



Town of Oak Bluffs
Board of Health
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William White
Chairman

James Butterick
Thomas Zinno
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Health Agent

Restriction on the Installation of Artificial Turf Containing PFAS in the Town of Oak Bluffs

OAK BLUFFS BOARD OF HEALTH

DATE ADOPTED: XXXXXX XX, XXXX

SECTION 1: SCOPE OF AUTHORITY

The Town of Oak Bluffs Board of Health adopts the following Regulation pursuant to authorization granted by MGL. c 111 s. 31 and 122. This regulation shall apply, as specified in Section 3, to all property within the Town of Oak Bluffs.

SECTION 2: PURPOSE OF REGULATION

Whereas the siting of artificial turf has the potential to release PFAS and metals in drinking water supply areas; and these pollutants have repeatedly threatened surface and ground water quality throughout Massachusetts; and surface and ground water resources contribute to the Oak Bluffs public drinking water supplies;

The Town of Oak Bluffs adopts the following regulation, under its authority as specified in Section 1, as a preventative measure for the purpose of preserving and protecting the quality of public drinking water drawn from our sole-source aquifer and to minimize the risk to public health and the environment.

SECTION 3: APPLICABILITY

This regulation shall apply to all property in the Town of Oak Bluffs.

SECTION 4: DEFINITIONS

Aquifer: A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

Artificial Turf: Any synthetic, carpet-like material made to resemble turf and used as a permanently installed surface for landscaping, pets, sports, putting greens, and playgrounds.

MGL: Massachusetts General Law.

PFAS: Per- and Polyfluoroalkyl Substances

PFAS Free: A product defined as containing less than 1 part per million (ppm) total organic fluorine as measured by combustion ion chromatography.

SECTION 5: PROHIBITIONS

A. The following land uses and activities are prohibited on all property in the Town of Oak Bluffs:

1. Installation, storage, and dumping of artificial turf containing PFAS.

SECTION 6: EFFECTIVE DATES FOR ALL FACILITIES

A. The effective date of this regulation is the date posted on the front page of the regulation, which shall be identical to the date of adoption of the regulation.

B. As of the effective date any applicable modification of a property within the Town of Oak Bluffs shall comply with the provisions of this regulation.

SECTION 7: PENALTIES

Any person who violates any provision of this regulation, or who fails to comply with any Order by the Board of Health, for which a penalty is not otherwise provided in any of the general laws shall be subject to a fine of not less than \$200.00 but no more than \$1000.00. Each day's failure to comply with an Order may constitute a separate violation.

SECTION 8: SEVERABILITY

If any provision of this regulation is declared invalid by a court of competent jurisdiction, such invalidity shall not affect any remaining provisions of this regulation. Any part of these regulations subsequently invalidated by a new state law or modification of an existing state law shall automatically be brought into conformity with the new or amended law and shall be deemed to be effective immediately.

SECTION 9: EFFECTIVE DATE

These regulations shall become effective upon publication pursuant to G.L. c. 111 §31 on XXXXXX, XX, XXXX

By the Board of Health

William White, Chairman

James Butterick

Thomas Zinno