

Regional Policy Plan Minimum Performance Standards

Water resources standards pertinent to Comprehensive Wastewater Management Plan (CWMP) review

WR3.6 Public and Private Wastewater Treatment Facilities

Public and private wastewater treatment facilities may be used within Marine Water Recharge Areas subject to MPS WR5.2 and MPS WR6.1 through MPS WR6.9 below.

WR4.3 Public and Private Wastewater Treatment Facilities

Public and private wastewater treatment facilities may be used within Freshwater Recharge Areas subject to Goal WR6 and MPS WR6.1 through MPS WR6.9 below.

WR2.3 Restrictions on Private Wastewater Treatment Facilities

Public and private wastewater or treatment facilities with Title 5 design flows greater than 10,000 gallons per day shall not be permitted in Wellhead Protection Areas, except as provided in MPS WR5.2 below and subject to MPS WR6.1 through WR6.9.

WR5.2 Public and Private Wastewater Treatment Facilities

Use of public and private wastewater treatment facilities shall be as follows: Within Water Quality Improvement Areas that are in Wellhead Protection Areas, public and private wastewater treatment facilities may be used to remediate existing problems; within Water Quality Improvement Areas that are in Freshwater and/or Marine Water Recharge Areas, public and private wastewater treatment facilities may be used in conjunction with any development or redevelopment.

WR1.2 Identification of Drinking Water Wells

Development and redevelopment shall identify their proposed drinking water wells and existing private drinking water wells on abutting properties within 400 feet and assess the impact of the development on the water quality of these wells and all other existing wells that may potentially be affected by the proposed development. Septic systems and other sources of contamination shall be sited to avoid adversely affecting downgradient existing or proposed wells.

WR3.1 Critical Nitrogen Load Standard for Development

In watersheds to estuaries/embayments where a critical nitrogen load has been determined, through either a Total Maximum Daily Load (TMDL), or a Massachusetts Estuaries Project-accepted technical report, development and redevelopment shall not exceed the identified critical nitrogen loading standard for impact on marine ecosystems, except as provided in WR3.3. The Commission shall maintain a list and map of estuary/embayment critical nitrogen loading standards that shall be the basis for applying this MPS; the list and map will be updated on a regular basis as TMDLs are approved by the Massachusetts Department of Environmental Protection and the US Environmental Protection Agency.

WR6.1 Private Wastewater Treatment Facilities

Private treatment facilities shall be permitted only if the implementation timetable of an approved Comprehensive Wastewater Management Plan indicates that there are no feasible public treatment facility options available within three years of the proposed date of construction of a project.

WR6.2 Tertiary Treatment

All public and private wastewater treatment facilities with greater than a design flow of 10,000 gallons per day shall be designed to achieve tertiary treatment with denitrification that meets a maximum 5-ppm total nitrogen effluent discharge standard or through modeling that demonstrates that 5 ppm in groundwater at the downgradient property boundary will be achieved.

WR6.3 Hydrologic Balance

Sewage treatment facilities and their collection and discharge areas shall maintain the hydrologic balance of the aquifer and demonstrate that there are no negative ecological impacts to surface waters.

WR6.4 Development Density Limitations

The construction of private wastewater treatment facilities shall not allow development to occur at a higher density than would be allowed by local zoning unless anticipated and approved through a Commission approved Comprehensive Wastewater Management Plan.

WR6.5 Ownership and Maintenance of Treatment Facilities

The construction of private wastewater treatment facilities shall be consistent with municipal capital facilities plans as applicable. Development and redevelopment using private wastewater treatment facilities shall specify that the municipality shall have the opportunity to assume ownership and maintenance responsibilities for such facilities where desired by the municipality.

WR6.6 Restrictions in FEMA Flood Zones/Other Sensitive Areas

Public and private wastewater treatment facilities shall not be constructed in FEMA V-Zones and floodways, Areas of Critical Environmental Concern (ACECs), wetlands and buffer areas, barrier beaches, coastal dunes, or critical wildlife habitats. Public and private wastewater treatment facilities may be constructed in FEMA A-Zones only to remediate water quality problems from existing development within such A-Zones and consistent with MPS CR2.2 and CR2.8.

WR6.7 Long-term Ownership of Treatment Facilities

The long-term ownership, operation, maintenance and replacement of private wastewater treatment facilities shall be secured as a condition of approval in accordance with Commission, state, and local guidelines.

WR6.8 Sludge Disposal

Applications for approval of public and private wastewater treatment facilities shall include a plan for sludge disposal.

WR6.9 Operation, Monitoring, and Compliance Agreement

Private wastewater treatment facilities greater than 2,000 gallons per day (gpd) design flow that require advanced treatment efficiencies greater than that allowed by a DEP permit to meet Commission Minimum Performance Standards, shall demonstrate operation, monitoring and compliance through an Operation, Monitoring and Compliance agreement between the Board of Health and the Cape Cod Commission.

WR6.10 Improvement of Existing Wastewater Treatment

Development and redevelopment are encouraged to increase aggregation and improve the level of treatment of existing wastewater flows.

WR6.11 Water Quality Remediation

When allowing additional development in areas where existing high-density development or large numbers of failing septic systems have led to public health or water quality problems, development is encouraged to install a private wastewater treatment facility or DEP-approved alternative systems with enhanced nitrogen removal as a remedial measure.