

GUIDELINES FOR THE IMPLEMENTATION AND ENFORCEMENT OF BOSTON PUBLIC HEALTH COMMISSION'S NAIL SALON REGULATION

APPROVED: _____ /s/

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SECTION I. PURPOSE

The Boston Public Health Commission has determined that standardization of the practice of professional nail enhancement is necessary in order to protect the health of nail technicians, clients, and visitors of nail salons from the risk of injury or infection due to unsanitary conditions and exposure to hazardous chemicals. These guidelines are promulgated to set forth the implementation and enforcement procedures of the Boston Public Health Commission's Nail Salon Regulation (hereinafter "Regulation").

SECTION II. DEFINITIONS

1. Chemical means a product used in the salon for the provision of salon services and/or cleaning or disinfection. This includes, but is not limited to, polishes, glues, liquid monomers, acrylic powders, cleaners, sanitizers, alcohol, acetone, lacquer, nail polish remover, acrylic primer, nail hardener, cosmetics, and lotions.
2. Clean means to wash with water and liquid soap, detergent, antiseptic, or other adequate means to remove all visible debris or residue.
3. Client means a customer, patron or other individual who receives or will receive salon services.
4. Commission means the Boston Public Health Commission, the Board of Health of the Boston Public Health Commission, and/or any authorized agent thereof.
5. Disinfectant means a chemical or physical agent used in the disinfection process. The following categories of chemicals and/or processes qualify as disinfectants under this definition:
 - a. an EPA-registered bactericidal, fungicidal, and virucidal disinfectant (with the exception of formalin) used in accordance with manufacturer instructions;

- b. a 10% solution of chlorine bleach mixed with water (and no other chemicals);
 - c. isopropyl alcohol used at 100% concentration (for wiping surfaces) or immersion in 70% isopropyl alcohol for a minimum of 10 minutes (for tools);
 - d. a properly functioning and verified autoclave used according to manufacturer instructions; and
 - e. immersion in boiling water at 212 degrees Fahrenheit for a minimum of 20 minutes.
6. Disinfection means a process that prevents infection by killing bacteria on metal implements and non-porous surfaces using one or more of the defined disinfectants. Porous materials (pumice stones, sponges, wooden tools, etc.) cannot be disinfected.
7. Foot Bath means any basin (self-contained unit or connected to the nail salon's plumbing) that holds water, circulating or not, for the purposes of soaking the client's foot.
8. Implement means an instrument or tool, either disposable or reusable, used to provide nail salon services.
9. License means a license issued by the Massachusetts Board of Cosmetology to operate a nail salon.
10. Nail Salon and Salon means any establishment, facility, room, group of rooms, place of business, or premises licensed by the MA Board of Cosmetology, where salon services are performed on the person of another, with or without monetary compensation.
11. Manicuring Station means the workstation where a manicurist performs salon services on individual clients, including such devices, chairs, tables, counters and other equipment as may be necessary to provide such services.
12. Manicurist or Nail Technician means any person providing salon services upon the person of another, with or without monetary compensation.
13. Material Safety Data Sheet (MSDS) means a document that is supplied by the product manufacturer which explains the risks, precautions, and response actions related to exposure to a particular product or chemical used as an ingredient in a product.

14. Multi-Use Tool means an item constructed of hard materials with smooth non-porous surfaces such as metal, glass, or plastic that can be used on more than one client. The term includes but is not limited to such items as clippers, scissors, combs, nippers, manicure bowls, and some nail files.
15. Permit means a written document as prescribed and issued by the Commission granting approval to a nail salon to operate.
16. Salon Service means any practice carried out in a salon that includes, but is not limited to, cutting, shaping, polishing, or otherwise enhancing the appearance of the nails of the hands or feet, manicuring, pedicuring, callus removal and other skin treatment, waxing, and eyebrow threading.
17. Single Use Tool means a non-metal and/or porous item that is made or constructed of cloth, wood, or other absorbent materials having rough surfaces which cannot be disinfected or sanitized. Single use items include, but are not limited to, gloves, flip flops, toe separators, pumice stones, non-metal nail files, non-metal emery boards, buffers, buffing discs on electric files, wood and/or non-metal cuticle pushers, cotton balls, and tissues.

Section III. APPLICATION AND PERMITS

1. A nail salon shall annually apply for a Permit for Operation of Nail Salon from the Boston Public Health Commission's Office of Environmental Health, 1010 Massachusetts Avenue, 2nd Floor, Boston, MA 02118.
2. To apply for a new or renewal permit, a salon must submit the following:
 - a. a completed Application for Permit for Operation of Nail Salon;
 - b. a copy of the nail salon's use and occupancy permit;
 - c. a copy of the nail salon's license/permit from the Massachusetts Board of Registration of Cosmetology;
 - d. a copy of the cosmetologist, aesthetician, or manicurist license issued by the Board of Registration of Cosmetology for each manicurist or nail technician providing salon services on behalf of the nail salon.
 - e. a written plan or description of the nail salon's ventilation system; and
 - f. the permit fee in the form of a check or money order made payable to the "Boston Public Health Commission."
3. The annual permit fee is one hundred dollars (\$100) plus twenty dollars (\$20) for each manicuring station, including tables and foot baths beyond

the first four. For example, the annual permit fee for a salon with four manicuring tables and four foot baths is one hundred eighty dollars (\$180).

4. Upon submission of a complete Application for Permit for Operation of Nail Salon, the Commission will conduct an inspection of the salon as part of the application review and approval process. If the salon is found to be unsatisfactory during the inspection, the inspector will inform the owner or his/her representative of the corrective action required for issuance of the permit. Boston Public Health Commission staff will provide guidance and technical assistance to the salon owner to help him/her bring the salon into compliance with the Nail Salon Regulation prior to issuance of a permit.
5. A Permit for Operation of a Nail Salon is valid for a period of one year and requires annual renewal.
6. The Permit for Operation of Nail Salon shall be displayed in a manner conspicuous to patrons at all times.

SECTION IV. FACILITY REQUIREMENTS AND PROCEDURES

A. Material Safety Data Sheet (MSDS)

1. The following categories of chemical products, if present in the salon, must have a Material Safety Data Sheet (MSDS) available and on file in the salon:
 - a. Cleaning chemicals/detergents used for cleaning salon fixtures, surfaces, and equipment
 - b. Chemical disinfectants used for salon surfaces, fixtures, and tools
 - c. Artificial nail compounds (powders and liquids)
 - d. Artificial nail adhesives
 - e. Nail polishes, paints, and sealers
 - f. Nail polish remover/thinner
2. MSDSs must be available and accessible to salon employees at all times. The Office of Environmental Health recommends a salon maintain all MSDSs in a binder or file folder in a central location that is easily accessible to employees and Office of Environmental Health inspectors.
3. An MSDS for a chemical product is available from the distributor and/or manufacturer of the product and should be obtained at the time of purchase. An MSDS may also be available on the product manufacturer's website.

B. Eyewash Station

1. The salon eyewash can be either a station connected to the building plumbing and capable of continual operation, a stand-alone system specifically designed and marketed for use as an eye wash station, or a clearly marked station containing two or more personal eye wash bottles. Stand-alone eye wash stations are typically a plastic wall-mounted unit that holds several gallons of sterile water or saline solution while a personal eye wash bottle station may have a plastic or metal shelf that mounts to the wall to hold two or more sealed bottles of sterile saline or water.
2. Manufacturer guidelines for installation and maintenance of any stand-alone systems or bottles must be followed to prevent contaminants from getting into the wash water. Eyewash bottle nozzles must remain clean and clear and the water must be replaced regularly. Adhering to the manufacturer recommended water or saline replacement schedule as well as expiration dates is required. Should the liquid in the eyewash device ever become cloudy or odorous, it must be discarded and replaced immediately regardless of the manufacturer recommendation.
3. A hand washing sink is not an acceptable eyewash station.
4. The eyewash station cannot be located in the salon bathroom.

C. First Aid Kit

1. A fully stocked basic first aid kit must contain at least the following:
 - a. one absorbent compress 32 square in. (no side smaller than 4 in.)
 - b. four sterile pads (3 in. by 3 in.)
 - c. one triangular bandage (40 in. by 40 in. by 56 in.)
 - d. sixteen adhesive bandages 1 in. by 3 in.
 - e. five yards of adhesive tape
 - f. Antiseptic cream/ointment – at least 10 applications of 0.5g (0.14 fluid oz.) each
 - g. Burn treatment cream/ointment – at least 6 applications of 0.5g (0.14 fluid oz.) each
 - h. two pairs of medical exam gloves (nitrile preferred)
 - i. Alcohol prep pads
 - j. Alcohol hand sanitizer
 - k. Roll of gauze bandage (2 in. wide)
 - l. Instant ice pack
 - m. Bandage scissors
 - n. Acetaminophen and/or aspirin and/or ibuprofen (at least two of these)
 - o. Disposable thermometer or fever strip
2. The first aid kit must be easily accessible to salon employees and technicians

at all times.

D. Single-use Tools

Single-use tools are any salon tools made of foam, wood, or other porous materials that cannot be adequately sanitized between clients and/or are degraded by use on a client. These products **MUST** be discarded after use on a single client. Examples of common single-use tools include, but are not limited to, toe separators, flip-flops, non-metal cuticle pushers, cotton swabs/balls, non-metal nail files, pumice stones, gloves, and waxing sticks/spatulas.

SECTION V. STANDARDS OF PRACTICE

A. Use of Gloves

1. Gloves provide a barrier between the employee and the client or chemicals with which he/she is working. Some individuals may have latex allergies, therefore, nitrile exam gloves are recommended.
2. Some gloves have stronger resistance to certain chemicals. For most chemical handling, nitrile is the best choice. However, when handling acetone, latex gloves should be used because acetone breaks through nitrile gloves faster than latex. In the event of a latex allergy or allergy to natural rubber products, you may double glove (layer 2 pairs of gloves on top of one another) with 8 mil nitrile gloves.
3. Gloves must be worn when:
 - a. transferring chemicals from larger storage containers to smaller containers for use at the work station;
 - b. cleaning and disinfecting work and/or manicuring stations and tools;
 - c. assisting a client or employee in treating a cut or otherwise stopping bleeding; and
 - d. at the worker's discretion.
4. Gloves should be replaced if they tear during the performance of the above activities.

SECTION VI. CLEANING, DISINFECTING, SANITIZING

A. Hand Washing Sink

A hand washing sink must be maintained free of debris, utensils and dirt at all times.

B. Multi-Use Tools

1. After a tool has been used on a client, preparing it for use on a second client is a 2-step process of cleaning followed by disinfection.
2. Cleaning removes any large debris and readies the tool for disinfection. Cleaning can be done using any form of soap (hand soap, dish detergent, etc.) and water along with physical scrubbing with a brush followed by a thorough water rinse to remove detergent and particulate matter. Wash water must not be reused, but be discarded (down the drain to sanitary sewer) after each batch of tools is cleaned.
3. Disinfection must be administered by following one of these five processes:
 - a. Immersion/soaking/rinsing the tool(s) in an EPA-registered bactericidal, fungicidal, and virucidal disinfectant (with the exception of formalin which may not be used) following the manufacturer directions for use in disinfecting objects. This should be followed by a thorough rinse with clean, cold tap water. The tool(s) can then be dried with disposable paper towels.
 - b. Soaking for ten minutes in a mixture of 10% chlorine bleach and tap water that is freshly prepared on a daily basis. No other chemicals may be mixed into this solution as mixing chemicals may reduce the effectiveness of the solution as a sanitizing agent and may create a hazardous exposure for workers and clients or similar dangerous reaction. This soak should be followed by a thorough rinse with clean, cold tap water. The tool(s) can then be dried with disposable paper towels.
 - c. Soaking for ten minutes in a solution of 70% or greater isopropyl alcohol in water that is freshly prepared on a daily basis. No other chemicals may be combined with this solution as mixing chemicals may reduce the effectiveness of the solution as a sanitizing agent and may create a hazardous exposure for workers and clients or similar dangerous reaction. This soak should be followed by a thorough rinse with clean, cold tap water. The tool(s) can then be dried with disposable paper towels.
 - d. Immersion in boiling water at 212 degrees Fahrenheit for a minimum of 20 minutes. This must be done in enclosed equipment designed for this purpose. An open pan of boiling water can be a safety hazard to salon staff and may not be used. No other chemicals may be included in this water as it could create a hazardous exposure for workers and clients. The tool(s) can then be rinsed with tap water and dried with disposable paper towels. Care must be taken in handling hot tools.
 - e. Sanitization in a properly functioning and verified autoclave used in accordance with manufacturer instructions.
4. Ultraviolet light boxes do not sanitize and may not be used as a method of cleaning, sanitizing, or disinfecting multi-use tools.

5. Disinfectants must be prepared as specified. No other chemicals may be included in the water, as it could be hazardous to nail technicians and clients.
6. Once sanitized, tools should be stored in a clean sanitary drawer, cabinet, or box that can be closed to prevent dust and dirt falling on them until needed for use.

C. Manicuring Stations

1. All manicuring stations, including tables, foot baths, and similar surfaces and devices, must be cleaned and disinfected after each client and before use by the next client as follows:
 - a. Use a damp disposable paper towel to wipe down the entire surface to remove dust, nail clippings, and other debris. Dispose of this towel in the trash.
 - b. Use either a mixture of 10% bleach in tap water (prepared fresh each day with no other chemicals added to this mix) or 100% isopropyl (rubbing) alcohol, or an EPA-registered disinfectant (use according to manufacturer instructions) to wipe down the surface using a damp paper towel. Be sure to wet the entire surface with this. Dispose of the paper towel in a lidded trash receptacle.
 - c. If using 100% alcohol, no other steps are necessary. For any other disinfectant, wipe down the surface one last time with a disposable paper towel damp with tap water to rinse off any disinfectant residue and dry with a second paper towel. Both of these paper towels should be disposed of in a lidded trash receptacle.

D. Foot Baths

1. Regardless of type (portable basins, whirlpool foot baths plumbed into the building, etc.), all foot baths should be cleaned after each client in accordance with the following procedures below:
 - a. Drain the water from the foot spa basin or bowl and remove any visible debris.
 - b. Clean the surfaces of the foot spa with soap or detergent. Rinse with clean water and drain.
 - c. Disinfect the surfaces with an EPA-registered hospital disinfectant according to the manufacturer's directions on the label. Surfaces should remain wet with the disinfectant for ten minutes or longer if recommended on the product label. A 10% mix of bleach and water (but no other chemical) may be used as an alternative disinfectant. For whirlpool foot

spas, air-jet basins, “pipe-less” foot spas, and other circulating spas, fill the basin with water and the appropriate amount of liquid disinfectant (or 10% bleach solution) and turn the unit on to circulate the disinfectant for at least ten minutes.

- d. Drain the footbath and rinse with clean, cold water. For circulating spas, refill with clean hot water, turn the unit on to circulate for at least one minute, and drain the unit.
2. In addition, footbaths must be cleaned nightly upon closure of the salon.

For non-circulating foot baths, follow this process:

- a. Drain the basin and remove any visible debris.
- b. Scrub the bowl with a clean brush and soap or disinfectant (following cleaning directions). Rinse with hot water and drain.
- c. Disinfect basin surfaces with and EPA-registered hospital disinfectant according to manufacturer instructions or with 10% bleach solution. Surfaces should remain wet with the disinfectant for ten minutes or longer if recommended on the product label.
- d. Drain the basin, rinse with clean, hot water, and let air dry.

For whirlpool foot spas, air-jet basins, "pipe-less" foot spas, and other circulating spas follow this process:

- a. Remove the filter screen, inlet jets, and all other removable parts from the basin and clean out any debris trapped behind or in them.
- b. Using a brush, scrub these parts with soap or disinfectant (following cleaning directions).
- c. Rinse the removed parts with clean water and place them back into the basin apparatus.
- d. Fill the basin with clean, hot water and add an EPA-registered hospital disinfectant, following label directions. Turn the unit on and circulate the system with the disinfectant for ten minutes or the length of time recommended on the label, whichever is longer. The whirlpool mechanism of the tub must be operating for the entire disinfection period so the piping and internal components that contain hidden bacteria are disinfected.
- e. Drain, rinse with hot water, and air dry.

SECTION VII. VENTILATION PLAN

1. A nail salon shall be adequately ventilated to prevent the migration of chemical vapors, mist, or dust in the salon.
2. For the health and comfort of salon clients, employees, and neighbors, a salon must have ventilation that removes chemical vapors, mist, and dust from the salon and brings in fresh outdoor air. At a minimum, the ventilation system must comply with the applicable building code standard for the building in which the salon is located. Salon owners are encouraged to work with their building owner to meet the building code standards. A written description of the ventilation system and plans to improve it, where appropriate, must be included with the salon's Application for Operation of Nail Salon. An effective ventilation system:
 - a. is separate from the ventilation system of any other business/residence in the building;
 - b. exhausts air outside(does not recirculate) and away from salon windows or air intakes or those of other businesses/residences;
 - c. brings fresh outdoor air into the salon; and
 - d. is in operation at all times that the salon is open for business.
3. Fans that circulate air inside the salon do not qualify as a ventilation system because they do not remove air from the salon or bring in fresh outdoor air. Similarly, air purifiers and other products designed to remove odors do not qualify as a ventilation system. Air purifiers do not bring in fresh outdoor air or remove contaminated air and many produce ozone which is a respiratory irritant.
4. Each salon's ventilation system and improvement plan will be unique to accommodate its own specific layout and operational needs. However, a ventilation plan must describe the existing and proposed ventilation system in terms of one or more of the following:
 - a. Local Exhaust: This is any system that uses fans and ducting to pull air away from the immediate area where work that can produce chemical vapors, mists, or dust is being done and exhausts it outside. Some examples of this would be manicuring or drying stations where a small vent and an exhaust fan connects the work space to exhaust ducts.
 - b. General Room Ventilation: These are mechanical HVAC (heating, ventilation, and air conditioning) systems that use duct work, fans, and heaters/chillers to bring outdoor air into the building, heat or cool it before pushing it into the salon, and draw indoor air out of the salon and exhaust it outside, usually through a vent on the roof of the building. There are many different configurations possible with this type of system and the needs of each salon will vary. The important aspect to consider is how much fresh outdoor air the system brings into the salon and how much indoor air it

exhausts. This is usually identified in cubic feet of air per minute (CFM) that the ventilation fan can push. Experts recommend that a ventilation system bring in between 25 and 60 CFM per person of fresh outdoor air. A salon should consult with a ventilation engineer before installing such system.

- c. **Small Scale Mechanical Exhaust:** This category includes do-it-yourself solutions such as window air conditioners or exhaust fans mounted into windows or in walls. These solutions blow air from the salon directly outdoors or pull air into the salon, but usually cannot do both at the same time. Because they need to move a lot of air and do not have the efficient heat exchangers of mechanical ventilation systems, they are not as energy efficient as local exhaust or general room ventilation. They may not adequately ventilate a salon on their own, but they can help improve the indoor air quality of a small salon until a more effective system is installed. Experts recommend that exhaust fans should push at least 250 cubic feet of air per minute, be vented directly to the outside away from neighbors or air intakes, and be mounted on a ceiling or wall.
 - d. **Local Filtration:** When air from a work area, such as a manicure station, cannot be exhausted directly to the outside, a system that pulls the air away from the work and passes it through an activated carbon filter to capture chemical vapors and dust before it is circulated back out to the general salon room air may be installed. Because this type of system does not exhaust air to the outside, it must be paired with some other form of ventilation. This type of filtering system will require routine maintenance such as replacing the carbon filter on a regular basis.
 - e. **Passive Ventilation:** Simply opening windows or doors may provide minor short-term relief from a build-up of chemical vapors, but it is not an effective or practical form of ventilation. An additional form of ventilation above and beyond this level is needed.
5. The ventilation plan must include any information available to the salon owner about the equipment (such as fan flow rate or where it exhausts by looking at the outside of the building) which can often be found in the product documentation (or on the side of the equipment) from when it was first purchased or installed. The salon owner may also be able to gather this information from the building owner if the salon uses general building ventilation. The plan must also include a statement to the best of the salon owner's knowledge about where and/or how the salon air is vented to the outside. This plan includes information about the ventilation system to the best of the salon owner's knowledge. It is not necessary to hire any outside agent to compile the ventilation plan. Salon owners are encouraged to call the Environmental Health Office at 617-534-5965 with any questions about the requirements of a ventilation plan.
 6. The ventilation plan must include, in general terms, any future plans to modify or upgrade the ventilation system, including a description of the proposed

modifications and/or upgrades and the anticipated implementation timeline. A copy of the contractor project plan/proposal may also be submitted.

SECTION VIII. PUBLIC HEALTH NOTICE

1. Every nail salon shall display a public health notice in a manner and location conspicuous to employees, clients, or visitors of the salon upon entry.
2. The public health notice must be permanently affixed and shall be:
 - a. made of durable material;
 - b. at least 8.5 inches by 11 inches in size;
 - c. printed in 12 point or larger type
 - d. in strongly contrasted text on a bright background (for example, black text on a white or yellow background, white text on a dark blue or red background, etc.) to allow for ease of reading; and
 - e. an exact replica of the language included on the Boston Public Health Commission's public health notice template., the
3. An approved public health notice may be obtained from the Office of Environmental Health, 1010 Massachusetts Avenue, Boston, MA 02118.

SECTION IX. ENFORCEMENT

1. The Office of Environmental Health may enforce the provisions of the Regulation through any of the following means:
 - a. investigation of a complaint; and/or
 - b. unannounced inspection of the nail salon
2. Owners, business agents, or other persons having control of a nail salon who observe or are made aware of a violation of the Regulation should take all reasonable steps to ensure that the violation is not repeated.
3. A single inspection or investigation may result in multiple citations if multiple violations are found and correspond to different sections or elements of the Regulation.
4. Fines shall be paid within twenty-one (21) days of the date of issuance of the citation.
5. Notice of a citation may be provided within fourteen (14) calendar days of the violation by:

- a. in hand service to the owner, business agent, or other person having control of the nail salon; or
 - b. first class mail to the owner, business agent, or other person having control of the nail salon.
6. Fines may be paid by mail or in person in the form of a check or money order made payable to the “Boston Public Health Commission”, Office of Environmental Health, 1010 Massachusetts Avenue, 2nd, Floor Boston, MA 02118. If a check is returned for insufficient funds or account closure, an additional \$25.00 fee will be assessed. In the case of a returned check, all subsequent fines levied must be paid by money order.
7. Failure to pay a fine within twenty-one (21) days will result in an additional \$50.00 late payment penalty.
8. Complaints under Section 10 of the Regulation may be submitted in writing to the Office of Environmental Health, 1010 Massachusetts Avenue, 2nd Floor, Boston, MA 02118 or by calling 617-534-5965.
9. All citations and fines issued pursuant to the Regulation may be appealed in accordance with the Boston Public Health Commission’s Administrative Appeal Procedures. A copy of such procedures is available on the Commission’s website at www.bphc.org or at the Office of Environmental Health.