

## **REGULATIONS 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 affects related to health, comfort of life and general nuisance have been recorded in the Town of North Brookfield and throughout the State of Massachusetts.

The Board of Health of the Town of North Brookfield, 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 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. APPLICABILITY

Prior to installation of new Outdoor Wood Burning Boilers (OWBB) within the legal limits of the Town of North Brookfield owners of the property where the boiler is to be installed need to obtain a special permit from the North Brookfield Board of Health. Permit applicants must demonstrate to the satisfaction of the Board of Health that they understand the requirements for proper installation and operation of an OWBB. The application must be accompanied by a written site plan indicating the proposed boiler location in relation to all existing structures and separating distances from the boiler to all building and outbuildings on site and all neighboring structures within 400 feet. The plan must also indicate distances to all roads adjacent to the site and distances from the boiler to woods, brush and flammable structures.

New Outdoor Wood Boilers will not be allowed in the R-11 Zoning District.

Owners of existing outdoor wood burning boilers need to obtain a special permit from the North Brookfield Board of Health within one year of the effective date of these regulations. If the existing outdoor wood burning boiler cannot meet the regulations the owner must apply to the North Brookfield Board of Health for a variance within one year of the effective date of these regulations.

### D. INSTALLATION

1. An outdoor wood burning boiler shall be located a minimum of 150 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 75 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. OPERATIONS

1. Only properly seasoned wood or clean dried wood shall be used to fuel the outdoor wood burning boilers. No burning of treated woods, trash, garbage, biological waste, or any waste or otherwise use of an outdoor wood burning boiler as an incinerator.
2. Outdoor wood burning boilers shall only be operated from September 15 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 money damages, or both.

#### G. PENALTIES:

Any violation of these regulations shall be punishable 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 these regulations is deemed invalid for any reason, it shall be severed and shall not affect the validity of the remaining provisions.

Effective Date: June 20, 2007

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John Alphin- Chairman

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Catherine Strandberg – Member

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Charlotte Lewengrub - Member