

Scheduling Perc Tests

Does the municipality restrict times of year when a percolation test can be observed?

Issue Overview The state does not set restrictions on the times of the year that percolation tests can be conducted. Title 5 states (Section 15.104(6)): "Percolation tests may be performed at any time of the year provided the soil to be tested is below the frozen soil layer." Many municipalities restrict the time of year that percolation tests can be observed. The dates that the tests are allowed vary widely across towns – for example: from December through April; from June through February; from March through May and September through November; or from March through June.

A perc-test is conducted by digging a small hole in the area of the proposed septic field, filling it with water for a period of time, and measuring the rate (minutes per inch) at which the water drains from the soaked hole. According to Title 5, soil with a rate slower than 60 minutes per inch is not acceptable for septic system installation. Percolation rates generally have seasonal variation.

Research Coding Municipalities that restrict percolation tests when the ground is frozen are coded as No. Towns that explicitly limit percolation tests in certain months, or that set other seasonal limitations, are coded as Yes.

Acton *Does the municipality restrict times of year when a percolation test can be observed?*

No Researcher found no limitation in the Acton Regulations to when a percolation test may be performed.

Amesbury *Does the municipality restrict times of year when a percolation test can be observed?*

No From amendment 1, "[d]eep hole test pits to determine high ground water and percolation tests will be performed year round."
(Amesbury Title V Septic Regulations Amendments, Amended 1999,2003)

Ashland *Does the municipality restrict times of year when a percolation test can be observed?*

No Researcher found no reference in the Ashland Regulations to a limitation on the time of year in which percolation tests can be performed.

Auburn *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Auburn regulations to times of year when percolation tests can be observed.

Avon Does the municipality restrict times of year when a percolation test can be observed?

Yes Researcher answered "Yes" to this question based upon conversation with Barry Perkins on 6/08/04 where he stated that Avon follows all of Title's 5 requirements, but with the addition of "No percolation test for new construction except between June 15th and September 15th".

Ayer Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Ayer regulations to times of year when percolation tests can be observed.

Bellingham Does the municipality restrict times of year when a percolation test can be observed?

No Survey received from Bellingham Health Agent Mike Graf on 6/1/05 marks that Bellingham has local septic regulations. He writes that they were adopted before 1995 and the Title 5 changes in 1995 superceded most of the local regulations. The only answer he marked as "different from Title 5" is the setback from wells.

Berkley Does the municipality restrict times of year when a percolation test can be observed?

Yes From the section titled "Procedure to Obtain a Perc Test," "4. The perc season is December 1 - April 30. 5. Testing is done Monday through Friday (weather permitting) from 8:00 am - 12:00 Noon and 1:00 p.m. - 4:00 p.m. if agents are available."

(Subsurface Disposal, Well and Development Regulations, Adopted 2003)

Berlin Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Berlin regulations to times of year when percolation tests can be observed.

Beverly Does the municipality restrict times of year when a percolation test can be observed?

No According to J. Reale, the City of Beverly follows Title 5, except for a rule on minimum size of leaching fields.

The Beverly regulations restrict percolation testing "to the period from December 1 of a given year, through April 30 of the following year; and said tests and determinations shall not be allowed during said period the total precipitations for the thirty (30) days preceding the day of the test is less than 75% of the average precipitation for that period." Regulations for Individual Sewerage Disposal Systems, Chapter 16, Section III(1) (adopted 1981).

Billerica Does the municipality restrict times of year when a percolation test can be observed?

Yes The Billerica Board of Health Rules & Regulations provide one exception to the rule that percolation tests can be performed any time of year. At section 5.3.001, the Regulations state: "Percolation tests may be performed any time of year provided that weather conditions are conducive to testing."

Percolation tests shall be performed by a Massachusetts Registered Professional Engineer, a Massachusetts Registered Sanitarian, or a D.E.P. approved Soil Evaluator in the presence of a representative from the Board of Health. The Director of Public Health or his designee will make determinations relative to suitable weather conditions for conducting tests." Billerica Board of Health Rules & Regulations, section 5.3.001, (adopted November 20, 2000).

Marked on survey received from Billerica on 3/31/05:

"Yes, tests not performed when ground is frozen (i.e. during winter.)"

Bolton *Does the municipality restrict times of year when a percolation test can be observed?*

No The percolation test is valid as long as it is performed soil below the frozen layer of soil.

"Percolation tests shall not be made in the holes that have remained open to the atmosphere for more than three days, nor shall they be made in frozen soil. Percolation tests may be performed when the elevation of the soil to be tested is below the frozen layer." From the Bolton Board of Health, Requirements for the Subsurface Disposal of Sanitary Sewage, Regulation 4.c (Adopted 1977, Amended 2001).

Boxborough *Does the municipality restrict times of year when a percolation test can be observed?*

Yes "Percolation tests for new construction may only be completed between 5//30 [sic]-11/1." From Town of Boxborough Subsurface Disposal of Sewage Regulations, Section 5.3 (Adopted 10/18/00).

Boxford *Does the municipality restrict times of year when a percolation test can be observed?*

No The Boxford Regulations limit the timing of percolation tests as follows:

"Percolation test shall be performed during the months of June through February, inclusive. At the discretion of the Health Agent, percolation tests expected to be less than five minutes an inch may be performed at any time of the year" (Second sentence is a 2/1/1998 amendment). Boxford Code, Chapter 201, Subsurface Sanitary Systems, Article III, Percolation Testing Dates, Section 201-3, Acceptable months (Adopted as Regulation 1/88).

Boylston *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Boylston regulations to a restriction on the time of year that a percolation test can be observed.

Bridgewater *Does the municipality restrict times of year when a percolation test can be observed?*

Yes "Percolation tests will be allowed from October 1 to May 31. The Board of Health reserves the right to change this time period should prolonged dry spells or heavy rains significantly alter the water table."

From The Town of Bridgewater's Wastewater Rules and Regulations, Site Approval, no. 12 (Adopted 1989)

However, researcher was told that percolation tests can be performed at any time of the year weather permitting. From conversation with Board of Health Office Manager 10/12/04.

Canton *Does the municipality restrict times of year when a percolation test can be observed?*

Yes Canton Board of Health Regulations, Section 2.4 On-site Sewage Disposal Systems (received by fax August 2004)

Section 1: Unless otherwise authorized by the Board of Health percolation tests shall be performed between March 1st and May 30th, and between September 1st and November 30th of each year. Groundwater determinations will be performed between March 1 and April 30.

During May and Autumn percolation tests either:

(1) a certified soil scientist shall be hired at the owner/developers expense, and a soil evaluation conducted in the presence of the Board of Health Director/Agent, to determine seasonal high groundwater or (2) a monitoring well can be installed for groundwater determination between March 1 and April 30.

Carlisle *Does the municipality restrict times of year when a percolation test can be observed?*

No According to the Town of Carlisle Supplementary Regulations, "Installation of septic systems is prohibited during the months of December, January and February. Any system already in progress prior to December 1 shall have all work including all inspections, final grading, loaming and seeding completed prior to the winter cut off date of November 30." Town of Carlisle Supplementary Regulations for Sewage Disposal Systems, Additional Town Regulations Section 6, (adopted 12/1/83, effective with amendments 7/1/98).

Researcher spoke with the administrative assistant at the Carlisle Board of Health, who stated that Health Agent Fantasia indicated that percolations tests can be done year round, as they are not considered an "inspection" as provided in the above section.

Note: the Town of Carlisle Supplementary Regulations, Section 15.104, (adopted 12/1/83, effective with amendments 7/1/98) requires that "two (2) percolation tests shall be done; one in the primary and one in the reserve area. If testing rates are not consistent additional testing may be required at the discretion of the approving authority."

Carver *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Carver regulations to times of year when a percolation test can be observed.

Chelmsford *Does the municipality restrict times of year when a percolation test can be observed?*

No Researcher found no limitation in the Chelmsford regulations to when percolation tests can be performed.

Cohasset *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference to a limit in the Cohasset Regulations on the time when percolation tests can be performed.

Concord *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference to a limitation on when percolation tests can be performed in Concord.

Douglas *Does the municipality restrict times of year when a percolation test can be observed?*

No From Section I, B.3, "[p]ercolation and soil evaluation tests may be made at any scheduled time during the year."
(Town of Douglas Board of Health Title V Amendments, Adopted 1999, Amended 2002)

Dover *Does the municipality restrict times of year when a percolation test can be observed?*

Yes The Code of the Town of Dover, Massachusetts, Part II, Chapter 217, Section 217-3(C)(6) states that:
(6)In 15-104, Percolation Testing, change 15.104 (6) to read as follows:
Percolation tests shall be conducted after March 1 and completed before June 30. Deep observation holes and percolation test results shall not be accepted nor shall tests be observed at other times of the year except for upgrading of cesspools and the repair of failed septic systems when the interest of the public health is of priority as determined by the Board of Health. Percolation testing can only be conducted after deep holes are completed."

Dracut *Does the municipality restrict times of year when a percolation test can be observed?*

No Representative of the Board of Health said (10/13/04) that they only enforce one regulation that supplements Title 5 -- the setback from wetlands.

Dunstable *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Dunstable regulations to restrictions on the times of year when percolation tests can be observed.

Duxbury *Does the municipality restrict times of year when a percolation test can be observed?*

No According to Jennifer Dalrymple, the health agent for the Duxbury Board of Health, the municipality allows percolation tests to be observed any time of year. (7/14/04)

Easton *Does the municipality restrict times of year when a percolation test can be observed?*

No No limitations in the Easton regulations to when percolation tests can be observed.

Essex Does the municipality restrict times of year when a percolation test can be observed?

No No reference to a limit on the timing of percolation testing in the Essex regulations.

Foxborough Does the municipality restrict times of year when a percolation test can be observed?

No The Foxborough regulations affirmatively provide that "percolation tests may be performed at any time of the year." Foxborough Board of Health Septic System Regulations, Section 15.03:(4)(a).

Georgetown Does the municipality restrict times of year when a percolation test can be observed?

Yes "When does perc & soil testing season begin and end?
New construction begins April 1 & ends December 1 depending on weather."

From the Georgetown Board of Health Website, Frequently asked Questions link:
http://www.georgetownma.gov/Public_Documents/GeorgetownMA_BOH/Faqs

Gloucester Does the municipality restrict times of year when a percolation test can be observed?

No reference in the Gloucester regulations to times of year when percolation tests can be observed.

Grafton Does the municipality restrict times of year when a percolation test can be observed?

No Perc testing during winter months can be performed at the discretion of the health agent.

"Perc testing between December 15th and March 31st will be at the Agent's discretion based upon weather conditions." From the Town of Grafton's Supplement to Title V, "Lot Testing n. 8, (Revised 2004).

Groton Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Groton regulations to restrictions on the time of year when percolation tests can be observed.

Groveland Does the municipality restrict times of year when a percolation test can be observed?

No "Soil testing may be done year round, if there is no frost in the ground. The Board or its agent reserves the right to require testing be done during high water season to confirm high water table before approval of the system design.

Soil testing may not be done when 12 inches or more of frost is in the ground."

From the Rules and Regulations of Sewage Disposal, Section III (6-7) (Adopted 1997).

Halifax *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Halifax regulations to times of year when a percolation test can be observed.

Hanover *Does the municipality restrict times of year when a percolation test can be observed?*

No The Hanover regulations limit the time for percolation tests in the following manner only: "The Board of Health reserves the right to set aside a period of time when percolation tests or test holes will not be allowed, such as prolonged dry spells or during dry summer months. Seven (7) days' notice of discontinuance of percolation tests and test holes will be given." Rules and Regulations, Disposal of Wastewater in the Town of Hanover, Massachusetts, Section "Site Approval" (4) (adopted 11/30/98, effective 1/1/99).

Hanson *Does the municipality restrict times of year when a percolation test can be observed?*

No The regulations only cover what needs to be presented in submitted plans.

Harvard *Does the municipality restrict times of year when a percolation test can be observed?*

No "Percolation tests may not be performed if the level of the test is in frozen ground, and lot inspections may not be done when ground is obscured by snow." From Harvard Board of Health Regulations, Article 1, 145-1 (C) (Adopted 1974, Amended 1987).

Haverhill *Does the municipality restrict times of year when a percolation test can be observed?*

Yes "All percolation and deep hole tests conducted for new construction in the City of Haverhill shall be conducted between March 1st and June 15th"
From the City of Haverhill's Percolation and Deep Hold Testing Season Regulation (Amended 2001).

Hingham *Does the municipality restrict times of year when a percolation test can be observed?*

No According to Bruce T. Capman, RS, Executive Health Officer, (6/22/04) percolation tests can be observed any time of the year.

Holliston *Does the municipality restrict times of year when a percolation test can be observed?*

No From Section IV. General Regulations, 11. Construction Inspection and Soil Testing Limitations, "Inspections shall not be made when snow covers the ground system, nor shall soil tests be permitted in frozen soil."

In addition, from Section VI. Specification for Systems, 2. Percolation and Water Table Data, "Percolation tests may be conducted at any time of the year, unless that time period is suspended by a vote of the Board of Health, because of excessively dry or freezing weather conditions... For new construction, applications for percolation testing and high ground water testing during the ground water season shall be submitted prior to April 1st. Testing shall not be performed during the current year for the applications received after that date."

(Holliston BOH OSDS Regulations, Adopted 1997)

Hopedale *Does the municipality restrict times of year when a percolation test can be observed?*

No The Board of Health (11/30/04) indicated that the only local requirement for septic systems related to filters.

Hopkinton *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Hopkinton regulations to a limitation on the time of year in which percolation tests can be performed.

Ipswich *Does the municipality restrict times of year when a percolation test can be observed?*

Yes "Soil testing season for new construction shall be from March first to April thirtieth. Soil testing for upgrades shall be allowed throughout the year.

Applications for new construction soil testing must be received by the Health Office by February 16th. Those applications received by February 16th that could not be accommodated due to the volume of applications submitted will be put on a waiting list. Any applications received after February 16th will be put on a waiting list. If time permits and until the new construction season has ended, the applicants will be accommodated in the order in which the applications were received."

From Ipswich's Supplements to Title 5, Section 8.1-2
(Adopted 2002)

Kingston *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Kingston regulations to the times of year when percolation tests can be observed.

Lakeville *Does the municipality restrict times of year when a percolation test can be observed?*

Yes From the section titled "Percolation Test Regulations", "[p]ercolation tests shall not be performed during the period extending from June 1 to November 1, except when the Board of Health determines such a test is necessary in order to repair or replace an existing sewage system."

(Lakeville Board of Health Regulations, Adopted 1984)

Lancaster Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Lancaster regulations to restrictions on the time of year when percolation tests can be observed.

Leicester Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Leicester regulations to restrictions on the time of year percolation tests can be observed.

Leominster Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Leominster regulations to restrictions on the times of year when percolation tests can be observed.

Lexington Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Lexington regulations to a limit on the time of year when percolation tests can be observed.

Lincoln Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Lincoln regulations to times that percolation tests are allowed.

Littleton Does the municipality restrict times of year when a percolation test can be observed?

No The Littleton Regulations provide that "percolation tests can be performed at any time of the year." The Town of Littleton Board of Health Regulations, Requirements for the Subsurface Disposal of Sanitary Sewage, Regulation 5(a)(applicable as revised 8/11/03). However, Regulation 5(c) also provides that "percolation tests may be performed when the elevation of the soil to be tested is below the frozen soil layer."

Lunenburg Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Lunenburg regulations to restrictions on the time of year when percolation tests can be observed.

Manchester-by- Does the municipality restrict times of year when a percolation test can be observed?

No No reference to the time in which a percolation test may be observed in the Title V amendments.

Mansfield *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Mansfield regulations to times when percolation tests can be observed.

Marshfield *Does the municipality restrict times of year when a percolation test can be observed?*

No Percolation tests cannot be observed when the ground is frozen.

“Percolation tests shall not be made in test holes that have remained open to the atmosphere for more than three days, nor shall they be made in frozen ground.” From Marshfield Rules and Regulations for the Disposal of Sanitary Sewage, Section 3.5 (J) (Adopted 1978, Amended 2000).

Medfield *Does the municipality restrict times of year when a percolation test can be observed?*

No The researcher did not find any reference limiting percolation tests to certain months in the Title V supplements. From Section IV. General Regulations, 14. Construction Inspection and Soil Testing Limitations, "Inspections shall not be made when the snow covers the ground, nor shall soil tests be performed in frozen soil."

Also from Section VII. Specifications for Systems, 2. Percolation and Water Table Data, "For new construction, applications for percolation testing and high ground water testing during the ground water season shall be submitted prior to April 1st. Testing shall not be performed during the current year for the applications received after that date."

(Medfield BOH OSDS Regulations, Adopted 1995)

Medway *Does the municipality restrict times of year when a percolation test can be observed?*

Yes "Percolation tests shall not be made in test holes that have remained open to the atmosphere for more than three consecutive days, nor shall they be made in frozen ground."

Medway Board of Health, Rules and Regulations for the Subsurface Disposal of Sanitary Sewage, Section A5 (2/92, revised 2/95).

Merrimac *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Merrimac regulations to times of year when a percolation test can be observed.

Middleborough *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the septic regulations to time of year when percolation tests can be observed.

Middleton**Does the municipality restrict times of year when a percolation test can be observed?****Yes**

The Middleton regulations provide the following regarding timing of percolation tests:

"Percolation (perc) Testing shall be performed from March 1 (providing frost is out of the ground) to June 30 and from October 1 to November 30 for new construction. Soil testing and perc testing may be allowed, at the discretion of the Board of Health, any time during the year for repairs or upgrades to existing systems. The minimum air temperature during testing shall be 40 degrees (F) except for emergency testing." Town of Middleton Rules and Regulations for On-Site Wastewater Disposal Systems, Section 2.01(a) (applicable as revised 4/5/00).

Millbury**Does the municipality restrict times of year when a percolation test can be observed?****No**

From Section B, Percolation And Soils Evaluation Testing Procedures, (3), "[p]ercolation and soils evaluation tests may be made at any scheduled time during the year."

(Town of Millbury Board of Health Title 5 Procedures, Adopted 1999)

Millis**Does the municipality restrict times of year when a percolation test can be observed?****Yes**

The Millis regulations provide that: "all percolation tests and deep hole tests will be done between November 15th and April 30th." Millis Board of Health Subsurface Sewage Disposal Systems Regulations, Section 6(H) (effective 9/1/95)

Natick**Does the municipality restrict times of year when a percolation test can be observed?****No**

According to Roger Wade, Director of Public Health, (8/5/04) Natick allows percolation tests to be observed anytime of the year.

**NOTE: ACCORDING TO MR. WADE THIS PRACTICE IS "contrary to what the regulation says."

Board of Health Regulations, Section 19: "percolation tests shall not be accepted if performed in the months of June, July, August or September." Natick Board of Health Regulations, Chapter 5, Section 19 (November 9, 1992).

Newbury**Does the municipality restrict times of year when a percolation test can be observed?****No**

No reference in the Newbury regulations to times of year when percolation tests can be observed.

Norfolk**Does the municipality restrict times of year when a percolation test can be observed?****Yes**

The Norfolk Regulations provide one exception to when percolation tests can be done: " Percolation tests may be conducted at any time of the year, unless that time period is suspended by a vote of the Board of Health, because of excessively dry or freezing weather conditions." Norfolk Board of Health Regulations for the Siting, Construction, Inspection, Upgrade, Repair, and Expansion of On-Site Wastewater Disposal Systems, Section VII, Part 2 (adopted 2/11/97).

North Andover *Does the municipality restrict times of year when a percolation test can be observed?*

Yes The North Andover regulations provide that "soil testing shall be performed between March 1st and November 20th unless soil conditions, such as extreme wetness or drought, preclude testing. This determination shall be at the discretion of the Town Health Agent/soil evaluator." Town of North Andover, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, Section 2.01 (revised June 1997).

North Attleboro *Does the municipality restrict times of year when a percolation test can be observed?*

No "Percolation tests may be performed all year. Water tables will only be determined in the wet season during the months of January through April. The Board of Health may adjust the wet season dependent upon the amount of rainfall. Town of North Attleboro Rules and Regulations for Septic Systems & Cesspools, Section VI (A), (Adopted 1998).

North Reading *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the North Reading Regulations to a time limitation on percolation tests.

Northbridge *Does the municipality restrict times of year when a percolation test can be observed?*

No From Section B.3, "[p]ercolation and soils evaluation tests may be made at any scheduled time during the year."
(Town of Northbridge Code of Regulations - Sewage Disposal, Amended 1999)

Norton *Does the municipality restrict times of year when a percolation test can be observed?*

No "Percolation tests are conducted year round."
From Norton Rules and Regulations of the Board of Health, Section 3.4 (Revised 2002).

Norwell *Does the municipality restrict times of year when a percolation test can be observed?*

Yes The Norwell regulations provide that "There will be no percolation testing done in the months of July, August and September for new construction." Town of Norwell Board of Health Rules and Regulations, Sanitary Disposal of Sewage, Management of Private Water Supplies, & Floor Drainage Regulations, Part 2, Section 4 (adopted 8/13/73, effective with amendments and revisions 1/1/04).

Pembroke

Does the municipality restrict times of year when a percolation test can be observed?

No

"Percolation tests may be performed at any time of the year provided the soil to be tested is below the frozen soil layer."

From the Pembroke Subsurface Sanitary Sewage Disposal, Section 15.104 (6).

Pepperell

Does the municipality restrict times of year when a percolation test can be observed?

No

No reference in the Pepperell regulations to a restriction on the times of year when percolation tests can be observed.

Plainville

Does the municipality restrict times of year when a percolation test can be observed?

No

From 5.4.10 CONSTRUCTION INSPECTION AND SOIL TESTING LIMITATIONS:
"Inspections shall not be made when snow covers the ground, nor shall soil tests be permitted in frozen soil."

From 5.6.2 PERCOLATION AND WATER TABLE DATA
"Percolation tests may be conducted at any time of the year, unless that time period is suspended by a vote of the Board of Health, because of excessively dry or freezing weather conditions..."

For new construction, applications for percolation testing and high ground water testing during the ground water season shall be submitted prior to April 1st. Testing shall not be performed during the current year for the applications received after that date."

(5. PLAINVILLE BOARD OF HEALTH REGULATIONS FOR THE SITING, CONSTRUCTION, INSPECTION, UPGRADE, REPAIR, AND EXPANSION OF ON-SITE WASTEWATER DISPOSAL SYSTEMS, Adopted 1996)

Plymouth

Does the municipality restrict times of year when a percolation test can be observed?

No

No reference in the Plymouth regulations to times of year when percolation tests can be observed.

Plympton

Does the municipality restrict times of year when a percolation test can be observed?

No

From the amendment to 15.104,(6) "Percolation tests may be performed at any time of the year provided the soil to be tested is below the frozen soil layer."

(Plympton Board of Health Title V Amendments)

Raynham

Does the municipality restrict times of year when a percolation test can be observed?

Yes

"The time period during which percolation tests and soil evaluations may be conducted shall be March 1st, to May 31st of each year. The season may be extended by vote of the Board of Health. The Board of Health or its agent may allow individual lots to be "soil tested" out of season where a hardship can be demonstrated and the request for "testing" is made in writing." From the Town of Raynham Septic Regulations, "Design and Construction" (Adopted 2003).

Rehoboth**Does the municipality restrict times of year when a percolation test can be observed?**

No No reference in the Rehoboth regulations to times of year when percolation tests can be observed.

However, in amendment 4.2, the town of Rehoboth does restrict the time period for high groundwater elevation testing. "High groundwater elevation may be determined during the months of January through April. The Rehoboth Board of Health may allow high ground water elevation determination from time to time during periods when USGS wells correlating comparisons in the water table approximate the average high ground water elevation for the January through April period (frimpta method). The high ground water elevation must be taken a minimum of 48 hours after the pipe installation during the approved periods.

The high water table for the site may be determined at any time during the year when there is clear evidence of mottling and both a certified soil evaluator and the authorized agent of the Rehoboth Board of Health witness and agree on the mottling determination."

(Town of Rehoboth Supplementary Rules and Regulations to the State Environmental Code: Title 5, 310 CMR 15.000 (Rev. E12-10-2002), Amended 2002)

Rockport**Does the municipality restrict times of year when a percolation test can be observed?**

No No reference in the Rockport regulations to a restriction on the months when percolation tests can be observed.

Rowley**Does the municipality restrict times of year when a percolation test can be observed?**

Yes "Percolation tests, including overnight soaks, are not allowed in frozen ground, or at times when the temperature is below freezing, 32 F." Town of Rowley Regulations in addition to Title 5 and Relating to Private Water Supplies and Wastewater, Section 1.2 (Adopted 2002).

Survey received from Rowley on 5/17/05 (completed by Wendy Hansbury):

Does the municipality restrict times of year when a percolation test can be observed?

"Not for repair systems."

Salisbury**Does the municipality restrict times of year when a percolation test can be observed?**

No No reference in the Salisbury regulations to restrictions on times of year when percolation tests can be observed.

Scituate**Does the municipality restrict times of year when a percolation test can be observed?**

No No reference in the Scituate regulations to a limit on the months when percolation tests can be performed.

Sharon

Does the municipality restrict times of year when a percolation test can be observed?

No

7.03 LOCATION

(1) PERCOLATION AND DEEP HOLE TESTS DETERMINATION OF MAXIMUM GROUNDWATER ELEVATION: A minimum of one percolation test, and two deep hole observation holes will be required for each proposed soil absorption system. The Board of Health may require additional tests as warranted by site conditions and the size of the facility. Tests may be performed at any time during the year. The maximum groundwater elevation will be determined by an approved Soil Evaluator and approved by the Board of Health or its Agent.

Town of Sharon, Article 7, Septic Regulations, section 7.03(1) (applicable as amended 1/26/04).

Sherborn

Does the municipality restrict times of year when a percolation test can be observed?

Yes

The Sherborn regulations require percolation tests to be "conducted after November 1st and completed before June 30th." Sherborn Board of Health Regulations, Section I, 5.1(A).

Shirley

Does the municipality restrict times of year when a percolation test can be observed?

No

No reference in the Shirley regulations to times of year when percolation tests can be observed.

Shrewsbury

Does the municipality restrict times of year when a percolation test can be observed?

No

No reference in the Shrewsbury regulations to times of year when percolation tests can be observed.

Southborough

Does the municipality restrict times of year when a percolation test can be observed?

No

No reference in the Southborough regulations to a limit to the months when percolation tests can be observed.

Sterling

Does the municipality restrict times of year when a percolation test can be observed?

No

From Section I. Applications for Lot Testing, "b. Percolation tests may be performed at any time of the year except when the ground is frozen. However, during dry soil condition periods the Board may require overnight saturation of the soil."

(Sterling Board of Health, Adopted 1995)

Stoughton

Does the municipality restrict times of year when a percolation test can be observed?

No The town engineer said (1/4/05) that the Septic Regulations (Adopted Sept. 1976) follow Title 5 in every way except that the area requirement for the leaching fields is doubled.

Stow *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Stow regulations to the times when percolation tests can be observed.

Sudbury *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Sudbury regulations to the time of year when percolation tests may be observed.

Sutton *Does the municipality restrict times of year when a percolation test can be observed?*

No From Section B.3, "[p]ercolation and soil evaluation tests may be made at any scheduled time during the year."
(Sutton Board of Health Title V Amendments, Amended 2003)

Swansea *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Swansea regulations to times of year when percolation tests can be observed.

Tewksbury *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Tewksbury regulations to a limit on when percolation tests can be observed.

Topsfield *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Topsfield regulations to when percolation tests can be observed.

Townsend *Does the municipality restrict times of year when a percolation test can be observed?*

No No reference in the Townsend regulations to times of year when percolation tests can be observed.

Tyngsborough Does the municipality restrict times of year when a percolation test can be observed?

No "Deep holes and percolation tests may be performed year round, clement weather conditions permitting. This period is subject to change at the discretion of the Board or its Agent. All test holes must be backfilled by the end of that work day." From the Town of Tyngsborough's Supplemental Regulations to Title 5, 2.2 (E) (Adopted 1998).

Upton Does the municipality restrict times of year when a percolation test can be observed?

Yes From Section I. Testing (A), "Deephole testing and Percolation testing for new homes shall be taken from September 1, to May 31. The testing session will close during the months of June, July, and August."

(Upton Board of Health Rules and Regulations Section I Title V Supplement, Amended 2003)

Uxbridge Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Uxbridge regulations to restrictions on times of year when percolation tests can be observed.

Walpole Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the Walpole regulations restricting times of year when percolation tests can be observed.

Wayland Does the municipality restrict times of year when a percolation test can be observed?

No The administrative assistant at the Wayland Board of Health (6/9/04) indicated that the provision in Wayland Regulations, Section I (D)(3) for "Ground Water Testing Season" applies also to percolation tests, which differs from some other municipalities that have separate provisions for groundwater testing and percolation testing.

The Wayland Regulations provide that groundwater testing (and percolation testing) can be done year-round, unless the property or subdivision includes three or more lots, in which case testing can only be done between March 1st and May 31st.

Wayland Board of Health Regulations for On-Site Subsurface Sewage Disposal Systems, Section I (D)(3) (Adopted 1974, Revised 1999)

Wellesley Does the municipality restrict times of year when a percolation test can be observed?

Yes No reference in the Wellesley regulations to restrictions on the time of year when percolation tests can be observed.

Survey received from Wellesley (Leonard Izzo) marks the answer: "Yes March/April"

West Bridgewater Does the municipality restrict times of year when a percolation test can be observed?

No No reference in the West Bridgewater regulations to times a percolation test can be observed.

West Newbury Does the municipality restrict times of year when a percolation test can be observed?

Yes From Section I, C.1, "[a]ll new construction percolation tests and observation pit inspections will be performed during the perc season as defined by the Board of Health. No testing will be done before or after the established dates without an approved variance from the Board of Health. The Board of Health may adjust the dates depending on the wetness of the season."

(West Newbury Board of Health Regulations for Percolation Testing and Septic Systems, Adopted 2003, Amended 2003)

For further clarification, the researcher contacted the health agent, Paul Sevigny, via email. In an email received 10/20, he said, "[t]he Board sets the dates every year (spring and fall), April, May, and June and then Sept., Oct., and Nov."

Westford Does the municipality restrict times of year when a percolation test can be observed?

No The Westford regulations provide that: "Percolation testing may be conducted any time during the year." Westford Board of Health Regulations, Requirements for the Subsurface Disposal of Sanitary Sewage, Section 3.0 (undated).

Weston Does the municipality restrict times of year when a percolation test can be observed?

No No reference in Weston regulations to time of year when percolation tests can be observed.

Wilmington Does the municipality restrict times of year when a percolation test can be observed?

Yes Town of Wilmington Massachusetts Board of Health Code of Regulations, Section 5.9.9 (Adopted 1989, Revised 2004)

5.9.9 Water and percolation testing shall not continue beyond November 30 except for the repair, replacement, or upgrade of existing systems found to be in failure unless otherwise authorized by the Board of Health.

Wrentham Does the municipality restrict times of year when a percolation test can be observed?

No From Section 2. Percolation and Water Table Data, "Percolation tests may be conducted at any time of the year, unless that time period is suspended by a vote of the Board of Health, because of excessively dry or freezing weather conditions.... For new construction, applications for percolation testing and high ground water testing during the groundwater season shall be submitted prior to April 1st. Testing shall not be performed during the current year for the applications received after that date."

(Wrentham BOH OSDS Regulations, Adopted 1996)
