Amended 1/25/16

SEWER DEPT. FILE COPY

SEWER USE REGULATIONS
ABINGTON BOARD OF SEWER COMMISSIONERS
TOWN OF ABINGTON, MASSACHUSETTS

Section 5. Industrial Wastewater: 22
Section 6. Prohibited Wastes and Local Limits: 23
Specific Local Limitations for Discharges: 23
Specific Local Septage Regulations: 24
Specific Local Variances: 24
National Pretreatment Standards: 25
Specific Prohibitions: 25
Section 7. Industrial Sewer Discharge Permit: 28
Section 8. Disposal of Prohibited Wastes: 28
Section 9. Pretreatment Requirements: 29
Section 10. Grease, Oil, and/or Sand Interceptors: 31
Section 11. Compliance Requirements: 32
Section 12. Control Structures for Industrial Discharges: 32
Section 13. Sampling and Analyses: 33
Section 14. Alternative Requirements: 33
Section 15. Dilution: 33
Section 16. Sewer User Fees: 34

ARTICLE V PROTECTION FROM DAMAGE 35
Section 1. Vandalism: 35
Section 2. Trespass: 35
Section 3. Flood Plain Construction: 35
Section 4. Tree Planting Prohibition: 35
Section 5. Blasting: 35

ARTICLE VI POWERS AND AUTHORITY OF INSPECTORS 36
Section 1. Permission for Inspection: 36
Section 2. Entry on Easements: 36

ARTICLE VII PENALTIES 37
Section 1. Written Notice: 37
Section 2. Fines: 37
Section 3. Drain Layers: 38
Section 4. Liability: 38
Section 5. Suspension of Treatment Service: 38
Section 6. Cause to Revoke Permit: 39
Section 7. Legal Action: 39
Section 8. Liens 39
Section 9. Fraud: 39
Section 10. Publication of Violators: 40

ARTICLE VIII VALIDITY 41
Section 1. Conflicting Regulations: 41
Section 2. Severability: 41
Section 3. Amendments: 41

ARTICLE IX JOINT AUTHORITY 42

ARTICLE X REGULATIONS IN FORCE 43

APPENDIX A TOWN OF ABINGTON SPECIFICATIONS FOR LAYING PUBLIC SEWERS, BUILDING SEWERS, AND BUILDING DRAINS 44
Materials: 44
1. Pipes 44
2. Crushed Stone 45
3. Backfill Material 45
4. Sewer Cleanout Frame and Cover 45
5. Manhole Frame and Cover 45
Pipe Installation: 46
1. Pipe Diameter 46
2. Preparation of Pipe 46
3. Handling Pipe 46
4. Laying Pipe 46
Testing of Public Sewers: 49
1. Mainline (Gravity) 49
2. Pressure (Force Main) 49
3. Manholes 50
Inspection of Building Sewers and Building Drains 51
Excavation and Patching of Town Highways 51

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.

TABLE OF CONTENTS

ARTICLE I DEFINITIONS 1

ARTICLE II BUILDING SEWERS (SERVICE CONNECTIONS) 10
Section 1. Prohibitions: 10
Section 2. Connection Permits: 10
Section 3. Availability of Capacity: 10
Section 4. Connection Costs: 11
System Development Charge 11
Connection Permit and Inspection Fees: 11
Pump Station Maintenance Fee 12
Section 5. Notification to Health Agent and Plumbing Inspector: 13
Section 6. Sewer Connection Permit Time Limit: 13
Section 7. Creation of Capacity 13
Section 8. Changes to a Permitted Connection 13
Section 9. Incidental Cost and Indemnification: 13
Section 10. Separate Building Sewers (Service Connections) Required: 14
Section 11. Existing Building Sewers: 14
Section 12. Connection to the Building Drain: 14
Section 13. Prohibited Connections: 14
Section 14. Method of Pipe Laying and Backfilling: 15
Section 15. Notification and Inspection of Work: 15
Section 16. License for Drain Layers: 16
Section 17. Licensee Not to Allow Use of Name by Another: 16
Section 18. Wastewater Metering: 17
Section 19. Annual Fee: 17
Section 20. Non-Sewer Use Water: 17
..... 18

ARTICLE III EXTENSIONS OF PUBLIC SEWERS 19
Section 1. Prohibitions: 19
Section 2. Notification and Review: 19
Section 3. Incidental Cost and Indemnification: 19
Section 4. House Service Connection Required: 20
Section 5. Inspection During Construction: 20
Section 6. Record Drawings: 20
Section 7. Public Safety and Property Restoration: 20
Section 8. Qualifications of Contractor: 20
..... 21

ARTICLE IV USE OF THE PUBLIC SEWERS 22
Section 1. Unlawful Discharges to the Abington Sewer System: 22
Section 2. Unlawful Discharges to Natural Outlets: 22
Section 3. Required Connection to Public Sewer: 22
Section 4. Disposal of Unpolluted Waters: 22

SYSTEM DEVELOPMENT FEES

$900.00	3/3/86	
$1,250.00	9/15/87	
$1,500.00	2/1/88	
$2,000.00	7/1/89	
$3,500.00	5/19/99	
$5,000.00	1/25/16	RESIDENTIAL
$8,000.00	1/25/16	BUSINESS/COMMERCIAL

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

January 25, 2016 – Article II, Building Sewers (Service Connections) Section 4. Connection Costs

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 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.

Approval: Shall Mean "written" approval.

Appurtenance: Any component associate 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 wish the discharge of wastewater orginates.

Average Daily Flow: The amount of effluent utilized daily average 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 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 $5,000.00*. Additional charges, beyond the basic $5,000.00*, 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---$8,000.00* per establishment up to 10,000 square feet. Additional charges, beyond the basic $8,000.00*, 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

given. The engineering review fee for residential extensions shall be as a minimum $100.00* for a single or double residence, with each additional residence assessed as a minimum $50.00* per residence. The engineering review fee is not to exceed the actual cost of services plus an additional ten percent (10%)* administrative fee. The engineering review fee for business/commercial or industrial properties is to be set by the Board on an individual basis, with an additional ten percent (10%)* administrative fee. After written final approval has been granted, if the Board deems that sufficient construction has not been accomplished within two (2) years from the date of final approval, and a written extension from the Board has not been granted, then said approval shall automatically expire. A new submission of application for approval shall be required.

Section 3. Incidental Cost and Indemnification:

All costs incidental to the installation and connection of the public sewer shall be borne by the Contractor. The Contractor shall indemnify the Town from any loss or damage that may directly or indirectly be caused by the installation and connection of the public sewer.

Section 4. House Service Connection Required:

A separate and independent house service connection shall be provided between the sewer main and the property line for each separate piece of property which the public sewer abuts, unless otherwise approved by the Board.

Section 5. Inspection during Construction:

During construction there must be a full-time qualified inspector, approved by the Board, unless otherwise waived by the Board, to inspect the work for its conformance with these regulations, with the approved plans and specifications, and with good sanitary engineering practice. All costs related to the engineering inspection shall be borne by the Contractor and shall be paid prior to the issuance of the permit. The costs related to the engineering inspection shall be set by the Board, with an additional ten percent (10%)* administrative fee.

Section 6. Record Drawings:

Within thirty (30) days of construction completion, the Contractor must submit to the Board one set of reproducible as-built record drawings. The drawings shall show the actual in-place plan and profile of the public sewer, as well as house service connections. Three (3) location ties shall be provided for each manhole and house service. Depths of house service shall also be provided.

Section 7. Public Safety and Property Restoration:

All excavations for sewer installation shall be adequately guarded by the Contractor with barricades and lights, or a police detail may be required, so as to protect the public from hazard. Streets, sidewalks,

parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Superintendent of Streets and/or the Sewer Superintendent. When deemed necessary by the Police Chief, the Board, or the Superintendent, uniformed police officers shall be on-site for safety purposes at the expense of the owner. When it is deemed necessary by the Board of Sewer Commissioners or the Superintendent to close off a street, the Town's Fire Department and Police Department shall be notified in writing no later than twenty-four (24) hours in advance, except in the case of an emergency. A street opening permit shall be obtained from the Town at least seventy-two (72) hours before opening the street, except under emergency conditions as determined by the Superintendent and approved by the Abington Police Department.

Section 8. Qualifications of Contractor:

Whenever public sewers are to be constructed, the Board, as it deems necessary, may investigate to determine the ability of the Contractor to perform the work. Prior to beginning work, the Contractor's qualifications shall be approved by the Board. The Contractor shall furnish to the Board all such information the Board may request, including but not limited to bonding capability, proof of insurance, references, resumes, and a list of equipment to be used. The Board reserves the right to reject the Contractor if the evidence submitted fails to satisfy the Board that he is properly qualified to complete the work as proposed. As a minimum, the Contractor shall have been engaged in the mainline public sewer construction business for at least three (3) years; shall have good references; shall have adequate equipment to complete the work; shall have personnel experienced in mainline sewer construction; and shall be bondable for the full amount of the estimated construction cost.

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

ARTICLE IV

USE OF THE PUBLIC SEWERS

Section 1. Unlawful Discharges to the Abington Sewer System:

It is unlawful to deposit, discharge, or otherwise dispose of domestic wastewater, industrial wastes, or other wastes in the Abington sewer system, except according to these regulations and any special or additional requirements imposed by the Town of Rockland or the City of Brockton.

Section 2. Unlawful Discharges to Natural Outlets:

It shall be unlawful to discharge any domestic wastewater, industrial wastes, or other wastes to a natural outlet without first obtaining any necessary Federal, State, and Local discharge permits and performing proper treatment subject to the approval of the Board.

Section 3. Required Connection to Public Sewer:

Owners of houses, buildings, or properties abutting a street, alley, easement, or right-of-way in which a public sewer is located, or may in the future be located, may be ordered by the Town's Board of Health (acting under Title 5, 310 CMR, SEC, 15.02 and M.G.L. c.83, §11) to connect to such public sewer for the disposal of domestic wastewater, with the approval of the Board of Sewer Commissioners.

Section 4. Disposal of Unpolluted Waters:

No person shall discharge or cause to be discharged to the sewer system, either by gravity drain or by pump, any unpolluted waters such as, but not limited to, storm water, surface water, sump pump discharge, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Private sewers shall be maintained so as to preclude the entrance of excessive amounts of infiltration and inflow. If it is determined by the Superintendent that excessive amounts of infiltration/inflow are entering the public sewer from a private sewage collection system, the owner shall be responsible for determining the cause and for making all necessary repairs to the system, to the Superintendent's satisfaction. All work shall be done by a Contractor experienced in sewer rehabilitation work and acceptable to the Superintendent. Televising of the private sewer lines and submission of TV logs shall be required if determined necessary by the Superintendent.

Section 5. Industrial Wastewater:

Persons, including industries, who desire to discharge industrial wastewaters to town facilities shall make their requests in writing to the Board, after obtaining written approval from either the Town of Rockland or the City of Brockton, depending upon which facility will be treating the waste. In addition to information

furnished to the Town of Rockland or the City of Brockton, the Board may require the applicant to furnish analyses of the proposed wastewater discharge to determine its acceptability for discharge into the Abington sewer system. If violations of the Board's rules and regulations cause damages to Municipal (Abington, Brockton, or Rockland) facilities, or result in a need for additional treatment, then the violating person or industry shall reimburse that Town for the costs of repairs or additional treatment.

Section 6. Prohibited Wastes and Local Limits:

No person shall discharge, cause discharge, or allow to be discharged into any sewer under the control of the Board, any substances that have been identified by the Town and/or the community to which the wastes are sent for treatment, as likely to, either singly or by interaction with other substances:

A. Harm either the sewer system or the wastewater treatment process;

B. Pass through, cause interference with, or be otherwise incompatible with the treatment process, including sludge disposal;

C. Cause a violation of any Federal or State permits issued to the wastewater treatment facilities;

D. Affect receiving waters adversely, or violate the receiving waters' water quality criteria;

E. Endanger life, limb, or public property; or

F. Constitute a nuisance.

Specific Local Limitations for Discharges:

No person shall admit, without the prior written approval of the Board, into the public sewers any water or wastes having or containing:

A. Concentrates of suspended solids greater than 350 mg/1, by weight (such as, but not limited to, fullers earth, lime slurries, and lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

B. Concentrations of BOD greater than 300 mg/1, by weight.

C. Concentrations of total kjeldahl nitrogen greater than 85 mg/1, by weight.

D. Concentrations of phosphorus greater than 20 mg/1, by weight.

E. An average daily flow of greater than two percent (2%) of the average daily sewage flow of the Town.

F. Toxic pollutants designated and listed in 40 CFR 401.15.

The discharge of the following materials is prohibited without the prior written approval of the community to which the wastes are to be sent for treatment:

A. Mercury;

B. PCBs;

C. Pesticides, including, but not limited to, Dieldrin, Chlordane, 4-4 DDT, Demeton, Endosulfan I, Endosulfan II, Endrin, Guthion, Heptachlor, Malathion, Methoxychlor, Mirex, Parathion, Acrolein, Aldrin, Tetrachlorodiphenylethane (TDE), DDE, Hexachlorocyclohexane, Lindane, BH Hexachlorocyclopentadiene, and Toxaphene.

No person shall discharge into the sewer system any waters of wastes containing materials included in, but not limited to, the following list, in concentrations that exceed the following:

Material	Daily Average Limit (mg/l)
Antimony (total)	10.0
Arsenic (III) (total)	0.5
Boron (total)	5.0
Cadmium (total)	0.1
Chromium (hexavalent)	0.1
Copper (total)	1.5
Cyanide (total)	0.5
Lead (total)	0.4
Nickel (total)	1.0
Selenium (total)	5.0
Silver (total)	2.0
Zinc (total)	1.0
Chromium (total)	1.0
Chlorinated Naphthalenes	0.8
Fluroranthene	1.5
Hexachlorobutadiene	3.0
Pentachlorophenol	0.05
Phenol	5.0
Phenolic Compounds (as defined herein)	0.5
TTO (any one Toxic Organic not elsewhere limited in these regulations may not exceed 1.0 mg/l)	5.0

Specific Local Septage Regulations:

Municipal Permit Requirements—No entity or person shall discharge, cause discharge, or allow to be discharged, directly or indirectly, into the sewer system any septage, unless approved by the Board.

Industrial Septage—No person shall discharge, cause discharge, or allow to be discharged, directly or indirectly, into the sewer system any septage that includes industrial waste, unless the user has obtained written permission from the Board and from the community to which the wastes are to be sent for treatment.

Specific Local Variances:

Notwithstanding the limitations set forth in these regulations, a special variance or amendment to an existing permit between the Town and the user may be issued whereby a waste of unusual character or strength may be accepted, if the Board determines that unusual or extraordinary circumstances compel such special terms and/or conditions. As a separate and additional requirement, such variance or amendment will be issued

only when both the opinion of the Board and written approval of the authorities of the municipality to which the waste is to be sent for treatment agree that the waste would not have any deleterious effect on the system, such as causing interference with or disruption to the treatment works, or causing a violation of the National Pollutant Discharge Elimination System (NPDES) permits or State water quality criteria or standards. In no case shall a discharge be approved which would exceed the limits established by a National Categorical Pretreatment Standard.

A user seeking a variance should submit a written request to the Board in the form of an updated permit application that includes written approval from the municipality to which the waste is to be sent for treatment and documentation of the exceptional circumstances that the user believes would justify a variance. The Board will treat the request as an application for a new permit.

National Pretreatment Standards:

All users of the sewer system shall comply with the most stringent of current National Pretreatment Standards as set by the EPA, state, or local requirements, or the limits contained in 360 CMR 10.024. Upon the promulgation of National Pretreatment Standards for the particular industrial category, it will be the responsibility of the user to comply with all applicable requirements under the Act and under subtitles C and D of the Resource Conservation and Recovery Act. Users within those industrial categories shall submit to the Town all reports required by 40 CFR 403.12.

Specific Prohibitions:

The following discharges are specifically prohibited:

A. Such as, but not limited, to groundwater, storm water and surface waters, including, roof and surface runoff, and subsurface drainage.

B. Non-contact cooling water and non-contact industrial process waters, or uncontaminated cooling water and uncontaminated industrial process water.

C. Fuel oils, crude oils, lubricating oils or any other oils, or greases, of hydrocarbon or petroleum origin, in excess of fifteen milligrams per liter (15 mg/l).

D. Any liquids, solids, or gases that, by their nature or quantity, are or may be sufficient, either alone or by their interaction with other substances, to cause fire or explosion, or to damage or degrade the sewerage system or receiving waters in any other way. At no time shall a reading on an explosion hazard meter exceed ten percent (10 %) of the lower explosive limit of the substance, when sampling at the point of discharge to the sewer, or at any point therein. Substances regulated hereby include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohol, ketones, aldehydes, peroxides and methyl ethyl

ketone and any other substances which the Board, DEP, or EPA has notified the user is a fire hazard or a hazard to the sewer system or receiving waters.

E. Any noxious or malodorous liquids, gases, or solids, which either singly or by interaction with other wastes are sufficient to create a public nuisance or are sufficient to prevent entry into the sewers for maintenance and repair.

F. Waters or wastes that have a pH lower than 5.5 or higher than 9.0, or that have other corrosive or injurious properties capable of causing damage or hazard to structures, equipment, sewer systems, and personnel. If National Pretreatment Standards promulgated by the EPA impose more stringent standards, affected users must comply with the more stringent limitations.

G. Waters and wastes that adversely affect the ability of the treatment facilities to dispose of wastewater residuals in an environmentally sound and economic manner, in accordance with applicable State and Federal requirements.

H. Solids or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewer system, including but not limited to, sand, mud, metal, glass, wood, plastic, improperly shredded garbage, rubber, latex, lime or other slurries, grease, animal guts or tissues, bones, hair, hides or fleshings, whole blood, entrails, feathers, ashes, cinders, stone or marble dust, straw, shavings, grass clippings, rags, spent grains, spent hops, tar, asphalt residues, residues from refining or processing of fuel or lubrication oil, or from glass grinding or polishing wastes.

I. Liquids or vapors having a temperature higher than 82 degrees Centigrade, or 180 degrees Fahrenheit, unless the Board approves alternative temperature limits. In no case shall heat be allowed in such quantities that it may cause the temperature of the influent at the wastewater treatment facilities to exceed 40 degrees centigrade, or 104 degrees Fahrenheit.

J. Waters or wastes containing fats, wax, grease or oils not specifically prohibited elsewhere in this Ordinance, in excess of 100 mg/l or containing other substances which may solidify or become viscous at temperatures between 32 degrees and 180 degrees Fahrenheit, or 0 degrees and 82 degrees Centigrade. Waters or wastes containing such substances, excluding normal household waste, shall exclude all visible floating oils, fats and greases. The use of chemical or physical means to bypass or release fats, oils, and greases into any sewer is prohibited.

K. Waters or wastes containing amounts of toxic or objectionable metals or non-metals in excess of the limits contained herein, designated by the Board, or in the Sewer Use Discharge Permits. Such designation shall be made in accordance with the criteria contained in these regulations.

L. Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by Federal or State regulations.

M. Wastewater treatment facility sludge.

N. Substances exerting or causing turbidity or discoloration in such quantities as to change noticeably the color of the wastewater at the sewage treatment facilities, including but not limited to, dye waters and vegetable tanning solutions.

O. Slugs as defined herein.

P. Hazardous waste or wastewater resulting from treatment of hazardous or toxic wastes, as designated under state or federal law, and discharged to the sewage system by dedicated pipe, truck, or rail.

Q. Discharges containing pathogenic organisms in such quantities as determined by appropriate Local, Federal and/or State officials to be a hazard to public health.

R. Filter backwash from industrial pretreatment processes or wastewater treatment plants unless specifically authorized by the Board.

S. Any substance which will violate any NPDES and/or state permit, or the receiving water quality standards, or otherwise violates any Federal or State law, regulation, or administrative rule.

T. Wastewater originating from outside the town unless approved in writing by the Board, and by other authorities having jurisdiction.

U. In no case shall a substance discharged to the system cause the Board, or any receiving facility, to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Clean Water Act; any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, or State criteria applicable to the sludge management method being used. In no case shall a substance discharged to the sewer system cause the Board, or any receiving facility, to incur additional expense for the handling, treatment, or disposal of wastewaters of sludge because of the nature or characteristics of the discharged substance.

V. Upon the promulgation of the National Categorical Pretreatment Standards for a particular industrial subcategory, the National Standard, if more stringent than the limitations imposed under these regulations for sources in the subcategory, shall immediately supersede the limitations imposed hereunder. The user shall be responsible for all applicable reporting requirements under Section 9 of this Article. State requirement and limitations on discharges shall apply in any case where they are more stringent than national requirements and limitations or those set forth in these regulations.

Section 7. Industrial Sewer Discharge Permit:

All industrial users shall obtain an Industrial Sewer Discharge Permit. All new facilities or facilities under new ownership shall obtain an Industrial Sewer Discharge Permit before connection or as a condition of continued connection to the public wastewater collection system. Industrial users required to obtain an Industrial Sewer Discharge Permit shall complete and file with the Town an application in the form prescribed by the Town.

Proposed new users shall apply at least ninety (90) days prior to connecting or contributing to the Sewer System. Permits shall be issued for a specific time period, approved by the receiving municipality, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. An industrial user shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of the applicant's existing permit. The terms and conditions of the permit may be subject to modification by the Board during the terms of the permit as discharge standards or requirements are modified or other just cause exists. The industrial user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change.

Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. Industrial Sewer Discharge Permits are issued to a specific user for a specific operation. An Industrial Sewer Discharge Permit shall not be reassigned or transferred to a new owner, a new user, different premises, or a new operation without the approval of the Board.

Section 8. Disposal of Prohibited Wastes:

If any waters or wastes, which contain characteristics of prohibited wastes as outlined in these regulations, are discharged, or are proposed to be discharged, to the public sewers, then the Board may:

A. Reject the waters or wastes.

B. Require pretreatment of the wastewaters or wastes to modify them to an acceptable condition for discharge to the public sewer system.

C. Require control over the quantities and rates of discharge of the wastewaters or wastes (equalization), and/or

D. Require payment to cover the added cost of handling and treating the wastewaters or wastes

E. Impose Fines.

If the Board permits the pretreatment or equalization of wastewater or waste flows, then the design and installation of the plants and equipment shall be subject to the review and approval of the Board, and subject to the requirements of all applicable codes, ordinances, and laws, and the rules and regulations of the Board.

Any costs involved with such reviews shall be paid by the person requesting the permit. The applicant shall maintain and operate pretreatment and equalization facilities at his own expense.

Section 9. Pretreatment Requirements:

All categories of users subject to Categorical Pretreatment Standards and requirements are required to submit to the Board records and reports as required and defined by 40 CFR 403.12 and State regulations, and to comply with Sections (A), (B), and (C), below, and to any other reasonable requests for information from the Board. All industrial users are required to submit information regarding Sections (D) through (Q) below. All reports submitted to the Town must be signed by a responsible corporate officer of a corporation, a general partner of a partnership, the sole proprietor of a sole proprietorship, or a duly authorized representative of an individual. Such reports are to include, but are not limited to:

A. Baseline Report, including compliance schedule, is due within one hundred and eighty (180) days after the effective date of an applicable Categorical Pretreatment Standard, or one hundred and eighty (180) days after the final administrative decision made upon a category determination submission under 40 CFR 403.6 (a) (4), whichever is later.

B. Report on compliance with Categorical Pretreatment Standard deadline is due within ninety (90) days following the date for final compliance with applicable Categorical Pretreatment Standards, or in the case of a new user following commencement of introduction of wastewater into the POTW.

C. Periodic reports on continued compliance are due during the months of June and December, unless required more frequently by the Board or in the Categorical Pretreatment Standard.

D. Notice of slug loading or any other potential problem or condition of violation. The industrial user must submit the following information within two (2) hours of becoming aware of the violation (if this information is provided orally, a written submission must be provided within five (5) days):

    1. A description of the discharge and cause of the violation;
    2. The period of the violation, including exact dates and times. If not corrected, the anticipated time the violation is expected to be corrected;
    3. Steps being taken and/or planned to reduce, eliminate, and prevent the recurrence of the violation.

E. Continuous pH measurement records, if user stores, uses, or discharges any materials with a potential to alter the pH of the sewer discharge to a degree of violation. Users that have a potential discharge waste with a pH lower than 5.5, greater than 9.0, or having any other corrosive properties, will be required to install a holding tank at their own expense so that the

Town or its agent may take representative sampling of the effluent for analysis. A primary flow measurement device must be installed in such a manner that it is the final collection point for waste before joining sanitary discharge points entering the Town's sewer system.

F. Records pertaining to changes in the level or nature of business activity, production capacity, staffing, or other activity that significantly alters the amount of wastewater produced, or the characteristics of the discharge.

G. Records of on-site storage (inventories) for all toxic or hazardous substances present at the facility, including the type and maximum quantity for each material located on the premises.

H. Records of generation rates and disposal shipments for all special and hazardous wastes, including residual substances produced or concentrated by any wastewater pretreatment systems or processes.

I. Training records and other documentation of qualifications for all personnel involved in the handling of hazardous wastes, special wastes, and pretreatment systems or processes.

J. Purchasing records and logs for certain materials that have a bearing on the proper operation and maintenance of any wastewater pretreatment system. Such materials may include purchased acids, bases, polymers, filtration aids, media replacement cartridges, etc. The Town may also request the documentation of material throughout for any compounds or substances determined to be of particular concern because of interference, inhibition, pass-through, toxicity or safety to the public treatment works, the workers, or the environment.

K. Water consumption records, such as meter readings, log books, line drawings, and process schematics that describe the water using processes, the water sources, and the final discharge points for water, including an itemization of water used in sanitary processes, cooling, or product uses.

L. Water treatment additive dosage calculations and records, particularly any toxic additives, such as biocides and anti-fouling agents.

M. Wastewater collection and treatment operation and maintenance records.

N. Records of any related permits, such as direct discharge permits for cooling water disposal or hazardous waste permits.

O. Laboratory analysis records of effluent discharged into the POTW and any materials hauled off site for resource recovery or disposal.

P. Records of any and all enforcement actions, notices of violation, compliance schedules or pretreatment system approval letters.

Q. Documentation of design flows, capacities, rated efficiencies and settings for all pollution control devices and systems, including, but not limited to, the wastewater pretreatment system components such as pumps, tanks, mixers, clarifiers, filter presses, centrifuges, pH meters, recorders, flow meters and primary flow measurement devices.

Any industrial user subject to the reporting requirements established in this Article shall be required to maintain for a minimum of three (3) years all records of monitoring activities and results and shall make such records of monitoring activities available for inspection and copying by the EPA and the Board. The period of retention shall be extended during the course of any unresolved litigation in which the industrial user is involved.

Information and data obtained from reports and other information supplied by any category of users shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate that the release of such information would divulge trade secrets or secret processes. Any user or industrial user able to make that demonstration is entitled to have those portions of reports and other requests for information, which would reveal trade secrets and secret processes, withheld from the public but other governmental entities may receive such information upon written request. Wastewater constituents and characteristics will not be recognized as confidential information under any circumstances.

Section 10. Grease, Oil, and/or Sand Interceptors:

Grease, oil, and/or sand interceptors shall be provided in all floor drains from garages, filling stations, restaurants, cleaning establishments and when, in the opinion of the Board, they are necessary for the proper handling of liquid wastes containing floatable material in excessive amounts, or any flammable wastes, sand, or harmful ingredients. Such interceptors shall not be required for private living quarters of dwelling units. All interceptors shall be of a type and capacity approved by the Board, and shall be located where they can be readily and easily accessible for cleaning and inspection. The installation and material cost of such grease, oil, and/or sand interceptors shall be the responsibility of the property owner producing the waste discharge.

Grease interceptors shall be designed and constructed in accordance with Title V of the State Sanitary Code, and oil interceptors shall be constructed and installed in accordance with Massachusetts Plumbing Code. Both shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. For establishments that utilize, or are estimated by the Superintendent to utilize, less than two hundred and fifty gallons of water per day (250 g.p.d.), the grease interceptor(s) shall be of a size and type approved by the Superintendent. For establishments that utilize over two hundred and fifty gallons of water

per day (250 g.p.d.) grease traps shall have a minimum capacity of one thousand (1,000) gallons. All traps shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. Deviations from the above requirements shall require written approval from the Superintendent.

Grease interceptors shall be cleaned at least every three (3) months, unless otherwise approved in writing by the Superintendent. Evidence of cleaning shall be submitted with the user's quarterly user charge payment. Failure to submit cleaning documentation shall result in a fine (See Article VII).

Installation of a grease trap shall require the installation of an inspection manhole, immediately downstream of the grease trap, which shall be used to confirm the serviceability of the grease trap.

Section 11. Compliance Requirements:

The Board may require a user of the sewerage system to provide information needed to determine compliance with this ordinance. These requirements may include, but are not be limited to:

A. Wastewater peak discharge rate and volume over a specified time period.

~~B. Chemical analyses of wastewaters.~~

C. Information on raw materials, processes, and products affecting wastewater volume and quality.

D. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.

E. A plot plan of sewers of the user's property showing sewer and pretreatment facility locations.

F. Details of wastewater pretreatment facilities.

G. Details of systems to prevent and control the loss of materials through spills to the municipal sewer.

H. When preliminary treatment or flow equalizing facilities are provided for any wastewaters or wastes, they shall be maintained continuously and satisfactory in effective operation by the owner at his expense.

Section 12. Control Structures for Industrial Discharges:

When required by the Board, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastewater or wastes. Such structure, when required, shall be constructed in accordance with plans approved by the Board. The structure shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times to the Town personnel.

Section 13. Sampling and Analyses:

All measurements, tests, and analyses of the characteristics of wastewaters to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, and EPA test methods listed in 40 CFR 136 or suitable procedures adopted by the EPA, and shall be determined at the control structure provided, or from suitable samples taken at said control structure. In the event that no special structure has been required by the Board, samples shall be taken at suitable locations within the establishment from which the wastewaters are being discharged. Sampling shall be carried out by accepted methods specifically designed to obtain representative samples of the total wastewater discharge and of slugs if any occur. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls from an individual discharger is appropriate or separate samples should be taken.) The frequency of sampling shall be established by the Board on an individual basis.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Board and/or other duly authorized employee of the Town may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the Board. Upon request by the Board, such records shall be made available to other agencies having jurisdiction over the discharges to the receiving waters. Any costs involved in examination and tests shall be paid by the individual industry. The Board may check these tests as necessary.

Section 14. Alternative Requirements:

If any industrial wastewaters contain the substances or possess the characteristics enumerated in Article IV of these regulations, then the Board may:

A. Modify the Industrial Sewer Discharge Permit;

B. Require pretreatment to modify the wastewater to an acceptable condition for discharge.

C. Require control over the quantities and rates of discharge;

D. Require payment to cover the added cost(s) of handling and treating the wastes, or incurred for procedures as stated in Article IX; and/or

E. Require the development of a compliance schedule by each industrial user for the installation of technology required to meet applicable Pretreatment Standards and Requirements.

F. Impose fines.

Section 15. Dilution:

It shall be illegal to meet the requirements of this ordinance by diluting wastes in lieu of proper treatment.

Section 16. Sewer User Fees:

Charges for the treatment of sewage from residential and commercial users shall be based on a formula established by the Board of Sewer Commissioners as authorized by the Massachusetts General Laws, Chapter 83, Section 16. Currently, the formula assesses costs based strictly on water use, however the formula may be reviewed annually by the Board of Sewer Commissioners. The annual cost to be paid on a quarterly basis to the Town, shall be based on both a charge for fixed costs and a charge for operation and maintenance. For Industrial use the annual cost, in addition to a minimum fee not less than the residential rate, may include charges imposed by the municipality to which the waste is to be treated: a minimum annual fee will be determined for these items based on a sewerage fee schedule established by the Board, and subject to periodic review and revision.

ARTICLE V

PROTECTION FROM DAMAGE

Section 1. Vandalism:

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with, any structure, appurtenance, or equipment that is part of the sewerage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct and a fine not to exceed Three Hundred Dollars ($300.00)* for each incident. They shall be responsible for all cost(s), including administrative fees, for remedying the breakage, damage, destruction, uncovering, defacing, tampering or any other act of vandalism.

Section 2. Trespass:

No unauthorized person may enter or remain in or upon any land or structure of the sewerage works. Any person violating this provision shall be subject to charges of trespass.

Section 3. Flood Plain Construction:

In reviewing all proposed municipal sewer facilities to be located in the Flood Plain Wetlands Protection Zone established under the Abington Zoning By-Law and in areas identified by the Federal Insurance Administration as having special flood hazards by Zones A, A1, A2 and A5 on the Abington Flood Insurance rate map, the Board of Sewer Commissioners shall require new and replacement municipal sanitary sewerage systems to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

Section 4. Tree Planting Prohibition:

It shall be unlawful for any person to plant or maintain any shrub, bush, tree or similar plant in such proximity to a public sewer that the roots thereof in any manner obstruct or damage the proper functioning of said sewer, or appear likely to do so.

Section 5. Blasting:

Blasting for excavation will be permitted only after securing approval of the Abington Fire Department and only when proper precautions are taken for the protection of persons and property, including the Town's sewage works. Any damages caused by the blasting shall be repaired by the Contractor at his own expense to the satisfaction of the Superintendent. The Contractor's methods of procedure and blasting shall conform to all applicable State laws and municipal ordinances.

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

ARTICLE VI

POWERS AND AUTHORITY OF INSPECTORS

Section 1. Permission for Inspection:

The Board of Sewer Commissioners, and other duly authorized representatives of the Board bearing proper credentials and identification, shall be vested with the authority and responsibility to enforce these regulations, and to make determinations with respect to the actual or potential illegal or improper discharge, inflow or infiltration of storm water, surface water, groundwater, roof runoff or subsurface drainage into the public sanitary sewer system.

The Board, and other duly authorized representatives of the Board bearing proper credentials and identification, shall be permitted to enter at reasonable times, without prior notification, all business/commercial, industrial and residential properties for the purpose of inspection, observation, measurement, repair, maintenance, sampling, and testing in accordance with these regulations. The Board or their representatives may inquire into metallurgical, chemical, oil, refining, ceramic, paper, or other ~~industrial activity bearing on the kind and source of discharge to the public sewers, natural outlets, or~~ sewerage works.

Section 2. Entry on Easements:

The Board, and other authorized agents of the Town bearing proper credentials and identification, shall be permitted to enter upon all private properties through which the Town holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, maintenance, and testing of any portion of the sewerage works lying within said easement. All entries and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement.

ARTICLE VII

PENALTIES

Section 1. Written Notice:

Any person found to be violating any provision of these regulations, except Article V, shall be served by the Town with a written notice by certified mail stating the nature of the violation and a reasonable time limit for the satisfactory correction thereof. The offender shall permanently cease all violations within the period of time stated in such notice. The Superintendent, at his discretion, can order an immediate cease and desist of discharge to the public sewers.

Section 2. Fines/Fees:

Any person who continues any violation beyond the time limit provided for above, whether intentionally or accidentally, may be assessed a civil penalty of up to Five Thousand Dollars ($5,000.00)* per day of violation. In addition, any violation of these regulations shall be punishable by a fine of Fifty Dollars ($50.00)* per day. Each day in which any such violation shall continue shall be deemed a separate violation for purposes of both the civil penalty and fine provisions of this Section.

Failure to clean grease interceptors on a quarterly basis may result in a fine of Three Hundred Dollars ($300.00)* per violation. Failure to notify the cleaning of grease interceptors on a quarterly basis shall result in a fine of One Hundred Dollars ($100.00)*. Exceeding daily Pretreatment Standards shall be deemed a separate violation as each effluent characteristics listed in Article IV of these regulations or regulations by federal or State Categorical Pretreatment Standards.

Any person found to be in violation of Article II Building Sewers (Service Connections), Section 13, named Prohibited Connections of these regulations, in excess of thirty (30) calendar days from the time of notice to correct the violation, and without a written extension from the Board of Sewer Commissioners shall receive a fine of Fifty Dollars ($50.00)* per day until the violation is shown to be removed and proven to be remedied.

Any person failing to comply with an order to connect to the public sewer as required by Article IV, Section 3, named Required Connection to Public Sewer of these regulations, may be fined in accordance with current Board of Health regulations. Each day of failure to connect to the public sewer is considered a separate incidence of noncompliance.

Any property found to be in violation of the average daily flow capacity limitations imposed by the Board, shall be subject to a fine of One Thousand Dollars ($1,000.00)* each quarterly billing period, and

a fee surcharge, at three times (3X)* the current usage rate for all wastewater usage above the allocated amount. Said limitations are based on the average daily flow during the quarterly billing period. Said fee surcharge shall become part of their sewer usage bill and subject to the interest and lien penalties of their usage bill.

Any person requiring the Department to process a lien for unpaid sewer usage charges shall be assessed an administrative fee of Twenty-Five Dollars ($25.00)* per account.

Any person requiring the Department to process a payment rejected by their bank for, but not limited to, "insufficient funds, "uncollected funds," "account closed", shall be subject to a administrative fee of Twenty-Five Dollars ($25.00)* per rejected payment.

Section 3. Drain Layers:

Any licensed drain layer who violates these regulations, or who does not perform in a satisfactory manner, as determined by the Board, shall be subject to penalties. The degree of penalties shall depend on the severity of the violation as determined by the Board, and shall range from a verbal warning to revocation of license. In addition, fines shall be assessed in an amount determined by the Board, based upon the severity of the incident.

Section 4. Liability:

Any person violating any of the provisions of these regulations shall become liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such violation. In addition, if such violation results in any expense, loss or damage occasioned by the Town of Rockland and/or the City of Brockton, said violators shall become liable for any additional fines that may be imposed by the Town of Rockland and/or the City of Brockton.

Section 5. Suspension of Treatment Service:

The Board may suspend a wastewater treatment service or an Industrial Sewer Discharge Permit in order to stop an actual or threatened discharge that may endanger the health or welfare of persons or the environment, may cause interference to the POTW, or may cause the Town/City treating the waters to violate any condition of its NPDES Permit, any Federal or State law, regulation, or administrative rule or order. Any person notified of a suspension of a wastewater treatment service or an Industrial Sewer Discharge Permit shall immediately cease discharge and may be subject to fines. Failure to comply with the suspension order may be cause for immediate severance of the sewer connection, to prevent damage to the

POTW system or endangerment to any individuals. Costs related to such severance shall be the responsibility of the owners. Any costs incurred by the Town/City, plus administrative fee(s) and any fines shall be the responsibility of the owners. The Board shall allow reinstatement of the Industrial Sewer Discharge Permit or the wastewater treatment service upon proof of the elimination of the non-compliant discharge. The user shall submit to the Board within fifteen (15) days of the date of occurrence, a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence.

Section 6. Cause to Revoke Permit:

Any user who violates the following conditions of these regulations or applicable State and/or Federal regulations, is subject to having their permit revoked, after a hearing before the Board.

A. Failure of a user to report the constituents and characteristics of its discharge

B. Failure of a user to report significant changes in operations or wastewater volume, constituents and characteristics

C. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring

D. Violation of conditions of the permit

E. Violation of these Sewer Use Regulations

Section 7. Legal Action:

At any time the Town Counsel may take appropriate legal action in order to halt a discharge in violation of these regulations, the POTW's NPDES Permit, or any Federal or State law, regulation, or Town's administrative order, or to enforce any provision of these regulations. In exercising its authority to halt or prevent discharges or to enforce penalties, the Board will follow the guidelines of 40 CFR 403.8.

Section 8. Liens

The Board, pursuant to filing a certificate of acceptance of conditions for the issuance of a sewer discharge lien with the Plymouth County Registry of Deeds, may place a lien upon the property or premises for which Sewer Users Charges, Service Charges, fees, penalties, or other related expenses are more than sixty (60) days overdue. Notwithstanding such lien, any overdue Sewer Use Charges or Service Charges may be collected through any legal means. There will be an administrative fee charged of $25.00* per account for the processing of liens for unpaid sewer usage charges

Section 9. Fraud:

Any person who knowingly makes false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to these regulations, or Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method

required under these regulations, shall be penalized according to the established enforcement and penalty provision of these regulations.

Section 10. Publication of Violators:

At least once a year, the Board will publish a list of industrial users that significantly violated Pretreatment Requirements during the previous twelve (12) months. A significant violation is a violation that remains uncorrected for forty-five (45) days after notification of noncompliance, which is part of a pattern of noncompliance over a twelve (12) month period, which involves a failure to report noncompliance, or which resulted in the Board exercising its emergency authority under Article VII Section 1 Written Notice of these regulations.

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

ARTICLE VIII

VALIDITY

Section 1. Conflicting Regulations:

All regulations or part of regulations in conflict herewith are hereby repealed.

Section 2. Severability:

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

Section 3. Amendments:

These Regulations maybe superseded or amended at any time by a vote of the Board of Sewer Commissioners, at a publicly notified and held meeting.

ARTICLE IX

JOINT AUTHORITY

The Town of Rockland/City of Brockton shall have joint authority, after notification and approval of the Board when possible, to enter all business/commercial and industrial properties for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works line within said property, including reviewing and copying records, reviewing procedures and testing in accordance with provisions of these regulations, and the Town of Rockland/City of Brockton Sewer Regulations. The Town of Abington, City of Brockton and the Town of Rockland may impose fees to recover the cost of any inspections, observations, measurements, sampling, repairs, maintenance, reviewing and/or copying of records, reviewing procedures and/or testing that may be incurred by the Town of Abington, City of Brockton or the Town of Rockland, along with any possible fines, duties, interest charges and such fees, fines, duties, and interest charges shall be the sole responsibility of the business/commercial or industrial property owner.

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ARTICLE X
REGULATIONS IN FORCE

These regulations shall be in full force and effect from and after their passage, approval, and publication as provided by law.

Any rules and regulations consistent with these regulations may be adopted and/or amended by the Board in conformance with Section 10, Chapter 83 of the General Laws of the Commonwealth of Massachusetts.

Any and all Town of Abington previous sewer use regulations are to be repealed upon adoption and implementation of these regulations.

Revised, passed and adopted at a duly authorized meeting of the Board of Sewer Commissioners, of the Town of Abington, State of Massachusetts held on the Twenty-sixth day of April 2006.

BOARD OF SEWER COMMISSIONERS
ABINGTON, MASSACHUSETTS

Mark Jamieson, Chairman
Janice McCarthy, Vice Chairman
E. Thomas Rogers, Commissioner
Robert Toomey, Commissioner
Michael Donovan, Sr., Commissioner

Witnessed By:

A true copy, ATTEST:

Mate

1. P

Polyv

for otl

APPENDIX A
TOWN OF ABINGTON
SPECIFICATIONS FOR LAYING PUBLIC SEWERS, BUILDING SEWERS, AND BUILDING DRAINS

Materials:

1. **Pipes**

Polyvinyl Chloride (PVC), Ductile Iron (DI), and Cast Iron (CI), without written approval from the Board for other, are the only types of pipe that may be used. Pipes shall conform to the following specifications:

A. **PVC Sewer Pipe**

1.) **Gravity Sewers**

The PVC pipe and fittings shall conform to American Society of Testing and Materials (ASTM) Standard specifications for Type PSM PVC Sewer Pipe and Fittings, Designation ASTM D3034 latest revision. The pipe shall have a maximum pipe diameter to wall thickness ratio (SDR) of 35, without written approval from the Board for other. The pipe shall be tested by the flat plate deflection method at a minimum of 45 psi at 5 percent deflection in accordance with ASTM D2412.

2.) **Pressure Sewers**

PVC pressure pipe shall be rated a maximum of SDR 21, without written approval from the Board for other, pressure rated 200 psi with a factor of safety of 2.5 with integral thickened wall bells. Pipe shall be made from clean, virgin approved Class 12454-B PVC compound conforming to ASTM resin specification D1784. The pipe shall be delivered in standard 20-foot lengths.

B. **DI Sewer Pipe**

The DI pipe shall conform to American National Standards Institute (ANSI) A21.50 American Water Works Association H3 and ANSI A12.51 American Water Works Association C151 and shall be a minimum of Class 52. Fittings shall be Class 150 conforming to ANSI A21.10.

C. **CI Sewer Pipe**

The CI pipe and fittings shall be extra heavy CI soil pipe with factory-fabricated joints, or other means as approved by the Superintendent, and shall conform to ASTM Standard Specifications A-74.

2. **Crushed Stone**

Crushed stone bedding shall be 3/4-inch in size consisting of acceptably clean stone fragments, crushed from hard durable stone, and washed or screened as required. The crushed stone bedding shall be free from lumps of clay, organic matter, frozen material, construction debris, or other objectionable material, and shall have reasonably even gradation from coarse to fine, in accordance with the Massachusetts Highway Department Standard Specifications for Highways and Bridges specification for Aggregates and related materials M2.010 (Sect. 230.61)

3. **Backfill Material**

Suitable material for trench backfill above the crushed stone shall be material excavated during the course of construction, but excluding debris, pieces of pavement, frozen material, organic matter, top soil, all wet or soft muck, peat or clay, ledge excavation and rocks over six (6) inches in largest dimensions, or any material which, as determined by the Superintendent, will not provide sufficient support or maintain the completed construction in a stable condition. In certain instances control density fill (CDF) or other as determined by the Superintendent, may be required. Placement of backfill material shall include the working of material to achieve suitable moisture content and compaction to the specified density, in accordance with Massachusetts Highway Department Standard Specifications (Spec. 150.60, backfilling for structures and pipes.)

4. **Sewer Cleanout Frame and Cover**

The sewer cleanout frame shall be, as a minimum, approximately eight (8) inches inside diameter, ten (10) inches outside at the top with an inside lip of nine (9) inches, and eleven and one-half (11-1/2) inches at the bottom. It shall have an outside flange at the base for stability that protrudes out one (1) inch from the side of the frame in all directions. The cover shall be clearly marked "SEWER" and shall be approximately eight (8) inches in diameter and two (2) inches deep. The frame and cover shall weigh at least fifty (50) pounds.

5. **Manhole Frame and Cover**

All precast concrete manholes shall conform to the ASTM "Specifications for Precast Reinforced Concrete Manhole Sections," Designation D478. The barrel shall be at least forty-eight (48) inches inside diameter with a minimum wall thickness of five (5) inches. The outside of the manholes shall be coated with bituminous damp proofing. Segment flanges or joints shall be sealed with approved "gasket" material. All perforations, whether complete or partial, shall be repaired, filled, with non-shrinking grout and sealed with bituminous damp proofing prior to backfilling. Manhole steps shall be three-eighths (3/8) inch grade 60 steel reinforcing rod encapsulated with molded copolymer polypropylene, or equal. The embedded portion of the steps shall be insulated from the concrete by the manhole manufacturer to prevent deterioration of the

metal due to interaction with the concrete. Manhole frames and covers shall be at least Class 25 conforming to ASTM "Standard Specification for Gray Iron Castings," Designation: A48. Manhole frames shall have as a minimum, a clear opening of twenty-six (26) inches. The surface of the cover shall have a pattern with the word "SEWER" cast thereon for sanitary sewers, as manufactured by E. L. LeBaron Foundry Co. #LK-110, or equal. Watertight manhole covers shall be secured with four (4) stainless steel bolts and have a watertight gasket, as manufactured by E.L. LeBaron Foundry Co. #LAB-268-2, or equal. The frame and cover shall be watertight up to fifteen (15) psi external pressure. Elevations of less than twelve (12) inches from the precast concrete manhole and the roadway shall be accomplished with red clay sewer brick and mortar or other means, as determined by the Superintendent. Elevations greater than twelve (12) inches shall be made with precast concrete riser rings, designed for that purpose.

Pipe Installation:

1. **Pipe Diameter**

The minimum interior pipe diameters for gravity building sewers and public sewers shall be six (6) and eight (8) inches, respectively.

2. **Preparation of Pipe**

All pipes and fittings shall be carefully inspected before being laid and no cracked, broken or defective pipe of fittings shall be used in the work. The ends of the pipe shall be cleaned with a brush, washed and thoroughly scrubbed where necessary to remove dirt or other foreign material. Care shall be exercised to insure that the inside surfaces of the bell are smooth and free from any projections which would interfere with the assembly of water tightness of the joint.

3. **Handling Pipe**

Pipe shall be handled in an approved manner, using slings or other approved devices. No pipe shall be dropped from trucks or into trenches.

4. **Laying Pipe**

   A. Pipe shall be laid accurately to line and grade on a minimum of six (6) inches of bedding (crushed stone) in earth, and a minimum of twelve (12) inches of bedding in rock, measured below the outside of the pipe barrel. Crushed stone shall extend up to a point six (6) inches above the pipe. The stone shall be placed in layers not over six (6) inches thick, and each layer shall be thoroughly compacted by tamping and chinking on each side of pipe to provide uniform support. Impervious material may be required on service connections for a distance ten (10) feet from the inside wall of the foundation to where crushed stone can start.

   B. Pipe shall be laid with the spigot end pointing in the direction of the flow.

C. Joints shall be in accordance with approved factory recommendations. Cement mortar joints will not be permitted. Joints for PVC shall conform to ASTM D3212. Transitions between different pipe sizes shall be accomplished by using flexible eccentric reducing couplings with stainless steel bands equal to "Fernco" couplings.

D. Completed pipelines shall be free of deviations from grade. Visible leaks, broken pipes, etc., shall be repaired or replaced.

E. Pipe shall be laid during normal hours of the Abington Sewer Department unless otherwise approved by the Superintendent. Provisions shall be made for plugging with a watertight plug at night or when work is suspended. Sewers shall not be used to carry groundwater from the trench (dewater). The Contractor shall keep all debris, and other material from sewers. He/She shall clean the area on a daily basis and remove all debris, equipment and excess material at the completion of the work, in that area.

F. Sewers shall be located at least ten (10) feet horizontally from existing water mains, where possible. If it is not possible for absolutely essential reasons, to achieve such separation, then the sewer may be located not less than three (3) feet from a water main, horizontally, provided where possible there is at least eighteen (18) inches vertical separation between the bottom of the water main and the top of the sewer, with the sewer below the water main. When it is impossible to obtain the required separation, the sewer shall be constructed of mechanical joint pipe, or as approved by the Water Department Manager and/or the Sewer Superintendent. Any sewer located within six (6) feet of a water pipe shall be constructed of mechanical joint ductile iron, or other, as approved by the Board.

G. The size, slope and alignment of the sewer shall be subject to the approval of the Superintendent. The installer shall check the elevation of the top of each length of PVC pipe laid at each end and at the midpoint. The midpoint elevation shall be within 0.01 foot of the average elevation of the two ends. The slope of the building sewer shall not be less than one-quarter (1/4) inch per foot, except where approved by the Superintendent.

H. Pipe shall be placed in accordance with the attached Typical Trench Detail. Whenever necessary to prevent caving during excavation in gravel, sandy soil, or other unstable material, the trench shall be adequately sheeted and braced. Failure to comply with proper applicable OSHA standards with regard to; sheeting, shoring, or bracing shall be cause for a Notice of Violation. All sheeting, shoring and bracing of trenches shall conform to those standard requirements.

I. Compaction of trenches beneath roadways shall be done using methods approved by the Board. The minimum degree of compaction throughout the trench shall be ninety-two (92) percent. Compaction tests will be performed where directed by the Sewer Superintendent, at the expense of the applicant.

J. The connection of the building sewer to the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If no branch is available, a connection may be made by tapping the public sewer by a method approved by the Superintendent, then inserting an approved cast iron, ductile iron, stainless steel or PVC "Y" or "T" saddle with stainless steel mounting bands or other approved connection device. Cutting a hole in the public sewer by hand is prohibited. Building sewers must have a "Y" cleanout located ten (10) feet from the building's exterior wall.

K. When water is present in a trench, a sump of crushed stone shall be constructed, and water shall be pumped at all times. The trench shall be kept dry at all times during construction. When actual pipe installation is not in progress, the open ends of the pipe shall be closed with temporary watertight plugs or by other approved means. All joints and connections shall be made watertight and gastight.

L. Prior to final acceptance, the entire line shall be mandrelled, pressure tested, cleaned and water-jetted to remove rocks and debris and that the Superintendent may require a visual or T.V. inspection be accomplished prior to acceptance. At the manhole downstream of each section being cleaned, the effluent line shall be plugged and that all rocks, debris and water shall be removed and disposed of by the Contractor.

M. Rapid changes in elevation of mainline sewer greater than two (2) feet are to be made at drop manholes or as approved by the Superintendent.

N. Changes in elevation for service laterals are to be made with vertical extensions (chimneys). Vertical extensions (chimneys) under ten (10) feet, may be made with PVC or other approved pipe(s) and fittings. Vertical extensions (chimneys) over ten (10) feet deep will require that tees and/or wyes affixed to the main line shall be of ductile iron, with mechanical joints, or other as approved by the Superintendent. In either case, the vertical extensions (chimneys), may be of PVC or approved other, and supported and protected by a surrounding layer of crushed stone the length/height of the pipe. The vertical stone shall be held in place by mechanical means (e.g.: "Sono Tube"), or as approved by Superintendent.

If the visual inspection of the completed sewer or any part thereof shows any pipe, manhole or joint which allows infiltration of water in noticeable stream or jet, the defective work or material, the problem area shall be replaced or repaired as directed.

After completing installation and backfill of sewer pipe to the satisfaction of the Board, the applicant shall, at his expense, conduct a line acceptance test under the following procedures:

Testing of Public Sewer:

1. **Mainline (Gravity)**

   A. After a manhole-to-manhole reach of pipe has been backfilled and cleaned, pneumatic plugs shall be placed in the line at each manhole and inflated to twenty-five (25) pounds per square inch gauge (psig), or as recommended by the manufacturer. Low-pressure air shall be introduced into this sealed line until the internal air pressure reaches four (4) psig greater than the average backpressure of any groundwater that may be over the pipe. At least two (2) minutes shall be allowed for the air pressure to stabilize.

   B. After the stabilization period (3.5 psig minimum pressure in the pipe), the air hose from the control panel to the air supply shall be disconnected. The portion of line being tested shall be termed "Acceptable" if the time required in minutes for the pressure to decrease from 3.5 to 2.5 psig (greater than the average back pressure of any groundwater that may be over the pipe) shall not be less than the time shown for the given diameters in the following table:

Pipe Diameter (Inches)	Minutes
6	5.7
8	7.5
10	9.5
12	11.3
16	14.2
18	17.0

2. **Pressure (Force Main)**

Once the pipeline section has been filled with clean water at normal pressure, all entrapped air removed and disconnected from water supply, the pressure shall be raised to at least fifty (50) pounds per square inch (psi) above the normal working pressure. A special pressure pump shall take water from a small tank of proper dimension to satisfactorily measure the rate of pumpage into the pipeline. This pressure shall be maintained for a minimum of sixty (60) minutes, during which time the line shall be checked for leaks by the inspector. Measured rate of water leakage shall not exceed the values give in the following table:

Allowable Leakage per 1,000 feet or 50 joints

Pipe Diameter (Inches)	(Gallons/Hour)
4	0.27
6	0.41
8	0.54
10	0.68
12	0.81

If the section of sewer fails to pass the leakage and/or pressure tests, the Contractor shall locate, uncover and repair or replace the defective pipe fitting or joint and retest all at his own expense. Pipe shall be accepted only when the leakage does not exceed the above standards. Approval does not absolve the Contractor from his responsibility if leaks develop later within the period of warranty.

3. **Manholes**

A. Leakage tests shall be made and observed by a representative of the Sewer Department and the Contractor on each manhole.

B. After the manhole has been assembled in place, all lifting holes shall be filled and pointed with an approved non-shrinking grout and sealed with bituminous damp proofing prior to backfilling. The test shall be made prior to placing the shelf and invert. If the groundwater table has been allowed to rise above the bottom of the manhole, it shall be lowered for the duration of the test. All pipes and other openings into the manhole shall be suitably plugged.

C. The manhole shall then be filled with water to the top of the cone section. If the excavation has not been backfilled and observation indicates no visible leakage, that is no water visibly moving down the surface of the manhole, then the manhole may be considered to be satisfactorily watertight. If the test described above is unsatisfactory to the Department's representative, or if the manhole excavation has been backfilled, then the test shall be continued. A period of time may be permitted if the Contractor so wishes to allow for absorption. At the end of this period, the manhole shall be refilled to the top of the cone. After two (2) hours, the manhole shall be refilled to the top of the cone. This amount shall be extrapolated to a 24-hour rate and the leakage determined on the basis of depth. The leakage for each manhole shall not exceed one (1) gallon per vertical foot for a 24-hour period. If the manhole fails this requirement, the manhole will be deemed to have failed the test. It shall then be the Contractor's responsibility to uncover the manhole as necessary and to disassemble, reconstruct and replace it. The manhole shall then be retested and, if satisfactory, all interior joints and those exterior joints within six (6) feet of the surface shall be filled and pointed and sealed with bituminous damp proofing prior to backfilling.

D. The test may be conducted either before or after backfilling around the manhole. However, if the Contractor elects to backfill prior to testing, for any reason, it shall be at his own risk and it shall be incumbent upon the Contractor to determine the reason for any failure of the test. No adjustment in the leakage allowance made for unknown causes such as leaking plugs, absorption, etc.; i.e., it will be assumed that all loss of water during the test is a result of leaks through the joints or through the concrete. Furthermore, the Contractor shall take any steps necessary to insure that the water table is below the bottom of the manhole throughout the test.

E. If the groundwater table is above the highest joint in the manhole, and if there is no leakage into the manhole as determined by the Board's representative, such a test can be used to evaluate the watertightness of the manhole. However, if the Board's representative is not satisfied, the Contractor shall lower the water table and carry out the test as described herein above.

F. Leakage tests for four (4) foot diameter manholes may be made using vacuum testing equipment. This type of test may be used only immediately after assembly of the manhole and only prior to backfilling. The manhole to pipe connection should only be a flexible connector. All lift holes shall be plugged with a non-shrinking mortar and sealed with bituminous damp proofing prior to backfilling. For this test, each four (4) or five (5) foot diameter manhole shall be tested under ten (10) inches of Hg vacuum. The test shall pass if the vacuum remains at ten (10) inches of Hg or drops no lower than nine (9) inches of Hg after sixty (60) seconds for manholes zero (0) to ten (10) feet deep, seventy-five (75) seconds for manholes ten (10) to fifteen (15) feet deep or ninety (90) seconds for manholes fifteen (15) to twenty-five (25) feet deep.

G. All excess material including dirt, loose concrete, bricks, grit, stones and any other material, shall be removed from all manholes prior to final acceptance by the Board's representative.

Inspection of Building Sewers and Building Drains

Before acceptance of the completed building sewers and drains, the pipes will be inspected by a representative of the Board. Any imperfections such as cracks, displaced joints, objectionable variations from line and grade, or leaks shall be repaired at the expense of the applicant, to the satisfaction of the Superintendent.

Excavation and Patching of Town Highways

1. During trench excavation, the Contractor shall locate the excavated material so it will not obstruct a traveled roadway or street. All streets and roadways shall be kept open to at least one-way traffic, unless otherwise approved by the Sewer Superintendent, or as directed by the Abington Police Department.

2. All paving, patching and materials shall meet Massachusetts Department of Public Works Standard Specifications for Highways and Bridges. Asphalt Plant Mix Class I, Type I meeting the specifications shall be used. Plant mix cold patch meeting Massachusetts Department of Public Works specifications shall be used when seasonally necessary but shall be replaced when hot mix material is available.
3. Excavated material shall be replaced or backfilled in layers or courses not to exceed one (1) foot in depth and shall be compacted to satisfactory density by means of vibratory or pneumatic tampers or as otherwise approved by the Board. Unsuitable material shall not be used for backfill.
4. Pavement base material, sand, gravel, crushed gravel and stone shall be replaced and compacted in the same type and thickness as removed from the trench but no gravel base shall be less than twelve (12) inches in thickness. Mixed material from excavation shall not be deemed suitable and must be removed from site.
5. Asphalt pavement thickness shall be the same thickness as removed but shall be not less than (3) inches in thickness and shall be laid in two or more courses according to methods specified by the Superintendent. Cement, concrete or stone block base shall be replaced with cement, concrete of same thickness. At the time of paving, pavement at the sides of trenches shall be a straight line or shall be sawed or cut to a straight line and all loose pavement material shall be removed. On surface treated gravel highways, feathering the edges of patches shall be allowed. No trench patch shall be less than twenty (20) inches in width.
6. The Superintendent may vary the thickness of asphalt paving, substitute other material for cement concrete or stone base, and may require temporary cold patching before streets may be opened to traffic.
7. The person, partnership, firm, corporation, etc. who obtains the permit to excavate in the patch a Town highway shall be responsible for said excavation and patching for a period of three (3) years from date of completion of the original work and may be ordered by the Superintendent at any time during the three (3) year period to improve or replace the work.