

**The City of Cambridge  
Department of Public Works**

The City of Cambridge Commissioner of Public Works (“the Commissioner”) hereby adopts these Wastewater and Stormwater Drainage Use Regulations pursuant to Cambridge Municipal Code Chapter 13.16 Wastewater and Stormwater Drainage System.

**WASTEWATER AND STORMWATER DRAINAGE USE REGULATIONS**

**ARTICLE I  
General Provisions and Definitions**

**Section 1 - Reference to Regulations.** These Regulations may be referred to as the City of Cambridge Wastewater and Stormwater Drainage Use Regulations.

**Section 2 - Authority.** Under the authority of Chapter 436 (Section 6) of the 1977 Acts and Resolves of Massachusetts, M.G.L. c. 83, §§ 14-24, the general police powers of the City of Cambridge, the provisions of Cambridge Municipal Code Chapter 13.16 §13.16.020 and pursuant to the regulations of the federal Clean Water Act, 40 CFR 122.34, the City of Cambridge Commissioner of Public Works (“Commissioner”) has established the following Regulations governing the use of public and private Wastewater and Stormwater Drains in the City.

**Section 3 - Purpose.** These Regulations are intended to protect the public health, safety and welfare and the environment and to ensure proper and safe operation of the City’s Sanitary Sewers, Combined Sewers and Stormwater Drains by regulating the direct and indirect discharge of Waste, stormwater and pollutants to the City’s Wastewater and Stormwater Drainage systems. These Regulations are also intended to prohibit and remove illicit connections and unauthorized discharges to the City’s Stormwater Drainage system. This includes the legal authority to carry out all inspection, surveillance and monitoring procedures necessary to comply with this Regulation.

**Section 4 - Severability.** The provisions of these Regulations are severable. If any provision of these Regulations or any specific application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Regulations which can be given effect in the absence of the invalid provision or application.

**Section 5 - Applicable Regulations.** Every user of the City’s Wastewater or Stormwater Drainage systems shall be subject to these Regulations, as they apply, and to any charges, rates, fees, and assessments which are or may be established by the City. Every user of the City’s Wastewater or Stormwater Drainage systems shall also be subject to applicable federal, state, and local regulations. In instances where various regulations contain different requirements, the most stringent requirements shall apply.

**Section 6 - Right to Amend Regulations.** The City reserves the right to amend these Regulations in any manner and to establish additional limitations or requirements as are deemed necessary or appropriate.

**Section 7 – Federal, State, and Local Regulations.** No provision of these Regulations shall be deemed to contravene or render ineffective any valid federal, state or local regulation.

**Section 8 – DPW Approval.**

- (a) In addition to any permits that may be required by applicable federal, state or local laws or regulations, DPW Approval is required by these Regulations and shall be issued by the DPW approving any work relating to the following Wastewater and Stormwater drain related activities as they apply:
- (i) Collection System Access - Excavation Permit (No Trench)
  - (ii) Termination and Verification (cutting and capping) - Excavation Permit
  - (iii) Stormwater Discharge - Excavation Permit and/or Stormwater Control Permit
  - (iv) Wastewater Discharge\* - Building Permit and/or Excavation Permit and/or MWRA Sewer Use Discharge Permit
  - (v) FOG (Fats, Wax, Oils and Grease)\* – Building Permit
  - (vi) Excavation (in public ways) - Excavation Permit and/or Stormwater Control Permit
  - (vii) Demolition\* - Building Permit and/or Excavation Permit and/or Stormwater Control Permit
  - (viii) Temporary Construction Site Dewatering – Dewatering Permit
  - (ix) Direct Connection (to municipal Wastewater and/or Stormwater Drainage system) – Excavation Permit

**NOTE\*:** DPW Approval is through sign-off of permits issued through the Inspectional Services Department

[In addition to a DPW Approval, a Sewer Use Discharge Permit, when required by the Massachusetts Water Resources Authority (MWRA), shall be issued jointly with the MWRA and the DPW.]

- (b) No discharge or operation, which affects the Wastewater or Stormwater Drainage system, shall be authorized without the appropriate valid DPW Approval for the discharge or operation first being obtained.
- (c) The DPW may refuse to issue a DPW Approval for any Discharge which it believes can reasonably be expected to result in significant harm to health, safety, the environment, the City's Wastewater or Stormwater Drainage system, a tributary to the City's Wastewater or Stormwater Drainage system, or may pass through, interfere with, or otherwise be incompatible with the wastewater treatment process or sludge disposal.
- (d) The DPW shall enforce, pursuant to Article X of these Regulations and other applicable, federal, state or local laws and regulations, the terms and conditions of a DPW Approval issued under these Regulations.
- (e) The DPW may modify n DPW Approval as deemed necessary or appropriate or as required by federal, state or local laws or regulations.
- (f) A permittee may request reconsideration of the terms and conditions in an issuance, renewal, or modification of a DPW Approval issued by the DPW, and an applicant may request reconsideration of the denial of a DPW Approval by the DPW.

[With regard to Sewer Use Discharge Permits, which are issued jointly by the DPW and the MWRA, requests for reconsideration shall be subject to the requirements of these Regulations and to the requirements and procedures of the MWRA.]

- (g) A DPW Approval shall not be assigned or transferred without prior written approval of the DPW. After approval of a DPW Approval assignment or transfer, the permittee shall provide a copy of the DPW Approval to the assignee or transferee and to the DPW.
- (h) These Regulations shall not be construed to require the DPW to permit itself for activities done to carry out the DPW's responsibilities under any federal, state or local laws, regulations or requirements. Requirements specific to permits required by these Regulations can be waived by the authority of the Commissioner of Public Works or his/her designee,

**Section 9 – Definitions** - Terms which are not defined herein shall be interpreted as defined in the most recent edition of *Glossary-Water and Wastewater Control Engineering*, published by the Water Pollution Control Federation (WPCF) [now called the Water Environment Federation (WEF)], Washington, D.C. Throughout these Regulations, shall means mandatory, and may means permissive. The following terms shall have the following meanings:

**Aliquot** shall mean a divisor or factor of a quantity, constituting a sample.

**Backwater valve** also referred to as a **back-flow valve, check valve** or **back-flow preventer** shall mean a device installed in a building Drain or a building stormwater Drain to prevent the discharge from the building, or flows originating outside the building, from flowing back into the building.

**Bacteria treatment** shall mean the introduction into the Wastewater system of microorganisms specifically bred to accelerate the natural decomposition of fats, oils and grease of animal or vegetable origin.

**Below grade plumbing fixture** shall mean any plumbing fixture located at an elevation below the elevation of the roadway adjacent to the property to which the City's Wastewater or Stormwater Drainage systems serving the fixture shall be considered to be liable to backflow.

**Biochemical Oxygen Demand** or **BOD** shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at (20) degrees centigrade, usually expressed as a concentration (e.g. mg/l).

**Best Management Practices** or **BMP** shall mean Stormwater Management techniques that reduce pollution from stormwater runoff.

**Blowdown** shall mean the minimum discharge of recirculated water from a heating or cooling system for the purpose of preventing the concentration of materials contained in the water from exceeding limits established by best engineering practice.

**Building combined sewer lateral** shall mean the pipe, which connects a building Drain carrying Waste to a combined sewer or other place of disposal. The building combined sewer lateral begins 10 feet outside the inner face of the building foundation wall and extends to and includes the connection to the City,, MWRA, DCR or private Wastewater systems.

**Building Drain** shall mean the lowest horizontal piping of a plumbing or Drainage system which extends from inside or outside the walls of a building to a point ending 10 feet (3.048 meters) outside the inner face of the building foundation wall. The building Drain conveying Waste from plumbing fixtures within the building shall discharge to a building sewer lateral or building combined sewer lateral, while the building Drain conveying stormwater and other Drainage shall discharge to a building stormwater Drain lateral.

**Building sewer lateral**, also referred to as a **house sanitary connection, or sanitary service**, shall mean the pipe which connects to a building Drain conveying Waste from plumbing fixtures within a building to a City sanitary or combined sewer, a private sanitary or combined sewer, an MWRA sewer (where allowed by MWRA), or other place of disposal. The building sewer lateral begins 10 feet outside

the inner face of the building foundation wall and extends to and includes the connection to the City, MWRA, DCR or private wastewater systems.

**Building stormwater Drain lateral** shall mean the pipe, which connects a building Drain conveying stormwater to a stormwater Drain, combined sewer, or other place of disposal. The building stormwater Drain lateral begins 10 feet outside the inner face of the building foundation wall and extends to and includes the connection to the City's stormwater Drain, combined sewer or private combined sewer or stormwater Drain.

**Bypass** shall mean an intentional or negligent diversion of a waste stream, by direct or indirect means.

**Catch basin** shall mean a structure used to collect runoff and divert it to the stormwater or combined collection system.

**Chemical Oxygen Demand or COD** shall mean the oxygen equivalent of the portion of the organic matter that is susceptible to oxidation by a chemical oxidant, expressed in milligrams per liter, as determined by a procedure described in the latest edition of *Standard Methods for the Examination of Water and Wastewater*.

**City** shall mean the City of Cambridge, Massachusetts.

**City Engineer** shall mean the City Engineer of the City of Cambridge or his/her designee.

**Cleanout** shall mean a device or structure designed to provide access to a building combined sewer lateral, building sewer lateral or building stormwater Drain lateral for the purpose of eliminating blockages and removing deposited or accumulated materials.

**Collection system** shall mean the pipes, conduits, pumping stations, and appurtenances involved in the collection and transport of Waste and stormwater.

**Collection System Access** shall mean the opening and/or entry of a person or equipment into the City's Wastewater or Stormwater Drainage systems and shall be authorized only pursuant to a validly issued DPW Approval under Article I Section 8(a)(i).

**Combined sewer** shall mean a sewer designed to receive both Waste and stormwater.

**Combined Sewer Overflow (CSO) or Combined Sewer Outfall** shall mean the portion of a pipe extending from a combined sewer regulator downstream to its outlet. This term is also used to mean the permitted discharge of combined sewage to a receiving water body.

**Commissioner** shall mean the Commissioner of the Department of Public Works.

**Common manhole (CMH)** shall mean a structure allowing access to both sanitary or combined sewer, and stormwater Drainage systems typically configured to allow sanitary sewer or combined sewer pipes and stormwater pipes to pass through the same structure where flows are separated by a horizontal plate or vertical wall.

**Commonwealth** shall mean the Commonwealth of Massachusetts.

**Composite sample** shall mean a combination of individual samples of Wastewater or stormwater\_taken at predetermined intervals to represent the integrated composition of the sample source.

**Connection** shall mean the point where a sewer, stormwater Drain or combined sewer is joined to another sewer or Drain.

**Construction Site Dewatering** shall mean any water that is directly or indirectly discharged to the City of Cambridge collection system from a construction site.

**Conventional Pollutant** shall mean as specified under the Clean Water Act, conventional pollutants including solids, coliform bacteria, high biochemical oxygen demand, pH, oil and grease.

**Cooling water** shall mean the water discharged from any system of condensation, air conditioning, cooling, refrigeration, or other system of heat transfer.

**CPHD** shall mean the Cambridge Public Health Department.

**Cross connection** shall mean any actual or potential physical connection or arrangement between a pipe conveying potable water from a public water system and any non-potable water supply, piping arrangement or equipment including, but not limited to, waste pipe, soil pipe, sewer, Drain or other unapproved sources.

**Daily Maximum Limit** shall mean the highest allowable concentration for any pollutant in a waste stream.

**DCR** shall mean the Massachusetts Department of Conservation and Recreation [formerly known as the Metropolitan District Commission (MDC)].

**Decorative fountain** shall mean an indoor or outdoor fountain that is designed and constructed for aesthetic purposes and is not intended for human contact recreation or for providing drinking water.

**Demolition Permit** shall mean any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property

**DEP** shall mean the Massachusetts Department of Environmental Protection.

**Dewatering Drainage** shall mean groundwater or surface water, which is removed from a site and discharged beyond the limits of the site by means of gravity or pumping.

**Direct Connection** shall mean the new connection to the municipal Wastewater and Stormwater Drainage systems or modification, reconnection or repair of an existing connection to the municipal Wastewater and Stormwater Drainage systems.

**Discharge** shall mean flow from a canal, conduit, Sewer, Drain, Outfall, pump, stack, tank or treatment process, or any emission, intentional or unintentional, including but not limited to, flow resulting from spilling, leaking, seeping, pumping, pouring, emitting, emptying, depositing, dumping, releasing, injecting, escaping, leaching or infiltrating whether direct or indirect.

**Downspout** shall mean a pipe, which conveys Stormwater from the roof of a building into a Stormwater Drain or combined sewer or into or onto the ground. Also called a roof Drain or roof leader.

**DPW** shall mean the City of Cambridge Department of Public Works.

**DPW Approval** shall mean Approval by DPW of any Excavation Permit, Dewatering Permit, Stormwater Control Permit, Building Permit (pre-review) and MWRA Sewer Use Discharge Permit for the purposes of Collection System Access, Termination and Verification, Stormwater Discharges, Wastewater Discharges, the discharge of FOG, Excavation, Demolition, Temporary Site Dewatering, and the Direct Connection to the municipal wastewater and stormwater drainage systems or MWRA wastewater system.

**Drain** shall mean a horizontal pipe that carries Waste, water or waterborne waste in a drainage system or a horizontal stormwater conveyance channel, whether natural or artificially constructed, enclosed or open.

**Drainage Facility** shall mean any system of artificially constructed Drains, including open channels, whether lined or unlined, and separate stormwater Drains used to convey stormwater, surface water or groundwater. A Drainage facility may also convey effluent discharged pursuant to an National Pollution Discharge Elimination System (NPDES) permit when such use is approved by the DPW.

**Dry weather flow** shall mean any flow in a stormwater or Wastewater system in dry weather conditions.

**Dry well** shall mean a pit or underground cavity installed to drain surface water and stormwater Drainage into underground strata.

**Dwelling unit** shall mean a house, condominium, fraternity, dormitory, apartment, mobile home or trailer, group of rooms or single room occupied or intended for occupancy as a separate living quarter.

**Easement** shall mean an acquired legal right for the specific use of land owned and maintained by others.

**Effluent** shall mean Waste or other liquid, irrespective of treatment, flowing out of a treatment facility or part thereof.

**Enzyme** shall mean a protein that acts as a catalyst to induce chemical changes in other substances, itself remaining apparently unchanged in the process.

**EPA** shall mean the United States Environmental Protection Agency.

**EPA Site Dewatering Permit** shall mean the written approval of EPA to Owners and/or operators of sites that discharge groundwater and/or stormwater from construction dewatering activities discharging to waters of the Commonwealth of Massachusetts. Owner's and/or operators will be required to submit a Notice Of Intent to EPA-New England to be covered by the appropriate general permit and will receive a written notification from EPA-New England of permit coverage and authorization to discharge under the general permit.

**Excavation Permit** shall mean the written approval to excavate or dig or make a hole or cavity in or under municipal property or interests. Approval will be granted by: the Superintendent of Streets for excavation in the Public Right of Way; the Commissioner for excavation within a municipal park; the City Engineer for excavation within a municipal easement; or their respective designees and shall be authorized only pursuant to a validly issued DPW Approval under Article I Section 8(a)(vi).

**Excavation Permit (No Trench)** shall mean access to the wastewater or drainage collection system for purposes of inspection or for data gathering. No construction is undertaken as part of this activity and shall be authorized only pursuant to a validly issued DPW Approval under Article I Section 8(a)(i).

**Excessive** shall mean more than the limits established in these Regulations, directly or by reference, or more than limits determined by the DPW, the MWRA, or other federal, state or local agency to be acceptable.

**Floatable oil** shall mean oil, fat or grease of animal or vegetable origin, or petroleum derived oil or grease in a physical state such that it will separate by gravity from Waste by treatment in an approved pretreatment facility.

**Floor Drain** shall mean an intended Drainage point in an otherwise impervious floor, which serves as the point of entry into any subsurface Drainage, treatment, disposal, containment, or other plumbing system.

**FOG (Fats, Wax, Oils, and Grease)** shall mean the discharge from a food-handling establishment of fats, wax, oils, and grease into the City's wastewater system and shall be authorized only pursuant to a validly issued DPW Approval under Article I Section 8(a)(v). Food handling establishments shall include

commercial/industrial establishments or other establishments as deemed appropriate by the DPW that include as part of their operations the handling, preparation and/or distribution of food.

**Garage** shall mean any building wherein one or more motor vehicles are serviced, kept or stored and shall include (without limitation) a public or private garage, carport, motor vehicle repair or paint shop, service station, lubritorium, car wash, gasoline station with grease pits or wash racks, or any building used for similar purposes.

**Garbage** shall mean the animal and vegetable wastes resulting from the domestic or commercial handling, storage, sale, preparation, cooking, or dispensing of food, excluding rubbish.

**GPM** shall mean gallons per minute.

**Grab sample** shall mean an individual aliquot collected over a period of time not exceeding 15 minutes.

**Grease trap** shall mean a receptacle designed to collect and retain or remove grease, oils and fatty substances from Waste normally resulting from the commercial/industrial handling, preparation, processing, cooking or dispensing of food and related equipment. Also called a grease interceptor in the *Uniform State Plumbing Code, 248 CMR 2.00*.

**Groundwater** shall mean a supply of water under the earth's surface contained within or flowing through a geological formation.

**Hazardous Waste** shall mean a waste, or combination of wastes, that at the time of discharge:

- (a) Is identified as a hazardous waste by EPA pursuant to the *Resource Conservation and Recovery Act, 42 USC 6901, et seq.*, and is listed in *40 CFR Part 261*, as amended from time to time;
- (b) Has any of the hazardous waste characteristics identified by EPA in *40 CFR Part 261* as amended from time to time;
- (c) Has been identified by DEP as a hazardous waste pursuant to *M.G.L. c. 21C* and is listed in *310 CMR 30.000*; as amended from time to time; or
- (d) Has any of the hazardous waste characteristics identified by DEP in *310 CMR 30.000*, as amended from time to time.
- (e) A waste that would be a hazardous waste pursuant to the EPA or DEP criteria, but for the fact that it is discharged to the sanitary sewer or combined sewer system shall be, for purposes of this definition, a hazardous waste unless it is in Waste which is discharged to the sewer or combined sewer system pursuant to a permit issued under these Regulations and in compliance with the City's and the MWRA's discharge limits.

**Illicit connection** also called an **illegal connection** shall mean any connection to a stormwater Drain which allows an illicit discharge to a stormwater Drain and any connection which allows stormwater to discharge to a sanitary sewer regardless of whether said connection was previously allowed, permitted, or approved before the effective date of these Regulations.

**Illicit discharge** shall mean any direct or indirect discharge to the stormwater Drainage system that is not composed entirely of stormwater, except as exempted pursuant to Article V (C)\_ Sections 5 and 6. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities. Illicit discharges include a surface or subsurface Drain or conveyance, which allows an illicit discharge into the stormwater Drainage system including sewage, process Waste, or wash water, and any connections from indoor Drains, sinks, or toilets.

**Improperly Shredded Garbage** shall mean wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce, excluding rubbish and trash, which has particles greater than 1/2 inch or 1.27 centimeters in any dimension so as to prevent the particles from being carried freely under normal flow conditions in Municipal Wastewater system.

**Individual Waste disposal system** shall mean a privately owned septic tank, cesspool or similar self-contained receptacle or facility which collects, treats or otherwise disposes of Waste as defined under 310 CMR 15.000 (Title 5).

**Industrial Waste** shall mean the liquid wastes resulting from the processes employed in industrial, commercial, manufacturing, trade or business establishments as distinct from domestic wastes.

**Infiltration** shall mean groundwater, surface water or municipal water that enters or leaks into a sanitary or combined sewer through such means as a defective pipe, pipe joint, connection or manhole wall.

**Inflow** shall mean precipitation or surface runoff that enters a sanitary sewer through such means as downspouts and roof leaders, foundation Drains, yard Drains and area Drains, sump pumps, catch basins, interconnections between storm Drains and sanitary sewers, and defective manhole covers and frames and common manholes.

**Inspectional Services Department (ISD)** shall mean the Inspectional Services Department of the City of Cambridge.

**Interconnection** shall mean a physical connection between a sanitary or combined sewer and stormwater Drain which allows the flows to intermix.

**Lamphole** refers to pipe connecting to the Wastewater system with a wye or tee connection which permits inspection and flushing of the Wastewater system to clear it of heavy obstructions.

**Lateral** shall mean a Building sewer lateral, a Building Combined sewer lateral or a Building Drain.

**Leachate** shall mean the water that collects contaminates as it percolates through wastes, pesticides or fertilizers, and may result in hazardous substances entering surface water, groundwater or soil.

**Licensed Drain layer** shall mean a person authorized in writing by the DPW to install, maintain and repair sanitary sewers, combined sewers, stormwater Drains, building sewer laterals, building combined sewer laterals and building stormwater Drain laterals within the City of Cambridge.

**Main** shall mean a sanitary sewer Drain, combined sewer Drain or stormwater Drain that collects and conveys flows from other sanitary sewer Drains, combined sewer Drains or stormwater Drains.

**Manhole** shall mean a structure allowing access to Wastewater and stormwater systems.

**Maximum Extent Feasible** shall mean technologically possible, or economically feasible in light of best industry standards.

**Minimum controls** shall mean structures or activities which operators of regulated stormwater systems are required to implement under the Clean Water Act.

**Municipal Separate Storm Sewer System (MS4s) or Municipal Storm Drain System** shall mean the system of conveyances designed or used for collecting or conveying stormwater, including any road with a Drainage system, street, gutter, curb, inlet, piped stormwater Drain, pumping facility, retention or detention basin, natural or manmade or altered Drainage channel, reservoir, and other Drainage structure that together comprise the stormwater Drainage system owned or operated by the City.

**MWRA** shall mean the Massachusetts Water Resources Authority.



**MWRA General Permit** shall mean the Permit required and issued by the MWRA that authorizes certain facilities with low industrial flows and no or low levels of regulated pollutants in their industrial Waste to discharge industrial Waste to the MWRA's Wastewater system.

**MWRA Group Permit** shall mean the Permit required and issued by the MWRA that is applicable to a specific type or types of industrial and commercial processes or discharges.

**National Categorical Pretreatment Standard** shall mean the requirements under *40 CFR 403.6* and *40 CFR Chapter I, subchapter N*, specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a publicly-owned treatment works by new or existing sanitary or combined sewer users in specific industrial categories which are established as separate regulations under the appropriate subpart of *40 CFR Chapter I, subchapter N*.

**National Pollutant Discharge Elimination System (NPDES) Exclusion** shall mean a written determination from EPA that a discharge does not require an NPDES permit.

**National Pollutant Discharge Elimination System (NPDES) General Permit** shall mean the permit issued by EPA that authorizes a class of discharges such as stormwater associated with industrial activity, non-contact cooling water, construction dewatering, and water treatment backwash.

**National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Dewatering** shall mean the written approval of EPA to Owners and/or operators of sites that discharge groundwater and/or stormwater from construction dewatering activities discharging to waters of the Commonwealth of Massachusetts. Owner's and/or operators will be required to submit a Notice of Intent (NOI) to EPA-New England to be covered by the appropriate general permit and will receive a written notification from EPA-New England of permit coverage and authorization to discharge under the general permit. Owners and operators may be granted authorization to discharge groundwater and stormwater generated wastewaters into waters of Massachusetts. Discharges authorized under this general permit must be treated in a settling basin or other treatment system designed to remove total suspended solids unless the DEP specifically waives that requirement for individual applicant. Construction dewatering activity under this permit is defined as pumped or drained discharges of groundwater and/or stormwater from excavations or other points of accumulation of association with a construction activity.

**National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI)** shall mean the form completed and submitted to the EPA by a person seeking to include a discharge under an NPDES General Permit.

**National Pollutant Discharge Elimination System (NPDES) Permit** shall mean the permit required and issued by EPA to control point source discharges of pollutants to waters of the United States or separate stormwater Drain systems. It shall also mean the permit issued to the City by the EPA for its combined sewer and stormwater discharges.

**National Pretreatment Standard or Pretreatment Standard** shall mean the general prohibitions and specific prohibitions of *40 CFR 403.5 (a) and (b)*, of the *National Categorical Pretreatment Standards*.

**Non-contact cooling water** shall mean water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product.

**Non-contact industrial process water** shall mean water used in an industrial or manufacturing process, or in the development, recovery, or processing of natural resources that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

**Non-conventional pollutant** shall mean any pollutant not defined as a conventional pollutant or a toxic pollutant.

**Non point source pollution (NPS)** shall mean pollution which occurs when water runs over land or through the ground and picks up natural and human-made pollutants, and discharges them in surface waters or introduces them into groundwater.

**Non-stormwater discharge** shall mean any waters discharged to the City's Wastewater or stormwater Drainage system which are not composed primarily of rainfall or other precipitation that runs off surfaces during or after a storm.

**Oil/water separator** shall mean a receptacle designed to separate petroleum-based oil and grease from water. Also called a trap or interceptor.

**Outfall** shall mean the point of discharge from a stormwater Drain or combined sewer overflow to a water body, wetland or land surface. Also called an outlet.

**Owner** shall mean a person who alone or jointly or severally with others has the legal title to any premises or has care, charge or control of any premises as agent, executor, administrator, trustee, lessee or guardian of the estate of the holder of legal title.

**Particle separator** shall mean a receptacle designed and installed to separate sand, grit and oil from water. Also called a solids separator/interceptor.

**Person** shall mean any agency of the federal government, any agency or political subdivision of the Commonwealth, any State, public or private corporation or authority, individual, trust, firm, joint stock company, partnership, association, or other entity, or any group thereof, and any officer, employee, or agent of such person, and any group of persons.

**pH** shall mean a measure of the acidity or alkalinity of a substance expressed as standard units, and calculated as the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

**Point source pollution** shall mean pollution caused by any discernible, confined, and discrete conveyance to surface water or groundwater, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, vessel or other floating craft and container.

**Pollutant** shall mean any element, constituent, or property of Waste, or of agricultural, industrial, manufacturing, or commercial process waste, or leachate, or any other substance which causes the alteration of the chemical, physical, biological, or radiological integrity of water through its introduction therein.

**Premises** shall mean a parcel of real estate or portion thereof, including any improvements thereon, which is determined by the City to be a single user for purposes of receiving, using and paying for service.

**Pretreatment** shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in Waste to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the Wastewater system. Pretreatment shall include the reduction or alteration of pollutants by physical, chemical or biological processes, process changes, or other means, except as prohibited by *40 CFR Part 403*. Dilution is not pretreatment.

**Private combined sewer** shall mean a combined sewer, which is not owned by the City, DCR or the MWRA. Private combined sewers include, but are not limited to, building Drains (Waste), building combined sewer laterals and manholes located on private property and not located within an easement held by the City or other public agencies. The owner of the private combined sewer is also responsible for the connection from a private combined sewer to the public Wastewater system.

**Private sewer** shall mean a sewer that is not owned by the City, DCR or the MWRA. Private sewers include, but are not limited to building Drains (Waste), building sewer laterals and manholes located on private property and not located within an easement held by the City or other public agencies. The owner of the private sewer is also responsible for the connection from a private sewer to the main of the public Wastewater system.

**Private stormwater Drain** shall mean a stormwater Drain that is not owned by the City or the DCR. Private stormwater Drains include, but are not limited to, building Drains (stormwater), building stormwater Drain laterals, catch basins and manholes located on private property and not located within an easement held by the City and other public agencies. The owner of the private stormwater Drain is also responsible for the connection from a private stormwater Drain to the main of the public stormwater system.

**Public combined sewer** shall mean a combined sewer that is owned by the City, DCR or the MWRA.

**Public record** shall mean a "public record" as defined by M.G.L. c. 4 section 7(26).

**Public sewer** shall mean a sewer, which is owned by the City, DCR or the MWRA.

**Public stormwater Drain** shall mean a stormwater Drain that is owned by the City or the DCR.

**Public ways** shall mean any and all portions of the streets and sidewalks in the city of Cambridge, which are open for use by the public.

**Receiving waters** shall mean any watercourse, river, pond, wetland, ditch, lake, aquifer, ocean or other body of surface water or groundwater that receives a discharge of Wastewater, stormwater or effluent.

**Reclaimed water systems** shall have the meaning contained in 314 CMR 20.02: Definitions.

**Recreational spray** or **sprinkler pool** or **recreational fountain** shall mean an outdoor spray or sprinkler pool, which is designed and constructed for the purpose of human contact recreation.

**Regulator** shall mean a device for regulating the diversion of flow in a combined sewer.

**Requirements for Site Plans** shall mean the document, which describes the information, which must be included in site plans submitted to the DPW. A Site Plan is required by the DPW for review and approval of a proposed connection, or reconstruction, repair or modification of an existing building sewer lateral, building combined sewer lateral, or building stormwater Drain lateral which connects to the City's wastewater or stormwater Drainage system.

**Roof Drain** or **roof leader** - See Downspout

**Runoff** shall mean that part of precipitation, snow melt, or irrigation water, which is not absorbed into the ground. Instead, it flows over the land into streams, other surface bearing water or Drainage structures.

**Sanitary sewage** shall mean liquid and water-carried human and domestic wastes from buildings, exclusive of ground, storm and surface water, industrial wastes, uncontaminated cooling water, and uncontaminated industrial process water.

**Sanitary sewer** shall mean a sewer designed to carry sewage.

**Septage** shall mean the wastes of primarily sanitary sewage origin or industrial wastes that are removed from a cesspool, septic tank, portable toilet, holding tank or similar receptacle.

**Sewage** shall mean the spent water of a community, which may be a combination of liquid and water-carried wastes from residences, commercial buildings, industrial facilities and institutions, together with

leachate and construction site dewatering, and exclusive of groundwater, surface water, and/or stormwater.

**Sewer** shall mean a pipe or conduit that carries sewage.

**Sewer extension** shall mean the addition to a wastewater system of a sanitary or combined wastewater pipe, together with appurtenant works, which when connected to the wastewater system becomes the property of, and is operated and maintained by, the person owning the wastewater system.

**Sewer Use Discharge Permit (industrial)** shall mean the permit required and issued jointly by the City and the MWRA to a user for the discharge of industrial Waste to the City's or the MWRA's Wastewater system.

**Site plan** shall mean a plan of land indicating the general location and boundaries of the lot, major anticipated changes in natural features, existing and proposed buildings, pervious and impervious surfaces, existing and proposed curb cuts, infrastructure, topographic, intended changes and external utilities that will be utilized.

**Sludge** shall mean waste containing varying amounts of solids that is removed from water and Waste through treatment by physical, chemical or biological processes.

**Slug** shall mean: any discharge to the Wastewater system of a non-routine episodic nature, including but not limited to an accidental spill in a non-customary batch discharge.

- (a) that portion of a discharge which contains a pollutant that is prohibited by these Regulations or contains a concentration of a pollutant at least five times above the concentration limit for that pollutant provided in federal or state regulations.
- (b) a discharge from a large vat, vessel, or container into the Wastewater system in a manner that:
  - (i) harms or threatens to harm the Wastewater system, workers or receiving waters;
  - (ii) contains a pollutant in excess of the requirements of these Regulations;
  - (iii) causes a violation of any federal or state permit issued to the City; or
  - (iv) constitutes a discharge of a pollutant without an appropriate permit.

**Solid Waste** shall mean any unwanted or discarded solid material, consisting of putrescible or nonputrescible solid waste material.

**Standard Methods** shall mean the current edition of *Standard Methods for the Examination of Water and Wastewater*, as published by the American Public Health Association (APHA), American Water Works Association (AWWA) and the Water Environment Federation (WEF).

**Stormwater** shall mean any water resulting from rainfall or other precipitation that runs off surfaces during or after a storm.

**Stormwater Discharge** shall mean the discharge of stormwater to the City's stormwater drainage system and shall be authorized only pursuant to a validly issued DPW Approval under Article I Section 8(a)(iii).

**Stormwater Control Permit (SCP)** shall mean a permit required by DPW's Land Disturbance Regulations to conduct land disturbance activities that:

- (i) disturb one (1) or more acres of land,
- (ii) exceed fifty thousand (50,000) square feet of Gross Floor Area,

- (iii) have a project parcels(s) equal to or greater than one acre in size,
- (iv) include outdoor parking for ten (10) cars or more,
- (v) require a Special Permit from the Planning Board, or
- (vi) in the opinion of the City Engineer may result in an adverse impact of the municipal Sewer, Combined Sewer, Stormwater Drainage Systems or Water Resources.

**Stormwater Drain** shall mean a pipe or conduit that carries surface water, stormwater, groundwater or runoff and is exclusive of sewage.

**Stormwater Drainage system** shall mean pipes, conduits, open channels, pumping stations and appurtenances, including tidegates, catch basins, and manholes used in the collection and transport of Stormwater, Groundwater and runoff.

**Stormwater Guidance** shall mean the City of Cambridge Wastewater and Stormwater Management Guidance Document and any Directives, a guidance manual issued by the Commissioner pursuant to these Regulations, which is intended to assist in effectively implementing stormwater management, erosion and sediment controls, and operation and maintenance standards and also provides requirements for plan submittals. The Wastewater and Stormwater Management Guidance Document can be amended through the issuance of Directives by the Commissioner.

**Stormwater management** shall mean regulatory, structural, administrative, managerial, maintenance, physical and chemical measures or devices designed to prevent the discharge of point and non point pollutants to Stormwater Drainage Systems. Also, regulates the rate and quantity of Stormwater Discharge from point and non point sources to receiving bodies of water. Non-structural measures and structural devices are often referred to as best management practices or BMPs.

**Substantial rehabilitation** shall mean any construction project whose proposed work includes renovation of over 50% of the total building area with 10 or more fixtures replaced or installed.

**Surface water** shall mean all water appearing on the earth's surface exposed to the atmosphere, such as rivers, lakes, streams, and oceans.

**Suspended solids** shall mean solids that either float on the surface or are in suspension in water, Waste or other liquids and are removable by laboratory filtering procedures as described in *Standard Methods*.

**Termination and Verification** shall mean the disconnection of Sewer, Combined Sewer or Stormwater Drainage System connections from a building to the City's Sanitary Sewers, Combined Sewers, or Stormwater Drainage Systems and shall be authorized only pursuant to a validly issued Excavation Permit under Article I Section 8(a)(ii) herein

**Toxic organics** shall mean organics listed as toxic in federal or state laws or regulations.

**Toxic pollutant** shall mean any pollutant identified as such in federal or state laws or regulations.

**Trade secret** shall mean anything tangible, which constitutes, represents, evidences, or records a secret scientific, technical, merchandising, production, manufacturing, or management information, design, process, procedure, formula, invention, method, or improvement.

**Treatment system or pretreatment system** shall mean any and all devices, equipment, or works used in the pumping, storing, treating, recycling, and reclaiming of Sewage, Industrial Waste or Groundwater.

**Upset** shall mean an exceptional incident in which there is unintentional and temporary noncompliance with the Discharge standards of these Regulations, or any permit thereunder, due to factors beyond the reasonable control of the person responsible for the Discharge. An Upset does not include the following;

noncompliance to the extent caused by operational error, an improperly or inadequately designed treatment facility, lack of preventive maintenance, or careless or improper operation.

**User** shall mean any person including other MS4s that discharge Waste or Stormwater directly or indirectly into the City's Sanitary Sewers, Combined Sewers or Stormwater Drain, or MWRA interceptors within the City.

**Waste** shall mean Wastewater and any and all other waste substances whether liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any production, manufacturing or processing operation.

**Waste oil** shall mean used and/or reprocessed, but not subsequently re-refined, oil that has served its original intended purpose. Waste oil includes, but is not limited to, used and/or reprocessed fuel oil, engine oil, gear oil, cutting oil, and transmission fluid and dielectric fluid. Waste oil does not include oils used in food preparation.

**Wastewater** shall mean the spent water of a community, which may be a combination of the liquid and water-carried Wastes from residences, commercial buildings, industrial facilities, and institutions, together with any Groundwater and Stormwater that may be present.

**Wastewater Discharge (non-industrial)** shall mean the non-industrial discharge of Waste to the City's Sewer system and shall be authorized only pursuant to a validly issued DPW Approval under Section 8(a)(iv) herein.

**Wastewater system** shall mean totality of the devices, equipment or works used in transportation, pumping, storage, treatment, recycling, or reclamation of Waste or in the disposal of the effluent.

**Wastewater treatment process** shall mean the physical, chemical and biological operations and processes, considered individually or in combination, that are applied at a Waste treatment plant to remove, reduce or alter the pollutant loading of Waste.

## **ARTICLE II**

### **Use of Wastewater and Stormwater Drainage Systems**

**Section 1 - Public Wastewater and Stormwater Drainage Systems.** The use of all Public Wastewater and Stormwater Drainage Systems in the City, except interceptors of the MWRA's Wastewater System, shall be controlled by the DPW. No person shall, without prior authorization from the DPW, uncover, excavate over, block access to, make any connection with or opening into, alter, or disturb the City's Wastewater or Stormwater Drainage Systems. 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 City's Wastewater or Stormwater Drainage Systems.

**Section 2 - Private Wastewater and Private Stormwater Drainage Systems.**

- (a) All Private Sewers, Private Combined Sewers, Private Stormwater Drains and appurtenant structures that connect to the City's Wastewater or Stormwater Drainage System shall be controlled as to Discharge by the DPW, but constructed, installed, maintained, repaired, and operated by their Owners, at the Owner's expense. All Private Sewers, Private Combined Sewers, and Private Stormwater Drains that connect to the City's Wastewater or Stormwater Drainage Systems shall be constructed, installed, maintained, repaired, and operated to the satisfaction of the DPW. Discharges from Combined or Sanitary Sewers that connect to the City's Wastewater System are also subject to MWRA regulation.
- (b) Repairs to Private Sewers, Private Combined Sewers, Private Stormwater Drains and appurtenant structures in the City, including repairs required to comply with these Regulations, shall be made by a licensed drain layer.

**Section 3 - Permit to Enter City's Wastewater and Stormwater Drainage Systems.** No person shall enter or install equipment into the City's Wastewater or Stormwater Drainage Systems without first obtaining DPW Approval for Collection System Access through an Excavation Permit (No Trench) to enter City Wastewater and Stormwater Drainage Systems in accordance with Article I Section 8 (a)(i) of these Regulations.

**Section 4 - Wastewater Connections.** The City requires that Waste 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 City's Wastewater System shall be subject to the availability of capacity in the system as determined by the DPW. Connections shall be made in compliance with all federal, state and local rules, regulations and specifications and at the Owner's expense.

**Section 5 - Stormwater Drainage Connections.** Connection to the City's Stormwater Drainage System shall be made when required by the DPW. Such connections shall be required whenever the DPW determines they are necessary to prevent the endangerment of the public health, the creation of a public nuisance, or the impairment of water quality or the environment, and in such other circumstances as the DPW reasonably deems appropriate. Connections to the City's Stormwater Drainage System shall be made in compliance with all federal, state and local rules, regulations and specifications and at the Owner's expense.

**Section 6 - Special Facilities.** When required by the DPW 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 Waste discharged to the City's and MWRA's Wastewater System or Stormwater to the City's Stormwater Drainage Systems. The design of such special facilities shall be subject to the approval of the DPW. Such special facilities shall be designed, constructed operated and maintained at the Owner's expense. The DPW shall have the right to inspect such special facilities in accordance with Article V (A), Section 3 to ascertain compliance with these Regulations.

**Section 7 - Ownership and Maintenance of Building Sewer Laterals, Building Combined Sewer Laterals, Building Drains and Building Stormwater Drain Laterals**

- (a) Building Sewer Laterals, Building Combined Sewer Laterals, Building Drains and Building Stormwater Drain Laterals, whether located on public or private property are the responsibility of and shall be installed and maintained by the Owner of the premises served. In the case where more than one premise is connected to the same Building Sewer Lateral, Building Combined Sewer Lateral, Building Drain or Building Stormwater Drain Lateral, the Owners of the respective premises shall be jointly and severally responsible for the maintenance and repair of the Building Sewer Lateral, Building Combined Sewer Lateral, Building Drain or Building Stormwater Drain Lateral.
- (b) The Owner shall at all times keep such Laterals and Drains clean and in good repair in order not to cause excessive infiltration, exfiltration or inflow, depletion of Groundwater, damage to property, odor, or harm to the City's Wastewater and Stormwater Drainage Systems.
- (c) The Owner shall maintain, repair, modify or replace an existing Building Sewer Lateral, Combined Sewer Lateral, Building Drain or Building Stormwater Drain Lateral whenever it is determined by the DPW that such Wastewater or Stormwater Drainage Systems may endanger public health, create a public nuisance, result in public or private property damage, harm the City's Wastewater and Stormwater Drainage Systems, result in excessive infiltration, exfiltration or inflow or impair water quality or the environment and in such other circumstances as the DPW deems appropriate.
- (d) Building Sewer Laterals, Building Combined Sewer Laterals, Building Drains and Building Stormwater Drain Laterals shall be maintained, repaired, modified or replaced at the Owner's expense.



## **Article III**

### **Building Sewer Laterals, Building Combined Sewer Laterals, Building Stormwater Drain Laterals, Connections and Appurtenances**

**Section 1 - Separate Building Sewer Laterals and Building Stormwater Drain Laterals.** Separate and independent Building Sewer Laterals and Building Stormwater Drain Laterals shall be provided for all new or Substantially Rehabilitated buildings. Where one building stands behind another on an interior lot, and no private sewer or stormwater drain is available or can be constructed to the rear of the building through an adjoining alley, court, yard, or driveway, the Building Sewer Lateral, Building Combined Sewer Lateral or Building Stormwater Drain Lateral may be extended from the front building to the rear building provided that prior written approval and all necessary permits for the extension are obtained from the DPW, the Inspectional Services Department (ISD) and the Cambridge Public Health Department (CPHD).

**Section 2 - Existing Building Sewer Laterals, Building Combined Sewer Laterals and Building Stormwater Drain Laterals.** If the DPW approves, and the Owner obtains all necessary permits, including a DPW Approval if required pursuant to Article I, §8, existing Building Sewer Laterals, Building Combined Sewer Laterals and Building Stormwater Drain Laterals may be used to accommodate new Wastewater or stormwater. The costs of any examination and testing required by the DPW as a precondition to such approval shall be at the Owner's expense.

**Section 3 - Gravity Discharge to Sewer, Combined Sewer and Stormwater Drains.** All Building Sewer Laterals, Building Combined Sewer Laterals and Building Stormwater Drain Laterals shall discharge by gravity to the City sewer, combined sewer or stormwater drain. The Building Drain shall be brought to the building at an elevation below the basement floor. In all new or substantially rehabilitated buildings in which any Building Sewer Lateral, Building Combined Sewer Lateral or Building Stormwater Drain Lateral is too low to permit gravity discharge, wastewater, stormwater or Groundwater shall be lifted by an approved means and allowed to discharge by gravity (i.e., not under pressure) to the City sewer, combined sewer or stormwater drain if approved by the Commissioner or his/her representative and the Owner obtains all necessary permits and obtains a DPW Approval pursuant to Article I, §8.

#### **Section 4 - Wastewater-Stormwater Separation.**

- (a) The plumbing of any new or substantially rehabilitated building shall be so constructed as to keep all stormwater, surface water, groundwater, roof and surface runoff, subsurface drainage, uncontaminated cooling water, and non-contact industrial process water separate from sanitary sewage and industrial wastes, and from the Building Sewer Lateral.
- (b) The building drain conveying sewerage from plumbing fixtures within the building shall discharge to a building sewer lateral, while the building drain conveying stormwater and other drainage shall discharge to a building stormwater drain lateral.
- (c) Where separate Stormwater Drains and Sanitary Sewers are provided and where the DPW has determined that on-site retainage of stormwater is not possible, Building Stormwater Drain Laterals shall be connected to a Stormwater Drain. Connection of a Building Stormwater Drain Lateral to a Sanitary Sewer is prohibited.
- (d) Where separate Stormwater Drains and Sanitary Sewers are provided, Building Sewer Laterals shall be connected to a Sanitary Sewer. Connection of a Building Sewer Lateral to a Stormwater Drain is prohibited.
- (e) For existing properties where only a Combined Sewer has been provided by the City, and the DPW has determined that sewer separation and on-site retainage of stormwater is not feasible, the separate Building Stormwater Drain Lateral may be connected to the Building Sewer Lateral or Building Combined Sewer Lateral in a manner prescribed by the *Cambridge Wastewater and*

*Stormwater Management Guidance Document* and the Building Sewer connection shall be made to such Combined Sewer.

- (f) The DPW shall require an Owner to eliminate a source of Infiltration or Inflow to the sanitary sewer system or the combined sewer system whenever the DPW determines that the source results in excessive Infiltration or Inflow.

**Section 5 - Connections to Combined Sewer Overflows.** In order to prevent the direct discharge of wastewater to receiving waters under dry weather conditions, a Building Sewer Lateral or Building Combined Sewer Lateral shall not be connected to a Combined Sewer Overflow.

**Section 6 - Connections to Manholes.** Building sewer connections for new or Substantially Rehabilitated buildings shall not be made directly to City-owned manholes unless expressly authorized by the issuance of a DPW Approval pursuant to Article I, §8.

**Section 7 - Connections to Catch Basins.** Private drains, including but not limited to, Building Stormwater Drain Laterals for new or existing buildings, and drains from irrigation systems shall not be connected directly to catch basins unless specifically authorized by the issuance of a DPW Approval pursuant to Article I, §8.

**Section 8 - Connections from Individual Wastewater Disposal Systems.** Connection of an individual wastewater disposal system, whether directly or indirectly to a City sanitary sewer, combined sewer, or stormwater drain is prohibited.

**Section 9 - Dye Testing of Connections.**

- (a) Prior to activating stormwater or wastewater service, DPW may require that a Building Sewer Lateral or Building Combined Sewer Lateral shall be dye tested by the DPW, or by the Owner or his/her designee in the presence of a DPW and/or ISD inspector, to establish that the Building Sewer Lateral or Building Combined Sewer Lateral is properly connected to the City's wastewater system. The DPW may conduct dye testing of an existing building's wastewater system to establish that it is properly connected to the City's wastewater system. The DPW may require the Owner forthwith to eliminate a connection from a Building Sewer Lateral or a Building Combined Sewer Lateral to a stormwater drain (also referred to an illicit or illegal connection) at the Owner's expense.
- (b) Where separate sanitary sewers and stormwater drains exist, the DPW may also dye test, or require the Owner to dye test in the presence of a DPW inspector, a new or existing Building Stormwater Drain Lateral to establish that the Building Stormwater Drain Lateral is properly connected to the City's Stormwater Drainage System. The DPW may also require the Owner forthwith to eliminate a connection from a Building Stormwater Drain Lateral to a sanitary sewer at the Owner's expense.

**Section 10 - Backwater Valves.** All existing or new building drains from plumbing fixtures subject to backflow from a public sewer or combined sewer, or a private sewer or combined sewer connected to a public wastewater system which is subject to backflow, shall be required to have backwater valves installed at the Owner's expense. Any plumbing fixture located at an elevation below the surface elevation of the roadway containing the public wastewater system serving the fixture shall be considered to be subject to backflow. Backwater valves shall be installed in accordance with the *Uniform State Plumbing Code, 248 CMR, Section 2.09:(4)* and the DPW's Requirements for Site Plans.

**Section 11 - Cleanouts.** Where a new building is to be constructed which is set back three feet or more from the property line, the City has the authority to require the Owner to install a cleanout on the portion of the Building Sewer Lateral, Building Combined Sewer Lateral or Building Stormwater Drain Lateral on the Owner's property.

**Section 12 - Floor Drains.** Floor drains shall be connected to the Building Sewer Lateral or Building

Combined Sewer Lateral.

### **Section 13 – Oil/Water Separators for Garages.**

An Owner of a building or business requiring an oil/water separator pursuant to these Regulations or state regulations shall be required to obtain DPW Approval under Article I, §8, must notify the MWRA in accordance with 360 CMR 10.016, and which shall comply with the following:

- (a) Oil/water separators shall be required on sewers or combined sewers directly or indirectly tributary to the City's wastewater system from existing and new garages, services stations, enclosed parking areas, and other establishments capable of discharging petroleum-based oil or grease, flammable wastes, sand, or other harmful substances. Discharges from oil/water separators shall be directed to a sanitary or combined sewer and not to a stormwater drain.
- (b) The determination as to whether an oil/water separator is required rests with the DPW and the MWRA. The size, type, capacity, location and construction of all oil/water separators shall be approved by the DPW and by MWRA, and shall be located so as to be readily accessible for maintenance and inspection. The DPW shall have the right to inspect such facilities in accordance with Article V (A), §3 of these Regulations.
- (c) Where oil/water separators are required, they shall be installed and maintained continuously to satisfactory and effective operation by and at the expense of the Owner or User. Both the Owner of the premises where an oil/water separator 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/water separator acceptable to the DPW, and for properly servicing and maintaining an oil/water separator.
- (d) The Owner or operator of the establishment or business conducted on the premises where the oil/water separator is located shall maintain a log describing the date and type of all services and maintenance performed in connection with the oil/water separator, the identity of the person who performed the service or maintenance, the amount of residue removed from the oil/water separator on each date, and the method of disposal of the residue. The log entries shall be maintained for six years and shall be made available for inspection and copying by the DPW or MWRA. The schedule for service and maintenance of an oil/water separator shall be subject to approval by the DPW and the MWRA.
- (e) In addition to complying with these Regulations, oil/water separators shall conform to the regulations of the *State Uniform Plumbing Code, 248 CMR 10:000, 360 CMR 10.000* and all other applicable laws.

### **Section 14 - Particle Separators.**

An Owner of a building or business requiring a particle separator pursuant to these Regulations shall be required to obtain DPW Approval under Article I, §8, which shall comply with the following:

- (a) Particle separators shall be required on all newly constructed stormwater drains which connect directly or indirectly to the City's stormwater drainage system, or which discharge to water resources, from existing and new outdoor parking or paved areas. Particle separators shall be required on existing stormwater drains from existing or expanded outdoor parking lots or paved areas whenever appropriate as determined by the DPW. Particle separators shall be designed, installed, and maintained in accordance with the *Cambridge Wastewater and Stormwater Management Guidance Document*. The DPW shall have the right to inspect such facilities in accordance with Article V (A), §3 of these Regulations.
- (b) The Owner of the particle separator shall maintain a log describing the date and type of all service

and maintenance performed in connection with the particle separator, the identity of the person who performed the service or maintenance, the amount of residue removed from the particle separator, and the method of disposal of the residue. The log entries shall be maintained for six years and shall be made available for inspection and copying by the DPW. The schedule for service and maintenance of a particle separator shall be subject to approval by the DPW.

### **Section 15 - Grease Traps.**

An Owner of a building or business requiring grease trap pursuant to these Regulations or state regulations shall be required to obtain DPW Approval under Article I, §8, which shall comply with the following:

- (a) Grease traps shall be installed as specified by and maintained in accordance with the *State Uniform Plumbing Code* and the *Cambridge Wastewater and Stormwater Management Guidance Document* so that the discharge concentration of fats, wax, oils or grease does not exceed 300 mg/l from the Building Sewer Lateral or Building Combined Sewer Lateral.
- (b) Waste removed from grease traps shall not be discharged into the wastewater system. The Owner shall be responsible for the proper disposal of such waste.
- (c) Chemical, biological, or physical means (including flushing with water) shall not be used to release fats, wax, oil or grease into the wastewater system, bypass the trap, or otherwise make the trap operate less effectively. With prior approval from the MWRA and the DPW a chemical or biological agent may be added to convert the fats, wax, oil and grease. The resulting discharge from the trap shall not cause or contribute to an obstruction or blockage in the wastewater system or otherwise violate these Regulations. Unless so converted, the fats, wax, oil and grease contents of a grease trap shall not be discharged to the wastewater system.
- (d) The Owner of a building or business that is required by Massachusetts law or regulations to have a grease trap or grease interceptor for food related grease or oil shall:
  - (1) Inspect its grease traps and interceptors at least monthly, and
  - (2) Have its grease traps and interceptors cleaned, with their contents hauled for disposal, whenever the level of grease is at least 25% of the effective depth of the trap, or at least every three months, whichever is sooner.

### **Section 16 – Fats, Wax, Oils and Grease (FOG) Sampling**

An Owner of a building or business required to install a sampling port or sampling manhole pursuant to these Regulations shall be required to obtain DPW Approval under Article I, §8, which shall comply with the following:

- (b) DPW may require a food handling facility to install a sampling port or sampling manhole in accordance with the provisions of Article II, §6 in these Regulations. Where sampling ports are required, they must be installed on the discharge line from the facility before it connects to the City's sewer or combined sewer systems. Sampling ports must be installed in a safe and accessible location prominently identified and approved by DPW. No source of FOG from a facility may be introduced to the discharge line downstream from the sampling location. If a facility has more than one discharge line from the kitchen, sampling ports may be installed on each line if so required by DPW. If it is determined by DPW that there is insufficient space at a facility for a sampling port, or if the discharge line is inaccessible, DPW will conduct sampling at a downstream location to verify FOG discharge. If DPW finds that FOG levels downstream from two or more food handling facilities without sampling ports exceed the FOG limit, DPW shall have the authority to require any or every facility to implement and document the Best Management Practices as described in *Cambridge*

*Wastewater and Stormwater Management Guidance Document*

- (b) Sampling can be conducted by DPW at unannounced times. All sampling, testing and analysis will be performed in accordance with the provisions of Article V (A), §3 and §5 of these Regulations.
- (c) Compliance with the FOG limit specified in Article V (B), §2(t) of these Regulations will be assessed from samples taken at the sampling location. In the event of a violation, DPW may take any enforcement action authorized under Article VII in these Regulations.

## Article IV Requirements for Design and Construction of Facilities

**Section 1 - Design and Construction Standards.** New building sewer laterals, building combined sewer laterals, building stormwater drain laterals, other private sewers, combined sewer, stormwater drains, grease traps, oil/water separators, particle separators, appurtenances, and other wastewater or stormwater facilities tributary to the City's wastewater and stormwater drainage systems shall be designed and constructed in conformance with current DPW standards and specifications. In the absence of such specifications, the materials and procedures set forth in *the American Society for Testing and Materials*, the *WEF Manual of Practice No. 9, Design and Construction of Urban Stormwater Management Systems and Gravity Sanitary Sewer Design and Construction*, *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* or their amendments shall apply, subject to the prior written approval of DPW.

**Section 2 – Excavation Permit Application Required for DPW Approval for Building Sewer Lateral, Building Combined Sewer Lateral or Building Stormwater Drain Lateral Connection.**

- (a) The Owner shall complete and submit to the DPW an Excavation Permit application prior to the construction of a new building sewer lateral, building combined sewer lateral or building stormwater drain lateral, or reconstruction, repair, or modification of an existing building sewer lateral, building combined sewer lateral or building stormwater drain lateral which connects to a City sanitary sewer, combined sewer or stormwater drain, or to an MWRA interceptor within the City.
- (b) The application shall be supplemented by building site plans, which have been approved in advance by the City Engineer, or by such other permits, plans, specifications, and information as the DPW may require. Building site plans shall be prepared in accordance with the *DPW's requirements for site plans*. Applicable fees shall be paid at the time the Excavation Permit application is filed at a rate determined annually by the DPW.
- (c) Construction, reconstruction, repair or modification of the building sewer lateral, building combined sewer lateral or building stormwater drain lateral shall not proceed until DPW Approval has been obtained. A DPW inspector will be assigned to inspect construction, reconstruction, repair or modification of the building sewer lateral, building combined sewer lateral or building stormwater drain lateral and connection to a City sanitary sewer, combined sewer or stormwater drain.

**Section 3 - Connection and Extension Permit Required.** No person shall connect to a City sanitary or combined sewer or directly to an MWRA sewer or construct a sewer extension which ultimately connects to a City or to an MWRA sewer without the appropriate DPW Approval, and, if applicable, a Sewer System Extension and Connection Permit from DEP in accordance with 314 CMR 7.

**Section 4 - Direct Connection to MWRA Sewers.** A Direct Master (Direct Connection) Permit application to the MWRA must be approved in advance by the DPW. Where a person seeks to make a direct connection to an MWRA sewer, the DPW shall require the person to supply such information as would enable the DPW to determine whether to approve the application. Within 10 days after receiving a Direct Connection Permit from the MWRA, the permittee shall provide a copy of the permit to the DPW.

**Section 5 - Bonding Requirements.** The DPW shall have the right to require that any person proposing to construct, repair or modify a building drain, building sewer lateral, building combined sewer lateral, building stormwater drain lateral, other private sewer, grease trap, oil trap, and other wastewater facility tributary to the City's wastewater and stormwater drainage systems post a bond in a form satisfactory to the City and in an amount and for a period of time that the DPW deems sufficient to guarantee construction quality and operating performance.

**Section 6 - Bonded Drain Layer.** All building sewer lateral, building combined sewer lateral and building stormwater drain lateral installation, repair or maintenance work shall be performed by a bonded drain layer. A drain layer's bond, using the City's standard bond form as then in effect, must be submitted to and approved by the DPW in advance of installation, repair or maintenance.

**Section 7 - Violations to be Reported.** All licensed drain layers are required to give a full written report to the DPW within 24 hours if, in the course of performing their work:

- (a) prohibited substances are found in a building drain, building sewer lateral, building combined sewer lateral or building stormwater drain lateral, or plumbing is found that would allow discharges of such substances to a building drain, building sewer lateral, building combined sewer lateral or building stormwater drain lateral;
- (b) interconnections or illicit connections are observed;
- (c) a defect or deterioration of the building drain, building sewer lateral, building combined sewer lateral or building stormwater drain lateral is observed; or
- (d) a defect or deterioration of the City's sanitary sewer, combined sewer or stormwater drain is observed.

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

**Section 8 - Right to Inspect During Construction.** The DPW shall have the right to inspect all building drains, building sewer laterals, building combined sewer laterals, building stormwater drain laterals, and other private sewers, private stormwater drains, grease traps, oil traps, particle separators and other facilities, at any reasonable time while such construction is underway. The owner shall notify the DPW when such facility is installed and ready for final inspection and before the facility is connected to the City's wastewater and stormwater drainage systems. Connection to the City's wastewater and stormwater drainage systems shall be made in the presence of a DPW inspector. No facility shall be covered over until approval has been given by the DPW inspector.

**Section 9 – Illicit Connections to the Stormwater Drain.** Every newly constructed, replaced or extended building sewer lateral or building combined sewer lateral that discharges directly or indirectly to the City's stormwater drainage system shall be designed or constructed to disconnect from the City's stormwater drainage system and connect to the City's sanitary or combined sewer system as required by the DPW.

**Section 10 – Inflow and Infiltration.** Every newly constructed, replaced or extended building sewer lateral or combined sewer lateral that discharges directly or indirectly to the City's sanitary or combined sewer system shall be designed, constructed and maintained so as to minimize to the Maximum Extent Feasible all Inflow and Infiltration into the City's sanitary or combined sewer system. The DPW may require an Owner to determine and eliminate the source of the Infiltration or Inflow and/or any and all contaminated sources of Infiltration or Inflow to an existing Building Sewer Lateral or Building Combined Sewer Lateral at the Owner's expense.

**Section 11 - Construction of Below-grade Plumbing.** All plumbing fixtures located at an elevation below the adjacent roadway elevation which contains the City sanitary or combined sewer serving the proposed plumbing shall be considered to be subject 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, the DPW's requirements for site plans, and 780 CMR Section 10.15 (ii) of the State Building Code. The backwater valve shall be installed and maintained at the Owner's expense.

**Section 12 – Distance from Water Services.** Building sewer lateral, building combined sewer lateral and building stormwater drain lateral connections shall be laid at least 10 feet apart horizontally and 18

inches apart vertically from any new or existing water service connection in accordance with DEP regulations.

**Section 13 - Fuel Dispensing Areas.** Any area which is used to dispense fuel and is covered by a canopy or other type of roof or enclosure shall drain into an approved oil/water separator and then into a sanitary sewer, or if not available, a combined sewer. As an alternative, it is permissible 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, which is contained in such a manner. The fuel dispensing area shall be graded so as to prevent any runoff to surrounding areas, which drain into a stormwater 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 the *Cambridge Wastewater and Stormwater Guidance Document* or, in the absence of such guidance, as prescribed by the City Engineer.

**Section 14 - Stormwater Management.** On-site retainage of stormwater and implementation of other stormwater management measures to control the rate, volume and characteristics of stormwater discharged to the City's combined sewer or stormwater drainage systems shall be required whenever appropriate, as determined by the DPW. Every person seeking to establish a new connection to the City's combined sewer or stormwater drainage system or to reconstruct, repair or modify an existing connection for a facility undergoing expansion or rehabilitation shall be required to obtain DPW Approval and may be required to prepare and implement a stormwater management plan. Such a plan may include non-structural and structural measures to manage stormwater during and after construction of the new or expanded facility. The design and maintenance of such facilities shall be subject to the approval of the DPW in accordance with the DPW's Land Disturbance Regulations and the *Cambridge Wastewater and Stormwater Guidance Document* and shall meet all current state and federal regulations. The design, installation and maintenance of such facilities shall be at the facility Owner's expense. The DPW shall have the right to inspect such facilities in accordance with this article and Article V (A), §3 of these Regulations.

**Section 15 - Decorative Fountains.** New or substantially rehabilitated decorative fountains shall be equipped with a shut off mechanism and shall be designed and constructed so as to re-circulate water. Decorative fountains shall discharge to a stormwater drain.

**Section 16 - Recreational Spray and Sprinkler Pools.** New or substantially rehabilitated recreational spray and sprinkler pools, also known as recreational fountains, shall be equipped with a shut off mechanism and shall be designed and constructed so as to be nonrecirculating. Recreational spray and sprinkler pools shall discharge to a stormwater drain.

**Section 17 – Sanitary Sewer Holding Tanks.** On-site retainage of sanitary sewage to control the rate and volume of discharge of sewage to the City's sanitary sewer or combined sewer system shall be required whenever appropriate, as determined by DPW. Every person seeking to establish a new connection to the City's sanitary system or combined sewer system or to reconstruct, repair or modify an existing connection for a facility undergoing expansion or rehabilitation may be required to install a sanitary holding tank. The design and maintenance of such facilities shall be subject to the approval of DPW and shall meet all current state and federal regulations. The design, installation and maintenance of the sanitary sewer holding tank shall be at the Owner's expense. The sanitary sewer holding tank must be maintained and remain operable at all times. Failure to maintain the sanitary holding tank in operable condition shall be considered a violation of these Regulations and subject to enforcement under Article VII of these Regulations. The DPW shall have the right to inspect sanitary holding tanks in accordance with this article and Article V, (A), § 3 of these Regulations.

**Section 18 - Termination of Service.** Every person seeking to obtain a Demolition Permit from the City's Inspectional Services Department to demolish part or all of a structure shall submit a completed DPW Approval (Termination & Verification), which requires sign-off by DPW. Prior to demolition of any building, the Owner shall obtain a DPW Approval to cut and cap all building sewer laterals, building combined sewer laterals and building stormwater drain laterals at the connection to the sanitary or combined sewer or stormwater drain, and have the DPW inspect all building sewer laterals, building



combined sewer laterals and building stormwater drain laterals to ensure that they are properly cut and capped prior to back-filling.

**Section 19 - Expenses Borne by the Owner.** All costs and expenses incident to the application for the design, construction, installation, connection, repair, and maintenance of a building sewer lateral, building combined sewer lateral, building stormwater drain lateral, other private sewers or stormwater drains, special facilities, particle separators, grease traps, oil traps, or other wastewater or stormwater drainage facilities shall be borne by the Owner. Notwithstanding the forgoing the City may, in its discretion, bear part or all of such costs and expenses pursuant to Cambridge Municipal Code §13.16.020(C). The Owner shall indemnify the City from, and shall reimburse the City for, any loss or damage directly or indirectly occasioned by the installation, use or operation of any building sewer lateral, building combined sewer lateral, building stormwater drain lateral, private sewer or stormwater drain, special facility, particle separator, grease trap, oil/water separator or other wastewater or stormwater facility.

**Section 20 – Extension, Replacement or Relocation of Sanitary Sewer, Combined Sewer and Stormwater Drains.** Any person may propose an extension, replacement or relocation of a City sanitary sewer, combined sewer or stormwater drain to serve a new or rehabilitated building. Every person who proposes to extend, replace or relocate a City sanitary sewer, combined sewer or stormwater drain shall prepare and submit for review and approval by the DPW a construction plan, and such other permits, plans, specifications, to include, if applicable, a Sewer System Extension and Connection Permit from DEP in accordance with 314 CMR 7 and any other information the DPW deems necessary to determine whether to approve the request. Extension, replacement or relocation of a City sanitary sewer, combined sewer or stormwater drain shall not commence without the DPW's prior written approval and the approval of any other state agency that governs the approval of sewer extensions. Every extension, replacement or relocation of a City sanitary sewer, combined sewer or stormwater drain shall be designed and constructed in accordance with the DPW's design requirements, specifications and standard details. Any tests, studies, investigations and inspections required for design and construction shall be conducted in accordance with the City's requirements. All expenses incurred pursuant to the extension, replacement or relocation of a City sanitary sewer, combined sewer or stormwater drain including but not limited to, application, engineering, legal permitting, construction and inspection costs shall be borne by the applicant. The Owner shall indemnify the City from, and shall reimburse the City for, any loss or damage directly or indirectly occasioned by the extension, replacement or relocation of a City sanitary sewer, combined sewer or stormwater drain including but not limited to, application, engineering, legal permitting, construction and inspection costs.

**Section 21 - Bonding Requirements for Sanitary Sewer, Combined Sewer or Stormwater Drain Extensions.** Before extending, replacing or relocating a public sanitary sewer, combined sewer or stormwater drain the contractor shall (a) be approved in writing by the City, and (b) post a performance bond with the DPW in an amount and form acceptable to the City.

**Section 22 - Transfer Agreement.** After constructing a DPW approved public sanitary sewer, combined sewer or stormwater drain extension, replacement or relocation, the Owner shall transfer ownership of the sanitary sewer, combined sewer or stormwater drains to the City through a Transfer Agreement in a form prescribed by the City. The Transfer Agreement shall be accompanied with as-built plans and easements if required for the extended, replaced or relocated sanitary sewer, combined sewer or stormwater drain and any other conditions or information required by the DPW. Until such time as the Transfer Agreement is signed by the City, the extended, replaced or relocated sanitary sewer, combined sewer or stormwater drain shall be considered to be privately owned by the applicant and shall be subject to the requirements pertaining to private sanitary sewers, combined sewers or stormwater drains contained in these Regulations.

**Section 23- DPW Denial of Modification of Proposal.** The DPW may deny a request to extend, replace or relocate a public sanitary sewer, combined sewer or stormwater drain, or the DPW determines that proposed construction is incompatible with the DPW's or MWRA's sanitary sewer, combined sewer or stormwater drainage systems, the DPW's design requirements, or these Regulations. The DPW may condition its approval of a request to extend, replace or relocated a public sanitary sewer, combined

sewer or stormwater drain. Such conditions may include, but are not limited to, the requirement to install a pipe larger than the size required to serve the applicant.

## Article V Discharge Requirements, Prohibitions and Restrictions

### A. GENERAL REQUIREMENTS

**Section 1 - Compliance with Discharge Limits.** Every User who directly or indirectly discharges wastewater to the City's sanitary or combined system or stormwater to the City's stormwater drainage systems shall comply with the strictest of the following discharge limits applicable to the discharge: the National Pretreatment Standards, NPDES Permit conditions, state limits, MWRA, local or permit limits, limits contained in these Regulations, and limits in a permit or order issued under these 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.

**Section 2 - Dilution Prohibited.** No User shall achieve, or attempt to achieve, compliance with these 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 these Regulations.

#### **Section 3 - Inspection**

- (a) The DPW may inspect the facilities of any User to the City's sanitary system, combined system, or stormwater drainage system to determine compliance with the requirements of these Regulations. The User shall allow the DPW to enter upon the premises of the User for the purposes of inspection, sampling, photographic documentation or record examination and copying. The DPW shall also have the right to install or to have installed on the User's property at the property owner's expense such devices as are necessary to conduct sampling, inspection, compliance monitoring and metering operations as referenced in this Article.
- (b) Conditions for entry:
  - (i) The DPW shall present appropriate credentials at the time of entry.
  - (ii) The purpose of the entry shall be for inspection, observation, measurement, sampling, testing, photographic documentation, or record examination and copying in accordance with the provisions of these Regulations.
  - (iii) Any entry shall be made at reasonable times during normal operating hours unless an emergency situation exists which endangers the public health, safety and welfare of the community as determined by the DPW, in which case the DPW may make an emergency entry and provide notice of entry to the discharger as soon as reasonably practicable.
- (c) If the DPW is refused access to any part of the premises from which stormwater or waste is discharged, and DPW believes that there may be a violation of these Regulations, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with these Regulations or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the DPW shall, with the assistance of the City Solicitor, seek any and all remedies available under federal, state and local laws or regulations, and the User and/or Owner of the premises shall be liable for all fines, fees, penalties, and all costs of enforcement, including but not limited to attorneys fees.

#### **Section 4 - Monitoring Facility Requirements.**

- (a) When required by the DPW, a User shall install and maintain at the Owner's expense suitable control or measuring devices, together with manholes, chambers, meters, sampling ports, and other appurtenances in its building sewer laterals, building combined sewer laterals or building stormwater

drain laterals, including those from pumps, to facilitate discharge observation, monitoring, sampling and measurement.

- (b) Such manholes, chambers or meters shall be safely accessible and shall be located and constructed in accordance with site plans approved by the DPW, shall be installed by and at the expense of the Owner, and shall be maintained by the Owner in good operating condition at all times.
- (c) All such meters and other measuring devices shall be approved by the DPW prior to installation and use. All such meters and measuring devices shall be calibrated by the Owner so as to ensure accurate measurement. The facilities shall be constructed in accordance with all applicable construction standards. Construction shall be completed in compliance with a time schedule established by the DPW.
- (d) The DPW requires permittees to keep and retain all records associated with meters, measuring devices and samplers. These records shall include data on volumes, water quality and maintenance.
- (e) All records from meters, measuring devices and samplers, whether required by DPW or not, shall be kept for at least six years and furnished to the DPW upon request. During construction and after installation, the DPW shall have the right to inspect the facilities in accordance with this Article.

#### **Section 5 - Sampling and Analysis.**

- (a) All measurements, tests and analyses of the characteristics of wastewater or stormwater required to conform to these Regulations shall be performed in accordance with the most recent edition of *Standard Methods for the Examination of Water and Wastewater*, unless otherwise authorized or required by the DPW, MWRA, EPA or DEP.
- (b) Sample analysis required by these Regulations, or any permit issued hereunder, shall be performed by an independent laboratory currently certified by the DEP for the parameters being analyzed. The use of a laboratory with provisional DEP certification is prohibited.
- (c) Samples analyzed shall be collected at locations designated by the DPW and by methods acceptable to, and at a frequency determined by, the DPW. The DPW will stipulate whether a composite or grab sample should be taken and whether composite samples will be time or flow weighted.
- (d) The DPW may require a permittee to submit a complete data package, including chain of custody records, raw data, and quality assurance/quality control related results, with a report required by the DPW. The DPW may require that discharge monitoring reports be submitted on paper copy, or by electronic means.

**Section 6 - Compliance Measurement Location.** All limitations imposed by these Regulations shall be applied at the end of the pretreatment process line, or at the end of the process line if there is not pretreatment. The Owner or User shall not introduce a Pollutant into a wastewater or stormwater stream after the compliance measurement location without prior approval of DPW.

**Section 7- Notification of Changed Discharge.** Every User who directly or indirectly discharges to the City's wastewater or stormwater drainage system shall notify the DPW 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 sanitary sewer, combined sewer or stormwater drain connection.

#### **Section 8 - Notification of Violations and Remediation Actions.**

- (a) A notification of violation will be issued for discharges of otherwise permitted flows in quantities or of such size as to be capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the City's wastewater system.

- (b) Users shall notify the City Engineer immediately upon discharging wastewater or stormwater in violation of these Regulations or their permits, and of any Upset Slug load, or spill that may reasonably be expected to discharge to the wastewater or stormwater drainage systems.
- (c) Each notification shall be followed within 15 days of the date of occurrence by a detailed written statement addressed to the City Engineer describing the causes of the discharge and the remediation measures being taken to prevent a recurrence. Such notification will not relieve Users of liability for any expense, loss or damage to the City's wastewater or stormwater drainage systems, or for any fines imposed on the City due to such discharge.
- (d) In the case where a discharge to the wastewater system violates these Regulations or a permit, the User shall also notify the Director of the MWRA's Sewerage Division immediately. Such notification shall be followed by any additional actions required by the MWRA.
- (e) In the case were a discharge to the stormwater drainage system violates these Regulations or a permit, the User shall also notify DEP and EPA immediately. Such notification shall be followed by any additional actions required by the DEP or EPA.

**Section 9 - Preventative Measures.** Each User shall provide reasonable and appropriate protection from any discharge, including accidental discharges or potential to discharge in violation of these Regulations.

**Section 10 - Confidentiality of Data and Documents.**

All information and data regarding any User, whether obtained from reports, questionnaires, permit applications, permits, monitoring programs, or inspections shall be maintained in accordance with the Massachusetts Public Records Law.

**B. DISCHARGE PROHIBITIONS AND RESTRICTIONS APPLICABLE TO THE WASTEWATER SYSTEM.**

**Section 1 - General Prohibitions.** No persons shall discharge or cause or allow to be discharged into a City sanitary or combined sewer or into a sanitary or combined sewer tributary thereto, any substances, waters or wastes that the City and /or the MWRA through its regulations 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) Cause 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 City, the State or the MWRA;
- (e) cause a violation of federal or state 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.

**Section 2 - Prohibited Wastes or Substances.** No person shall discharge or cause or allow to be discharged directly or indirectly into a City sanitary or combined sewer or into a sanitary or combined sewer tributary thereto any prohibited wastes or substances as specified hereunder or as further specified by DEP, EPA or the MWRA such that the most restrictive requirement is applicable. The prohibited waste or substances include, but are not limited to the following:

- (a) Fuel oil, crude oil, lubricating oil, or any other oils or greases of hydrocarbon or petroleum origin in excess of 15 milligrams per liter.
- (b) Any wastewater discharge from any building or facility served by a private water supply without having first obtained a validly issued DPW Approval.
- (c) Swimming pool water unless there is no reasonable alternative as determined by the City and MWRA and upon written approval by the City and the MWRA, which will not be given when a receiving sewer has insufficient capacity to handle the discharge.
- (d) Any liquid, solid, or gas including but not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides and methyl ethyl ketone, which by reason of its nature or quantity is or may be sufficient, either alone or by interaction with other substances, to create a fire or explosion hazard or to be otherwise injurious to the wastewater system, or to receiving waters, including:
  - (i) Wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit (F) or 60 degrees Celsius (C) using the test methods specified in *40 CFR 261.21*, and measured at the point of indirect discharge to the City's or the MWRA's sewerage system, or at such other place as the DPW or the MWRA determines; or
  - (ii) Any pollutant, which causes an exceedance of 10 percent of the lower explosive limit as measured by an explosimeter at the point of discharge to the sanitary or combined sewer or at any point within the sanitary or combined sewer.
- (e) Solids or viscous substances (such as, but not limited to, sand, mud, metal, glass, wood, paper, plastics, rags, improperly shredded garbage, rubber, latex, lime or other slurries, garbage, grease, animal guts or tissue, hides or fleshings, entrails bones, hair, feathers, ashes, cinders, stone or marble dust, straw, shavings, grass clippings, spent grains, spent hops, tar, asphalt residues, residues from refining or processing fuel or lubricating oil, grease, glass grinding or polishing wastes) in quantities or of such size as to be capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the City's wastewater system.
- (f) Any noxious or malodorous liquids, gases or solids, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or of preventing safe entry into sewers for purposes of inspection, maintenance repair, sampling, or any similar activity which results in the presence of toxic gases, vapors, or fumes within the wastewater system in a quantity that may cause acute worker health and safety problems.
- (g) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not.
- (h) Any slug.
- (i) Any Sludge, except from:
  - (1) A water treatment plant owned and operated by the City, or by a water district created by special or general act of the Massachusetts Legislature, and when specifically permitted by the City and MWRA pursuant to 360 CMR 10.057; or

- (2) A Reclaimed Water System, provided the Reclaimed Water Systems;
  - (a) treats only Wastewater that does not require an active permit as described in 350 CMR 10.007(1)(a), (e), (f), (g), (h), or (i) for discharge into the City's and MWRA's Sewerage System;
  - (b) has a Discharge into the City's sewer or combined sewer system;
  - (c) has been issued a permit pursuant to 314 CMR 20.00: Reclaimed Water Permit Program and Standards; and
  - (d) has been specifically permitted by the City and the MWRA pursuant to 360 CMR 10.051 through 10.056.
- (j) Substances causing noticeable discoloration or turbidity.
- (k) Liquids or vapors having a temperature higher than 150 degrees Fahrenheit (F) or 65 degrees Celsius (C), unless an alternative temperature limit is approved in writing by the DPW and the MWRA.
- (l) Any garbage containing particles larger than one-half inches (1.27 centimeters) in any dimension or particles, which will not be carried freely in the wastewater system.
- (m) Waters or wastes having pH lower than 5.5 or higher than 10.5, or having any other corrosive or injurious properties capable of causing damage or hazard to structures, equipment, people or the collection system. Excursions from these limits are permitted for facilities that continuously monitor pH, subject to limitations established by the MWRA in its *Sewer Use Regulations 360, CMR 10.000*.
- (n) Mercury, polychlorinated biphenyls (PCBs), phenanthrene or pesticides, including but not limited to, dieldrin, chlordane, 1,1,1-Trichloro-2,2- bis(p-chlorophenyl)-ethane (4-4 DDT), demeton, endosulfan I, endosulfan II, endrin, guthion, heptachlor, malathion, methoxychlor, mirex, parathion, acrolein, aldrin, TDE, DDE, Hexachlorocyclo-hexane, lindane, benzene-cis-hexachloride and benzene-trans-hexachloride (BHC), hexachlorocyclopentadiene, hexachlorobutadiene and toxaphene.
- (o) Waters or wastes containing amounts of metal or other materials in excess of the following limits as contained in federal, state or MWRA regulations:

<b>MATERIAL</b>	<b>DAILY AVERAGE LIMIT</b> milligrams per liter (mg/l)
Acrolein . . . . .	0.15
Antimony (total) . . . . .	10.0
Arsenic III (total) . . . . .	0.5
Benzene . . . . .	0.3
Cadmium (total) . . . . .	0.1
Chromium (VI) (Hexavalent) . . . . .	0.5
Chromium (total) . . . . .	1.0
Copper (total) . . . . .	1.0
Cyanide (total) . . . . .	0.5
Formaldehyde . . . . .	9.0
Hexachlorobutadiene . . . . .	0.0
Lead (total) . . . . .	0.2
Nickel (total) . . . . .	1.0
Phenol . . . . .	5.0
Selenium (total) . . . . .	5.0
Silver (total) . . . . .	2.0
Toxic Organic - each Toxic Organic not limited elsewhere in these Regulations or MWRA regulations. . . . .	1.0
Toxic Organics (total) . . . . .	5.0
Vinyl Chloride . . . . .	0.02

Vinylidene Chloride . . . . .	0.3
Zinc (total) . . . . .	1.0

- (p) Waters or wastes containing amounts of toxic or objectionable metals and nonmetals in excess of limits contained in federal, state or MWRA regulations or in a Sewer Use Discharge Permit.
- (q) Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by federal, state or MWRA regulations.
- (r) Total suspended solids or dissolved solids of a type or concentration, which would inhibit flow in the collection system.
- (s) Materials that exert a biochemical oxygen demand in excess of 400 milligrams per liter or a chemical oxygen demand in excess of 1,000 milligrams per liter or chlorine demand in excess of limits established by the MWRA.
- (t) Waters or wastes containing fats, wax, oil and grease, in excess of 300 mg/l (based on the materials recovered in the applicable EPA approved procedure, unless otherwise authorized or required by the City and EPA), or containing any substance which may solidify or become viscous at temperatures between 32°F (0°C) and 180°F (82°C). Waters or wastes containing such substances, excluding normal household waste, shall exclude all visible floatable oils, fats and greases. The use of chemical, biological or physical means to bypass or release fats, waxes, oils or greases into the sewer is prohibited. If a person is unable to comply with the 300 mg/l requirement after treatment, the DPW may increase the limit on a case by case basis if the MWRA and DPW are satisfied that such increase will not contribute to nuisance conditions or an adverse impact on the wastewater system, receiving waters, or the MWRA's Wastewater Residuals program. The DPW may apply a monetary charge to any such increase in the limit to recover the costs it reasonably expects to incur as a result of the increase.
- (u) Any substances containing pathogenic organisms in such quantities as determined by local, state or federal law as hazardous to the public health or the environment, including but not limited to any "Infectious or Physically Dangerous Medical or Biological Waste" as defined and identified by the Massachusetts Department of Public Health in its regulations entitled "Storage and Disposal of Infectious or Physically Dangerous Medical Waste or Biological Waste, State Sanitary Code, Chapter VIII," at *105 CMR 480.010*, and whose disposal via the municipal wastewater system or via a septic system is prohibited by *105 CMR 480.200*.
- (v) Any hazardous waste, or any wastewater which results from the treatment of hazardous waste, and is discharged to the City's wastewater system by dedicated pipe, truck, rail, or by other method.
- (w) Waste or wastewater discharged through a bypass, unless such discharge through the bypass was approved in writing in advance by the DPW and the MWRA, or the discharge through the bypass is allowed by *40 CFR 403.17* and the person using the bypass has provided the required notices to the DPW and the MWRA in a timely manner.
- (x) Any filter backwash not specifically authorized to be discharged by a permit issued to the discharger by the DPW or the MWRA, any filter backwash that is not treated to meet the limits and prohibitions established by the DPW or the MWRA, or any filter backwash, which causes or contributes to a violation of these Regulations.
- (y) Any trucked or hauled pollutants.
- (z) Any water or wastewater, not otherwise governed by these Regulations, containing pollutants at levels which may adversely affect the MWRA's and the City's ability to process or dispose of its wastewater residuals in an environmentally sound and economic manner in accordance with



applicable state and federal requirements.

### **Section 3 - Prohibited Discharges into Sanitary Sewers.**

- (a) No person shall directly or indirectly discharge or cause or allow any stormwater to be discharged into any City sanitary sewer or any sanitary sewer tributary thereto.
- (b) No person shall discharge or cause or allow to be discharged directly or indirectly into a City sanitary sewer or into a sanitary sewer tributary thereto any groundwater, dewatering drainage, subsurface drainage, accumulated surface water, non-contact cooling water, non-contact industrial process waters, uncontaminated contact cooling water, uncontaminated industrial process water, or waters associated with the excavation of a foundation or trench, hydrological testing, groundwater treatment/remediation, removal or installation of an underground storage tank or dewatering of a manhole, except as provided in Section 4 (b) below.

**Section 4 - Prohibited Discharges into Combined Sewers.** No person shall discharge or cause or allow to be discharged directly or indirectly into a City combined sewer or into a combined sewer tributary thereto any of the following:

- (a) Groundwater, dewatering drainage, subsurface drainage, accumulated surface water, non-contact cooling water, non-contact industrial process waters, uncontaminated contact cooling water, uncontaminated industrial process water, or waters associated with the excavation of a foundation or trench, hydrological testing, groundwater treatment/remediation, removal or installation of an underground storage tank or dewatering of a manhole.
- (b) Discharges otherwise prohibited by subsection (a) above may be permitted, when the discharger has taken all reasonable efforts to eliminate and minimize the flow, and there is no reasonable access to a stormwater drain, surface water, or another disposal alternative, and the amount to be discharged will not have an actual or potential adverse impact on the combined sewer system or the quality of receiving water, or the City's ability to meet its obligations under any law, regulation, permit, or order, and the discharger has obtained DPW Approval, subject to the following conditions:
  - (1) A discharger shall obtain a Sewer Use Discharge Permit (which is issued jointly by the DPW and the MWRA) if applicable.
  - (2) The DPW Approval and/or Sewer Use Discharge Permit may stipulate special conditions and terms as deemed necessary or appropriate by the DPW and/or the MWRA.
  - (3) The DPW Approval and/or Sewer Use Discharge Permit shall be denied if the DPW determines that the discharge, whether singly or in combination with others, is or may cause or contribute to a water quality problem, or may cause or contribute to a violation of the City's NPDES Permit.
  - (4) In the case of construction site dewatering, the duration of the DPW Approval and/or Sewer Use Discharge Permit shall not exceed the time period necessary to keep the site dewatered during construction.
  - (5) A permittee may apply to the DPW and the MWRA for an extension of a DPW Approval or a Sewer Use Discharge Permit for construction site dewatering. Such application shall be submitted a minimum of fourteen (14) days prior to the expiration of the existing permit.

## **C. DISCHARGE PROHIBITIONS AND RESTRICTIONS APPLICABLE TO THE STORMWATER DRAINAGE SYSTEM.**

**Section 1 - Prohibited Discharges into Stormwater Drains.** No person shall directly or indirectly

discharge or cause or allow to be discharged any Illicit Discharge or any other waters not composed entirely of stormwater into a building stormwater drain, lateral connection to a City stormwater drain or to a City stormwater drain except as provided in Sections 5 and 6 below.

**Section 2 - Prohibited Connections to Stormwater Drains.** The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

**Section 3 – Wastewater System Connections.** Any wastewater system which is or has been connected to the stormwater drainage system, or which is or has been connected to the stormwater drainage system as a result of a false application, misrepresentation, or non-disclosure on a construction permit, or which was connected to the stormwater drainage system by way of obtaining a wastewater system connection and plumbing permits through any means which circumvented the limitations created by this Article, shall be disconnected, from the stormwater drainage system by the Owner or by the City at the Owner's expense.

**Section 4 – Flow Obstructions Prohibited.**

- (a) No person shall place any dam or other flow restricting structure or device in any drainage facility or watercourse without first having obtained a DPW Approval (Collection System Access) approval from the DPW.
- (b) No person shall place or deposit into any outfall, drainage facility, stormwater drain or watercourse within the City any garbage, yard waste, soil, rock or similar material, or any other substance which obstructs flow in the stormwater drainage system or damages the system or interferes with the proper operation of the system or which constitutes a nuisance or a hazard to the public. In the event that such an obstruction occurs, the DPW may cause such obstruction to be removed or cause such damage to be repaired and to recover applicable costs pursuant to the provisions of Article VII of these Regulations.

**Section 5 - Authorized Discharges to Stormwater Drains.** Discharges to stormwater drains which are authorized by these Regulations are as follows:

- (a) Discharges composed entirely of stormwater.
- (b) Discharges for which the owner has obtained both a DPW Approval from the DPW and an NPDES Permit, coverage under an NPDES General Permit, or an NPDES Permit Exclusion from the EPA.
- (c) The following categories of non-stormwater discharges are allowed provided the discharge meets the requirements of Article V. C. Section 5(d), and unless the City, EPA, or the MassDEP identifies any category or individual discharge as a significant contributor of pollutants to the MS4, at which time that category or individual discharge is not allowed and is to be considered an illicit discharge:
  - (i) water line flushing,
  - (ii) landscape irrigation,
  - (iii) diverted stream flows,
  - (iv) rising ground waters,
  - (v) uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)),
  - (vi) uncontaminated pumped ground water,
  - (vii) discharge from potable water sources,
  - (viii) foundation drains,
  - (ix) air conditioning condensation,

- (x) irrigation water, springs,
  - (xi) water from crawl space pumps,
  - (xii) footing drains,
  - (xiii) lawn watering,
  - (xiv) individual resident car wash waters,
  - (xv) flows from riparian habitats and wetlands,
  - (xvi) dechlorinated swimming pool discharges,
  - (xvii) street wash water by methods approved by the City,
  - (xviii) residential building wash waters, without detergents, and
  - (xix) discharges or flows from emergency firefighting activities
- (d) The DPW may restrict or prohibit the discharges in Article V, C, Section 5, (c) if such discharge may have an adverse effect on the capacity of the City's Stormwater Drain system to convey discharges composed entirely of stormwater. DPW may require these discharges to pass through an on-site infiltration system prior to discharge to the Stormwater Drain system. The design and maintenance of on-site infiltration system shall be subject to the approval of DPW and shall meet all current state and federal regulations. An on-site determination of the maximum seasonal groundwater elevation by a professional engineer or licensed soil evaluator must be included in the design. The design, installation and maintenance of the on-site infiltration system shall be at the Owner's expense. The on-site infiltration system must be maintained and remain operable at all times and may not be by-passed without written approval from DPW. Failure to maintain the infiltration system in operable condition shall be considered a violation of these Regulations and subject to enforcement under Article VII of these Regulations. The DPW shall have the right to inspect infiltration systems in accordance with this article and Article V, (A), § 3 of these Regulations.

### **Section 6 – Stormwater Discharges.**

- (a) With the exception of discharges authorized under Section 5 above, no person shall cause or allow any non-stormwater discharges to the City's stormwater drainage system without having first obtained a DPW Approval from the DPW. Discharges to stormwater drains that require a DPW Approval include, but are not limited to, dewatering drainage, subsurface drainage, non-contact cooling water, non-contact industrial process waters, uncontaminated cooling water, uncontaminated industrial process water, or water associated with the excavation of a foundation or trench, hydrological testing, groundwater treatment/remediation, removal or installation of an underground storage tank, foundation drains, crawl space pumps, footing drains or utility access chamber discharges. The decision to issue a DPW Approval rests entirely with the DPW. Such discharges shall comply with all other applicable requirements.
- (b) Persons seeking to discharge stormwater pursuant to a DPW Approval shall also obtain an NPDES Permit, coverage under an NPDES General Permit or an NPDES Exclusion for the discharge, where applicable, a copy of which shall be provided to the DPW.
- (c) The DPW Approval issued to the user may stipulate special conditions and terms as deemed necessary or appropriate by the DPW.
- (d) A DPW Approval shall be denied, revoked, suspended or reissued if the DPW determines that the discharge, whether singly or in combination with others, is or may cause or contribute to a water quality problem, or may cause or contribute to a violation of the City's NPDES Permit.

- (e) In the case of construction site dewatering, the duration of the permit shall not exceed the time period necessary to keep a site dewatered during construction. A permittee may apply to the DPW for an extension of a DPW Approval for construction site dewatering if so approved by the appropriate state or federal agency. Such application shall be submitted to the DPW a minimum of fourteen 14 days prior to the expiration of the existing permit.

**Section 7 - NPDES Notice of Intent and Permit.** Every person who is required to be covered under an NPDES Permit for a Stormwater Discharge associated with Industrial Activity or for construction purposes shall submit to the City Engineer a copy of the completed Notice of Intent or individual application as submitted to EPA, and the information identified in items (a) through (h) below, as applicable:

- (a) Address of the building (or premises) where the discharge will take place and the name and address of the building (or premises) owner;
- (b) Name of a contact person, title and phone number;
- (c) A site plan or sketch which shows the location of the connection of the building stormwater drain or the point(s) of discharge to the City's stormwater drainage system, including the street name, size of the stormwater drain to which the stormwater will discharge and the outfall to which the discharge will be conveyed and discharged;
- (d) Standard Industrial Code (SIC Code) of the facility;
- (e) A description of the product or services provided by the facility;
- (f) A description of the nature of the discharge;
- (g) Existing NPDES permit, if any;
- (h) Facility's City water service account number.

#### **D. OTHER DISCHARGE PROHIBITIONS AND RESTRICTIONS.**

**Section 1 - Dumping to Catch Basins.** No person shall directly or indirectly dump, discharge or cause or allow to be discharged into any catch basin, any solid waste, construction debris, paint or painting product, antifreeze, hazardous waste, oil, gasoline, grease and all other automotive and petroleum products, solvents and degreasers, drain cleaners, commercial and household cleaners, soap, detergent, cleaning or wash waters ammonia, food and food waste, fats, wax, oil and grease, grass or yard waste, leaves, animal feces, dirt, sand, gravel or other pollutant. Any person determined by the City to be responsible for the direct or indirect discharge of any of the above substances to a catch basin may be responsible for all clean-up costs and for paying any penalties assessed by the City or other federal state or local agencies.

**Section 2 - Disposal of Septage Prohibited.** No person shall discharge or cause or allow to be discharged any septage into a City sanitary sewer, combined sewer, or stormwater drain or into any sewer or stormwater drain tributary thereto.

#### **Section 3 - Notification of Spills**

Notwithstanding other requirements of federal, state or local laws, rules or regulations, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the City's sanitary sewer, combined sewer, or stormwater drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous waste to the City's

sanitary sewer, combined sewer, or stormwater drainage system, the person shall immediately notify the City's fire, police, and public works departments. In the event of a release of a non-hazardous pollutant to the city's sanitary sewer, combined sewer, or stormwater drainage system, the reporting person shall notify the DPW within twenty-four (24) hours. The reporting person shall provide to the DPW written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained in accordance with the Massachusetts Public Records Law.

## **Article VI**

### **Industrial Discharge and Pretreatment Requirements.**

#### **A. INDUSTRIAL DISCHARGE, MWRA GROUP PERMIT, MWRA GENERAL PERMIT AND TEMPORARY CONSTRUCTION SITE DEWATERING PERMIT REQUIREMENTS.**

**Section 1 - Compliance with MWRA Regulations.** The intent of this Article is to comply with the MWRA regulations governing dischargers of industrial wastes. This Article shall accordingly be construed to conform with such MWRA regulations as they now exist or may be amended.

**Section 2 - Prohibited Discharges.** No industrial user shall discharge or cause or allowed to be discharged into any City sanitary or combined sewer or into any sanitary or combined sewer tributary thereto any prohibited or restricted wastes identified in Article V (B).

#### **Section 3 - Discharge Permits.**

- (a) No user shall discharge industrial wastes, directly or indirectly, into the City's or MWRA's wastewater system without first obtaining a DPW Approval, and a Sewer Use Discharge Permit, or an MWRA Group Permit, or MWRA General Permit authorizing the discharge or unless such discharge is exempted by these Regulations. The determination as to whether a discharge constitutes an industrial discharge and that coverage under a DPW Approval and Sewer Use Discharge Permit, MWRA Group Permit, or MWRA General Permit is required rests with the DPW and the MWRA. Every user proposing a new or modified discharge of industrial wastes shall obtain the required permit(s) and shall file the required permit applications with the DPW prior to constructing a building sewer lateral or building combined sewer lateral to convey such wastes, or if a building sewer lateral or building combined sewer lateral already exists, prior to discharging to the City or MWRA wastewater systems. .
- (b) A permittee shall provide at least 30 days advance written notification to the DPW and the MWRA before taking any action which may substantially change the volume or nature of its discharge, including a substantial change in the volume or character of pollutants in its discharge, from any compliance measurement locations, or from any wastewater connection. Such actions may include, but are not limited to, the following:
  - (i) substantial expansion or contraction of the facility for which the discharge originates;
  - (ii) substantial increase or decrease in production;
  - (iii) modification of any process;
  - (iv) alteration of the pretreatment system or the operation of the pretreatment system; or
  - (v) discharge from a different or relocated wastewater connection.
- (c) The MWRA and DPW will review the information provided in the written notification of modification and will inform the permittee if the proposed change requires submission of a new permit application. The permittee shall file a new permit application if required by the DPW and/or the MWRA, and obtain a modified permit before taking the action described in the notice. If a new permit is not required, the permittee may take the action described in the notice, provided that the action does not violate these Regulations or the terms of any permit.
- (d) If an industrial user discharges types, amounts or rates of pollutants in violation of these Regulations or its permit, the DPW may revoke its permit in accordance with Article VII, Section 5

of these Regulations. If changes in the industrial process have improved the characteristics and/or volume of its discharge, an industrial user may apply to the DPW and the MWRA for modification of its discharge permit.

- (e) A permit shall not be assigned or transferred without prior written approval of the DPW and the MWRA. After approval of a permit assignment or transfer, the permittee shall provide a copy of the permit to the assignee or transferee.

**Section 4 - Compliance With Discharge Permit.** No user shall directly or indirectly discharge any industrial waste into the City's wastewater system unless such discharge complies with a DPW Approval and a Sewer Use Discharge Permit or an MWRA Group Permit, or an MWRA General Permit issued to the discharger, and complies with these Regulations.

**Section 5 - Obligation to Comply With Regulations.** The issuance of a DPW Approval and/or a Sewer Use Discharge Permit, an MWRA Group Permit, or MWRA General Permit shall not relieve the permittee of its obligation to comply with the *Massachusetts Clean Waters Act, M.G.L., c. 21, sections 26 through 53*, and with the requirements contained in these Regulations, and all other applicable federal, state and local laws and regulations.

**Section 6 - Significant Industrial Users.** In addition to the requirements of these Regulations, any person operating a facility in Cambridge 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, and all other applicable federal, state and local laws and regulations.

**Section 7 - Sewer Use Discharge Permit Application and Issuance.**

- (a) Every User required to obtain a Sewer Use Discharge Permit shall complete and file with both the DPW and the MWRA a permit application form, which may be obtained from the MWRA.
- (b) The DPW and the MWRA shall evaluate the adequacy of data furnished in the application and may require the applicant to provide additional data within a specified time. If the applicant fails to supply the requested information, the DPW and/or the MWRA may deny the Sewer Use Discharge Permit. After receipt of adequate data, the DPW and the MWRA may issue a Sewer Use Discharge Permit. The Sewer Use Discharge Permit is effective only when authorized in writing by both the DPW and the MWRA.
- (c) The DPW and the MWRA may stipulate special conditions and terms, as authorized by law, upon which a Sewer Use Discharge Permit is issued, including but not limited to the following:
  - (i) Limits on rate, time and characteristics of discharge and requirements for flow regulation, equalization and retention.
  - (ii) Installation of inspection, flow measurement and sampling facilities, and provision for access to such facilities for inspection and/or sampling related to the permit terms and conditions.
  - (iii) Specifications for monitoring programs, which may include flow measurement, sampling, physical, chemical and biological tests, data recording, and reporting schedules.
  - (iv) Pretreatment requirements and implementation schedules, including schedules for reporting progress towards meeting such requirements.
  - (v) Periodic submission of discharge reports and retention and submission of hazardous waste manifests.
  - (vi) Special service charges or fees.

- (vii) Provision for the operation of wastewater pretreatment facilities by persons licensed according to State law, including the *Rules and Regulations for Certification of Operators of Wastewater Treatment Facilities, 257 CMR 2.00*.
  - (viii) Other provisions deemed appropriate by the DPW or the MWRA to ensure compliance with these Regulations, and with applicable requirements of State or Federal laws.
- (d) The DPW or the MWRA may change the conditions of a Sewer Use Discharge Permit from time to time as circumstances (including federal or state laws, rules or regulations) may require.

**Section 8 - MWRA Group Permit Application.** The Owner of a facility required to be covered under an MWRA Group Permit shall complete and file with the MWRA an application or Notice of Intent to Discharge, on a form available from the MWRA. A copy of the application or the Notice of Intent shall be provided to the DPW. The Owner shall not commence discharging until it is issued a Group Permit by the MWRA, and a copy of the Group Permit is filed with DPW.

**Section 9 - MWRA General Permit Application.** The Owner of a facility required to be covered under an MWRA General Permit shall complete and file with the MWRA an application or Notice of Intent to Discharge, on a form available from the MWRA. A copy of the application or the Notice of Intent shall be provided to the DPW. The Owner shall not commence discharging until it receives written notice from MWRA that the facility is covered under a General Permit, and a copy of the General Permit is filed with DPW.

**Section 10 – Temporary Construction Site Dewatering Permit Application.** The Owner of a facility required to be covered under a DPW Approval for temporary construction site dewatering shall complete and file with the MWRA or EPA an application or Notice of Intent (NOI) to Discharge, on a form available from the MWRA or EPA in accordance with their requirements. A completed application for temporary construction site dewatering and a copy of the approved MWRA Construction Site Dewatering Permit or EPA's NPDES General Permit for Construction Dewatering shall be provided to the DPW. The Owner shall not commence discharging until it is issued a DPW Approval for temporary construction site dewatering. If a discharge is conveyed to a wastewater system, the discharge shall be metered and the sewer charge will be applied by the DPW and is the responsibility of the permittee.

**Section 11 - Notification to Employees.** Users shall inform their employees of the existence of these Regulations, and if applicable, of the permittee's DPW Approval, and/or Sewer Use Discharge Permit, MWRA Group Permit, or MWRA General Permit. At least one copy of these Regulations and the permit(s) shall be permanently and conspicuously posted by each such User. Such User shall also permanently post a notice identifying the employee who has been designated as the individual responsible for compliance with, and who should be notified of, any violation of these Regulations or permit. Every such User shall provide copies of the above-referenced permits to each employee working in its pretreatment operations.

## **B. PRETREATMENT REQUIREMENTS.**

**Section 1 - Pretreatment Requirements.** Every User who directly or indirectly discharges wastewater to the City or the MWRA wastewater system shall provide the pretreatment necessary to ensure that the discharge complies with these Regulations. All pretreatment equipment shall be properly installed and maintained in satisfactory and effective operation at the Owner's expense.

**Section 2 - Compliance with the Pretreatment Standards.** Every User whose operation within Cambridge is subject to a *National Categorical Pretreatment Standard* shall obtain a Sewer Use Discharge Permit for this operation.

**Section 3 - Pretreatment Regulations.** All industrial Users and dischargers of industrial wastes shall



comply with federal, state, and local laws, rules and regulations pertaining to industrial pretreatment as they now exist or may be amended in the future.

**Section 4 - Pretreatment Facilities.**

- (a) Prior to construction or installation of any pretreatment facilities required by any applicable industrial pretreatment federal, state and local laws, rules and regulations, detailed plans and operating procedures, along with a proposed implementation schedule, shall be submitted to the DPW and the MWRA for review. The review of such plans and operating procedures will in no way relieve such User from the responsibility of modifying the pretreatment facility as may be necessary to produce an effluent acceptable to the DPW and the MWRA under the provisions of their respective regulations and the requirements of federal, state or local agencies.
- (b) An approved implementation schedule will be incorporated in the Sewer Use Discharge Permit. Any subsequent proposed changes in a pretreatment facility or method of operation shall be reported to and approved by the DPW and the MWRA before modification of such a facility.
- (c) Pretreatment facilities shall be continuously maintained in satisfactory and effective operation. All costs associated with pretreatment facility planning, design, construction, operation and maintenance shall be borne by the Owner or User. The DPW shall have the right to inspect such facilities in accordance with Article V, Section 3 of these Regulations.

**Section 5 - Pretreatment Operator's License.** The individual(s) responsible for operating a pretreatment system that discharges directly or indirectly to the DPW's wastewater system shall possess the proper operator's license(s) as required by law, including the *Rules and Regulations for Certification of Operators of Wastewater Treatment Facilities, 257 CMR 2.00*.

## Article VII Violations, Penalties and Enforcement

### Section 1 - Violations.

Any person who fails to comply with the requirements of these Regulations or the terms and conditions of any permit issued thereunder or the requirements of any federal, state or local laws, rules or regulations governing use of the City's wastewater and stormwater drainage system shall be subject to enforcement actions by the DPW.

- (a) Each day a violation occurs or continues shall be considered a separate violation.
- (b) For violations of discharge limits, each parameter that exceeds a discharge limit shall be considered a separate violation except as provided elsewhere in these Regulations adopted hereunder.

### Section 2 - Administrative Orders.

The DPW may issue the following administrative orders at any time it deems such action appropriate to address violations of or to secure timely and effective compliance with these Regulations or the terms and conditions of any permit issued thereunder or the requirements of any federal, state or local laws, rules or regulations governing use of the City's wastewater and stormwater drainage system, whether or not any previous notifications of violation have been provided to the User.

- (a) Cease and Desist Order. The DPW may issue an order to cease and desist a violation or an action or inaction which threatens a violation and to direct the user to comply forthwith or to take such appropriate remedial or preventive action as may be needed to properly address the violation or threatened violation, including halting operations and terminating the discharge.
- (b) Compliance Order. The DPW may issue an order requiring a User to provide within a specified period of time, such treatment, pretreatment or discharge control facilities or related appurtenances as are necessary to correct a violation or to prevent a threatened violation. A compliance order may also direct that a User provide improved operation and maintenance of existing discharge facilities, conduct additional self-monitoring or submit appropriate reports or operation and maintenance logs.
- (c) Show Cause Order. The DPW may issue an order to show cause why a proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for a meeting, the proposed enforcement action and the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. Whether or not a duly notified User appears as noticed, additional enforcement action may be initiated.
- (d) Consent Order. The DPW may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with a User. Such orders shall include specific actions to be taken by the User and specific time frames to correct a violation or to remove the threat of a violation. Consent orders are allowed when:
  - (i) User agrees to return to compliance promptly, and remedy any adverse impacts of noncompliance within a reasonable period of time; and
  - (ii) Noncompliance has not caused actual harm to public health, safety or welfare, or the environment, or otherwise presented a significant threat; and
  - (iii) Noncompliance does not involve criminal conduct; and
  - (iv) User demonstrates a good faith intention to maintain future compliance with all applicable environmental requirements; and

- (v) Where applicable, User agrees to investigate pollution prevention, source reduction and resource conservation opportunities, and implement them, as established to be feasible by the User and agreed to by DPW.

### **Section 3 – Emergency Action.**

When a User has failed to take action within the time established in an administrative notice or order to eliminate an imminent threat to humans or to the environment or to the effective operation of the City's collection system, the DPW may take such action as deemed necessary, including work by City personnel to eliminate the threat or to mitigate the impact on the City's collection system or the environment. The DPW shall attempt to notify the User of the intended action, but if unable to do so within a reasonable period of time, shall proceed with the action.

### **Section 4 - Penalties.**

- (a) Criminal Penalty Any person who shall continue any violation beyond the time limit provided for, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding five thousand dollars (\$5,000.00) for each violation. Each day in which any such violation continues shall be deemed a separate offense. Failure to pay a civil penalty within 30 days following a final determination regarding the violation is grounds for termination of the Owner's discharge as outlined in Section 5.
- (b) Civil Penalty Authorized enforcement personnel may issue citations, pursuant to G.L., c. 40, § 21D, for violations of these provisions assessing fines of up to five thousand dollars (\$5,000.00) for each day such violation is committed or permitted to continue.
- (c) Injunction As an additional remedy a violation of these Regulations may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

### **Section 5 - Termination or Prevention of a Discharge.**

- (a) Notwithstanding any other provision of these Regulations, the DPW may terminate or prevent a discharge into the City's sanitary or combined system or to the City's stormwater drainage systems if:
  - (i) the discharge or threatened discharge presents or may present an endangerment to human health or the environment, or threatens to interfere with the operation of the City's collection system; or
  - (ii) a permit was obtained by misrepresentation of any material fact or lack of full disclosure; or
  - (iii) the discharger violates any requirement of these Regulations or the terms and conditions of any permit issued thereunder or the requirements of any federal, state or local laws, rules or regulations governing use of the City's wastewater and stormwater drainage system; or
  - (iv) Such action is directed by a court of competent jurisdiction.
- (b) Notice of termination or prevention of discharge or permit revocation shall be provided to the discharger or posted on the subject property prior to terminating or preventing discharge.
  - (i) In situations that do not represent an imminent danger to human health or the environment or an imminent threat of interference to the City's sanitary or combined system or to the City's stormwater drainage systems, the notice shall be in writing, shall contain the reasons for the termination or prevention of discharge, the effective date, duration and the name, address and telephone number of a City contact, shall be signed by the Commissioner of Public Works, and shall be received at the business address of the discharger no fewer than 30 days prior to the effective date.

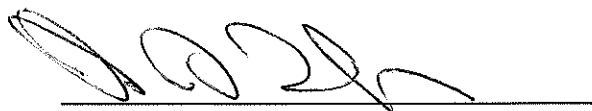
- (ii) In situations where there is an imminent endangerment to human health or the environment or imminent threat of interference with the operations of the City's sanitary or combined system or to the City's stormwater drainage systems, the DPW may immediately terminate an existing discharge or prevent a new discharge from commencing after providing informal notice to the discharger or after posting such notice on the subject property. Informal notice may be verbal or written and shall include the effective date and time and a brief description of the reason. Within 3 working days following the informal notice, a written formal notice containing the reasons for the termination or prevention of discharge, the effective date, duration and the name, address and telephone number of the City contact, signed by the Commissioner of Public Works, and shall be provided to the discharger.
  
- (c) The DPW shall reinstate discharge privileges upon clear and convincing proof by the discharger of the elimination of the noncomplying discharge or conditions creating the threat of endangerment or interference as set forth in these Regulations.

**Section 6 – Cost Recovery**

- (a) The DPW may recover all reasonable costs incurred by the City which are attributable to or associated with violations of these Regulations, including but not limited to the costs of administration, investigation, sampling and monitoring, legal and enforcement activities, damage to the City's sanitary or combined system or to the City's stormwater drainage systems, contracts and health studies, and any fines and penalties assessed to the City which result from a discharge not in compliance with these Regulations or rules adopted thereunder.
  
- (b) All such costs shall be documented by the City and shall be served upon the discharger by certified or registered mail, return receipt requested. Such documentation shall itemize the costs the DPW has determined are attributable to the violations.
  
- (c) Such costs are due and payable to the City upon the receipt of the letter documenting such costs. All such costs shall be paid to the City Treasurer. Nonpayment or dispute regarding the amount shall be referred for appropriate action to the City Solicitor. The City Solicitor may initiate appropriate action against the discharger to recover costs under this Article.
  
- (d) The DPW may terminate a discharge for nonpayment of costs after 30 days notice to the discharger.

Adopted:

Effective Date: June 30, 2021



Owen O'Riordan  
Commissioner