

**TOWN OF NANTUCKET BOARD OF HEALTH
REGULATIONS : INSPECTION AND
UPGRADING OF SUBSTANDARD ONSITE
SEWAGE DISPOSAL
SYSTEMS WITHIN THE NANTUCKET
HARBOR WATERSHED PROTECTION
DISTRICT**

LOCAL REGULATIONS 68.00

**68.00 INSPECTION AND UPGRADING OF ON-SITE SEWAGE
DISPOSAL SYSTEMS.**

A. Purpose.

Whereas the Nantucket Harbor Study of March 1997, as completed by the Woods Hole Oceanographic Institution, denotes increasing levels of nutrient loading in Nantucket Harbor, these Regulations are promulgated to further limit said nutrient loading and other sources of contamination and to protect and enhance the quality of ground water flowing into and affecting Nantucket's harbor waters.

B. Authority.

These Regulations are adopted by the Town of Nantucket's Board of Health as authorized by Massachusetts General Laws, Chapter 111, Section 31.

68.01 Definition.

A. *NANTUCKET HARBOR WATERSHED* –

The area constituting the watershed for Nantucket Harbor, as described in a technical report entitled "Nantucket Water Resource Management Plan," 1990, by Horsley Witten Hegemann, Inc., and as delineated

on a map entitled "Nantucket Harbor Watershed," Nantucket GIS, dated January, 1999.

68.02 Compliance Requirements.

A. Properties utilizing in-ground soil absorption systems located within Zone A of the Nantucket Harbor Watershed District as established by these Regulations and as demonstrated on a map entitled Nantucket Harbor Watershed District with 1000 foot Buffer Belt, shall have the existing soil absorption system inspected by a Massachusetts licensed system inspector within 30 months of promulgation of these Regulations. Said Inspection Report shall be recorded with the Nantucket Health Department within 21 days of the completed inspection.

B. Properties utilizing in-ground soil absorption systems located within Zone B of the Nantucket Harbor Watershed District as established by these Regulations and as demonstrated on a map entitled Nantucket Harbor Watershed District with 1000 foot Buffer Belt, shall have the existing soil absorption system inspected by a Massachusetts licensed system inspector within 36 months of promulgation of these Regulations. Said Inspection Report shall be recorded with the Nantucket Health Department within 21 days of the completed inspection.

68.03 Inspections.

A. All systems shall be inspected to determine the presence and/or absence of hydraulic failure and depth to ground water. Depth to ground water shall be determined by direct observation of highest ground water elevation (including seasonal perched and tidally influenced ground water) in a test pit

excavation, unless an alternative method for accurately determining the depth to ground water has been approved in writing by the Health Director.

- B. The Health Director may, based on existing unique development conditions or due to the proximity of multiple systems within a limited geographic area, substitute a pre-approved ground water monitoring protocol for the test pit excavation.**

The monitoring protocol shall require as a minimum;

- data collected over a 12 month period**
- a minimum of 3 wells offset to define ground water flow direction as well as depth.**

68.04 Repairs to failed systems.

- A. The owner of a system meeting hydraulic failure criteria pursuant to these Regulations as stated on the Town of Nantucket Board of Health Septic System Inspection Report/Certificate of Compliance Form shall bring the system into compliance with all applicable state and local regulations within 30 days of the date of inspection.**
- B. The owner of a system meeting failure criteria, exclusive of hydraulic failure, pursuant to these Regulations as stated on the Town of Nantucket Board of Health Septic System Inspection Report/Certificate of Compliance Form shall bring The system into compliance with all state and local regulations within 18 month of the adoption of the Assessment Report as required in 68.05 B and/or within 30 months of the expiration date of**

Zone A and B inspections, subject to 68.05C

68.05 INSPECTION EVALUATION PERIOD

- A. Within three months of the inspection date of Zone A and B inspections, the Health Department shall tabulate and publish the inspection results.**

- B. Within six months of the expiration date of Zone A and Zone B inspections, the Health Department shall provide a preliminary assessment report to the Board of Health. This report shall include a brief evaluation of treatment options to effectuate implementation of best available engineering design for all required repairs/upgrades.**

- C. No later than six months after the expiration date of Zone B inspections, the Board of Health shall adopt the Nantucket/Madaket Assessment report, including recommendations.**

68.06 Exemptions.

- A. Properties whose on site sewage disposal design is documented to be based on test pits and percolation testing observed by the Board of Health after November 1, 2003.**

- B. Properties which have been inspected and have both a Town of Nantucket Board of Health Septic System Inspection Report and a Certificate Of Compliance Form filed with the Nantucket Health Department and dated within 24 months before promulgation of these Regulations are exempt from inspection and compliance standards as set forth in these Regulations.**

C. In all areas where Town of Nantucket mapping shows that the separation between the bottom of the soil absorption system and the predicted ground water elevation (based on HWH study and/or USGS Hydrologic Investigation Atlas Water resources Map dated 1980) exceeds ten (10) feet, testing will not be required.

68.07 Enforcement.

A. Enforcement of these Local Regulations shall be effected through Town of Nantucket Board of Health Local Regulations 67.00 Miscellaneous Provisions.

**B. These Regulations and the amendments thereto shall become effective upon the date of publication.
Nantucket Board of Health**

-Whitey Willauer- Chairman

Patricia Roggeveen

Brian Chadwick

Michael Kopko

Allen Reinhard

Date Published September 29,2005

Date Amended June 14, 2006

Date Amended November 28, 2007

End of inspection period Zone A – December 14 2008

End of inspection period Zone B - June 14 2009