Bourne Board of Sewer Commissioners

Sewer Policy and Regulations

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1.0 USE OF SEWERS

1.1 These Sanitary Sewer and Storm Drain Regulations are promulgated pursuant to M.G.L. ch. 83, §1O, 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 DPW 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 or storm drainage systems.

1.3 Rates and Fees

A. Sewer Rates (User Charges)

All sewer rates are based on an Equivalent Residential Unit (ERU) per sewer user 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.

B. Connection Charges

Applicants must pay a connection charge to connect to the Town's sanitary sewer or storm drain 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 approval. The connection charges do not cover the actual costs of connecting to the sanitary sewer system. 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 or storm drain system according to Department

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 under water meter usage, and sump pumps connected to the public sewer are generally not allowed by the Town of Bourne.

New and Existing Sewer Service Connections:
Minimum application/connection fees for new and existing sewer services are calculated as follows, with current connection fees per equivalent unit included in Attachment A.

Residential  $375 minimum per equivalent unit per utility

Non-Residential $1,000 minimum per equivalent unit per utility

Re-connect  $250 minimum per equivalent unit per utility

Residential and Non-Residential 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 re-built or substantially renovated in the opinion of the DPW Superintendent.

Residential properties with 4 or more units shall be considered "Commercial".

The Sewer Application/Connection fee shall be calculated using "Unit Equivalencies" which are based on the sanitary sewer flow rates described in the Massachusetts Title 5 Regulations, 310 CMR 15.00, and described as follows:

- One (1) equivalent unit is equal to three (3) bedrooms is equal to 330 gpd is equal to 4,400 square feet of non-residential building.
- Residential Equivalency units shall be calculated in thirds with a minimum unit equivalency of one (1). For example, a four-bedroom house would pay a connection fee of $500 per utility (one and one third (1 1/3) unit equivalencies times $375 rounded up to the nearest $100). All dollar values shall be rounded up to the nearest one hundred dollars.
- Non-Residential (Commercial/Industrial) Equivalency Units shall be calculated as whole units (all decimals shall be rounded up to the nearest whole number) with a minimum connection fee of $1,000 per non-residential unit. For example, a 40,000 square foot office building would pay a $3,750 application/connection fee (40,000 sf/4,400 sf = 10 unit equivalencies times $375).
- Unit equivalencies for all facilities connected to the Town's Wastewater System shall be determined using Title 5 flows and the equivalencies stated above.

The fee shall be calculated based on Title 5 flows, a 4 to 1 removal factor, and a set 1/1 removal cost per gallon of flow per day as identified in Attachment A. For example, a 10,000 square foot office building has an associated Title 5 flow of 750 gpd. If the fee was calculated using an 1/1 removal cost of $0.70 per gallon of flow per day, the mitigation fee for this connection would be $2,100 (750 gpd x 4 x $0.70).

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, 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 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 Sewer Commission. The Commission may request that the Applicant perform an analysis to show that the downstream wastewater system has adequate capacity to accept the additional flow. Connections shall be made in compliance with all DPW rules, regulations, and specifications, and at the owner's expense.

3.0 BUILDING SEWERS, BUILDING STORM SEWERS AND CONNECTIONS

3.1 Separate Building Sewers and Building Storm Sewers

Separate and independent building sewers 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 Sewer Commission.

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 superintendent, 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 or MS4. 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.

3.5 Oil Traps for 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. Such devices 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 will determine whether a grease trap is required. All grease traps shall be of a type and capacity approved by the Board of Health 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.
(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 newly constructed 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. Where separate storm drains and sanitary sewers are provided, and the DPW has determined that on-site retainage of stormwater is not possible, building storm sewers shall be connected to a storm
drain and building sewers shall be connected to a sanitary sewer. DPW may require the use of an approved oil trap or particle separator prior to the discharge of a building storm sewer to the storm drain system. 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 Ordinance regarding Prohibition of Illicit Discharges to the Storm Drainage System, as well as, the Town's Ordinance, and Rules and Regulations for Stormwater Management and Erosion Control.

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.

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 lime 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 2.3B. 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 the Town Attorney and in an amount and for a period of lime sufficient to guarantee construction quality and operating performance.

3.16 Application Required for Building Sewer

The owner shall complete a General 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 Superintendent 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 and Building Storm Sewers

The property owner owns the building sewer from the building to the public sewer. The owner of a building sewer or building storm sewer shall, at all times, keep such sewers and drains 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 or building storm 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 connection shall be in compliance with the Town's Ordinance regarding Prohibition of Illicit Discharges to the 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 an additional usage charge 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 or storm 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;

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 ¾ 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 and Town of Wareham, whereby wastes of unusual character or strength may be accepted on an interim basis when, in the opinion of the DPW and Town of Wareham, 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 and the Town of Wareham, 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 Wareham or 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 and the Town of Wareham a permit application form which may be obtained from either the DPW or Wareham.

2) The DPW and Wareham 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 and Wareham may issue a permit.

3) The DPW and Wareham 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, sampling, physical, chemical biological tests, data 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 or Wareham to ensure compliance with these Regulations and with applicable requirements of State or Federal laws.
4) The DPW or Wareham 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 and Wareham for modification of its discharge permit.

7) When required by its permit, an industrial user shall submit to the DPW and Wareham at a designated frequency and in a form acceptable to the DPW and Wareham a duly signed discharge report containing all information requested by the DPW or Wareham. Any additional information requested from time to time by the DPW or Wareham shall also be furnished.

8) The DPW and Wareham 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 or Wareham, 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 and Wareham, 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 shall be kept for at least two years and furnished to the DPW and Wareham 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 or Wareham and by methods acceptable to the DPW and Wareham. The
DPW or Wareham will stipulate whether a composite or grab sample(s) should be taken.

F. Notification of Violations

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

G. Preventive Measures

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

H. 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.

I. 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, Wareham 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 or Wareham.

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 and Wareham 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 and Wareham 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 and Wareham 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 to be constructed, installed or utilized;

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.

8. 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 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 Use Rules 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 Commission 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 15 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:

Applicant

Shall mean any person or entity applying for sewer service or for a sewer main extension, replacement, alteration, removal or relocation.

Approval

Shall mean written approval by the Department of Public Works.

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.

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, an MWRA 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 or the MWRA.

Cape Cod Commission

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 though 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.

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 Superintendent.

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.

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

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**

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 examine, has a pH value of 7 and a hydrogen ion concentration of 10. 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.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pollution</td>
<td>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.</td>
</tr>
<tr>
<td>Premises</td>
<td>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.</td>
</tr>
<tr>
<td>Pre-Treatment</td>
<td>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.</td>
</tr>
<tr>
<td>Private Sewer</td>
<td>Shall mean a sewer which is not owned by the Town.</td>
</tr>
<tr>
<td>Public Sewer</td>
<td>Shall mean a sewer which is owned by the Town.</td>
</tr>
<tr>
<td>Receiving Waters</td>
<td>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.</td>
</tr>
<tr>
<td>Sanitary Sewage</td>
<td>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.</td>
</tr>
<tr>
<td>Sanitary Sewer</td>
<td>Shall mean a sewer designed to carry sewage and industrial wastes.</td>
</tr>
<tr>
<td>Septage</td>
<td></td>
</tr>
<tr>
<td>Sewer</td>
<td>Shall mean a pipe or conduit that carries either wastewater or storm or surface water.</td>
</tr>
<tr>
<td>Sewer Commissioner</td>
<td>Shall mean a member of the Bourne Board of Sewer Commissioners</td>
</tr>
<tr>
<td>Sewer Extension</td>
<td>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.</td>
</tr>
<tr>
<td>Sewer Use Discharge Permit</td>
<td>Shall mean the permit required and issued by the DPW to an industrial user for discharging wastewater to the Town's wastewater system.</td>
</tr>
<tr>
<td>Sludge</td>
<td>Shall mean waste containing varying amounts of solids that are removed from</td>
</tr>
</tbody>
</table>


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**  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).

**Unpolluted Water**  Shall mean water of a quality equal to or better than the applicable effluent criteria or water that would not cause Violation of receiving water quality standards.

**User**  Shall mean any person discharging wastewater directly or indirectly into the public sanitary sewers within the Town.

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

Residential Sewer User

Tier 1 Commercial User  0 to 30,000 gallons per year
Tier 2 Commercial User  30,001 to 85,000 gallons per year
Tier 3 Commercial User  over 85,000 gallons per year

Application/Connection Charges:

New and Existing Sewer Service Connections:

Residential Properties  = $375 per equivalent unit per utility
Non Residential Properties:

Tier 1 Commercial Rate User  = $1,000
Tier 2 Commercial Rate User  = $2,500
Tier 3 Commercial Rate User  = $5,000
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:

<table>
<thead>
<tr>
<th>Number</th>
<th>Fixture Type</th>
<th>Number</th>
<th>Fixture Type</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Kitchen Sinks</td>
<td></td>
<td>Water Closets</td>
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<td></td>
<td>Lavatories</td>
<td></td>
<td>Bath Tubs</td>
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<td></td>
<td>Laundry Tubs</td>
<td></td>
<td>Showers</td>
</tr>
<tr>
<td></td>
<td>Urinals</td>
<td></td>
<td>Garbage Grinders</td>
</tr>
</tbody>
</table>

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
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 NOTE 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 3

The Bourne Board of Sewer Commissioners require any commercial business 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.

STEPS

1. Commercial Entity/building is new or
   A new business in an existing building [even if already connected to sewer]

2. Fill out this Form and schedule for
   Town of Bourne Planning Dept./Town Planner preliminary Project Review

3. Present project to Sewer Commissioners along with Planning Dept. project review
   And Wastewater Allocation requested will be voted upon

4. Project Applicant will need Planning Board Review Approval

5. If all Approvals are met, Applicant shall submits payment to connect to the Bourne Sewer System as outlined in Attachment ‘A’.

Bourne Sewer Regulations
ATTACHMENT C
If the Board of Sewer Commissioners grant Wastewater Allocation, the Applicant shall have up to 2 years to initiate construction. Fees to connect to the system are collected immediately after approval and are non-refundable. Applicants should update the Board on regular 6-month reports, and the Board retains the right to revoke Wastewater Allocation if the Applicant cannot demonstrate progress after 2 years.
Commercial Wastewater Allocation Form
Page 3 of 3

Application for
Town of Bourne
Commercial Wastewater Management Allocation

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 ☐
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 ; 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 Fee attached: Yes ☐ No ☐
Reviewed for completeness - Signed
Date Stamp when determined to be complete
To the Town of Bourne, Massachusetts:

To the undersigned, being the ____________________________

(Owner, Owner’s Agent)

of the property located at ________________________________, does

(Number) (Street)

hereby request a permit to release wastes of unusual character or strength on an interim basis to serve the

(Residence, Commercial Building, etc.)

at said location.

1. The following substances will be released into the sewerage system

<table>
<thead>
<tr>
<th>Parts per Million</th>
<th>Substance</th>
<th>Parts per Million</th>
<th>Substance</th>
</tr>
</thead>
</table>

2. The maximum number of times disposal of the above substances per month will occur is:

3. The name and address of the person or firm who will perform the proposed work is:

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

1. To accept and abide by all provisions of the Rules and Regulations for the Installation and Connection of Building Sewers and for the Use of Public Sewers of the Town of Bourne, Massachusetts, and of all other pertinent rules and regulations that may be adopted in the future.

2. To notify the superintendent when the discharge into the sewer is commencing and ending.

3. To monitor the release of all substances and notify the Superintendent when a discharge that exceeds the level permitted occurs.

Date ______________________________ Applicant Signature ______________________________

Applicant Address _________________________________________________

Application approved and permit issued by Town of Bourne: _________________________________

Department of Public Works Sewer Division Signature _________________________________
To the Town of Bourne, Massachusetts:
The undersigned being the __________________________ of the property located (Owner, Lessee, Tenant, etc.)
at __________________________
does hereby request a permit to __________________________ an industrial sewer connection (install, use)
serving __________________________ which company is engaging in (Name of Company)
at said location.

1. A plan of the property showing accurately all sewers and drains now existing is attached hereunto.

2. Plans and specifications covering any work proposed to be performed under this permit are attached hereunto.

3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at said property, including a description of the character of each waste, the daily volume and maximum rates of discharge, and representative analyses, is attached hereunto.

4. The estimated number of full time employees at the premises is _____________
The estimated number of part time employees at the premises is _____________

5. The name and address of the person or firm who will perform the work covered by this permit is __________________________

6. The Standard Industrial Classification (SIC) number for the business is __________________________
In Consideration of the granting of this permit the undersigned agrees:

1. To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the Sewer Commission and the Department of Public Works.

2. To accept and abide by all provisions of the "Sewer User Regulations" for the Town of Bourne, Massachusetts, and of all other pertinent regulations that may be adopted in the future.

3. 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 and, if appropriate, the Department of Environmental Protection, Division of Water Pollution Control pursuant to M.G.L.c.21, § 43, and 314 CMR 7.00, unless exempted in 314 CMR 7.05, if applicable. The permit must be "in-hand" before work can commence.

4. To operate and maintain any waste pretreatment facilities, as may be required as a condition of the acceptance into the public sewer of the industrial wastes involved, in an efficient manner at all times, and at no expense to the town.

5. To cooperate at all times with the Sewer Commission, the Department of Public Works and the Superintendent and their representatives in their inspecting, sampling, and study of industrial wastes, and any facilities provided for pretreatment.

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. To notify the Superintendent immediately in the event of any accident, negligence, or other occurrence that occasions discharge to the Public Sewers of any wastes or process water not covered by this permit.

8. To complete construction within ninety (90) days of the date this permit is issued:

Date:__________________________Signed.__________________________

(Applicant)

__________________________

(Address of Applicant)

$________Connection fee paid.

__________________________

(Certification of Town Treasurer)

Application approved and permit granted in accordance with the attached conditions.

Date:__________________________Signed__________________________
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.
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:

\[
Pump \text{ station cost} = \$500,000 \\
\$500,000 \times 0.25 = \$125,000 \\
\$125,000/15 = \$8,333/\text{year}
\]

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.
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: _______________________________________________
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.