

TOWN OF CHATHAM BOARD OF HEALTH

REGULATION GOVERNING THE SOLID WASTE DISPOSAL FACILITY

97 Sam Ryder Road, South Chatham

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SECTION 1 AUTHORITY

The Board of Health of the Town of Chatham adopts the following regulation pursuant to the provisions of Massachusetts General Law Chapter 111; section 31 and 310 CMR 11.00 of the State Environmental Code.

SECTION 2 PURPOSE

The Board of Health of the Town of Chatham adopts the following regulation to safeguard the public health; to ensure the smooth operation of the solid waste transfer station; and to actively encourage recycling, composting, and the re-use of usable items thereby fostering a public awareness of care for the environment and significantly reducing the cost of solid waste disposal.

SECTION 3 DEFINITIONS

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| 3.1 | BULKY WASTE | Any large items including, but not limited to, furniture, mattresses, etc. |
| 3.2 | COMMERCIAL REFUSE COLLECTORS/TRANSPORTERS | Individuals or companies who collect and/or transport refuse on a contractual basis from private or commercial sources. |
| 3.3 | CONSTRUCTION AND DEMOLITION WASTE | All lumber, pipes, bricks, shingles, sheetrock, masonry, porcelain plumbing fixtures, and other materials resulting from the construction, demolition, or reconstruction of a building or a portion of a building. |
| 3.4 | GARBAGE | Animal, vegetable, or other organic waste resulting from the handling, preparation, cooking, serving, or consumption of food. This includes fish gurry and/or shells left over from the processing of fish or shellfish. |
| 3.5 | HAZARDOUS WASTE | A waste, or combination of wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in serious, irreversible, or incapacitating illness, or pose a substantial present or potential hazard to human health, safety, or welfare or to the environment when improperly treated stored, transported, used, disposed of, or otherwise managed. |
| 3.6 | HEAVY CONSTRUCTION WASTE | Solid waste materials derived from either the construction or demolition of brick or masonry foundations; paving materials; and retaining walls or general earthworks. |

- 3.7 **HOUSEHOLD/RESIDENTIAL WASTE** Any rubbish, refuse, or garbage that is normally generated within a residential dwelling. Household refuse does not include such items as refrigerators, stoves, or other appliances, mattresses, furniture, or wastes generated from the grounds of a residential dwelling. Nor does it include household hazardous wastes such as containers of paint, solvents, chemicals, and other substances established by regulations of the Massachusetts Department of Environmental Protection.
- 3.8 **METAL WASTE** Appliances, auto and truck parts, boat parts, pipes, duct work, etc.
- 3.9 **NON-HOUSEHOLD/COMMERCIAL WASTE** Any rubbish, refuse, garbage, or non-bulky waste that is generated from businesses, industry, hotels, motels, in-situations, or other than from within a residential dwelling.
- 3.10 **RECYCLABLES** Solid waste/rubbish that can be collected and treated in such a manner that it can be re-used or altered in such a way that it can serve another function. For the purposes of this regulation, recyclables shall include the following:
1. Glass Containers: glass bottles, jars (soda-lime glass), and fluorescent light bulbs, but excluding incandescent light bulbs, Pyrex cookware, plate glass, drinking glasses, windows, windshields, and ceramics.
 2. Metal Containers: aluminum, steel, or bi-metal beverage and food containers.
 3. Single Resin Plastics: All narrow-neck #1 and #2 plastic containers and other plastics #1-7 as allowed.
 4. Recyclable Paper: all paper, cardboard, magazines, newspapers, Books, Junk mail and paperboard products excluding tissue paper, toweling, paper plates and cups, wax-coated cardboard, and other low-grade paper products which become unusable to paper mills as a result of normal intended use.
 5. Cell phones, DVDs, VHS tapes, CD's, and other reusable electronics as approved.
 6. Yard Waste: grass clippings, weeds, and garden materials.
 7. Leaves: deciduous and coniferous leaf deposition.
 8. Automotive Products: antifreeze; lead-acid batteries used in motor vehicles or stationary applications; motor oil; oil filters, and tires.

9. White Goods: appliances employing electricity, oil, natural gas, or liquefied petroleum gas to preserve or cook food, to wash or dry clothing, or to cool or heat air or water. These include refrigerators, freezers, dishwashers, clothes washers, clothes dryers, gas or electric ovens and ranges, and hot water heaters. All doors/lids are to be removed before delivery.
10. Metal waste items such as bed frames and bicycles.
11. Clean scrap and/or salvageable lumber or firewood.
12. Manure. This includes equine, poultry, and other animal excrement, but excludes human and domestic pet waste.
13. Cathode Ray Tubes: any intact, broken, or processed glass tube used to provide the visual display in televisions, computer monitors, and certain scientific instruments such as oscilloscopes.

3.11 REUSABLES

Small items in good working condition that may be of use to another individual. These items include, but are not limited to, small furniture, books, small appliances, hand and power tools, lawn and garden equipment, toys, fixtures, sports equipment, etc. Such items shall be confined to the Gift Shop building and shall be reasonably clean and in reasonable repair. Whether or not an item is a reusable is at the sole discretion of the gate guard. Used clothing is, for the purposes of this regulation, considered a reusable item, but its disposal is confined to the charity collection boxes or the Gift Shop.

3.12 RUBBISH

Solid waste including, but not limited to, cardboard not suitable for recycling, all plastic not suitable for recycling, such as those other than #1- 7, packing materials, etc.

3.13 SPECIAL WASTE

Materials such as sewage solids, humus toilet waste, radioactive waste, pathological waste, sharps, explosive materials, including flares, chemicals, certain liquid wastes, Mercury containing waste, or other materials of a hazardous nature or materials requiring special handling or procedures for disposal (Contact the Chatham Fire Department for proper disposal of sharps or flares and Chatham Health Department for proper disposal of Humus toilet waste.)

SECTION 4 GENERAL PROVISIONS

- 4.1 **OPERATION** The Solid Waste Disposal Facility (hereinafter referred to as "the Facility" or "Chatham Transfer Station") shall be operated by the Director of the Department of Public Works (DPW) under the general supervision of the Board of Health in accordance with 310 CMR 19.00 and any supplements thereto and with all applicable plans and provisions as approved by the Board of Health, Board of Selectmen, and the Department of Environmental Protection.
- 4.2 **HOURS** Operating hours shall be set by the Director of the DPW and will be posted on the gate leading to the Facility and at the gate house. Changes in operating hours will be posted a minimum of a week in advance and notices will be sent to a minimum of one locally distributed newspaper.
- 4.3 **EMERGENCY CLOSING** The Board of Health or the Director of the DPW may close the Facility at any time for emergency reasons. In the event of such a closing, commercial haulers shall be informed as soon as possible.
- 4.4 **FEES** Fees shall be set annually by the Board of Selectmen on recommendation of the Director of the DPW. The fee schedule shall be effective from July 1 through June 30 of each fiscal year. All fees will be in dollar multiples. All on-site decisions regarding fees shall be at the discretion of the gate guard and are considered final.
- 4.5 **SPEED LIMIT** The speed limit in all areas of the Facility shall not exceed fifteen (15) M.P.H. Signs shall be posted to that effect.
- 4.6 **STOP** All vehicles must come to a full stop at the gate house before proceeding into the Facility area as instructed by the Gate Guard. All trucks must come to a full stop before entering on to the scale.
- 4.7 **ITEM REMOVAL** No person shall remove any item from the disposal area without the permission of the Transfer Station Foreman or his designee. The Transfer Station is not responsible for recovering items lost or accidentally disposed of. The exception to this rule is items that are contained within the Gift Shop Building that have been designated as reusables. No individual may take any item solely for resale.
- 4.8 **SCALE BREAKDOWN** In the event of a scale breakdown, the Transfer Station Foreman, or his designee may require packer-type trucks to be weighed in at a private company in order to determine the amount and cost of the material to be disposed of.

SECTION 5 DISPOSITION OF ACCEPTABLE WASTE

- 5.1 **ORIGIN** Only bulky waste, construction and demolition waste, garbage, heavy construction waste, household/residential waste, metal waste, non-household/commercial waste, recyclables, reusables, rubbish, or special waste generated within the boundaries of the Town of Chatham will be accepted at the Facility. All materials being disposed of are subject

to inspection by the Transfer Station Foreman, or his designee to determine its acceptability and origin.

5.2 **ACCEPTABLE WASTE** Except as noted under Section 6, the following are considered acceptable at the Facility and shall be disposed of in the approved manner. All materials are to be placed in the proper areas as directed by signs or by the Transfer Station Foreman, or his designee. The Transfer Station Foreman or his designee shall have final authority over the acceptance and/or disposition of any bulky waste, construction and demolition waste, garbage, heavy construction waste, household/residential waste, metal waste, non-household/commercial waste, recyclables, reusables, rubbish, or special waste brought to the Facility.

1. **AT THE TRANSFER BUILDING:** Properly bagged household/ residential trash, non-household/commercial trash, other garbage or rubbish; rags, excelsior, rubber, leather, and other non-toxic burnable refuse, except those items described in Section 6.
2. **BULKY WASTE:** Mattresses, large furniture, carpeting (4 ft. squares, rolls maximum 2' wide by 10'long), etc. shall be placed in an area designated by the Gate Guard.
3. **METAL WASTE:** White goods and large metal scrap such as appliances, bicycles and bed frames, are to be segregated and disposed of as instructed by the Gate Guard. All doors/lids are to be removed before delivery. Tanks, including vehicle gas or diesel tanks, and drums must have ends removed and be free of any product. Residential or commercial heating oil tanks are not allowed (contact Chatham Fire Department for proper removal/disposal requirements).
4. **CONSTRUCTION AND DEMOLITION WASTE:** Construction and demolition waste will be accepted from any site in Chatham. Documentation that the site is in Chatham shall be required. All loads are to be logged in at the gate house before disposal.
5. **NON-BURNABLES:** Non-burnable materials such as crockery, seashells, drywall masonry, small quantities of tar-paper, and asphalt shingles are to be placed in the designated area for later transfer.
6. **RECYCLABLES:** All recyclable materials are to be separated by type and deposited in the proper location as designated by signs or as directed by the Gate Guard. No commingling of recyclables is allowed. All recyclables must be clean and free from garbage, debris, and rubbish.
 - a. Returnable deposit containers may be donated to charity in the bin provided. Containers must be rinsed clean and unbroken.
 - b. Residentially-generated engine oil is to be left in the designated area for proper disposal by transfer station personnel only.
 - c. Clean scrap and/or salvageable lumber or firewood is to be disposed of at the direction of the Gate Guard.
 - d. Brush (less than 3" diameter and 4' long) and yard waste is limited to a pickup truck load, a one (1) ton truck load, or a four by eight (4 x 8) trailer load. Material is to be consolidated and transferred to the proper area. Leaves, pine needles, grass clippings, and manure are to be emptied from the transport containers in the area designated by the Gate Guard and then the containers are to be removed to the proper disposal area.
 - e. Private and commercially generated fish waste/gurry is to be disposed of at the direction of the Gate Guard.
 - f. Car batteries are to be disposed of at the direction of the Gate Guard.

- g. Collapsed corrugated cardboard is to be disposed of in the appropriate container. There shall be no foil decorated boxes, boxes with plastic wrap attached, waxed boxes, or boxes contaminated with garbage allowed in this container.
 - h. All other recyclables shall be disposed of at the direction of the Gate Guard.
- 7. REUSABLES: All reusable items shall be placed in the Gift Shop building. Only items in the Gift Shop are available for re-use. The Gate Guard is the final authority on reuse items. No items are to be taken for private re-sale. Used clothing is to be placed in the Salvation Army bin provided at the Facility or in the Gift Shop building.
 - 8. Any waste not listed may be disposed of at the Facility only after application to the Board of Health and the Director of the DPW. Application must be in writing giving the nature and quantity of the waste to be disposed of. The Board of Health and the Director of the DPW have fourteen (14) days to respond, either giving written permission for the disposal or denying it. Denials shall include an explanation of the reasons for denial. The decision of the Board of Health and the Director of the DPW shall be final.

SECTION 6 UNACCEPTABLE WASTES AT THE TRANSFER STATION

6.1 **UNACCEPTABLE WASTE THAT MAY BE RECYCLED** The following is considered unacceptable and will not be allowed disposition in the Transfer Station however may be placed in the appropriate area (see section 5.2)

- 1. Recyclables.
- 2. Reusables including the following;
 - a. Construction and demolition waste,
 - b. Brush and/or yard waste, including tree stumps,
 - c. Carpeting.

6.2 **UNACCEPTABLE WASTE** The following is considered unacceptable and will not be allowed disposition in the Transfer Station.

- 1. Automobiles or truck bodies.
- 2. Automobile, truck, inboard, outboard, or inboard/outboard marine engines.
- 3. Explosive materials.
- 4. Gasoline tanks.
- 5. Hazardous waste.
- 6. Septage waste.
- 7. Special waste.
- 8. Commercial waste that has been allowed to decompose and fester to the point that it becomes offensive and a potential danger to the public health.

SECTION 7 Sticker Eligibility Requirements

7.1 GENERAL REQUIREMENTS

1. For the purpose of these rules and regulations persons who are entitled to transfer station and beach stickers must meet the real estate taxpayer or residence requirements outlined below.
2. The burden of proof of sticker eligibility rests on the applicant.
3. At all times, the sticker remains the property of the Town of Chatham. The person to whom the sticker has been issued has purchased a use privilege, not the sticker itself.
4. All stickers are “vehicle-specific.” Each sticker will bear the license plate number of the vehicle to which issued and shall be valid only if permanently attached, and clearly visible on the bottom of the driver’s side windshield, placed so as not to restrict the drivers view (Sticker location effective July 1, 2009)

7.2 RESIDENTIAL TRANSFER STATION AND BEACH STICKER ELIGIBILITY

1. Year Round Resident and Real Estate Tax Payers
 - a. Applicants must appear by name on the current assessor’s list of residential property owners. New owners who have not yet been placed on the list must provide a copy of the deed.
 - b. Spouses of real estate taxpayers are eligible, but must provide proof of their relationship to, and common household with, the real estate taxpayer (e.g. insurance policy, driver’s license, address portion of tax return, etc.)
 - c. Dependents of real estate taxpayers who are under 21 years of age, living year-round with parents, or who are full-time college students (Must have current student I.D. card) are eligible.
 - d. In cases of properties owned by trusts, the trustees of the trust and those named in the trust are eligible. Sufficient documentation, such as an excerpt of the trust agreement, must be provided to demonstrate the applicant’s appointment of trustee.
 - e. Non-residents who own businesses in Chatham and thus pay real estate taxes are eligible for residential stickers.
 - f. Non-resident real estate taxpayers without a habitable dwelling or occupancy permit on a Chatham property are eligible for residential stickers

7.3 Year Round Residents Who Are Not Real Estate Taxpayers

1. Year round residents who are not real estate taxpayers must appear on the Town’s current street list. New residents who have not yet been placed on the list must provide proof of residency by one or more (at the discretion of the Permit Office) of the following:
 - a. Driver’s license with Chatham address
 - b. A valid Vehicle Registration showing name and Chatham address of owner. If car is leased, please provide;

- A copy of monthly bill, or
 - A copy of the lease agreement, or
 - A copy of the insurance policy listing the vehicle
If car is in the name of a company, please provide;
 - A business card with name of applicant and his/her company
 - A letter from the company permitting use of that vehicle
- c. A signed lease of six months or longer duration showing property address and term of lease (with backup from another of the listed documents showing it is a legal address).
- d. Current telephone or electric bills for same Chatham address (P. O. Box # does not suffice)
- e. Most recent year's Massachusetts filed income tax return
- f. Voter's Registration Card with additional backup showing current Chatham address.

- 7.4 **DAY USE PERMITS** Contractors working in the Town of Chatham or town residents may use the facility on a daily basis by paying a day use fee to be set by the Selectmen at the recommendation of the Director of DPW. Items disposed of at the Facility must be generated in the Town of Chatham. Documentation may be required.

SECTION 8 COMMERCIAL REFUSE COLLECTORS/TRANSPORTERS

- 8.1 **LICENSE** No person shall transport commercially collected household/residential refuse, non-household/commercial refuse, bulky waste, or any other garbage or rubbish materials on the streets of the Town of Chatham or into the Facility without a license from the Board of Health. Licenses shall be renewed annually in January and renewal shall be contingent on an inspection of the vehicles used for transportation of refuse.
- 8.2 **VEHICLES AND TRANSPORTATION METHODS** All residential and commercial refuse commercially collected must be transported into the disposal area with a packer type vehicle. All other refuse may be transported in an open vehicle. However, the material must be properly covered with a tarpaulin or netting to prevent displacement.
- 8.3 **LOG IN** All commercial transporters must stop before entering the scale and log in:
1. Type of material. The Transfer Station Foreman, or his designee, shall inspect all loads upon tipping.
 2. Any load determined to be more than an incidental amount of mixed load (commercial & residential) will be charged the higher rate.
 3. Sign the weight ticket for billing purposes.
 4. One truck at a time will be allowed on the tipping floor.

SECTION 9 ENFORCEMENT AND VIOLATIONS

- 9.1 The Board of Health, and/or the Director of the Department of Public Works and their employees shall have the authority to enforce any and all of the provisions of this regulation.
- 9.2 Violation of any of the below provisions shall result in the forfeiture of the sticker. Re-instatement of facility access will require the user to re-apply for and pay full price for a new sticker. Permit office shall be notified of all sticker forfeitures.
- 9.3 Provisions Subject to Enforcement:
1. Resident sticker registration number not matching the registration number of the vehicle to which it is affixed.
 2. Sticker not permanently affixed to the lower windshield on the drivers side.
 3. Sticker altered, defaced, copied, or made unreadable.
 4. Sticker is used to gain entry to beach or transfer station area by persons other than those in the household to which the sticker was issued.
 5. Loaning of a sticker to another individual for unauthorized use.
 6. Family sticker being used for commercial purpose.
- 9.4 Appeals Any appeal to sticker revocation will be directed to the Director of the DPW.

SECTION 10 SEVERABILITY

If any title, regulation, section, paragraph, sentence, clause, phrase, or word of this code shall be declared invalid for any reason whatsoever, that decision shall not affect any other portion of this code or regulation, which shall remain in full force and effect; and to this end the provisions of this code and regulation are hereby declared severable.

SECTION II EFFECTIVE DATE

This regulation is effective as of July 16, 1992

REVISED: March 23, 1993

REVISED: July 3, 2008

Signed:

Edward Sheehan, Chairman
Richard Roy, Vice Chairman
Ronald Broman, Member
Mary Ann Gray, Member
Justin Rivers, D.D.S, Member