

Massachusetts' New Title 5 Septic System and Watershed Permit Regulations



How Do They Effect Brewster?

Summary

Massachusetts recently adopted 2 new regulations that require property owners in the affected areas to upgrade their septic system to provide nitrogen treatment UNLESS the Town obtains a watershed permit that provides a long-term plan to restore the estuary. Brewster is actively working on four watershed permits that will suspend the need for immediate septic system upgrades in these newly regulated areas.

What Are The New Regulations?

- **Title 5 Updates (310 CMR 15.00)** - The State's septic system regulations require property owners to upgrade their septic system within the next five years (by July 2028) if they are in one of the watersheds affected by the new regulations. These upgrades must incorporate nitrogen treatment using one of the Best Available Nitrogen Reducing Technologies approved by the state. Advanced treatment systems are also required for new construction after July 6, 2024.
- **Watershed Permit Regulations (314 CMR 21.00)** - When a town applies for a watershed permit, the new septic system regulations no longer apply, provided they meet the nitrogen reduction targets in their permits. A Town can also request a watershed permit exemption if they can document that their nitrogen contribution to a coastal embayment is less than 3% of the total nitrogen load.

Where in Brewster Do These Regulations Apply?

These new regulations apply to the Pleasant Bay, Herring River, Swan Pond River, and Bass River estuaries in the southern portion of Brewster (see map below). To learn if your property is within the watershed of one of these embayments, follow these instructions:

Go to: www.brewster-ma.gov
Click on GIS Maps.
Click on the Find tab, enter street name and number to locate property.
Click on the Layers tab and select Nitrogen Impaired Embayments.

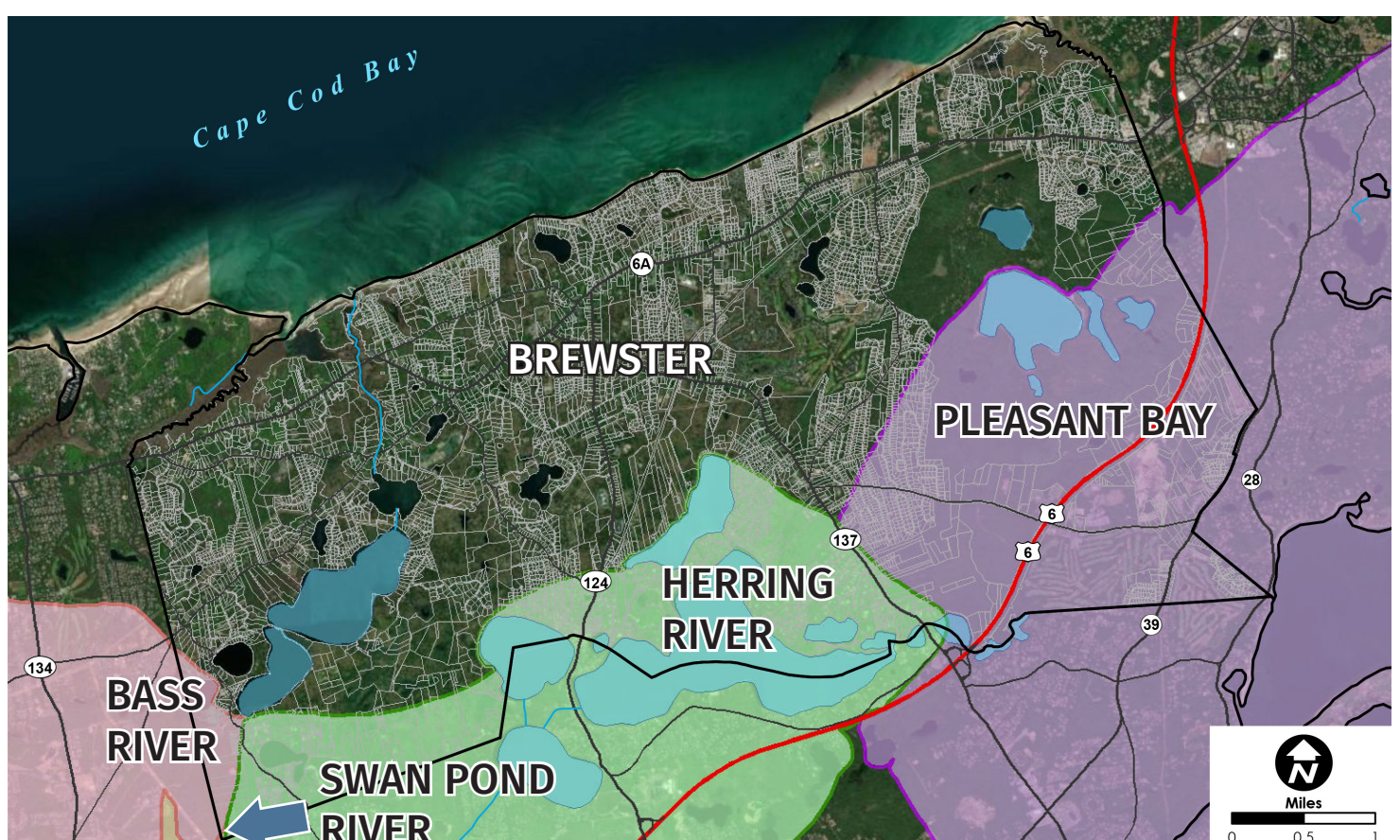
What Is Brewster's Plan For Watershed Permits?

Brewster is implementing the following watershed permits to suspend the need for residents to comply with the new Title 5 regulations.

- **Pleasant Bay** - The town agreed to the Pleasant Bay watershed permit in 2018 and has removed over 50% of the nitrogen needed to meet the permit requirements from changes in fertilizer management at the Captains Golf Course.
- **Bass River and Swan Pond River Watersheds** - Brewster has filed de minimis watershed permit exemption applications to DEP which suspends the need for septic system upgrades under the new Title 5 regulations.
- **Herring River Watershed** - Brewster has filed a Notice of Intent to develop and submit a watershed permit application to DEP. Work to develop the permit application will begin in 2024, and the Town has seven years to establish the permit.

Will I Need to Upgrade My Septic System Under the New Regulations?

- Brewster residents will not be required to upgrade their septic systems by the July 2028 deadline under the new Title 5 regulations.
- The Town's Water Quality Review Bylaw and other local regulations may require septic system upgrades to protect the Town's drinking water and to restore freshwater ponds.
- Septic system upgrades could also be used to meet the permit requirements for Pleasant Bay and/or the Herring River watersheds.



Questions?

Please contact the Brewster Health Department
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