

2023 ROCKLAND BOARD of SEWER COMMISSIONERS

New Connection Moratorium

Effective October 1, 2023

- The purpose of this Moratorium / Ban on permits is to allow the Sewer System to stabilize, so that we can come into Compliance with our NPDES Permit, meet the conditions contained in the Administrative Order of June 2022, and to confirm our current capacity limitations and to reduce our Inflow and Infiltration volume.
- Effective July 1, 2021 The Rockland Board of Sewer Commissioners placed a six (6) month hold on the issuance of new Sewer Connection Permits. This was renewed on December 31, 2021.
- Previously approved connections from January 1, 2020 through June 1, 2023 can remain valid but they must apply for a one-year (1) extension before May 1, 2023.
- Individual connections that do not exceed four-hundred-forty (440) Gallons per Day (GPD) of wastewater will be allowed and are exempt from this moratorium.
- In June of 2022 the Town of Rockland and the Rockland Sewer Department was issued a second **EPA Administrative Order (AO) with Findings of Violation and Order FOR Compliance, Docket NO. CWA-AO-R01-FY22-05** with conditions that must be met.
- On March 15, 2023, the Rockland Sewer Department published a notice for a Sewer System Overflow (SSO). This was the third (3rd) such event since November 2019. (November 2019, January 2023 & March 2023).
- From the period of January 1, 2020 to May 28, 2023 (41 months) the Rockland Wastewater Treatment Facility violated their daily twelve-month-rolling average permitted flow of 2.50 Million-Gallons-Per-Day (**MGD**) thirty-three (**33**) out of forty-one (41) months or eighty-one percent (**81%**) of the time.
- As of August 22, 2023 the Twelve-Month Daily Rolling Average is 2.66 Million-Gallons-Per Day.

ABSOLUTELY NO PERMITS FOR NEW CONNECTIONS WILL BE APPROVED BY THE ROCKLAND BOARD of SEWER COMMISSIONERS UNTIL ALL CONDITIONS ARE MET.

ALL FEES MUST BE PAID IN FULL ON THE DATE THE PERMIT TO CONNECT IS ISSUED. ALL FEES ARE NON-REFUNDABLE.

SECTION 5 of the Town of Rockland Mass. Sewer Ordinance 2011, page 43, section 5.1;

“An individual wastewater discharge permit shall be issued for a specified time period, not to exceed two (2) years from the effective date of the permit.”

MORATORIUM CONDITIONS.

BEFORE a new permit to connect to the Rockland Sewer System is issued, and to satisfy previously approved projects (July 1, 2023), approximately 38,890 Gallons-per-Day of Inflow and Infiltration (includes the 11:1 EPA Ratio) must be located, identified and removed from the System by the Town of Rockland Sewer Department. The funding for this must come from the User Fees collected, grants or from funds approved by the Voters at Town Meeting.

ALL PROJECTS RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND MUNICIPAL ARE SUBJECT TO THE TERMS AND CONDITIONS OF THIS SEWER MORATORIUM.

ALL NEW CONNECTION PERMITS GREATER THAN 4 BEDROOMS OR 440 GALLONS-PER-DAY, ARE SUBJECT TO THIS MORATORIUM.

ALL APPLICATIONS FOR CONNECTION TO THE ROCKLAND SEWER SYSTEM, MUST MEET THE FOLLOWING CONDITIONS;

CONDITION 1: NO new connection permits will be issued if at any time within six (6) months prior to the date of application our twelve-month rolling (12) daily average Flow exceeds 2.25 Million Gallons per Day.

CONDITION 2: NO new connection permits will be issued until the Sewer Department satisfies all previously approved Inflow & Infiltration (I&I) removal requirements as per the EPA Administrative Order. Removal requirements are based on the required flow plus the 11:1 Ratio for removal.

Example: If the Sewer Commission has approved a previous project that required 3,300 GPD of flow, The Sewer Department must have removed 36,300 GPD of Inflow & Infiltration (I&I) before another permit to connect is issued.

CONDITION 3: NO new connection permits will be approved until there is a sufficient balance actually existing in the **I&I Remediation Account** to meet the next projects **full need with the 11:1 ratio applied**.

Example: If a project comes before the Board that requires 3,300 GPD of wastewater flow, there must be a balance of 36,300 GPD available in the **I&I Remediation Account (I&I RA)**. There must be adequate capacity to meet the complete amount of the flow required for the project **BEFORE** the project begins.

CONDITION 4: NO new connection permits will be issued to any project based on the assumption that the required 11:1 flow removal ratio will be met at a later date or after the connection is made.

1.0 SEWER MORATORIUM

1.1 Once Conditions 1 through 4 have been satisfied, there will be a strict sewer connection moratorium placed on all new users to the Rockland Wastewater Treatment Facility and the Sewer Department will establish an **I&I Remediation Account (I&I RA)**.

- 1.2 There will be **NO** New Connection Permit issued if at any time six **(6)** months prior to the date of application, the twelve-month **(12)** daily rolling average flow, exceeds 2.25 Million Gallons per Day.
- 1.3 There will be **NO** New Connection Permit issued on the presumption that the Inflow and Infiltration requirement with the 11:1 ratio applied will be found later to satisfy the required permit request.
- 1.4 The Town of Rockland Board of Sewer Commissioners will maintain a minimum balance of **36,500 Gallons per Day (GALLONS PER DAY)** of sewer flow capacity in the **Inflow &Infiltration Remediation Account (I&I RA)**. **All new permit connections will be subject to a maximum flow of 3,300 GPD limit** for Municipal, Residential, Business, Industrial or Commercial use.
- 1.5 Any request for a new Connection Permit to the Rockland Sewer System must have approvals of all other Rockland Boards and Committees. **New Connection Permit Applications must be accompanied by Stamped Engineering Plans supplied to the Rockland Board of Sewer Commissioners three-weeks (3) prior to the permit hearing.** Permits will only be issued with a majority vote by the elected members of the Rockland Board of Sewer Commissioners.
- 1.6 Per the Town of Rockland Rules and Regulations specifically **SECTION 5.1;**
"An individual wastewater discharge permit shall be issued for a specific time period, not to exceed two (2) years from the effective date of the permit".
- 1.7 There will be no more than two (2) new application hearings for New Sewer Connection Permits at a regularly scheduled Rockland Board of Sewer Commissioners monthly meeting. Any applicant with a significant or Emergency situation that requires a Special Meeting may request one in writing. However, it must meet all of the required conditions and timelines.
- 1.8 **THERE WILL BE NO EARLY HEARINGS FOR NEW CONNECTIONS.** All Permit Applications for New Connections to the Rockland Wastewater Sewer System must meet all of the conditions contained in the Town of Rockland, Ma Sewer Rules and Regulations. All applicants must adhere to the time lines specified in **SECTION 2.4 NEW SEWERS and SEWER CONNECTIONS, NOTE 3, & NOTE 4.** This section contains the details for the filing dates along with the conditions for Residential, Large Developments, Institutional, Large Commercial Facilities and Sewer Main Installations.
- 1.9 Any existing permit holder/User, who requires additional flow volume to the Sewer Wastewater System, must apply for a new permit. Additional flow volume will only be granted if each of the following conditions is satisfied **without exception;**
- (A) The required flow volume amount exists in the I&I Remediation Account at the time of request.
 - (B) The required flow volume **does not exceed 3,300 GALLONS PER DAY.**
 - (C) There are no requests for New Connection Permit on the waiting list.

- (D) If it is considered a new connection permit application if it is a Change of Use to an existing connection.
- (E) Change of Use applications are subject to all applicable new connection fees, including the Sewer Development Fee.

2.0 WAITING LIST.

- 2.1** The Sewer Department will establish a Permit Waiting List, on a first come first serve basis, based on the date of the application hearing pending review and final approval. The fees quoted at that time **are only an estimate and are not guaranteed until the date granted final approval to connect. No Fees are payable at this time.**
- 2.2** A potential Applicant may request a meeting with the Rockland Board of Sewer Commissioners to explain their project, ask for the Boards input or share their concerns, but this **DOES NOT** serve as an initial hearing date, nor does it qualify for a position on the Waiting List.
- 2.3** Meetings with the Rockland Board of Sewer Commissioners to explain an Applicant's project, **without** final stamped drawings, **or without** other local Board/Committee full approvals **or if** there is a full Waiting List are **NOT** considered an Application to connect hearing therefore **do not qualify** for a position on the Waiting List.
- 2.4** All Applicants for a new connection permit must have submitted to the Rockland Board of Sewer Commissioners a minimum of **three-weeks (3) prior for review**, a detailed project plan including a project description, all final drawings and all other Board and Committee approvals, before a hearing will be granted.
- 2.5** **There will be a maximum of two (2) applicants on the waiting list at any given time.**
- 2.6** **There will be no hearings** for new connection permits if there are two applicants on the Waiting List.
- 2.7** The Waiting List does not guarantee or grant a permit for connection, until the wastewater flow capacity exists in the **I&I REMEDIATION ACCOUNT** and formal Board of Commissioners vote final approval to connect.
- 2.8** Final fees for connection will be established based on the applicable rates at the time and date of the final approval to connect. **All Fees must be paid in full at the time of final approval.**
- 2.9** All Applicants on the Waiting List are subject to the **Two-year (2) timeline** contained in Sewer Use Rules and regulations **Section 2.4 NEW SEWERS and SEWER CONNECTIONS**. Once placed on the Waiting List, it is the responsibility of the Applicant to renew their placement.
- 2.10** Applicants on the Waiting List, whose two-year **(2)** timeline has expired, may apply for a one-year **(1)** extension within thirty-days **(30)** past the expiration date.

2.11 Failure to renew the Applicants position on the Waiting List within thirty-days **(30)** from the date of expiration will result in removal from the Waiting List, and the applicant must begin the process again and will receive the next available position on the Waiting List.

3.0 I&I Remediation Account.

3.1 A minimum balance of **36,300 GALLONS PER DAY** of available flow must exist in **I&I REMEDIATION ACCOUNT** before a new connection is permitted.

3.2 The elected Rockland Board of Sewer Commissioners must vote by majority, to release additional flow to the **I&I REMEDIATION ACCOUNT**.

3.3 Additional volume of flow capacity that may be made available, and placed into the **I&I REMEDIATION ACCOUNT** will require a majority vote by the elected members of the Rockland Board of Sewer Commissioners. This will be reviewed and voted on the following Dates each year that the moratorium remains in effect.

April 1

September 1

3.4 There will be no additional flow capacity made available in the **Inflow &Infiltration REMEDIATION ACCOUNT** until the Town of Rockland Sewer Department meets the following requirements.

3.5 Strict adherence to the EPA Administrative Order(s) issued to the Town of Rockland and the Rockland Sewer Department, for Flow Repeated Violations (dated 2006 & 2022) and the accepted Corrective Actions agreed to by the Town. That Administrative order and the Town's corrective actions mandate the Town of Rockland, must remove eleven gallons of Inflow & Infiltration (**I&I**) for every one gallon of wastewater flow that is added (**11:1 Ratio**) to the System.

4.0 Inflow and Infiltration Removal (I&I)

4.1 Under the provisions of a Sewer System Evaluation Study (SSES), documented removal of **I&I** from Pipes, Manholes, Laterals, drains or Chimneys will be done by following Best Engineering Practices for location using some, or all of the following approved methods. Accepted and approved methods will consist of, pipe lining, Grouting, in-Line camera scanning and recording, Man Hole Inspection, Smoke Testing or Dye Testing.

4.2 Each Inflow and Infiltration source removed must be documented and the flow must be verified both **before and after** by a certified flow meter. All readings must be verified by the Rockland Sewer Department or a Licensed Professional Engineer.

4.3 The amount of **I&I** found by the approved methods will be placed into the **I&I REMEDIATION ACCOUNT**, and only after the removal/repairs have been completed, the flow removal must be verified and approved by the Rockland Board of Sewer Commissioners.

5.0 Inflow and Infiltration Funds

5.1 Funds for Inflow and Infiltration (**I&I**) removal will be allocated by Articles presented and approved at Town Meeting, or from the connection fees charged for **Engineering and Removal** and placed in the **I&I** ledger account, approved budget line item, Grants and other sources that may be available.

5.2 If those Funds (**I&I**) are used for any other purposes such as repairs to equipment including sub stations, it must have the approval by a majority of the Rockland Board of Sewer Commissioners and deducted from the **I&I** funding account.

6.0 New Connection Permits

6.1 Any permit for New Connection to the Sewer System will be issued for a specific wastewater flow amount, without a guarantee or promise of additional flow being made available or added onto the original permit amount.

6.2 All connections to the Rockland Sewer System are subject to the 11:1 **I&I** removal ratio without exception. This includes connections for 440 GPD or less.

6.3 The Rockland Sewer Department will not accept any Bonds covering work to locate, or repair Inflow and Infiltration in exchange for a Permit to connect prior to actual **I&I** work being completed and the appropriate removal flow rate has been achieved.

7.0 Municipal Connection

7.1 All new Municipal connections into the Rockland Sewer System will be allowed providing the capacity exists to meet the entire flow demand for the project.

8.0 Residential Connections.

8.1 All new connections into the Rockland Sewer System for Residential Single Family Homes, Apartments/ Condominiums are subject to the availability of flow that exists at the time of application in the **I&I Remediation Account (I&I RA)** without exception.

8.2 Any new residential connections with four (4) Bedrooms and less than 440 Gallons-Per-Day of wastewater flow is not subject to the conditions of this Moratorium. These residential units will be limited to a maximum of four (4) total Bedrooms (440 GPD Maximum)

8.3 Each individual single family Housing unit, **OR** any amount of total apartments **OR** condominiums, and a total of no more than a maximum of thirty **(30)** total bedrooms, will have a not to exceed maximum of **3,300 GALLONS PER DAY** of total wastewater flow without exception. A multi-unit apartment/condominium development that has on-site laundry facilities **must not exceed 3,600 GALLONS PER DAY of total wastewater flow.**

9.0 Business / Commercial / Industrial Connections.

9.1 All new connections into the Rockland Sewer System for Business, Commercial or Industrial use are subject to the availability of flow that exists at the time of application in the I&I Remediation Account **(I&I RA)** without exception.

9.2 There will be a maximum allowed wastewater flow for Business, Commercial will be **3,300 GALLONS PER DAY**, and Industrial connections not to exceed **3,300 GALLONS PER DAY.**

10.0 Fee Structure.

10.1 All fees are non-refundable and full payment is due at final approval.

10.2 Sewer Development Fee. All new connections are subject to a per unit fee which supports the Rockland Sewer Department Operations on a daily basis.

10.3 Sewer Tie-In Fee. All new connections are subject to a per unit permit fee.

10.4 Sewer Maintenance Fee. All new connection and additions are subject to this fee which goes to the overall sewer system maintenance fund. This fee will also be applied to all projects with less than 440 GPD of flow.

10.5 Engineering and Inflow& Infiltration (I&I) Removal Fee. All new connections greater than 440 Gallons-Per-day must pay the costs to remove the equivalent flow with the EPA mandated eleven to one (11:1) ratio applied.

Example: If a new connection requires 3,300 GPD of flow, they are required to pay the applicable fee to remove 36,300 of Inflow & Infiltration to replace the sewer capacity that they are taking away from the system.

ANY VARIANCE FROM THESE CONDITIONS WILL REQUIRE A MAJORITY VOTE OF APPROVAL FROM THE ELECTED MEMBERS OF THE ROCKLAND BOARD of SEWER COMMISSIONERS, and are subject to review by the EPA under the conditions of the EPA Administrative, Findings and Notice of Violations Order issued in June 2022.

EFFECTIVE OCTOBER 1, 2023

WHEREAS:

- By the Rockland Town Charter and Town By-Laws, The Rockland Board of Sewer Commissioners is the sole authority to issue all Sewer Connection Permits.
- The Rockland Wastewater Treatment System operates under a Medium Wastewater Treatment Facilities General Permit, National Pollution Discharge Elimination Permit (NPDES) Number MAG-590000.
- As a result of the July 1, 2022 Administrative Findings of Violation and Order for Compliance, the Rockland Board of Sewer Commissioners continue to place a full moratorium on new sewer connections greater than four-hundred-forty-gallons-per-day (440 GPD) in effect as of this date.
- Applications requiring four-hundred-forty gallons-per-day (440) or less are exempt from this moratorium except where noted.
- Until all conditions are met there will be no permits issued for new connections.
- This moratorium is an amendment to the TOWN OF ROCKLAND, MASSACHUSETTS "PLAN FOR COMPLIANCE WITH NPDES PERMIT NO. MA0101923 (previous permit), AS REQUIRED IN ADMINISTRATIVE ORDER DOCKET NO. 06-33 dated February 2007, and prepared and submitted by Metcalf & Eddy, and approved by the US EPA.
- This moratorium is an amendment to the ROCKLAND BOARD of SEWER COMMISSIONERS July 1, 2021 Moratorium.
- Based on the EPA Inflow & Infiltration (I&I) Corrective Action Agreement with the Rockland Sewer Department and the TOWN of Rockland, the TOWN is required to remove eleven-gallons (11) for every one-gallon (1) of wastewater flow added to the system (11:1 Ratio).
- As of July 1, 2023 there are ten (10) previously approved projects whose flows totaling 13,840 GPD has yet to be registered on the Sewer Department Flow meters.
- The approved projects will require that the Rockland Sewer Department and the TOWN of Rockland remove approximately 152,240 Gallons-per-day of wastewater from the system.
- In April 2023 the Rockland Sewer Department as a requirement of the 2022 AO, issued a contract to Green Mountain Piping, LLC to remove an estimated 113,350 GPD of Influent and Infiltration (I&I). The work will be monitored under a separate contract to Weston-Sampson.

- The recent I&I rehabilitation & repairs brings our removal requirement down to 38,840 GPD as of August 22, 2023.
- In April of 2023 the Rockland Sewer Department issued a contract to Weston-Sampson to install fifteen (15) temporary continuous flow meters and rain gauges to provide flow metering services (installation, calibration, maintenance and monitoring). This contract will be used to monitor flows and ground-water depths in targeted areas of the Towns sanitary collection system. After the metering period, they will perform an analysis of the metering data to estimate wastewater flow and I&I quantities. This data will be used to select future I&I rehabilitation efforts.

Authorized By the Rockland Board of Sewer Commissioners on September ____, 2023



Charles Heshion
Commissioner



Daniel DuRoss
Commissioner



Sherri Vallie
Commissioner