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Acton Board of Health

Room 126, Acton Town Hall
Acton, MA 01720

October 28, 2013

Members Present: Michael Kreuze -Chairman, Dr. William Taylor, Joanne Bissetta and Mark Conoby
Robert Oliveri-Associate with Voting Rights for absent William McInnis.

Staff Present: Sheryl Ball-Health Agent
Weiyuan Sun-Administration

Other Present: Robert St. Mary, David Schofield, Matthew Dutra, Peg Mikkola and Gerard Mazzola

Location: Room 126, Town Hall, Acton, MA 01720

The meeting was called to order at 7:32 P.M.

Minutes

On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to approve the Board of Health minutes dated October 7, 2013 as amended.

9 Laurel Court- Variance

The owners of the property have requested a variance from 310 CMR 15.240(1) to allow for a 2' reduction of the required 4' separation between the bottom of the SAS to allow for replacement of the malfunctioning onsite wastewater system located at 9 Laurel Court in Acton . The Health Department reviewed this request and finds that the system is designed with a Presby Enviro-Septic and meets Mass DEP approval. The applicant has submitted all the required documentation, including a proof plan showing that a conventional Title 5 system could be constructed on site should the Presby system encounter difficulties in the future. The Health Department recommends that the Board of Health approve this variance request.

On a motion made by Mr. Conoby, seconded by Dr. Taylor, the Board unanimously voted to approve a variance from 310 CMR 15.240(1) to the property located at 9 Laurel Court with the following conditions:

1. The system be constructed in accordance with a plan to be stamped by David Schofield, PE dated 10/11/2013.
2. At all times until the system is decommissioned, it shall operate in accordance with the most recent Remedial Use Approval for the Presby Enviro-Septic System, issued by Mass DEP.
3. No substantial field changes to the approved plan shall be allowed without first obtaining Engineer consent in writing and submitted to the Health Department for approval.
4. An effluent tee filter shall be added to the plan.

Acton Funeral Home-Agent

The Health Department requested the Board of Health appoint Kathleen Boyle, Acton Funeral Home as a Board of Health agent for the purpose of signing burial permits. The Massachusetts Department of Public Health, Registry of Vital Records and statistics is implementing an Electronic Death Registration System (EDRS). This will allow multiple death registration and filing of death records on-line. Ms. Boyle of Acton Funeral Home was approached by the Health Department regarding becoming the agent for the Board of Health in issuing burial permits. Also, Ms. Boyle has previously been given the permission to sign death certificates during the weekends. The Board was concerned with the protocol and procedure allowing Health Agents to sign the burial permits without adequate training to identify communicable diseases. The Board asked the Health Department to provide an update at a future meeting with either a copy of the policies or have Ms. Boyle attend a Board meeting.

On a motion made by Mr. Conoby, second by Mr. Bissetta, the Board voted to appoint Kathleen Boyle as a Board of Health Agent..

Alternative Automotive Paint Restoration -Hazardous Materials

The Health Department received a Hazardous Material Application for a Mobile Hazmat permit from Alternative Automotive Paint Restoration. Mr. St. Mary, owner of the business has a mobile truck in which he carries paint thinners, propane and numerous paints to various sites in Acton to do minor paint restoration. The Health Department has reviewed this application and finds that they meet category 4: "Hazardous Materials User" and 9: "Hazardous Materials Storer Small Industry". Mr. St. Mary, was present and discussed the operations of his business.

On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to approve the Hazardous Material Control Permit to Alternative Automotive Paint Restoration with the following conditions:

1. All liquid Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDSs must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Waste must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
7. All Hazardous Materials Containers shall be labeled and dated when filling first began.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.

11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
25. Prior to any new chemical or processes being used, the Board of Health shall be notified.
26. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments.

Wind River Environmental LLC- Hazardous Materials

The Health Department received a Hazardous Material Application- from Wind River Environmental, LLC, a Septic/Grease Removal Services company which is already in business in Acton. They were found to not have been permitted while performing an annual inspection of the oil tanks at 54 Knox Trail. Mt. Matthew Dutra, representing Wind River Environmental was present and discussed the use and storage of oil onsite. The Health Department has reviewed this application and finds that they meet category 4: "Hazardous Materials User", 9: "Hazardous Materials Storer Small Industry" and 12: "Hazardous Waste Storer Small Industry". On a motion made by Ms. Bissetta, seconded by Mr. Oliveri, the Board unanimously voted to approve the Hazardous Material Control Permit to Wind River Environmental LLC with the following conditions:

1. All liquid Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDS must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (Telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Wastes must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.
11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
12. No Hazardous Materials or Wastes shall be discharged into a sink or toilet.

14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
25. Prior to any new chemical or processes being used, the Board of Health shall be notified.
26. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments.
29. All exterior above ground storage tank areas shall have secondary containment, as well as be protected from the elements and have restricted access from the public.

Department Status Reports

- The Board signed a Septic Loan for 20 Billings St.
- The Board would like an update from the W.R. Grace Court hearing on November 18, 2013.
- The Board received the Board of Health meeting schedule for 2014.

Adjournment

On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board voted to adjourn at 8:37 P.M.

Respectfully Submitted,



Weiyuan Sun
Acton Board of Health



Michael Kreuze -Chairman
Acton Board of Health