

HOLLISTON BOARD OF HEALTH
REGULATIONS FOR THE SITING, CONSTRUCTION, INSPECTION, UPGRADE,
REPAIR AND EXPANSION OF ON-SITE WASTEWATER DISPOSAL SYSTEMS.

EXECUTIVE SUMMARY

February 6, 2007

The present Board of Health regulations for septic systems were first adopted in 1974 to supplement the Title V regulations of the State of Massachusetts, which set a minimum standard but did not fully address the special requirements of the town. However, the new Title V regulations April 21, 2006, although still a minimum standard, are now much improved and contain within many of the requirements already in effect in Holliston.

Therefore the Board of Health finds it appropriate at this time to revise the Holliston regulations to be as compatible as possible with the new Title V, while still maintaining the high standards in force in town. Overall the new Title V will supersede the current Holliston regulations for determining the size of septic systems, for single family dwellings, and for most other situations. However, special criteria will be provided for facilities with high flows and flow patterns that differ significantly from single family dwellings, such as restaurants, supermarkets, schools, and multi-unit dwellings. A summary of the main revisions and updates is outlined below.

An important aspect of the new regulations is that the separate needs for upgrades of failed systems are recognized, and less strict criteria are allowed which are however within the guidelines of the Title V regulations. This will hopefully encourage upgrades and control costs to homeowners while still adequately protecting the public health and the environment.

Secondly, the revised Holliston regulations will allow for local control over alternative and shared systems now permitted by the new Title V regulations. Shared systems will be under strict but limited control, and used mostly for upgrade situations until sophisticated fiscal and legal support mechanisms are in place to ensure joint responsibility for maintenance, repair, and replacement by landowners.

Lastly, these regulations will supplement the new Title V in providing additional guidance for system siting and construction, where Title V provides limited information. Such additional guidance will allow for increased efficiency, cost effectiveness, and construction quality, and includes administrative procedure guidelines for soil testing, groundwater determination, plan preparation and submission, permit issuance coordination with the Conservation Commission as necessary, construction procedures and methods, construction inspections, alterations of systems for existing facilities, and industrial and commercial requirements.

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I. AUTHORITY AND PURPOSE

These regulations shall be effective upon publication, and shall so remain until modified or amended by the Holliston Board of Health. They are enacted under authority which includes, but is not limited to, one or more of the following: Massachusetts General Laws, Chapter 111, Sections 31, 122, 122A, 127, 143, 155, 197, Sections 310 CMR (Code of Massachusetts Regulations) 11.02; Board of Health regulations are an exercise of the police power under which the various levels of government are responsible for the protection of the public health, safety, welfare, and the environment. These regulations are designed for the needs of the Town of Holliston and are supplemental to Title V regulations.

II. DEFINITIONS

Definitions and acronyms for these regulations shall be as defined in Title V unless listed below as an alternative or new definition.

ABUTTER: Any property owner within 100 feet of property line.

AGENT: An Agent of the Board of Health is any person authorized by the Board to act under these regulations. The Agent shall not vary these regulations without specific approval of the Board of Health.

DSCP: Disposal System Construction Permit

DEP: Massachusetts Department of Environmental Protection

FORM A: Form required for Board of Health approval for issuance of a building permit for additions and changes of use.

LTAR: Long Term Acceptance Rate for leaching area sewage loading.

OSDS: On-Site Wastewater Disposal System

III. ADMINISTRATIVE PROCEDURES

1. Permit Requirements: A Disposal System Construction Permit shall be required and issued by the Holliston Board of Health prior to the location, construction, alteration, repair, or installation of any on-site system or facility to be used for treating, neutralizing, stabilizing, or disposing of wastewater from homes, public buildings, commercial or industrial buildings, or any other types of establishments. In addition, all installers of OSDS shall have the Board of Health DSCP available for the Board of Health Agent at the time of any inspection.
2. Responsibility: All persons carrying out an activity regulated by the Massachusetts State Environmental Code and Local Regulations shall be held strictly accountable for complying with the provisions of this instrument. Issuance of a Board of Health Permit does not relieve the permittee of the responsibility to conform to the State or Holliston Board of Health regulations.
3. For New Construction: No building construction shall proceed until the Board of Health has issued a Disposal System Construction Permit or otherwise approved the construction by use of a "Form A". Plans for all detached accessory buildings, swimming pools or decks located on the same side of the main building or residence as the septic system are subject to review and approval by the Board of Health, which reserves the right to require the locations of the proposed structures and the septic system to be submitted on a stamped, certified plan prepared by a Registered Land Surveyor or Civil Engineer.
4. Possession of Plan and Permit: No changes in use or design flow to an existing structure shall be allowed without a completed Form A.
5. System Pumpers and Carters: Chapter 111, Section 31D, of the Massachusetts General Laws stipulates that system pumpers and carters shall have a permit for such purpose issued by the Holliston Board of Health. All contractors engaged in this business within the Town of Holliston shall obtain a permit for each vehicle used for this purpose. Applications for these permits are available at the Town Hall during normal business hours. Permits will be issued for the calendar year, on a per vehicle basis, subject to an annual fee as set by the Board of Health.
6. System Installers: No person or firm shall engage in the construction, upgrade, repair, or expansion of any on-site system without first obtaining a Disposal System Installer's Permit from the Board of Health. The Disposal System Installer shall be the responsible party for all aspects of the system, including, but not limited to, excavation, fill, and all components and piping, and including pumps and controls.
7. Proximity to Wetlands: Activities within 100 feet of any wetland or 200 feet of any stream or vernal pool are subject to review by the Holliston Conservation Commission ("Commission"). To determine whether proposed work is subject to the Commission's review, applicants shall be required to submit a wetlands locus map,

depicting the location of proposed work. Accepted wetlands maps include the most recent version of the following:

(1) “Town of Holliston, Part of Wetlands & Floodplain Zoning Map”, dated November 1975, amended to July 1978, and/or

(2) “DEP Wetlands Change Detection Map, Holliston”.

If the Commission’s review is required, the Applicant must provide a copy of their Determination at the time that an application is submitted to the Board of Health.

8. Rehabilitative Construction: A septic system serving an unoccupied dilapidated structure requiring extensive rehabilitation must pass title V inspection prior to issuance of a building permit.

IV. APPLICATION PROCEDURES

1. The applicant shall complete an application for Site Evaluation, on a form available at the Holliston Board of Health. An application fee, as set by the Board of Health, shall be paid at time of submittal. The applicant shall secure, at his/her expense, the services of a Qualified Professional, qualified in matters of wastewater treatment and disposal as Title V requires. Applicants shall be required to check the Holliston wetlands map to determine if the proposed work is subject to review by the Conservation Commission. If a Conservation Commission determination or Order of Conditions is required, a copy shall be submitted to the Board of Health at time of application.
2. If the Board of Health determines that the plans comply with the necessary regulations, a permit shall be issued, and one copy of the approved application and two copies of the plan stamped "APPROVED" will be returned to the applicant. (The applicant then may apply for a Building Permit from the Inspector of Buildings where applicable.)
3. If the plan is not complete or does not comply with State or Holliston Board of Health regulations in all respects, it will be returned to the applicant. An additional fee, as set by the Board of Health, shall be required for each time the plan is resubmitted except for the first submission review.
4. A DSCP is valid for three (3) years from date of initial issuance and is transferable to a new owner.
5. Applicants are required to check the most current Holliston Wetland Maps to determine if the proposed work is subject to review by the Conservation Commission. Applicant must provide a copy of the approval to proceed issued by the Conservation Commission at the time an application is submitted to the Board of Health, if applicable.
6. No liability shall be incurred by the Town of Holliston or its agents by reason of any approval or any advice given. Approval by the Board of Health is based on plans and specifications supplied by the applicant. No guarantee is intended or implied by reason of any approval given by the Holliston Board of Health or its Agents, staff, or Board members.
7. Flood, fire or natural disaster: No septic system upgrade will be required, provided that there is a direct replacement, with no increase in flow and provided that there is not an on-going sewage overflow and the septic system has not been damaged by said disaster.

V. DESIGN REQUIREMENTS

The basic specification for such system designs shall be Title 5 of the State Environmental Code, except as provided otherwise in these rules and regulations, which include additional and/or stricter requirements.

1.
New or replacement systems shall provide adequate setbacks so as not to adversely affect abutting properties. New or replacement septic systems proposed to be located in mapped Zone 1A of the Aquifer Protection District are required to include an approved septic tank effluent filter (unless N/A with an approved I/A system). No new septic systems shall be permitted in DEP Zone I. Existing septic systems located in Zone 1 may be replaced only with the use of an Innovative/Alternative system approved by DEP for the removal of Nitrogen. No reduction in groundwater separation, leaching field size, or increase in flow will be allowed. All septic systems approved for Zone 1A and Zone 1 shall require an annual inspection and pumping of tank. No reduction in separation to groundwater shall be allowed without the use of an approved I/A system which includes such a reduction in its DEP approval.
2. Use of National Geodetic Vertical Datum (NGVD) elevations are required when designing systems in flood plain or new subdivisions.
3. Change of use, increase in design flow, or addition to existing buildings shall not be granted until the Agent has approved such dwelling or other building or facility for the adequacy of wastewater disposal, water supply, and storm water drainage. Form A must be completed and submitted to the Board of Health for approval before obtaining a Building Permit.
4. No floor drains except those serving only sanitary facilities, shall be discharged to an OSDS, except as required by plumbing code.
5. Beds should be limited to upgrade of existing failed systems. Bed system design will not be allowed for new construction, except as allowed by DEP in conjunction with I/A technology.
6. If any septic tank or distribution box is located under pavement, all manholes shall be extended to finished grade with metal frame and cover and meet H20 design criteria.
7. All septic tanks shall be 2-compartment design with monolithic sides. All pump chambers shall be of monolithic design.
8. All pump components shall be located beneath the access manhole of the pump chamber and all components of the pump system shall be serviceable from above without entering pump chamber.

9. Requests for reduction in separation from groundwater require abutter notification and a public hearing, in accordance with Title 5 procedure.
10. Each segment of the leaching area shall require an inspection port.

VI. SYSTEM CONSTRUCTION REQUIREMENTS

1. The septic system shall be constructed in strict accordance with the approved plan.
2. Construction of an OSDS shall be made by firms or individuals who have obtained a Disposal System Installer's Permit from the Board of Health. The installer shall notify the Board of Health at least one working day prior to start of construction. A pre-construction meeting may be required by Agent which could delay the start of construction.
3. Except for repair or replacement of existing septic systems, prior to any construction of a system, the location and elevation of the top of the foundation of the structure to be served, the location of any on-site well where applicable, and the benchmark shown on a plan, shall be located by a Registered Land Surveyor or Registered Professional Engineer, and shall be submitted to the Board of Health on a plan bearing the seal and signature of the Registered Land Surveyor or Registered Professional Engineer, as well as the date, for review and approval prior to start of construction.
4. Every OSDS must be inspected by the Agent before it is covered. All manhole and clean-out covers must be loose for easy removal. Heavy covers shall be removed before inspection. Inspections shall be performed at mutually agreeable times. At no time shall any opening without a cover in place be left unattended. All piping is to be bedded on a firm compacted soil and tamped in place to prevent movement and/or damage when backfilling.
5. The Board of Health Agent may inspect construction at any time. Inspection requests shall be made to the Board of Health Office by the installer a minimum of 24 hours before the anticipated time of inspection. There shall be an inspection upon (1) excavation; (2) when the construction has been completed except for backfilling, and (3) when the finished grading of the lot is completed.
6. Abandonment of on-site septic systems: No known component of the old septic system shall be left in an unsafe condition.
7. The system installer shall see that all electrical components have been inspected by the electrical inspector.
8. The installer will be provided with a *Holliston Septic System Construction Job Card* which is to remain at the job site and be available to the inspector at all times. The installer shall show all components of the system on the card with ties to permanent reference points. Include ties to septic tank, pump chamber, D-box, beginning and ends of trenches, observation ports, pressure testing tees, any

changes in direction of drain lines, cleanouts and manholes and presence of effluent filter where applicable. The installer shall provide the owner with informational brochures and advice for the maintenance and repair of the pump system.

9. Designer As-Built plans shall include all of the above plus the elevation of all components and final grades over all system components. Designer certification shall be in accordance with Title 5.

VII. SPECIAL INDUSTRIAL OR COMMERCIAL REQUIREMENTS

At sale or change of use, owners of industrial or commercial facilities are required to contact the Health Department to determine if any special requirements or testing are applicable to their particular operation. If so, the Health Department will provide a testing schedule and list of requirements.

VIII. ENFORCEMENT

The provisions of Title 1 of the State Environmental Code shall govern the enforcement of these regulations. Whoever violates any provision of this regulation, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D. Each day on which any violation exists shall be deemed to be a separate offense.

VIX. SEVERABILITY

If any part or portion of these Rules and Regulations be adjudicated as invalid, the adjudication shall apply only to the material so adjusted, and the remaining Rules and Regulations shall be deemed valid and of full force and effect.

Date of Adoption: March 19, 2007

Effective Date: April 3, 2007

HOLLISTON BOARD OF HEALTH

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