

Please note that these regulations are to be read along with the State Title V Regulations. All numbering refers to those in the State Regulations. Where regulations are not in agreement, the stricter regulation applies. Plympton has regulations that are in addition to those found in the State Title V. Those of the State are to be used in general for all the state and are a minimum standard not necessarily applicable to the soils found in the town of Plympton.

PLYMPTON TITLE V LOCAL REGULATIONS

Section 1: AUTHORITY

This regulation is adopted under M.G.L. Chapter 111, Section 31, which gives the Board of Health (hereafter designated as “the Board”) authority to make reasonable health regulations, violations for which shall be punished by a fine of not more than one thousand dollars (\$1000.00). This regulation is also adopted under M.G.L. Chapter 111, Section 122, which directs the Board to examine all nuisances, sources of filth, and causes of sickness within its town which may, in its opinion, be injurious to the public health and to destroy, remove, or prevent the same as case may require.

Section 2: PURPOSE

These regulations are intended to protect the public and environmental health, provide adequate water supply and waste water treatment, and ensure the residents a safe, clean and healthy environment to live in.

Section 3: 310 CMR 15.000 TITLE V

These local regulations are in addition to Title V. The provisions in these regulations are severable. If any provision is declared to be invalid or inapplicable to any particular circumstance, that invalidity or inapplicability will not effect the enforceability of the remainder. The vocabulary unless otherwise noted is defined in Title V. A copy of 310 CMR 15.000 will be needed to use these regulations since many sections of it are not copied here.

Definitions:

“adjusted springtime water level,” means the high water level as noted in the percolation test determined by mottles or other methods.

“mounded system,” means any septic system that is raised above the existing soil.

“renewal,” means that the appropriate fee was paid prior to the expiration of the permit.

“suitable flood prevention measure,” means 6” of stone under the cellar floor with connected 4” pipe every 6 feet and stone and 4” pipe around the perimeter of the foundation attached to a sump pump or equivalent.

15.019 Disposal System Installer's Permit

Installers' permits expire on the last day of the calendar year. Renewal applications for the following year will be accepted prior to the new year. New applications will require an increased fee and a test of Title V and our local regulations. No person shall install or repair any subsurface sewage disposal system without a current installer's permit from the Board of Health. Such new permit shall be granted by the Board of Health upon the completion of the installer's examination with a passing grade of 75% and shall be valid until the end of that calendar year, unless revoked for cause. Upon receiving a failing grade a waiting period of one week shall be required before a subsequent examination is given. A Registered Professional Civil Engineer or a Registered Sanitarian shall be considered qualified to receive an installer's license without the installer's examination.

The Board of Health will not allow any installer found in violation of a Plympton Regulation and/or Title V to start another system until the original violation has been resolved. The BOH may suspend or declare invalid the Installer's Permit for up to 6 months if violations continue.

15.021 Certificate of Compliance

(6) The "As Built" must include all of the information that is required on the proposed plan including the location of the well, signatures and seals from the designer.

15.023 ...The Board of Health requires the following inspections by a member or designee of the BOH prior to issuing the Certificate of Compliance:

- *Percolation test**
- *Excavation prior to stone**
- *Inspection of fill for remove and replace**
- *Final inspection before it is backfilled**

15.104 Percolation Testing

Percolation tests will be scheduled at any time convenient for the soil evaluator and the agent for the Board of Health.

Percolation tests may be performed at any time of the year provided the soil to be tested is below the frozen soil layer.

(6) Percolation tests will be scheduled after the following have been received:

- a. fees are paid**
- b. Conservation Commission Site Review**
- c. Wet lands are flagged (if necessary) by a certified botanist**

15.107(1) The hydro geologic properties of the proposed disposal area shall be identified and recorded on the evaluation form with respect to the following:

(g) location of every water supply, public and private

(3) within 200 feet of the proposed system location in the case of private water supply wells

15.203 System Sewage Flow design criteria

(7) The minimum septic design for any dwelling unit will be 440 gallons per day

15.211 All systems must conform to the minimum setback distance for septic tanks and soil absorption systems, including reserve area, measured in feet and as set forth below.

Where more than one setback applies, all setbacks shall be satisfied.

	Septic Tank	Soil Absorption System
Property line	20	20
In-ground swimming pool	20	20
Above ground swimming pool	10	10
Private water supply	100	200
Irrigation well (non-potable)	50	100
Surface drains and drainage easement areas, streams, ponds, swamps and wetlands	50	100
Subsurface drains and drainage easement areas and road catch basins	50	100

15.220 The plans and specifications for every on-site system shall be prepared as follows:

(2) Every plan submitted for approval must be dated and bear the stamp and signature of the designer. The location of the well supporting this system and all wells within 200 feet are required. Satisfactory water tests and a well report are required on the supporting well. A sable filter (or equivalent) must be installed on the tee exiting the septic tank.

(4) Every plan for a system shall be of suitable scale (one inch = 40 feet or fewer for plot plans and one inch = 20 feet or fewer for details of system components) and shall include depiction of:

(k) location of every water supply, public and private

3. within 200 feet of the proposed system location ...

(v) The minimum elevation of the cellar, basement, or lowest floor of the proposed building must be shown on the plan and must be above the adjusted springtime water level unless a suitable flood prevention measure is in place. This must be inspected by the Board of Health or its Agent(s).

15.221 (5) All piping shall be a minimum of Schedule 40 PVC or better.

15.222 **Septic Tanks**

(1) Septic tanks will have the following capacities:

(c) When a domestic garbage grinder is proposed or installed, the minimum liquid capacity of the septic tank shall be 200% of the design flow with a minimum tank size of 2000 gallons

15.232 **Distribution boxes**

(2)(a) All distribution boxes shall be made of watertight concrete.

15.240 **Soil Absorption Systems**

(4) ...Area requirements will be increased by 100% when garbage grinders are installed.

(5) All soil absorption systems designed to serve a single dwelling shall be designed to serve a minimum of four bedrooms ...

15.248 **Reserve Area**

(1) New systems designed and approved in accordance with 310 CMR 15.000 shall include a reserve area sufficient to replace the primary soil adsorption system.

15.255 **Construction in fill**

(1) ...Mounded systems for new construction must be on a lot that has 5 acres or more.

(2) The finished side slopes of a mounded system shall not be steeper than 10:1 (horizontal: vertical)

(5) Where a fill is required to replace unsuitable or impermeable soils, the excavation of the unsuitable material shall extend a minimum of ten feet laterally in all directions beyond the outer perimeter of the soil absorption system to the depth of the naturally occurring pervious material as required by...

15.290 Shared Systems

The Town of Plympton shall not allow any septic system to be shared with another building unless there is common ownership. If the ownership is divided in the future, each building must have its own septic system.

15.340 Approval of Title V System Inspectors

(9) Inspectors must be licensed by the local approving authority. All Title V inspection reports will include a potable water test.

15.505 Equipment

(1) No person shall use equipment to remove or transport the contents of privies, cesspools, septic tanks or tight tanks unless such equipment has first been inspected and approved by the approving authority. Each vehicle must display a sticker indicating that an annual inspection has been completed.

ENFORCEMENT, HEARING & APPEAL

Section 1. ENFORCEMENT

A. The Board of Health and it's Agent(s) shall enforce these Regulations.

B. Any person aggrieved by a failure or refusal to comply with these Regulations may notify the Board of Health. The Board of Health or their Agent shall investigate all allegations and shall respond within thirty (30) days of receipt of the notification. If the Board of Health determines that a violation of these Regulations has occurred, it may issue an Order as it deems appropriate to achieve compliance with these Regulations.

Section2. HEARING

- A. Any person who receives an Order pursuant to these Regulations may request a Hearing before the Board of Health by filing within seven (7) days after the day the Order was served, a written petition to the Board of Health requesting a hearing on the matter. At the Hearing the petitioner shall be given an opportunity to be heard, with representation or Counsel of his choosing and to show why the Order should be modified or withdrawn.**
- B. After the Hearing, the Board of Health shall sustain, modify or withdraw the Order, and shall inform the petitioner in writing of the decision. The decision of the Board of Health shall, if possible, be issued within twenty-one days of the close of the Hearing.**

Section 3. APPEAL

- A. Any person aggrieved by the final decision of the Board of Health with respect to any Order issued under the provisions of these regulations may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of the Commonwealth.**

PENALTIES

Unless otherwise noted in these regulations, any person, corporation, or their agent that violates any section of these regulations shall be subjected to a fine of not more than five hundred dollars (\$500.00), per section violated, with each day of violation constituting a separate and distinct offense.

Any violation of these regulations shall be a basis for suspension or revocation of a license or permit granted herein, at the discretion of the Plympton Board of Health.

SEVERABILITY

If any provision, clause, sentence or paragraph of this Regulation or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application, and to this end the provisions of the Regulations are declared to be severable.

These supplements to Title V of the State Environmental Code are herewith adopted by unanimous vote of the Plympton Board of Health on Thursday September 27, 2001 and supplant all other existing Supplements and/or Regulations thereto.

These Regulations shall take effect on Friday, September 28, 2001.

Signed: _____(signed)_____

Date: _____10/9/01_____

Arthur G. Bloomquist, Chairman

_____(signed)_____

_____(signed)_____

Abdu Nessralla Jr., Treasurer

Dana Fowler, Clerk