



Acton Board of Health

Hazardous Materials Management Program

D.A.
2/26/09

Site Name:

Date:

Number:

Street:

1. Storage Requirements

| Violation | Regulation | Bylaw |
|-------------------------------------|--|---------|
| <input checked="" type="checkbox"/> | No 110% secondary containment | 3.5.1.e |
| <input type="checkbox"/> | 2nd Containment not free of liquid | 3.5.1.e |
| <input type="checkbox"/> | Containment not in good condition | 3.6 |
| <input checked="" type="checkbox"/> | Containers not Labeled | 3.5.1.b |
| <input checked="" type="checkbox"/> | Accumulation date not indicated | 3.5.1.b |
| <input checked="" type="checkbox"/> | No Description of HM/HW contents | 3.5.1.b |
| <input type="checkbox"/> | Materials and Wastes not separate | 3.5.1.b |
| <input type="checkbox"/> | Containers not covered/sealed | 3.5.1.e |
| <input type="checkbox"/> | AST base not stable, level, impervious | 3.5.1.e |

3. Spill/Discharge/Abnormal Loss

| Violation | Regulation | Bylaw |
|--------------------------|--------------------------------|-------|
| <input type="checkbox"/> | Discharge, Unpermitted | 2.1.1 |
| <input type="checkbox"/> | Discharge within AQ Zone 1,2,3 | 2.1.2 |
| <input type="checkbox"/> | Failure to report discharge | 2.1.5 |
| <input type="checkbox"/> | Spills not contained | 2.3 |
| <input type="checkbox"/> | Improper disposal of waste | 2.4.1 |
| <input type="checkbox"/> | Licensed Waste hauler not used | 2.4.3 |

4. Training

| Violation | Regulation | Bylaw |
|--------------------------|----------------------------------|-------|
| <input type="checkbox"/> | No HM/HW spill response training | |
| <input type="checkbox"/> | No training in HM/HW handling | |

2. Safety

| Violation | Regulation | Bylaw |
|-------------------------------------|---------------------------------|-------|
| <input type="checkbox"/> | MSDS not available | 3.2.2 |
| <input type="checkbox"/> | First Aid kit not stocked | |
| <input type="checkbox"/> | PPE not stocked | |
| <input checked="" type="checkbox"/> | Emergency Procedures Not Posted | |
| <input type="checkbox"/> | Spill kits not stocked | |

5. Record Keeping

| Violation | Regulation | Bylaw |
|--------------------------|---|-------|
| <input type="checkbox"/> | Uniform Waste Manifests not available | 3.7 |
| <input type="checkbox"/> | Throughput records not available | 3.2.2 |
| <input type="checkbox"/> | Abnormal loss of HM/HW found in records | |

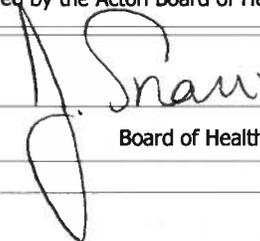
Critical Violations:

All critical violations must be corrected with in 14 days from the date of receipt of this notice. In accordance with Town of Acton Hazardous Material Control Bylaw 6.7, the owner of record is hereby assessed a penalty of

Minor Violations:

All minor violations must be corrected/addressed with in 30 days from the date of receipt of this notice. Failure to comply may result in fines and/or revocation of permit.

You have the right to request an appeal hearing before the Acton Board of Health. Any appeal request must be received by the Acton Board of Health, in writing, with in 7 days from the date of receipt of this notice.


Board of Health Agent

Site Representative

C. Facility Site Plan/Storage Map

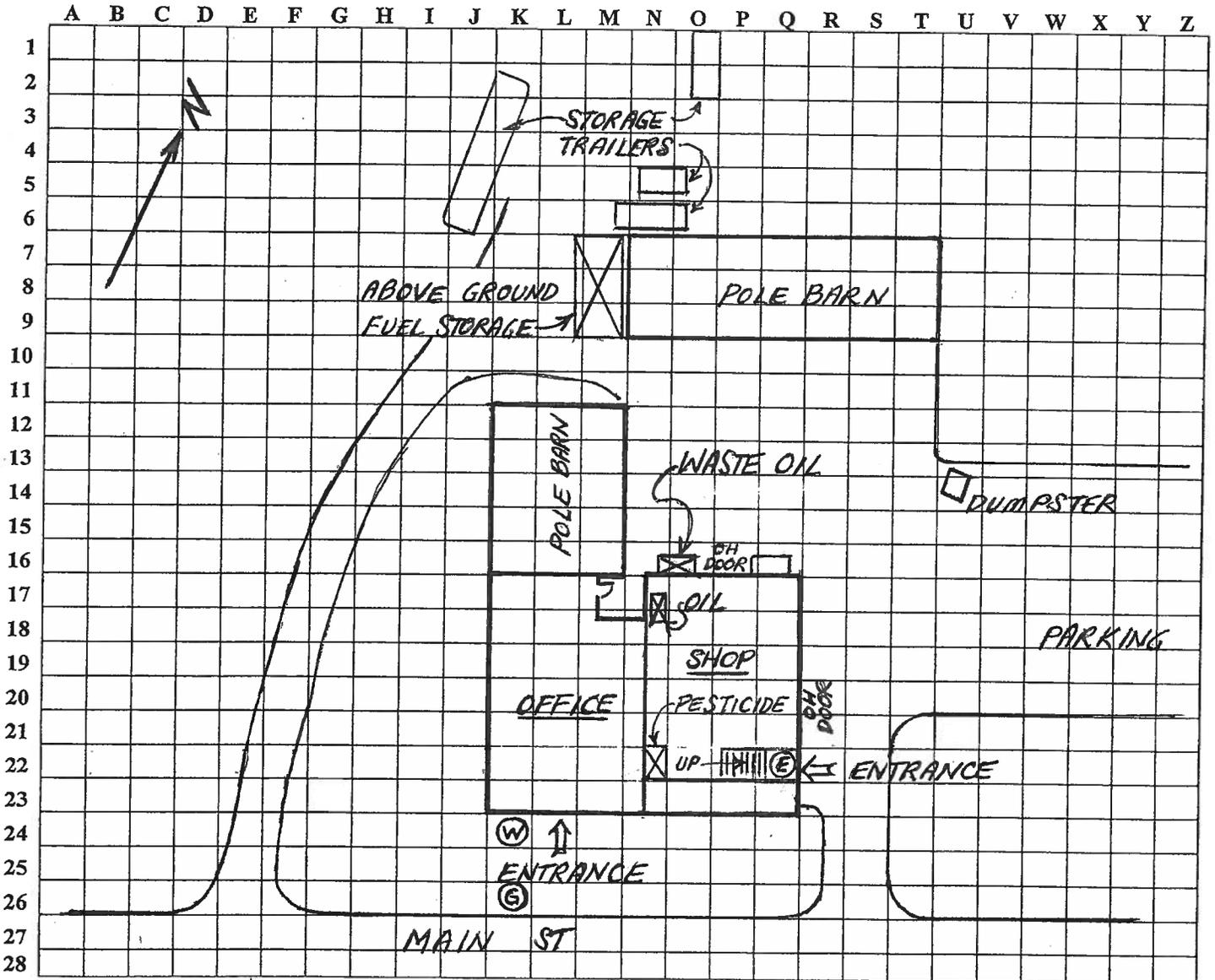
Prepare and submit with this Registration Form a simple site map which shows the following information:

- North direction • Street(s) adjacent to facility • Electrical, water, and gas shutoff valves
- Basic floor plan for each building containing hazardous materials/wastes which indicates building entrance(s) and hazardous material/waste storage locations (use grid locations or assign a code - A, B, C, etc. - to clearly identify each storage location for use in the above inventories).

Site Address: 820/830 MAIN ST

City: ACTON, MA

Date Map Drawn: MAR 16, 2009



D. Endorsement

I declare that the above information is true and correct to the best of my knowledge. I agree to comply with all applicable regulations regarding storage, handling, and disposal of hazardous materials and hazardous wastes.

ANTHONY P. CAPIZZI
Owner/Operator's Name (Print)

Anthony P. Capizzi
Owner/Operator's Signature

3/17/09
Date

----- Do Not Complete below This Line -----

TOWN OF ACTON
HAZARDOUS MATERIALS CONTROL BYLAW

RECEIVED

April 1, 2009

Due \$295

Capizzi & Co.
820 Main Street
Acton, MA 01720

Category 2, 4, 9, 12

MAR 19 2009
ACTON BOARD OF HEALTH

Site Address

820 Main Street

HAZARDOUS MATERIALS CONTROL PERMIT RENEWAL APPLICATION

Categories

- | | |
|--|--|
| 1. Hazardous Waste Generator (\$65) | 2. Sm. Hazardous Waste Generator (\$45) |
| 3. Hazardous Materials Generator (\$65) | 4. Hazardous Materials User (\$45) |
| 5. Discharge Permit (\$140) | 6. Remediation Permit (\$140) |
| 7. Hazardous Waste User (\$65) | 8. Haz. Mat. Storer Large Industry (\$235) |
| 9. Haz. Mat. Storer Small Industry (\$160) | 10. Haz. Mat. Storer Large Retail (\$170) |
| 11. Haz. Mat. Storer Small Retail (\$140) | 12. Haz. Waste Storer Sm. Industry (\$45) |
| 13. Haz. Waste Storer Retail (\$45) | 14. Haz Waste Storer Lge. Industry (\$65) |

Provide the following information under the authority of the General Laws of the Commonwealth of Massachusetts, Chapter 94, Section 305A, and Chapter 3, Section 5.

ESTABLISHMENT NAME: Capizzi & Co., Inc.
ESTABLISHMENT ADDRESS: 820-830 Main St., Acton
ESTABLISHMENT TELEPHONE: 978-263-3726
OWNERS/CORPORATE OFFICERS: Anthony P. Capizzi
ADDRESS: 820-830 Main St., Acton
TELEPHONE: 978-263-3726
ON-SITE MANAGER:
OPERATING SCHEDULE: 6:30 am - 4:30 pm M - F

Maximum Potential Quantity of Materials: Gals/Lbs Stored 3600 Used _____
Maximum Potential Quantity of Wastes: Gals/Lbs Stored 50 Used _____

Pursuant to the General Laws of Massachusetts, Chapter 62C, Section 49A, I certify under the pains and penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Anthony P. Capizzi
Signature of Owner/Applicant

042-299-290
S.S.I or F.I.N. Number

3/17/09
Date

5/1/2009

Expires 5/1/10
Paid: \$295

**TOWN OF ACTON
PERMIT
HAZARDOUS MATERIALS CONTROL BYLAW**

Capizzi & Co., 820 Main Street PO Box 2233, Acton, MA 01720

Is hereby granted a permit to store and use Hazardous Materials at **820 Main Street** Acton, MA 01720. This permit is granted with the conditions as noted on the attached list of conditions assigned to your facility.

Permit Categories: 2, 4, 9, 12

*See below explanation of permit categories

HAZARDOUS MATERIALS CONTROL PERMIT CATEGORIES AND FEES

| <u>Category</u> | <u>Initial</u> | <u>Renewal</u> |
|--|----------------|----------------|
| 1. Large Hazardous Waste Generator | \$160 | \$65 |
| 2. Small Hazardous Waste Generator | \$60 | \$45 |
| 3. Hazardous Materials Generator | \$160 | \$65 |
| 4. Hazardous Materials User | \$50 | \$45 |
| 5. Remediation Discharge Permit | \$575 | \$140 |
| 6. Remediation Permit | \$595 | \$140 |
| 7. Hazardous Waste User | \$160 | \$65 |
| 8. Hazardous Materials Storer Large Industry | \$510 | \$235 |
| 9. Hazardous Materials Storer Small Industry | \$360 | \$160 |
| 10. Hazardous Materials Storer Large Retail | \$430 | \$170 |
| 11. Hazardous Materials Storer Small Retail | \$305 | \$140 |
| 12. Hazardous Waste Storer Large Industry | \$160 | \$65 |
| 13. Hazardous Waste Storer Small Industry | \$60 | \$45 |
| 14. Hazardous Waste Storer Retail | \$60 | \$45 |

**HAZARDOUS MATERIALS CONTROL PERMIT
LIST OF CONDITIONS:
CAPIZZI & CO., INC.
820 MAIN STREET
ACTON, MA 01720**

Pursuant to the authority of Chapter I - Hazardous Materials Control Bylaw - of the Town of Acton's General Bylaws, the Board of Health has considered your application and plans submitted therewith, and has determined that the materials to be stored, used or generated, are within the scope of said bylaw. The Board of Health hereby orders that the following conditions are necessary and all storage, use or generation must be performed in strict conformance herewith:

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.
9. Floor cleaning procedures and bathroom sanitation products shall use only nontoxic and biodegradable cleaning compounds.
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.
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.
21. Gas cylinders shall not be rolled, even for short distances. They shall be moved by a suitable hand truck, in accordance with an OSHA standard that applies.
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.
29. All exterior above ground storage tank areas shall have secondary containment, as well as be protected from the elements and have restricted access from the public.
30. The existing fuel oil storage tanks shall be tested for integrity after twenty (20) years, and every year thereafter. Any negative determination of integrity shall cause the immediate removal of the tank by a licensed Hazardous Materials and Wastes Contractor.
32. Copies of all Pesticide Applicator's current licenses shall be posted in an area that is visible to all employees.
 - All hazardous materials other than fertilizer shall be stored in a locked cabinet or room with access granted only to license applicators.
 - Copies of all applicators current licenses shall be posted outside the locked cabinet or room in an area that is visual to all people gaining access to the locked area.
 - Within the locked area, individual hazardous materials shall be stored in their original containers and the original containers shall be stored within metal or plastic containers to provide double safety. The secondary container can be a shelf container able to hold 110% of all material stored on the shelf.
 - All secondary plastic or metal containers should be clearly marked in the following way:
 - a. Product stored within; labeled on each container in 1 1/2" high letters.
 - b. Precautions or safety actions labeled in each container in 1" high letters.
 - All secondary containers shall be stored on shelves in the following way:
 - a. The lowest shelf shall be no lower than 6" and no higher than 12".
 - b. There shall be at least 6" clearance from the top of any container to the next higher shelf.
 - c. There shall be no shelves higher than 4' from the floor.