

TOWN OF MAYNARD



**SEWER RULES AND REGULATIONS
GOVERNING CONNECTIONS AND USE**

Department of Public Works

Adopted November 20th, 2018

SEWER RULES AND REGULATIONS

The following sewer rules and regulations are a part of the contract with every consumer who discharges sewage into the public sewerage system, and govern the relations between the Maynard Department of Public Works and its sewer customers and the contractors and developers who install sewer systems.

AUTHORITY

These Regulations are adopted by the Town of Maynard, County of Middlesex, Commonwealth of Massachusetts under its home rule powers, its police powers to protect public health and welfare and its specific authorization under Chapter 150, Acts of 1916, Massachusetts General Laws (MGL), Chapter 83, Section 10 to prescribe rules and sewer regulations controlling the use of public and private sewers; the installation and connection of building sewer system(s) and sewage treatment plant; and providing penalties for violations.

The Town of Maynard (“Town”) action through its Board of Selectmen (“BOS”) acting as the Board of Sewer Commissioners and Department of Public Works (“DPW”) establish the following governing rules and regulations.

These Regulations set forth uniform requirements for direct and indirect contributions into the publicly owned treatment works of the Town, and enable the Town to comply with all applicable requirements under Massachusetts and Federal law, including but not limited to, the Clean Water Act of 1977, the National Pollutant Discharge Elimination System Permit No. MA 0101001 issued to the Town of Maynard Department of Public Works by the Environmental Protection Agency and the Massachusetts Department of Environmental Protection, and M.G.L., c.21.

These regulations shall apply to Persons inside and outside the Town who are users of the Publicly Owned Treatment Works.

The Department of Public Works, acting through the Director of Public Works or designated Person acting on behalf of the Director, is responsible for the implementation and administration of these regulations.

The Board may adopt additional rules, regulations, requirements, or conditions not addressed by these Rules and Regulations, and may revise these Rules and Regulations from time to time. The Board may waive these Rules and Regulations or portions thereof at its discretion and after majority vote. The Board shall revise these Rules and Regulations from time to time when necessary.

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Definitions

As-Built Drawings shall mean detailed drawings prepared and sealed by the Design Engineer upon completion of construction, which show actual construction and field dimensions, elevations, details, changes made to the construction drawings by modification, details which were not included on the construction drawings, and horizontal and vertical locations of underground utilities which have been impacted by the utility installation.

ACT or The ACT shall mean The Federal Water Pollution Control Act, also known as "The Clean Water Act."

A.S.T.M. shall mean the American Society for Testing and Materials.

BOD: Biochemical Oxygen Demand shall mean the quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature and under specified conditions. BOD measurement is a method used to assess the strength of wastewater.

Board shall mean the Board of Selectmen acting as the Town 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 drainage pipes inside the walls of the building and conveys it to the Service Connection.

COD: Chemical Oxygen Demand shall mean a quantitative measure of the amount of oxygen required for the chemical oxidation of carbonaceous (organic) matter in wastewater using inorganic dichromate or permanganate salts as oxidants in a two (2) hour test.

Chief Operator shall mean the Chief Operator of the Maynard Wastewater Treatment Plant, or his or her authorized representative, acting as a representative of and reporting to the Director.

Cooling water shall include the clean wastewater from air conditioning, industrial cooling, condensing and similar apparatus and from hydraulically powered equipment. In general, cooling water will include only water that is sufficiently clean and unpolluted to be discharged, without treatment or purification, into any natural open stream or watercourse without offense.

Combined Sewer shall mean a sewer receiving both surface runoff and sewage.

Commissioners shall mean the Town of Maynard Board of Selectmen acting as the Sewer Commissioners.

Common Sewer shall mean a sewer connection that serves two or more properties, all of which are eligible for service as specified in Article III of these regulations.

Composite Sample shall mean a combination of individual samples of wastewater taken at pre-selected intervals to represent the integrated composition of a waste stream. A minimum of eight grab samples taken at equally spaced intervals throughout the monitoring period to coincide with Periods of discharge shall constitute a composite sample.

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Connection shall mean the joining or fastening together of pipes so that substances can be transferred from one pipe to another.

DPW or Department shall mean Department of Public Works.

Director shall mean the Director of Public Works or his/her designees.

Division shall mean the Department of Public Works, Water and Sewer Division.

Drain Layer shall mean any person or contractor constructing, installing or repairing a sewer service connection on private property.

Dwelling Unit shall mean a structure or the part of a structure that is used as a home, residence or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.

Garbage shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

Grab Sample shall mean an individual sample, which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

Hauler shall mean any person who contracts for the pumping, transport, and disposal of septage

Industrial Wastes shall include the liquid or water-carried wastes of any industrial process, trade or business not clearly included within the definitions of sanitary sewage, storm water or cooling water, even if emanating from a residence, as distinct from ordinary sanitary sewage.

Infiltration shall mean the water other than wastewater entering a sewer system, including service connections, from the ground or a water body, through such means as, but not limited to, defective pipes, pipe joint connections or manhole walls.

Inflow shall mean the water other than wastewater that enters a sewer system, including service connections, from such sources as, but not limited to, roof leaders, sump pumps, yard and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, or drainage.

Plant shall mean the Wastewater Treatment Plant located at 18 Pine Hill Street, Maynard, MA.

Plumbing shall mean piping falling under the jurisdiction of the Plumbing Code, generally piping within a building and extending outside the building ten feet from the building wall.

Plumbing Code shall mean the existing rules and regulations enforced through the Maynard plumbing inspector. Such rules and regulations shall conform to the

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Commonwealth of Massachusetts Regulations (248 CMR), concerning Fuel Gas and Plumbing Codes.

Pretreatment shall mean the reduction in the amount of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a sewage treatment plant. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means.

Properly Shredded Garbage shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles shall be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-quarter (1/4) inch in any dimension.

Public Sewer shall mean every Sanitary Sewer and Storm Sewer laid in any land, easement, street or way, public or private, to which all owners of abutting properties have equal rights, and which is controlled and has been accepted by the Town. No sewer shall be deemed to be a Public Sewer unless it meets all these criteria.

Right-of-Way Permit shall mean permit for work performed within the public right of way.

Regulations shall mean these sewer rules and regulations.

Sanitary Sewage shall mean a combination of the liquid and water carried wastes from residences, businesses and commercial buildings, institutions and industrial establishments that contains human waste as distinguished from industrial wastewater.

Sanitary Sewer shall mean a sewer intended to convey only sanitary sewage or, if so stipulated with respect to the particular sewer, sanitary sewage plus industrial or other wastes, and to which storm, surface, and ground waters are not intentionally admitted. Sanitary Sewer does not include Storm Sewers.

Schedule of Rates shall mean the fixed prices or rates established by the Board and on file with the Department, in accordance with which all charges for sewer use and special services relating to sewer service are made.

Seepage or Subsoil Drainage shall include water from the soil percolating into subsoil drains and through foundation walls, basement floors or underground pipes, or from similar sources.

Septage shall mean the liquid and solid wastes of sanitary sewage origin that are removed from a cesspool, septic tank or similar on-site wastewater disposal system.

Service Connection shall mean the pipe connecting a building's plumbing system to the Sewer Main that carries sanitary sewage to the wastewater treatment plant. A Service Connection may also be called a building sewer, house sewer or house connection.

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Sewer shall mean a pipe or conduit that carries wastewater.

Sewer Main (sometimes referred to as a sewer lateral) shall mean a sewer that carries wastewater from a Service Connection to a Trunk or other Public Sewer.

Slug shall mean any discharge of water or wastewater where a concentration of any given constituent may adversely affect the sewer system, or where a fifteen (15) minute or longer quantity of flow is more than five (5) times the average twenty-four (24) hour concentration or flow during normal discharge.

Standard Methods shall mean an assembly of analytical techniques and descriptions commonly accepted in water and wastewater treatment as found in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

Storm Sewer shall mean a pipe that carries Storm Water and surface waters and drainage but excludes sanitary sewage and industrial wastes, other than unpolluted cooling water.

Suspended Solids shall mean solids that either float on the surface of, or are suspended in, water, sewage, or other liquids, and which are removable by laboratory filtering.

Title 5 Flow shall mean the design flow of sanitary sewage from a building or buildings as defined by the State Environmental Code, Title 5: Minimum Requirements for the Subsurface Disposal of Sanitary Sewage.

Town shall mean the Town of Maynard, Massachusetts.

Trunk Sewer shall mean the principal Public Sewer to which Sewer Mains are tributary.

User shall mean any individual person, company or association owning or operating a facility discharging sanitary sewage, septage or industrial wastewater directly or indirectly into a Public Sewer.

Water Pollution Control Federation (WPCF) Manual of Practice No. FD-5 Gravity Sewer Design and Construction shall mean the document prepared by a joint task force of the American Society of Civil Engineers and the Water Pollution Control Federation, 1982.

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SECTION 1 – Use of Sewers

Use of Sanitary Sewers

Part 1 Except as specifically provided in writing with reference to a particular sewer connection, Sanitary Sewers shall be used only for the conveyance and disposal of sanitary sewage as defined in these regulations and for diluted, water-carried industrial wastes which are not objectionable as provided hereinafter. Any use of the Sanitary Sewers for diluted, water-carried industrial wastes shall require the prior, explicit approval of the Department of Public Works in writing.

Changes in Use

Part 2 Any person proposing a change in the volume of sewage discharged into the Public Sewer greater than 1,000 gallons per day of Title 5 Flow or a substantial change in the character of pollutants that are being discharged into the Public Sewer shall file an application for sewer service, and no such new discharge or change may occur until the Department of Public Works has approved the application.

Permissible and Non-Permissible Discharge

Part 3 No person or party shall discharge or put into any Public Sewer of the Town of Maynard or into any sewer or fixture which thereafter discharges into any Public Sewer or appurtenance thereof, any waste or substance other than such kinds or types of water or water-carried wastes for the conveyance of which the particular sewer or appurtenance is intended and designed.

Discharges of Unauthorized Wastes

Part 4 Excepting wastes which a particular sewer was originally authorized by the Town to convey, discharges of other wastes shall not be permitted, unless the original designation shall have been amended in writing by the DPW. Any customer found to be discharging unauthorized wastes shall be subject to penalties and fees.

Inflow and Infiltration

Part 5 No Sanitary Sewer shall be used to receive and convey or dispose of any Storm or surface water, subsoil drainage, water seeping into buildings or excavations from soils or other underground sources, flows of natural springs or groundwater, surplus from flowing wells, the discharge from roofs, roof conductors, yard drains, basement drains and sumps, or road/street drains.

Each new replacement or extension that discharges directly or indirectly to the Sanitary Sewer shall be designed and constructed so as to eliminate all Inflow and Infiltration into the Sanitary Sewer. The Owner of any private sewer and/or Service Connection which discharges directly or indirectly to the Public Sewer shall operate and maintain the system so as to eliminate any and all Inflow and Infiltration into the Public Sewer.

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New Inflow Sources Prohibited

Part 6 No connections shall be made to a Sanitary Sewer which connections are intended to discharge Inflow. Such prohibited connections include, but are not limited to, footing drains, roof leaders, roof drains, cellar drains, sump pumps, catch basins, uncontaminated Cooling Water discharges, or other sources of Inflow.

Existing Inflow Sources Disconnected

Part 7 Service Connections with existing Inflow sources that discharge directly or indirectly to the Public Sewer and which contribute Inflow to the Sanitary Sewers must have said sources of Inflow disconnected in a manner approved by the Director.

No Re-connection of Inflow Sources Allowed

Part 8 It shall be a willful violation of these Regulations for any Person to reconnect any Inflow source which has been disconnected pursuant to these Regulations.

Additional Inflow and Infiltration Restrictions

Part 9 If, in the sole opinion of the Director, the combined Inflow and Infiltration, as a percentage of the average monthly Wastewater flow, as determined by a licensed Professional Engineer in the Commonwealth, is determined to be originating from a private Sewer connection that discharges directly or indirectly to the Sanitary Sewer, the Owner shall be required to submit a program, plan and schedule to reduce or remove all Inflow and Infiltration from said connection. The plan shall provide for identification and elimination of all sources of groundwater and Storm Water Infiltration as well as other sources, address Inflow and Infiltration as a result of, among other things, defects in pipes, manholes and unauthorized drain connections, and establish a program to eliminate unauthorized discharge of Storm Water, surface water, groundwater, roof runoff and subsurface drainage to the Sanitary Sewer. Documentation of the volume, location and work completed relative to Inflow and Infiltration shall be provided to the Director after work has been completed.

Discharge Method Specified

Part 10 Storm Water and all other unpolluted drainage shall only be discharged to such Public Sewers that are specifically designated as Storm Sewers, or to a natural outlet approved by the Director and any other federal, state or local agencies having jurisdiction. Industrial Cooling Water or unpolluted process waters may be discharged to a Storm Sewer or natural outlet.

Cooling Water in Sanitary Sewers

Part 11 Non-contact or uncontaminated contact Cooling Water or similar uncontaminated process waters shall not be discharged at any time from any

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place into any Sanitary Sewer.

Disposal of Septage

Part 12 The DPW may allow the disposal of Septage generated within the Town at the Plant. Septage shall not be disposed of into the Sanitary Sewer except with the advance approval of the Director.

Schedule of Rates

Part 13 All charges for sewer service shall be made in accordance with the Schedule of Rates on file with the DPW. The owner of the property shall be liable for the payment of the sewer use charges for such building.

Information to be provided to the Department of Public Works upon Request

Part 14 When required by the DPW, any person discharging wastes that the DPW believes may contain the substances or possess the characteristics enumerated in this article may be required to provide information needed to determine compliance with this regulation. These requirements include, but are not limited to, the following:

- (a) Sewage discharge peak rate and volume over a specified time period.
- (b) Chemical analyses of sewage conducted by an approved wastewater-testing laboratory.
- (c) Information on raw materials, processes and products affecting sewage 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 on the user's property showing sewer and pretreatment facility location.
- (f) Details of sewage pretreatment facilities.
- (g) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

Excluded Substances and Limitations on Flow Discharged into All Sewers.

Part 15 No person or property owner shall discharge or permit to be discharged, directly or indirectly, from any premises under his or her control into any sewer of any kind or type, any of the following:

- (a) sanitary sewage and/or wastewater containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or not amenable to treatment as necessary for the sewage treatment plant effluent to meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
- (b) sanitary sewage and/or wastewater likely to cause damage, injury or loss to other persons or to the property of other persons who are lawfully entitled to use the sewer or sewers through which said wastes are discharged, or to any person or equipment engaged in sewage treatment and disposal for the Town.

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This prohibition shall be understood as applying to all substances discharged into any sewer, and as limiting the quantity and rate of flow of sanitary sewage and/or wastewater which may be discharged from any one parcel or plot of property to approximately what the sewer was intended to receive from that particular parcel or plot or from a typical parcel of that size or area;

- (c) any substance or object likely to damage, injure, destroy or cause an obstruction in any sewer, or appurtenance thereof;
- (d) any substances that may attack, damage or alter by either abrasion or chemical action the materials of which the sewer and its appurtenances are composed or built;
- (e) unusual volume of flow or concentration or wastes constituting “slugs” as defined herein;
- (f) excessive discoloration (such as, but not limited to, dye wastes or ‘vegetable tanning solutions’);
- (g) chlorine or substances with high BOD or COD in such quantities as to constitute a significant load on the sewage treatment works;
- (h) unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride, sodium sulfate and ferrous ion compounds);
- (i) sticks, stones, rubbish, rags, unground, unshredded, or improperly shredded garbage, refuse or portions of any animal carcass having particles more than one quarter inch in longest dimension;
- (j) any debris or substance which, by depositing any considerable quantity of sediment, by coagulation, by congealing or by attaching itself to the lining of the sewer or to other substances being transported within the sewer, is likely to cause an obstruction in any sewer or appurtenance;
- (k) any sanitary sewage and/or wastewater containing considerable quantities of animal guts or tissues, entrails, offal, blood, feathers, hair, hides, scraps, unshredded vegetables, straw or cinders;
- (l) any sanitary sewage and/or wastewater containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not;
- (m) ground, storm and surface waters, roof runoff and subsurface drainage including but not limited to, discharge from basement sumps.
- (n) any liquid or vapor having a temperature higher than one hundred fifty degrees F (66 degrees C);
- (o) any sanitary sewage and/or wastewater which is strongly acid, and which, when tested in the Standard Methods technique, has a “pH” less than 6.5 or which is strongly alkaline and has a pH more than 8.5 (pH means the logarithm of the reciprocal of the concentration of the hydrogen ions in grams per liter of solution);
- (p) biodegradable fats, wax, grease or oils, whether or not emulsified in excess of 100 mg/L or substances which may solidify or become viscous between temperatures of thirty-two (32) °F and one hundred fifty (150) °F;
- (q) any septage or sanitary sewage and/or wastewater drained from cesspools or other receptacles storing organic wastes;

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- (r) hazardous wastes and/or material as defined by the Commonwealth of Massachusetts Department of Environmental Protection Regulations (310 CMR), or successor regulations as amended;
- (s) any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by federal regulations;
- (t) any gasoline, benzene, naphtha, kerosene, alcohol, oil, tar, flammable or explosive gas or vapor or any substance which may generate or form any flammable, explosive or combustible solid, liquid or gas, or mixture when combined with air, water or other substances commonly found in sewers, including but not limited to wastestreams with a closed cup flashpoint of less than 140 degrees F or 60 degrees C using the test methods specified in 40 CFR 261.21;
- (u) any sanitary sewage and/or wastewater containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, cause acute worker health and safety problems within the wastewater facilities or create any hazard in the receiving waters of the plant discharge;
- (v) any sanitary sewage and/or wastewater containing toxic or poisonous solids, liquids or gases in excess of the limits established pursuant to Section 307 of the Clean Water Act as amended;
- (w) any sanitary sewage and/or wastewater from an industrial or commercial process containing amounts of toxic or objectionable metals, non-metals and/or solids in concentrations in excess of applicable federal and/or state laws and regulations or wastes requiring an excessive chlorine treatment. Such metals and non-metals include, but are not limited to, the following:

Acrolein	Lead
Aldrin	Mercury
Ammonia	Molybdenum
Arsenic	Nickel
Beryllium	Pesticides (as listed in MWRA Regulation 360 CMR 10.02)
Boron	Phenols
Cadmium	Polychlorinated Biphenyls (PCBs)
Chromium	Selenium
Chlorinated	Silver
Naphthalenes	Tetrachlorodiphenylethane
Copper	Zinc
Cyanides	
Herbicides	

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- (x) any sanitary sewage and/or wastewater containing strong phenols or other taste or odor-producing substances, in concentrations that exceed limits which may be established by the DPW as necessary, and/or in such concentrations that after treatment of the sewage fails to meet the requirements the federal, state or other public agencies or jurisdiction for discharge to the receiving waters;
- (y) any sanitary sewage and/or wastewater containing excessive sand, grit, or other materials that could interrupt or otherwise impede flow, pumping or processes within the sewer collection and transmission system or at the wastewater treatment plant.

Discharge of Sanitary sewage and/or Wastewaters with Characteristics Enumerated Above

Part 16 If any sanitary sewage and/or wastewaters are discharged, or are proposed to be discharged, to the Public Sewers, which sanitary sewage and/or wastewaters contain the substances or possess the characteristics enumerated in this article and which, in the judgment of the Director, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance or create an additional volume of flow in the sanitary sewer of groundwater, storm water, surface water, roof runoff and subsurface drainage (including, but not limited to, discharge from basement sumps), the Director may:

- (a) reject the sanitary sewage and/or wastewaters;
- (b) require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) require control over the quantities and rates of discharge.

Users are responsible for any added costs of handling and treating the wastes not covered by existing sewer charges.

Determination for Exclusion

Part 17 In determining whether any substance discharged or proposed to be discharged into any Public Sewer is to be excluded under any section of these regulations, consideration shall be given to the quantity, time or times, rate and manner of discharge, character of the sanitary sewage and/or wastewater in question, the size of the sewer into which it is, or is to be, discharged, the probable quantity of other sewage in said sewer at the time of discharge, the quantities of other objectionable substances likely in said sewer, and other pertinent facts.

- (a) Minute quantities of a substance that would be objectionable in larger quantity may be permitted, upon specific advance approval from the Director, if the quantity discharged is very small in comparison to the receiving sewer and the flow therein at the time of discharge.
- (b) Exceptions will be determined on an individual basis. Any permission to discharge minute quantities of an otherwise excluded substance shall be revocable at any time by the DPW.

Pretreatment

Part 18 If the DPW permits the pretreatment or equalization of sanitary sewage and/or wastewater flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Director and subject to the requirements of all applicable codes, ordinances and laws.

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- (a) Any attempt to achieve compliance with the discharge limitations of these regulations by increased dilution, including increased use of process water, or any other process as a substitution for adequate treatment, is prohibited.
- (b) Any use of the Sanitary Sewers for diluted, water-carried industrial wastes shall require the prior, explicit approval of the Director in writing.
- (c) Pretreatment plants and equipment shall be maintained continuously in satisfactory and effective operation by the owners at their expense. In maintaining such plants and equipment, the owner shall be responsible for the proper removal and disposal by appropriate means of any residue and shall maintain records of the dates and means of disposal, which are subject to review by the Town. Licensed waste disposal firms must perform any removal and hauling of the collected materials not performed by the owner.

Protective Devices:

Part 19 At all premises where substances specified to be excluded from Public Sewers by these regulations are customarily present and liable to be discharged directly or indirectly into the Public Sewers, suitable and sufficient piping layouts, sand, oil or grease traps or separators, screens, sedimentation chambers, storage and regulating treatment, cooling or condensing equipment and similar devices or equipment shall be provided, maintained and operated to ensure that no substance required to be excluded from the sewer shall be discharged thereunto in violation of the requirements of these regulations.

- (a) All such equipment and devices shall be of a type and capacity approved by the DPW and shall be located as to be readily and easily accessible for cleaning and inspection.
- (b) The owner(s) shall be responsible for maintaining these devices and for the proper removal and disposal by appropriate means of the captured material and shall maintain written records of the dates, and means of disposal, which records are subject to inspection by the DPW. Currently licensed waste disposal firms must perform any removal and handling of the collected materials not performed by the owners' employees.
- (c) In the case of groundwater, storm water, surface water, roof runoff and subsurface drainage (including, but not limited to, discharge from basement sumps), proper connection to the Town's Storm Sewer, where allowable, is considered a protective device.

Sampling and Measurement of Industrial Wastes

Part 20 When required by the DPW, the owner of any property having a service connection carrying industrial wastewater shall install a suitable control manhole, together with such necessary meters and other appurtenances, in the service connection to facilitate observation, sampling and measurement of the waste stream. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the DPW. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

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Methods of Analysis:

- Part 21 All measurements, tests and analyses of the characteristics of sanitary sewage and/or wastewater to which reference is made in these regulations shall be determined in accordance with the latest edition of "Standard Methods" as defined above and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole.
- (a) In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the sewer to the point at which the Service Connection is made.
 - (b) Sampling shall be carried out by customarily accepted methods to reflect the effect of wastewater constituents on the sewage works and to identify any hazards to life, limb and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premise is appropriate, or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pHs are determined from periodic grab samples.)

Monitoring

- Part 22 All industries discharging into the sewer shall perform such monitoring of their discharges as the DPW and/or other duly authorized agents 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 Director. The DPW shall make such records available upon request to other agencies having jurisdiction over discharges to the receiving waters.

SECTION 2 - Connection to and Work on Sewers

Sewer Mains

- Part 1 Requests for the installation of a new Sewer Main to extend the system of public sewers must be made in writing to the BOS.
- (a) Eligibility - A request to install a new Sewer Main shall only be accepted in writing by DPW if the request conforms to the Town's standard.
 - (b) Ownership - Each new sewer main constructed within the Town right-of-way or a Town easement shall become part of the Public Sewer, unless otherwise specified by vote of the BOS.

Service Connections

- Part 2 Requests for the installation of a new sewer Service Connection to the Public Sewers or the repair/replacement of an existing sewer Service Connection must be made in writing to the DPW (See Part 3 "Application for Service" for details).
- (a) New Service Eligibility
At a minimum, the approval of an application for a sewer Service Connection will be subject to the following requirements:
 - 1.) Property Frontage to a Public Sewer
No Service Connection shall be allowed unless a parcel of real property:
 - i. abuts an existing gravity Sewer Main, or the requested property has

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an easement for sewer utility in place prior to the effective date of these regulations allowing access to a Sewer Main which does not abut the property; or

- ii. is explicitly designated to be connected to a low-pressure Sewer Main as identified in the Comprehensive Wastewater Management Plan.

2.) Single Building Connection Allowed per Parcel

- i. Persons owning a parcel of real property abutting a public or private way in which a Public Sewer has been laid shall be allowed only a single Service Connection for each such parcel. Unless it makes a different determination in accordance with Part 2 (a) paragraph 3), or unless a different determination is made by the DPW as provided in Part 2 (b) below, only a single building shall be permitted to utilize the Sewer Connection.
- ii. Any parcel of real property abutting a Public Sewer that is divided into two or more parcels after the effective date of this Regulation shall be entitled to only a single Sewer Connection. For purposes of this subparagraph, a parcel of real property shall be considered to be divided into two or more parcels when one of the following plans showing the divided parcels has been filed with the Town Planning Board: (1) a Definitive Subdivision Plan; (2) an Approval Not Required Plan, or (3) a Preliminary Subdivision Plan, but only to the extent a Definitive Subdivision Plan is filed within seven months after the Preliminary Subdivision Plan, all in accordance with the Town Subdivision Rules and Regulations.

- 3) The BOS/DPW may determine that it is in the best interests of the Town to allow more or fewer Sewer Connections than described in this section. In making the determination, the BOS/DPW shall consider, but not be limited to, the following factors:
 - i. the requirements of Mass. Gen. Law chapter 83, section 3;
 - ii. consistency with the Comprehensive Wastewater Management Plan
 - iii. the available capacity of the Plant or the sewer collection and transmission system;
 - iv. protection of the public health and safety; and
 - v. such other factors consistent with the BOS authority pursuant to G.L. c. 83, § 10.

(b.) Service Configurations

1.) Separate Service Connections

Subject to Section 2, Part 2, a separate and independent Service Connection shall be provided for every building, except that accessory buildings such as a garage or barn or approved in-law apartment on the same lot may be connected to the primary use building, or if accepted as a common sewer (see below) with the advance approval of the DPW. The Town does not assume any obligation or responsibility for damage caused by or resulting from any such joint connection.

2.) Common Sewer Connections

Subject to Section 2, Part 2, the DPW may allow connection of a common sewer

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where:

- i. one building stands at the rear of another and no private sewer service connection is available or can in any way be constructed to the rear building, or
- ii. such common sewer connection would serve lots all of which are individually eligible for connection, and where such common sewer connection would be made in lieu of separate individual sewer connections provided the distance from the nearest building to the Town sewer is greater than 200 feet.

(c.) Ownership

- 1.) Repair and maintenance of a Service Connection not located in a public way or town-owned easement shall be the responsibility of the property owner for which the sewer service is being provided. Any repair or maintenance performed on the Service Connection must comply with all requirements of the DPW and are subject to all inspections and permitting requirements.
- 2.) The owner or owners of all the properties to be served by a common Sewer Connection must demonstrate to the DPW adequate provisions for the long-term operation and maintenance of the proposed common Sewer Connection.

(d.) Cost of Service and Town Indemnification

- i. All costs and expenses incident to the installation of Service Connections and connection to Sewer Main shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the Service Connection.

Application for Service

Part 3 Written applications for new sewer Service Connections or repair/replacement of existing sewer Service Connections shall be made by the owner of the property to be served to the Department of Public Works.

- (a) An approved application for sewer service shall constitute a sewer Service Connection permit, subject to the terms and conditions stated and referred to therein. Such permit shall be valid for one year from the date of issue, but the Director may issue an extension for up to one additional year. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any Public Sewer or appurtenance thereof without an approved application for sewer service, signed by the Director.
- (b) Applications for new service or relocation of service shall be accompanied with a general site plan and utility schematic showing the proposed service layout. The Director may require a detailed design plan prepared by a professional engineer registered in the Commonwealth of Massachusetts.
- (c) Establishments producing industrial wastes shall submit detailed plans showing facilities and operating procedures that shall pinpoint any indirect connections or entry points to the sewer system.
- (d) When the application for service involves either new construction or a change in use resulting in an increase in Title 5 Flow the application must be accompanied by a flow design review performed by the Board of Health.
- (e) When the application for service involves either new construction or a change in

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- use resulting in an increase in volume discharged into the system greater than 1,000 gallons per day of Title 5 Flow or a significant change in the character of the discharge from an existing building, the DPW may require a sewer system impact assessment prepared at the applicant's expense prior to approval of the application.
- (f) When applicable, approved permits from the Massachusetts Department of Environmental Protection for Sewer Extension or Connection (314 CMR 7.00) shall be secured.
 - (g) In accordance with Town Bylaws and regulations, all persons making excavations or using any portion of any public way are required to obtain a street opening/trench permit from the DPW.
 - (h) An application for service may be denied on the grounds that it is not in the best interest of the Town's sewer system, including, but not limited to the reason that the sewer system does not have the capacity to collect, transmit, treat or discharge the proposed flow.
 - (i) All applications for out-of-town service connections are subject to the review and approval of the BOS.

Design, Construction and Materials Specifications

Part 4 The design, construction and materials of a Sewer Main or Service Connection, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall conform to the Maynard Department of Public Works Design and Construction Standards, building and plumbing code, or other applicable rules, regulations and bylaws of the Town. In the absence of code provisions, or in amplification thereof, the materials and procedures set forth in the appropriate specifications of the ASTM and WPCF Manual of Practice No. FD-5 shall apply.

(a) Design

1. A registered engineer shall certify any proposed Sewer Main design. The DPW reserves the right to hire an independent consultant to perform a peer review with all associated costs borne by the applicant.
2. An existing private Service Connection shall not be used in connection with new building construction unless:
 - a. Division records show the age of the service is less than 40 years, and
 - b. It is found, upon examination and tests accepted by the DPW to meet all requirements of these regulations.

The cost of such examination and testing to confirm the acceptability of an existing building sewer shall be the responsibility of the building owner.

3. The preferred method of discharge of sanitary sewerage from an individual building or a group of buildings to the Public Sewer is by gravity flow. However, when a Service Connection for building cannot, in the opinion of the DPW, be reasonably discharge to the Town's Public Sewer system by gravity flow, then it may be discharged into a low pressure system or may be discharged by lifting the sewerage or by an equally efficient method, provided said method is approved by the DPW.
4. Each such sewer shall remain within public ways for its entire length except where this is not practical. In such cases, easements deemed appropriate by the DPW for the operation and maintenance of the sewer shall be conveyed to the Town without cost to the Town.

(b) Construction

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1. All extensions will be made under the supervision of the DPW and in accordance with the Town by-laws, these regulations and DPW specifications.
2. All the work related to the installation, repair, extension or modification of service connections to public sewers shall be performed by persons employed or licensed by the Town of Maynard.
3. Unless otherwise authorized, sewer work performed within the right of way shall be performed by Town employees or contractors employed by the Town, with the owner paying the Town special service fees as provided below, and in accordance with the Schedule of Rates.
4. All persons authorized to do sewer work and make excavations in public ways in accordance with a Town issued Permit shall notify the DPW forty-eight (48) hours before starting work.
5. The applicant for the service connection permit shall notify the DPW forty-eight (48) hours before the connection is ready for inspection and tie-in to the public sewer. The tie-in shall be made under the supervision of the DPW or their representative and in accordance with the Town's specifications.
6. No person shall do any digging without notifying the appropriate utilities as required by law.
7. No sewer service work shall be performed from December 1 to April 1 of the following year except in exceptional cases authorized by the DPW.
8. The licensed drain layer shall provide an as-built drawing of the service to the DPW at the time of final inspection. This drawing shall be neat and legible and fit onto an 8 1/2" by 11" piece of paper.

Unauthorized Connections

Part 5 No person shall uncover, make any connections with or opening into, use, alter, or disturb any Public Sewer or appurtenance thereof without first obtaining permission from the DPW or make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater including, but not limited to, discharge from basement sumps to a serve connection or other location which, in turn, is connected directly or indirectly to the Sanitary Sewer.

Special Service Fees

Part 6 The special service fees for administrative, inspection and construction services for each connection shall be assessed according to the Schedule of Rates on file with the DPW, the full amount of which shall be paid to the Town before work commences.

SECTION 3– Licensing of Persons Authorized to Make Connections to the Public Sewers

License Required

- Part 1 Contractors must be licensed by the DPW as Drain Layers authorized to perform work on Sanitary Sewer service connections within the Town of Maynard.
- (a) All applicants for licenses are required to pay a fee in accordance with the current schedule of fees.
 - (b) The contractor shall provide a reference from at least three other Towns in which the firm has done sewer work or proof of current licensure as a drain layer in another Massachusetts town.
 - (c) The contractor shall be required to provide written acknowledgement of receipt of instruction as to the Town sewer service application procedures and awareness of

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- applicable design and construction standards established by the DPW.
- (d) Licensees are required to give personal attention to all connections to the Town sewer system and shall employ only competent workers. The licensee shall be responsible for compliance with all rules, regulations and standards of the Town and all required repairs for a period of one year from acceptance of any such work.
 - (e) In the event that licensees find substances in a sewer for which the sewer connection is not permitted during the course of their work, the licensees are required to notify the DPW within twenty-four hours.
 - (f) The Director reserves the right to immediately revoke any license if any provision of said license is violated. Applicants for licenses shall be approved or disapproved within a 14-day period after filing the application.
 - (g) All licenses expire three years from the date of issuance or upon departure of the responsible party (signatory), or upon failure of contractor to provide the DPW with proof of valid and current insurance.

Certificates of Insurance

Part 2 As a condition of approval by the Director, applicants for licenses shall file with the Town an insurance certificate naming the Town as an additional insured party with General Commercial Liability Coverage up to \$1,000,000 and also riders for underground explosion and collapse (UEC) coverage; proof of Worker's Compensation Insurance up to the statutory limits; automobile and other vehicle insurance of not less than \$250,000, all of which shall remain in full force and effect for a period of at least one year from the date of approval. Said insurance shall indemnify the Town of Maynard against any and all claims, liability or actions for damages incurred in or in any way connected with the performance of the work by a sewer system installer, and for or by reason of any act or omission of said sewer system installer in the performance of his or her work.

SECTION 4 - Protection from Damage

- Part 1 No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with a structure, appurtenance or equipment which is a part of the Public Sewer. Any person, firm, partnership, association, society, corporation, company or organization of any kind or their agents or assigns found to be violating this provision shall be subject to appropriate criminal proceedings.
- Part 2 Customers and/or sewer users shall notify the DPW immediately upon accidentally discharging wastes in violation of these regulations. This notification shall be followed, within fifteen days after the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures taken to prevent future occurrence. Such notification will not relieve users of liability for any expense, loss or damage to the sewer system, treatment plant or treatment process or for any fines imposed on the Town under applicable State and Federal regulations.
- Part 3 Whenever any Service Connection to any Public Sewer shall become clogged, broken, obstructed, out of order or detrimental to the use of a Public Sewer, or unfit for carrying sewage, the owner, agent, occupant or person having charge of any building or lot of land or premises in which such Service Connection is located shall, upon notification

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by the DPW, remove, reconstruct, alter, clean or repair such Service Connection as the condition thereof may require. In case of neglect or refusal to comply with such notice within five (5) days after the same is given, the Director may cause the Service Connection to be removed, reconstructed, repaired, altered or cleaned, as he or she may deem expedient, at the expense of such owner, agent, occupant or other person so notified, who shall also be liable to a penalty of not more than five hundred dollars (\$500.00) for such neglect or refusal.

SECTION 5 - Powers and Authority of Inspectors

- Part 1 The Director and other duly authorized DPW employees or agents of the Town, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these rules and regulations. Owners or occupants on premises where wastewater is either generated or discharged shall allow ready access to property identified Town representatives at all reasonable times during normal business hours and at other times when the Director reasonably suspects that a violation of these regulations may be occurring. Under these rules and regulations the Director or his or her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, papers, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers, waterways, or facilities for wastewater or septage treatment.
- Part 2 The Director and other duly authorized DPW employees or agents of the Town, bearing proper credentials and identification, shall be permitted to make tests of the sewer system, including smoke tests and dye tests, and shall be permitted to perform reasonable visual inspections inside buildings in order to test for unauthorized or excessive discharges into the sewer system.
- Part 3 While performing the necessary work on private properties referred to in this Article, the Director or duly authorized DPW employees or agents of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to Town employees and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in these rules and regulations and other state and federal regulations.
- Part 4 The Director and other duly authorized DPW employees or agents of the Town, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

SECTION 6 - Penalties

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- Part 1 Any person found to be violating any provision of these rules and regulations may be served by the Town with written notice, stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- Part 2 Any user who shall continue any violation beyond the time limit stated in writing, as provided herein, shall be guilty of a violation of these regulations. The Town may file appropriate charges in the Superior court as provided in Section 13 of Chapter 83 of the Massachusetts General Laws for violations hereunder, and there shall be a fine in an amount not to exceed such limits prescribed by the Massachusetts General Laws, including Chapter 83, Section 10, for each day or part thereof during which such violation shall continue beyond the time limit specified herein. Each day in which any such violation shall continue shall be deemed a separate offense.
- Part 3 In addition to the aforementioned penalties, any person making any connections with or opening into, or substantial change in use of any public sewer or appurtenance thereof, without an approved application signed by the Director shall pay a penalty of the maximum amount allowed under applicable law. Any unpaid fees shall be subject to the same penalties and fees applicable to unpaid real estate taxes as established by State statute.
- Part 4 Any person violating any of the provisions of these rules and regulations shall become liable to the Town for any expense, loss, fines, charges, or damage occasioned the Town by reason of such violation.

SECTION 7 – Right of Waiver

- Part 1 The BOS reserves the right to waive any portions of these rules and regulations as may be permitted by applicable law, or during emergency conditions, or in the best interest of the Town. Each request for waiver shall be made in writing to the BOS. Nothing stated in this section shall be interpreted to mean that the BOS has the right to waive any Massachusetts General Laws or State regulations referenced in these rules and regulations.

SECTION 8-Miscellaneous

- Part 1 All prior rules and regulations of this department or parts thereof in conflict herewith are hereby repealed by the adoption of these rules and regulations.
- Part 2 Any provision of these rules and regulations that is found to be unenforceable in any court of the Commonwealth of Massachusetts shall not affect the validity of any other provision of these rules and regulations.
- Part 3 These rules and regulations and any amendments thereto shall be in full force and effect from and after their passage; approval, recording, and publication as provided by law. These rules and regulations, including amendments thereto, are available for inspection at the Public Works Main Office.

SEWER RULES AND REGULATIONS

PASSED AND ADOPTED AT A DULY AUTHORIZED MEETING OF THE BOARD OF SELECTMEN OF THE TOWN OF MAYNARD, COMMONWEALTH OF MASSACHUSETTS HELD ON NOVEMBER 20, 2018.

BOARD OF SELECTMEN

Chris DiSilva, Chair

David Gavin

Melissa Levine-Pirro

Armand Diarbekirian

Justine St. John

Greg Johnson, Town Administrator

Aaron Miklosko, Director of Public Works