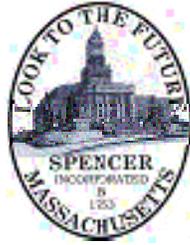


TOWN OF SPENCER

Office of Development & Inspectional Services

*Planning Board
Zoning Board of Appeals
Conservation Commission
Board of Health*

*Town Planner
Inspector of Buildings
Health Agent
Wetland/Soil Specialist*



*Memorial Town Hall
157 Main Street
Spencer, MA 01562*

*Tel: 508-885-7500 ext. 180
Fax: 508-885-7519*

REGULATIONS FOR OUTDOOR WOOD BOILERS

PURPOSE AND AUTHORITY:

Whereas outdoor wood 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 affects related to health, comfort of life, and general nuisance have been recorded in the Town of Spencer and throughout the State of Massachusetts.

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

These regulations shall be effective on and after February 2007 and so remain until modified or amended by the Board of Health.

TABLE OF CONTENTS:

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 BOILER: means a free standing wood fired boiler, surrounded by a water jacket with a 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, chimineas, wood fired barbeques, or equipment for the 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).

RESTRICTIONS:

It shall be illegal for any person to install an outdoor wood boiler within the legal limits of the Town of Spencer without a special permit issued by the Board of Health and Building Inspector.

The following restrictions are hereby placed on new installations and existing outdoor wood boilers:

SET-UP:

1. An outdoor wood boiler shall be located a minimum of 50 feet from any structure, designed or built for occupancy, not being served by the outdoor wood boiler.
2. An outdoor wood boiler shall be located no less than 75 feet from any property line.
3. A clear radius of 25 feet must be maintained between any outdoor wood 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 other points of emission from outdoor wood boilers must be in no case less than 12 feet above the ground immediately surrounded by the outdoor wood boiler and any other manufacturer's requirements.
5. Tops of chimneys or other points of emission from outdoor wood boilers must be equipped with a properly operating spark arrestor system.

OPERATIONS:

1. Only properly season wood or clean dried wood shall be used to fuel outdoor wood boilers.
2. Outdoor wood boilers shall only be operated from September 15 through May 15.

PROHIBITIONS:

- A. It shall be illegal in the Town of Spencer for any person to:
 1. Cause, suffer, allow, or permit the installation of an outdoor wood boiler in the Town of Spencer, MA without a Special Permit from the Board of Health and a Building Permit.
 2. Cause, suffer, allow, or permit the installation or use of any material, article, machine, equipment, or contrivance which conceals an emission without reducing the total weight of emissions where such emission would constitute a violation of any applicable regulation.
 3. Cause, suffer, allow, or permit the operation of an existing outdoor wood boiler between May 15 and September 15.
 4. Cause, suffer, allow, or permit the operation of an existing outdoor wood boiler in any manner contrary to the manufacturers operating procedures.
 5. Cause, suffer, allow, or permit the operation of an existing outdoor wood boiler in any manner that causes a public nuisance or a public health risk.
 6. Cause, suffer, allow, or permit the burning of treated woods, trash, garbage, biological waste, or any other waste or otherwise use an outdoor wood boiler as an incinerator.

ENFORCEMENT:

- A. If an inspection or examination reveals that an outdoor wood 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 boiler until it has been restored to compliance.
- B. Any person who fails to comply with an order issued pursuant to these regulations may:

1. Be fined not less than \$50.00 nor more than \$300.00, or
2. Be penalized by complaint brought in Worcester County Housing Court, District Court, or any other court of competent jurisdiction

Each day's failure to comply with an order shall constitute a separate violation.

SEVERABILITY:

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

INSTALLED PRIOR TO THESE REGULATIONS:

Any wood boiler installed prior to the date of the regulations not meeting all the requirements herein, must either obtain a special variance for the operation of the boiler by the Board of Health (if compliance **can not** be achieved), or come into compliance within one year of the date of these regulations.

Effective Date: _____

Lynda Laine-Chairman

Daniel Shields-Member

John Wilson-Member