

HEARINGS, MEETINGS, LICENSES

6/29/15



The Board of Selectmen, acting in its capacity as the Board of Health, will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, June 29, 2015 at 7:30 PM, for the purpose of adopting Body Piercing Regulations for the Town of Middleborough. Anyone wishing to be heard on this matter should appear at the time and place designated.

Allin Frawley
Leilani Dalpe
John M. Knowlton
Diane Stewart
Stephen J. McKinnon
BOARD OF SELECTMEN

Publish: June 18 & 25, 2015

Private party responsible for payment

Town responsible for payment

Please provide Selectmen's office with amount due.

Advertiser #300074

TOWN OF MIDDLEBOROUGH- BOARD OF HEALTH

BODY PIERCING REGULATIONS

RATIONALE: The Town of Middleborough is promulgating rules and regulations which provide minimum requirements to be met by any person performing body piercing upon any individual and for any establishment where body piercing is performed. These requirements shall include, but not be limited to, general sanitation of premises wherein body piercing is to be performed and sterilization of instruments. These rules and regulations are necessary to protect the public's health by preventing diseases, specifically including, but not limited to transmission of hepatitis B and/or human immunodeficiency virus.

In addition, these rules and regulations shall establish procedures for registration with the Middleborough Board of Health of all persons performing body piercing, for the requirement of minimal training standards for the prevention of disease transmission and for knowledge of anatomy and physiology, for regular inspection of premises wherein body piercing is performed, and for revocation of the registration of any person or establishment deemed in violation of the rules and regulations promulgated under this section. An annual, non-transferable registration fee set the Town of Middleborough shall be paid by any person or establishment registered under this section.

SECTION 1- DEFINITION

1. "Body piercing" shall mean any method of inserting a needle into the body to place jewelry in the body, other than in the earlobe, to place jewelry in the perforation produced by the needle. Establishments and/or individuals involved in the piercing of earlobes (only) using approved ear piercing guns are subject only to the General Rules and Regulations found under Section 2 of this ordinance.
2. "Body Piercer" shall mean any person who performs piercing of any part of body other than the earlobe which is pierced by use of an appropriate piercing gun.
3. "Board of Health Permit for Body Piercing" means issuance of a written Board of Health permit authorizing the person named therein to engage in the work of body piercing.
4. Operator shall mean any person who owns, controls, operates, conducts or manages any piercing establishment, whether actually performing the work of piercing or not.

5. "Minor" shall mean any person under the age of eighteen (18).
6. "Piercing Studio" shall mean any room or space where piercing is practiced or where the business of piercing is conducted or any part thereof.
7. "Antibacterial Solution" means any solution used to retard the growth of bacteria approved for application to human skin and includes all products so labeled.
8. "Germicidal Solution" means any solution which destroys germs, and is so labeled.
9. "Sterilization" means holding in an autoclave for thirty (30) minutes, at twenty (20) pounds pressure, at a temperature of 275 degrees Fahrenheit.
10. "Sanitary" means clean and free of agents of infection or disease.
11. "Sanitized" means effective bacterial treatment by a process that provides sufficient concentration of chemicals for enough time to reduce the bacteria count including pathogens to a safe level on equipment.
12. "BOH" means the Middleborough Board of Health.

SECTION 2 - GENERAL RULES AND REGULATIONS REGARDING BODY PIERCING

1. No minors shall receive body piercing, ("minor" shall mean any person under the age of eighteen years), unless accompanied by a parent or legal guardian who has signed a consent form.
2. No piercing of the genitalia shall be allowed.
3. No piercing of animals shall be allowed in piercing studios.
4. Pre-procedural consultation to discuss body piercing, its risks and potential complications shall be required with each client. An informational pamphlet approved by the Health department and an informed consent form shall be signed by all clients. Clients shall be supplied a copy of the consent form and the consent form shall be kept on file by the body piercer. Clients should be told to consult with their physician regarding any medical condition which could be exacerbated by the piercing procedures (i.e., hemophilia, open sores, etc.).

5. Patrons who admit to or are obviously under the influence of alcohol or other judgement altering drugs shall not receive a body piercing.
6. Body piercers shall not be under the influence of any substance, legal or illegal which might impair their judgement or ability to properly perform body piercing.
7. Patrons shall receive verbal and written instructions on the cleaning, use of antiseptics and other specific instructions for each piercing after the piercing, including the signs and symptoms of complications.
8. Appropriate disinfectants must be used to disinfect the surface of the skin in the area to be pierced, prior to piercing.
9. Infections and adverse reactions of any kind suspected from the application of piercing, which become known to the body piercer, shall be reported to the Middleborough Board of Health within 24 hours and the patron referred to a physician for examination.
10. Body piercers who receive needle stick injuries and/or any potential exposure to blood-borne pathogens on the job shall follow OSHA guidelines on the reporting and follow up on needle stick injuries. OSHA guidelines for needle stick follow up shall be posted in employee area. (Code of Federal Regulations 29 CFR 1910.1030 (f)).
11. It is required that body piercers receive the series of Hepatitis vaccinations and tetanus doses or booster shot.
12. The gun used for the piercing of ear lobes only must be disinfected with an EPA-approved disinfectant such as madicide or a similar product.

Failure to comply with any of the above regulations may result in immediate revocation of the permit to operate.

SECTION 3 - BODY PIERCER REGISTRATION.

1. No person, or body piercer shall perform body piercing, display a sign or in any other way advertise or purport to be a body piercer unless that person holds a valid permit with the Middleborough Board of Health.

2. An applicant for registration or renewal shall pay a fee as established by the Middleborough Board of Health and shall show to the satisfaction of the Middleborough Health Department that the applicant:

a. Has complied with the applicable rules on the Middleborough Board of Health.

b. Upon application, has provided evidence in the form of a drivers license/state Identification card or federal identification card that applicant is not less than 18 years of age. A photocopy of the I.D. shall be on file.

c. Upon application, has signed a form consenting to abide by the rules and regulations and recommended procedures on the prevention of disease transmission in body piercing, sanitation, sterilization, handling of infections, universal body fluid precautions) sharp and biologic waste disposal and wound care as stated in the Federal Register of EPA Rules and Regulations on Bloodborne Pathogens.

d. Upon application, shall notify the Middleborough Board of Health in writing of the regular address of the place where the person performs or intends to perform body piercing and shall keep the permit conspicuously posted in the place of business at all times. Body piercers shall operated only out of facilities licensed to perform body piercing. Body piercers shall be required to demonstrate proper sanitary procedures and to develop and submit their policy on infection control to the Middleborough Board of Health.

SECTION 4- MINIMAL TRAINING

Body piercers and their employees must show evidence or current certification and completing of courses in the first two areas) prior to receipt of a permit.

1. Basic Training in First Aid and advanced CPR as well as proof of attendance at required renewal courses.

2. Completion of a course on Prevention of Disease Transmission and Blood borne Pathogens, conducted by an instructor trained and sufficiently knowledgeable to teach this OSHA course. Such knowledge shall include the requirements of standards 29 CFR 19010.1030.
3. Completion of human anatomy and Physiology College level 1 and 2.
4. Body piercing permits shall expire on December 31 of each year.
5. The place of business shall meet all other department requirements.
6. Liability Insurance is required for Body Piercers.
7. Body piercers must present evidence of at least one year of apprenticeship experience with no history of their piercing causing short or long term health problems. Apprentices must register with the Middleborough Health Department when beginning the apprenticeship and comply with 1 through 3
8. Apprentices must apply for an apprenticeship permit from the Board of Health

SECTION 5- FACILITIES AND EQUIPMENT

1. FACILITY

- a. A body piercing facility shall be inspected and approved by the Middleborough Health Department.
- b. Facilities must be located in area zoned for business.
- c. No person is to operate a body piercing facility without first obtaining a permit from the Board of Health
- d. Facility design, furniture, lighting, plumbing, water and sewage must be in accordance with local ordinances.
- e. With the exception of service animals (e.g. guide dogs); no animals shall be allowed on the premises.
- f. The floor and all other surfaces shall be, at all times maintained in a clean condition. The walls and ceilings shall be kept clean in good repair at all times. Light fixtures, decorative materials and similar equipment attached to the walls or ceilings shall be kept clean.

g. Adequate ventilation (such as air conditioning, etc.) to keep the area dry and air circulating should be used. ("Adequate Ventilation" shall mean a free and unrestricted circulation of fresh air throughout the body piercing studio and the expulsion of foul or stagnant air.) The use of a H.E.P.A. ventilation system is highly recommended.

h; Convenient, clean, and sanitary toilet and hand washing facilities shall be made accessible to customers. A sign shall be posted in the bathroom which forbids insertion or handling or piercing/jewelry. The plumbing fixtures and toilet room shall be maintained in a sanitary manner and in good repair. Single service hand towels or mechanical means for hand drying shall be provided.

i. In accordance with state regulations proper biologic waste and sharp disposal of single-use items and needles exposed to body fluids shall be required. Only medical grade sharps containers that are puncture-resistant, with tight-fitting-lids acceptable.

j. Body piercers shall be equipped with appropriate sterilizing equipment. (i.e. a working steam autoclave). Autoclaves must be spore tested monthly by independent laboratories to insure they are working adequately.

k. Body piercers shall be equipped with appropriate cleansing equipment.

2. WORK AREA

a. Each body piercing studio shall have a separate work area not used for any other purpose. No one shall be pierced at any other location in the studio other than the work area.

c. No customer should be allowed to perform their own piercing/insertions anywhere on the premises.

d. Work areas shall not be used as a corridor for access to other rooms.

e. The area where body piercing is to be applied must be performed in a separate room.

f. The floors, chairs and table tops where body piercing equipment and body piercing work is done should be non-porous. Carpet is not permitted as a floor covering in the work area where the body piercing is applied.

g. The work area should be well lighted. Work areas shall have at least fifty (50) foot candles of light measured at the height of the work table.

h. Facilities shall be equipped with sinks and basins with hot and cold running water in the room for the exclusive use of the piercers for washing their hands and preparing their clients for body piercing.

- i. A covered waste receptacle with disposable liner bags shall be located in the work area.
- j. No person shall smoke, consume any food or drink in the work area.
- k. No other activities, (such as hair styling, etc.) shall be performed in any facility designated for body piercing.

SECTION 6- OPERATION PROCEDURES FOR FACILITIES~ BODY PIERCERS

1. SANITARY PROCEDURES BEFORE BODY PIERCING

Body Piercers Shall:

- a. Complete all business transactions.
- b. Complete client consent forms and provide a copy to the client with informational pamphlet.

Regarding Piercers Jewelry:

- a. Client and piercer should have appropriate size and quality jewelry chosen before the procedure begins.
- b. Only appropriate jewelry should be used in piercing. Appropriate jewelry is made of implant grade, high quality surgical stainless steel (316 E series), solid 14k or 18k gold, niobium) titanium, platinum. Appropriate jewelry has no nicks, scratches, or irregular surfaces which might endanger the tissues.
- c. Ear studs or other jewelry designed for earlobe piercing are not appropriate jewelry for other body parts and must not be used by piercers.

2. HAND WASHING & GENERAL HEALTH

Before working on each patron, the body piercer shall:

- a. Inspect hands for small cuts and abrasions.
- b. Refrain from body piercing or handling equipment if they have open sores, weeping dermatitis or lesions on hands or arms until the condition has cleared.
- c. Refrain from body piercing until the condition has cleared, if they have a cold, flu or other communicable disease.
- d. Wash hands, wrists and up to elbows with antibacterial solution.

e. Dry hands thoroughly with single use disposable towel such as a paper towel or air dry under a heat dryer.

f. Put on medical-grade latex (or its equivalent) gloves.

SECTION 7- BODY PIERCING PROCEDURES

Body Piercers Shall:

a. Set up equipment in front of client.

b. Sealed autoclave bags containing any equipment required to be sterile, shall be opened in front of the client, and the autoclave bag discarded.

c. All jewelry contaminated with only airborne pathogens (not previously worn or contaminated) should be disinfected with a non-hazardous hard-surface disinfectant approved by the E.P.A. All jewelry contaminated or potentially contaminated with blood borne pathogens (previously worn by another person) should be autoclaved, stored in sterile indicator bags, sealed and dated.

d. All needles used in piercing must be pre-sterilized, used on one person, in one sitting, for single piercing and immediately disposed of in a medical sharps container.

e. All forceps, tubes, etc. must be pre-sterilized stored in sterile indicator bags, sealed and dated, used on one person, in one sitting. After one such use, they must be autoclaved and stored in sterile indicator bags, sealed and dated.

SECTION 8- DISINFECTION ROUTINE

Body Piercers Shall:

a. Put on fresh gloves for disinfection routine.

b. Move in such manner to avoid re-contamination of surfaces.

c. Discard disposable items and remove from areas.

d. Remove plastic barrier film (if used) and disinfect surface areas, drawer pulls, cabinetry, telephones, lamps, chairs) sinks, ultrasonic tanks, tables, chairs, floor area and any other surfaces that might have become contaminated.

e. Dispose of single use (disposable) lap cloths.

f. Remove gloves, wash hands and discard gloves.

- g. Double bag or use bio-hazard bags and discard materials after each client.
- h. Discard materials in medically appropriate manner.
- i. All reusable non-sterilizable implements such as marking pen should be nonporous and disinfected after each use with an EPA approved hard-surface disinfection liquid. Non-spray wipes for surfaces and liquids for soaking jewelry are preferred over spray disinfectants which may disperse pathogens into the air.
- j. Cleansing with ultrasonic cleaners should be the rule for removal of bacitracin or other triple antibiotic solutions, blood and other particles from a used contaminated implement (i.e. jewelry, forceps, insertion tapers, and pliers) followed by steam autoclave.
- k. Steam autoclave must be used on all equipment that may come in contact with the client or the jewelry (i.e. receiving tubes) rubber bands, insertion tapers, forceps, files, gauge wheels, pliers, etc.). Equipment shall be bagged, dated and sealed and stored in a non-porous, dark dry cool place such as a medical Credenza) etc. Spore indicators shall be used with each load to ensure spore eradication. Instruments shall be autoclaved at a temperature of 273 degrees F under pressure of 20 PSI for 30 minutes from start. Autoclaves shall be spore tested by independent laboratories at least once every month to induce efficacy. Immersion in cold germicidal solutions provides incomplete sterilization and is inappropriate.
- l. Appropriate ear piercing guns should only be used for piercing ear lobes and shall not be used for piercing any other body part.
- m. Iodine, antiseptics and other ointments used shall be applied with single use applicators. Applicators that have touched a client once may not be used to retrieve antiseptics, iodine, etc. from containers and shall be disposed of after single use.

DISPOSAL OF WASTE IN ACCORDANCE WITH INFECTIOUS WASTE REGULATIONS

- 1. Bar setups, piercing needles) razor blades or other sharp instruments which are not to be sterilized shall be disposed of in medically approved sharp containers that are puncture resistant and have tight fitting lids.
- 2. Containers of sharp wastes shall be sent to a facility where they are either incinerated or otherwise rendered nonhazardous.

3. Disposable waste shall be placed in easily cleanable, closed containers with tight fitting lids, to prevent leakage or spoilage.
4. Waste containers shall be kept closed when not in use.
5. Disposable waste shall be handled, stored, and disposed of to minimize direct exposure of personnel to waste materials.
6. An appropriate medical waste disposal firm shall be contracted to remove all waste.

SECTION 8- MOBILE ESTABLISHMENTS:

1. Mobile piercing studios shall not be allowed to operate in the Town of Middleborough.

SECTION 9- FEES

1. A permit fee in the amount established by the Town of Middleborough shall be required of all persons registering as:
 - body piercers (see application)
 - body piercer apprentices (see application)
 - body piercing establishments (see application)
2. Payment of fees shall be made at the Town Middleborough of Health Department, 20 Centre Street, Middleborough, MA.02346 CHECK MADE PAYABLE TO THE TOWN OF MIDDLEBOROUGH.

SECTION 10- ENFORCEMENT PROCEDURES:

The body piercers permit to operate shall be suspended immediately upon notice to the holder (without a hearing) when the Middleborough Health Department has reason to believe that an imminent health hazard exists.

1. In all other instances of violation of the provisions of this administrative regulation the Middleborough Board of Health shall serve the permit holder a written notice specifying the violation and afford the registrant or certificate holder a reasonable opportunity to correct the same.

- a. Whenever an applicant has failed to comply with any written notice issued under the provisions of this administrative regulation the body piercing permit shall be suspended.
- b. Any person whose permit has been suspended may make a request in writing for public hearing before the Board of Health
- c. For serious or repeated violations of any of the requirements of this administrative regulation or for interference with the Middleborough Health Department in the performance of its duties, or for persons found guilty of any crime related to body piercing, the body piercers permit may be permanently revoked after a public hearing before the Middleborough Board of Health.
- d. Every person who shall perform body piercing without a permit may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation, or offense brought in such a manner, shall be three hundred dollars.
- e. Body piercing of minors - Every person who shall perform body piercing on any minor under the age of eighteen, (18) without the written consent and presence of a parent or legal guardian for parts other than the genitalia areas of minors which shall not be pierced, may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation, or offense brought in such a manner, shall be three hundred dollars.

Section 17.0 Retention of Records

17.1 The owner of a body piercing parlor/shop shall maintain proper records for each patron. A record of each patron shall include:

- a) The date on which he/she was pierced;
- b) his/her name, address, telephone number and age;
- l) photo identification as proof of age (e. g., driver's license, military identification), a copy of which shall be maintained for each patron;
- c) The location and design of the piercing; and,
- D) The name of the body piercer.

17.2 These records shall be permanently entered in a book with

pre-numbered pages, kept solely for this purpose. Records that cannot be physically stored in this pre-numbered book (e. g., copies of proof of age as required in section 17.1(b)(i)above) may be stored elsewhere in the facility. These records shall be available for inspection by the Department of Health. These records shall be maintained for a minimum of five (5) years after the date on which the patron was tattooed.

Section 18.0 Denial, Suspension or Revocation of Registration

18.1 The Health Department is authorized to deny an application, revoke or suspend a registration for failure of an applicant or registrant to comply with the provisions of the rules and regulations herein.

18.2 Whenever an action shall be proposed to deny an application, revoke or suspend a registration, the Health Department shall notify the person by certified mail, setting forth the reason(s) for the proposed action.

18.3 The applicant or registrant shall be given an opportunity for public hearing before the Middleborough Board of Health.

18.4 If it is determined that a person is violating any provisions of the rules and regulations herein, the Health Dept. may issue an order to secure compliance.

Section 19.0 Deficiencies & Plans of Correction

19.1 The Health Dept. shall notify the governing body or other legal authority of a facility of violations of these rules and regulations through a notice of deficiencies which shall be forwarded to the facility within fifteen (15) days of inspection of the facility. If the Health Dept. determines that immediate action is necessary to protect the health, welfare, or safety of the public, she/he may issue an immediate compliance order.

19.2 A facility that has received a notice of deficiencies shall submit a plan of correction to the licensing agency within fifteen (15) days of the date of the notice of deficiencies. The plan of correction shall detail any requests for variances as well as document the reasons therefore.

19.3 The licensing agency shall be required to approve or reject the plan of correction submitted by a facility in accordance with section 19.2 (above) within fifteen (15) days of receipt of the plan of correction.

19.4 If the licensing agency rejects the plan of correction, or if the facility does not provide a plan of correction within the fifteen (15) day period stipulated in section 19.2 above, or if a

facility whose plan of correction has been approved by the licensing agency fails to execute its plan within a reasonable time; the licensing agency may invoke the sanctions referenced in section 18.0 herein. 19.5 If the facility is aggrieved by the sanctions of the licensing agency, the facility may appeal the decision and request a public hearing.

SECTION 11 - SEVERABILITY

If any section, paragraph, sentences, clause, phrase or word of this ordinance shall be declared invalid for any reason whatsoever, that decision shall not affect any other portion of these regulations~

SECTION 12 Effective Date: _____

TOWN OF MIDDLEBOROUGH

BODY PIERCING APPLICATION

Body Piercer () \$200.00
Body Piercer Apprentice () \$100.00
Body Piercing Facility () \$200.00

Date: _____

Permit#: _____

New Application: ()
Renewal: ()

1. Name: _____
(Last Name) (First Name) (Middle)

2. Date of Birth: _____
(Month) (Day) (Year)

3. Identification Card:
State Driver's License: _____

State Identification Card: _____

4. Facility Name: _____

5. Facility Address: _____

6. Facility Telephone: _____

7. Provide the following:

A. Evidence of course completion in Preventing Disease Transmission. (Applicant must show a dated certificate of completion from either American Red Cross or Association.

B. Evidence of current certification in First Aid/CPR. (Applicant must show a dated certificate of completion of a course in First Aid/CPR which demonstrates the required course was completed within the last two (2) years).

C. Proof of completion of a course in Anatomy and Physiology

D. Proof of one (1) year of apprenticeship training.

APPLICANT/BODY PIERCER STATEMENT OF CONSENT:

I understand that this registration expires on June 30th of this year. I understand that any notice required to be given by the Middleborough Board of Health to me may be given by mailing the notice to the address of the last place of business facility address) of which I have notified the Middleborough Board of Health. I have received a copy of the Middleborough Board of Health's regulations and recommended infection control procedures regarding body piercing. I agree to abide by these regulations and procedures. I agree to work only out of facilities that are in compliance with Middleborough Board of Health requirements. I agree to post the following valid and updated documents conspicuously in my place of business at all times:

Certificate of Registration for all body piercers working in the facility,

A signed copy of an agreement to comply with Middleborough Board of Health Rules and Regulations for Body Piercing, which contains the Recommended Procedures and Infection Control Practices for Body Piercing.

A signed copy of compliance with Middleborough Board of Health Recommended Procedures and Infection Control Practices for Body Piercing.

I hereby certify, under pains and penalties of perjury, that to the best of my knowledge, the information provided on this application is complete and accurate and not misrepresented in any way.

Date

Signature

Name and Title (print)

Office Use Only: Approved Effective Date: _____ Registration
Fee Paid: _____

Disapproved, Comment: _____

CLIENT'S CONSENT FORM

A client consent form for receiving body piercing **MUST** contain at least the following information and must be kept on file by the Body Piercer for a minimum of three years.

Clients Name _____

Record of Clients Form of Identification NOTE: for your own protection, make a photocopy of both sides of the identification card). Photo ID only. **IF YOU HAVE ANY DOUBTS ABOUT THE AUTHENTICITY OF THE IDENTIFICATION, DO NOT PIERCE THE CLIENT!**

Signed statements from the client which include the following:

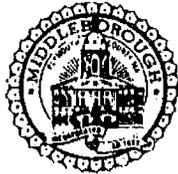
I certify that I am at least 18 years of age and have provided legitimate identification to validate this.

I am not currently under the influence of alcohol or drugs that might impair my judgement.

I have:

- reviewed ordinance section on sanitary procedures for body piercing,
- been informed of the risks of receiving body piercing, including the possibility of allergic reaction to jewelry,
- been given a care/instruction sheet on how to take care of my body piercing,
- been informed of procedures for reporting any complications with the piercing to the body piercer and to medical personnel.

Client's Signature _____



The Board of Selectmen, acting in its capacity as the Board of Health, will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, June 29, 2015 at 7:40 PM, for the purpose of adopting Private Hauler's Rules and Regulations for the Town of Middleborough. Anyone wishing to be heard on this matter should appear at the time and place designated.

Allin Frawley
Leilani Dalpe
John M. Knowlton
Diane Stewart
Stephen J. McKinnon
BOARD OF SELECTMEN

Publish: June 18 & 25, 2015

Private party responsible for payment

Town responsible for payment

Please provide Selectmen's office with amount due.

Advertiser #300074

Jacqueline Shanley

From: Janine Delaney <jdelaneymac@comcast.net>
Sent: Wednesday, June 24, 2015 11:45 AM
To: Christopher Peck
Cc: Robert G. Nunes; Robert Buker; Jacqueline Shanley
Subject: RE: private hauler
Attachments: Middleboro BOH REGULATIONS Draft Five June 24, 2015.doc

I made the edits as per Town Counsel's comments and attached Draft Five.

As for their comment regarding Sec. 4b., that language is included to make it clear that the Middleborough BOH does not consider incineration of waste, i.e. waste that is disposed of at a waste-to-energy facility, as recycling. Some entities argue that because the incineration process results in creation of energy, this is recycling. Massachusetts solid waste regulations do not support this argument and do not consider recyclables that are incinerated with trash as being recycled.

Please advise as to whether we are on for Monday the 29th and provide the time we are on the agenda. As the fiscal year closes, my time is very limited and I must schedule my time carefully so that I stay within my allotted hours.

Janine Delaney
MassDEP

From: Janine Delaney [<mailto:jdelaneymac@comcast.net>]
Sent: Wednesday, June 24, 2015 9:38 AM
To: 'Christopher Peck'
Cc: 'Robert G. Nunes'; 'Robert Buker'
Subject: RE: private hauler

Chris
I will get the revised version to you before noon today.

Has anyone in your office been able to revise the formerly identified Appendix B as Appendix A. I do not have a scanner and I am unable to do this. I've attached the document, but again the header should read Appendix A. Town Counsel mentioned in their comments that they did not receive a copy of the Appendix, you may want to confirm that they are OK with this. I'm sure they are familiar with 310 CMR 19.017.

I've attached another document that may be helpful when notifying haulers of the new regulations and will likely be helpful for the Selectmen/BOH.

Are we still on for Monday night? Please provide the time.

Janine Delaney
MassDEP

From: Christopher Peck [<mailto:cpeck@middleborough.com>]
Sent: Tuesday, June 23, 2015 3:39 PM
To: Janine Delaney (jdelaneymac@comcast.net)
Cc: Robert G. Nunes; Robert Buker
Subject: FW: private hauler

Janine,
Please see comments from Town Counsel.
Please make suggested corrections and forward as "draft 5".
Thanks,
Chris

Christopher Peck
Director of Public Works
Middleborough, MA 02346

PH: 508-946-2481
FX: 508-946-2484
cpeck@middleborough.com



From: decas.murray.decas@verizon.net [<mailto:decas.murray.decas@verizon.net>]
Sent: Tuesday, June 23, 2015 3:09 PM
To: Christopher Peck
Cc: Robert G. Nunes; Robert Buker
Subject: private hauler

June 23, 2015

Chris Peck, Director – DPW (*via email*)

RE: Private Hauler – regulation (Draft Form – 6/19/15)

Dear Chris:

You asked me to review the referenced. I have the following:

- Sec. 1, 2nd line – suggest adding “removal, transportation,” after “transferring.”
- Sec. 2, 2nd line – change “Section 31.” To “Sections 31 and 31B.”
- Sec. 3, Enforcement Agent ¶1st line – add “Middleborough” before “Health Officer”.
- Sec. 3, Enforcement Agent ¶, 2nd line – before “Department of Public Works” add “the Director of the Middleborough”; before “Police” add “Chief of the Middleborough”.
- Sec. 3, Permittee ¶, 2nd line – change “recycling” to “recyclables”.
- Sec. 3, Waste Banned Materials ¶ - Appendix A not attached to draft under review.
- Sec. 4a, 1st line – change “No contractor or firm” to “No contractor, firm and/or person”; change “provide collection of” to “collect or haul”.
- Sec. 4b, 1st line – change “contractor or firm” to “contractor, firm and/or person”.
- Sec. 4b – I don’t fully understand the meaning/purpose of the last sentence.
- Sec. 4d, 2nd line – add “obtain and” before “maintain”.
- Sec. 8a, 1st line – delete “The individuals empowered as”; add “set forth in Section 3” after “Agent(s)”.
- Sec. 8c, 1st line – delete “either”; 2nd line – delete “or non-criminal procedures”.
- Sec. 9 – delete last 3 lines and replace with: “Additional violations shall be subject to fines and/or revocation or suspension of the permit.”

- Sec. 11, 1st line – change “constructed” to “construed”; add “part of the” after “any”; 2nd line – change “regulation” to “regulations”.
- Sec. 12 – need to insert dates when available.

Very truly yours,

Daniel F. Murray

Town Counsel

DFM/s

15-103

cc: Robert G. Nunes, Town Manager (*via email*)

Robert Buker, Health Officer (*via email*)

**TOWN
OF
MIDDLEBOROUGH**

BOARD OF HEALTH

**Private Hauler
Rules and Regulations**

DRAFT FIVE – JUNE 24, 2015

REGULATIONS FOR PRIVATE HAULERS
COLLECTION OF SOLID WASTE AND RECYCLABLES

1. PURPOSE

These regulations are intended to protect the public health, safety, and the environment in the Town of Middleborough by regulating the storage, transferring, removal, transportation, recycling and disposal of solid waste, as defined in 310 CMR 18.00 – 21.00 of the State Environmental Code, and to ensure compliance with the provisions of Chapter 111, Section 150A of the Commonwealth of Massachusetts; the Rules and Regulations stated in 310 CMR 18.0 – 21.00 of the State Environmental Code; 527 CMR 34.0 of the Board of Fire Prevention Regulations; and the Zoning Bylaws of the Town of Middleborough.

These regulations apply to all contractors, firms and/or persons operating as a Solid Waste Disposal Company or Private Hauler collecting solid waste and recyclables from residential properties in the Town of Middleborough.

2. AUTHORITY

These regulations are adopted by the Middleborough Board of Health Department as authorized by Massachusetts General Law, Chapter 111, Sections 31 and 31B.

3. DEFINITIONS

“Definitions” shall be as defined in the Commonwealth of Massachusetts Department of Environmental Protection Solid Waste Management Regulations 310 CMR 19.006 – Definitions and as follows.

Approved Facility: An established site or works, and other appurtenances thereto, that will be used for the handling, storage, transfer, processing, treatment and/or disposal of solid waste. An established site or works, and other appurtenances thereto, that will be used for the handling, storage, transfer, processing and/or treatment of recyclable material. Such facility must be permitted and approved by the appropriate municipal and/or or state agency.

Disposal: means the final dumping, landfilling or placement of solid waste into or on any land or water or the combustion of solid waste.

Enforcement Agent: Any member of the Middleborough Board of Health, the Middleborough Health Officer, Director of the Middleborough Department of Public Works or Chief of the Middleborough Police Department or designee thereof.

Permittee: Any contractor, firm and/or person which has applied for and obtained the appropriate permit to collect and haul solid waste and recycling within the Town of Middleborough.

Recyclable Material: means a material that has the potential to be recycled and which is pre-sorted. Recyclable material includes biodegradable paper, but does not include:

- a. Organic material that will be composted or converted; or
- b. Construction and demolition waste unless it has been separated and kept separate, into at least the following categories: asphalt, brick and concrete; wood; metals; plaster and wallboard; roofing materials; and carpet.

Solid Waste/Refuse: means useless, unwanted or discarded solid, liquid or contained gaseous material resulting from municipal or household activities that is disposed of or is stored, treated, processed or transferred pending such disposal.

Solid Waste/Recycling Collection Vehicle: Any vehicle used for the collection and hauling of solid waste and/or recyclables.

Waste Banned Materials: Are as defined in the Commonwealth of Massachusetts Department of Environmental Protection Solid Waste Management Regulations 310 CMR 19.017: Waste Bans as included as Appendix A to these Regulations.

Waste Hauler/Private Hauler: Any contractor, firm and/or person who is duly permitted by the Middleborough Board of Health to collect or haul solid waste and recyclables within the Town of Middleborough off-site to an approved solid waste or recycling treatment, processing or disposal facility.

4. PERMITTING AND OPERATIONAL PROCEDURES

- a. No contractor, firm and/or person shall collect or haul solid waste or recyclables in the Town of Middleborough without first obtaining a permit from the Middleborough Board of Health.
- b. No contractor, firm and/or person shall provide collection of solid waste in the Town of Middleborough without providing collection of recyclable material in conjunction with collection of solid waste as a bundled/integrated service to allow compliance with the Commonwealth of Massachusetts Department of Environmental Protection Waste Bans, 310 CMR 19.017. For the purposes of this regulation incineration of waste is not considered recycling.
- c. Each applicant/permittee shall submit the following information to the Health Department with their permit application:

- i. Information detailing how compliance with the terms of these regulations will be met. Such information shall include, at minimum, the frequency (weekly, bi-weekly), of collections and the names and locations of the approved facilities to which all refuse and recyclables are brought.
 - ii. Each applicant shall indicate the means for ensuring that customers exclude all items banned from disposal at solid waste facilities as described in 310 CMR 19.017 (3) as shown in Appendix A, including but not limited to providing each customer with a list of waste banned items and a description of proper packaging or bundling methods with a clear explanation that recyclables must be separated from solid waste in a separate container. Applicant shall detail how non-recyclables will be excluded from loads of recyclables. The applicant must also indicate how customers will be notified of improper recycling or trash disposal methods.
- d. Each applicant/permittee shall submit the following information to the Middleborough Board of Health in order to obtain and maintain a valid permit:
- i. A description of the collection vehicle(s) to be used, including the company name, make, model, year, type, registration number and the capacity of the vehicle(s) is a requirement of the permit application.
 - ii. All permits shall expire at the end of the calendar year in which they are issued, but may be renewed annually on application to the Middleborough Board of Health. Permits are non-transferable without the prior approval of the Board of Health.
 - iii. Any application which fails to include all information requested in the Board of Health Regulations shall be deemed incomplete and shall be denied.

5. FEES

A non-refundable permit fee of \$200.00 dollars is required with permit application. This fee applies to haulers providing weekly, biweekly, monthly and/or otherwised scheduled residential collection services.

6. INSURANCE

- a. Each applicant shall furnish to the Board of Health a certificate from an insurance company licensed to do business in the Commonwealth of Massachusetts showing the applicant carries Public Liability Insurance in an amount not less than Five Hundred Thousand (\$500,000.00) up to One Million (\$1,000,000.00) dollars for the injury or death of one or more persons, and Two Hundred Fifty Thousand (\$250,000.00) dollars for damage to property. Certificates of Insurance shall be furnished each year upon renewal of permit.

- b. The applicant shall make certain that the above insurance policy is not canceled prior to notification of the Board of Health. This notification shall be not less than thirty (30) days prior to such cancellation.

7. SUBMITTAL REQUIREMENTS

- a. Completed Application
- b. Confirmation of Compliance with Sections 4.c.i and 4.c.ii by the Middleborough Board of Health.
- c. Appropriate Fee as described in Section 5
- d. Proof of property/liability insurance as described in Section 6

8. ENFORCEMENT

- a. Enforcement Agent(s) set forth in Section 3 may enforce the provisions of these regulations.
- b. Enforcement Agent(s) may inspect collection vehicles and loads at reasonable times in order to ensure that they comply with all applicable state laws or local regulations. Failure to comply with any of these regulations or conditions of any permit(s) issued by the Middleborough Health Department may be cause for suspending or revoking a permit.
- c. Enforcement of this regulation shall be by criminal complaint in a court of jurisdiction as set forth in MGL Chapter 111 Sections 31, 31A, 31B and 150A.
- d. Improper disposal of waste may be cause for immediate revocation of permit and prosecution to the fullest extent of the law. "Improper disposal" shall include disposal of recyclable materials with trash.

9. PENALTIES

Any contractor, firm and/or person who violates these regulations may be subject to revocation of permit and/or a fine of:

- a. \$100.00 for the first violation
- b. \$200.00 for the second violation
- c. \$500.00 for the third violation

Additional violations shall be subject to fines and/or revocation or suspension of the permit.

10. APPEAL

Any party aggrieved by an order that has been served pursuant to any section of these regulations may request a hearing before the Middleborough Board of Health by filing a written petition to the Middleborough Health Officer within seven (7) days of receipt of said order. A hearing will be held within 60 days from the date of the filing of the request. Written notice of the hearing date will be delivered to the aggrieved party at least two weeks prior to the scheduled date. The hearing will be conducted in accordance with the established procedures of the Board of Health.

11. SEVERABILITY

Each section of these regulations shall be construed as separate to the end that if any part of the regulations or sentence, or phrase thereof shall be held invalid for any reason, the remainder of these regulations and all other regulations shall continue in full force.

12. EFFECTIVE DATE

These regulations were adopted by the Middleborough Board of Health at the _____ meeting. A summary of regulations adopted shall be published once in the _____ as required by MGL Chapter 111, Section 31, of the General Laws of the Commonwealth.

Effective date of these Regulations shall be _____

Attachment A
310 CMR 19.017
Waste Bans

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

19.014: Prohibition on Open Dumps and Dumping Grounds and Illegal Disposal of Solid Waste

(1) No person shall establish, construct, operate or maintain a dumping ground or operate or maintain a landfill in Massachusetts in such manner as to constitute an open dump. For the purpose of 310 CMR 19.014, the phrase "establish, construct, operate or maintain" shall include without limitation, disposing or contracting for the disposal of refuse in a dumping ground or open dump.

(2) No person shall dispose or contract for the disposal of solid waste at any place in Massachusetts which has not been approved by the Department pursuant to M.G.L. c.111, § 150A, 310 CMR 16.00: *Site Assignment Regulations for Solid Waste Facilities* or 310 CMR 19.000.

(3) No person shall dispose or contract for the disposal of solid waste at any facility in Massachusetts that is not approved to manage the particular type of solid waste being disposed.

19.015: Compliance

No person shall construct, modify, operate or maintain a facility except in compliance with a site assignment, permit or plan approved by the board of health or the Department, as applicable, and any authorizations issued by the Department and all conditions included in a permit, approval or authorization for said facility.

19.016: Post-closure Use

No person shall use a solid waste management facility site for any purpose after closure without:

- (a) obtaining a written approval from the Department for any post-closure use on a landfill's final cover or affecting an appurtenance to said landfill, including but not limited to, appurtenances required for the management of leachate, landfill gas and stormwater; or
- (b) submitting a valid certification in accordance with 310 CMR 19.035 for a post-closure use at a transfer station which is not a C&D transfer station; or
- (c) obtaining a presumptive approval in accordance with 310 CMR 19.034 for any other type of post-closure use at a solid waste facility not subject to 310 CMR 19.016(1)(a) or (b).

19.017: Waste Bans

(1) Purpose. The Department may restrict or prohibit the disposal, or transfer for disposal, of certain components of the solid waste stream when it determines that:

- (a) disposal of the material presents a potential adverse impact to public health, safety or the environment; or
- (b) a restriction or prohibition will result in the extension of the useful life or capacity of a facility or class of facilities or reduce its environmental impact; or
- (c) a restriction or prohibition will promote reuse, waste reduction, or recycling.

(2) General and Specific Restrictions. Where the Department makes a determination to restrict or prohibit the disposal, or transfer for disposal, of a particular material it may:

- (a) require as a condition of issuance of a permit that a facility prohibit or limit the disposal, or transfer for disposal, of particular types of material;
- (b) require as a condition of continued operation under an existing plan approval or permit that a facility or a class of facilities prohibit or limit the disposal, or transfer for disposal, of particular types of material; or
- (c) determine that a specific facility or class of facilities are not approved for the disposal of particular types of material and may not contract for the disposal of particular types of material. For the purpose of 310 CMR 19.017 disposal or contract for disposal shall include, but not be limited to:
 - 1. entering into an agreement to dispose or transport for disposal of materials restricted from disposal in violation of 310 CMR 19.000;
 - 2. depositing restricted materials for collection, contracting for the collection of such materials or collecting or transporting such materials in a manner which results in the disposal of materials in violation of 310 CMR 19.000; or
 - 3. intentionally contaminating or co-mingling with solid waste pre-sorted material restricted from disposal which would result in the need to dispose of said material in violation of 310 CMR 19.000.

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

19.017: continued

(3) Compliance with Waste Restrictions.

(a) Effective on the dates specified in 310 CMR 19.017(3): *Table* restrictions on the disposal or transfer for disposal of the materials listed therein shall apply as specified. No person shall dispose, transfer for disposal, or contract for disposal or transport of the restricted material, except in accordance with the restriction established in 310 CMR 19.017(3): *Table*. Any person who disposes, transfers for disposal or contracts for disposal or transport of restricted material may be subject to enforcement by the Department pursuant to 310 CMR 19.081.

(b) No landfill, transfer facility or combustion facility shall accept the restricted material except to handle, recycle or compost the material in accordance with a plan submitted pursuant to 310 CMR 19.017(6) and approved by the Department.

(c) On the effective date of the restrictions on Cathode Ray Tubes (CRTs), specified in 310 CMR 19.017(3): *Table*, all persons shall segregate CRTs from the solid waste stream.

Table 310 CMR 19.017(3)

Restricted Material	Effective Date of Restriction for Landfills or Combustion Facilities	Effective Date of Restriction for Transfer Facilities	Restriction
Lead Batteries	December 31, 1990	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Leaves	December 31, 1991	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Tires	December 31, 1991	April 1, 2000	Ban on disposal or transfer for disposal of whole tires only at landfills. Tires must be shredded prior to disposal in landfills.
White Goods	December 31, 1991	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Other Yard Waste	December 31, 1992	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Aluminum Containers	December 31, 1992	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Metal or Glass Containers	December 31, 1992	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Single Polymer Plastics	December 31, 1994	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Recyclable Paper	December 31, 1994	April 1, 2000	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Cathode Ray Tubes	April 1, 2000	April 1, 2000	Ban on disposal, incineration, or transfer for disposal, at a solid waste disposal facility

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

19.017: continued

Table 310 CMR 19.017(3) (continued)

Restricted Material	Effective Date of Restriction for Landfills or Combustion Facilities	Effective Date of Restriction for Transfer Facilities	Restriction
Asphalt Pavement, Brick and Concrete	July 1, 2006	July 1, 2006	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Metal	July 1, 2006	July 1, 2006	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Wood	July 1, 2006	July 1, 2006	Ban on disposal or transfer for disposal at landfills
Clean Gypsum Wallboard	July 1, 2011	July 1, 2011	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility
Commercial Organic Material	October 1, 2014	October 1, 2014	Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility

(4) Criteria for Determinations of Waste Restrictions on Other Materials. In determining whether to restrict or prohibit the disposal of other materials the Department may consider:

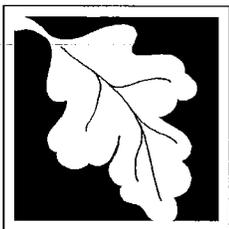
- (a) the nature and degree of potential adverse impacts;
- (b) the quantities of restricted materials generated;
- (c) the availability of non-disposal management options for the restricted materials;
- (d) the economic impact on the facility, class of facilities or generators subject to the restriction;
- (e) such other factors as the Department deems relevant to such a determination.

(5) Exceptions. The Department may allow a facility or person to temporarily dispose or temporarily contract for the disposal of restricted materials, with prior notification and approval of the Department, under the following circumstances:

- (a) the material is contaminated or is otherwise not acceptable for recycling or composting, provided that the person who contaminated or rendered the material unfit for recycling or composting takes any action necessary to prevent a recurrence of the conditions which contaminated or rendered the material unfit; or
- (b) the recycling or composting operation or end user to which the restricted material is normally sent declines to accept the material or is prohibited from accepting the material as a result of an administrative or judicial order, provided that an alternative recycling or composting operation or storage facility which will accept the material cannot be found within a reasonable time.

(6) Waste Ban Plan Submissions.

- (a) The permittee or operator shall submit a plan, or modify an existing approved plan to include newly banned materials, which describes the actions to be taken to comply with the restrictions imposed at 310 CMR 19.017(3). The plan shall be submitted to the appropriate regional office of the Department.
- (b) The waste ban plan shall address the following:
 - 1. Ongoing waste stream monitoring of all incoming loads, including:
 - a. monitoring procedures;
 - b. unacceptable quantities and *de minimus* acceptable quantities; and
 - c. record keeping.
 - 2. Comprehensive load inspections, including:
 - a. loads not subject to comprehensive load inspections;
 - b. load selection;
 - c. inspection procedures;
 - d. unacceptable quantities and *de minimus* acceptable quantities; and
 - e. record keeping.



Massachusetts
Department
of
ENVIRONMENTAL
PROTECTION

Guidance Brief

Haulers & Waste Ban Compliance

The Massachusetts waste bans (found at 310 CMR 19.017) are prohibitions on the disposal or transfer for disposal of certain recyclable and/or toxic materials. They are intended to spur the reuse and/or recycling of banned waste materials, conserve disposal capacity across the state, and minimize adverse environmental impacts.

People who generate solid waste and people who transport it to disposal facilities are subject to waste ban requirements. The Department of Environmental Protection (MassDEP) conducts ongoing inspections at solid waste facilities to identify waste haulers and generators who improperly dispose of banned materials.

Three key strategies can lower your company's risk of transporting prohibited wastes:

- **Train Your Employees.** Be sure they understand what the waste ban regulations require, and also that MassDEP may take enforcement action against your company when your waste loads are found to contain banned materials.
- **Educate Your Customers.** Let them know which materials are banned from disposal in Massachusetts and help them develop procedures for preventing those items from entering the waste stream.
- **Keep Good Records.** Track and document all procedures and transactions, as well as the steps you have taken to prevent shipping non-conforming waste loads.

These strategies are discussed in more detail below.

Employee Training & Protocols

All employees of your waste hauling business – not only drivers, but also sales and customer service personnel – should be well acquainted with the waste bans. The better they educate your customers about keeping prohibited materials out of the trash, the easier it will be for your company meet its compliance obligations.

MassDEP recommends that your company require all new employees to be trained about the waste bans, and that you offer periodic refresher training for all employees. This training should include waste ban quality assurance/quality control procedures for all facets of your operation.

Your drivers can be a critical component of a successful compliance strategy:

At Pick-Up

- Check for banned materials when picking up waste loads and after tipping waste loads at the facility, and report violations or potential violations both to the customer and to the company's home office.
- Ask customers to remove banned items, inform them that service fees may be levied to separate and process banned materials, or refuse to pick up non-conforming loads, and notify customer service representatives responsible for managing the affected accounts.
- Provide literature, container stickers and other educational materials for on-site replacement or to provide to customers as needed.

Summary

Waste Ban Regulations

310 CMR 19.017

Materials restricted from disposal:

Glass, metal and plastic containers; paper, including cardboard; leaf and yard waste; lead-acid batteries; whole tires; white goods (large appliances); cathode ray tubes (TVs and computer monitors); asphalt pavement, brick, concrete, metal, wood; clean gypsum wallboard; and *effective Oct. 1, 2014*: commercial organic material.

Why waste bans?

- Capture more recyclables
- Conserve disposal capacity
- Keep hazards out of the environment

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Commonwealth of
Massachusetts
Deval L. Patrick, Governor

Executive Office of
Environmental Affairs
Richard K. Sullivan Jr., Secretary

Department of
Environmental Protection
Kenneth L. Kimmell, Commissioner

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This information is available in
alternate format by calling our ADA
Coordinator at
(617) 574-6872.



At the Receiving Facility

- Be knowledgeable about the policies of each waste facility and the materials that each can and cannot accept. (For example, whole tires are banned at landfills but not at combustion facilities.)
- Get out of trucks whenever possible and inspect loads at waste transfer or disposal facilities. Document and take photographs of any failed loads, and notify customer service representatives as above.

Sales & Customer Service

The initial point of sale provides a convenient opportunity to offer recycling services and an ideal starting point for an ongoing dialogue with customers about the waste bans, the specific materials prohibited from disposal, and the fact that as waste generators, they too are subject to MassDEP enforcement action for throwing away banned items. It is a good idea to:

- Provide each customer with "Your Business and the Waste Bans: What You Need to Know" (<http://www.mass.gov/eea/docs/dep/recycle/wstban01.pdf>) or a similar educational handout.
- Affix labels or stickers to all containers you distribute to let customers know what materials can and cannot be placed in each receptacle.
- Advise customers of appropriate procedures for handling banned materials.

You can use your business policies and procedures to help educate your customers:

- Incorporate waste ban compliance requirements into all contracts.
- Advise customers that you will not accept prohibited materials, that you may levy service fees or surcharges on non-conforming loads, and that you could discontinue service to them for repeat offenses.
- Show customers photographs of failed loads, facility turn-away letters and details of failed load surcharges, and offer them follow-up waste ban education and additional material management services.
- Notify MassDEP of chronic or serious waste ban violations and ask the agency to send warning letters to offending customers.

Good Records Are Valuable

Keeping good records can help you monitor progress in complying with the waste bans and identify opportunities for improvement. It is important to keep on file:

- All applicable signed documents.
- Copies of emails and faxes, and records of phone calls.
- QA/QC procedures.
- Records of failed load observations, notifications issued by receiving facilities and follow-up actions.

For Additional Information:

- Visit the MassDEP Waste Bans home page:
<http://www.mass.gov/eea/agencies/massdep/recycle/solid/massachusetts-waste-disposal-bans.html>
- Contact the Recycling Works in Massachusetts program at (888)254-5525, via email at info@recyclingworksma.com, or visit the program web site at www.recyclingworksma.com.