

TOWN OF AMHERST



SEWER USE REGULATIONS

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I. **BACKGROUND AND INTRODUCTION**

A. **SYSTEM OVERVIEW**

1. The Town operates the Amherst Wastewater Treatment Plant, which treats wastewater prior to discharging it into the Connecticut River.
2. The Town has approximately 120 miles of collection system piping conveying wastewater from customers to the treatment plant. The Town also operates 22 pump stations throughout the collection system.
3. The Utility strives to protect public health and provide for the maximum possible beneficial public use of Amherst's wastewater facilities through regulations of construction, control of water and sewer use, and wastewater discharges; to provide for equitable distribution of the costs to operate, maintain and improve Amherst's wastewater facilities; and to provide procedures for complying with the requirements contained herein.

B. **APPLICABILITY, PURPOSE AND POLICY**

1. Applicability
 - a) This Regulation applies to all Customers served by the Utility. Under authority of the General Laws, Acts of State Legislature of the Commonwealth of Massachusetts, the following rules and regulations shall be part of the contract with every person using the sanitary sewer system supplied by the Town of Amherst. Every person contributing or discharging waters and wastes into the public sewer system agrees to these regulations and is bound by them thereby.
 - b) Currently, the Utility serves customers located in the Town of Amherst, as well as parts of the Towns of Hadley and Pelham.
2. Purpose – the purpose of these regulations is to:
 - a) Protect public health, safety and welfare and the environment by regulating the discharge of wastewater and pollutants, directly or indirectly, to the Town's sewerage system.
 - b) Provide a uniform schedule of charges and rates, and a uniform policy for administration of rates.
 - c) Establish minimum standards of materials, workmanship, and specifications for materials and appurtenances, which would ultimately become part of the Town of Amherst's collection system.
 - d) Set up procedures which all new users must follow to enter into the Town of Amherst collection system.
3. Policy – The Town of Amherst Sewer Commission, or its duly appointed designee, shall make the final interpretation of these regulations whenever unforeseen situations arise which are not clearly covered or when further interpretation of the intent of the regulations is required.

C. **ABBREVIATIONS**

1. The following abbreviations, when used in this Regulation, shall have the following designated meanings:
 - a) CFR – Code of Federal Regulations

- b) DEP – Massachusetts Department of Environmental Protection
- c) EPA – United States Environmental Protection Agency
- d) mg/L – milligrams per liter
- e) MGL – Massachusetts General Law

D. **GENERAL DEFINITIONS**

1. *“Abatement”* shall mean a customer requested adjustment to a sewer bill based on disputes, hardship, meter reading or water use estimating error.
2. *“As-Built Drawings”* or *“Record Drawings”* shall mean engineering drawings showing the location (horizontal and vertical displacements) and depth of pipe, and the distance from reference points based on construction conditions.
3. *“Building Sewer”* or *“House Connection”* or *“Service”* or *“Sewer Service Pipe”* or *“Lateral”* shall mean the pipe which connects to a building drain conveying wastewater from plumbing fixtures within a building to a public sewer, a private sewer, or other place of disposal. The building sewer is the responsibility of the Owner, until the point of connection to the Town sewer system.
4. *“Collection System”* shall mean the pipes, conduits, pumping stations, and appurtenances involved in the collection and transport of wastewater.
5. *“Cross Connection”* shall mean any actual or potential connection between a distribution pipe of potable water supplied by the public water system and any waste pipe, soil pipe, sewer, drain, or any other unapproved source. Without limiting the generality of the foregoing, for the purposes of this regulation, “cross connection” shall refer to any temporary or permanent connection between the water and sewer system through which backflow can or may occur.
6. *“Customer”* shall mean any individual, partnership, firm, association, corporation, college, university, non-profit, municipal government or governmental division owning or having interest in property to which the Utility supplies service. The Customer may or may not be the same as the Owner.
7. *“Discharge”* shall mean flow from a conduit, sewer, drain, outfall, pump, pipe, tank or treatment process, or any emission, intentional or unintentional including but not limited to flow resulting from spilling, leaking, seeping, pumping, pouring, emitting, emptying, depositing, dumping, releasing, injecting, escaping, leaching or infiltrating whether direct or indirect.
8. *“Domestic Wastewater”* shall mean the wastewater derived principally from dwellings, business buildings, institutions and the like. It shall not contain groundwater or storm water.
9. *“Effluent”* shall mean wastewater or other liquid, irrespective of treatment, flowing out of a treatment facility or part thereof.
10. *“Grease Trap”* shall mean an exterior or interior receptacle designed to collect and retain or remove grease and fatty substances from wastewater normally resulting from the commercial handling, preparation, cooking or dispensing of food.
11. *“Hazardous Waste”* shall mean a waste, or combination of wastes, that at the time of discharge:
 - a) Is identified as a hazardous waste by EPA pursuant to the Resource Conservation and Recovery Act, 42 USC 6901 et seq. and is listed in 40 CFR Part 261, as amended from time to time;

- b) Has any of the hazardous waste characteristics identified by EPA in 40 CFR Part 261 as amended from time to time;
 - c) Has been identified by DEP as a hazardous waste pursuant to MGL c. 21C and is listed in 310 CMR 30.000; as amended from time to time;
 - d) Has any of the hazardous waste characteristics identified by DEP in 310 CMR 30.000, as amended from time to time, and;
 - e) A waste that would be a hazardous waste pursuant to the EPA, or DEP criteria but for the fact that it is discharged to the sanitary sewerage system shall be, for purposes of this definition, a hazardous waste unless it is in wastewater which is discharged to the sewer system pursuant to a permit issued under 360 CMR 10.000 and in compliance with the Town's discharge limits.
12. "*Infiltration*" shall mean groundwater that enters or leaks into a sanitary sewer through such means as a foundation drain, cracked, broken, or defective pipe, pipe joint, connection or manhole wall.
13. "*Inflow*" shall mean precipitation or surface runoff that enters a sanitary sewer through such means as downspouts and roof leaders, floor drains, yard drains and area drains, sump pumps, catch basins, interconnections between storm drains and sanitary sewers, and defective manhole covers and frames.
14. "*Meter*" shall mean a device installed for the measurement, record, and communication of water taken from the service connection and be applied to each account. Sewer usage will be billed based on water meter usage, or as described in Section VII.A herein. The meter type and construction shall be approved by the Utility and in compliance with the Water Use Regulations.
15. "*Non-Standard Discharge Authorization*" shall mean a local permit used to regulate non-standard discharges. The authorization is issued to each establishment on a case-by-case basis, based on the concerns or non-compliance issues.
16. "*Oil Trap*" or "*Separator*" shall mean a receptacle designed to separate petroleum-based oil and grease from water.
17. "*Owner*" shall mean a person who alone or jointly or severally with others has the legal title to any premises or has care, charge or control of any premises as agent, executor, administrator, trustee, lessee or guardian of the estate of the holder of the legal title. The Owner may or may not be the same as the Customer.
18. "*Qualified Contractor*" shall mean a contractor that has certified to complete construction outside the building envelope to meet the Town Standards. Qualified Contractors must receive a copy of the most recent Town Standards on an annual basis, and sign that they will abide by construction standards therein.
19. "*Pollutant*" shall mean any element, constituent, or property of wastewater, or of agricultural, industrial, manufacturing, or commercial process waste, or leachate, or any other substance which causes the alteration of the chemical, physical, biological, or radiological integrity of water through its introduction therein.
20. "*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 (1/2") in any dimension.
21. "*Rate and Fee Schedule*" shall mean those rates, fees and charges set by the Town of Amherst Sewer Commission.

22. “*Regular Working Hours*” shall mean the hours, Monday through Friday, excluding holidays, during which time the Utility is normally open for business.
23. “*Septage* or “*Septic Tank Waste*” shall mean any liquid, solid, or sludge pumped from chemical toilets, vaults, septic tanks, or cesspools or other holding tanks, that have received only domestic wastewater.
24. “*Septage Tank Trucks*” shall mean any watertight vehicle that is used for the collection and hauling of septage as described above and that complies with the rules of the DEP.
25. “*Sewer Commission*” shall mean the Amherst Town Council, which serves as the Sewer Commission of the Town of Amherst under Section 2.14 of the Amherst Home Rule Charter and is thereby empowered to collect and treat sewerage from the Town and collect monies for the construction, operation and maintenance of such a sewer collection and treatment system.
26. “*Sewershed*” or “*Contributing Sewershed*” shall mean every upstream property or Customer whose discharge from said property contributes to a specific location of the sewer collection system.
27. “*Sump Pump*” shall mean a pump and its associated piping used to remove and discharge water that has accumulated in a water collecting sump pit, commonly found in the basement or lower level of homes and buildings.
28. “*Suspended Solids*” shall mean solids that either float on the surface or are in suspension in water, wastewater or other liquids and are removable by laboratory filtering procedures.
29. “*Town Standards*” shall mean the most current approved Town of Amherst Material and Construction Specifications.
30. “*Utility*” shall mean the Town of Amherst Department of Public Works,
31. “*Wastewater*” or “*Sewage*” shall mean the spent water of a community, which may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial facilities, and institutions.

II. **USE OF SEWERS**

A. **PUBLIC SEWERS**

1. The use of all public sewers in the Town shall be controlled by the Town.
2. No person shall, without the authorization from the Utility, uncover, excavate over, block access to, make any connection with or opening into, alter, or disturb the Town’s wastewater system.
3. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the Town’s wastewater system.

B. **PRIVATE SEWERS**

1. All private sewers that connect and discharge wastewater to the Town’s sewerage system shall be subject to these Regulations, but constructed, installed, maintained, repaired, and operated by their Owners, at the Owner’s expense.

2. Repairs to private sewers in the Town, including repairs required to comply with these Regulations, shall be made by a Qualified Contractor and may require permits and approvals as applicable by the Utility.

C. **WASTEWATER CONNECTIONS**

1. In unsewered areas of the Town, where a public sanitary sewer is not available for sewer connections, the building sewer shall be connected to a private sewerage disposal system complying with the requirements of the Amherst Board of Health.
2. Connection to the Town's wastewater system shall be subject to the availability of capacity in the system as determined by the Utility. Determination of the available capacity shall be made by use of standard engineering calculations, evaluation of flow meter data, and projected future system flows.
3. Connections shall be made in compliance with all applicable Town and DEP rules, regulations and specifications and at the Owner's expense.
4. The Owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the Town and abutting any street, easement, or right-of-way in which there is now located or may, in the future, be located and available may hereby be required by the Town's Board of Health (acting under Title 5, 310 CMR, Sec. 15.02) at the Owner's expense to connect such sanitary facilities as exist with the proper public/private sewer in accordance with the provisions of the Utility.
5. Persons with failed cesspools or septic systems shall be required to connect to the proper public/private sewer within a period of time determined by the Board of Health.

D. **SEWER EXTENSIONS**

1. The Utility may propose and construct a sewer extension to Amherst's wastewater facilities according to the Town's Wastewater Master Plan.
2. The Utility will approve a sewer extension to Amherst's wastewater facilities after review of the application for the sewer extension. The review will include a determination by the Utility that there is available capacity for the proposed flow from the sewer extension and that it shall not exacerbate any existing operation and maintenance deficiencies.
 - a) Such deficiencies may include, but are not limited to: pump station operation and maintenance, odors and corrosion, conformance with the Town's Wastewater Master Plan, and collection system efficiency.
3. In the event any person extends a private sewer then gifts it to the Utility, the Owner or occupants directly abutting this line will be allowed to voluntarily enter the sewer system. Mandatory connection to the sewer system will be required upon the failure of their existing septic system, as described in Title V requirements.

E. **SPECIAL FACILITIES**

1. When required by the Town, an Owner shall design, construct, install, operate and maintain special facilities which will provide for the regulation and control of the rate, volume and characteristics of wastewater discharged to the Town's wastewater facilities.

2. The design of such special facilities shall be subject to the approval of the Utility. Such special facilities shall be designed, constructed, operated and maintained at the Owner's expense.
3. Prior to startup of a special facility, the Owner shall prepare and submit an operation and maintenance plan, including as-built drawings of the special facility, prepared and stamped by a Licensed Professional Engineer.
4. The Owner shall submit an annual report to the Utility that provides information, data, testing reports, or other information necessary to document that the special facility is performing as designed and is being operated and maintained in conformance with the operation and maintenance plan.

F. **OWNERSHIP AND MAINTENANCE OF BUILDING SEWERS**

1. Building sewers and service lines, whether located on public or private property, are owned by the Owner of the premises served up until the connection with the Town sewer line or discharge into a Town-owned sewer manhole. In the case where more than one premises is connected to the same building sewer, depending on the form of ownership, the Owners of the respective premises shall be jointly and severally responsible for the maintenance and repair of the building sewer.
2. The Owner of a building sewer shall at all times keep such sewers clean and in good repair in order not to cause excessive infiltration, discharge or inflow, depletion of groundwater, damage to property, odor, or harm to the Town's sewers. The Owner shall maintain, repair, modify, or replace an existing building sewer whenever it is determined by the Town that such sewers may endanger public health, create a public nuisance, result in public or private property damage, harm the Town's sewers, or impair water quality or the environment, and in such other circumstances as the Town deems appropriate. Building sewers shall be maintained, repaired, modified or replaced at the Owner's expense.
3. The Utility, working in conjunction with the Board of Health, for specific purpose, may repair, modify, or replace portions of privately owned building sewers, where it is in the public interest to do so. These specific purposes may include:
 - a) The replacement and/or rehabilitation of public sewerage system.
 - b) The mitigation of damage to the public sewerage system that may occur due to the failure of an Owner to repair or maintain a building sewer.
 - c) Any Utility project involved in the repair, replacement, or maintenance of the public infrastructure system.
 - d) Those where public safety or public health is concerned.
 - e) As part of any project to improve the function and operability of the wastewater system.
4. The instances listed above, or other specific purposes not specified, shall not be construed to mandate the Utility to perform work on building sewers. The repairs, modifications, and/or replacements shall be performed at the Owner's expense and billed to the Owner and shall not set precedent or equate with public control.
5. **Change of Ownership in a Commercial or Industrial Unit**
 - a) Upon the change of ownership in a commercial or industrial unit, the Owner may be required to reapply and to submit revised service data to the Utility and shall confirm to all Utility regulations governing new installations.

G. **PERMIT FOR SERVICE**

1. **Procedure**

- a) All repairs, new installations, alterations, and discontinuances of the service pipe shall require that a Permit be obtained from the Utility.
- b) All Permits for new sewer service shall be made in person by the Owner or duly authorized agent at the office of the Department of Public Works.
- c) Each application shall be accompanied by an application fee, completed Permit Application form and a sketch of the proposed work and Dig-Safe number. When appropriate, the Utility can request that the Owner, at the Owner's expense, utilize the services of a registered Professional Engineer to design size and layout of the service pipeline.
- d) The Utility shall review the sewer service data to determine whether it meets the current Utility's specifications.
- e) The Applicant/Owner is responsible for proper sizing of sewer service for its intended use.
- f) The Owner is responsible for the cost of the tap, installation, materials, and required repairs to the Utilities right of way. The Owner may be required to complete camera inspection (CCTV) of the alteration to the Utility system, upon request of the Engineer.
- g) The Owner is responsible for any equipment needed to pump the wastewater into the collection system. Wastewater must flow, via gravity, from the end of the service into the collection system.

2. **Determination**

- a) If the Utility determines that it does not or will not have sufficient capacity to serve a new building, development or addition, it shall not be obligated to provide the service or approve alternations. The Utility may at its option and discretion enter into such agreements with applicants to correct capacity issues at the Owner's expense.
- b) If the Utility determines that it has sufficient capacity to provide adequate sewer service, the Utility will approve the service and assess a connection fee. These fees will be outlined on the Permit Application.
- c) Service shall not be provided to the Owner until all required payments, inspections and tests have been completed.

3. **Qualified Contractors**

- a) In order to be a Qualified Contractor to complete work within these Regulations, the Contractor must receive and sign for a copy of the Town Standards and the Utility Specifications on an annual (once per calendar year) basis.

4. **Other Permits**

- a) Depending on the scope of work, a Building Permit and/or Fire Permit may be required. Owner or its Contractor should check with regulations for each to determine if they are required.

H. **ABANDONMENT AND SERVICE TERMINATION**

- 1. When a sewer service account has been discontinued for a period of one year or more and no commitment has been provided by the Owner as to possible future use,

the Utility may, at its sole discretion, consider the sewer service to be abandoned and may disconnect the sewer service pipe from the public sewer main at the Owner's expense. A building sewer may be terminated upon notice from the property Owner.

2. If any building is razed, the Owner, at his/her expense, must disconnect the sewer service from the public sewer main and all work must be done in accordance with these Regulations. Prior to demolition of any building or termination of a building sewer, the Owner shall cut and cap all building sewers at the connection to the sewer, and have the Utility inspect all building sewers to ensure that they are properly cut and capped prior to backfilling.

I. **DISCONTINUANCE OF SERVICE**

1. Discontinuance of service under these regulations is tied to discontinuance of the water service under the water regulations, as sewer access is most often discontinued through discontinuance of the water service to a premises.
2. Discontinuance by the Utility Without Notice - Service may be discontinued by the Utility without notice for any of the following reasons:
 - a) Misrepresentation by the Owner in the application for service or other fraudulent procurement of service.
 - b) Use of sewer for purposes other than described by the Owner in the application for service.
 - c) Fraudulent use of or tampering with Utility property.
 - d) Abandonment of the Premises by the Owner.
 - e) Cross Connection or unauthorized connection to the Utility's Service Pipe or Main Pipe with any other fixture or supply in violation of this Regulation or Utility Specifications.
 - f) Failure to maintain plumbing and fixtures in good repair that could, in the Utility's judgment, result in contamination of the potable water supply or damage or injury to the Utility's system, persons or property.
 - g) Failure to prevent contamination of sewerage.
 - h) Any other use of the sewer or the Utility's system that could cause an imminent danger or loss to the Utility's system or supply or the persons and property of others.
3. Discontinuance by the Utility With Notice - Service may be discontinued by the Utility with written notice postmarked at least twelve (12) days in advance of the proposed discontinuation date for any of the following reasons:
 - a) Refusal of reasonable access to the Owner's Premises for inspection
 - b) Any refusal or neglect to comply with this regulation or with Utility Specifications
 - c) Owner's failure to comply with terms of payment arrangement entered into between the Owner and the Utility;
 - d) Owner's repeated contribution to sewer back-ups including illegal disposal of fats, oils and grease, "flushable wipes" and other material listed in Section III Item C (Illegal Wastes) and Item D (Prohibited Substances), and
 - e) For such other reasons as the Utility may designate in writing.
4. Discontinuance for Non-Payment of Utility Bills - Service may be discontinued by the Utility for non-payment of any Utility bill, including late payment charges, if all of the following conditions are met:

- a) The Owner has not paid the bill in full within 30 days from the postmark date on the bill;
 - b) The Utility had provided the Owner with written notice of its intention to discontinue service, postmarked at least twelve (12) days in advance of the proposed discontinuation for residential Owners or, in the case of non-residential Owners, at least five (5) days in advance of the proposed discontinuation date; and
 - c) Prior to the date of notice of discontinuance, the Utility has not received payment in full.
5. Conference Prior to Discontinuation - An Owner may request a conference with the Utility prior to the proposed date of service discontinuation. Such conference shall be held in accordance with the Utility's standard procedure.
6. Restoration of Service - If service has been discontinued the Utility shall restore service promptly upon the Owner's request when the cause of discontinuation has been removed provided that the Owner has paid any applicable fees.

III. DISCHARGE RESTRICTIONS

A. PROHIBITION ON DRAINWATER

- 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

B. UNPOLLUTED DRAINAGE

- 1. Stormwater and all other unpolluted drainage shall be discharged to such sewers (drains) that are specifically designated as storm drains or storm sewers, or to a natural outlet approved by the Utility and the DEP.

C. ILLEGAL WASTES

- 1. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
 - a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any 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.
 - c) Any waters or wastes having a pH outside the range of 5-10 or having other corrosive or acidic 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, un-ground garbage, whole blood, paunch manure, hair and fleshings entrails, paper dishes, cups, milk

containers, disposable diapers, baby wipes and other “flushable wipes”, dental floss, etc. either whole or ground by garbage grinders.

D. PROHIBITED SUBSTANCES

1. 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 Utility 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 an opinion as to the acceptability of these wastes, the Utility 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 treatability 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°F) degrees Fahrenheit, sixty five (65°C) degrees Celsius.
- b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/L or one hundred fifty (150°F) degrees Fahrenheit, sixty five (65°C) degrees Celsius.
- c) Any garbage that has not been properly shredded. 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 Utility.
- 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 iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Utility for such materials.
- f) Any waters or wastes containing phenols or other taste and odor producing substances, in such concentrations exceeding limits which may be established by the Utility 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 radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Utility in compliance with applicable State or Federal regulations.
- h) Any waters or wastes having a pH outside the range of 5-10.
- i) Materials which exert or cause:
 - (1) Unusual concentrations or 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 and sodium sulfate)
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solution)

- (3) Unusual biochemical oxygen demand, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works
 - (4) Unusual volume of flow or concentration of wastes such that the concentration of any given constituent or quantity of flow exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation
 - j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
2. No person shall discharge or cause or allow to be discharged into a public sewer, any substances, waters or wastes that the Utility, DEP, or EPA has identified as likely, either singly or by interaction with other substances, to:
- a) Harm or interfere with any wastewater system, wastewater treatment facility, or wastewater treatment process.
 - b) Pass through, interfere with or be otherwise incompatible with the wastewater treatment process or sludge disposal.
 - c) Cause or result in blockage of flow in the sewer system. This includes products, such as wipes marketed as “flushable” that do not breakdown when submerged in water for 10-seconds.
 - d) Cause a violation of Federal or State law or any discharge permits issued to the Utility.
 - e) Cause a violation of water quality standards or otherwise adversely affect the receiving waters.
 - f) Endanger or threaten to endanger life, limb, health, or welfare of any person(s), or the public health, safety, welfare, or the environment, or property.
 - g) Constitute a nuisance as provided in MGL Chapter 83 Section 10, MGL Chapter 111 Section 122 and 123, and pursuant to 310 CMR 7.00.
3. See Non-Standard Discharge Protocol in Appendix C for further detail and procedure to request permission to discharge any materials/chemical enumerated in this Section.

E. **DISCRETION OF UTILITY**

1. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers which contain the substances or possess the characteristics enumerated above, which in the judgement of the Utility, 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 Utility may:
 - a) Reject the waste
 - b) Require pretreatment to an acceptable condition for discharge to the public sewer
 - 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 the existing sewer charges under the Sewer Rate.

2. If the Utility 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 Utility, and subject to the requirements of all applicable codes, ordinances and laws.

F. HAULED WASTEWATER

1. Hauled wastewater may be accepted upon approval by the Utility only from specified locations, 7 days a week during normal Utility regular working hours (7:00 am to 2:30 pm), and such discharge shall be overseen by plant personnel.
 - a) Septic tank wastewater shall not be contaminated with any other material that would violate any conditions of these Regulations. This includes wipes and solids that may clog the influent flumes and/or grinders.
 - b) A sample of each septage load will be analyzed for compliance, and may be rejected or further reviewed in pH is outside the range of 5-10.

G. NOTIFICATION OF VIOLATIONS

1. In the case of accidental discharge to water or wastes in violation of these Regulations or other permits, Owner shall notify the Utility by telephone or email immediately upon discovery of the discharge. Accidental discharge includes any upset, slug load, or spill that may reasonably be expected to discharge to the wastewater system.
2. Each notification shall be followed within 15 days of the date of occurrence by a detailed written statement addressed to the Utility describing the causes of the discharge and the measures being taken to prevent a recurrence. Such notification will not relieve users of liability for any expense, loss or damage to the Town wastewater systems or for any fines imposed on the Town due to such discharge.

IV. INDUSTRIAL DISCHARGES

1. While the Town of Amherst does not currently have an industrial pre-treatment program, this is a place holder for any Regulations required for industrial pre-treatment.

V. SANITARY SEWER SYSTEM COMPONENTS

A. SEWER SERVICE PIPE

1. Installation, Ownership and Maintenance
 - a) The Sewer Service Pipe, as it extends from the Sewer Main into the Premises, shall be installed, maintained and abandoned at Owner's expense.
 - b) Sewer System Connections
 - (1) Separate Connections – A separate and independent building sewer shall be provided by the Owner or applicant for every building to be connected to the sewer system. Where more than one building exists on a single parcel of land, the building sewer serving the front building may be extended to the rear building and the whole considered as one building sewer, if approved by the Utility.

- c) Existing Building Sewers – Existing building sewers may be used to accommodate new uses which result in changes in volumes or characteristics of wastewater, if the Utility approves and subject to availability of capacity. The costs of any examination and testing required by the Utility as a precondition to such approval shall be at the Owner’s expense.
- d) Gravity Discharge to Sewer – All building sewers shall discharge by gravity to the public sewer. In all new or substantially rehabilitated buildings in which the building sewer is too low to permit gravity discharge, wastewater shall be lifted by an approved means and allowed to discharge by gravity (i.e. not under pressure) to the public sewer.
- e) Connection to Manholes – Building sewer connections for new or substantially rehabilitated buildings shall not be made directly to public sewer manholes unless expressly authorized by the Utility.
- f) Connections from Individual Wastewater Disposal Systems – Connection of an individual wastewater disposal system, whether directly or indirectly, to a Town sewer is prohibited. Individual wastewater disposal systems include privately owned septic tanks, cesspools, or similar self-contained receptacle or facility which collects, treats, or otherwise disposes of wastewater.

B. BASEMENT FIXTURES

- 1. All existing or new building sewers from plumbing fixtures liable to backflow from the public sewer are installed at the building Owner’s risk. The Town and/or Utility will not assume any responsibility for back-ups or flooding of fixtures or basements as a result of the installation of these fixtures.
- 2. Any plumbing fixture located at an elevation lower than the top of the public sewer manhole immediately downstream of the private sewer connection serving the fixture shall be considered to be liable to backflow.

C. BACKFLOW VALVES

- 1. Plumbing fixtures or basements subject to backflow from the public sewer shall have backflow valves installed at the Owner’s expense. A backflow valve is a device installed in a building drain or building sewer to prevent the discharge from the building, or flows originating outside the building, from flowing back into the building.
- 2. Backflow valves shall be installed in accordance with the State Plumbing Code. Backflow valves shall be installed and maintained at the Owner’s expense.

D. OIL TRAP FOR GARAGES

- 1. Oil traps shall be required on sewers directly or indirectly tributary to the public wastewater system from existing or new commercial or industrial garages, service stations, enclosed parking areas, and other establishments capable of discharging petroleum-based oil or grease, flammable wastes, sand, or other harmful substances.
- 2. Discharges from oil traps shall be directed to a sewer.
- 3. All oil traps shall be of a type, capacity, location, and construction as approved by the Utility. They shall be located so as to be readily accessible for maintenance and inspection.

4. Oil traps shall conform to the regulations of the State Plumbing Code. Owner and user shall schedule an inspection of the oil traps as installed with the Town Plumbing Inspector at the time of installation.
5. Oil traps shall be installed and maintained continuously in satisfactory and effective operation by and at the expense of the Owner or user. Both the Owner of the premises where an oil trap is required and the Owner or operator of the establishment or business conducted on the premises shall be jointly and severally responsible for installing an oil trap and for properly servicing and maintaining the oil trap.
6. The Owner or operator of the establishment or business conducted on the premises where the oil trap is located shall maintain a log describing the date and type of all service and maintenance performed in connection with the oil trap on each date, and the method of disposal of the residue. The log entries shall be maintained for six years and shall be made available for inspection and copying by the Utility. The schedule for service and maintenance of an oil trap shall be subject to approval by the Utility.

E. GREASE TRAP

1. Interior and/or exterior grease traps shall be required on sewers which discharge directly or indirectly to the public sewer system and into which significant amounts of animal or vegetable fat, oil or grease may be discharged so that a discharge concentration does not exceed 100 milligrams per liter.
2. The Utility will determine whether a grease trap is required. All grease traps shall be of a type, capacity, location, and construction approved by the Utility and shall be located so as to be readily accessible for maintenance and inspection. Water cooled grease traps are prohibited.
3. Installation of a dedicated building sewer and an in-line grease trap shall be required to serve all fixtures from which fat, oil or grease may be discharged whenever there is sufficient space and adequate plumbing to incorporate the appropriate facilities as determined by the Utility. Point of use grease traps may be required instead of or in addition to an in-line grease trap for discharges from dish washer rinse sinks, pot sinks, floor sinks and drains, automatic hood washes, and any other fixture which may introduce fat, oil or grease to the sewer.
4. Where grease traps are required, they shall be installed, inspected at least once each month, and maintained continuously in satisfactory and effective operation and in accordance with the requirements of the State Plumbing Code by and at the expense of the owner and user. Both the Owner of the premises where the grease trap is required and the Owner or operator of the establishment or business conducted on the premises, shall be jointly and severally responsible for installing a grease trap acceptable to the Utility and for properly servicing and maintaining the grease trap.
5. The Owner or operator of the establishment or business conducted non the premises where the grease trap is located shall maintain a cleaning and disposal log which describes the date and type of all inspections and cleaning of the grease trap, service and maintenance performed in connection with the grease trap, the identity of the person who performed the service or maintenance, the amount of residue removed from the grease trap on each date, and the method of disposal of the residue. The logs

shall be submitted quarterly to the Utility. The Owner may be subject to fines due to failure to submit cleaning and disposal logs.

6. Unless otherwise required by a schedule established by the Utility, Owners or operators shall clean grease traps in accordance with all applicable local, state, and federal laws, not less than once every three months, or whenever one quarter of the liquid depth of the trap consists of grease or oil, whichever occurs first. Grease traps shall be cleaned by physically removing accumulated grease, scum, oil or other floating substances and solids. Chemical, biological, or physical means (including flushing with water) shall not be used to release fats, wax, oil or grease into the sewer, bypass the trap, or otherwise make the trap operate less effectively.

F. **SERVICE**

1. Owner shall be provided service through only one Sewer Service Pipe per legally subdivided lot except as noted below.

a) Each unit of a multi-family dwelling or condominium whose individual units share common sidewalls but are singularly owned throughout the material extents from foundation to roof shall be provided with a separate sewer service. Units of multi-family dwellings or condominiums that are singularly owned but share a common foundation/footprint may share a common sewer service.

2. Easements are required, with a copy to the Utility, for all services extended over land owned by others, and not the Owner. This shall be included with the permit application for approval.

3. When an existing Owner has more than one service per legally subdivided lot, the Utility reserves the right to reduce the number of services provided to one, as part of any conversion of use, renovation or other changes in condition requiring a building permit.

4. Where more than one Owner is currently provided service through one Sewer Service Pipe, any violation of Utility regulations by one or more Owner(s) so serviced shall be deemed a violation by all, and the Utility may take such action against all such Owners as could be taken against a single Owner. The Utility shall make reasonable efforts to advise all Owners served by the common Sewer Service Pipe of the violation and, where appropriate, give an opportunity to cure the violation.

5. When any Sewer Service is to be no longer utilized, it must be abandoned at the Sewer main at the owner's expense.

G. **PRIVATE MAINS AND PLUMBING**

1. **Private Mains**

a) The Utility recognizes that there exists within its service area sewer lines servicing multiple Utility Owners that were installed by private parties, are not within the public right of way easement area, and are not maintained by the Utility. Owners shall maintain private mains in good repair and cooperate and coordinate with the Utility as may be necessary to ensure that the requirements of this regulation and the collection of sewerage is met.

2. **Maintenance of Plumbing**

a) Owners shall maintain the plumbing and fixtures within their Premises in good repair, free from leaks and protected from freezing. Any leaks or other system failure shall be repaired as directed by the Utility.

3. Fees and Expenses

a) All fees and expenses associated with Private Mains and plumbing and fixtures shall be Owner's responsibility.

H. **INSTALLATION SPECIFICATIONS**

1. The Owner's Sewer Service Pipe shall be installed in accordance with Town Standards.
2. The Sewer Service Pipe shall be no less than 4 inch diameter, and shall have a minimum ground cover of five (5) feet unless authorized in writing by the Utility.
3. The Sewer Service Pipe shall have a minimum slope of ¼ inch per foot.
4. The Sewer Service Pipe shall be tested and inspected by the Utility prior to backfilling. Installations backfilled prior to testing and inspections will be required to be re-excavated for inspection at the discretion of the Utility.

I. **INSTALLATION PERIOD**

1. The Sewer Service Pipe shall be installed during the period of April 1 to November 15 as frost and weather conditions permit. In an emergency and upon the Owner's request, the Utility in its sole discretion may authorize service installation during winter months.

J. **REQUIREMENTS FOR DESIGN AND CONSTRUCTION OF FACILITIES**

1. Design and Construction Standards
 - a) New building sewers, other private sewers, grease traps, oil traps, appurtenances, and other wastewater facilities tributary to the public wastewater system shall be designed and constructed in conformance with the Town Standards.
 - b) In the absence of such specifications or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials, the WEF Manual of Practice NO. 9, Design and Construction of Urban Stormwater Management Systems, and Gravity Sanitary Sewer Design and Construction, New England Interstate Water Pollution Control Commission Guides for the Design of Wastewater Treatment Works, Title V of the State Environmental Code, and the Uniform State Plumbing Code 248 CMR 2.00 shall apply.
 - c) Construction in Easements - Excavation in, or construction of any wastewater facilities in a Town right-of-way or easement is prohibited without authorization from the Utility.
2. Joint Use of Sewer Service Pipe Trench - Joint use of a Sewer Service Pipe trench with gas pipe, water pipe or other Utility service shall only be performed in accordance with the Town Standards.
3. Allocation of Responsibilities
 - a) Installation. Installation of a Sewer Service Pipe and any necessary repairs to the right of way shall be at the Owner's expense. The Owner is responsible for hiring a Qualified Contractor for this work.

- b) Relocation. Any relocation, repair or replacement of the Sewer Service Pipe shall be approved by the Utility and performed at the Owner's expense.
- 4. Installation During Winter Months – Any Owner requesting emergency service, installation or repair during winter months shall pay all extra expenses incurred by the Utility due to frost and weather conditions, including maintenance of the excavation, within and outside the right of way, until final paving is installed.

VI. **POWERS AND AUTHORITY OF INSPECTORS**

A. **INSPECTIONS**

- 1. The Utility shall, with adequate notice, have access to inspect Service Pipes, Private Mains, Meters (Utility's and Private), Plumbing and all other equipment and facilities connected to the Utility's system to prevent the possibility of contamination or illicit discharge into the Utility's wastewater system, to prevent waste or fraudulent use, and to otherwise ensure compliance with all components of this Regulation.
- 2. All sewer service pipes greater than 4 inches in diameter will be required to perform a pressure test and any other tests as directed by the Utility at any time. All required testing shall be complete at the Owner's expense.
- 3. The Owner or its Contractor shall provide as-built drawings to the Utility at the completion of the project. The plans shall depict exact distances and ties to clean-outs or other appurtenances, both to the main and to the house. Connection to the main shall be referenced to the house or building that it serves by at least two ties from permanent points.

B. **RIGHT OF ENTRY**

- 1. The Utility and its employees, having 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 regulations.
 - a) The Owner shall notify the Utility when such facility is installed and ready for final inspection and before the facility is connected to the public wastewater system.
 - b) Connection to the public wastewater system shall be made in the presence of a Utility inspector.
 - c) No facility shall be covered over until approval has been given by the Utility inspector.
 - d) Such connection and all testing, as deemed necessary by the Utility, shall be made under the supervision of the Utility.
 - e) Minimum notice to the Utility for an inspection shall be 24 hours.
- 2. The Utility and its employees 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 wastes treatment.

C. **LIABILITY DURING INSPECTIONS**

- 1. While performing the necessary work on private properties referred to in these Regulations, the Utility shall observe all current safety rules. The company shall be

held harmless for injury or death to the Utility employee's and against any liability claims and demands for personal injury or property damage asserted against the company and growing out of the Utility's work, except as such may be caused by negligence or failure of the company to maintain safe conditions of the property.

D. EASEMENTS

1. The Utility and its employees, having 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.
2. 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.

VII. CHARGES AND RATES

A. SCHEDULE OF RATES

1. The Sewer Commission will set the current sewer usage rates. The sewer usage rate shall be based on 100 (one hundred) cubic feet of water usage as read on the water meter.
 - a) At properties that are not connected to the water system and therefore do not have a water meter, the Town will use an estimated usage for billing at the sewer rate. Estimated usage at any such property will follow Title V calculations.
2. The Schedule of Rates is included in Appendix A of these Regulations. All users will be charged as shown in the Schedule of Rates for services included in the Schedule.
3. All bills for labor or materials on Customer's property will be subject to the same conditions as bills for sewer.

B. INVOICING

1. The Owner shall be responsible for the payment of all charges for sewer and services furnished to the property. Per State law, all charges for sewer or services become a lien against the charge.
2. Invoicing for sewer usages is on a quarterly basis or such other basis as may be determined by the Utility. The failure of the Owner to receive its bill does not relieve the Owner from the obligation of payment nor from the consequences of nonpayment as required.
3. When charges for sewer supplied or for services remain unpaid for more than 30 days, a Demand Notice will be mailed. When charges remain unpaid for more than one year a lien shall be placed against the property.

C. ABATEMENTS

1. All claims for adjustments of sewer bills must be made within 30 days of billing date. Any undisputed portion of a bill must be paid by the due date or a later charge will be assessed.

- a) The Utility may make abatements in sewer charges upon receipt of the Abatement Form (Appendix D) from the property owner. The form shall include information necessary to evaluate its merits including receipts from a licensed plumber.
- b) There are no abatements or exceptions made for properties where a portion of the water meter usage is for irrigation or recreation purposes.

VIII. **LIABILITY**

A. **STANDARD LIABILITY**

1. **No liability for interruption or stoppages.** The Utility will not be held liable for any interruption or stoppages of flow in either the mains or the services, or any damage caused by such stoppages. The Utility reserves the right to stop or interrupt the flow in mains or services to make repairs and extensions, when necessary. Therefore, no person shall be entitled to receive damages, refunds, or payments as a result of any such interruption.
2. **No liability for Owner's pipes.** The Utility assumes no liability for conditions which exist in Owner's pipes and cause damage coincident to or following the repairs or flushing of any main pipe, service pipe, or other appliance belonging to the Utility or any other cause.
3. **No liability for damage during construction.** In the event that the Utility's work necessitates the cutting of roots of trees, bushes, shrubs, hedges, etc. the Utility will not be responsible for their continued life.

B. **PENALTIES**

1. **Notice of Violations**
 - a) Any person found to be violating any provision of this Regulation shall be served by the Utility with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
2. **Fines**
 - a) Any person who shall continue any violation beyond the time limit provided for shall be guilty of a misdemeanor, and on conviction thereof shall be fined accordingly. Each day in which any such violation shall continue shall be deemed a separate offense.
 - b) Any person who is discovered to have fraudulent use or tampering of a water meter shall be charged not less than double rates for such quantities of service as the Utility shall estimate to have been fraudulently used. The Owner may be subject to applicable fines as set forth in MGL Chapter 165 Section 11.
3. **Tampering**
 - a) Sanitary sewer manholes or other property of the Utility shall not be opened, closed or tampered with in any way by any person not authorized to do so by the Utility.
 - b) Any damage to the sanitary sewer and manholes or other property of the Utility which the Utility determines is caused by tampering caused by the Owner (or the Owner's employees, tenants, contractors or agents) shall be repaired by the Utility at

the Owner's expense. The Owner may be subject to applicable fines as set forth in MGL Chapter 165 Section 11.

4. Cross connections

a) No Cross Connection shall be permitted between the public water supply and sewer system, or between the public water supply and any plumbing fixture, device or appliance capable of contaminating the public supply unless the connection is protected at the metering point by a Backflow Prevention Device as required 310CMR 22.00 or has an air gap.

5. Illegal Discharge Leading to Sewer Backups

a) No Owner shall discharge or cause to be discharged any material listed in Section III Item C (Illegal Wastes) and Item D (Prohibited Substances). In the case of a sewer back-up due to violation with these provisions, the Town may, at its sole discretion, pass the cost of reparations to the contributing party. In the case where the contributing party can not be identified, the Town may, at its sole discretion, pass the cost along to every property within the contributing sewer shed.

6. Civil Penalty

a) Any person who violates this Regulation shall be subject to a civil penalty not to exceed \$10,000 per day of such violation.

C. LIABILITY FOR LOSSES

1. Any person violating any of the provision of this Regulation shall become liable to the Town for any expense, loss, or damage occasioned by the Town or its Owners by reason of such violation.

APPENDED

A. Rate and Fee Schedule

Rate and Fee Schedule

Sewer Rates:

Domestic Sewer Rate	\$4.60 per 100 cubic feet
Agricultural Sewer Rate	no charge

Minimum Billing Rates:

Domestic Minimum Bill	\$13.80 (usage of 300 cubic feet)
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Standard Sewer Fees:

Sewer System Entrance Fee	As stipulated by permit
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Septage Disposal Fees:

<u>Volume of Septage (gal)</u>	<u>Cost to Dispose</u>
0-1000	\$150
1000 – 1500	\$225
1500 – 2000	\$300
Over 2000	\$300 for first 2000 gallons plus \$75 per additional 500 gallons or portion thereof

Tight Tanks	\$100
Portable Toilets	\$150 for 1000 gallons or less