ARTICLE XI
MINIMUM REQUIREMENTS FOR SUBSURFACE SEPTIC SYSTEMS

STATEMENT OF LEGAL AUTHORITY

The Board of Health, Town of Uxbridge, Massachusetts in accordance with, and under the authority granted by Sections 31A and 31B of Chapter III of General Laws of the Commonwealth of Massachusetts do hereby adopt the following regulations. All other regulations of the Board of Health inconsistent with these regulations are repealed as of March 1, 2007.

PURPOSE

This regulation is intended to protect public health, safety and the environment by regulating Subsurface Septic Disposal Systems and wells in the town of Uxbridge.

DEFINITIONS

OCCUPANCY: See 780 CMR 202

OWNER: See 310 CMR 15.002

PUBLIC WELLS: See 310 CMR 22.02

UPLANDS: Those areas not designated wetlands, waterways or watercourses by the Wetlands Protection Act.

I. TESTING

(1) Application for percolation/soils evaluation testing must be filled out completely and submitted with appropriate fee to the Board of Health office prior to testing. This form shall include the name of the applicant, owner if different, street address, map and parcel number (available from the Assessor's office), the location of the proposed testing and the name of the Registered Professional Engineer, Registered Sanitarian, or other professional authorized by law who will be performing the test in the presence of the Board of Health Agent. Included with this application shall be the assessor's map showing the location of the testing with directions to the site (off road) etc. For large tract testing a copy of the proposed lots will be required. Utility pole number nearest lot may also be required. All documentation will be required prior to testing.

(2) The Board of Health will issue a permit number for each application submitted. This number is required when scheduling testing with the Board of Health Agent. No testing will be scheduled without this number. The Engineer for the applicant requesting the testing shall contact the Board of Health Agent a minimum of seven (7) days prior to the requested date. Testing will be scheduled on a first come first served basis.

(3) Percolation and soils evaluation tests may be made at any scheduled time during the year. However, an acceptable percolation test does not mean the lot is buildable.

(4) Soils evaluation holes on single lots must be excavated prior to the Agent's arrival on site and are to be left open for inspection. Soils evaluation holes shall be excavated on the day of testing and not the day before.

(5) At the time of testing, the Engineer performing the test will set a permanent benchmark and provide the Board of Health agent with elevations of each percolation and soils evaluation test performed. The Engineer shall also provide horizontal ties to all permanent landmarks, property corners, utility poles, etc. This includes failed tests and abandoned tests as well.

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(6) For new construction only, the engineer will be required to place grade stakes in all soils evaluation holes. These stakes will be marked with the test number and date of testing. The stakes will serve to locate the testing at future dates.

(7) For testing on large tracts of land or land not easily accessible, the Engineer performing the test will provide to the Board of Health within sixty (60) days of testing, but in any case prior to submitting design plans, the above information (elevations and ties) or the results will be considered null and void and a new application and fee will be required. This will also violate 310 CMR 15.018 that gives Soil Evaluators sixty (60) days to submit test information or face revocation of certification.

(8) In areas of rock outcrops, ledge, or other areas comprised of less than four (4') feet of naturally occurring pervious material, The Board of Health Agent may require additional holes if necessary.

(9) In the case of a cancellation of testing, the Board of Health Agent must be notified twenty-four (24) hours prior to the scheduled test to avoid forfeiture of application fee. (This does not include cancellation due to weather conditions).

(10) The applicants Engineer must submit within sixty (60) days of the date of the percolation and/or soils evaluation, the results of those tests on DEP approved forms pursuant to 310 CMR 15.018. When testing is done separately results shall be forwarded and not left until the testing has been completed.

(11) A complete soils test shall be valid for a period of two (2) years. A complete soils test shall be considered the performance of both the soils evaluation holes and percolation test. The two (2) year period shall commence upon the performance of the complete soils test.

(12) If the tests are done separately, (soils evaluation one time, percolation test another), then the remaining part of the test must be completed within one (1) year of the performance of the first part of the test to avoid forfeiture of the application. A new application will be required to continue testing.

(13) If one or both tests should fail and the lot is comprised of enough area, then all other testing must be performed at least sixty (60) feet from the failed test. A second application with appropriate fee may be required prior to testing. Abandoned tests (other than due to high groundwater) will be considered as failures.

(14) Unused applications will be good for a period of one (1) year, after which time they shall be considered null and void and a new application submitted; application fees are non-refundable.

(15) Additional tests due to movement of the system or other engineering requirements will need a new application and will be subject to scheduling procedures.

(16) Extensions beyond the two (2) year time limit for completed test are allowed with certain provisions. Please see Section 201-5 (L) of these regulations.

(17) As of March 31, 1998, the Board of Health will no longer accept soils data performed under the 1978 Title 5 Code.

March 1, 2007. Amended 8/5/2010. Amended 9/2/2010.

II. DESIGN PLANS

1. General Requirements

A. Upon satisfactory completion of percolation tests and deep observation holes, a plan of the proposed sewage disposal system must be drawn in accordance with the most current 310 CMR 15.000 and these Regulations and submitted to the Board. Three (3) copies of plans and completed soil logs on D. E. P. soil log forms or their equivalent are required. Application for a Disposal Works Construction Permit shall be completed, in duplicate and submitted to the Board with a check made payable to the Town of Uxbridge for the current applicable fee.

B. Leaching fields, beds or other Massachusetts Department of Environmental Protection approved alternative technologies are allowed for new construction without prior consent of the Board of Health. All designs will conform to the Town of Uxbridge, Massachusetts Board of Health Rules and Regulations and Title 5 of the State Sanitary Code.

C. The area between the trenches may be used for the reserve area.

D. In areas where the soil is unable to be saturated during the percolation test, a pump system or pressure dosing or a six (6) foot separation to ground water from the soil absorption system is required.

E. Septic tanks shall be fitted with concrete collars 24"minimum inside diameter as necessary to bring at least one access cover to within not more than 12" below finished grade. Place note on plan.

F. A statement shall be placed on every plan submitted stating that subsurface drainage, excluding footing drains, is not to be located closer than the following distances:

In areas not tributary to surface water supplies or zone 2 of public wells:

Septic tank	25 feet
Leaching facility	25 feet

In areas tributary to surface water supplies or zone 2 of public wells:

Septic tank	100 feet
Leaching facility	100 feet

G. The minimum distance from the soil absorption system (including the reserve area) from wetlands shall be 50'. Amended (9/2/2010)

2. Plan Requirements

(1) All requests for plan reviews shall be submitted to the Board of Health office using the request for Plan Review form and plan submittal form. Each request must include the appropriate fee, an Application for Disposal Works Construction Permit, and the appropriate number of sets of the design plan. This includes but is not limited to: fees, upgrade/variance requests, type of system being utilized, town checklists, etc.

All plans shall be folded separately before being accepted.

March 1, 2007. Amended 8/5/2010. Amended 9/2/2010.

(2) All plans are to show name of applicant, owner's name and name of individual for whom the percolation test was performed, (if different from present applicant), engineer at the time of testing, and agent witnessing the test as well as others present on-site. The **house number** and street location of the lot should be shown and reference made to the lot designation used when the percolation tests were performed (if different) as well as the permit number from the subsurface testing.

(3) The minimum effluent loading rate for design shall be 0.6-gpd/sq. ft.

(4) The following information will be required on all plan review submittals and shall be considered amendments to 310 CMR 15.00, Title 5 of the State Environmental Code:

Title Block

- ☐ Name of applicant
- ☐ **Street address** and lot number
- ☐ Name of Engineer/Sanitarian
- ☐ Address & Phone # of Engineer/Sanitarian
- ☐ Engineer/Sanitarian Stamp (wet stamp; including discipline)
- ☐ Engineer/Sanitarian signature and date
- ☐ Revisions, date & type

Design Criteria

- ☐ Number of bedrooms
- ☐ Number of people (if required)
- ☐ Square footage of building (if required)
- ☐ Number of gallons per day
- ☐ System in Nitrogen Sensitive Area (then no more than 440 GPD per acre allowed; well and septic qualify as Nitrogen Sensitive)
- ☐ Size of septic tank (1500 gallon minimum), to be pumped at least once every 2 years
- ☐ Note that no garbage disposal is allowed
- ☐ Note that hydraulic cement is required to seal all connections at the septic tank and d-box
- ☐ Note that water softeners are not to be connected to tank

Property Plan

- ☐ Property lines with bearings & distances
- ☐ Building setback lines in accordance with zoning
- ☐ **Street Address**, Lot number, area & deed reference
- ☐ Existing topographic shown as dashed lines @ 2' contour intervals minimum (at least 100' in all directions)
- ☐ Proposed topographic shown as solid lines @ 2' contour intervals minimum (at least 100' in all directions)
- ☐ Plan @ 20 scale (30 and 40 scale plans will not be allowed) Locus plans allowable at A lesser scale
- ☐ North arrow
- ☐ Locus Map
- ☐ Property abutter(s) (direct abutters only)
- ☐ 2 permanent benchmarks with good descriptions shown on the lot, out of the construction area; ties to benchmarks will be required.
- ☐ Street name and width; noting public or private
- ☐ Note any storm water drainage or note that none exists
- ☐ Note any wetland areas and by whom flagged or state that no wetlands are found within 200' of the disturbed area.

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- ☐ Show all water supplies, existing and proposed, within 200' (well & municipal) of the proposed septic system and well or note if over 200'
- ☐ Show all septic systems, existing and proposed within 150' of the proposed septic system and well or note if greater than 150'
- ☐ Distance ties to well from property line
- ☐ Distance ties to septic system (from property line-include at least two ties to opposite corners)
- ☐ Any and all easement shown and labeled with metes & bounds
- ☐ Show Flood Hazard Map reference and state if project falls within a Flood Hazard area
- ☐ Note if area is tributary to a drinking water supply or note if not
- ☐ Show all public drinking water supply wells or note if none exist
- ☐ Show any overhead wires and underground utilities or state that none exist
- ☐ A Dig Safe note and telephone number shall appear on all plans
- ☐ State if project does/does not lie with in the 3000' no well/no blast zone extending from the junction of Kempton Road/Millville Town line (see Uxbridge, Massachusetts Board of Health Regulation Article XIV MINIMUM SANITATION STANDARDS FOR PRIVATE AND SEMI-PUBLIC WELLS 14.8 MORATORIUM)
- ☐ State which zone the parcel lies in and show setback requirements (this will be reviewed by the Building Inspector)
- ☐ Legend
- ☐ House/Building sill & basement floor elevations
- ☐ Proposed spot elevations @: 1) House (pipe exit);
  2) All corners of house;
  3) Septic tank;
  4) D-box;
  5) System
- ☐ Septic tank & D-box shown and labeled; also pump chamber when applicable
- ☐ Show removal of A & B Horizons (top & subsoil) on plan view and in general notes
- ☐ Show reserve area clearly
- ☐ Show all testing, including failed testing. (System should be placed in test area)
- ☐ Show monuments/markers that were used to field locate all testing
- ☐ Clearly indicate that breakout is achieved for the complete system
- ☐ Show all means of stabilizing slopes (For any slope 2/1 or less environmental matting will be used)
- ☐ Clearly indicate how runoff from the system will be handled; do not direct to others property (rip-rap may be required)
- ☐ Show a limit of construction on the plan view
- ☐ When wetlands are present then all mitigating measures (hay bales/fencing) will be shown with details
- ☐ If a clay barrier is used the clay specifications must be @10 to the minus 7th CMS; a detail showing the width and elevations for the barrier will be provided as well as the origin of the clay used (no tailings, backwash, etc., shall be used)

Soils Testing Data

- ☐ Date(s) of all testing
- ☐ Applicant at time of testing
- ☐ Those present at time of testing (Engineer, BOH Agent, Excavator)
- ☐ Soils test pit data; including estimated high groundwater
- ☐ Percolation test data
- ☐ Soils certification: "I certify that on (date) I have passed the examination approved by the Department of Environmental Protection and that the above analysis has been performed by me consistent with the required training, expertise, and experience described in 310 CMR 15.018(2)."

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Proposed Profile

- ☐ Invert at building
- ☐ Invert into septic tank
- ☐ Invert out of septic tank
- ☐ Invert into d-box
- ☐ Invert out of d-box
- ☐ Invert at beginning of all components
- ☐ Invert at end of all components
- ☐ Spec out SCH 40 pipe (perforated) for system
- ☐ Spec out 1 ½" double washed stone only
- ☐ Spec out 3/8" double washed pea-stone only
- ☐ Note pipe diameter and slope
- ☐ Show pipe length (distance) and slope

Cross Section

- ☐ Dimensions shown and labeled
- ☐ Spacing between trenches (triple width or depth)
- ☐ Spec out SCH 40 pipe (perforated) for system
- ☐ Spec out 1 ½" double washed stone only
- ☐ Spec out 3/8" double washed pea-stone only
- ☐ Note pipe diameter and slope

Pump System

- ☐ Pump calculations and curves
- ☐ Type of pump
- ☐ Size of chamber
- ☐ Show all elevations on plan for: 1) Pump On; 2) Pump Off; 3) Alarm; 4) Bottom of Chamber; 5) Invert In & Out
- ☐ Show & note separate Audio & Visual alarms
- ☐ Show vent with charcoal filter (detail)
- ☐ Buoyancy calculations

Stabilization

- ☐ Method used (describe in detail)
- ☐ All slopes stabilized on plan
- ☐ Slopes greater than 3/1 are protected by environmental matting
- ☐ All runoff contained on-site
- ☐ Down gradient protection from silt

(5) Massachusetts General Law allows for a 45-day review period to review subsurface sewage disposal system design plans. If plans are returned for revisions, the 45-day review period begins anew upon resubmission of plans. New sets of plans must be submitted when revisions are required. The original plans will not be allowed to be resubmitted for review.

(6) The line from the house to the septic tank shall be run straight with no bends. After tank, angles greater than 22 ½ degrees shall not be permitted.

(7) When a concrete retaining wall is to be used to confine septic breakout, a complete plan showing all details will be required. This plan must include all types of steel required including spacing and number. Elevations of the wall must be shown on both the detail plan and the plan view on the septic plan. (Specify air entrained concrete @ 4000 psi) A Commonwealth of Massachusetts Professional Civil or Structural Engineer must stamp this plan. This engineer will be responsible for all construction and inspection of the wall and will be required to certify as such.

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(8) Systems utilizing a clay barrier to contain breakout must show a detailed plan of the proposed barrier including top and bottom elevations. All plans utilizing a clay barrier will specify clay at 10- cm/sec.

(9) Systems for repair using alternative technology shall be accompanied by data on the use and design as well as the DEP approval status. The name and telephone number of the alternative Technology Company shall appear on the plan.

(10) Plans must have a locus map and all utility poles with their respective numerical designation shall be shown within one hundred (100) feet of the property line or within one hundred fifty (150) feet of the soil testing area whichever is lesser.

(11) The applicant's engineer is to design and submit the plans in accordance with Title 5 and any local regulations using the checklist provided by the Board of Health office. The minimum scale for all plans submitted for review shall be 1" = 20'. All plans shall be blue or black line diazo prints on white background. No photocopies will be allowed unless wet stamped and signed in blue ink. If, in the opinion of the Board of Health or its agent, the plan is not legible, it shall be returned without review.

(12) Topography at a minimum of two (2) foot contour intervals shall be shown on the plan to a minimum of one hundred (100) feet in all directions from proposed sewage system and expansion area. The Board or its Agent shall require additional topography if, in their opinion, a greater distance is required to evaluate the proposed sewage system as to be in compliance with all local regulations. Driveways with appurtenant grading must be shown if within 100 feet of sewage system.

(13) No garbage disposal units shall be installed in buildings served by subsurface sewage disposal systems. No water softener shall discharge to a septic system.

(14) Sufficient elevations shall be shown, including final grades at each of the four corners of the building, to indicate clearly how the surface drainage is to be handled. In some cases it shall be necessary to consider effect on nearby properties. No "low spots" that allow "ponding" of rainfall runoff shall be permitted. All existing landmarks including edge of pavement, stonewalls, wire fences, old foundations, etc., must be shown.

(15) Limits of topsoil and subsoil being removed and replaced must be shown when a system is to be constructed in or about that zone. Plans will not be approved with this information not shown.

(16) All wetlands, as defined by the Wetlands Protection Act and Rivers Protection Act, shall be shown within two hundred (200) feet of the sewage system.

(17) No soil absorption system shall be placed closer than 50' to any wetlands, watercourse, or any other watercourse. The title V definition of watercourse shall apply. Amended 8/5/2010

(18) No repair septic system shall be placed closer than twenty-five feet (25') from a watercourse even if utilizing alternative technology.

(19) The location of all wells and water supplies within two hundred (200) feet of the proposed system shall be shown or a statement of certification that none are known to exist within two hundred (200) feet of the leach area. All sewage systems within one hundred fifty (150) feet of a proposed well location shall be shown or a statement of certification that none are known to exist within that distance shall be indicated on the plans.

(20) Wells shall be placed a minimum of ten feet (10') from the property lines.

(20) Wells shall be placed a minimum of ten feet (10') from the property lines.

(21) There must be sufficient property line information to clearly show the location of the system on the lot. Ties from the well and septic system to the property lines must be shown.

(22) Two (2) benchmarks must be provided, one (1) of which is to be of a permanent nature. One (1) benchmark should be located near the leach area so that the installer does not have to run levels to install the system. Both benchmarks are to appear on the plan with both being on the lot or in front of it and out of any excavation or fill area. The statement "2nd bench mark to be set prior to construction" is not valid.

(23) A cross-section of the leach area should be shown (need not be to scale) with dimensions and elevations. The profile of sewage system shall be shown (need not be to scale) with invert and bottom elevations indicated.

(24) Interceptor trenches utilized to lower groundwater in the system area must be installed prior to construction of the proposed septic system to insure proper functioning of the system. Once installed, monitoring pipes on each side of the trench may be used to check elevations during the deep hole season. Interceptor trenches installed during the dry season (June-November) must be functioning at least thirty (30) days prior to testing and must be tested during the wet season (December-May). Only after approval of this trench will a disposal works construction permit be issued.

(25) Plans requiring additional testing will not be approved until testing is completed.

(26) Systems requiring a Local Upgrade Approval and/or a State Variance will not be issued a Disposal Works Construction Permit until the Board of Health has approved the Local Upgrade request and when applicable been notified by DEP that the request for variance has been approved.

(27) Systems requiring an Order of Conditions from the Conservation Commission will not be issued a Disposal Works Construction Permit until the appeal period has lapsed and the Commission has notified the Board of Health that work on the system may commence.

(28) Upon approval of the subsurface sewage disposal plan, the Board of Health will sign the Building Permit provided a private well is not required. If a private well is required, the Board of Health will sign the Building Permit only after a well permit is issued and quantity and quality results have been submitted and approved by the Board of Health, also.

(29) A statement shall appear on the plan recommending that the well be tested a minimum of every two (2) years.

(30) Plans will be valid for a period of three (3) years commencing on the date of approval shown on plan. The applicant will then have three (3) years from that approval date to obtain a permit for construction.

(31) Multi-family systems
All *new* multi-family dwellings (2 or more) will have a separate and complete septic system for each dwelling. In the case of a repair one system will be allowed as long as the dwelling is in common ownership. The applicant shall submit the assessor's field card for documentation.

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III. Installation Inspection Procedures

(1) Only an installer licensed by the Board of Health may install or repair a septic system. The licensed installer must fill out the appropriate paperwork at the Board of Health office and pay any and all fees. **The installer who holds the license must sign the paperwork and the permit.** The installer must have the approved septic design plan and permit prior to construction.

For firms that are a design/build (where those firms have submitted the design plan which was approved), an independent Engineer/Sanitarian is required to inspect the system under construction and submit the required as-built plans, forms and Certificate of Compliance.

(2) For new construction where the system components will be located within fifteen (15') feet of the property line, the property corners, and all proposed structures including house, well, and system components, the system must be staked out by a Commonwealth of Massachusetts Registered Professional Land Surveyor prior to any construction on site. For repair and upgrade systems, this procedure will not be a requirement unless in the opinion of the Board or its agent the situation warrants. The installer will be responsible for the placement of the on-site system. It is recommended that the installer hire a surveyor to stake the system.

(3) The design engineer and the Board of Health agent must first review any changes to the proposed construction made by the installer. The request for change will be made in writing by the design engineer giving the reason and the description of the change. All changes are subject to Title 5 and should the proposed change require a variance it will be subject to variance procedures. The change(s) must be approved by the agent and Board of Health and must be shown on the as-built plan.

(4) The system will be inspected by both the Board of Health agent and the design engineer at the following points:

[a] **Excavation of the A & B horizons (top and subsoil).**
The installer shall excavate the proposed area for disposal in accordance with the provisions on the design plan. The bottom of the excavation area must be scarified at the time of inspection. The design engineer will measure the length and width of the excavated area and show these on the as-built forms.

[b] **Installation and Placement of Components**
The installer will construct the system in accordance with the approved plan and any approved changes. The installer will provide to the Board of Health evidence of the origin of the stone and sand used in the construction process. Placement of all tees, gas baffles and end caps will be required at the time of inspection. The tees in the septic tank will be brought to the centers of the manhole opening. All unused openings in the tank and d-box will be sealed with hydraulic cement. The installer is to leave the vertical 4" pipes at the ends of the system to allow the measurement of the depth of stone. The installer will have 24 hours to cover the system after inspection. If a pump is installed, a licensed electrician is required to obtain an electrical permit from the Town Electrical Inspector and be inspected according to Town requirements.

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The Design Engineer will be responsible for the verification of all elevations of the system and its components including building sill, top of septic tank and top of distribution box.

[c] **Final Cover and Grading**

The installer will be required to have all the final grading in place as well as all the breakout grades. All areas around the site will be clear of any construction debris including downed trees, stumps, rocks, etc. The area will be ready for loaming and seeding. Manhole covers will be brought to within 4 inches of this grade. The design engineer will take measurements of the grading around the entire system including breakout grading, top of system, top of d-box, top of tank, at all corners of the house and where the pipe exits the house.

[d] **Stabilization of Area**

The installer upon approval to proceed will stabilize the entire system area to prevent erosion and keep the system area free from any and all trees, debris or rocks of any size. During the growing season acceptable methods of stabilization shall be loaming and seeding or the laying of sod. If the growing season has passed the acceptable method of temporary stabilization shall be the use of matting and hay on the entire system until final placement of loam and seed or sod in the spring. In areas that have a greater than 3:1 slope environmental matting will be used to insure slope stability while the growing process continues. The installer will be responsible for any earth settling that may occur and will repair as needed.

Any deviation from the above methods of stabilization must get approval from the Board of Health or its agent prior to the signing off of a certificate of compliance.

(5) Calls for inspections by the Board of Health will be as follows:

a) All requests for inspections will go through the Board of Health office. This is true for all inspections.
b) All inspections will require a 48-hour notice.
c) Once the inspection has been performed the installer will be notified of the results and may proceed once approved.
d) All re-inspections will require a notice to the Board of Health and new inspection fees will be required.
e) Any installer who proceeds with installation of the system at any stage without notice from the Board of Health or its agent will be subject to license revocation. In addition, any work performed will be subject to removal and replacement.

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(6) A copy of the approved design plan must be left on site in a location where the Board of Health agent may have access to it.

(7) After the system has been covered the installer shall place caution tape around the entire system to ensure no construction vehicles pass over the system.

(8) Title 5 states that systems will not be constructed in frozen ground. If temperatures during the winter months drop below freezing at night then the Board or Agent may place a moratorium in effect until the temperature rises above the freezing point.

(9) Title 5 Sand Certification – The sand pit providing the fill material for "Title 5 sand" shall provide the installer a copy of their Certification that states that the sand meets the requirements of 310 CMR 15.025 (3) Title 5. Furthermore that certification should not be older than 2 months.

Engineer's As-Built Plans

(1) Once the system has been inspected and covered, the design engineer will forward to the Board of Health an As-Built plan for review and approval by the Board of Health agent. For review purposes two (2) copies of the As-Built plan will be submitted superimposed on the approved design plan showing location and elevation of the system as it is constructed. Review will include groundwater offset and slope construction. Review will include groundwater offset and slope breakout as well as proximity to testing. All As-Built submittals will show the following information all of which will be shown in red ink:

A. Location of the septic system as it appears in the field shown on the design plan.
B. All proposed and as-built elevations including sill.
C. All grading and spot grades in conjunction with Section E(4)[c] above.
D. Swing ties from house corners to tank and d-box, and ends of leaching system.
E. Well location and distance from tank and system.
F. All other wells within 200 feet.
G. Inspection dates and who was present for engineer.
H. Location of house referencing mortgage plot plan and showing as-built footprint.
I. Show field footprint of house.

The design engineer shall be required to submit two (2) copies of the Engineering As-Built Certification Form and Certificate of Compliance Form along with four sets of the As-Built plan to the Board of Health for approval.

Installer's Certificate

(1) The licensed installer will submit the Installer As-Built Certification Form with all data required. The Board of Health Agent will not sign the Certificate of Compliance without this information.

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(2) The certificate will have at least one dated copy of the origin of the gravel and sand (and clay, if applicable) used in the construction of the system.

(3) There shall be a requirement that the supplier of septic sand certify that the sand supplied for the system installation meets the Title 5 spec for fill. This shall be included in the Installers Certificate.

IV. REPAIRS

F. **Repair Procedures**

1. All repairs shall be consistent with 10 CMR 15.00, Title 5, and the Regulations of the Board of Health. All repairs must be reviewed and approved by the Board of Health or its Agent.

2. Any disturbance within the area of the subsurface sewage disposal system shall be considered a repair and shall require Board of Health approval. All necessary permits and fees shall apply.

3. The definition of repair shall include, but not be limited to, the replacement of system components, i.e. septic tank, distribution box, soil absorption system. The pumping of a tank or leach pit or the installation of baffles or a riser in conjunction with a Title 5 inspection shall not be included in this definition.

Component Replacement Procedures

(1) 310 CMR 15.404(1) allows for replacement of a particular component should a system fail a Title 5 inspection. When replacement is requested other than during a Title 5 inspection, the applicant must seek Board of Health approval.

(2) The replacement of a steel tank or unsuitable concrete tank and/or distribution box may be made without an engineer by a licensed installer. The installer is required to take out a Disposal Works Construction Permit in the Board of Health office and submit the proper application and fees for the inspection of the component replacement. The installer will also be required to sign the Component Certificate of Compliance.

(3) For systems which were constructed prior to 1978 or for systems for which exists no record, the soil absorption system (leaching facility) will not be allowed to be replaced without proper soils testing and designs.

(4) For systems constructed after 1978 that have approved plans and are only failed due to a clogged biomat, then replacement may be made by a licensed installer. The installer will be required to have an engineer submit an as-built plan showing elevations and location of the system. Prior to a permit being allowed for replacement a report stating the cause of the failure must be submitted by an engineer to the Board of Health.

(5) Once a permit is allowed for any component replacement, normal inspection procedures will be followed and a Component Certificate of Compliance must be completed, signed and submitted to the Board of Health for approval.

(6) For soil absorption system replacements the Certificate of Compliance will not be considered complete until the submission of both the Installer As-Built Certification and the Engineering As-Built Certification Forms.

March 1, 2007. Amended 8/5/2010. Amended 9/2/2010.

Certificate of Compliance

(1) A new individual sewage disposal system and alteration or repairs to an existing individual system shall not be placed in service, nor shall new buildings or dwellings or additions thereto which must rely on individual sewage disposal systems for sewage disposal be occupied, until the Board of Health has issued a certificate of compliance indicating that said disposal system has been located, constructed, altered or repaired in compliance with the terms of the permit and the requirements of Title 5 and these rules and regulations.

(2) The Certificate of Compliance is the last document to be signed in the approval process. Once the design engineer and installer have submitted their as-built plans and installation certificates, they must then sign the Certificate of Compliance. Please note that if the as-built plans have been submitted and approved and the installation certification has been submitted, but either the design engineer and/or installer have not signed the Certificate of Compliance then the Board of Health Agent cannot sign off on this Certificate of Compliance

(3) The Board of Health Agent will only sign the Certificate of Compliance after all system components have been inspected (including final grading and stabilization) and the design engineer and installer sign the form.

(4) It is the owner/applicant's responsibility to see that he/she has all signatures necessary and that all documents are received in the Board of Health office well in advance of any real estate closing date. It will not be the responsibility of the Board of Health or its agent to review as-built plans to ensure a closing date.

(5) All designers/installers are to fill out the required Certificate of Compliance "As-Built" requirement form and submit four (4) copies to the Board of Health.

V. WELLS

A. Prior to any construction to be served by a private well, the water supply must be tested by a licensed laboratory certified by the Commonwealth of Massachusetts. Said test results must certify that the water quality meets the state minimum requirement for potability and meets Massachusetts and Federal requirements for public water supplies for compounds tested by EPA method 524 or the equivalent.

B. A permit to install a well must be obtained from the Board of Health. Application for a permit to install a well shall be submitted to the Board of Health indicating all existing potential sources of pollution (i.e., sewage disposal systems, underground storage tanks, hazardous spills) and any proposed sewage disposal system, within two hundred (200) feet of the proposed well location. Application must include a check made payable to the Town of Uxbridge for the current applicable fee. The application must be signed by the responsible party certifying by the application that the proposed well will comply with all applicable state and local laws and regulations.

VI. WETLAND AND FLOOD PLAINS

A. The owner shall be aware of his obligation to and shall comply with the requirements established by the Division of Water Pollution Control pursuant to G. L. c. 21 § 43, and The Wetlands Protection Act, G. L. c. 131, § 40.

B. No leaching area shall be constructed less than four (4) feet and no basement floor shall be constructed less than one (1) foot above the high water level in any area within the 100 year flood plain as designated by the Federal Emergency Management Agency.

March 1, 2007. Amended 8/5/2010. Amended 9/2/2010.

C. Building a dwelling or outbuilding over surface water or wetlands shall not be allowed.

D. No soil absorption system in new construction shall be constructed within 50' of a wetland as defined by the Wetlands Protection Act. Amended (9/2/2010)

E. In new work, no soil absorption system shall be installed in a lot with less than 30,000 square feet of contiguous upland.

VII. DISPOSAL WORK INSTALLER'S PERMIT

A. All septic installers must be licensed by the Board of Health.

B. All applicants for Disposal Works Installer's Permits shall be required to take and pass an examination to demonstrate their knowledge of 310 CMR 15.000 and these Regulations. Seventy percent shall be considered a passing grade. Any installer who has demonstrated this knowledge and ability in his/her work may request a waiver of this requirement. Pertinent Installer's Exam test results may be submitted with subsequent annual applications to request waiver of this requirement.

C. Completed application for Disposal Works Installer's Permits shall be submitted to the Board of Health with a check made payable to the Town of Uxbridge for the appropriate application fee.

VIII. VARIANCES & UPGRADES

(1) Plans requiring a State Variance or Local Upgrade using the provisions of 310 CMR 15.401 through 15.422 must be accompanied by a letter requesting the variance and/or upgrade. The section numbers, sub-paragraphs and the reason for the request must be clearly noted in the letter and filed with the local Board of Health. It will be the responsibility of the applicant and/or his engineer to file the request with the DEP. All requests shall be shown on the proposed design plan.

(2) Local Upgrades and Variances will not be granted for new construction.

(3) Plans requiring a Local Upgrade must be submitted upon the approved DEP form with abutter notification when required. The applicant must notify the abutter by certified mail at least ten (10) days prior to the Board of Health meeting at which the variance/upgrade request will be on the agenda. The applicant is responsible for obtaining an abutter's list from the Assessors office and is also responsible for mailing fees. Proof of notification (certified return receipts) must be submitted to the Board prior to the scheduled meeting date.

(4) More than one upgrade request will result in the need for a State Variance when requesting a three (3') foot offset to groundwater. All requests shall be shown on the proposed plan.

(5) State Variances are required when the proposed system cannot be designed in full compliance with the code or by granting Local Upgrade provisions. The Board of Health must approve or deny the variance. This decision must be in writing.

March 1, 2007. Amended 8/5/2010. Amended 9/2/2010.

(6) A Public Hearing, when required, shall be held on all requests for State Variance and Local Upgrades. The Board of Health office shall notify the applicant's engineer of the date and time of the hearing. No public hearing will be scheduled until the Board of Health Agent has approved a plan. An approved plan by the Agent is for technical review only and does not imply Board of Health approval.

(7) Voluntary upgrades of systems not in failure shall be required to comply fully with 310 CMR 15.00.

(8) In the case of a Title 5 variance request, the design engineer must file notice of the granting of each variance and the date issued with the Department of Environmental Protection (DEP).

(9) The DEP shall, within thirty (30) days of receipt of the notice, approve, disapprove or modify the variance. If the DEP fails to comment within thirty (30) days, approval shall be presumed.

(10) No work may be done under any Title 5 variance until the DEP approves it or until thirty (30) days have elapsed without DEP comment, unless the Board of Health certifies, in writing, that an emergency exists.

(11) Any variance granted under Title 5 might later be modified, suspended, revoked or allowed to expire by the Board of Health or DEP. This action may apply to the entire variance or a section thereof. Before any action may be taken, however, the holder of the variance must be notified, in writing, and given the opportunity to request a hearing.

(12) Any person aggrieved by the decision of the Board of Health or DEP may seek relief by appealing within thirty (30) days in any court of competent jurisdiction as provided by the laws of the Commonwealth.

IX EXTENSION Percolation/Soils Evaluation Results

(1) Applications for extensions of percolation and soil evaluations require a request for extension to be filed at the Board of Health office with the appropriate fee in order to be considered by the Board of Health at its next scheduled meeting.

(2) Criteria for extensions:

a) The testing to be extended must have been performed after March 31, 1995 and certified by an approved soils evaluator.
b) The applicant or their agent must apply for the extension prior to the expiration of the first two (2) year period. This is solely the responsibility of the applicant and their agent.
c) The Board of Health agent will perform a site investigation to determine if any topographical changes or excavations have occurred since the completed soils testing was finished
d) If requested after the Board of Health agent's inspection, the application for extension must be accompanied with an Engineer's sketch (need not be to scale), showing the location of the testing (using offset ties), and the elevations of the site (showing benchmarks). Sketch must be legible.

March 1, 2007. Amended 8/5/2010. Amended 9/2/2010.

(3) The Board of Health Agent, upon visual inspection of the site, shall notify the Board of Health of the findings. The Board of Health reserves the right to approve or deny the request for extension.

(4) Periods of extension will be granted for a two (2) year period. Each subsequent extension will also be granted for a two (2) year period.

Extensions – Approved Septic System Design Plans

(1) Applications for extensions of approved septic system design plans require a request for extension to be filed at the Board of Health office with the appropriate fee in order to be considered by the Board of Health at its next scheduled meeting. A new "Application for Disposal Works Construction Permit" shall also be filed with the request for extension.

(2) Criteria for extensions:

a) The testing to be extended must have been performed after March 31, 1995.
b) The applicant or their agent must apply for the extension prior to the expiration of the first three (3) year period. This is solely the responsibility of the applicant and their agent.
c) The Board of Health agent will perform a site investigation to determine if any topographical changes or excavations have occurred since the completed soils testing was finished.

(3) The Board of Health Agent, upon visual inspection of the site, shall notify the Board of Health of the findings. The Board of Health reserves the right to approve or deny the request for extension.

(7) Periods of extension will be granted for a three (3) year period. Each subsequent extension will also be granted for a three (3) year period.

X. SEVERABILTY

If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provision of this article which can be given affect without the invalid provision or application, and to this end the provisions are declared to be severable.

XI. ADOPTION AND DATE OF EFFECT

These regulations were adopted by vote of the Uxbridge, Massachusetts Board of Health, at their regularly scheduled meeting held on March 1, 2007 and are to be in full force and effect on and after March 1, 2007. These regulations or any portions thereof may be amended, supplemented or repealed from time to time by the Board, with notice as provided by law, on its own motion or by petition. **Amended 8/5/2010. Amended 9/2/2010.**

James F. Smith, Chairman

Peter Baghdasarian, Member

Wayne Tucker, Member