

Municipality/Organization: Town of Carver

EPA NPDES Permit Number: MAR041099

MassDEP Transmittal Number: W- 050154

Annual Report Number
& Reporting Period: Year 9 April 1, 2011 – March 31, 2012

NPDES PII Small MS4 General Permit Annual Report (Due: May 1, 2012)

Part I. General Information

Contact Person: Bill Halunen Title: Superintendent of Public Works

Telephone #: 508-866-3425 Email: William.Halunen@carverma.org

Mailing Address: 108 Main Street, MA 02330

Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: *William A. Halunen*

Printed Name: WILLIAM A. HALUNEN

Title: D.P.W SUPERINTENDENT

Date: 5-4-12

Part II. Self-Assessment

The Town of Caver continues to make progress towards maintaining compliance various components of the 2003 NPDES Phase II Stormwater Discharge Permit. Public education, outreach and participation have been on-going during the period of April 2011 through March 2012 (referred to as Permit Year 9). The illicit discharge detection and elimination (IDDE) program is on-going, stormwater regulations have been developed by the Board of Health and the Town has drafted an IDDE and construction By-law. Each year, the DPW follows good housekeeping practices and keeps the storm drain systems clean of debris.

The Town continues to monitor the websites of regulatory agencies for the issuance of the new 2010 Small MS4 General Permit (Fall 2012). When this 2010 General Permit is issued, the Town will evaluate the new requirements and identify the highest priority compliance issues.

Part III. Summary of Minimum Control Measures

1. Public Education and Outreach

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 8 (Reliance on non-municipal partners indicated, if any)	Planned Activities Permit Year 9
PE-1 Revised	Flyer Distribution	DPW	Once per year at Hazardous Waste Day Regularly at Town Buildings	Flyers are distributed annually to advertise the household hazardous waste day. Flyers regarding proper protection of outfalls and catch basins are available regularly at town buildings. Copies of the distributed fliers are attached to this reported.	Continue to publish at flyers throughout the year
PE-2 Revised	Informational Mailings	DPW	Houses adjacent to outfalls 1 per year to all houses adjacent to outfalls	The Town has not yet implemented mailing educational information pertaining to stormwater pollution to houses adjacent to outfalls, yet is aware of this need. Mailings are sent to all members of the Carver, Marion, Wareham Regional Refuse Disposal District (CMWRRDD) announcing the schedule for Household Hazardous Waste Collection Days.	Continue to mail educational information to all members of the Carver, Marion, Wareham, Regional Refuse Disposal District (see attached)
PE-3 Revised	Community Group Meetings	DPW	Regular Meetings	Board of Health and Conservation Commission meetings are regularly announced and open to the public. The Superintendent of Public Works attends such meetings upon request.	Continue to announce and have Board of Health and Conservation Commissions open to the public.
PE-4 Revised	Public Service Announcements	DPW	Cable Access Ads for Events	Carver's Community Access Television (CCAT) program continued on public access channels 13,14 & 15. Public service announcements related to stormwater meetings, hazardous waste days, recycling, cleanup day, etc. were placed on cable access TV. Program listings are available at the channel's website: http://www.ccat.cc/	Continue to post Public service announcements on Community Access Television.

PE-5	Information Distribution	DPW, Board of Health	Posts on Town website Minimum of one post per year on town website.	Informational postings regarding stormwater and environmental issues continue to be updated at on the Town website: http://www.carverma.org/ Announcements for regular Town Meetings are posted on the Town's website, along with meeting minutes for special department meetings, such as the Planning Board and Conservation Commission. There are two transfer stations that serve the Town of Carver: Rochester Convenience Facility and Benson Brook Road Transfer Station in Marion. Information about these transfer stations is posted on the Town website. Copies of such postings are attached to this report.	Continue to post information regarding stormwater and environmental issues on the Town's website Continue to announce Town Meeting's on the Town's website and also post minutes of each meeting on the website. Continue to update and post information regarding the two transfer stations on the Town's Website.
Revised					

1a. Additions

2. Public Involvement and Participation

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 8 (Reliance on non-municipal partners indicated, if any)	Planned Activities Permit Year 9
PP-1 Revised	Storm Drain Stenciling	DPW	All storm drains in areas of concern All storm drains by end of Year 3	All storm drains in the Town of Carver were stenciled in the original 5 year permit term. The Town continues to monitor the condition of the stenciling regularly. The DPW is aware of the need to inspect stencils this year and repaint as necessary.	The DPW inspects and re-stencils storm drains as necessary
PP-2 Revised	Hazardous Waste Day	DPW Working with BOH	Annually	<p>Hazardous Waste Day is typically held on the first Saturday in May every year. During Permit Year 8, Hazardous Waste Day was held May 7, 2011.</p> <p>Plymouth County Conservation District also held an Electronics Recycling Day at the Wareham Municipal Maintenance Department in Wareham on May 7, 2011.</p> <p>These programs were sponsored through the Carver, Marion, Wareham Regional Refuse Disposal District (CMWRRDD). CMWRRDD continues to inform residents of opportunities to dispose of household hazardous wastes. Advertisements for the event are attached to this report.</p>	<p>Continue with organized cleanup days Hazardous Waste Day will held May 5, 2012 for permit year 9</p> <p>Plymouth County Conservation District will hold an Electronics Recycling Day at the Wareham Municipal Maintenance Department in Wareham on May 5, 2012.</p> <p>Continue to inform the public with information regarding household hazardous wastes.</p>
PP-3	Volunteer Monitoring Efforts	DPW	Annually	All residents are encouraged to report problems in the storm drain system.	Continue to encourage residents to report problems with the storm drain

Revised				Local cranberry farmers have a special interest in proper functioning of the storm drain system and are quick to report problems. It is a priority of the DPW to quickly respond to reports.	system.
PP-4	Stormwater Monitoring Program (SWMP) Volunteer Review	DPW	Annually	The Town of Carver continues to present current Stormwater management activities to relevant department heads and employees on an annual basis, including regular public and private meetings.	Update and continue training
Revised					

2a. Additions

3. Illicit Discharge Detection and Elimination

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 8 (Reliance on non-municipal partners indicated, if any)	Planned Activities Permit Year 9
ID-1 Revised	Visual Inspection	DPW, Board of Health	All outfalls quarterly	<p>All outfalls are monitored by DPW staff on a regular basis of every 6 months. Outfalls in problem areas were monitored more frequently.</p> <p>Carver's Board of Health has a pond testing program. Four area ponds (Sampson's, Cooper's, John's, and Crystal) are monitored weekly for E. Coli from May through September each year.</p> <p>DPW staff will continue to routinely monitor outfalls.</p>	<p>DPW staff will continue to routinely monitor outfalls.</p> <p>BOH will continue its pond testing program.</p>
ID-2 Revised	Laboratory Analysis	DPW	When pollution is evident	<p>A problem at local gas station identified in Permit Year 1 has resulted in the site being assigned a DEP tracking number, RTN 4-17825. Monitoring is ongoing at this site. Tests are available at the Board of Health.</p>	<p>DPW will continue to monitor the remediation activity at the gas station (RTN 4-17825).</p> <p>No new problem outfalls were identified in Permit Year 8.</p>
ID-3 Revised	Identify and Map all outfalls	DPW	Map and ID all outfalls in the UA	<p>All outfalls in the Urbanized Area were mapped in Permit Year 1.</p> <p>The entire drainage system was modeled in GIS in the original 5 year permit term. Carver continues to maintain and update maps as appropriate.</p>	<p>Carver continues to maintain and update maps as appropriate.</p>
ID-4	Remove source of contaminant	DPW	When pollution is evident	<p>Report Remediation efforts to the DEP.</p>	<p>The DPW will continue to monitor outfalls to identify illicit sources</p>

Revised				<p>No new sources of contaminants have been identified in the Town in Permit Year 7.</p> <p>The Town has continued to sample outfalls to identify illicit sources when pollution is suspected.</p>	<p>when pollution is suspected and will also continue to remove sources when pollution is conformed in an outfall. The DPW will try and resource money (Town meeting, June 2012) to implement sampling and testing of outfalls (article 14 attached) The DPW will also develop a written program for detect and eliminate illicit discharges from the Municipal Storm Drain System.</p>
ID-5	Develop and enact by-law	DPW	By end of year 2	<p>In 2011 the Town amended the General Bylaw governing discharges to the storm drain system. (please see attached document)</p> <p>The Board of Health passed storm water regulations in October 2003. The Planning Board put forth new stormwater regulations in May 2007, which were adopted at the Town Meeting.</p>	Continue to enforce regulations
Revised					

3a. Additions

4. Construction Site Stormwater Runoff Control

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 8 (Reliance on non-municipal partners indicated, if any)	Planned Activities Permit Year 9
CS-1	Develop By-laws	DPW	By the end of Year 2 have by-law in place	In Permit Year I the Town reviewed existing mechanisms and determined them to provide adequate authority to regulate construction site erosion and post-construction stormwater management.	The Town will continue to implement and enforce by-law and also continue previous permit year activities.
Revised	Review Current By-law Develop New By-law if necessary		Review annually, make amendments as needed		
CS-2	Pre-Construction Information Meetings	DPW	1 meeting per construction after by-law implementation	The Conservation Commission and Planning Department are involved in all construction activities (new housing developments, road work, cranberry bogs, etc.) Order of Conditions is issued by the Conservation Commission of the Town for any construction project within 100 feet of a wetland of any size. Order of Construction Conditions issued by Planning Department to the contractor. The Town enforces that developers are required to submit a letter to the Conservation Commission and Planning Board outlining all construction activities. Per the new by-laws, the town includes stormwater regulations as appropriate as part of the Planning Department approval process.	Continue to enforce by-law.
Revised	Provide Pre-Construction Information	Conservation Commission and Planning Department	Letters from developer to both Conservation Commission and Planning Department outlining conditions of construction activities.		

4a. Additions

CS-3	Site Inspections	Conservation Commission and/or Planning Department	Minimum 1 site visit per construction activity	Conservation Commission and the Town's Engineer conducted random site visits to inspect construction activities to ensure construction conditions are being met. The Town enforces that there be a minimum of one site visit by the Conservation Commission per each construction activity.	Continue site inspections per by-law requirements.
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5. Post-Construction Stormwater Management in New Development and Redevelopment

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 8 (Reliance on non-municipal partners indicated, if any)	Planned Activities Permit Year 9
PC-1	Visual Monitoring	DPW	1 visit following completion of project	Conservation Commission, DPW and Planning Department conduct post construction inspections. A certificate of compliance is issued by the Conservation Commission upon completion of construction in accordance with the Order of Conditions on projects they are involved in.	Implement and enforce by-law.
Revised		Conservation Commission and Planning Department as necessary			
PC-2	Post-construction By-law	DPW	By end of Year 2 have by-law in place	A Post-construction By-law was adopted at the May 21, 2007 Town Meeting.	Implement and enforce by-law.
Revised					

5a. Additions

6. Pollution Prevention and Good Housekeeping in Municipal Operations

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 8 (Reliance on non-municipal partners indicated, if any)	Planned Activities Permit Year 9
GH-1 Revised	Employee Training	DPW	Annually	Carver continues to identify opportunities for employee education and training relating to protection of water quality. Records of attendance are kept.	Continue training for all employees relating to protection of water quality.
GH-2 Revised	Operations and Maintenance Schedule	DPW	Complete by end of Year 1	Operations and maintenance schedule completed in Permit Year I.	Update and continue Operations and maintenance schedule.
GH-3 Revised	Operations and Maintenance Implementation	DPW	Follow schedule Years 2 through 8	The Town conducts catch basin cleaning and outfall inspection on a yearly schedule; more frequently in problem areas. DPW keeps up to date records of cleanings and inspections. The Town has approximately 1,000 catch basins. The DPW cleans between 300-400 catch basins annually	Continue catch basin cleaning and maintenance. Keep records of all catch basin cleaned at the DPW office.

6a. Additions

GH-5	Proper Storage of Materials	DPW	All materials labeled and in suitable containers	DPW stored materials in a manner that reduces or eliminates threats to water quality from stormwater.	Continue to store materials in a manner that reduces or eliminates threats to water quality
GH-6	Catch Basin Cleanout	DPW	Regular maintenance and cleanout of catch basins	Carver DPW has an annual catch basin clean out program using town-owned equipment. In addition, catch basins are cleaned on an as-needed basis. Cleanout logs are maintained. Problems are noted and followed-up on.	Continue annual catch basin cleanout program

GH-7	Storm Sewer Maintenance and Improvements	DPW	Improvements to storm sewer infrastructure	The DPW replaced aprons on outfalls on Route 58. The vegetation and brush surrounding the outfalls was also cleared. The DPW also rebuilt 12 catch basins.	There were no infrastructure problems within the past Permit Year. The DPW will be replacing aprons on outfalls and reset Drain Manholes covers on Route 58 this year. DPW will continue to monitor the storm water system
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7. BMPs for Meeting Total Maximum Daily Load (TMDL) Waste Load Allocations (WLA)

There are no TMDLs in Carver

Town of Carver

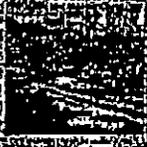
Educational Fliers

Stormwater Pollution Found in Your Area!

This is not a citation.

...to inform you that our staff has identified the following pollutants in the storm sewer system in your area. This storm sewer system leads directly to the:

- Microbial
- Oil/Grease
- Antifreeze
- Transmission fluids
- Paint
- Solvents/degreasers
- Fooding/yeast
- Detergent
- Stormwater Improvements (water/concrete)
- Automobiles
- Lawn care devices, grass mulch
- Excessive dirt and
- Trash
- Construction debris
- Automobiles and
- Tires
- Other




For more information or to report an illegal discharge of pollutants, please call:

BRI Haluch, Superintendent

Department of Public Works

608-836-3426 www.caiverma.org



www.epa.gov/epahelp/epawater.cfm

EPA 833-R-03-002

April 2003

**KEEP MERCURY FROM
RISING!
PLEASE DISPOSE OF
PRODUCTS
CONTAINING
MERCURY PROPERLY
BE RESPONSIBLE
RECYCLE**

We will accept pesticides, household chemicals, oil-based paint, anti-freeze, motor oil, spent gasoline, and products containing mercury (thermostats, thermometers, fluorescent bulbs, float switches, etc.)

We will also accept **EMPTY** propane tanks.

WE WILL NOT ACCEPT latex-based paint, tires, PCBs, radioactive materials and explosives.

Sponsored by CARVER, MARION, WAREHAM REGIONAL REFUSE DISPOSAL DISTRICT AND COVANTA ENERGY OF SEMASS

Town of Carver

Hazardous Waste Day Fliers

Saturday May 5, 2012

The Carver Marion Wareham Regional Refuse Disposal District CMWRRDD is pleased to offer a Household Hazardous Products Collection day on May 5, 2012 to the residents of Carver, Marion and Wareham. The Commissioners continue to work diligently to protect our environment by removing hazardous products from the waste stream.

CMWRRDD provides the residents of Carver, Marion and Wareham two transfer facilities for the disposal of household trash and recyclables.

The transfer facilities are located at:

Carver, Marion, Wareham and Rochester Transfer Station
Route 28 Rochester
(Just north of route 28 and route 58 intersection)

Transfer station hours
8AM to 4PM Tuesday through Saturday

CMW Benson Brook Transfer Station
Benson Brook Road Marion
(off route 6 Marion)

Transfer station hours
8AM to 4PM Tuesday through Saturday
Sunday 9AM to 1PM

Household Hazardous Waste Collection Sites are

CARVER SALT STORAGE FACILITY
ROCHESTER ROAD OFF RT 58 SOUTH CARVER

WAREHAM MUNICIPAL MAINTENANCE AREA
CHARGE POND ROAD OFF RT 28

TIME: 9:00 AM – 12:00 NOON

The District Commissioners are pleased to announce that the Benson Brook transfer station has opened a swap shed for toys, tools and small electrical appliances in good working condition.

The District Commissioners encourage residents to recycle and to participate in the Household Hazardous Product Collection Day on Saturday, May 5th.

Robert C Tinkham Jr.
Chairman

Ray Pickles
Executive Director

**HOUSEHOLD HAZARDOUS PRODUCT
COLLECTION
AND
MERCURY THERMOMETER EXCHANGE**

WHEN
SATURDAY MAY 5, 2012

WHERE
CARVER SALT STORAGE FACILITY
ROCHESTER ROAD OFF RT. 58 SOUTH CARVER
WAREHAM MUNICIPAL MAINTENANCE AREA
CHARGE POND ROAD OFF RT 28

TIME: 9:00AM TO 12:00AM

**Carver, Marion, Wareham Regional
Refuse Disposal District**

Covanta Energy of SEMASS

PRST STD
U.S. POSTAGE
PAID
CCP & DF, MA
PERMIT NO. 15

*****ECRWSS**B006
POSTAL CUSTOMER
PO BOX 737
SOUTH CARVER MA 02366-0737

The Plymouth County Conservation District will be holding an Electronic Recycling Day at the Wareham Municipal Maintenance Department at 95 Charge Pond Road, Wareham from 9AM to 12 noon on Saturday, May 5th.

Your cost for the Electronic Recycling Event:

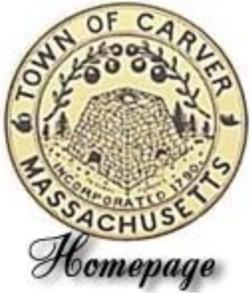
\$10 – Monitors, CPU's (towers & desktops)
15" and smaller TV's, Handheld Electronic Devices

\$15 – Microwaves, Large TV's, Electronic Devices,
Washers & Dryers, Dishwashers, Refrigerators

\$25 – TV's over 30" and Consoles

All other items will be judged by weight!

The Plymouth County Conservation District would like to Thank You for recycling with us!



Town of Carver Massachusetts

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Benson Brook Road Transfer Station in Marion

RULES & REGULATIONS
Effective June 5, 2007

Hours of Operation: 8:00 AM - 4:00 PM, Tuesday - Saturday

Directions:

1. From Carver-Route 58 South to Route 495 South to Exit 1 (Rte. 195).
2. Get off at the Marion Exit 20. At end of ramp take a right onto Route 105.
3. Come to the 1st set of lights and take a right onto Route 6.
4. Benson Brook Road is down about a mile on the right.

No vehicles will be permitted to enter the Transfer Station without a town-issued resident sticker

Acceptable items

The Benson Brook Road Transfer Station will accept the following items from Carver Residents:

1. Household Trash
2. Bulky Residential Wastes (*couches, chairs, etc.*)
3. Wood Waste from Small Homeowner's Projects (*maximum length 3 feet*)
4. Recyclables (*Pre-sorted & Clean*)
5. Clean, Loose Newsprint (*no plastic or paper bags*)
6. Cardboard & Paper: including magazines, computer paper, corrugated cardboard, flat cereal boxes & junk mail
7. Co-Mingles: glass, plastic, tin & aluminum
8. Light Metals: stoves, bicycles, gas grills, lawnmowers, & misc. metals
9. Empty Propane Tanks

The following items will be accepted for a fee of \$25.00:*

1. Refrigerators & Freezers
2. Air Conditioners
3. Televisions
4. Computer Monitors

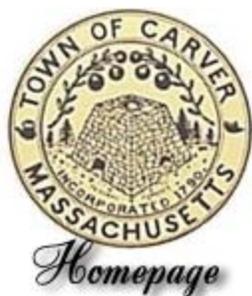
**Stickers must be purchased from the Board of Health at Town Hall.*

Unacceptable items

The Benson Brook Road Transfer Station will NOT accept the following:

1. Pressure Treated Wood
2. Brush, Stumps, Logs & Stone
3. Sheet Rock, Blue Board & Insulation
4. Tires
5. Mattresses & Box Springs
6. Demolition & Construction Debris from Contractors
7. Asphalt, Brick & Concrete
8. Lead Batteries

Attendant has the right to reject waste that is over size or contains unacceptable material.



Town of Carver Massachusetts

The Rochester Convenience Facility

Location: On Route 28, one-quarter mile north of the intersection of Route 28 and Route 58

Hours of Operation: 8:00 AM to 4:00 PM, Tuesday - Saturday

- About Carver
- Community
- Emergencies
- Services
- TownHall
- News

- Town Meeting
- The Master Plan
- Calendar
- Links

Acceptable Items	Unacceptable Items
<u>Waste:</u> Household Trash	<u>Stumps and Brush</u>
<u>Recycleables:</u> Newspapers Cardboard Glass Containers Plastic Containers Steel/Aluminum Cans Propane Tanks	<u>Hazardous Waste:</u> Gas Containers Oil - Base Paints Flammable Items Batteries/Tires Waste Oil

**Hazardous waste can be removed
once a year on Hazardous waste day,
which is the 1st Saturday in May every year**

Leaves and Small Brush

The compost facility at this location is open on Wednesday, Friday and Saturday from 8:00 AM to 4:00 PM *accepting leaves and small brush only.*

Search

Article 14. To see if the Town will raise and appropriate, borrow, or transfer from available funds an amount not to exceed \$25,000 to implement the "Illicit Connections and Discharges to the Municipal Storm Drain System" Bylaw by developing the following: a written program to detect and eliminate illicit discharges; written operation and maintenance procedures for all Town-owned facilities; a report of all impervious areas in the municipal storm drain system (MS4); an inventory of all Town-owned facilities and floor drains; a program to repair and rehabilitate all storm drain infrastructure that is regulated; a Stormwater Pollution Prevention Plan for maintenance garages, other Department of Public Works facilities, and waste handling facilities; and a permittee-specific stormwater monitoring program; or take any other action

(... of Selectmen)

Town of Carver General Bylaw amendment, 2011

Illicit Discharges to the Municipal Stormwater System

CONTINUATION OF THE ANNUAL TOWN MEETING

Tuesday, June 14, 2011

The Continuation of the Annual Town Meeting of the Inhabitants of the Town of Carver was held on Tuesday, June 14, 2011 at the Carver High School Auditorium at 7:00 P.M., pursuant to a Warrant of the Board of Selectmen dated May 16, 2011. The meeting was called to order at 7:05 P.M., by the Moderator, John S. Murray, there being a quorum 75 present. The total registered voters at this time were 132. The Moderator led the voters in the Pledge of Allegiance to the flag. The appropriate tellers were duly sworn to the faithful performance of their duties by the Town Clerk, Jean F. McGillicuddy. The tellers were as follows:

Ellen Blanchard, Alan E. Dunham, and Stephen Pratt

GENERAL BY-LAW AMENDMENTS:

Article 38. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was So-Passed by Majority Vote for the Town to amend the Town of Carver by-Laws under Finance Committee, Chapter 4, Section 4.3.1 the last sentence of the paragraph by changing two consecutive full terms to (4) consecutive full terms, and in the same sentence changing not to exceed six (6) consecutive years to not to exceed twelve (12) consecutive years.

Selectmen recommended: 4-1

Article 39. Failed (Stretch Energy Code)

Article 40. Upon motion duly made and seconded and motion made by John Angley, Chairman, Board of Selectmen, it was So-Passed by Majority for the Town to amend Chapter 9 of the Town of Carver bylaws by adding the following: Illicit Connections and Discharges to the Municipal Storm Drain System Bylaw as Section 9.6:

Section 1. Purpose:

Increased and contaminated stormwater run-off are major causes of:

1. impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater;
2. contamination of drinking water supplies;
3. alteration or destruction of aquatic and wildlife habitat; and
4. flooding.

Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of Carver's water bodies and groundwater, and to safeguard the public health, safety, welfare, and the environment.

The objectives of this by-law are:

1. to prevent pollutants from entering Carver's municipal separate storm sewer system or municipal storm drain system (MS4);
 2. to prohibit illicit connections and unauthorized discharges to the MS4;
 3. to require the removal of all such illicit connections;
 4. to comply with state and federal statutes and regulations relating to stormwater discharges;
- and
5. to establish the legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

Section 2. Definitions:

For the purposes of this by-law, the following shall mean:

Authorized Enforcement Agency: The Department of Public Works, its employees, or agents designated to enforce this by-law.

Best Management Practices (BMPs): Activities, prohibitions of practices, general good housekeeping practices, structural and non-structural controls, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge, or waste disposal, or drainage from raw materials storage.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*) as hereafter amended

Discharge of Pollutants: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

Groundwater: All water beneath the surface of the ground.

Illegal Discharge: Any direct or indirect non-stormwater discharge to the municipal storm drain system, except as specifically exempted in Section 6, subsection 4, of this by-law. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or resulting from fire-fighting activities exempted pursuant to Section 6, subsection 4, of this by-law.

Illicit Connection: Any surface or subsurface drain or conveyance that allows an illegal discharge into the municipal storm drain system. Illicit connections include conveyances that allow a non-stormwater discharge to the municipal storm drain system including sewage, process wastewater or wash water, and any connections from indoor drains sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law.

Impervious Surface: Any material or structure on or above the ground that prevents water from infiltrating the underlying soil.

Municipal separate storm sewer system (MS4) or municipal storm drain system: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage

structure that together comprise the storm drainage system owned or operated by the Town of Carver.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

Non-Stormwater Discharge: Any discharge to the municipal storm drain system not composed entirely of stormwater.

Person: Any individual, partnership, association, firm, company, trust, corporation, and, any agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

Pollutant: Any element or property of sewage, agricultural, industrial, or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include:

- (1) paints, varnishes, and solvents;
- (2) oil and other automotive fluids;
- (3) non-hazardous liquid and solid wastes and yard wastes;
- (4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations, and floatables;
- (5) pesticides, herbicides, and fertilizers;
- (6) hazardous materials and wastes; sewage, fecal coliform, and pathogens;
- (7) dissolved and particulate metals;
- (8) animal wastes;
- (9) rock; sand; salt, soils;
- (10) construction wastes and residues;
- (11) and noxious or offensive matter of any kind.

Process wastewater: Any water that, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

Recharge: The process by which groundwater is replenished by precipitation through the percolation of run-off and surface water through the soil.

Stormwater: Run-off from precipitation or snow melt.

Toxic or Hazardous Material or Waste: Any material that, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious, or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive, or infectious waste, acid, and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

Watercourses: A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

Wastewater: Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the

production or use of any raw material, intermediate product, finished product, byproduct or waste product.

Section 3. Applicability:

This by-law shall apply to flows entering the municipally-owned storm drainage system.

Section 4. Responsibility for Administration:

The Department of Public Works shall administer, implement, and enforce this bylaw. Any powers granted to or duties imposed upon the Department of Public Works may be delegated in writing by the Superintendent of Public Works to employees or agents of the Department of Public Works.

Section 5. Regulations:

The Department of Public Works may promulgate rules and regulations to effectuate the purposes of this by-Law. Failure by the Department of Public Works to promulgate such rules and regulations shall not have the effect of suspending or invalidating this bylaw.

Section 6. Prohibited Activities:

1. Illegal Discharges

No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal storm drain system, watercourse, or into the waters of the Commonwealth.

2. Illicit Connections

No person shall construct, use, allow, maintain, or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation, or custom at the time of connection.

3. Obstruction of Municipal Storm Drain System

No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior approval from the Department of Public Works.

4. Exemptions

This section shall not apply to discharges or flows resulting from fire-fighting activities, nor to any of the following non-stormwater discharges or flows provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:

- (1) Waterline flushing;
- (2) Flows from potable water sources;
- (3) Springs;
- (4) Natural flows from riparian habitats and wetlands;
- (5) Diverted stream flows;
- (6) Rising groundwaters;
- (7) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;

- (8) Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
- (9) Discharges from landscape irrigation or lawn watering;
- (10) Water from individual residential car washing;
- (11) Discharges from de-chlorinated swimming pool water (less than one ppm chlorine) provided it is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- (12) Discharges from street sweeping;
- (13) Dye testing, provided verbal notification is given to the Department of Public Works prior to the time of the test;
- (14) Non-stormwater discharges permitted under an NPDES permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
- (15) Discharges for which advanced written approval is received from the Department of Public Works if necessary to protect public health, safety, welfare, or the environment.

Section 7. Emergency Suspension of Storm Drainage System Access:

The Department of Public Works may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened illegal discharge that presents or may present imminent risk of harm to the public health, safety, welfare, or the environment. In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare, or the environment.

Section 8. Notification of Spills:

Notwithstanding any other requirements of local, state, or federal law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials at that facility or operation that is resulting or may result in illegal discharge of pollutants, that person shall take all necessary steps to ensure containment and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Fire Department, the Police Department, the Department of Public Works, and the Conservation Commission. In the event of a release of non-hazardous material, said person shall notify the Authorized Enforcement Agency no later than the next business day. Written confirmation of all telephone, facsimile, e-mail, or in-person notifications shall be provided to the Authorized Enforcement Agency within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Section 9. Enforcement:

1. The Department of Public Works, or an authorized agent of the Department of Public Works (as designated by the Superintendent of Public Works) shall enforce this bylaw, and the regulations promulgated thereunder, as well as the terms and conditions of all permits, notices, and orders, and may pursue all civil and criminal remedies for such violations.

2. Civil Relief:

If anyone violates the provisions of this bylaw, regulations, permit, notice, or order issued thereunder, the Department of Public Works may seek injunctive relief in a court of competent jurisdiction to restrain the person from activities that would create further violations or compelling the person to abate or remediate the violation.

3. Orders:

The Department of Public Works may issue a written order to enforce the provisions of this by-law or the regulations thereunder, that may include: (a) elimination of illicit connections or discharges to the storm drainage system; (b) termination of access to the storm drainage system; (c) performance of monitoring, analyses, and reporting; (d) cessation of unlawful discharges, practices, or operations; and (e) remediation of contamination in connection therewith. If the Department of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline for completion of the abatement or remediation.

4. Criminal and Civil Penalties:

Any person who violates any provision of this by-law, valid regulation, or the terms or conditions in any permit or order prescribed or issued thereunder, shall be subject to a fine not to exceed \$300.00 for each day such violation occurs or continues or subject to a civil penalty not to exceed \$300.00 for each day such violation occurs or continues, which may be assessed in an action brought on behalf of the Town of Carver in any court of competent jurisdiction.

5. Non-Criminal Disposition:

As an alternative to criminal prosecution or civil action, the Town of Carver may elect to use the non-criminal disposition procedure set forth in G.L. Ch.. 40, §21Dand Section 10.4 of the Town of Carver by-Laws, in which case the Department of Public Works or its Superintendent of Public Works or other authorized agent of the Town of Carver shall be the enforcing person. The penalty for the 1st violation shall be \$50.00. The penalty for the 2nd violation shall be \$150.00. The penalty for the 3rd and subsequent violations shall be \$ 300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

6. Entry to Perform Duties Under this By-Law:

To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Department of Public Works, its agents, officers, and employees may enter upon privately-owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys, or sampling as the Department of Public Works deems reasonably necessary

7. Appeals:

The decisions or orders of the Department of Public Works shall be final. Further relief shall be to a court of competent jurisdiction.

8. Remedies Not Exclusive:

The remedies listed in this by-law are not exclusive of any other remedies available under any applicable federal, state or local law.

Section 10.

Severability:

If any provision, paragraph, sentence, or clause, of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Section 11. Transitional Provisions:

Residential property owners shall have 60 days from the effective date of the bylaw to comply with its provisions provided good cause is shown for the failure to comply with the bylaw during that period.

Selectmen recommended: Unanimously

ZONING BY-LAW ARTICLES:

Article 41. Upon motion duly made and seconded and motion made by Edward Fuller, Planning Board, it was Unanimously Voted for the Town to amend Article VI of the Zoning By-Laws by inserting the following definitions:

Reconstruction The rebuilding within the existing footprint of the existing structure; part of or the whole existing structure, as it sits on the lot.

Hazardous Material: A product, waste or combination of substances which because of its quantity, concentration, or physical, chemical, toxic, radioactive or infectious characteristics may reasonably pose a significant, actual, or potential hazard to human health, safety, welfare, or the environment when improperly treated, stored, transported, used, disposed of, or otherwise managed. Hazardous materials include, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as "toxic" or "hazardous" under Massachusetts General Laws (MGL) Chapters 21C and 21E using the Massachusetts Oil and Hazardous Material List (in 310 CMR 40.0000).

Selectmen recommended: Unanimously
Planning Board recommended: 5-0

Article 42. Withdrawn (add S-5380 Revocation of Special Permits)

Article 43. Upon motion duly made and seconded and motion to amend by Stephen Pratt, registered voter, it was Unanimously Voted for the Town to amend Article III, Section 3552 of the