

# **Bourne Board of Sewer Commissioners**

## **Sewer Policy and Regulations**

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## **Town of Bourne Board of Sewer Commissioners**

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 redevelopments 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 contaminated 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. With the onset of a focused and goal oriented Board, a new Town Administrator and Assistant Town Administrator, and several newly appointed Department heads, these regulations were a result of comprehensive and extensive review. The Department of Public Works, the Sewer Department, the Engineering Department, Board of Health, and Town Administration have contributed wholly or partly in order to provide the residents and business owners of Bourne with a safe, practical, and pragmatic document that could guide current and future growth of our municipal sanitary sewer in Bourne.

### **Goals**

The goal of the BOSC is to provide residents and businesses in the town of Bourne with the best quality sewer services available in a way that is both protective of the environment and financially prudent. Expansion of the municipal system by the Town will be guided by the most recently adopted Comprehensive Wastewater Management Plan (CWMP.)

### **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 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 (WWTP) on the Agawam River. In 2015, the Town undertook the responsibility of constructing its own WWTP at Queen Sewell park after several feasibility studies going as far back as 2005. Completion of the WWTP is expected in April 2021 and will allow another 100,000 gpd for expansion of the municipal sewer system.

## 1.0 USE OF SEWERS

1.1 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.

1.2 The use of all public sewers in the Town shall be controlled by the Department of Public Works Sewer Division and policy decisions by the Board of Sewer Commissioners. No person shall, without prior authorization from the DPW and/or the Board of Sewer Commissioners, uncover, make any connection with or opening into, alter, or disturb the Town's wastewater systems.

### 1.3 Rates and Fees

#### A. Allocation Fees

Allocations fees are based on the Allocation Policy 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 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. See Attachment C.

#### B. Sewer Development Fee (Connection Charges)

Applicants must pay a connection charge to connect to the Town's sanitary sewer systems. These charges are one-time charges for connecting to the Bourne sanitary sewer system. The sewer system connection charge, as applicable, must accompany an application for service before Department of Public Works Sewer Division. It is the responsibility of the Applicant or the Applicant's Contractor to install the building sewer from the Applicant's building to the public sewer system according to Department of Public Works Sewer Division.

#### C. Sewer Rates (User Charges)

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. Current rates are outlined in Attachment A.

#### D. Sump Pumps

For sump pumps approved to be connected to the public sewer, there is a

separate sewer use charge since flow from sump pumps is not accounted for in typical water meter usage. Sump pumps connected to the public sewer are generally not allowed by the Town of Bourne and would only be considered in extreme cases.

#### New and Existing Sewer Service Connections:

Minimum application/connection fees for new and existing sewer services are calculated with current connection fees per equivalent unit included in Attachment A.

Fees will apply to all new connections to the public sewer system. The "Re-connect" fee will only be applicable to residential properties and will be used in the case where an existing structure, which is connected to the public sewer system, is completely rebuilt or substantially renovated in the opinion of the DPW Director.

#### 1.4 Private Sewers

All private sewers in the Town that connect to the public wastewater shall be controlled as to discharge by the DPW Sewer Division, but maintained and operated by their owner(s). 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.

#### 1.5 Applicable Regulations

Any user of the Town's wastewater 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 wastewater 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.

#### 1.6 Wastewater Connections

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

## **2.0 ALLOCATION POLICY**

### **2.1 PURPOSE**

The Town of Bourne (referred to herein as the Town), 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 a new package treatment plant on the Town's Queen Sewell Park site. The Board of Sewer Commissioners (referred to herein as the Board) controls the allocation of wastewater treatment capacity among parcels in the sewer areas of the Village of Buzzards Bay and assigns allocations on a parcel-by-parcel basis. (See Attachment G)

In order to follow an objective process for remove subjective factors from the process of awarding wastewater allocations, the Board may henceforth apply the following procedures for granting allocations from the Town's Uncommitted Reserve Capacity for the purpose of development and re-development in Bourne's Downtown.

These procedures are in effect primarily for properties proposing a change of use and/or change in septage flow. The guideline for which properties/projects are required to follow these procedures is: if a development has either a change of use or an increase in flow then it requires review by the Board of Sewer Commissioners using the policies and procedures described herein.

Further, in order to ensure that unused allocations will not prevent property owners and/or developers from coming forward with projects that may be in the long term best interests of the Town, the Board hereby establishes a system of periodic reviews of allocations.

### **2.2 UNCOMMITTED RESERVE CAPACITY**

Annually, the Board shall determine the Uncommitted Reserve Capacity, as defined in Section IV.

### **2.3 OBTAINING A PRELIMINARY ALLOCATION**

- A. The Applicant shall apply to the Board for a Preliminary Allocation on a form attached herein (Attachment C?). An Application Fee is due when the application is submitted (see Section IV). The Application is reviewed by staff within 30 days then placed on a Board agenda once deemed complete.
- B. If the application requests a flow amount that exceeds the Uncommitted Reserve Capacity (see draft application), the application will be rejected considered incomplete but is otherwise complete it will be dated and put on a waiting list. When allocation becomes available, the Board will consider requests on the waiting list in the order in which they were dated. If enough allocation is available and the application fee is paid, the project application will be deemed complete and accepted.

- C. The Board 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. Have preliminary project review with Town Planner;
  4. Demonstrate that the requested allocation is based on state and local regulations.
- D. If the Board grants a Preliminary Allocation, the Applicant shall have up to two years to initiate construction. A Preliminary Allocation Fee is due within 30 days after the Board grants the Preliminary Allocation.
1. During the two years, the Applicant shall show substantial progress in regular six-month reports to the Board. The Board retains the right to revoke the Preliminary Allocation if the Applicant cannot demonstrate progress, although the Board 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. When 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.
  3. If the Board extends the Preliminary Allocation beyond the designated two-year period, the Applicant shall annually pay a Preliminary Allocation Extension Fee.
  4. The Application Fee, the Preliminary Allocation Fee, and any Preliminary
  5. After the Board's vote to grant a Preliminary Allocation, the Applicant will be issued a letter signed by the Town Administrator certifying to the existence of a 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.

#### 2.4 FEES

- A. 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:
1. Application Fee: due upon application for a Preliminary Allocation.

2. 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.
  3. Preliminary Allocation Extension Fee: due within 30 days of the Board's vote to extend the Preliminary Allocation beyond the original two years and shall be paid annually for as long as the extension is continued.
- B. When the project connects to the sewer system, the applicant shall pay user fees as designated by the Board of Sewer Commissioners
- C. In cases where a Preliminary Allocation expires and a new person applies for capacity for the same project on the same site, the Board may consider previous fees paid by the original person when establishing fees for the new project.

### 3.0 **BUILDING SEWERS AND CONNECTIONS**

#### 3.1 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.

#### 3.2 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 sewer division, 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.

#### 3.3 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.

#### 3.4 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.

### 3.5 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 6.0 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.

### 3.6 Grease Traps

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 6.0 of these regulations. All grease trap/interceptors shall be subject to the following:

- (a) 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.

- (b) 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.
- (c) 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.
- (d) 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 Superintendent. 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.
- (e) 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.
- (f) 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 Superintendent or his authorized agent.
- (g) 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.
- (h) Any facility with a grease trap/interceptor permit shall keep a maintenance log available at the facility.

- (i) 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.

### 3.7 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.)

### 3.8 Connections 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.

### 3.9 Special Facilities

The DPW may require the owner of a new or substantially-rehabilitated building to construct, operate, and maintain facilities, such as oil traps, particle separators, and wastewater retaining tanks, which will provide for the regulation and control of wastewater discharged to the Town's wastewater system... Such special facilities shall be constructed, operated, and maintained at the owner's expense. The DPW shall have the right to inspect such special facilities in accordance with Section 6.0, to ascertain compliance with these regulations.

### 3.10 Dewatering Drainage

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

### 3.11 Design and Construction Standards

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.

Building sewer connections shall be laid at least ten (10) feet apart from any new or existing water service connection.

### 3.12 Approved Drain Layer

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

### 3.13 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 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.

### 3.14 Right to Inspect During Construction

The DPW shall have the right to inspect building sewers and other private sewers, wastewater retaining tanks, grease traps, oil traps, sump pumps and other wastewater facilities tributary to the public wastewater and storm drainage systems, at any reasonable time 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. The cost of the inspection by the Town is paid for under the connection charge outlined in Section 1.3B. Connection to the Town's wastewater system shall be made in the presence of a DPW inspector. No facility shall be covered over until approval has been given by the DPW inspector. If the owner fails to notify the DPW in advance, any and all costs to uncover the

connection as necessary for inspection by the DPW shall be borne by the owner.

### 3.15 Bonding Requirements

The DPW shall have the right to require that the owners of proposed building sewers, other private sewers, wastewater retaining tanks, grease traps, and other wastewater facilities tributary 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.

### 3.16 Application Required for Building Sewer

The owner shall complete a General Sewer Service Application prior to construction, reconstruction, repair, or modification of a new or existing building sewer which connects to a Town sanitary sewer. The application shall be supplemented by building site plans approved by the DPW and by such other permits, plans, specifications and information as the DPW may require. An application/connection fee 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 owner shall specify for the Superintendent's approval the nature of the work to be performed, including the proposed flow to be discharged (calculated in accordance with Title 5 (31O 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 and pay for a Massachusetts Registered Professional Engineer to evaluate the public sewer downstream of the proposed connection to demonstrate that adequate hydraulic capacity exists in the public sewers to convey the proposed peak flows without surcharging. The Director 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 Superintendent, 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.

The Superintendent may deny the owner's request to extend, replace or relocate a public sewer, or private sewer, if in the Superintendent's opinion adequate conveyance capacity cannot be achieved or the proposed work does not conform to the Town's design standards. The Superintendent may require certain conditions as part of the approval of a request to extend, replace or relocate a sewer main or service.

### 3.17 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.

Prior to issuance of a permit, the Superintendent 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:

- 3.17.1 301 CMR 11.00, Massachusetts Environmental Policy Act
- 3.17.2 310 CMR 10.00: Wetlands Protection Act Regulations
- 3.17.3 314 CMR 7.00, Sewer System Extension and Connection Permit Program
- 3.17.4 314 CMR 12.00, Operation & Maintenance & Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers
- 3.17.5 Cape Cod Commission

### 3.18 Expenses Borne by the Owner

All costs and expenses incidental to the application form, permitting, design, installation, connection, and maintenance of a building sewer, other private sewers, wastewater retaining tanks, grease traps, oil traps, or other wastewater facilities shall be borne by the owner. The owner shall indemnify the DPW from, and shall reimburse the DPW for, any loss or damage directly or indirectly occasioned by the installation of any building sewer, private sewer, wastewater retaining tank, grease trap, oil trap, or other wastewater facility.

### 3.19 Maintenance of Building Sewers

The property owner owns the building sewer from the building to the public sewer. The owner of a building sewer shall, at all times, 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. Maintenance and/or repair of building sewers located under public ways shall be the responsibility of the property owner. However, the Town does have jurisdiction to make repairs to the portion of the building sewer located from the property line to the public sewer as needed at the Town's discretion. Should the Town be required to perform emergency maintenance or repair on any private sewer to eliminate a potential hazard to the public, property, or the environment, the owner of said private sewer shall reimburse the Town on a time and materials basis and be subject to the Town's direct labor burden and equipment overhead costs.

### 3.20 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.

### 3.21 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.

### 3.22 Sump Pump Connections

Sump pumps may be connected to the public storm drainage system at the discretion of the Superintendent if the Superintendent 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 Illicit (Illicit) Discharges to any storm drainage system. The Property Owner must also sign the Drainage Release Form included in Attachment B.

### 3.23 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 A. 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.

### 3.24 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:

- (a) 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.
- (b) The permittee must provide a full set of buoyancy calculations for pump station wet well and associated underground vaults.
- (c) At a minimum, pump stations shall be equipped with the following:
  - (1) SCADA (Supervisory Control and Data Acquisition) system
  - (2) Alarm system with visual and audible components mounted outside
  - (3) Alternative/back-up power
  - (4) An Odor Control component for stations with a design flow rate higher than 350 gpm.
  - (5) Flow meter and run-time recorder
- (d) Connection to the public sanitary sewer system shall be by gravity, not under pressure unless part of a low pressure sewer system.
- (e) 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.
- (f) 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.
- (g) 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).

## 4.0 **WASTEWATER DISCHARGE PROHIBITIONS AND ITEM DISPOSAL RESTRICTIONS**

#### 4.1 General Prohibitions

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

- a) Harm any wastewater system, wastewater treatment facility, or wastewater treatment process;
- b) Pass through or be otherwise incompatible with the wastewater treatment process or sludge disposal;
- c) Cause a violation of Federal or State discharge permits issued to either the DPW Sewer Division;
- d) Cause a violation of water quality standards or otherwise adversely affect the receiving waters;
- e) Endanger life, limb or property, or
- f) Constitute a health hazard or nuisance.
- g) Any liquid or vapor having a temperature higher than one hundred and fifty degrees (150 F)
- h) 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).
- i) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipment with a motor of  $\frac{3}{4}$  horsepower or greater shall be subject to the review and approval of the DPW Sewer Division.
- j) 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.
- k) 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.
- l) 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.
- m) Any waters or wastes having a pH in excess of 9.5.



- n) Material which exert or cause:
  - 1. 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.
  - 2. Excessive discoloration, such as by not limited to, dye wastes and tanning solutions.
  - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewerage treatment works.
  - 4. Unusual volume of flow or concentration of wastes constituting 'slugs' as defined herein.
- o) 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.

#### 4.2 Prohibited Wastes and Substances

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

- a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- b) 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.
- c) 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.
- d) 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, fleshing, entails and paper dishes, cups, milk containers, etc.

e) **Additional Items that cannot be flushed into the Sewer System:**

- Feminine Hygiene Products
- Wet Wipes
- Floss, Q-tips, and Cotton Balls
- Diapers
- Pills and Medications
- Paper Towels
- Cigarette Butts

#### 4.3 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 sanitary sewer tributary thereto 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.

#### 4.4 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.

#### 4.5 Dilution Prohibited

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

#### 4.6 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 Sewer Division, whereby wastes of unusual character or strength may be accepted on an interim basis when, in the opinion of the DPW Sewer Division, 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 Sewer Division, 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 (a) any Federal discharge permit then held by the DPW, (b) the municipal discharge permit then held by the DPW, or (c) 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.

## 5.0 **INDUSTRIAL DISCHARGE AND PRE-TREATMENT REQUIREMENTS**

### 5.1 Industrial Discharge Requirements

#### A. 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.

#### B. Prohibited Discharges

No industrial user shall discharge or cause or allow to be discharged into any public sewer or into any sewer tributary thereto any prohibited or restricted wastes identified in Section 4.0.

#### C. 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 either 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 discharges types, amounts or rates of pollutants in violation of these Regulations or its permit, the DPW may revoke its permit in accordance with Section 6.0 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

#### D. 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 in accordance with Section 6.0 hereof.

E. Sampling and Analysis

All measurements, tests and analyses of the characteristics of water and wastes required to conform with 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.

Notification of Violations

User shall notify the DPW's Superintendent 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 both 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 DPW wastewater system, or for any fines imposed on the DPW due to such discharge.

F. Preventative Measures

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

G. Notification to Employees

Users other than the owners of private dwelling units 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.

H. 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 without restriction unless the user makes a specific

written request for a more limited distribution. Distribution will be limited only if the user demonstrates to the DPW's satisfaction that the release or communication of such information would divulge methods or processes entitled to protection as trade secrets or would violate any applicable provisions of law.

## 5.2. Pre-Treatment Requirements

### A. Pretreatment Regulations,

All industrial users and discharges of industrial wastes shall comply with Federal, State, and DPW regulations pertinent to industrial pretreatment as they now exist or may be amended in the future. The timing of compliance shall be as directed by the DPW.

### B. 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 6.0 of these regulations.

## 6.0 **ENFORCEMENT**

### 6.1 Inspection

#### A. 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 properly identified 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) Sump pumps and basement floor drains;
- 7) Oil traps and grease traps;
- 8) Any other facilities required by the DPW utilized; to be constructed, installed or
- 9) Measurement, sampling and testing facilities and procedures that have been required by the DPW;
- 10) Such other facilities as the DPW reasonably believes may be contributing to a violation of these Regulations; and
- 11) 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 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.

#### B. 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. All entry and subsequent work, if any, shall be done in full accordance with the terms of said easement.

#### C. Security Clearance

Where a user has security measures in force 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.

D. 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.

E. Consequences of Denial or Entry or Access

Where an owner or user, after having received reasonable notice from the DPW, refuses to permit properly identified DPW personnel or designee to enter or have access to premises or facilities in accordance with Sections 6.1A. and 6.1B. above, 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.

F. 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.

## 6.2 Record Keeping

A. 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 (per Section 5.0), 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.

B. Inspection of Records

Users and owners shall permit duly authorized and properly identify 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 Section 6.2A. above.

C. Consequences of Denial of Access to Records

Where an owner or user, after having received reasonable notice from the DPW, refuses to permit properly identified DPW personnel to have access to records in accordance with Sections 6.2A. and 6.2B. above, 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.

### 6.3 Monetary Liability

#### A. Penalties

Any person who violates any provision of these Regulations shall forfeit and pay to the DPW Sewer Division 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.

#### B. Reimbursement for Costs to DPW

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.

### 6.4 Enforcement Actions

#### A. Multiple Alternatives

When the DPW determines

(a) that a violation of these Regulations or any permit, or (b) 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 costs in accordance with Section 6.3A. and/or 6.3B. above 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 Ordinance.

## **7.0 APPELLATE PROCEDURES**

### 7.1 Administrative Procedure at the Superintendent Level

#### A. Informal Conference by the Superintendent

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 Superintendent at the DPW's office 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 Superintendent provides otherwise in a writing mailed to the entity making the request. Upon receiving a timely request for reconsideration, the DPW Superintendent 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 superintendent 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.

#### B. Right to Hearing by the Superintendent

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, by a writing addressed to the Town Administrator at the Board of Sewer Commissioners' Office.

#### C. 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.

D. 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 embodied in a 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.

## **8.0 IMPORT AND ADOPTION**

### 8.1 Wareham Regulations

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

### 8.2 Supersedes Prior Regulations

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

### 8.3 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.

### 8.4 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.

### 8.5 Adoption

#### Effective Date

These Regulations shall be in full force and effect from and after their adoption and publication of notice of their adoption.

Adopted and approved by the Bourne Board of Sewer Commissioners on:

\_\_\_\_\_

## **9.0 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:

Actual Flow	The volume of wastewater from any individual unit (residential, commercial or institutional) connected to the sewers as measured by a certified water meter.
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.
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 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 Department of Public Works <b>or Board of Sewer Commissioners.</b>
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."
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	The Bourne Board of Sewer Commissioners.
Building	Shall mean any structure used for human occupancy, employment, recreation other purposes.
Building Drain	Shall mean that part of the lowest horizontal piping of a plumbing system, which receives the discharge from soil, waste, and other pipes, inside the walls of the building, and conveys it to the building sewer, beginning ten (10) feet outside the inner face of the building wall.
Building Sewer	Also referred to as house connections, shall mean the pipe which extends from the building drain to the sewer connection conveying wastewater to a public sewer, a private sewer, or other place of disposal.
Building Sewer Connection	Shall mean the connection of a building sewer to a 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.
Collection System	Shall mean the pipes, conduits, pumping stations, and appurtenances involved in the collection and transport of wastewater and stormwater.
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.
Contamination or Contaminated	Shall mean an impairment in the quality of the water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.
Cooling Water	Shall mean the water discharged from any system of condensation, air conditioning, cooling, refrigeration, or other system of heat transfer.
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 of the authority and powers of the Department and its Director.
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 a house, apartment, mobile home or trailer, group of rooms or single room occupied or intended for occupancy as a separate living quarter.
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	Shall mean more than the limits established in these Regulations, directly or by reference, or more than limits judged by the DPW or Wareham to be acceptable.
Floatable Oil	Shall mean fat, oil, or grease (also referred to as FOG) in a physical state such that it will separate by gravity from wastewater by treatment in an approved pre- treatment facility.
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.

**Incompatible Pollutant**

Shall mean a substance that is not amenable to removal by the receiving wastewater treatment plant 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 8 - Mining
- c) Division D - Manufacturing
- d) Division E - Transportation, Communication, Electric, Gas, and Sanitary Service

**Industrial User Discharge Permit**

Shall mean a Sewer Use Discharge Permit for industrial Wastes as defined herein.

**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.

**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.

**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 MWRA 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.
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.
Pollutants	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 if the Applicant does not provide information for these periodic reviews or if the Board determines by majority vote that the mutually agreed upon Milestones are not met. 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.
Preliminary Allocation Extension Fee	A non-refundable fee paid at the time the Board votes to extend a Preliminary Allocation beyond the normal two-year period. This fee shall be due within 30 days of the Board's vote to extend and shall be paid annually for as long as the extension is continued.
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.



Pre-Treatment	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.
Private Sewer	Shall mean a sewer which is not owned by the Town.
Public Sewer	Shall mean a sewer which is owned by the Town.
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.
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 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.
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.
Town	Shall mean the Town of Bourne, Massachusetts.
Toxic Organics	Shall mean organics listed as toxic in Federal or Massachusetts regulations.
Toxic Pollutant	Shall mean any pollutant identified as such in Federal or Massachusetts regulations.
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 over flow. 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 the total available (permitted) capacity minus allocations granted by the Sewer Commissioners, existing residential flow, and the residential reserve (2% of residential flow).
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 Board.
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 stormwater 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.

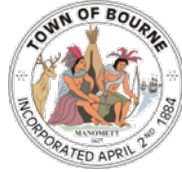
Wastewater Treatment Plant

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 plant to remove, reduce, or alter the pollutant loading of wastewater.

**ATTACHMENTS & FORMS**



Bourne Sewer Regulations

**ATTACHMENT A**

Schedule of Rates, Fees, & Fines

Page 1 of 3

Sewer Rates (FY21- Effective July 1, 2020):

Sewer User Base Fee:

**CERTIFICATE OF VOTE**

At a meeting of the Bourne Sewer Commissioners of the Town of Bourne, held on July 28, 2020, a quorum being present and voting throughout, upon a motion duly made and seconded, it was

**VOTED:** Sewer User Fees of \$1,051.00 are determined as follows:  
**Residential and Commercial**

Semi-Annual billing from July 1, 2020 – December 31, 2020  
\$526.00 per unit

Semi-Annual billing from January 1, 2021 – June 30, 2021  
\$525.00 per unit

Rates effective for the Fiscal Year 2021

**BOARD OF SEWER COMMISSIONERS**

James Potter  
James L. Potter

J. P. MacDonald  
Jared P. MacDonald

Judith MacLeod Froman  
Judith MacLeod Froman

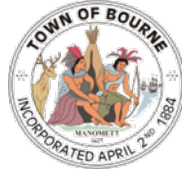
Peter Meier  
Peter J. Meier

George G. Slade, Jr.  
George G. Slade, Jr.

2020 AUG 28 AM 10:52  
TOWN CLERK BOURNE

RECEIVED

Fines:



Bourne Sewer Regulations

**ATTACHMENT A**

Schedule of Rates, Fees, & Fines

Page 2 of 3

Sewer Rates (FY21- Effective July 1, 2020):

Sewer User Overage Fee:

**CERTIFICATE OF VOTE**

At a meeting of the Bourne Sewer Commissioners of the Town of Bourne, held on August 25, 2020, a quorum being present and voting throughout, upon a motion duly made and seconded, it was

**VOTED:** Water Overage Fees determined as follows:  
**Residential and Commercial**

A fee of \$0.01 per gallon for sewer overages in excess of 45,000 gallons per calendar year

Rates effective for the calendar year 2020

**BOARD OF SEWER COMMISSIONERS**

James L. Potter  
James L. Potter

Jared P. MacDonald  
Jared P. MacDonald

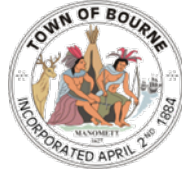
Judith MacLeod Froman  
Judith MacLeod Froman

Peter J. Meier  
Peter J. Meier

George G. Slade, Jr.  
George G. Slade, Jr.

2020 AUG 28 AM 10: 52  
TOWN CLERK BOURNE

RECEIVED



Bourne Sewer Regulations

**ATTACHMENT A**

Schedule of Rates, Fees, & Fines

Page 3 of 3

**CERTIFICATE OF VOTE**

At a meeting of the Sewer Commissioners of the Town of Bourne, held on January 17, 2006, a quorum being present and voting throughout, upon a motion duly made and seconded, it was

**VOTED:** Sewer Use Charges as follows:

Design Review and Construction Inspection Fee: \$1,500

Commercial Sewer Permit Fee:  
\$150 plus \$.10 per square foot of building floor space

Sewer Connection Fee:  
Annual sewer use fee times the number of business units

✓ Residential Sewer Permit Fee:  
\$100 for residential properties plus \$100 for each addition unit

✓ Sewer System Development Charge:  
\$73.406 per foot of frontage plus \$11,539.356 per acre

RECEIVED  
TOWN OF BOURNE  
2006 MAR -3 AM 11:35  
TOWN CLERK'S OFFICE  
PO BOX 14888  
BOURNE MASS.

**BOARD OF SEWER COMMISSIONERS**

Linda M. Zuern

Carol A. Cheli

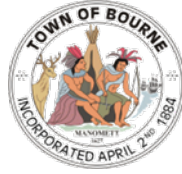
Richard E. LaFarge

\_\_\_\_\_  
Galon "Skip" Barlow

W. Thomas Barlow

A True Record

Town Clerk



**ATTACHMENT B**

**General Sewer Service Application Form**

Page 1 of 2

To the Town of Bourne, Massachusetts:

The undersigned, being the, \_\_\_\_\_ (Owner name, Owner's Agent)

Of the property located at \_\_\_\_\_  
(Number) (Street)

\_\_\_\_\_ (Map) \_\_\_\_\_ (Lot)

Does hereby request a permit to connect to a public sewer main to serve the

**Residence** or **Commercial Building** at said location.

1. Number of Residential Bedrooms: \_\_\_\_\_
2. The following indicated fixtures will be connected to the proposed sewer service pipe:

Number	Fixture Type	Number	Fixture Type
_____	Kitchen Sinks	_____	Water Closets
_____	Lavatories	_____	Bath Tubs
_____	Laundry Tubs	_____	Showers
_____	Urinals	_____	Garbage Grinders

Specify other fixtures \_\_\_\_\_

3. The maximum number of persons who will use the above fixtures is: \_\_\_\_\_
4. The name and address of person or firm who will perform the proposed work is:

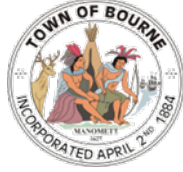
Contact Info: \_\_\_\_\_

Drainlayer's or Master Plumbing License # \_\_\_\_\_

Dig Safe # \_\_\_\_\_ Water District/Dept Connection # \_\_\_\_\_

5. Plans and specifications for the proposed building sewer, as required, are attached hereto.





Bourne Sewer Regulations

**ATTACHMENT B**

**General Sewer Service Application Form**

Page 2 of 2

In consideration of the granting of this permit, the undersigned agrees:

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

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE – OFFICE USE ONLY**

Total FEE PAID: \_\_\_\_\_

Street Opening Permit

Valid Bond and Insurance

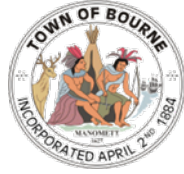
Approved

Not Approved

Permit Number: \_\_\_\_\_ Expires: \_\_\_\_\_

Signed: \_\_\_\_\_ Title \_\_\_\_\_

Date: \_\_\_\_\_



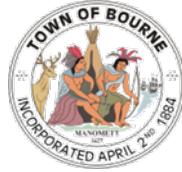
Bourne Sewer Regulations

**ATTACHMENT C**

**Commercial Wastewater Allocation Form**

Page 1 of 2

The Bourne Board of Sewer Commissioners require any property that is either changing business entities in an existing building (even if presently connected to sewer), or connecting to the sewer system for the first time, to fill out this form, to ensure wastewater allocation and connection.



Bourne Sewer Regulations

**ATTACHMENT C**

**Commercial Wastewater Allocation Form**

Page 2 of 2

Date submitted \_\_\_\_\_

Applicant name \_\_\_\_\_

Applicant contact address \_\_\_\_\_

Applicant e-mail and phone number \_\_\_\_\_

Is applicant the property owner? Yes  No

If no, who is owner? \_\_\_\_\_

If no, is applicant: leasing  buying  the property

If buying, attach copy of P&S If leasing, attach copy of lease agreement

Location of proposed project:

Street address \_\_\_\_\_

Map and parcel number(s) \_\_\_\_\_

Description of proposed project \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Financing:

Financing is in place - documentation to that effect is attached  Documentation attached

OR Applicant has letter of intent to finance - copy is attached  Letter of Intent attached

Date of Planning Board preliminary review \_\_\_\_\_

Allocation requested \_\_\_\_\_ gallons per day

Basis of request: \_\_\_\_\_

Any unusual characteristics of projected flow? \_\_\_\_\_

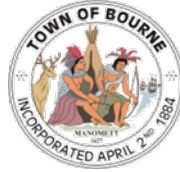
Requested amount exceeds available allocation Yes  No  If yes, application is wait-listed

Application is Accepted  Rejected  Wait-listed  and dated \_\_\_\_\_

Application Fee attached: Yes  No

Reviewed for completeness - Signed \_\_\_\_\_

Date Stamp when determined to be complete \_\_\_\_\_



Bourne Sewer Regulations

**ATTACHMENT D**

**Financial Security Provisions for New Pump Stations**

Page 1 of 2

Introduction. The Town of Bourne requires prospective permittees of sewer system extensions or connections that include pump station(s) to demonstrate the ability to finance the operation, maintenance and repair of pump station(s) in the event of an emergency and on a long term basis.

The Town of Bourne has enacted these special conditions to provide for and assure compliance with the U.S. Clean Water Act and to specify additional permit requirements that it deems necessary to safeguard the quality of the environment or comply with pertinent provisions of state or federal law. The Town considers these financial security requirements a best management practice.

There are two components to the financial security requirements: 1) A financial security amount to fund the immediate repair of the facility, and 2) a dedicated capital reserve account capable of accumulating sufficient funds to replace the facility within twenty (20) years of initial operation. The immediate repair security amount is necessary to ensure that adequate funds are available to correct unanticipated problems at the facility immediately so that any disruption of the operation of the facility is minimized and no violation of the Clean Water Act is experienced. The capital reserve account will ensure that the facility can continue operation at the end of its useful life and remain in compliance with the Clean Water Act and sewer connection/extension permit at all times.

Except as otherwise provided, all sewer extension and connection permits that include pump station(s) issued by the Town shall contain supplemental conditions requiring the establishment and maintenance of both an immediate repair and/or replacement security amount and capital reserve account as specified below.

Repair. The immediate repair security amount shall be determined in accordance with the following

formula: Estimated construction cost x 0.15 = Security Amount

The estimated construction cost includes the cost of the pump station and all mechanical, electrical, structural, and other equipment associated with the pump station, but does not include land or grounds.

A permittee may satisfy the above financial security condition by means of an escrow account or a letter of credit meeting the Town's requirements. A permittee proposing to satisfy the above financial security condition by means other than an escrow account or a letter of credit must demonstrate to the Town's satisfaction 1) why the use of one of these approved means is not appropriate or necessary, and 2) how the proposed alternative is as effective and protective as an escrow account or letter of credit.



Bourne Sewer Regulations

**ATTACHMENT D**  
**Financial Security Provisions for New Pump Stations**

Page 2 of 2

Capital Reserve Account. The capital reserve account shall accumulate sufficient capital to replace, as necessary, the pump station (or components thereof) and all other mechanical, electrical, structural, and other equipment components associated with the pump station, but not including land or grounds, within twenty (20) years from the commencement of pump station operation.

The minimum requirements and timing of funding the capital reserve account are as follows. All permittees shall set aside a minimum of 25% of the construction costs (not including lands and grounds) of the pump station. The 25% may be set aside by the permittee in equal portions during the first fifteen (15) years of operation of the pump station.

*Example:*

$$\begin{aligned} \text{Pump station cost} &= \$500,000 \\ \$500,000 \times 0.25 &= \$125,000 \\ \$125,000/15 &= \$8,333/\text{year} \end{aligned}$$

Accumulated Interest. All accumulated interest must be accrued to its respective account. However, if funds are withdrawn from the immediate repair security to perform the necessary work, then the fund only has to be replenished up to the original calculated security amount (not including interest).

Transfer of Ownership. Typically the project developer will establish and make the initial contributions to the financial security of the accounts. If ownership of the pump station is thereafter transferred to the town, a transfer agreement must be executed to provide for the financial security requirements to the satisfaction of the town.

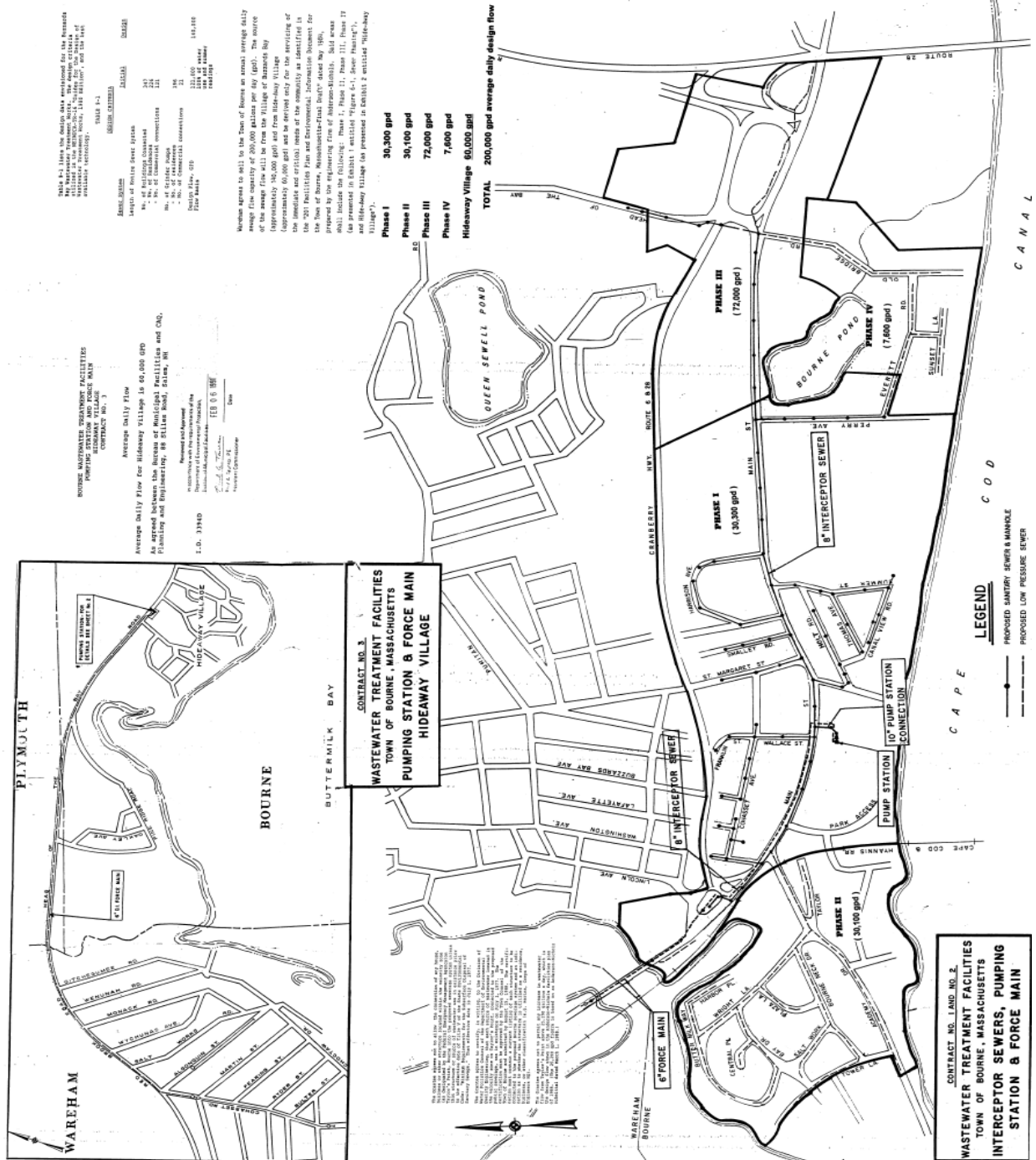
Policy. The following permit conditions and the requirements of this Policy shall apply to all sewer extension/connection permits with pump stations issued by the Town.

Permit Conditions.

1. The permittee shall maintain a financial security amount in the sum of \$\_\_\_\_\_. This source of funding shall be used by the permittee solely for the immediate repair of any failing pump station(s). Such security shall be provided by means of an interest-bearing escrow account and/or letter of credit from a financial institution having place of business in Massachusetts and be in a form satisfactory to the town. The permittee and its successors shall replenish and maintain the required dollar amount thereof in full within ninety days of any disbursement.
2. The permittee shall establish and maintain a capital reserve account in order to accumulate sufficient capital to make any necessary modifications to the pump stations(s) and other related equipment changes within 20 years from the date of commencement of plant operations. The permittee shall make annual contributions in equal installments of \$\_\_\_\_\_ to accumulate the necessary funds prior to the expiration of the 20-year period. Such funding shall be provided by means of an interest bearing account and/or letter of credit from a financial institution having a place of business in Massachusetts and be in a form satisfactory to the town.
3. Permittees shall submit an annual financial report in accordance with generally accepted accounting principles to the town on January 31 of each year. The report shall, at a minimum, identify the initial and current balances of both the security amount and the capital reserve account and confirm the continuing availability of the funds for the purposes described in the Permit.
4. 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.



## Bourne Sewer Regulations ATTACHMENT E Sewer Area Map





Bourne Sewer Regulations  
**ATTACHMENT F**  
**Sewer Bill Abatement Form**

Page 1 of 2

Application for Abatement

Name of Applicant: \_\_\_\_\_

Property Location: \_\_\_\_\_

Mailing Address (if different) : \_\_\_\_\_

Map: \_\_\_\_\_ Lot: \_\_\_\_\_ Total Amount of Sewer Bill: \_\_\_\_\_

Amount requested to be abated: \_\_\_\_\_ Account number: \_\_\_\_\_

Reason for request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Documentation supporting request is attached? Yes \_\_\_\_\_ No \_\_\_\_\_  
(such as letter from Water Dept. as to when they shut off water/removed meter and/or letter from Board of Health giving a date as to when they deemed the property uninhabitable, when fire/flood or other disaster destroyed property)

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_

\_\_\_\_\_





Bourne Sewer Regulations

**ATTACHMENT F**  
**Sewer Bill Abatement Form**

Page 2 of 2

Criteria for Requesting an Abatement/Adjustment

A request for an adjustment must be in writing and must contain sufficient information to determine why the value should be changed. For example, the building housed one type of business two years ago and there is an entirely different type of business in the current year.

Request for abatement due to water being shutoff must meet the following criteria:

1. The water has been shut off by the Water Department/District at the street for at least (12) consecutive months. After the year has passed, if the water is still shutoff, the owner can request abatement and ask that the account be put on hold until the water is turned back on, and it must be verified by an accompanying letter from the Water Department/District. Abatements are not granted when the water is shutoff within a building by an owner.
2. The building/dwelling shall not have been occupied for the same time period.

Owner's request for abatements on buildings that have been rendered un-inhabitable through fire, floor, or hurricane, must also request a letter from the Town's Inspectional Services Department stating the condition of the structure, and this letter shall accompany this information.

All abatement requests and accompanying information must be received by the Bourne Selectmen/Sewer Commissioner Office not later than (30) thirty calendar days after the final due date shown on the sewer bill.

Abatements and adjustment requests are reviewed by the DPW Sewer Division staff who will make recommendations to the Sewer Commissioners for a decision.

It is recommended that the current sewer bill is paid, and then the applicant should wait for the abatement process is pursued through the Board of Sewer Commissioners, because interest and demand fees cannot be abated.