

Acton Board of Health

Room 126, Acton Town Hall
Acton, MA 01720

March 28, 2016

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

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

Other Present: Jonathan Markey, Katie Green, Peter Henry, Russell Carpenter, Tim Palmer, Wyn Michaels and Peg Mikkola

The meeting was called to order at 7:33 p.m.

Health Director Appointment- Sheryl Ball

The Health Department has hired Ms. Sheryl Ball as a Health Director to replace Doug Halley. Ms. Ball has worked for the Town of Acton more than 30 years and an inspector for 10 of those years. On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to approve Ms. Sheryl Ball as a Health Director, Town of Acton Health Department.

Variance- 363 Arlington Street

The Health Department received a request from Markey & Rubin Engineers on behalf of the property owners at 363 Arlington Street. The existing system is in failure. Mr. Jonathan J. Markey requested a reduction of the setback from 100' to 53' from flood plain and/or wetlands; as well as reduction to groundwater from 6' to 5'. The Health Department has reviewed these plans and find maximum feasible compliance and recommends approval of the variances.

On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board of Health unanimously voted to grant the variance from Article 16-6.2.7 and Article 16-6.2.5 with the 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 PERC-RITE Drip Dispersal System.
- 2) The septic tank shall be pumped a minimum of once every two years.
- 3) The system shall be constructed in accordance with the above listed conditions and the plan stamped by Jonathan J. Markey, dated 3/17/2016 or final revision date.
- 4) The home owner shall notify South Middlesex Registry of Deeds.
- 5) The new homeowner shall be notified of the innovative/alternative system on site.
- 6) The service contract must be maintained by the homeowner.

Hazardous Material Application-True West Brewery

The Health Department received a request for a Hazardous Materials Control Application from Mr. Peter Henry, owner of True West Brewery, located at 525 Massachusetts Avenue.

After an inspection, it was discovered that bulk acids and base solution for cleaning of brewing equipment would need to be permitted in compliance with the Hazardous Materials Control Bylaw. The Health Department recommends the following categories: 4: "Hazardous Materials User," 9: "Hazardous

Materials Storer Small Industry, and 12: "Hazardous waste Storer Small Industry." All brewery waste goes into a tight tank which is pumped on a regular basis.

On a motion made by Dr. Taylor seconded by Ms. Bissetta, the Board unanimously voted to approve True West Brewery located at 525 Massachusetts Avenue

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.

Discussion- Acton Board of Health Rules and Regulation Article 2

The Board discussed Board of Health Rules and Regulation Article 2. On a motion made by Mr. McInnis, seconded by Dr. Taylor, the Board unanimously voted to approve Board of Health Rules and Regulation Article 2 as following conditions:

2.6.2 All (Commercial) Solid Waste Haulers must provide all customers with recycling services. On an annual basis, no later than 60 days after the end of the calendar year, each (Commercial) Solid Waste Hauler shall provide the following information:

1. Current service list
2. Type of service provided

3. Annual aggregate tonnage or yardage of solid waste and recycling
4. Annual percentage of recycling
5. Pick-up Schedule

2.6.3. Medical waste Haulers are exempt from this requirement.

2.6.4 This requirement shall be valid until June 30, 2021 with option of continuation by the Health of Health.

E- Cigarettes & Supplies-168 Great Road

The Health Department received a request for an application for a tobacco control permit for E-Cigarette & Supplies Retail store to be located at 168 Great Road, Acton. The Health Department recommends approval.

On a motion made by Dr. Taylor seconded by Ms. Bissetta, the Board unanimously voted to approve the permit with the following conditions:

1. Retail Sales only. Premises shall be posted with no-smoking sign.
2. Compliance with Acton Rules and Regulations Article 18 is required.
3. The License is not transferable.
4. Fire extinguisher shall locked container.
5. "Tobacco 21" sign and sticker shall display on the wall.

Adjournment

On a motion made by Ms. Bissetta, seconded by Mr. Conoby, the Board voted to adjourn the meeting at 9:00 P.M.

Respectfully Submitted,



Weiyuan Sun
Acton Board of Health



Michael Kreuze -Chairman
Acton Board of Health