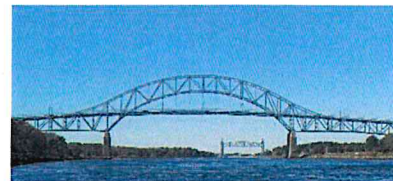


# Board of Sewer Commissioners Meeting Agenda



Date

July 19, 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. 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
    - i. Review of allocation spreadsheet
  - e. 2<sup>nd</sup> Reading – Interim Sewer Rules and Regulations
  - f. Confirm all appointments (voting & non-voting members of the Wastewater Advisory Committee)
7. Minutes: 7/13/21; 7/27/21; 8/24/21; 10/28/21; 3/15/22; 3/29/22
8. Future Agenda Items
9. Town Administrator Report – Manhole reconstruction at WayHo & TPM; WWTP; Proposed DEP regulatory changes (Title 5 Nitrogen Sensitive Areas)

9:16 AM 15 JUL 2022

RECEIVED

10. Committee Reports

11. Correspondence

12. Adjourn

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

RECEIVED  
2022 AUG 31 PM 2:14  
TOWN CLERK BOURNE

**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.
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- 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. **2<sup>nd</sup> 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 4<sup>th</sup> 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 9<sup>th</sup> 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 9<sup>th</sup> 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 9<sup>th</sup>, 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. 2<sup>nd</sup> 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 4<sup>th</sup> 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



Criteria, Rev 2	Score Criteria				
	1	2	3	4	5
Design flexibility for adding capacity	Not Scalable	Portions of Treatment only can be scaled up	Can only be scaled up for loads or flows	Portions of both can be scaled up	Can be scaled up for both flows and loads
Environmental Impacts	Negative Impacts	Some Negative impacts	No Impacts	Some positive impacts	Positive Impacts
Implementation Constraints	Constraints with no mitigation possible	Some constraints with equal mitigation	Some constraints	Few constraints	No Constraints
Nitrogen Removal	No Removal	0-49% removal	50% Removal	50-75% Removal	Greater than 75% removal
Monitoring Requirements	Requires daily oversight	Requires monthly oversight	Requires Quarterly oversight	Requires semi annual oversight	Requires annual oversight
Odor Emissions	High Odorous impact near waterfront	Odorous impact	Inland treatment with neighborhood impacts	Some odor, mild	No odor impact, removed from villages completely
Land Area Requirements	>10 Acres	5-10 Acres	3-5 Acres	1-3 Acres	<1 Acre
Implementation Risk	High Risk, Technology Unapproved	Moderate Risk, Technology in Pilot	Mild Risk with mitigation for implementation	Some risk, low to mild impacts to implement	No Risk, No impact to implement
Maintenance/operation requirements	Daily Inspection, Daily Maintenance	Daily Inspection, Frequent maintenance	Monthly Inspection and Maintenance	Quarterly Inspection and Annual Maintenance	Annual or Bi Annual inspection and maintenance only as needed
Greenhouse Gas (GHG) Emissions	Permanent impacts and contribution	Construction with some permanent impacts	Temporary Construction Only (2-5 years)	Temporary Construction Only (1-2 years)	No permanent increase in GHG emissions
Public Acceptance & Political Feasibility	No	Maybe-No	Maybe	Maybe-Yes	Yes
Alignment with Local Comprehensive Plan and Town Mission	No	Maybe-No	Maybe	Maybe-Yes	Yes
Resiliency to Climate Change	No adaptation possible	Technology adaptation difficult	Technology not resilient, but some adaptation possible	Technology requires easy adaptation for resiliency	Technology is adaptable to climate changes

Category Weight -->																	
#	Technology	Type	Raw Total	Weighted Total	Design flexibility for adding capacity	Environmental Impacts	Implementation Constraints	Nitrogen Removal	Monitoring Requirements	Odor Emissions	Land Area Requirements	Implementation Risk	Maintenance/ Operation requirements	Greenhouse Gas (GHG) Emissions	Resiliency to Climate Change	Public Acceptance/ Political Feasibility	Alignment with Local Comprehensive Plan/Town Goals
1	Cluster Treatment System	Source Reduction	✗ 40	⚠ 3.48	4	4	3	3	2	3	4	2	4	1	2	4	4
2	Aquaculture	Source Reduction	✗ 40	✗ 3.07	2	5	2	2	2	5	1	3	5	4	2	3.5	3.5
3	Fertilizer Management	Source Reduction	✓ 53	⚠ 4.06	5	4	5	3	4	3	1	5	5	5	5	4	4
4	Remediation of Existing Development	Source Reduction	✓ 52	⚠ 4.34	5	5	3	3	4	5	4	5	3	2	3	5	5
5	Compact and Open Space Development	Source Reduction	✓ 58	✓ 4.64	5	5	2	5	4	5	4	5	5	4	4	5	5
6	Transfer of Development Rights	Source Reduction	⚠ 48	✗ 3.42	5	5	1	5	4	5	1	5	4	5	2	3	3
7	Innovative/Alternative (I/A)*	Source Reduction	⚠ 50	✓ 4.35	4	4	3	3	4	3	4	5	5	2	3	5	5
8	I/A Hybrid or Enhanced Systems (2+)	Source Reduction	⚠ 50	✓ 4.42	4	4	3	4	4	3	4	4	5	2	3	5	5
9	Coastal and Wetland Habitat Restoration	Restoration	⚠ 46	⚠ 3.85	3	5	2	2	1	5	1	3	5	4	5	5	5
10	Dredging and Maintenance	Restoration	✗ 44	⚠ 3.95	4	4	3	5	2	4	1	2	5	2	3	4	5
11	Phytoremediation	Groundwater Remediation	⚠ 47	⚠ 4.12	2	5	3	4	2	5	1	3	4	5	3	5	5
12	Permeable Reactive Barriers (PRBs)	Groundwater Remediation	✗ 39	⚠ 3.90	2	4	2	4	2	3	2	2	4	3	1	5	5
13	Stormwater BMPs - Policy	Groundwater Remediation	✓ 55	✓ 4.49	5	5	5	4	1	4	5	5	4	4	3	5	5

Town of Bourne  
Sewer Rate Analysis

			Amended STM 11.16.20 Voted 12.22.20	Prelim 3.30.2021	FTM 11.15.2021	7.19.2022
	FY2020	Voted 7.28.20 FY2021	FY2021	FY2022	FY2022	FY2023
<b>Expenses:</b>						
Salaries	\$ 187,843	\$ 197,680	\$ 197,680	\$ 214,020	\$ 214,020	\$ 189,441
Purchase of Services	103,850	107,850	107,850	75,000	75,000	77,800
Supplies	19,825	20,028	20,028	20,000	20,000	20,700
Other Charges & Exps	375	375	375	375	375	375
Capital Outlay	110,000	110,000	110,000	95,000	95,000	95,000
Capital Outlay reduction						
Transfer to General Fund						
Debt Service	24,000	72,000	72,000	38,100	12,000	36,000
Reserve Fund	50,000	100,000	100,000	50,000	50,000	50,000
Wareham Operating Charge	350,000	410,000	410,000	420,250	420,250	430,757
Wastewater Facility Operating Cost				256,000	256,000	246,000
Wareham Capital Charge	188,478	188,478	188,478	188,478	188,478	188,478
Indirect Expenses	134,709	140,944	140,944	148,315	148,315	153,587
<b>Total Expenses</b>	<b>1,169,080</b>	<b>1,347,355</b>	<b>1,347,355</b>	<b>1,505,538</b>	<b>1,479,438</b>	<b>1,488,138</b>
<b>Revenues:</b>						
Miscellaneous Dept Revenue & Interest	35,000	35,000	35,000	35,000	35,000	35,000
GF Reserve Fund Transfer						
Sewer User fees						
Est. Overage fees	130,000	140,000	140,000	130,000	130,000	130,000
<b>Sub-total</b>	<b>165,000</b>	<b>175,000</b>	<b>175,000</b>	<b>165,000</b>	<b>165,000</b>	<b>165,000</b>
<b>Amount Needed Per Unit</b>	<b>1,004,080</b>	<b>1,172,355</b>	<b>1,172,355</b>	<b>1,340,538</b>	<b>1,314,438</b>	<b>1,323,138</b>
<b>Users</b>	<b>1,086</b>	<b>1,068</b>	<b>1,069</b>	<b>1,069</b>	<b>1,069</b>	<b>1,070</b>
<b>Per Unit Sewer Charge - NO Retained Earnings</b>	<b>925</b>	<b>1,098</b>	<b>1,097</b>	<b>1,254</b>	<b>1,230</b>	<b>1,237</b>
Retained Earnings Rate Subsidy	50,000	50,000	185,000	50,000	50,000	74,000
Retained Earnings Rate Subsidy Reduction per User	46	47	173	47	46.77	69.16
<b>Per Unit Sewer Charge with Retained Earnings Rate Subsidy</b>	<b>\$ 879</b>	<b>\$ 1,051</b>	<b>\$ 924</b>	<b>\$ 1,207</b>	<b>\$ 1,183</b>	<b>\$ 1,167</b>

# TOWN OF BOURNE

## Fund Report by Department

Fiscal Year 2023

From 07/01/2022 to 06/30/2023

60 - SEWER ENTERPRISE		400 - PUBLIC WORKS & UTILITIES		442 - SEWERAGE COLLECTION & DISPOSAL				
Account	Description	Carry Fwd	Orig Bud	Amended	Encumb	Expend	Unencum Bal	% Exp
5112	SALARIES - SUPERVISORS/ADM.SEC		13,047.00				13,047.00	0.00 %
5116	SALARIES - LABORERS		134,594.00			2,788.80	131,805.20	2.07 %
5130	OVERTIME - WAGES		40,000.00			400.74	39,599.26	1.00 %
5141	LONGEVITY		1,500.00				1,500.00	0.00 %
5190	INCENTIVE PAY		300.00				300.00	0.00 %
<b>5100 Total PERSONAL SERVICES</b>			189,441.00			3,189.54	186,251.46	
5211	ENERGY - ELECTRICITY		8,500.00				8,500.00	0.00 %
5213	ENERGY - OTHER FUELS		1,000.00				1,000.00	0.00 %
5230	NON-ENERGY - WATER		750.00				750.00	0.00 %
5240	R&M - BLDGS & GROUNDS		300.00				300.00	0.00 %
5242	R&M - LIGHT TRUCKS		1,000.00				1,000.00	0.00 %
5248	R&M - MACH.& EQUIP (BY OTHER)		30,000.00				30,000.00	0.00 %
5273	RENTALS - HEAVY EQUIPMENT		2,500.00				2,500.00	0.00 %
5274	RENTALS - UNIFORMS		550.00				550.00	0.00 %
5304	SERVICES - CONSULTANTS		25,000.00				25,000.00	0.00 %
5315	SERVICES-LEGAL,OUTSIDE COUNSEL		5,000.00				5,000.00	0.00 %
5318	SERVICES-WASTE REMOVAL & DISPO		430,757.00				430,757.00	0.00 %
5340	COMMUNICATIONS - TELEPHONE		2,000.00				2,000.00	0.00 %
5341	COMMUNICATIONS - POSTAGE		900.00				900.00	0.00 %
5342	COMMUNICATIONS - PRINTING		300.00				300.00	0.00 %
5351	CONTRACTED SERVICES - O&M		246,000.00				246,000.00	0.00 %
<b>5200 Total PURCHASE OF SERVICES</b>			754,557.00				754,557.00	
5420	OFFICE SUPPLIES - GENERAL		150.00				150.00	0.00 %
5432	BLDG./EQUIP.SUPP.- TOOLS		5,000.00				5,000.00	0.00 %
5451	HAZARDOUS MATERIAL EQUIP		4,000.00				4,000.00	0.00 %
5481	VEH.SUPP.- DIESEL		4,200.00				4,200.00	0.00 %
5484	VEH.SUPP.- PARTS		2,500.00				2,500.00	0.00 %
5485	VEH.SUPP.- REG,INSPECTIONS		350.00				350.00	0.00 %
5584	OTHER SUPP.- PROTECTIVE CLOTH.		4,500.00				4,500.00	0.00 %
<b>5400 Total SUPPLIES</b>			20,700.00				20,700.00	
5760	CAPITAL ASSESSMENT - TOWN OF W		188,478.00				188,478.00	0.00 %
5781	LICENSE REIMBURSEMENT		375.00				375.00	0.00 %
<b>5700 Total OTHER CHARGES AND EXPENDITURES</b>			188,853.00				188,853.00	

# TOWN OF BOURNE

## Fund Report by Department

Fiscal Year 2023

From 07/01/2022 to 06/30/2023

60 - SEWER ENTERPRISE		400 - PUBLIC WORKS & UTILITIES		442 - SEWERAGE COLLECTION & DISPOSAL				
Account	Description	Carry Fwd	Orig Bud	Amended	Encumb	Expend	Unencum Bal	% Exp
5870	REPLACEMENT EQUIPMENT		90,000.00				90,000.00	0.00 %
5871	NEW EQUIPMENT		5,000.00				5,000.00	0.00 %
<b>5800 Total CAPITAL OUTLAY</b>			95,000.00				95,000.00	
5910	PRINCIPAL LONG TERM DEBT		10,000.00				10,000.00	0.00 %
5915	INTEREST-LONG-TERM DEBT		26,000.00				26,000.00	0.00 %
<b>5900 Total PERMANENT DEBT SERVICE</b>			36,000.00				36,000.00	
<b>442 Total SEWERAGE COLLECTION &amp; DISPOSAL</b>			1,284,551.00			3,189.54	1,281,361.46	

# TOWN OF BOURNE

## Fund Report by Department

Fiscal Year 2023

From 07/01/2022 to 06/30/2023

60 - SEWER ENTERPRISE		900 - MISCELLANEOUS		947 - MISCELLANEOUS				
Account	Description	Carry Fwd	Orig Bud	Amended	Encumb	Expend	Unencum Bal	% Exp
5798	RESERVE FUND		50,000.00				50,000.00	0.00 %
5700 Total OTHER CHARGES AND EXPENDITURES			50,000.00				50,000.00	
947 Total MISCELLANEOUS			50,000.00				50,000.00	

## Buzzards Bay Commercial Wastewater Summary Sheet (May 27, 2022)

[illegible]

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## *LIST OF ATTACHMENTS*

Attachment A: Buzzards By Sewer Infrastructure .....	Attachment -1
Attachment B: General Sewer Service Application (Form Under Development).....	Attachment -2
Attachment C: Sewer Use Rates, Fees, and Fines .....	Attachment -3
Attachment D: Sewer Construction Details .....	Attachment - <b>Error! Bookmark not defined.</b>

# 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. 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 evenly 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

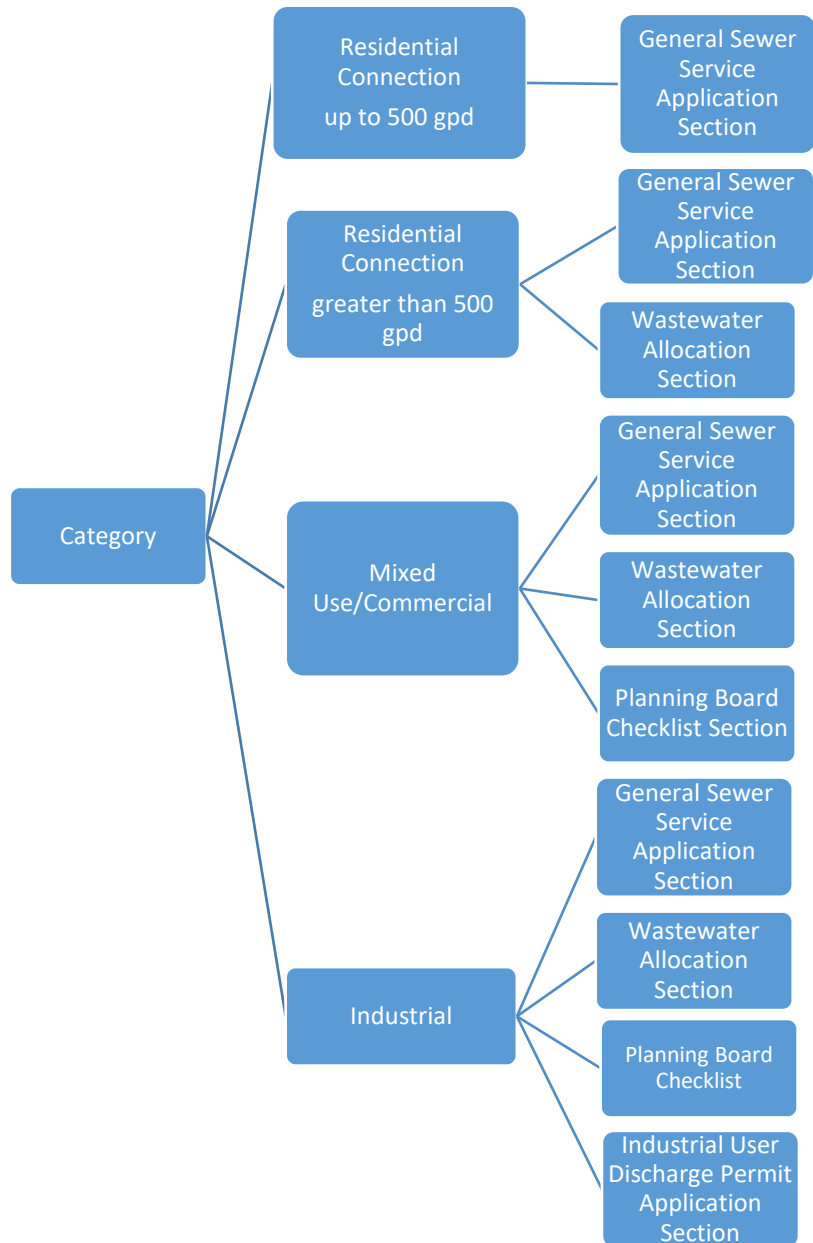
The sewer connection application is dependent on the type of use associated with the proposed sewer connection. Every sewer connection requires a permit. Permits to connect are issued by the Department of Public Works.

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 5 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 Intermunicipal 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 portion 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 Allocation, the excess capacity shall revert to the Town's Uncommitted Reserve Capacity 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 Reserve Capacity, 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 Reserve Capacity

If an applicant requests flow in excess of the Uncommitted Reserve, 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 capacity 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
<b>Residential (new or redevelopment) up to 500 gpd</b>	1. Application & Design Review Fee 2. Sewer Connection Fee
<b>Residential (new or redevelopment) over 500 gpd</b>	1. Application & Design Review Fee 2. Preliminary Allocation Fee 3. Sewer Connection Fee 4. Sewer System Development Fee
<b>Mixed Use/Commercial</b>	1. Application & Design Review Fee 2. Preliminary Allocation Fee 3. Sewer Connection Fee 4. Sewer System Development Fee
<b>Industrial</b>	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

Allocations fees are based on the Allocation Policy (Section 5 as set forth by the Board of Sewer Commissioners). The charge 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 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 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
<b>Residential</b>	Base Fee plus an additional fee per sewer unit
<b>Commercial</b>	Base Fee plus an additional fee per square foot of building floor space
<b>Industrial</b>	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 by 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.

### 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 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 Appendix 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.

## 6.4 SEWER BILL ABATEMENT PROCESS

Attachment D – Sewer Bill Abatement Form

# 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 E.

## 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 PROHABITIONS 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 amendable 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 both 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. NH<sub>3</sub> (as N)
  - o. NO<sub>3</sub> (as N)
  - p. NO<sub>2</sub> (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 his/her right to submit, within 14 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 his/her 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 his/her 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 or 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 him/her 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, 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:

- a) Division A - Agriculture, Forestry, and Fishing
- b) Division B - Mining
- c) Division D - Manufacturing
- d) Division E - Transportation, Communication, Electric, Gas, and Sanitary Service'
- 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 capacity based on estimated actual use – which is generally 50% of Title 5 requirements. Since Preliminary Allocations are based on Title 5, if the Uncommitted For example, if the Allocation is 25,000 gpd then Projected Available Capacity 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



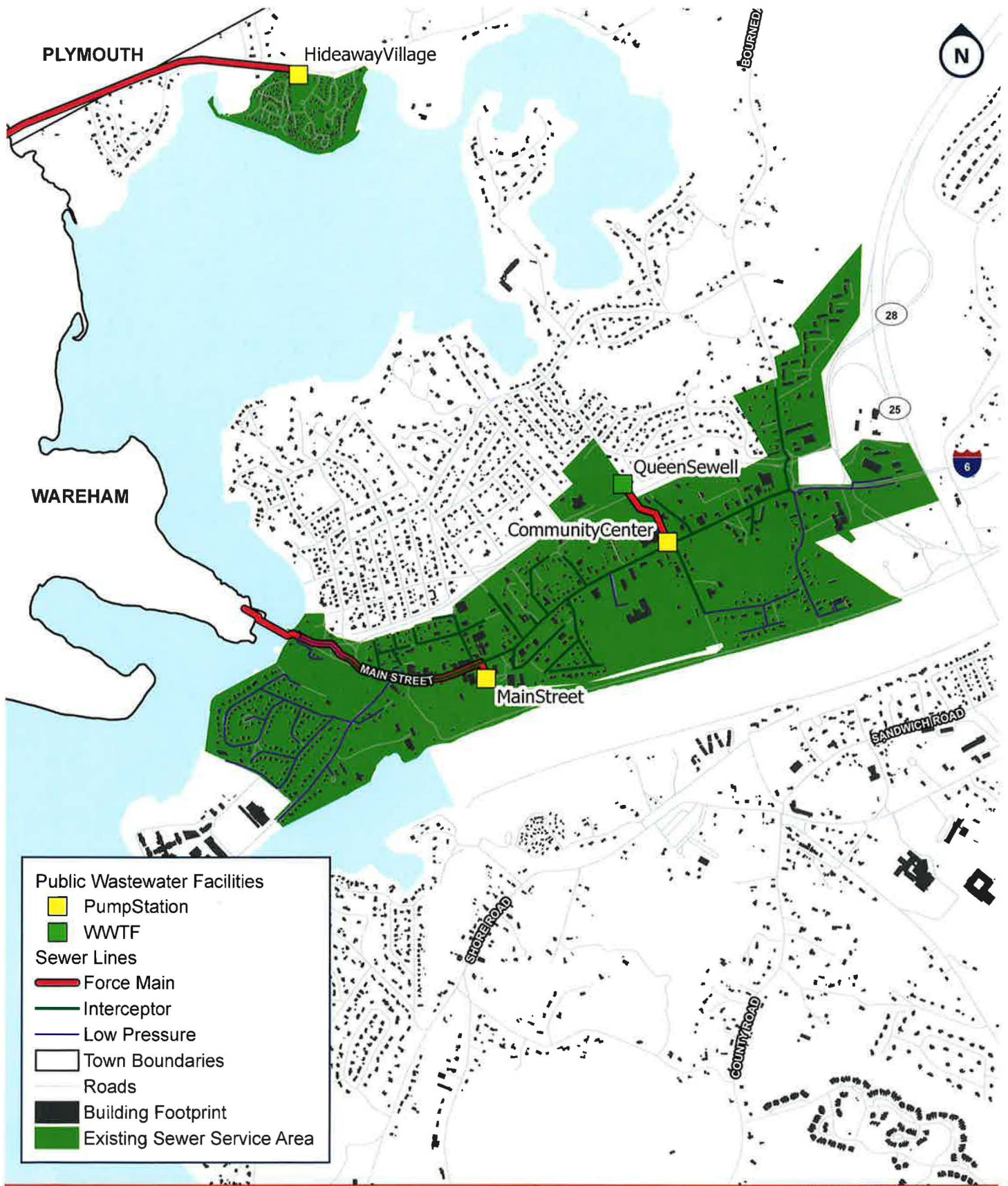
	Capacity.
Sanitary Sewage	Shall mean liquid and water-carried human and domestic wastes from buildings, exclusive of ground, storm, and surface water, and industrial wastes and uncontaminated cooling water and uncontaminated industrial process water.
Sanitary Sewer	Shall mean a sewer designed to carry 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 Unit	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 Reserve Capacity	That portion of the wastewater systems' treatment capacity remaining after subtracting the Preliminary Allocations, the Operational Allocations, existing residential flow and the Residential Reserve from the systems' designated treatment capacity. This determination shall begin 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 be requested to explain the difference and describe any changes expected in the next 12 months. The Board reserves the right to reduce the allocation for projects more than three years old demonstrating a significant excess of allocation overflow. In that case, the difference between the new and old allocations shall revert to the Town and be counted in the Uncommitted Reserve Capacity. (See page 3 for parcels with paid betterments and unused flow capacity.) The Board shall determine the amount of the Uncommitted Reserve Capacity annually and designate such Uncommitted Reserve Capacity 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*

*ATTACHMENT C: SEWER USE RATES, FEES, AND FINES*  
Adopted by Board of Sewer Commissioners  
October 21, 2021

Application and Design Review Fee: \$1,500

Preliminary Allocation Fee: \$5 per projected gallon per day of flow for the first 1,000 gallons or \$5,000 for projects great than 1,000 gallons per day.

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.

*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 his 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-9SPECIAL 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-10 DEWATERING DRAINAGE

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

## D-11 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-11.1 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 E
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 o installation and after ensure g 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-11.2 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-11.3 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 reinspect when time permits or if arrangements are made for a specific time.

#### D-11.4 Dye Testing of Building Sewers

Prior to issuance of an occupancy permit, every new building sewer shall be dye tested by the owner or his 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-11.5 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. The Property Owner must also sign the Drainage Release Form included in Attachment F.

#### D-11.6 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-11.8 Low Pressure Sewer Grinder Pump Policy

The Town of Bourne has standardized requirements for the installation of grinder pumps. specific requirements for the installation of Grinder Pumps are presented in Attachment G

### D-11.9 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 (see Attachment H for Financial Security Provisions for New Pump Stations).







## One Year Term

### Member – Term expires 6/30/22

### Term

Mary Jane Mastrangelo –BOS Representative	June 30, 2023
James D. Sullivan - Finance Committee/Capital Outlay	June 30, 2023
Christopher Farrell - Planning Board Representative	June 30, 2023
Melvin Peter Holmes - Conservation Comm Rep	June 30, 2023
Stanley Andrews – Board of Health	June 30, 2023
Chris Hyldburg – At Large North of Canal	June 30, 2023
Neil F. Langille – At Large North of Canal	June 30, 2023
Kathy Fox Alfano – At Large South of Canal	June 30, 2023
Keith Barber - At Large South of Canal	June 30, 2023

### *Ex-officio (non-voting)*

Timothy Lydon – Engineering Dept.	June 30, 2023
Terri Guarino – Health Agent	June 30, 2023
Stephanie Fitch - Conservation Agent	June 30, 2023
Marlene V. McCollem - TA or designee	June 30, 2023
Tommy Parrott - DPW and/or Sewer Rep	June 30, 2023
Jennifer Copeland - Planning Dept Rep	June 30, 2023
Steven Souza - Water District - Buzzards Bay	June 30, 2023
Robert E. Prophet - Water District – Bourne	June 30, 2023
Matt Sawicki - Water District – North Sagamore	June 30, 2023
Allen G. Metcalfe, Jr. - Mass Maritime Representative	June 30, 2023

**Board of Sewer Commissioners  
Minutes of Tuesday, July 13, 2021  
Bourne Veterans' Community Center  
Buzzards Bay, MA**

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**TA Tony Schiavi  
ATA Glenn Cannon**

**Board of Selectmen**

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

**Others:** Erica Flemming, Finance Director.

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

**Vice-Chair McDonald 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.**

- 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: April 27, 2021**

**Voted:** Judy Froman moved, and Peter Meier seconded to approve the minutes of April 27, 2021.

**Vote:** 4-0-1. Mary Jane Mastrangelo abstained.

## **7. Cape Cod and Island Water Protection Fund Financing update**

Town Administrator Tony Schiavi said that this past Spring, Bourne was awarded a subsidy to the SRF loan in the amount of 1.165 million dollars, and at that time they didn't know how the subsidy would be applied to the SRF. On about June 22<sup>nd</sup>, Mr. Schiavi was notified by the Clean Water Trust that they would be sending an updated financing agreement to the Town that needed to be executed by the end of the fiscal year. He said it was signed and sent back to them. This makes the net loan to SRF about 3.341 million dollars. The subsidy will be applied over four years. He said that in beginning they started off with a \$500.00 increase in the sewer rate and with the adjusted budget they decreased it to about \$283.00 and now with the subsidy, it will be about a \$259.00 increase. The first debt payment will be due in July 2023.

## **8. New Wastewater Treatment Plant – Armory Rd.**

Mr. Schiavi said that they did the clear water test last week and it went well. DEP had a few minor comments. He said now they need to wait for the authorization to operate and they need to have a dedicated phone line installed that goes to the pump station.

## **9. Board of Sewer Commissioners Reorganization – Discussion and possible vote**

Vice-Chair MacDonald said that Jim Potter was the Chair of the Board of Sewer Commissioners and was not re-elected therefore there is an open seat.

Judy Froman nominated Jared MacDonald for Chair of the Board of Sewer Commissioners and Peter Meier, seconded for discussion.

Ms. Froman said that Vice-Chair MacDonald has been involved with a lot of the recent discussions and can provide that continuity.

Vice-Chair MacDonald said that he and Mr. Potter have been working outside the bounds of the rest of the board for the last few years by meeting with Wareham. They fostered conversations regarding the future sewerage of the Town of Bourne.

Mary Jane Mastrangelo asked Vice-Chair MacDonald about how he views the position of not working outside of the board to get things accomplished but to work with the Board to get things accomplished. Vice-Chair MacDonald responded by saying the past couple of years they did have to go outside of the Board to maintain the meetings with Wareham and not have a full quorum of the Board of Sewer Commissioners every time they met was because it was something that they knew was going to take time by working with another town. He said they met sometimes several times a week and it was important to keep the continuity going. He feels that they were very good about keeping the Board abreast of all their meetings. He said that this is something that they would like to continue and maybe have a full quorum of the Board at some of those meetings.

Ms. Froman said that it has been apparent that there was not a clear avenue to having discussions and who were the players. Vice-Chair MacDonald said it would be very difficult to get all the Sewer Commissioners in both Towns involved.

Ms. Mastrangelo asked how the strategy for these discussions developed and had there been strategy discussions with the whole board. Vice-Chair MacDonald said they did have meetings with the Board, and it was agreed within the Board in the beginning that he, Jim Potter, and Glenn Cannon would have these meetings to try and sort out some of the issues that were brought up at the Bourne Sewer Commissioner meetings.

Ms. Mastrangelo asked how he sees this going forward and Vice-Chair MacDonald said that from this point there have been changes and they are going to need to regroup and have a few meetings with both Boards of Sewer Commissioners and possibly even the Wareham Board of Selectmen.

Ms. Mastrangelo said that she is interested in being Chair and one of the reasons that she is interested in being Chair is she feels that opportunities for citizen input is needed and with Environmental Partners throughout the whole process, she would like to see the re-organization of the Wastewater Advisory Committee. She would like to see the Board of Sewer Commissioners establish a Policy Committee because there are major policies that need to be implemented in terms of allocation, sewer use regulations, retained earnings, and financial policies.

Ms. Mastrangelo told Vice-Chair MacDonald that if he is confident that he can facilitate all the issues in terms of policy, and finance and working with Wareham and managing the Comprehensive Wastewater Management Plan to make sure that all of those things are done in a timely basis, then she may be able to support him.

There was more discussion about informing the public and about sewerage a Town. George Slade said that he is interested in supporting Ms. Mastrangelo because of her unusual qualifications, and he is still open to this discussion.

Peter Meier nominated Mary Jane Mastrangelo for Chair of the Board of Sewer Commissioners and George Slade, seconded.

Ms. Mastrangelo said that people know her for being on the Finance Committee. She talked about working together with others to get important tasks done. She said her strengths are administration and finance. She talked about her successful experience while being the Chair of the Wastewater Building Committee. She talked about the things she would like to accomplish while serving on the Board of Sewer Commissioners. Mr. Slade added that collaboration is important.

**Voted:** Peter Meier moved, and Judy Froman seconded to nominate Jared MacDonald and Mary Jane Mastrangelo to be considered for the position of Chair of the Bourne Board of Sewer Commissioners.

**Vote:**

George Slade – Mary Jane Mastrangelo

Judy Froman – Jared MacDonald

Peter Meier - Mary Jane Mastrangelo

Mary Jane Mastrangelo - Mary Jane Mastrangelo  
Jared MacDonald - Jared MacDonald

Mary Jane Mastrangelo will be the next Chair of the Board of Sewer Commissioners.

**Voted:** Peter Meier moved, and Judy Froman seconded to nominate Jared MacDonald to be considered for the position of Vice-Chair of the Bourne Board of Sewer Commissioners.

**Vote:**

George Slade – Jared MacDonald  
Judy Froman – Jared MacDonald  
Peter Meier - Jared MacDonald  
Mary Jane Mastrangelo - Jared MacDonald  
Jared MacDonald - Jared MacDonald

Jared MacDonald will be the next Vice-Chair of the Board of Sewer Commissioners.

**Voted:** Judy Froman moved, and Peter Meier seconded to nominate George Slade to be considered for the position of Clerk of the Bourne Board of Sewer Commissioners.

**Vote:**

George Slade – George Slade  
Judy Froman – George Slade  
Peter Meier - George Slade  
Mary Jane Mastrangelo - George Slade  
Jared MacDonald - George Slade

George Slade will be the next Clerk of the Board of Sewer Commissioners.

**10. Correspondence**

George Slade said there were three pieces of correspondence. There was an email from K. Beer regarding a wastewater outfall pipe, a letter from S&K Conlin regarding a wastewater outfall pipe, and a letter from Joint Base Cape Cod regarding water and wastewater assets through the Converge contract.

**11. Adjourn**

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

**Vote:** 5-0-0.

This meeting of the Bourne Board of Sewer Commissioners was adjourned at 7:49 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Sewer Commissioners  
Minutes of Tuesday, July 27, 2021  
Bourne Veterans' Community Center  
Buzzards Bay, MA**

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**TA Tony Schiavi  
ATA Glenn Cannon**

**Board of Selectmen**

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

**Others:** Erica Flemming, Finance Director, Michael Rausch, Bourne Enterprise, Kathleen Thut, Kate Roosa, Helen Gordon, and Tim Lydon.

**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.
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- 5. Public Comment on Non-Agenda Items**
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**6. Minutes: 04.13.21; 05.26.21; 05.27.21**

**Voted:** Judy Froman moved, and Jared MacDonald seconded to approve the minutes of April 13, 2021.  
**Vote:** 5-0-0.

**Voted:** Judy Froman moved, and Peter Meier seconded to approve the minutes of May 26, 2021.  
**Vote:** 4-0-1. Jared MacDonald abstained.

**Voted:** Judy Froman moved, and Peter Meier seconded to approve the minutes of May 27, 2021.  
**Vote:** 3-0-2. Jared MacDonald and Judy Froman abstained.

**7. Board of Sewer Commissioners Business****a. Sewer Overage Bill Abatement Request – Lisa Crockett, 26S Bog View Drive.**

Town Manager Tony Schiavi said that an abatement request for Lisa Crockett of Hideaway Village was received. He said that they do not get many of these requests and they do take some time researching the request.

Kathleen Thut said Ms. Crockett called due to concern about an enormous overage bill that she had not encountered before. She said that usually her water usage is about 14 to 15 thousand gallons, and this bill was well over 100 thousand gallons. She is a seasonal resident, and the water gets turned off by the water department in November and turned back on in April. Her bill covering January through the end of June in 2020 was an average bill, and it was the bill covering July to November 4<sup>th</sup> that had the huge overage. The Water Department did check the water meter and installed a new meter in April and the overage is an anomaly. Mr. Schiavi added that they are confident that the water did not go through the sewer system and the meter reading was somewhat fictitious.

**Voted:** Peter Meier moved, and Judy Froman seconded to grant a sewer overage abatement to Lisa Crockett at 26 S. Bog View Drive, in the amount of \$730.00 and any demand or interest charges of sewer bill #12282.

**Vote:** 5-0-0.

**b. Comprehensive Wastewater Management Plan (CWMP) – Watershed Needs Assessment Public Workshop Comment Review.**

Kate Roosa, Environmental Partners, showed a short slide presentation on the CWMP update #2. She said that they held two public sessions in May and had over 80 participants and received 18 public comment letters via email to the Bourne CWMP email address and 45 comments via the public map that was set up on the website. She said that they received over 100 signatures on a petition in opposition from the Save the Cape Cod Canal group. She discussed the most discussed topics in the breakout workshops. She said that they are working with Town staff to draft an "It's all connected" worksheet to talk about how stormwater management and eelgrass relate to nitrogen pollution concerns.

Ms. Roosa said that both slide presentations from the May sessions are on the CWMP website.

**c. Comprehensive Wastewater Management Plan (CWMP) Timeline – Review the target dates for CWMP Milestones/Reports/Meetings.**

Ms. Roosa started by talking about the work that has been completed. She said they incorporated the comments from the Board of Sewer Commissioners and MassDEP and finalized the Plan of Study. They conducted the workshops and summarized the comments and feedback. They have begun the literature review of previous studies and posted additional background documents. They will continue the analysis of the existing on-site systems.

Ms. Roosa said that in August there will be a town staff workshop. The next update to the Sewer Commission will be in September, as well as having a booth at Cape Cod Canal Day. In October they will have a workshop on the Public Needs Assessment. There was some discussion about the September meeting being a quarterly meeting. Glenn Cannon said that September 18<sup>th</sup> is Canal Day and he and Helen Gordon will be distributing literature on the CWMP.

**8. Board of Sewer Commissioners Workshop**

**a. Annual Sewer User Rates – Review and discussion of the Annual Sewer User Rates, Overage Fees and Other Sewer User Fees and Charges.**

Mr. Schiavi said that right now there is a base rate which is one of the things that the Board of Sewer Commissioners votes on and then there is an overage fee which is a penny a gallon, which generates \$130,000.00 in revenue. If it went up to .012 it would generate an extra \$26,000.00 and at .013 would be about \$39,000.00 additional revenue. He said he feels that they are attacking the rate increase issue from the wrong end, and they need to look at the root cause of why there are these large increases.

Mr. Schiavi said that the new sewer plant adds cost to the enterprise fund. He said that if this stays a closed system, then it is about users, and more users are needed on this system. He talked about the impacts of turning on the new system and taking the flow in the new system from what was going to Wareham. He said the rates need to be set next month.

Chair Mastrangelo said that before the August meeting she would like to schedule an Executive Session to talk about strategy.

Jared MacDonald said that he was quoted in the newspaper as saying that they were working “outside the bounds”. He said that means that they were working outside the limitations trying to get two full sewer boards to come to a meeting on a regular basis. The previous Board of Sewer Commissioners had voted on two of the commissioners to meet with two of the Wareham Sewer Commissioners to work together to try and figure out some of the issues, with one of them being the administrative fee. Mr. MacDonald feels that those meetings with a reduced number of commissioners should continue. Judy Froman said that the mission of those meetings was fact-finding and was reported back to the full Board of Sewer Commissioners.

There was more discussion on overage rates and the number of new users that was previously forecast to what the actual number of users is at the present time. There was some discussion about the rate analysis and retained earnings. Mr. Schiavi said that Calamar is back to work and there is the possibility that they will be done next year at this time and that will add 122 users.

Chair Mastrangelo said that there was \$24,000.00 collected in allocation fees in September and October of 2020. These fees were supposed to go into the Sewer Capital Stabilization Fund to be able to help support the rates in this initial time when the users aren't there. She said that this needs to be thought about and what the allocation fees should be for.

**b. Board of Sewer Commissioner's Policy Sub-Committee – Discussion and possible vote to create a policy sub-committee to work on drafting policy with staff to present to the full Board.**

Chair Mastrangelo said it is hard to establish policy with the whole board and there are a lot of policy things to be talked about. She feels it would be beneficial for a sub-committee to work with staff and the Wastewater Advisory Committee if re-established. Peter Meier said that it is a good idea because it will lessen the load on the whole board, and he feels that the Wastewater Advisory committee should be re-energized. Judy Froman agrees about starting a Policy Sub-Committee and feels staff should be involved with the policies, although she is unsure about the Wastewater Advisory Committee. There was some discussion about re-establishing the Wastewater Advisory Committee and the pros and cons of having one. There was a discussion about committees and volunteers and who is in charge.

**Voted:** Judy Froman moved, and Peter Meier seconded to create a Board of Sewer Commissioners Policy Sub-Committee consisting of three board members of the Board of Sewer Commissioners.

**Vote:** 5-0-0.

**Voted:** Peter Meier moved, and Judy Froman seconded to appoint George Slade, MJ Mastrangelo, and Jared MacDonald to the Board of Sewer Commissioners Policy Sub-Committee for one-year appointments.

**Vote:** 5-0-0.

**c. Sewer Development Charge – Discussion relative to the definition of the Sewer Development Charge and clarification on who pays this charge and when the charge is to be assessed. Possible referral to Policy Sub-Committee for discussion.**

**d. Commercial Wastewater management Allocation Policy and the Sewer Regulations – Discussion and possible vote to recommend having a consultant advise and work with the Board of Sewer Commissioners or the Policy Sub-Committee on these policies.**

- e. **Wastewater Advisory Committee – Discussion and possible vote to reactivate the Wastewater Advisory Committee and how it could potentially work with the Comprehensive Wastewater Management Plan consultants.**

**Voted:** Peter Meier moved, and Judy Froman seconded to direct the Board of Sewer Commissioners Policy Sub-Committee to review and make recommendations relative to amending or creating a new system development charge, reviewing the allocation policy and the sewer regulations to be presented to the Board of Sewer Commissioners at a future meeting.

**Vote:** 5-0-0.

- 9. **Board of Sewer Commissioners Meeting Schedule – Set regular dates for Board of Sewer Commissioner's meeting as fourth (4<sup>th</sup>) Tuesday of each month (November and December may need to be altered).**

There was a consensus to have meetings on the 4<sup>th</sup> Tuesday of each month.

- 10. **Correspondence**

There is no correspondence.

- 11. **Adjourn**

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

**Vote:** 5-0-0.

This meeting of the Bourne Board of Sewer Commissioners was adjourned at 8:34 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

**Board of Sewer Commissioners  
Minutes of Tuesday, August 24, 2021  
Bourne Veterans' Community Center  
Buzzards Bay, MA**

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**TA Tony Schiavi  
ATA Glenn Cannon**

**Board of Selectmen**

Mary Jane Mastrangelo, Chair  
George Slade, Clerk  
Peter Meier  
Judy Froman

**Others:** Erica Flemming, Finance Director, Michael Rausch, Bourne Enterprise, Tim Lydon, Skip Barlow, Joe Sullivan (remote), Stanley Andrews, Wendy Chapman (remote), and Steve Souza (remote).

**7:07 PM Call Public Session to Order in Open Session**

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

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Chair Mastrangelo said that there was an Executive Session scheduled for 6:30 PM this evening and the Board of Selectmen's Executive session meeting went past that time, so the Executive Session Meeting for the Board of Sewer Commissioners is being deferred, and it may be held at the end of this meeting.

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
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Skip Barlow said he was there on behalf of the Save the Cape Cod Canal Committee. He said he was there to present the Board with a petition, signed by 935 people, concerning the outfall at the Canal. He said the people are concerned about how things will change should they tie in with Wareham. He said the current discharge is 77,000 gallons per day, which is 2.3 million gallons per month. He said the proposed minimum is 105 million gallons per month, and the proposed maximum is 300 million gallons a month. He said that they can not support this proposal.

**6. Minutes: No minutes to approve.**

**7. Board of Sewer Commissioners Business**

**a. Buzzards Bay Wastewater Treatment Facility – Update on the startup and control of the new Buzzards Bay Wastewater Treatment Facility**

Town Administrator Tony Schiavi said that they seeded the plant on August 5<sup>th</sup>. Joe Sullivan said that all systems are performing as designed, and there were a few equipment adjustments that were needed for DEP's requirements of the operation. Mr. Sullivan said they will hydroseed the field next Monday. Peter Meier asked when the playground will be installed, and Mr. Schiavi did not have a date for that, and he said it might be after the grass grows. Chair Mastrangelo said that she had a call from a citizen that had some noise concerns and the concerns have been passed on to the Wastewater Building Committee.

**b. Inflow and Infiltration (I/I) Study report – Status update of the Inflow and Infiltration (I/I) Study conducted by Environmental Partners including trenchless sewer pipe lining and manhole repair recommendations.**

Helen Gordon, Project Manager at Environmental Partners, said she worked on the Inflow and Infiltration (I/I) Study with Kate Roosa. Ms. Gordon showed a slide presentation on the I/I study. She said that they did submit the final draft report and it is on the Town's website. Ms. Gordon explained what inflow and infiltration are and she talked about the sub-areas of the gravity sewer system. She said that some of the conditions to note are possible tidal inflow at Taylors Point Marina, hydrogen sulfide corrosion in manholes connecting low-pressure system to gravity system, loose manhole frames, and covers, and overall age and condition considerations.

Ms. Gordon said that for sub-areas B & C the estimate for the next phase of work would cost \$317,500.00, for CCTV investigation and rehabilitation. For sub-area D the estimate is \$421,600.00 for recommended improvements.

Ms. Gordon said that they will do a combination contract for CCTV inspections, where they look at all the pipes and the manholes, and while doing that they come up with the improvements that are needed and then there already is a bid out there with all the items that are needed to do the rehabilitation. She said that there clearly is manhole rehabilitation that needs to be done in all the

manholes where the low-pressure sewers come into the gravity system. She said she does have some concerns about the hydrogen sulfide issues. She said she recommends for year 3 to look at the 2 force mains. She talked about the ductile iron piping compared to PVC piping and the PVC is supposed to last for 100 years. She also said that based on the amount of I/I in the system that 10 to 25 percent might have a problem and they could be variable.

Glenn Cannon said that the cost estimates are staggering and asked if they were conservative estimates and Ms. Gordon said that they were conservative estimates. Stanley Andrews asked if they looked at the grinder pumps and Ms. Gordon said they have not yet. There was some discussion about the grinder pumps.

Chair Mastrangelo said that the next step seems to be to have the Capital Outlay Committee review this. There was some discussion about having an article on the Town Meeting and having the Capital Outlay Committee review.

**Voted:** Peter Meier moved, and Judy Froman seconded to have this presentation of the sewer line study recommendation sent to the Capital Outlay Committee and to have the Town Administrator and Assistant Town Administrator be very involved and set the pace.

**Vote:** 3-0-1. Judy Froman abstained.

Chair Mastrangelo moved the next agenda item out of order and forward:

**Communication Protocols for discussions with the Buzzards Bay Water District – Discussion on the communication protocols with the Buzzards Bay Water District.**

Chair Mastrangelo said that the reason she put this item on the agenda is that there was an agenda item at the Buzzards Bay Water District meeting last week around increased sewer users that had come up at a Sewer Commissioners discussion and they were concerned that the Sewer Commissioners were proposing new users that they did not know about. Chair Mastrangelo told them that they were just talking about a budgetary thing. She feels that a communication loop needs to be established.

Mr. Schiavi talked about methods of communication. Wendy Chapman said that she feels that the Buzzards Bay Water District should be in the loop not only when there are projects involving the Buzzards Bay Water District, but even when there are projects close to the area. They have been blindsided in the past and recently and have had to increase their DEP permit. Mr. Schiavi said that communication needs to happen concerning capacity.

**c. Wastewater Advisory Committee Charge. – Discussion and possible vote to accept the charge for the Wastewater Advisory Committee.**

Chair Mastrangelo said that Helen Gordon made a recommendation on what the charge should be for the Wastewater Advisory Committee. Peter Meier said that he has a problem with the Sewer Commissioners being on the committee and they need to take a step back for this committee. Chair Mastrangelo said that she agrees and feels it should be an ex-officio of the Sewer Commission. Judy Froman agrees with Mr. Meier. There was some discussion on who should be ex-officio

members. Chair Mastrangelo said that this is just the beginning of creating the charge, and she feels all should think about it a bit more and have another conversation soon to discuss. Glenn Cannon thanked Environmental Partners for authoring the charge, and he thought it was a great start. Ms. Gordon told the Board of Sewer Commissioners what sections of the proposed charge they should really take a good look at.

**d. Fiscal Year 2021 Sewer Allocation Fees – Review and discuss the sewer allocation fees collected in fiscal year 2021.**

Chair Mastrangelo said that there was \$24,430.00 in allocation fees and \$1,500.00 in filing fees. Chair Mastrangelo talked about the \$50,000.00 from retained earnings that will be going into the budget and how the money should be tracked with the allocation fees.

**e. Annual Sewer User Rates – Discussion and possible vote on the Annual Sewer User Rates, Overages, Fees, and Other Sewer User Fees and Charges.**

Mr. Schiavi said that the subsidy that was received from the Cape and Island Water Protection Fund, allowed the Town to decrease its debt service by about \$26,100.00, which gave an additional \$24.00 decrease in the rate. There was some discussion about overage fees.

**Voted:** Peter Meier moved, and Judy Froman seconded to approve the FY 2022 sewer rate at \$1183.00 per unit.

**Vote:** 4-0-0.

**f. Fiscal Year 2022 Budget Adjustments for the Special Town Meeting – Discuss possible budget adjustments to the Fiscal Year 2022 Sewer Enterprise Fund Budget.**

**Voted:** Peter Meier moved, and Judy Froman seconded to have a warrant article at the Fall Special Town Meeting to reduce the debt service budget by \$26,100.00.

**Vote:** 4-0-0.

**g. Wareham Intermunicipal Agreement – Discussion and possible vote to select a team to negotiate the proper billing associated with the Bourne/Wareham Intermunicipal Agreement.**

Deferred.

**h. Savary Avenue Septic System – Discussion relative to the decommissioning of the Savary Avenue septic system.**

Mr. Schiavi said that they sent a letter in December to the Army Corps of Engineers with a proposal for the method they would like to use in decommissioning the site and putting it back to its prior state. They are waiting to hear back.

**i. Communication Protocols for discussions with the Buzzards Bay Water District – Discussion on the communication protocols with the Buzzards Bay Water District.**

Previously discussed.



**j. Board of Sewer Commissioner's Policy Subcommittee Update – Summary and discussion of the August 5, 2021, Board of Sewer Commissioners policy Subcommittee meeting.**

Mr. Cannon said that have granted a lot of sewer allocations and they still have a lot of sewer capacity. He said they discussed sewer charges.

**8. Future Agenda Items**

Chair Mastrangelo said the quarterly report will be discussed. Mr. Schiavi said that the Board should talk about its position on the Town Meeting article on changing section 19 for the Water Protection Fund.

Chair Mastrangelo asked Mr. Schiavi how he thinks that the Town Administrators from Bourne and Wareham should discuss the Wareham Intermunicipal agreement. Mr. Schiavi said that the agreement is a document that codifies billing and capital and is a document that the Sewer Commissioners oversee. He said that anything that the Town Administrator's office might do or has done, that affected the rates that the Commissioner has set, should get a blessing to go forth to do just that. He said he can meet with her next week to discuss strategy.

**9. Correspondence**

Mr. Cannon said there was a letter from DEP giving the approval to run the plant.

**10. Adjourn**

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

**Vote:** 4-0-0.

This meeting of the Bourne Board of Sewer Commissioners was adjourned at 9:09 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

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

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**TA Tony Schiavi  
ATA Glenn Cannon**

**Board of Selectmen**

Mary Jane Mastrangelo, Chair  
Jared MacDonald, Vice Chair  
George Slade, Clerk  
Peter Meier  
Judy 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.** Judy Froman and Jared MacDonald were excused.

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**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 9<sup>th</sup>.

- 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, March 15, 2022  
Bourne Veterans' Community Center  
Buzzards Bay, MA**

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**TA Marlene McCollem  
ATA Glenn Cannon**

**Board of Selectmen**

Peter Meier  
George Slade, Clerk  
Mary Jane Mastrangelo, Chair  
Judy Froman

**5:45 PM Call Public Session to Order in Open Session**

**1. Board of Sewer Commissioners Business**

**a.) Discussion and possible vote to appoint members to the Wastewater Advisory Committee.**

Peter Meier moved, and George Slade seconded to appoint Marlene McCollem as the Town Administrator representative, Robert Proffit as the Bourne Water District representative, Stephen Souza as the Buzzards Bay Water District representative, Jennifer Copeland on behalf of the Planning Department, and Shawn Patterson as DPW Superintendent to the Wastewater Advisory Committee with terms to expire June 30, 2022, as ex-officio nonvoting members.

**Voted: 3-0-0.**

Peter Meier moved, and George Slade seconded to rescind Glenn Cannon as the member of the Wastewater Advisory Committee Town Administrator's representative.

**Voted: 3-0-0.**

**10. Adjourn**

**Voted:** Peter Meier moved, and George Slade seconded to adjourn. **Vote:** 3-0-0.

Respectfully Submitted,  
Kim Johnson, Recording Secretary



**Board of Sewer Commissioners  
Minutes of Tuesday, March 29, 2022  
Bourne Veterans' Community Center  
Buzzards Bay, MA**

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**TA Marlene McCollem**

**Board of Selectmen**

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

**Other present:** Helen Gordon, Kate Roosa, and Bob Rafferty of Environmental Partners.

**7:00 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:** Deferred
- 7. Board of Sewer Commissioners Business**
  - a. Update on WWTP – budget, operations & noise complaint** – Chair Mastrangelo said that she talked to Stanley Andrews because Corey Repucci of Weston & Sampson has been on vacation. Mr. Andrews said that they have completed the plans for mitigating the noise that has been happening, and the plans are with Robert B. Our, the general contractor. The estimate was expected this week and it should take 4 to 6 weeks to get that rectified once the estimate is accepted. She said that they are addressing some of the other issues such as

grading the field, and some other concerns that they have. The budget and operations are in the process of being turned over to the Sewer Enterprise Fund since the certificate of completion has been done. The budget is running at about \$15,000. a month.

**b. Update by Helen Gordon of Environmental Partners**

- (i) **CWMP quarterly report** – Helen Gordon said that they have finished the draft of the Needs Assessment. The next phase is the alternatives. Kate Roosa, the Senior Project Engineer of Environmental Partners on this project, presented the CWMP Quarterly Update 3. This update includes the Fall of 2021 to the Winter of 2022. Ms. Roosa said that in addition to finishing the draft Needs Assessment, they have started the alternatives analysis, starting with a lot of different technologies.

Ms. Roosa said that as part of the Needs Assessment, they identified nitrogen loading reduction requirements for all watersheds and analyzed current and future wastewater needs using current zoning. She explained a chart and explained what would be considered nutrient impaired and what would not.

She said that regarding the alternative, they have whittled down the list of approximately 100 technologies to pick about 15 technologies that would best work with each watershed. She said the next step was the activation of the Wastewater Advisory Committee (WWAC), and the first workshop is scheduled for April 11<sup>th</sup>, and they have 6 meetings set up for the next year with the WWAC.

She said they are planning to present their initial findings to the community in July. They plan to have the draft recommended plan in the Fall of this year, and they plan to submit the final at the start of Winter of 2023. Ms. Gordon said that all deliverables about the draft will be given to Town Administrator McCollem, and she will update the website accordingly.

- (ii) **Cataumet treatment plant – Phase 1** – Ms. Roosa said that they are 70% complete and she said they have received information and are working with the Kingman Yacht Club and with the Cataumet Treatment plant operator. She said the goal is to outline consideration for the next steps in a potential transition plan. She said they expect to have a meeting to review the Draft Technical Memorandum with staff by mid-April.

Ms. Gordon said that their recommendation is to go to the next phase and start looking at more detail about what the legal requirements would be to take it over and what the financial impacts would be. There was some discussion about discharge capacity and what they are currently using. Ms. Roosa said that the main users of this plant are the marina and the business buildings.

- (iii) **Draft Sewer Rules & Regulations** – Ms. Gordon talked about the draft sewer rules and regulations. She said that the policy subcommittee met on March 24<sup>th</sup>, and they talked about coming up with a flow chart to follow and then created this draft. She explained how they came up with the characterizations on the chart and the process for the users in Bourne. She said that instead of having various applications, there will be one document. There

was some discussion about the steps and the onus of the applicants regarding meeting the requirements.

- c. Wareham**
  - (i) Capital assessments & debt schedule –**
  - (ii) Communication protocols**
  - (iii) Possible creation of a Town Administrator's working group**

Ms. McCollem said that she would address all three items regarding Wareham at the same time. She said that in her opinion there does not always seem to be enough or clear communication between Wareham and Bourne. She would like to rectify this situation and she needs some more background and information to move forward. She feels that there could be some capital assessments after the expiration of the FY23 budget. She said it would be beneficial to her for the Board of Sewer Commissioners to appoint a working group to assist her in navigating how to best approach the Wareham Town Administrator and Board of Sewer Commissioners.

Jared MacDonald said that the Wareham Board of Sewer Commissioners cannot make decisions, they must go through their Select Board, and he said that they need to be kept tied in. Mr. MacDonald said that two of Bourne's Sewer Commissioners were meeting regularly with the Wareham Sewer Commissioners and one of Wareham's Selectmen and said that maybe they could continue that subcommittee. Chair Mastrangelo said she thinks that they may want to avoid having a subcommittee. She agrees with Ms. McCollem about the idea of an advisory type of a working group.

Chair Mastrangelo suggested that she act as Chair and that Jared MacDonald will be a member to start the working group. There was some discussion about the role Environmental Partners will play with this group and about them being kept in the loop regarding conversations about rates and options. Peter Meier said that communication and transparency are very important in these discussions with Wareham.

- d. FY22 Year-To-Date budget review –** Ms. McCollem said she sees no issues with the current budget.
- e. FY23 operating & capital budget -** Ms. McCollem said that she and the Finance department looked at both the FY22 and FY23 budgets and with the new treatment plant just coming online there will be some flux for a little bit. She said that she discussed the electricity portion of the plant with the Finance Committee, and she has decided not to amend the electricity line of the FY23 budget at this time.

Peter Meier asked if they will be staying with Weston & Sampson for the operating and maintenance or will they be assigning a Plant Operator at some point. Ms. McCollem answered that she has the Weston & Sampson contract, and she is reviewing it and she said that it is a 3-year agreement. She said that when they start building the budget for FY24, they will explore and analyze it.

- f. ARPA funding priorities** – Ms. McCollem said that ARPA is something to discuss more in-depth later as the Board of Sewer Commissioners and as the Board of Selectmen. She said they will need to discuss the requirements to be able to use ARPA funds and the procuring process for services and materials using ARPA funds.

There was some discussion about the Sewer Capital Stabilization Fund. Ms. McCollem said that right now the motion to go before Town Meeting has a \$50,000.00 offset from retained earnings, and the question is if that should be raised to \$74,000.00.

Peter Meier said he would like to speak to Town Counsel about getting a real answer from the Ethics Commission related to him being able to vote on any rate increases or decreases.

There was more discussion about raising the amount of retained earnings, and about more users being added to the system.

**Voted:** Jared MacDonald moved, and George Slade seconded to increase the use of retained earnings as revenue for the FY 23 Sewer Enterprise Budget to \$74,000.00. **Vote:** 4-0-1. Peter Meier abstained.

**8. Future Agenda Items** - Chair Mastrangelo said that if anyone has any items to discuss in the future to let her know.

**9. Committee Reports** – None.

## **10. Correspondence**

George Slade said there were two letters from sewer users in Hideaway Village about the rate and one letter from Barry Johnson from Bourne Scenic Park seeking a meeting to consider them hooking up to the sewer system.

## **11. Adjourn**

**Voted:** Jared MacDonald moved, and Judy Froman seconded to adjourn. **Vote:** 5-0-0.

The meeting was adjourned at 8:58 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary

SECTION 00100

NOTICE TO BIDDERS  
TOWN OF BOURNE, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
WAY HO & TAYLOR POINT MARINA  
GRINDER PUMP STATION REPLACEMENT  
CONTRACT NO. 2022-001

The Town of Bourne, Massachusetts, acting through its Department of Public Works, invites sealed bids for **"Town of Bourne, Massachusetts, Department of Public Works, Way Ho & Taylor Point Marina Grinder Pump Station Replacement, Contract No. 2022-001"**, in accordance with the Contract Documents prepared by BETA GROUP, INC., Consulting Engineers, 315 Norwood Park South, Norwood, Massachusetts, 02062.

The location, general characteristics, and principal details of the Work are indicated in a set of Contract Documents, entitled **"Town of Bourne, Massachusetts, Department of Public Works, Way Ho & Taylor Point Marina Grinder Pump Station Replacement, Contract No. 2022-001"**.

The work in this Contract includes, but is not limited to:

- Installation of 2 new grinder pump stations including bollards, low pressure piping and electrical work
- Installation of 1 doghouse sewer manhole including gravity piping
- Abandonment of 2 existing pump stations
- Abandonment of 1 electrical structure
- All related civil/site work

Contract Documents may be obtained at the Town Bourne's Department of Public Works, 35 Ernest Valeri Road, Bourne, MA, by appointment on or after **Wednesday, July 13th, 2022**.

A pre-bid conference will be held at **10:00 AM on Thursday July 21st, 2022** at the Bourne Department of Public Works. The meeting will then move to Old Bridge Road for an onsite meeting, depending on weather.

Direct all inquiries in writing to Ryan Greenway, BETA Group, Inc, 701 George Washington Highway, Lincoln, RI 02865, Phone #: (401) 333-282, Fax #: (401) 333-9225, E-Mail Address: [rgreenway@beta-inc.com](mailto:rgreenway@beta-inc.com). The deadline for questions is **Tuesday, July 26, 2022, at 4:00 P.M.**

Bids will be received at the office of the: **Bourne Department of Public Works  
35 Ernest Valeri Road  
Bourne, MA 02532**

until **10:00 A.M.** local time on **Wednesday, August 4th, 2022**, at which time and place, said Bids will be publicly opened and read aloud.

Bid Security: Certified, treasurer's or cashier's check or bid bond in the sum of five (5) percent of the Total Bid is required.

The successful bidder shall furnish guarantee bonds in the form of a performance bond and a payment bond, each in the amount equal to 100% of the bid, from a surety company satisfactory to the Town.

All Bids for this project are subject to applicable bidding laws of Massachusetts, including General Laws Chapter 30, Section 39M as amended.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under this Contract as determined by the Department of Labor and Industries under provisions of the Massachusetts General Laws Chapter 149, Sections 26-27, inclusive, as amended.

No Bidder may withdraw his bid within Ninety (90) consecutive calendar days after the actual date of the opening thereof.

The Owner, being considered the sole and only judge, reserves the right to waive any informalities in, or to reject, any or all bids, should the Owner deem it to be in the owner's best interest to do so.

Town of Bourne, Massachusetts,  
Department of Public Works

# Proposed Nitrogen Sensitive Area/Watershed Permitting Regulatory Framework

MassDEP / Town of Bourne  
July 11, 2022

# Meeting Agenda

- Introductions- All
- Meeting Objectives/ Milestones- Millie Garcia-Serrano, MassDEP SERO Regional Director
- Presentation of Proposed Regulatory Framework- MassDEP
  - Nitrogen Sensitive Area (NSA) Designation
    - Establishing New Natural Resource Area NSA
      - Requirements and Exemptions
    - Watershed Permit
      - Application Components, Permit Requirements, Permitting Processes
- Watershed Management Plan Update
  - CWMP Update
  - Anticipated needs for Plan completion/ update
    - Data gaps
- Funding Opportunities - Maria Pinaud/ Gerard Martin, MassDEP
  - SRF Program/Community Septic System Program/Loans
  - Other Programs (e.g. SNEP)
- General Discussion/ Opportunity for feedback on proposed regulatory strategy, MassDEP/
- Next Steps- Millie Garcia-Serrano, MassDEP



# Proposed Regulatory Framework

## Background:

- Stakeholder Group NSA Subcommittee met on September 3, 2020, February 23, 2021, & June 3, 2022 to discuss potential changes to Nitrogen Sensitive Area (NSA) provisions of Title 5
- Topics discussed:
  - Expansion of definition of NSA
  - Defining how these areas might be determined
  - New nitrogen requirements for certain NSA areas
  - Compliance options
  - Implementation schedule for new requirements

# Proposed Regulatory Framework (cont'd)

- **Current Title 5 regulations**

- Defines 'Drinking Water Protection' Nitrogen Sensitive Areas as:
  - Zone IIs and Interim Wellhead Protection Areas (IWPAs), and
  - Facilities that utilize both on-site septic systems and non-public drinking water supply wells
- Allows designation of nitrogen sensitive embayments through parallel regulatory change processes
- Imposes loading restrictions (440 gpd/acre)

# Proposed Regulatory Framework (cont'd)

## **Proposed Regulatory Framework for Designation of Nitrogen Sensitive Areas:**

- Maintains the Drinking Water Protection NSAs
- Establishes new designation of **Natural Resource Area NSAs**

# Proposed Regulatory Framework (cont'd)

## Natural Resource Area NSAs:

- 1) Any watershed to an embayment or sub-embayment that is the subject of a Nitrogen Total Maximum Daily Load (TMDL) approved by the USEPA pursuant to the federal Clean Water Act **and** an Area Wide Water Quality Management Plan pursuant to Section 208 of the Clean Water Act addressing nitrogen pollution
  - A “TMDL” is an EPA-approved calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet and continue to meet water quality standards for that particular pollutant. A TMDL determines a pollutant reduction target and allocates load reductions necessary to the sources of the pollutant

# Proposed Regulatory Framework (cont'd)

- **Natural Resource Area NSAs:**

- All Cape Cod communities are subject to the “208 Plan” approved by EPA in 2015
- There are currently 30 watersheds across Cape Cod with EPA-approved nitrogen TMDLs
  - **For these watersheds, the NSA designation is effective on the effective date of the final regulations.**

# Proposed Regulatory Framework (cont'd)

## Natural Resource Area NSAs:

2) Any watershed to an embayment or sub embayment that is the subject of an EPA approved TMDL or determined to be nitrogen sensitive by the Department based on scientific evaluation and adopted through a public process involving public notice, including the scientific and regulatory rationale for the designation, and a 60-day public comment period.

- **For these watersheds, the NSA designation is effective upon completion of the public process and MassDEP's issuance of the final NSA designation.**

# Proposed Regulatory Framework (cont'd)

## Requirements for Natural Resource Area NSAs:

- TMDL + 208 plan = NSA effective date of regulation promulgation
- TMDL/Scientific Evaluation + Public Process = NSA effective date of designation

# Proposed Regulatory Framework (cont'd)

## Requirements for Natural Resource Area NSAs:

- Any system serving new construction or an existing facility must incorporate Best Available Nitrogen Reducing Technology within **five (5) years of the effective date of the NSA designation** of the watershed in which they are located.

**OR**

- Community(ies) operate under a Watershed Permit



# Proposed Regulatory Framework (cont'd)

## Requirements for Natural Resource Area NSAs:

- Best Available Nitrogen Reducing Technology is an alternative system certified by MassDEP for general use pursuant to Title 5 which has the lowest effluent Total Nitrogen performance value. An alternative system granted provisional or pilot approval by MassDEP may also be utilized as long as such system has a Total Nitrogen performance value less than or equal to the lowest alternative system certified for general use by the Department.

# Proposed Regulatory Framework (cont'd)

## Exemption from Enhanced Treatment Requirements for Natural Resource Area NSAs:

### Watersheds with Watershed Permits:

- If communities obtain a watershed permit that covers an area that would be subject to new “NSA” regulations, the Title 5 NSA requirement to install Best Available Nitrogen Reducing Technology in 5 years would **not** become effective for that area

# Proposed Regulatory Framework (cont'd)

## **Watershed Permit:**

- 20-year permit instead of the traditional five-year permit
- Issued to Local Government Unit, Regional Local Government Unit, Multiple local Government Unit (thru Intermunicipal agreement)
- Provide communities the opportunity to employ a greater range of solutions to address their water quality needs, including alternative or innovative approaches
- Utilizes an adaptive management approach, requiring permittees to monitor, evaluate and report results, and adjust and modify the strategies and practices as needed to address conditions that are causing the water quality impairments
- Watershed Permit is based on a Town approved “Watershed Management Plan”

# Proposed Regulatory Framework (cont'd)

## **Watershed Management Plan:**

- A long-term plan to address an existing water quality impairment to restore and protect water quality.
- Based on a Comprehensive or Targeted Watershed Management Plan
- For watersheds where a TMDL has been established, the Watershed Management Plan must achieve compliance with the Water Quality Standards required by the TMDL and demonstrate that at a minimum, 75% of the necessary pollutant reduction levels will be achieved within 20 years.
  - Unless MassDEP determines an alternative schedule is appropriate based on watershed-specific issues

# Proposed Regulatory Framework (cont'd)

## **Watershed Permit Application:**

- Estimated load reductions needed to meet the threshold concentration(s) at the sentinel station(s) for the selected Conventional Control Technologies and Alternative Control Approaches or Technologies
- An implementation schedule, not to exceed 20 years, currently envisioned by the applicant(s), including a designated set of activities that will occur in the first 5-year block of time, and the results of which will enable the permittee to revise the implementation plans for the next 5-year period as necessary to meet load reduction requirements as specified
- Core Sewer Area and the service areas prioritized for wastewater collection and treatment after accounting for implementation of the selected Alternative Control Approaches and Technologies

# Proposed Regulatory Framework (cont'd)

## **Watershed Permit Application:**

- If Alternative Control Approaches and Technologies are proposed, a contingency plan for a back-up Conventional Control Technology will be provided in the event that the Alternative Control Approaches and Technologies selected do not function as predicted
- The proposed approach to control 100% of all future pollutant loads to ensure that loads will always stay below the applicable threshold levels
- Cost estimates for the infrastructure and programs associated with the proposed actions, if available

# Proposed Regulatory Framework (cont'd)

## **Standard Watershed Permit Provisions:**

- The proposed activities, implementation schedule for such activities, and facilities set forth in the applicant's Watershed Management Plan shall be enforceable requirements, incorporated in a Watershed Permit
- Annual report submittal
- 5- year evaluation and review
- Public notice requirement and public meeting requirement for a permittee(s) to terminate permit coverage
- Any permits issued by the Department that comprise a component of the implementation activities or are applicable to the pollutant discharges in the watershed shall be incorporated by reference into the Watershed Permit (i.e., Groundwater Discharge Permit)



# Proposed Regulatory Framework (cont'd)

## **Watershed Permit Issuance Process:**

- Public notice of the Watershed Permit
  - MEPA Environmental Monitor
  - Newspaper circulated in the area that will be affected by the Watershed Permit.
  - MassDEP's webpage
- Comment period of at least 60 days
- A public hearing will be held if requested by the applicant, or if the Department determines a public hearing to be in the public interest



# Proposed Regulatory Framework (cont'd)

## **Watershed Permit Modification/Suspension/Revocation:**

- The Department shall process a Watershed Permit modification, suspension or revocation in the same manner as an application for a Watershed Permit
- The Department may revise a schedule in a Watershed Permit at the request of a permittee if the Department determines that good and valid cause, for which the permittee is not at fault, exists for such revision, and in such cases the provision for public notice and hearing shall not apply

# Proposed Regulatory Framework (cont'd)

## **Watershed Permit Termination:**

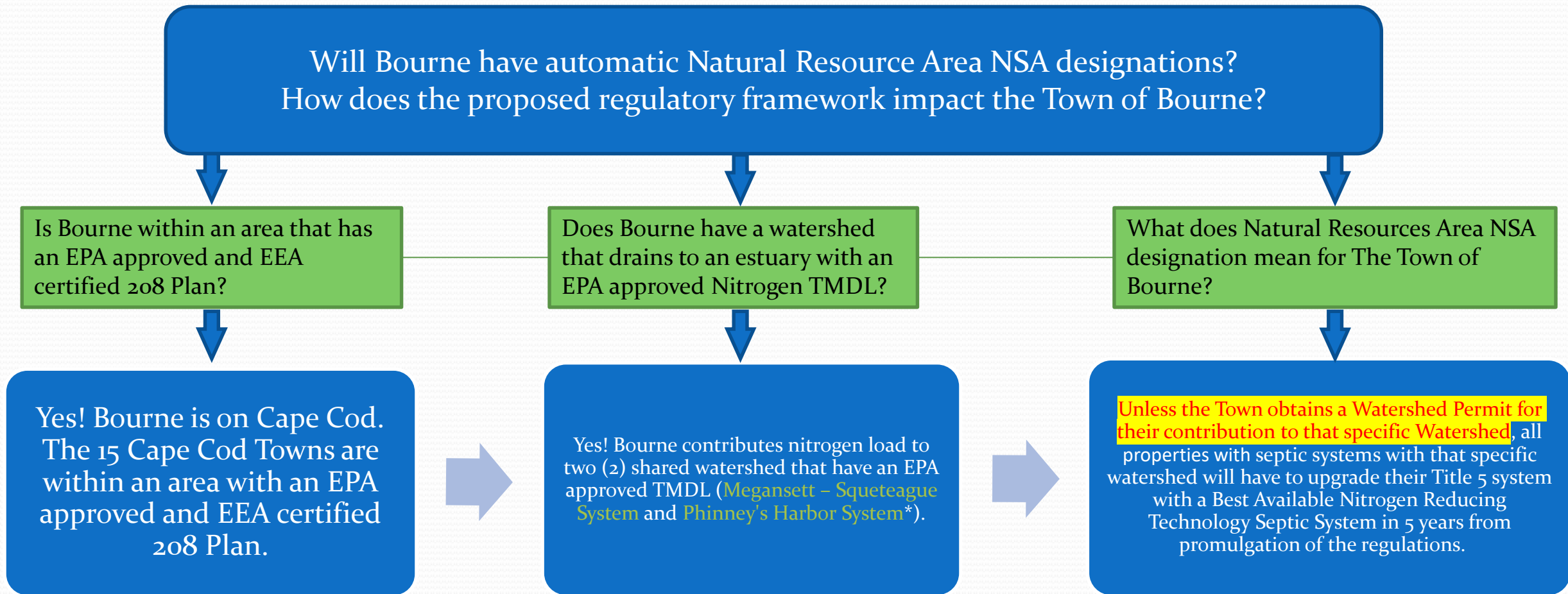
- Any one or more of the permittees may terminate coverage under this Permit by providing written notice to the Department at least sixty (60) days in advance of the date such termination is to take effect
- Such notice will include public notice of a public hearing to be held at least thirty (30) days prior to the termination date
- Such notice will be published in the Environmental Monitor and in a newspaper circulated within the area affected by the Watershed Permit at least thirty (30) days prior to the hearing

# Proposed Regulatory Framework (cont'd)

## **Watershed Permit Termination:**

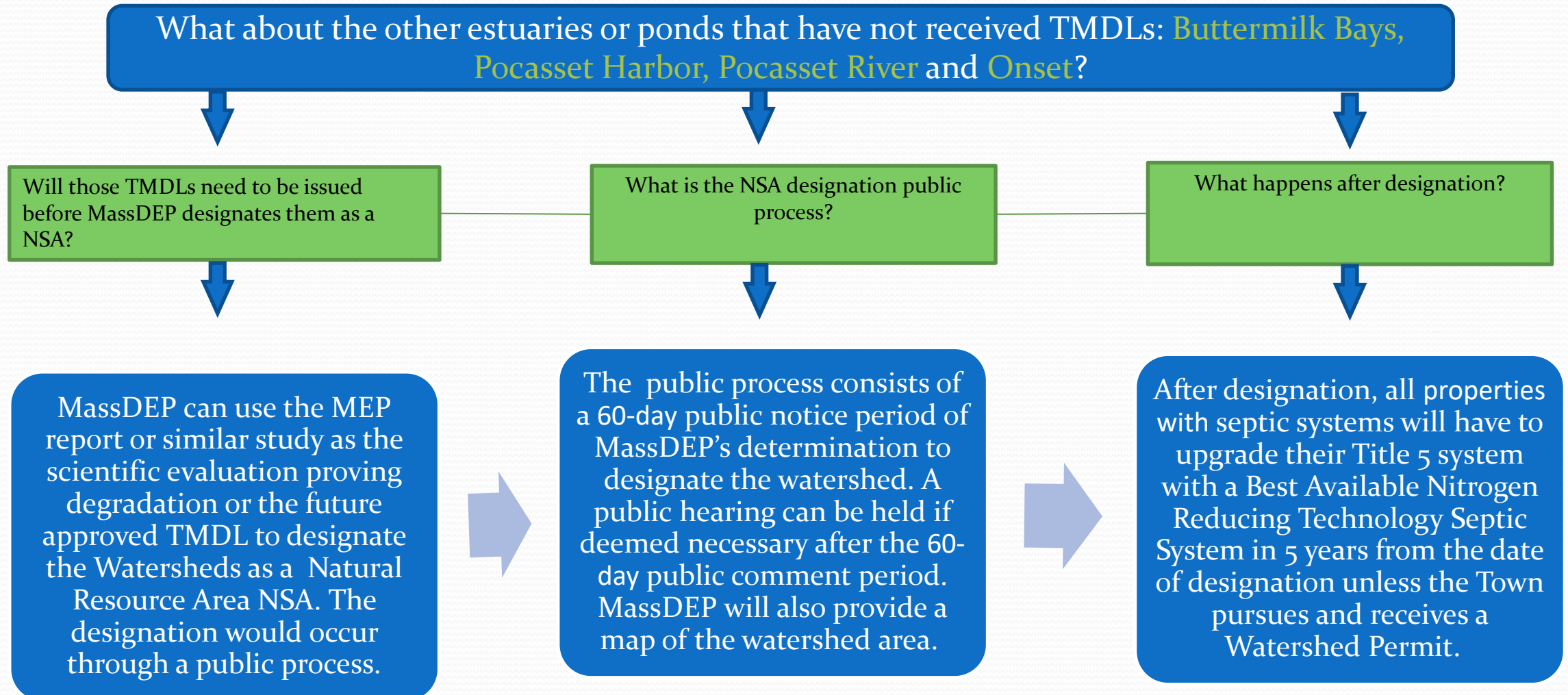
- New systems installed after the date of termination/revocation would have to install Best Available Nitrogen Reducing Technology and existing systems would have to install such technology within 5 years from the effective date of the new NSA regulations or 2 years of the date of termination/revocation, whichever is longer

# Proposed Regulatory Framework: Bourne



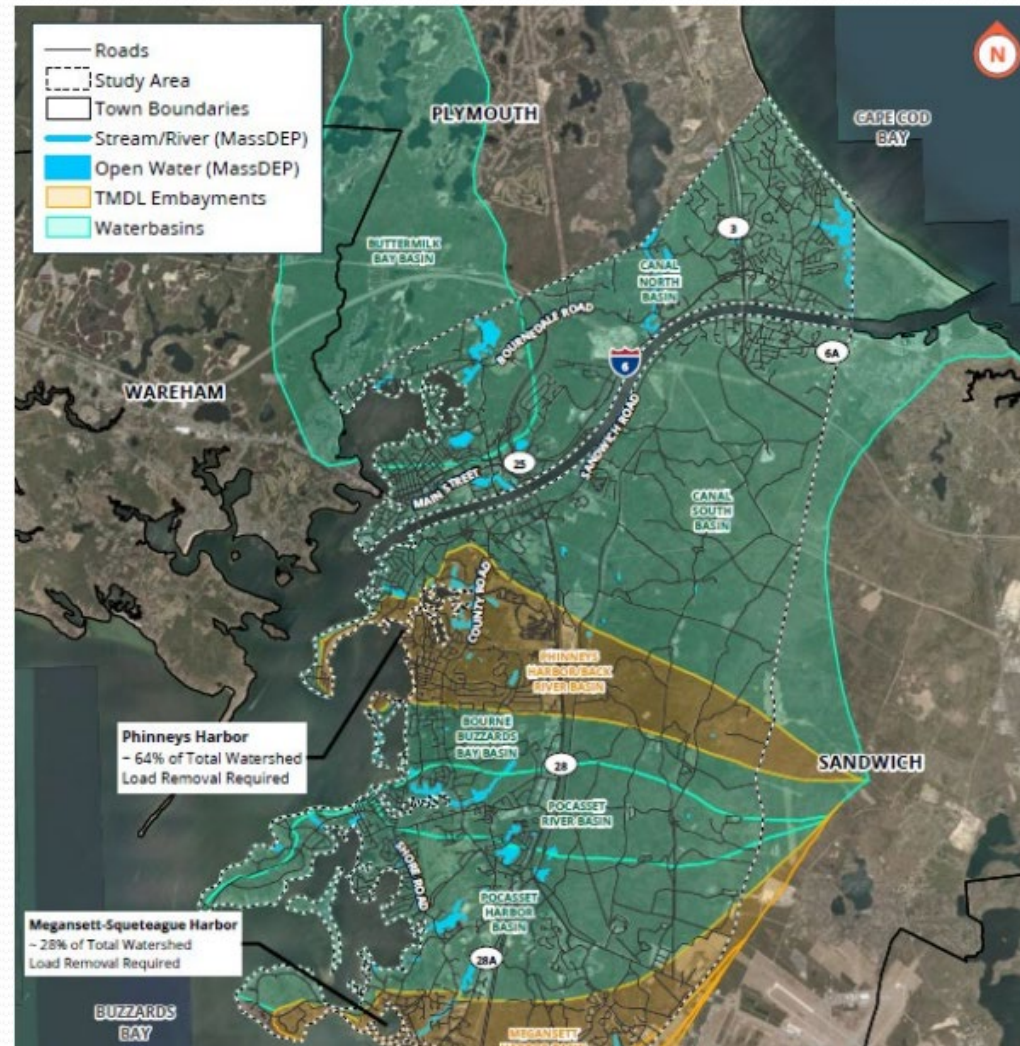
\*shared with the Massachusetts Military Reservation (MMR) within the Town of Sandwich

# Proposed Regulatory Framework: Bourne





# Watershed Management Plan Update



Bourne Watersheds Per Bourne Needs Assessment (Environmental Partners, 2021)

# SRF's Community Septic Management Program (CSMP) Loan Model

- The Massachusetts Clean Water Trust (Trust) dedicates **\$5 million** a year to offer **2%** interest rate loans to communities to fund their CSMP programs that provide loans to homeowners to replace their failed septic systems.
- Over the past 5 years the CSMP has made 29 loans totaling \$14.2 million at an average loan amount of \$450,000.  
Additionally, the CWSRF has financed Barnstable County's septic loan program, which now operates as its own revolving fund.

## *About the CSMP*

- The program operates on a rolling application basis and communities apply for financing when there is demand from homeowners.
- Homeowners apply to the town for financing and the town draws down funds as needed from the Trust.
- The loan to the community is secured with a general obligation pledge of the communities and receives the traditional debt authorization at the local level.
- The loan to the homeowner is secured with a betterment agreement between the community and the homeowner, to which the Trust is not a party.



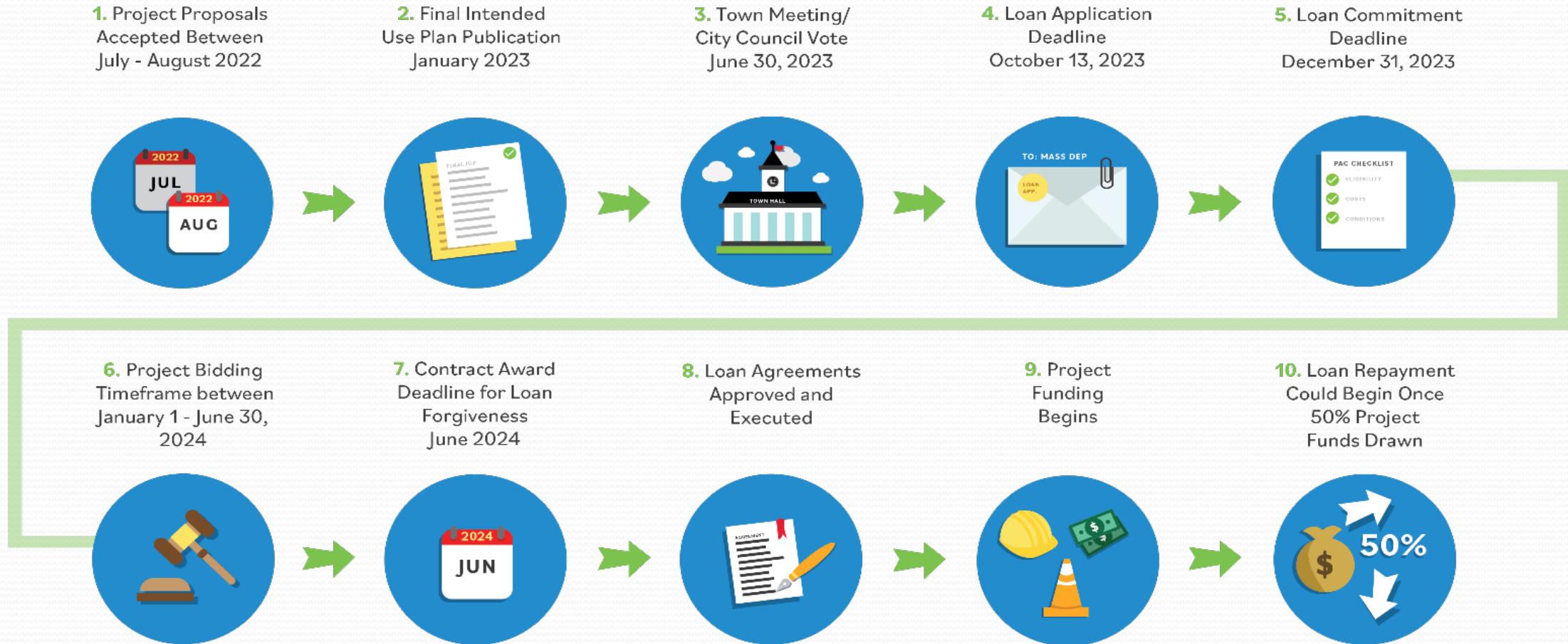
## About the CSMP

- Since the loan to the homeowner is secured with a betterment agreement, Massachusetts General Law governs that agreement and the interest rates that can be charged.
  - *The interest charged by the community to the homeowner can be used to cover administrative expenses and to make new loans, which Barnstable County and others have done.*
- The draws made against the loan by the community operate under the Trust's interim loan program and accrue no interest and no fees.
- In most instances, the loan is put into repayment within two years or sooner if all the funds have been drawn or if the community decides they are finished with the program.

The Trust and MassDEP look forward to working with all Cape towns in developing solutions that work for the towns and do so at the lowest cost possible.

# State Revolving Fund Loan Process

The SRF financing process can take up to two years, depending on the community and project, from the initial project proposal to funding being disbursed. MassDEP staff will provide assistance to the community from application submission to project completion.



# MassDEP Next Steps

- **Communication to Towns and Stakeholders** ✓
  - June 1, 2022, Regulatory Revisions Announcement Letter & Fact Sheet ✓
  - Scheduling of MassDEP/ Town meetings- ongoing
  - Development of informational Webpage ✓
    - [310 CMR 15.000: Septic Systems \("Title 5"\) | Mass.gov](#)
      - Table of Contents – Strategy for Nitrogen Impaired Estuaries
- Development of Regulatory Revision- ongoing
- Development of Funding Guidance- ongoing

# General Discussion/ Feedback on Proposed Strategy



# Points of Contact

- Comments on Proposed Framework

Email: [Marybeth.Chubb@mass.gov](mailto:Marybeth.Chubb@mass.gov)

- Communication with Towns and Stakeholders

- Cape/Islands/Southeastern MA Technical One-on-One Meeting Scheduling

Email: [Millie.Garcia-Serrano@mass.gov](mailto:Millie.Garcia-Serrano@mass.gov)

Email: [Jennifer.Viveiros@mass.gov](mailto:Jennifer.Viveiros@mass.gov)

- Information on Funding

Email: [Maria.Pinaud@mass.gov](mailto:Maria.Pinaud@mass.gov)



# MassDEP Contacts

- Southeast Regional Office:
  - Millie Garcia-Serrano, [Millie.Garcia-Serrano@mass.gov](mailto:Millie.Garcia-Serrano@mass.gov)
  - Gerard Martin, [Gerard.Martin@mass.gov](mailto:Gerard.Martin@mass.gov)
  - Jennifer Viveiros, [Jennifer.Viveiros@mass.gov](mailto:Jennifer.Viveiros@mass.gov)
  - Andrew Osei, [Andrew.Osei@mass.gov](mailto:Andrew.Osei@mass.gov)
  - Ian Jarvis, [Ian.Jarvis@mass.gov](mailto:Ian.Jarvis@mass.gov)
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  - Lealdon Langley, [Lealdon.Langley@mass.gov](mailto:Lealdon.Langley@mass.gov)
  - Marybeth Chubb, [Marybeth.Chubb@mass.gov](mailto:Marybeth.Chubb@mass.gov)
  - Maria Pinaud, [Maria.Pinaud@mass.gov](mailto:Maria.Pinaud@mass.gov)
  - Timothy Jones, [Timothy.M.Jones@mass.gov](mailto:Timothy.M.Jones@mass.gov)

# Thank you!

