

INSPECTION POLICY for OUTDOOR WOOD BURNING BOILERS (OWBB)

A. PURPOSE AND AUTHORITY:

Whereas outdoor wood burning boilers have been found to emit significant high quantities of particulate matter and noxious fumes, and;

Whereas poor and unapproved operating practice exacerbate the effects of the smoke, and;

Whereas complaints related to adverse effects related to health, comfort of life and general nuisance have been recorded in the Town of Hubbardston and throughout the State of Massachusetts.

The Board of Health of the Town of Hubbardston, MA, under the authority of Massachusetts General Law chapter 111 sections 31, 31C & 122 and 310 CMR 11.02 hereby adopts the following **inspection policy** in order to protect the public health, and comfort and convenience from uncontrolled emissions of smoke and noxious fumes.

B. DEFINITIONS

CLEAN WOOD: means wood that is not treated, coated, or had any adhesives or chemicals applied to it.

EMMISSION: means any discharge or release of an air contaminant to the ambient air space.

EMMISSION POINT: means any place including but not limited to a stack or vent) at or from which any air contaminant is emitted to the ambient air space.

INCINERATOR: means an appliance used to burn trash, rubbish and other wastes.

OUTDOOR WOOD BURNING BOILER: means a free-standing wood fired boiler, surrounded by a water jacket with smoke vent that is used to heat water that is carried by pipe to provide heat to a building or other destination. Outdoor wood boiler does not include fire pits, chimneys, wood fired barbeques, or equipment for melting, reclaiming or refining of metals or maple syrup.

ODOR: means that property of gaseous, liquid, or solid materials that elicits a physiologic response by the human sense of smell.

SEASONED WOOD: means wood, used for fuel that has been air dried so that it contains 15 to 20 percent moisture content (wet basis).

C. INSPECTIONS

All Outdoor Wood Burning Boilers (OWBB) within the legal limits of the Town of Hubbardston are subject to inspection by the Hubbardston Board of Health based on the submission of a complaint, verbally, via phone, via email or written OR as deemed fit by any member of the town based on nuisance complaint or environmental concern. During inspection, owners must demonstrate to the satisfaction of the Board of Health that they understand the requirements for proper installation and operation of an OWBB. The site and location of the boiler will be inspected for distance from and in relation to all existing structures. Distances will be measured from the boiler to all building and outbuildings on site and all neighboring structures. Types of fuels used will be reviewed to ensure compliance with the M.G.L.

The Hubbardston Board of Health does not issue permits for Outdoor Wood Burning Boilers (OWBB) however, but fines for violations may apply if any Outdoor Wood Burning Boilers is found to be outside of the operation limits set forth by the M.G.L. stated above.

D. INSPECTION OF INSTALLATION

1. An outdoor wood burning boiler shall be located a minimum of 300 feet from any structure, designed or built for occupancy, not being served by the outdoor wood burning boiler.
2. An outdoor wood burning boiler shall be located no less than 275 feet from any property line.
3. A clear radius of 25 feet must be maintained between any outdoor wood burning boiler and any trees or vegetation of height greater than the height of the top of the fuel feed door.
4. Tops of chimneys or points of emission from outdoor wood burning boilers must be in no case less than 12 feet above the ground immediately surrounded by the outdoor wood burning boiler and any other manufacturer's requirements.
5. Tops of chimneys or other points of emission from outdoor wood burning boilers must be two feet higher than the peak of any structure on the property being served or any structure within three hundred feet of the boiler.

E. INSPECTION OF OPERATION

1. Allowable fuels: No person that operates an outdoor hydronic heater shall cause, suffer, allow or permit the use of a fuel other than the following: Allowable fuels: clean wood; wood pellets made from clean wood; home heating oil in compliance with the applicable sulfur content limit or natural gas may be used as starter fuels or substitute fuel in dual-fired outdoor hydronic heaters; and other biomass fuels as approved by the Mass. Department of Environmental Protection.

Prohibited fuels: No person shall cause, suffer, allow or permit the burning of any of the following items in an outdoor hydronic heater: any wood that does not meet the definition of clean wood; garbage; tires; lawn clippings, leaves, brush trimmings, or general yard waste; materials containing asbestos; materials containing lead, mercury, or other heavy or toxic metals; materials containing plastic; materials containing rubber; waste petroleum products; paints and paint thinners; chemicals; coal; glossy or colored papers; construction and demolition debris; plywood; particleboard; salt water driftwood and other previously salt water saturated materials; manure; animal carcasses; and asphalt products.

2. Operating Season: Outdoor wood burning boilers shall only be operated from October 1 through May 15.
3. Outdoor wood burning boilers shall not be operated in any manner contrary to manufacturers operating procedures or in any manner that causes a public nuisance or a public health risk.

F. ENFORCEMENT:

1. If an inspection or examination reveals that an outdoor wood burning boiler is installed or operated in a manner that is not compliant with these regulations, the Board of Health or their agent, shall issue an order to cease operation of the outdoor wood burning boiler until it has been restored to compliance.
2. The Board of Health may take enforcement action deemed appropriate and lawful, including but not limited to criminal prosecution, civil action for injunctive relief or fines, money damages, or both.

G. PENALTIES:

Any violation of these regulations shall be punishable by fines as described in M.G.L. Chapter 111 Section 31c. Each day of violation shall constitute a separate offense.

H. SEVERABILITY:

If any provision contained in this inspection procedure is deemed invalid for any reason, it shall be severed and shall not affect the validity of the remaining provisions.
