

TOWN OF HOPKINTON DEPARTMENT OF PUBLIC WORKS  
RULES AND REGULATIONS FOR THE INSTALLATION  
AND CONNECTION OF BUILDING SEWERS  
AND FOR THE USE OF PUBLIC SEWERS  
Revised January 2013

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A. General

1. These Regulations, established and published by the Town of Hopkinton Department of Public Works (the “DPW”) provide for the regulation of drainlayers in the Town of Hopkinton, the installation and connection of building sewers, the control of wastewater quantity and quality and the use of public sewers.
2. The Director of the Department of Public Works (the “Director”) or his designee shall administer, implement and enforce these Regulations.
3. The Director shall not issue a permit for any sewer connection unless there is sufficient capacity not legally committed to other users to convey and adequately treat the quantity and quality requested.
4. Pursuant to Chapter 195, Section 79, of the Town of Hopkinton General Bylaws, the DPW hereby waives any provision of Chapter 195 of the Town of Hopkinton General Bylaws that conflicts with any provision of these Regulations.

B. Definitions

Unless the context of usage indicates otherwise, the meaning of specific terms in these Rules and Regulations shall be as follows:

**ASTM** shall mean the American Society for Testing and Materials.

**BOD** (denoting biomedical oxygen demand) shall mean the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°, expressed in milligrams per liter.

**Board** shall mean the Hopkinton Board of Selectmen.

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

**Building Sewer** shall mean the extension from the building drain to the public sewer or other place of disposal.

**COD** (denoting chemical oxygen demand) shall mean the quantity of oxygen used in the chemical oxidation of organic matter with a strong chemical oxidant under standard laboratory procedure, expressed in milligrams per liter.

**Commercial user (Class II)** shall include any property occupied by a nonresidential establishment not within the definition of an “Industrial User (Class III),” and which is connected to the wastewater facilities.

**DEP** shall mean the Department of Environmental Protection of the Commonwealth of Massachusetts.

**Director** shall mean the Director of the Town of Hopkinton Department of Public Works.

**Discharge Limitation** shall mean any requirement, restriction or standard imposed by the Board, DEP or EPA on quantities, discharge rates, and concentrations of pollutants which are discharged to the public wastewater system.

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

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

**Garbage** shall mean the solid animal and vegetable wastes resulting from the domestic or commercial handling, storage, dispensing, preparation, cooking, and serving of foods.

**Grease Trap** shall mean an exterior watertight structure in which grease is separated from wastewater.

**Groundwater** shall mean water within the earth.

**Industrial User (Class III)** shall mean any nonresidential user identified in Division A, B, D, E, or 1 or the Standard Industrial Classification Manual. Class III also shall include any user that discharges wastewater containing toxic or poisonous substances as defined in Section 307 and Section 502 of the Clean Water Act, or any substance(s) causing interference in the wastewater facilities.

**Industrial Discharge** shall mean any liquid, gaseous or solid waste substance or combination thereof resulting from any process of industry, manufacturing, trade or business or from the development or recovery of any natural resources.

**Interference** shall mean inhibition or disruption of any sewer system, wastewater treatment process, sludge disposal system, or their operation, which substantially contributes to a violation of applicable discharge permits.

“**May**” is permissible; “**Shall**” is mandatory.

**Owner** shall mean the person or persons who legally own, lease, or occupy private property with wastewater facilities that discharge, or will discharge, to the Town’s wastewater facilities.

**Person** shall mean any individual, firm, company, association, society, partnership, corporation, municipality, or other similar organization, agency, or group.

**pH** shall mean the logarithm of the reciprocal of the hydrogen ion concentration expressed in grams per liter of solution, as determined by Standard Methods, neutral pH = 7.0.

**Pretreatment** shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater before discharge from the wastewater facilities.

**Public Sewer** shall mean a sewer in an accepted street or which all owners of abutting properties have equal rights, and is controlled by public authority.

**Residential User (Class I)** shall mean all premises used only for human residency and that are connected to the wastewater facilities.

**Sanitary Wastewater** shall mean wastewater discharged from the sanitary conveniences of dwellings, office buildings, industrial plants, or institutions.

**Sewer** shall mean the structures, processes, equipment, and arrangements necessary to collect and transport wastewaters to the treatment facility

**Slug** shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constitution or in 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 of flows during normal operation.

**Standard Methods** shall mean the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, Water Pollution Control Federation, and American Water Works Association.

**Surface Water** shall mean water that occurs when the rate of precipitation exceeds the rate at which water may percolate into the soil.

**Toxic Substances** shall mean any of the pollutants designated by federal regulations pursuant to Section 307(a)(1) of the Federal Clean Water Act.

**Treatment Facility** shall mean the structures, processes, equipment, and arrangements necessary to treat the discharge wastewaters.

**Wastewater (or sewage)** shall mean a combination of liquid and water-carried wastes from residences, commercial buildings, industries, and institutions, together with any groundwater, surface water, or storm water that may be present.

**Wastewater Facilities** shall mean the structures, processes, equipment, and arrangements necessary to collect and transport wastewaters to the treatment facility

C. Permits

1. No person shall uncover, make any connection with, or any opening into or use, repair, alter, replace or disturb any public sewers or appurtenance thereof, without first obtaining a permit in writing from the Director.
2. Applications for permits to construct, repair, replace and/or connect a building sewer or other private sewer to the public sewers of the Town shall be made in writing to the Director by the property owner or his authorized agent. Permits for the construction of connections will be issued only to licensed drainlayers.
3. Applications for permits shall include a layout plan showing the location of the existing service connection, the depth of the existing service connection and of the building sewer, the contours of the land from the existing service connection to the building, the building location and route of sewer service and wastewater flow and characteristics (industrial, commercial or residential). Specific discharge limitations

and prohibitions are provided in Appendix D. Nothing in these Regulations shall be construed to prevent the DPW or the Director from specifically limiting any other pollutant or parameter. The Town reserves the right to impose more stringent limitations or to revise current limitations as necessary.

4. Applications must be approved as to form and content by the Director before any permit is issued. The Director may request additional information as deemed necessary to evaluate the application.
5. No permit shall be issued, except in the case of an emergency, which involves excavating a public way until the applicant files with the Director copies of notices to public utility companies as required by General Law, Chapter 82 Section 40 and evidence of street opening permit and trench permit previously issued by the DPW.
6. Fees and related costs charged for each permit for sewer connection shall be as set forth in Appendix A and shall be payable at the time of filing the application for such permit.
7. No work including the laying or repairing of building or other private sewers and/or appurtenances shall be commenced or allowed to continue unless the permit to do such work is maintained at all times at the site of the work in the possession of the drainlayer or its agent.
8. All work shall be completed within sixty days from the date of issuance of the permit. If such work is not so completed by such date, a new permit must be obtained in order that continuance of the work is authorized. All such permits shall automatically expire within sixty (60) days of the date of issuance thereof.
9. Permits are valid only for the use, quantity and quality of flow described in the application. Any change in facility use or quantity or quality of flow shall be considered a change in use and requires an application for new permit. Permits for industrial discharges are valid for a period of three (3) years. Application for renewal shall be made a minimum of six (6) months prior to expiration of the permit. Permits are not transferable and are subject to immediate revocation by the Director upon any violation of these regulations.
10. Any Industrial User shall be required to obtain an Industrial Pretreatment Permit from the responsible authority.

D. Drainlayers

1. No person shall lay or repair any building sewer or other private sewer, or make any connection to any public sewer unless such person is duly licensed by the Town of Hopkinton to perform such work.
2. Licenses to perform such work as a drainlayer will be issued only to experienced and competent contractors who must make application therefor on a form which may be obtained from the Director. Licenses shall expire on the anniversary date thereof and must be renewed annually on or before January first of each year.

3. Every applicant who has been issued a license by the Director shall submit a bond in the form approved by the Director in the amount of \$5,000.00 for the faithful performance of such work as the applicant may perform as a drainlayer. In addition, the applicant must submit a Certificate of Insurance in the sum of \$200,000.00/\$500,000.00 Broad Form General Public Liability including coverage for premises operations, independent contractors, as well as damage from explosion, by collapse of structures, and to underground pipes, utilities and structures and \$200,000.00/\$500,000.00 Property Damage Liability. Both the bond and Certificates of Insurance shall name the Town of Hopkinton as a named insured. In addition, a Certificate of Insurance of Workmen's Compensation coverage shall be filed. All of the above Certificates and bond shall remain in full force and effect for the period of the license granted hereunder and must be renewed and new Certificates provided to the Director upon renewal of the drainlayers license. Said insurance shall provide that it shall save, defend and indemnify the Town against any and all claims, liability, loss, expense, action or damage incurred by the Town, including reasonable attorney's fees, arising out of, as a result of or in any way connected with the performance of the work of the licensee, and for or by reason of any acts or omission of said licensee in the performance of its work. The drainlayer shall comply with any and all applicable Town, State, and Federal codes, rules and regulations. The Director shall have the right to require a larger performance bond in the Director shall deem same appropriate.
4. No licensed drainlayer shall allow its name to be used by any other person, either for the purpose of obtaining permits, or doing any work under its license.
5. Any drainlayers license granted pursuant hereto shall be subject to immediate revocation or suspension upon determination by the Director of unsatisfactory performance or violation of any law, statute, or code or of these regulations.
6. Any drainlayer licensed hereunder shall save, defend, indemnify and hold harmless the Town against any and all claims, liability, loss, expense, action or damage incurred by the Town, including reasonable attorney's fees, arising out of, as a result of or in any way connected with the performance of the work of the licensee, and for or by reason of any acts or omission of said licensee in the performance of its work.

E. Sewer Connections

1. No person shall make connection of roof downspouts, exterior foundation drains, driveway drains, basement sump pumps, or other sources of surface runoff or groundwater to a building sewer either directly or indirectly, which building sewer is directly or more remotely connected to the public sanitary sewer.
2. All costs and expenses incident to the construction and connection of any building sewer or other private sewers shall be borne by the property owner. The property owner shall save, defend, hold harmless and indemnify the Town of Hopkinton, its agents, servants and employees, from and against any loss or damage that may directly or indirectly be occasioned by the installation and connection of any building sewer or other private sewer by any property owner.
3. In new construction, the building sewer shall be brought to the building at an elevation below the basement floor whenever possible. In all buildings in which any

building drain is too low to permit gravity flow to the public sewer, sanitary wastewater carried by such building drain may be lifted by such means as are approved by the Director and discharged to the building sewer. Each building shall have a separate sewer connection except where, in the opinion of the Director, separate connections are impractical. In such cases the Director may require the applicant to provide additional information such as easements to meet all other provisions of these regulations.

4. Old building sewers and other private sewers may be used in connection with new buildings or in connection with new public sewer connection, in whole or in part, only when they are found after examination and test, the results of which are acceptable to the Director, to meet all requirements of these regulations.
5. The connection of the building sewer into the public sewer shall conform to all applicable building and plumbing codes and regulations, and shall be gastight and watertight. Any deviation from prescribed procedures and materials must be approved in advance in writing by the Director. All cost and expense incident to the construction and connection to the building sewer or other private sewer shall be borne by the property owner. Rubber or PVC transition couplings should conform to ANSI/ASTM D3212-76, "Joints for drain and sewer plastic pipes using flexible elastomeric seals." Couplings must be those manufactured by Clos-True, Fernco or equal.

#### F. Sewer Construction

1. All pipe and fittings to be used in service connections shall be either PVC pipe or cast iron soil pipe, six (6) inches or more in diameter. PVC (Polyvinyl-chloride), shall be SDR35 in conformance with ASTM D-3034, latest revision. PVC sewer pipe shall be green in color for in ground identification. Sewer pipe should be manufactured by Scepter, JM, ETI or equal. Cast iron soil pipe shall conform to Federal Specification WW-P-401.
2. All pipe and fittings shall be homogeneous throughout and free from visible cracks, holes, foreign inclusion and other injurious defects. All pipe shall be as uniform as commercially practical in color, opacity, density, and other physical properties.
3. Joints shall be bell and spigot for PVC and cast iron; the bell consisting of an integral wall section with a solid cross section rubber ring securely locked in place to prevent displacement. Joints shall conform to ASTM standard D3212 and be gas tight and water tight. The rate of groundwater infiltration may not exceed 500 gals/inch diameter/mile of pipe/24 hours.
4. All fittings and accessories shall be compatible with the pipe as approved by the Director. Where angular offsets are required, they shall be constructed using long radius sweeps unless otherwise approved by the Director. All fittings shall meet or exceed the requirements of the PVC sewer pipe as noted in Section E.1. above.
5. PVC pipe shall pass the impact resistance test in accordance with ASTM D2444, and minimum pipe stiffness test at 5% deflection in accordance with ASTM D2412.

6. All pipe shall be clean and free of dirt before laying, and the open end shall be kept covered and be free of dirt during construction.
7. Each pipe shall be held firmly in position by carefully and thoroughly tamping backfill material around the barrel of the pipe.
8. Where new pipes are to join existing structures, extreme care shall be taken in breaking into the structures; and tight connection shall be made without interrupting service.
9. Building sewers shall not have more than two angle points or a total angular deviation of more than 180 degrees unless approved by the Director. Approved cleanouts shall be installed at each angle point. Cleanouts must be installed at 100 degrees.
10. Ends of completed pipes and branches shall be sealed with tight fittings and stoppers (plugs).
11. Walking on or working over pipes after they are laid shall not be permitted until the pipes are covered with earth to a depth of not less than 12 inches above the crown.
12. Trenches shall be no less than 18 inches wider than the outside dimensions of the pipes or structures they are to contain.
13. All building sewers or other private sewers shall be laid in an envelope of washed screened gravel with not less than six inches of said material surrounding the pipe. Maximum stone size shall be  $\frac{3}{4}$  inch.
14. All building sewers or other private sewers shall be laid to a minimum slope of  $\frac{1}{4}$  inch per foot unless otherwise approved by the Director.
15. Plans and designs for building sewers and other private sewers in excess of 100 feet in length are subject to review and approval by the Director before construction and may be subject to special requirements to assure a functional connection.
16. Pipe and fittings laid in a trench shall not be backfilled until the work has been inspected and approved by the Director or his designee.
17. Tunneling is not permitted unless authorized by the Director.
18. Upon connection of the building plumbing system to the public sewer, existing septic tanks and cesspools shall be pumped and completely filled with suitable material and bank gravel.
19. Drainlayers shall be responsible to repair, remedy or replace all defects in material and workmanship in any sewer installation or repair for a period of one-year following completion of the sewer service installation or repair.

G. Rock Excavation



1. When ledge is encountered in the excavation, a permit must be obtained from the Fire Chief for use of explosives.
2. All blasting shall be done in accordance with the requirements of the Massachusetts Department of Public Safety, and such other requirements as may be imposed by the Fire Chief.
3. All blasting must be done by a person licensed for this purpose by the Department of Public Safety of Massachusetts.
4. When conducting blasting operations, the drainlayer or the person doing the blasting must have evidence of valid liability insurance coverage in the form of a certificate issued by the insurance agency to the Fire Marshall's Office, listing name and claims representative, with personal injury coverage of \$1,000,000.00 per person and \$3,000,000.00 per occurrence and property damage coverage of \$250,000.00 per occurrence and \$250,000.00 aggregate X.C.U. (Explosion and collapse underground) coverage and thirty (30) day cancellation notice to the Town. Such certificate shall name the Town of Hopkinton as a named insured. Such drainlayer or blaster shall save, defend, indemnify and hold harmless the Town of Hopkinton from any and all claims, demands, suits, expenses, liabilities or damage of any type arising out of or on account of such blasting operations, including reasonable attorney's fees.
5. Before opening a trench in the street or private property, a permit must be obtained at the DPW Office.
6. All work in the street must be done in accordance with the standards for the backfilling of street openings in the Town of Hopkinton.
7. If the drainlayer does not restore the permanent road surfaces within seven (7) days following notification to do so, the Town of Hopkinton Sewer Department shall have the work done, and charge the drainlayer for the same. Such expenses incurred by the Town shall be an obligation recoverable from the bond provided by the drainlayer.
8. When making sewer connections in State Highways, the Town of Hopkinton will obtain the necessary permits from the Massachusetts Department of Transportation prior to the issuance of a sewer connection permit. All work shall be done in accordance with the requirements set forth in the permit from the Massachusetts Department of Transportation.
9. All excavations and obstructions shall be adequately barricaded and lighted by the property owner or drainlayer at all times to protect the public from harm.
10. Power shovels, loaders, trucks, and other heavy equipment shall not be operated on or across sidewalks, berms, or curbing until they have been properly protected from damage by planking or other suitable means. All damage resulting from the drainlayer's operations shall be repaired by the drainlayer and the bond provided by the drainlayer may be utilized for such purpose in the event the drainlayer does not repair such damage.

H. Construction Inspections

1. Requests for inspection of sewer service connections installations shall be made a minimum of 48 hours before the installation.
2. Inspections will be made only during the normal working hours of the DPW.
3. The fee for the sewer permit includes one inspection. Additional visits made necessary by unacceptable work or because job is not ready for inspection when scheduled, will be billed to the drainlayer. Such additional expense must be paid prior to the Director's issuing a certificate of completion.

I. Powers and Authority of Inspectors

1. The Director and any duly authorized Inspectors, bearing proper credentials and identification, shall be permitted to enter all properties connected with the Town Public Sewer, for the purpose of inspection, observation, measurement, sampling and testing, all in accordance with the provisions of these regulations. They may inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, plating or other industrial activity that contribute water or wastes to public sewers; but shall not order or demand information concerning any patented process or trade secret beyond that necessary to determine the kind, contents, composition, source, and amount of wastewater discharge from the industrial or commercial plant to public sewers. Inspectors shall observe safety rules established by the facility owner or occupant.
2. Authority of Town employees in easement areas acquired by the Town of Hopkinton: The Director or other duly authorized agents of the Town, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Town holds a duly acquired easement for the purpose of inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and work, if any, within said easement shall be in full accordance with the terms of the duly acquired easement pertaining to the private property involved.

J. Sewer Main Extensions to Private Developments or Subdivisions

1. Extension of public sewers to developments and subdivisions is at the discretion of the DPW as guided by the Sewer Main Extension Policy provided in Appendix E. If granted the right to extend sewers, the applicant shall comply with the following provisions of these regulations for the design approval.
2. The applicant shall provide plans and profiles of the proposed work, drawn and stamped by a Registered Professional Engineer, and using a scale of 40 feet to the inch for plan view and 40 feet to the inch horizontal and 4 feet or 6 feet to the inch vertical, for profile. Three copies of plans of each street, or section thereof, will be submitted to the Director, two of which shall be given to the Engineer as submittals for approval of the proposed work.
3. No changes in plans or profiles will be permitted without prior approval in writing of the Director. The applicant and licensed drainlayer shall construct the sewer and appurtenances in strict conformity with the plans and profiles, as approved, and

pursuant to the standards herein. The Director shall be advised of the time when such work shall be commenced and a representative of the Director shall observe all such work prior to any backfill. A pre-construction meeting at which shall be the Director, Town Engineer, applicant, and licensed drainlayer shall be held before material is ordered or work begins.

4. All materials used for construction of the sewage system on the project shall be in strict compliance with the standards herein and are subject to initial approval by the Director.
5. The applicant shall submit to the Director three (3) copies of shop drawings or details of proposed equipment and methods of installation for approval. Defective materials shall be removed from the work and from the job site as soon as notification is received from the Director who shall specify the unacceptable materials or other supplies.
6. Workmanship on the project shall be subject to approval by the Director and no work may start prior to written notification having been given to the Director.
7. Testing and final inspection shall be conducted under the observation of the Director, who shall issue final approval.
8. The applicant and his licensed drainlayer shall conform with all State and local laws, rules and regulations and the permit conditions.
9. The applicant shall obtain all permits and licenses required by Federal, State, or local Governmental authorities, and shall notify underground utility agencies of the proposed construction to enable them to mark out their pipes, conduits and other structures, and shall notify the Director in writing at least 48 hours prior to start of work, after all approvals and permits have been obtained.
10. Upon completion of the construction, including service connections at least to the sideline of the roadway layout and installation of the base course of bituminous concrete, the developer or the licensed drainlayer, shall be required to conduct an air pressure test in the presence of the Director or his agent, as detailed in the construction standards. The Developer or the licensed drainlayer shall also provide manpower to assist the Director in a visual inspection prior to final acceptance of the line. Methods for repair and replacement of unacceptable construction or damaged material shall be submitted to the Director for approval prior to start of repair work. On PVC Public Sewer Main installations, a deflection test must also be conducted. The results of such test must be satisfactory to the Director.
11. The applicant or licensed drainlayer will supervise and direct work and will be responsible for the means, methods, techniques, sequences and procedures of construction. The applicant or the licensed drainlayer will employ and maintain on the work, a qualified supervisor or superintendent who shall have been designated in writing by the applicant as the applicant's representative at the site. The supervisor shall have full authority to act on behalf of the applicant and all communications given to the supervisor shall be as binding as if given to the applicant. The supervisor shall be present on the site at all times as required to perform adequate supervision and coordination of the work.

12. No individual, or group of individuals, representing the Town shall be responsible for the construction means, controls, techniques, sequences, procedures, or construction safety.
13. Record (as built) Drawings, obtained and paid for by the applicant shall be required on all sewer main construction, and shall show both a 40-scale plan view and profile section as detailed above, on 3-mil mylar, 22 x 34 inches in size. These Record Drawings shall be prepared and stamped by a Registered Professional Engineer, and shall at a minimum, show a plan and profile view, with accurate location and grade of Public Sewer Main, road profile, station of ways, a minimum of three ties to the Building sewer main at the edge of the roadway taking, with the depth to the top of the pipe, including location of connection at the building. All roads and easement locations, through which sewer is to be laid, shall be at the proposed sub-grade elevation before pipeline construction starts. The licensed drainlayer or applicant is responsible for setting the sewer grades and shall supply all engineering design, field layout, grades, supervision and data for the Record Drawings, as detailed above. Record Drawings must be submitted and approved by the Director prior to authorization to connect.

K. Enforcement and Penalties

1. The Director or any duly authorized representative may inspect the property or facility of any user to ascertain compliance with these regulations. Refusal to allow reasonable entry may be cause for termination of service. When the Director determines that a violation of these regulations has occurred or any damage to the Towns wastewater facilities has occurred one or more of the following actions may be taken by the Director:
  - (a) Issue an order to cease and desist any violation and direct violator to comply;
  - (b) Order the violator to take appropriate remedial or preventive action;
  - (c) Cause the Town to take appropriate remedial or preventive action;
  - (d) Require the violator to submit a detailed time schedule setting forth specific actions to prevent or correct a violation. The Director may issue an implementation schedule to the violator containing or modifying such specific actions and schedule or require other actions as deemed appropriate;
  - (e) Issue an order directing the violator to penalties and costs outlined in Section J.
  - (f) Take direct enforcement action by filing suit in any court of competent jurisdiction pursuant to general laws, statutes and regulations.
2. Any person found to be violating any provisions of these regulation shall be served by the Director with written notice that states the nature of the violation and provides a reasonable time limit for the satisfactory correction thereof; the offender shall, within the period of time stated in such notice, permanently cease and correct all violations. In the judgment of the Director, if a violation may constitute a threat to the environment, structures, equipment, personnel or the public, the use of such connection may be ordered immediately discontinued.

3. Any person who shall not terminate and correct any violation within the time limits provided for in the written notice referred to in the foregoing Section 2 shall be subject to penalties in an amount not to exceed Five Thousand (\$5,000.00) Dollars for each violation. Each day in which any violation shall continue shall be deemed a separate offense.
4. Any person determined by the Director to be violating any of the provisions of these regulations shall become liable and obligated to the Town for any expense, loss or damage suffered by the Town by reason of such violation, including cost of repairs and reasonable attorney's fees incurred by the Town.
5. If the discharge from a facility causes an obstruction, deposit or damage to any of the Town's wastewater facilities, including facilities used by the Town located in Milford or Westborough, the Director shall proceed with prompt repairs. The cost of such work, including all materials, labor and supervision, shall be borne by the person causing deposit, obstruction or damage.
6. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any of the Town's wastewater facilities. Any person who violates this provision will be subject to penalties in an amount not to exceed Five Thousand (\$5,000.00) Dollars for each violation and the cost of repairs as described in Section K.5. Each day in which any violation shall continue shall be deemed a separate offense.

L. Pretreatment

1. No person shall discharge any wastewaters containing substances in excess of the quantities prescribed by these regulations and applicable Federal Categorical Pretreatment Standards promulgated by EPA.
2. Industrial dischargers shall file all wastewater characteristic information deemed necessary by the Director for determination of compliance with these regulations.
3. Nothing in these regulations shall be construed as preventing any special agreement between the Town and an applicant whereby wastewater of different strengths and character is accepted into the system and specifically treated subject to any applicable payments or charges determined by the DPW.
4. Grease traps:

Exterior grease, oil and sand traps shall be provided for all restaurants, food establishments and similar establishments when in the opinion of the Director, they are necessary for the proper discharge of wastes to the sewer system. All traps shall be of the type allowed by applicable plumbing and sanitary codes. Grease traps shall have a minimum depth of 4 feet, a minimum capacity of 1000 gallons and provide a minimum 24 hour detention for kitchen flows. Kitchen flows to be calculated in accordance with Title 5. Traps shall be easily accessible for maintenance and have 24 inch diameter risers to grade. Grease traps shall be inspected monthly and cleaned when level of grease is 25% of the depth. Evidence of inspections and cleanings shall be submitted to the

Director quarterly. Failure to clean traps and provide evidence of such cleaning shall be considered a violation of these regulations.

5. Monitoring:

- (a) Industrial dischargers shall provide suitable access, meters and other applicable monitoring appurtenances to facilitate observation, sampling and measurement of the wastewater. The Director shall consider factors such as volume, rate and strength of discharge, characteristics of discharge pretreatment capability and cost effectiveness in determining whether monitoring equipment shall be required.
- (b) Base line monitoring reports prepared by a registered professional engineer shall be submitted by industrial dischargers in accordance with EPA General Pretreatment Regulations for Existing and New sources of Pollution (40 CFR 403). Monitoring and testing of wastewater characteristics shall be performed at the request of the Director for determining compliance with these regulations. Industrial discharges shall be tested every 3 months unless more frequent testing is required by the Director. More frequent testing and monitoring will be required during initial start up and operation of a new or modified discharge. Sampling and testing shall be performed by a qualified laboratory certified by the Commonwealth of MA. Cost of testing shall be borne by the facility owner or discharger. Factors such as continuous, batch or seasonal use shall be considered by the Director when determining wastewater characteristics, testing frequency and compliance with these regulations. The Town may obtain wastewater sample for testing to verify compliance and consistency of discharge. Costs of tests performed by the Town shall be borne by the discharger. Reports submitted to the Town shall include as a minimum average and maximum daily flow, laboratory analysis, on line monitoring results and any alarms received.
- (c) Users required to pretreat wastewater in accordance with these regulations or required by the Director shall provide a statement certified by the user and a qualified person qualified in wastewater analyses and pretreatment processes. The statement shall indicate whether pretreatment requirements are being met and if not describe additional treatment or operation and maintenance required to meet pre treatment requirements. If additional treatment or O&M is required, the statement shall include a plan and schedule for upgrading the pretreatment requirements. The plan shall be consistent with all applicable conditions of local state and federal regulations laws and permits associated with the wastewater facilities used by the Town. If the state or federal government promulgates regulations applicable to a new or exiting user in a specific industrial category that establishes or revises pretreatment standards, such regulations shall immediately apply to that user.

6. Wastewater with Special Characteristics

If any wastewater contains substances or characteristics shown to have a deleterious effect on the wastewater facilities, processes equipment or receiving waters or constitutes a public nuisance or hazard is discharged or proposed to be discharged, the Director may:

- (a) require pretreatment to a condition acceptable for discharge to the sewer;
- (b) require controls over quantities and rates of discharge;
- (c) require payment to cover added cost of handling and treating wastewaters not covered by existing fees and charges;
- (d) require the development of compliance schedules to meet any applicable treatment requirements;
- (e) carry out all inspection, surveillance and monitoring necessary to determine compliance with these regulations;
- (f) obtain remedies for non compliance by any user such remedies may include injunctive relief civil penalties specified in these regulations or appropriate criminal penalties; and
- (g) reject the wastewater if scientific evidence indicates the discharge will create unreasonable hazards or have unreasonable deleterious effects on any wastewater facilities used by the Town.

M. Amendments

1. These regulations may be amended by affirmative vote of the Board at any regular meeting at which a quorum is present. Any proposed amendment shall be submitted in writing to all members of the Board at least fourteen (14) days prior to the meeting at which said vote is to be taken. Said amendment shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.
2. The invalidity of any section, clause, sentence, or provision of these regulations shall not affect the validity of any other part of these regulations.
3. These regulations shall be in full force and effect from and after their passage, approval, recording, and publication as provided by law.

N. Charges Fees and Related Costs

1. All service charges fees and related costs payable under these regulations shall be as established by the DPW. Additional fees and charges deemed necessary by the DPW or the Director for the review of connection applications or for improvement to the Town's facilities may be assessed to accommodate specific users or permits.
2. A schedule of charges is provided in Appendix A.
3. The use of the Town's wastewater facilities shall be based on the quantity of water used and analysis of the characteristics of the specific discharge.
4. All costs incurred by the Town in connection with administration and enforcement of these regulations shall be reimbursed directly to the provider of such services by the applicant or user. Such cost may include but not be limited to:
  - (a) Inspections and monitoring
  - (b) Sampling and analysis
  - (c) Flow monitoring
  - (d) Televised pipe inspections
  - (e) Professional engineering services
  - (f) Improvements specific to the applicant or user

(g) Pretreatment program enforcement

The need for and scope of such services shall be at the discretion of the Director. The Town will obtain invoices for all such costs review the invoices and forward for direct payment by the applicant or user. All payments are due within thirty (30) days of mailing therefore.

O. Publication and Notice

These Regulations shall not take effect until published once in a newspaper that is published in the Town of Hopkinton. Such publication shall also include a notice that said Regulations shall be available for inspection by the public, pursuant to *M.G.L. c.83, §10*.



## APPENDICES

- A. Schedule of Service Charges and Fees
- B. Permit Application Forms
- C. Discharge Limitations and Prohibitions
- D. DPW Policies

APPENDIX A - Schedule of Service Charges and Fees

Sewer Connection Permit Fee:	\$100.00
Drainlayer License Fee:	\$125.00

\* Other Fees to be calculated pursuant to the Town Bylaws, these Regulations, and DPW Policies

## APPENDIX B – Permit Application Forms

## APPENDIX C – Discharge Limitations and Prohibitions

### A. Discharge Limitations

No person shall discharge or shall cause to be discharged, or shall allow to be discharged any substances, materials, waters or wastes in quantities or concentrations, either singly or in combination with other substances, that will:

1. Endanger life, limb or property;
2. Harm persons, the wastewater facilities or the treatment process;
3. Cause corrosive damage or hazard to structures, equipment or persons;
4. Interfere with, pass through or be otherwise incompatible with any treatment process;
5. Adversely affect ability to dispose of sludge from any treatment facility used by the Town;
6. Cause a violation of any state or federal permit or water quality criteria;
7. Constitute a nuisance;
8. Create a fire or explosion hazard;
9. Obstruct the flow or interfere with the operation of any wastewater facility used by the Town;
10. Constitute a slug.

### B. Specifically Prohibited Discharges

The following wastes are prohibited unless specifically authorized in the connection permit:

1. Oils and Grease: total fat, wax, grease, or oil (exclusive of petroleum substances) of concentrations of more than 100 mg/L, whether emulsified or not, or containing substances that may solidify or become viscous at temperatures between 0 degrees and 65 degrees Centigrade at the point of discharge into the system.
2. Petroleum Substances: viscous, hydrocarbon mixtures such as gasoline, asphalt waste, lubricating oils, and/or grease in any concentration. TPH shall not exceed 5 mg/l.
3. Explosive Mixtures: liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewerage facilities. At no time shall two successive readings on an explosion hazard meter, at the point of discharge be more than 5 percent or any single reading over 10 percent of the lower explosive limit (LEL) of the explosive substance as defined in

Standard Methods. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, perchlorates, bromates, carbides, hydrides, and sulfides.

4. Improperly Shredded Garbage: garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the sanitary sewers, with no particle greater than one-half inch in any dimension.
5. Noxious Material: noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into a sewer for its maintenance and repair.
6. Radioactive Wastes: radioactive wastes or isotopes of such half life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the wastewater collection system or to personnel operating the system.
7. Solid or Viscous Wastes: solid or viscous wastes which will or may cause obstruction of the flow in the sewers, or may otherwise interfere with the proper operation of the pumping stations. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, animal guts or tissues, paunch, manure, bones, hair, hides of fleshings, entrails, whole blood, feathers, ashes, cinders, sand, egg shells, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tars, asphalt residues, residues from refining or processing of fuel or lubricating oil, coagulants, flocculates, polymerized liquid materials, and similar substances.
8. Excessive Discharge Rate: any wastewater above the approved connection flow, or whose flow exceeds for any time period longer than 15 minutes, more than 1.5 times the average 24-hour flow, and any wastewater, whose concentration or quantity of pollutants exceeds for any time period longer than 15 minutes more than five times the average 24-hour concentration or quantity of pollutants, and that could cause a treatment process upset and/or subsequent loss of treatment efficiency at the Westboro Treatment Plant.
9. Toxic Substances: any toxic substances as defined by 310 CMR 30.00 or herein, including but not limited to chemical elements or compounds, phenols, or other taste or odor-producing substances, or any other substances that are not susceptible to treatment or that may interfere with the biological processes or efficiency of any treatment process used at the Westboro, Milford, Fruit Street Treatment Plant or that will pass through the system to the receiving waters untreated, except as regulated in items 3-14 to 3-20 below and permitted in the user's industrial discharge document.
10. Unpolluted Waters: any unpolluted water, not requiring treatment before discharge to the stream, which will increase the hydraulic load on the wastewater collection system, including cooling water and roof and yard drainage.
11. Corrosive Wastes: any waste that will cause corrosion or deterioration of the wastewater collection system or wastewater treatment facilities. All wastes

discharged to Hopkinton's collection system must have a pH value in the range of 6.0 to 9.0 standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds, and substances that will react with water to form acids and/or alkaline products.

12. Colors: any wastewater with objectionable color, either real or apparent, not removed in the treatment process, such as, but not limited to, dye, wastes, and vegetable tanning solutions.
13. Fibers: any clothing, rags, textile remnants or waste, cloth, scraps, or fibers; except fibers or scrap that will pass through a one-fourth inch screen or its equivalent in screening ability. When necessary to protect the collection system, additional screening may be required.
14. TSS: any wastes or waters in which the TSS exceeds 300 mg/L. Total dissolved solids not to exceed 3000 mg/L.
15. BOD: any waters or wastes in which the BOD exceeds 200 mg/L.
16. COD: any waters or wastes in which the COD exceeds 400 mg/L.
17. IDOD: any waters or wastes in which the IDOD exceeds 5.0 mg/L.
18. P: any waters or wastes in which the P exceeds 15 mg/L.
19. NH<sub>3</sub>: any waters or wastes in which the NH<sub>3</sub> exceeds 15 mg/L.
20. Temperature: any liquid or vapor having a temperature higher than 40 degrees C (104 degrees F).
21. Total fixed Solids: any water or wastes in which the total fixed residue exceeds 1,500 mg/L.
22. Excessive Substances: any materials that form excessive amounts of scum or foam which may interfere with the operation of the collection system, or any substances that may cause undue additional labor in connection with its operation.
23. Sludges: deposited solids or residuals resulting from an industrial or pretreatment process.
24. Heavy Metals: any waters or wastes containing amounts of cadmium, chromium, copper, mercury, nickel, zinc, or other heavy metals that are in an ionic or chemically active state and that may interfere with the biological treatment of the wastewater or the use or disposal of sludge.
25. Chemical Discharges: the discharge of cadmium (Cd), Silver (Ag), Molybdenum (Mo) and/or Mercury (Hg) is prohibited except for those industrial users who obtain approval of their discharge by the Town. Such discharge limitations will be specified in the applicable Industrial Wastewater Discharge Permit and will be determined by the Town in a case-by-case basis to protect the final use or disposal of sludge.

26. Other Discharges: the discharge of Polychlorinated Biphenyls (pcb's) mercury, herbicides, pesticides and Dioxin will not be permitted in excess of federal or state regulated quantities.

27. Specific Limitations

Parameter	Maximum Daily Limit
Total Toxic Organics	5 mg/l
Total BTEX	0.1 mg/l
Benzene	0.005 mg/l
Aluminum	2.0 mg/l
Antimony	10.0 mg/l
Arsenic	0.5 mg/l
Barium	4.0 mg/l
Boron	5.0 mg/l
Cadmium	0.69 mg/l
Chromium, total	2.77 mg/l
Copper	3.38 mg/l
Lead	0.69 mg/l
Nickel	3.98 mg/l
Selenium	5.0 mg/l
Silver	0.43 mg/l
Zinc	2.61 mg/l
Total metals	10.5 mg/l

Nothing in these regulations shall be construed from preventing the DPW or Director from specifically limiting any other pollutant or parameter. The Town reserves the right to impose more stringent limitations or to revise current limitations as necessary.

## APPENDIX D - DPW Policies

### **POLICY FOR PUMP INSTALLATION**

1. As of September 4, 1994, any existing property on a low-pressure sewer will receive a \$1,500.00 sewer betterment assessment.
2. Any existing property as of September 4, 1994, which is below grade of the gravity sewer main and can't connect by gravity into the town municipal sewer, will receive a \$1,500.00 sewer betterment assessment.

Note – If a property can go gravity by changing plumbing in the house, the property does not qualify for a reduced betterment.

3. If the property's basement will not flow gravity, the property must have pre-existing facilities installed on or before September 4, 1994 in the basement of the home to qualify betterment. The Town of Hopkinton may request access to the basement to verify pre-existing facilities prior to approval of a \$1,500.00 betterment assessment. Records in the Board of Assessor's office or the Department of Municipal Inspections can be used to verify existence of pre-existing basement facilities.
4. Property must install pumps approved by the Town of Hopkinton Sewer Department.
5. All low-pressure sewer systems shall install semi-positive displacement progressing cavity pumps that are approved by the Hopkinton Sewer Department.

Voted at the Board meeting 10/18/94



Town of Hopkinton Department of Public Works  
**Policy on Sewer Main Extensions and Connections**

I. Preamble & Purpose

The Hopkinton Department of Public Works (the “DPW”), acting through the Director of the Department of Public Works (the “Director”), hereby adopts this Policy to provide for an orderly program of sewer main extensions and connection to the sewer system, which is intended to provide sewer service for identified needs such as existing residences and for existing and proposed commercial and industrial businesses, while maintaining sewage flow below the Town’s treatment capacity limits. The Sewer Service Area of the Town of Hopkinton, described below as Phases 1 through 6, inclusive, of the sewer system, was designated following a comprehensive and deliberate study of the existing and projected wastewater needs and wastewater management alternatives for the Town. Reference is made below to the Comprehensive Wastewater Management Plan, dated December 2004, and accepted by the Massachusetts Executive Office of Energy and Environmental Affairs on January 28, 2005. In support of this plan, as well as the needs of neighboring communities with which Hopkinton has entered into Intermunicipal Agreements, the Town has revised this Policy to monitor and manage growth in and around the Sewer Service Area.

II. Definitions

**Director:** The Director of the Department of Public Works for the Town of Hopkinton. Pursuant to Chapter 314 of the Acts of 2010, the Director has the authority necessary to implement and enforce this Policy within the Town of Hopkinton.

**Sewer Service Area:** The area delineated in the Comprehensive Wastewater Management Plan-Phase I-Needs Assessment as Phases 1 through 6, inclusive.

**Town:** The Town of Hopkinton, Massachusetts or its duly Authorized Agents.

III. Identification of Lots to be Served

Only parcels of land located within the Sewer Service Area shall be permitted to connect to the town’s sewer system. Those parcels of land located within the Sewer Service Area that, as of October 17, 2011, have not connected to the sewer system and have previously been assessed a betterment charge as a result of the construction of the sewer system may connect to the sewer system provided they have complied with all applicable requirements.

IV. Sewer Main Extensions

The Director shall approve the extension of any sewer main serving the Sewer Service Area only if adequate treatment capacity exists. If sewer main extensions are approved by the Director and constructed by the Town, the construction costs shall be recovered through federal or state grants, gifts, and/or betterments. If sewer main extensions are approved by the Director and constructed by a developer, the developer shall pay for all construction costs, including Town inspection and engineering costs.

V. Responsibility to Monitor

The Director shall monitor sewer connections to the treatment facilities that serve the Town's sewer system and may periodically review this Policy based upon changes in capacity limits or a need to ensure responsible and deliberate growth in and around the Sewer Service Area.

VI. Reservation of Capacity

In order to preserve and distribute sewer capacity in a deliberate and prescribed manner based on identified needs, the Director shall not approve any connections or sewer main extensions intended to serve parcels of land outside of the Sewer Service Area unless: 1) adequate treatment capacity exists in the system; 2) no viable alternatives exist for the disposal of sanitary waste from the parcel; and 3) such approval is consistent with the Comprehensive Wastewater Management Plan or any amendment thereto and authorized by Town Meeting vote, if required.

Notwithstanding the foregoing, the Director may approve a sewer connection for any parcel, containing an existing building, that does not abut a common sewer but is in proximity to the Sewer Service Area where sewer connections are deemed necessary for public health or environmental reasons, no viable alternatives exist for the disposal of sanitary waste from the parcel, and such a connection will not cause the Town of Hopkinton to exceed the Hopkinton Maximum Allocated Capacity, as defined in section 1.1.4 of the Intermunicipal Agreement between the Towns of Westborough and Hopkinton, dated May 1, 1986, or any amendments thereto.

VII. Severability

If any provision hereof shall be held invalid by any court of competent jurisdiction under any circumstances, such invalidity shall be construed as narrowly as possible, and the balance of the Policy shall be deemed to be amended to the minimum extent necessary to effect the intent and purposes of the Policy.

## Inflow Infiltration Guidance Adopted September 12, 2007

### Introduction

The Town currently transports its sewage to the Town of Westborough Wastewater Treatment Plant pursuant to a contract allowing the Town discharge up to 400,000 gallons of sewage per day. The flows from currently approved connections vary seasonally and average from approximately 280,000 gallons per day (gpd) to 320,000 gpd. These flows include some contribution from inflow and infiltration (I&I) which varies throughout the year. A portion of the Town sewer system is approaching 20 years old and, under certain conditions of wet weather and high groundwater, significantly higher I&I can occur.

In order to address this issue, the Town has voluntarily established a program to identify and repair areas of I&I. This program will allowed continued use of the system as we approach our contracted limit with Westborough and reduce our treatment costs by eliminating extraneous discharges. The Board will continue to monitor its I&I and capacity limitation and reserves the right to amend this policy at any time.

### I&I Reduction

Any project in Phase 1-6 which proposes to increase flows above that currently approved may be requested to assist the Town in its efforts to reduce I&I. Specifically the Board or Director may impose some or all of the following condition on a connection permit:

1. Contribution to the I&I maintenance program in addition to the connection fee or privilege fee. The contribution is based on current estimates to repair the system of \$2.25 per gpd of flow. For projects that estimate sewage volumes using Title 5, a ratio of 1 gallon of I&I for every 1 gallon of new flow added to the system. This is because of the inherent conservatism in the Title 5 numbers. If sewer volumes are estimated by other means, the Board may vary the ratio.
2. Certify existing service laterals are watertight
3. Install water reducing plumbing fixtures where practical
4. Allow right of future inspection for extraneous flows from the facility (roof drains, sump pumps etc...)

The Board may consider and accept alternate conditions, which differ from this policy to the extent that they achieve I&I reduction.

### Exceptions

1. Lots existing at the time of the common sewer construction and that have been assessed a full betterment but not yet connected.
2. Developed lots that the Hopkinton Board of Health certify that a connection is necessary to abate an imminent hazard to the public health.