

Acton Board of Health
Room 9, Acton Town Hall
Acton, MA 01720

February 1, 2016

Members Present: Michael Kreuze –Chairman, William McInnis, Dr. William Taylor, Joanne Bissetta, and Mark Conoby

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

Other Present: Can Ozbal, Corey York, Matthew Mostoller, Chris Bruet, John Delaney, DaveArmstrong, Jim Snyder-Grent, Peg Mikkola, Kaite Green, Dr. John Swalow, Pamela Cochrane, David E. Cochrane, Terra Friedrichs and William Hall

The meeting was called to order at 7:34 p.m.

Minutes

On a motion made by Dr. Taylor, seconded by Ms. Bissetta, the Board unanimously voted to approve the Board of Health minutes dated October 26, 2015 as amended.

Hazardous Material Application- PureHoney Technologies

The Health Department received a request for a Hazardous Materials Control Application from Mr. Can Ozbal, president & CEO of PureHoney Technologies Inc., located at 55 Knox Trail, suite 410. Since November 15, 2014, the company performs contract research in drug discovery; and focuses on chemical testing and analysis of potential new pharmaceutical compounds.

Mr. Ozbal pointed out that all chemicals are surrounded by 110% secondary containment, they offer annual training for their employees of 3 and they hold a Hazardous Material permit from DEP. Mr. Matthew Mostoller, Acton Water District, Environmental Compliance Manager of Water Supply District of Acton mentioned that he reviewed these documents and has no concerns with the granting of this permit. On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to grant a Hazardous Materials Permit in categories of 4, "Hazardous Materials User" 9: "Hazardous Materials Storer Small Industry," and 12: "Hazardous Waste Storer Small Industry." to Pure Honey Technologies Inc. , 55 Knox Trail 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.

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.
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.
13. A safety eye wash station shall be installed where any Hazardous Materials are stored or used.
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.

Ten Day Emergency Beaver Trapping Permit- Nashoba Brook Conservation Land

The Health Department received a request from Mr. Dave Armstrong, USGS to allow for a ten day emergency beaver trapping permit due to the beaver activities on Nashoba Brook Conservation Land. The board members listened and discussed issues such as removal of fallen trees across the pond, gaging station flooding, and streamflows. Ms. Terra Friedrichs asked how many beavers are located in this area. Mr. Armstrong stated that there is a family of 4. The board requested that the Conservation Commission grant the USGS written permission to allow this emergency trapping permit and continued this subject to the next meeting. On a motion made by Mr. Conoby, seconded by Bissetta, the Board unanimously voted to continue this issue to February 22, 2016.

Acton Board of Health Rules and Regulation – Article 2

This public hearing proposed changes to Acton Board of Health Rules and Regulation – Article 2

2.6.2. The changes are as follows: All Commercial Haulers shall provide an integrated waste management service whereby collection of recyclables is provided to all trash collection customers. On an annual basis Commercial Hauler shall provide the following information:

1. Update Customer list
2. Degree of service provided
3. Annual aggregate tonnage
4. Annual percentage of recycling
5. Pick-up Schedule

Mr. John Delaney was present on behalf of Charles George Trucking and stated he is third generation of commercial haulers. Mr. Delaney stated that the information we are seeking is easily obtainable for the larger haulers and some of the smaller companies would be able to calculate the figures based on their customer list. Mr. Delaney stated that some companies track yardage and that we should amend the reporting of annual aggregate tonnage to give the option of tonnage or yardage. Mr. Delaney also pointed that they consider a full container to be about 90% full. For instance, the larger communities usually have recycle containers or a recycle program; apartments have no recycle service. The board stated that they would like to give the Commercial Haulers more time to give their feedback and would like to continue this hearing until the next meeting. On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to keep this hearing open in order to receive additional comments and continue this issue to February 22, 2016.

Variance -241 Central Street

The Health Department has received a request for a variance from Stamski and McNary for the property located at 241 Central Street. Mr. Hall, on behalf of their client, Eleanor Mathews pointed out that this design utilizes a Presby advanced Enviro- septic soil absorption septic system. The Presby system allows for a 40% reduction in system size and a 2' reduction to estimated seasonal high water table. The variances requested are for a reduction of septic tank setback from property line from 10 feet to 8 feet; Reduction of septic tank setback to house cellar wall and slab foundation from 10 feet to 6 feet; and Reduction from 6' separation from groundwater table to 3' within zone 3.

On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to grant a variance to 310 CMR 15.405 (1)(a), 310 CMR 15.405 (1)(b) and Acton Rules and Regulations Article 16-6.2.5 for the property located at 241 Central Street as following conditions:

1. The system shall, at all times, be maintained in compliance with the most recent Remedial Use Approval issued by MADEP for the Presby Enviro-Septic System.
2. The septic tank shall be pumped a minimum of once every two years.
3. The soil absorption system shall be staked by a Professional Land Surveyor.
4. The system shall be constructed in accordance with the above listed conditions and the plan stamped by George Dimakarakos dated December 28, 2015.

Variance -198 Central Street

The Health Department has received a request for a variance from Stamski and McNary for the property located at 198 Central Street. Mr. Hall representing the client stated that the following variances are required:

1. Reduction of septic tank and pump chamber setback from cellar wall, crawl space or slab foundation from 10 feet to 5 feet and 8.4 feet, respectively.
2. Reduction from 5' required high groundwater separation to 3' separation as allowed by MassDEP remedial use approval for Presby Environmental.
3. Reduction from 100' from wetlands and flood plain to:-58' wetland to leach field, -43' wetland to pump chamber and -55' wetland to septic tank. Also, -14.6' flood plain to leach field,-13' flood plain to pump chamber and -26' flood plain to septic tank

On a motion made by Mr. Conoby, seconded by Dr. Taylor, the Board unanimously voted to grant a variance from 310 CMR 15.405(1)(b), Acton Rules and Regulations Article 16-6.2.5 and Article 16-6.2.7 for the property located at 198 Central Street with the following conditions:

1. The system shall, at all times, be maintained in compliance with the most recent Remedial Use Approval issued by MassDEP for the Presby Advanced Enviro-Septic System.
2. The septic tank shall be pumped a minimum of once every two years.
3. The effluent tee filter shall be maintained and cleaned at least annually.
4. The system shall be constructed in accordance with the above listed conditions and a plan stamped by a representative of Stamski and McNary with revisions to the pump line, which are satisfactory to the Acton Engineering Department.

Adjournment

On a motion made by Mr. Conoby, seconded by Dr. Taylor, the Board voted to adjourn at 9:30P.M.

Respectfully Submitted,



Weiyuan Sun
Acton Board of Health



Michael Kreuze -Chairman
Acton Board of Health