



Acton Board of Health
Meeting Minutes
June 6, 2023
7:30 PM.
Hybrid, Room 204 and Zoom

Present:

Members Present: Mark Conoby and William McInnis. Dr. William Taylor and Dr. Rekha Singh were not present.

Virtual Associate Members Present: Michael Kreuze

Staff Present: Sheryl Ball-Health Director and Felix Garcia, Public Health Inspector

Others Present: Alissa Nicol, Select Board Liaison, Chris Couture, Nayantara Bhat, Jon Crandall and Dan McLaughlin

Others Present Virtually: Daniel Hager

1. Opening

Chairman – Mark Conoby opened the meeting at 7:30 P.M. A script was read that was provided by the Town and this meeting of the Board of Health was called to order.

2. Regular Business

Board Member Future Agenda Items

None

Health Director Update

Ms. Ball stated that Household Hazardous Waste Day will be held Saturday, June 17 from 9-1130 AM and this year for the first time we will be working with Central Mass. Mosquito Control Project to collect tires.

Ms. Ball stated that we took 115 residents of Littleton, Boxborough and Acton to Kimball Farms today as part of a grant to promote social connectiveness amongst the senior population. Ms. Ball stated that she is thrilled that the event helped to get residents that previously didn't know each other connected.



Ms. Ball updated the Board on semi-public swimming pool openings and NARA pond testing. Ms. Ball stated that the results of NARA water testing look really good and we opened many pools prior to Memorial day. Ms. Ball mentioned that the camp reviews were completed prior to Mr. Dow's time off for his honeymoon and will be inspected upon his return.

The Board asked how Acton was doing for mosquito control and Ms. Ball stated that she will update the Board at the next meeting.

Nursing – Update

Ms. Ball informed the Board neither Ms. York or Ms. Salamon were available to update the Board tonight but Ms. York provided an update that Ms. Ball read.

Ms. Ball stated that in conjunction with Acton Pharmacy, the Nursing Service will be holding a COVID-19 Booster clinic on June 7, 2023 at the Human Services and Senior Center from 10:30 - 12:30. Ms. Ball stated that the link for signing up is in the COA newsletter, Acton Pharmacy website or by calling the Nursing Service for assistance.

Ms. Ball stated that we have had 12 confirmed cases of COVID 19, 2 cases of influenza and 1 care of Salmonellosis. Ms. Ball further stated that both Benchmark at Robbins Brook and Life Care center have no current cases of COVID.

33 Wetherbee Street – Variance Request

The Health Division received a request from the owner today withdrawing this request. On a motion made by Mr. McInnis, seconded by Mr. Kreuze, the Board unanimously voted to take no action. The chair took roll call and all were in favor.

Emergency Beaver Trapping Permit – Town of Concord –Nagog Pond

A request has been made from the Town of Concord for an emergency permit for beaver trapping due to beaver activity that is threatening a public water supply in Nagog Pond. There is an active lodge within the lake (reservoir) that is deemed a threat to human health and safety. This application was received by the Town of Concord who utilize this reservoir for some residents of Concord and for the properties located in Acton along Great Road.

This request was also approved by the Towns of Littleton and Concord along with the DEP and all have confirmed that in accordance with the Rules and Regulations that a threat to Human Health and Safety by beaver or muskrat activity within a drinking water supply.

Based on this information, the Health Division recommends that the Board of Health approve a 10 day emergency permit, beginning on Tuesday, May 30, 2023, giving the licensed trapper and its agent the right to use restricted traps and breach the dams or dikes subject to the conditions of the Conservation Commission.



In addition, the department would recommend that the Board grant a 10-day extension if needed.

The Board discussed this application and motivation for the need for this permit. The Board stated that beavers are known to carry Giardia which is a risk. The Board also questioned why we aren't concerned with other animals that potentially carry disease and only beavers. The Board discussed the criteria that allow Boards of Health to grant these permits which was issued by the State to help address these concerns. Ms. Ball stated that she would be happy to send those requirements to the Board for review. The Board further asked if we could have an expert speak to this at a future meeting. The Board questioned the location of the loge and it appears that the active area is closer to the Great Road side of the reservoir.

On a motion made by Mr. McInnis, seconded by Mr. Kreuze, the Board voted to approve an emergency permit to allow beaver trapping due to beaver activity that is threatening a public water supply in Nagog Pond to the Town of Concord, beginning on May 30, 2023, for a period of ten days with a 10 day extension if needed.

The Chair took roll call the vote was 2-0-1(abstention). Motion passes.

McGovern Auto Group – Hazardous Materials Control Permit – 196 Great Road

The Health Division received a request for a Hazardous Materials Permit Application for McGovern Auto Group located at 196 Great Road to store motor oil, antifreeze, waste oil, brake fluid and transmission fluid. McGovern Auto Group will be leasing the property from Jeep, Chrysler, Dodge who previously held this permit at this same address for the same use. The Health Division has reviewed this request and recommends the categories of 2: "Small Hazardous Waste Generator," 4: "Hazardous Materials Generator User," 9: "Hazardous Materials Storer Small Industry," and 12: "Hazardous Waste Storer Small Industry." The Board confirmed that Health's recommendations are identical to those previously held at the former business. The representatives of McGovern Auto Group stated that they are tenants of the property and will run the same business. The Board asked if the same personnel was remaining and it was stated that they there will be new and existing employees on site. The Board asked if the establishment has a generator ID and it was confirmed that they do. The applicant was asked if they agree with the conditions as proposed and the applicants reviewed at the meeting. The Board asked how they achieve the 110% containment and Ms. Ball stated that this will be confirmed during inspection for this and all other proposed conditions. The Board also asked if the used waste oil is still being used to heat the building and it was stated that is correct and this process is also permitted.

On a motion made by Mr. Kreuze, seconded by Mr. McInnis, the Board unanimously voted to grant a Hazardous Materials Permit application for McGovern Auto Group, LLC -Chrysler Jeep Dodge Ram of Acton located at 196 Great Road, Acton, MA on June 06, 2023 with the following conditions:



1. All liquids Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDS must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (Telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Wastes must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
7. All Hazardous Materials Containers shall be labeled and dated when filling first began.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
9. Floor cleaning procedures and bathroom sanitation products shall use only nontoxic and biodegradable cleaning compounds.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.
11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
12. No Hazardous Materials or Wastes shall be discharged into a sink or toilet.
13. A safety eye wash station shall be installed where any Hazardous Materials are stored or used.



14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
16. Prior to any new chemical or process being used, the Board of Health shall be notified.
17. A leak detector monitor and an over flow alarm shall be installed in the underground storage tank and the tank shall be tested annually for tightness with the results submitted to the Board of Health.
18. D.E.P. Generator Registration shall be provided annually upon renewal of the Hazardous Materials Storage Permit.
19. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments
20. All exterior above ground storage tank areas shall have secondary containment, as well as be protected from the elements and have restricted access from the public.
21. Copies of all Pesticide Applicator's current licenses shall be posted in an area that is visible to all employees.
22. All reports sent to D.E.P. or E.P.A., in regards to a waste site cleanup, shall also be submitted to the Board of Health.

The Chair took roll call and all were in favor.

Hazardous Materials Control Permit application -Hartney Greymont – 52 Knox Trail, Acton

The Health Division is in receipt of hazardous materials control permit application for Hartney Greymont located at 52 Knox Trail, Acton. Hartney Greymont is an existing company in Acton which was recently identified as having hazardous materials that include, motor oil, anti-freeze, fertilizer, 2 stroke mix with gasoline, fungicides, diesel exhaust fluid and pesticides The Health Division has conducted a review and has designated Hartney Greymont the categories of 7: "Hazardous Waste User," 9: "Hazardous Materials Storer Small Industry," and 12: "Hazardous Waste Storer Small Industry.

Mr. Daniel Hager representing Hartney Greymont, stated that they have been in business for many years, however the Health Division was not aware of this business until a DBA certificate



was applied for. The Health Division stated that they routinely check for businesses that utilize hazardous materials and were not aware of this operation. The property is leased and Mr. Hager agrees with the proposed conditions as recommended by the Health Division. The Board asked if employees hold pesticide licenses and it was stated that they do. The Board asked if materials are stored inside or outside and how the processes are done to transfer to vehicles. Mr. Hager stated that all chemicals are stored inside and transfers are done inside the garage as well.

On a motion made by Mr. McInnis, seconded by Mr. Kreuze, the Board unanimously voted to grant a Hazardous Materials Control Permit to Hartney Greymont located at 52 Knox Trail with the following conditions:

1. All liquids Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDS must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (Telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Wastes must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
7. All Hazardous Materials Containers shall be labeled and dated when filling first began.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
9. Floor cleaning procedures and bathroom sanitation products shall use only nontoxic and biodegradable cleaning compounds.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.



11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
12. No Hazardous Materials or Wastes shall be discharged into a sink or toilet.
13. A safety eye wash station shall be installed where any Hazardous Materials are stored or used.
14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
16. Prior to any new chemical or process being used, the Board of Health shall be notified.
17. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments
18. All exterior above ground storage tank areas shall have secondary containment, as well as be protected from the elements and have restricted access from the public.
19. Copies of all Pesticide Applicator's current licenses shall be posted in an area that is visible to all employees.
20. Gas cylinders shall not be rolled, even for short distances. They shall be moved by a suitable hand truck, in accordance with an OSHA standard that applies.

The chair took roll call and all were in favor.

**Hazardous Materials Control Permit Application Millennium Research Laboratories, Inc.
125 Nagog Park**

The Health Division is in receipt of a new Hazardous Materials Permit Application for Millennium Research Laboratories, Inc. located at 125 Nagog Park, Suite 305, Acton, MA 01720. The chemicals stored on site consist of Organic Waste and Aqueous Waste and some are identified as extremely hazardous. The Health Division has designated the categories of 2: "Small Hazardous Waste Generator," 4: "Hazardous Materials Generator User," 7: "Hazardous Waste User," 9: "Hazardous Materials Storer Small Industry," and 12: "Hazardous Waste Storer Small Industry."



The applicant stated that they have 20 years of experience with these chemicals and processes and have provided many additional safety measures. The applicant further stated that they do not generate a lot of waste as chemicals are utilized very effectively to minimize waste and only dispose of less than a 30 gallon drum once per year which is hauled by a licensed contractor.

The Board spoke to secondary containment of the cabinets and it was stated that would be confirmed during inspection. The applicant has also agreed to the conditions as proposed by the Health Division. The Board questioned the applicant about emergency and operating procedures and the Board stated that they are grateful for their vast experience with the use of these chemicals. The Board asked if an application is on file and the Health Division stated yes. Board also confirmed that the employees are being protected and that preparation is always done under a fume hood with a vent.

On a motion made by Mr. Kreuze, seconded by Mr. McInnis, the Board unanimously voted to grant a hazardous materials control permit to Millennium Research Laboratories located at 125 Nagog Park, Acton with the following conditions:

1. All liquids Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDS must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (Telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Wastes must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
7. All Hazardous Materials Containers shall be labeled and dated when filling first began.



8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
9. Floor cleaning procedures and bathroom sanitation products shall use only nontoxic and biodegradable cleaning compounds.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.
11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
12. No Hazardous Materials or Wastes shall be discharged into a sink or toilet.
13. A safety eye wash station shall be installed where any Hazardous Materials are stored or used.
14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.
16. Prior to any new chemical or process being used, the Board of Health shall be notified.
17. D.E.P. Generator Registration shall be provided annually upon renewal of the Hazardous Materials Storage Permit.
18. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments
19. All exterior above ground storage tank areas shall have secondary containment, as well as be protected from the elements and have restricted access from the public.
20. All reports sent to D.E.P. or E.P.A., in regards to a waste site cleanup, shall also be submitted to the Board of Health.
21. Gas cylinders shall not be rolled, even for short distance. They shall be moved by a suitable hand truck, in accordance with an OSHA standard that applies.



22. Operating procedures for both handling and use of hazardous materials shall be submitted and updated annually to the Board of Health, Fire, Police, and Emergency Management.

Minutes – April 18 and May 16, 2023

On a motion made by Mr. McInnis, seconded by Mr. Kreuze, the Board unanimously voted to accept the minutes of April 18, 2023 as amended.

The Chair took roll call and all were in favor.

On a motion made by Mr. Kreuze, seconded by Mr. McInnis, the Board unanimously voted to accept the minutes of May 16, 2023 as amended.

The Chair took roll call and all were in favor.

Adjournment

On a motion made by Mr. Kreuze, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 8:46 PM. The Chair took roll call and all were in favor.

Documents and Exhibits Used During this Meeting:

- Town of Acton script for boards and committees opening meeting
- Board of Health agenda
- Emergency Beaver Trapping Permit – Town of Concord., Health recommendations and application.
- Hazardous Materials Control permit application and recommendations for McGovern Auto Group, LLC, 196 Great Road, Hartney Greymont, 52 Knox Trail and Millennium Research Lab, 125 Nagog Park.
- Minutes from 4-18-23 and 5-16-23

Respectfully Submitted,



Sheryl Ball
Acton Board of Health



Mark Conoby, Chairman
Acton Board of Health