



Town of Carlisle
Office of
BOARD OF HEALTH
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Town of Carlisle Storage of Petroleum

SECTION 1: AUTHORITY

The Board of Health, Town of Carlisle, Massachusetts in accordance with and under the authority granted by Section 31, Chapter 111 of the General Laws of the Commonwealth of Massachusetts hereby adopted the following rules and regulations at a meeting of the Board held on May 20, 1986, and as further amended on January 21, 1991 and November 10, 1998.

SECTION 2: PURPOSE

The purposes of these regulations are, through regulation of the design, construction, installation, testing and maintenance of petroleum product storage facilities to protect the public health from the contamination of water supplies due to leakage from such facilities and to safeguard the general welfare by protecting limited water supplies for present and future use.

SECTION 3: DEFINITIONS

The following definitions are listed only where they are different or are not included in 527 CMR 9.00. For all other definitions, refer to 527 CMR 9.00

"Board of Health" means the Board of Health of the Town of Carlisle.

"Fire Chief" means the Fire Chief of the Town of Carlisle.

"Indoor" means enclosed within a main building as opposed to an outdoor vault.

"Petroleum Products" means fuel oil, gasoline, diesel fuel, kerosene and waste oil.
Propane and liquefied petroleum gases are excluded.

SECTION 4: GENERAL RULES FOR PETROLEUM STORAGE FACILITIES (APPLIES TO SECTIONS 5 AND 6)

4.1 STATE AND FEDERAL LAWS

All petroleum storage tanks shall be removed or installed in accordance with all local, state and federal laws.

4.2 REMOVAL OF UNDERGROUND TANKS

The following regulation was implemented December 31, 1992 with the goal of eventually removing all non-double-walled (substandard) underground petroleum product storage tanks.

All such tanks 30 years old or older shall be removed as soon as they reach 30 years of age.

All such tanks of any age shall be removed by December 31, 1998.

4.3 PERMITS

The Fire Chief shall issue all permits necessary to remove or install petroleum storage tanks and for vault installations. The Board of Health shall additionally issue a permit for the installation of new or replacement underground petroleum storage tanks, vault installations and aboveground outdoor installations.

4.4 TANK SPECIFICATION REQUIREMENTS

All new and replacement tanks shall be designed and constructed to minimize the risk of corrosion and leakage, and their material shall be guaranteed by the tank manufacturers to be compatible with the petroleum product designated by the owner in the permit application required under subsection 43.

4.5 USED TANKS

Used tanks are prohibited.

4.6 RESPONSE TO LEAKS

In the event of a leak, whether determined by testing or otherwise, the following steps shall be taken:

The operator shall immediately notify the owner, the Fire Chief, the Office of Incident Response of the Department of Environmental Protection (DEP), the Board of Health, and if the leak is within 100 feet of the wetland resource area, the Conservation Commission.

4.7 REPAIR OF TANKS AND COMPONENTS

Repair or relining of tanks is prohibited. Qualified technicians following the manufacturer's directions shall perform repair of any components.

4.8 FINES AND PENALTIES

Any owner or operator who violates any provision of this regulation shall be subject to a fine to be determined from time to time by the Board of Health.

4.9 SEPARATE OFFENSES

Each day during which such violation continues shall constitute a separate offense.

4.10 VARIANCES

Equivalent Protection Provided: The Board of Health may, after a public hearing, vary the application of any provision of this regulation, unless otherwise required by law.

When, in its opinion, the applicant has demonstrated that an equivalent degree of protection will still be provided to public and private water supplies and to the public health and public safety.

Notice of Hearing: Notice of a hearing shall be given by the applicant, at least ten (10) days prior thereto, by certified mail to all direct abutters to the property on which the owner's storage facility is located and by publication in a newspaper of general circulation in the town. The notice shall include a statement of the variance sought and the reasons therefor.

Grants or Denials: Any grant or denial of a variance shall be in writing and shall contain a brief statement of the reasons for the grant or denial.

4.11 COSTS

The owner and operator of the affected petroleum product storage facility shall pay costs incurred in complying with these regulations and in obtaining compliance.

4.12 SEVERABILITY

The invalidity or unenforceability of any provision of this regulation shall not affect the validity of the remainder that shall remain in full force and effect.

4.13 FORMS

The Board of Health shall issue forms necessary for compliance with these regulations.

4.14 NOTICE TO FIRE CHIEF AND BOARD OF HEALTH

No new or replacement underground tank or component shall be installed, whether it is part of a new or existing storage facility, unless the owner has given at least one week's notice of its installation to the Fire Chief and the Board of Health. The installation contractor shall be identified.

4.15 WITNESSING AND PLACEMENT

A petroleum product storage tank shall not be placed in the ground unless the Board of Health or its designee is present.

4.16 INSPECTION

No new or replacement underground tank or component shall be buried or concealed until it has been inspected for damage and external defect, tested for tightness 527 CMR 9.00 and approved by the Board of Health or its designee.

4.17 QUALIFIED INSTALLER

No new or replacement underground tank or component shall be installed except by a contractor who has been either qualified by the manufacturer or a petroleum

equipment association. The contractor shall, prior to any installation, submit to the Board of Health evidence of qualification.

4.18 INSTALLATION SPECIFICATIONS

The installation of a new or replacement underground tank, including anchoring to the tank whenever water-saturation of any part of the excavation can reasonably be anticipated, shall be carried out in accordance with the manufacturer recommendations, accepted engineering practices, and the provisions of 527 CMR 9.00. Tanks must be four (4) feet above the high water table, 250 feet away from a surface body of water or wetland resource area, and not within the 100-year flood plain.

4.19 RECORDS

The owner shall furnish the Board of Health with an official copy of the results of all testing required by this subsection, which the Board of Health shall keep with the records for the storage system.

4.20 VAULTS

Vault installation shall be covered by 527 CMR 9.00.

SECTION 5. NEW AND REPLACEMENT INSTALLATIONS FOR CONSUMPTIVE USE FUEL OIL STORAGE

5.1 The installation of petroleum product tanks for products with a flash point exceeding 100 degrees F (generally home heating oil in Carlisle) shall meet or exceed one of the following specifications:

a) ABOVE GROUND OUTDOOR INSTALLATIONS

Tanks and components shall be installed on a surface impervious and resistant to the product being stored. A permanent dike of impermeable and resistant construction shall enclose the storage area, with provisions for preventing accumulation of water. The volume of the area enclosed by the dike shall be equal to a minimum of 1.2 times greater than the capacity of the container within the dike, so as to be capable of holding the enclosed material at all times. The dike shall be no higher than half the height of the enclosed tank. In no case shall the tank be completely enclosed. A fence or plantings may screen the tank if desired.

b) UNDERGROUND TANKS

The installation of underground petroleum product storage tanks is prohibited with the exception of home heating oil for consumer use in a double-walled steel or fiberglass tank limited to a maximum of 2500 gallons per site.

SECTION 6. NEW AND REPLACEMENT UNDERGROUND GASOLINE AND DIESEL FUEL STORAGE FACILITIES

6.1 GENERAL REQUIREMENTS

The general requirements for underground gasoline and diesel fuel are covered under 527 CMR 9.00 and the General Rules for Petroleum Storage Facilities (Section 4) of this regulation.

Town of Carlisle Board of Health

Steven W. Opolski, Chairman
Thomas F. Saunders
James M. Slattery

Signatures on file.

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| Adopted: | May 20, 1986 | Effective: | June 20, 1986 |
| Amended: | January 21, 1991 | Effective: | July 1, 1991 |
| Amended: | November 10, 1998 | Effective: | December 1, 1998 |