

WATER QUALITY PROTECTION BYLAW

A. PURPOSE AND INTENT: To establish town-wide nitrogen loading standards for wastewater discharges and disposal in the Town of Wareham. These standards will protect the public health and welfare of the town's citizens, and minimize quantifiable, negative impacts to drinking, fresh and coastal water quality and natural resources.

B. STANDARDS:

1.) New construction, which individually or cumulatively, generates a wastewater flow equal to or greater than 2,000 gallons per day (GPD) shall achieve a nitrogen loading standard of 10 parts per million (PPM) or less at the discharge point, utilizing nitrogen reducing clustered/shared wastewater treatment systems, where applicable.

2.) In addition, the above referenced new construction and new construction that utilizes the town sewer system shall be required to achieve "net-zero" nitrogen loading. A Total Nitrogen Loading Analysis for the new construction, which includes septic/sewer loading, lawn/fertilizer loading and runoff/imperious surface loading, shall be submitted to the Board of Health (BOH). This analysis shall be used by the BOH to determine the Total Nitrogen Loading and how much nitrogen offsets shall be required to achieve "Net Zero" nitrogen loading. Nitrogen offsets shall include removing/mitigating current sources of nitrogen and/or paying a nitrogen loading assessment which shall be determined by the BOH. This assessment shall be used only for the expansion of town sewer and/or the improvement of nitrogen removing capabilities of the town wastewater treatment facility.

C. PROHIBITED ACTIVITIES:

1.) The depth of any excavation shall be limited to a plane that is at least ten (10) vertical feet above the historical high groundwater level for that location.

2.) Mining is defined as the extraction of ore, earth, or minerals from the ground for sale, trade, profit or other considerations. Mining is prohibited in the following Wareham Zoning Districts: R-130, Groundwater Protection Overlay District and the Buttermilk Bay Overlay District.

3.) No new cranberry bogs or enlargements to existing cranberry bogs or new ponds or enlargement to existing ponds shall be allowed in Wareham's Zone II.

D. MAINTENANCE: Nitrogen reducing clustered/shared septic systems shall be under an operation and maintenance agreement in accordance with the requirements of the certification issued by the State or the Wareham Board of Health.

E. MONITORING AND ENFORCEMENT: The Wareham Board of Health shall have sole responsibility for the implementation and enforcement of these standards. The Board of Health shall institute regulations that shall assist in the implementation, enforcement and monitoring of these standards. Neither the Wareham Board of Health nor any other Wareham Town Board or Wareham Town Official shall issue an occupancy permit unless these standards have been met.