SPRINGFIELD WATER AND SEWER COMMISSION

FISCAL YEAR 2027 RULES AND REGULATIONS

As approved

Effective July 1, 2026

Commissioner Matthew Donnellan
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Springfield Water and Sewer Commission

Rules and Regulations

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Springfield Water and Sewer Commission

Rules and Regulations

INTRODUCTION:

GENERAL PROVISIONS

Reference to Regulations

These regulations may be referred to as the Commission's Rules and Regulations.

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 which can be given effect in the absence of the invalid provision or application.

Applicable Regulations

Every user of the Public Water System, Private Water Mains, public sewer system, or private sewer mains shall be subject to Rules and Regulations of the Commission, as they apply, and to any charges, rates, fees and assessments which are or may be established by the Commission. Any user of the Public Water System, Private Water Mains, public sewer system, or private sewer mains shall also be subject to applicable Local, State, and Federal regulations.

Massachusetts General Laws Chapter 40N

Pursuant to Massachusetts General Laws Chapter 40N, Chapters 6-9, title to the water works system and the sewer works system was vested in the Commission upon the acceptance of the statute, and the Commission therefore own, control, operate and maintain the water works system and the sewer works system. These Rules and Regulations are intended to take precedence and supersede any out of date City of Springfield Ordinances associated with the operation of Water and Sewer works, (City of Springfield Code Part II, Chapter 405, 300, respectively).

Dates of Approval and Effective

These Rules and Regulations have been approved by the Springfield Water and Sewer Commissioners on April 23rd, 2026, and are effective on July 1, 2026.

For future use.

CHAPTER 1

SEWERS AND WASTEWATER TREATMENT

For future use.

CHAPTER 1 SEWERS AND WASTEWATER TREATMENT

Section 1.1 PUBLIC SEWERS

1.1.1 Street Openings Not to Interfere with Sewers or Removal of Other Pipes

1. Whenever any street is opened for the laying of pipes for water, gas or other purposes, or for the performance of any works of construction or repairs, such laying of pipes and repairs and work connected therewith, or such work of construction shall be executed so as not to obstruct the course, capacity or construction of a Public Sewer and whenever pipes for any purpose or any work of construction shall hereafter be found to exist at such depth or in such location as to Interfere with any existing Sewer or with the building of any Public Sewer of the required size, and at the proper depth and grades, the Person maintaining the same shall, upon notice thereof, at once remove, change and alter such pipes or other works in such manner as the Executive Director may direct.

2. If such Person neglects to immediately remove, change or alter such pipes in accordance with the terms of notification, then the Executive Director may make such removal, change or alteration, and the cost thereof shall be paid by such Person.

1.1.2 Work to be done by Executive Director Including Cost of Sewer Entry Permit

1. No Person other than the Executive Director through his/her employees or by a Commission Approved Contractor with written authorization by the Executive Director acting under his/her direction shall be allowed to excavate or open any Public Sewer for any purposes whatever.

2. The connection of all Sewers or Private Drains within the street limits and all connections to any Public Sewer shall be performed by the Executive Director, through his/her employees, or by a Commission Approved Contractor with written authorization by the Executive Director acting under his/her direction. The cost of all material and labor shall be paid for by the Owner. Any costs incurred by the Commission shall be paid by the Owner and included in the sum paid for the permit.

1.1.3 Procedure for the Executive Director Laying Out or Constructing New Public Sewers

1. Whenever in the Executive Director's opinion, the public convenience or the public health requires the laying out or construction of a new Public Sewer by the Commission, the Executive Director shall petition the Commission.

2. Prior to filing said petition, the Executive Director shall conduct an investigation and report on whether the laying out or construction of a new Public Sewer is necessary for public convenience or the public health.

3. The Executive Director may hold a public hearing on said petition. Before holding any hearing on said petition, the Executive Director shall give notice of the hearing for Sewer improvement.

1.1.4 Procedure for Laying Out or Constructing New Public Sewers or Extensions by the Commission

1. Whenever the laying out or construction of a new Public Sewer or Drain by the Commission is wanted, application thereof shall be made by petition in writing to the Commission, signed by not less than six (6) inhabitants of the City of Springfield, or by the Chief Development Officer, Deputy Director of Planning, or by the City of Springfield Engineer, or by the City of Springfield Public Works Director.

2. Upon filing of said petition, the Commission may refer the petition to the Executive Director for investigation, hearing and report thereon. Before holding any hearing on said petition, the Executive Director shall give all parties notice.

3. After said hearing, the Executive Director shall report to the Commission whether in the Executive Director's opinion, the public convenience or the public health requires the laying out or construction of a new Public Sewer by the Commission.

1.1.5 Procedure for Laying Out or Constructing New Public Sewers or Extensions by the Applicant

1. An Applicant may request a new Public Sewer, a Public Sewer extension, or sewer pump station to be built by and at the expense of the Applicant by petitioning the Commission.

   (a) Upon filing of said petition, the Commission may refer the petition to the Executive Director for investigation, hearing and report thereon.

   (b) Public Sewer extensions shall be designed and constructed where feasible to serve properties requesting Public Sewer service at the Applicant's expense. These Public Sewers designs are for gravity systems.

   (c) It is at the sole discretion of the Executive Director whether a Public Sewer pumping station with Public Sewer force main, or a Private Sewer grinder pump system with low pressure Building Sewer(s) and Public Sewer low

pressure force main will be allowed to be extended and connect to the Public Sewer system.

(d) If the Commission determines a Public Sewer pumping station will be allowed the following are required:

- The Applicant shall submit a design for Commission review and approval.
- The Public Sewer pumping station shall be designed, equipped, and constructed at the Applicants expense, and in accordance with the Commission's Guidelines and Policies and Material Specifications.
- The Public Sewer pumping station shall become property of the Commission after installation and acceptance by the Commission.
- The Public Sewer pump station must be operated by Massachusetts licensed Wastewater operator meeting Massachusetts Department of Environmental Protection requirements on behalf of the Owner until the station is accepted by the Commission.

(e) If the Commission determines a Private Sewer grinder pump system with low pressure Building Sewer(s) and Public Sewer low pressure force main will be allowed the following are required:

- The Applicant shall submit a design for Commission review and approval.
- The Private Sewer grinder pump system with low pressure Building Sewer(s) and Public Sewer low pressure force main shall be designed, equipped, and constructed at the Applicants expense, and in accordance with the Commission's Guidelines and Policies and Material Specifications.
- The Public Sewer low pressure force main shall become property of the Commission after installation and acceptance by the Commission.
- The Private Sewer grinder pump system with low pressure Building Sewer(s) shall be owned, maintained, and operated by the Owner.

(f) When, in the sole discretion of the Commission, the Commission must perform professional engineering, legal reviews, and/or investigations for major development projects, the Applicant shall reimburse the Commission for such costs incurred by the Commission for said engineering, legal reviews, and/or investigations.

2. Public Sewer installation or extension shall follow the appropriate procedure in 314 Code of Massachusetts Regulation (CMR) 1 through 7 at the Applicant's expense and shall meet all the requirements of the Commission before the Executive Director of the Commission approves said sewer installation or extension.

3. Before construction begins and, in a form, prescribed by the Commission a **License Agreement** shall be signed by the Owner and the Executive Director for a proposed Public Water Main or Public Sewer extension, replacement or relocation, including any pumping station. The construction of the proposed extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station shall begin within two (2) years after Executive Director signs the License Agreement. If construction does not begin within the two (2) year period, then the License Agreement expires. Until such time as the extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station is accepted by the Executive Director, the extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station shall be considered to be privately owned by the Owner and shall be subject to the requirements pertaining to Private Water Mains and Private Sewers contained in these Rules and Regulations.

4. The Executive Director will not install or allow to be installed a Public Sewer or extension thereof, in an improved or unimproved street unless satisfactory evidence is submitted to the Executive Director that the Applicant intends to meet minimum private ways standards currently in effect by the Springfield Department of Publics Works. The City of Springfield may impose additional technical, institutional, and / or surety requirements upon the Applicant.

5. No Commission services will be provided for any account with an overdue balance.

1.1.6 Surety Required

1. Surety in the form of either a bond, letter of credit, or other Commission approved financial guarantee to be posted in a manner satisfactory to the Commission in an amount as set forth in CHAPTER 5 of these Rules and Regulations and for a period of time that the Commission deems sufficient to guarantee construction quality and operating performance. Surety, in a form acceptable to the Commission, is required before work commences on any proposed extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station by an Owner or Commission Approved Contractors working for an Owner.

   (a) Public Water Main extension surety shall be on a per foot basis at amounts as set forth in CHAPTER 5 of these Rules and Regulations for pump stations shall be the amount of the engineers estimate at the time of SWSC approval.

   - During the installation, a performance/payment surety is required.
   - During the warranty period, a maintenance surety is required.

(b) Public Sewer extension surety shall be on a per foot basis at amounts as set forth in CHAPTER 5 of these Rules and Regulations for pump stations shall be the amount of the engineers estimate at the time of SWSC approval.

- During the installation, a performance/payment surety is required.
- During the warranty period, a maintenance surety is required.

2. Performance/payment surety for water and sewer main extensions shall be released upon approval of the installation.

3. Maintenance surety for water and sewer main extensions shall be released a minimum of one (1) year after the approval of installation and the main has been accepted.

4. Commission Approved Contractor surety shall be for each approval period at amounts as set forth on the Commission Approved Contractor Application Form in the Commission's Guidelines and Policies.

1.1.7 Plans for Public Sewers

1. Whenever any Public Sewer is to be built, the Executive Director shall make or cause to be made a plan of the same, showing the form, mode of construction, depth below the surface, relation of the Sewer invert elevations to the Commission base, the alignment and general direction of the Sewer relative to the street lines or neighboring property, and the sill elevations of all houses to be served, which plan shall be kept on file in Commission's office.

2. This plan shall be the basis of the evaluation and report by the Executive Director required under Section 1.1.3, Section, 1.1.4 and Section 1.1.5.

1.1.8 Location in Streets--Materials and Dimensions

All Public Sewers which shall be ordered by the Commission in any street or highway shall, whenever practical, be installed out as nearly as is practicable in the center of such streets or highway, and shall be constructed of such materials and of such dimensions as the Commission directs.

1.1.9 Connection of Private Sewer to Public Sewer

No connection shall be made between any Private Sewer or Building Sewer and any Public Sewer unless it is of such size, material, construction, depth and location, as the Executive Director may direct, and until the appropriate permit has been obtained from the Executive Director and all fees, charges, and assessments have been paid. In the absence of specific rules and regulations or in amplification thereof, the materials and procedures set forth in appropriate Material

Specifications of the latest edition of the ASTM and WEF Manual of Practices No. 9, on file with the Executive Director, shall apply.

1.1.10 Connection of Private Drain to Public Sewers

No connection shall be made between any Private Drain and a Public Sewer when a Public Drain exists. Connection of any Private Drain to a Public Sewer shall be reviewed and approved by the Executive Director in accordance with these Rules and Regulations.

1.1.11 Private Sewers to Become Commission Property When Connected

1. All gravity Private Sewers installed by private parties in any street, court or way, open or proposed to be opened for public travel and accommodation, shall become Public Sewers when and if connected to Public Sewers in accordance with the provisions of this Chapter. Any Private Sewers requiring pumping will not be accepted as a Public Sewer unless approved by the Executive Director.

2. No such Sewer shall be connected with a Public Drain.

3. All Private Sewers and Drains located on private property shall remain Private Sewers and Drains and the responsibility of the Owner.

1.1.12 Applications/Permits

1. Applications and permits required by these Rules and Regulations are in addition to applications and permits that may be required by other Federal, State, and local laws or regulations. The following applications, certificates, and permits are required by these Rules and Regulations:

   (a) Application for Sewer Main Extension

   (b) Application for Building Sewer Connection

   (c) Application for Building Sewer Discontinuance

2. An Application Fee is required with each Sewer Main Extension and Building Sewer Connection application. The Application Fee shall be paid when the application is submitted and as set forth in CHAPTER 5 of these Rules and Regulations.

3. No Person shall uncover, make any connections with or opening into, use, alter, or disturb any Public Sewer or appurtenance thereof without first filing with the Commission an Application for Sewer Connection and obtaining an appropriate written permit from the Executive Director of the Commission.

4. Applicants shall apply for separate permits for sewers.

5. Classes of permits shall be as follows:

   (a) Class A: residential sewers,

   (b) Class B: commercial and institutional sewers,

   (c) Class C: industrial waste producing establishment sewer.

6. The Owner or his/her agent shall make application on a special form furnished by the Executive Director of the Commission. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Executive Director. The Commission will bill the Owner for an inspection fee for each type of permit. Inspection fees shall be in addition to the total cost of making the connections as provided in Section 1.1.2.

1.1.13 Authorized Representative for Wastewater Works

1. As set forth in Section 3.3.2 of these Rules and Regulations.

Section 1.2 BUILDING SEWERS AND PRIVATE SEWERS

1.2.1 Ownership of Building Sewers and Private Sewers

The Owner shall operate and maintain the Building Sewer from the Building Drain to the Public Sewer.

The Owner shall operate and maintain the Private Sewer from the Building Sewer to the Public Sewer.

1.2.2 Approval to Work on Commission Public Water Mains and Public Sewers

1. Commission Construction Crews and/or staff are the only Persons allowed to operate any water valves in the Commission's Service Area.

2. Commission Construction Crews shall install and repair extend, replace or relocate Public Water Mains or Public Sewers, including any pumping station according to the Commission's Guidelines and Policies.

3. Commission Approved Contractors may install and repair extension, replacement or relocation Public Water Main or Public Sewer, including any pumping station with the Executive Director's approval and according to the Commission's Guidelines and Policies.

1.2.3 Commission Approved Contractors

1. No contractor, subcontractor, or Person shall be allowed to install or repair Water Facilities, Sewer Facilities, a Building Sewer and/or Private Sewer unless they become a Commission Approved Contractor.

2. Persons may become Commission Approved Contractors by applying as set forth in CHAPTER 5 of these Rules and Regulations and according to the Commission's Guidelines and Policies.

3. Fees to become a Commission Approved Contractor shall be as set forth in CHAPTER 5 of these Rules and Regulations.

4. Contractors or Persons that become Commission Approved Contractors shall be approved by the Executive Director for three (3) years unless canceled by the Executive Director for violating these Rules and Regulations, the Commission's Guidelines and Policies, using material not specified in the Commission's Material Specifications, and/or other applicable local, State and Federal Laws.

5. Commission Approved Contractor surety shall provide surety in accordance with Section 1.1.6 of these Rules and Regulations

1.2.4 License -- Grant

The Director of Health and Human Services of the City of Springfield shall from time to time, license some Person to remove night soil, the contents of privy vaults and cesspools, and to remove dead animals, subject to the provisions of City of Springfield ordinances, and all the rules of the Public Health Council relating thereto.

1.2.5 Installation, Maintenance, Repair or Replacement Charges

1. The Owner shall apply to the Springfield Water and Sewer Commission, through its Executive Director, to reconstruct, repair, or clean as may be necessary in the opinion of said Director or his authorized agents, the Owner's Building Sewers and/or Private Sewers. Owner shall sign the Springfield Water and Sewer Commission's Sewer Petition prior to the Springfield Water and Sewer Commission performing any of the afore mentioned services. At the discretion of the Executive Director or his authorized agents, Owner may submit an electronically signed Sewer Petition.

2. The Owner shall reimburse the Commission for all costs incurred by the Commission for installation, maintenance, repair or replacement of Building Sewers and/or Private Sewers. The Owner shall also be responsible for repair

costs and damages caused by a damaged or failing Building Sewers and/or Private Sewers.

3. The Owner shall indemnify the Commission from any loss or damage that may directly or indirectly be occasioned by such installation, maintenance, repair or replacement.

1.2.6 Independent Building Sewers

1. A separate and independent Building Sewer shall be provided for every Building, except where one (1) building stands at the rear of another on a single Lot and no Private Sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway.

    a. Under these circumstances, and upon approval of the Executive Director, the Building Sewer from the front building may be extended to the rear building and the whole considered as one (1) Building Sewer.

    b. Any such approval shall be by written agreement and shall be recorded in the county Registry of Deeds.

2. Building Sewers for Accessory Dwelling Units (ADUs) shall conform to the following:

    a. The Premise / Property Owner shall inform the Commission of a proposed ADU via the Commission's ADU application and provide documentation of approval for said ADU from the City of Springfield. City of Springfield documentation must include a building number issuance slip.

    b. The Premise / Property Owner shall be designated as the Commission's Customer for any sewer usage associated with ADUs.

    c. It is the burden of the Owner to demonstrate that the existing Building Sewer can accommodate a connection for an ADU. Consideration must be taken relative to existing Building Sewer's accessibility for maintenance, pipe condition, flow capacity, pipe slope and alignment, and depth of cover outside of the building.

    d. A separate and independent Building Sewer shall be installed for ADUs if it is determined that the existing Building Sewer cannot accommodate the ADU connection, unless it is determined that replacing and reconfiguring the existing Building Sewer is the most

feasible and advantageous alternative in accommodating the ADU connection.

e. If modifications to the existing Building Sewer are proposed within the Commission's inspection jurisdiction or a separate and independent Building Sewer is required, a site plan showing all utility configurations and site existing conditions will be required for the Commission's review.

f. Building Sewer modifications within the Commission's inspection jurisdiction will require a permit from the Commission and shall conform to all requirements set forth within these Rules and Regulations, Guidelines and Policies, and Material Specifications. This includes but is not limited to execution of work by a Commission Approved Contractor and inspection of work by the Commission in accordance with Section 3.10 of these Rules and Regulations.

g. New Building Sewer Application Fees apply to ADUs except if connected within plumbing jurisdiction.

3. The Owner of the Building shall be responsible for the installation, location, operation, and maintenance of the Building Sewer (including for an ADU), plumbing fixtures, sinks, toilets, floor drains, and any other associated appurtenances located in the Building. The normal operation of the public sanitary system includes possible surcharging to the elevation of the street during peak flows or rain events in combined sewer areas. The installation of any plumbing fixtures by the Owner below the sill elevation or the elevation of the top of the building foundation is at their own risk.

4. No Person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waste to any Sanitary Sewer in accordance with Section 1.4 of these Rules and Regulations.

1.2.7 Approval and Recording of Private Sewers

1. A Private Sewer for the collection of two (2) or more Building Sewers shall be constructed only upon receipt of written approval by the Executive Director and shall be recorded in the county Registry of Deeds.

2. A copy of such approval and a plan prepared in accordance with all the requirements of this Chapter shall be kept on file in the office of the Commission.

1.2.8 Reuse of Existing Building Sewers

Existing Building Sewers may be used in connection with new buildings and Accessory Dwelling Units only when it is determined by the Executive Director, or his/her designee, that the Building Sewers meet all the requirements of this Chapter, and it is the Owner's responsibility to demonstrate as such. Owner shall provide to the Commission a pipe inspection report for the Executive Director's consideration. The Owner is entirely responsible for determining the functionality and subsequent operation and maintenance of the Existing Building Sewer when new buildings and/or ADUs are connected at the Owner's request. Any operational issues with the Existing Building Sewer or the ADU are entirely the responsibility of the Owner.

1.2.9 Construction Requirements for Building Sewers and Private Sewers

1. The size, slope, alignment and materials of construction of a Sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall conform to the applicable Rules and Regulations, the Guidelines and Policies, and Material Specifications of the Commission. The Private Sewer or Building Sewer shall not be connected to the Public Sewer prior to certification by the Executive Director that the entire Sewer has been properly constructed, inspected for conformance, and tested, and is ready for use. In the absence of specific rules and regulations or in amplification thereof, the materials and procedures set forth in appropriate specifications of the latest edition of the ASTM and WEF Manual of Practices No. 9, on file with the Commission, shall apply.

2. All excavations for approved Sewer installation shall be adequately guarded by the Commission Approved Contractor with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Executive Director and the Director of Public Works.

3. No Person or Persons shall construct a Building Sewer or a Private Sewer without first obtaining the appropriate permit from the Executive Director. The Executive Director reserves the right to install any Building Sewer or Private Sewer with Commission Construction Crews.

1.2.10 Depth of Building Sewer

Whenever possible, the Building Sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any plumbing connection is too low to permit gravity flow to the Private Sewer or Public Sewer, Domestic Wastewater discharged by such connection shall be lifted by a suitable

means (which has been approved by the Executive Director) and shall be discharged to the Building Sewer.

1.2.11 Sanitary Building Sewer Restrictions

No Person shall make connection of roof downspouts, exterior foundation Drains, areaway Drains, or other sources of surface runoff or groundwater to a Building Sewer or to interior piping, including Building Drains, which in turn is connected directly or indirectly to a public or private Sanitary Sewer.

1.2.12 Connection of Building Sewer or Private Sewer to Public Sewer

1. The connection of the Building Sewer or Private Sewer into the Public Sewer shall conform to applicable Rules and Regulations, the Guidelines and Policies, and Material Specifications of the Commission. In the absence of Commission Rules and Regulations, Guidelines and Policies, and Material Specifications, the procedures and materials set forth in appropriate specifications of the latest edition of the ASTM and the WEF Manual of Practice No. 9 shall govern. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Executive Director before installation.

2. The Applicant for the Sewer permit shall notify the Executive Director when the Sewer is ready for inspection and connection to the Public Sewer. The Private Sewer and Building Sewer shall not be connected to the Public Sewer prior to certification by the Executive Director that the entire Sewer has been properly constructed, inspected for conformance, and tested, and is ready for use. The connection shall be made under the supervision of the Executive Director or his/her representative (see also Sections 1.1.2, 1.1.9, and 1.1.12).

3. Any Person proposing a new discharge into the system or a change in the volume or characteristics of Pollutants that are being discharged into the systems shall notify the Executive Director at least ninety (90) days prior to the proposed change of connection.

1.2.13 Discontinuance of a Building Sewer or Private Sewer to Public Sewer

1. Owner shall discontinue all inactive Building Sewers and Private Sewers which connect the Owner's property to a Public Sewer. Building Sewers and Private Sewers shall be discontinued via complete removal or a cut and cap at the connection with the Public Sewer, unless otherwise approved by the Executive Director. The Owner must notify the Commission by submitting an Application for Sewer Service Discontinuance. A site plan may be required in accordance with the Commission's Guidelines and Policies. The Owner shall be required

to cut and cap the Building Sewer(s) and/or Private Sewer(s) to the Public Sewer(s), at the Owner's expense.

2. The Commission shall inspect the work on the Owner's Building Sewer or Private Sewer to a Public Sewer, at the Owner's expense, to ensure that the Building Sewer or Private Sewer to a Public Sewer has been removed or properly cut and capped in accordance with the Commission's Guidelines and Policies and Material Specifications prior to backfilling.

1.2.14 Approval and Acceptance of Public Mains and Pump Stations

Mains to Become Commission Property: All such Public Water Mains and/or Public Sewers, including any pump stations, installed in accordance with this Section shall become and remain the property of the Commission after installation and acceptance by the Executive Director. The Commission agrees in consideration thereof to maintain the same. Before any construction begins, the Owner shall grant all appropriate License Agreements.

(a) A main is approved for use when the installation of a Public Water Main and/or Sewer Main has been properly installed, completed, and passed all required inspections and tests according to the Commission's Guidelines and Policies.

(b) A main is accepted and becomes property of the Commission after the installation of a Public Water Main and/or Sewer Main have been approved for use, the warranty period has ended and the following:

- The Commission has received the as-built plans in accordance with the Commission's Guidelines and Policies,
- All applicable deeds and/or easements have been transferred to the Commission,
- The Commission has received any other required certification.

Section 1.3 PRIVATE DRAINS

1.3.1 Requirements

The requirements of Sections 1.1.10, 1.2.7, 1.2.8, 1.2.9, 1.2.10, 1.4.2, and 1.4.4 of these Rules and Regulations shall also apply to Private Drains when relevant.

Section 1.4 USE OF PUBLIC SEWERS

1.4.1 Unpolluted Discharges

1. No Person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waste to any Sanitary Sewer other than such discharge as is present at the time of passage of the ordinance codified in this Chapter. All new or altered connections, excluding ordinary repairs, to the sanitary Wastewater system shall conform with this Section.

2. Storm water and all other unpolluted drainage shall be discharged to such Drains as are specifically designated as Storm Drains or Combined Sewers, or to a Natural Outlet pending approval of its governing entity. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Executive Director, to a Combined Sewer.

3. Any new development project, redevelopment project, modification or extension of existing connections, or new connections to the Combined Sewer system shall meet City and State stormwater standards as well as the provisions of 314 CMR 12.04.

1.4.2 Inflow and Infiltration Mitigation

1. Every newly constructed, replaced or extended building sewer lateral that discharges directly or indirectly to the Sanitary Sewer or Combined Sewer system shall be designed, constructed and maintained to minimize all Inflow and Infiltration into the system. The Commission may require an Owner to determine and eliminate the sources of the Inflow or Infiltration to an existing building sewer lateral at the Owner's expense.

2. Any new development project, redevelopment project, modification or extension of existing connections, or new connections to the Sanitary Sewer or Combined Sewer system with flows of 15,000 gallons per day or greater shall be required to mitigate Inflow and Infiltration at a rate of 4 gallons of Inflow/Infiltration per each additional gallon of new flow to be discharged to the Sanitary Sewer or Combined Sewer system, per 314 CMR 12.04. Inflow and Infiltration add extraneous flows to the system thereby reducing its capacity and conveyance capability of the system and increasing the potential for Combined Sewer Overflows.

3. Flows from new development project, redevelopment project, modification or extension of existing connections, or new connections shall consist of the following components that are specific to each connection:

a. Sanitary Flows (gallons per day): Title 5 (310 CMR 15) shall be used to determine the sanitary flow component.

b. Inflow and Groundwater System Flows (gallons per day) (if applicable): Inflow and groundwater flows shall be calculated utilizing a Design Storm (one-year six-hour 1.72 inch) as described in the Massachusetts Department of Environmental Protection's Guidelines for Performing Infiltration/Inflow Analyses and Sewer System Evaluation Surveys.

4. If the total flows calculated under 1.4.2.3 exceed 15,000 gallons per day, the Owner is responsible for proposing an Inflow and Infiltration Mitigation measure, for the Commission's review, that meets the requirements described in 1.4.2.2. The Owner shall implement the Inflow and Infiltration measure with the Commission's approval.

1.4.3 Polluted Discharges--Prohibited

No Person shall discharge or cause to be discharged any Pollutant(s) which may cause Pass Through or Interference, or any of the following described waters or Wastes to any Public Sewers:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas, which creates a fire or explosion hazard in the Public Sewer, including, but not limited to, waste streams with a closed cup flashpoint of less than one hundred forty degrees (140°) Fahrenheit or sixty degrees (60°) Centigrade using test methods prescribed in Title 40, Part 261.21 of the Code of Federal Regulations.

2. Any waters or Waste containing solids, liquids, or gases in sufficient quantity, either singly or by interaction with other Wastes, to injure or Interfere with any Wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the Receiving Waters of the Wastewater Treatment Works.

3. Any waters or Wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the Wastewater Works.

4. Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in Wastewater Works, or other Interference with the proper operation of the Wastewater Works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground Garbage, whole blood, paunch manure, hair and fleshing,

entrails, paper dishes, cups, milk containers, etc., either whole or ground by Garbage grinders.

5. Any Pollutant, including oxygen demanding Pollutants (BOD, etc.) released in a discharge or at a flow rate and/or Pollutant concentration which will cause Interference with the Wastewater Works.

6. Any liquid or vapor having a temperature higher than one hundred forty degrees (140°) Fahrenheit, or such lower temperature specified by the director to ensure that the temperature of influent Wastewater at the city's Wastewater Treatment Works does not exceed one hundred four degrees (104°) Fahrenheit.

7. Any water or Waste containing petroleum oil, non-degradable oil or products of mineral oil origin in amounts that will cause Interference or Pass Through.

8. Pollutants which result in the presence of toxic gases, vapors, or fumes within the Public Sewer in a quantity that may cause acute worker health and safety problems to Commission employees or its' agents.

9. Any trucked or hauled materials, except at discharge points designated in writing by the Executive Director.

10. Infectious or physically dangerous medical biological waste as identified in the State Sanitary Code; Chapter VII, 105 CMR 480.010, including but not limited to: blood and blood products; pathological Wastes; cultures and stocks of infectious agents and associated biological; contaminated animal carcasses, body parts, and bedding of research animals known to be exposed to pathogens; discarded medical articles that may cause punctures or cuts (known as "sharps"); and any discarded preparations made from genetically altered living organisms and their products.

11. Any radioactive Wastes or isotopes of such half-life or concentration as may exceed limits established in 105 CMR 120.200, or applicable state or federal regulations.

12. Any waters or Wastes containing Pollutants in concentrations greater than those specified by the Categorical Pretreatment Standards.

13. Any establishments which have indoor floor drains which may introduce liquid wastes containing fats, grease, oil, petrochemicals, flammable, or harmful wastes without pretreatment are prohibited. Pretreatment shall be provided by an Oil, Water, and Sand Separator or other approved method to comply with all other listed discharge prohibitions. These units must be inspected for accumulations on a regular basis and pumped out as those inspections indicate in accordance with the 25% rule. Records keeping shall be kept on-site by the

Owner for a minimum of three years and shall be available for Commission inspection if requested.

14. Indoor vehicle washing facilities and car washes require an Oil, Water, and Sand Separator and exterior Grease Interceptors in series for pretreatment of effluent flows per the direction of the Executive Director. These units shall be inspected for accumulations on a regular basis and pumped out as those inspections indicate in accordance with the 25% rule. Records keeping shall be kept on-site by the Owner for a minimum of three years and shall be available for Commission inspection if requested.

1.4.4 Polluted Discharge--Restricted

1. No Person shall discharge or cause to be discharged the following described substances, materials, waters, or Wastes if it appears likely in the opinion of the Executive Director that such Wastes can harm either the Sewers, Wastewater treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance.

2. In forming an opinion as to the acceptability of these Wastes, the Executive Director will give consideration to such factors as the quantities of subject Wastes in relation to flows and velocities in the Sewers, materials of construction of the Sewers, nature of the Wastewater treatment process, capacity of the Wastewater Treatment Works, degree of treatability of Wastes in the Wastewater Treatment Works and other pertinent factors.

3. The substances restricted are:

   (a) No waters or Wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/liter or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32°) and one hundred fifty degrees (150°) Fahrenheit, (zero (0°) and sixty-five degrees (65°) Centigrade):

   - Fats, oils and grease (FOG) interceptors shall be provided when, in the opinion of the Executive Director, they are necessary for the proper handling of liquid Wastes containing fats, grease, and oil in excessive amounts, or any flammable Wastes, or other harmful ingredient.
   - All fats, oils, and grease interceptors shall meet the requirements of Section 1.4.6.

   (b) Any Garbage that has not been properly shredded. The installation and operation of any Garbage grinder equipment with a motor of three-fourths (¾) horsepower (0.76 hp metric) or greater may be subject to the review and approval of the Executive Director,

(c) Any waters or Wastes containing phenols or other taste or odor producing substances in such concentrations as to exceed the limits established by the Executive Director and/or the requirements of the state, federal or other public agencies or jurisdictions for such discharge or the Receiving Waters;

(d) Any waters or Wastes having a pH in excess of 10.5,

(e) Materials which exert or cause:

- Unusual concentrations of inert Total Suspended Solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate),
- Color or Turbidity in such an amount that it will prevent the Commission from discharging a treated effluent in compliance with the water quality standards,
- Unusual BOD, COD, or Chlorine Demand in such quantities as to constitute a significant load on the Wastewater Treatment Works,
- Unusual volume of flow or concentration of waste constituting "slugs" as defined in these Rules and Regulations.

4. Waters or Wastes containing substances which are not amenable to treatment or reduction by the Wastewater treatment processes employed, or are amenable to treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharges to the Receiving Waters.

5. Septage that are not diluted sufficiently to assure that all particles will be carried freely under all flow conditions in the Wastewater Works.

1.4.5 Polluted Discharges--Options of Executive Director

1. If any waters or Wastes are discharged, or are proposed to be discharged to the Public Sewers, which water contain the substances in excess of the limits which may be established by the Executive Director or possess the characteristics which, in the judgment of the Executive Director, may have a deleterious effect upon the Wastewater Works, processes, equipment, or Receiving Waters, or which otherwise create a hazard to life or constitute a public nuisance, the Executive Director may:

(a) Reject the Wastes,

(b) Require Pretreatment to an acceptable condition for discharge to the Public Sewers,

(c) Require control over the quantities and rates of discharge, and/or

(d) Require payment to cover the added cost of handling and treating Wastes not covered by existing taxes or Sewer charges under the provisions of this Chapter. The amount to be assessed shall include not only the aforementioned cost but also costs of ascertaining responsibilities.

2. If the Executive Director permits the Pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Executive Director, and subject to the requirements of all applicable codes, ordinances and laws.

3. As set forth in Paragraph 1 above, the Executive Director may restrict any waters or Wastes containing any of the following organic chemicals that exceed the following concentrations:

Pollutant	**Allowable Collection System Concentration (mg/L)**
Acrylonitrile	1.24
Benzene	0.13
Bromomethane	0.002
Carbon Tetrachloride	0.03
Chlorobenzene	2.35
Chloroethane	0.42
Chloroform	0.42
Chloromethane	0.01
1,2-Dichlorobenzene	3.74
trans-1,2-Dichloroethylene	0.28
1,2-Dichloropropane	3.65
Ethyl Benzene	1.59
Pollutant (continued)	**Allowable Collection System Concentration (mg/L)**
Methyl Ethyl Ketone	249
Methylene Chloride	4.15
Toluene	1.35
Vinyl Chloride	0.003

1.4.6 Industrial Wastewaters--Containing Metals

1. Existing Sources must be in compliance by July 1, 2004. New Sources must be in compliance at the time of discharge of regulated wastewater to the sewer.

2. The following local limits apply to all Industrial Wastewaters discharged to the Sewer unless a different Sewer discharge concentration is permitted by the Commission in accordance with Section 1.5.3 of this Chapter.

Pollutant	**Modified Industrial Contributory Flow Allocation (mg/l)**
Copper	16.01
Lead	0.41
Nickel	1.02
Zinc	2.34

3. The Executive Director may require Pretreatment before discharge to the Commission's system, of any Industrial Wastewaters containing heavy metals that exceed typical Domestic Wastewater background levels. The following table contains the typical domestic background levels:

Pollutant	**Average Concentration in Typical Domestic Wastewater (mg/l)**
Antimony	0.004
Arsenic	0.0022
Beryllium	0.015
Pollutant (continued)	**Allowable Collection System Concentration (mg/L)**
Boron	0.195
Cadmium	0.001
Chromium	0.023
Copper	0.116
Cyanide	0.005
Lead	0.020
Mercury	0.00031
Molybdenum	0.004
Nickel	0.015
Selenium	0.001
Silver	0.003
Thallium	0.001
Zinc	0.120

4. Any facility that exceeds the typical background levels above must apply for a permit from the Commission in accordance with Section 1.5.3 of this Chapter.

5. Sludge resulting from the Pretreatment process may not be discharged to the sewerage system. The above regulation is in compliance with the policy of the Massachusetts Division of Water Pollution Control. The Executive Director may impose stricter limits if it is found necessary to meet water quality standards.

1.4.7 Industrial Wastewaters--Containing Fats, Oil, and Grease (FOG)

1. All Persons discharging Wastewater into a Public Sewer shall comply with these Fats, Oils, and Grease (FOG) control requirements for the following purposes:

   (a) To protect public health and safety.

   (b) To meet discharge standards for wastewater of 100 mg/L of FOG.

   (c) To prevent blockages of the sewer system.

   (d) To prevent Sewer System Overflows (SSO).

   (e) To prevent Dry Weather Overflows (DWO).

   (f) To prevent sewer backups.

   (g) To comply with Federal, State, and local regulations.

2. This Regulation establishes quantity and quality standards on all wastewater and/or waste discharges containing FOG, which may alone or collectively cause or contribute to FOG accumulation in the sewer Facilities causing, or potentially causing, or contributing to the occurrence of FOG presence, and FOG buildup in the collection system such that the system functioning is reduced or impeded.

3. This Regulation establishes uniform inspection, maintenance and record keeping requirements for controlling the discharge of FOG from Food Service Establishment(s) (FSE) discharging into the Commission's wastewater collection system.

4. The objectives of this Regulation are as follows:

   (a) To prevent the introduction of excessive amounts of FOG into the wastewater collection system and which exceed the 100mg/l effluent limitation on FOG.

(b) To prevent FOG from causing Sanitary Sewer Overflow(s) (SSO) and Dry Weather Overflow(s) (DWO).

(c) To implement procedures to recover any costs incurred by the Commission including but not limited to physical damages, monetary damages, and fines due to the effects of FOG discharges into the sewer system.

(d) To establish administrative review procedures and reporting requirements.

(e) To establish Commission inspections of all FSE and Grease Removal Devices (GRD).

(f) To establish procedures and guidelines for notification of violations and establishment of penalties and fines to FSE which are in violation of this Regulation.

1.4.8 FOG - Jurisdiction of Other Agencies

The City of Springfield Health Department, Code Enforcement, and Public Works may also have jurisdiction over certain components of the issues relating to FOG and its disposal.

1.4.9 FOG - Dumping of Grease Waste Prohibited

1. FOG Waste Haulers and/or FSE may not discharge Brown Grease or Yellow Grease into any Commission owned and operated wastewater Facility, including but not limited to, the sanitary or combined collection system, pump stations, interceptor mains, the wastewater treatment facility, or the City of Springfield drainage system.

2. Disposal of all wastes from a Grease Removal Device (GRD) shall be in such a manner and to a destination as required by all local, state, and federal agencies.

1.4.10 FOG - Pretreatment Required

1. FSE are required to install, operate, and maintain a Commission approved type and adequately sized GRD necessary to maintain compliance with the requirements and objectives of these Rules and Regulation. The GRD shall be adequate to separate and remove FOG contained in wastewater discharges from FSE prior to discharge to the public sewer system. Fixtures, equipment, and drain lines located in the food preparation and clean up areas of FSE that are sources of FOG discharges shall be connected to the grease interceptor.

2. Plumbing fixtures which require pretreatment by GRD before discharge to the collection system include but are not limited to the following:

(a) Pot sinks,

(b) Scullery sinks,

(c) Floor drains in food prep areas,

(d) Pre-rinse sinks,

(e) Soup kettles or similar devices,

(f) Wok stations,

(g) Automatic hood wash units,

(h) Dishwater pre-rinse sinks that are not equipped with food waste grinders.

3. Dishwashers and Food Grinder units shall not be connected to or discharged into any GRD.

4. The Facility Owner(s) of GRD shall submit design plans and maintenance plans to the Commission's Engineering and Technical Services for fats, oils and grease (FOG) interceptors and sand interceptors in accordance with Sections 4.1 and 4.2 of the Commission's Guidelines and Policies. Sizing, design, and installation of GRD shall conform to the current Uniform Plumbing Code, and the Plumbing Design Institute, and/or manufactures design specifications, and/or based upon the design criteria determined by a Professional Engineer, or Registered Architect, or for internal units a Licensed Plumber.

5. No wastes other than those requiring treatment for the removal of FOG shall be discharged into any GRD.

6. The Commission may require FSE's or multi-dwelling units to install a sample port on the effluent side of a Passive GRD.

1.4.11 FOG - Pretreatment Not Required

GRD are not required for residential building(s), structure(s), dwellings or dwelling units or any private residence unless there is centralized food preparation and/or service.

1.4.12 FOG - New Food Service Establishments

On or after July 1, 2009, the Commission shall require all FSE which are newly proposed or constructed, or existing FSE which will be expanded or renovated, or have change in use, which includes an FSE, where an FSE did not previously exist, shall be required to install, operate, and maintain a GRD, in accordance with the

requirements contained in this Regulation and the Commission's Guidelines and Policies as follows:

(a) Interior GRD must be either an Automatic Self-Cleaning Grease Trap or a Passive Grease Trap.

(b) Exterior Grease Interceptors are allowed if brown grease volumes warrant.

1.4.13 FOG - Existing Food Service Establishments

1. All FSE existing prior to the July 1, 2009 shall be permitted to operate and maintain existing GRD, provided their GRD are in effective operating condition, are adequately inspected, adequately maintained, required recordkeeping is performed in compliance with the requirements of this Section.

2. Existing FSE that change Ownership, that undergo remodeling, or a change in operations requiring FOG pretreatment shall be required to install a GRD equal to the New FSE requirements. Compliance will be required within ninety (90) days of notification by the Commission of required changes.

3. Existing FSE which are not in compliance, but which have made adequate progress towards compliance, may request an extension of time to come into compliance by submitting that request in writing to the Executive Director. Any request will be considered on a case by case basis. If approved, an FSE will be allowed to delay compliance.

1.4.14 FOG - Discharge Requirement

GRD must be installed in the plumbing system or along the sanitary service for all connections to the public sanitary sewer from FSE. GRD shall be installed in all FSE as defined in these Regulations and as specified in the Commission's Guidelines and Policies.

1.4.15 FOG - Control Prohibitions

All FSE shall comply with the following prohibitions:

(a) Installation of Food Grinders, after July 1, 2009, in the grease waste line of FSE shall be prohibited,

(b) Introduction of any additives into a FSE wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance shall be prohibited.

(c) Disposal of waste cooking oil into sewer or drainage pipes is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.

(d) Discharge of wastewater from dishwashers to any GRD is prohibited.

(e) Discharge of Wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to any GRD is prohibited.

(f) Discharge of any waste including FOG and solid materials removed from the GRD to the sewer system is prohibited.

(g) Operation of GRD with FOG and solids accumulation exceeding the 25% Rule is prohibited.

(h) FOG that has accumulated in a grease interceptor shall not be allowed to pass into any sewer lateral, sewer system, storm drain, or public right of way or water body during maintenance activities.

1.4.16 FOG - Control Inspections and Maintenance

1. GRD shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge, and solids.

2. Inspection and maintenance of GRD shall be in accordance with the Commission's Guidelines and Policies.

3. The FSE or authorized agent must perform inspections of GRD accumulation of grease and solids, need for maintenance/cleaning and repairs.

4. Maintenance activities shall not cause FOG, solids, or sludge to pass into any sewer lateral, sewer system, storm drain, public right of way, or water body.

5. FSE with GRD may be required to submit inspection, maintenance and cleaning records and information necessary to establish the maintenance frequency of Grease Interceptors.

6. The maintenance frequency for all FSE with a GRD shall be determined in one of the following methods:

   (a) At a minimum, all Food Service Establishments with a grease interceptor shall maintain their grease interceptor not less than every three (3) months except with the approval from the Executive Director. This frequency will increase as described in the next Paragraph(s) if required.

(b) GRD shall be fully pumped out and cleaned at a frequency such that the 25% Rule is not exceeded.

(c) If the 25% Rule is exceeded, the FSE shall be required to have the GRD serviced immediately such that all FOG, sludge, and other materials are completely removed from the grease interceptor.

(d) Grease Interceptors shall be fully pumped out and cleaned every three (3) months. The maintenance frequency may be adjusted when sufficient data through inspections by the FSE have been obtained to establish an average required cleaning frequency based on requirements described in this regulation and directed by the Executive Director. The Commission may require a change to the required maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the Executive Director. Based on the actual generation of FOG from the FSE, the maintenance frequency may increase or decrease as directed by the Executive Director.

(e) The Owner of a FSE may submit a request to the Executive Director requesting a change in the maintenance frequency at any time. The FSE has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operating conditions based on the average FOG accumulation over time and meets the requirements described in these Rules and Regulations, and that it is in full compliance with the conditions of these Rules and Regulation and the Commission's Guidelines and Policies.

(f) Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the GRD shall be disposed off-site properly by Grease Waste Haulers in accordance with Federal, State and/or local requirements.

1.4.17 FOG - Control Record Keeping Requirements

The FSE shall be required to keep all FOG Inspection/Maintenance Logs, Grease Manifests, waste grease hauling receipts and invoices of all cleaning, maintenance, grease removal of/from the GRD, disposal carrier and disposal site location for no less than three (3) years. The FSE shall, upon request, make the FOG Inspection/Maintenance Logs, Grease Manifests, and waste grease hauling receipts and invoices available to any Commission representative, or inspector. Refer to the Commission's Guidelines and Polices for specific record keeping requirements.

1.4.18 FOG - Falsifying Information or Tampering With Process

Any false statement, representation, record, report, plan or other document that is filed with the Commission, or to tamper with or knowingly render inoperable any

GRD, monitoring device or method or access point required under this Regulation shall result in the FSE incurring enforcement actions, fines, and water service shut off in accordance with Section 1.9, Section(s) 3.3.7, and/or 3.4.7 of these Rules and Regulations.

1.4.19 FOG - Commission Right to Inspect Fog Control Devices on Private Property

The Executive Director reserves the right to have Commission Personnel enter into sites, in accordance with Section 1.7 of these Rules and Regulations in order to perform inspections, perform sampling, or perform any other operations associated with determining compliance with these Regulations. Refusal by the FSE to allow Commission Personnel access to structures as needed for inspections, compliance monitoring, and enforcement actions may result in denial of the right to discharge wastewater to the public sanitary system, and may result in shut-off of water service(s) in accordance with Section 1.9 and/or Section 4.5 of these Rules and Regulations.

1.4.20 FOG - Enforcement

1. If FSE are found to be out of compliance with these Rules and Regulations, the following enforcement actions may be implemented.

   (a) Verbal Notice of Non-Compliance

   (b) Written Notice of Violation

   (c) Fines

   (d) Water Service Shut-off

2. Violations of these Rules and Regulations and the Guidelines and Policies can lead to the shut off of the FSE's water service(s) in accordance with Section 1.9 and/or Section 4.5 of these Rules and Regulations if the violation is not remedied to the satisfaction of the Executive Director.

1.4.21 FOG - Cost Recovery by Commission

The Executive Director reserves the right to seek cost recovery for any costs incurred by the Commission including but not limited to investigative costs, physical damages, monetary damages, and fines due to the effects of FOG discharges into the sewer system, materials, labor, and equipment expended on sewer cleaning operations including CCTV Inspections associated with FOG discharges which are not in compliance with these Regulations.

1.4.22 Industrial Wastewaters--Control Manholes

1. When required by the Executive Director, the Owner of any property serviced by a Building Sewer carrying industrial Wastes shall install a suitable control manhole together with such necessary Meters, and other appurtenances in the Building Sewer to facilitate observation, sampling, and measurement of the Wastes.

2. Such manholes, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Executive Director.

3. The manhole shall be installed by the Owner at his/her expense and shall be maintained by him/her so as to be safe and accessible at all times.

1.4.23 Industrial Wastewaters--Measurement, Testing and Analyses

1. All measurements, tests and analyses of the characteristics of waters and Wastes to which reference is made in this Chapter shall be determined in accordance with the *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association, and Title 40, Part 136 of the Code of Federal Regulations (as amended), and shall be determined at the control manhole provided, unless otherwise specified by the Executive Director. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the Public Sewer or Private Sewer to the point at which the Building Sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the Wastewater Works and to determine the existence of hazards of life, limb, and property. The Executive Director shall establish sampling frequencies and analyses as required to determine compliance with the requirements of this Chapter.

2. Furnishing required measurements, tests, analyses, flow data, etc., shall be the responsibility of the Applicant. Applicant must submit said measurements, tests, analyses, flow data, etc. both hard copy and electronically using the electronic format provided by the Commission to the Applicant. The Executive Director will stipulate the minimum analyses and other data that shall be obtained and shall conduct such Wastewater sampling and measuring programs as are requested by the Applicant. Expenses thus incurred by the Commission shall be assessed to the Applicant.

3. All Industries discharging into a Public Sewer system shall perform such monitoring of their discharges as the Executive Director may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the Executive Director. Such records shall be made available by the Executive Director, upon

request, to other governmental agencies or municipal departments having jurisdiction over discharges to Receiving Waters.

1.4.24 Industrial Wastewaters--Treatment by Commission

1. No statement contained in this article shall be construed as preventing any agreement or arrangement between the Commission and industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Commission for treatment, subject to payment therefore, by the industrial concern.

2. Such agreement or arrangement shall first be approved by the Executive Director.

3. Such agreements may not waive Pretreatment Standards (local and categorical), unless such a waiver is granted by mechanisms established under the general Pretreatment regulations. Prohibited discharge standards may not be waived under any circumstances.

1.4.25 Maintenance and Operation of Pretreatment or Flow-Equalizing Facilities

Where preliminary treatment or flow-equalizing Facilities are provided for any waters or Wastes, they shall be maintained continuously in a condition satisfactory to the Executive Director and be effectively operated by the Owner at the Owner's expense.

1.4.26 Disposal of Septage

1. No Septage shall be discharged to the Commission's Wastewater system except by specific permission of the Executive Director. The Executive Director shall designate the locations where Septage may be discharged to the Wastewater system and the conditions for such discharge.

2. The Indian Orchard Pump Station Septage Receiving Facility at 170 Grochmal Ave, Indian Orchard, MA has been designated to receive Septage.

   (a) Only Septage haulers permitted by the Commission may discharge Septage at the Indian Orchard Pump Station Septage Receiving Facility.

   (b) Access to the facility will be by Commission issued pass cards only. Authorization to access will be updated annually with the Annual Permit Fee in accordance with Section 5.9 of these Rules and Regulations.

   (c) All discharges will be monitored via closed circuit cameras and volumes recorded for billing purposes. Failure to record the volume discharged may result in suspension of dumping privileges, charges for the complete tanker

load and penalties in accordance with Section 5.15 paragraph 8 of these Rules and Regulations. Septage haulers are to notify the Commission of any malfunction of equipment that may lead to a discrepancy in the measured volume of Septage delivered.

(d) All spillage shall be washed down after Septage/waste delivery. Failure to wash down the area may result in suspension of dumping privileges, additional charges and penalties in accordance with Section 5.15 paragraph 8 of these Rules and Regulations.

(e) When posted by the Commission and/or its authorized representative that the station is closed, it will be the responsibility of the Septage hauler to seek alternative legal disposal options.

(f) Violations the disposal of Septage, shall include, but not be limited to unauthorized access, bypassing the Septage receiving units, dumping into the floor drain, and/or falsifying measured volumes. Additional penalties and/or fines for these violations shall be accordance with Section 5.15 of these Rules and Regulations.

Section 1.5 INDUSTRIAL PRETREATMENT PROGRAM

1.5.1 Compliance with Pretreatment Regulations and Categorical Pretreatment Standards

All Persons discharging Wastewater into a Public Sewer shall comply with federal and state industrial Pretreatment Regulations (as amended). Industrial Users shall comply with federal and state general Pretreatment Standards and with the applicable Categorical Pretreatment. Compliance with such standards shall be achieved no later than the date such standard is effective unless a shorter compliance time is specified by the Executive Director.

1.5.2 Sampling, Analysis and Surveillance

The Executive Director shall randomly sample and analyze the discharge of Industries connected to a Public Sewer and shall conduct surveillance and inspection activities to identify, independent of information supplied by such Persons, occasional and continuing noncompliance with this regulation.

1.5.3 Industrial Discharge Permit--Required

1. No Significant Industrial User may continue to discharge Wastewater to a Public Sewer without an industrial wastewater discharge permit duly issued by

the Executive Director. Such applications shall be made by completing a form developed by the Executive Director.

2. All new Significant Industrial Users proposing to discharge Wastewater to a Public Sewer shall apply for an industrial wastewater discharge permit at least ninety (90) calendar days before connecting to the Public Sewer. Such applications shall be made by completing a form developed by the Executive Director. As part of such application, the Executive Director may require the Applicant to obtain written certification from the appropriate federal and state regulatory agencies as to whether the Applicant falls within particular industrial categories or subcategories for purposes of industrial Pretreatment Standards.

3. Reapplication for an industrial wastewater discharge permit shall be made at least sixty (60) days before the permit expiration date on the approved permit application form. The Executive Director may issue or renew an industrial wastewater discharge permit within one hundred twenty (120) days of the permit expiration date.

1.5.4 Industrial Wastewater Discharge Permit Contents

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Executive Director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

An Individual wastewater discharge permits must contain:

1. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date.

2. A statement that the wastewater discharge permit is nontransferable without prior notification to the Commission.

3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards.

4. Self-monitoring, sampling reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

5. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance

schedule. Such schedule may not extend the time compliance beyond that required by applicable Federal, State, or local law.

6. Requirements to control Slug Discharge.

1.5.5 Industrial Discharge Permit--Compliance

The terms of an industrial wastewater discharge permit may be modified by the Executive Director and a reasonable time provided for compliance with such modified terms. Violations of the terms of such permits are violations of this ordinance. Where a conflict exists between the terms of a duly issued permit and this Chapter, this Chapter shall govern, unless the permit is more restrictive. Permits may be issued for a maximum period of five (5) years and may not be transferred to a new Owner or occupant of the Premises without the Executive Director's written approval.

1.5.6 Industrial Discharge Permit--Modification, Suspension, Revocation

1. An industrial wastewater discharge permit may be modified, suspended or revoked at the discretion of the Executive Director for:

   (a) Violations of the terms and conditions of the permit,

   (b) Violations of the article,

   (c) Violations of any state or federal statutory provisions or regulations,

   (d) Falsification of any information or reports submitted to the Executive Director,

   (e) Changes in conditions, or the existence of a condition, which require either a temporary or permanent reduction or elimination of the authorized discharge,

   (f) To require compliance with applicable Pretreatment or other water pollution standards promulgated by state or federal agencies.

2. If the Executive Director determines that conditions exist that constitute an imminent endangerment to the health or welfare of Persons, or an endangerment to the environment or which threatens to Interfere with the operation of the Wastewater facility, the Executive Director may immediately modify, suspend or revoke the industrial wastewater discharge permit, and shall give notice to the permit holder of the action and the right of the permit holder to request a hearing before the Executive Director within forty-eight (48) hours of the revocation, suspension, or modification. Upon notification of the permit

holder's request for a hearing, the Executive Director shall establish a hearing date and time within one (1) working day of the request for a hearing.

3. In all instances of revocation, modification, or suspension of an industrial wastewater discharge permit not covered under Paragraph 2 of this Section, the Executive Director shall notify the permit holder fourteen (14) days prior to the effective date of the permit action, and of the permit holder's right to request a hearing before the Executive Director within seven days of the notice. Upon notification of the request for hearing, the Executive Director shall establish a hearing date and time within seven (7) days of the request for a hearing.

4. If a permit holder does not request a hearing within the proper time period, the action of the Executive Director shall become final. Following the hearing, the Executive Director may take such action as he/she deems appropriate as to the suspension, revocation or termination of the permit.

1.5.7 New Pretreatment Standards

1. Within ninety (90) days after adoption by a federal or state regulatory agency of a Categorical Pretreatment Standard, existing industries subject to such Categorical Pretreatment Standards shall submit an industrial wastewater discharge permit amendment application containing information required under federal and state industrial Pretreatment reporting regulations in the form required by the Executive Director. (Such permit amendment application is in addition to the industrial wastewater discharge permit application required in this article.) Such information, at a minimum shall include:

   (a) The name and address of the facility, including the name of the operators and Owners,

   (b) A list of all environmental permits held by or for the facility,

   (c) A brief description of the nature, average rate of production, and standard industrial classification of the operations carried out at such facility,

   (d) Information showing the measured average daily and maximum flows, in gallons per day, to the Public Sewer from regulated process streams and from other streams,

   (e) Information showing the results of sampling and analysis identifying the nature and concentration (or mass, where required) of regulated Pollutants in the discharge from each regulated process,

(f) A statement by an authorized representative and certified by a qualified professional indicating whether the Pretreatment Standards are being met on a consistent basis, and

(g) A schedule of actions to be taken to comply with the Categorical Pretreatment Standards.

The Executive Director may require that additional information be included in the application.

2. Beginning one hundred eighty (180) days after the adoption of federal or state Categorical Pretreatment Standards, Industries subject to such standards may not discharge industrial Wastes from processes regulated by such Categorical Pretreatment Standards to a Public Sewer, unless an industrial discharge permit amendment is approved by the Executive Director and its terms are being met. Such permit amendment may include a compliance schedule for activities necessary to meet Pretreatment Standards.

1.5.8 Report of Standard Compliance

1. Within ninety (90) days after the date for final compliance by existing Industries within applicable Categorical Pretreatment Standards, or in the case of a New Source, following commencement of the introduction of Wastewater into a Public Sewer, such Industries shall submit a report indicating the nature and concentration of Pollutants in the discharge from the regulated process or processes governed by Categorical Pretreatment Standards and the average and Maximum Daily Flow for these units. Such report shall state whether the applicable Pretreatment Standards are being met on a consistent basis and, if not, what additional operation and maintenance practices or Pretreatment is necessary.

2. Significant Industrial Users shall also submit, at a frequency determined by the Executive Director, no less than two (2) times per year (June/December) or on dates specified, reports indicating the nature and concentration of Pollutants in the discharge, average and Maximum Daily Flows, and violations of applicable Categorical Pretreatment Standards. These reports shall contain the information in accordance with Section 1.5.6 of these Rules and Regulations. Additional requirements for such periodic reports may be imposed by the Executive Director.

3. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement Facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall be

grounds for the User to claim that sample results are unrepresentative of its discharge.

4. Industrial Users shall promptly notify the Executive Director in advance of any substantial change in the volume or character of Pollutants in their discharge, including the listed or characteristic hazardous Wastes described under Title 40, Part 403.12(p) of the Code of Federal Regulations.

5. Industrial Users shall notify the Executive Director, in writing of any discharge into Commission's Wastewater Works of a substance, which, if otherwise disposed of, would be a hazardous waste under Title 40, Part 261 of the Code of Federal Regulations. This Industrial User notification must comply with the reporting requirement Title 40, Part 403.12(p) of the Code of Federal Regulations.

1.5.9 Notice of Violation/Repeat Sampling and Reporting

1. If sampling performed by a User indicates a violation, the User must notify the Executive Director within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Executive Director within thirty (30) days after becoming aware of the violation. Re-sampling by the Industrial User is not required if the Commission performs sampling at the User's facility at least once a month, or if the Commission performs sampling at the User's facility between the time when the initial sampling was conducted and the time when the User or Commission receives the results of this sampling, or if the Commission has performed the sampling and analysis in lieu of the Industrial User.

2. The User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Executive Director. Where time-proportional composite sampling or grab sampling is authorized by the Commission, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriated EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Commission, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

3. For sampling required in support of baseline monitoring and 90-day compliance reports, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for Facilities for which historical sampling data do not exist; for Facilities for which historical sampling data are available, the Executive Director may authorize a lower minimum. For other reports required, the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

1.5.10 Slug Discharge Notice

Industries shall immediately notify the director in Person or by telephone followed by written notice of any Slug discharged by such User.

1.5.11 Authorized Representative for Industrial Pretreatment

Reports and permit applications submitted by industries under this article shall be signed by an authorized representative. An authorized representative may be:

1. A principal executive officer of at least a level of vice president, if the Industrial User is a corporation,

2. A general partner or proprietor, if the Industrial User is a partnership or sole proprietorship, or

3. A duly authorized representative of either of the individuals designated in Paragraph 1 and 2 of this Section, the authorization is made in writing by an individual designated in Paragraph 1 or 2 above; and the authorization specifies either a Person or position having responsibility for the overall operation of the facility from which the industrial discharge originates, or having overall responsibility for environmental matters in the company.

1.5.12 Methods of Submitting Authorization Letters, Permits, and Applications

1. As set forth in Section 3.3.3 of these Rules and Regulations.

1.5.13 Record Keeping

1. Industries subject to the reporting requirements of this Chapter shall maintain records of information resulting from monitoring activities required to prepare such reports.

2. Such reports shall include for each sample:

   (a) The date, exact place, method and time of sampling and the name(s) of Person(s) taking the sample,

(b) The dates the analyses were performed,

(c) The name(s) of the Person(s) performing the analyses,

(d) The analytical techniques and methods used, and

(e) The result of such analyses.

3. Such records shall be maintained for a minimum of three (3) years and shall be made available for inspection and copying by the Executive Director.

1.5.14 Record Confidentiality

Information and data submitted to the Executive Director relating to Wastewater discharge characteristics shall be available to the public and governmental agencies without restriction. Other such information shall be available to the public and governmental agencies without restriction, unless the Person providing such information specifically requested and is able to demonstrate to the satisfaction of the Executive Director that the release of such information would divulge processes or methods of production entitled to protection as trade secrets. Trade secrets shall not be made available for inspection by the public, but may be made available upon the written request of the governmental agencies for their use regarding this Chapter, the National Pollution Discharge Elimination System (NPDES) permit, and state disposal system permits and/or the Pretreatment program. Information accepted by the Executive Director as being a trade secret shall be treated in accordance with Massachusetts General Laws Chapter 4 Section 7 and Title 40 Part 403.14 of the Code of Federal Regulations, as amended.

1.5.15 Dilution--Mass Limitations

No Person may utilize dilution as a means of complying with federal, state or local discharge limitations. The Executive Director may impose mass limitations (in addition to concentration limitations) on the discharge of any Pollutant by any Person.

1.5.16 Annual Report of Violators

The director shall annually publish a report of Industrial Users that were in Significant Noncompliance with applicable Pretreatment Standards during the previous twelve (12) months in the largest daily newspaper published in the City of Springfield. For purposes of this provision, Significant Noncompliance includes:

1. A violation remaining uncorrected forty-five (45) days after notification of noncompliance.

2. A pattern of noncompliance over a twelve (12) month period.

3. A failure to accurately report noncompliance.

4. A violation resulting in the Executive Director's exercise of emergency powers under Section 1.9.1 of this Chapter.

5. A violation of the criteria established in Title 40 Part 403.8(f)(2)(vii)(A)-(H).

6. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules.

1.5.17 Permit Fees

The annual operating cost incurred by the Commission for implementation of the Industrial Pretreatment Program, including the cost of labor, equipment, monitoring, sample analyses by the Commission and outside laboratories, and related items, shall be recovered from Industrial Users. The Executive Director shall establish annual permit fees, calculated retroactively after the close of the fiscal year, to be paid by Industrial Users in the amounts necessary to recover such costs. The Executive Director may set different levels of permit fees for various classes of Industrial Users and may adjust such fees on an annual basis to ensure that the industrial Pretreatment costs are fully recovered.

Section 1.6 WASTEWATER WORKS

1.6.1 Protection from Damage

No Person shall maliciously or willfully break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment, which is part of the Wastewater Works. Any Person violating this provision shall be subject to arrest and a fine to the extent permitted by law.

Section 1.7 INSPECTION ON PRIVATE PROPERTIES

1.7.1 Powers and Authority of Inspectors

1. The Executive Director and other duly authorized employees of the Commission bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with this provision of this Chapter. The Executive Director or his/her representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind

and source of discharge to the Sewers or waterways or Facilities for Waste treatment. Such powers shall also include the inspection and copying of records and reports required to be kept under this Chapter.

2. While performing the necessary work on private properties referred to in Paragraph 1 of this Section, the Executive Director or duly authorized employees of the Commission shall observe all safety rules applicable to the Premises established by the company.

Section 1.8 POWERS AND DUTIES OF EXECUTIVE DIRECTOR

1.8.1 Powers and Duties of Executive Director in Respect to Sewers, and Wastewater Treatment

The Executive Director shall be responsible for the operation and maintenance of the Wastewater Works, the administration of contracts and agreements between the Commission and municipalities and industries served by the Commission, and the administration of this Chapter. The Executive Director shall make all rules and Rules and Regulations required to satisfactorily implement and enforce the provisions of this Chapter and the intent thereof. The Rules and Regulations shall include, but not be limited to the following:

1. Standards for Public Sewers,
2. Standards for Private Sewers,
3. Standards for Building Sewers,
4. Licenses, permits, application forms, and fees,
5. Leakage test,
6. Discharges allowed to Public Sewer,
7. Monitoring of discharges to Public Sewer,
8. Operation and maintenance of Facilities,
9. Safety.

Section 1.9 MISCELLANEOUS PROVISIONS

1.9.1 Violation--Discharge Halt or Prevention

1. The Executive Director, after notifying the discharger by telephone or in Person, may immediately halt or prevent any discharge of Pollutants to a Public Sewer that reasonably appears to present an imminent endangerment to the health or welfare of Persons, or any such discharge presenting (or which may present) an endangerment to the environment or which threatens to Interfere with the operation of the Commission's Wastewater Works. Actions which may be taken by the Executive Director may include, but are not limited to, seeking injunctive relief, entry on private property to halt such discharge, blockage of a Public Sewer to halt such discharge, or demand of specific action by the discharger.

2. The Executive Director is authorized to take all appropriate action to enforce the terms of an industrial permit or this Chapter.

1.9.2 Violation--Penalties

1. Any Persons violating this Section shall be liable to the Commission in the amounts set forth in CHAPTER 5 of these Rules and Regulations for each violation. In addition to penalties the Commission may seek further remedies in accordance with the General Laws of the Commonwealth, and services may be terminated in accordance with CHAPTER 4 of these Rules and Regulations.

2. **Amounts**. Violations of these Rules and Regulations shall be subject to civil monetary penalties established a) by applicable Massachusetts law, b) by applicable rules and regulations of the Department of Environmental Protection c) by the penalties as may from time to time be adopted by the Commission and as set forth in CHAPTER 5 these Rules and Regulations.

3. **Continuing Violations**. For purposes of the computation of penalties, each day of a continuing violation of these Rules and Regulations shall be deemed to be a separate violation. If a violation is intermittent, each occurrence shall be deemed to be a separate violation.

4. **No Court Limitation**. If the Commission elects to file an enforcement action in a court of competent jurisdiction, the damages then recoverable by the Commission shall not be limited to amounts recoverable under these Rules and Regulations.

Section 1.10 Appellate Procedures

As set forth in Section 3.11 of these Rules and Regulations.

CHAPTER 2

ASSESSMENTS AND USER CHARGES FOR WASTEWATER FACILITIES

For future use.

CHAPTER 2 ASSESSMENTS AND USER CHARGES FOR WASTEWATER FACILITIES

Section 2.1 ASSESSMENTS -- SANITARY SEWERS

2.1.1 Calculations and Method of Assessments for New Public Sewers

A proportionate cost of each extension of the Public Sewer system, including the cost of all required pumping stations and appurtenances thereto, shall be distributed between the Commission and the Abutters in an equitable manner, based on the estimated cost of the project.

1. The proportionate cost shall be the sum of the following:

   (a) The estimated cost of all eight-inch (8") diameter and smaller Public Sewers, including appurtenances thereto.

   (b) The proportionate share of the estimated costs of pumping Facilities, including appurtenances thereto, determined by a direct ratio of design capacities as established by the Executive Director.

   (c) The proportionate share of the costs, as stated in this Chapter, of sewers larger than eight-inch (8") diameter. For all Public Sewers larger than eight-inch (8") diameter Public Sewers required to serve the Parcels within the Sewer Improvement Area. The Executive Director shall use the estimated cost of eight-inch (8") diameter sewers to establish the proportionate share of the costs of sewers larger than eight inch (8") diameter.

2. The assessment for an individual Parcel shall be the sum of a frontage charge and an area charge.

   (a) The frontage charge shall be the product of the assessable Abutter frontage and a charge per foot. The assessable Abutter frontage shall be the actual street frontage, but not less than the minimum frontage required by the zoning ordinance of the City of Springfield. Where a Lot has frontage on more than one (1) street, the shortest frontage, but not less than the minimum frontage required by the zoning ordinance, shall be the assessable Abutter frontage. One-half (½) of the trench of any curve connecting two (2) intersecting streets shall be included in the assessable Abutter frontage. Where a Parcel which has been (or could be under the zoning ordinance) subdivided into two (2) or more Lots has frontage on more than one (1) street, the total frontage shall be the assessable Abutter frontage. Where one (1) or more Lots can be classified as Undeveloped Property, a deferment

of a portion of the assessment may be granted under Section 2.1.7, Paragraph 3 of these Rules and Regulations.

(b) The charge per foot shall be the quotient of twenty percent (20%) of the estimated proportionate cost of all sewers, pump stations, and all other appurtenances that are required to serve that particular "Sewer Improvement Area" divided by the "Total Abutter Frontages" in the Sewer Improvement Area, whether or not some Parcels may be deferred or excluded from assessment.

3. The area charge shall be the product of the assessable Parcel area and a charge per square foot. The assessable Parcel area shall be equal to the total Parcel area where the Parcel depth is less than one hundred (100) feet; for Parcels with Lot depth greater than one hundred (100) feet, only that portion of the total area of the individual Lots within one hundred (100) feet measured perpendicular to the street line shall be used for assessment purposes. The charge per square foot shall be one and one-half percent (1 ½%) of the above frontage charge per foot.

4. In no case shall the assessment exceed the benefit received by the land assessed.

2.1.2 Project Costs to be paid by Commission

The Commission will pay the difference between the actual total project cost and the summation of all calculated Abutter costs within the Sewer Improvement Area, as described in Section 2.1.1.

1. The amount of assessments granted exemptions under Section 2.1.6 will be paid by the Commission.

2. All assessments deferred under Section 2.1.7 of these Rules and Regulations will be assumed by the Commission for the period of deferment. The Commission shall be reimbursed by the Parcel Owners for all deferred assessments as provided under Section 2.1.7 of these Rules and Regulations.

3. The full amount of any abatement granted will be paid by the Commission.

4. The assessments computed in accordance with Section 2.1.1 and approved by the Executive Director shall not be increased as a result of exemptions, deferments, or abatements granted on some Parcels.

2.1.3 Capacity Charge to be paid by Commercial and Industrial Users

1. A one (l) time capacity charge shall be paid upon connection to the Commission's Wastewater works by all Commercial and Industrial Users who

contribute Wastewater at a peak rate in excess of ten (10) cubic feet per foot per minute (cfm) or fraction thereof of peak Wastewater flow anticipated from the property:

(a) From ten (10) cfm to fifteen (15) cfm, one hundred dollars ($100) per cfm for every cfm over ten (10) cfm,

(b) From fifteen (15) cfm to thirty (30) cfm, five hundred dollars ($500) plus fifty dollars ($50) for each cfm over fifteen (15) cfm,

(c) Over thirty (30) cfm, one thousand-two hundred-fifty dollars ($1250) plus twenty-five dollars ($25) for each cfm over thirty (30) cfm.

2. Upon application for these services, the Applicant shall submit an estimated peak Wastewater flow together with the information required in Section 1.4 of these Rules and Regulations, plus any additional information requested by the Executive Director for verification of the estimate.

3. If the capacity charge computed above exceeds five hundred dollars ($500), the first five hundred dollars ($500) shall be paid with the application and the balance may be paid in the same manner as a betterment assessment.

4. At such time that the peak rate of discharge exceeds the amount paid for in the capacity charge, application shall be made for the increased capacity required. Upon approval by the Executive Director an additional capacity charge shall be paid. This new capacity charge shall be calculated in accordance with the above schedule. The amount due shall be equal to the total calculated capacity charge less credit for all previous payments under this Section. In the event that the Executive Director does not approve the application for additional capacity, the Applicant shall within sixty (60) days reduce the sixty (60) day period allowed for reduction of flow that the actual discharge exceeds the approved capacity shall be considered a separate violation of this Chapter. The discharger shall be subject to fine and penalty in accordance with Section 1.9.2 of these Rules and Regulations. At any time upon inspection by the Commission it is found that the discharge exceeds the approved capacity, he/she shall be subject to a fine in accordance with Section 1.9.2 of these Rules and Regulations for each day that the approved flow is exceeded until a new application is approved. Each day shall be considered a separate offense.

5. No reimbursement will be made by the Commission for reduction of peak rate.

6. The capacity charges calculated above shall reimburse the Commission for capacity provided in the existing Wastewater works; however, it will not obligate the Commission to enlarge the capacity for the existing wastewater works for the benefit of an individual User. Should such enlargements be

required, a separate agreement must be entered into with the Commission. Such agreement must provide for equitable cost recovery by the Commission.

7. The dollar amount of the above capacity charge schedule will be revised annually and become effective on the first Monday in January of each year by the ratio that the *Engineering News Record Construction Cost Index*.

8. Any User may add Wastewater storage Facilities which will store all peak discharges for automatic release (controlled by time clock) during times specified by or approved by the Executive Director. If the Facilities provided result in a discharge of peak flows during the hours of normal Commission low flow (one (1:00) a.m. to five (5:00) a.m.) and do not create a peak flow in the Public Sewers greater than the average daily peak upstream of the User's discharge, then the Executive Director may give an appropriate reduction in the capacity charge.

2.1.4 Wastewater Service from Public Sewer

The Owners of all properties who desire service of a Public Sewer or who by law are required to have service, shall pay the assessments and capacity charges (where applicable) existing at the time of issuance of the permit (if the full assessments and charges have not already been paid) and User charges, plus all the cost related to the installing of the necessary building sewers and Private Sewers (if required) including lifting devices where required. The cost of making the connection(s) to the Public Sewer, and all applicable fees, shall be determined by the Executive Director. The cost of any lifting devices to convey building sewage to the Public Sewer shall be borne entirely by the Owner. The cost for engineering services to design a system to convey Wastewater of the Owner to the Public Sewer shall be borne entirely by the Owner, including determination of the capacity of the existing and/or new Public Sewer, pumping station, Sewer pipe and Sewer manholes, and all other appurtenances for a complete Sewer system.

2.1.5 Methods of Payment of Assessments and Charges

1. All assessments and charges arising from the extension of and/or the connection to the Commission’s Wastewater works become liens against the properties to which they apply in accordance with the provisions of the General Laws.

2. The Abutters, whether or not they wish to connect to the Wastewater works, shall pay the full assessment as a lump sum payment, or a portion of the assessment in a lump sum payment and the balance, with interest in annual payments in accordance with the provisions of Chapter 80 of the General Laws, as amended.

2.1.6 Exemptions and Reductions in Assessments under Special Cases

In the event that property is included in the Sewer Improvement Area which cannot be completely served by a gravity connection between the building sewer and the Public Sewer or cannot be served in its entirety the assessment against that property shall be adjusted accordingly:

1. Owners of properties served only partially by new sewers shall pay an assessment based on the Abutter frontage and assessable area computed for the number of minimum sized Lots (in accordance with the requirements of the Springfield zoning ordinance) which can be served (providing the portion not served is not in common use with the portion served).

2. An Owner of a developed Parcel which cannot be served by a gravity connection between the building sewer and Public Sewer will pay an assessment which is reduced by the amount equal to the extra cost of providing a suitable pumping or lifting device adequate to lift the Wastewater from the building plumbing system and discharge it to the Public Sewer. The Owner shall fully document the extra cost involved to the satisfaction of the Executive Director. The resulting reduction in the assessment shall not exceed the least of:

   (a) The reasonable extra cost to the Owner,

   (b) One-half (½) of the full assessment, or

   (c) The full assessment due on a minimum size Lot allowed under the Springfield zoning ordinance.

3. The Commission shall reserve the option of furnishing and installing the required sewage lifting or plumbing installation in lieu of granting the reduction in the assessment.

4. Property owned by charitable organizations and nonprofit organizations shall not be exempt from payment or assessments and charges.

2.1.7 Determination of Payment of Assessments

An Abutter may make application to the Commission for a deferment of all or a portion of his/her assessment in accordance with the conditions provided for in this Chapter.

1. Assessments may be deferred on those Parcels or portions of Parcels of land which are developed and whose actual use is solely agricultural or which are developed as cemeteries, golf courses, or parks which are open to public use.

Portions of Parcels occupied by buildings shall be charged a full assessment based on minimum sized Lots which could be subdivided out of the Parcel, in accordance with the Springfield zoning ordinance, to accommodate the buildings.

2. A portion of the assessment on an undeveloped Parcel may be deferred. The deferred amount shall not exceed the greater of the following:

   (a) One-half (½) of the assessment; or

   (b) The amount eligible for deferment on the undeveloped portion of a Parcel as calculated under Paragraph 3 of this Section.

3. A Parcel which is partially developed may be granted a partial deferment on the undeveloped portion of the Parcel; provided, that:

   (a) The total assessment exceeds six hundred dollars ($600)*; and

   (b) One (1) or more Lots can be subdivided out of the undeveloped portion in accordance with the requirements of the Springfield zoning ordinance. On those Parcels for which a deferment is granted, the minimum initial payment shall equal the full assessment on the developed portion of the Parcel plus the payment on the undeveloped portion as calculated in the following table:

Total Assessment for the Entire Parcel	Percent Paid on Undeveloped Property
$600 to $2,000	50% of the amount greater than $600*
$2,000 to $5,000	the sum of: a. 50% of the amount greater than $600* but less than $2,000, b. 40% of the amount greater than $2,000 but less than $5000
$5,000 or greater	the sum of: a. 50% of the amount greater than $600* but less than $2,000, b. 40% of the amount greater than $2,000 but less than $5000, c. 25% of the amount greater than $5,000

* or the assessment computed for the developed portion of the Parcel, whichever amount is greater.

(c) The above schedule of deferment for undeveloped land shall apply only to the individual assessment on single Parcels or on contiguous Parcels; the total assessment on holdings of several individual scattered Parcels shall not be considered. If the Parcel is improved in such a manner that there is not enough undeveloped land area remaining for an additional Lot in accordance with the zoning ordinance, then the Owner must pay the full assessment on the entire Parcel.

4. All deferments granted under Paragraphs 2 and 3 of this Section shall be subject to an annual payment of the interest calculated at the rate provided by law on the total amount deferred. Such rate shall be determined at the time of request for deferment and shall be clearly stated in the request submitted to the Executive Director for approval. Such annual interest payments shall be added to the bill; delinquent payments shall become liens on the property and shall be recorded and collected in the same manner as assessments in accordance with the provisions of Chapter 80 of the General Laws, as amended. All deferments shall be duly recorded in the County Registry of Deeds and shall be due and payable in full immediately upon the change of land use to one which need not qualify for deferment under this Chapter. Upon failure to pay the deferred assessment when due, it shall automatically become a collectable lien on the property.

Section 2.2 ASSESSMENTS--DRAINS

Section 2.3 USER CHARGES

2.3.1 Those Subject to User Charges

All Users, Abutters, and Owners, each with Developed Property which can be directly served, by a Public Sewer, shall be assessed and pay charges for service as enumerated in Section 2.2 through Section 2.5, in addition to charges and assessments for construction for the sewers, connection to the Public Sewer and for permits, in accordance with the CHAPTER 5 of these Rules and Regulations, which are attached hereto and made a part hereof. Within this Section, the term “User” shall apply to all who are subject to the User charges.

2.3.2 User Charges, Classification and Abatement

1. General Requirements:

(a) Sewer use fees: Sewer use fees shall consist of a rate per hundred cubic feet of normal strength Wastewater used, a surcharge for Wastewater of a higher concentration than is allowed under the rate for normal strength Wastewater and a service charge, as set forth in Section 2.4.3 of these Rules and Regulations. The charges set forth in Paragraph 2 of this Section apply to all classes of Users.

(b) Metering for billing purposes: Where metering devices are not installed by the User for the purpose of measuring the actual quantity of Wastewater discharged in accordance with Section 2.3.2, Paragraph 2 (d), the water use measured by a water Meter, as defined in these Rules and Regulations, and approved by the Executive Director shall be used for billing purposes. Wastewater volume, determined by User water consumption from the Commission's water system or other approved water source, shall be invoiced according to the usage determined by the Commission's water Meter or other approved water Meter.

(c) Wastewater Discharge for Users served by wells: Users served by wells that are not metered shall be charged for the quantity of Wastewater discharged into the Commission's Wastewater Works that is equal to the Average Monthly Wastewater Discharge Amount as set forth in Section 5.8 of these Rules and Regulations. This quantity shall be charged the Sewer Rate as defined in these Rules and Regulations. Users served by wells shall also pay the Service Charge, as set forth in Section 2.4.3 of these Rules and Regulations.

- Metering for Users with wells: The Executive Director may allow a User served by a well to have the Commission install a water Meter with an AMR device on the User's well to measure water consumption for billing purposes as set forth in paragraph (b) of this Section. The Meter shall be installed as set forth in Section 3.3.5 of these Rules and Regulations.
- The Executive Director may require any nonresidential User served by a well to install and maintain a metering or measuring device to determine Wastewater strength or usage at the sole expense of such User as a condition of using the sewer Facilities.

2. Charges:

(a) Rates: The schedule of rates given in CHAPTER 5 of these Rules and Regulations shall apply to all Users who discharge Wastewater. The minimum annual rates indicated in the table shall be the flat rate charges for normal strength Wastewater. The applicable surcharges set forth in Paragraph (b) of this Section shall be added thereto.

(b) Surcharges: Surcharges as set forth in CHAPTER 5 of these Rules and Regulations will be assessed against all Users who discharge a larger volume of Wastewater and/or Wastewater of a higher concentration than is allowed under the rate charged for normal strength Wastewater. Surcharges shall be over and above and in addition to the rate charged for normal strength Wastewater.

(c) Special allowance for non-wastewater producing water usage:

- An allowance will be made for any User consuming metered water which is not discharged into the Wastewater collection system provided that a separate Commission provided Auxiliary Meter is installed to measure this water, in accordance with Section 3.3.5.
- No allowance shall be made if any account of the Customer is in delinquent status.
- No allowance shall be made if the Commission seals on Meters have been broken.

(d) Industrial Users with an approved Evaporation Process

- At a Customer's request the Executive Director may allow Customers that are Industrial Users with an evaporative process to use an Effluent Meter approved by the Commission as a basis to bill sewer charges to account for water loss through evaporation.
- The Property of the Customer must have a minimum of two Water Services Pipes with one being strictly for domestic (non-process) purposes. Standard water and sewer rates to be applied for said service. Separate Water Service Pipe(s) with a Commission installed Meter will be dedicated for process water.
- On such an approved process Water Service Pipe, water usage charges will be based on primary meter readings from the dedicated process Water Service Pipe.
- Sewer charges will be based on meter readings from the Customer's Effluent Meter.
- The Effluent Meter must provide an Automatic Meter Reading (AMR) output to which the Commission can connect an approved telemetry device. In the event the Commission is unable to receive a remote signal a solution must be provided by the Customer at the Customer's expense. No changes to Customer billing will take place until such time that the Customer has the Effluent Meter with AMR or other device as approved by the Executive Director.

- Maintenance of the Effluent Meter will be the Customer's responsibility and must be documented and in accordance with the manufacturer's specifications. At a minimum of once every three (3) years proof of Effluent Meter accuracy must be provided to the Commission. Verification of Meter accuracy shall be done by an agreed upon third party.
- A Monthly Service Charge will be billed in accordance with charges set forth in Section 5.3 of these Rules and Regulations.
- The Customer's dedicated process Water Service Pipe shall be billed for water usage only and the Effluent Meter shall be billed for sewer only and the account will be billed monthly.

(e) Metering and Billing: Metering and billing shall be as follows:

- All rates are based upon the metered use of water where applicable.
- Billing periods for all Users shall be established by the Executive Director. Surcharges for BOD and Total Suspended Solids shall be determined and billed for each billing period.

(f) Procedures and conditions for abatements, reclassification and special allowances--appeals:

- All requests for reclassification, special allowances and abatements shall be made in writing to the Executive Director on an approved form obtained from the office of the Executive Director within thirty (30) days of the date of the billing.
- Upon receipt of a request for abatement, reclassification or special allowance, the Executive Director shall determine whether such abatement, reclassification or special allowance shall be granted in accordance with the criteria listed in subparagraph (5) of this subdivision. The Executive Director shall notify the Applicant in writing whether the requested abatement, reclassification or special allowance has been granted or denied and the reasons, therefore. The burden of proving eligibility for an abatement, reclassification or special allowance shall be upon the Applicant.
- Any User who has filed for an abatement, reclassification or special allowance and who is aggrieved by the decision of the Executive Director or his/her nominee may appeal the decision of the Executive Director to the Commission. Any appeal to the Commission review board shall be filed within twenty-one (21) days of the date of the decision of the Executive Director unless the Commission, for good cause shown, allows otherwise.

- An abatement reclassification or special allowance shall be granted if the Applicant shows that failure to do so would result in a charge which is not equitable, reasonable and proportional. The criteria which shall be used to determine if a charge is not equitable, reasonable and proportional are: the volume of water including surface or drain water discharged into the system; the character of the sewage or industrial or other wastes discharged into the system and the nature of the use made of the sewage system including any use of the sewage Facilities.
- The decisions of the Commission shall be rendered in written form within thirty (30) days of receipt of the decision of the Commission and shall state the reasons for the action taken.
- All bills shall be paid pending decision by the Executive Director and the Commission.

Section 2.4 RATES, SURCHARGES, SERVICE CHARGES, AND ADJUSTMENTS

2.4.1 Rates:

Customers shall be charged for Sewer use based on the following categories and the applicable rate as set forth in CHAPTER 5 of these Rules and Regulations.

(a) Residential

(b) Institutional

(c) Municipal

(d) Commercial Rate shall be 1.1 times the Residential rate.

(e) Medical Facility shall be 1.1 times the Residential rate and shall be subject to the surcharges. The Medical Facility rate shall apply to the entire flow of the building in which it is located.

(f) Dry Industry shall be 1.2 times the Residential rate and shall be subject to the surcharges.

(g) Wet Industry shall be 1.2 times the rate and shall be subject to the surcharges.

(h) Food Service Establishment (FSE (former Restaurant)) Rate: shall be 1.3 times the Residential rate and shall be subject to Fats, Oils and Greases (F.O.G.) surcharges.

(i) Septage Disposal

2.4.2 Surcharges:

When applicable, surcharges will be calculated as follows:

(a) Biochemical Oxygen Demand (BOD) surcharge per 1 lb. of BOD shall be as set forth in CHAPTER 5 of these Rules and Regulations. A surcharge may be applied for BOD as defined in these Rules and Regulations. Pounds of BOD subject to a surcharge are calculated by the following equation:

(C - 240) * 0.00624 * Q = pounds of BOD subject to surcharge where:

C = the concentration of BOD in mg/l of Wastewater, and

Q = the actual metered water use or Wastewater discharge measured in units of 100 cu. ft.

All measurements shall be rounded to the nearest unit. This surcharge shall not apply to normal residential use.

(b) Total Suspended Solids (TSS) surcharge per 1 lb. of SS shall be as set forth in CHAPTER 5 of these Rules and Regulations. A surcharge may be applied to TSS as defined in these Rules and Regulations. Pounds of TSS subject to a surcharge are calculated by the following equation:

(C - 300) * 0.00624 * Q = Pounds of TSS subject to surcharge where:

C = the concentration of SS in mg/l of the Wastewater, and

Q = the actual metered water use or Wastewater discharge measured in units of 100 cu. ft.

All measurements shall be rounded to the nearest unit. This surcharge shall not apply to normal residential use.

(c) Fats, Oil, and Greases (F.O.G.) surcharge per 1 lb. of F.O.G. shall be as set forth in CHAPTER 5 of these Rules and Regulations. A surcharge may be applied for F.O.G. as defined in Section 1.4.3. Pounds of F.O.G. subject to a surcharge are calculated by the following equation:

(C - 100) * 0.00624 * Q = pounds of F.O.G. subject to surcharge where:

C = the concentration of total F.O.G. in mg/1 of the Wastewater, and

Q = the actual metered use or Wastewater discharge measured in units of 100 cu. ft.

All measurements shall be rounded to the nearest unit. This surcharge shall not apply to normal residential use.

2.4.3 Service Charge:

The User shall be charged a Monthly Service Charge for each Building Sewer, as defined in these Rules and Regulations, connected to the Wastewater Works, as defined in these Rules and Regulations. The Monthly Service Charge shall apply to Users that have a Building Sewer and not a Commission Meter installed.

2.4.4 Adjustments:

When applicable, adjustments will be calculated as follows:

(a) In the event that federal, state and/or any other source of third party financial participation in the planned costs intended to be financed from revenue raised under Section 2.4.1 hereof become available said rate will be reduced dollar for dollar to reflect the net reduction in cost realized.

(b) If the inflation index, as reported by the United States Bureau of Labor Statistics for Water and Sewage Maintenance is less than an increase of 0.025 in any fiscal year the rate will be adjusted by the difference between 0.040 and the increase.

Section 2.5 Authority to Collect All Charges and Payments

The Commission shall have the authority to use all legal means available to collect all assessments and charges for Wastewater services provided, including, but not limited to, capital maintenance, operational, and support costs and other payments from industries and municipalities as specified in the contracts, agreements, and amendments thereto, between the Commission and individual industries and municipalities receiving services from the Commission and/or participating in sewage works improvements, when due, including the collection of delinquent payments.

Section 2.6 Appellate Procedures

See Section 3.11 of these Rules and Regulations.

CHAPTER 3

WATER SUPPLY, TREATMENT, AND DISTRIBUTION

For future use.

CHAPTER 3 WATER SUPPLY, TREATMENT, AND DISTRIBUTION

Section 3.1 GENERAL PROVISIONS

3.1.1 Required Applications and Permits

1. Applications and permits required by these Rules and Regulations are in addition to applications and permits that may be required by other Federal, State, and local laws or regulations. The following applications, certificates, and permits are required by these Rules and Regulations:

   (a) Application for Fire Flow Test

   (b) Application for Main Extension

   (c) Application to Cross Transmission Mains

   (d) Application for Water Service

   (e) Application for Water Service Shut-off

   (f) Application for a Hydrant Permit

   - Hydrant Permit: Required before a Hydrant may be used.

   (g) Fire Department Permit to shut off sprinkler system

   (h) Application for Commission Approved Contractor

2. An Application Fee is required with each Fire Flow Test, Main Extension, Cross Transmission Mains, Water Service, Hydrant Permit, and Commission Approved Contractor Application. The Application Fees shall be paid when the application is submitted and as set forth in CHAPTER 5 of these Rules and Regulations.

3. The Commission shall enforce, pursuant to Section 3.10 of these Rules and Regulations and other applicable local, State and Federal Laws, the terms and conditions of any permit issued under these Rules and Regulations.

4. The Executive Director may modify an approval and/or a permit, as it may deem necessary or appropriate or as required by State or Federal Law.

5. An Applicant may request reconsideration of the terms and conditions in the issuance, renewal, or modification of an approval and/or a permit issued by the Executive Director, and an Applicant may request reconsideration of the denial

of an approval and/or a permit by the Executive Director, pursuant to Section 3.10 of these Rules and Regulations.

6. An approval and/or a permit shall not be assigned or transferred without prior written approval of the Executive Director. After approval of an application and/or a permit assignment or transfer, the original Applicant shall provide a copy of the application and/or permit to the assignee or transferee.

7. These Rules and Regulations shall not be construed to require the Commission to permit itself or those in its employ for activities done to carry out the Commission's responsibilities under any Federal or State Law, regulation or requirement.

3.1.2 Surety Required

1. Surety in the form of either a bond, letter of credit, or other Commission approved financial guarantee to be posted in a manner satisfactory to the Executive Director in an amount as set forth in CHAPTER 5 of these Rules and Regulations and for a period of time that the Commission deems sufficient to guarantee construction quality and operating performance. Surety, in a form acceptable to the Executive Director, is required before work commences on any proposed extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station by an Owner or Commission Approved Contractors working for an Owner.

   (a) Public Water Main extension surety shall be on a per foot basis at amounts as set forth in CHAPTER 5 of these Rules and Regulations for pump stations shall be the amount of the engineers estimate at the time of SWSC approval.

   - During the installation, a performance/payment surety is required.
   - During the warranty period, a maintenance surety is required.

   (b) Public Sewer extension surety shall be on a per foot basis at amounts as set forth in CHAPTER 5 of these Rules and Regulations for pump stations shall be the amount of the engineers estimate at the time of SWSC approval.

   - During the installation, a performance/payment surety is required.
   - During the warranty period, a maintenance surety is required.

2. Performance/payment surety for water and sewer main extensions shall be released upon approval of the installation.

3. Maintenance surety for water and sewer main extensions shall be released a minimum of one (1) year after the approval of installation and the main has been accepted.

4. Commission Approved Contractor surety shall be for each approval period at amounts as set forth on the Commission Approved Contractor Application Form in the Commission's Guidelines and Policies.

3.1.3 Approval to Work on Commission Public Water Mains and Public Sewers

1. Commission Construction Crews, Commission staff and/or the Commission's designee are the only Persons allowed to operate any water valves in the Commission's Service Area.

2. Commission Construction Crews who install and repair extend, replace or relocate Public Water Mains or Public Sewers, including any pumping station shall perform work according to the Commission's Guidelines and Policies.

3. Commission Approved Contractors may install and repair extension, replacement or relocation Public Water Main or Public Sewer, including any pumping station with the Executive Director's approval and according to the Commission's Guidelines and Policies.

3.1.4 Commission Approved Contractors

1. No contractor, subcontractor, or Person shall be allowed to install or repair Water Facilities, Sewer Facilities, a Building Sewer and/or Private Sewer or Drain unless they become a Commission Approved Contractor.

2. Persons may become Commission Approved Contractors by applying as set forth in CHAPTER 5 of these Rules and Regulations and according to the Commission's Guidelines and Policies.

3. Fees to become a Commission Approved Contractor shall be as set forth in CHAPTER 5 of these Rules and Regulations.

4. Contractors or Persons that become Commission Approved Contractors shall be approved by the Executive Director for three (3) years unless canceled by the Executive Director for violating these Rules and Regulations, the Commission's Guidelines and Policies, using material not specified in the Commission's Material Specifications, and/or other applicable local, State and Federal Laws.

5. Commission Approved Contractor surety shall be for each approval period.

(a) During the approval period a performance/payment surety is required and must remain active until the end of the approval period.

(b) Performance/payment surety for Commission Approved Contractors shall be released at the end of the approval period.

Section 3.2 USE OF WATER AND WATER FACILITIES

3.2.1 Jurisdiction

All property situated within the Service Area of the Commission shall be eligible to receive Water Service from the Commission upon compliance with these Rules and Regulations. The Commission, in its sole discretion shall determine if service can be provided and the timing and methods for extending or providing service.

3.2.2 Ownership

The Commission owns all Public Water Mains, Hydrants, valves, Water Service Connections, and associated appurtenances located within public ways, Commission-owned easements, whether recorded or by prescription and private ways open to public travel within the Service Area, transmission mains, and certain water mains in adjacent cities and towns unless otherwise specified in writing by the Commission. The Commission also owns all Meters whether or not the Meter is located in private property. The Customer owns the Water Service Pipe from the Water Service Connection to the Meter and all other pipes after the Meter.

3.2.3 Public Water Mains

The Commission shall control the use of all Public Water Mains and appurtenances in the Service Area, including transmission mains and certain water mains in adjacent communities. No Person shall, without prior written authorization from the Executive Director, uncover, make any connections with or opening into, alter, or disturb a Public Water Main. 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 Commission's water distribution system and / or water transmission system.

3.2.4 Private Water Mains

All Private Water Mains in the Commission’s Service Area that are connected to the Commission’s Public Water System are privately owned by the Owner as defined in CHAPTER 6 of these Rules and Regulations. Private Water Mains shall be operated, maintained, repaired, and/or replaced by the Owner(s) at the Owner(s) expense. It is incumbent upon the Owner(s) to understand that they are responsible

for the operation, maintenance, repair, and/or replacement of their Private Water Main. The Executive Director may direct the Owner(s) to replace a Private Water Main, if in the judgement of the Executive Director such action will reduce the quantity of water lost through leaks from that main or where such leaks may jeopardize the operation of the Public Water System, or when Public Water Mains are available to the Owner(s) for providing Water Service. If the Commission requires that an Owner(s) connected to a Private Water Main connect to a Public Water Main with a new Water Service Pipe that shall be at the expense of the Owner(s) unless otherwise approved by the Executive Director. The Executive Director reserves the right to Shut-off and/or Discontinue a Water Service to Private Water Mains that are in violation of its Rules and Regulations herein.

3.2.5 Water Conservation and Emergencies

1. **Conservation by Users:** No Water User shall knowingly allow water to leak or run to unnecessary waste.

2. **Conservation Restrictions**: The Commission may adopt conservation restrictions in accordance with the provisions of Massachusetts General Laws Chapter 21G upon its determination that conditions exist, which limit the water supply and may endanger the public health, safety, and welfare. Conservation restrictions shall remain in full force and effect until the Executive Director determines that the condition requiring their imposition no longer exists.

3. **Declaring a State of Water Supply Conservation:** The Commission through its Board of Commissioners may declare a State of Water Supply Conservation upon a determination that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all Water Consumers. Public notice of a State of Water Conservation shall be given under, Paragraph 5 of this Section before it may be enforced. The applicable restrictions, conditions, or requirements shall be included in the public notice.

4. **Conservation Restrictions, Conditions, and Requirements:** A declaration of a State of Water Supply Conservation shall include the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions or requirements shall be included in the public notice required under Paragraph 5 of this Section.

Commission Drought Level[1]		Surcharge[2]	Nonessential Outdoor Water Use Restrictions
Level 1	Mild Drought	Consider surcharge	Watering and all nonessential outdoor water uses restricted to no more than one day per week, before 9:00 A.M. and after 5:00 P.M, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
Level 2	Moderate Drought	Consider surcharge	Watering and all nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
Level 3	Severe Drought	Recommended Level 3 surcharge for Commission vote	Ban on all Nonessential Outdoor Water Use
Level 4	Extreme Drought	Recommended Level 4 surcharge For Commission vote	Ban on all Nonessential Outdoor Water Use

1. Drought level defined by the Commission's Drought Management Plan
2. At the discretion of the Commission, surcharges may be enacted prior to Level 3 and 4.

(a) Nonessential Outdoor Water Use means a use that is not required, and does not include the following essential water uses:

i. for health or safety reasons, including public facilities used for cooling such as splash pads and swimming pools, and for washing of boats, engines, or marine equipment to prevent negative salt water impacts or the transfer of invasive aquatic species;

ii. by permit, license, statute or regulation;

iii. for the production of food, including vegetable gardens, and fiber;

iv. for the maintenance of livestock;

v. to meet the core functions (those functions essential to the commercial operations) of a business, including but not limited to:

1. plant nurseries as necessary to maintain stock;

2. golf courses as necessary to maintain greens and tees, and limited fairway watering;

3. venues used for weddings or similar special events that limit watering to hand-held hose or drip irrigation as necessary to maintain gardens, flowers and ornamental plants;

4. professional washing of exterior building surfaces, parking lots, driveways and/or sidewalks as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement in the course of construction, reconstruction or renovation work;

vi. for irrigation of public parks before 9:00 A.M. and after 5:00 P.M.,

vii. for irrigation of public and private recreation fields, including those operated by schools, colleges, universities and athletic associations, before 9:00 A.M. and after 5:00 P.M.,

viii. for irrigation of publicly-funded shade trees and trees in the public right-of-way; or

ix. to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

5. **Notification of State of Water Supply Conservation:** Notification of any provision, restriction, requirement or condition imposed by the Commission as part of a State of Water Supply Conservation shall be published in a local media outlet of general circulation within the City of Springfield and or Town of Ludlow, or by such other means reasonably calculated to reach and inform all Water Users of the State of Water Supply Conservation. Any restriction imposed under Section 3.2.5 shall not be effective until such notification is provided.

6. **Termination of State of Water Supply Conservation:** A State of Water Supply Conservation may be terminated by the Commission, through its Board of Water Commissioners, upon a determination that the water supply shortage no longer exists.

7. **Notification of the Termination of State of Water Supply Conservation:** Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by Paragraph 5 of this Section.

8. **State of Water Supply Emergency:** Upon notification to the public that the Department of Environmental Protection has issued a declaration of a State of Water Supply Emergency, no Person shall violate any provision, restriction, requirement, or condition of any order approved or issued by the Department to bring about an end to the State of Emergency. Reference 310 CMR 36.40, 36.41, and 36.42.

9. **Emergency Shut-off.** The Commission may Shut-off Water Service to any Premises during a drought, hurricane, conflagration or other disaster upon notification to the Owner in accordance with Massachusetts General Laws Chapter 40, Section 41A.

3.2.6 Public Water Main Extensions, Replacement, and Relocations

1. **Procedure for Extensions:** An Applicant may propose an extension, replacement or relocation of Public Water Mains to serve new or rehabilitated buildings by filing an Application for Main Extension. All proposed extensions, replacements or relocations, including any tests, studies, investigations and inspections required for design, shall be designed and constructed in accordance with the Commission's Guidelines and Policies and/or Material Specifications, and subject to the approval of the Executive Director (or designee). All expenses, including all engineering, legal, permitting, material, equipment, construction, and inspection expenses, involved in applying for and constructing an extension, replacement or relocation shall be borne by the Applicant.

2. **Extension Frontage Requirements:** All Public Water Main extension measurements shall provide for coverage of the furthermost parcel included in each Application for Main Extension for the installation of a Public Water Main. An Application for Main Extension in any subdivision in Springfield and Ludlow, the plan of which has been approved by said Planning Board, shall include a Public Water Main in every way shown on the approved plan. When the approved subdivision fronts on an existing way, the application shall include a Public Water Main on said existing way to the extent such way serves the subdivision.

   (a) If the Executive Director determines that a pipe diameter larger than 8-inches will be needed, to supply water then the size shall be determined by the Executive Director and shall be furnished and installed at the Applicant's expense.

(b) If the Executive Director determines a pumping station will be needed to supply water to the approved subdivision, then the Applicant shall submit a design for the Executive Director to review and approve. The pumping station shall be designed, equipped, and constructed at the Applicant's expense, and in accordance with the Commission's Guidelines and Policies and Material Specifications. The pumping station shall become property of the Commission.

(c) When, in the sole discretion of the Executive Director, the Commission must perform professional engineering and legal reviews for major development projects, the Applicant shall reimburse the Commission for such costs incurred by the Commission for said review.

3. **Payments Due Before Installations:** No approved Public Water Main extensions shall be installed until the total amount of charges rendered at the applicable rate per foot of Extension Charge and if applicable a Paving Charge is paid in full and the As-Built Plans Fee has been supplied.

4. Before construction begins and, in a form, prescribed by the Commission a **License Agreement** shall be signed by the Owner and the Executive Director for a proposed Public Water Main or Public Sewer extension, replacement or relocation, including any pumping station. The construction of the proposed extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station shall begin within two (2) years after Executive Director signs the License Agreement. If construction does not begin within the two (2) year period, then the License Agreement expires. Until such time as the extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station is accepted by the Executive Director, the extension, replacement or relocation of a Public Water Main or Public Sewer, including any pumping station shall be considered to be privately owned by the Owner and shall be subject to the requirements pertaining to Private Water Mains and Private Sewers contained in these Rules and Regulations.

5. **Commission Denial or Modification of Proposal**. The Executive Director may deny the request of an Applicant to extend, replace or relocate a Public Water Main, if the Executive Director determines that the proposed work does not conform to the Commission's Guidelines and Policies and/or Material Specifications and/or the Executive Director determines that the work will adversely affect the Commission's system or that of existing Users. The Executive Director may condition his/her approval of a request to extend, replace, or relocate a water main as he/she deems necessary.

6. **Water Main Replacement**. If an Applicant requests a new Water Service Pipe or Fire Service Pipe, which in the judgment of the Executive Director, will impose a demand in excess of the capacity of the existing main, requiring the

replacement of the existing main with one of appropriate size, the Applicant shall pay the full cost thereof of replacement, including any tests, studies, investigations and inspections required for design and construction.

7. **Project Reviews:** When, in the sole discretion of the Executive Director, the Commission must perform professional engineering and legal reviews for major development projects, the Applicant shall reimburse the Commission for such costs incurred by the Commission for said review.

8. **Installation of Public Water Mains**. The Executive Director at his/her sole discretion shall determine who may install a Public Water Main. All Public Water Mains shall be installed as follows:

   (a) The Owner shall be responsible, at its expense**,** for fulfilling all Commission requirements for licensing, bonding, permitting, submitting applications**,** installing the Public Water Main and appurtenances, tapping and making connection to the Public Water Main designated by the Executive Director, and cutting and capping any Public Water Main, Water Service Pipe, and/or appurtenances to be discontinued. Only the Commission shall turn on the Public Water Main. The Public Water Main will not be turned on until the installation has been inspected in accordance with these Rules and Regulations. No Turn-on will occur for any account with an overdue balance. The Owner or Commission Approved Contractor shall arrange at least 48 hours in advance for an inspection by the Commission before backfilling the installed Public Water Main and appurtenances in accordance with Section 3.10.1, Paragraph 3 of these Rules and Regulations. The Owner or Commission Approved Contractor shall not backfill the installation until after receipt of a written Inspection Certificate from the Commission. The Owner or Commission Approved Contractor shall provide access to the property for the inspection by the Commission and shall not conceal the purpose for which Public Water Main is used or to be used.

   (b) The Executive Director, at his/her sole discretion, may install the Public Water Main and appurtenances, at the Owner's expense**,** by tapping and making connection to the Public Water Main designated by the Executive Director, cutting and capping any Water Service Pipe and/or appurtenances to be discontinued, in accordance with these Rules and Regulations. Only the Commission shall turn on the Public Water Main.

      - An additional charge for all rock excavated in connection with the installation of any petitioned Public Water Main extensions as set forth in CHAPTER 5 of these Rules and Regulations.

9. **Construction Requirements:** The construction requirements for both the water distribution systems in the Commission's Service Area shall meet the minimums as specified in the Commission's Guidelines and Policies and Material Specifications and shall be subject to the approval of the Executive Director.

10. **Material Standards:** All material installed within the water distribution systems in the Commission's Service Area, shall meet the minimums as specified in the Commission's Guidelines and Policies and Material Specifications and shall be subject to the approval of the Executive Director. Before installation and construction begins, all material shall be inspected and approved.

3.2.7 Approval and Acceptance of Public Mains and Pump Stations

Mains to Become Commission Property: All such Public Water Mains and/or Public Sewers, including any pump stations, installed in accordance with this Section shall become and remain the property of the Commission after installation and acceptance by the Executive Director. The Commission agrees in consideration thereof to maintain the same. Before any construction begins, the Owner shall grant all appropriate License Agreements.

(a) A main is approved for use when the installation of a Public Water Main and/or Sewer Main has been properly installed, completed, and passed all required inspections and tests according to the Commission's Guidelines and Policies.

(b) A main is accepted and becomes property of the Commission after the installation of a Public Water Main and/or Sewer Main have been approved for use, the warranty period has ended and the following:

- The Commission has received the As-Built plans in accordance with the Commission's Guidelines and Policies,
- All applicable deeds and/or easements have been transferred to the Commission,
- The Commission has received any other required certification.

3.2.8 Charges for Extension Petitions

1. Petitioners for the construction of water main extensions shall, upon approval of their petition by the Commission, be subject to a charge, as set by the Commission per foot of the extension measurement of such Public Water Main. This charge is to include all main pipe, all main pipe fittings, main valves and hydrants.

2. Where the extension petition is for a main in a paved way there will be an additional charge to replace the paving.

3.2.9 Petition and Non-petition Charges

1. Owners of property fronting an existing Public Water Main, who were not a party to the petition for the construction of said Public Water Main extension or existing Public Water Main installed on a non-petition basis shall be required to pay the Front Footage Connection Charge as set forth in CHAPTER 5 of these Rules and Regulations. The Front Footage Connection Charge is per front footage of the Owner's property and must be paid before their application for a new Water Service Connection to said Public Water Main will be accepted.

   (a) All undeveloped lots and lots that have been subdivided that do not have a connection, unless the lots were party to the extension, shall pay the Front Footage Connection Charge.

   (b) In applying this rule to corner lots, the applicable front footage will be the length of said corner lot on the street in which the Public Water Main to which the connection is to be made is installed.

2. For Public Water Main extensions installed by petition, the receipts from charges set forth above, up to a total amount not exceeding the total amount paid by the petitioning parties, shall be distributed to the original petitioning parties, in the ratio which the amount paid by each petitioner, as appearing in the original petition; bears to the total amount paid for such petitioned Public Water Main extension, excluding amounts paid for rock excavation, frost excavation, and concrete removal charges, if any.

3. The provisions for reimbursement, as set forth in this Section, Paragraphs 1 and 2 above shall remain in effect for a period of ten (10) years from the date of the laying of each petitioned Public Water Main. Upon the expiration of said ten (10) year period, said reimbursement provisions shall cease to apply.

4. The provisions for reimbursement for a petitioned Public Water Main, as set forth in this Section, Paragraphs 2 and 3 above, shall not apply to any Public Water main installed after December 31, 2004.

5. The provisions of the Front Foot Connection Charge, as set forth in this Section, Paragraphs 1, 2, and 3 above shall not apply to any Public Water main installed after July 1, 2007.

3.2.10 Connection Charge

1. Owners of property that connect to a Public Water Main shall be required to pay the Connection Charge as defined in these Rules and Regulations.

   (a) Fire Service Pipes shall be required to pay the Connection Charge as defined in these Rules and Regulations.

   (b) Developed lots shall not be charged a Connection Charge for any replacement Water Service Pipe or replacement Fire Service Pipe connection.

   (c) Developed lots shall be charged a Connection Charge for any new additional Water Service Pipe or new additional replacement Fire Service Pipe connection.

2. The Connection Charge must be paid before an application for a new Water Service Connection will be accepted.

3. When the Executive Director requires a larger connection than the design calls for, such as a 6-inch connection for a 4-inch Water Service Pipe, the Owner shall be required to pay for the pipe size and not the actual connection size.

4. When an Owner extends a Public Water Main, the Owner shall not pay a Connection Charge for each property owned and covered by the main extension. Properties not belonging to the Owner of the Public Water Main extension shall not be charged the Connection Charge until such time that the actual Property Owner(s) apply for a Water Service Connection.

5. When an Owner's Property is subject to both Section 3.2.9 and this Section then Section 3.2.9 of these Rules and Regulations shall govern.

6. The provisions of this Section 3.2.10, as set forth herein, shall apply for all applications approved after July 1, 2009.

3.2.11 Hydrants

1. **Ownership:** All hydrants located in public ways, Commission-owned easements, whether recorded or by prescription, or private ways open to public travel, shall be owned, operated, and maintained by the Commission unless the Executive Director expressly determines otherwise with respect to specific locations.

2. **Location:** Hydrants shall be placed at locations designated by the Executive Director to facilitate public safety and fire protection or for Commission maintenance enhancement. As a condition of an approved new or extended

Water Service, the Executive Director may require an Owner to pay for the cost of hydrant installation if it is determined that such new extended Water Service creates a need for increased fire protection or increased Commission maintenance.

3. **Relocation:** An Owner may request approval to relocate Hydrant. The request shall include a plan of the relocation designed in accordance with the Guidelines and Policies of the Commission. If the relocation is approved, the Owner shall have the work performed at its expense by the Commission or a Commission Approved Contractor in accordance with Section 3.2.6 of these Rules and Regulations.

4. **Use of a Hydrant:** Any use of water from a metered hydrant for purposes other than extinguishing fires shall only occur pursuant to a Hydrant Permit obtained from the Commission. Issuance of any Hydrant Permit shall be at the sole discretion of the Executive Director. The permit must be attached to the Meter at all times during use. Only Hydrant Users, trained by the Commission and put on the approved hydrant operator's list can operate a hydrant. Prior to opening a hydrant the Hydrant User shall become an approved operator and must notify the Commission's designated facility, of location and approximate time of use. The failure to comply with the terms as set forth on the hydrant permit or the unauthorized use of water from a hydrant are violations of these Rules and Regulations which can result in the imposition of a fine or termination of Hydrant Permit in accordance with Section 3.10 of these Rules and Regulations. After issuance of the Hydrant Permit a hydrant Meter may be rented from the Commission as follows:

   Hydrant Meter Rental:

   - A hydrant Meter with a back flow prevention device and pressure reducing valve, as needed, for the operation of the hydrant shall be provided to a Hydrant User upon payment of a deposit in accordance with CHAPTER 5 of these Rules and Regulations. The Commission may provide a hydrant wrench.
   - The Hydrant User shall return the Meter, pressure reducing valve, wrench, and the Backflow Prevention Device to a designated maintenance facility as required by the Commission in order to have the Meter read and inspected.

5. **Private hydrants:** The Owner of a private hydrant must obtain a Hydrant Permit and Meter with a Backflow Prevention Device from the Commission unless the hydrant is Master Metered. If the hydrant is Master Metered the Owner must obtain a Hydrant Permit from the Commission and provide an approved back flow prevention device. All private hydrants must be equipped

with a Commission approved hydrant security device unless the hydrant is Master Metered.

6. **Fire Flow Tests:** Only the Commission or an experienced fire protection systems professional may perform fire flow tests at the requesting Person's expense. The requesting Person shall file an application and pay Fire Flow Test Fees per Chapter 5 of these Rules and Regulations. Fire Flow Tests shall be performed per the Commission's Guidelines and Policies, and under the supervision of the Commission or its designee. The fire protection systems professional will be required to provide calibrated equipment necessary to perform the fire flow test, install said equipment, and operate the hydrants designated for the test during the application process.

3.2.12 Water-Cooled Air Conditioning and Refrigeration.

All new air conditioning or refrigeration unit or units requiring more than 60 cubic feet of water per hour cannot be used without provision for water recycling. Larger systems shall include a device enabling the reuse of water supplied in the system, and the reuse device shall be in operation whenever such system is in operation. Such systems shall be subject to the Cross Connection provisions of of these Rules and Regulations.

3.2.13 Point-of-Entry Treatment Devices

1. **Building with More Than 25 Occupants**. In accordance with Massachusetts's regulations, the installation of a Point-of-Entry Treatment Device with respect to any building serving more than 25 people creates a new Public Water System. Therefore, no such Point-of-Entry Treatment Device can be installed with respect to any building serving more than 25 people unless and until the building Owner complies with all requirements of 310 CMR 22.00 and the following:

   (a) applies for and receives express written approval for installation of such a device from the Massachusetts Department of Environmental Protection,

   (b) applies for and receives express written approval from the Executive Director for the installation of such a device,

   (c) installs a reduced pressure principle Backflow Prevention Device before the point-of-entry treatment device, to avoid contamination of the Commission's entire water supply system,

   (d) installs a Master Meter prior to the reduced pressure principle Backflow Prevention Device and the Point-of-Entry Treatment Device,

(e) utilizes a Point-of-Entry Treatment Device approved by the Massachusetts Board of Plumbers and installed in conformity with the State Plumbing Code,

(f) hires an operator duly certified by the Massachusetts Board of Registration of Operation of Drinking Water Supply Facilities.

2. **Buildings with 25 or Fewer Occupants**. In accordance with Massachusetts's regulations, the installation of a Point-of-Entry Treatment Device with respect to any building serving 25 or fewer people creates a new private water system. Therefore, no such Point-of-Entry Treatment Device can be installed with respect to any building serving 25 or fewer people unless and until the building Owner complies with all requirements of 310 CMR 22.00 and the following:

(a) installs a reduced pressure principle Backflow Prevention Device before the Point-of-Entry Treatment Device and after the Master Meter,

(b) utilizes a Point-of-Entry Treatment Device approved by the Massachusetts Board of Plumbers and installed in accordance with the State Plumbing Code, and

(c) Discharges from Point-of-Entry Treatment Devices must comply with the Commission's Sewer Use Rules and Regulations, and/or any other applicable Federal or State Permit requirements.

Section 3.3 WATER SERVICE

3.3.1 Application for Water Service

1. **Application Procedure**. In order to obtain approval to construct or change the size or location of a Water Service Pipe connecting to a Public Water Main, the Owner shall submit a Service Application. A completed Service Application includes verification by the Applicant that the address listed is the correct Premise. A Service Application shall be supplemented by permits, plans, specifications or such other information as the Commission may require, including but not limited to, building site plans approved by the Executive Director. Approval of a Service Application shall be subject to the availability of capacity in the Public Water Main as determined by the Executive Director. A Service Application shall be void and invalid unless the work authorized by it shall have been commenced within two (2) years for residential, subdivisions, and commercial work after issuance; however the Executive Director may grant a time extension for cause, upon a written request by the Owner.

2. **Demolitions**. Before a building or structure is demolished, the Owner shall notify the Commission, complete a Fire Department Permit to Shut off sprinkler system, submit an Application for Water Service Shut-off for removal or cutting and capping all water mains, Water Service Pipes, and Fire Service Pipes. The Executive Director at its sole discretion may require the Owner to submit a site plan. All pipe as set forth in Sections 3.3.7 and 3.3.8, shall be Discontinued to the Commission's Water Service Connection in accordance with these Rules and Regulations and the Commission's Guidelines and Policies.

   (a) The Commission shall inspect the work on the Owner's Water Service Pipe, at the Owner's expense, to ensure that the services are removed or properly cut and capped in accordance with the Commission's Guidelines and Policies and Material Specifications prior to backfilling.

   (b) The Commission will Discontinue the Water Service Pipe or Fire Service Pipe by cutting off, capping, and/or removing the Water Service Connection to the Commission's water main at the Owner's expense.

3. **Increase/Decrease in Size of Service**. When the size of a Water Service is either increased or decreased, the service to be discontinued must be removed, or if approved, cut and capped at the main in accordance with the Commission's Guidelines and Policies and Material Specifications.

4. **Expense Borne by Owner**. All costs and expenses incidental to submission of a Service Application and work authorized pursuant to such application, including but not limited to design, legal, construction, material, equipment, connection, and inspection of a Water Service Pipe shall be borne by the Owner.

3.3.2 Authorized Representative for Water Facilities

1. For Residential, Commercial, Municipal, Industrial, or Institutional Properties the Owner of a Property may authorize a Person to represent the Owner or be authorized by the Owner to apply for a Water and/or Sewer Service, Water and/or Sewer Main Extension, Turn-on, or Shut-off a Water Service. The Owner shall provide the Commission with a signed letter authorizing a Person to represent the Owner.

2. The following Applications and Permits require Owner authorization:

   (a) Residential Services including Single Family & Duplex Water and Sewer Service

   (b) Commercial Services including Multi Family Residential Water and Sewer Service

(c) Industrial Services

(d) Institutional Services

(e) Municipal Services

(f) Water or Sewer Main Extension

(g) Water Service or Building Sewer Connection Discontinuance

(h) Water Service or Building Sewer Connection Shut-off/Turn-on

(i) Reports and permit applications.

3. The Owner of a Property may revoke the authorized Person with a signed letter sent to the Commission revoking the Person to represent the Owner.

3.3.3 Methods of Submitting Authorization Letters, Permits, and Applications

1. Applications may be obtained from the Springfield Water and Sewer Commission as follows:

   (a) in person at the: Joseph J. Superneau Operations Center, 71 Colton Street, Springfield MA 01109

   (b) Commission website at: http://waterandsewer.org/

2. Authorization Letters and Applications may be submitted as follows:

   (a) in person at the: Joseph J. Superneau Operations Center, 71 Colton Street, Springfield MA 01109

   (b) scanned original by email to: cfs@waterandsewer.org

   (c) Commission website at: http://waterandsewer.org/ (as available)

3.3.4 Water Service Pipes

1. **Ownership.** Shall be as follows:

   (a) The Commission owns all Water Service Connections from Public Water Mains located within public ways, Commission-owned easements, whether recorded or by prescription and private ways open to public travel within the Service Area.

   (b) The Commission owns all Meters and couplings on Water Service Pipes at the Meter in private property and in buildings.

(c) The Owner owns the Water Service Pipe from the Water Service Connection to the Meter and all other pipes after the Meter.

(d) The Owner owns the valve on the main side of the Meter of all Service Pipes.

(e) The Owner owns the meter pit or vault in instances where a meter is installed in a meter pit or vault.

2. **Design and Construction Standards**. Water Service Pipes within a public way or a private way open to public travel shall be constructed in accordance with the Commission's Guidelines and Policies and Material Specifications. The size of the service pipe shall be submitted by the Owner and subject to the approval of the Executive Director.

3. **Location of Water Service Pipe**. No Water Service Pipe shall be installed in the same trench with any other public or private infrastructure or utility, except a Fire Service Pipe, nor within ten feet of a sewer unless approved by the Executive Director. Any connection of a Water Service Pipe to a public main shall be made in a public way, a Commission-owned easement or in a private way open to public travel.

4. **Limitation on Tapping Mains**. Where there is more than one Public Water Main in a street, the Executive Director shall determine which main the Owner may tap for a Water Service Pipe connection. Water mains designated, as transmission mains shall not be tapped for Water Service, except when approved by the Executive Director. New taps shall be a minimum of one pipe size smaller than the main to be tapped; however where the Executive Director deems this to be impractical then a size on size tap may be used to connect to the new main, as per the Commission's Guidelines and Policies.

5. **Separate Services**. In general, the Commission requires a single Water Service Pipe and a Master Meter for multiple unit Premises. Separate Water Service Pipe and Meter, if approved by the Executive Director, may be allowed for each Premise of different address or Ownership. The Executive Director shall determine the Water Service Pipe connections for condominiums and/or row houses. However, there shall be no separate services for vertical condominiums, that is, condominiums substantially within the same footprint.

   (a) A Water Service Pipe is required for any use other than fire protection and suppression. The Fire Service Pipe shall not be connected to the Water Service Pipe.

(b) Where a Water Service is to cross Property other than the Owners, the Owner shall provide a copy of a recorded easement granting permission and showing locations.

(c) A water service shall not be installed, until the easement has been recorded at the applicable Massachusetts Registry of Deeds.

6. Accessory Dwelling Unit (ADU). ADUs do not require a single and independent Water Service Pipe per Building. However, Water Service Pipe for ADUs shall conform to the following:

    a. The Premise / Property Owner shall inform the Commission of a proposed ADU via the Commission's ADU application and provide documentation of approval for said ADU from the governing authority. Documentation must include a building number issuance slip.

    b. The Premise / Property Owner shall be designated as the Commission's Customer for any water usage associated with ADUs.

    c. The Commission will not submeter water consumption for ADUs.

    d. It is the burden of the Owner to demonstrate that the existing Water Service Pipe can accommodate a connection for an ADU. Consideration must be taken relative to existing Water Service Pipe's, condition, flow capacity, and pipe alignment.

    e. A separate and independent Water Service Pipe shall be installed for ADUs if it is determined that the existing Water Service Pipe cannot accommodate the ADU connection, unless it is determined that replacing and reconfiguring the existing Water Service Pipe is the most feasible and advantageous alternative in accommodating the ADU connection.

    f. If modifications to the existing Water Service Pipe are proposed within the Commission's inspection jurisdiction or a separate and independent Water Service Pipe is required, a site plan showing all utility configurations and site existing conditions will be required for the Commission's review.

    g. ADU connections must be downstream of a Commission furnished Meter. At Owner's expense, a Master Meter within a meter pit may be installed within the Property if an ADU connection is required upstream of the existing Meter, in which case the existing Meter shall be removed.

h. Water Service Pipe modifications within the Commission's inspection jurisdiction will require a permit from the Commission and shall conform to all requirements set forth within these Rules and Regulations, Guidelines and Policies, and Material Specifications. This includes but is not limited to execution of work by a Commission Approved Contractor and inspection of work by the Commission in accordance with Section 3.10 of these Rules and Regulations.

i. Service connection fees do not apply to ADUs unless a new Water Service Connection is required.

j. New Water Service Pipe Application Fees apply to ADUs except if connected within plumbing jurisdiction.

7. Condominium developments that require fire hydrant(s) and separate water service(s) for individual units shall provide an easement to the Commission to install a Public Water Main in accordance with the Commission's Guidelines and Policies and Material Specifications or as otherwise approved by the Executive Director at the Owner's expense. The units will be metered individually by the Commission, unless otherwise approved by the Commission.

8. **Combined Service**. All provisions within this Chapter for Water Service Pipes shall also apply to existing combined services. New combined services shall not be installed, unless the Executive Director determines that Combined Service is in the interest of efficiency and, with the concurrence of the Local Fire and Code Enforcement or Building Departments, which approve such a service in writing.

   (a) When the Water Service Connection is located on the Owner's Property an easement is required for any new Combined Service and shall be granted prior to any construction beginning.

   (b) Existing Combined Water Services in buildings that are to be renovated shall have the connection in the building removed and a new Water Service Connection made on the Public Water Main or as otherwise approved by the Executive Director at the Owners expense.

9. **Restriction on Use of Fire Service Pipe**. No Fire Service Pipe shall be converted to a Water Service Pipe. No other use of a Fire Service pipe is allowed without approval by the local fire department and the Executive Director.

10. **Installation of Water Service Pipe**. The Executive Director at its sole discretion shall determine who may install a Water Service Pipe. All Water Service Pipes shall be installed as follows:

    (a) If a Public Water Main covers the full Front Footage the Owner shall pay the Connection Charge. If the water main does not cover the full front footage the Owner shall extend the existing Public Water Main to cover the full Front Footage of the Premise or Property. The Public Water Main shall be extended at the Owner's expense in accordance with these Rules and Regulations or as otherwise approved by the Executive Director.

    (b) The Owner shall be responsible, at the Owner's expense**,** for fulfilling all Commission requirements for licensing, bonding, permitting, submitting applications**,** installing the Water Service Pipe and appurtenances, tapping and making connection to the Public Water Main designated by the Executive Director, cutting and capping any Water Service Pipe and/or appurtenances to be discontinued, and provide As-Built Plans Fee, if required. Only the Commission shall turn on the Water Service. The service will not be turned on until the installation has been inspected and a Water Meter has been installed in accordance with these Rules and Regulations. No Turn-on will occur for any account with an overdue balance. The Owner or Commission Approved Contractor shall arrange at least 48 hours in advance for an inspection by the Commission before backfilling the installed Water Service Pipe and appurtenances in accordance with Section 3.10.1 Paragraph 3 of these Rules and Regulations. The Owner shall not backfill the installation until after receipt of written Inspection Certificate from the Commission. The Owner shall provide access to the Property for the inspection by the Commission and shall not conceal the purpose for which Water Service is used or to be used.

    (c) The Commission, at its sole discretion, may install the Water Service Pipe and appurtenances, by tapping and making connection to the Public Water Main designated by the Executive Director, cutting and capping any Water Service Pipe and/or appurtenances to be discontinued, and installing a Water Meter in accordance with these Rules and Regulations. Only the Commission shall turn on the Water Service.

    (d) The Owner shall be responsible for submitting applications and all permitting. The Owner shall provide access to the Property. The Owner shall not conceal the purpose for which Water Service is used or to be used.

    (e) The cost to Turn-on a new or replacement water service is considered part of the Application Fee and shall not be additionally charged to the Owner.

11. **Second Source.** If continuous Water Service is necessary, the Executive Director, at its sole discretion, may require the Owner to install a second metered service as a back-up water system. Such second source shall be installed in accordance with Commission's Guidelines and Policies, Material Specifications, and in accordance with these Rules and Regulations. All costs and expenses incidental to the installation of a second source shall be borne by the Owner.

12. **Water Service Pipe Testing.** The Commission may test a Water Service Pipe at its discretion. Typical conditions that would call for a Water Service Pipe to be tested include, but are not limited to, water leaks, low water pressure, Meter replacement, requests to Turn-On a Water Service, and leak detection survey in the Commission's Service Area. Water Service Pipes shall be tested in accordance with the Commission's Guidelines and Policies. Water Service Pipes that have failed shall be repaired or replaced in accordance with Section 3.3.6 of these Rules and Regulations.

3.3.5 Meters and Meter Testing

1. **Furnishing of Meters and Meter Size**. For all non-fire protection Users, the Commission shall furnish and replace at its expense Meters and all automatic reading devices except the initial installation of an Auxiliary Meter, along with the necessary bushings and couplings to attach to the plumbing. The initial installation of an Auxiliary Meter shall be at the Owner's expense in accordance with Chapter 5 of these Rules and Regulations. The size of the Meter required shall be submitted by the Owner and subject to the approval of the Executive Director.

2. **Monthly Service Charge.** The Owner shall be charged a Monthly Service Charge for each Meter installed on the Owner's Property, including Auxiliary Meters in accordance with Section 3.13, Paragraph 2 of these Rules and Regulations.

3. **Ownership.** All Meters, once installed, become the Property of the Commission. The Executive Director has the right to change the size of the Meter without charge to the Owner.

4. **Installation of Meters**. The Commission shall install all Meters. Prior, to installation of the Meter, the Owner shall ready the Premises and the plumbing for Meter installation at the Owners expense. If plumbing work is necessary to make the Premises Meter-ready, the Commission will provide the dimensions of the Meter, meter valve, and/or check valve, to enable the Owner to prepare the Premises for Meter installation. The Owner's plumbing shall be completed in a manner that permits installation of the Meter closest to the point of entry of the Water Service Pipe**.** All Meters and Meter installations shall conform to the

Commission's Guidelines and Policies, Material Specifications, and these Rules and Regulations.

5. **Location of Meters**. All Meters shall be installed within an Owner's building as close to the Public Water Supply main as possible in an ample and suitable space free from exposure to freezing and as specified in the Commission's Guidelines and Policies, unless otherwise directed by the Executive Director. At all times this space shall be unobstructed and accessible to the Commission for reading, testing, inspection, and maintenance purposes.

6. **Meter Pits.** The installation of a Meter in a pit or vault shall be as specified in the Commission's Guidelines and Policies. The Owner owns the meter pit or vault. Meter pits or vaults determined by the Commission to be unsafe shall be replaced by the Owner at the Owner's expense in accordance with the Commission's Guidelines and Policies and Material Specifications.

   (a) Henderson Pits shall not be allowed.

   (b) Meter pits with single entry manholes shall not be allowed.

7. **Meter-Reading Devices or Automatic Reading Devices**. The Commission may install a device on the inside or outside of a building in a conveniently accessible location to enable routine Meter readings without internal access to the Owner's building. The Commission shall install, maintain, and replace such devices at its expense under normal conditions.

8. **Right to Enter Premises**. In accordance with the provisions of Section 3.10 of these Rules and Regulations and Massachusetts General Laws Chapter 165 Section 11D, the Commission may enter Premises to install, examine, calibrate, repair, test or remove Meters and automatic reading devices.

9. **Meter Testing.** The Commission may subject all Meters to periodic tests**.** The Commission may at any time test, repair or replace any Meter at its option and expense. An Owner may request that the Commission test his or her Meter. Such tests shall be performed at the expense of the Owner in accordance with CHAPTER 4 of these Rules and Regulations.

10. **Meter Tampering** If a Meter or an Auxiliary Meter has been bypassed, tampered with, or prevented from properly registering water consumption, the Owner of the Premises shall be subject to the penalties stated in Massachusetts General Laws Chapter 165 Section 11 or to such penalties as set forth in Section 3.10 and 5.15 of these Rules and Regulations. In addition to any Penalties, the Owner shall be responsible for all costs associated with any repairs or replacement of a Meter resulting from tampering with a Meter.

11. **Master Meters**. The Executive Director, at his/her sole discretion, may require the master metering of more than one Water Service. In such case, the Owner of the Premises served shall be responsible for payment of all water charges, all costs and expenses incidental to the installation of the Master Meter and the acceptance of all related notices.

12. **Meter Replacement or Repair**. The Commission maintains a meter installation and maintenance program. Upon notification that a Meter is broken or missing, the Commission will install a new Meter, provided that the Premises are Meter ready. The replacement of a frozen Meter or a Meter that is damaged or missing shall be at the Owner's expense. If plumbing work is necessary to make the Premises meter-ready, the Commission will provide the dimensions of the Meter, meter valve, and/or check valve, to enable the Owner to prepare the Premises for Meter installation.

13. **Auxiliary Meters for Underground Irrigation Systems or Approved Process.** If Auxiliary Meters are wanted for the purpose of determining water use for underground irrigation systems or approved process use, they may be furnished by the Commission and at the expense of the Owner. Only a Property receiving both water and sewer service from the Commission will be eligible for an Auxiliary Meter. Properties with water services from other public utilities, that had an auxiliary meter installed by the Commission, will be allowed to continue to receive billing credits towards sewer charges on auxiliary meter use. The Owner must have a Licensed Plumber prepare the plumbing in accordance with the Commission's Guidelines and Policies and Material Specifications. The replacement of a frozen, damaged, or missing Auxiliary Meter shall be at the Owner's expense. Any water flow through an Auxiliary Meter that is not used for an underground irrigation system or approved process is considered an attempt to avoid sewer charges and hence meter tampering and subject to penalties as set forth in Section 3.10 and 5.15 these Rules and Regulations.

14. **Before Fee Credits are Allowed:** Before any fee credits shall be allowed by the Commission due to the use of an Auxiliary Meter, the Owner must meet any requirements as set forth in Section 3.2.5 of these Rules and Regulations.

    Before any fee, credits shall be allowed by the Commission due to the use of an Auxiliary Meter, the Auxiliary Meter shall meet the following requirements:

    (a) A licensed plumber must perform all work on the Owner's plumbing.

    (b) A Plumbing Permit is to be taken out for each installation at the local Building Department in the Commission's Service Area.

(c) If Meter is to be used for process piping, lawn sprinkler or other possible Cross Connection, an approved Backflow Prevention Device must be installed of the same size as the meter connection.

(d) The Plumbing Permit for such Meter is to list each approved Backflow Prevention Device.

15. **Additional Meters for Sub-division of Supply.** If additional Meters are wanted for the purpose of determining sub-divisions of supply through Master Meters, they may be furnished and installed at the expense of the Property Owner, who shall own the Additional Meter and must assume all responsibility of reading and maintaining same.

3.3.6 Repairs, Maintenance and Thawing

1. **Repairs and Maintenance**. The Water Service Pipe shall at all times be kept by the Owner in good repair, free of leaks and protected from frost and corrosion. If the Executive Director determines that any private piping does not conform to applicable state and federal law, codes and regulations, the Commission's Guidelines and Policies or Material Specifications the Executive Director may require an Owner, at the Owner's expense, to expose the piping for inspection by the Commission. The Executive Director may require the Owner, at the Owner's expense, to replace or repair the piping in accordance with applicable regulations and/or the Commission's Guidelines and Policies or Material Specifications**.** Replacement or repair may be conducted by the Commission at its discretion or the Commission may require the Owner to hire a Commission Approved Contractor to do the work pursuant to these Rules and Regulations. In the case where the portion of the Water Service Pipe owned by the Commission is damaged by neglect or carelessness of the Owner of the Premises served, or any plumber, contractor, occupant or other Person acting on behalf of the Owner of the Premises, all necessary repairs shall be made by the Commission at the Owner's expense.

2. Repair of Leaks shall be as follows**:**

(a) If the Executive Director determines that there is a leak in the Owner's Water Service Pipe, the Commission shall so notify the Owner with a written Leak Notice, and the Owner shall be responsible for filing a Service Application**,** having the leak repaired and the work inspected by the Commission to ensure compliance with these Rules and Regulations. In no event will the Commission repair the following types of services:

- Galvanized Pipe
- Wrought Iron

- Lead Pipe
- English Copper
- Plastic
- Steel
- Glass

(b) Water Service Pipe 2-inch or Smaller in Diameter

i. Notwithstanding the above, if a service is older than thirty (30) years old, and is subject to a leak on the service, the service shall be replaced at the Owner's expense.

ii. If a service is Commission installed, and less than thirty (30) years old, all repairs and/or replacements during the initial thirty (30) year period shall be at no cost to the Owner. If a service is older than thirty (30) years the service shall be replaced at the Owners' expense.

iii. If a service is Owner installed, and less than thirty (30) years old, the Owner is granted one repair during the initial thirty (30) year period, at the Owner’s expense. If a service is older than thirty (30) years or if a second leak found on a service in a different area of the line than was previously repaired, the service shall be replaced at the Owner’s expense.

iv. Charges that may be incurred to the Property Owner are labor, material, overhead, and any other applicable related costs to the job, including the cost of fees imposed by any other governmental agency and/or contractor.

v. The Commission, in accordance with the provisions of Section 3.3.7, Paragraph 1, may shut off such a leaking Water Service Pipe.

vi. With the approval of the Executive Director, the Commission may allow a Partial Water Service Pipe Replacement exception given cause and only when there is not a prohibiting rule in Section 3.3.6.3. Such an exception does not exempt the Owner from responsibility for the reused portion of the Water Service Pipe regardless of when a leak becomes evident.

(c) Water Service Pipe 3-inch or Larger in Diameter

i. If a Water Service Pipe is less than thirty (30) years old, the Owner is granted one repair during the initial thirty (30) year period, at the Owner’s expense.

ii. If an unlined iron Water Service Pipe is subject to a leak, regardless of age, the service shall be replaced at the Owner's expense.

iii. If a Water Service Pipe is over thirty (30) years and has not had a repair or is less than thirty (30) years old and has had a repair, the Owner may request that a temporary repair be allowed, pending review and approval by the Commission. If a temporary repair is approved, the Owner may also request that the Commission evaluate and consider the temporary repair as a permanent repair instead of requiring a full replacement. Otherwise, the Owner will have 30 days from the time of the temporary repair to submit an application for a replacement service to the Commission.

iv. In an emergency repair situation, if deemed necessary by the Commission, the Owner may be allowed to have a temporary repair done by the Commission or a Commission Approved Contractor. Upon the Commission's inspection of the repair and any exposed pipe, if conditions are such that there is a reasonable concern the Water Service Pipe may fail again after backfilling and energizing, the Commission may determine the Water Service Pipe cannot be turned on until it is replaced.

1. The above notwithstanding, following an emergency repair, the Owner will have 30 days to submit an application for a new service to the Commission unless the repair is accepted by the Commission as a permanent repair as outlined within item iii above.

3. **Reuse of Existing Water Service:**

(a) An existing Water Service may be reused in connection with new buildings only when the water service is found, on examination by the Commission, and tested in accordance with the Commission's Guidelines and Policies by the Commission to meet all requirements of this Chapter or at the discretion of the Executive Director.

(b) If the internal plumbing within a Building on a Premise has been stolen or cut off at the floor or wall then the Water Service pipe shall be replaced or repaired in accordance with this Section, the Commission's Guidelines and Policies, and Material Specifications.

(c) No ¾-inch copper tube Water Service Pipe may be reused other than when a Partial Water Service Pipe Replacement exception is made.

(d) No galvanized steel or wrought iron Water Service Pipe may be reused.

(e) If an existing 1-inch or greater copper tube Water Service is thirty (30) years old or less and has had no leaks it may be reused.

(f) If an existing 1-inch or greater copper tube Water Service is thirty (30) years old or less and has had one (1) or more leaks it must be replaced other than when a Partial Water Service Pipe Replacement exception is made.

(g) If an existing cast iron Water Service is unlined, it must be replaced.

(h) If an existing cast iron or ductile iron Water Service is cement lined and has not had any leaks in the last thirty (30) years it may be reused.

(i) When a Water Service must be replaced the Owner shall discontinue the existing Water Service at the Owner's expense and in accordance with Section 3.3.7 of these Rules and Regulations.

4. **Meter Valve Replacement:**

(a) The Commission will replace a 2-inch or smaller meter valve on the water main side of an Owners Water Service Pipe when a meter valve requires replacing due to, but not limited to, age, negligence, missing, and /or damage caused by the Owner. This replacement will be at the Owner's expense for each occurrence.

(b) The Commission will replace a 2-inch or smaller meter valve at no charge to the Owner if the meter valve was replaced and fails within fifteen (15) years of the valve replacement or service installation.

(c) A 3-inch or larger meter isolation valve, OS&Y, gate, or ball valve on either the water main side or the plumbing side of the meter that requires replacement shall be at the Owner's expense. The replacement may be done either by the Commission if it agrees, at a cost of time, equipment and materials or by a Contractor, Licensed Plumber or Qualified Fire System Contractor upon approval by the Commission.

5. **Thawing.**

(a) It is the responsibility of the Owner to keep the Water Service from freezing.

(b) The Commission shall thaw, at the Owner's expense, a frozen Water Service Pipe on the Owner's portion of the Water Service Pipe.

3.3.7 Shut-off, Turn-on, and Discontinuance

1. **Shut-off.**

(a) Only the Commission shall Shut-off Water Service. The Shut-off of Water Service by anyone other than the Commission is a violation of these Rules and Regulations and can result in the imposition of fines in accordance with these Rules and Regulations.

(b) **Shut-off Without Notice**: The Commission may Shut-off Water Service to a Water Service Pipe without notice in order to perform work on a Public Water Main or a Water Service Pipe or pursuant to Section 3.5.3, Paragraph 2 or pursuant to Section 4.5.2 and 4.5.6 of these Rules and Regulations.

- **Shut-off With Notice**: The Commission may Shut-off Water Service to a Water Service Pipe with notice pursuant to Section 4.5 of these Rules and Regulations. The Commission may Shut-off a Water Service for the following:
- non-payment by the Owner
- for reasons other than non-payment as specified in Section 4.5 of these Rules and Regulations.

(c) **Shut-off at the Owner's request**: The Commission will Shut-off Water Service to a Water Service Pipe to a Premise at the Owner's request and payment of the charges, as set forth in CHAPTER 5 of these Rules and Regulations. The Owner shall submit a written Application for Water Service Shut-off. If applicable, the Owner shall complete a Fire Department Permit to Shut-off Sprinkler System to have the Fire Service Pipe Shut-off.

2. **Turn-on**

(a) Only the Commission shall Turn-on Water Service. The Turn-on of Water Service by anyone other than the Commission is a violation of these Rules and Regulations and can result in the imposition of fines in accordance with these Rules and Regulations.

(b) **Turn-on at the Owner's Request**: If an Owner requests the Commission to Shut-off Water Service, then the Commission will Turn-on Water Service only after a subsequent request by the Owner and, where required, after compliance with these Rules and Regulations. No Turn-on of Water Service will occur for any account with an overdue balance.

(c) **Turn-on of a new Water Service Pipe:** After inspection of a newly installed metered Water Service Pipe, and upon request by the Owner, the Commission shall Turn-on the Water Service after the approval of the

Commission's Construction Manager, Cross Connection Control Manager and Water Distribution Manager

(d) **Turn-on of an existing Commercial, Municipal, and/or Industrial Water Service Pipe** after the approval of the Commission's Cross Connection Control Manager and Water Distribution Manager

- **Turn-on after Shut-off with or without notice by the Commission:** When Water Service to any Premise has been Shut-off for any reason other than Shut-off at Owner's request, it will be Turned-on by the Commission only after the conditions, circumstances or practices that caused the Water Service Shut-off are corrected and upon payment of any charges or fees as set forth in CHAPTER 5 of these Rules and Regulations. The Commission may Turn-on a Water Service without notice after performing work on a Public Water Main or a Water Service Pipe. If Water Service to a Water Service Pipe has been Shut-off for more than one year, a Service Application may be required to be filed and shall be supplemented by building site plans approved by the Executive Director and any other such permits, plans, material to be used, and information as the Executive Director may require.
- Turn-on of a Commercial, Municipal, and/or Industrial Water Service Pipe or Fire Service Pipe after the approval of the Commission's Cross Connection Control Manager and Water Distribution Manager

3. **Discontinuance**

(a) **Discontinuance requested by the Owner**. An Owner may request Discontinuance of a Water Service to a Building. The Owner must submit an Application for Water Service Discontinuance.

- The Owner shall cut and cap the Water Service Pipe(s) from the Public Water Main, at the Owner's expense, as set forth in Section 3.3.1, Paragraph 2.

(b) **Discontinuance required by the Commission**. If Water Service to a Water Service Pipe(s) has been Shut-off for a period of one year or more, the Executive Director, at his/her sole discretion, may require the Owner to cut and cap the Water Service Pipe(s) from the Public Water Main, at the Owner's expense, as set forth in Section 3.3.1, Paragraph 2.

4. **Turn-On Lead Service Pipe Prohibited**. If a lead Water Service Pipe is Discontinued, the Water Service shall not be turned on until a new Service Application is submitted by the Owner and the lead Water Service Pipe has been replaced with a new pipe of approved material in accordance with these

Rules and Regulations. No Turn-on will occur for any account with an overdue balance.

5. **Combined Services**. This Section shall not apply to Combined Services. For Combined Services, termination and/or discontinuance can only occur in accordance with Section 3.3.7 and 3.4.7 of these Rules and Regulations.

3.3.8 Expense Borne by Owner

1. All costs and expenses incidental to submission of a Service Application and Discontinuance and work authorized pursuant to such application, including but not limited to, design, materials, equipment, construction, connection and inspection of Water Service Pipes, shall be borne by the Owner.

2. The fees and charges for the installation of service lines, connections, Meters and testing of Meters and fire flow are set forth in CHAPTER 5 of these Rules and Regulations.

3. Applicants for all services are required to pay a Minimum Charge as set forth in CHAPTER 5 of these Rules and Regulations.

4. The balance will be billed upon completion of the work and paid within thirty (30) days.

Section 3.4 PRIVATE FIRE PROTECTION

3.4.1 Application for Fire Service Pipe

1. **Application Procedure**. In order to obtain approval to construct or change the size or location of a Fire Service Pipe connecting to a Public Water Main, the Owner shall submit a Service Application. The application shall be supplemented by a building site plan approved by the Executive Director, by a permit issued pursuant to the local Fire Department Code in the Commission's Service Area and by such other permits, plans, specifications, and information as the Executive Director may require. Approval of the application shall be subject to the availability of capacity in the Public Water Main as determined by the Executive Director. Any Service Application issued shall be void and invalid unless the work authorized by it shall have been commenced within thirty (30) days after issuance; however for cause shown and upon written request by the Property Owner, an extension may be granted by the Executive Director.

2. **Demolitions**. Before a building or structure is demolished, the Owner shall notify the Commission, complete a Fire Department Permit to Shut off sprinkler

system, submit an Application for Water Service Shut-off for the removal or cutting and capping all Water Service Pipe and Fire Service Pipes. The Executive Director at his/her sole discretion may require the Owner to submit a site plan. All pipe shall be discontinued to the Commission's Water Service Connection as set forth in Section 3.3.7 of these Rules and Regulations and in accordance with the Commission's Guidelines and Policies.

(a) The Commission shall inspect the work on the Owner's Fire Service Pipe, at the Owner's expense, to ensure that the services are removed or properly cut and capped in accordance with the Commission's Guidelines and Policies and Material Specifications prior to backfilling.

(b) The Commission will cut off, cap, and /or remove the Water Service Connection to the Commission's water main at the Owner's expense.

3. **Expenses Borne by Owner**. All costs and expenses incidental to the completion of a Service Application and the work authorized pursuant to such application, including but not limited to design, legal, construction, material, equipment, connection, and inspection of a Fire Service Pipe shall be borne by the Owner.

3.4.2 Authorized Representative for Water Facilities

As set forth in Sections 3.3.2 and 3.3.3 of these Rules and Regulations.

3.4.3 Fire Service Pipes

1. **Ownership.** The Commission owns all Public Water Mains and Water Service Connections located within public ways, Commission-owned easements, whether recorded or by prescription and private ways open to public travel within the Service Area. The Owner owns the Fire Service Pipe from the Water Service Connection to the Building and all other pipes inside the building.

2. **Design and Construction Standards**. Fire Service Pipes within a public way or a private way open to public travel shall be constructed in accordance with the Commission's Guidelines and Policies and Material Specifications. Fire Service Pipes within private property shall be constructed in accordance with the latest version of the Massachusetts State Plumbing Code, the local Fire Prevention Code.

3. **Location of Fire Service Pipe**. No Fire Service Pipe shall be installed in the same trench with any other public or private infrastructure or utility, except a Water Service Pipe, nor within ten feet of a sewer except as approved by the Executive Director. Any connection of a Fire Service Pipe to a public main shall be made in a public way, a Commission-owned easement, whether

recorded or by prescription, or in a private way open to public travel. The Executive Director at his/her sole discretion shall determine the point of connection of the Owner's Fire Service Pipe to the Commission's water main.

4. **Limitations on Tapping Mains**. Where there is more than one Public Water Main in a street, the Executive Director shall determine which main the Owner may tap for Fire Service Pipe connection. Water mains designated as transmission mains shall not be tapped for a Fire Service Pipe, except when approved by the Executive Director. All new taps shall be a minimum of one pipe size smaller than the main to be tapped; however, where the Executive Director deems this impractical, a size on size tap may be used to connect to the new main, as per the Commission's Guidelines and Policies.

5. **Limitations on Water Use.** Water supplied through a Fire Service Pipe shall be for fire protection and suppression only, except for annual fire flow and fire pump tests. Only prior written authorization from the Executive Director shall permit any other use of water from a Fire Service Pipe. No water used for fire protection/suppression systems shall be taken from a Water Service Pipe. Unauthorized water consumption will be billed in accordance with charges set forth in Chapter 5 of these Rules and Regulations. It is the Owners responsibility to ensure proper function of the Owner's Fire Service Pipe and fire protection system, and as such the Owner shall regularly monitor the Fire Service Pipe and fire protection system for unauthorized water consumption. Owner shall notify the Commission of any unauthorized consumption upon initial detection. If unauthorized consumption is the result of leaks, the Executive Director may opt to waive unauthorized water consumption charges for up to one year of consumption. It is the Owner's burden to determine and document the cause of the unauthorized water consumption, and to implement any required corrective measures.

6. **Installation of Fire Service Pipe.** The Executive Director at his/her sole discretion shall determine who may install a Fire Service Pipe. All Fire Service Pipes shall be installed as follows:

   (a) The Owner shall be responsible for submitting applications and any additional permitting. The Owner shall provide access to the Property. The Owner shall not conceal the purpose for which the Fire Service Pipe is used or to be used.

   (b) The Owner shall be responsible, at its expense**,** for fulfilling all Commission requirements for licensing, bonding, permitting, submitting applications**,** installing the Fire Service Pipe and appurtenances, tapping and making connection to the Public Water Main designated by the Executive Director, and cutting and capping any Fire Service Pipe and appurtenances to be discontinued. Only the Commission shall turn on the Water Service. The

service will not be turned on until an approved Backflow Prevention Device has been installed in accordance with these Rules and Regulations and the Commission has inspected the installation. No Turn-on will occur for any account with an overdue balance. The Owner or Commission Approved Contractor shall arrange at least 48 hours in advance for an inspection by the Commission before backfilling the installed Fire Service Pipe and appurtenances in accordance with Section 3.10.1, Paragraph 3 of these Rules and Regulations. The Owner shall not backfill the installation until after receipt of a written Inspection Certificate from the Commission. The Owner shall provide access to the Property for the inspection by the Commission and shall not conceal the purpose for which the Fire Service Pipe is used or to be used.

(c) The Executive Director, at his/her sole discretion, may install the Fire Service Pipe and appurtenances, at the Owner's expense**,** by tapping and making connection to the Public Water Main designated by the Executive Director, cutting and capping any Fire Service Pipe and/or appurtenances to be discontinued, in accordance with these Rules and Regulations. Only the Commission shall turn on the Water Service.

7. **Installation of Backflow Prevention Device.** All new and existing Fire Service Pipe supply lines shall be equipped with an approved Backflow Prevention Device. Per Chapter 10 of the Commission's Guidelines and Policies, all Backflow Prevention Devices must be equipped with a metered double check valve bypass that reads in cubic feet.

8. **Fire Department Permit.** An Owner, in accordance with the local Fire Prevention Code in the Owner's Service Area, shall be responsible for obtaining the necessary permit from the Fire Department when the Fire Service Pipe is shut off for maintenance purposes. A copy of said permit shall be supplied to the Commission.

9. **Second Source.** If continuous Water Service is necessary, the Executive Director at his/her discretion may require the Owner, to install a second service with Backflow protection so that service will not be interrupted during Fire Service Pipe testing and maintenance operations. Such second source shall be installed in accordance with the Commission's Guidelines and Policies, Material Specifications, and in accordance with these Rules and Regulations. All costs and expenses incidental to the installation of a second source shall be borne by the Owner.

3.4.4 Metering

Per Chapter 10 of the Commission's Guidelines and Policies, an Owner is required to install a detector Meter on a Fire Service Pipe for the purpose of monitoring

leakage and unauthorized water consumption. All expenses for furnishing and installation of the detector Meter shall be borne by the Owner. Replacement of a detector meter with a Commission owned smart meter may be required by the Executive Director or their designee. Such a meter would be installed by the Commission at no installation cost to the Owner. However, a monthly service charge for a Commission owned smart meter based on the size of the meter on the bypass service line on the Backflow Prevention Device will be charged to the account in accordance with Chapter 5 of these Rules and Regulations. The provisions of Section 3.3.5 with respect to Meter location, right to enter Premises, Meter testing, Meter tampering, and Meter replacement or repair shall apply to Fire Service Pipe Meters.

3.4.5 Monthly Fire Service Pipe Charge

The Owner shall be charged a Monthly Fire Service Charge for each Fire Service Pipe connected to the Commission's Public and Private Water Mains in accordance with Section 3.13 Paragraph 3 of these Rules and Regulations.

3.4.6 Repairs, Maintenance and Thawing

1. **Repairs and Maintenance**. The Fire Service Pipe shall at all times be kept by the Owner of the Premises and at the Owner's expense in good repair, free of leaks and protected from frost and corrosion.

2. **Repair of Leaks**. The Owner shall be responsible for having a leak in a Fire Service Pipe repaired at the Owner's expense. All such repairs must be in accordance with the provisions of Section 3.3.6. Such a leaking Fire Service Pipe may be shut off by the Commission in accordance with the provisions of Section 3.10 of this Chapter.

3. **Thawing**.

   (a) It is the responsibility of the Owner to keep the Water Service from freezing.

   (b) The Commission shall thaw, at the Owner's expense, a frozen Fire Service Pipe on the Owner's portion of the Fire Service Pipe.

3.4.7 Shut-off, Turn-on, and Discontinuance

1. **Shut-off.**

   (a) No Shut-off of a Fire Service Pipe shall occur except in accordance with Massachusetts General Laws Chapter 148, Section 27A and with the local Fire Prevention Codes in the Commission's Service Area.

(b) Only the Commission shall Shut-off a Fire Service Pipe. The Shut-off of a Fire Service Pipe by anyone other than the Commission is a violation of these Rules and Regulations and can result in the imposition of fines in accordance with these Rules and Regulations.

(c) **Shut-off Without Notice**: The Commission may Shut-off Water Service to a Fire Service Pipe without notice in order to perform work on a Public Water Main or a Fire Service Pipe or pursuant to Section 3.5.3, Paragraph 2 or pursuant to Section 4.5.2 and 4.5.6 of these Rules and Regulations. **Shut-off With Notice**: The Commission may Shut-off Water Service to a Fire Service Pipe with notice pursuant to Section 4.5 of these Rules and Regulations. The Commission may Shut-off Water Service for the following:

- non-payment by the Owner
- for reasons other than non-payment as specified in Section 4.5 of these Rules and Regulations.

(d) **Shut-off At the Owner's request**: The Commission will Shut-off Water Service to a Fire Service Pipe to a Premise at the Owner's request and payment of the charges, as set forth in CHAPTER 5 of these Rules and Regulations. The Owner shall submit a written Application for Water Service Shut-off. If applicable, The Owner shall complete a Fire Department Permit to Shut-off Sprinkler System to have the Fire Service Pipe Shut-off.

2. **Turn-on**

(a) Only the Commission shall Turn-on a Fire Service Pipe. The Turn-on of a Fire Service Pipe by anyone other than the Commission is a violation of these Rules and Regulations and can result in the imposition of fines in accordance with these Rules and Regulations

(b) **Turn-on at the Owner's Request**: If an Owner requests the Commission to Shut-off Water Service, then the Commission will Turn-on Water Service only after a subsequent request by the Owner and, where required, after compliance with these Rules and Regulations. No Turn-on will occur for any account with an overdue balance.

- If an Owner requests the Commission to shut off Water Service, then the Commission will turn on the Water Service only upon request by the Owner and by the local Building Departments and or in the Commission's Service Area and, where required, only after the Owner submits a Service Application.

- **Turn-on of a new Fire Service Pipe:** After inspection of a newly installed metered Fire Service Pipe, and upon request by the Owner, the Commission shall Turn-on the Water Service after the approval of the Commission's Construction Manager, Cross Connection Control Manager and Water Distribution Manager and the following
- written request by the Owner, by the local Building Department, and Fire Department having jurisdiction in the Commission's Service Area,

(c) **Turn-on of an existing Commercial, Municipal, and/or Industrial Fire Service Pipe** requires the approval of the Commission's Cross Connection Control Manager and Water Distribution Manager. No Turn-on will occur for any account with an overdue balance.

(d) **Turn-on after Shut-off with or without notice by the Commission:** When Water Service to any Premise has been Shut-off for any reason other than Shut-off at Owner's request, it will be Turned-on by the Commission only after the conditions, circumstances or practices that caused Water Service to be Shut-off are corrected and upon payment of any charges or fees as set forth in CHAPTER 5 of these Rules and Regulations. The Commission may Turn-on Water Service without notice after performing work on a Public Water Main or a Water Service Pipe.

- If Water Service has been Shut-off for more than one year, a Service Application may be required to be filed and shall be supplemented by building site plans approved by the Executive Director and any other such permits, plans, material to be used, and information as the Executive Director may require.
- Turn-on of a Commercial, Municipal, and/or Industrial Water Service Pipe or Fire Service Pipe after the approval of the Commission's Cross Connection Control Manager and Water Distribution Manager

3. **Discontinuance**

(a) **Discontinuance requested by the Owner**. An Owner may request Discontinuance of Water Service to a building. The Owner must submit an Application for Water Service Discontinuance.

- The Owner shall cut and cap the Fire Service Pipe(s) from the Public Water Main, at the Owner's expense, as set forth in Section 3.3.1, Paragraph 2.
- Along with the Application, the Owner shall provide the Commission with a written request from the local Building Department within the Commission's Service Area and with a permit in accordance with the local

Fire Prevention Codes in the Commission's Service Area authorizing the Discontinuance.

Section 3.5 CROSS CONNECTIONS

3.5.1 Backflow Prevention Devices

1. **Cross Connection Control.** No physical connection between the distribution system of the Commission, and that of any other supplementary or secondary water supply shall be permitted, unless such other supplementary or secondary water supply is approved by the Department of Environmental Protection of the Commonwealth of Massachusetts, as being of safe sanitary quality and the connection of both supplied is approved by the Department of Environmental Protection, or its' designee.

2. **Backflow Prevention Devices Required**. No Person shall maintain a Cross Connection without an approved Backflow Prevention Device. The Owner shall provide all Backflow Prevention Devices at the Owner's expense. Backflow Prevention Devices shall comply with the provisions of the Massachusetts Department of Environmental Protection (MDEP***)*** Drinking Water Regulations 310 CMR Section 22:22 Cross Connections, the Commission Material Specifications, and be installed according to the Commission's Guidelines and Policies.

3. **Plan Approval and Initial Inspection**. The Executive Director shall approve all plans for the installation of Backflow Prevention Devices according to the Commission's Guidelines and Policies. After the Backflow Prevention Devices are installed the Commission shall perform the initial inspection and test of the Backflow Prevention Devices according to the Commission's Guidelines and Policies. Scheduled inspections and tests are at rates set forth in CHAPTER 5 of these Rules and Regulations. Any inspection or tests that have to be rescheduled because the Owner is not ready shall be charged for an inspection or test at rates set forth in CHAPTER 5 of these Rules and Regulations.

4. **Tank Supplies.** If the water supplied by the Commission is used as an auxiliary supply delivered to a tank also supplied with water from another source the tank shall be subject to the approval of the Department of Environmental Protection and/or its' designee, shall be open to atmospheric pressure, and the water supplied by the Commission shall be delivered to the tank above the maximum level of water in the tank with an adequate air gap. The tank overflow shall be of adequate size to fix definitely the maximum level.

   If the water supply is stored in a tank and supplied only from the Commission and directly connected to a water supply also approved by the said Department

of Environmental Protection and/or its' designee, the tank shall be so constructed as to avoid any possible contamination of the water in the tank and shall be subject to the approval of the Department of Environmental Protection and/or its' designee.

5. **Installation of Backflow Prevention Devices**. The Owner shall install Backflow Prevention Devices at the Owner's expense. Backflow Prevention Device installations shall comply with the provisions of the Massachusetts Department of Environmental Protection (MDEP) Drinking Water Regulations 310 CMR Section 22:22 Cross Connections. The Executive Director shall approve the installation of all Backflow Prevention Devices according to the Commission's Guidelines and Policies.

6. **Subsequent Testing**. The Commission shall conduct annual and semi-annual tests and inspections of all approved State registered Backflow Prevention Devices at the Owner's expense, to insure proper operating condition. Any approved Backflow Prevention Device failing a Commission test and inspection, regardless if the failure is a result of defective components or an inability to test the device due to physical conditions, shall be repaired or replaced by a licensed plumber or licensed sprinkler fitter and shall be subsequently retested and re-inspected within fourteen (14) days of failure at the Owner's expense to insure proper operating condition**.**

    a. If necessary, Water Service Pipe shall be disconnected for failure to test or maintain backflow prevention devices in a manner acceptable to the Commission as non-compliant water services pose a risk to the public water supply. If it is found that the Backflow Prevention Device has been removed or by-passed or otherwise rendered ineffective, water service shall be discontinued unless corrections are made immediately pursuant to Section 4.5. The Commission will Discontinue the Water Service Pipe by cutting off, capping and/or removing the Water Service Connection to the Commission's water main at the Owners expense. This language is in accordance with MassDEP Cross Connection Control Program Regulations 310 CMR 22.22 Section(2)(h) Maintenance of a Cross Connection.

7. Charges for testing shall include a Backflow Preventer Device Test Charge as set forth in CHAPTER 5 of these Rules and Regulations.

    (a) The Backflow Preventer Test Charge shall include the testing of each device at each Premise of the Owner as set forth in CHAPTER 5 of these Rules and Regulations.

8. **Removal of Backflow Prevention Devices.** Removal of an approved Backflow prevention device is prohibited without prior notification to the Commission by the Property Owner and subsequent approval by the Executive Director**.**

3.5.2 Cross Connection Inspection

1. **Right to Enter**. The Commission may enter properties served by the Commission's water distribution system at all reasonable times for the purpose of conducting routine, periodic surveys and investigations for Cross Connections and potential Cross Connections within the Property. On request by the Commission, the Owner shall furnish information on water use practices within the Property. Properties having or suspected of having Cross Connections in violation of these Rules and Regulations may be inspected regularly for Backflow hazards.

2. **Notification.** Notwithstanding any other provision of these Rules and Regulations, investigations and inspections for the purpose of locating possible Cross Connections in violation of these Rules and Regulations may be performed by the Commission without prior notice to the Owner.

3.5.3 Cross Connection Elimination

1. **Prevention of Cross Connections**. The Backflow of non-potable water, other fluids, gases or foreign materials into the Commission's water distribution system or plumbing systems of properties served by the Public Water System is prohibited. Public and private water mains, plumbing systems and fire protection/suppressions systems supplied by the Commission's water distribution system shall be protected against Cross Connection and Backflow from any plumbing fixture or other equipment or appliance capable of affecting the quality of the water supply. The Executive Director shall determine the type of Backflow Prevention Device to be utilized to protect from a Cross Connection or Backflow condition.

2. **Shut-off of Water Service**. The Executive Director shall have the right to shut off Water Service without prior notice to eliminate a Cross Connection or Backflow condition where contaminants or pollutants are actually in the process of or are suspected of entering the Commission's potable water distribution system, or where there is, in the Executive Director’s judgment, the reasonable possibility that such contamination or pollution will occur if the Water Service is not shut off. Under such conditions, the Water Service shall remain shut off until the Cross Connection or Backflow connection is eliminated, or the condition is remedied, at the Owner’s expense, and the remedial work has been approved by the Executive Director. For purposes of the Commission’s Billing, Termination and Appeal Regulations, a shut-off to eliminate a Cross

Connection or Backflow condition shall be treated as a Customer plumbing emergency under those Rules and Regulations.

3.5.4 Owner's Liability

The Owner shall be liable to the Commission, and shall reimburse the Commission, for all penalties, fines and monetary judgments levied against or imposed upon the Commission as a result of the Owner's violation of any provision of this Section.

Section 3.6 PRIVATE WELLS

3.6.1 Registration/Permit Requirements

All private wells within the City of Springfield, the Town of Ludlow, or the Commission's Service Area shall be registered with the Commission and the Springfield Health Department. No Person shall dig, drive or otherwise establish or install a private well without submitting a copy of the Springfield Health Department's or other local Board of Health in the Commission's Service Area Construction Permit to the Commission.

3.6.2 Cross Connection Regulation

Prevention of Cross Connection. Water from a private well shall not be connected to any piping, equipment or system supplied by the Commission's water distribution system or internal plumbing at any time.

Section 3.7 PROTECTION OF THE WATER SYSTEM

3.7.1 Protection of Property

1. No Person, except as set forth in Paragraphs 2 and 3 of this Section, shall be allowed to use the water, lands or other property of the Commission, unless with written authorization of the Executive Director, in the form of a License Agreement, for the purpose of repair or maintenance of said property; improving quantity or quality of the water; protecting or rehabilitating the environment; protecting public health or safety; or performing work.

2. Persons wishing to access Commission property for recreational purposes shall comply with, but not limited to, these Rules and Regulations, any Land Management Plan as approved by the Executive Director, and any applicable Local, State, and/or Federal Laws.

3. Persons wishing to access Commission property for any other purpose, must have written authorization of the Executive Director, in the form of a License Agreement, before accessing the property of the Commission.

3.7.2 Protection from Damage

No Person shall maliciously or willfully break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is part of the Commission. Any Person violating this provision shall be subject to arrest and a fine to the extent permitted by law. For purposes of this section "Person" shall be defined as "Owner, landlord, customer, tenant, permanent or temporary occupant, or account holder of record". Any charges associated with this section will be applied to and be the responsibility of the Owner of record on the subject account.

Section 3.8 Access to Commission Property and Easements

3.8.1 General

1. The fees charged for Review Crossing Commission property shall be as set forth in CHAPTER 5 of these Rules and Regulations.

2. No work shall commence within the property or easements of the Commission without the prior written approval of the Executive Director in the form of a License Agreement and in accordance with these Rules and Regulations and the Commission's Guidelines and Policies.

3. Procedures established in these Rules and Regulations and the Commission's Guidelines and Policies for access, use, or to cross property or easements does not mean that such approval will be granted.

4. All approvals for access, use, or to cross property or easements are made at the sole discretion of the Executive Director.

5. The Commission reserves the right to modify these Rules and Regulations and its Guidelines and Policies or to impose stricter, site-specific, requirements at any time.

6. Any third parties seeking an easement on Commission property should note that the Commonwealth's Department of Environmental Protection must also approve any such easement.

Section 3.9 Public Access Rules and Regulations

3.9.1 Governance and Use

Governance and use of the Watershed lands, Reservoir lands, Roads and Trails, and Waterways under the care and control of the Commission shall be in accordance with these Rules and Regulations set forth herein.

3.9.2 General Rules and Regulations

1. The Commission may post rules restricting recreational activity to designated areas and times.

2. Entrance on and exit from Watershed lands, Reservoir lands, Roads and Trails, and Waterways by pedestrian, vehicular, and other traffic shall be made through gates, established trails, or other designated areas only except as authorized in writing by the Commission.

3. The use of bicycles, skis, and other means of non-motorized transportation are prohibited in Watershed lands, Reservoir lands, Roads and Trails, and Waterways except at areas designated by the Commission.

4. No Person is allowed on Commission Watershed lands, Reservoir lands, Roads and Trails, and Waterways except during the hours from dawn (one hour before sunrise) to dusk (one hour after sunset) unless specified otherwise at the site or authorized by a written permit from the Commission.

5. No Person shall drop, throw or place and allow to remain a lighted match, cigarette butt or any other burning substance on the ground or in said receptacles on Watershed lands, Reservoir lands, Roads and Trails, or Waterways.

6. All Persons within said Commission property shall use the sanitary Facilities provided for public use on Watershed lands, Reservoir lands, Roads and Trails, or Waterways.

7. No person shall place, fill, store or dump on the premises soil, refuse, trash, vehicle bodies and/or parts, rubbish, debris, junk, waste, hazardous substances, wastes or waste materials, oil, or any substance or material whatsoever on Watershed lands, Reservoir lands, Roads and Trails, or Waterways.

8. All acts, which pollute or may pollute the water supply, are prohibited. No Person shall drop, throw or place any litter, garbage or refuse in any of the tributaries or waterbodies under the care and control of the Commission, or in any other way pollute or contribute to the pollution of such tributaries or waterbodies.

9. No planting, releasing, cultivating, maintaining, or engaging in any other activity that would result in the intentional introduction, intentional establishment, and/or intentional enhancement of plant, animal, insect, or other species that are not native to the Commonwealth of Massachusetts is allowed on Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways, except as authorized in writing by the Commission.

10. No tillage, grazing, or sheltering of livestock or animals on Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways.

11. No activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, or archeological conservation are allowed on Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways.

12. No storage or use of pesticides is allowed on Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways.

13. No commercial, residential, business or industrial use is allowed on Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways, except as authorized in writing by the Commission.

14. Open fires, cookouts, and picnics are prohibited on Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways, except by written permission from the Commission.

15. Drunkenness, breach of peace, profanity, amplified sound, or other disorderly conduct offensive to the general public is strictly prohibited within the Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways. Possession of and drinking of alcoholic beverages is prohibited within said System.

16. No Person shall willfully obstruct the free passage of vehicles or Persons.

17. No Person shall cause or permit any animal owned by him, in his custody, or under his control, on Watershed lands, Reservoir lands, Roads and Trails, or Waterways.

18. No Person, except in an emergency, shall bring, land or cause to descend within any Watershed lands, Reservoir lands, Roads and Trails, or Waterways any airplane, parachute or other apparatus of aviation, except by written permission from the Commission.

19. All acts, which injure the property of the Commission, are prohibited. No Person shall injure, deface, destroy, remove or carry off any sign, structure,

facility, tree or any other property or equipment real or Personal, under the care and control of the Commission, including but not limited to, all historic artifacts and natural materials. The removal of plants, gravel, topsoil, stones, boulders, or other earthen material is prohibited from Commission property except for removal by Commission staff.

20. No Person shall build or construct any object or structure on the property of the Commission except with the written permission of the Commission.

21. No Person shall wade or swim in any Reservoir, any Tributary, or Surface Waters on or within the property of the Commission except at areas designated by the Commission and with written permission by the Commission.

22. Organized sports activities, including but not limited to orienteering, fishing derbies, road races, and/or baseball, are prohibited in the Watershed lands, Reservoir lands, Roads and Trails, or Waterways, except by written permit from the Commission.

23. Any violation of these Rules and Regulations will be deemed sufficient cause for revocation of access and / or fishing privileges for a period of time not less than one year from the time of violation

24. Parades, games, fairs, carnivals, bazaars, gifts or solicitations for raising or collecting funds shall not be permitted except by written permit from the Commission.

25. Lotteries, raffles, gambling and games of chance are prohibited; and no Person shall have possession of machinery, instruments or equipment of any kind for use for these purposes on Commission property.

26. Public assemblies or groups of more than ten (10) Persons shall not be allowed without a written permit from the Commission.

27. No Person shall engage in any business, sale, or display of goods or wares without a written permit from the Commission.

28. All signs and advertising are prohibited on Commission property without a written permit from the Commissioner.

29. No Person shall have possession of or discharge any weapon, firearm, fireworks, or other explosive on or within the Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways except at times and areas designated by the Commission. All forms of target shooting are prohibited on or within the said Commission Property.

30. No Person shall fish, hunt, shoot or trap animals on or within any of the Commission Watershed lands, Reservoir lands, Roads and Trails, or Waterways except at times and in areas designated by the Commission. The Commission shall not permit hunting or trapping of animals or birds unless specifically authorized by law. Injuring or otherwise disturbing animals or birds or their habitat is prohibited.

31. No Person shall refuse or neglect to obey any posted regulatory sign or the lawful directions of an Authorized Police Officer, Commission Personal or Person in charge, or Federal or Commonwealth enforcement officer.

32. No motorized vehicles of any kind are allowed on Watershed lands, Reservoir lands, Roads and Trails, or Waterways without a written permit from the Commission.

33. Boats, of any kind, with or without motors are prohibited on Commission Waterways without a written permit from the Commission.

34. The Watershed lands, Reservoir lands, Roads and Trails, or Waterways or parts thereof may be closed for public access at the discretion of the Commission when necessary to protect the lands and waters under the care and control of the Commission.

35. The possession of all types of metal detectors or similar devices is prohibited on all of the Watershed lands, Reservoir lands, Roads and Trails, or Waterways property.

3.9.3 Special Rules and Regulations for Use of Ludlow Reservoir.

Public access to the Ludlow Reservoir shall be in accordance with the Commissions' land management plan.

1. Access to the Ludlow Reservoir shall be through the gate at the public parking area on Route 21 in Ludlow. Other access is available through the Facing Rock Land Management Area to the west of the Ludlow Reservoir.

2. Persons will be allowed to walk and jog on the dirt roads around the Ludlow Reservoir.

3. Persons will be allowed to ride bicycles (with fat tires) on the dirt roads from the gate at the public parking area off Route 21 to the turnaround at Broad Brook Canal.

4. No access is allowed to Cherry Valley Dam upstream and downstream faces, the spillway structures, the road along the spillway channel, and the spillway channel.

5. No access is allowed at the Drinking Water Treatment Facility, slow sand filters, Ludlow Dam, maintenance buildings or structures, and Resident Manager's house.

6. No access is allowed to any canals including Broad Brook Canal, Higher Brook Canal and the roads along the canals.

7. Persons in compliance with Commonwealth Fish and Game Laws and Regulations, will be allowed to fish from shore in areas designated by the Commission. Any Person fishing on Commission property requires a valid state fishing or sporting license.

8. Persons in compliance with Commonwealth Fish and Game Laws and Regulations, will be allowed to hunt in areas designated by the Commission. Any Person hunting on Commission property requires a valid state hunting or sporting license. There is no access to designated hunting areas from any Commission property including the gate at the public parking area on Route 21. Access to designated hunting areas is through the Facing Rock Land Management Area to the west of the Ludlow Reservoir.

Section 3.10 ENFORCEMENT

3.10.1 Inspection

1. **Right of Access**. In accordance with the provisions of these Rules and Regulations and Massachusetts General Laws CHAPTER 165 Section 11D, duly authorized representatives of the Commission shall have access to Premises and Properties, including those under construction, served by the Public Water System to ascertain compliance with these Rules and Regulations. Owners or Water Users shall allow properly identified Commission representatives access to areas in which Water Service Pipes, fire protection/suppressions system supply lines, Meters, Backflow Prevention Devices, and all appurtenances that are located within the Premises and Properties to inspect, observe, measure, sample, and test:

   (a) Water use,

   (b) Buildings,

   (c) Water quality,

(d) Meters and / or Auxiliary Meters,

(e) Water Service Pipes,

(f) Fire Service Pipes,

(g) Cross Connections, Backflow condition, or Backflow Prevention Devices, and

(h) Other structures that the Executive Director reasonably believes may be contributing to a violation of these Rules and Regulations.

2. **Inspections for Violations.** Inspections conducted pursuant to routine periodic surveys or on a report of a complaint shall be performed at all reasonable times during normal business hours. When the Executive Director reasonably suspects that a violation of these Rules and Regulations is or may be occurring or an emergency exists that requires immediate action on the part of the Commission access shall be permitted at such other times as is necessary for the correction of said violation of abatement of such emergency.

3. **Inspections for Installations.** For the protection of the water supply, Commission inspections shall be required. Installations of new or replacement Water Facilities performed by the Owner or Commission Approved Contractor shall be inspected by the Commission at the Owner's expense, as set forth herein:

(a) No Water Facilities, Water Service Pipe, or Fire Service Pipe shall be Turned-On unless the work is inspected according to the Commission's Guidelines and Policies.

(b) The Commission shall inspect all layout work before construction begins.

(c) Inspections shall be on a per visit basis, during regular working hours and, at the Commission's discretion. The Commission, at its discretion may require a full-time inspector at the Owner's or Developer's expense.

(d) The Commission shall test the water after an Owner has completed an installation. Upon passing the water quality tests as per the Commission's Guidelines and Policies, the water may be turned-on. The Commission will conduct two (2) water quality analyses at its expense. Any additional water quality tests required to assure the protection of the water supply shall be at the Owner's expense. The Commission shall charge the Owner the Water / Sewer Pipe Inspection Charge based on a site visit for each additional water quality test.

(e) Payments for inspection shall be paid in advance based on the estimated number of visits or estimated number of days needed to complete the work.

(f) No work is to be backfilled without the inspector's approval. Any work backfilled without approval shall be excavated and payment made for another inspection.

(g) The Commission's inspectors shall certify that the installation has been installed according to the Commission's Guidelines and Policies and is required before water is turned-on.

4. **Right of Entry**. In accordance with the provisions of these Rules and Regulations and Massachusetts General Laws Chapter 165 Section 11D, duly authorized representatives of the Commission shall be permitted to enter all private Property through which the Commission holds an easement, whether recorded or by prescription, for the purpose of inspection, observation, measurement, sampling, testing, maintenance, repair or reconstruction of any portion of a Public Water Main lying within said easement. Inspections conducted pursuant to routine periodic surveys or on a report of a complaint shall be performed at all reasonable times during normal business hours. When the Executive Director reasonably suspects that a violation of these Rules and Regulations is or may be occurring or an emergency exists that requires immediate action on the part of the Commission access shall be permitted at such other times as is necessary for the correction of said violation or abatement of such emergency. All entry and subsequent work, if any, shall be done in full accordance with the terms of said easement.

5. **Security Clearance.** Where an Owner or Water User has security measures in force that would require clearance before entry to the Premises, the User shall make necessary arrangements to permit Commission personnel to enter without undue delay for the purpose of carrying out their specific responsibilities.

6. **Consequence of Denial of Entry or Access.** The Executive Director may forthwith give written notice of its intent to Shut-off and/or Discontinue a Water Service where an Owner having received reasonable notice refuses to permit properly identified Commission personnel to enter or have access to Premises in accordance with the terms of this Section. Such notice shall be given in accordance with CHAPTER 4 of these Rules and Regulations. Notwithstanding any other course of action available to it, the Commission has the right in accordance with applicable Federal and State law to apply for entry to Premises served by the Public Water System for the purposes.

3.10.2 Enforcement Actions

1. When the Executive Director has determined that an Owner or Person has:

(a) violated, is violating or threatened to violate these Regulation or any Permit issued pursuant to these Rules and Regulations, or

(b) made a false representation in an application, record, or report to the Commission or failed to provide relevant information, or

(c) failed to comply with an order or ruling issued by the Commission or a court after having reasonable opportunity to comply, or

(d) caused or threatened damage to the Commission's water distribution system, then

2. The Executive Director may take any one or more of the following actions, in any sequence or simultaneously:

(a) The Executive Director may issue a request or an order to cease and desist any such violation or any actions that cause or threaten to cause a violation, and/or an implementation schedule for undertaking specific actions or practices.

(b) The Executive Director may require the Owner to submit a detailed time schedule setting forth specific actions to be taken and specific dates upon which such actions will be taken in order to prevent or correct a violation. The Executive Director may issue an implementation schedule containing or modifying such specific actions and time schedule, or requiring such other actions within such times as the Executive Director deems appropriate.

(c) The Executive Director may issue an order directing the Owner to pay to the Commission penalties and costs in accordance with these Rules and Regulations.

(d) The Executive Director may revoke, modify, deny, suspend or refuse to renew a permit or approval issued under these Rules and Regulations.

(e) The Executive Director may take direct enforcement action by filing suit in any court of competent jurisdiction pursuant to any applicable statute or regulation for civil or criminal fines and reimbursement of costs or damages resulting from the violation or threatened violation.

(f) The Executive Director may Shut-off and/or Discontinue Water Service as authorized in these Rules and Regulations.

3.10.3 Liability

1. **No Direct or Consequential Damage as a Result of a Turn-On or Shut-off**. The Commission shall not be responsible for any damage resulting from the shut-off or subsequent Turn-on of water, including but not limited to bursting or collapse of boilers supplied by direct pressure; damage by debris in dirty water; the breaking of any pipes, fixtures, control valves or Fire Service Pipe gates; stoppage or interruption of water supply. The Commission shall also have no responsibility for any consequential damages (including, but not limited to, food or housing costs) incurred by an Owner, Customer or User as a result of the shut-off or subsequent Turn-on of water.

2. **Damage as a Result of Water Use or Leak**. No Customer shall utilize any apparatus or device or use water in such a way that could or does adversely affect a Public Water Main, appurtenance or Water Service Pipe. The Customer shall be liable for any damage to Public Water Mains, appurtenances, Water Service Pipes, or property resulting from a violation of these Rules and Regulations.

3. **Damage during Owner Repairs and Installations**. The Owner shall indemnify the Commission for any loss or damage directly or indirectly caused to the Commission's Water Facilities and sewer Facilities by the installation of any privately owned portion of a Water Service Pipe, Combined Service, Fire Service Pipe or other plumbing.

4. **Damage as a Result of Backflow Prevention Device Testing.** The Commission shall not be responsible for any damage resulting from the shut-off of water or the subsequent Turn on of water in conducting required tests and inspections of approved Backflow Prevention Device installations.

5. **Damage as a Result of Meter Testing**. The Commission shall not be responsible for any damage resulting from the testing and inspection of water Meters or automatic Meter reading devices.

6. I**ndemnification**. An Owner or Customer shall indemnify and hold harmless the Commission for any damages or civil liabilities the Commission may sustain or be required to pay in consequence of an injury or property damage resulting from the Owner's or Customer's violation of these Rules and Regulations.

7. **Public Function**. In acting under these Rules and Regulations, the Commission shall be deemed to be performing an essential public function. The Commission shall not be liable for any loss or damage as a result of the performance of such public function.

8. **Monetary Liability**. Any Person who violates any provision of these Rules and Regulations shall, upon issuance of a Commission order to that effect, forfeit and pay to the Commission the penalty established by applicable Massachusetts General Laws or by these Rules and Regulations for each such violation. For purposes of this Section, each day that a violation continues shall be deemed to be separate violation.

9. **Reimbursement for Costs to Commission**. Failure to comply with any portion of these Rules and Regulations, or with any permit or order issued thereunder, shall be sufficient cause for the Commission to levy on and collect from each violator any additional cost for any expense, loss or damage incurred by the Commission as a result of such violation.

3.10.4 Penalties

1. Any Persons violating this Section shall be liable to the Commission in the amounts specified in CHAPTER 5 of these Rules and Regulations for each violation. In addition to penalties, the Commission may seek further remedies in accordance with the General Laws of the Commonwealth and, Water Service may be Shut-off and/or Discontinued in accordance with CHAPTER 4 of these Rules and Regulations.

2. Amounts. Violations of these Rules and Regulations shall be subject to civil monetary penalties established a) by applicable Massachusetts law, b) by applicable rules and regulations of the Department of Environmental Protection c) by the penalties as may from time to time be adopted by the Commission as set forth in CHAPTER 5 these Rules and Regulations.

3. Continuing Violations. For purposes of the computation of penalties, each day of a continuing violation of these Rules and Regulations shall be deemed to be a separate violation. If a violation is intermittent, each occurrence shall be deemed to be a separate violation.

4. No Court Limitation. If the Executive Director elects to file an enforcement action in a court of competent jurisdiction, the damages then recoverable by the Commission shall not be limited to amounts recoverable under these Rules and Regulations.

Section 3.11 APPELLATE PROCEDURES

3.11.1 Application

The procedures described in this Section shall apply to all disputes between an Owner, Customer, or User of the Commission and the Commission that are not provided for in CHAPTER 4 of these Rules and Regulations.

3.11.2 Procedure and Resolution of Appeals

Whenever the Executive Director acting under these Rules and Regulations denies an application or permit; requires an Owner, Customer, or User to take action in accordance with these Rules and Regulations; issues a cease and desist order or compliance order; or assesses penalties or other charges for noncompliance, the Owner, Customer, or User shall have the right to appeal said actions to the Appeals Officer of the Commission within fifteen (15) days.

3.11.3 Appeals to Appeals Officer

Upon request for an appeal, the Appeals Officer will provide the Owner, Customer, or User with the opportunity to present evidence to support the appeal by telephone, written letter, or e-mail. The Appeals Officer will review all evidence and provide the Owner, Customer, or User with a finding within thirty (30) days of completion of said review.

3.11.4 Owner, Customer, or User Not Satisfied with Findings

An Owner, Customer, or User not satisfied with the findings of the Appeals Officer may appeal said findings to the Commissioners or their designee within ten (10) days of the date of issue of said findings of the Appeals Officer.

3.11.5 Appeals to the Commissioners; Process

Upon request for an appeal, the Commissioners will provide the Owner, Customer, or User with the opportunity to present evidence to support the appeal either by telephone, written letter, e-mail, or in Person. The Commissioners or their designee will review all evidence and provide the Owner, Customer, or User with a written resolution within thirty (30) days of said review. The findings of the Commissioners or their designee shall be final.

Section 3.12 WATER CHARGES

3.12.1 Those Subject to Water Rates

1. All Water Users in the Commission's Service Area, which are directly served by a Public Water Main, shall be assessed and pay regular rates for water supplied to their Premise as set forth in CHAPTER 5 of these Rules and Regulations which are attached hereto and made a part hereof.

2. All water supplied by the Commission to any and all Property shall be furnished by Meter only and at meter rates, as set forth in CHAPTER 5 of these Rules and Regulations.

3.12.2 Responsibilities of the Owner of the Property

1. The Owner of the Property supplied will be charged for all water furnished to the Property. The Owner is responsible for all charges, fees, services, and penalties associated with the water and/or sewer account for the Property, regardless of the tenancy of the Property.

2. When the Ownership of Property transfers, the full name and address of the new Owner should be given to the Commission at once, in order that bills may be properly rendered. New Owners shall have no right to the use of water at their Property until such notification is given.

3. The failure of the Property Owner or User to receive the bill does not relieve them from the obligation of its payment nor from the consequences of its nonpayment as required.

4. When water is supplied to more than one party through a single tap and service, the bill for the entire supply thus furnished will be made and charged to the Owner of the Property where such service first enters, and such Owner shall be held responsible for the payment of all such charges.

3.12.3 Water Theft

No Person shall take or carry away water from any public hydrant, watering tank, or fountain without the consent of the Executive Director, nor after such consent shall have been withdrawn.

3.12.4 Shutting Off and Limiting Water

1. The Commission reserves the right at all times to shut off the water temporarily, without notice, for necessary repairs, extensions, alterations, or other necessary work connected with the distribution system.

2. No Person will be entitled to recover any abatement, compensation, or damages, on account of the shutting off or the limitation of the use of water for any cause, which the Executive Director may deem necessary.

3. The right is reserved to limit or prohibit the use of water in the judgment of the Executive Director as the public interest may require.

4. Any omission or delay on the part of the Commission or its agents in exercising the rights reserved under this Section shall not constitute or be construed as a waiver of such rights.

3.12.5 Reclassification and Abatement

1. Procedures and conditions for abatements, reclassification and special allowances--appeals:

   (a) All requests for reclassification, special allowances and abatements shall be made in writing to the Appeals Officer at Appeals@waterandsewer.org, or by mail to P.O. Box 995, Springfield, MA 01001, within thirty (30) days of the date of the billing.

   (b) Upon receipt of a request for abatement, reclassification or special allowance, the Appeals Officer shall determine whether such abatement, reclassification or special allowance shall be granted. The Appeals Officer shall notify the Owner in writing whether the requested abatement, reclassification or special allowance has been granted or denied and the reasons, therefore. The burden of proving eligibility for an abatement, reclassification or special allowance shall be upon the Owner.

   (c) Any Owner who has filed for an abatement, reclassification, or special allowance and who is aggrieved by the decision of the Appeals Officer may appeal the decision of the Appeals Officer to the Board of Commissioners. Any appeal to the Commission review board shall be filed within twenty-one (21) days of the date of the decision of the Appeals Officer unless the Commission, for good cause shown, allows otherwise.

   (d) An abatement reclassification or special allowance shall be granted if the Owner shows that failure to do so would result in a charge which is not equitable, reasonable and proportional.

   (e) The decisions of the Commission shall be rendered in written form within thirty (30) days of receipt of the decision of the Commission and shall state the reasons for the action taken.

(f) All bills shall be paid pending decision by the Appeals Officer and the Commission.

2. Non-Beneficial Use Allowance

The purpose of a non-beneficial use allowance is to educate Customers about water conservation through leak detection and timely repair, and to grant financial relief.

Non-Beneficial Use is excess use above normal use resulting from a Leak either from a pipe break or a faulty toilet or other plumbing fixture.

The Owner or Life Estate Beneficiary of a Property may request a non-beneficial use allowance in accordance with the eligibility requirements and procedure outlined in this Section.

(a) The Property must be a Residential dwelling with no more than three units.

(b) The Owner or Life Estate Beneficiary must contact the Commission on or before the "due date" date of the billing statement that first reported non-beneficial use. Once a Leak(s) is identified, the Leak(s) must be repaired within thirty days and the Owner or Life Estate Beneficiary must notify the Commission, in writing, of the repair within thirty days.

(c) The Commission may send an inspector to check the Property for Leaks or the Owner or Life Estate Beneficiary must provide evidence that the Leak(s) has been repaired. After the Owner's or Life Estate Beneficiary's notification of repair, the Commission may send an inspector to the Property to verify that the Leak(s) has been repaired.

(d) Excess use caused by the following is not eligible for this allowance: Leaks attributed to underground irrigation systems, exterior plumbing, plumbing fixtures, or removal of internal or external plumbing or plumbing fixtures, intentional damage to the Premises, Property abandonment, or neglect.

(e) The non-beneficial use allowance will be calculated as the difference between the billings that include the non-beneficial use and the expected billing at normal usage for the same time period. The non-beneficial use will be determined using the billing statement that first reported the non-beneficial use and the subsequent billing statement. The allowance will not exceed $500.00.

(f) The Non-Beneficial Use allowance may be applied for and granted to the same Owner or Life Estate Beneficiary once every five (5) years. An Owner of a Property may not be granted a non-beneficial use allowance if a residing Life Estate Beneficiary has already received a non-beneficial use allowance, within the last five (5) years, either as past Owner or as a Life Estate Beneficiary for the same Property.

Section 3.13 RATES, SURCHARGES, SERVICE CHARGES, AND ADJUSTMENTS

1. Rates:

Customers shall be charged for Consumption based on the following categories and the applicable rate as set forth in CHAPTER 5 of these Rules and Regulations.

(a) Residential

(b) Commercial

(c) Industrial

(d) Municipal

(e) Bulk Water Hauler

(f) Hydrant User

2. Service Charge:

The Owner shall be charged a Monthly Service Charge for each Commission owned Meter installed on the Owner's Property, including Auxiliary Meters and Backflow Prevention Device detector meters. The Service Charge shall be based on the size of the Meter as set forth in CHAPTER 5 of these Rules and Regulations.

3. Fire Pipe Service Charge:

The Owner shall be charged a Monthly Fire Service Charge for each Fire Service Pipe connected to the Commission's Public and Private Water Mains. Rates, fees, and charges support the infrastructure needs required to serve the capacity for fire protection and the readiness to provide water supply when needed. The Owner is responsible for all rates, fees, charges, and penalties that are associated with the Fire Service Pipe. The Fire Pipe Service Charge shall be based on the size of the pipe connected to the water main as set forth in CHAPTER 5 of these Rules and Regulations.

4. Infrastructure Renewal Charge (IRC)

The Infrastructure Renewal Charge (IRC) ensures ongoing reliability of the water and wastewater assets by providing funding for costs associated with necessary upgrades to those systems. Funding for such upgrades helps to proactively address system needs, reduce the risk of service disruptions, support long-term sustainability, and contribute to rate stability. The IRC shall be

applied to Customers' bills monthly and shall be based on fee schedule defined in Chapter 5.

5. Combined Service Charge

   The Owner shall be charged a Monthly Combined Service Charge for each Combined Service connected to the Commission's Public and Private Water Mains. The Combined Service Charge shall be based on the size of the Meter and be the sum of the size equivalent Service Charge, Infrastructure Renewal Charge, and the Fire Service Charge as set forth in CHAPTER 5 Section 5.2 of these Rules and Regulations.

Section 3.14 Authority to Collect All Charges and Payments

The Executive Director shall have the authority to use all legal means available to collect all assessments and charges for water services provided, including, but not limited to, capital maintenance, operational, and support costs and other payments from industries and municipalities as specified in the contracts, agreements, and amendments thereto, between the Commission and individual industries and municipalities receiving services from the Commission and/or participating in sewage works improvements, when due, including the collection of delinquent payments.

CHAPTER 4

BILLING, SHUT-OFF, DISCONTINUANCE, AND APPEAL REGULATIONS

For future use.

CHAPTER 4 BILLING SHUT-OFF, DISCONTINUANCE AND APPEAL REGULATIONS

Section 4.1 GENERAL PROVISIONS

4.1.1 Application; Non-exclusivity of Remedies

These Rules and Regulations shall apply to all billing and collection of Charges for Water and Sewer Service, to Shut-off and/or Discontinuance of service for nonpayment of the same, and to appeals from such Shut-off and/or Discontinuance. However, nothing in these Rules and Regulations shall be construed to limit or infringe upon the right of the Commission to pursue any other remedies available under MGL 40-N or under any other applicable law for the collection and enforcement of Charges for Water and Sewer Service.

4.1.2 Review of Materials and Notices by Public Communications Officer

The Commission's Public Communications officer shall review and approve the form of all printed materials and notices required under these Rules and Regulations.

Section 4.2 BILLING AND METERING PROCEDURES

4.2.1 Billing and Payment

1. The Commission will issue monthly bills to its Residential, Industrial, Municipal, and Commercial Customers.

2. When Due: Bills are considered due and payable on the billing date indicated on the billing statement. No Bill is subject to Late Payment Fee under applicable law or these Rules and Regulations if paid by the due date indicated on the billing statement.

3. Method of Payment: Payment shall be in the form of Visa, MasterCard, money order, or check made out to the Springfield Water and Sewer Commission. At the Executive Director's discretion the Commission may require a certified cashier's check or money order.

4. Disputed Charges: That portion of a Bill in dispute shall not be considered due during the pendency of any complaint, investigation, hearing or appeal under these Rules and Regulations. That portion not in dispute shall be due and payable to the Commission and subject to Late Payment Fees pursuant to these Rules and Regulations. Any amount of Charges not in dispute shall be subject to Late Payment Fees during the appeals process. Thirty (30) days subsequent

to a final determination of the disputed amount Late Payment Fees will be incurred to any unpaid Charges.

5. Payments; Application to Charges: A Customer may make payments by mail, phone, or online (via checking/savings account, cash, credit or debit using the online payment system). A Customer may designate the account or accounts to which a payment will be applied. When a Customer with more than one account fails to designate the account to which a payment is to be applied, the Commission shall credit the payment first to the account with the largest past due balance. When a payment is insufficient to cover all current Charges for said account, the Commission shall apply the payment to those Charges in the following order:

   (a) Interest and Other Charges

   (b) Late Payment Fee

   (c) Sewer Arrears

   (d) Water Arrears

   (e) Current Sewer Charges

   (f) Current Water Charges

6. Refunds; Application of Credit Balances: In the event that a Customer overpays a Bill or for some other reason has a credit balance on an account, he/she may obtain upon request a refund from the Commission only if the Customer is not delinquent on any other accounts. The Customer may elect to have an overpayment or credit balance applied to a future Bill. If a Customer does not otherwise instruct, the Commission shall apply a credit balance to the next Bill for the account and to successive Bills until it is depleted. If the Customer has more than one account, the Commission shall apply the remainder of the credit balance to the account with the largest past due balance.

7. Payment to Avoid Shut-off: In order to forestall Shut-off of service to a delinquent account, payment following the issuance of a Final Notice and Demand shall be made in accordance with Paragraph 3 of this Section. Upon receipt of proof of payment, the Commission representative shall issue a stop Shut-off order, enter the order on the Commission's computer system, and present the individual with a receipt.

8. Payment After Shut-off: A Customer seeking restoration of water service after Shut-off due to the Customer's non-payment of Charges must pay the arrearages and all other Charges on the account. Payment must be by certified

cashier's check, money order, or major credit card or debit card. Customers who qualify may apply to the Commission to enter into a Payment Agreement, with a minimum payment of 50% of all Charges and arrearages, as as detailed in these Rules and Regulations, in order to reinstate water service and pay all Charges over time.

9. Partial Payments and Payment Plans: A Customer who cannot pay the full amount due the Commission for Charges may be permitted to enter into a Payment Agreement with the Commission only if the Customer has not defaulted on a previous payment agreement within the past 24-months. Customers will be required to sign the agreement which will be furnished by the Commission; said agreement will detail all the conditions that are required to stay Shut-off. Failure to adhere to the Payment Agreement will result in Shut-off of the service pursuant to these Rules and Regulations.

10. Financial Hardship Certificate: The Commission reserves the right to require the completion of a Financial Hardship Certificate from any Customer entering into the Payment Agreement with the Commission. The Commission may require that the Financial Hardship Certificate be renewed quarterly. At its discretion, the Commission may require additional documentation of the existence of a financial hardship. When it deems necessary, the Commission may conduct an independent investigation of the financial situation of a Person applying for relief under this Section and may require that Person to authorize the Commission to examine his/her financial records. Failure to comply with a request by the Commission for access to such records shall be grounds for the denial of the Financial Hardship Certificate or for the denial of a renewal of said form. The determination of a financial hardship shall be made in the sole discretion of the Commission.

4.2.2 Billing Information

1. The Face of the Bill: The face of every Bill rendered by the Commission to a Customer shall include, but not be limited to the following information:

   (a) The date of issue,

   (b) The due date within which payment in full must be made in order to avoid Late Payment Fees on the account,

   (c) The amount of all Charges remaining unpaid or unadjusted from the previous Bill, labeled past due,

   (d) A phone number for the Commission Customer Service Department to answer any questions about the Bill,

(e) The amount of payments made and credits to the account since the prior Bill, labeled "Payments and Adjustments",

(f) The amount of the current Charges for Water and Sewer Services,

(g) A statement of the current Late Payment Fees due on past balances,

(h) The amounts due for betterments or assessments,

(i) The actual or estimated meter reading,

(j) A statement of the rate or rates upon which such Charges are based,

(k) The total current Charges,

(l) The total amount due, and

(m) The location where bills may be paid.

2. The Reverse of the Bill: The reverse of a Bill rendered by the Commission shall include the following:

(a) Information on estimated Bills,

(b) Information on how to dispute your Bill,

(c) Information regarding water service during serious illness,

(d) A statement that the Customer Water Service may be Shut-off if past due amounts remain unpaid,

(e) A statement of Late Payment Fees, administrative fees and/or Charges for the Shut-off of a Water and Sewer Service,

(f) A conspicuous statement that, in addition to any Late Payment Fees or other remedies of the Commission, service may be Shut-off if the past due amount remains unpaid, and

(g) A statement of the fines for tampering with a Meter or other appurtenances of the Water and/or Sewer Service.

4.2.3 Meter Readings

1. Meter Readings Required: Except as otherwise provided in this Section, the Commission will cause the Water Meter to be read for each account at a minimum of one (1) time every three (3) months. The Commission reserves

the right to change the frequency of the actual meter readings at its' sole discretion.

2. When Meter Cannot be Read; Procedure: If the meter inspector is unable to gain access to a Water Meter for any reason, other than willful refusal of permission by the Customer, a Customer service representative may take appropriate and reasonable measures to assure an actual reading is obtained. The Commission may charge an Administrative Posting Penalty for door posting after three attempts to arrange access with Owner to inspect/maintain/replace the water meter(s) in accordance with Section 5.15 of these Rules and Regulations.

3. It is the responsibility of the new Owner of a Property to notify the Commission providing supporting legal documentation of ownership. Failing to notify the Commission or notifying the Commission after the change of ownership does not exempt the new Owner from the responsibility for payment of any balances due on the account at the time of transfer of Property.

4.2.4 Estimated Bills

In General: In the preparation of Bills for Water and Sewer Service, the Commission may rely upon an estimate of a Customer's water consumption if:

1. The procedure used for calculating such estimates is based on past usage at the Premises in question; or

2. The Bill includes on its face a statement indicating that it is based upon estimated water consumption; or

3. The Commission meter or remote reading device is broken, absent or disconnected or not yet installed; or

4. The Commission employee has been denied access; or

5. Circumstances beyond the control of the Commission make an actual reading unreasonably difficult or hazardous.

4.2.5 Installation and Replacement of Water Meters and Remote Reading Devices

1. The Executive Director reserves the right to repair or replace any Meter at his/her sole discretion. Meters replaced at the discretion of the Executive Director will be done so at the Commission's expense except as set forth in the Commission Rules and Regulations.

2. In the event that a Water Meter or any appurtenance thereto has been determined to have been tampered with, the Commission shall repair or replace

said Meter and/or appurtenance at the expense of the Customer. A fine may be levied pursuant to the Commission Rules and Regulations.

3. When Meters are replaced, the replaced Meters shall be held by the Commission for a period of six (6) months from the date of removal.

4.2.6 Meter Testing

1. The Commission shall provide Meter Tests upon request of the Customer. The Commission will charge a Meter Testing Fee as set forth in CHAPTER 5 of these Rules and Regulations for this service and, at the Customer's option, either Bill the fee to the Customer's account or accept payment at the Commissions office. All Meter Testing will be in accordance with these Rules and Regulations for Meter Testing.

2. If a Meter Test requested by the Customer reveals that the Meter was over-recording by more than two percent (2%) in overall accuracy, based on AWWA's M6 Fifth Edition Manual of Water Supply Practices, the Commission shall abate and refund all Meter Test fees. In the event that a Meter is found to be over-recording, the Charges assessed to the Customer by said Meter may be adjusted in proportion to the rate of the over-recording for a period no greater than two years, or to the date of installation of the Meter, or to the date of the disputed meter reading, whichever period is shortest.

3. If a Meter Test reveals that a Meter was under-recording, the Commission shall not impose any additional Charges on the account.

Section 4.3 THE SHUT-OFF OF WATER SERVICE FOR NON-PAYMENT OF BILLS

4.3.1 Conditions to be Met Prior to Shut-off

Except as otherwise provided in these Rules and Regulations, the Commission may Shut-off Water Service for nonpayment as follows:

1. Unpaid Bill: An amount due the Commission remains unpaid after the due date, or such longer periods as may be permitted by a Payment Agreement.

2. Final Notice and Demand Process: At least sixty (60) days after the due date of the Bill, the Commission shall:

   (a) Mail to the Customer a Final Notice and Demand, by postage paid first class certified or registered mail, to the address of the Premises scheduled for Shut-off of Water Service, and to the Customer at the address as shown on the records of the Assessor's Office for the city or town in which the Premises is located, and

(b) Mail to the Customer a Final Notice and Demand at the billing address as indicated on the records of the Commission, and

(c) Mail to the occupant(s) of the Premises, a Final Notice and Demand, postage paid by regular mail at the address of the Premises scheduled for Shut-off of Water Service, and

(d) Post the Premises scheduled for Shut-off with a Final Notice and Demand.

3. Shut-off Date: The date of Shut-off shall not be scheduled for earlier than fifteen (15) days from the date of posting and mailing of the Final Notice and Demand.

4. Final Check: The Commission will check at the close of business on the last business day before the date on which service is scheduled to be Shut-off that:

(a) The Commission has sent and/or posted the notices required by MGL 40-N and these Rules and Regulations and has evidence of such requirements, and

(b) No payment has been made on the account sufficient to justify halting Shut-off, and

(c) The account is not in the Commission appeals process and/or subject to any judicial order.

4.3.2 Minimum Amount Past Due for Shut-off of Customer Water Service

In no event shall service to a Customer be Shut-off for failure to pay a delinquent account amounting to less than two hundred dollars ($200.00), except as may be approved by the Executive Director.

4.3.3 Shut-off When Amounts Are in Dispute

A Customer Water Service shall not be Shut-off for failure to pay a Charge, the amount of which is subject to a pending appeal pursuant to these Rules and Regulations.

4.3.4 Shut-off for Illegal Taking and Emergencies

Nothing in this Chapter shall be construed to prevent Shut-off for the illegal taking of water or for reasons including but not limited to emergencies of public safety, public health, and/or in cooperation with civil authorities or any other reason for which the power to terminate service is specifically granted by MGL 40-N or by any other applicable Commission Rules and Regulations.

4.3.5 Time When Shut-off May be Affected

Shut-off of service for failure to pay a delinquent account may be instituted from March 15 through October 31 from Monday through Thursday provided that such day is not a holiday observed by Commission employees or the day before such a holiday.

Section 4.4 SHUT-OFF OF SERVICE TO CUSTOMERS DURING SERIOUS ILLNESS

4.4.1 Customer Illness Form

1. Eligibility: A Customer seeking to stay Shut-off of the Customer Water Service due to a serious illness may be eligible if:

   (a) The Customer or direct family member residing at the Premises is seriously ill as certified by a practicing physician; and

   (b) The Customer demonstrates that a financial hardship exists; and

   (c) The Customer resides at the Premises scheduled for Shut-off of service; and

   (d) The Premise(s) of the Customer is either a one or a two family residence.

2. Notification of Serious Illness: The Customer shall obtain a Customer Illness Form and a Financial Hardship Certificate from the Commission. The Customer Illness Form shall be completed and signed by a licensed physician or Board of Health and returned within fifteen (15) working days along with the Financial Hardship Certificate to the Commission's Collection Manager. The Commission, upon review of said documents, will inform the Customer in writing of the conditions to which the Customer may continue service under the Rules and Regulations provided herewith.

3. Renewal of Customer Illness and Financial Hardship Certificates: In cases where service is continued or restored pursuant to the approval of the Customer Illness Form, the Customer shall monthly renew both the Customer Illness Form and the Financial Hardship Certificates, with the first renewal due one (1) month after the initial certification. However, if the illness is certified to be chronic, the Commission may direct the renewal of the forms to be made quarterly. Each renewal of said forms shall be forwarded to the Commission and directed to the attention of the Appeals Officer.

4. Conditions for Renewal of Illness Status: As a condition for the illness status renewal, the Commission may require that the Customer be examined by a physician designated by the Commission. In that event, the Commission shall bear the expense of said examination.

5. Conditions for Approval and Renewal of the Financial Hardship Certificate: Initially and thereafter, each Financial Hardship Certificate must demonstrate that the Customer is unable to pay the Charges due the Commission. At its sole discretion, the Commission may require additional documentation of the existence of a financial hardship. When it deems necessary, the Commission may conduct an independent investigation of the financial situation of a Person applying for relief under this Section and may require that Person to authorize the Commission to examine his/her financial records. Failure to comply with a request by the Commission for access to such records shall be grounds for the denial of an application for relief or for the denial of a renewal of the Financial Hardship Certificate.

6. Denial of Application or Renewal of Customer Illness and/or Financial Hardship Certificates; Appeals: In the event that the Commission denies an application or a renewal under this Section, that denial may be appealed under the provisions of these Rules and Regulations.

7. Charges Due in Full: At the time at which the serious illness and/or financial hardship are no longer present, all Bills and Charges will be due to the Commission.

4.4.2 Non-Compliance

Service to any Customer may be Shut-off on account for failure of a Customer to comply with the provisions of this Section.

Section 4.5 SHUT-OFF AND/OR DISCONTINUANCE OF WATER SERVICE FOR REASONS OTHER THAN NON-PAYMENT OF BILL

4.5.1 Scope of This Section

Application and Definition: This Section applies to cases in which the Commission has discovered the existence of any condition identified in the Rules and Regulations of the Commission as a violation of said Rules and Regulations that may be grounds for the Shut-off and/or Discontinuance of the Customer Water Service.

4.5.2 Non-Exclusivity of Remedies

1. Nothing in this Chapter shall be construed to limit or infringe upon the right of the Commission to:

2. Make, without notice, such temporary interruptions in water and sewerage service as it deems necessary on a routine or emergency basis for restoration,

repair, or replacement of the water works system and the sewerage works system as defined in MGL 40-N, or

3. Pursue its remedies for the unauthorized use or diversion of water and sewer or for damage to the Commission's property under the Commission Rules and Regulations, MGL 40-N, or other applicable laws.

4.5.3 Inspection

1. Initial inspection: Upon receipt of notification that any conditions identified as a violation of Commission Rules and Regulations exists on a Customer's Premises, the Commission shall inspect the Premises and verify the existence of said condition.

2. Notice to Remedy Condition: When the Commission determines, after an inspection, that a condition exists or either is denied access to or is unable, after reasonable efforts, to secure access to the Premises for the purpose of verifying the condition, the Commission shall forthwith proceed with the notification of the Customer as set forth in Section 4.5.4 of these Rules and Regulations.

3. Final Inspection for Notice to Remedy Condition: After the expiration of the period specified in the Notice to Remedy Condition, a Commission employee shall return to the Premises in order to determine whether the condition has been corrected. If the condition has not been corrected or if the Commission employee is unable to obtain access to the Premises, the Commission shall terminate the service.

4. Pre-Reactivation Inspection of Customer Water Service: Subsequent to the Shut-off and/or Discontinuance of a Customer Water Service, the Commission will conduct an inspection prior to reactivating said Customer Water Service. The inspection will evaluate if the conditions that were the basis for the Shut-off and/or Discontinuance have been remedied. No Customer Water Service will be reactivated unless all conditions have been remedied and all other fees, rates, rents, assessments, delinquency charges, fines, and other Charges have been paid or are current.

4.5.4 Notices to Remedy Condition

1. Notice to Remedy Condition, Shut-off and/or Discontinuance of Service: The Notice to Remedy Condition shall serve as the Final Notice and Demand for purposes of Shut-off and/or Discontinuance of the Customer Water Service pursuant to this Chapter. The Notice to Remedy Condition will identify the condition, which requires a remedy, and state that if the provisions set forth in the notice are not met the Customer Water Service will be Shut-off and/or Discontinued.

2. Notice to Remedy Condition; Process: In the event the Commission identifies a condition warranting the Shut-off and/or Discontinuance of the Customer Water Service, the Commission shall:

   (a) Mail to the Customer a Notice to Remedy Condition, by postage paid first class certified or registered mail, to the address of the Premises scheduled for Shut-off and/or Discontinuance of service, and to the Customer at the address as shown on the records of the Assessor's Office for the city or town in which the Premises is located, and

   (b) Mail to the Customer a Notice to Remedy Condition at the billing address as indicated on the records of the Commission, and

   (c) Mail to the occupant(s) of the Premises, a Notice to Remedy Condition, postage paid on regular mail at the address of the Premises scheduled for Shut-off and/or Discontinuance of service, and

   (d) Post the Premises scheduled for Shut-off and/or Discontinuance with a Notice to Remedy Condition.

3. Charges: The Customer will be responsible for any and all other fees, rates, rents, assessments, delinquency charges, fines, and other Charges pursuant to these and all other Commission Rules and Regulations.

4.5.5 Appeals of the Notice to Remedy Conditions

The procedures described in this Chapter shall apply when a Customer who received a notice under this Section requires more time to remedy a condition or disputes the validity of an allegation contained in it. These procedures shall also apply to any dispute arising out of a Shut-off and/or Discontinuance of service under this Chapter. In the event that the Customer Water Service has already been Shut-off, the Customer may appeal, however the Customer Water Service will not be reactivated until the appeals process has been resolved or the Commission finds due reason to reactivate the service.

4.5.6 Immediate Shut-off and/or Discontinuance of Customer Water Service

In the event that an emergency of public safety or public health exists, as determined by the Commission or other public authority, a Customer Water and/or Sewer Service may be Shut-off and/or Discontinued without prior notice. The Commission will attempt to notify the Customer and/or occupants of the Premises as soon as possible of the conditions and reason for Shut-off and/or Discontinuance.

4.5.7 Resumption of Service

At any time following Shut-off and/or Discontinuance, upon receiving satisfactory proof that a condition that required Shut-off and/or Discontinuance has been remedied and that all Charges associated with the Shut-off and/or Discontinuance have been paid, the Commission shall order service restored to the account.

Section 4.6 APPELLATE PROCEDURES

4.6.1 Application

The procedure described in this Chapter shall apply to all disputes between the Customer and the Commission for non-payment of a Bill or for the accuracy of a Bill.

4.6.2 Appeals, Procedure, and Resolution of Appeals

1. Initial Contact and Resolution Procedure: A Customer requesting an investigation of their Bill shall notify the Commission at the address, e-mail, or phone number indicated on the Bill or notice. All investigation notifications shall be made on or before the due date on the billing statement from when the charges, fees or discrepancies first appear on their bill. The matter shall be referred initially to a Customer service representative of the Commission. The Customer service representative shall make his/her best effort to resolve the dispute and shall notify the Customer of that resolution.

2. Customer not satisfied with the Initial Resolution: A Customer not satisfied with the initial resolution of the Customer service representative may appeal said resolution to the Appeals Officer of the Commission within ten (10) days of the date of the initial resolution.

3. Appeals to the Appeals Officer; Process: Upon request for an appeal, the Appeals Officer will provide the Customer with the opportunity to present evidence to support the appeal by telephone, written letter, e-mail, or in Person. The Appeals Officer will review all evidence and provide the Customer with a finding within thirty (30) days of completion of said review.

4. Customer not satisfied with the Appeals Officer's Findings: A Customer not satisfied with the findings of the Appeals Officer may appeal said findings to the Commissioners or their designate within ten (10) days of the date of issue of said findings of the Appeals Officer.

5. Appeals to the Commissioners; Process: Upon request for an appeal, the Commissioners will provide the Customer with the opportunity to present

evidence to support the appeal either by telephone, written letter, e-mail, or in Person. The Commissioner or their designee will review all evidence and provide the Customer with a written resolution within thirty (30) days of completion of said review. The findings of the Commissioners or their designee shall be final.

Section 4.7 REIMBURSEMENT FOR COSTS TO THE COMMISSION

The Commission shall have the right to assess a Customer the Commission's reasonable cost of filing fees for any legal proceedings, including reasonable costs of service, related to the collection of unpaid and delinquent Bills and Charges of the Customer.

For future use.

CHAPTER 5

SCHEDULE OF RATES, FEES, CHARGES, AND PENALTIES

For future use.

CHAPTER 5 SCHEDULE OF RATES, FEES, CHARGES, AND PENALTIES

Section 5.1 Rates

5.1.1 Water Rates

	Fiscal Year
Class of Customer	2027
Residential (per 100 cu. ft.)	$6.03
Commercial (per 100 cu. ft.)	$6.03
Industrial (per 100 cu. ft.)	$4.50
Municipal (per 100 cu. ft.)	$4.50

5.1.2 Water Rates for All Bulk Water Haulers:

	Fiscal Year
	2027
All Water (per 100 cu. Ft.)	$7.51
Annual Application/Permit Fee	$100.00

5.1.3 Water Rates for Hydrant Users:

	Fiscal Year
	2027
All Water (per 100 cu. Ft.)	$12.06

5.1.4 Fire Service Unauthorized Water Consumption:

	Fiscal Year
	2027
All Water (per 100 cu. Ft.)	$12.06

Section 5.2 Monthly Service Charges

Fiscal Year 2027		
Service Charge per Meter Size	Meter Charge	Infrastructure Renewal Charge
1/2" & 5/8"	$4.32	$13.08
3/4"	$4.61	$13.08
1"	$5.45	$13.08
1-1/4"	$6.54	$26.16
1-1/2"	$6.54	$26.16
2"	$9.63	$41.86
3"	$32.17	$91.57
4"	$40.51	$175.01
6"	$59.97	$366.27
8"	$82.26	$732.54
10"	$98.96	$1,312.59
12"	$140.70	$1,438.91
Fire Pipe Service Charge per Pipe Size*		
2"	$10.38	N/A
4"	$61.99	N/A
6”	$178.41	N/A
8"	$379.78	N/A
10"	$682.38	N/A
12"	$879.72	N/A
Combined Service Charge per Meter Size		
2"	$20.01	$41.86
4"	$102.50	$175.01
6"	$238.38	$366.27
8"	$462.04	$732.54
10"	$781.34	$1,312.59
12"	$1,020.42	$1,438.91
Wastewater Service Only	$4.32	$13.08
Effluent Meter	$4.32	$13.08

Section 5.2 Monthly Service Charges - * Fire Pipe Service Charges will be incurred by the Owner until such time as a Discontinuance is completed at the water main, regardless of whether the supply to that line is Turned On or Shut Off.

Section 5.3 Water Drought Surcharge*:

Drought Condition	Water Surcharge per 100 cu. ft.	Sewer Surcharge per 100 cu. ft.
Levels 1 & 2	$0.25	$0.25
Level 3	$0.50	$0.50
Level 4	$1.00	$1.00

* Requires a vote of the Commission. Surcharge Rate would be charged to all Customers. Surcharges may be enacted at any drought level at the discretion of the Board of Water Commissioners.

Section 5.4 Allowance Program Discounts:

Disabled Persons, Legally Blind, or Senior:	$12.00 per month

* At no time shall the per month discount exceed monthly water and sewer charges. If after applying the allowed discount, results in a credit balance to the customer's account that month, the discount will be adjusted to equal the total monthly charges. All credits issued to customers' accounts related to assistance programs offered by the Commission or any other outside agency are non-refundable and non-transferable.

Section 5.5 Non-Beneficial Use Allowance

Water Charge per 100 cubic feet	$1.52
Sewer Charge per 100 cubic feet	$0.91

Section 5.6 Miscellaneous Water Fees and Charges

These Fees and Charges cover an average scope of work conditions and the resultant labor, materials, equipment, and / or hired services to complete the work. At the sole discretion of the Commission, work exceeding the average scope of work involving major repairs, restorations, and / or hired services may be billed on a time, material, equipment, and hired service basis.

5.6.1 New Water Main Installations / Extensions Charge:

6”	$125.00 per foot
8”	$130.00 per foot
12”	$150.00 per foot
16”	$200.00 per foot
24”	$250.00 per foot

5.6.2 Police Officers Charge:

1 Officer	½ day minimum $295.00 per ½ day

5.6.3 Front Footage Connections Charge reimbursement shall be based on year of install, to be determined by Engineering and Technical Services

5.6.4 Connection Charge:

Water Service Pipe Size	Connection Charge
1"	$500.00
1-1/2"	$1,500.00
2"	$2,000.00
4"	$4,000.00
6"	$6,000.00
8"	$8,000.00
10"	$10,000.00
12"	$12,000.00
Fire Service Pipe	$1,000.00

5.6.5 Discontinuance of Water Service Connection Charge:

	Type of Discontinuance		Evenings, Weekends, & Holidays Type of Discontinuance	
	Basic	Complete	Basic	Complete
Service Size*:				
¾-inch to 2-inch	$500.00	$1,500.00	$750.00	$2,250.00
Main Size**:				
up to 10-inch	$1,200.00	$2,500.00	$1,800.00	$3,750.00
12-inch	$2,000.00	$3,500.00	$3,000.00	$5,250.00
16-inch	$2,000.00	$4,500.00	$3,000.00	$6,750.00
18-inch to 20-inch	$2,000.00	$5,000.00	$3,000.00	$7,500.00
24-inch	$2,000.00	$6,000.00	$3,000.00	$9,000.00
30-inch	$2,000.00	$7,000.00	$3,000.00	$10,500.00
36-inch	$2,000.00	$8,000.00	$3,000.00	$12,000.00
42-inch & Greater***	T & M	T & M	T & M	T & M

* For water services made of copper, galvanized steel, lead
** For water services made of cast iron or ductile iron
*** T & M shall be billed on a time, material, equipment, and hired service basis

5.6.6 Flowable Fill and Concrete Charge:

Minimum Delivery:	3 cubic yards
Flowable Fill Charge:	$150 per cubic yard

5.6.7 Flushing Device 1-inch Replacement Charge: $350.00

5.6.8 Flushing Device 2-inch Replacement Charge: $750.00

5.6.9 Hydrant Work:

Hydrant Repair Charge:	$500.00
Hydrant Remove and Replace Charge:	$1900.00
Hydrant Relocation Charge:	$1000.00 plus $36.00 per foot

5.6.10 Hydrant Meter Rental Charges Less Than 2":

Term	Deposit	Rate
Daily	$1,000.00	$20.00 per day plus consumption
Monthly	$1,000.00	$300.00 per month plus consumption

5.6.11 Hydrant Meter Rental Charges 2" and Larger:

Term	Deposit	Rate
Daily	$3,000.00	$40.00 per day plus consumption
Monthly	$3,000.00	$600.00 per month plus consumption

5.6.12 Paving Charge:

Up to 3" thick	$10.00 per square foot
3" to 6" thick	$20.00 per square foot

5.6.13 Rock Excavation, Frost Excavation, and Concrete Removal Charge: at cost

5.6.14 Tapping Main Charge:

	¾" – 2"	4" – 6"	8" – 12"
Basic:	$310.00	$500.00	$500.00
Complete:	$560.00	$1700.00	$2500.00

5.6.15 Water and Fire Service Pipe Minimum Repair Charges:

Service up to and including 2” line:	$1,000.00
Service 4” line and 6”:	$2,500.00
Service 8” and larger	$4,000.00

5.6.16 Water Service Pipe Installation Charges:

Water Service Pipe Size	Cost per Foot
1"	$60.00
1-1/2"	$75.00
2"	$80.00
4"	$120.00
6"	$125.00
8"	$130.00
10"	$135.00
12"	$150.00

5.6.17 Fire Service Pipe Installation Charges:

Fire Service Pipe Size	Cost per Foot
4"	$120.00
6"	$125.00
8"	$130.00
10"	$135.00
12”	$150.00

5.6.18 Meter Testing:

Under M.G.L. Ch.40, S.39 I: (regular hours only):	Per Statute
All other Meter Testing (regular hours only):	$115.00
Home Owners 62 years and older (regular hours only):	$25.00

5.6.19 Frozen Service Charges:

	Regular Hours Monday – Friday 7 AM to 8 PM	Evenings, Weekends, and Holidays
Service Frozen underground, in cellar, or pit, no materials required, no Meter replaced, crew to thaw service only, and during all hours:	$250.00	$375.00
	For each Additional Occurrence $250.00	$375.00

5.6.20 Frozen Meter Replacement Charge (in addition to Frozen Service Charge and during all hours):

½” to 5/8” Meter:	$290.00	$290.00
1” Meter:	$495.00	$495.00

5.6.21 Meter Valve Replacement Charge:

¾” to 1”:	$120.00	$180.00
With Repair Work, ¾” to 1”:	$210.00	$315.00
1-1/4” to 2”:	$240.00	$360.00
With Repair Work, 1-1/4” to 2”:	$340.00	$510.00

5.6.22 Meter Replacement or Auxiliary Meter Installation & Removal Charge:

	Regular Hours Monday – Friday 7 AM to 8 PM	Evenings, Weekends, and Holidays
½” to 5/8” Meter:	$290.00	$435.00
½” to 5/8” meter with repair work:	$340.00	$485.00
1” Meter:	$495.00	$740.00
1” meter with repair work:	$545.00	$790.00
1-1/2” Meter:	$800.00	$1200.00
1-1/2” meter with repair:	at cost	at cost plus time and a half
2” Meter:	$1200.00	$1800.00
2” meter with repair work:	at cost	at cost plus time and a half
Greater than 2”	at cost	at cost plus time and a half
Repair Work with Iron Pipe*	at cost	at cost plus time and a half
Replacement Antenna (any size)	$85.00	$130.00
Damaged Transponder Replacement (any size)	$135.00	$200.00
Damaged Meter Register Replacement (any size the lesser of either the Meter Replacement Charge or Register Replacement Charge):	$340.00	$510.00
Complete 3” Hydrant Meter Assembly:	$3000.00	
3” Hydrant Meter:	$1500.00	
2” RP Backflow Hydrant Meter Assembly:	$1300.00	
Hydrant Meter Stand:	$200.00	

* In Addition to Meter Cost and includes work with Iron Pipe

5.6.23 Shut-off and Turn-on Charges:

¾” to 2” Shut off:	$75.00	$150.00
¾” to 2” Turn-on:	$75.00	$150.00
3” & greater Shut off:	$150.00	$225.00
3” & greater Turn-on:	$150.00	$225.00

5.6.24 Service Line Repair Charges:

	Regular Hours Monday – Friday 7 AM to 3 PM	Evenings, Weekends, and Holidays
¾” to 1” half day (up to 4-hours)	$1,300.00	$1,700.00
1-¼” to 2” half day (up to 4-hours)	$1,450.00	$1,925.00
¾” to 1” full day (4-hours to 8-hours)	$1,750.00	$2,350.00
1-¼” to 2” full day (4-hours to 8-hours)	$1,825.00	$2,425.00
Greater than 2”	at cost	at cost plus time and a half

The Commission, may, at its discretion, choose to assess either the minimum charge, the per foot charge, or the above associated charges.

5.6.25 Water / Sewer Pipe Inspection Charges:

Per inspection or site visit	$175.00	$350.00
Multi-day Inspection	$400.00 per day per Inspector	
Consultant and Legal Review and Inspection:	$150.00 per hour	

5.6.26 Backflow Prevention Device Test Charges:

Backflow Prevention Device Test	$100.00 per device per inspection

5.6.27 Minimum Appointment Charges:

Per Appointment	$75.00	$150.00

5.6.28 Fire Flow Test Fees:

Application Fee:	$100.00	
Fire Flow Test:	$200.00	$400.00

5.6.29 As-Built Plan Deposit:

Subdivision or water or sewer main extension:	$5000.00

Section 5.7 Sewer Rates

	Fiscal Year
Type of Customer	2027
Residential (per 100 cu. ft.)	$7.85
Institutional (per 100 cu. ft.)	$7.85
Municipal (per 100 cu. ft.)	$7.85
Commercial (per 100 cu. ft.)	$8.64
Medical facility (per 100 cu. ft.)	$8.64
Industry - Dry (per 100 cu. ft.)	$9.42
Industry - Wet (per 100 cu. ft.)	$9.42
FSE (per 100 cu. ft.)	$10.20

Section 5.8 Average Monthly Wastewater Discharge Amount (in 100 cu. ft.):

Single Family Premise:	10
Two Family Premise:	18
Three Family or more Premise:	24

Section 5.9 Septage Disposal Rates for All Septage Haulers:

	Fiscal Year
Type of Disposal	2027
All Septage (per gallon)	$0.14
Leachate *	----
Annual Permit Fee	$100.00

* Acceptance of Leachate shall be determined on an individual basis by the Commission's Operations Director. The Disposal Rate shall be determined based on strength.

Section 5.10 Non-residential surcharges at the SRWTF where applicable:

	Fiscal Year
Type of Disposal	2027
Chlorine (per event)	$5,000
Total Suspended Solids (per event)	$5,000
Biochemical Oxygen Demand (BOD5) (per event)	$5,000
Fats, Oils, and Greases (per event)	$5,000

In addition to the above established charges, the Commission reserves the right to itemize and collect additional fees associated with the treatment process and administrative response costs, or other damages associated with Non-Residential surcharges.

Section 5.11 Miscellaneous Sewer Fees and Charges

5.11.1 Sewer Cleaning (per cleaning - Residential Property up to 2 family):

	Regular Hours Monday – Friday 7 AM to 3 PM	Evenings, Weekends, and Holidays
Up to 60 feet:	$85.00	$150.00
After first 60 feet to sewer main:	$120.00	$220.00

5.11.2 Sewer Cleaning (per cleaning – Residential Property 3 family and greater):

First 60 feet:	$250.00	$375.00
After first 60 feet to sewer main:	$320.00	$480.00

5.11.3 Sewer Cleaning (per cleaning – Commercial Property):

First 60 feet:	$250.00	$375.00
After first 60 feet to sewer main:	$320.00	$480.00

5.11.4 Building Sewer Connection New or Replacement Charge:

Minimum Charge:	$750.00
Installation Charge:	$50.00 per lineal foot

5.11.5 Building Sewer Connection Repair Charge (Residential Property):

	Regular Hours Monday – Friday 7:00 AM to 3:30 PM	Evenings, Weekends, and Holidays
Half day	$800.00	$1200.00
Full day	$1250.00	$1875.00

5.11.6 Building Sewer Connection Repair Charge (Commercial, Industrial Property, or three family residential and greater):

Half day	$1000.00	$1500.00
Full day	$1450.00	$2175.00

5.11.7 Video Inspection (regular hours only):

Residential	$150.00
Commercial, Industrial, or three family residential and greater	$250.00

Section 5.12 Industrial Pretreatment Program

Permit Fees – The Executive Director shall establish annual permit fees, calculated retroactively after the close of the fiscal year, to be paid by Industrial Users in the amounts necessary to recover operating costs incurred for implementation of the Industrial Pretreatment Program. The Commission may set different levels of permit fees for various classes of Industrial Users and may adjust such fees on an annual basis to ensure that the industrial pretreatment costs are fully recovered.

Section 5.13 Copies of Commission Documents

5.13.1 Copy of Commission Rules and Regulations: $20.00

5.13.2 Copy of Commission Guidelines and Policies & Material Specifications: $25.00

5.13.3 Copy of Commission Material Specifications: $20.00

Section 5.14 Application Fees:

5.14.1 Commission Approved Contractor - Application Fee: $250.00

5.14.2 Commission Approved Contractor - Renewal Fee: $100.00

5.14.3 New Water and / or Sewer Main Extension Application Fee:

Main Extension covers up to 4 building lots:	$500.00
Main Extension covers more than 4 building lots:	$1000.00
Subdivision up to 40 Building Lots ****	$2500.00
Subdivision greater than 40 Building Lots ****	$5000.00

**** Application Fee is inclusive of Single and Multi-Family Residences for both water and sewer Application Fees.

5.14.4 New Water and Fire Service Pipe Application Fee:

Single Family Residence	$50.00
Multi-Family Residence (2 to 4 units)	$75.00
Municipal	$75.00
Commercial up to 3 inch (includes residential 5 units & greater	$100.00
Commercial 4 inch to 6 inch	$500.00
Commercial 8 inch and greater	$1000.00
Commercial 4-inch and greater – Existing Service Modification	$250.00

5.14.5 New Building Sewer Application Fee:

Single Family Residence	$50.00
Multi-Family Residence (2 to 4 units)	$75.00
Municipal	$75.00
Institutional	$75.00
Commercial (includes residential 5 units & greater	$100.00
Medical Facility	$500.00
Industry-Dry	$500.00
Industry-Wet	$1000.00
Food Service Establishment (FSE) – New Service	$500.00
FSE – Existing Service Modification	$50.00
Non-Residential Existing Service Modification (1 to 3 units)	$50.00
Non-Residential Existing Service Modification (4 units & greater)	$250.00

5.14.6 Hydrant Permit Application Fee: $50.00

5.14.7 Temporary Discharge Application Fee: $150.00

5.14.8 Review Crossing Commission Property:

1. Crossing Commission Owned Property with or without a main and over said main less than 18” deep	$1,500.00
2. Crossing Commission Owned Property with a main and over said main greater than 18” deep	$5,000.00
3. Crossing Commission Owned Property with a main and under said main	$10,000.00

Section 5.15 Penalties

1. Any Person found to be in violation of any provision of CHAPTER 1 of Sewers and Wastewater Treatment or CHAPTER 3 of, Water Supply, Treatment, and Distribution of the Commission's Rules and Regulations shall be penalized up to one thousand dollars ($1,000) per violation per day or in accordance with penalties set forth in this Section and in addition shall be liable for any expense, loss, fine assessed, or damage occasioned the Commission by reason of such violation.

2. Failure to Comply with Water Use Restrictions:

(a) 1st offense:	Written Warning
(b) 2nd offense:	$100.00
(c) 3rd offense:	$500.00
(d) 4th or more offenses:	Shut off of service.

3. Shut-off for Non-Payment:

(a) Final Notice and Demand Administration Fee	$55.00
(b) Shut-off for Non-Payment Fee	$100.00
(c) Turn-On Fee	$75.00

4. Late Payment Fee — 12% annually applied daily assessed on amounts unpaid after 30-days

5. Commission Approved Contractor Violations:

   (a) First Offense – 90 days to 1 year suspension from performing work on Commission Water and/or Sewer Facilities plus any applicable fines or costs incurred.

   (b) Second Offense – 1 year to 3 years suspension from performing work on Commission Water and/or Sewer Facilities plus any applicable fines or costs incurred.

   (c) Third Offense - Permanently suspended from performing work on Commission Water and/or Sewer Facilities plus any applicable fines or costs incurred.

6. Meter Tamper Violations:

   (a) If any tampering occurs with Meters or Auxiliary Meters or plumbing that affects Meters or Auxiliary Meters, the damage is the responsibility of the Owner of the Premises and shall be punished by a fine of triple the amount of damages sustained thereby or $1000.00, whichever is greater. Damages shall include the actual value or estimated value of water used and the cost of labor and equipment to repair and replace.

   (b) The Commission reserves the right to proceed pursuant to M.G.L. ch. 165 § 11, as may be amended, for civil and criminal remedies as provided under statute.

   (c) In addition to (a) and (b) above, the Commission shall remove the Auxiliary Meter and the Owner shall be charged in accordance with Section 5.6.22 of these Rules and Regulations. The Owner will not be allowed to have an Auxiliary Meter installed at the Property of the tampering.

7. Non-Sufficient Funds (NSF) Checks Fee:

   (a) A fee of $25.00 shall be charged to Customers who present a NSF check to pay their outstanding utilities bill. The fee covers the cost to the Customers Service Department of collecting the outstanding debt.

8. Penalties for Non-compliance with Septage Disposal Rules

   (a) In addition to paragraph 1 above, failure by the Septage hauler to record the volume of Septage delivered, the Septage hauler shall be charged for the registered volume of the delivery truck as determined by the Commission.

   (b) Violation of Section 1.4.26, by the Septage hauler to wash down Septage discharge area may result in suspension of access privileges and additional charges and penalties in accordance with paragraph 1 above.

   (c) Suspension of access privileges will be at the discretion of the Executive Director.

9. Other Administrative Penalties

   (a) Administrative Posting Penalty $55.00

10. Penalties for non-compliance with Hydrant Meter protocols

    (a) Use of Hydrant without a Hydrant Permit

        i. 1st offense: $100.00

ii. Each reoccurring offense: $1000.00

(b) Use of Hydrant without a Commission approved Fire Hydrant Meter Assembly

i. Three times the estimated usage or $1000.00, whichever is greater

11. Penalties for Fire Service Unauthorized Water Consumption

(a) The Commission shall use detector meter data or estimate unauthorized water consumption and invoice Owner at the rate defined within Section 5.1.4 of these Rules and Regulations.

(b) Any unauthorized water consumption following one year of the initial usage detection will continue to be billed at the rate defined within 5.1.4 of these Rules and Regulations in addition to a $1000.00 monthly fine.

Section 5.16 Required Bonds

5.16.1 Water Main Extension Bonds:

Water Main Pipe Size	Cost per Foot
6"	$40.00
8"	$40.00
10"	$45.00
12”	$50.00
16”	$60.00
24”	$70.00

5.16.2 Sewer Main Extension Bonds:

Sewer Pipe Size	Cost per Foot
8” & less	$80.00
10"	$90.00
12”	$100.00
16”	$120.00
24”	$140.00

CHAPTER 6

DEFINITIONS

For future use.

CHAPTER 6 DEFINITIONS

Section 6.1 Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used in these Rules and Regulations shall be as follows:

1. 25% Rule means Twenty-five Percent Rule and is a measure of when maintenance of GRD shall be scheduled. The combined FOG and solids accumulation in the top and bottom of the does not exceed 25% of the design hydraulic depth of the GRD. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG from being discharged to the sewer system. Regular inspections of GRD are required to be performed by the FSE Owner to determine if the 25% Rule has been exceeded and cleanout of the GRD is required.

2. Abutter means one who holds titles to real property within the limits of a Sewer Improvement Area and his/her successors in title.

3. Accessory Dwelling Unit (ADU) is a secondary, independent residential unit on the same Premise / Property as a primary home, allowed statewide in Massachusetts as of August 2024 under the Affordable Homes Act. This law permits ADUs to be created without requiring a separate special permit from local boards, though rules for short-term rentals are determined by individual municipalities. ADUs can be within the primary home (like a converted basement), attached as an addition, or completely detached (like a backyard cottage).

4. Additional Meter shall mean a Meter for the purpose of determining sub-divisions of supply through Master Meters and are owned and maintained by the Owner.

5. Advanced Metering Infrastructure (AMI) shall mean an integrated system of meters measuring and analyzing water usage, communication networks, and data management systems that enable two-way communication between metered endpoints and the Commission.

6. Allowance Program Discounts shall mean the discounts given to its Customers who have applied for the discounts and meet the following qualifications:

   (a) Disabled Persons shall mean Customers who are Owners of a single family house, which is the Owner's primary residence, the disability keeps the person from work all twelve (12) months of the year, a letter from their physician has been attached to the application that clearly states the individual's disability

and is unable to work. For Disabled Veterans the disability must be 10% and must be military service related.

(b) Legally Blind shall mean Customers who are Owners of a single family house, which is the Owner's primary residence, and a Copy of a Legally Blind Certificate has been attached to the application.

(c) Senior shall mean Customers who are Owners of a single family house, which is the Owner's primary residence, must occupy the Premise a majority of the year, and must be 68 years old or older. Seniors shall reapply every 3-years.

7. Appeals Officer means a person whom the Commission has designated to hear cases relating to disputes of charges, billing, services rendered, and Shut-off and/or Discontinuance of service.

8. Applicant shall mean any Owner or duly authorized Owner's agent applying for any services provided by the Commission.

9. Application Fee shall mean the fee charged to apply for any services provided by the Commission, in accordance with these Rules and Regulations. A single Application Fee will be charged for both a water and a sewer main extension provided they are applied for at the same time. New Water Service Pipes, Fire Service Pipes, and Building Sewer Connections Application Fees shall be separate and in addition to any main extensions.

10. Application Fee to Review Crossing Commission Property shall mean the fee charged to review plans, specifications, and easements and inspect the crossing of Commission owned property.

11. As-Built Plan Deposit shall mean the Deposit charged for as-built plans. The Commission will return the Deposit upon receipt of completed as-built plans. The as-built plans shall be provided to the Commission within 120 days after the final acceptance of a water and/or sewer main installation and /or a water and or sewer service installation.

12. Automatic Meter Reading Device (AMR) shall mean a device(s) used for reading a Water Meter without having to enter a Premise.

13. Automatic Self-Cleaning Grease Trap means a small GRD with automatic grease removal, heating element, skimming device, and external grease receptacle which **is** typically located inside and above ground. Daily, weekly, and monthly maintenance is required.

14. Auxiliary Meter shall mean a Meter for the purpose of determining water use for underground lawn sprinklers or other approved process use and are owned and

maintained by the Commission. Auxiliary Meters in Ludlow shall be owned and maintained by the Owner and are subject to Commission inspection in accordance with Section 3.5.2 of these Rules and Regulations.

15. Average Daily Flow means the total volume of sewage in gallons measured at a metering station or other point during a continuous period of three hundred sixty-five (365) days divided by three hundred sixty-five (365).

16. Average Monthly Wastewater Discharge Amount shall mean the average amount of Wastewater discharged into the Commission Wastewater Works.

17. Backflow Prevention Device (BFP) shall mean an approved mechanical device designed to prevent Backflow.

18. Backflow Prevention Device Test Charge shall mean the cost charged to test any approved Backflow Prevention Device(s) at an Owner's Premise, in accordance with Chapter 5 of these Rules and Regulations. A final invoice shall be sent to the Owner/Customer that includes the actual number of devices tested, results of tests and/or days tests were conducted.

19. Backflow shall mean the flow of water or other fluids, mixtures or substances into the distribution pipes of a potable supply of water from any source or sources other than its intended source.

20. Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 1.4.2. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

21. Bill means a written statement issued by the Commission to a Customer, in which is set forth the actual or estimated amount of water consumed through the period stated on the Bill, all Charges due for Water and Sewer Service during such period, and any such additional information as may be required under these Rules and Regulations.

22. Biochemical Oxygen Demand (BOD_5) shall mean the quantity of dissolved oxygen, expressed in milligrams per liter (mg/l), used in the biochemical oxidation of Wastewater in five (5) days at twenty degrees (20°) Centigrade (sixty-eight degrees (68°) Fahrenheit) under standard laboratory procedures prescribed in the *Standard Methods for the Examination of Water and Wastewater*.

23. Brown Grease means waste grease removed from GRDs.

24. Building Drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and/or other stacks inside the building and terminates ten (10) feet outside the inner face of the building wall. The Owner owns and shall operate and maintain the Building Drain from the building to the Building Sewer.

25. Building Sewer Cleaning Charges shall mean the cost charged to clean a Building Sewer pipe or Private Sewer, for each cleaning. The following items are not included in this charge: permits, police traffic control, flowable fill, rock excavation, frost excavation, and concrete removal and hauling in suitable fill.

26. Building Sewer Connection New or Replacement Minimum Charge shall mean the minimum cost charged for a new or replacement Building Sewer. No portion of this charge is refundable. This charge shall be paid when application is submitted.

27. Building Sewer Connection Repair Charge shall mean the cost charged to repair a Building Sewer. The following items are not included in this charge: permits, paving, police, traffic control, flowable fill, rock excavation, frost excavation, and concrete removal and hauling in suitable fill.

28. Building Sewer means sanitary sewer and that part of the horizontal piping, which begins ten (10) feet outside the inner face of the building wall and extends to a Public Sewer, Private Sewer or other place of Wastewater disposal. The Owner owns and shall operate and maintain the Building Sewer from the Building Drain to the main.

29. Building shall mean any roofed and walled structure.

30. Bulk Water Hauler shall mean a classification of Water Users that are engaged in providing water from a tank and/or water carrier. Bulk Water Haulers shall purchase and fill tanks and/or water carriers at the Commission's Bulk Water Facility at 71 Colton Street, Springfield. Water shall be sold to Bulk Water Haulers at the Bulk Water Hauler Rate as set forth in CHAPTER 5 of these Rules and Regulations. An Annual Application/Permit Fee shall be charged to all Bulk Water Haulers.

31. Bypass means the intentional diversion of waste streams from any portion of an Industrial Users Pretreatment facility.

32. Categorical Industrial User shall refer to industrial Users subjected to EPA categorical pretreatment standards.

33. Categorical Pretreatment Standards means pollution discharge limitations for specific Industrial Users categories promulgated under federal law by the U.S. Environmental Protection Agency.

34. CCTV Inspection means closed circuit television inspection.

35. Charges means all fees, rates, rents, assessments, or liens for water, sewer, drainage or other services, facilities and commodities which are furnished or supplied by the Commission and for which it is authorized under MGL 40-N to assess.

36. Chemical Oxygen Demand (COD) means the measure of the oxygen-consuming capacity of inorganic and organic matter present in water or Wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with Biochemical Oxygen Demand.

37. Chlorine Demand means the amount in milligrams per liter of chlorine required to be added to water, Wastewater, or other liquids to achieve a combined chlorine residual after fifteen (15) minutes contact, of one (1) milligram per liter (mg/l).

38. City shall mean the City of Springfield, Massachusetts.

39. Combined Service shall mean a service pipe that is used to provide both Water Service and private fire protection service.

40. Combined Sewer means a Sewer receiving and conveying both sanitary Wastewater and surface runoff from storms.

41. Commercial shall mean a classification of Water Users and/or Wastewater Users that are engaged in providing products or services, whether to the general public or to its members, which includes all retail and wholesale establishments, businesses, and offices, including but not limited to office buildings, retail and wholesale outlets, service agencies, agents, brokers, professional offices, stores, cafes, theaters, bakeries, bus terminals, warehouses, store-houses, hotels, motels, restaurants, rooming-houses, trailer parks, funeral parlors, garages, farming, gas stations, newspapers, churches, private or Charter schools and colleges, Medical Facilities, libraries, museums, cemeteries, not-for-profits, homes for aged and children, State buildings, State facilities, builder's use- metered and un-metered, water tankers. Property, which contains both Residential and Commercial Water Users, shall be classified as Commercial.

42. Commission Approved Contractor Application Fee shall mean the fee charged to review the qualifications and experience of the Persons seeking to become Commission Approved Contractors. The Fee is non-refundable. This Fee is for review of the Application Form and for the term of the approval period. The

approval period shall be for a term of three (3) years. Each approval period shall begin immediately after the previous approval period ends. Applications and Fees can be submitted any time before or during the approval period but shall be for the existing approval period and must be resubmitted for each approval period.

43. Commission Approved Contractor Application Renewal Fee shall mean the fee charged to review the qualifications and experience of the Persons seeking to renew their Commission Approved Contractors status at the end of the previous approval period. All other provision of the approval process shall remain the same.

44. Commission Approved Contractor shall mean any Contractor approved by the Executive Director in accordance with the Commission's Guidelines and Policies to provide a construction service for an Owner. All approved contractors shall have appropriate bonding, insurance, and experience with references to perform work on the Commission's water distribution system, sewer collection system, and water and/or sewer services on behalf of the Owner.

45. Commission means the Springfield Water and Sewer Commission, an independent body politic and corporate and political subdivision of the Commonwealth of Massachusetts created under MGL 40-N as adopted by the City of Springfield on March 28, 1996, the powers of which are exercised by a board of three members appointed in accordance with the MGL 40-N, and includes without limitation all its departments, divisions and Sections or pertaining or belonging to said Commission.

46. Commissioners refers to a board of three appointed members who shall govern the Commission as set forth in MGL 40-N.

47. Connection Charge shall mean the one time cost charged to Customers for connecting to an existing water main or a new water main, in accordance with these Rules and Regulations.

48. Consultant and Legal Review and Inspection shall mean the cost charged to hire a consultant or legal counsel to review plans and specifications and /or inspect the installation or repair of a Commission Water Facilities or sewer on a per hour basis.

49. Consumption shall mean the amount of water used, as measured by a Meter or as estimated by the Commission in accordance with these Rules and Regulations.

50. Copies of Commission Documents shall mean the cost charged to Persons for copies of the Commission's Rules and Regulations, the Commission's Guidelines and Policies with Material Specifications, and Material Specifications. Contractors shall receive one (1) copy of the Commission's Guidelines and Policies with Material Specifications upon becoming a Commission Approved Contractor,

additional copies shall be charged for in accordance with these Rules and Regulations.

51. Cross Connection shall mean any actual or potential connection between a distribution pipe of potable water supplied by the Public Water System and any waste pipe, soil pipe, sewer, drain or any other unapproved source. Without limiting the generality of the foregoing, the term "cross connection" shall also include any bypass arrangement, jumper connection, removal portion, swivel or changeover connection and any other temporary or permanent connection through which Backflow can or may occur.

52. Customer means a Person or entity listed on the records of the Commission as the party of record responsible for payment of Bills for Charges for water and/or Sewer services to the Premise/Property.

53. Customer Water Service shall be defined as the entire water service excluding any corporation stop and/or valves directly associated with the water main. The Customer will be assessed for any repairs, replacements, or other services rendered to the Customer Water Service.

54. 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.

55. Delinquent after date shall be defined as a date at least 30 days after the date of issuance of a bill

56. Developed Property means Property that generates wastewater.

57. Discontinuance of Water Service Connection Charge (Basic) shall mean the cost charged for Discontinuing an existing Water Service by removing the Water Service Connection. The cost for ¾-inch to 2-inch Water Services shall be based on the service pipe diameter. The cost for Water Services greater than 2-inches shall be based on the size of the water main it is connected to. The Commission shall provide labor and equipment to discontinue the Water Service Connection. The following items are not included in this charge and are provided by the Applicant: permits, paving, location work, excavation, backfill, and compaction, police, traffic control, couplings, plugs, material, pipe installation, appurtenances, flowable fill, rock excavation, frost excavation, concrete removal, and hauling in suitable fill. This charge shall be paid when application is submitted.

58. Discontinuance of Water Service Connection Charge (Complete) shall mean the cost charged for Discontinuing an existing Water Service Connection by removing the Water Service Connection. The cost for ¾-inch to 2-inch Water Services shall be based on the service pipe diameter. The cost for Water Services greater than 2-

inches shall be based on the size of the water main it is connected to. The Commission shall provide labor and equipment to discontinue the Water Service. The Commission provides excavation, materials, installation, and backfill. The following items are not included in this charge: permits, paving, flowable fill, rock excavation, frost excavation, police, traffic control, concrete removal, and hauling in suitable fill. This charge shall be paid when application is submitted. The Commission at its discretion may provide this work.

59. Discontinuance / Discontinue shall mean a permanent cessation of Water Service or Building Sewer at the Premise in accordance with these Rules and Regulations.

60. Domestic Wastewater means the liquid Wastes and liquid borne Wastes discharged from the sanitary conveniences such as toilets, washrooms, urinals, sinks, showers, drinking fountains, laundry rooms, kitchens, cafeterias and floor drains essentially free of industrial Wastes or toxic materials.

61. Drain For the meaning of "Drain," see "Storm Drain."

62. Dry Industry shall mean a classification of Wastewater Users which includes all industries which do not use water for processes, do not use large volumes of water for cleaning, or for which total annual wastewater production is less than one hundred thousand (100,000) cubic feet.

63. Dry Weather Overflow (DWO) is any discharge at a National Pollutant Discharge Elimination System (NPDES) permitted Combined Sewer Overflow (CSO) at any time except if caused by a rain event.

64. Easement shall mean an acquired legal right for the specific use of land owned and maintained by others, whether recorded or by prescription.

65. Effluent Meter shall mean an instrument or device, including any appurtenances thereto, for measuring the flow of Wastewater after an approved evaporative process. The Effluent Meter is owned and maintained by the Customer.

66. EPA means United States Environmental Protection Agency.

67. Evenings, Weekends, and Holidays shall mean all hours outside of the regular hours as specified for that service. Evening, Weekend, and Holiday work is performed at the Commission's discretion.

68. Excessive means amounts of concentration of a constituent of a Wastewater which in the judgment of the Commission:

    (a) Will cause damage to any facility,

(b) Will be harmful to a Wastewater treatment process,

(c) Cannot be removed in the treatment works to the degree required in the limiting stream classification standards of the Connecticut River and/or its tributaries,

(d) Can otherwise endanger life or property, or

(e) Can constitute a nuisance.

69. Executive Director means the Executive Director of the Commission or his/her authorized representatives.

70. Existing Source means any building, structure, facility or installation from which there is or may be a discharge of Pollutants, the construction or operation of which commenced prior to the publication of proposed Pretreatment Standards under Section 307 (c) of the Clean Water Act.

71. Extension Charge shall mean the amount charged an Owner to extend a new Public Water Main based on main size, distance to cover lot, and paving if applicable as set forth in CHAPTER 5 of these Rules and Regulations. It shall also be the amount used for bonding when an Owner is to install the Public Water Main.

72. Facilities include structures, conduits, pumping stations, treatment and disposal works, and other appurtenances for the purpose of collecting, treating and disposal of domestic and/or Industrial Wastewater.

73. Final Notice and Demand is a document informing the Customer that the Customer Water Service has been scheduled for Shut-off and/or Discontinuance after fifteen (15) days from the date of issue.

74. Financial Hardship Certificate refers to the form as set forth in Section 4.2.1, Paragraph 10 of these Rules and Regulations.

75. Fire Department Permit to shut off sprinkler system shall mean the completed permit approved by the Fire Department and submitted to the Commission by the Owner or by the Owner's agent prior to demolition of any building having water or fire suppression system connections to the Commission's water system.

76. Fire Flow Test Fees shall mean the fees charged for processing a fire flow test application and for permitting an experienced fire protection systems professional to perform a fire flow test in accordance with Section 3.2.11 of these Rules and Regulations and with provisions within the Commission's Guidelines and Policies.

77. Fire Flow Test shall mean the measurement of flow from a hydrant performed by the Commission or approved engineer in accordance with generally accepted

engineering practices and in accordance with the Commission's Guidelines and Policies.

78. Fire Service Pipe shall mean the private water piping and associated valves, control valves, and appurtenances installed solely to furnish water for extinguishing fires that extend from a Water Service Connection into a Premise. The Customer owns the Fire Service Pipe. The Customer is responsible for all rates, fees, charges, and penalties that are associated with the Fire Service Pipe. Rates, fees, charges support the infrastructure needs required to serve the capacity for fire protection and the readiness to provide adequate water supply when needed.

79. Fiscal Year shall mean the annual period from July 1 through June 30 of the following year.

80. Flowable Fill and Concrete Charge shall mean the cost charged to install flowable fill and concrete based on the cubic yard charge of these Rules and Regulations. A minimum delivery is required for each site.

81. Flushing Device Rental shall mean the deposit and rental charged to rent a Flushing Device as specified by the Flushing Device Detail (W-10) of the Commission's Guidelines and Policies. A deposit is required at the time of application and will be returned when the Flushing Device is returned to the Commission in good working order. The rental does not include Consumption, or any repairs or damage caused to the corporation, water main, or Flushing Device from improper use of the Flushing Device.

82. FOG Inspection/Maintenance Log means records noting the date of each inspection and all maintenance performed on the grease trap and/or interceptor. The Commission requires these records be maintained by the FSE owner/management as proof of inspections and maintenance on the GRD. This is required for continued discharge of kitchen wastes to the public sanitary sewer system. These records must be kept on-site for a minimum of (3) three year.

83. FOG means fats, oils, and grease.

84. FOG Waste Hauler means any person carrying on or engaging in vehicular transport of FOG waste as part of, or incidental to, any business for that purpose.

85. Food Grinder means any device installed in the plumbing or sewer system for the purpose of grinding food waste or food preparation by products for the purpose of disposing it to the sewer system.

86. Food Service Establishment (FSE) is any Commercial, Industrial, or Industry, Institutional, or Municipal site and shall mean a classification of Wastewater User, which prepares, processes, and/or packages food for sale or consumption, on or off

site, with the exception of private residences. Any other establishments where FOG may be introduced into the building sanitary drainage system in quantities that can cause waste line obstruction or hinder sewage disposal are also considered a Food Service Establishment. Food Service Establishments shall include, but are not limited to food courts, food manufacturers, food packagers, restaurants, cafeterias, delicatessens, bakeries, retail and wholesale meat markets, retail and wholesale seafood markets, hospitals, nursing homes, assisted congregate living facilities, institutional facilities, facilities with commercial kitchen type equipment. Churches, schools, lounges and bars, factories, hotels, and clubs shall be considered FSE. If there is intermittent food preparation on-site the Executive Director shall determine if the site will be considered an FSE. Food Service Establishment shall not include the following: a site that prepares beverages; a site that sells pre-packaged food not for consumption on-site, dormitories with no centralized food preparation, an establishment that is currently classified as a Significant Industrial User by and permitted through the Commission's Industrial Pretreatment Program.

87. Front Footage Connections Charge shall mean the per front foot fee charged to its Customers for connecting to an existing water main, in accordance with the provisions of Section 3.2.9of these Rules and Regulations.

88. Frozen Meter Replacement Charge shall mean the cost charged to replace a frozen AMR water Meter for each occurrence. The cost is in addition to the Frozen Service Charge and includes replacing the AMR Meter and the Meter Valve. There is no charge to replace a non-AMR water Meter.

89. Frozen Service Charge shall mean the cost charged to send a service crew to a Customer's Property and, if necessary, thaw a frozen Water Service Pipe or Fire Service Pipe for each occurrence. The charge does not include replacing a frozen water Meter.

90. Garbage means the Wastes resulting from the handling, preparation, cooking and serving of food. It is composed largely of putrescible organic matter, usually with a high natural moisture content.

91. Grease Interceptor means a large multi-compartment device that is constructed in different sizes and is typically located outside the building, underground, and along the sanitary service between the FSE and the connection to the public sanitary sewer main. These devices must be inspected, cleaned, maintained on a regular basis.

92. Grease Manifest means the receipt which is to be retained by the generator of FOG Wastes. This manifest is proof of proper disposal for disposing recyclable wastes

or liquid wastes as required by the Commission. These records must be kept on site of the FSE for a minimum of three (3) years.

93. Grease Removal Device (GRD) is any Grease Interceptor, Grease Trap, Passive Grease Trap, or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. "Grease Removal Device" may also include any other proven method to reduce FOG subject to the approval of the Commission.

94. Grease Trap means a GRD that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a Grease Interceptor or other GRD is determined to be impossible or impracticable. A Grease Trap is generally located inside the FSE.

95. Guidelines and Policies shall mean, but not limited to, the standards for access, design, operation, maintenance, construction, rehabilitation and / or use of the Public Water Systems used by the Commission.

96. Hydrant Meter Rental shall mean the deposit and rental charged to rent a hydrant Meter. A deposit is required at the time of application and will be returned when the hydrant Meter is returned to the Commission in good working order. The rental does not include Consumption, or any repairs or damage caused to the hydrant from improper use of the hydrant. The Customer is also responsible for the amount of water used as read on the hydrant Meter.

97. Hydrant Permit shall mean a written permit granted by the Commission for the temporary use of a Commission owned hydrant or a private hydrant that is not master metered.

98. Hydrant Relocation Charge shall mean the cost charged for the relocation of the hydrant plus the charge per foot to extend the hydrant connection. The following items are not included in this charge: tapping main, shut-off valve, permits, paving, flowable fill, rock excavation, frost excavation, and concrete removal and hauling in suitable fill. This charge shall be paid when application is submitted.

99. Hydrant Remove and Replace Charge shall mean the cost charged for the removal of a damaged hydrant and replacing with a new hydrant in the same location. The following items are not included in this charge: shut off valve, permits, paving, flowable fill, rock excavation, frost excavation, and concrete removal and hauling in suitable fill.

100. Hydrant Repair Charge shall mean the cost charged for the repair a hydrant in place and not requiring any excavation. The following items are not included in this charge: shut off valve, permits, paving, flowable fill, rock excavation, frost

excavation, and concrete removal, hauling in suitable fill, location work, excavation, backfill, compaction, police, traffic control, hydrant and appurtenances.

101. Hydrant shall mean a device connected to a Public Water Main or private water service for the purpose of extinguishing fires or other authorized purpose.

102. Hydrant User shall mean a classification of Water Users that are provided water through the temporary use of a Commission hydrant. Hydrant Users shall purchase water through a rented hydrant Meter and Backflow Prevention Device. Water shall be sold to Hydrant Users at the Hydrant Use Rate as set forth in CHAPTER 5 of these Rules and Regulations and shall be subject to a per day or per month rental charge and deposit. A Hydrant Permit shall be obtained prior to taking any water.

103. Industrial shall mean a classification of Water Users that are primarily engaged in applying skill and labor to giving of new shapes, qualities or new combinations to matter as material products, or to the assembly or processing of manufactured or natural products.

104. Industrial User shall mean an Industry discharging Industrial Wastewater to a Public Sewer.

105. Industrial Wastewater shall mean the liquid Wastes from industrial manufacturing processes, laboratories, trades or businesses which predominate as distinct from Domestic Wastewaters.

106. Industry shall mean an establishment with facilities for manufacturing, processing, fabricating, finishing, assembly, testing, or packaging goods including materials, chemicals byproducts, and finished and unfinished products. The Industry may be classified as a Wet Industry or Dry Industry.

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

108. Inflow shall mean precipitation or surface runoff or groundwater 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.

109. Infrastructure Renewal Charge (IRC) shall mean the fee charged to the Customer to support ongoing investment in renewal and repair of water and wastewater assets. The IRC ensures continued reliability of the systems by providing funding for necessary upgrades. The IRC helps to proactively address system needs, reduce

the risk of service disruptions, support long term sustainability, and contributes to rate stability.

110. Institutional shall mean a classification of Wastewater User including public or private schools, churches, State or Federal governmental buildings and offices, religious organizations, and similar facilities both profit and nonprofit.

111. Interceptor Sewer means a Sewer, located in public and/or private property, which collects the entire flow from a number of Public and/or Private Sewers, conveys the flow to a suitable collection point for final discharge to a place of Wastewater treatment and is entirely controlled by the municipality.

112. Interfere means a discharge by an Industrial User which, along or in conjunction with discharges by other sources, inhibits or disrupts the Springfield Water and Sewer Commission's Wastewater Works, its' treatment processes or operations, or its' sludge processes, use or disposal, and which is a cause of a violation of any requirement of the Commission's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewerage sludge use or disposal by the Commission in accordance with the following statutory provisions and regulations or permits issued there under (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D or the SWDA) the Clean Water Act, the Toxic Substance Control Act, and the Marine Protection Research and Sanctuaries Act.

113. Late Payment Fee is any additional Charge adopted and assessed by the Commission for delinquent accounts.

114. Leak Notice shall mean the Commission's written notification to a Customer that a leak exists in the Water Service Pipe on the Owner's Property, and that the Owner is responsible for repairing the leak.

115. Leak shall mean an escape of water from the Commission's water mains, hydrants, or in the Owner's Water Service Pipe, Fire Service Pipe, or a Combined Service, or identified as Non-Beneficial Use.

116. License Agreement shall mean a form prescribed by the Commission that provides for the construction of Public Water Mains and Public Sewers and other Water and Sewer Facilities and permission for limited use with respect to Commission property, easements, and other Water and Sewer Facilities.

117. Life Estate Beneficiary: A resident of a Property named on that Property's deed as a beneficiary of a life estate.

118. Lot means real property, which is described by deed, or filed subdivision plan, as a single entity and cannot be the further subdivided.

119. Main Extension Application shall mean the form provided by the Commission and completed by the Owner or by an Owner's authorized agent and submitted to the Commission prior to construction, reconstruction, repair or modification of a Public Water Main. A completed application includes verification that the Premise address listed therein is correct.

120. Master Meter shall mean the primary Water Meter used for billing purposes serving a building, group of buildings, or Premises / Property. There may be more than one (1) Meter serving a building, group of buildings, or Premises / Property.

121. Material Specifications shall mean the Commission supplied description of materials to be used for construction and rehabilitation of the Public Water and Sewer Systems.

122. Maximum Daily Flow means the highest volume in gallons measured at a metering station or other point during any continuous twenty-four (24) hour period.

123. MDEP shall mean the Massachusetts Department of Environmental Protection.

124. Medical Facility is any Commercial, Industrial, Industry, Institutional, or Municipal site and shall mean a classification of Wastewater User including locations where people receive in-patient or out-patient care and procedures are performed. This shall include but not be limited to medical, surgical, dental, psychiatric treatment, nursing care, or rehabilitation care.

125. Meter Pit shall mean an underground vault enclosing a Meter.

126. Meter Replacement or Auxiliary Meter Installation & Removal Charge for Meter Replacement shall mean the cost charged to replace a Meter on a Water Service Pipe in accordance with Section 3.3.5, Paragraph 12 of these Rules and Regulations. For Auxiliary Meter Installation & Removal shall mean the cost charged to install or remove an Auxiliary Meter on a Water Service Pipe in accordance with Section 3.3.5, Paragraphs 13 and 14 of these Rules and Regulations. The following items are not included in this charge: excavation, Meter Valve Replacement, and Water Service Pipe repair.

127. Meter shall mean an instrument or device, including any appurtenances thereto, for measuring the flow of water.

128. Meter Testing shall mean the cost charged to test a water Meter. This charge shall be paid when application is submitted.

129. Meter Valve Replacement Charge shall mean the cost charged to replace a meter valve on a Water Service Pipe that is located on the water main side of the Meter in accordance with Section 3.3.6 of these Rules and Regulations. The following items are not included in this charge: excavation and Water Service Pipe repair.

130. Meter Valve Replacement Charge with Repair Work shall mean the cost charged to replace a meter valve that is located on the water main side of the Meter, remove and replace a portion of the Water Service Pipe inside the building or meter pit, and the repair work associated with the replacement on a Water Service Pipe, in accordance with Section 3.3.6 of these Rules and Regulations. The following items are not included in this charge: excavation and repair work outside the building.

131. MGL 40-N means the Chapter 40-N of the Massachusetts General Laws, as amended.

132. Minimum Appointment Charge shall mean the cost charged to a Customer for any scheduled work including, but not limited to inspections, testing, repairs, and/or replacements when and where the Commission is not provided access to perform the work. The Customer will be allowed one missed appointment as a courtesy.

133. Monthly Service Charge shall mean the monthly cost charged to the Owner for each Meter and Fire Service Pipe installed for the Owner's Property, including Auxiliary Meters and detector meters on a Backflow Prevention Device bypass line, and any Infrastructure Renewal Charge as set forth in CHAPTER 5 of these Rules and Regulations. The Owners of Property that have a sewer connection, but no water connection and no Meter shall also pay the Monthly Service Charge and Infrastructure Renewal Charge for Wastewater service only. Fire Service Pipe Monthly Service Charges will be incurred by the Owner until such time as a Discontinuance is completed at the water main, regardless of whether the supply to that line is Turned On or Shut Off

134. Municipal shall mean a classification for Water User and/or Wastewater User facilities that are owned and operated by the City of Springfield and/or the Town of Ludlow solely for the purposes of providing the following municipal services: Administrative; Public Works; Police; Fire and Safety; Educational; Parks and Recreational facilities; Libraries. This does not include Wastewater services provided by the Town of Ludlow.

135. NA shall mean Not Applicable.

136. National Pretreatment Standard or Pretreatment Standard means any regulation containing Pollutant discharge limits promulgated by the EPA in accordance with

Section 307 (b) and (c) of the Clean Water Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to Title 40, Part 403.5 of the Code of Federal Regulations.

137. Natural Outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

138. New Source means any building, structure, facility or installation from which there is or may be a discharge of Pollutants, the construction or operation of which commenced after the publication of proposed Pretreatment Standards under Section 307 (c) of the Clean Water Act, provided that the building, structure, facility or installation, meet the criteria established in Title 40, Part 403.3(k) of the Code of Federal Regulations (as determined by the Executive Director).

139. New Water Main Installations / Extensions Charge shall include the Commission's material, equipment, labor, and as per the Commission's Guidelines and Policies. Paving, flowable fill, rock excavation, frost excavation, concrete removal, and hauling in suitable fill are not included in this charge.

140. Non-Beneficial Use is excess use above normal use resulting from a Leak either from a pipe break or a faulty toilet or other plumbing fixture.

141. Oil, Water, and Sand Separator means any exterior structures designed to separate oil and sand from water effluents particularly within vehicle storage and washing facilities.

142. Owner shall mean a Person(s) who alone or jointly or severally with others, has the legal title to any Premises.

143. Parcel means real property consisting of one (1) Lot, or two (2) or more contiguous Lots, under one (1) ownership.

144. Partial Water Service Pipe Replacement shall mean either replacement of the piping and associated valves and appurtenances that extend from a Water Service Connection to the curb stop in the tree belt area or from the curb stop in the tree belt area to the Commission's Meter.

145. Pass Through means the discharge of Pollutants through the Commission's Wastewater Works into navigable waters in quantities or concentrations which, alone or in conjunction with discharges from other sources, are a cause of a violation of any requirement of the Commission's NPDES permit (including an increase in the magnitude or duration of a violation).

146. Passive Grease Trap means a small GRD with a series of baffles and manual grease removal typically installed inside the building and above ground, generally cleaned by FSE staff or by an outside vendor.

147. Paving Charge shall mean the cost charged to restore the pavement or install pavement based on the square foot charge in CHAPTER 5 of these Rules and Regulations.

148. Payment Agreement shall be defined as the contract agreement signed by the Customer for payment of water and sewer Charges to the Commission. Failure to follow such provisions may result in the Shut-off and/or Discontinuance of Water Service pursuant to these Rules and Regulations.

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

150. pH means the negative logarithm (to the base ten (10)) of the hydrogen ion concentration in grams per liter of solution.

151. Plumber shall mean a person with a current and valid license as a plumber by the Commonwealth of Massachusetts.

152. Point-Of-Entry Treatment Device shall mean a device installed to treat water entering any building or portion of such building for the purpose of reducing contaminants in the water distributed through that building or portion of such building.

153. Police Officers Charge shall mean the ½ day cost charged for hiring a police officer to direct traffic or as required by local safety officers.

154. Pollutant means any dredged spoil, solid Waste, incinerator residue, sewage, Garbage, sewage sludge, munitions, heat, chemical Wastes, biological materials, radioactive materials, cellar dirt, agricultural Waste, industrial Waste or municipal Waste, in liquid, solid or gaseous form that can be discharged into any Sewer system or Wastewater Works.

155. Potable Water shall mean water fit for human consumption in conformance with the regulations of the MDEP.

156. Premise / Property shall mean a parcel of real estate or portion thereof, including any improvements thereon, which is determined by the Commission to be a single

User for purposes of receiving, using and paying for Water Service and/or Building Sewer.

157. Pretreatment means the reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of Pollutant properties in Wastewater prior to or in lieu of discharging or otherwise introducing such Pollutants into a POTW.

158. Private Drain means any Drain located on private property and not under the full care and control of the Commission nor the City of Springfield.

159. Private Fire Protection shall mean Private Water Mains, Fire Service Pipes and other appurtenances installed for the purpose of fire protection and suppression at a particular Premise.

160. Private Hydrant shall mean a hydrant installed and maintained by an Owner for the purpose of private fire protection/suppression at a particular Premise.

161. Private Sewer means any Sewer located on private Property that collects and conveys Wastewater from two (2) or more Building Sewers, discharges into a Public Sewer, and is not under the full care and control of the Commission.

162. Private Water Main shall mean the water main and appurtenances that are not owned by the Commission.

163. Properly Shredded Garbage means Garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in Public Sewers, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

164. Public Drain means a Drain located in a public, private way, or easement in which all Owners of abutting properties have equal rights and is under the full care and control of the City of Springfield.

165. Public Fire Protection shall mean the Public Water Mains, Hydrants and appurtenances installed for the purpose of fire protection in a public way, Commission-owned easement, whether recorded or by prescription, or private way open to public travel.

166. Public Sewer means any Sewer owned or maintained by the Commission and any Sewer situated outside the City of Springfield that is owned or maintained by a city, town, or district that discharges into Commission's Wastewater Treatment Works.

167. Public Water Main shall mean the piping and associated valves, hydrants and appurtenances owned by the Commission installed in a public way, publicly-owned

Easements whether recorded or by prescription, or private way open to public travel, for the purpose of supplying water to one or more customers or for public fire protection.

168. Public Water Supply shall mean the water and/or ground water that is provided to the public for human consumption.

169. Public Water System shall mean a system for the provision to the public of piped water for human consumption. The Commission is a Public Water System.

170. Receiving Waters means any watercourse, river, pond, ditch, lake, aquifer, or other body of surface or groundwater receiving discharge of Wastewaters.

171. Recreational Spray or Sprinkler Pool shall mean an indoor or outdoor spray or sprinkler pool that is designed and constructed for the purpose of human contact recreation.

172. Remote Meter Device means an instrument for reading a Water Meter, located at a distance from the Meter, generally outside the building being metered.

173. Requirements for Site Plans shall mean the document that describes the information that must be included in site plans submitted to the Commission. A Site Plan is required by the Commission for review and approval by the Executive Director of a proposed connection or reconstruction, repair or modification of a Water Service Pipe or Fire Service Pipe or appurtenance, which connects, to the Commission's water distribution system. (The document also includes requirements for connections to the Commission's sanitary and combined sewers systems.)

174. Residential shall mean a classification of Water Users and/or Wastewater Users that use or engage in providing housing facilities which include all dwellings, tenements, apartments, trailer houses (single), and other forms of housing.

175. Rock Excavation, Frost Excavation, and Concrete Removal Charge shall mean the cost charged to excavate and /or remove rock, frost, or concrete based on the cubic yard charge in CHAPTER 5of these Rules and Regulations. The charge is based on the actual cost incurred by the Commission to perform the work.

176. Sanitary Sewer means a Sewer, which carries domestic, and/or Industrial Wastewaters and to which surface runoff from storms and groundwater is not intentionally admitted.

177. Sanitary Sewer Overflow (SSO) means an unauthorized discharge of sewage from the public sewer system caused by a blockage, restriction, or inadequate capacity in the public sewer system.

178. Septage shall mean the liquid and solid material removed from a septic tank, cesspool, portable toilet, type III marine sanitation device or a similar system that receives only domestic Wastewater or solid material. If solids cannot flow in liquid form, they shall not be allowed to be discharged into the Commission's Wastewater Works and/or Wastewater pump stations.

179. Septage Disposal Rate shall mean the rate charged for all Septage disposal or holding tank waste disposal at the Indian Orchard pumping station or any other Septage disposal site designated by the Commission.

180. Service Application shall mean the form provided by the Commission and completed by the Property Owner or by an Owner's agent and submitted to the Commission prior to construction, reconstruction, repair or modification of a Water Service Pipe or a Fire Service Pipe from a Public Water Main. A completed application includes verification that the Premise address listed therein is correct.

181. Service Area shall mean the geographic area that is or can be serviced by the Commission's existing water and/or Sewer systems. .

182. Service Line Repair Charges shall mean the cost charged to repair a Water Service Pipe or Fire Service Pipe up to and including 2 inches in diameter. The following items are not included in this charge: permits, police traffic control, paving, flowable fill, rock excavation, frost excavation, concrete removal, and hauling in suitable fill. Water Service Pipe or Fire Service Pipe larger than 2 inches shall pay all costs including labor, material, and equipment costs.

183. Severe Property Damage means substantial physical damage to property, damage to the Wastewater Works, which causes the Wastewater Works to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a Bypass.

184. Sewer Improvement Area means all that land contained with boundaries which shall include all areas served by and extension of the sewerage system (areas to be serviced by pumping facilities shall be considered separate Sewer Improvement Areas), the boundaries of the Sewer Improvement Area shall include only those Parcels and portions of Parcels which can be directly served by the Public Sewer (Public Sewer is located in a right-of-way, street, public way or easement which is adjacent to the Parcel and the Public Sewer abuts an extension of the nearest property line of the Parcel) and which will require a building sewer not exceeding one hundred (100) feet in length between the property line and Public Sewer, measured along the shortest route between the Public Sewer connection point and

the intersection of the building sewer at the property line, such that the building sewer does not pass through adjacent private land.

185. Sewer means a pipe or conduit for carrying Wastewater.

186. Sewer Petition shall mean the form provided by the Commission and completed by the Property Owner and submitted to the Commission prior to construction, reconstruction, repair, or modification of the Owner's Building Sewers and/or Private Sewers. A completed application includes verification that the Premise address listed therein is correct.

187. SHD shall mean the Springfield Health Department.

188. Shut-off for Non-Payment shall mean the cost charged to shut off a Water Service Pipe or Fire Service Pipe for non-payment of a water and/or sewer bill in accordance with CHAPTER 5, of these Rules and Regulations. This charge shall be paid before the water service is turned-on.

189. Shut-off shall mean a temporary cessation of Water Service at the Premise as requested by the Customer or as required by the Commission in accordance with these Rules and Regulations.

190. Shut-off Charge shall mean the cost charged to shut off a Water Service Pipe or Fire Service Pipe, in accordance with CHAPTER 5of these Rules and Regulations. This charge shall be paid when application is submitted.

191. Significant Industrial User shall mean any industrial User that is classified under any of the following:

(a) Industrial User subject to categorical pretreatment standards;

(b) Any other Industrial User that:

- discharges an average of 25,000 gallons per day or more of processed wastewater to the publicly operated treatment works (excluding sanitary, non-contact cooling and boiler blow-down wastewater),
- contributes a process waste-stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the publicly operated treatment works treatment plant, or
- is designated as such by the Control Authority as defined in 40 CFR 403.12(a) on the basis that the Industrial User has a reasonable potential for adversely affecting the publicly operated treatment works operation or for violating any pretreatment standard or requirement.

192. Slug means any discharge of water or Wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, a value that is more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.

193. Standard Methods for the Examination of Water and Wastewater means the latest edition accepted by the Massachusetts Department of Environmental Protection of *Standard Methods for the Examination of Water and Wastewater* (as amended), prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.

194. State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Commission pursuant to Section 3.2.5 of these Rules and Regulations.

195. State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, § 17.

196. Storm Drain means a pipe or conduit for conveying rainwater, groundwater, subsurface water, condensate, cooling water, or other similar discharge.

197. Surety Required shall mean the bond, letter of credit, or other Commission approved financial guarantee to be posted as surety by an Owner to extend a Public Water Main, Sewer Main, and /or build a water and/or sewer pump station. Bonds Required shall also mean the bond, letter of credit, or other Commission approved financial guarantee to be posted as surety by a Commission Approved Contractor to work on the Commission's Water Distribution System or Sewer Collection System for an approval period.

198. Tamper shall mean an unlawful and/or intentional act that damages, injures, interferes, defaces, or causes to be injured, a water meter, water meter transponder, or to other Commission equipment appurtenant to the Water and Sewer Service or Water Service.

199. Total Suspended Solids (TSS) shall mean all solids that either float on the surface of, or are in suspension in water, Wastewater, or other liquids, and which are retained on a glass after filtering, and are referred to as total suspended solids dried at 103-degrees to 105-degrees Celsius (217-degrees to 221-degrees Fahrenheit) in the laboratory test prescribed in the *Standard Methods for the Examination of Water and Wastewater*.

200. Tapping Main Charge (Basic) shall mean the cost charged for connecting to existing water mains for new mains, main extensions, and service connections. The Commission shall provide labor and equipment to tap the existing main. The

following items are not included in this charge and are provided by the Applicant: permits, paving, location work, excavation, backfill, and compaction, police, traffic control, tapping sleeve, tapping valve, pipe installation, appurtenances, flowable fill, rock excavation, frost excavation, concrete removal, and hauling in suitable fill. This charge shall be paid when application is submitted.

201. Tapping Main Charge (Complete) shall mean the cost charged for connecting to existing water mains for new mains, main extensions, and service connections. The Commission provides excavation, materials, installation, and backfill. The following items are not included in this charge: permits, paving, flowable fill, rock excavation, frost excavation, pipe installation, police, traffic control, concrete removal, and hauling in suitable fill. This charge shall be paid when application is submitted.

202. Total Abutter Frontage means the summation of individual Abutter frontages in a Sewer Improvement Area, whether or not some Parcels may be deferred or excluded from assessment. City streets and ways shall not be included.

203. Turbidity means a:

(a) Condition in water or Wastewater caused by the presence of suspended matter, resulting in the scattering and absorption of light rays,

(b) Measure of fine suspended matter in liquids,

(c) Analytical quantity usually reported in arbitrary Turbidity units determined by measurements of light diffraction.

204. Turn-On Charge shall mean the cost charged to turn on a Water Service Pipe or Fire Service Pipe in accordance with CHAPTER 5 of these Rules and Regulations. This charge shall be paid when application is submitted or before the water service is turned on.

205. Turn-On shall mean initiate or restore Water Service in accordance with Sub-Section 3.3.7 or Sub-Section 3.4.7, of these Rules and Regulations. No Turn-on will occur for any account with an overdue balance.

206. Undeveloped Property means property that is void of any buildings, does not have Wastewater facilities, and does not require a connection to the Public Sewer.

207. Uniform Plumbing Code means the plumbing system regulations as required by the Commonwealth of Massachusetts.

208. Upset means an exceptional and nonrecurring incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment

Standards or other industrial discharge limits because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment Facilities, inadequate treatment Facilities, lack of preventative maintenance, or careless or improper operation.

209. User shall mean a Person who receives water and/or Sewer service(s) from the Commission within the Commission's Service Area.

210. Video Inspection shall mean the cost charged to video inspect a Building Sewer or Drain on a per inspection basis. An invoice shall be sent to the Customer that includes the actual number of inspections.

211. Wastes mean substances in liquid, solid or gaseous form that can be carried in water.

212. Wastewater means the spent water of the Commission, other Municipalities, and/or other participants of the Commission's Wastewater Treatment Works and may be a combination of the liquid and liquid borne Wastes from Residential, Commercial, Industrial, and Institutional Customers, together with any groundwater and surface water that may be present.

213. Wastewater Works or Wastewater Treatment Works means any arrangement of devices and all structures, equipment and processes for collecting, pumping, treating and disposing of Wastewater and associated residuals.

214. Water / Sewer Pipe Inspection shall mean the cost charged to inspect the layout, installation, repair, water quality test, or re-inspection of a scheduled a Commission Water Facility, Public Sewer, Public Drain, Building Sewer, Sewer, or Drain on a per day or per inspection basis. This charge shall be paid as a deposit when application is submitted based on an estimated number of days and/or inspections required in accordance with Section 3.10.1of these Rules and Regulations. A final invoice shall be sent to the Customer that includes the actual number of days.

215. Water and Sewer Service shall include but not be limited to water, sewer and other services, facilities and commodities furnished or supplied by the Commission pursuant to MGL 40-N.

216. Water Facilities will mean Meters, Backflow Prevention Devices, water valves, water mains, Water Service Pipes, Fire Service Pipes, and water hydrants.

217. Water Meter means any device for measuring and recording the water consumption at a building or Property, installed by or at the order of the Commission, which may be used for billing by the Commission.

218. Water Service Connection shall mean the connection and the associated valves and appurtenances at the water main for the purpose of turning Water Service on and off for the purpose of supplying water and for fire protection and suppression. The Commission owns the Water Service Connection.

219. Water Service Pipe Installation Charge shall mean the cost charged for a new or total replacement Water Service Pipe or Fire Service Pipe based on the per foot charge in Section 5.6of these Rules and Regulations. The Water Service Pipe Installation Charge shall not be less than Water Service Pipe Minimum Charge. The following items are not included in this charge: permits, flowable fill, rock excavation, frost excavation, and concrete removal and hauling in suitable fill are not included. This charge shall be paid when application is submitted.

220. Water Service Pipe Minimum Charge shall mean the minimum cost charged for a new or replacement Water Service Pipe or Fire Service Pipe. No portion of this charge is refundable. This charge shall be paid when application is submitted.

221. Water Service Pipe shall mean the piping and associated valves and appurtenances that extend from a Water Service Connection to the Commission's Meter for the purpose of supplying water, other than for fire protection and suppression. The Customer owns the Water Service Pipe.

222. Water Service shall mean the readiness to supply or actual supplying of water to Premises in which a Water Service Pipe or Fire Service Pipe has been installed.

223. Water Users or Water Consumers shall mean all public and private Users of the Commission's water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

224. Watershed lands, Reservoir lands, Roads and Trails, and Waterways shall include boulevards, roadways, driveways, trails, bridges, buildings, structures, land, beaches, ponds, lakes, rivers and other waters under the care and control of the Springfield Water and Sewer Commission.

225. Well shall mean any dug, driven or drilled hole, with a depth greater than its largest surface diameter, developed to supply water intended and/or used for human consumption, irrigation, or industry and not subject to regulation by 310 CMR 22.00.

226. Wet Industry shall mean a classification of Wastewater Users which includes all industries which produce large volumes of Wastewater; or which produces a Wastewater of greater strength than residential Wastewater (or contains constituents which require pretreatment in accordance with CHAPTER 1).

227. Yellow Grease means grease from a cooking or preparation process such as a fry station. This type of grease is disposed of separately from brown grease.

For future use.

APPENDIX 1. Summary of Revisions for FY2027

SPRINGFIELD WATER AND SEWER COMMISSION

FISCAL YEAR 2027 PROPOSED REVISIONS TO THE RULES AND REGULATIONS

Commissioner Matthew Donnellan
Commissioner Vanessa Otero
Commissioner Daniel Rodriguez

Springfield Water and Sewer Commission

Rules and Regulations

Additional Revisions of the Fiscal Year 2027 Rules and Regulations are as follows:

1. **INTRODUCTION; GENERAL PROVISIONS (Page 15)**

   INSERT THE FOLLOWING

   Massachusetts General Laws Chapter 40N

   Pursuant to Massachusetts General Laws Chapter 40N, Chapters 6-9, title to the water works system and the sewer works system was vested in the Commission upon the acceptance of the statute, and the Commission therefore own, control, operate and maintain the water works system and the sewer works system. These Rules and Regulations are intended to take precedence and supersede any out of date City of Springfield Ordinances associated with the operation of Water and Sewer works, (City of Springfield Code Part II, Chapter 405, 300, respectively).

2. **Chapter 1; Section 1.4.2**

   INSERT THE FOLLOWING

   1.4.2 Inflow and Infiltration Mitigation

   1. Every newly constructed, replaced or extended building sewer lateral that discharges directly or indirectly to the Sanitary Sewer or Combined Sewer system shall be designed, constructed and maintained to minimize all Inflow and Infiltration into the system. The Commission may require an Owner to determine and eliminate the sources of the Inflow or Infiltration to an existing building sewer lateral at the Owner's expense.

   2. Any new development project, redevelopment project, modification or extension of existing connections, or new connections to the Sanitary Sewer or Combined Sewer system with flows of 15,000 gallons per day or greater shall be required to mitigate Inflow and Infiltration at a rate of 4 gallons of Inflow/Infiltration per each additional gallon of new flow to be discharged to the Sanitary Sewer or Combined Sewer system, per 314 CMR 12.04. Inflow and Infiltration add extraneous flows to the system thereby reducing its capacity and conveyance capability of the system and increasing the potential for Combined Sewer Overflows.

   3. Flows from new development project, redevelopment project, modification or extension of existing connections, or new connections shall consist of the following components that are specific to each connection:

      a. Sanitary Flows (gallons per day): Title 5 (310 CMR 15) shall be used to determine the sanitary flow component.

b. Inflow and Groundwater System Flows (gallons per day) (if applicable): Inflow and groundwater flows shall be calculated utilizing a Design Storm (one-year six-hour 1.72 inch) as described in the Massachusetts Department of Environmental Protection's Guidelines for Performing Infiltration/Inflow Analyses and Sewer System Evaluation Surveys.

4. If the total flows calculated under 1.4.2.3 exceed 15,000 gallons per day, the Owner is responsible for proposing an Inflow and Infiltration Mitigation measure, for the Commission's review, that meets the requirements described in 1.4.2.2. The developer shall implement the Inflow and Infiltration measure with the Commission's approval.

3. Chapter 3; Section 3.3.4; Water Service Pipes; Item 6

DELETE

a. The Premise / Property Owner shall inform the Commission of a proposed ADU via the Commission's ADU application and provide documentation of approval for said ADU from the City of Springfield. City of Springfield documentation must include a building number issuance slip.

REPLACE WITH

a. The Premise / Property Owner shall inform the Commission of a proposed ADU via the Commission's ADU application and provide documentation of approval for said ADU from the governing authority. Documentation must include a building number issuance slip.

4. Chapter 3; Section 3.3.6; Repairs, Maintenance and Thawing; Item 2; Repair of Leaks shall be as follows:

DELETE

(a) If the Executive Director determines that there is a leak in the Owner's Water Service Pipe, the Commission shall so notify the Owner with a written Leak Notice, and the Owner shall be responsible for filing a Service Application**,** having the leak repaired and the work inspected by the Commission to ensure compliance with these Rules and Regulations. In no event will the Commission repair the following types of services:

- Galvanized Pipe
- Wrought Iron
- Lead Pipe

- English Copper
- Plastic
- Steel
- Glass

(b) Notwithstanding the above, if a service is older than thirty (30) years old and is subject to a leak on the service, the service shall be replaced at the Owner's expense.

(c) If a service is Commission installed and less than thirty (30) years old, all repairs and/or replacements during the initial thirty (30) year period shall be at no cost to the Owner. If a service is older than thirty (30) years the service shall be replaced at the Owners' expense.

(d) If a service is Owner installed and less than thirty (30) years old, the Owner is granted one repair during the initial thirty (30) year period, at the Owner's expense. If a service is older than thirty (30) years or if a second leak found on a service in a different area of the line than was previously repaired, the service shall be replaced at the Owner's expense.

(e) Charges that may be incurred to the Property Owner are labor, material, overhead, and any other applicable related costs to the job, including the cost of fees imposed by any other governmental agency and/or contractor.

(f) The Commission, in accordance with the provisions of Section 3.3.7, Paragraph 1, may shut off such a leaking Water Service Pipe.

(g) With the approval of the Executive Director, the Commission may allow a Partial Water Service Pipe Replacement exception given cause and only when there is not a prohibiting rule in Section 3.3.6.3. Such an exception does not exempt the Owner from responsibility for the reused portion of the Water Service Pipe regardless of when a leak becomes evident.

REPLACE WITH

(a) If the Executive Director determines that there is a leak in the Owner's Water Service Pipe, the Commission shall so notify the Owner with a written Leak Notice, and the Owner shall be responsible for filing a Service Application**,** having the leak repaired and the work inspected by the Commission to ensure compliance with these Rules and Regulations. In no event will the Commission repair the following types of services:

- Galvanized Pipe
- Wrought Iron
- Lead Pipe

- English Copper
- Plastic
- Steel
- Glass

(b) **Water Service Pipe 2-inch or Smaller in Diameter**

i. Notwithstanding the above, if a service is older than thirty (30) years old, and is subject to a leak on the service, the service shall be replaced at the Owner's expense.

ii. If a service is Commission installed, and less than thirty (30) years old, all repairs and/or replacements during the initial thirty (30) year period shall be at no cost to the Owner. If a service is older than thirty (30) years the service shall be replaced at the Owners' expense.

iii. If a service is Owner installed, and less than thirty (30) years old, the Owner is granted one repair during the initial thirty (30) year period, at the Owner's expense. If a service is older than thirty (30) years or if a second leak found on a service in a different area of the line than was previously repaired, the service shall be replaced at the Owner's expense.

iv. Charges that may be incurred to the Property Owner are labor, material, overhead, and any other applicable related costs to the job, including the cost of fees imposed by any other governmental agency and/or contractor.

v. The Commission, in accordance with the provisions of Section 3.3.7, Paragraph 1, may shut off such a leaking Water Service Pipe.

vi. With the approval of the Executive Director, the Commission may allow a Partial Water Service Pipe Replacement exception given cause and only when there is not a prohibiting rule in Section 3.3.6.3. Such an exception does not exempt the Owner from responsibility for the reused portion of the Water Service Pipe regardless of when a leak becomes evident.

(c) **Water Service Pipe 3-inch or Larger in Diameter**

i. If a Water Service Pipe is less than thirty (30) years old, the Owner is granted one repair during the initial thirty (30) year period, at the Owner's expense.

ii. If an unlined iron Water Service Pipe is subject to a leak, regardless of age, the service shall be replaced at the Owner's expense.

iii. If a Water Service Pipe is over thirty (30) years and has not had a repair or is less than thirty (30) years old and has had a repair, the Owner may request that a temporary repair be allowed, pending review and approval by the Commission. If a temporary repair is approved, the Owner may also request that the Commission evaluate and consider the temporary repair as a permanent repair instead of requiring a full replacement. Otherwise, the Owner will have 30 days from the time of the temporary repair to submit an application for a replacement service to the Commission.

iv. In an emergency repair situation, if deemed necessary by the Commission, the Owner may be allowed to have a temporary repair done by the Commission or a Commission Approved Contractor. Upon the Commission's inspection of the repair and any exposed pipe, if conditions are such that there is a reasonable concern the Water Service Pipe may fail again after backfilling and energizing, the Commission may determine the Water Service Pipe cannot be turned on until it is replaced.

1. The above notwithstanding, following an emergency repair, the Owner will have 30 days to submit an application for a new service to the Commission unless the repair is accepted by the Commission as a permanent repair as outlined within item iii above.

5. Chapter 3; Section 3.3.6; Repairs, Maintenance and Thawing; Item 4; Meter Valve Replacement

DELETE

(a) The Commission will replace a meter valve on the water main side of an Owners Water Service Pipe when a meter valve requires replacing due to, but not limited to, age, negligence, missing, and /or damage caused by the Owner. This change will be at the Owner's expense for each occurrence.

(b) The Commission will replace the valve at no charge to the Owner if the meter valve was replaced and fails within fifteen (15) years of the valve replacement or service installation.

REPLACE WITH

(a) The Commission will replace a 2-inch or smaller meter valve on the water main side of an Owners Water Service Pipe when a meter valve requires replacing due to, but not limited to, age, negligence, missing, and /or damage caused by the Owner. This replacement will be at the Owner's expense for each occurrence

(b) The Commission will replace a 2-inch or smaller meter valve at no charge to the Owner if the meter valve was replaced and fails within fifteen (15) years of the valve replacement or service installation.

(c) A 3-inch or larger meter isolation valve, OS&Y, gate, or ball valve on either the water main side or the plumbing side of the meter that requires replacement shall be at the Owner's expense. The replacement may be done either by the Commission if it agrees, at a cost of time, equipment and materials or by a Contractor, Licensed Plumber or Qualified Fire System Contractor upon approval by the Commission.

6. Chapter 3; Section 3.4.3; Fire Service Pipes; Item 8 Fire Department Permit

DELETE

An Owner, in accordance with the local Fire Prevention Code in the Commission's Service Area, shall be responsible for obtaining the necessary permit from the Fire Department when the Fire Service Pipe is shut off for maintenance purposes.

REPLACE WITH

An Owner, in accordance with the local Fire Prevention Code in the Owner's Service Area, shall be responsible for obtaining the necessary permit from the Fire Department when the Fire Service Pipe is shut off for maintenance purposes. A copy of said permit shall be supplied to the Commission.

7. Chapter 3; Section 3.4.6; Repairs, Maintenance and Thawing; Item 2

DELETE

Repair of Leaks. The Owner shall be responsible for having a leak in a Fire Service Pipe repaired at the Owner's expense. Such a leaking Fire Service Pipe may be shut off by the Commission in accordance with the provisions of Section 3.10 of this Chapter.

REPLACE WITH

Repair of Leaks. The Owner shall be responsible for having a leak in a Fire Service Pipe repaired at the Owner's expense. All such repairs must be in accordance with the provisions of Section 3.3.6. Such a leaking Fire Service Pipe may be shut off by the Commission in accordance with the provisions of Section 3.10 of this Chapter.

Springfield Water and Sewer Commission

Rules and Regulations

8. Chapter 5; Sections 5.1.1, 5.1.2, 5.1.3, and 5.1.4

17% Water Rate increase for FY2027

9. Chapter 5; Section 5.2

15% Meter Charge increase for FY2027

13.75% Infrastructure Renewal Charge increase for FY2027

10. Chapter 5; Section 5.4

Allowance Program Discounts increase from $10.50 per month to $12.00 per month

11. Chapter 5; Section 5.5

Non-Beneficial Use Allowance

Water Charge per 100 cubic feet increase from $1.30 to $1.52

12. Chapter 5; Section 5.6.1; New Water Main Installations / Extensions Charge

DELETE

6”	$60.00 per foot
8”	$65.00 per foot
12”	$75.00 per foot
16”	$85.00 per foot
24”	$100.00 per foot

REPLACE WITH

6”	$125.00 per foot
8”	$130.00 per foot
12”	$150.00 per foot
16”	$200.00 per foot
24”	$250.00 per foot

Springfield Water and Sewer Commission

Rules and Regulations

13. Chapter 5; Section 5.6.5; Discontinuance of Water Service Connection Charge

DELETE

	Type of Discontinuance		Evenings, Weekends, & Holidays Type of Discontinuance	
	Basic	Complete	Basic	Complete
Service Size*:				
¾-inch to 2-inch	$500.00	$1,500.00	$750.00	$2,250.00
Main Size**:				
up to 10-inch	$1,000.00	$2,500.00	$1,500.00	$3,750.00
12-inch	$1,200.00	$3,500.00	$1,800.00	$5,250.00
16-inch	$1,200.00	$4,500.00	$1,800.00	$6,750.00
18-inch to 20-inch	$1,200.00	$5,000.00	$1,800.00	$7,500.00
24-inch	$1,200.00	$6,000.00	$1,800.00	$9,000.00
30-inch	$1,200.00	$7,000.00	$1,800.00	$10,500.00
36-inch	$1,200.00	$8,000.00	$1,800.00	$12,000.00
42-inch & Greater***	T & M	T & M	T & M	T & M

REPLACE WITH

	Type of Discontinuance		Evenings, Weekends, & Holidays Type of Discontinuance	
	Basic	Complete	Basic	Complete
Service Size*:				
¾-inch to 2-inch	$500.00	$1,500.00	$750.00	$2,250.00
Main Size**:				
up to 10-inch	$1,200.00	$2,500.00	$1,800.00	$3,750.00
12-inch	$2,000.00	$3,500.00	$3,000.00	$5,250.00
16-inch	$2,000.00	$4,500.00	$3,000.00	$6,750.00
18-inch to 20-inch	$2,000.00	$5,000.00	$3,000.00	$7,500.00
24-inch	$2,000.00	$6,000.00	$3,000.00	$9,000.00
30-inch	$2,000.00	$7,000.00	$3,000.00	$10,500.00
36-inch	$2,000.00	$8,000.00	$3,000.00	$12,000.00
42-inch & Greater***	T & M	T & M	T & M	T & M

14. Chapter 5; Section 5.6.10; Hydrant Meter Rental Charges Less Than 2":

DELETE

Term	Deposit	Rate
Daily	$500.00	$20.00 per day plus consumption
Monthly	$500.00	$300.00 per month plus consumption

REPLACE WITH

Term	Deposit	Rate
Daily	$1,000.00	$20.00 per day plus consumption
Monthly	$1,000.00	$300.00 per month plus consumption

15. Chapter 5; Section 5.6.11; Hydrant Meter Rental Charges 2" and Larger:

DELETE

Term	Deposit	Rate
Daily	$1500.00	$40.00 per day plus consumption
Monthly	$1500.00	$600.00 per month plus consumption

REPLACE WITH

Term	Deposit	Rate
Daily	$3,000.00	$40.00 per day plus consumption
Monthly	$3,000.00	$600.00 per month plus consumption

16. Chapter 5; Section 5.6.15; Water and Fire Service Pipe Minimum Installation Charges:

DELETE

Replacement service	$500.00
New service up to and including 2” line:	$500.00
New service 4” line and 6”:	$1700.00
New Service 8” and larger	$2,500.00

REPLACE WITH

Chapter 5; Section 5.6.15; Water and Fire Service Pipe Minimum Install/Repair Charges

Service up to and including 2” line:	$1,000.00
Service 4” line and 6”:	$2,500.00
Service 8” and larger	$4,000.00

17. Chapter 5; Section 5.6.16; Water Service Pipe Installation Charges:

DELETE

Water Service Pipe Size	Cost per Foot
3/4"	$35.00
1"	$35.00
1-1/4"	$45.00
1-1/2"	$45.00
2"	$50.00
4"	$55.00
6"	$60.00
8"	$65.00
10"	$70.00
12"	$75.00

REPLACE WITH

Water Service Pipe Size	Cost per Foot
1"	$60.00
1-1/2"	$75.00
2"	$80.00
4"	$120.00
6"	$125.00
8"	$130.00
10"	$135.00
12"	$150.00

18. Chapter 5; Section 5.6.17; Fire Service Pipe Installation Charges:

DELETE

Fire Service Pipe Size	Cost per Foot
4"	$55.00
6"	$60.00
8"	$65.00
10"	$70.00
12”	$75.00

REPLACE WITH

Fire Service Pipe Size	Cost per Foot
4"	$120.00
6"	$125.00
8"	$130.00
10"	$135.00
12”	$150.00

19. Chapter 5; Section 5.6.22; Meter Replacement or Auxiliary Meter Installation & Removal Charge:

DELETE

½” to 5/8” Meter:	$290.00	$435.00
½” to 5/8” meter with repair work:	$340.00	$485.00
1” Meter:	$495.00	$740.00
1” meter with repair work:	$545.00	$790.00
1-1/2” Meter:	$800.00	$1200.00
1-1/2” meter with repair:	at cost	at cost plus time and a half
2” Meter:	$1200.00	$1800.00
2” meter with repair work:	at cost	at cost plus time and a half
Greater than 2”	at cost	at cost plus time and a half
Repair Work with Iron Pipe*	at cost	at cost plus time and a half
Replacement Antenna (any size)	$85.00	$130.00
Damaged Transponder Replacement (any size)	$135.00	$200.00
Damaged Meter Register Replacement (any size the lesser of either the Meter Replacement Charge or Register Replacement Charge):	$340.00	$510.00

REPLACE WITH

½” to 5/8” Meter:	$290.00	$435.00
½” to 5/8” meter with repair work:	$340.00	$485.00
1” Meter:	$495.00	$740.00
1” meter with repair work:	$545.00	$790.00
1-1/2” Meter:	$800.00	$1200.00
1-1/2” meter with repair:	at cost	at cost plus time and a half
2” Meter:	$1200.00	$1800.00
2” meter with repair work:	at cost	at cost plus time and a half
Greater than 2”	at cost	at cost plus time and a half

Repair Work with Iron Pipe*	at cost	at cost plus time and a half
Replacement Antenna (any size)	$85.00	$130.00
Damaged Transponder Replacement (any size)	$135.00	$200.00
Damaged Meter Register Replacement (any size the lesser of either the Meter Replacement Charge or Register Replacement Charge):	$340.00	$510.00
Complete 3” Hydrant Meter Assembly:	$3000.00	
3” Hydrant Meter:	$1500.00	
2” RP Backflow Hydrant Meter Assembly:	$1300.00	
Hydrant Meter Stand:	$200.00	

20. Chapter 5; Section 5.6.24; Service Line Repair Charges:

DELETE

¾” to 1” half day (up to 4-hours)	$800.00	$1200.00
1-¼” to 2” half day (up to 4-hours)	$925.00	$1387.50
¾” to 1” full day (4-hours to 8-hours)	$1250.00	$1875.00
1-¼” to 2” full day (4-hours to 8-hours)	$1375.00	$2062.50
Greater than 2”	at cost	at cost plus time and a half

REPLACE WITH

¾” to 1” half day (up to 4-hours)	$1,300.00	$1,700.00
1-¼” to 2” half day (up to 4-hours)	$1,450.00	$1,925.00
¾” to 1” full day (4-hours to 8-hours)	$1,750.00	$2,350.00
1-¼” to 2” full day (4-hours to 8-hours)	$1,825.00	$2,425.00
Greater than 2”	at cost	at cost plus time and a half

The Commission, may, at its discretion, choose to assess either the minimum charge, the per foot charge, or the above associated charges.

21. Chapter 5; Section 5.10; Non-residential surcharges at the SRWTF where applicable:

DELETE

	Fiscal Year
Type of Disposal	2026
Chlorine (per pound)	$0.24
Total Suspended Solids (per pound)	$0.41
Biochemical Oxygen Demand (BOD5) (per pound)	$0.60
Fats, Oils, and Greases (per pound)	$0.60

REPLACE WITH

	Fiscal Year
Type of Disposal	2027
Chlorine (per event)	$5,000
Total Suspended Solids (per event)	$5,000
Biochemical Oxygen Demand (BOD5) (per event)	$5,000
Fats, Oils, and Greases (per event)	$5,000

In addition to the above established charges, the Commission reserves the right to itemize and collect additional fees associated with the treatment process and administrative response costs, or other damages associated with Non-Residential surcharges.

22. Chapter 6 Revision

INSERT AND CONTINUE RENUMBERING

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

108. Inflow shall mean precipitation or surface runoff or groundwater 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.

CHAPTER 5

SCHEDULE OF RATES, FEES, CHARGES, AND PENALTIES

Springfield Water and Sewer Commission

Rules and Regulations

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Springfield Water and Sewer Commission

Rules and Regulations

CHAPTER 5 SCHEDULE OF RATES, FEES, CHARGES, AND PENALTIES

Section 5.1 Rates

5.1.1 Water Rates

	Fiscal Year
Class of Customer	2027
Residential (per 100 cu. ft.)	$6.03
Commercial (per 100 cu. ft.)	$6.03
Industrial (per 100 cu. ft.)	$4.50
Municipal (per 100 cu. ft.)	$4.50

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5.1.2 Water Rates for All Bulk Water Haulers:

	Fiscal Year
	2027
All Water (per 100 cu. Ft.)	$7.51
Annual Application/Permit Fee	$100.00

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5.1.3 Water Rates for Hydrant Users:

	Fiscal Year
	2027
All Water (per 100 cu. Ft.)	$12.06

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5.1.4 Fire Service Unauthorized Water Consumption:

	Fiscal Year
	2027
All Water (per 100 cu. Ft.)	$12.06

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Springfield Water and Sewer Commission

Rules and Regulations

Section 5.2 Monthly Service Charges

Fiscal Year 2027		
Service Charge per Meter Size	Meter Charge	Infrastructure Renewal Charge
1/2" & 5/8"	$4.32	$13.08
3/4"	$4.61	$13.08
1"	$5.45	$13.08
1-1/4"	$6.54	$26.16
1-1/2"	$6.54	$26.16
2"	$9.63	$41.86
3"	$32.17	$91.57
4"	$40.51	$175.01
6"	$59.97	$366.27
8"	$82.26	$732.54
10"	$98.96	$1,312.59
12"	$140.70	$1,438.91
Fire Pipe Service Charge per Pipe Size*		
2"	$10.38	N/A
4"	$61.99	N/A
6”	$178.41	N/A
8"	$379.78	N/A
10"	$682.38	N/A
12"	$879.72	N/A
Combined Service Charge per Meter Size		
2"	$20.01	$41.86
4"	$102.50	$175.01
6"	$238.38	$366.27
8"	$462.04	$732.54
10"	$781.34	$1,312.59
12"	$1,020.42	$1,438.91
Wastewater Service Only	$4.32	$13.08
Effluent Meter	$4.32	$13.08

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Springfield Water and Sewer Commission

Rules and Regulations

Section 5.2 Monthly Service Charges - * Fire Pipe Service Charges will be incurred by the Owner until such time as a Discontinuance is completed at the water main, regardless of whether the supply to that line is Turned On or Shut Off.

Section 5.3 Water Drought Surcharge*:

Drought Condition	Water Surcharge per 100 cu. ft.	Sewer Surcharge per 100 cu. ft.
Levels 1 & 2	$0.25	$0.25
Level 3	$0.50	$0.50
Level 4	$1.00	$1.00

* Requires a vote of the Commission. Surcharge Rate would be charged to all Customers. Surcharges may be enacted at any drought level at the discretion of the Board of Water Commissioners.

Section 5.4 Allowance Program Discounts:

Disabled Persons, Legally Blind, or Senior:	$12.00 per month

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* At no time shall the per month discount exceed monthly water and sewer charges. If after applying the allowed discount, results in a credit balance to the customer's account that month, the discount will be adjusted to equal the total monthly charges. All credits issued to customers' accounts related to assistance programs offered by the Commission or any other outside agency are non-refundable and non-transferable.

Section 5.5 Non-Beneficial Use Allowance

Water Charge per 100 cubic feet	$1.52
Sewer Charge per 100 cubic feet	$0.91

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Section 5.6 Miscellaneous Water Fees and Charges

These Fees and Charges cover an average scope of work conditions and the resultant labor, materials, equipment, and / or hired services to complete the work. At the sole discretion of the Commission, work exceeding the average scope of work involving major repairs, restorations, and / or hired services may be billed on a time, material, equipment, and hired service basis.

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5.6.1 New Water Main Installations / Extensions Charge:

6”	$125.00 per foot
8”	$130.00 per foot
12”	$150.00 per foot
16”	$200.00 per foot
24”	$250.00 per foot

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5.6.2 Police Officers Charge:

1 Officer	½ day minimum $295.00 per ½ day

5.6.3 Front Footage Connections Charge reimbursement shall be based on year of install, to be determined by Engineering and Technical Services

5.6.4 Connection Charge:

Water Service Pipe Size	Connection Charge
1"	$500.00
1-1/2"	$1,500.00
2"	$2,000.00
4"	$4,000.00
6"	$6,000.00
8"	$8,000.00
10"	$10,000.00
12"	$12,000.00
Fire Service Pipe	$1,000.00

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Springfield Water and Sewer Commission

Rules and Regulations

5.6.5 Discontinuance of Water Service Connection Charge:

	Type of Discontinuance		Evenings, Weekends, & Holidays Type of Discontinuance	
	Basic	Complete	Basic	Complete
Service Size*:				
¾-inch to 2-inch	$500.00	$1,500.00	$750.00	$2,250.00
Main Size**:				
up to 10-inch	$1,200.00	$2,500.00	$1,800.00	$3,750.00
12-inch	$2,000.00	$3,500.00	$3,000.00	$5,250.00
16-inch	$2,000.00	$4,500.00	$3,000.00	$6,750.00
18-inch to 20-inch	$2,000.00	$5,000.00	$3,000.00	$7,500.00
24-inch	$2,000.00	$6,000.00	$3,000.00	$9,000.00
30-inch	$2,000.00	$7,000.00	$3,000.00	$10,500.00
36-inch	$2,000.00	$8,000.00	$3,000.00	$12,000.00
42-inch & Greater***	T & M	T & M	T & M	T & M

* For water services made of copper, galvanized steel, lead
** For water services made of cast iron or ductile iron
*** T & M shall be billed on a time, material, equipment, and hired service basis

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5.6.6 Flowable Fill and Concrete Charge:

Minimum Delivery:	3 cubic yards
Flowable Fill Charge:	$150 per cubic yard

5.6.7 Flushing Device 1-inch Replacement Charge: $350.00

5.6.8 Flushing Device 2-inch Replacement Charge: $750.00

5.6.9 Hydrant Work:

Hydrant Repair Charge:	$500.00
Hydrant Remove and Replace Charge:	$1900.00
Hydrant Relocation Charge:	$1000.00 plus $36.00 per foot

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5.6.10 Hydrant Meter Rental Charges Less Than 2":

Term	Deposit	Rate
Daily	$1,000.00	$20.00 per day plus consumption
Monthly	$1,000.00	$300.00 per month plus consumption

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5.6.11 Hydrant Meter Rental Charges 2" and Larger:

Term	Deposit	Rate
Daily	$3,000.00	$40.00 per day plus consumption
Monthly	$3,000.00	$600.00 per month plus consumption

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5.6.12 Paving Charge:

Up to 3" thick	$10.00 per square foot
3" to 6" thick	$20.00 per square foot

5.6.13 Rock Excavation, Frost Excavation, and Concrete Removal Charge: at cost

5.6.14 Tapping Main Charge:

	¾" – 2"	4" – 6"	8" – 12"
Basic:	$310.00	$500.00	$500.00
Complete:	$560.00	$1700.00	$2500.00

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Springfield Water and Sewer Commission

Rules and Regulations

5.6.15 Water and Fire Service Pipe Minimum Repair Charges:

Service up to and including 2” line:	$1,000.00
Service 4” line and 6”:	$2,500.00
Service 8” and larger	$4,000.00

5.6.16 Water Service Pipe Installation Charges:

Water Service Pipe Size	Cost per Foot
1"	$60.00
1-1/2"	$75.00
2"	$80.00
4"	$120.00
6"	$125.00
8"	$130.00
10"	$135.00
12"	$150.00

5.6.17 Fire Service Pipe Installation Charges:

Fire Service Pipe Size	Cost per Foot
4"	$120.00
6"	$125.00
8"	$130.00
10"	$135.00
12”	$150.00

5.6.18 Meter Testing:

Under M.G.L. Ch.40, S.39 I: (regular hours only):	Per Statute
All other Meter Testing (regular hours only):	$115.00
Home Owners 62 years and older (regular hours only):	$25.00

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5.6.19 Frozen Service Charges:

	Regular Hours Monday – Friday 7 AM to 8 PM	Evenings, Weekends, and Holidays
Service Frozen underground, in cellar, or pit, no materials required, no Meter replaced, crew to thaw service only, and during all hours:	$250.00	$375.00
	For each Additional Occurrence $250.00	$375.00

5.6.20 Frozen Meter Replacement Charge (in addition to Frozen Service Charge and during all hours):

½" to 5/8" Meter:	$290.00	$290.00
1" Meter:	$495.00	$495.00

5.6.21 Meter Valve Replacement Charge:

¾" to 1":	$120.00	$180.00
With Repair Work, ¾" to 1":	$210.00	$315.00
1-1/4" to 2":	$240.00	$360.00
With Repair Work, 1-1/4" to 2":	$340.00	$510.00

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5.6.22 Meter Replacement or Auxiliary Meter Installation & Removal Charge:

	Regular Hours Monday – Friday 7 AM to 8 PM	Evenings, Weekends, and Holidays
½" to 5/8" Meter:	$290.00	$435.00
½" to 5/8" meter with repair work:	$340.00	$485.00
1" Meter:	$495.00	$740.00
1" meter with repair work:	$545.00	$790.00
1-1/2" Meter:	$800.00	$1200.00
1-1/2" meter with repair:	at cost	at cost plus time and a half
2" Meter:	$1200.00	$1800.00
2" meter with repair work:	at cost	at cost plus time and a half
Greater than 2"	at cost	at cost plus time and a half
Repair Work with Iron Pipe*	at cost	at cost plus time and a half
Replacement Antenna (any size)	$85.00	$130.00
Damaged Transponder Replacement (any size)	$135.00	$200.00
Damaged Meter Register Replacement (any size the lesser of either the Meter Replacement Charge or Register Replacement Charge):	$340.00	$510.00
Complete 3" Hydrant Meter Assembly:	$3000.00	
3" Hydrant Meter:	$1500.00	
2" RP Backflow Hydrant Meter Assembly:	$1300.00	
Hydrant Meter Stand:	$200.00	

* In Addition to Meter Cost and includes work with Iron Pipe

5.6.23 Shut-off and Turn-on Charges:

¾" to 2" Shut off:	$75.00	$150.00
¾" to 2" Turn-on:	$75.00	$150.00
3" & greater Shut off:	$150.00	$225.00
3" & greater Turn-on:	$150.00	$225.00

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5.6.24 Service Line Repair Charges:

	Regular Hours Monday – Friday 7 AM to 3 PM	Evenings, Weekends, and Holidays
¾" to 1" half day (up to 4-hours)	$1,300.00	$1,700.00
1-¼" to 2" half day (up to 4-hours)	$1,450.00	$1,925.00
¾" to 1" full day (4-hours to 8-hours)	$1,750.00	$2,350.00
1-¼" to 2" full day (4-hours to 8-hours)	$1,825.00	$2,425.00
Greater than 2"	at cost	at cost plus time and a half

The Commission, may, at its discretion, choose to assess either the minimum charge, the per foot charge, or the above associated charges.

5.6.25 Water / Sewer Pipe Inspection Charges:

Per inspection or site visit	$175.00	$350.00
Multi-day Inspection	$400.00 per day per Inspector	
Consultant and Legal Review and Inspection:	$150.00 per hour	

5.6.26 Backflow Prevention Device Test Charges:

Backflow Prevention Device Test	$100.00 per device per inspection

5.6.27 Minimum Appointment Charges:

Per Appointment	$75.00	$150.00

5.6.28 Fire Flow Test Fees:

Application Fee:	$100.00	
Fire Flow Test:	$200.00	$400.00

5.6.29 As-Built Plan Deposit:

Subdivision or water or sewer main extension:	$5000.00

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Springfield Water and Sewer Commission

Rules and Regulations

Section 5.7 Sewer Rates

	Fiscal Year
Type of Customer	2027
Residential (per 100 cu. ft.)	$7.85
Institutional (per 100 cu. ft.)	$7.85
Municipal (per 100 cu. ft.)	$7.85
Commercial (per 100 cu. ft.)	$8.64
Medical facility (per 100 cu. ft.)	$8.64
Industry - Dry (per 100 cu. ft.)	$9.42
Industry - Wet (per 100 cu. ft.)	$9.42
FSE (per 100 cu. ft.)	$10.20

Section 5.8 Average Monthly Wastewater Discharge Amount (in 100 cu. ft.):

Single Family Premise:	10
Two Family Premise:	18
Three Family or more Premise:	24

Section 5.9 Septage Disposal Rates for All Septage Haulers:

	Fiscal Year
Type of Disposal	2027
All Septage (per gallon)	$0.14
Leachate *	----
Annual Permit Fee	$100.00

* Acceptance of Leachate shall be determined on an individual basis by the Commission's Operations Director. The Disposal Rate shall be determined based on strength.

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Springfield Water and Sewer Commission

Rules and Regulations

Section 5.10 Non-residential surcharges at the SRWTF where applicable:

	Fiscal Year
Type of Disposal	2027
Chlorine (per event)	$5,000
Total Suspended Solids (per event)	$5,000
Biochemical Oxygen Demand (BOD5) (per event)	$5,000
Fats, Oils, and Greases (per event)	$5,000

In addition to the above established charges, the Commission reserves the right to itemize and collect additional fees associated with the treatment process and administrative response costs, or other damages associated with Non-Residential surcharges.

Section 5.11 Miscellaneous Sewer Fees and Charges

5.11.1 Sewer Cleaning (per cleaning - Residential Property up to 2 family):

	Regular Hours Monday – Friday 7 AM to 3 PM	Evenings, Weekends, and Holidays
Up to 60 feet:	$85.00	$150.00
After first 60 feet to sewer main:	$120.00	$220.00

5.11.2 Sewer Cleaning (per cleaning – Residential Property 3 family and greater):

First 60 feet:	$250.00	$375.00
After first 60 feet to sewer main:	$320.00	$480.00

5.11.3 Sewer Cleaning (per cleaning – Commercial Property):

First 60 feet:	$250.00	$375.00
After first 60 feet to sewer main:	$320.00	$480.00

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Springfield Water and Sewer Commission

Rules and Regulations

5.11.4 Building Sewer Connection New or Replacement Charge:

Minimum Charge:	$750.00
Installation Charge:	$50.00 per lineal foot

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5.11.5 Building Sewer Connection Repair Charge (Residential Property):

	Regular Hours Monday – Friday 7:00 AM to 3:30 PM	Evenings, Weekends, and Holidays
Half day	$800.00	$1200.00
Full day	$1250.00	$1875.00

5.11.6 Building Sewer Connection Repair Charge (Commercial, Industrial Property, or three family residential and greater):

Half day	$1000.00	$1500.00
Full day	$1450.00	$2175.00

5.11.7 Video Inspection (regular hours only):

Residential	$150.00
Commercial, Industrial, or three family residential and greater	$250.00

Section 5.12 Industrial Pretreatment Program

Permit Fees – The Executive Director shall establish annual permit fees, calculated retroactively after the close of the fiscal year, to be paid by Industrial Users in the amounts necessary to recover operating costs incurred for implementation of the Industrial Pretreatment Program. The Commission may set different levels of permit fees for various classes of Industrial Users and may adjust such fees on an annual basis to ensure that the industrial pretreatment costs are fully recovered.

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Springfield Water and Sewer Commission

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Section 5.13 Copies of Commission Documents

5.13.1 Copy of Commission Rules and Regulations: $20.00

5.13.2 Copy of Commission Guidelines and Policies & Material Specifications: $25.00

5.13.3 Copy of Commission Material Specifications: $20.00

Section 5.14 Application Fees:

5.14.1 Commission Approved Contractor - Application Fee: $250.00

5.14.2 Commission Approved Contractor - Renewal Fee: $100.00

5.14.3 New Water and / or Sewer Main Extension Application Fee:

Main Extension covers up to 4 building lots:	$500.00
Main Extension covers more than 4 building lots:	$1000.00
Subdivision up to 40 Building Lots ****	$2500.00
Subdivision greater than 40 Building Lots ****	$5000.00

**** Application Fee is inclusive of Single and Multi-Family Residences for both water and sewer Application Fees.

5.14.4 New Water and Fire Service Pipe Application Fee:

Single Family Residence	$50.00
Multi-Family Residence (2 to 4 units)	$75.00
Municipal	$75.00
Commercial up to 3 inch (includes residential 5 units & greater	$100.00
Commercial 4 inch to 6 inch	$500.00
Commercial 8 inch and greater	$1000.00
Commercial 4-inch and greater – Existing Service Modification	$250.00

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5.14.5 New Building Sewer Application Fee:

Single Family Residence	$50.00
Multi-Family Residence (2 to 4 units)	$75.00
Municipal	$75.00
Institutional	$75.00
Commercial (includes residential 5 units & greater	$100.00
Medical Facility	$500.00
Industry-Dry	$500.00
Industry-Wet	$1000.00
Food Service Establishment (FSE) – New Service	$500.00
FSE – Existing Service Modification	$50.00
Non-Residential Existing Service Modification (1 to 3 units)	$50.00
Non-Residential Existing Service Modification (4 units & greater)	$250.00

5.14.6 Hydrant Permit Application Fee: $50.00

5.14.7 Temporary Discharge Application Fee: $150.00

5.14.8 Review Crossing Commission Property:

1. Crossing Commission Owned Property with or without a main and over said main less than 18" deep	$1,500.00
2. Crossing Commission Owned Property with a main and over said main greater than 18" deep	$5,000.00
3. Crossing Commission Owned Property with a main and under said main	$10,000.00

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Springfield Water and Sewer Commission

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Section 5.15 Penalties

1. Any Person found to be in violation of any provision of CHAPTER 1 of Sewers and Wastewater Treatment or CHAPTER 3 of, Water Supply, Treatment, and Distribution of the Commission's Rules and Regulations shall be penalized up to one thousand dollars ($1,000) per violation per day or in accordance with penalties set forth in this Section and in addition shall be liable for any expense, loss, fine assessed, or damage occasioned the Commission by reason of such violation.

2. Failure to Comply with Water Use Restrictions:

(a) 1st offense:	Written Warning
(b) 2nd offense:	$100.00
(c) 3rd offense:	$500.00
(d) 4th or more offenses:	Shut off of service.

3. Shut-off for Non-Payment:

(a) Final Notice and Demand Administration Fee	$55.00
(b) Shut-off for Non-Payment Fee	$100.00
(c) Turn-On Fee	$75.00

4. Late Payment Fee — 12% annually applied daily assessed on amounts unpaid after 30-days

5. Commission Approved Contractor Violations:

   (a) First Offense – 90 days to 1 year suspension from performing work on Commission Water and/or Sewer Facilities plus any applicable fines or costs incurred.

   (b) Second Offense – 1 year to 3 years suspension from performing work on Commission Water and/or Sewer Facilities plus any applicable fines or costs incurred.

   (c) Third Offense - Permanently suspended from performing work on Commission Water and/or Sewer Facilities plus any applicable fines or costs incurred.

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6. Meter Tamper Violations:

   (a) If any tampering occurs with Meters or Auxiliary Meters or plumbing that affects Meters or Auxiliary Meters, the damage is the responsibility of the Owner of the Premises and shall be punished by a fine of triple the amount of damages sustained thereby or $1000.00, whichever is greater. Damages shall include the actual value or estimated value of water used and the cost of labor and equipment to repair and replace.

   (b) The Commission reserves the right to proceed pursuant to M.G.L. ch. 165 § 11, as may be amended, for civil and criminal remedies as provided under statute.

   (c) In addition to (a) and (b) above, the Commission shall remove the Auxiliary Meter and the Owner shall be charged in accordance with Section 5.6.22 of these Rules and Regulations. The Owner will not be allowed to have an Auxiliary Meter installed at the Property of the tampering.

7. Non-Sufficient Funds (NSF) Checks Fee:

   (a) A fee of $25.00 shall be charged to Customers who present a NSF check to pay their outstanding utilities bill. The fee covers the cost to the Customers Service Department of collecting the outstanding debt.

8. Penalties for Non-compliance with Septage Disposal Rules

   (a) In addition to paragraph 1 above, failure by the Septage hauler to record the volume of Septage delivered, the Septage hauler shall be charged for the registered volume of the delivery truck as determined by the Commission.

   (b) Violation of Section 1.4.26, by the Septage hauler to wash down Septage discharge area may result in suspension of access privileges and additional charges and penalties in accordance with paragraph 1 above.

   (c) Suspension of access privileges will be at the discretion of the Executive Director.

9. Other Administrative Penalties

   (a) Administrative Posting Penalty $55.00

10. Penalties for non-compliance with Hydrant Meter protocols

   (a) Use of Hydrant without a Hydrant Permit

      i. 1st offense: $100.00

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ii. Each reoccurring offense: $1000.00

(b) Use of Hydrant without a Commission approved Fire Hydrant Meter Assembly

i. Three times the estimated usage or $1000.00, whichever is greater

11. Penalties for Fire Service Unauthorized Water Consumption

(a) The Commission shall use detector meter data or estimate unauthorized water consumption and invoice Owner at the rate defined within Section 5.1.4 of these Rules and Regulations.

(b) Any unauthorized water consumption following one year of the initial usage detection will continue to be billed at the rate defined within 5.1.4 of these Rules and Regulations in addition to a $1000.00 monthly fine.

Section 5.16 Required Bonds

5.16.1 Water Main Extension Bonds:

Water Main Pipe Size	Cost per Foot
6"	$40.00
8"	$40.00
10"	$45.00
12”	$50.00
16”	$60.00
24”	$70.00

5.16.2 Sewer Main Extension Bonds:

Sewer Pipe Size	Cost per Foot
8” & less	$80.00
10"	$90.00
12”	$100.00
16”	$120.00
24”	$140.00

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