

**TOWN OF MASHPEE
BOARD OF HEALTH**

SEPTIC SYSTEM INSPECTION REGULATION

In accordance with Chapter 111, Section 31 of the Massachusetts General Laws and in order to further clarify the State Environmental Code Title V, subsection 310 CMR 15.303 Septic Systems Failing to Protect the Public Safety and the Environment, the Board of Health hereby adopts the following regulation.

A. REGISTRATION

All Massachusetts State Certified Septic Inspectors shall register with the Board of Health to inspect septic systems within the Town of Mashpee. At the time of registration, and thereafter on an annual basis, the inspector shall provide the Board of Health with a copy of their state certification. Upon registration, an agreement shall be signed between the septic inspector and the Board of Health, which states that upon conviction of any fraudulent information, documentation or misrepresentation or excessive violation of inspection guidelines and regulations shall be cause for revocation or suspension of the local license to inspect septic systems.

B. COMPONENT FAILURE

1. A soil absorption system must have enough remaining liquid capacity to accommodate twenty-four (24) hours retention time below the inlet invert tee or approved effective depth of component. Should the cesspool or leaching pit not have the required capacity, the system shall be deemed in failure.

C. CERTIFIED SEPTIC INSPECTORS:

1. A certified septic inspector who has failed a soil absorption system shall not conduct upgrades, repairs or emergency repairs without the Board of Health or its agents certifying the system in failure.
2. All "Failures" identified during a transfer of property inspection must be certified in failure by an Agent of the Board of Health in the field.
3. Upon transfer of property, if the dwelling is serviced by a domestic well and has not been tested in the previous twelve (12) months, a new water quality analysis report shall be submitted to the Board of Health with the inspection report. The Board of Health may also require a Volatile Organic Compound test to be performed. This test shall be

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4. performed at the discretion of the Board of Health or its agents. (See Board of Health regulation Part XIX, section 4.00.)
5. All inspection reports shall include the following:
 - a. Risers shall be brought to within 6" of grade for access to septic tanks, distribution boxes and for chambered type of soil absorption systems. Four (4) inch observation ports shall be installed on all plastic chambered style soils absorption systems.
 - b. The driveway location shall be denoted on the "As Built" section of the inspection form.
 - c. Should records on file at the Board of Health fail to indicate the amount of stone surrounding the soil absorption system, the inspector shall, at the time of the inspection, probe the soils surrounding the absorption system. This information shall be noted in Part A, page 1 of the inspection report under comments.
 - d. All inspection ports and piping shall be shown on the "As Built" section of the inspection report.
 - e. The calculated groundwater elevation shall be noted on the inspection form.
 - f. All domestic wells shall be located from two fixed, known positions (such as a septic component) and denoted on the "As Built" section of the inspection report.
 - g. The results of any inspection(s) required by 310 CMR 15.301 shall be submitted to the Approving Authority on a current System Inspection Form approved by the Department within 30 days of the field inspection of the system components by the approved System Inspector. Title 5 submittals not received, by the Health Department, within 30 days will be disapproved and a new inspection will be required. Submittal will not be considered complete unless Title 5 report and Payment have been received by the Health Department.

D. INSPECTIONS

1. All "Conditionally Passed" and "Needs Further BOH Evaluation" septic inspections shall be repaired prior to transfer of property. A licensed septic installer shall consult with and obtain a permit from the Board of Health to perform the repair. The installer shall contact the Board of Health for all required repair inspections.
2. A septic inspection may be required in accordance with 310 CMR 15.301(9) or any change in footprint of a structure due to renovations, alterations or additions. The septic inspection shall be performed in accordance with Title V and the Mashpee Board of Health Regulations. All soil absorption systems must be inspected prior to property transfer and must in accordance with Board of Health requirements.
3. If a violation of the 1978 or 1995 State Environmental Code Title V is identified, the inspector shall report the violation in the "Certification Statement" section of the inspection report entitled "Needs Further Evaluation by the Local Approving Authority".

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Soil absorption systems are not required to be identified as H-10 or H-20 loading. Loading of septic tanks, grease traps, pump chambers and distribution boxes must be determined. The Board of Health shall respond within 14 days of inspection submittal.

4. At the time of the inspection of a septic system for title transfer, soil absorption systems documented by the Septic Inspector to have less than 4 feet of naturally occurring pervious material between the bottom of the soil absorption systems and estimated seasonal high groundwater (per 310 CMR 15.101, 102 & 103) shall be considered as “failed” by regulation. The “failed” system(s) shall be upgraded to conform to 310 CMR 15.00 of the State Environmental Code, Title V, “Minimum Requirements for the Subsurface Disposal of Sanitary Sewage and Town of Mashpee Board of Health Regulations.
5. Septic tanks identified during septic inspections that are rated H-10 loading and are **30** years of age or more from the date of installation shall be evaluated for structural integrity using the following criteria. Inlet and outlet tees shall be excavated and inspected. The entire exterior surfaces of the tank do not need to be excavated. It is understood that the visible portions of the tank at the accessible manholes will be used for the inspection. Should any of the following criteria be observed by the certified septic inspector, the septic tank shall be replaced with a Title V compliant tank:
 - a. The septic tank shall be pumped (if the tank has not been pumped in the previous two years) after initial solids levels are obtained so that the interior of the tank may be inspected and for maintenance.
 - b. One inch loss of concrete due to decay and/or crumbling at waterline or surfaces of the tank. The tees may be replaced with a permit if the remainder of the tank is considered sound.
 - c. Inlet and/or outlet tees or baffle walls have “fallen off” due to decay.
 - d. Cracks that are observed extending through the wall and/or top of the tank. Observed bulging or sagging walls or ceiling of tank.
 - e. Exposed reinforcement bars indicated by rust-colored lines inside the septic tank.
 - f. The tank is leaking as observed by a liquid level (not expected by evaporation – greater than 4”) below the outlet invert.
6. All H-10 septic tanks buried greater than four (4) feet below grade shall be replaced.

E. ENFORCEMENT

The Town of Mashpee, Board of Health, as permitted under the provision of Chapter 111, Section 31 and under Title 1 (310 CMR 11.00) authorizes the Board of Health to require compliance with this regulation in its entirety. Non-compliance will deem the inspection report incomplete. A re-inspection of the system will be required with a subsequent revised inspection report, which shall be submitted to the Board of Health.

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F. PENALTIES

Failure to comply with this regulation will result in revocation of the certified septic inspector's license to perform septic system inspections in the Town of Mashpee, issuance of fines and/or court action.

G. SEVERABILITY

Each part of this regulation shall be construed as separate, if any section, paragraph, sentence, clause, phrase or word of this regulation shall be declared invalid for any reason, the remainder of this regulation shall remain in full force and effect.

H. EFFECTIVENESS

This amendment was adopted by the Board of Health on July 10, 2013 & 12-15-2022

Per Order Of,
Mashpee Board of Health

Ernest Virgilio, Chairman
John Livingston, Co-Chairman
Edward Raposa, Clerk