

Town of Dighton  
Rules and Regulations of Sewer Use  
under Article XVIII of the General  
By-Laws

Board of Sewer Commissioners  
979 Somerset Avenue  
Dighton, Massachusetts



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## ARTICLE I

### DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in this and in the rules and regulations authorized herein, shall be as follows:

- “40 CFR 403”** and subsections shall mean the US EPA’s Title 40 of the Code of Federal Regulations, Part 403- General Pretreatment Regulations for Existing and New Sources of Pollution.
- “Allowable Headworks Loading (AHL)”** shall mean the estimated maximum loading of a pollutant that can be received at a POTW’s headworks that should not cause a POTW to violate a particular treatment plant or environmental criterion. AHLs are developed to prevent interference or pass through.
- “Applicant”** shall mean any person requesting approval to discharge wastewaters into the Town of Dighton sewer system.
- “Approval Authority”** shall mean the United States Environmental Protection Agency, Region 1. The USEPA is the National Pollutant Discharge Elimination System authority in Massachusetts in implementing and enforcing the federal program requirements.
- “Baseline Monitoring Report (BMR)”** shall mean a report submitted by categorical industrial users within 180 days after the effective date of a categorical standard which indicates the compliance status of the user with the applicable categorical standard (refer to 40 CFR 403.129[b])
- “Best Available Technology (BAT)”** shall mean the degree of effluent reduction attainable by the application of the best available [treatment] technology economically achievable.
- “Best Management Practices (BMP)”** shall mean schedules of activities, prohibitions, or practices, maintenance procedures, and other management practices to prevent or reduce pollution discharges. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spills, or leaks, sludge or waste disposal, or drainage from raw material storage.
- “Best Professional Judgment” (BPJ)** shall mean the highest quality technical opinion developed by a permit writer after consideration of all reasonable available and pertinent data or information that forms the basis for the terms and conditions of a permit.
- “Board”** shall mean the Town of Dighton Board of Sewer Commissioners.
- “BOD”** (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.
- “Building Drain”** shall mean that 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 building sewer, beginning ten (10) feet (3 meters) outside the inner face of the building wall.
- “Building Sewer”** also called **“house connection”**, shall mean the extension from the building drain to the public sewer or other place of disposal.
- “Bypass”** shall mean the intentional diversion of wastewater from any portion of an industrial user’s pretreatment facility.
- “Categorical Pretreatment Standards”** shall mean pollutant discharge limits promulgated by EPA in accordance with Section 307 of the Clean Water Act that apply to regulated process wastewaters. They are based on the capability of a specific wastewater treatment technology or series of technologies to reduce pollutant discharges equivalent to best available technology (BAT).
- “Categorical Industrial User (CIU)”** shall mean an industrial user subject to categorical pretreatment standards.
- “Chain of Custody”** shall mean a written record of sample possession for all persons who handle (i.e., collect, transport, analyze, and/or dispose of) a sample, including the names,

dates, times, and procedures followed.

**“Clean Water Act (CWA)”**, also known as the Federal Water Pollution Control Act, enacted by Public law 92-500, October 18, 1972, 33 USC 1251 *et seq.*: as amended by PL 95-217, December 28, 1977; PL 97-117 December 29, 1981; PL 97-440, January 8, 1983, and PL 100-04, February 4, 1987.

**“Code of Federal Regulations (CFR)”** shall mean the Code of Federal Regulations published in a U.S. government publication, the Federal Register. Title 40 of the CFR contains environmental regulations.

**“Combined Sewer”** shall mean a sewer receiving both surface runoff and wastewater.

**“Commission”** shall mean the Sewer Commission of the Town of Dighton.

**“Composite Sample”** shall mean a sample composed of two or more discreet samples. The aggregate sample will reflect the average water quality covering the compositing or sample period.

**“Contractor”** shall mean a utility construction person or company that specializes in construction and placement of water lines, sewer lines, and/or construction of drainage piping.

**“Control Authority”**, as defined in 40 CFR 403.12(a), shall mean the City of Taunton, Massachusetts Wastewater Treatment Facility, managed by Veolia Water North America, Northeast LLC. The Taunton Wastewater Treatment Facility is responsible for implementing the pretreatment program, including establishment of control mechanisms for compliance assessment and enforcement of national standards, categorical standards, and local limits.

**“Conservative Pollutants”** shall mean those pollutants that are presumed not to be destroyed, biodegraded, chemically transformed, or volatilized within the POTW. Conservative pollutants introduced to a POTW ultimately exit the POTW solely through the POTW’s effluent and sludge. Most metals are considered to be conservative pollutants.

**“Conventional pollutants”** shall mean pollutants typical of municipal sewage, and for which secondary treatment plants are designed to treat. They are Biochemical Oxygen Demand, Total Suspended Solids, fecal coliform bacteria, oil and grease and pH.

**“Cooling Water”** shall mean the water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added to the water is heat.

**“DEP”** shall mean the Massachusetts Department of Environmental Protection.

**“Drain Layer”** shall mean a utility construction person or company that specializes in construction and placement of water lines, sewer lines, and/or construction of drainage piping.

**“Easement”** shall mean an acquired legal right for the specific use of land owned by others.

**“Effluent Limitation”** shall mean the requirement, under state or federal law, specifying the maximum permissible quantity or concentration of any pollutant that may be present in discharges, or their maximum permissible hydraulic flow, over designated periods of time, to waters of the Commonwealth or to a public sewer system.

**“Enforcement Response Plan”** shall mean a plan that documents a well-defined, legally-defensible procedure to be followed when enforcing users who are not in compliance with the Taunton Wastewater Treatment Facility’s pretreatment program and/or the Town of Dighton’s Sewer Use By-Laws and Rules and Regulations of Sewer Use. This formal enforcement document defines the consequences of one-time, repeated, continuing, or significant non-compliance, and ensures equitable treatment of all users of the Taunton Wastewater Treatment Facility. The Taunton Wastewater Treatment Facility’s current *Enforcement Response Plan* was approved by the United States Environmental Protection Agency (Region 1) in 1996. This Plan- and any subsequent revisions to it- is incorporated by reference in the Town of Dighton’s Rules and Regulations of Sewer Use. If any part of the Taunton Wastewater Treatment Facility’s

*Enforcement Response Plan* shall contradict any part of the Town of Dighton's Rules and Regulations of Sewer Use, the more stringent response shall apply.

**"EPA"** shall mean the United States Environmental Protection Agency.

**"Equivalent Use"** shall mean that, if water usage data are not available, the cost for treatment of wastewater generated by a commercial or multi-family residential unit shall be calculated based on the estimated water use in specific processes or by specific users at that location. Equivalent Use units are a ratio of estimated water use at the location in question to water use from a single-family residence.

**"Excessive"** shall mean more than the limits established in these regulations or of such magnitude that, in the judgment of the Board of Sewer Commissioners, may cause damage to any facility, be harmful to the wastewater treatment process or reduce its efficiency, cannot be removed in the wastewater treatment plant to the degree required to meet discharge limitations and requirements, create any hazard in the receiving waters, exceed the capacity of the sewerage system, or otherwise endanger life, limb or property, or constitute a public nuisance.

**"Flashpoint"** shall mean the lowest temperature at which vapor combustion will propagate away from its source of ignition.

**"Floatable oil"** is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the sewerage system.

**"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.

**"Grease"** shall include the fats, oils, and waxes and other related constituents found in wastewater.

**"Headworks"** shall mean the point at which wastewater enters a wastewater treatment plant. The headworks may consist of bar screens, comminuters, a wet well, or pumps.

**"Industrial User (IU)"** shall mean any user identified in the Standard Industrial Classification Manual of the U. S. Office of Management and Budget, as amended and supplemented under the following divisions: Division A - Agriculture, Forestry, and Fishing; Division B - Mining; Division D - Manufacturing; Division E - Transportation, Communication, Electric, Gas and Sanitary Service; or Division I - Services. It shall also mean any non-domestic source of pollutants into a POTW that is regulated under Section 307(b), (c), or (d) of the Clean Water Act.

**"Industrial Wastes"** shall mean the solid, liquid or gaseous wastes resulting from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

**"Industrial Waste Survey"** shall mean the process of identifying and locating industrial users and characterizing their industrial discharges.

**"Infiltration"** shall mean the seepage of water into a sewer system, including service connections from the ground or water body, through such means as (but not limited to) defective or cracked pipes, pipe joints, connections, or manhole walls.

**"Inflow"** shall mean the water discharged into a sewer system and service connections from sources other than regular connections. This includes flow from (but not limited to): roof leaders; cellar, yard, and foundation drains; cooling water discharges; drains from springs and swampy areas; around manhole covers; cross connections from storm sewers and combined sewers; catch basins; storm waters; surface runoff; street wash waters; or drainage. Inflow differs from infiltration in that it is a direct discharge into the sewer rather than a leak or seepage into the sewer itself.

**"Inhibition"** shall mean when pollutant levels in a POTW's wastewater or sludge cause operations problems for biological treatment processes involving secondary or tertiary wastewater treatment and alter the POTW's ability to adequately remove BOD, TSS, and other pollutants.

- “Interference”** shall mean when a discharge, alone or with discharges from other sources: inhibits or disrupts a POTW, its treatment processes and operations; inhibits or disrupts a POTW’s sludge processes, use, or disposal, and therefore, causes a violation of the POTW’s MEPDES permit; increases the magnitude or duration of such a violation; or prevents the proper use or disposal of sewage sludge in compliance with the Clean Water Act, Solid Waste Disposal Act, Toxic Substance Control Act, or the Marine Protection, Research and Sanctuaries Act.
- “Invert”** shall mean the bottom elevation of the inside diameter of laid sewer pipe.
- “Living Unit”** or **“Dwelling Unit”** shall mean a room or a group of rooms forming a habitable unit for one family for living, sleeping, cooking, and eating, containing individual washing and toilet facilities.
- “Lower Explosive Limit (LEL)”** shall mean the minimum concentration in air at which a gas or vapor will explode or burn in the presence of an ignition source.
- “Maximum Contaminant Level (MCL)”** shall mean the maximum permissible level of a contaminant in water delivered to any user of a public water system. An MCL is an enforceable standard.
- “Maximum Allowable Headworks Loading (MAHL)”** shall mean the estimated maximum loading of a pollutant that can be received at a POTW’s headworks without causing pass through or interference. The most protective (lowest) of the AHLs (see definition) estimated for a pollutant.
- “Maximum Allowable Industrial Loading (MAIL)”** shall mean the estimated maximum loading of a pollutant that can be received at a POTW’s headworks from all permitted industrial users and other controlled sources without causing pass through or interference. The MAIL is usually calculated by applying a safety factor to the MAHL and discounting for uncontrolled sources, hauled waste and growth allowance.
- “Method Detection Limit (MDL)”** shall mean the minimum concentration of an analyte that can be measured and reported with 99 percent confidence that the analyte concentration is present as determined by a specific laboratory method in 40 CFR Part 136, Appendix B.
- “Minimum Level of Quantitation (ML)”** shall mean the lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that all method-specified sample weights, volumes, and cleanup procedures have been employed. The ML is calculated by multiplying the MDL by 3.18 and rounding the result to the number nearest  $(1, 2, \text{ or } 5) \times 10^n$  where  $n$  is an integer.
- “Municipal sewer”** shall mean a sewer controlled by a municipality.
- “Municipal user”** shall mean any city, town or sewer district that discharges wastewater or septage into a sewerage system connected to and served by contract with the Town.
- “Natural outlet”** shall mean any outlet into a watercourse, pond, ditch, lake or other body or surface or groundwater.
- “National Categorical Pretreatment Standards”** shall mean pollutant discharge limits promulgated by EPA in accordance with Section 307 of the Clean Water Act that apply to regulated process wastewaters. They are based on the capability of a specific wastewater treatment technology or series of technologies to reduce pollutant discharges equivalent to best available technology (BAT).
- “National Pollutant Discharge Elimination System (NPDES)”** shall mean the permitting system established by the Clean Water Act (as defined in Section 402 of the Federal Water Pollution Control Act Amendments of 1972 [Public Law 92-500]), which regulates the

discharge of pollutants into the waters of the United States. Such a discharge is prohibited in Massachusetts unless a NPDES permit is issued by USEPA or, where authorized, a Native American tribal government.

**“New source”** shall mean any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced: (a) After promulgation of standards of performance under section 306 of CWA which are applicable to such source, or, (b) After proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

**“Non-conservative Pollutants”** shall mean pollutants that are presumed to be destroyed, biodegraded, chemically transformed, or volatilized within the POTW to some degree.

**“Notice of Violation”** shall mean a written notification to a user of the Town of Dighton’s sewerage system that it has violated the conditions of its discharge permit or other permission to discharge to the system. The level of severity of the Notice of Violation shall be based on definitions included in the Taunton Wastewater Treatment Facility’s *Enforcement Response Plan* and in these Rules and Regulations of Sewer Use.

**“Owner”** shall mean any person vested with ownership, legal or equitable, sole or partial, of any property.

**“Pass-through”** shall mean A discharge that enters the waters of the United States from a POTW in quantities or concentrations that, alone or with discharges from other sources, either causes a violation of any requirement of the POTW’s NPDES permit, or increases the magnitude or duration of a violation of the POTW’s NPDES permit.

**“Person”** shall mean any individual, firm, company, partnership, association, society, corporation, group, or any agency or political subdivision of the Commonwealth.

**“Pollutant of Concern (POC)”** shall mean any pollutant that might reasonably be expected to be discharged to the POTW in sufficient amounts to pass through or interfere with the works, contaminate its sludge, cause problems in its collection system, or jeopardize its workers.

**“Pretreatment”**, as defined in 40 CFR 403.3, shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, or process changes, or by other means, except as prohibited by 40 CFR Section 403.6(d).

**“Pretreatment Requirement”** shall mean any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

**“Priority Pollutant”** shall mean pollutants listed by the EPA Administrator under Clean Water Act Section 307 (a). The list of the current 126 Priority Pollutants can be found in 40 CFR Part 423, Appendix A.

**“Private sewer”** shall mean any lateral sewer that has been constructed across private property or in a private way financed privately or by abutters and installed for the purpose of receiving and conveying sewage from building sewers. A building sewer serving more than two buildings shall be considered a private sewer.

**“pH”** shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**“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 will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

- “Property”** shall mean an area of land as marked on the Town of Dighton Assessors drawings.
- “Public Sewer”** shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- “POTW”** shall mean a treatment works, as defined by Section 212 of the CWA, which is owned by the State or municipality. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant [40 CFR 403.3]. Privately owned treatment works, Federally owned treatment works, and other treatment plants not owned by municipalities are not considered POTWs.
- “Regulated Wastestream”** shall mean an industrial wastestream regulated by a National Categorical Pretreatment Standard.
- “Resource Conservation and Recovery Act (RCRA)”** shall mean the 1976 Congressional act, amended in 1984 by the Hazardous and Solid Waste Amendments: Public Law 92-580, which established a “cradle to grave” program for management of hazardous wastes.
- “Sanitary sewer”** shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
- “Sanitary sewage”** shall mean liquid and water-carried human and domestic wastes from residences, commercial buildings, industrial plants and institutions, exclusive of ground, storm and surface water and exclusive of industrial wastes.
- “Septage”** shall mean the liquid and solid wastes of sanitary sewage origin that are removed from a cesspool, septic tank or similar receptacle.
- “Sewage”** is the spent water of a community. The preferred term is "wastewater". It shall include a combination of the wastes and wastewater from residences, business buildings, institutions, and industrial establishments, together with such groundwater, surface water, and storm waters as may be present.
- “Sewage treatment plant”** shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. This term is used as a synonym for "waste-treatment plant", "wastewater treatment plant" or "water pollution control plant".
- “Sewage Works”** shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- “Sewer”** shall mean a pipe or conduit that carries wastewater (sewage).
- “Sewer Use Regulations”**. A legal mechanism implemented by a local government entity (in this case, the Town of Dighton, Massachusetts) that sets out, among others, requirements for the discharge of pollutants into a POTW and its wastewater collection/conveyance system.
- “Sewerage system”** shall mean any device, equipment or works used in the transportation, pumping, storage, treatment, recycling, and reclamation of sewage and industrial wastes, and may also be called sewage works.
- “Shall”** is mandatory; **“May”** is permissive.
- “Short-Term Exposure Level (STEL)”**. Concentrations to which a worker should not be exposed for longer than 15 minutes and which should not be repeated more than four times per day, with at least one hour between exposures (commonly accepted exposure limits identified by the American Conference of Governmental Industrial Hygienists).
- “Significant Noncompliance”** shall mean that a user’s violation meets one or more of the criteria defined in the most recent revision of 40 CFR 403.8(f)(2)(vii), or one or more of the criteria defined in the most recent version of the Taunton Wastewater Treatment Facility’s *Enforcement Response Plan*.

- “Significant Industrial User (SIU)”** shall be understood to be as defined by EPA guidance, that is: A) all categorical industrial users, or B) any non-categorical industrial user that i) discharges 25,000 gallons per day or more of process wastewater (“process wastewater” excludes sanitary non-contact cooling water and boiler blowdown wastewaters) or ii) contributes a process wastestream that makes up five percent or more of the average dry weather hydraulic or organic (BOD, TSS, etc..) capacity of the treatment plant or iii) has a reasonable potential, in the opinion of the Control or Approval Authority to adversely affect the POTW treatment plant (inhibition, pass through of pollutants, sludge contamination, or endangerment of POTW workers)
- “Sludge”** shall mean waste containing varying amounts of solid contaminants removed from water, sanitary sewage, wastewater or industrial wastes by physical, chemical and biological treatment.
- “Slug”** shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow that causes harm or potential harm to the treatment works or appurtenances or such that the average hourly discharge over any period of two hours duration is more than twice the daily average hourly discharge.
- “Slug load”** shall mean any pollutant (including Biochemical Oxygen Demand) released in a discharge at a flow rate or concentration that will cause interference with the operation of the treatment works.
- “Standard Industrial Classification”** shall mean a classification scheme based on the type of industry or process at a facility.
- “Spill Prevention and Control Plan”** shall mean a plan prepared by an industrial user to minimize the likelihood of a spill and to expedite control and cleanup activities should a spill occur.
- “Storm Drain”** (sometimes termed "storm sewer") shall mean a sewer (pipe or conduit) which carries ground, storm or surface waters and drainage (or relatively unpolluted water from any source), but excludes sewage and industrial wastes, other than unpolluted cooling water.
- “Superintendent”** shall mean the Superintendent appointed by the Town of Dighton Sewer Commissioners, or his authorized deputy, agency, or representative.
- “Suspended Solids”** shall mean solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids, and which are removable by laboratory filtering.
- “Time-Proportional Composite Sample”** shall mean a combination of individual samples with fixed volumes taken at specific time intervals.
- “Town”** shall mean the Town of Dighton acting by and through the Sewer Commission.
- “Total Suspended Solids (TSS)”** shall mean a measure of the suspended solids in wastewater, effluent, or water bodies, determined by tests for “total suspended non-filterable solids.”
- “Toxic Organic Management Plan (TOMP)”** shall mean a written plan submitted by industrial users as an alternative to Total Toxic Organics (TTO) monitoring, which specifies the toxic organic compounds used, the method of disposal used and procedures for assuring that toxic organics do not routinely spill or leak into wastewater discharged at the POTW.
- “Toxic Pollutant”** shall mean any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provision of the Clean Water Act 307(a) or other Acts. These pollutants are pollutants that may cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, or physical deformations. Toxic pollutants include certain metals and organic chemicals.
- “Toxic Wastes”** shall mean wastes 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 sewage treatment process to constitute a hazard to humans or animals, and to

create any hazard in the receiving waters of the sewage treatment plants, and those wastes so specified in these regulations and in the Act.

**“Treatability Manual”** shall mean guidance prepared by the U.S. EPA that provides detailed descriptions of industrial processes, potential pollutants from each process, appropriate treatment technologies, and cost-estimating procedures.

**“Un-regulated wastestream”** shall mean a wastestream that is not regulated by a National Categorical Pretreatment Standard and is not considered a dilute wastestream.

**“User”** shall mean any individual, firm, company, association, society, corporation, group, municipality, governmental agency, public authority, persons, or permittee discharging sewage or industrial wastes directly or indirectly into the Town of Dighton Sewerage System.

**“Volatile Organic Compound (VOC)”**. As defined in 40 CFR 50.100, “volatile organic compounds” means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

**“Wastewater”** shall mean the spent water of a community, which may be a combination of the liquid and water-carried from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, or storm water that may be present.

**“Wastewater Discharge Permit”** shall mean a permit to convey or discharge wastewater into any sewer under the jurisdiction of the Sewer Commission.

**“Watercourse”** shall mean a channel in which a flow of water occurs, either continuously or intermittently.

**“Waters”** shall mean all waters within jurisdiction of the system including rivers, lakes, ponds, springs, impoundments, coastal and groundwater.

**“Whole Effluent Toxicity (WET) Tests”** shall mean the aggregate toxic effect of an effluent measured directly by an aquatic toxicity test. Aquatic toxicity methods designed specifically for measuring WET have been codified in 40 CFR 136. WET test methods employ a suite of standardized freshwater, marine, and estuarine plants, invertebrates, and vertebrates to estimate acute and short-term chronic toxicity of effluents and receiving waters.

## **ARTICLE II**

### **BUILDING SEWERS AND CONNECTIONS**

Section 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent. All rules and regulations must be followed. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify, in writing, the Board of Sewer Commissioners at least forty-five (45) days prior to the proposed change or connection. Deviation from these rules and regulations may be allowed if written approval from the Board of Sewer Commissioners is granted prior to commencement of work activities.

Section 2. There shall be three (3) classes of building sewer permits: (a) for residential service, (b) commercial service and (c) for service to establishments producing industrial wastes. In all cases, the owner or his agent shall make application on a special form furnished by the Town in accordance with applicable State laws. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent and Board of Sewer Commissioners. A permit and inspection fee (see fee schedule) for a residential building sewer permit, a commercial building sewer permit, or an industrial building sewer permit shall be paid to the Dighton Town Treasurer at the time the application is filed. Permits are to be obtained from the Board of Sewer Commissioners office during the posted office hours in Dighton Town Hall.

Section 3. Permits will be issued by the Board of Sewer Commissioners at scheduled meetings, which are posted at the Town Hall. The Sewer Superintendent may, at his discretion, review and approve work during emergency situations.

Section 4. All applicants must possess a Drain Layer's Permit with the Town of Dighton. Drain Layer's Permit applications may be obtained at the Sewer Commissioners Office. Application fees shall be paid at the time of application submittal (see fee schedule). The drain layer or contractor shall possess the required minimum public liability and property damage insurance, and underground coverage insurance in the amounts of \$100,000.00 and \$300,000.00 each. A current insurance certificate shall be filed with the Board of Sewer Commissioners at the time of application. Each drain layer must also carry a performance bond in the amount of \$10,000.00 payable to the "Town of Dighton". Drain layers or contractors shall be responsible for all defects in materials and workmanship for a period of 1 year following completion and approval of the sewer service installation or repair. Any violation of the Board of Sewer Commissioners rules and regulations will result in suspension or revoking of license and/or permit. Application forms for Drain Layer's Permits shall be made annually (on January 1), completed and approved by the Board of Sewer Commissioners. An application fee (see fee schedule) is required at the time of application. A limit of ten (10) licensed drain layers will be licensed annually by the Sewer Commission. The drain layer or contractor is required to submit an as-built plan within 30 days of job completion. Failure to submit this as-built within the time allocated may result in license revocation.

Section 5. Contractors seeking a sewer connection permit by way of a Commonwealth of MA State Highway Access Permit shall secure a performance bond in the amt. of \$10,000.00.

Section 6. Permits will be only issued to licensed drain layers or contractors registered in the Town of Dighton. Permits shall be subject to revocations when any of the Rules and Regulations contained herein is not adhered to. If the work under the permit is not completed within thirty (30) days of application, the permit must be reviewed by the Sewer Superintendent and the Board of Sewer Commissioners and renewed. All renewal requests must

be made in writing and shall document the reason for non-completion. No permit, except in cases of emergency, shall allow the contractor to excavate in a public way until the applicant notifies the Town of Dighton Highway Department Superintendent, DIGSAFE (1-888-344-7233), the Town of Dighton Fire Department, and the Town of Dighton Water District Superintendent.

Section 7. All costs and expenses incidental to the installation and connection of the building sewer shall be borne directly and solely by the Owner. The Owner and contractor shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the construction or installation of the building sewer. The indemnification shall also include environmental violations and fines, such as hazardous wastes, OSHA, or wetlands violations.

Section 8. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another or 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 such that the buildings will share a common building sewer. (A permit for extending this building sewer will be required prior to initiating the construction). Duplex buildings shall have a separate and independent building sewer for each unit.

Section 9. When any building, or other structure previously served by a connection to any public sewer is demolished, destroyed, abandoned, or altered so that any drain or portion of an abandoned plumbing system which is directly or indirectly connected to any public sewer is no longer used and is not longer connected to the drainage system of the building or structure, the open end of such drain which discharges, directly or indirectly, into a public sewer shall be promptly closed and sealed off so that not water or waste not otherwise permitted to enter the public sewer or drain shall be so discharged therein to. The Superintendent shall be notified, in writing, of such abandonment or discontinuance and all sealing of building sewers shall be inspected by and performed to the satisfaction of the Superintendent.

Section 10. At some future time, the old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of these rules and regulations. A building sewer permit application shall be filed in accordance with these rules and regulations.

Section 11. Building Sewers: Building sewers shall be installed by licensed drain layers or contractors. All work shall be performed in accordance with these rules and regulations and applicable state and federal regulations, requirements, and codes.

Section 12. No person shall cause to be discharged to the Town's sewerage system- either by gravity drain or by force pump- any storm water, surface water, groundwater, roof runoff, subsurface drainage, or cooling or process waters. This shall include roof downspouts, sump pumps, exterior foundation drains, areaways drains, inflow, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. Violations will result in an initial penalty being assessed to the property owner, with additional penalties for each additional day the violation is not corrected.

Section 13. Building sewers and connections shall be made only by drain layers or contractors licensed to perform such work in the Town.

Section 14. Each drain layer or contractor shall be responsible for the faithful performance of all work performed under the license or permit issued to it or to the owner and for the conduct of all work and materials furnished on work by his or its employees or agents. No work shall be sublet by a drain layer or contractor under any permit issued under such license in any manner to divest drain layer or contractor of full control and responsibility for all parts of said work.

Only competent persons shall be employed on work performed under such license and only suitable material conforming to the standards established by the Superintendent and Board of Sewer Commissioners shall be furnished or used on such work.

Section 15. Should the Board of Sewer Commissioners find that any drain layer or contractor has failed to conform to the requirements of these rules and regulations and to the conditions of any permit issued there under, or that such drain layer or contractor has not been faithful in the performance of work or furnishing of materials under his license, the Board of Sewer Commissioners may suspend, cancel, or revoke such license and/or permit, or may extend the suspension of such license and/or permit for such period, or limit the activities of such drain layer or contractor in such manner as may appear to be to the public interest. Suspension, cancellation, or termination of a permit shall not entitle the permittee to any compensation or reimbursement from the Town or its agents for any alleged loss or expense incurred thereby, and licenses and permits shall be issued only on this condition.

Section 16. The applicant for the building sewer permit shall notify the Superintendent, in writing, when the building sewer is ready for inspection and connection to the public sewer. The Superintendent shall be notified not less than forty-eight (48) hours in advance of the time any connection is to be made to any public sewer and such connection shall be made only in the presence of said Superintendent or his agent and then only when it has been determined that the building sewer has been constructed in accordance with these rules and regulations and is free from excessive groundwater seepage or other sources of extraneous flow as listed in Article II, Section 13 above. An additional fee (see fee schedule) per inspection will be charged for any re-inspections necessary. Additional inspections will not be performed until the fee is paid to the Town of Dighton.

Section 17. The Superintendent shall maintain detailed records of all public matters in the Town and of the locations of "wye" connections and service pipes. This information shall be available for use by all disposal works installers but at their risk as to the accuracy of the same. In addition, records shall also be maintained by the Superintendent concerning all connections to the public sewer for use by the Tax Assessor, other Town or District authorities and future property owners. All persons concerned shall assist the Superintendent in securing data needed for such records. Requests for information shall be submitted in writing to the Board of Sewer Commissioners in advance. A period of 10 days shall be allocated for the Commissioners to respond to the request. The applicant shall be responsible for all costs (copying, etc.) in accordance with the law which are associated with the request.

Section 18. It is the intention of these rules and regulations that all connections of building sewers to the public sewer be made at the owner's property line. If, for any reason, installation of pipe or other means of connection to the public sewer is required between the owner's property line and the public sewer, such work shall be carried out either by the Town at a reasonable charge to the owner to be determined by the Board of Sewer Commissioners, or, under previous agreement, by the owner's drain layer or contractor.

Section 19. Payment for Maintenance: If any sewer service connection becomes obstructed or otherwise fails to work properly, the Superintendent shall be notified promptly. Any work required between the public sewer connection and the building drain shall be the responsibility of the owner. The costs of maintenance and repair of the public sewer shall be bore by the Town of Dighton. The property owner shall be responsible to determine that the obstruction or failure is not on his property.

Section 20. Proposed Sewers: Proposed sewers and appurtenances may be extended or constructed by developers, property owners, or groups of property owners at their own cost, as a private sewer, providing the plans, specifications, and design (including materials of construction and size) are prepared by a Massachusetts registered engineer and filed with and approved by the

Superintendent and Board of Sewer Commissioners. Such proposed construction shall comply in every way with the requirements of these rules and regulations and by prior agreement, once constructed, inspected, tested and accepted by the Superintendent, such sewer shall be deeded to the Town without qualifications. All easements for such sewers shall be obtained in the name of the Town and meet the requirements of the Superintendent. Sewer construction, if approved, shall be performed in accordance with these rules and regulations. In the absence of Code provisions or in amplification thereof the materials and procedures set forth in appropriate specification of the American Society of Testing and Materials (A.S.T.M.), Water Environment Federation Manual of Practice FD-4 - "Design of Wastewater and Storm water Pumping Stations", and the New England Interstate Water Pollution Control Commission Technical Report No. 16 - "Guides for the Design of Wastewater Treatment Works shall apply.

- A. Prior to the installation of sanitary sewers in new developments, the owner shall grant to the Town of Dighton an easement over the streets or property in which the sanitary sewer is installed. Such grant for the purpose of construction, supervising, maintaining, and repairing the sewer, but also, upon completion and acceptance by the Town of Dighton, shall relinquish to the Town of Dighton, all interests and claims to the sanitary sewer, and it shall become public.
- B. Both sanitary and building sewers and appurtenances connecting to and within developments shall be installed at the expense of the builder and/or owner, and shall be subject to inspection and acceptance by the Town of Dighton.
- C. Cross-country sewers will not be allowed.
- D. The Board of Sewer Commissioners shall decide if a public sewer is reasonably available for a connection from a new development.
- E. The policy of the Board of Sewer Commissioners is not to assess land in a new development abutting a public sewer installed at the expense of the developer. However, the Board reserves the right to make exceptions to this rule, therefore, each application shall be judged individually, and a ruling rendered by the Board.
- F. Whenever a sewer extension is planned, the Board of Sewer Commissioners shall assess the needs of the Sewer Department pursuant to the expansion due to developed lots in any subdivision which is created pursuant to Massachusetts General Laws Chapter 41, Section 81L. If the need is determined to increase the Department's equipment or necessity to function, associated costs will be applied to the proposed subdivision and the developer will be charged a fee to defray the costs of upgrading the existing system. Until such time as the bond, covenant, or other security required by said chapter shall have been released by the Planning Board, the developer and owner of the proposed subdivision shall be responsible for the payment of all said sewer charges assessed to the subdivision and to each lot developed or developable therein. No lot(s) can be issued a building permit until all sewer charges assessed to said lot(s) are paid in full.
- G. Any project that is of sufficient capacity and requires a State sewer extension permit pursuant to Massachusetts Sewer System Extension and Connection Permit Program (through DEP's Bureau of Resource Protection) must contribute to the reduction of inflow and infiltration (I&I) to the public sewer system. Methods to achieve this reduction of I&I may include rehabilitation of existing sewers, storm drain installation, pipeline maintenance projects, a limited I&I study, or other means as approved by the Town of Dighton.
- H. Manholes, sewers, pump stations, and appurtenances shall meet in all respect the design standards, size, construction methods and tests conforming with the most recent version

of the New England Interstate Water Pollution Control Commission Technical Report No. 16 - "Guides for the Design of Wastewater Treatment Works", and standards set forth by the Superintendent/Board of Sewer Commissioners. Materials of construction shall conform to the standards of the American Society of Testing Materials or in the absence of such standards to accepted commercial standards. Interpretation of any conflict of any of the above standards shall be made by the Board of Sewer Commissioners.

Section 21. Construction of private sewers. Requirements for the construction of such proposed sewers shall include, but shall not be limited to the following:

- A. The costs for the installation of all manholes required for the connection of the new development to an existing public sewer shall be borne directly by the owner and/or builder and shall be subject to inspection and acceptance by the Town of Dighton.
- B. Any person owning or occupying any land upon which a private sewer is located which flow into public sewers shall be responsible for the inspection, maintenance, repair and operational integrity of such private sewer service line.

Section 22. Maintenance and Ownership: Sewer service connections on public ways from the public sewer to the property line shall be built, repaired and maintained by the Sewer Department. Connection of the building sewer from the public sewer to the house or building shall be paid for, owned and maintained by the property owner. Connections required in the future on private ways or on private property to a public sewer shall be built, paid for, repaired and maintained by the owner of the land. All work performed on private property shall be conducted in accordance with the Articles set forth in these rules and regulations, and with all applicable State and Federal requirements.

- A. Any settlement over the sewer in any street or public way within one year after such sewer is accepted shall be repaired at the expense of the developer or owner of the property authorized to install such sewer and he shall be required to post a bond to cover the cost of any accident or damage which may occur in consequence of the laying of such sewer during the time the trench is open and for such period of one year after the sewer is accepted.
- B. Prior to transfer of private sewer service from one property owner to another property owner, the Town may inspect (or require the inspection of) the private sewer for the purpose of determining the amount of infiltration and inflow into such lines, if any. Any conditions discovered during such inspections that cause or allow infiltration or inflow shall be repaired by the current property owner prior to transfer of the service. Where conditions have been discovered in existing private sewers for which no application for connection to the Town's sewerage system has been filed or sought, the current property owner shall complete such repairs, maintenance and applications such that the private sewer is in compliance with these rules and regulations.
- C. Prior to terminating service from a building to the Town's sewerage system or performing demolition of any existing building, the owner shall apply to the Board for permission to terminate the service. The Town shall require the owner to cut and cap all building sewers at the connection to the Town's sewer main. The property will be subject to inspection by the Town to ensure that all sewers and drains have been property cut and capped.

### ARTICLE III

#### **USE OF THE PUBLIC SEWERS**

Section 1. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, sump pumps, uncontaminated cooling water, any liquids and/or materials exhibiting toxic characteristics or containing pollutants, or unpolluted industrial process waters to any public sewer.

Section 2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural approved outlet. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Highway Superintendent, to a storm sewer, or natural outlet.

Section 3. Prohibited Discharge Standards. Prohibited discharge standards are general, national standards that are applicable to all industrial users of the Town of Dighton's sewerage system, regardless of whether or not the industrial user has been issued a permit or is considered a National Categorical Discharger. These standards, while not developed by the Town of Dighton or the Taunton Wastewater Treatment Facility, protect the Taunton Wastewater Treatment Facility against pass through and interference, protect the Town of Dighton and City of Taunton sewerage systems, and promote worker safety and beneficial biosolids use. These standards are listed in 40 CFR 403.5 and as follows:

- A) *General prohibition.* A user may not introduce into the Town of Dighton sewerage system any pollutant(s) that cause pass-through or interference. This applies whether or not the User is subject to National Pretreatment Standards or any national, State, or local pretreatment requirements.
- B) *Specific prohibitions.* In addition, the following pollutants shall not be introduced into the Town of Dighton sewerage system, as defined in 40 CFR 403.5(b):
  - a. Pollutants that create a fire or explosion hazard in the Town of Dighton or City of Taunton sewerage systems or the Taunton Wastewater Treatment Facility, including but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;
  - b. Pollutants that will cause corrosive structural damage to the Town of Dighton or City of Taunton sewerage systems or the Taunton Wastewater Treatment Facility, but in no case discharges with pH lower than 5.5 or greater than 9.5;
  - c. Solid or viscous pollutants in amounts that will cause obstruction to the flow in the Town of Dighton or City of Taunton sewerage systems or the Taunton Wastewater Treatment Facility resulting in interference;
  - d. Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration that will cause interference with the Taunton Wastewater Treatment Facility;
  - e. Heat in amounts that will inhibit biological activity in the Town of Dighton or City of Taunton sewerage systems or the Taunton Wastewater Treatment Facility resulting in interference, but in no case heat in such quantities that the temperature at the Taunton Wastewater Treatment Facility exceeds 40°C (104°F).
  - f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts in excess of 5 mg/L or that will cause interference or pass-through;
  - g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the Town of Dighton or City of Taunton sewerage systems or the Taunton Wastewater Treatment Facility in a quantity that may cause acute worker health and safety problems;
  - h. Any trucked or hauled pollutants, except at discharge points designated by the Town

- of Dighton or City of Taunton.
- i. Any Specific Prohibition developed by the Taunton Wastewater Treatment Facility subsequent to the date of these rules and regulations is incorporated by reference.
- C) *When specific limits must be developed by the POTW.* Both the Town of Dighton and the Taunton Wastewater Treatment Facility have integrated the prohibitions listed in (A) and (B) of this section and shall continue to develop these limits (as necessary) and shall effectively enforce such limits. The Taunton Wastewater Treatment Facility will continue to develop and enforce specific effluent limits for industrial users and all other users, where these limits and changes in the POTW facility or operation are necessary to ensure renewed and continued compliance with its discharge permit or sludge use practices. These specific effluent limits will apply to all users of its POTW, including the Town of Dighton.
- D) *Local Limits.* Where specific prohibitions or limits on pollutants or parameters are developed in accordance with (C), such limits shall be deemed pretreatment standards for the purposes of 40 CFR 403.5 (c) and (d). Local Limits were developed by the Taunton Wastewater Treatment Facility in 1996 and are listed below. If and when these Local Limits are revised, the most recent version of the Taunton Wastewater Treatment Facility’s Local Limits shall be incorporated by reference into the Town of Dighton’s Rules and Regulations of Sewer Use.

<u>Pollutant</u>	<u>Limitation</u>
Arsenic	1.21 mg/L
5-day BOD	922 mg/L
Cadmium	0.098 mg/L
Chromium	1.0 mg/L
Copper	0.59 mg/L
Cyanide	0.37 mg/L
Lead	0.88 mg/L
Mercury	0.0005 mg/L
Nickel	1.0 mg/L
Silver	0.041 mg/L
Total Suspended Solids	660 mg/L
Zinc	2.80 mg/L

- E) *EPA Enforcement Actions.* If the Taunton Wastewater Treatment Facility (acting in conjunction with the Town of Dighton has not taken actions within 30 days after a notice of interference or pass-through, EPA may take appropriate enforcement action (under the authority provided in section 309(f) of the Clean Water Act) to correct the violation.

Section 4. National Pretreatment Categorical Standards. As defined in 40 CFR 403.6, National Categorical Pretreatment Standards, which specify quantities or concentrations of pollutants or pollutant properties that may be discharged to the Town of Dighton or City of Taunton sewerage systems or the Taunton Wastewater Treatment Facility by existing or new industrial users in specific industrial subcategories, have been established as separate regulations under 40 CFR Chapter I, Subchapter N. These Federally-promulgated (i.e., not developed by the Town of Dighton) standards, unless specifically noted otherwise, shall be in addition to all applicable pretreatment standards and requirements set forth in this Sewer Use Ordinance. The industrial categories presently defined in 40 CFR Chapter I, Subchapter N are as follows:

- 405 Dairy products processing point source category
- 406 Grain mills point source category
- 407 Canned and preserved fruits and vegetables processing point source category
- 408 Canned and preserved seafood processing point source category
- 409 Sugar processing point source category
- 410 Textile mills point source category

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- 411 Cement manufacturing point source category
  - 412 Concentrated animal feeding operations (CAFO) point source category
  - 413 Electroplating point source category
  - 414 Organic chemicals, plastics, and synthetic fibers
  - 415 Inorganic chemicals manufacturing point source category
  - 416 Soap and detergent manufacturing point source category
  - 417 Fertilizer manufacturing point source category
  - 418 Petroleum refining point source category
  - 419 Iron and steel manufacturing point source category
  - 420 Nonferrous metals manufacturing point source category
  - 421 Phosphate manufacturing point source category
  - 422 Steam electric power generating point source category
  - 423 Ferroalloy manufacturing point source category
  - 424 Leather tanning and finishing point source category
  - 425 Glass manufacturing point source category
  - 426 Asbestos manufacturing point source category
  - 427 Rubber manufacturing point source category
  - 428 Timber products processing point source category
  - 429 The pulp, paper, and paperboard point source category
  - 432 Meat products point source category
  - 433 Metal finishing point source category
  - 434 Coal mining point source category BPT, BAT, BCT limitations and new source performance standards
  - 435 Oil and gas extraction point source category
  - 436 Mineral mining and processing point source category
  - 437 The centralized waste treatment point source category
  - 438 Pharmaceutical manufacturing point source category
  - 439 Ore mining and dressing point source category
  - 442 Transportation equipment cleaning point source category
  - 443 Effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources for the paving and roofing materials (tars and asphalt) point source category
  - 444 Waste combustors point source category
  - 445 Landfills point source category
  - 446 Paint formulating point source category
  - 447 Ink formulating point source category
  - 454 Gum and wood chemicals manufacturing point source category
  - 455 Pesticide chemicals
  - 456 Explosives manufacturing point source category
  - 457 Carbon black manufacturing point source category
  - 458 Photographic point source category
  - 459 Hospital point source category
  - 460 Battery manufacturing point source category
  - 463 Plastics molding and forming point source category
  - 464 Metal molding and casting point source category
  - 465 Coil coating point source category
  - 466 Porcelain enameling point source category
  - 467 Aluminum forming point source category
  - 468 Copper forming point source category
  - 469 Electrical and electronic components point source category
  - 470 Nonferrous metals forming and metal powders point source category

As of the date of these Rules and Regulations of Sewer Use, the only Categorical Industrial User (CIU) of the Town of Dighton's sewerage system is the Dighton Power Associates combined cycle power generation facility, as defined by Category 422. This User is considered a CIU by the Taunton Wastewater Treatment Facility and is

permitted as such.

Section 5. Local Discharge Restrictions. In addition to the federal discharge standards identified in Sections 3 and 4 of this Article, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, kerosene, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, methyl ethyl ketone, naphtha, lube oil, fuel oil, crude oil, or other flammable or explosive liquid, solid, or gas such that by reason of its nature or quantity is (or may be) sufficient, either alone or by interaction with other substances, to create a fire or explosion hazard or be otherwise destructive to the sewerage system or to receiving waters.
- B. Any waters or wastes containing pollutants, toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any public sewer or sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/L as CN in the wastes as discharged to the public sewer.
- C. Any waters or wastes having a pH lower than 5.5 or greater than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- E. Any Local Discharge Restriction developed by the Taunton Wastewater Treatment Facility subsequent to the January 2007 Revision of these Sewer Use By-Laws is incorporated by reference.

Section 6. Other Types of Substances Prohibited. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent shall confer with the Taunton Wastewater Treatment Facility Project Manager and will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treat ability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher than one hundred fifty (150°) Fahrenheit (65° Celsius).
- B. Any water or waste containing fats, wax, grease, or oils of vegetable or animal origin, whether emulsified or not, in excess of one hundred (100) mg/L or containing substances which may solidify or become viscous at temperatures between thirty-two (32°) and one hundred fifty (150°) Fahrenheit (0° and 65° Celsius). The use of chemical, biological or physical means to bypass or release fats, waxes, oils, or greases into the sewerage system is prohibited. Other requirements as defined in Article 3, Section 6 that apply to the use of

grease traps may also apply.

- C. Any garbage that has not been properly shredded and is greater than 1/2 inch in any dimension or particles that will not be conveyed freely in the sewerage system. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- D. Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions whether neutralized or not.
- E. Any waters or wastes containing arsenic, iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage as the sewage treatment works exceeds the limits established by the Taunton Wastewater Treatment Facility for such materials.
- F. Any waters or wastes containing phenols or other taste- or odor- producing substances in such concentrations exceeding limits which may be established by the Taunton Wastewater Treatment Facility as necessary after treatment of the composite sewage to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.
- G. Any noxious or malodorous liquids, gases, or solids which either along or by interaction with other wastes, are capable of creating a public nuisance, or may prevent safe entry into sewers for purposes of inspection, maintenance, or repair.
- H. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Taunton Wastewater Treatment Facility in compliance with applicable State or Federal regulations.
- I. Materials which exert or cause:
  - (1) Concentrations of inert suspended solids (such as, but not limited to fullers earth, lime slurries and lime residues) containing greater than two hundred (200) parts per million of such solids or unusual concentrations of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - (2) Substances that cause excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions) or turbidity.
  - (3) A BOD greater than two hundred (200) parts per million, a chlorine demand greater than fifteen (15) parts per million, or an unusually high chemical oxygen demand in such quantities as to constitute a significant load on the sewage treatment works.
  - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed by the Taunton Wastewater Treatment Facility or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

- K. Any wastewater containing pathogenic organisms in such quantities as determined by local, state, or federal law as hazardous to public health, environment, or workers in the Town of Dighton's sewerage system, the City of Taunton's sewerage system, or the Taunton Wastewater Treatment Facility. This shall include biological waste, biotechnology wastes, hospital wastes, medical wastes, and used or expired medical supplies.
- L. Any additional substance(s) prohibited by the Taunton Wastewater Treatment Facility subsequent to these rules and regulations is incorporated by reference.

Section 7. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Sections 3 through 6 of this Article, and which in the judgment of the Superintendent, 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, the Superintendent may:

- A. Reject the wastes,
- B. Require pretreatment to an acceptable condition for discharge to the public sewers,
- C. Require control over the quantities and rates of discharge, and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this article.
- E. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, by-law ordinances, and laws.

Section 8. Grease, oil, and sand interceptors and/or oil/water separators shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units.

- A. Deep seal traps will not be allowed.
- B. All interceptors shall be of a type, capacity, design, and construction approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning, maintenance and inspection. Installation shall be consistent with the requirements of the Uniform State Plumbing Code, the Massachusetts Environmental Code (Title 5) and shall be provided at the expense of the owner and user. The owner and the user shall be jointly responsible for properly servicing, maintaining, and cleaning the interceptor.
- C. The Town of Dighton may require use of a grease traps or interceptors for restaurants, institutional food service establishments, commercial establishments, food processors, hospitals, hotels, nursing homes, churches, schools, apartment buildings, and any other users deemed appropriate.
- D. Users that require a interceptor shall provide design, construction, and inspection information related to the units selected and installed. The Town shall provide users with management, operation, and maintenance standards as well as record keeping and reporting requirements that are appropriate for their particular use. The user may be required to provide evidence of regular cleaning and maintenance, including documentation of proper cleanout and disposal of grease.

E. Chemical, biological or physical means shall not be used to release fats, wax, oil or grease into the sewer, bypass the interceptor, or otherwise make the interceptor operate less efficiently.

F. When oil/water separators are required, the Town shall provide the user with management, operation, and maintenance standards as well as record keeping and reporting requirements. The user may be required to provide evidence of regular cleaning and maintenance, including documentation of proper cleanout and disposal of oil.

Section 9. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 10. The owner of any property serviced by a building sewer carrying industrial wastes or wastes from an industrial complex shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole 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.

Section 11. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these rules and regulations 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 shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been constructed, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine, the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty-four (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. All industries discharging into a public sewer shall perform such monitoring of their discharges as The Board of Sewer Commissioners and/or other duly authorized employees 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 of Sewer Commissioners. Such records shall be made available upon request by the Board of Sewer Commissioners to other Agencies having jurisdiction over discharges to the receiving waters.

Section 12. The Superintendent may at any time, at his discretion, order the cessation of the discharge into the public sewer of any substance liable to interfere with the normal operation of the public sewer or of the sewage works or sewage treatment plant and, should the Superintendent find it necessary he may at any time, in his discretion, without further notice and without recourse, sever the connection causing the removal of any tributary private or building sewer or drain through which such detrimental substances are discharged.

Section 13. The owner of all houses, building, outbuildings or properties used for human occupancy, employment, recreation, or other purposes situated within the Town of Dighton and abutting on any street, alley, or right-of-way in which there is now located a public sanitary sewer of the Town and where said property is within the original mandated environmentally sensitive area of North Dighton as set forth in the order of the Suffolk Superior Court (Case #12804 McMahon v. Town of Dighton) is hereby required at his expense to install suitable toilet facilities therein, and connect such facilities directly with the proper public sewer in accordance

with the provisions of these rules and regulations, within thirty (30) days after the date of official notice to do so, except when said public sewer is greater than 200 feet from the property line and a subsurface sewage disposal facility is approved by the Superintendent, the Board of Sewer Commissioners, and the Board of Health for such property.

Section 14. The owner of all houses, building, outbuildings or properties used for human occupancy, employment, recreation, or other purposes situated within the Town of Dighton and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town, other than the original mandated area as set forth in Section 11 above, is hereby required at his expense to install suitable toilette facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of these rules and regulations within thirty (30) days after the date of official notice to do so only if required by the Board of Health for sanitary reasons or if the said owner of the property shall request to connect said facilities to the public sewer. Mandatory connection to the public sewer is not required under this paragraph unless mandated for sanitary reasons by the Board of Health.

Section 15. It shall be unlawful to discharge to any natural outlet within the Town of Dighton, or in any area under the jurisdiction of said Town, any sanitary sewage, industrial waste, or other polluted waters, except where previously approved suitable treatment has been provided in accordance with subsequent provisions of these rules and regulations or by a permit from Federal and State regulating agencies.

Section 16. Swimming pool water shall not be discharged to the sewerage system unless there is no other reasonable alternative. A permit for discharging the water from a swimming pool to the public sewer shall be obtained from the Superintendent before such discharge shall be made. Permit will designate the time and rate of flow permitted. The Superintendent shall have the right to enter upon the premises, designated on the permit, to inspect the project prior to and during the operation. If an owner fails to obtain such a permit or disregards instruction whether accidental or intentional the owner will be held responsible for any damage that may be caused from such discharge subject to the penalties contained in these rules and regulations.

Section 17. No statement contained in this article shall be construed as preventing any special agreement or arrangements between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern.

Section 18. Dilution. Except where expressly authorized to do so, no user shall increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance.

**ARTICLE IV****PROTECTION FROM  
DAMAGE**

Section 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under the charge of disorderly conduct, and shall be held financially responsible for said damages.

**ARTICLE V****POWERS AND AUTHORITY OF INSPECTORS**

Section 1. The Superintendent and other duly authorized employees of the Town of Dighton or City of Taunton bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these rules and regulations. This shall include the right to inspect building drains, building sewers, private sewers, grease traps or interceptors, oil/water separators, or other facilities tributary to the Town's sewerage system. This inspection may occur at any reasonable time. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Section 2. While performing the necessary work on private properties referred to in Article V, Section 1 above, the Superintendent or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held blameless for injury or death to the 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 Article III, Section 10.

Section 3. The Superintendent and other duly authorized employees 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 sewerage 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 4. No device, equipment, or pipe shall be covered over until approval has been given by the Town's inspector.

**ARTICLE VI****SCHEDULE OF FEES AND PENALTIES**

Section 1. Per the sewer bylaw, the following fee schedule has been established by the Board of Sewer Commissioners as of the date of these rules and regulations.

**Fee Schedule**

<b>Sewer Connection Fees</b>	
Residential	Existing Home: \$1,500.00 per residential unit
Commercial/ Industrial	\$2,500.00
<b>Application for Sewer Plan Review New Development</b>	\$75.00
Expenses (Engineering Reviews, mailings and all miscellaneous expenses)	Actual Cost Applicant will set up a 53G account with the Town of Dighton prior to review
Pumping Station – turned over to the Town for operation as listed HP = Horse Power ***Not limited to new construction	Up to 5 HP -- \$85,000.00 10 HP -- \$95,000.00 15 HP -- \$105,000.00 20 HP -- \$115,000.00 Other HP – Varies ( to be determined)
<b>Subdivision Project Connection Fees</b>	
Single-Family Residence	\$1,500.00 per living unit
Multiple-Family Residence	\$1,500.00 per living unit
Pumping Stations	\$85,000.00 per pumping station
Construction Oversight	Actual Cost
Inflow & Infiltration Fee	\$550.00 per bedroom
Subdivision Development Charges.	8 inch line -- \$50,000.00 10 inch line -- \$70,000.00 12 inch line -- \$90,000.00 Other size lines – varies (TBD)
<b>User Charges</b>	
Single-Family Dwelling	To be set per billing period
Commercial/Industrial	To be set per billing period
<b>Other Fees</b>	

Drain Layer’s Permit	\$25.00 Renewal \$150.00 New (after 2 year lapse)
Residential Inspection Fee	\$125.00
Commercial/Industrial Inspection Fee	\$350.00
Construction Inspection	Actual Cost

Section 2. After a reasonable time limit for correction, any person found to be violating the Town’s sewer bylaw and/or these rules and regulations shall be subject to penalties and fines. A sample of penalties for several categories of violations is included below. This table does not represent all potential violations. The Board reserves the right to deliberate on each violation separately and determine an appropriate penalty for each offense.

<u>Level of Violation</u>	<u>Example(s) of Violation</u>	<u>Fine or Penalty</u>	<u>Type of Fine or Penalty</u>
Level A	<ul style="list-style-type: none"> <li>• Failure to install a backflow prevention device on a new connection.</li> <li>• Failure to install an inspection tee and riser and/or a cleanout for a connection.</li> </ul>	\$100 to \$500	One-time
Level B	<ul style="list-style-type: none"> <li>• Failure to construct, maintain, or operate a private sewer to the satisfaction of the Board.</li> <li>• Failure to secure permit and approval for construction of individual new building sewer.</li> <li>• Failure to notify Board of a changed discharge.</li> </ul>	\$500 to \$1,000	One-time
Level C	<ul style="list-style-type: none"> <li>• Discharging without a valid permit.</li> <li>• Failure to secure permit and approval for construction of sewer extension or connection to existing sewer.</li> <li>• Failure to maintain a grease interceptor or oil/water separator consistent with terms of permit.</li> </ul>	\$1,000 to \$5,000	One-time (in addition to any penalty from the Taunton Wastewater Treatment Facility).
Level D	<ul style="list-style-type: none"> <li>• Discharge of Prohibited Substance(s) to the sewerage system.</li> <li>• Dilution of a Prohibited Substance(s) and subsequent release to sewerage system.</li> <li>• Malicious, willful, or negligent destruction or damage of any part of the Town’s sewerage system or equipment associated with the system.</li> </ul>	Greater than \$5,000	One-time (in addition to any penalty from the Taunton Wastewater Treatment Facility).
Level E	<ul style="list-style-type: none"> <li>• Failure to provide grease interceptor or oil/water separator documentation when ordered to do so by the Board.</li> </ul>	\$100 to \$500	For each day and for each violation is not corrected

	<ul style="list-style-type: none"> <li>• Failure to correct private drain or sewer line connected directly to a catch basin or storm water sewer when ordered to do so by the Board.</li> <li>• Failure to correct conditions(s) causing violation of discharge when ordered to do so by the Board.</li> </ul>		
Level F	<ul style="list-style-type: none"> <li>• Failure to repair, modify, or replace an existing building sewer when ordered to do so by the Board.</li> <li>• Failure to correct non-conforming construction conditions when ordered to do so by the Board.</li> <li>• Failure to eliminate discharge of Prohibited Substance(s) from sewerage system when ordered to do so by the Board.</li> </ul>	\$500 to \$1,000	For each day and for each violation is not corrected
Level G	<ul style="list-style-type: none"> <li>• Civil Action required by Town of Dighton</li> <li>• Criminal Action required by Town of Dighton</li> </ul>	Equal to actual cost incurred by the Town of Dighton, including staff, legal counsel, laboratory fees, equipment, contractors, and consultants.	



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