

Town of Millbury  
Board of Sewer Commissioners

Sewer System  
Rules & Regulations

Revised: August 27, 2019



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RULES AND REGULATIONS  
OF THE  
TOWN OF MILLBURY

BOARD OF SEWER COMMISSIONERS

Authorization to the Town to  
Construct a Sewerage System

CHAPTER 800

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Sixty-three, AN ACT authorizing the Town of Millbury to construct and operate a system or systems of sewerage and sewer disposal.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same as follows.

SECTION 1

The Town of Millbury, hereinafter called the Town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system or systems of sewerage and sewer treatment and disposal, and may construct such sewers in said Town, as may be necessary.

SECTION 2

The Town may make and maintain, in anyway therein where common sewers are constructed, such connection sewers within the limits of such way as maybe necessary to connect any estate which abuts upon the way.

SECTION 3

The Town may, at the meeting when this act is accepted, vote that the Selectmen shall act as a Board of Sewer Commissioners, if the Town does not so vote at said meetings, the Town shall elect by ballot, at any Town Meeting not later than the second annual meeting after the commencement of construction hereunder of a system or systems of sewerages and sewage disposal, a board of three Sewer Commissioners, who shall be citizens of the Town, to hold office, if elected at an annual Town Meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual Town Meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years from the next succeeding annual Town Meeting, and until their successors are qualified, and thereafter, at each annual Town Meeting when the term of a member expires, the Town shall elect one member of the board of serve for three years and until his successor is qualified. Any Selectman shall be eligible to election to said boards, In either case, whether the Town votes that its Selectmen shall act as a Board of Sewer Commissioners, or elect a Board of Sewer Commissioners, the Town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the Selectmen may act as a Board of Sewer Commissioners, as the case may be. NOTE: as of May 2, 2000 with the creation of the Charter, the Board of Sewer Commissioners are appointed.

#### SECTION 4

Said Board of Sewer Commissioners, acting for and on behalf of said Town, may take by eminent domain under Chapter seventy-nine of the General Laws, of acquire by purchase to other wide, any lands, water rights, rights of way or easements, public or private in said Town, necessary for accomplishing many purpose mentioned in this act, and may construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location for and purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purpose of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in the case of failure to agree, as may be approved by the Department of Public Utilities.

#### SECTION 5

Until the Board of Sewer Commissioners has first been elected as provided in this act or the Selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of the construction authorized hereby the Town may carry on such work by a duly authorized committee of the Town. The committee shall serve without pay and shall have all the powers and authority given to the Board of Sewer Commissioners in this act or by general law. Whenever the phrase, "said Board of Sewer Commissioners" or "said board" hereinafter occurs, it shall mean and include the Board of Sewer Commissioners, the Selectmen acting as such or the committee of the Town provided for in this section, as the case may be.

#### SECTION 6

Any person injured in his property by any action of said Board of Sewer Commissioners under this act may recover damages from said Town under said chapter seventy-nine.

#### SECTION 7

The Town shall, by vote, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewer disposal and if a portion, what proportion. If the Town votes to pay less than the whole cost, in providing for the payment of all remaining portions of the cost of said system or systems, the Town may avail itself of any or all of the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefore and to interest thereon, shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines that any portion of the cost is to be borne by the Town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The Collector of Taxes of said Town shall certify the payment of such assessments, or apportionments thereof to the Sewer Commissioners, or the Selectmen acting as such, who shall preserve a record thereof.

## SECTION 8

For the purpose of paying the necessary expenses and liabilities incurred under this act, the Town may from time to time, within five years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, one million five hundred thousand dollars, and may issue bonds or notes therefore, which shall bear on their face the words Millbury Sewerage Loan, Act of 1963. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

## SECTION 9

The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system or systems of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or the payment of redemption of such bonds or notes.

## SECTION 10

Said Board of Sewer Commissioners may annually appoint a clerk and may appoint a Director to sewers who shall not be a member of the board, and shall define their duties. Said board may, in its discretion, prescribe for the users of said sewer system or systems such annual rentals or charges based on the benefits derived therefrom as it may deem proper, subject, however, to such Rules and Regulations as may be fixed by vote of the Town.

## SECTION 11

All contracts made by the Board of Sewer Commissioners shall be made in the name of the Town and shall be signed by the board, but no contract shall be made or obligations incurred by said board for any purpose in excess of the amount of money appropriated by the Town therefore.

## SECTION 12

Said Board of Sewer Commissioners may, from time to time, prescribe Rules and Regulations regarding the use of common sewers to prevent the entrance or discharge therein of any substance which may tend to interfere with the flow of sewerage or the proper operation of the sewerage system and the treatment and disposal for the connection of estates and buildings with sewers, for the construction, alteration, and use of all connections entering into such sewers, and for the inspection for all materials used therein; and may prescribe civil penalties not exceeding five thousand dollars for each day of violation of any such Rules or Regulations. Such Rules and Regulations shall be published once in a newspaper published in the Town of Millbury, if there be any, and if not, then in a newspaper published in the County of Worcester, and shall be available for inspection by the public, and shall not take effect until such publication is made.

## SECTION 13

No act shall be done under authority of the preceding sections except in the making of surveys and other preliminary investigations, until the plan for said system or systems of sewerage and sewerage disposal has been approved by the state department of public health.

#### SECTION 14

This act shall take effect upon its acceptance by the Town of Millbury within four years after its passage, but not otherwise. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Passage of this act was November 9, 1963.

*RULES AND REGULATIONS FOR THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S); THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS; SEPTIC TRUCK DUMPING AREA; BETTERMENTS; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE TOWN OF MILLBURY, COUNTY OF WORCESTER, STATE OF MASSACHUSETTS.*

Be it ordained and enacted by the Board of Sewer Commissioners of the Town of Millbury, State of Massachusetts as follows:

ARTICLE 1

Definitions

Unless the context specifically indicated otherwise, the meaning of terms used in these Rules and Regulations shall be as follows;

“Board of Sewer Commissioners” shall mean any appointed official that has jurisdiction over the sewerage system.

“Building Sewer” shall mean the part of the lowest horizontal piping of a plumbing system that receives the discharge from waste and other plumbing pipes inside the walls of the building and conveys it to the sewer service, beginning ten (10) feet outside the inner face of the building wall. (Figure 1).

“Catch Basin” shall mean a best management practice (“BMP”) component of the storm water drain system which are underground retention systems designed to remove trash, debris, and coarse sediments from storm water runoff. If the Catch Basin is designed with a hooded outlet, the Catch Basin may also serve as a temporary spill containment device for floatables such as oils and greases.

“Combined Sewer” shall mean a sewer that receives both surface runoff and sewage.

“Director” shall mean the Director of Public Works for the Town of Millbury or authorized deputy, agent or representative.

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

“Industrial Wastes” shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

“Infiltration” The water that enters the sanitary sewer collection system (including sewer service connections) from the ground through such means as defected pipes, pipe joints, service connections, manhole connections, or through defective manhole structures. Infiltration does not include, and is distinguished from, “Inflow”.

“Inflow” All water that enters the sanitary sewer collection system (including sewer service connections) from sources such as roof leaders, cellar drains, yard drains, area drains, foundations drains, drains from spring and swampy areas, manhole covers, cross connections between storm water drains and sanitary sewers, catch basins, surface runoff, street wash waters, sump pump discharges or drainage. Inflow does not include, and is distinguished from, Infiltration”.

“Infiltration/Inflow” (I&I) the total quantity of water present from both “infiltration” and “Inflow” without distinguishing the source.

“Licensed Drain Layer” shall mean a person or business licensed by the Town of Millbury, Board of Selectman to install drains under the Sewer Service or Sewer Mains under the supervision of the DPW Director.

“Permits” shall mean a written permit granted by the Board of Sewer Commissioners to a licensed drain layer to construct or reconstruct public sewer main or sewer service.

“Person” shall mean any individual, firm, company, association, society, corporation, or group.

“pH” shall mean the logarithm of the reciprocal of the concentration of hydrogenous ions in gram atoms per liter of solution, and is a measure of acidity or alkalinity of a solution on a scale from 1 to 14.

“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 (1/2) inch in any dimension.

“Public Sewer” shall mean a sewer to which all Owners of abutting properties have equal rights, and is controlled by public authority (Figure 1).

“Sanitary Sewer” shall mean a sewer which carries sewerage and to which storm, surface, and ground waters are not intentionally admitted (Figure 1).

“Sewage” shall mean a combination of the water-carried wastes from residences, businesses, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present, but are not intentionally admitted.

“Sewage Works” shall mean all facilities for collecting, pumping and disposing of sewage.

“Sewer” shall mean a pipe or conduit for carrying sewage. The words “Sewer” and “Sewer main” are synonymous (Figure 1).

“Sewer Service” shall mean the extension from the building sewer to the public sewer main. The words “Sewer Service” and “House Connection” are synonymous. (See figure 1).

“Shall” is mandatory; “May” is permissive.



“Slug” the discharge of water or wastewater from any permitted sewer service connection into a public sewer which results in any of the following conditions:

- A surcharge higher than the crown of a normally constructed sewer;
- A volume more than five (5) times the maximum normal daily discharged volume;
- A concentration which causes the user to violate maximum discharge limitations; or
- An adverse effect on wastewater facilities.

“Storm Water Drain” (Also known as “Catch Basin”) shall mean a drain that carries storm water, drainage, and may include hydrant discharge, but excludes sewage and industrial waste.

“Unflushables” shall mean any and all materials that are not:

- Human waste (defined as byproducts of human digestive processes).
- Toilet paper specifically engineered and manufactured to disperse in water, and
- Carriage flushing water.

Unless specifically approved by the Director or his authorized representative, disposal of any materials, other than those above listed approved materials, shall be expressly and categorically prohibited from disposal by domestic waste water service to the public sanitary sewer system

“Upper Blackstone Water Pollution Abatement District”- “UBWPAD”  
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## ARTICLE II

### Sewer Connection Permit Process

#### SECTION 1

No unauthorized person shall uncover, make any new or alter any existing connections to any public sewer or appurtenance thereof without first obtaining a written permit from the Town of Millbury Board of Sewer Commissioners. Any proposed changes in volume or character of pollutant over that being currently discharged into the public sewer system shall require a written permit from the Town of Millbury Board of Sewer Commissioners. All completed permit applications shall be submitted to the Department of Public Works office for consideration at a regularly scheduled Board of Sewer Commissioners meeting.

#### SECTION 2

Permit applications shall be completed and submitted by a Licensed Drain Layers only. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgments of the Board of Sewer Commissioners. All Industrial users must complete the UBWPAD permit application. A non-refundable permit application including inspection fee (see application for current fee schedule) shall be paid to the Town at the time of application.

#### SECTION 3

If approved by the Board of Sewer Commissioners, approved sewer connection permits may be issued at the Department of Public Works office weekdays during normal business hours. Permits are not transferable. Permits shall be subject to revocation at the discretion of the Board of Sewer Commissioners or their authorized representative. If the work proposed in the sewer connection permit is not completed within 90-days of the date of issuance, a new permit must be obtained. Licensed Drain Layers shall notify the Department of Public Works office at least 72-hours prior to excavation to allow for proper utility mark out(s). Whenever plans and specifications are necessary or required by the Board of Sewer Commissioners for any proposed sewer work said documents shall bear the stamp of a Professional Engineer, licensed in the Commonwealth of Massachusetts. Said documents shall comply with these Rules and Regulations and Best Standard Engineering Practice.

#### SECTION 4

Licenses to construct sewer mains and/or sewer services will be issued to experienced and competent Drain Layers by the Millbury Board of Selectman.

- a. Drain Layers shall maintain insurance as mandated by the Town of Millbury. This insurance must cover at least the full period of the license.
- b. Drain Layer shall sign a Hold Harmless Clause form, which also can be obtained at the Department of Public Works Office.
- c. Drain Layers shall post an insurance performance to guarantee the satisfactory completion of his work. This bond must cover at least the full period of the license, and show an expiration date.
- d. Drain Layers licenses are renewable annually on January 1.
- e. New Drain Layers need to appear at a regular Board of Selectman meeting for approval.

## SECTION 5

All costs and expenses incident to the installation of the sewer shall be borne by the Owner. The Owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of said sewer service

## SECTION 6

A separate and independent sewer service shall be provided for every building except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the sewer service from the front building may be extended to the rear building and the two considered as one sewer service.

## SECTION 7

Old sewer services may be used in connection with new buildings only when they are found, on examination and tested by the Director or his authorized representative to meet all requirements of this regulation.

## SECTION 8

The size, slope, alignment, materials of construction of a sewer service, and appurtenances methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Massachusetts Building Code and other applicable Rules and Regulations of the Town. In the absence of code provisions or in amplification thereof, materials and procedures shall reference TR-16, Gravity Sanitary Sewer Manual.

## SECTION 9

Pipe and fittings to be used in the work shall be PVC (Polyvinyl chloride) pipe. No other pipe and fittings material of construction shall be permitted without the written approval of the Director or his authorized representative. PVC shall conform to the latest revisions of ASTM D3034, and shall be SDR 35.

## SECTION 10

In general, sewer service will not be allowed to have more than two (2) angle points, or a total angular deviation of 180 degrees. Gravity service cleanouts (Figure 2) shall be installed at each deflection or every 100 feet, or unless otherwise required by the Director or his authorized representative.

## SECTION 11

All services shall be laid in an envelope ("bedding envelope") of screened gravel or crushed stone, generally ranging in size from ½ inch to ¾ inch, and shall meet the below grading specification. The service piping shall be installed in a bedding envelope not less than six (6) inches thickness around the pipe barrel in all directions, unless otherwise directed by the Director or his authorized representative. (Figure 3).

<u>Sieve Size</u>	<u>Percent Passing by Weight</u>
¾ inch	90 – 100
½ inch	50 – 90
3/8 inch	20 – 40
No. 4	0 – 10
No. 8	0 – 5

## SECTION 12

All pipe fittings shall be laid to a minimum slope of ¼ inch per foot. (See figure 3).

## SECTION 13

In general, sewer service trenches shall be excavated from the existing sewer service stub to its point of connection to the building sewer. Pipe shall be bedded to the spring line prior to inspection. Backfilling shall *only* be permitted following inspection and approval by the Director or his authorized representative.

## SECTION 14

Tunneling will only be allowed with written permission from the Director or his authorized representative.

## SECTION 15

A sewer service connection made to the building sewer shall be upstream of any septic tank or cesspool.

## SECTION 16

The Licensed Drain Layer shall be responsible for all defects in material and workmanship of the sewer service installation for a period of one year following the inspection and approval by the Director or his authorized representative.

## SECTION 17

Upon connection with the building plumbing system to the common sewers, the existing septic tanks and cesspools shall be abandoned and completely filled with suitable fill material. The property Owner must sign a statement to the effect that he will fill said tank or cesspool within thirty (30) days of the date on which connection is made to the common sewers. This statement shall be in an approved form, and filed with the Board of Sewer Commissioners and Board of Health before a Sewer Connection Permit issued to the installer or licensed drain layer.

## SECTION 18

No person shall make a connection of roof downspouts, exterior foundation drains and areaway drains, or sources of surface or ground water, including but not limited to sump pumps that is connected directly or indirectly to a public sewer.

## SECTION 19

The Licensed Drain Layer for the sewer service connection permit shall notify the Director or his authorized representative, before noontime on the preceding business day. Inspections will only be made during normal business hours of the Department. Inspections scheduled outside normal business hours of the Department shall be subject to a surcharge fee at the highest overtime rate for the Sewer Division under the Union Contract.

## SECTION 20

When ledge is encountered in the excavation, any blasting shall be conducted in accordance with the requirements of Massachusetts Department of Public Safety and the Millbury Fire Chief.

## SECTION 21

The Licensed Drain Layer shall provide closed circuit TV video to the Department, documenting the condition of the sewer main between the two manholes nearest the proposed connection for pre- and post-blasting. Any and all damage caused by said blasting operations shall be repaired to the satisfaction of the Director or his authorized representative at no cost to the Department.

## SECTION 22

All work proposed within the Town of Millbury's public Right-of-Ways shall be subject to the Street Opening Rules and Specifications. Street Opening Permits shall be applied for through the DPW Office.

## SECTION 23

Excavators, bulldozers, skid steers, loaders, trucks, and other equipment shall not operate on or cross sidewalks, berms, curbing, etc., unless properly protected from damage by planking or other means, approved by the Director or his authorized representative. Any damage resulting from the Licensed Drain Layer's operations shall be repaired to the satisfaction of the Director or his authorized representative at no cost to the Department.

## SECTION 24

License Drain Layers shall obtain and submit to the Department any and all necessary Local, State or Federal permits related to the work prior to issuance of a sewer connection permit.

## SECTION 25

The property Owner is responsible for maintaining and repairing the building sewer and sewer service.

## SECTION 26

Manhole walls must conform to W.P.C.F. Manual Chapter 7, Section 7, except that concrete blocks will not be allowed in the Town of Millbury. Manhole steps shall be of gray cast iron which shall meet the requirement of the ASTM Specifications for A-43 Class 25. The parts of the steps that are not imbedded in concrete shall be coated with hot coal tar before the steps are delivered. In precast manhole sections, forged aluminum type steps of an approved design may be used. Steps must be not less than eight (8) inches wide.

## SECTION 27

The Owner or developer of any property situated within the Town and accessible to the public sewer of the Town is hereby required at his expense to connect directly to the proper public sewer in accordance with the provisions of these Rules and Regulations. Permission for said connection will be granted by the Board of Sewer Commissioners and installation to be completed by a Licensed Drain Layer in the Town, with the proper bonding insurance requirements under the supervision of the Director or his authorized representative. The date of inspection by the Department of a sewer installed under a Sewer Connection Permit constitutes the actual sewer connection date for Sewer Department billing purposes, making properties eligible for sewer use fees.

## SECTION 28

The Owner, developer, or agent of any property situated within the Town and accessible to the public sewers of the Town in the opinion of the Director or his authorized representative, shall be responsible for any costs and expenses for independent professional reviews as required by the Board of Sewer Commissioners; and for inspection services in connection with or for said property. The Board of Sewer Commissioners reserves the right to have the inspection service carried out by a Registered Professional Engineer, registered in the Commonwealth of Massachusetts. Said costs and expenses shall be payable to the Town of Millbury, within 30 days of billing. A progress schedule shall be required so that an estimate of inspection costs can be made.

## SECTION 29

Any new proposed subdivision or commercial/industrial business that requires a sewer extension discharging into their sewerage system shall require the removal, on the ratio of at least 4 (four) gallons removed for each gallon proposed, of excess infiltration/inflow (I&I) within the existing sewerage system, thus decreasing the total flow to the wastewater treatment facility. The removal of identified and quantified infiltration/inflow (I&I) shall be as approved by the Board of Sewer Commissioners.

If at this time, there is no identified and quantified location where Infiltration/Inflow (I&I) may be removed, the Board of Sewer Commissioners shall require that a sum of money in the amount of \$1.00 per gallon of I&I proposed for removal shall be deposited in account # 60.440.4840.000000.0000.490 with the Town Treasurer. This money may be used to seek the assistance of an outside consultant to identify and specify the exact nature and amount of I&I reduction to be undertaken.

## ARTICLE III

### Use of the Public Sewers

#### SECTION 1

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

#### SECTION 2

No person shall discharge or cause to be discharged any of the following described pollutants into any public sewer:

- a. Any pollutant which is a toxic pollutant in toxic amounts as defined in standards issued from time to time under Section 307(a) of the Federal Act or any applicable State Act.
- b. Any pollutant which creates a fire or explosion hazard in the sewage treatment works.
- c. Any pollutant which causes corrosive structural damage to sewage treatment works, including all waters or wastes outside the pH range of 6.5 - 11.5 s.u.
- d. Any pollutant which contains solid or viscous substance in amounts which would cause obstruction to the flow in sewers or other interference with proper operation of the sewage treatment works.
- e. Any pollutant which, in the case of major contributing industry, as defined herein, contains an incompatible pollutant, as further defined herein, in an amount or concentration in excess of that allowed under standards or guidelines issued from time to time pursuant to Section 304, 306 and/or 307 of the Federal Act, or pursuant to any applicable State Act.
- f. Any pollutant which has not been subjected to any pretreatment that may be required under Federal or State Law.

#### SECTION 3

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 Board of Sewer Commissioners 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 their opinion as to the acceptability of these wastes, the Board of Sewer Commissioners will give consideration to such factor 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 150 F or (65 C).
- b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not in excess of one hundred (100) mg/L containing substances which may solidify or become viscous at temperatures between 32 F - 150 F or (0 and 65 C).
- 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 or greater shall be subject to the review and approval of the Board of Sewer Commissioners.

- d. Any waters or waste 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 Board of Sewer Commissioners for such materials.
- f. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Board of Sewer Commissioners 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 such half-life or concentration as may exceed limits established by the Board of Sewer Commissioners or exceeding applicable State or Federal regulations.
- h. Any waters or wastes having a pH in excess of 6.5 -11.5 s.u..
- i. Materials which exert or cause:
  - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to, sodium chloride and sodium sulfate).
  - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as constitute a significant load on the sewage treatment works.
  - 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- j. Waters or wastes containing substance which are not amenable to treatment or reduction by the sewage treatment processes 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.

#### SECTION 4

When wastes other than sanitary sewage are to be connected to the sewer system, a permit will not be issued until the applicant furnishes certified data that the wastes to be connected will not have detrimental effects upon the collection system and the treatment processes; create offensive odors; contain inflammable substances; or have a pH of 6.5 - 11.5 s.u.

#### SECTION 5

When the general conditions outlined under Section 4 above exist, and the applicant wished to connect, the wastes must be made compatible by an approved pretreatment process with proper control and inspection facilities.



## SECTION 6

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substance or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Board of Sewer Commissioners 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 Board of Sewer Commissioners may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the public sewers.
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover damages to the sewer collection system and/or the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10c of this article.

If the Board of Sewer Commissioners 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 Board of Sewer Commissioners, and subject to the requirements of all applicable codes, bylaws, and laws.

## SECTION 7

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Board of Sewer Commissioners, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Board of Sewer Commissioners and shall be located as to be readily and easily accessible for cleaning and inspections.

All new food preparation facilities are required to install and maintain grease removal units. Acceptable grease removal systems include outdoor passive, in-ground grease interceptors, 500 gallon minimum size, and 24 hour detention for process flow stream. Grease removal units' size determined at 15 gallons per seat, or based on actual water usage for existing facilities.

## SECTION 8

Where preliminary treatments of flow-equalizing facilities are provided for any waters or waste, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense. Owner shall provide Director or his authorized representative copies of ongoing maintenance records.

## SECTION 9

When required by the Board of Sewer Commissioners, the Owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenance in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safety located, and shall be constructed in accordance with plans approved by the Board of Sewer Commissioners. The manhole shall be installed by the Owner at his expense, and shall be maintained by him so as to be safe and accessible at all times. All manhole covers and frames must comply with EJ USA, Inc. (Figures 4 & 5).

## SECTION 10

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with the Guidelines Established Test Procedure for the Analysis of Pollutants Under the United States Clean Water Act; Analysis and Sampling Procedures (40 CFR136) as determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four (24) hour composites of all outfalls of a premise is appropriate or whether a grab sample of samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH is determined from periodic grab samples.

## SECTION 10A

Any industry discharging into the public sewer system is required to perform such monitoring of its discharges as the Town of Millbury Sewer Department may reasonably require, including the installation, use, and maintenance of monitoring, and to report the results of such monitoring to the Town of Millbury. Such records shall be made available upon request by the Town of Millbury Sewer Department to other Agencies having jurisdiction over discharges to the receiving waters.

## SECTION 10B

The Board of Sewer Commissioners, Director or his authorized representative are authorized to enter into, upon, or through the premises of any industry discharging into the sewage treatment works to have access to and copy any records, to inspect any monitoring equipment or method required under subsection Section 10a above, and to sample any discharge into the sewage treatment works.

## SECTION 10C

The Board of Sewer Commissioners reserve the right to surcharge---i.e., levy an additional charge, or charges, from any industry that discharges into the public sewer, concentrations, quantities, and/or loading over and above normal limits, as determined by the Board of Sewer Commissioners.

## SECTION 11

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

## ARTICLE IV

### Betterment Act – Amended- Chapter 156

#### THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand and Nine Hundred and Seventy-eight, AN ACT relative to betterment assessments for sewerage facilities in the Town of Millbury.

Be in enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

##### SECTION 1

Chapter 307 of the acts of 1973 is hereby amended by striking out sections 2 and 3 and inserting in place there of the following two sections -

##### SECTION 2

Whenever a building or structure is accessible either directly or indirectly, to the public sewer system or any connection already made, or whenever the use of a sewer previously connected is subsequently changed as hereinafter provided, a permanent sewer privilege fee shall be assessed. Such fee shall be that which is in effect at the time the sewer construction is completed; or, in case of a change in use of a sewer previously connected, then the fee in effect at the time of application for a building permit if filed; or if no such permit is required then at the time an occupancy permit is issued, or, if none, then at the time the new use begins.

##### SECTION 3

The permanent sewer privilege fee shall be at the rate of Seven thousand five hundred dollars (\$7,500.00) per unit, as voted at the June 23, 2020 Annual Town Meeting.

###### A. Residential use.

1. Each single family building accessible directly to the public sewer system shall be assessed as one unit. Any units in a multiple dwelling building that are individually owned shall be assessed as one unit.
2. Each dwelling unit in a multiple family dwelling, accessible to the public sewer system directly or indirectly, shall be assessed one full unit and one-half unit for each additional unit in the dwelling. For the purpose of this section, multiple family dwelling shall be deemed to include, but not limited to, more than single family buildings, apartment houses, complexes, townhouses, condominiums, or otherwise. If any units in a multiple family dwelling are individually owned, they shall be assessed as one full unit.

###### B. Other Uses.

1. For uses other than residential, there shall be an assessment of a minimum of one unit, and an addition unit for every ten thousand square feet of floor space, or major portion thereof, exceeding an initial ten thousand square feet, up to a total of fifty thousand square feet of floor space; and an additional unit for every twenty-five thousand square feet of floor space, or major portion thereof exceeding the initial fifty thousand square feet.

#### SECTION 4

The Owner or Occupant of any building upon land abutting on a public or private way, in which there is a public sewer, shall connect the same therewith by a sewer service. If such land, by reason of its grade or level or any other cause, cannot be drained into such sewer, a variance from this requirement may be granted by the Board of Sewer Commissioners until said incapacity is removed, provided that a private septic system is installed which meets the requirements of the Board of Health, with variance to be only for so long as said system continues to meet those requirements as they may be amended or revised.

#### SECTION 5

The fee under this act shall be assessed by the Board of Sewer Commissioners upon the estate benefited thereby. Said Betterment assessment shall be made by filing a certificate with the Board of Assessors, designating the way on which the premises connected lies, and giving the name or names of the Owners of the estate for which such connection has been made and the amount of the assessment to be paid by such Owner or Owners. A copy or duplicate of this certificate shall, within thirty days after the filing of the same with the Board of Assessors, be recorded in the Registry of Deeds for the County of Worcester, or, in the case of registered land, filed in Land Court. The Board of Assessors shall, upon receipt of such certificate, make a demand in writing for the payment of such assessment. Every Owner shall, within three months after such demand is served, send by mail to the Collector of Taxes the sum so assessed or charged.

#### SECTION 6

Except as herein provided, the provisions of the Massachusetts General Laws relative to the assessment, apportionment, division, reassessment, abatement, and collection of sewer assessments, to liens therefore, and to interest thereon shall apply to assessments made under this act. In applying said provisions to the assessments made under this act, the notice referred to herein shall be deemed to be the demand of the Tax Collector. The lien for any assessment made under this act shall attach upon the recording or filing for registration of the copy or duplicate of the certificate of assessment.

#### SECTION 7

In addition to the fees prescribed by this act, the Owner shall pay the rates established from time to time for sewer usage and shall also pay for all sewer service work materials, and inspections from the building sewer to the sewer main.

#### SECTION 8

This act shall take effect upon its passage, as amended May 24, 1973.

## ARTICLE V

### Protection from Damage

#### SECTION 1

No unauthorized person shall enter Town of Millbury sewer properties or infrastructure nor maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest.

## ARTICLE VI

### Powers and Authority of Inspectors and Board of Sewer Commissioners

#### SECTION 1

The Board of Sewer Commissioners, Director or his authorized representatives bearing proper credential and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these Rules and Regulations. The Director or his authorized representative shall have no authority to inquire into any processes including metallurgical, chemical oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

#### SECTION 2

While performing the necessary work on private properties referred to in Article VI, Section 1, above, the Director or his authorized representative shall observe all safety rules applicable to the premises established by the Owner. The Owner shall be held harmless for injury or death to any Town representative. The Town shall further indemnify the Owner against liability claims and demands for personal injury or asserted against the Owner associated with the loss or damage to its property by Town representatives except as such may be caused by negligence or failure to the Owner to maintain safe conditions as required in Article III, Section 10.

#### SECTION 3

The use of lands acquired in fee or easement for sewer purposes shall be subject to the approval of the Board of Sewer Commissioners.

#### SECTION 4

The Board of Sewer Commissioners, Director or his authorized representatives bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, replacement, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

## ARTICLE VII

### Penalties

#### SECTION 1

Any person found to be violating any provisions of these Rules and Regulations except Article V shall be served by the Town 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.

#### SECTION 2

Any person who shall continue any violation beyond the time limit provided for in Article VII, Section 1,

#### SECTION 3

Any person violating any of the provisions of these Rules and Regulations shall become liable to the Town for any expense, loss, or damage occurred.

#### SECTION 4

Violations by Licensed Drain Layers of the requirements herein will be cause for revocation of his license for a period to be determined by the Board of Sewer Commissioners.

## ARTICLE VIII

### Validity

#### SECTION 1

These Rules and Regulations or parts of Rules and Regulations in conflict herewith are hereby repealed.

#### SECTION 2

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

## ARTICLE IX

### Rules and Regulation in Force

#### SECTION 1

These Rules and Regulations shall be in full force and effect from publications as provided by law, as specified in MGL, Chapter 800, Section 12.

#### SECTION 2

Passed and unanimously adopted by the Board of Sewer Commissioners of the Town of Millbury, Commonwealth of Massachusetts, on the 23rd<sup>h</sup> day of June, 2015.

Approved this Twenty-Third day of June, Two Thousand and Fifteen.

#### BOARD OF SEWER COMMISSIONERS

Gary Nelson, Chairman

Happy Erickson

Lisa Allain

#### PUBLIC HEARINGS MILLBURY BOARD OF SEWER COMMISSIONERS

Public hearings were held on June 9, 2015 and June 23, 2015, Millbury Municipal Office Building, small conference room at 5:00 P.M to seek public input, discuss, and vote on the above adopted Rules and Regulations revisions.

## FEE SCHEDULE

Current as of May 10, 2022

<b>Sewer Connection Fees</b>	Residential	\$ 50.00
	Commercial	\$ 100.00
	Industrial	\$ 100.00
<b>Betterment Fees</b> As of 6.23.2020 ATM	Single-Family Dwelling	\$7,500.00
	Multi-Family	\$7,500.00 (1 <sup>st</sup> unit) & \$3,750.00 (each additional unit)
	Commercial Property	See Page 21 Section 3 B-Other Uses
<b>Sewer Usage Rates</b>		

Sewer bills will be mailed quarterly: March, June, September & December

FY 2022 Standard Sewer Rate: \$12.91 per 1,000-gallons of water used\*

\*Note: The Town of Millbury does not supply public water. Water usage data is provided by Aquarion Water Company, Whitewater, or City of Worcester as applicable.

FY 2022 Flat Rate (minimum usage bill): \$25.81  
(water usage from 0 to 2,000-gallons)

FY 2022 Well Rate (private well bill): \$167.83  
(based on estimated water usage of  
1,000-gallons per week)

Outside water usage deductions. Users who have installed water meters to specifically quantify outside water usage (non-sewer related) are able to deduct this usage from their total water usage using a self-reported tally sheet. Outside meter deduct forms are mailed at the end of each billing period and must be submitted to DPW timely to be considered for that billing period. Contact the DPW Office at (508) 865-9143 to have an outside meter deduct form mailed to you.

**Infiltration/Inflow Fee** for New proposed subdivision or commercial/industrial business that requires a sewer extension discharging into their sewerage system.

Example I/I Fee Calculation:

Three Bedroom House

I/I Fee = 1 lot x 3 bedrooms x 110 gallons per bedroom x 4 (removal ratio) x \$1.00 per gallon

= **\$1,320.00** (3-bedroom house)-\$330 per bedroom.

= **\$1,760.00** (4-bedroom house)-\$440 per bedroom