

SEWER USE REGULATIONS

**TOWN OF ABINGTON,
MASSACHUSETTS**



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NOTE:

These regulations control the following:

- 1.) The use of public and private sewers and drains.
- 2.) The installation of building sewers and lateral sewers.
- 3.) The discharge of waters and wastes into the public sewer system.

These regulations also authorize penalties for violations of the above outline regulations adopted by the Town of Abington, the County of Plymouth, and the Commonwealth of Massachusetts.

AMENDMENTS

February 21, 2006 – Article I, Definitions – Betterment, page 2 paragraph 3

April 26, 2006 – Article II, Section 12 – Connections to the Building Drain, page 15 paragraph 1

ARTICLE I
DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in these regulations shall be as follows:

Abington Sewer System: The wastewater infrastructure that is generally comprised of two separate collection and pumping systems. One system collects sewerage from the west, central and south sections of town and pumps it to the City of Brockton for treatment. The second system collects sewerage from the North section of town and directs it by gravity to the Town of Rockland for treatment.

Act: The Federal Water Pollution Control Act (P.L. 92-500), also known as the Clean Water Act, as amended (33 U.S.C. 1251, et. seq.).

Applicant: Any person requesting approval to discharge wastewater into the Town of Abington wastewater facilities.

Approval: Shall mean "Written" approval.

Appurtenance: Any component associated with the physical operation of the sewer system.

ASTM: American Society for Testing and Materials

Authority: The Abington Board of Sewer Commissioners.

Supplemental Authority: Industrial and business/commercial sewer users are subject to rules, regulations and conditions in effect and under the jurisdiction of either the Town of Rockland or the City of Brockton. There are no treatment facilities in the Town of Abington.

Authorized Representative of Industrial User:

- a. A principal executive officer of at least the level of vice-president, if the industrial user is a corporation; or
- b. A general partner or proprietor if the industrial user is a partnership or proprietorship respectively; or
- c. A duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the discharge of wastewater originates.

Average Daily Flow: The amount of effluent utilized daily averaged over a period of time. In instances that are not specifically addressed, the time period shall be one (1) calendar year.

Betterment: An assessment levied on a property that allows that property to receive an equitable entitlement, for a specific area, a time limited period, and in conformance with these Sewer Use Regulations, to connect to the municipal sewer system. Said entitlement allows a single residential dwelling unit, or equivalent, to discharge a wastewater volume of up to two hundred and fifty gallons per day (250 gpd). In the case of a property with fewer than four (4) existing residential dwelling units, or their equivalent(s), the following provisions shall apply: (i) it shall receive the benefit of the entitlement if the combined total average daily wastewater volume is not more than two hundred and fifty gallons per day (250 gpd)*; (ii) if the combined total average daily wastewater volume is more than two hundred and fifty gallons per day (250 gpd)*, but not more than three hundred and seventy-five gallons per day (375 gpd)*; the first two units shall receive the benefit of the entitlement and the third will be subject to a System Development Charge; (iii) if the combined total average daily wastewater volume is more than three hundred and seventy-five gallons per day (375 gpd)*, the first unit shall receive the benefit of the entitlement and the second and third units will be subject to Systems Development Charges.

In the case of a property with four (4) or more existing residential dwelling units, or their equivalent, it shall receive the benefit of the entitlement if the combined total average daily wastewater volume is not more than two hundred and fifty gallons per day (250 gpd)*. For a property using more than two hundred and fifty gallons per day (250 gpd)*, the number of units to receive the benefit of the entitlement shall be the quotient, in whole numbers with no credit for a fraction, of the average daily wastewater volume per unit divided into the two hundred and fifty gallons per day (250 gpd) equitable entitlement. The balance of the units shall be subject to System Development Charges.

Following the assessment of a betterment, where there is a division of property covered by the betterment assessment into two or more lots, by means of a plan endorsed by the Planning Board of the Town of Abington "approval under subdivision control not required," each newly created lot, shall have an equitable entitlement for a single residential dwelling unit, or equivalent, with an estimated wastewater volume discharge of up to two hundred and fifty gallons per day (250 gpd) provided such endorsement is not the result of the petitioner receiving relief from the Zoning Board of Appeals for a lot which fails to meet the then current zoning by-laws.

Determination of eligibility shall be at the sole discretion of the Board of Sewer Commissioners and subject to any usage limitations that may be set by the Board.

Where conditions that may affect wastewater use, such as in the case of but not limited to:

- (i) a change in the use of property whose owners were assessed a betterment, following such assessment, to provide for a use that was not in existence at the time of assessment or permitted by right under zoning in effect at the time of assessment; or
- (ii) an expansion of the use of property whose owners were assessed a betterment, which use was in existence at the time of assessment, following such assessment; or
- (iii) the establishment of any use in an area greater than two hundred feet (200') from the established street line at the time of assessment of the land that is within two hundred feet (200') from such street line; or
- (iv) any reconstruction, extension, structural change or alteration of a structure on land whose owners were assessed a betterment, following such assessment,

the proponent shall apply to the Board of Sewer Commissioners for a determination as to whether such connection is reasonably anticipated to increase the wastewater effluent flow by an estimated average daily flow of more than fifty percent (50%), or by two hundred and fifty gallons per day (250 gpd) or more, or to a total estimated average daily flow in excess of two hundred and fifty gallons per day (250 gpd), as determined by the anticipated usage. If the Board of Sewer Commissioners approves such connection, the parcel(s) may also be subject to System Development Charge(s) and limitations of wastewater usage.

*based on the Sewer Departments "Water Volume Inquiry" average consumption records.

Biochemical Oxygen Demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) Celsius, expressed in milligrams per liter.

Board: The Abington Board of Sewer Commissioners.

Building Drain: The part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other sanitary drainage pipes inside the walls of the building and conveys it to the building sewer, which begins ten (10) feet outside the inner face of the building wall.

Building Sewer or Service Connection: The extension from the building drain to the public sewer or other place of disposal.

Business/Commercial Establishment: Any use of the property that is not herein defined as "residential" or "industrial."

Conceptual Approval: A tentative approval, for a limited period, that there is sufficient sewer capacity available for a particular proposal.

Control Manhole: A manhole that is installed along a sewer, which provides access for the observation, sampling, and measuring of wastes.

Cooling Water: The water discharged from any system of condensation, air conditioning, cooling, refrigeration or other sources. Such water shall contain no polluting substances, which could produce a Biological Oxygen Demand, Suspended Solids, toxic pollutants or substances limited in these regulations.

DEP: Massachusetts Department of Environmental Protection

Domestic Wastewater: The wastewater discharged from, but not limited to, washing machines, sinks, showers, bath tubs, dishwashers, toilets, urinals or any drain equipped with a garbage grinder, exclusive of Industrial Wastes.

Drain Layer: A person licensed by the Town of Abington to lay building sewers from existing public sewers to building drains.

Easement: An acquired legal right for the limited use of land owned by others.

EPA: The United States Environmental Protection Agency.

Equitable Entitlement: The right for ten (10) years following the date of the tax-collector's notice of a betterment assessment upon land that abuts a public or private way in which a public sewer has been laid or the date of assessment of a System Development Charge, of the availability to connect such land to the public sewer. After the period of entitlement expires the property owner's right to connect to the municipal sewer system will be on a "first come-first served" basis. If sufficient capacity is not available, then the property owner will be required to locate additional capacity, or remove/reduce sufficient wastewater flows, to accommodate their request as outlined in Article II, Section 7, Creation of Sewer Capacity.

Excessive: An elevated level of quantity and/or concentration of a wastewater constituent, which in the judgment of the Board meets any of the following criteria:

- a. Will cause damage to any P.O.T.W.
- b. Will be harmful to wastewater treatment process.
- c. Cannot be removed in the treatment works or P.O.T.W. to the degree required to meet effluent discharge limitations.
- d. Can otherwise endanger life, limb, or public property.
- e. Can constitute a nuisance.

Facilities: Include structures and conduits for the purpose of collecting, treating, or disposing of domestic, industrial, or other wastewaters (including, but limited to, treatment and disposal works,

lateral, interceptor, outfall, and outlet sewers, pumping stations, equipment and furnishings, and other connected appurtenances).

Floatable Oil: Oil, fat, wax, or grease that will separate from wastewater under the force of gravity. Wastewater shall be considered free of floatable oil if it is properly treated and does not cause an increase in operation and maintenance costs, or cause the types of failures within the collection system that can typically be attributed to the presence of floatable oil.

Flow equalization facilities: Tanks and/or equipment that provide storage of wastewater for release to a sewer system or treatment plant at a controlled rate, thus mitigating variations in flow and composition.

Garbage: The food wastes resulting from the handling, preparation, cooking, serving or distributing of food.

Hauler: Any person who contracts for the disposal of septage and has obtained a Septage Handler Permit from the Board of Health.

Improved Property: Any property with a structure that shall discharge domestic wastewater, and/or industrial wastes.

Incompatible Pollutant: A substance that is not amenable to substantial removal by the P.O.T.W., or a substance that may cause damage to transmission or treatment facilities, or that may impact overall treatment of wastewater. Incompatible Pollutants include, but are not limited to, toxic biocumulative Organics, toxic metals and persistent Organics.

Industrial Establishment: Any room, group of rooms, building or other facility used or intended for use in the operation of one (1) business enterprise for manufacturing, processing, cleaning, laundering, assembling or preparing any product, commodity or article, from which any process waste, as distinct from domestic wastewater, may be discharged.

Industrial User: A manufacturing, processing, or other non-residential facility (such as hospitals, commercial laundries, and tank and barrel cleaning operations, etc.) that discharges non-sanitary industrial wastes into a public sewer.

Industrial Wastes: Any solid, liquid or gaseous wastes and wastewater, exclusive of domestic wastewater, resulting from an industrial or manufacturing process; or discharged from a commercial, governmental or institutional facility; or from the development, recovery or processing of natural resources and any wastes not listed as conventional pollutants under 40CFR.17.

Infiltration: Surface runoff or groundwater that unintentionally enters the public sewer system through such means as, but not limited to, defective pipes, pipe joints, connections or manholes.

Inflow: The water discharged into a sanitary sewer system and/or service connection from such illegal sources as, but not limited to, roof leaders, downspouts, cellars, swimming pools, yard drains, foundation drains, cooling water discharges, or storm drains that collect surface runoff.

Interference: A discharge which, alone or in conjunction with discharges from other sources:

- a. Inhibits or disrupts the treatment facility, its treatment processes or operations, or its sludge processes, or disposal; and
- b. Causes a violation of any requirement of the treatment facility NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Waters Act, the Solid Waste Disposal Act (SWDA) (including Title 11, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Invert: The bottom inside of the sewer pipe.

Major Contributing Industry: A facility that: (1) has flow of 25,000 gallons or more per average work day; (2) has a flow greater than five percent (5%) of the flow carried by the municipal system receiving the waste; (3) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307 (a) of P.L. 92-500; or (4) has a significant impact, either singly or in combination with other contributing industries, on a publicly owned treatment works or on the quality of effluent from that treatment works.

National Categorical Pretreatment Standard or Pretreatment Standard: Any regulation containing pollutant discharge limits promulgated by the U.S. Environmental Protection Agency in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347), which applies to Industrial Users.

National Pollution Discharge Elimination System (NPDES) Permit: A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

Natural Outlet: Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

OSHA: Occupational Safety and Health Administration

Owner: Any person or persons vested with ownership, legal or equitable, sole or partial, of any property.

Pass Through: A discharge that exits the treatment facility into waters of the United States in quantities or concentrations that alone or in conjunction with discharges from other sources, are a cause of a violation of any requirement of the treatment facilities NPDES permit (including an increase in the magnitude or duration of a violation).

Person: Any individual, firm, company, association, society, corporation, group, or municipality.

pH: The logarithm of the reciprocal of the hydrogen ion concentration, expressed in moles per liter. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} to the negative seven (-7). Any EPA approved method of measurement may be used for this measurement.

Phosphorus or Total Phosphorus: The total of organic phosphorus and inorganic phosphorus.

Pretreatment Requirements: Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on a user.

Properly Shredded Garbage: Garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Pollutant: Any material or substance that may cause an alteration of the chemical, physical, biological or radiological integrity of a treatment facility or its receiving waters.

Publicly Owned Treatment Works (POTW) or Treatment Facility: Treatment works operated by the Town of Abington, the Town of Rockland, or the City of Brockton or their agents, including any devices and systems (whether owned by them or under their control) used in the collection, storage, treatment, recycling and reclamation of wastewater including the Wastewater Treatment Works and appurtenances, structures, pipes, pumping stations and systems whether operated by the Towns and/or City directly or by their agent.

Public Sewer: A sewer that is controlled by public authority.

Receiving Waters: Any watercourse, river, pond, ditch, lake, aquifer, or other body of surface water or groundwater receiving wastewater discharges.

Residential Dwelling Unit: a building or portion of a building, that is used, intended, or designed for human habitation, by one person or a group of persons sharing living arrangements, including but not limited to houses, hotels, motels, apartments, mobile or modular homes or condominiums.

Sanitary Sewer: A sewer that carries wastewater.

Septage: The solid and semi-solid material resulting from on-site wastewater pretreatment in a septic tank.

Sewage: See wastewater.

Sewer: A pipe or conduit that carries wastewater.

Sewer Connection: The sewer pipes and appurtenant works necessary to connect a building or estate to a sewer system.

Sewer Extension: The addition to a sewer system of sewer pipe, together with appurtenant works, which when connected to the sewer system becomes the property of, and is operated and maintained by, the entity owning the system.

Sewerage: The complete system of piping, pumps, and appurtenances for the collection and transport of wastewater.

Shall: Is mandatory; "May" is permissive.

Slug: Any discharge of water, wastewater, or industrial waste that exceeds by more than five (5) times the average twenty-four (24) hour constituent concentration, or flow, during normal operation for any duration longer than fifteen (15) minutes.

State: The Massachusetts Department of Environmental Protection, Division of Water Pollution Control.

Storm Drain or Storm Sewer: A pipe that carries storm water, surface water, drainage, and unpolluted cooling water, but excludes wastewater.

Superintendent: The duly authorized agent of the Board of Sewer Commissioners of the Town of Abington.

Suspended Solids: Solids that either float on the surface of, or are in suspension in water, wastewater, or other liquids, and which are not removable by laboratory filtering. Suspended solids are referred to as nonfilterable residue in the laboratory test prescribed in "Standard Methods for the Examination of Water and Wastewater."

System Development Charge: A charge assessed under M.G.L. c. 83 § 17, to property that has not had a "betterment assessment" levied and now has applied to connect to the municipal system, or to properties that have been assessed a "betterment" but wish an increase in their current total estimated average daily flow volume, as determined by the anticipated usage, by fifty percent (50%) or more, or by two hundred and fifty gallons per day (250 gpd) or more, or to a total estimated average daily flow in excess of two hundred and fifty gallons per day (250 g.p.d.), which shall require written approval by the Board to connect to the municipal sewer system, in conformance with these Sewer Use Regulations, See Article I Definitions Betterment:, Equitable Entitlement, and Article II Building Sewers (Service Connections) Section 4, Connections Costs.

Transport Charge: The additional payment made each year by the Town of Abington to the City of Brockton for the service of providing the Abington sewage passage through the Brockton sewerage system to the City's wastewater treatment plant, including those expenses related to the administration, operation, maintenance and repair of the City of Brockton's sewage collection system. The Transport Charge is calculated by multiplying the annual metered sewage flow from Abington to Brockton, as measured in hundreds of cubic feet, times the Transport Fee unit price. This Transport Fee will be calculated each year by the City after the City Council has approved the fiscal year budget, and the Town shall be notified in writing of the calculations. The calculation will be performed by first determining the percentage of the Brockton Sewer System budget which funds costs that are not related to the sewage treatment plant costs, and second applying that percentage to Brockton's then current sewer user rate, according to the City's "block rate" fee for annual consumption in the block for 10,000 to 20,000 cubic feet. If the ordinance for the City's sewer rate structure is changed during the year, the calculation will be adjusted accordingly.

Wastes: Substances in liquid, solid or gaseous form that can be carried in water.

Wastewater: The spent water of a community. May be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

Wastewater Treatment Works: Any arrangements of devices and structures used for treating wastewater.

Wastewater Works: All structures, equipment and processes for collecting, pumping, treating, and disposing, of wastewater.

Watercourse: A channel in which a flow of water occurs, either continuously or intermittently.

Water Volume Inquiry: The inquiry performed by the Sewer Department offices that identifies the volume, meter readings, billing, average consumption, and other information regarding water utilized by a property, for a period of time.

ARTICLE II
BUILDING SEWERS (SERVICE CONNECTIONS)

Section 1. Prohibitions:

Building sewers shall be constructed by Abington licensed drain layers only. No person may uncover, connect to, open, use, alter, repair, or disturb a public sewer or sewage works without a connection permit from the Superintendent. Any person proposing a new discharge of wastewater into a public sewer or an increase in their current total estimated average daily flow volume, as determined by the Board based on the anticipated usage, of fifty percent (50%) or more, or by two hundred and fifty gallons per day (250 gpd) or more, or to a total estimated average daily flow in excess of two hundred and fifty gallons per day (250 g.p.d.), or any change in the character of pollutants in an existing discharge, must notify the Superintendent at least forty-eight (48) hours before such proposed discharge or change, except, in emergency cases, as determined by the Superintendent. No person may break, cut, connect to, or remove any part of the public sewer without written (permit) permission. Building sewers shall connect to the existing connection branches unless the Board approves an alternate manner.

Section 2. Connection Permits:

There are three classes of connections permits:

- (A) Residential connection permits
- (B) Business/Commercial connection permits
- (C) Industrial connection permits.

Applications shall be made on a special form furnished by the Abington Sewer Department. Included with the Connection Permit is a notification to the Plumbing Inspector and Health Agent that work that could affect the sanitary sewer is to commence and that they are authorized by the applicant to review the property to determine if further work would be required. This "Notice" shall in no way negate the need for a "Plumbing Permit" issued by the Plumbing Inspector or any Health Department Permit that may be required. Completed applications shall be forwarded to the Superintendent of the Abington Sewer Department for approval.

All industrial permits and permits for average daily flows in excess of 1,000 gallons per day (including residential) require approval from the Board of Sewer Commissioners. It is noted that all Industrial sewage generated in the Town of Abington is treated either at the wastewater treatment facility of the Town of Rockland or the wastewater treatment facility of the City of Brockton. Therefore the applicant will be required to obtain written approval from the supplemental authority, (Rockland or Brockton), to which the

sewage will be sent for treatment, prior to receiving approval from the Abington Board of Sewer Commissioners to connect. It is further noted that either of the supplemental authorities may require the applicant to agree to conditions, limits and fees not otherwise required by the Abington Sewer Department. Connection costs are summarized in Section 4, Connection Costs.

Section 3. Availability of Capacity:

Notwithstanding the provisions of Article IV, Section 3, Required Connection to the Public Sewer, of these regulations, the amount of Abington sewer service capacity available to an Owner or Applicant including residential, business, commercial, and/or industrial applications shall be equal to:

The presently available discharge capacity (average daily flow) as dictated in the current contracts with the City of Brockton and/or the Town of Rockland,

LESS: The actual average daily effluent flow to that system for the previous twelve (12) months.

LESS: The anticipated daily effluent flow to that system from fifty percent (50%) of the unconnected properties having an existing equitable entitlement.

LESS: The anticipated daily effluent flow to that system from ten percent (10%) of the unconnected properties that had an equitable entitlement. Said allotment shall be for documented Health emergencies and other contingencies as approved by the Board.

LESS: The projected average daily effluent flow of previously approved connections to that system that are not yet connected.

These figures indicating the Availability of Capacity shall be on file and available at the office of the Abington Sewer Department. The Sewer Commissioners reserve the right to limit future proposed connections based on the above formula and the availability of flow to the Town of Rockland and/or to the City of Brockton.

Section 4. Connection Costs:

System Development Charge

For **existing and/or new** residential properties, a System Development Charge shall be assessed as indicated below. A System Development Charge shall allow a single Residential Dwelling Unit to discharge a maximum of two hundred and fifty gallons per day (250 gpd). System Development Charge(s) for **existing** residential properties may be paid over ten years (10 yrs.), with interest. For **new** residential properties, the System Development Charge(s) shall be paid in full prior to the Sewer Department's signing of the "Application for Building Permit."

No two (2) properties shall utilize the same municipal service granted through payment of a System Development fee without written approval from the Board.

Requests for connection(s) to the public sewer shall require written approval from the Superintendent or Board of Sewer Commissioners and may be subject to System Development Charges as indicated below. Determination of eligibility shall be at the sole discretion of the Board of Sewer Commissioners and subject to any usage limitations that may be set by the Board.

Where conditions that may affect wastewater use, such as in the case of, but not limited to:

- (i) a change in the use of property whose owners were assessed a betterment, following such assessment, to provide for a use that was not in existence at the time of assessment or permitted by right under zoning in effect at the time of assessment; or
- (ii) an expansion of the use of property whose owners were assessed a betterment, which use was in existence at the time of assessment, following such assessment; or
- (iii) the establishment of any use in an area greater than two hundred feet (200') from the established street line at the time of assessment of the land, or
- (iv) any reconstruction, extension, structural change or alteration of a structure on land whose owners were assessed a betterment, following such assessment,

the proponent shall apply to the Board for a determination as to whether such activity is reasonably anticipated to increase the wastewater effluent flow by an estimated average daily flow of more than fifty percent (50%), or by two hundred and fifty gallons per day (250 gpd) or more, or to a total estimated average daily flow in excess of two hundred and fifty gallons per day (250 gpd), as determined by the anticipated usage. If the Board approves such connection or continued connection, the parcel(s) may be subject to System Development Charge(s) and/or limitations of wastewater usage.

Residential Costs—Each single Residential Dwelling Unit shall be assessed a minimum of \$3,500.00*. Additional charges, beyond the basic \$3,500.00*, shall be applied to all properties with more than one dwelling unit, and shall be reviewed and assessed by the Board on an individual basis.

Business/Commercial/Industrial Costs—\$5,000.00* per establishment up to 10,000 square feet. Additional charges, beyond the basic \$5,000.00*, shall be applied to all establishments with more than 10,000 square feet, and shall be reviewed and assessed by the Board on an individual basis.

Connection Permit and Inspection Fees

The fee, under M.G.L. c. 83 §24, for connecting a building sewer with a public sewer shall be:

Residential	\$150.00* per connection
Business/Commercial	\$500.00* per unit
Industrial	\$1,000.00* per unit

Pump Station Maintenance Fee

A pump station maintenance fee of \$38,500.00* must be paid prior to the acceptance by the Board as part of the P.O.T.W., as allowed M.G.L. c. 83, §1.

(*See note page 18)

Section 5. Notification to Health Agent and Plumbing Inspector:

As part of the permitting process when the "Application for Connection to the Municipal System, is issued for any work on a building sewer, service connection, or for the removal of the septic tank, the Plumbing Inspector and the Health Agent, will be notified of the work and may review the property to ensure that all sanitary codes are being complied with. Additional charges may be assessed for their services.

Section 6. Sewer Connection Permit Time Limit:

A sewer connection permit shall be valid for no more than sixty (60) calendar days from date of issuance. If the building drain is not connected to the public sewer within sixty (60) days, the connection permit shall continue to be valid only if the Superintendent confirms in writing that there has been reasonable cause for delay, such as the need for additional work on the building drain or interior plumbing and in such case the property shall be assumed to be connected and billing of sewer use charges shall thereupon commence.

Section 7. Creation of System Capacity:

In the absence of system capacity, the applicant for any new connection(s) shall be required to create new capacity or remove/reduce existing flow from the sewer system proportionate to three (3) gallons of sewage for every one (1) gallon anticipated for new construction or a new use. To satisfy this requirement the applicant may remove, with written permission from the Board, five (5) documented infiltration and/or inflow sources to be accredited, on a case by case basis, for every one (1) residential connection, or it's equivalent, for new construction or a new use. The Applicant shall provide documentation to the Board, for its approval indicating compliance with the "three-for-one" or "five-for-one" requirement(s) before connection permit is issued.

Section 8. Changes to a Permitted Connection:

Wastewater connection permits are issued to all properties at the time of connection to the municipal system for an intended purpose and anticipated flow rate at the time of issue. After the property is connected to the system, if a new, relocated or larger-capacity connection is proposed for such property, or there is to be a

change in the use of such property or any structure thereon to provide for a new use or an expansion of an existing use or any reconstruction, extension, structural change or alteration of a structure on such property, and such change or activity is reasonably anticipated to increase the volume of total estimated average daily flow by fifty percent (50%) or more, or in excess of two hundred and fifty gallons per day (250 gpd), as estimated by the Superintendent based on the anticipated usage, above the prior calendar year, or the last actual operational year, then the connection or continued connection of such property shall require the written approval of the Board of Sewer Commissioners. The Board shall also determine whether the connection or continued connection is subject to a System Development Charge. Failure to adhere to limitations set by the Board shall be subject to fines as listed in Article VII Penalties, Section 2. Fines.

Section 9. Incidental Cost and Indemnification:

All costs incidental to the installation and connection of the building sewer to the public sewer, and the inspection by the Superintendent or his designee, shall be borne by the property owner or owner of the building. In either case, the owner shall indemnify the Town from any loss or damage that may directly or indirectly be caused by the installation and connection of the building sewer.

Section 10. Separate Building Sewers (Service Connections) Required:

A separate and independent building sewer shall be provided for every building, unless otherwise approved by the Board. In cases where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered one building sewer, if approved by the Board, and the owner of the front lot grants a recordable easement to the owner of the rear lot allowing such connection. The Town will not assume any responsibility for damages caused by any such connection.

Section 11. Existing Building Sewers:

When connecting to the municipal sewer system, existing building sewers may be used for buildings only when the Superintendent, or his designee, finds through examination and/or testing that the existing building sewers meet all requirements of these regulations. The applicant shall pay for the costs of the examination and tests.

Section 12. Connection to the Building Drain:

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. If the building drain is too low, or the public sewer system is too high, to allow wastewater to flow by gravity to the public sewer, then the wastewater shall be lifted by a means approved by the Superintendent and discharged to the gravity public sewer system. Approved lifting devices shall be installed and

maintained by the Owner. Said lifting devices shall be limited to less than two (2), within one thousand linear feet (1,000 l.f.) of each other, except in cases of severe prohibition(s), which shall require written permission from the Board. No building sewer may be laid parallel to or within three (3) feet of any bearing wall, except as approved by the Superintendent. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with manholes or properly curved pipe and fittings. A manhole or cleanout shall be installed where there is a change in direction of ninety (90) degrees or more, or as required by the Superintendent. A frame and cover may be required to be installed at each manhole or cleanout as the Superintendent determines. Cleanouts or manholes shall not be covered except by naturally occurring materials. A cleanout in the building drain shall be located a minimum of six (6) inches above the basement floor. The installation of back-flow preventers on the lowest drains of all existing buildings is encouraged. Construction methods and materials shall conform to the specifications outlined in Appendix A, "Town of Abington Specifications for laying Public Sewers, Building Sewers, and Building Drains."

Section 13. Prohibited Connections:

No person shall connect roof downspouts, exterior foundation drains, sump pumps, areaway drains, or other sources of surface runoff or groundwater to a building sewer which discharges to a sanitary sewer. Any business, commercial, or industrial establishment, residence or building found to have any of the above-mentioned connections, shall immediately eliminate said connection, regardless of when the connection was made, or be subject to fines outlined in Article VII Section 2, Fines. Any flow source not requiring treatment shall be permanently diverted away from the sanitary waste system and disposed of according to the requirements of the Board or Officer having jurisdiction. If a reinspection is refused, or an extraneous flow source(s) attached to the sewer system is discovered upon reinspection, then a fine, as specified in Article VII, shall commence immediately and shall remain in place until either the source is shown to be permanently removed, and the reinspection is allowed.

Section 14. Method of Pipe Laying and Backfilling:

The size, slope, alignment, and materials of construction of a sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, backfilling, and paving of the trench shall all conform to the requirements of the attached Appendix A, "Town of Abington Specifications for Laying Public Sewers, Building Sewers, and Building Drains," the building and plumbing codes, and other applicable rules and regulations of the Town. In the absence of code provisions, or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing and Materials (ASTM) and in Water Pollution Control Federation (WPCF) Manual of Practice No. 9 shall apply. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing

code or other applicable rules and regulations of the Town, or the procedures set forth in current specifications of the A.S.T.M and WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Special appurtenances to prevent the backflow of wastewater may be required if deemed necessary by the Superintendent. Any blasting required shall be done by a person licensed to perform blasting in the Commonwealth, and only after receiving a blasting permit from the Abington Fire Department. The applicant shall submit Certificates of Insurance in the sum of \$100,000 to cover General Liability, including bodily injury and property damage, and \$300,000 for explosion, collapse, or underground damage coverage (XCU). Any deviation from the prescribed procedures and materials must be approved in writing by the Superintendent, or the Board before installation, denoting the grounds for such deviation. New and replacement sanitary sewage systems shall be designed to not allow infiltration.

Section 15. Notification and Inspection of Work:

The applicant for the building sewer permit shall notify the Superintendent at least twenty-four (24) hours prior to the start of an approved installation, unless a emergency exists, as determined by the Superintendent, and with a "Dig-Safe" number being issued. Also, the applicant shall notify the Superintendent that the building sewer is ready for inspection and connection to the public sewer, prior to actual connection. The applicant shall connect all sanitary sewer discharges to the building sewer. The connection to the public sewer shall be made under the supervision of the Superintendent or an appointed representative. All connections shall be made in the approved manner. No caps and/or plugs are to be removed without explicit orders, and under the direct supervision of the Superintendent or his designee. The existing septic tanks must be pumped, crushed when and where reasonable, filled with stone, and then inspected by the Superintendent or his designee before any approval can be granted. When leaching fields are encountered the Health Agent shall be notified. No backfilling of any trench shall be made without the approval of the Superintendent. The property may be inspected by the Plumbing Inspector, the Health Agent or their designee, to assure compliance with all applicable Plumbing and Health code requirements.

Section 16. License for Drain Layers:

Drain layers must obtain a license from the Board before performing any work. Licenses shall be issued for one calendar year commencing annually on January 1st. The names of individual licensed drain layers are to be listed in an order as determined by the Board. A \$200.00* annual fee will be required with the completed license application. The applicant will supervise and be responsible for all work performed under the license. The applicant must also submit a bond, cash deposit or certified check for \$1,000.00* and three letters of recommendation. The insurance policy as required under Article II, Section 14, may not be canceled without thirty (30) days prior written notice by registered mail to the Superintendent and the

Fire Department. Such insurance shall indemnify the Town against all claims, liabilities, or actions for damages incurred in, or resulting from or in any way connected with the drain layer's performance, or by reason of any acts or omission(s) of said drain layer in the performance of said work. If insurance or bond is canceled or expires the drain layers license shall immediately become void.

Section 17. Licensee Not to Allow Use of Name by Another:

No person duly licensed to construct building sewers and other private sewers, and make connections with public sewers, may allow his name to be used by any other person for the purpose of obtaining permits, or for doing work under his license. Licenses are issued to individuals only, not to companies. More than one person may be listed on an individual license at the discretion of the Board of Sewer Commissioners. Building sewer installation work may only be performed by drain layers licensed by the Board. Applicants for permits to do such work must be licensed drain layers, or the property owners.

Drain Layer Permit Restrictions—A drain layer may not have more than three (3) outstanding connection permits without written permission from the Superintendent. The permit shall be available for inspection at the site of work. Drain layers may install building sewers only during normal working hours of the Sewer Department. Emergency working hours may be approved by the Superintendent or the Board, on an individual basis.

Section 18. Wastewater Metering:

If a user is not connected to the public water supply, or if connected has additional water from a private source entering the system, and is connected to the public sewer, then said user shall install and maintain a water meter, at his expense, from which the Town may monitor the use of the sewer from outside the building. The type of meter and the method of installation shall be acceptable to the Water and Sewer Department. In the absence of a water meter, a sewer use fee shall be assessed, for Residential, Commercial, Industrial units as per 310 CMR 15.203, (Title V).

Section 19. Annual Fee:

The Board of Sewer Commissioners may from time to time establish just and equitable annual charges for the use of public sewers and the wastewater treatment works. This annual fee shall be assessed and paid quarterly by every person with a connection to the public sewerage system. The money received may be applied to the costs for operation and maintenance of the wastewater works or any debt contracted for sewerage purposes. There will be an administrative fee charged of \$25.00* per account for the processing of liens for unpaid sewer usage charges.

Section 20. Non-Sewer Use Water:

The Board, after receiving a written request from a user, may credit the user for disposal charges associated with water that is not discharged to the wastewater collection system from his property (e.g. outside watering, filling swimming pools.). **During periods where the Water Manager has restricted outside water use, no abatements will be granted.**

The volume of non-sewer use water must be measured with a second (2nd) water meter, or other means that is acceptable to the Water Department and the Superintendent. Said second (2nd) meter shall be permanently connected (hard plumbed) to the domestic water system, after the existing water meter, to service only those waters not entering the public sewer system. The second (2nd) meter shall be inspected by the Superintendent and the plumbing inspector, or their designee(s). The user will receive a credit on his user charge bill for non-sewer use water. All water meter and plumbing costs shall be borne by the user. A portable water meter is available, subject to certain restrictions, from the Sewer Department on a limited temporary basis to those users who do not have a permanent non-sewer use water meter. The user is responsible for reading and reporting the meter readings annually. Readings and requests for abatements shall be submitted in writing to the Sewer Department prior to December 31st of each year, and are subject to corroboration by the Department, prior to consideration of the abatement. Consideration for non-filed, forgotten or non-current years' use requests shall not be honored. Approved abatements will be credited during the users next billing cycle, following the Board's action.

*** Said fees may be reviewed and adjusted from time to time by the Board.**

ARTICLE III
EXTENSIONS OF PUBLIC SEWERS

Section 1. Prohibitions:

No person shall extend, uncover, connect to, open, use, alter, or disturb any public sewer or appurtenance thereof, without first obtaining written notification of the Board's permission, with the exception of a single residential connection, which may be permitted by the Superintendent. Permission for sewer extensions may be denied at the sole discretion of the Board.

Furthermore, Sewer extensions and certain connections cannot be constructed until a permit is received from DEP. Permit fees and requirements are published by the DEP, referenced by the application categories in the following table:

DEP Permit Application Categories	
BRP WP 13	Major Sewer Extension or extensions with new pump station(s)
BRP WP 14	Minor Sewer Extension; or connection with pump station
BRP WP 17	Major Sewer Connection (>50,000 g.p.d) No Industrial
BRP WP 18	Minor Sewer Connection (between 15,000 and 50,000 g.p.d) No Industrial
BRP WP 55	Any Industrial Wastewater

Section 2. Notification and Review:

Any person proposing an extension of the public sewer shall notify the board at least forty-five (45) days prior to the proposed beginning of construction. Included with this notification shall be two sets of construction plans and specifications in sufficient detail to allow the Board to determine whether or not the proposed extension of the public sewer complies with both the technical provisions of this regulation and good sanitary engineering practice. The plans and specifications shall be stamped by a registered professional engineer. It is recommended that any person proposing an extension of the public sewer submit a preliminary conceptual design for tentative approval by the Board. If not acted upon, said "conceptual approval" shall expire six (6) months after the date of the approval, unless an extension is granted in writing by the Board, and a new submission of application for "conceptual approval" shall be necessary. If deemed necessary by the Board, the Board's engineer shall review the definitive plans and specifications, at the expense of the owner/contractor/applicant (Contractor). For extensions serving residences, the cost of engineering services shall be paid in full before review or final approval of plans is