

**1.0 SUPPLEMENTAL REGULATION TO THE STATE ENVIRONMENTAL CODE:  
TITLE 5, 310 CMR 15.000, STANDARD REQUIREMENTS FOR THE SITING, CONSTRUCTION,  
INSPECTION, UPGRADE AND EXPANSION OF ON-SITE SEWAGE TREATMENT AND DISPOSAL  
SYSTEMS AND FOR THE TRANSPORT AND DISPOSAL OF SEPTAGE**

**2.0 1.01 AUTHORITY TO PROMULGATE AND OTHER PROVISIONS**

- (1) In accordance with the provisions of 310 CMR 11.02 of the State Environmental code and Under the authority of M.G.L. c. 111 s. 31, the Board of Health of the Town of Stoughton hereby adopts these Supplemental Regulations to the State Environmental Code: Title 5, CMR 15.000, "Standard Requirements for the siting, construction, inspection, upgrade and expansion of on-site sewage treatment and disposal systems and for the transport and disposal of septage.
- (2) The provisions of these Supplemental Regulations shall be read together with the provisions of 310 CMR 15.000.
- (3) These regulations are to be prospective. Their purpose is to require precautions to avoid potential dangers and to restrict conditions proven to be harmful. The precautionary principle is to protect even the threat of harm to the environment. The precautionary principle says that decision-makers have a general duty to take preventive action to avoid harm before scientific certainty has been established.
- (4) The effective date of these Supplemental Regulations is December 10, 2015.

**1.02 DEFINITIONS**

**Cesspool** - A pit with open-jointed linings or holes in the bottom and/or sidewalls into which raw sewage is discharged, the liquid portion of the sewage being disposed of by seeping or leaching into the surrounding soils, and the solids or sludge being retained in the pit. Cesspools are non-conforming systems.

**Nonconforming System** – Any system which is not in full compliance with the standards and requirements of 310 CMR 15.000 and for which a variance or local upgrade approval has not obtained. Nonconforming systems include, but are not limited to, cesspools, privies, failed system and systems with a design flow above 10,000 gpd.

**Privy** – A structure used for the disposal of human wastes without transport consisting of a shelter built over an unlined pit or vault in the ground into which waste is deposited. A privy is a nonconforming system.

### 1.03 SUBSURFACE SEWAGE DISPOSAL SYSTEMS (SSDS)

- (1) All cesspools and privies receiving raw sewage shall constitute an automatic failure when found to exist at the time a property is being sold or when there is a transfer of title.
- (2) All existing cesspools and privies in the Town of Stoughton shall be upgraded to meet the standards set forth in the Title 5 regulations at the time of or before a real estate transfer.

EFFECTIVE DATE: December 10, 2015

\*\*\*\* Any Title 5 Inspection Report for a passed cesspool dated prior to January 9, 2016 and thirty (30) days after the signed effective date, December 10, 2015, will be accepted as a passed report and will remain valid per 310.15.301.

#### ATTESTATION

*The regulation described herein and attached hereto is a true copy of the regulation adopted by the Stoughton Board of Health*

#### ATTESTS:

Stoughton Board of Health

  
Andrew Tibbs, Chairman

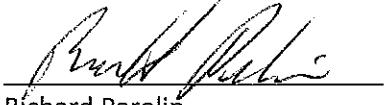
12/17/2015

Date

  
Steven Snyder, Vice Chairman

12/17/15

Date

  
Richard Parolin

12/17/15

Date

  
Elizabeth Recupero

12/17/15

Date