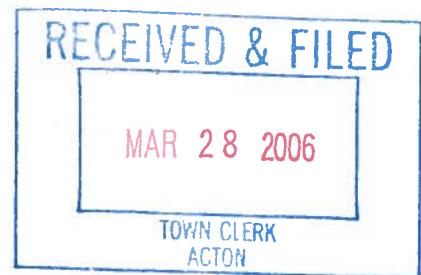


Acton Board of Health

Minutes

January 9, 2006



Members Present: William McInnis, Chairman, Pam Harting-Barrat, Member, Joanne Bissetta, Member, Dr. Bill Taylor, Member and Philip Alvarez (Associate voting for Mark Conoby).

Staff Present: Brent Reagor and Sheryl Ball.

Others Present: Debra Simes, Mary Michelman, Karen Ferreira and Ashley Barrat

The meeting was called to order at 7:35 p.m.

Minutes

On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to accept the minutes of December 12, 2005 as amended.

Quail Ridge Country Club (QRCC) – Hazardous Materials Control Permit Application:

The Health Department is in receipt of an application for a Hazardous Materials Control Permit from Quail Ridge Country Club (QRCC). Initially, the Hazardous Materials stored on site are limited to an approximately 10,000 square foot maintenance building, however, over the next few years it is anticipated that the operation of the facility will increase dramatically. The building has been set up to accommodate many different types of uses. They also have installed a complete recycling system which cleans and treats the used water so it can be reused again. There will also be a roll over chemical mix pad installed which will allow the chemicals to be mixed on a aluminum deck which acts as containment if a spill were to occur. QRCC has also retained ENSR as a third party environmental monitor. The Health Department recommends issuance of permit categories #2, Small Hazardous Waste Generator, #4- Hazardous Materials

User and #8-Hazardous Material Storer Large Industry. On a motion made by Mr. Alvarez, seconded by Ms. Bissetta, the Board unanimously voted to grant a Hazardous Materials Control Permit to QRCC 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 (MSDS's) for the Hazardous Materials shall be maintained on site. MSDS's 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 (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.
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 or wastes are handled 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.
23. Directions written in two languages, English and a second language used by two or more employees (when applicable), shall be posted in clear view, listing emergency procedures.
24. Visual monitoring of all spill containment vaults and tanks shall be made every six months with a log of the inspections kept on site and a report given to the Board of Health if any spill containment vaults or tanks have received any Hazardous Material spills since the last inspection.
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.
27. Fertilizer stored in the maintenance garage shall be kept in a separate, locked, fenced area, which shall include secondary containment systems for any liquid fertilizer products.

21 Nagog Hill Road – Variance

The Health Department is in receipt of a request for a variance to 310 CMR 15.405(1) for a reduction in the required setback from the SAS to a foundation wall for the property located at 21 Nagog Hill Road. The Health Department has reviewed the plans and finds that construction is limited to the lot line arrangement, placement of the existing house and the presence of bordering wetlands. In order to meet the distance to the foundation wall a reduction in the size of the leaching system would be required. The plan has been designed with a 2,000 gallon two compartment tank in order to provide environmental compensation. Mr. McInnis asked to have a poly barrier installed between the foundation and the leaching field in order to provide added compensation. The plan has been designed to meet maximum feasible compliance. On a motion

made by Dr. Harting-Barrat, seconded by Dr. Taylor, the Board unanimously voted to grant a variance from 310 CMR 15.405(1) to the property located at 21 Nagog Hill Road with the following conditions:

1. The septic tank is pumped at least once every two years.
2. A 40 mil poly barrier shall be installed on the eastern edge of the system. 5' off the edge of the system.
3. The system is built in accordance with a plan stamped by Paul McNulty, PE dated 12/12/2005.

Karen Ferreira – Massage Practitioner

The Health Department is in receipt of an application for a license to practice massage from Karen Ferreira. Ms. Ferreira has completed all of the necessary documentation and will be working out of a licensed establishment (Massage for Health of Acton, Acton, MA). Ms. Ferreira recently graduated from the Charles River School of Shiatsu. The Board asked Ms. Ferreira to provide a letter of reference from a teacher or doctor prior to renewal of the permit in May, 2006. Ms. Ferreira stated that she has helped with regulation changes and volunteered to help the Board with any regulation changes. On a motion made by Dr. Taylor, seconded by Dr. Harting-Barrat, the Board unanimously voted to grant a Massage Practitioner permit to Karen Ferreira conditioned on submitting a professional reference prior to renewal in May, 2006.

Massage Practitioners Regulations

The Board made some amendments to the proposed changes to Article 13, Massage Regulations and stated that they would like a public hearing scheduled on February 13, 2006.

Other

Environmental Fill Standards - Mary Michelman stated that the Environmental Fill standards will be discussed by the Board of Selectmen on January 23, 2006. Dr. Taylor asked about the developer's role in testing the fill. Mary Michelman stated that this has been discussed with the committee and has been determined not to be politically feasible at this time. It was also stated that the public hearing will only be addressing amendments to the current Hazardous Materials Control Bylaw. All amendments will be

complete prior to public hearing. Mr. McInnis stated that he wants the BOH to suspend their meeting for the time specific to attending the BOS meeting on January 23, 2006.

APHNS – Mr. McInnis stated that he would like to be present to discuss the financial data of the APHNS and cannot attend the Board's meeting scheduled for January 23, 2006 and asked the Board if they would be willing to reschedule the meeting until February 13, 2006. The Board was in agreement. Dr. Taylor also asked the APHNS to submit a couple of year's worth of quality control data.

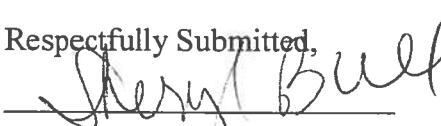
Mosquito Control – Dr. Taylor asked why the mosquito control people were cleaning the culverts. It was stated that they are cleaning out stumps and leaf debris from the culverts to prevent stagnant water from accumulating.

Lyme disease – Lyme disease has increased in Acton possible due to the high deer population.

Minutes – Ms. Michelman stated that since the December 12, 2005 minutes were accepted by the Board she wanted to clarify that it is her personal recommendation that the fill be tested and it is not the committee's viewpoint.

Adjournment

On a motion made by Ms. Bissetta, seconded by Mr. Alvarez, the Board unanimously voted to adjourn the meeting at 8:50 p.m.

Respectfully Submitted,

Sheryl Ball, Health Secretary
Acton Board of Health


William McInnis, Chairman
Acton Board of Health