# Staff Report

**Devens Enterprise Commission**

**Date:** October 23, 2024

**To:** **Devens Enterprise Commission**

**From:** Neil Angus, Director/Land Use Administrator

**RE:** **Devens-Harvard Water System Interconnection Project (D23-095) – Tight Tank**

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On February 8, 2024, the Commission approved the design and construction of the Harvard Water System interconnection pump station off of Sheridan Road. To help reduce project costs, the Applicant did not include a bathroom for this building since it is so small, a utility building, and will be unoccupied. The MA State Plumbing code requires bathroom facilities in all buildings and the Applicant requested a variance from the Board of State Examiners of Plumbers and Gas Fitters. DEC staff discussed this issue with our Plumbing Inspector and we provided a letter of no objection to the State Board in support of Harvard's variance request. That request was denied.

The Applicant has since met with our Building and Plumbing Inspectors and, due to the very low usage, they are proposing to install a tight tank for any wastewater. This tight tank would need to be designed, constructed, installed and maintained in accordance with 310 CMR :15.000 (Title 5). Tight tanks are specifically authorized to be used to serve buildings necessary for the operation of a public water supply where it is not feasible to connect to a sewer or to construct a system. Since there is no sewer service in close proximity, it is not feasible to require this facility to connect to the Devens Wastewater system, In addition, septic systems are not permitted in Devens, so a tight tank is the logical option for this situation. Such tank would need to be pumped and maintained on a regular basis to ensure proper functioning. Under 310 CMR 15.260, tight tanks must also meet the following criteria:

(a) The tight tank shall be sized at a minimum of 500% of the system sewage design flow established by 310 CMR 15.203, but in no case less than 2,000 gallons;
(b) plans for the tank shall be prepared, stamped and signed by a Massachusetts Registered Professional Engineer or Registered Sanitarian and submitted to the Approving Authority by the applicant for approval;
(c) audio and visual alarms shall be set to activate at 3/5 tank capacity in a suitably convenient location. Transmission of the alarm signal to a locus manned 24 hours per day may be required;
(d) the application for approval shall indicate the method and frequency of removal of the contents;
(e) the specific location and method of disposal of the contents shall be indicated and be in accordance with 310 CMR 15.501 through 15.505;
(f) the tight tank shall have at least one 24-inch diameter cast iron frame and cover at finished grade constructed so as to eliminate entrance of surface waters. Permanent suction piping may also be required;
(g) the tight tank shall be located so as to provide year round access for pumping;
(h) a permit to install the tank shall be obtained from the Approving Authority;
(i) an operation and maintenance plan, acceptable to the Approving Authority, shall be implemented which requires monitoring of the system to ensure proper operation and maintenance;
(j) the tight tank shall be waterproof and watertight and shall not be located below the water table without extensive testing to prove the integrity of the tank and design against uplift;
(k) aeration or other method of odor control may be required; and
(l) the tight tank shall be designed in compliance with the requirements for the construction of septic tanks in 310 CMR 15.226(1) through (4).

No tight tank shall be utilized until written certification by a Massachusetts Registered Professional Engineer or Registered Sanitarian that the tight tank has been constructed and installed in accordance with the approved plan has been submitted to the DEC. The facility owner is required to record in the chain of title for the property served by the tight tank at the Registry of Deeds or the Land Registration Office, as applicable, a copy of the Approving Authority's written approval.

Staff has discussed this issue with our Nashoba Associated Boards of Health (NABOH) Inspector, and we are confident that this review and approval process is straightforward and can be handled administratively through NABOH's permitting process.

**Recommended Action:** Due to the fairly straightforward review process for approval of this tight tank, coupled with the review support from Nashoba Associated Boards of Health, Staff would request that the Commission, acting in tis capacity as the local Board of Health for Devens, authorize staff to work with our health inspectors jointly, as the local approving authority, to review and approve the installation of a tight tank in accordance with the requirements of 310 CMR 15.000.