimburse Hideaway Village Association up to \$30,000.00 a year for 5 years. He said he would like to get that agreement renewed.

Chair Mastrangelo said that the Sewer Commissioners will not make any decisions tonight and they are going to review the situation. She said that they are looking at the sewer rate system currently to come up with an equitable solution. She said that they will get back to them to let them know when this will be on the agenda again. There was also some discussion about pumps being on either private or public property and who maintains them.

7.c. Discussion and possible vote to appoint members to the Wastewater Advisory Committee

Chair Mastrangelo said that tonight they will concentrate on the at-large members. She said that 2 people have applied from the South side and 5 from the North side to be at-large members. She said the charge of the committee states there will be 2 members from the South side and 2 members from the North side to be at-large members. Chair Mastrangelo said she would invite the applicants to speak if they would like, then the Commissioners will deliberate.

The first applicant was Kathy Fox Alfano, and she said that she lives on the South side. She said she is the president of the Gray Gables Association. She said that the Association is very concerned about water due to being directly on the Cape Cod Canal. This is what started her interest and after going to meetings involving Environmental Partners and the CWMP, she learned that there is a whole lot more to this than just the canal.

Mary Andrews said that she was on the Wastewater Advisory Committee for five years. She said she is passionate about Bourne's waterways, and she cares about all of Bourne and lives at Buttermilk Bay.

Keith Barber lives in Pocasset. He said that in 2019 he was part of the team to try to fix Hen Cove. He said there was a time that there was eelgrass, scalloping, and clamming in Hen Cove, and there is none now. His passion is this village, but he knows that the whole Town needs to be educated. He believes education is the key.

Chris Hyldborg said that his experience that can be lent to the group is how the decisions match the long-term comprehensive plan regarding what the Town is looking to accomplish and how to accomplish it. He said that the experience that he has with the schools and providing a fresh new look can help the Advisory Committee.

Neil Langille said he is concerned about the water in the whole town. He is concerned about the costs, clean water, what happens to the water after being used, and the impact of the used water on the community and on all of Buzzards Bay. He has been very involved in the town's committees.

Jim Potter said that he served as the Chair of the Sewer Commissioners for three years and during that time he realized that there was not a comprehensive plan for the Town. He said the comprehensive plan is important to have not only for grants but also for the Cape Cod Water Improvement fund. He said that his knowledge is something that he can bring to the committee.

Chair Mastrangelo said that Stephen Mealy also applied to be on the committee. Judith Froman read aloud the letter that Mr. Mealy submitted to apply to be on the committee in which he outlined all the committees that he has been involved with to provide him the experience to be a member of the Wastewater Advisory Committee.

Voted: Peter Meier moved, and Jared MacDonald seconded to appoint Keith Barber and Kathy Fox Alfano to the Wastewater Advisory Committee at-large positions as South Side representatives.

Judith Froman said that she thinks it's awesome that all these people have come forward. She also said that both Keith Barber and Kathy Fox Alfano bring some good experience to the committee, and she supports both candidates.

Roll Call Vote: George Slade – yes, Peter Meier – yes, Jared MacDonald – yes, Judith Froman – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

Voted: Peter Meier moved, and George Slade seconded place the following people in nomination: Mary Andrews, Neil Langille, Chris Hyldburg, Jim Potter, and Steven Mealy for at-large positions from the North Side representatives for the Wastewater Advisory Committee.

There was some discussion about each of the candidates

Roll Call Vote: George Slade – yes, Peter Meier – yes, Jared MacDonald – yes, Judith Froman – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

The votes were:

Peter Meier – Neil Langille and Chris Hyldburg
George Slade – Neil Langille and Stephen Mealy
Judith Froman – Chris Hyldburg and Jim Potter
Jared MacDonald – Jim Potter and Neil Langille
Mary Jane Mastrangelo – Chris Hyldburg and Neil Langille

Neil Langille and Chris Hyldburg received the most votes.

Chair Mastrangelo said that Alan Metcalfe will be the representative from Mass Maritime Academy, Tim Lydon will be the Engineering Department representative, Stanley Andrews will be the Board of Health representative, Mike Sawicki will be the Sagamore Water district representative, and the only person from the Board of Selectmen/Sewer Commissioners that put

their name in was her. There was some discussion about the number of representatives on the committee.

Voted: Judith Froman moved, and Peter Meier seconded to nominate Mary Jane Mastrangelo as the representative from the Board of Sewer Commissioners to the Wastewater Advisory Committee.

Roll Call Vote: George Slade – yes, Judith Froman – yes, Jared MacDonald – yes, Peter Meier – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

7.d. Discussion and possible vote on 2021 Sewer Overage Rate.

Glenn Cannon said that every summer the Board of Sewer Commissioners votes on the sewer rate. He said there has been a lot of confusion over the sewer rates and they had a good discussion at the Policy Sub-Committee meeting and Kathleen Thut attended and put it all down on paper to get it straightened out. They did vote that the sewer overage rate would be a penny and a quarter per gallon of water overage. He did say that in the motion, they had written down 2022, and it needs to be voted for 2021. He said they are also recommending that they go back to the penny a gallon for 2021 and they are all set for 2022 now, from the previous motion. There was discussion about the confusion revolving around the setting of the rates and when the bills go out.

Voted: Jared MacDonald moved, and George Slade seconded to approve the Calendar Year 2021 Sewer Overage Rate at \$0.01 per gallon for Sewer Overages in excess of 45,000 gallons per year.

Roll Call Vote: Judith Froman – yes, George Slade – yes, Peter Meier – yes, Jared MacDonald – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

7.e. Discussion and possible vote on the FY23 Sewer Department Operational Budget and the FY23 Sewer Capital Budget.

Mr. Cannon said that the loan has closed with the state on the Wastewater Treatment Facility. He also said that in this budget there is a 50-50 split for the administrative staff that works on sewer that was proposed by a former Town Administrator and Mr. Cannon said that the administrative staff works about 75% for the Town and 25% for Sewer, so he proposes that the budget be changed to reflect the 75-25 split.

7.f. Review allocation requests and discuss the use of allocation payments.

Chair Mastrangelo asked if payment from Domino's was received, and Mr. Cannon said they have not received any additional payments. She asked Mr. Cannon to have the letters sent out to people that are no longer on a moratorium and give an update on it next month.

7.g. Barnstable County officials have requested comments on the use of American Rescue Plan Act (ARPA) Funds – The BOSC will discuss and possible vote to provide comments.

Mr. Cannon said that the County Commissioners have asked for comments on ARPA funds, and he is working with the Chair of the Board of Selectmen to put together a letter for the Board of Selectmen to submit and the draft will be available for the Board to review soon.

7.h. Massachusetts Maritime Academy outfall renewal permit – discussion and possible vote to provide comments on the outfall renewal permit.

Chair Mastrangelo said she looked at the permit and came up with three comments that the Board may want to make. The draft permit says that they will monitor nitrogen quarterly and in the fact sheet, it says they continue monthly monitoring, so one comment would be about this discrepancy. Another comment would be that they support the reduction in available dilution from 6500 to 1 to 500 to 1. The third comment could be that they request that the final permit require the continued evaluation of treatment facility operations to minimize nitrogen discharges as well as the continued study of options with the Town of Bourne on wastewater alternatives.

Voted: Peter Meier moved, and Jared MacDonald seconded to authorize the Acting Town Administrator to submit a comment letter on behalf of the Board of Sewer Commissioners for the permit based on the comments draft and that the Board supports the due diligence in this effort with DEP and Mass Maritime.

Roll Call Vote: George Slade – yes, Judith Froman – yes, Peter Meier – yes, Jared MacDonald – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

7.i. Update on Cape and Islands Water Protection Fund Strategy.

Chair Mastrangelo said that she had a meeting with the Executive Board of the Cape and Island Water Protection Fund, and they had a good discussion about the situation in Bourne. She said the Board offered to give support to start discussions on structuring things for Bourne's situation.

7.j. Update on the proposal to divert a portion of the Community Preservation Act funding to a new Wastewater Infrastructure Investment Fund (WIIF) and strategy.

Chair Mastrangelo said she had a meeting with the Community Preservation Committee (CPC), and they were not overly enthusiastic about the concept. They are open to further discussions. She said that this requires some planning and strategy, and it is something to put into the whole Comprehensive Wastewater Management Plan planning process.

7.k. Update from the BOSC Policy Sub-committee.

Chair Mastrangelo said that they had a great meeting regarding sewer regulations.

8. Future Agenda Items

a) 6-month allocation reviews – 2/22/22 (notification to be sent to owners)

- b) Discussion of CWMP – next update 03/22/2022**
- c) Update from the Policy Sub-Committee – 2/22/22**
- d) WIIF (Wastewater Infrastructure Investment Fund) - tbd**
- e) Update Cape and Islands Water Protection Fund Strategy – tbd**

9. Correspondence – None.

10. Adjourn

Voted: Jared MacDonald moved, and Peter Meier seconded to adjourn.

Roll Call Vote: George Slade – yes, Jared MacDonald – yes Peter Meier – yes, Judith Froman – yes, and Chair Mastrangelo – yes.

Vote: 5-0-0.

The Board of Sewer Commissioner's Meeting ended at 9:28 PM

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Sewer Commissioners
Minutes of Tuesday, May 31, 2022
Bourne Veterans' Community Center
Buzzards Bay, MA**

TA Marlene McCollem

Board of Sewer Commissioners

Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair
Judith Froman, Clerk
Melissa Ferretti
Peter Meier

Others: Gary Maloney, Shawn Patterson, and Paul D'Angelo.

7:00 PM Call Public Session to Order in Open Session

Chair Mastrangelo called the meeting of the Sewer Commissioners to order.

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
- 5. Public Comment on Non-Agenda Items**
 - a. Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

6. Minutes: 3/29/22

Voted: Peter Meier moved, and Judith Froman seconded to accept the minutes of March 29, 2022.

Vote: 4-0-0. Melissa Ferretti abstained.

7. Board of Sewer Commissioners Business

- a. FY22 budget review.**
- b. First Reading – Draft Sewer Rules & Regulations (Sections 1-11).**

- c. **Update of WWTP – budget, operations & noise complaint.**
- d. **Review allocation spreadsheet.**

7.a. FY22 budget review.

Town Administrator Marlene McCollem said that she had requested a reserve fund transfer from the Finance Committee for the design of the project to replace the manholes at Taylor's Point Marina and the Way-Ho. She said the Town held a kick-off meeting onsite with the electrical contractor and the designer. She said they are in the process of preparing the base plans and specs to put the project out to bid and the design engineer has a meeting scheduled tomorrow with Liberty Pumps to talk about supply and if any adjustments need to be made in the plan for equipment. She said the cost of the Cataumet Wastewater Treatment Plant Feasibility Study is being absorbed by the Town Administrator's Office budget.

Ms. McCollem said that the FY22 Sewer budget also has absorbed for this year a \$40,375.11 payment for Wareham for and EQ basin water project that Wareham is doing. She does not recommend that in FY23 these keep getting absorbed in the operating budget. The amount for FY23 will be \$35,551.00. The Board of Sewer Commissioners will receive a bill for this project for ten years when the note will be paid off. Bourne's share of this project is 17.91%. There was some discussion on Bourne's share compared to Wareham's share and about keeping an eye on what Bourne is receiving and putting forth as Wareham grows.

Ms. McCollem also said that the Board should be prepared to not see as large of an amount of retained earnings at the end of this fiscal year. She said that they have been concerned that things have been very tight. On the revenue side, however, things have been going well. There should be a modest amount left in retained earnings but not what is typically seen.

7.b. First Reading – Draft Sewer Rules & Regulations (Sections 1-11).

Ms. McCollem said she has taken the last version of what EP did. She said she accepted their changes and reworked certain sections. She said that what she is trying to do with these rules and regulations is to describe to a property owner or potential developer, if they came in today, how they would be looked at. She said she wants to continue to collect the Boards thoughts and recommendations to continue with the draft. There was some discussion about the draft.

Peter Meier asked when will the Board approve a new sewer rate schedule. Chair Mastrangelo said that there will be a rate schedule for this year, but she doesn't think it will be the new rate schedule. Ms. McCollem said that something in the interim is going to need to be done. Chair Mastrangelo thanked Ms. McCollem for doing a great job on the draft.

Voted: Peter Meier moved, and Melissa Ferretti seconded to move the draft of Sewer Rules & Regulations (Sections 1-11), as presented on May 31, 2022, from first reading to second reading.

Vote: 5-0-0.

7.c. Update of WWTP – budget, operations & noise complaint.

Ms. McCollem said that last week there was a meeting of the Wastewater Treatment Plant Building Committee and the project design team moved forward with a proposal for exterior ductwork with a damper for the fan that is causing noise disturbances. The area has been loamed and seeded and they are doing their best to keep the area watered to establish the seeds. She said the punch list has been reduced to about \$2,000.00 worth of outstanding work and the OPM and contractor are working to reconcile those last few items. There has been some variation in the average daily flow at 35,000 to 55,000 gallons per day. The treatment plant can handle the high end of the daily flow.

7.d. Review allocation spreadsheet.

Ms. McCollem said that she does not believe that an allocation letter was sent to Domino's, so there is one that is prepared, and it will go out this week. Chair Mastrangelo said that the minutes from that meeting need to be done because there were conditions, and the conditions should go in the letter. There was some discussion about letters that need to go out.

8. Reorganization of Officers after Town Election

Voted: Peter Meier moved, and Judith Froman seconded to appoint Mary Jane Mastrangelo as Chair of the Board of Sewer Commissioners for the next election calendar year.

Vote: 5-0-0.

Voted: Judith Froman moved, and Melissa Ferretti seconded to nominate Jared MacDonald as Vice Chair of the Board of Sewer Commissioners for the next election calendar year.

Vote: 5-0-0.

Voted: Peter Meier moved, and Melissa Ferretti seconded to nominate Judith Froman as Clerk of the Board of Sewer Commissioners for the next election calendar year.

Vote: 5-0-0.

a. Appoint members to the Board of Sewer Commissioners Policy Sub-Committee

Chair Mastrangelo said that last year the members of the Board of Sewer Commissioners Policy Sub-Committee were George Slade, Jared MacDonald, and herself.

Voted: Peter Meier moved, and Melissa Ferretti seconded to nominate Mary Jane Mastrangelo, Jared MacDonald, and Judith Froman as members of the Board of Sewer Commissioners Policy Sub-Committee.

9. Future Agenda Items

Ms. Froman would like to see ARPA on a future agenda.

10. Committee Reports

Chair Mastrangelo said that the Wastewater Advisory Committee has met and done some tours and they have set up a group of two people to work with staff on some issues. She said they are working on identifying the matrix by watershed and they are creating a rating system.

11. Correspondence

There was no correspondence to report.

12. Adjourn

Voted: Peter Meier moved, and Judith Froman seconded to adjourn.

Vote: 5-0-0.

This meeting of the Bourne Board of Sewer Commissioners was adjourned at 8:00 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Sewer Commissioners
Minutes of Tuesday, June 21, 2022
Bourne Community Center
239 Main Street, Buzzards Bay and
Zoom Remote – Public Access**

TA Marlene McCollem

Board of Sewer Commissioners

Mary Jane Mastrangelo, Chair
Jared MacDonald, Vice Chair
Judith Froman, Clerk
Melissa Ferretti
Peter Meier

Others: Jean Hills.

Note this Zoom videoconference meeting is being televised, streamed or recorded by Bourne TV. If anyone from the public wishes to provide public comment, then can access the Zoom meeting by calling: **1-929-205-6099 Meeting ID: 852 9837 4926 Passcode: 810793.**

If you already have the Zoom App downloaded to your device or computer, you may simply join the meeting by entering the Meeting ID and Password noted above or go to <https://zoom.us/meetings> and look for the Join Meeting button. Please MUTE your phone/microphone upon entry. Participants wishing to speak should click the “Participants” icon on the lower toolbar and then click “Raise Hand” in the dialog box to notify the Chair. The Chair will recognize participants. The Chair will recognize participants. For participants who are calling into the meeting and wishing to speak should press *9 to notify the Chair.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners.

6:45 PM Call Public Session to Order in Open Session

1. Wastewater Advisory Committee Appointments

Chair Mastrangelo said that the new appointment is Christopher Farrell as the Planning Board representative.

Chair Mastrangelo said the re-appointments are:

Stanley Andrews, Board of Health
Chris Hyldburg, At Large - North of the Canal
Neil Langille, At Large – North of the Canal
Kathy Fox Alfano, At Large – South of the Canal

Chair Mastrangelo said that the Ex-Officio Non-Voting members are:

Timothy Lydon, Engineering Department
Terri Guarino, Health Agent
Stephanie Fitch, Conservation Agent
Marlene McCollem, Town Administrator
Tommy Parrott, DPW, and Sewer Representative
Jennifer Copeland, Planning Department Representative
Steven Souza, Water District, Buzzards Bay
Robert Prophett, Water District, Bourne
Matt Sawicki, Water District, North Sagamore
Allen Metcalfe Jr., Mass Maritime Representative

Voted: Melissa Ferretti moved, and Jared MacDonald seconded to appoint the committee appointments for FY2023 as listed with a term to expire June 30, 2023.

Vote: 5-0-0.

2. Adjourn

Voted: Jared MacDonald moved, and Peter Meier seconded to adjourn.

Vote: 5-0-0.

The Board of Sewer Commissioner's Meeting ended at 6:50 PM

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Sewer Commissioners
Minutes of Tuesday, July 19, 2022
Bourne Community Center
239 Main Street, Buzzards Bay**

TA Marlene McCollem

Board of Sewer Commissioners

Mary Jane Mastrangelo, Chair
Judith Froman, Clerk
Melissa Ferretti
Peter Meier

Others: Helen Gordon, Kate Roosa, Erica Flemming, Michael Rausch, Michael Ellis, Kathy Fox Alfano, Neil Langille, Keith Barber, and Melvin Peter Holmes.

Note this meeting is being televised, streamed or recorded by Bourne TV. All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners. Michael Rausch acknowledged that he is recording this meeting.

7:02 PM Call Public Session to Order in Open Session

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
- 5. Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
- 6. Board of Sewer Commissioners Business**
 - a. Quarterly Report & CWMP update by Environmental Partners.**
 - b. Update by the Wastewater Advisory Committee.**

- c. **Set date for Public Meeting on CWMP Phase II: Identification, Screening and Evaluation of Alternatives.**
- d. **Discussion and possible vote on setting sewer rates**
- e. **2nd Reading – Interim Sewer Rules and Regulations.**
- f. **Confirm all appointments (voting & non-voting members of the Wastewater Advisory Committee).**

6.a. Quarterly Report & CWMP update by Environmental Partners.

Kate Roosa of Environmental Partners gave the 4th CWMP project update. She said she sent a copy that can be externally published to the website. She said that they held 3 meetings with the Wastewater Advisory Committee since she last reported to the Board of Sewer Commissioners in March. These meetings were to view the non-traditional technology matrix, refine evaluation criteria, and ultimately finalize non-traditional technology selections for the alternatives for the CWMP.

Ms. Roosa said they were able to finalize the needs assessment based on feedback received from Town staff, the Board of Sewer Commissioners, and the Wastewater Advisory Committee. She said they have drafted the Alternative Analysis Report and it is currently in internal QA/QC, and the goal is to present it in early August for their Alternatives Analysis Public Presentation. She said the next public workshop date is Tuesday, August 9th at 7 PM. More information will be posted on the CWMP website, the Wastewater Advisory Committee website, and the Board of Sewer Commissioners website.

Judith Froman asked if these alternatives were options and what they are alternatives to. Ms. Roosa said that their plan of study is defined by the Mass DEP outline for the program, and the alternative is the alternative to doing nothing. Chair Mastrangelo asked Ms. Roosa to explain the alternatives.

Ms. Roosa said that going back to their plan of study, there will have up to 4 alternatives for every single watershed. She said there will be a traditional, which means sewer, alternative for all the priority watersheds. She said they have 2 non-traditional technologies that they can implement in the watersheds, for example, they could be primary source reduction type technologies. She said there could be a policy-based alternative that's nonstructural. She said the fourth is a regional option, which may not apply to all the watersheds, based on the geography of where the regional options are. She said for the Bourne CWMP they're considering the Upper Bay Project regional project, which is the Wareham facility, and the regional study that was done by Buzzards Bay Coalition, and the other possible regional option is the Joint Base Cape Cod shared Wastewater Management study, which was done in 2019.

Peter Meier said that the regional option with Wareham, and the Upper Bay Project is an option as far as the plant goes but what should be considered in this report is the disposition of the affluent into the Cape Cod Canal. He said that the Town has taken the position that the people don't want it and if it goes into a report stating that it is an option, then it's disingenuous. He said the people have spoken loud and clear and it needs to be reflected in the report. He said that no one has talked about the impacts across the canal into Grey Gables and they need to be mentioned in this report, in his opinion.

Ms. Froman said that having the traditional and the other options that are being presented are important to have the comparison and they need to look at all the options or alternatives.

Chair Mastrangelo said that since she received the Comprehensive Needs Analysis report in March, she has spent some time looking it over and she has some comments. She said that on pages 19 and 20, for the Upper Bay Project, the dates should be added because the report done by the Buzzards Bay Coalition is a few years old and some public opinions have changed since then, and it should not be portrayed as current. She said that the description is also missing something and that at the Fall Special Town Meeting of 2021, there was a vote opposing the outfall into the Cape Cod Canal and it should be included in this report. She also has some concerns about the numbers that were reported and that there is a table that needs to be looked at and about the numbers concerning the population of the Town of Bourne.

Ms. Roosa explained the numbers that were used and there was some discussion about the changes made in the report based on comments received from staff and from the Chair. Peter Meier said that accurate numbers really need to be reflected because the threshold is only 10%.

6.b. Update by the Wastewater Advisory Committee.

Kathy Fox Alfano said that she is the Chair of the Wastewater Advisory Committee, and she listed all the members. She said they have been having meetings for the past 4 months. She has asked many times about the regional options with the outfall many times and has been told that they could not discuss it because it is not part of their mission. She would like to ask that it become part of their mission because she can guarantee that when they have the public meeting it will be the number one question.

Ms. Fox Alfano said that the committee was given a grid by Environmental Partners of the non-municipal sewerage options, or non-traditional options for nitrogen removal and ground radiation for the watersheds in Bourne. The committee has been asked to narrow down the non-traditional technologies that best suit each watershed. The committee has learned about each technology and has made site visits. She talked about what the committee has learned over the past 4 months.

6.c. Set date for Public Meeting on CWMP Phase II: Identification, Screening and Evaluation of Alternatives.

Chair Mastrangelo said that Tuesday, August 9th is the date planned for the Public Meeting, and since it is not planned to be a break-out group type of meeting, then the meeting may be at the Bourne Community Center.

6.d. Discussion and possible vote on setting sewer rates

Chair Mastrangelo said that they will not be voting on the sewer rates at this meeting. Michael Ellis, Town Accountant, explained a spreadsheet called Sewer Rate Analysis, that breaks down the FY23 appropriations for the budget.

Chair Mastrangelo suggested that the Board of Sewer Commissioners meet at 6:30 PM on August 9th, before the public meeting, to vote on the rates. There was some discussion about the debt service and the EQ basins and SRF. Chair Mastrangelo said that she needs the debt schedule because it is hard to plan and they need to plot out the debt schedule to help the Sewer

Commissioners to understand in terms of their own capital planning. Chair Mastrangelo said she would like to see the increase in the overage to reflect what they are charging in overage of 1.25 cents per gallon for the same 13 million gallons, and she said it's up to the Board if they want to put in additional debt service at Town Meeting.

Ms. McCollem clarified that the two adjustments that Chair Mastrangelo would like to see are to add the EQ Basin debt in addition to the 188,478. and show an increase in the estimated overage fees based on 13 million gallons at 1.25 cents.

Ms. McCollem said she would like to request two things from the Board of Sewer Commissioners tonight. One is if they could authorize her to start the demand process for the Domino's site. They still have not paid their allocation. She said that they were issued their permits and were allowed to open without paying and at this point, she would like to move forward with placing a demand on them for that fee that remains outstanding.

Voted: Peter Meier moved, and Judith Froman seconded to authorize the Town Administrator to initiate the demand process for Domino's preliminary allocation fee.

Vote: 4-0-0.

Ms. McCollem said that the second item is 140 Main Street, which was the project that a 3-month extension was issued in February. She said that part of that discussion entailed having them continue to work with the Planning Board and re-evaluate to see if it made sense to hold that allocation. She said that nothing has happened with the project, so she recommends revoking the allocation, and that the Sewer Commission does not continue to hold that allocation.

Voted: Melissa Ferretti moved, and Judith Froman seconded to revoke the allocation for 140 Main Street.

Peter Meier asked if they have received a letter from the Town about this. Ms. McCollem said that she did send them a letter.

Vote: 4-0-0.

6.e. 2nd Reading – Interim Sewer Rules and Regulations.

Chair Mastrangelo said that their summary sheet has at the top, 2020 gallons per day of downtown actual use, underneath the heading line. She said it should be updated to 2021, so they know what the actual use really is. She said that then there is the 2% residential reserve. She said that one of the things that could be problematic, and probably not yet because she is not sure that Hampton Inn in 2020 was in occupancy. She said they need to figure out how the operational allocation is calculated or used if they are keeping a current actual use. She talked a little bit more about the spreadsheet and the operational allocations, and that the spreadsheet might need to be changed with the tracking.

Ms. McCollem said that attachment B, the Sewer Service Application Form, is not included in the draft because there are still some revisions that she is still working on because it became a much larger job to edit it than she originally had thought.

Chair Mastrangelo said that the purpose for this evening is to go through the body of the text, and the attachments can wait. Chair Mastrangelo went through each section of the Sewer Rules

and Regulations and made comments about each. There was discussion about user fees, capital improvement fees, abatement forms, and the wording. The Board talked about amendments that need to be made and updated.

Voted: Peter Meier moved, and Judith Froman seconded to refer the suggested amendments to the Town Administrator and move it to a third reading.

Ms. Froman said that the additional pieces that have been added have been very helpful. She is wondering if there is any place for the Water District. Ms. McCollem said the rules and regulations are written for a specific purpose and not really for a general-purpose audience. She said that there needs to be more communication.

Vote: 4-0-0.

6.f. Confirm all appointments (voting & non-voting members of the Wastewater Advisory Committee).

Voted: Judith Froman moved, and Peter Meier seconded to confirm all appointments, voting and non-voting members of the Wastewater Advisory Committee as presented in the packet.

Chair Mastrangelo said she wants to make sure that they have a record that all of these are confirmed as the appointments as Board of Sewer Commissioners, Board of Health, Finance Committee, Planning Board, and Conservation.

Vote: 4-0-0.

7. Minutes: 7/13/21; 7/27/21; 8/24/21; 10/28/21; 3/15/22; 3/29/22

Voted: Peter Meier moved, and Judith Froman seconded to approve the minutes of July 13, 2021, as amended.

Vote: 3-0-1. Melissa Ferretti abstained.

Voted: Peter Meier moved, and Judith Froman seconded to approve the minutes of July 27, 2021, as amended.

Vote: 3-0-1. Melissa Ferretti abstained.

Voted: Peter Meier moved, and Judith Froman seconded to approve the minutes of August 24, 2021, as amended.

Vote: 3-0-1. Melissa Ferretti abstained.

Voted: Peter Meier moved, and Judith Froman seconded to approve the minutes of October 28, 2021, as amended.

Vote: 3-0-1. Melissa Ferretti abstained.

Voted: Peter Meier moved, and Judith Froman seconded to approve the minutes of March 15, 2022, as amended.

Vote: 3-0-1. Melissa Ferretti abstained.

Voted: Peter Meier moved, and Judith Froman seconded to approve the minutes of March 29, 2022, as amended.

Vote: 3-0-1. Melissa Ferretti abstained

8. Future Agenda Items

Chair Mastrangelo said that if anyone has any items to discuss in the future to let her know.

Peter Meier said he would like to see the possible change in the scope of the charge of the Wastewater Advisory Committee on the agenda and to include the discussion of not supporting the outfall pipe into the Canal as an option. Chair Mastrangelo said that first, they have to look at the contract for Environmental Partners for the CWMP to see whether that analysis is included in the contract. Peter Meier said if it is not, then he would like to see an amendment to the contract. She said she will make it a future agenda item.

9. Town Administrator Report – Manhole reconstruction at WayHo & TPM; WWTP; Proposed DEP regulatory changes (Title 5 Nitrogen Sensitive Areas)

Ms. McCollem said that they had previously talked about the failures of the manholes at Taylors Point Marina and Way-Ho, and she said the designs are finished and the construction project is currently out to bid, and the bids are due back on August 4th and they will be opened at that time.

Ms. McCollem said that DEP's requirement to contract with a professional engineer operational consultant during the start-up period at the Wastewater Treatment Plant is six months, which the Town has entered a contract with Weston & Sampson. The Town also asked for the option to extend that contract for six months.

Ms. McCollem also said that she wanted to provide the slide deck from Mass DEP, which is really in the jurisdiction of the Board of Health, and there will be changes with Title 5.

10. Committee Reports

Peter Meier said the Wastewater Building Committee met and the next time they meet will probably be when they vote on when to dissolve the committee.

11. Correspondence – None.

12. Adjourn

Voted: Peter Meier moved, and Judith Froman seconded to adjourn.

Vote: 4-0-0.

The Board of Sewer Commissioner's Meeting ended at 9:01 PM

Respectfully Submitted,

Kim Johnson, Recording Secretary