

# FRANKLIN DEPARTMENT OF PUBLIC WORKS

257 FISHER STREET  
FRANKLIN, MA 02038

## SANITARY SEWER USE RULES AND REGULATIONS

JANUARY 2025

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## PURPOSE

These Rules and Regulations are intended to protect the public health, safety and welfare and the environment and to ensure proper and safe operation of the Town of Franklin's sanitary sewers by regulating the direct and indirect discharge of wastewater, stormwater, and pollutants to the Town's wastewater system.

Sewer users in the Franklin Sewer System are also subject to the Charles River Pollution Control District Sewer Use Regulations.

## DEFINITIONS

**Act.** The Federal Water Pollution Control Act, also known as the "Clean Water Act," as amended, 33 U.S.C. §1251 et seq., and the regulations promulgated thereunder, as amended from time to time.

**As-Built Drawings.** Detailed drawings prepared and sealed by the Design Engineer upon completion of construction, which show actual construction and field dimensions, elevations, details, changes made to the construction drawings by modification, details which were not included on the construction drawings, and horizontal and vertical locations of underground utilities which have been impacted by the utility installation.

**Authorized Representative.** An authorized representative of an industrial user is the person identified in 40 CFR 403.12(1), including:

1. A principal executive officer of at least the level of Vice President, if the user is a corporation;
2. A general partner or proprietor if the user is a partnership or sole proprietorship, respectively;
3. A member of the governing board or executive office of a governmental entity, if the user is a governmental facility; or
4. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates, or has overall responsibility for environmental matters for the user; provided, however, that the authorization is made in writing by the individual described above, and the written authorization is submitted to the district.

**Available.** A public sewer shall be considered "available" when the property upon which a building is situated abuts a street, easement or right-of-way in which a public sewer is located unless the connection to such public sewer would require a lift station or individual pumping mechanism. If the distance is more than 200 feet from the property line to the nearest public sewer or if a valid cost estimate exceeds \$5,000, application may be made in writing, to the Town Administrator to declare the public sewer "not available."

**Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedures in five days at 20°C, expressed in terms of milligrams per liter (mg/l), in the biochemical oxidation of organic matter under standard laboratory procedure.

**Bypass.** The intentional diversion of waste streams from any portion of an industrial user's treatment facility.

**Consistent Removal.** The reduction in the amount of a pollutant or alteration of the nature of a pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent, as set forth in 40 CFR 403.7.

**Cooling Water.** The water discharged from any use, such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

**Direct Discharge.** The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Massachusetts.

**District Director.** The Director of the Charles River Pollution Control District, designated by the District Board to supervise the operation of the wastewater treatment facility and designated by the Town of Franklin Town Council to implement and enforce the provisions of these Rules and Regulations as specified herein with respect to industrial users located in the Town of Franklin, or the District Director's duly authorized representative.

**District.** The Charles River Pollution Control District, acting through its Board and its Director and designated by the Town of Franklin Town Council to implement and enforce the provisions of these Rules and Regulations as specified herein with respect to industrial users located in the Town of Franklin.

**Division.** The Director of the Water Management Division of the U.S. Environmental Protection Agency (EPA) and the Director of the Division of Water Pollution Control in the Massachusetts Department of Environmental Protection (MassDEP), established pursuant to MGL c. 21, §26.

**Domestic Source.** Any residence, building, structure, facility or installation from which there is or may be discharged to the facility only sanitary sewage, in an amount less than 2,000 gallons per day, as determined in accordance with the sewage flow estimates published at 314 CMR §7.15, which are incorporated herein by reference.

**Director (of Public Works).** The individual employed by the Town of Franklin holding the title of Director of Public Works, or his or her designees, invested with the authority and responsibility for the implementation and enforcement of the provisions of these Rules and Regulations.

**Eligible Extension.** An extension shown on the Sewer System Map, which is on file in the Town offices, which is eligible for a sewer extension permit hereunder. An extension deemed eligible shall not be entitled to a permit unless all other requirements of this chapter and other pertinent regulations have been satisfied. The depiction of an extension as eligible shall not be construed as a representation that the Town of Franklin shall set aside funds for the construction of said extension.

**Facility (Publicly Owned Treatment Works or POTW).** The treatment works, as defined by Section 212 of the Act, defined herein, owned by the district and known as the "Charles River Pollution Control District Wastewater Treatment Facility" (the "facility"). This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes those sewers, pipes and other conveyances that convey wastewater to the facility. For the purposes of these Rules and Regulations, POTW shall also include any sewers that convey

wastewaters to the facility from persons who are, by permit, contract, or agreement with the district, users of the facility.

**Facility Treatment Plant.** That portion of the facility designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

**Garbage.** Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**Illegal Connection.** A physical connection between the sanitary sewer and a stormwater or drainage or collection system. This type of connection allows discharge of clear water, which is water collected as stormwater runoff, to discharge into the sanitary sewer, and vice versa.

**Indirect discharge.** The discharge or the introduction into the facility of pollutants from any source, other than a domestic source, regulated under Section 307(b), (c) or (d) of the Act, defined herein.

**Individual sewer disposal system.** A privately owned septic tank, cesspool, or similar self-contained receptacle or facility which collects, treats or otherwise disposes of wastewater.

**Industrial Discharge Permit.** The document issued by the district to industrial users located in the Town of Franklin, as set forth in the Town of Franklin Bylaw, Chapter 139, Article III, §139-5B.

**Industrial user.** A source of indirect discharge or any source which discharges 2,000 or more gallons per day of sanitary sewage to the facility.

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

**Interference.** A discharge which, alone or in conjunction with discharges from other sources, inhibits or disrupts the facility, its treatment processes or operations or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the district's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the facility in accordance with applicable federal, state or local statutes and regulations or permits issued thereunder, as set forth in 40 CFR 403.3(i).

**Licensed Drain Layer.** Any person or contractor constructing, installing or repairing sewer piping on private property who is licensed by the Director of Public Works or designee in the Town of Franklin. See the Town of Franklin Bylaw, Chapter 139, Article III, §139-5 for licensure details

**National Pretreatment Standard (Pretreatment Standard or Standard).** Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act, defined herein, which applies to industrial users, including prohibitive discharge limits established pursuant to 40 CFR 403.5.

**National Pollutant Discharge Elimination System (NPDES) Permit.** A permit issued pursuant to Section 402 of the Act, defined herein, 33 U.S.C. §1342 and MGL. c. 21, §43.

**New Source.** Any building, structure, facility or installation, as described in 40 CFR 403.3(k)(l), from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act, defined herein, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section.

**Pass-through.** The discharge of pollutants through the facility into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the district's NPDES permit (including an increase in the magnitude or duration of a violation).

**Person.** Any individual, partnership, public, or private corporation or authority, association, trust, estate, governmental entity, agency or political subdivision of a municipality, the Commonwealth of Massachusetts or the United States or any other legal entity or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

**pH.** The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

**Pollutant.** The presence in the environment of conditions or contaminants in quantities or characteristics which are or may be injurious to human, plant or animal life or to property or which unreasonably interferes with the comfortable enjoyment of life and property throughout such areas as may be affected thereby.

**Pollution.** The presence in the environment of conditions or contaminants in quantities or characteristics which are or may be injurious to human, plant, or animal life or to property or which unreasonably interferes with the comfortable enjoyment of life and property throughout such areas as may be affected thereby.

**Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the facility. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 CFR 403.6(d).

**Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard, imposed on a user.

**Rules and Regulations.** This document and all subsequent changes, amendments, or additions thereto.

**Sanitary sewage.** Liquid and water-carried human and domestic wastes from residences, commercial buildings, industrial plants, and institutions, exclusive of ground-, storm- and surface water and exclusive of industrial wastes.

**Sanitary sewer.** A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground-, storm- and surface waters that are not admitted intentionally.

**Septage.** Wastes from holding tanks, such as chemical toilets, campers, or trailers and wastes from septic tanks and cesspools.

**Sewage.** The spent water of a community, also known as wastewater.

**Sewer.** A pipe or conduit that carries wastewater.

**Sewerage System.** Any device, equipment or works used in the transportation, pumping, storage, treatment, recycling, and reclamation of sewage and industrial wastes.

**Sewer Connection Permit.** The document issued by the Town of Franklin Town Council, as set forth in the Town of Franklin Bylaw, Chapter 139, Article III, §139-5.

**Sewer Extension Permit.** The document issued by the Town of Franklin Department of Public Works, as set forth in the Town of Franklin Bylaw, Chapter 139, Article III, § 139-5A.

**Sewer System Map.** The map referred to in the Town of Franklin Bylaw, Chapter 139, filed with the Town Clerk hereto and adopted by the Franklin Town Council to define the municipal sewer system to include existing sewer main lines, force mains, lift or pump stations, and private sewer mains; and unbuilt sewer main extensions eligible for a sewer extension permit; and unbuilt lift or pump stations eligible for a sewer connection or extension permit. The Sewer System Map may be amended from time to time by the Town Council in accordance with the procedures set forth in the Town of Franklin Bylaw.

**Significant Industrial User.**

1. Except as provided in Subsection 2) of this definition:
  1. All industrial users subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and
  2. Any other industrial user that:
    - a. Discharges an average of 25,000 gallons per day or more of process wastewater to the facility (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
    - b. Contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the facility treatment plant; or
    - c. Is designated as such by the Director of Public Works or designee on the basis that the industrial user has a reasonable potential for adversely affecting the facility's operation or for violating any pretreatment standard or requirement [in accordance with 40 CFR 403.8(f)(6)].
  3. Upon a finding that an industrial user meeting the criteria in Subsection 1) of this definition has no reasonable potential for adversely affecting the facility's operation or for violating any pretreatment standard or requirement, the Director of Public Works or designee may at any time, upon his or her own initiative or in response to a petition received from an industrial user and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

**Sludge.** Waste containing varying amounts of solid contaminants removed from water, sanitary sewage, wastewater, or industrial wastes by physical, chemical and biological treatment.

**Slug Discharge.** Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge.

**Standard Industrial Classification (SIC).** A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, as amended from time to time.

**Stormwater.** Any flow occurring during or following any form of natural precipitation and resulting therefrom.

**Suspended solids.** The total suspended matter that floats on the surface of or is suspended in, water, wastewater, or other liquids and which is removable by laboratory filtering.

**Town.** The Town of Franklin, Massachusetts, acting through its Town Council.

**Town of Franklin Bylaws.** The collection of laws adopted by the Town of Franklin that are enforceable within the Town by the local authorities. Please note: the Town of Franklin Bylaws are subject to change, and all references within these Rules and Regulations to the bylaws are current to the publication of this document. Should any conflicts exist between these Rules and Regulations and the Town of Franklin Bylaw, the bylaw shall be the prevailing authority.

**Toxic pollutant.** Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under Section 307(a) of the Act, defined herein, or other Acts; or in regulations promulgated under MGL c. 21, including but not limited to 314 C.M.R. §§3.00, 7.00 and 12.00.

**User.** Any domestic source or industrial user which discharges wastewater to the facility.

**Wastewater.** The liquid and water-carried industrial, nondomestic or domestic wastes, including sewage, industrial waste, other wastes or any combination thereof, from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground-, surface and stormwater that may be present.

**Wastewater Discharge Permit (Permit).** The document issued by the Town, as set forth in the Town of Franklin Bylaw, Chapter 139, Article III, §139-5, and/or the document issued by the District, as set forth in the Town of Franklin Bylaw, Chapter 139, Article III, § 139-5B.

**Waters of the Commonwealth.** All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, border upon, or are within the jurisdiction of the Commonwealth.

## SECTION 1 – AGREEMENT

These Rules and Regulations and all subsequent changes, amendments, or additions thereto shall be considered part of the agreement and contract with every sewer discharger. Violation of these regulations or evidence of fraud or abuse of equipment shall be deemed sufficient cause for termination of water service in accordance with Massachusetts General Laws Chapter 40 Sections 42A through 42I.

## SECTION 2 – MODIFICATIONS

The Town Council, in their role as the Board of Sewer Commissioners, reserves the right to change or amend these Rules and Regulations, and make additions thereto or exceptions therefrom, at any time without advance notice, and to establish and assess penalties for violations, including the right to suspend or terminate sewer service.

## SECTION 3 – RIGHTS AND RESTRICTIONS

### A. Rights of Access

1. In accordance with the Town of Franklin Bylaw, Chapter 139, Article III, § 139-6E, agents or representatives of the District and the Town shall have free access to all premises and apparatus supplied with sanitary sewer service to inspect the property or facilities (including facilities under construction) to ascertain compliance with these Rules and Regulations or compliance with any permit issued pursuant to these Rules and Regulations, and federal, state and local statutes.
2. Owners or occupants of premises where wastewater is either generated or discharged shall allow properly identified Department of Public Works representatives safe and ready access, at all reasonable times during normal business hours and at such other times as the Franklin Department of Public Works reasonably suspects that a violation of these Rules and Regulations or a permit issued pursuant to these Rules and Regulations may be occurring.
3. Access shall be allowed to all such parts of the premises as would enable the Franklin Department of Public Works personnel to inspect, observe, measure, sample and test:
  - a. internal plumbing;
  - b. pretreatment facilities;
  - c. internal discharge points or connections;
  - d. exterior connections;
  - e. building sewers;
  - f. oil traps and grease traps;
  - g. other facilities required by the Franklin Department of Public Works to be constructed, installed or utilized;
  - h. measurement, sampling and testing facilities and procedures that have been required by federal, state or local authorities; and

- i. other facilities as the authorities reasonably believe may be contributing to a violation of these Rules and Regulations or a permit issued pursuant to these Rules and Regulations.
4. The Franklin Department of Public Works may conduct routine, periodic inspections of certain types of facilities. It is anticipated that restaurants, other food handling or food processing establishments, service stations, and other entities that deal with grease or petroleum products are particularly likely to be subject to such an inspection program. Other industrial users may also be so inspected, as the Franklin Department of Public Works deems appropriate. Owners or occupants shall provide any labor or equipment needed by Franklin Department of Public Works personnel to open, inspect, and operate oil and grease traps and other facilities.

5. Right of Access to Easements

Upon proper identification and at reasonable times during normal business hours and at such times as the Franklin Department of Public Works reasonably suspects that a violation of these Rules and Regulations or a permit issued pursuant to these Rules and Regulations may be occurring, duly authorized representatives of the Franklin Department of Public Works shall be permitted to enter all private property through which the Franklin Department of Public Works holds an easement for the purposes of inspection, observation, measurement, sampling, testing, maintenance, repair, or reconstruction of any portion of the Franklin Department of Public Works' wastewater systems lying within said easement. All entry and subsequent work, if any, shall be done in full accordance with the terms of said easement.

B. Consequences of Denial of Entry or Access

1. Where a consumer, after having received reasonable notice from the Franklin Department of Public Works, refuses to permit properly identified Franklin Department of Public Works personnel to enter or have access to premises or facilities in accordance with the terms of this section, the Franklin Department of Public Works may forthwith give written notice of a violation of these Rules and Regulations and any action to be taken, up to and including the termination of sewer service to such consumer.
2. When the Franklin Department of Public Works determines that a) a violation of these Rules and Regulations, or b) any damage to the public collection or treatment system, is threatened or occurred, any one or more of the following actions may be taken:
  - a. The Franklin Department of Public Works may shut off water service as authorized elsewhere in these regulations.
  - b. The Franklin Department of Public Works may issue an order to cease and desist any such violation and may direct the violator(s) as follows:
    - i. To comply with these Rules and Regulations and with the cease and desist order either forthwith or in accordance with a time schedule set forth by the Franklin Department of Public Works; or
    - ii. To take appropriate remedial preventive action in the event of a threatened violation.

- c. The Franklin Department of Public Works may require the consumer in question to submit a detailed schematic plan and time schedule showing the specific actions to be taken in order to prevent or correct a violation. The Franklin Department of Public Works may modify such schematic and time schedule, or require such other actions within such times, as the Franklin Department of Public Works deems appropriate.
- d. The Franklin Department of Public Works may take direct enforcement action by filing suit in any court of competent jurisdiction pursuant to any applicable statute or regulation.

### C. Restrictions

- 1. In accordance with the Franklin Town Bylaw Chapter 139, Article III, §139-3, no person may introduce into the facility any pollutant(s), which cause pass-through or interference. These general prohibitions and the specific prohibitions provided in The Town of Franklin Bylaw, Chapter 139, Article III, § 139-3B apply to each person introducing pollutants into the facility, whether or not the person is subject to other national pretreatment standards or any national, state or local pretreatment requirements.
- 2. No persons shall discharge or cause or allow to be discharged into the Town of Franklin sanitary sewer, any substances, waters or wastes that the Franklin Department of Public Works has identified as likely, either singly or by interaction with other substances, to:
  - a. Harm or interfere with any wastewater system, wastewater treatment facility, or wastewater treatment process;
  - b. Pass through, interfere with or be otherwise incompatible with the wastewater treatment process or sludge disposal;
  - c. Cause or result in blockage of flow;
  - d. Cause a violation of Federal or State law or any discharge permits issued to either the Franklin Department of Public Works;
  - e. Cause a violation of water quality standards or otherwise adversely affect the receiving waters;
  - f. Endanger or threaten to endanger life, limb, health, or welfare of any person(s), or the public health, safety, welfare, or the environment, or property; or
  - g. Constitute a nuisance.
- 3. Specific discharge prohibitions are provided in The Town of Franklin Bylaw, Chapter 139, Article III, §139-3B.

### D. Liability

- 1. The Town does not guarantee uninterrupted service, nor does it assure the consumer full-service or unlimited disposal volume; wastewater disposal is subject to all variable conditions within the Town's public sanitary sewer.
- 2. No consumer shall be entitled to damages, or to have payment refunded, for any interruption of service occasioned by:
  - 1. Accident;
  - 2. Shutting off for the purpose of additions or repairs; or

3. Stoppage outside the control of the Franklin Department of Public Works, such as defects in the mains, pumps, or the treatment facility, blockages, backups, flooding, introduction of prohibited materials into the collection system, leaks from pipes and appliances owned by the consumer or other consumers, etc.
3. The Town will not be responsible for damages caused by backup of sewerage resulting from the opening or closing of any valve for repairs or system maintenance, emergency use, or otherwise; or the breaking of any pipe or any other situation that may result in backup of sewerage into/onto private property.

#### SECTION 4 – GENERAL CONDITIONS

##### A. Ownership and Maintenance of Building Sewer Service Laterals

1. Building sewer service laterals, whether located on public or private property, are owned by the owner of the premises served. In the case where more than one premise is connected to the same building sewer service lateral, the owners of the respective premises shall be jointly and severally responsible for the maintenance and repair of the building sewer.
2. The owner of a building sewer shall at all times keep such sewers in good repair so as not to cause excessive infiltration, exfiltration or inflow, depletion of groundwater, damage to property, odor, or harm to the Town of Franklin's sewers.
3. The owner shall maintain, repair, modify, or replace an existing building sewer whenever it is determined by the Franklin Department of Public Works that such sewers may endanger public health, create a public nuisance, result in public or private property damage, harm the Town of Franklin's sewers, result in excessive infiltration, exfiltration or inflow, or impair water quality or the environment and in such other circumstances as the Franklin Department of Public Works deems appropriate.
4. Building sewers shall be maintained, repaired, modified, or replaced at the owner's expense.

##### B. Public Sewers

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

##### C. Private Sewers

1. All private sewers that connect to the Town of Franklin's wastewater system shall be controlled as to discharge by the Franklin Department of Public Works, but constructed,

installed, maintained, repaired, and operated by their owners, at the owner's expense. All private sewers that connect to the Town of Franklin's wastewater system shall be constructed, installed, maintained, repaired, and operated to the satisfaction of the Franklin Department of Public Works.

2. A Licensed Drain Layer shall make repairs to private sewers in the Town, including any repairs required to comply with these Rules and Regulations.

D. Approval to Enter Town of Franklin Sewers

1. No person shall enter or install equipment into Town of Franklin's wastewater system without first obtaining approval from the Franklin Department of Public Works.

E. Wastewater Connections

1. The Franklin Board of Health may require connection to the Town of Franklin's sanitary sewer system. The Franklin Department of Public Works recommends that wastewater disposal facilities be connected to its wastewater system whenever the lack of such connection would endanger public health, create a public nuisance, or impair water quality or the environment. Connection to the Town of Franklin's wastewater system shall be subject to the availability of capacity in the system as determined by the Franklin Department of Public Works. Connections shall be made in compliance with all Franklin Department of Public Works rules, regulations, and specifications and at the owner's expense.

F. Special Facilities

1. When required by the Franklin Department of Public Works a user shall design, construct, install, operate, and maintain special facilities which will provide for the regulation and control of the rate, volume, and characteristics of wastewater discharged to the Town of Franklin's wastewater system. The design of such special facilities shall be subject to the approval of the Franklin Department of Public Works. Such special facilities shall be designed, constructed, operated, and maintained at the owner's expense. The Franklin Department of Public Works shall have the right to inspect such special facilities in accordance with Article VII, to ascertain compliance with these Rules and Regulations.

SECTION 5 – APPLICATION FOR SERVICE

- A. All applications for sewer service must be made in writing to the Franklin Department of Public Works on the form furnished by the Town and available at the Department of Public Works, 257 Fisher Street, Franklin, MA, and online at the Town of Franklin website: [www.franklinma.gov](http://www.franklinma.gov). There shall be an application fee and separate fees for connection and inspection of the service, which is designated in Water and Sewer Fee Schedule and subject to change annually.
- B. Applications and permits required by these Rules and Regulations are in addition to applications and permits that may be required by other federal, state, and local laws or regulations. The following applications and permits are required by these Rules and Regulations and issued by the Franklin Department of Public Works as they apply:
  1. Application for License to Install and Sewer Pipe in the Town of Franklin

2. Sewer Service Application
  3. Application for Sewer System Extension Permit
  4. Industrial Discharge Permit
  5. Trench Permit
  6. Street Opening Permit Application
  7. Lifeline Intake Form
- C. All Applicants for permits must be Licensed Drain Layers. The requirements for becoming a Licensed Drain Layer are provided in the Town of Franklin Bylaw, Chapter 139, Article III, §139-5.
- D. The Director of Public Works or designee shall approve the size and material of service pipes prior to installation. Service laterals shall connect to the sewer system at a public sewer main, not into a manhole, unless the connection is a force main, or prior approval is granted
- E. Applications for industrial discharge permits shall be submitted to and approved by the Charles River Pollution Control District.
- F. A person shall not discharge or operate without having the appropriate valid permit to discharge to the Town of Franklin's wastewater system.
- G. The Franklin Department of Public Works may refuse to issue a permit for any discharge which it believes can reasonably be expected to result in significant harm to health, safety, the environment, the Town of Franklin's system, a tributary to the Town of Franklin's wastewater system, or may pass through, interfere with, or otherwise be incompatible with the wastewater treatment process or sludge disposal.
- H. The Franklin Department of Public Works shall enforce the terms and conditions of a permit issued pursuant to the Town of Franklin Bylaw and these Rules and Regulations as well as all applicable local, state, and federal laws.
- I. The Franklin Department of Public Works may modify a permit as deemed necessary or appropriate or as required by local, state, or federal law.

- J. A permittee may request reconsideration of the terms and conditions in an issuance, renewal, or modification of a permit issued by the Franklin Department of Public Works, and an applicant may request reconsideration of the denial of a permit by the Franklin Department of Public Works.
- K. An approved application shall not be assigned or transferred without prior written approval of the Franklin Department of Public Works. After approval of an application assignment or transfer, the permittee shall provide a copy of the approved application to the assignee or transferee.
- L. These Rules and Regulations shall not be construed to require the Franklin Department of Public Works to permit itself or those in its employ for activities done to carry out the Franklin Department of Public Works' responsibilities under any federal or state laws, regulations, or requirements.
- M. Service laterals installed by a private contractor in a public way must be guaranteed for one (1) year from the date of acceptance, and meet all requirements pertaining to private contractors.

## SECTION 6 – AUTHORIZED SEWER CONNECTORS

### A. Licensed Drain Layers

- 1. All sewer main and building sewer work within the Town of Franklin shall be performed by Licensed Drain Layers, as provided in the Town of Franklin Bylaw, Chapter 139, Article III, §139-5(I)(11).
- 2. Applicants to become a Licensed Drain Layer are required to pay a filing fee as identified on the application form available directly from the Franklin Department of Public Works office, the Town of Franklin website.
- 3. The Contractor shall NOT perform any work in, on, under, or around streets, sidewalks and property belonging to the Town of Franklin until a License is issued by the Franklin Department of Public Works and the applicant has received written notice that they are approved and are on file at the Department of Public Works Office.

### B. Bonding Requirements

- 1. The Franklin Department of Public Works shall have the right to require that any person proposing to construct, repair or modify a building drain, building sewer, other private sewer, grease trap, oil trap, or other wastewater facility connected to the Town of Franklin's sanitary sewer system post a bond in a form satisfactory to the Franklin Department of Public Works and in an amount and for a period of time that the Franklin Department of Public Works deems sufficient to guarantee construction quality and operating performance.

## SECTION 7 – SEWER RATES, BILLING & SURCHARGES

### A. Rates

1. The Franklin Department of Public Works shall establish rates and charges pursuant to the Town of Franklin Bylaw, summarized in Subsection A, and reserves the right to change the rates and charges as needed. Rates will be adjusted annually at the start of each fiscal year or as needed to maintain funds needed to operate the wastewater system. Current fees and charges are available at the office of the Franklin Department of Public Works and on the Town of Franklin website: [www.franklinma.gov](http://www.franklinma.gov).

### B. Billing

1. Billing for sewer use shall be determined based on water meter readings. If public water service is not provided to a building, the customer will be billed a flat rate each billing cycle. Bills will be mailed once every 90 days.
2. Under the Lifeline Program, eligible head of household residential customers may receive a billing credit as set forth in the Town of Franklin Bylaws.
3. Late payment charges shall be as set forth in the Town of Franklin Bylaws.

### C. Surcharges

1. The Town of Franklin reserves the right to assess surcharges on any person discharging wastewater with a strength in excess of that found in normal wastewater, at rates as determined by the Town Council. Surcharges shall be calculated in accordance with the Town of Franklin Bylaw, Chapter 139, Article III, §139-13.

## SECTION 8 – SEWER CONNECTION AND EXTENSION PERMITS

- A. In accordance with the Town of Franklin Bylaw, Chapter 139, Article III, §139-5 any connection to, extension of, or discharge to the Town's existing sewer collection system will require issuance of a Sewer Connection Permit or Sewer Extension Permit by the Town. Only Licensed Pipe Layers will be granted Sewer Connection Permits and Sewer Extension Permit. Permits shall be expressly subject to the conditions set forth in the Town of Franklin Bylaw, Chapter 139, Article III, §139-5D.

- B. Renewal of a sewer service lateral will require issuance of a Sewer Renewal Permit.

### C. Sewer System Map

The current Sewer System Map depicts Eligible Extension locations. In accordance with Chapter 139, Article III, §139-14, neither Sewer Extension Permit nor any permit to construct a lift station shall be granted unless such extension is indicated as an Eligible Extension on the current Sewer System Map.

A petition to amend the Sewer System Map may be presented to the Town Council by any applicant for a Sewer Extension Permit or, in the alternative, upon motion of any member of the Council. Such proposed amendment shall be first referred to the Department of Public Works for a written recommendation.

D. Application

1. When applying for either a Sewer Connection Permit or Sewer Extension Permit, the applicant shall submit two (2) sets of plans and specifications for review and approval. Plans shall include the locations of all proposed building sewers to be connected to the Town's sewer system. All designs and construction of sewer mains must be in accordance with the Town of Franklin's "Standard Documents for Sewer Materials and Installation." Any changes will be marked on both sets of plans and specifications and one (1) copy will be retained by DPW, the other copy will be returned to proponent for revisions. After revisions are made, resubmit two (2) revised sets of drawings and specifications to DPW. Subdivisions, industrial and commercial drawings and specifications for water and sewer connection permits are required to be prepared by a Massachusetts Registered Professional Engineer, signed and stamped on each drawing. Excluded from the preparation of drawings by a Massachusetts Registered Professional Engineer are applications for single-family housing or multi-family housing up to four (4) dwelling units and commercial connections with less than five (5) water closets and do not have industrial discharge contaminants.

*NOTE: Subdivision connections, industrial connections, commercial connections with five or more water closets and multi-family dwellings with four or more units must submit engineer's calculation of water and sewer flows within the project and the available capacity from the project water and sewer connection tie-in at the Town System.*

2. Submit two (2) copies of Sewer Connection Permit or Sewer Extension Permit Application, with required attachments, filled out by applicant in its entirety except for the date and signature of approval by Director of Public Works. It is the responsibility of the applicant to obtain signatures of all other required Town departments.
3. Additional bonding may be required if in the opinion of the Director of Public Works or designee that the amount of work that will be performed on publically owned property is greater than what would normally be encountered with a normal highway or road crossing.

*NOTE: Copies of bonds to be submitted with application shall list the Town of Franklin as additionally insured on the bond.*

4. Submit an application fee made payable to the Town of Franklin for the proper amount for each Sewer connection or extension. Fees can be found on the most current application form located on the Town of Franklin's website [www.franklinma.gov](http://www.franklinma.gov).
5. All new non-residential connections and residential connections with four (4) or more bedrooms will be assessed and Inflow and Infiltration (I&I) Removal Fund fee based on the projected sewer flows.

6. An industrial discharge permit issued by the Charles River Pollution Control District is required for any new or modified industrial discharges.
7. If a portion or all of the project is proposed to be located on or across property owned by, or which may be transferred to, a new owner or owner other than the applicant, two (2) copies of an easement or right-of-way deed with book and page number showing that it has been recorded in the Registry of Deeds, must be submitted with application.
8. Submit two (2) copies along with application to the Franklin Department of Public Works of an agreement between the applicant or proponent of the project and proponent shall hire a consulting engineer (as approved by the Director of Public Works or designee) to perform full time construction inspection during the construction of all proposed sewer road installations, including any special conditions that other Town boards have put on the project. This agreement will be reviewed and approved by the Director of Public Works or designee and if any changes are required the applicant or proponent must renegotiate this agreement with the consulting engineer and resubmit the revised agreement to the Franklin Department of Public Works for review and approval. Exempt from this condition; single family dwellings, multi-family dwellings with less than four (4) dwelling units and most commercial developments with less than five (5) water closets.
9. Two (2) copies of the approved Trench Permit and Road Opening Permit Applications must be submitted with the application to connect utilities, if required.
10. Two (2) copies of the approved State Highway Opening Permit must be submitted with the application to connect utilities, if required.
11. If project involves work on or along state-owned right-of-ways or property, these submittals are required. The State Highway Opening Permits are issued to the Town of Franklin and not to the contractor or developer, therefore, the State Highway Opening Permit application must be signed by the Director of Public Works. Seven (7) copies of the State Highway Opening Permit application will be filled out in its entirety by the applicant or proponent of the project and submitted to the Director of Public Works for his review and approval. Any changes or modifications to this permit application will be made by the proponent or applicant to all seven copies and resubmitted to the Director of Public Works for his review and approval. The Director of Public Works will not sign the State Highway Opening Permit application until all drawings and specifications are technically correct and the contractor proposed to perform this work has submitted the proper bond and insurance certificates, which are required by the Town and State.
12. Upon receiving the signature of the Director of Public Works on the State Highway Opening Permit application, the Director of Public Works will retain one (1) copy for his files and the applicant and/or proponent of the proposed project will send three (3) copies of the State Highway Opening Permit application to the proper address for the Commonwealth of Massachusetts Department of Transportation (MassDOT).

*NOTE: The application for water or sewer connections will not be considered technically complete until the Franklin Department of Public Works receives an approved copy of this*

*State Highway Opening Permit application from the MassDOT. Any conditions stated in the State Highway Opening Permit must be incorporated into the project drawings and specifications.*

13. Subdivisions will require two (2) copies of the approved subdivision plan as approved and signed by the Town of Franklin's Planning Board and any special conditions issued by the Town of Franklin Planning Board.
14. Projects involving approval from the Zoning Board of Appeals may be required to submit orders of conditions or determination issued by the Town of Franklin's Zoning Board of Appeals.
15. If the proposed project will require any work within a wetland, wetland buffer zone, riverfront area, flood zone, or other protected resource area protected under M.G.L. c. 131, § 40: Massachusetts Wetlands Protection Act; 310 CMR 10.00: Wetlands Regulations, and the Town of Franklin Bylaw Chapter 181, two (2) copies of the Town of Franklin's Conservation and MassDEP approval and special conditions may be required to be submitted to the Franklin Department of Public Works.
16. Some projects may require review and approval by other Town, State or Federal Boards or Departments, such as a project that propose to utilize an on-site well for the supply of water to the proposed project. Under this example approval of the on-site well issued by the Town of Franklin's Board of Health may require approval from the Franklin Department of Public Works.

*NOTE: All of the above must be submitted to the Franklin Department of Public Works, if required, and must be in a form satisfactory to the Director of Public Works before the application is considered technically correct and is put on the list of Water and Sewer Connections Pending Approval by the Town Council.*

E. As-Builts

1. Drawings on tie-cards approved by the Franklin Department of Public Works indicating fitting and tie-in locations, in relation to nearby permanent structures, must be furnished to the Franklin Department of Public Works on completion of the installation and prior to final acceptance by the Town.

SECTION 9 – MATERIALS & INSTALLATION OF SEWER MAINS & SERVICES

- A. All sewer connections, pipes and appurtenances shall be designed and constructed in strict accordance with Town of Franklin, Standard Documents for Sewer Materials and Installation and pertinent Town of Franklin Bylaws.

B. Quality Assurance

1. All sewer mains and building sewer work shall be in accordance with Massachusetts Standard Specifications for Highways and Bridges (as amended) and all applicable standards of the American Society for Testing and Materials (ASTM) and approved by the Director of Public Works or designee.
2. Standards - The following ASTM standards form a part of this specification as referenced:
  - ASTM D3212 Standard Specification for Joints for Drain and Sewer Plastic Pipes Using Flexible Elastomeric Seals
  - ASTM D2321 Standard Practice for Underground Installation of Thermoplastic Pipe for Sewers and Other Gravity-Flow Applications
  - ASTM D2729 Standard Specification for Poly(Vinyl Chloride) (PVC) Sewer Pipe and Fittings
  - ASTM D1248 Standard Specification for Polyethylene Plastics Extrusion Materials for Wire and Cable
  - ASTM D3350 Standard Specification for Polyethylene Plastics Pipe and Fittings Materials
  - ASTM D2239 Standard Specification for Polyethylene (PE) Plastic Pipe (SIDR-PR) Based on Controlled Inside Diameter
  - ASTM C425 Standard Specification for Compression Joints for Vitrified Clay Pipe and Fittings
  - ASTM D5926 Standard Specification for Poly (Vinyl Chloride) (PVC) Gaskets for Drain, Waste, and Vent (DWV), Sewer, Sanitary, and Storm Plumbing Systems
  - ASTM F794 Standard Specification for Poly(Vinyl Chloride) (PVC) Profile Gravity Sewer Pipe and Fittings Based on Controlled Inside Diameter
  - ASTM F1336 Standard Specification for Poly(Vinyl Chloride) (PVC) Gasketed Sewer Fittings
  - AWWA C104 Cement Mortar Lining for Ductile Iron Pipe and Fittings for Water
  - AWWA C110 Ductile Iron and Gray Iron Fittings, 3 In. through 48 In., for Water and Other Liquids
  - AWWA C111 Rubber Gasket Joins for Ductile Iron and Gray Iron Pressure Pipe and Fittings
  - AWWA C150 Thickness Design of Ductile-Iron Pipe
  - AWWA C151 Ductile Iron Pipe, Centrifugally Cast, for Water and Other Liquids
  - AWWA C153 Ductile Iron Compact Fittings, 3 In. through 12 In., for water and Other Liquids

C. Contractor's Responsibility

1. The Contractor shall be responsible for notifying the Franklin Department of Public Works, and all sewer users affected by a shutdown of service in writing 24-hours prior to any interruption of service.
2. The contractor shall reimburse all expenses incurred for the work of the Franklin Department of Public Works personnel occurring after normal business hours, at the current staffing hourly wage rates.

D. General Requirements

1. Gravity sewers shall be Poly(Vinyl Chloride) (PVC) and have a minimum diameter of 8 inches. Sewer force mains 4-inches in diameter or larger shall be class 52 ductile iron with interior cement lining. Sewer force mains smaller than 4-inches in diameter shall be pressure rated PVC or HDPE.
2. Building sewers shall be in accordance with the latest edition of the Massachusetts Building Code.

E. Inspections

1. All delivered pipe shall be accompanied by test reports certifying that the pipe conforms to "ASTM D3034 Standard Specification Type PSM Poly(Vinyl Chloride) (PVC) Sewer Pipe and Fittings", "ASTM D3350 Standard Specification for Polyethylene Plastics Pipe and Fittings Materials" or "AWWA C151 Ductile Iron Pipe, Centrifugally Cast, for Water and Other Liquids". All tests shall be made in accordance with the methods prescribed by the aforementioned ASTM or AWWA Standard, and the acceptance or rejection shall be based on the test results. Pipe that does not conform to the requirements these Rules and Regulations shall be NOT be used and immediately removed and replaced by the contractor with pipe that does conform.
2. All pipe fittings and appurtenances shall be carefully inspected in the field before lowering into the trench. All pieces found to be defective or damaged, as determined by the contractor, the Franklin Department of Public Works, or designee, shall be removed from the work. Such rejected pipe shall be clearly tagged so as not to deface or damage it, the pipe shall then be removed from the job site by the contractor at his own expense.
3. Results of shop tests which are required per the material specifications included herein shall be submitted to the Franklin Department of Public Works or designee prior to this installation of the pipe for which such test results were ordered.

SECTION 10 – PRECAST CONCRETE MANHOLES

A. General

1. All designs and construction of hydrants must be in accordance with the Town of Franklin's "Standard Documents for Sewer Materials and Installation".

B. Product Handling

1. The contractor shall arrange for the delivery of the materials required for the installation of manholes to a location designated by the owner.

2. Materials shall be stored in an approved, orderly manner so that there will be a minimum of rehandling from the storage area to the final position and so that there is a minimum obstruction and inconvenience to any kind of traffic.
3. All materials are to be loaded, unloaded and stockpiled in strict conformance with the manufacturers' recommendations, and to prevent physical damage, and in the manner to keep markings visible.
4. Deliveries shall be scheduled so that the progress of the work is at no time delayed and also so that large quantities of materials shall not be stored for excessive lengths of time.
5. Provide slings, straps and/or other approved devices to provide satisfactory support of the precast units when lifted. The precast units shall be lifted and supported only at designated lifting points or support points.

C. Standards - The following ASTM standards form a part of this specification as referenced:

- ASTM C478 Standard Specification for Precast Reinforced Concrete Manhole Sections
- ASTM C443 Standard Specification for Joints for Concrete Pipe and Manholes, Using Rubber Gaskets
- ASTM C32 Standard Specification for Sewer and Manhole Brick (Made From Clay or Shale)
- ASTM C150 Standard Specification for Portland Cement
- ASTM C207 Standard Specification for Hydrated Lime for Masonry Purposes

## SECTION 11 – BUILDING SEWERS, CONNECTIONS AND APPURTENANCES

A. Bylaw Regulations

The following specifications are summarized from the Town of Franklin Bylaw, Article III, §139-5I regarding building sewers. See the Town of Franklin Bylaw.

1. A separate and independent building sewer shall be provided for every building.
  - a. Exception:
    - i. One building stands at the rear of another on an interior lot and no private sewer is present;
    - ii. No sewer can be constructed to the rear building through an adjoining alley, court, yard or driveway.
  - b. Where an exception is recognized by the Franklin Department of public works, the building sewer from the front building may be extended to the rear building.
    - i. In this case, the whole system is considered as one building sewer, provided the building sewer from the front building is adequate in size.
2. Existing Building Sewers
  - a. Existing building sewers may be connected to new building sewers when all Bylaw requirements are met.

3. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall conform to these Rules and Regulation and the Town of Franklin Bylaw. Should a conflict exist between the Bylaw and these Rules and Regulations, the Bylaw shall govern.
  - a. In the absence of a regulation the materials and procedures shall meet the appropriate specifications ASTM and Water Pollution Control Federation (WPCF) Manual of Practice No. 9.
  
4. Gravity Discharge to Sewer
  - a. A building sewer shall be installed below the basement floor, unless otherwise permitted by the Town of Franklin.
    - i. Where a building drain is too low to permit gravity flow, the wastewater shall be lifted by an approved means and discharged to the building sewer.
    - ii. Lifting devices shall be installed and maintained by the owner with no liability assumed by the Town.
    - iii. Direction changes shall be made only by Boston Tee Wyes, cleanouts or cleanout manholes.
    - iv. No building sewer shall be laid parallel to and within five feet of any bearing wall.
  
5. Wastewater-Stormwater Separation
  - a. No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain connected to the public sewer.
  
6. Connection of Building Sewers to Town Sewers and District Sewers
  - a. The District Director or designee shall approve the connection location of a building sewer to the District sewer. The Director of Public Works or designee shall approve the connection location of a building sewer to the Town sewer.
  - b. Acceptable building sewer construction specifications, including acceptable materials and methods and specifications for connecting to a District sewer are described in the Franklin Town Bylaw, Article III, §139-5H.
  - c. Acceptable building sewer construction specifications, including acceptable materials and methods and specifications for connecting to a Town sewer are described in the Franklin Town Bylaw, Article III, §139-5I.
  - d. The Licensed Drain Layer shall notify the District Director or Director of Public Works or designee, as applicable, when the building sewer is ready for inspection and connection to the public sewer.
  - e. Connections shall be made under the supervision of the District Director or Director of Public Works, as applicable, or his or her authorized representative.
  - f. The District Director or Director of Public Works or designee, as applicable, shall be notified at least 24 hours prior to the beginning of any work on sewer or building connections.
  - g. Notification of the completion of the work with certification that all conditions have been complied with shall be filed in writing with the Town within 24 hours after completion of the work covered in each permit.

- h. No building sewer shall be connected to the public sewer system unless said building has a soil line extended to a point above the roof, properly vented.

B. Additional Policies.

1. Connections from Individual Sump Pump Systems
  - a. Connection of an individual sump system, whether directly or indirectly, to a Town sewer or drain is prohibited.
2. Dye Testing of Connections
  - a. Prior to activating water service, every new building sewer shall be dye tested by the Franklin Department of Public Works or his designee to establish that the building sewer is properly connected to the Town sewer. The Franklin Department of Public Works may conduct dye testing of an existing building sewer to establish that it is properly connected to the Town's sewer system. The Town may require the owner forthwith to eliminate a connection from a building sewer to a storm drain (also referred to as an Illegal Connection) at the owner's expense.
  - b. Where separate sanitary sewers and storm drains exist, the Franklin Department of Public Works may also dye testing, or require the owner to dye test in the presence of a Town inspector, of a new or existing building storm drain to establish that the building storm drain is properly connected to the Town of Franklin's storm drainage system. The Franklin Department of Public Works may also require the owner forthwith to eliminate an Illegal Connection at the owner's expense.
3. Backwater Valves
  - a. All existing or new building drains from plumbing fixtures liable to backflow from a Town sewer, or a private sewer connected to a Town sewer, shall be required to have backwater valves installed at the owner's expense. Any plumbing fixture located at an elevation below the top of the manhole on the Town sewer serving the fixture shall be considered liable to backflow. Backwater valves shall be installed in accordance with the Uniform State Plumbing Code, 248 CMR, Section 2.09:(4), and as approved by the Franklin Department of Public Works.
4. Cleanouts
  - a. Where a new building is to be constructed which is set back from the property line, the Franklin Department of Public Works shall require the owner to install a cleanout on the portion of the building sewer on the owner's property at the property line.
5. Floor Drains
  - a. Floor drains shall be connected to the building sewer.
6. Oil Traps for Garages
  - a. Oil traps shall be required on sewers contributing wastewater to the Town of Franklin sanitary sewer from existing or new garages, service stations, enclosed parking areas, and other establishments capable of discharging petroleum-based oil or grease, flammable wastes, sand, or other harmful substances.

- i. Such devices shall not normally be required for garages associated with private dwelling units.
- ii. Discharges from oil traps shall be directed to a sanitary sewer and not to a storm drain.
- b. The Franklin Department of Public Works shall determine where oil traps are required. All oil traps shall be of a type, capacity, location and construction approved by the Franklin Department of Public Works and shall be located so as to be readily accessible for maintenance and inspection. The Franklin Department of Public Works shall have the right to inspect such facilities in accordance with these Rules and Regulations.
- c. Where oil traps are required, they shall be installed and maintained continuously in satisfactory and effective operation by and at the expense of the owner or user. Both the owner of the premises where an oil trap is required and the owner or operator of the establishment or business conducted on the premises shall be jointly and severally responsible for installing an oil trap acceptable to the Franklin Department of Public Works and for properly servicing and maintaining the oil trap.
- d. The owner or operator of the establishment on the premises where the oil trap is located shall maintain a log describing the date and type of all service and maintenance performed in connection with the oil trap; who performed the service or maintenance; the amount of residue removed from the oil trap on each date; and the method of disposal of the residue. The log entries shall be retained for six years and shall be made available for inspection and copying by the Franklin Department of Public Works. The schedule for service and maintenance of an oil trap shall be subject to approval by the Franklin Department of Public Works.
- e. In addition to complying with these Rules and Regulations, oil traps shall conform to the regulations of the Uniform State Plumbing Code, 248 CMR 2.00, and all other applicable laws.

7. Grease Traps

- a. Grease traps shall be required on sewers which discharge directly or indirectly to the Town of Franklin sanitary sewer and into which significant amounts of animal or vegetable fat, oil, or grease may be discharged so that a discharge concentration does not exceed 100 milligrams per liter. Such devices shall not normally be required for private dwelling units.
- b. The Franklin Department of Public Works will determine whether a grease trap is required. All grease traps shall be of a type, capacity, location and construction approved by the Franklin Department of Public Works and shall be located outside of the building so as to be readily accessible for maintenance and inspection.
- c. Installation of a dedicated building drain and an in-line grease trap shall be required to serve all fixtures from which fat, oil or grease may be discharged whenever there is sufficient space and adequate plumbing to incorporate the appropriate facilities as determined by the Franklin Department of Public Works. Point of use grease traps may be required instead of or in addition to, an in-line grease trap for discharges from dishwasher rinse sinks, pot sinks, floor sinks and drains, automatic hood washes, soup and tilt kettles, wok drains, and any other fixture which may introduce fat, oil, or grease to the sewer as determined by the Franklin Department of Public Works.

- d. Where grease traps are required, they shall be inspected at least once each month, and maintained continuously in satisfactory and effective operation and in accordance with the requirements of the Uniform State Plumbing Code, and the State Environmental Code, Title V, all by and at the expense of the owner and user. Both the owner of the premises where a grease trap is required and the owner or operator of the establishment on the premises, shall be jointly and severally responsible for installing a grease trap acceptable to the Franklin Department of Public Works and for properly servicing and maintaining the grease trap. The Franklin Department of Public Works shall have the right to inspect such facilities in accordance with these Rules and Regulations.
- e. The owner or operator of the establishment on the premises where the grease trap is located shall maintain a log provided by the Franklin Department of Public Works which describes the date and type of all inspections and cleaning of the grease trap, service and maintenance performed in connection with the grease trap; who performed the service or maintenance; the amount of residue removed from the grease trap on each date; and the method of disposal of the residue. The log shall be made available to the Franklin Department of Public Works upon request for inspection and copying.
- f. Unless otherwise required by a schedule established by the Franklin Department of Public Works, owners or operators shall clean grease traps once a month or whenever one quarter of the liquid depth of the trap consists of grease or oil, whichever occurs first. Grease traps shall be cleaned by physically removing accumulated grease, scum, oil or other floating substances and solids.
- g. Chemical, biological, or physical means (including flushing with water) shall not be used to release fats, wax, oil or grease into the sewer, bypass the trap, or otherwise make the trap operate less effectively. Subject to prior written approval from the Franklin Department of Public Works, a chemical or biological agent may be added to convert the fats, wax, oil, and grease in a trap to a substance not prohibited by these Rules and Regulations or the Town of Franklin Bylaw, if the resulting discharge from the trap will not cause or contribute to an obstruction or blockage in the sewer or otherwise violate these Rules and Regulations. Unless so converted, the fats, wax, oil, and grease contents of a grease trap shall not be discharged to the sewer system.
- h. If the Franklin Department of Public Works determines there is insufficient space available to install a grease trap, or the facility's plumbing cannot accommodate a grease trap, or if the Franklin Department of Public Works determines that an existing or proposed grease trap installation, despite being designed according to the Uniform State Plumbing Code, and the State Environmental Code, Title V, cannot meet the discharge concentration limitation of 100 milligrams per liter, the Franklin Department of Public Works may require the owner to implement other measures to ensure compliance with the discharge limitation. Required measures may include but are not limited to, modifying the type, capacity, location, and construction of the grease trap, adding a Franklin Department of Public Works approved chemical or biological agent to convert the fats, wax, oil, and grease to a substance not prohibited by these Rules and Regulations or the Town of Franklin Bylaw, more frequent cleaning of the grease trap, and physical containment and removal of fats, wax, oil, and grease for disposal offsite.

## SECTION 12 – REQUIREMENTS FOR DESIGN AND CONSTRUCTION OF FACILITIES

### A. Design and Construction Standards

New building sewers or other private sewers, grease traps, oil traps, appurtenances, and other wastewater facilities connected to the Town of Franklin's sanitary sewer system shall be designed and constructed in conformance with current Franklin Department of Public Works standards and specifications. In the absence of such specifications or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM, New England Interstate Water Pollution Control Commission Guides for the Design of Wastewater Treatment Works, Title V of the State Environmental Code and the Uniform State Plumbing Code, 248 CMR 2.00 shall apply.

### B. Construction in Easements

Excavation in, or construction of any building or structure in a Town of Franklin utility easement is prohibited without prior written authorization from the Director of Public Works or designee.

### C. Violations to be Reported

All Licensed Drain Layers are required to give a full written report to the Franklin Department of Public Works within 24 hours if, in the course of performing their work they encounter any of the following:

1. Prohibited substances in a building drain or building sewer, or plumbing is found that would allow discharges of such substances to a building drain, or building sewer;
2. Interconnections or illegal connections; or
3. A defect or deterioration of the building sewer.

Failure to provide such reports may lead to license suspension or in the case of repeated violations, to license revocation.

### D. Right to Inspect During Construction

The Franklin Department of Public Works reserves the right to inspect building drains, building sewers, other private sewers, grease traps, oil traps, and other facilities connected to the Town of Franklin's sanitary sewer system, at any reasonable time while construction is underway. The owner shall notify the Franklin Department of Public Works when such facility is installed and ready for final inspection and before the facility is connected to the Town of Franklin's sanitary sewer system. Connection to the Town of Franklin's sanitary sewer system shall be made in the presence of the Franklin Department of Public Works, or its designee. No facility shall be covered over until approval has been given by the Franklin Department of Public Works. The cost for final inspection by the Franklin Department of Public Works shall be borne by the owner of the facilities installed.

### E. Inflow and Infiltration

Every newly constructed, replaced or extended building sewer that discharges directly or indirectly to the Town of Franklin's sanitary sewer system shall be designed, constructed, and maintained so as to minimize all inflow and infiltration into the Town of Franklin's sanitary sewer system. The

Franklin Department of Public Works may require an owner to determine and eliminate the source of the infiltration or inflow to an existing building sewer at the owner's expense.

F. Construction of Below-grade Plumbing

Prior to installing below grade plumbing, the owner shall submit a plan of the proposed plumbing to the Franklin Department of Public Works for review and approval. Plumbing that is subject to the requirements of this Section shall include faucets, showers, baths, toilets and washing machine hookups. All plumbing fixtures located at an elevation below the top of the manhole on the Franklin Department of Public Works sewer serving the proposed plumbing shall be considered to be liable to backflow and shall be equipped with a backwater valve in accordance with 248 CMR Section 2.09:(4) of the Uniform State Plumbing Code, and 780 CMR Section 872 of the State Building Code. The backwater valve shall be installed and maintained at the owner's expense.

G. Lift Stations

Every attempt shall be made between the applicant/developer and the Town of Franklin to provide for gravity flow sewer services, even if it includes extra initial installation costs. Where gravity sewer lines are not possible and where a lift station is required to service a property, a lift station may be approved by the Town of Franklin under the parameters defined in the Franklin Town Bylaw, Chapter 139, Article III, §139-12.

H. Distance from Water Services

Building sewer connections shall be laid at least 10 feet apart from any new or existing water service connection.

I. Fuel Dispensing Areas

Any area that is used to dispense fuel and is covered by a canopy or other type of roof or enclosure shall drain into an approved oil trap and then into a sanitary sewer. An alternative is to contain all runoff within the fuel dispensing area so that it is not drained off. The owner shall be responsible for the removal and disposal of any runoff that is contained in such a manner. The fuel dispensing area shall be graded so as to prevent any runoff to surrounding areas that drain into a storm drain. Runoff from canopies of gas stations and from fuel dispensing areas not in a building or covered by a canopy shall be drained according to Franklin Department of Public Works rules or, in the absence of such rules, as prescribed by the Director of Public Works or designee.

J. Termination of Service

Every person seeking terminate service to a facility shall notify the Franklin Department of Public Works for approval prior to disconnection of any physical connection to the Town of Franklin sanitary sewer system. Prior to demolition of any building, the owner shall cut and cap all building sewers at the connection to the public sewer, and have the Franklin Department of Public Works inspect all building sewers to ensure that they are properly cut and capped prior to backfilling.

K. Expenses Borne by the Owner

All costs and expenses incidental to the application form, design, construction, installation, connection, repair, and maintenance of a building sewer, other private sewers, special facilities, grease traps, oil traps, or other sanitary sewer facilities shall be borne by the owner. The owner shall indemnify the Franklin Department of Public Works from, and shall reimburse the Franklin Department of Public Works for, any loss or damage directly or indirectly occasioned by the installation of any building sewer, private sewer, special facility, grease trap, oil trap or other sanitary sewer facility.

SECTION 13 – DISCHARGE REQUIREMENTS, PROHIBITIONS, AND RESTRICTIONS

A. General Requirements

1. Compliance with Discharge Limits

Every user who directly or indirectly discharges wastewater to the Franklin Town of Franklin's sanitary sewer system shall comply with the strictest of the following discharge limits applicable to the discharge: the National Pretreatment Standards, NPDES Permit conditions, state limits, or permit limits, limits contained in these Rules and Regulations, and limits in a permit or order issued under these Rules and Regulations. If a National Categorical Pretreatment Standard includes a limit in addition to a daily maximum limit (e.g., 30 day, monthly, weekly, four day, loading, or production-based limit), that limit must also be met.

2. Dilution Prohibited

No user shall achieve, or attempt to achieve, compliance with these Rules and Regulations by diluting a discharge instead of using proper pretreatment. The increased use of process water in place of proper treatment shall be considered dilution and is prohibited by the Franklin Town Bylaw, Chapter 139, Article III, §139-3H.

3. Notification of Changed Discharge

Every user who directly or indirectly discharges waste to the Town of Franklin sanitary sewer system shall notify the Franklin Department of Public Works in writing in advance of (a) any substantial change in the volume or character of pollutants in the discharge; and (b) any change in the location of the discharge to a different sewer connection.

4. Notification of Violations

The Director of Public Works or designee shall be immediately notified by telephone of any discharges of waste in violation of these Rules and Regulations, any discharge permits, and the Town of Franklin Bylaw or any upset, slug load, or spill that may reasonably be expected to discharge to the sanitary sewer system. Notification shall include location, type of waste, concentration and volume, and any corrective actions.

Within 15 days of the date of the occurrence, the user shall submit to the Director of Public Works or designee a detailed written report describing the cause of the discharge and measures taken/to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any and all liability or further responsibility, financial or otherwise.

For violation related to industrial users see Section 9 herein, and the Franklin Town Bylaw.

5. Preventive Measures

Each user shall provide reasonable and appropriate protection from any discharge, including accidental discharges, in violation of these Rules and Regulations or the Town of Franklin Bylaw.

6. Prohibited Wastes or Substances

See Section 3 – Rights and Restrictions, herein.

7. Local Discharge Limitations

- a. No person shall discharge wastewater containing any pollutant specified in Schedule A, annexed to the Chapter 139 of the Town of Franklin Bylaw.
- b. Compliance shall be assessed on the basis of sampling at each point of connection between the building, structure, facility or installation and the District's sewerage system.
- c. Limits of industrial discharge where national categorical pretreatment standards are established are discussed in Section 9, Subsection B herein.

B. Septage Discharges

Septage discharge limitations and procedures are set forth in the Franklin Town Bylaw, Chapter 139, Article III, §139-4. Please refer to the referenced section for regulations. For septage discharges directly into the Charles River Pollution Control District Facility, see the Charles River Pollution Control District Sewer Use Regulations.

SECTION 14 – SIGNIFICANT INDUSTRIAL USERS

A. General

1. Significant Industrial User Compliance

In addition to the other stated requirements of these Rules and Regulations, and the Town of Franklin Bylaw, any person operating a facility in the Town of Franklin that is a Significant Industrial User as defined in 40 CFR 403.3 shall comply with the applicable requirements of 40 CFR Part 403, including the reporting requirements of 40 CFR 403.12 and any National Categorical Pretreatment Standard applicable to the facility.

2. Employee Notification

All industrial users shall inform their employees of the existence of these Rules and Regulations, and any other applicable permits. Each industrial user within their facility/facilities shall permanently and conspicuously post at least one copy of these Rules and Regulations and the permit(s). Such user shall also permanently post a notice identifying the employee who has been designated as the individual responsible for compliance, and who should be notified of any violation of, these Rules and Regulations or a permit. Every such industrial user shall provide a copy of its applicable permits to each employee working in its pretreatment operations.

B. Industrial Discharge, General Permit Requirements

1. Refer to Franklin Town Bylaw, Chapter 139, Article III, §139-5

C. Pretreatment

1. Refer to Franklin Town Bylaw, Chapter 139, Article III, §139-3.I for pretreatment requirements.

D. Reporting Requirements, Monitoring, and Inspections

1. Refer to Franklin Town Bylaw, Chapter 139, Article III, §139-6 for reporting, monitoring and inspection requirements.

E. Industrial User Accidental Discharge

1. Refer to Franklin Town Bylaw, Chapter 139, Article III, §139-3J.

F. Slug Discharge Plans

1. Refer to Franklin Town Bylaw, Chapter 139, Article III, §139-3J.

SECTION 15 – ENFORCEMENT

A. Violations – Revocation of Permit(s)

1. Any user who violates the following conditions of the Town of Franklin Bylaw or applicable state and federal regulations is subject to having its sewer connection permit or industrial discharge permit revoked in accordance with the procedures set forth in Franklin Town Bylaw, Chapter 139, Article III, §139-8C through §139-8G:
  - a. Failure of an industrial user to report factually the wastewater constituents and characteristics of its discharge;
  - b. Failure of a user to report significant changes in its operations or the constituents and characteristics of its wastewater;
  - c. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
  - d. Violation of conditions of the user's permit.

B. Enforcement Actions

1. The Franklin Town Bylaw, Chapter 139, Article III, §139-8C through §139-8G defines in detail the following authorized actions to be taken against violators as defined above. Please see the referenced sections of the Town Bylaw for further detail.
  - a. Revocation of permit(s);
  - b. Administrative enforcement proceedings;
  - c. Issuance of notices of violation;
  - d. Issuance of compliance orders;
  - e. Issuance of orders to show cause;
  - f. Show cause hearing; or
  - g. Legal action.

C. Violations and Penalties

The following summarizes the limitations and procedures set forth in the Franklin Town Bylaw, Chapter 139, Article III, §139-9. Please refer to the referenced section for regulations.

1. Any person who violates an order of the District or the Town or who fails to comply with any provisions of the Town of Franklin Bylaw, or the orders, rules, compliance schedules and permits issued thereunder, may:
  - a. Be assessed a civil penalty of up to \$5,000 per day of violation.
  - b. Be assessed with a criminal penalty, where each day of a violation shall be deemed a separate offense.
  - c. Be assessed with the District's or Town's attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate legal action against the person found to have violated the Town bylaw or the orders, rules, compliance schedules and permits issued thereunder.
2. Any person found to have been connected, without authorization from the Department of Public Works, to the public sewer system, directly or indirectly, shall be liable to the Town for each of the following:
  - a. The full cost to repair, reroute, or terminate the unauthorized connection.
  - b. The full cost to repair or install other common sewers through which the unauthorized connection discharges.
  - c. The sewer system usage fee that would have been charged for the previous twelve-month billing period had the sewer connection been authorized by the Department of Public Works.
3. Any drain layer violating these provisions shall be further liable to forfeiture of the Town's drain layer license.