



# TOWN OF WAYLAND

## WASTEWATER MANAGEMENT DISTRICT COMMISSION

### GUIDELINES FOR ABATEMENT/ADJUSTMENT OF SEWER USAGE CHARGES

#### SECTION I. GENERAL

1. An abatement can only be granted once per lifetime per household.
2. The deadline for an application for abatement/adjustment is 90 days after the issuance date of the bill in dispute.
3. Applications normally will be considered by the Wastewater Management District Commission (WWMDC) or an agent designated by the WWMDC within 35 days of their receipt by the Wayland Wastewater Department.
4. The hearing date can be postponed by mutual agreement between the applicant and the Commission if necessary to complete investigation or documentation (*e.g.*, a pending application before the Board of Public Works for a water usage abatement).
5. If you are unable to attend a hearing due to physical impairments, please advise us. You may waive your right to be present at the hearing. If you have not waived your right to be present at the hearing but, nevertheless, do not appear at the first scheduled hearing, your hearing will be automatically delayed until the following Commission meeting. Failure to appear on the second scheduled hearing date will constitute a waiver of the right to be present.
6. An application for abatement/adjustment will not be considered unless all prior bills on the account (including interest and penalties) are paid, and a payment is made on the bill in dispute in an amount equal to the bill issued for the same period in the prior year. Applicants who do not have a prior billing history may request that the Commission determine an appropriate amount to be paid. This will generally be based on historic data of a comparable property. Unless otherwise agreed to by the Commission in writing, this amount must be paid for the abatement application to be considered.
7. Interest and penalties will accrue on any amounts not paid by the original "due date" on the bill; however, if an abatement/adjustment is granted, interest and penalties on that amount will also be abated.
8. Applicants will be provided a written copy of the determination of the Commission. Any refunds due to users generally will be processed for payment within 30 business days following the Commission's decision.
9. Applicants may be asked to submit supplementary information to support the application for abatement/adjustment. Unless otherwise specified, this information must be provided within five business days of the request.
10. Wastewater charges are calculated using a combination of variable and fixed measurements. The variable portion is based on imputed input of wastewater into the WWMDC system (equal to a property's metered water usage). The fixed portion is based on the property's assigned design flow as defined in Massachusetts Title V regulations at 310 CMR 15.203 (hereafter "assigned design flow capacity"). Even if a property is currently using no water, the owner is still responsible for the portion of the wastewater usage bill that is based on assigned design flow capacity.

## **SECTION II: QUALIFIED REASONS FOR ABATEMENT (COST REDUCTION)**

To receive an abatement, documentation must be provided to support the fact that the one of the following conditions have occurred.

- a. **Major Leak** - When excessive water usage was due to a previously unknown major leak on the property, documentation must include the plumbing repair bill(s) and/or the receipt for parts used to fix the leak. Please note that an abatement will not be granted if a homeowner is made aware of a leak and does not make the necessary repairs to remedy the problem.
- b. **Major Repair or Pool Fill** – When water usage is in excess of 125% of the average quarterly bill for the prior year, it must be demonstrated that the excess water was not input into the WWMDC system. In the case of a repair or initial pool fill, the applicant shall have a licensed contractor complete and sign the **Major Repair/Excess Water Usage Verification Form**. The applicant shall provide the completed form along with any invoices in support of the application. Other documentation (such as meter readings before and after a pool fill) can also be helpful.

## **SECTION III: QUALIFIED REASONS FOR ADJUSTMENT (READ/BASE CHARGE ERROR)**

To receive an adjustment, documentation must be provided to support the fact that the one of the following conditions have occurred.

- a. **Clerical Error** - A clerical error on the wastewater usage/reading on the bill must be proven and accompanied by a water bill adjustment granted by the Board of Public Works (BOPW) or an agent designated by the BOPW.
- b. **Faulty Water Meter** - If your water usage reading was the result of a faulty meter, please provide documentation from the Wayland Water Department/Board of Public Works as to the determination of the correct usage.
- c. **Incorrect Assigned Design Flow Capacity** - User shall submit supporting documentation (e.g. Sewer Use Application). Please note that any abatement with regard to assigned design flow capacity must be based only on errors in the stated design flow capacity for the property being billed. Abatement requests based on capacity allocations of other users will be summarily denied without hearing.
- d. **Approved Change of Assigned Design Flow Capacity** – A request for reduction in assigned design flow capacity must be reviewed and approved by the WWMDC.

**Completed Applications for Abatements/Adjustments and supporting documentation must be submitted to:**

**Wastewater Management District Commission  
Wayland Department of Public Works  
66 River Road  
Wayland, MA 01778**

**OR**

**via email to [Wastewater@wayland.ma.us](mailto:Wastewater@wayland.ma.us)**

Upon the Commission's decision, any unpaid balances are due as of the "due date" stated on the original bill. Late payments are subject to interest and penalties.