HOUSE DOCKET, NO. 4338 FILED ON: 6/20/2014

HOUSE . . . . . No. 4343

The Commonwealth of Massachusetts

PRESENTED BY:

James R. Miceli

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to industrial wastewater discharge of dental facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James R. Miceli	*19th Middlesex*

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HOUSE . . . . . No. 4343

By Mr. Miceli of Wilmington, a petition (subject to Joint Rule 12) of James R. Miceli relative to industrial wastewater discharged from dental facilities. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to industrial wastewater discharge of dental facilities.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to modify forthwith laws relative to industrial wastewater, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

(a) As used in this act, the following terms shall, unless the context clearly requires otherwise, have the following meanings:-

"Dental facility ", any institution, clinic, office or location where dentistry is practiced, as defined in section 50 of chapter 112 of the General Laws.

"Industrial wastewater", waste in liquid form resulting from any process of industry, trade or business, regardless of volume or pollutant content. Waste in liquid form consisting of only sewage is not industrial wastewater.

"Septic system", a subsurface disposal system installed in accordance with cmr310.15 title V.

"Sewage", means water containing human or animal wastes from residences, buildings, industrial establishments or other places.

"Zone II ", an area of an aquifer that contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated (180 days of pumping at approved yield, with no recharge from precipitation). It is bounded by the groundwater divides that result from pumping the well and by the contact of the aquifer with less permeable materials

16 such as till or bedrock. In some cases, streams or lakes may act as recharge boundaries. In all
17 cases, Zone II shall extend upgradient to its point of intersection with prevailing hydrogeologic
18 boundaries (a groundwater flow divide, a contact with till or bedrock, or a recharge boundary).
19 The Zone II must include the entire Zone I area. For springs, the Zone II is that area of an
20 aquifer, which contributes water to the spring under naturally flowing conditions.

21 (b) A dental facility, located in a Zone II of a public water supply, which discharges
22 industrial wastewater into a properly designed and installed septic system, shall obtain
23 verification , within 120 days of the effective date of this act and verified every 5 years, from the
24 municipal board of health, municipal health department or regional health district exercising
25 powers and duties over the municipality or district where the dental facility is located, that the
26 dental facility has no standing order to replace or repair the septic tank.

27 (c) The regulations promulgated by the division of water pollution control and codified at
28 314 CMR 18.01 to 18.11, inclusive, shall not apply to dental facilities .