

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

**LOCAL REGULATION – 55.00**

55.00 Inspection and upgrading of onsite sewage disposal systems

A. Purpose.

Whereas ongoing research by the Town of Nantucket in co-operation with the Commonwealth of Massachusetts Department of Environmental Protection has documented increasing levels of nutrient loading in the Hummock Pond watershed system, these Regulations are promulgated to further limit said nutrients and other sources of contamination loading, and to protect and enhance the quality of groundwater flowing into and affecting the waters of Hummock Pond.

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.

55.01 Definition.

A. Hummock Pond Watershed Protection District.

The area constituting the watershed for Hummock Pond as delineated on a map entitled Hummock Pond Watershed, Nantucket GIS, dated July 1, 2010.

55.02 Compliance Requirements.

A. Properties utilizing in-ground soil absorption systems located within Zone A of the Hummock Pond Watershed Protection District as established by these Regulations, and as demonstrated on a map titled Hummock Pond Watershed Protection District, as established by these Regulations, shall have the existing soil absorption system(s) inspected by a Massachusetts licensed system inspector **prior to March 1, 2014**. 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 Hummock Pond Watershed Protection District as established by these Regulations and as demonstrated on a map entitled Hummock Pond Watershed Protection District shall have their existing soil absorption system(s) inspected by a Massachusetts licensed system inspector **prior to June 1, 2014**. Said Inspection report shall be recorded with the Nantucket

Health Department within 21 days of the completed inspection.

55.03 Inspections.

- A. All systems shall be inspected to determine the presence and/or absence of hydraulic failure and depth to groundwater. Depth to groundwater shall be determined by direct observation of highest groundwater elevation (including seasonal perched and tidally influenced groundwater) in a test pit excavation, unless an alternative method for accurately determining the depth to groundwater has been approved in writing by the Health Director.
- B. The Health Director may, based on unique development conditions or due to the proximity of multiple systems within a limited geographic area, substitute a pre-approved groundwater monitoring protocol for test pit excavation.

This monitoring protocol shall require a minimum;

- Data collected over a 12 month period
- A minimum of three wells off set to define groundwater flow direction as well as depth

55.04 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 60 days of the date of the 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/Certification of Compliance Form shall bring the system into compliance with all state and local regulations within 18 months of the adoption of the Assessment report required in 55,05 and/or within 30 months of the expiration date of Zone A and B inspections.

55.05 Inspection evaluation period.

- A. Within three months of the inspection expiration date of Zones A & B, the Health Department shall tabulate and publish the inspection results.
- B. Within six months of the inspections expiration date of Zones A & B, 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 following the expiration date of Zone B inspections,

the Board of Health shall adopt the Hummock Pond Watershed Protection Area Assessment Report, including recommendations.

55.06 Exemptions.

- A. Properties whose onsite sewage disposal design is documented to be based on test pit and percolation testing observed by the Board of Health after June 1, 2008.
  
- 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 prior to promulgation of these Regulations are exempt from inspection and compliance standards as set forth in these Regulations.

55.07 Enforcement.

- A. Enforcement of these Local Regulations shall be effective through Town of Nantucket Board of Health Local Regulations 67.00 Miscellaneous Provisions.
  
- B. These Regulations and any amendments thereto shall become effective upon the date of publication.

Nantucket Board of Health

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Patricia Roggeveen, Chairman

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Michael Kopko

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Brian Chadwick

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Whitey Willauer

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Rick Atherton

Effective date: September 2, 2010

Amended: February 21, 2013

