



CITY OF LOWELL, MASSACHUSETTS  
—  
BOARD OF HEALTH

**AGENDA: Board of Health AUGUST 5, 2020 at 6:00 P.M. previously scheduled to be held in the Mayor's Reception Room, 375 Merrimack St., 2nd floor, Lowell, MA 01852.**

July 29, 2020

Michael Geary, City Clerk 375 Merrimack Street Lowell, Massachusetts 01852

Dear Mr. Geary: In accordance with Chapter 303 of the Acts of 1975 you are hereby notified that a meeting of the Lowell Board of Health will be held on Wednesday, AUGUST 5, 2020 @ 6:00 P.M. **As allowed by the Revised Open Meeting Law to meet the social distancing requirements contained in Governor Charles Baker's Executive Order Relative to the COVID-19 outbreak, this meeting will be conducted by conference call.**

**AGENDA:**

1. New Business

- 1.I. Conference Call Log-In Information  
1.I. Conference Call Log-in Information

Documents:

[ZOOM CONFERENCE CALL INFORMATION.PDF](#)

- 1.II. For Acceptance: Minutes Of The June 3, 2020 Meeting Of The Board Of Health  
Motion: To accept the minutes of the June 3, 2020 meeting of the Board of Health.

Documents:

[BOH MINUTES - DRAFT 6.3.2020.PDF](#)

- 1.III. For Review: Tobacco Control Monthly Report Submitted By Cesar Pungirum, Program Director

Documents:

[LOWELL TOBACCO REPORT\\_JUNE\\_JULY\\_2020.PDF](#)

- 1.IV. For Review: Monthly Development Services Report Submitted By Senior Sanitary Code Inspector

Shawn Machado

Documents:

[DEVELOPMENT SERVICES FOOD INSPECTION REPORT 8-5-2020.PDF](#)  
[DEVELOPMENT SERVICES - NEW FOOD ESTABLISHMENTS 8-5-2020.PDF](#)  
[DEVELOPMENT SERVICES FAILED FOOD INSPECTION REPORT 8-5-2020.PDF](#)  
[DEVELOPMENT SERVICES - BODY ART INSPECTIONS JULY 2020.PDF](#)

- 1.V. For Review: Trinity EMS, Inc. Reports Submitted By Jon Kelley  
Monthly and Quarterly Reports submitted by Jon Kelley.

Documents:

[TRINITY EMS INC OVERDOSE REPORT MAY 2020.PDF](#)  
[TRINITY EMS INC OVERDOSE REPORT JUNE 2020.PDF](#)  
[TRINITY EMS INC Q2 2020 EMS REPORT.PDF](#)

- 1.VI. Body Art Practitioner License - New  
Katherine Ventura 24 Sargents Ct. Lynn, MA 01905 Tierney's Tattoos 12 Concord St.

Motion: To approve/deny the Body Art Practitioner License for Katherine (Kat) Ventura 24 Sargents Ct. Lynn, MA 01905

Documents:

[BODY ART PRACTITIONER APPLICATION - KATHERINE VENTURA.PDF](#)

- 1.VII. Communication: Central Massachusetts Mosquito Control Program  
Communications regarding CMMCP programs

Documents:

[CMMCP AUGUST 2020 MOSQUITO SPRAY SCHEDULE.PDF](#)  
[CMMCP - ABANDONED SWIMMING POOL TREATMENT PROGRAM.PDF](#)

- 1.VIII. For Review: Five-Year Vegetation Management Plan 2020-2024  
Five-Year Vegetation Management Plan 2020-2024 submitted by the City of Lowell Department of Public Works.

Documents:

[CITY OF LOWELL VMP 2020-2024.PDF](#)  
[CITY OF LOWELL VMP APPROVAL.PDF](#)  
[CITY OF LOWELL 2020 YOP APPROVAL.PDF](#)  
[CITY OF LOWELL 2020 4X5 48 HOUR PUBLIC NEWSPAPER NOTICE.PDF](#)

- 1.IX. Informational: Lowell Regional Water Utility  
Lowell Regional Water Utility 2019 Annual Water Quality Report

Documents:

[LOWELL REGIONAL WASTEWATER 2019 ANNUAL WATER QUALITY REPORT VOL 22.PDF](#)

## 2. Old Business

- 2.I. Update: COVID-19

Discussion will occur regarding on-going COVID-19 efforts within the City of Lowell and the Commonwealth of Massachusetts.

Documents:

LOWELL COVID-19 MOBILE STOP-THE-SPREAD TESTING SITES.PDF  
COMMONWEALTH OF MASS - AUGUST 1, 2020 COVID-19 TRAVEL ORDER  
INFORMATION.PDF  
COMMONWEALTH OF MASS -CONTACTTRACINGHANDOUT\_ENGLISH.PDF  
COMMONWEALTH OF MASS -CONTACTTRACINGHANDOUT\_SPANISH.PDF

3. Director's Report

3.I. Departmental And Divisional Reports And Updates

Documents:

COMMUNITY HEALTH DIVISION REPORT 8.5.20.PDF  
SUBSTANCE ABUSE AND PREVENTION DIVISION 07-00-2020 BOH REPORT .PDF  
SUBSTANCE ABUSE AND PREVENTION DIVISION 08-05-2020 BOH REPORT.PDF  
SYRINGE COLLECTION PROGRAM - YEAR ONE SUMMARY.PDF  
SYRINGE COLLECTION PROGRAM QUARTERLY REPORT - FY20 Q4.PDF  
MOAPC COALITION COORDINATOR 7.20.20.PDF  
PUBLIC HEALTH NURSE - CLINIC 1.15.2020.PDF  
PUBLIC HEALTH NURSE - SCHOOLS 2 ANTICIPATED VACANCIES 6.24.20.PDF

4. Motion: To Adjourn

Motion: To Adjourn the August 5, 2020 meeting of the Board of Health.

Topic: Lowell Board of Health Meeting

Time: Aug 5, 2020 05:50 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://lowellma.zoom.us/j/4319762851?pwd=cWt4Y3RqREU1d092WmtNNFU5WmdMUT09>

Meeting ID: 431 976 2851

Passcode: 08052020 (if needed)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

833 548 0282 US Toll-free

877 853 5247 US Toll-free



CITY OF LOWELL, MASSACHUSETTS  
BOARD OF HEALTH

June 3, 2020

A meeting of the Lowell Board of Health was held on Wednesday, June 3, 2020 by conference call. Chairperson John Donovan called the meeting to order at 6:01 P.M.

Phone-In Participants:

Jo-Ann Keegan, Chairperson  
John Donovan, Board Member  
Kathleen Cullen-Lutter, Board Member  
Lisa Golden, Board Member  
William Galvin, Board Member  
Joanne Belanger, Director of HHS  
Shawn Machado, Sr. Sanitary Code Inspector  
Dr. Peter Connolly, Medical Consultant  
Cesar Pungirum, Tobacco Control Program Director

The meeting of the City of Lowell Board of Health was called to order at 6:01 PM by Chairperson John Donovan.

06-03-2020

**1. NEW BUSINESS**

**1.I. Conference Call Log-In Information**

1.II. **For Acceptance:** Minutes of the May 6, 2020 Meeting of the Board of Health

Motion: to accept the minutes of the May 6, 2020 meeting of the Board of Health made by Lisa Golden, seconded by Kathleen Cullen-Lutter. All in favor

1.III. **For Review:** Tobacco Control Monthly Report Submitted By Cesar Pungirum, Program Director  
Program Director Cesar Pungirum reviewed the report with the Board. Mr. Pungirum updated the Board on the new State Law regarding flavored tobacco products that went into effect on June 1, 2020. This law bans the sale of all menthol and flavored tobacco and vape products with an exception of Smoking Bars which are prohibited in Lowell. The Board was also updated on the State shutdown and how it affected the Adult Only Tobacco Stores.

Mr. Pungirum also informed the Board of the renewal of the Tobacco Grant and the funding increase to assist with compliance efforts relative to the new law.

1.IV. **For Review:** Monthly Development Services Report Submitted By Senior Sanitary Code Inspector Shawn Machado

Sr. Sanitary Code Inspector Shawn Machado spoke to the Board and informed them that routine restaurant inspections will begin on June 8, 2020 as well as pre-inspections under the reopening guidelines issued by the State. The Department is received a lot of complaints regarding violations of the Phase 1 guidelines. Housing inspections will be expanded at this time also. When asked about any repeated complaints, Mr. Machado indicated 1 store was getting very confrontational customers and 1 store was inspected two times in one day and was issued a warning and then a \$300 fine for employees not wearing masks. Mr. Machado noted that Development Services is taking all complaints seriously. Mr. Machado updated the Board regarding the charity drop box situation. One property was issued a \$1,000 fine. The owner is trying to prevent the dumping at the site. The City Council may be voting to ban these drop-off charity boxes.

1.V. **For Review:** Application For 2020 Beach Permit For The Rynne Beach Submitted By Peter Faticanti, Program Director, Recreation Department  
Health and Human Services Director Joanne Belanger spoke to the Board regarding the Rynne Beach on Pawtucket Blvd. The Recreation Department will be attempting to staff a lifeguard at the beach, but only 1 qualified beach certified lifeguard has applied at this time. The MOU with the State for use of the beach is in the process of being renewed.

**Motion:** to approve the 2020 Beach Permit for the Rynne Beach was made by William Galvin, seconded by Kathleen Cullen-Lutter. All in favor.

1.VI. **For Review:** Trinity EMS, Inc. Reports Submitted By Jon Kelley  
The Board accepted and placed on file. Chairwoman JoAnn Keegan noted the low numbers in the under 24 year old age group.

1.VII. **Communication:** Central Massachusetts Mosquito Control Program  
The Board accepted and placed on file. Chairwoman Keegan asked that the water mitigation program information be forwarded to other City Departments. HHS Director Belanger noted there is also a West Nile Virus webinar on June 10, 2020.

1.VIII. **Discussion:** Lowell Police Department Accreditation Request  
HHS Director Belanger updated the Board on this request by the Lowell Police Department. Ms. Belanger has reached out to Medical Consultant Dr. Peter Connolly for assistance with the medical review.

1.IX. **Discussion:** Dr. Peter Connolly - Contract  
HHS Director Belanger update the Board on this contract. Dr. Connolly is interested in remaining as the Medical Consultant and Ms. Belanger spoke to the Board regarding some language changes she is interested in including in the renewed contract.

**Motion:** To approved the requested changes and proceed with a new contract made by William Galvin, seconded by Lisa Golden. All in favor.

## 2. **OLD BUSINESS**

2.I. **Update:** Service Zone Plan  
HHS Director Belanger updated the Board on the status of the Service Zone Plan.

2.II. **Update:** COVID-19  
HHS Director Belanger updated the Board regarding COVID-19 and the guidance updates being received from the State. Guidelines have been issued relative to restaurants, long-term care facilities, daycares, and camps. Lowell COVID case numbers have been dropping and it has been noted that many protesters have been wearing masks. Additionally, Ms. Belanger filmed an informational video for City employees. Lowell School Nurses are being asked if they would like to continue to work as Contact Tracers during the summer and that the City is not using Partners in Health to assist with that effort. Chairwoman Keegan asked that the video be forwarded to the Board Members.

## 3. **DIRECTOR'S REPORT**

3.I. **Departmental and Divisional Reports**  
The Board was informed that the Public Health Nurse-Clinics position has been reposted. Additionally, the move of the Health Department to Merrimack St is moving forward and may occur in August. Ms. Belanger has also spoken with UMass/Lowell regarding bringing nursing students into the Health Department and a possible partnership with them for contact tracing.

Chairwoman Keegan thanked Board Members William Galvin and Lisa Golden for helping the Health Department coordinate with Lowell General to test homeless residents. Member Galvin inquired on the

renewed MOAPC grant end date. Ms. Belanger will confirm the correct date with Substance Abuse Coordinator Lainnie Emond for the next meeting.

Director Belanger informed the Board that the Veterans' Office will be having a one day popup meal box distribution event on June 8, 2020 at the VFW on Plain St.

**4. MOTION: TO ADJOURN**

**Motion:** To adjourn at 7:07 PM made by William Galvin, seconded by John Donovan. All in favor

**THE NEXT MEETING OF THE LOWELL BOARD OF HEALTH WILL BE HELD ON  
MAY 6, 2020 AT 6:00 PM BY CONFERENCE CALL.**

DRAFT

# Lowell Tobacco Control Report

## June, July of 2020

Prepared by: Cesar Pungirum, M.M., J.D.  
Program Director

### Lowell

#### Inspections

During the month of June, mostly drive-by inspections were conducted to ensure Adult-Only Retail Tobacco Stores (AORTS) were limiting their activities to curbside service. I did not encounter any situation where an in-store inspection was needed.

Since June 29<sup>th</sup>, I've been conducting in-store inspections to ensure compliance with the new tobacco law that was adopted in November of last year. So far, I've been able to complete 35 inspections and have found retailers cooperative, despite all the constraints created due to the pandemic. These inspections have been challenging because of the number of details involved, the use of a mask, the difficulty maintain adequate distance, and the heat.

#### Pricing Surveys

As mentioned in my previous report, the Massachusetts Tobacco Cessation and Prevention Program (MTCP) has suspended pricing surveys until further notice.

#### Implementation of the new state law: An Act Modernizing Tobacco Control

Just to recap, the implementation of this law has been conducted in two phases. The first phase was implemented immediately after passage and it included banning the sale of flavored vaping products, except at "smoking bars", and restricting higher nicotine content products to AORTS. The second phase went into effect on June 1<sup>st</sup> and it restricts the sale of flavored traditional tobacco products, including menthol cigarettes, to smoking bars. I'd say implementation is going as expected, considering the circumstances. Most stores so far have been found to be in varying degrees of non-compliance, but nothing suggesting a deliberate intent. The most common violations have been selling vaping products without the appropriate certification letters from the manufacturers, not having all required signs, and the presence of some prohibited products somewhere on the premises. All these violations have been corrected while I'm in the stores.

#### Compliance Checks

MTCP is still waiting to see clear indications the pandemic is under control in the state, before we're cleared to start working with minors during compliance checks. New protocols are being developed for when that time comes.

#### Tobacco Control Grant Renewal

We're still waiting to receive a signed contract and instructions on how to deal with rollover funds. We've been told the fiscal people at MTCP are still working limited in-office hours and that might be the reason for the delay.

Establishment	#	Street	Prior Inspection	Inspector 2	Last Inspection	Inspector-1
Classic Convenience	70	Merrimack St			23-Jul-20	Shawn New
Food Truck Bobby Jack's Memphis BBQ	1777	Main St (Tewksbury)	07-Nov-19	Shawn New	22-Jul-20	Shawn
New Asian Market	35	Willie St Unit 9	27-Jan-20	Shawn	21-Jul-20	Jimmy
Fuji	61	Merrimack St.	27-Jan-20	Jimmy	21-Jul-20	Jimmy
Arthur's Paradise Diner	112	Bridge St. (Prev Passes)	10-Oct-19	Jimmy	21-Jul-20	Jimmy
Romeo and Julliette	26	South St	24-Jan-20	Lisa	20-Jul-20	Lisa
Outback Steakhouse	28	Reiss Ave.	12-Dec-19	Aurea	20-Jul-20	Aurea
Appleton Liquors-	171	Appleton St.	12-Dec-19	Lisa	20-Jul-20	Lisa
Internatinal Ministry of Deliverias	192	Appleton St.	25-Oct-19	Lisa	20-Jul-20	Lisa
Little Sprouts	900	Chelmsford St.	26-Aug-19	Aurea	20-Jul-20	Aurea
Food Truck Thwaites	36	Railroad St (Methuen	16-Aug-19	Shawn New	17-Jul-20	Shawn
Mt. Pleasant Golf Course	141	Staples St.	16-Dec-19	Aurea	17-Jul-20	Aurea
Food Truck Sal's Mobile #3	290	Merrimack St			17-Jul-20	Shawn New
Friend's Restaurant & Pub	350	Market St.	20-Dec-19	Aurea	17-Jul-20	Aurea
Lowell Liquors	638	Rogers St.	18-Dec-19	Lisa	17-Jul-20	Lisa
Roma Pizza	638	Rogers St.	18-Dec-19	Lisa	17-Jul-20	Lisa
Walgreen's	54	Plain St.	16-Dec-19	Aurea	16-Jul-20	Aurea
McDonald's	66	Plain St.	19-Dec-19	Aurea	16-Jul-20	Aurea
Father Norton Manor	137	High St.	22-Jan-20	Lisa	16-Jul-20	Lisa
Dunkin Donut	443	Chelmsford St.	24-Sep-19	Aurea	16-Jul-20	Aurea
LePetit Club	660	Middlesex St.	26-Nov-19	Aurea	16-Jul-20	Aurea
Food Truck - Street 55 617-953- 5522	846	Fellsway	07-May-19	Shawn	16-Jul-20	Shawn
Ornelas Enterprise	1088	Gorham St.	15-Jan-20	Lisa	16-Jul-20	Lisa
Rosenbloom Groceries	1088	Gorham St	15-Jan-20	Lisa	16-Jul-20	Lisa
Dunkin Donut	1505	Middlesex St.	19-Dec-19	Aurea	16-Jul-20	Aurea
L&S Liquors	2	Dover St.	07-Oct-19	Aurea	15-Jul-20	Aurea
Andy Store	66	Jewett St.	28-Jan-20	Jimmy	15-Jul-20	Jimmy
Payless Food Store	81	Read St.	23-Jan-20	Jimmy	15-Jul-20	Jimmy
Club Diner	145	Dutton St.	31-Jan-20	Jimmy	15-Jul-20	Jimmy
Town & Country Nursing Home	259	Baldwin St.	07-Nov-19	Aurea	15-Jul-20	Aurea
Infante Grocery 2	326	Moody St.	23-Jan-20	Jimmy	15-Jul-20	Jimmy
Sophia Greek Pantry	477	Market St.	16-Dec-19	Aurea	15-Jul-20	Aurea
Nanas Kitchen	515	Central St	30-Jan-20	Lisa	15-Jul-20	Lisa
Hoi Elvis Records	698	Merrimack St.	19-Dec-19	Jimmy	15-Jul-20	Jimmy
Belvidere Wine Corp.	36	Concord St.	19-Sep-19	Lisa	14-Jul-20	Lisa
Country Farms	56	Aiken Ave.	21-Jan-20	Jimmy	14-Jul-20	Jimmy
Huong Xuan V Store	63	Fletcher St.	10-Sep-19	Aurea	14-Jul-20	Aurea
Ramo's Package Store	79	Branch St.	19-Sep-19	Aurea	14-Jul-20	Aurea
Branch St. Variety	186	Branch St.	22-Oct-19	Aurea	14-Jul-20	Aurea
LaDiferencia Restaurant	192	Middlesex St.	01-Nov-19	Aurea	14-Jul-20	Aurea
Dunkin Donuts	295	Varnum Ave.	25-Sep-19	Jimmy	14-Jul-20	Jimmy

Lowell General Hospital Café & Kitchen	295	Varnum Ave.	25-Sep-19	Jimmy	14-Jul-20	Jimmy
Lowell General Hospital Gift Shop	295	Varnum Ave.	27-Jan-20	Jimmy	14-Jul-20	Jimmy
King Liquor	326	Fletcher St.	30-Sep-19	Aurea	14-Jul-20	Aurea
Spartan's Pizzeria	863	Varnum Ave.	21-Jan-20	Jimmy	14-Jul-20	Jimmy
Rosso's Santos Italian Style Pizza	1275	Pawtucket Blvd.	14-Jan-20	Jimmy	14-Jul-20	Jimmy
KPT 1300 Liquors	1300	Gorham St.	14-Jan-20	Lisa	14-Jul-20	Lisa
Lucky Market	1300	Gorham St	14-Jan-20	Lisa	14-Jul-20	Lisa
Chiu Yeung Bakery	165	High St	23-Jan-20	Lisa	13-Jul-20	Lisa
Asados Dona Flot	197	High St.	23-Jan-20	Lisa	13-Jul-20	Lisa
Rancho Tipico	11	Salem St.	11-Dec-19	Adam	08-Jul-20	Aurea
Lowell Day Nursery	119	Hall St.	22-Aug-19	Aurea	08-Jul-20	Aurea
Pizza Hut Express	131	Church St.	21-Oct-19	Lisa	08-Jul-20	Lisa
Coffee and Cotton	250	Jackson St	19-Nov-19	Lisa	08-Jul-20	Lisa
Dows Soda Fountain	250	Jackson St	19-Nov-19	Lisa	08-Jul-20	Lisa
Luna Theater-Red&White-Coffee and Cotton	250	Jackson St. # 490	19-Nov-19	Lisa	08-Jul-20	Lisa
Windsor Shoppe	583	Westford St.	11-Dec-19	Aurea	08-Jul-20	Aurea
Snowdeas	1075	Westford St	04-Nov-19	Aurea	08-Jul-20	Aurea
Drum Hill Gulf	1299	Westford St.	04-Nov-19	Aurea	08-Jul-20	Aurea
Food Truck North American Catering	40	Abbott Rd N Reading			07-Jul-20	Shawn New
168 Seafood Market	48	Branch St	20-Nov-19	Aurea	07-Jul-20	Aurea
Chuck E. Cheese	209	Plain St.	26-Nov-19	Aurea	07-Jul-20	Aurea
Marshall's	211	Plain St.	26-Nov-19	Aurea	07-Jul-20	Aurea
Lemon Tree Food Shops, INC	220	Appleton St.	25-Oct-19	Lisa	07-Jul-20	Lisa
OWL Diner *	244	Appleton St.	24-Sep-19	Lisa	07-Jul-20	Lisa
Lemon and Thyme	491	Dutton St	12-Dec-19	Aurea	07-Jul-20	Aurea
Halah Foods	1717	Middlesex St.	07-Oct-19	Aurea	07-Jul-20	Aurea
Walgreen's Pharmacy	1765	Middlesex St.	17-Dec-19	Aurea	07-Jul-20	Aurea
Pub Ram @ Charlies's LLC	14	Cabot St.	25-Nov-19	Aurea	06-Jul-20	Aurea
99 Variety Store	180	Liberty St.	21-Nov-19	Aurea	06-Jul-20	Aurea
Hispanic Domi Market	299	W Sixth St.	22-Oct-19	Aurea	06-Jul-20	Aurea
Prathna, Inc.	408	Suffolk St.	25-Nov-19	Aurea	06-Jul-20	Aurea
Rizzo's	131	East Merrimack St.	23-Oct-19	Adam	02-Jul-20	Adam
Club Lafayette, Inc.	465	Fletcher St.	19-Dec-19	Aurea	02-Jul-20	Adam/Closed
Siagon Sandwich House	507	Dutton St	10-Dec-19	Aurea	02-Jul-20	Aurea
I.S.S.O.	1705	Middlesex St.	05-Dec-19	Aurea	02-Jul-20	Aurea
Tony's Convenience Store	349	Westford St.	05-Nov-19	Aurea	01-Jul-20	Aurea
Donut Shack	487	Westford St.	04-Nov-19	Aurea	01-Jul-20	Aurea
Mill City Convience	494	Westford St.	05-Nov-19	Aurea	01-Jul-20	Aurea
Mill City Pizzeria	494	Westford St.	05-Nov-19	Aurea	01-Jul-20	Aurea
Chuck's Variety	641	School St.	26-Aug-19	Aurea	01-Jul-20	Aurea
Archambault Towers	657	Merrimack St.	19-Dec-19	Jimmy	01-Jul-20	Jimmy
Cameo Diner	715	Lakeview Ave.	15-Oct-19	Jimmy	01-Jul-20	Jimmy

Catchers Mitt Pub	726	Gorham St	22-Oct-19	Lisa	01-Jul-20	Lisa
Mobil On The Run	785	Gorham St.	22-Oct-19	Lisa	01-Jul-20	Lisa
Time Out Café & Eatery	72	Merrimack St.	24-Sep-19	Lisa	30-Jun-20	Lisa
El Potro Mexican Grill	124	Merrimack St.	24-Oct-19	Lisa	30-Jun-20	Lisa
Life Alive	194	Middle St.	03-Jun-20	Shawn / Fire	30-Jun-20	Jimmy
Warp and Weft	197	Market St.	31-Oct-19	Jimmy	30-Jun-20	Jimmy
Subway	254	Merrimack St.	28-Aug-19	Lisa	30-Jun-20	Lisa
K - Pharmacy	280	Westford St	21-Nov-19	Aurea	30-Jun-20	Aurea
Neak Pich	301	Westford St	25-Nov-19	Aurea	30-Jun-20	Aurea
Phnom Restaurant	309	Westford St.	05-Oct-19	Aurea	30-Jun-20	Aurea
Broadway Pizza & Seafood	651	Broadway St.	25-Nov-19	Aurea	30-Jun-20	Aurea
Pathfinders Group Home	94	Rock St.	18-Sep-19	Aurea	29-Jun-20	Aurea / Closed
China Buffet	203	Plain St.	04-Feb-20	Aurea	29-Jun-20	Aurea
Five Below	203	Plain St.	26-Nov-19	Aurea	29-Jun-20	Aurea
La Cocina Tropical	343	Market St.	10-May-19	Aurea	29-Jun-20	Aurea / Closed
Gold Star Restaurant * F 8/16/18	358	Fairmount St.	28-Oct-19	Lisa	29-Jun-20	Lisa
Golden House Restaurant	426	Chelmsford St.	06-Nov-19	Aurea	29-Jun-20	Aurea
Kentucky Fried Chicken	1720	Middlesex St.	26-Nov-19	Aurea	29-Jun-20	Aurea
China Star #2	1733	Middlesex St.	28-Oct-19	Aurea	29-Jun-20	Aurea
Desert Shop & Bakery *failed 10/3/18	32	Branch St. #2	08-Oct-19	Aurea	25-Jun-20	Aurea
WTF (Wee Thai Food)	249	Chelmsford St	18-Sep-19	New Shawn	25-Jun-20	Aurea
Senmonorom Restaurant	1671	Middlesex St.	09-Oct-19	Aurea	25-Jun-20	Aurea
P & D Mart	1717	Middlesex St.	05-Dec-19	Aurea	25-Jun-20	Aurea
Udupi Bhavan	1717	Middlesex St.	05-Dec-19	Aurea	25-Jun-20	Aurea
Indian Basket	12	Wood St.	18-Oct-19	Adam	24-Jun-20	Jimmy
Gallery Z	167	Market St.	27-Sep-19	Adam	24-Jun-20	Adam
Sam Poorina	1527	Middlesex St. #7	26-Sep-19	Aurea	24-Jun-20	Aurea
Dalat Restaurant	1575	Middlesex St.	21-Nov-19	Aurea	24-Jun-20	Aurea
Paradise Biryani Pointe	1689	Middlesex St.	26-Nov-19	Aurea	24-Jun-20	Aurea
C.V.S. #1056-	1815	Middlesex St.	25-Nov-19	Jimmy	24-Jun-20	Jimmy
Merrimack Ales	92	Bolt St.	31-Jan-20	Adam	23-Jun-20	Shawn
Food Truck Sal's Mobile #4	290	Merrimack St			23-Jun-20	Shawn New
Food Truck Sal's Mobli #2	290	Merrimack St			23-Jun-20	Shawn New
Viet Thai Restaurant**	368	Merrimack St.	30-Dec-19	Jimmy	23-Jun-20	Jimmy
Jay's Food Store	166	Gorham St.	19-Sep-19	Lisa	22-Jun-20	Lisa
Jay's Beer and Wine	168	Gorham St.	19-Sep-19	Lisa	22-Jun-20	Lisa
Cultures United	281	W. Sixth St.	30-Oct-19	Jimmy	22-Jun-20	Jimmy
Portuguese American Club	512	Central St.	30-Jan-20	Lisa	22-Jun-20	Lisa
New World Gas	710	Lakeview Ave.	27-Nov-19	Jimmy	22-Jun-20	Jimmy
Burger King	1200	Bridge St.	22-Oct-19	Jimmy	22-Jun-20	Jimmy
The Liquor Shop	1201	Bridge St.	16-Dec-19	Jimmy	22-Jun-20	Jimmy
Fuse Bistro	45	Palmer St.	23-Oct-19	Adam	19-Jun-20	Adam
Bumi Pacific Liquors	421	Central St.	21-Oct-19	Lisa	18-Jun-20	Lisa
Lizardo's Market and Restaurant	431	Central St.	26-Feb-20	Lisa	18-Jun-20	Lisa

Connector Café & Grill	724	Chelmsford St. #5	21-Nov-19	Aurea	18-Jun-20	Aurea
New Great Taste	24	Gorham St	24-Sep-19	Lisa	17-Jun-20	Lisa
Silva's Mini Mart	40	Perry St.	28-Oct-19	Lisa	17-Jun-20	Lisa
Rte. 110 Mart	137	Andover St.	13-Dec-19	Lisa	17-Jun-20	Lisa
J and R Grocery Store	165	High St.	19-Sep-19	Lisa	17-Jun-20	Lisa
Capt. John's Restaurant	333	Westford St.	05-Nov-19	Aurea	17-Jun-20	Aurea
Domino's Pizza	374	Chelmsford St.	15-Nov-19	Aurea	17-Jun-20	Aurea
Burger King	392	Chelmsford St.	10-Oct-19	Aurea	17-Jun-20	Aurea
Wendy's	436	Chelmsford St.	01-Oct-19	Aurea	17-Jun-20	Aurea
Pho Da lat Restaurant	475	Chelmsford St.	15-Nov-19	Aurea	17-Jun-20	Aurea
Jade East International	1126	Middlesex St.	26-Nov-19	Jimmy	17-Jun-20	Jimmy
Hunters Café	194	Steadman St.	06-Nov-19	Aurea	16-Jun-20	Aurea
Olympos Bakery	216	Broadway St.	09-Dec-19	Aurea	16-Jun-20	Aurea
Food Truck Eggroll Café	225	Steadman St	12-Mar-20	Shawn	16-Jun-20	Aurea
Rite Aid	276	Broadway St.	15-Oct-19	Aurea	16-Jun-20	Aurea
Pho 88	1270	Westford St.	09-Oct-19	Adam	16-Jun-20	Aurea
Priya Indian Cuisine	1290	Westford St.	02-Oct-19	Aurea	16-Jun-20	Aurea
New Pailin Market	6	Branch St.	26-Nov-19	Aurea	15-Jun-20	Shawn / New
P&S Convenience Store	35	Willie St.	11-Oct-19	Aurea	15-Jun-20	Aurea
Eliot Community Human Services, Inc.	176	Walker St.	23-Aug-19	Aurea	15-Jun-20	Aurea
Yim's Convenience	742	Broadway St.	24-Sep-19	Aurea	15-Jun-20	Aurea
Highland Pizza & Seafood	1290	Westford St.	02-Oct-19	Aurea	15-Jun-20	Aurea
Maruti Indian Grocery	1290	Westford St.	06-Nov-19	Aurea	15-Jun-20	Aurea
Olive Tree	1290	Westford St.	04-Nov-19	Aurea	15-Jun-20	Aurea
Luke's Roast Beef	1317	Middlesex St	07-Nov-19	Aurea	15-Jun-20	Aurea
Lowell Restaurant *	6	Branch St	31-Jan-20	Aurea	12-Jun-20	Aurea
Country Farms Store	268	Branch St.	21-Nov-19	Aurea	12-Jun-20	Aurea
Hong Kong Market	289	Westford St.	05-Sep-19	Aurea	12-Jun-20	Aurea
Tmorda Sandwich Shop	35	Willie St.	22-Oct-19	Jimmy	11-Jun-20	Jimmy
African Central Market KT Corner Supermarket	63	Fletcher St.	26-Nov-19	Adam	11-Jun-20	Jimmy
Cote's Market	175	Salem St.	19-Sep-19	Aurea	11-Jun-20	Aurea
Athenian Corner	207	Market St.	26-Sep-19	Adam	11-Jun-20	Adam
Ocean Garden *3 Month	504	Merrimack St.	25-Sep-19	Jimmy	11-Jun-20	Jimmy
Bany Restaurant	681	Merrimack St.	04-Feb-20	Aurea	11-Jun-20	Aurea
YMCA Old Colony	785	Merrimack St.	19-Dec-19	Jimmy	11-Jun-20	Jimmy
House of Hope	812	Merrimack St.	20-Nov-19	Jimmy	11-Jun-20	Jimmy
Panela	7	Hanover St	21-Aug-19	Shawn	10-Jun-20	Jimmy
Hong Cuc Eatery	11	Grand St.	01-Oct-19	Aurea	10-Jun-20	Aurea
Family Dollar	21	Nothingham St	04-Dec-19	Aurea	10-Jun-20	Auera
Tremonte Pizzeria *	44	Palmer St.	13-Dec-19	Adam	10-Jun-20	Adam
Heritage Farm Ice Cream	163	Pawtucket Blvd.	16-Apr-19	Jimmy	10-Jun-20	Jimmy seasonal
Casa Velha - Jabel Restaurant	191	Appleton St.	19-Sep-19	Lisa	10-Jun-20	Shawn
Olympia Restaurant	453	Market St.	23-Jan-20	Jimmy	10-Jun-20	Jimmy
Varnum Market	863	Varnum Ave.	16-Oct-19	Jimmy	10-Jun-20	Jimmy
Sugar and Ice	16	Branch St.	10-Dec-19	Aurea	09-Jun-20	Aurea

Heng Heng Asian fast Food	32	Branch St.	12-Nov-19	Aurea	09-Jun-20	Aurea
Rex Liquor's Canaco, Inc.	68	Mammoth Rd.	19-Nov-19	Jimmy	09-Jun-20	Jimmy
Dominos	77	Mammoth Rd	13-Aug-19	Jimmy	09-Jun-20	Jimmy
Domino's	90	Lakeview Ave	29-Oct-19	Jimmy	09-Jun-20	Jimmy
Suppa's Pizza	94	University Ave.	03-Sep-19	Jimmy	09-Jun-20	Jimmy
University Convenience	102	University Ave.	19-Nov-19	Jimmy	09-Jun-20	Jimmy
Tacos Lupita	124	University Ave.	19-Nov-19	Jimmy	09-Jun-20	Jimmy
Dunkin Donut	182	Riverside St.	16-Apr-19	Jimmy	09-Jun-20	Jimmy
Parker St. Variety	322	Parker St.	11-Dec-19	Aurea	09-Jun-20	Aurea
Dunkin Donut	515	Pawtucket Blvd	21-Nov-19	Jimmy	09-Jun-20	Jimmy
AG Hardware	776	Lakeview Ave.	18-Nov-19	Jimmy	09-Jun-20	Jimmy
Gulf	801	Lakeview Ave	18-Nov-19	Jimmy	09-Jun-20	Jimmy
Liquor Shack	815	Lakeview Ave.	29-Oct-19	Jimmy	09-Jun-20	Jimmy
Village Variety	1301	Pawtucket Blvd.	21-Nov-19	Jimmy	09-Jun-20	Jimmy
Dunkin Donut	315	Bridge St.	21-Nov-19	Jimmy	08-Jun-20	Jimmy
CVS	336	Bridge St.	21-Nov-19	Jimmy	08-Jun-20	Jimmy
Manning's Liquor	427	Bridge St.	30-Oct-19	Jimmy	08-Jun-20	Jimmy
Wah Sang	457	Chelmsford St.	04-Dec-19	Aurea	08-Jun-20	Aurea
Vargas Deli	462	Bridge St	28-Oct-19	Jimmy	08-Jun-20	Jimmy
Jimmy's Pizza Too	480	Chelmsford St.	07-Oct-19	Aurea	08-Jun-20	Aurea
Seven Eleven	494	Bridge St.	10-Oct-19	Jimmy	08-Jun-20	Jimmy
Dunkin Donut	560	Bridge St.	21-Nov-19	Jimmy	08-Jun-20	Jimmy
Top Donut #2	603	Bridge St.	10-Oct-19	Jimmy	08-Jun-20	Jimmy
El Bombazo Meat Market	677	Bridge St.	16-Dec-19	Jimmy	08-Jun-20	Jimmy
All Town	980	Chelmsford St.	04-Dec-19	Aurea	08-Jun-20	Aurea
Dunkin Donuts	980	Chelmsford St.	04-Dec-19	Aurea	08-Jun-20	Aurea
Walgreens	1161	Bridge St.	16-Dec-19	Jimmy	08-Jun-20	Jimmy
Harry's Food Mart	1460	Middlesex St.	16-Mar-20	Aurea	08-Jun-20	Aurea
El Jefe	203	Cabot St			03-Jun-20	Shawn New

## **Board of Health Meeting 8-5-2020**

### **New Food Establishments**

**El Jefe – 204 Cabot St (old Beer Works) – 919-306-4219 6/3/2020**

**Casa Velha - Jabel Restaurant 191 Appleton St – 978-970-3700 6/10/2020**

**New Pailin Market (formerly Amara Market) – 6 Branch St 617-685-8889  
6/15/20**

**Sal's Mobile #2 – Food Truck Sal's Pizza 6/23/2020**

**Sal's Mobile #4 – Food Truck Sal's Pizza 6/23/2020**

**North American Catering – Food Truck 7/7/20**

**Sal's Mobile #3 – Food Truck 7/17/20**

**Classic Convenience – 70 Merrimack St - Retail 7/23/20**

## **Board of Health Meeting 8-5-2020**

### **Failed Food Establishments**

**Life Alive – 194 Middle St – closed due to fire 5/31/2020 – Fire in bathroom vent and ceiling**

**Last three inspections - All passed**

**Reinspection - 6/3/2020 Compliance – Reopened**

**Pho Dalet Restaurant – 475 Chelmsford St 6/10/20 – Hood System out of service**

**Walk-in area unorganized**

**Last three inspections – All Passed**

**Reinspection – 6/17/2020 Compliance**

**Hala Foods – 1717 Middlesex St – 6/24/20 - meat cutting area unorganized and unkempt – clean immediately / Refrigerator unorganized / Evidence of mice droppings – must provide pest control receipt / Dirty floor**

**Last three inspections: All passed**

**Reinspection: 7/20/20 Compliance**

**V-Mart 125 Church St – 7/8/20 – Fire Extinguisher expired – Bathroom sink handle is broke – Mop sink area is a mess**

**Last three inspections: All passed**

**Reinspection: 7/17/20 waiting on Fire Extinguisher to be serviced**

**Last three inspections: 2 failed / 3 month inspection**

**Dollar General – 125 Church St – 7/8/20 – Fire Extinguisher expired**

**Last three inspections: All passed**

**Reinspection: Fire extinguisher scheduled to be serviced 8/4/20**

**Last three inspections: All passed**

**Los Amigos Market – 232 High St – 7/14/20 Serve Safe Certification expired**

**Reinspection: SS scheduled – gave 30 days**

**Last three inspections: 2 Failed / Est was clean – SS expired**

**International Ministry of Deliverias – 192 Appleton St – 7/20/20**

**Allergy Awareness expired – Fire extinguisher expired**

**Last three inspections: All passed**

**Reinspection: Both scheduled / gave 30 days**

**Roma Pizza – 638 Rogers St – 7/17/20**

**Allergy Awareness expired - Fire extinguisher expired**

**Last three inspections: All Passed**

**Reinspection: scheduled 7/31/20**





**Overdose Report: May-20**

**Lowell, MA**

**Overdoses:** 119 or 3.8 per day

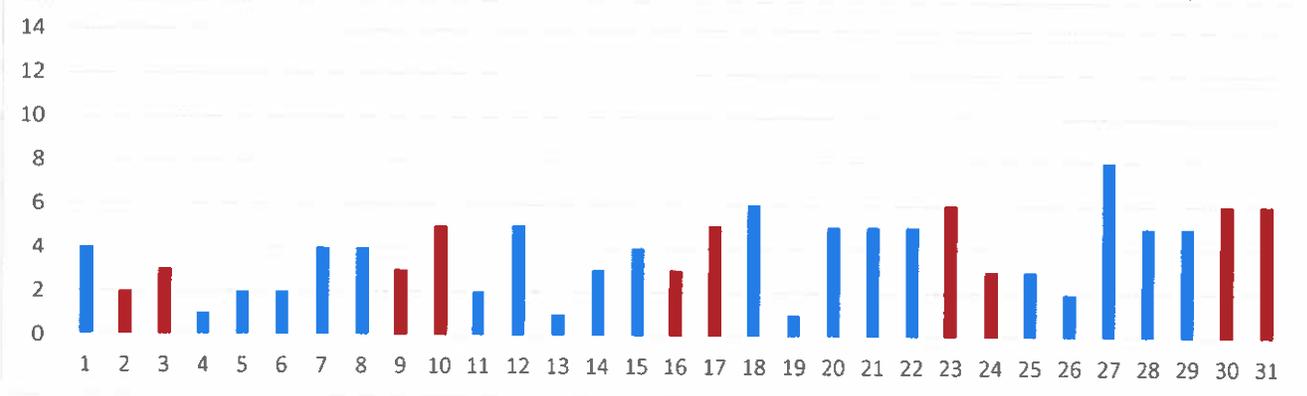
**Day of the week:**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Count	12	10	16	17	22	20	22
Average	3.0	2.5	4.0	4.3	4.4	4.0	4.4

119

**Day of the month:**

Note: Red columns are Saturdays and Sundays



**Hour of the day:**

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
3	8	2	1	3	1	2	4	1	0	7	10	4	6	5	3	7	9	8	9	6	9	6	5

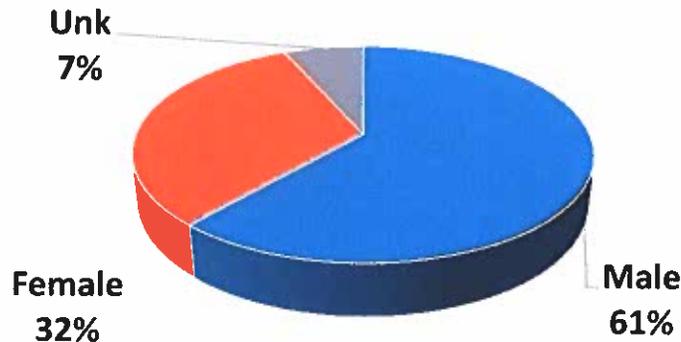
119

**Section of the city:**

Neighborhood	Count
Acre	11
Back Central	30
Belvidere	8
Centralville	11
Downtown	24
Highlands	7
Lower Belvidere	3
Lower Highlands	10
Pawtucketville	7
Sacred Heart	5
South Lowell	3

**Profile of patient**

Sex	Count	Avg Age	Range
Female	38	42	21-78
Male	73	39	15-79



Age	#
12 and U	0
13-15	1
16-17	0
18-21	3
22	3
23	3
24	0
25	3
26	1
27	2
28	5
29	8
30	2
31	3
32	5
33	6
34	2
35	2
36	5
37	5
38	4
39	0
40	4
41	2
42	1
43	2
44	2
45	0
46	2
47	3
48	2
49	3
50	2
51-55	6
56-60	8
61-65	3
66-70	2
71 and up	5
Unk	9

119

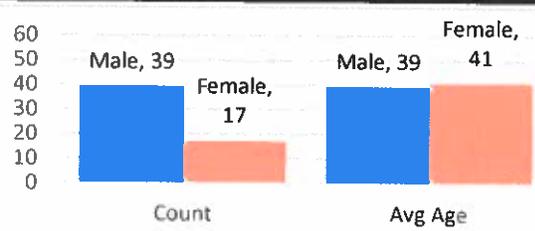
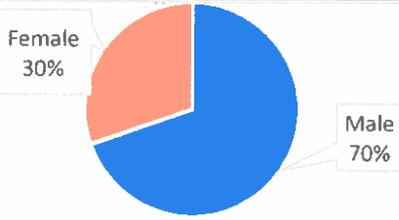
19-May	19-Jun	19-Jul	19-Aug	19-Sep	19-Oct	19-Nov	19-Dec	20-Jan	20-Feb	20-Mar	20-Apr	20-May
111	93	97	100	83	107	73	95	78	84	75	96	119
3.6	3.1	3.1	3.2	2.8	3.5	2.4	3.1	2.5	2.9	2.4	3.2	3.8



**Categorized Opiate Report: May-20 Lowell, MA**

**Priority of patient**

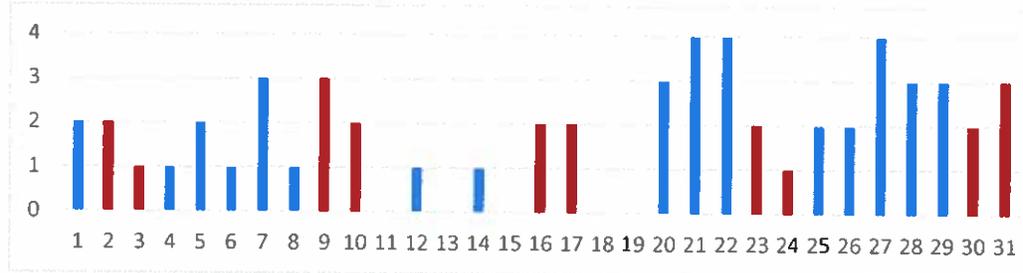
Priority 1	31
Priority 2	10
Priority 3	16



Age	Count
12 and U	0
13-15	0
16-17	0
18-21	1
22	0
23	1
24	0
25	2
26	1
27	1
28	2
29	3
30	2
31	1
32	3
33	6
34	2
35	1
36	4
37	2
38	2
39	0
40	0
41	0
42	0
43	1
44	2
45	0
46	1
47	1
48	1
49	3
50	2
51-55	2
56-60	5
61-65	2
66+	1
Unk	2

Day of the week:	#	Avg
Mon	3	0.8
Tue	5	1.3
Wed	8	2.0
Thu	11	2.8
Fri	10	2.0
Sat	11	2.2
Sun	9	1.8

**Day of the month: Red are weekends (below)**



Hour of the day:	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	30
	2	4	1	0	1	0	1	1	0	0	2	5	3	2	2	2	5	5	4	6	2	5	3	1	31

Location of patient	#	Narcan used by:	Narcan doses
Private Residence	19	Lowell FD 8 Lowell PD 4	1-2mg - 9
Public Location- Inside	1	Trinity ALS 0 Trinity BLS 16	4-6mg - 13
Public Location- Outside	34	LGH ALS 4 Other 7	8mg+ - 9
Residential Instituion	2	Park Ranger 0	

Neighborhood	Acre - 4 Back Central - 21 Belvidere - 4 Centralville - 2 Downtown - 14
Highlands - 2 Lwr Belvidere - 1 Lwr Highlands - 3 Pawtucketville - 1 Sacred Heart - 4 Unknown - 1	

Home town of pt	Andover - 1, Boston - 1, Chelmsford - 1, Groton - 1, Haverhill - 2, Lowell - 44, Nashua - 1, North Chelmsford - 1, Scituate - 1, Tewksbury - 1, Tyngsboro - 1, Unknown - 2
-----------------	--

Last 12 months All ORI calls												
19-May	19-Jun	19-Jul	19-Aug	19-Sep	19-Oct	19-Nov	19-Dec	20-Jan	20-Feb	20-Mar	20-Apr	20-May
46	44	46	35	46	52	36	37	32	31	28	48	57
1.5	1.5	1.5	1.1	1.5	1.7	1.2	1.2	1.0	1.1	0.9	1.6	1.8

Last 12 months Priority 1 only												
19-May	19-Jun	19-Jul	19-Aug	19-Sep	19-Oct	19-Nov	19-Dec	20-Jan	20-Feb	20-Mar	20-Apr	20-May
25	30	26	26	27	34	23	27	21	17	19	26	31
0.8	1.0	0.8	0.8	0.9	1.1	0.8	0.9	0.7	0.6	0.6	0.9	1.0

ORI - daily average						Priority 1 only- daily average					
	Q1	Q2	Q3	Q4	Yr avg		Q1	Q2	Q3	Q4	Yr avg
2012	0.5	0.8	0.7	0.6	0.7	2013	0.1	0.2	0.3	0.3	0.2
2013	0.7	1.2	1.1	0.6	0.9	2013	0.3	0.4	0.5	0.2	0.3
2014	0.8	1.4	1.6	1.4	1.3	2014	0.3	0.6	0.8	0.9	0.7
2015	1.4	1.7	1.9	1.4	1.6	2015	0.8	0.7	0.9	0.8	0.8
2016	1.7	1.6	2.0	2.3	1.9	2016	1.0	1.0	0.9	1.3	1.0
2017	2.0	2.3	2.8	1.8	2.2	2017	1.2	1.4	1.6	1.0	1.3
2018	2.1	2.0	2.6	2.2	2.2	2018	1.2	1.1	1.3	1.4	1.3
2019	1.5	1.5	1.4	1.4	1.5	2019	0.7	0.9	0.9	0.9	0.9
2020	1.0	1.7				2020	0.6	0.9			



The following data is from Trinity EMS electronic Patient Care Reports. This data is from calls in all 13 communities Trinity provides service for. Only data from May 2020 opioid related calls are included

Trinity EMS Inc provides EMS services for the following communities in MA: Boxford, Chelmsford, Dunstable, Groveland, Haverhill, Lowell, and Dracut. In NH: Atkinson, Danville, Hampstead, Newton, Plaistow, and Sandown.

Only opiate overdoses that Trinity EMS Inc responded to are included. If someone from one of the communities listed above overdosed in another community not listed, it will not be represented in this data set.

System wide, Trinity treated 80 patients with an opioid related issue in May 2020.

Row Labels	Count of Date
LOWELL	46
HAVERHILL	9
(blank)	7
TEWKSBURY	1
SALEM	1
NORTH CHELMSFORD	1
CHELMSFORD	1
SCITUATE	1
GROTON	1
NORTH BILLERICA	1
HAMPTON	1
ROCHESTER	1
BOSTON	1
SALISBURY	1
LONDONDERRY	1
SEABROOK	1
TYNGSBORO	1
BRADFORD	1
ATKINSON	1
ANDOVER	1
NASHUA	1
<b>Grand Total</b>	<b>80</b>

Overdoses: 96 or 3.2 per day

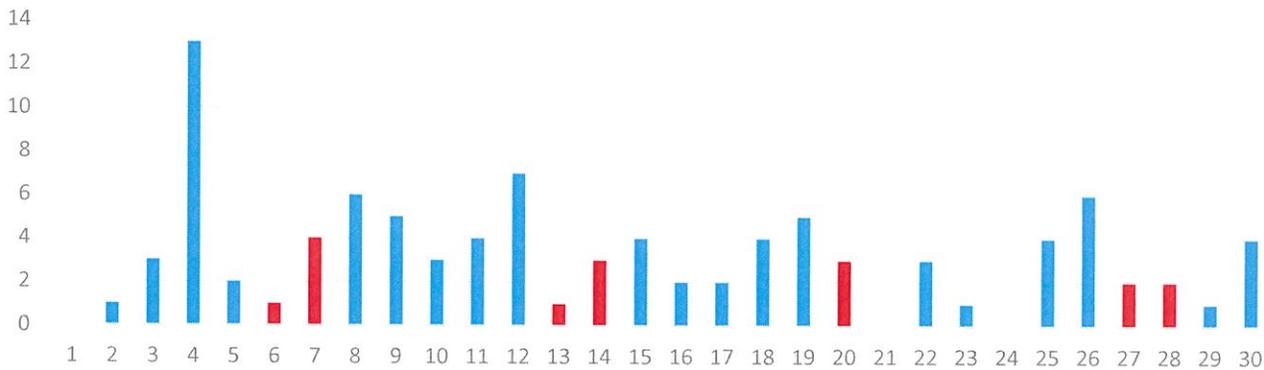
Day of the week:

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Count	14	13	8	25	20	7	9
Average	2.8	2.6	2.0	6.3	5.0	1.8	2.3

96

Day of the month:

Note: Red columns are Saturdays and Sundays



Hour of the day:

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
5	4	3	0	1	1	1	0	2	4	2	4	9	6	10	4	8	7	1	8	4	5	3	4

96

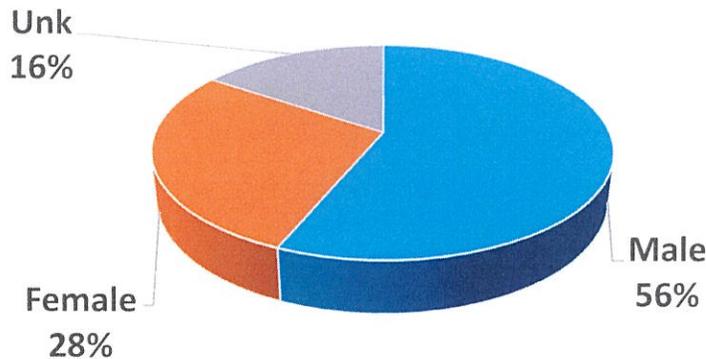
Section of the city:

Neighborhood	Count
Acre	4
Back Central	21
Belvidere	8
Centralville	7
Downtown	22
Highlands	18
Lower Belvidere	2
Lower Highlands	10
Pawtucketville	1
Sacred Heart	2
South Lowell	1

96

Profile of patient

Sex	Count	Avg Age	Range
Female	27	39	25-56
Male	54	37	17-60



Age	#
12 and U	0
13-15	0
16-17	3
18-21	2
22	2
23	0
24	0
25	3
26	4
27	1
28	2
29	3
30	4
31	2
32	4
33	4
34	4
35	2
36	1
37	5
38	2
39	1
40	2
41	1
42	2
43	1
44	0
45	1
46	2
47	2
48	3
49	2
50	4
51-55	7
56-60	4
61-65	0
66-70	0
71 and up	0
Unk	16

19-Jun	19-Jul	19-Aug	19-Sep	19-Oct	19-Nov	19-Dec	20-Jan	20-Feb	20-Mar	20-Apr	20-May	20-Jun
93	97	100	83	107	73	95	78	84	75	96	119	96
3.1	3.1	3.2	2.8	3.5	2.4	3.1	2.5	2.9	2.4	3.2	3.8	3.2



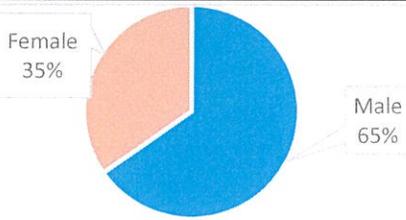
# Categorized Opiate Report:

Jun-20

Lowell, MA

## Priority of patient

Priority 1	25
Priority 2	10
Priority 3	14



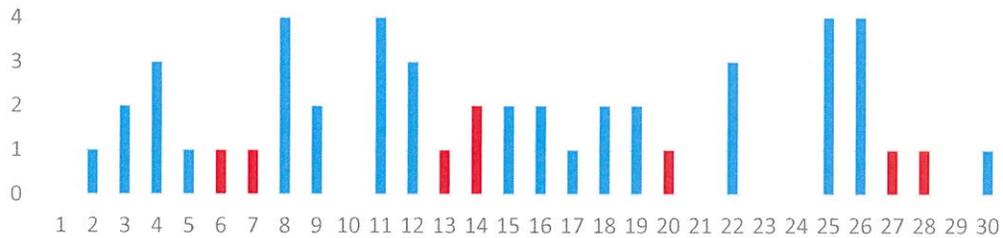
## Age

12 and U	0
13-15	0
16-17	1
18-21	1
22	1
23	0
24	0
25	1
26	4
27	1
28	2
29	2
30	1

Day of the week:	#	Avg
Mon	9	1.8
Tue	6	1.2
Wed	3	0.8
Thu	13	3.3
Fri	10	2.5
Sat	4	1.0
Sun	4	1.0

## Day of the month:

Red are weekends (below)



Hour of the day:	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	3	3	2	0	0	1	0	0	1	2	2	3	1	2	7	0	2	3	1	5	4	4	2	1

Location of patient	#
Private Residence	9
Public Location- Inside	1
Public Location- Outside	38
Residential Institution	1

Narcan used by:			
Lowell FD	4	Lowell PD	5
Trinity ALS	0	Trinity BLS	10
LGH ALS	2	Other	6
Park Ranger	0		

Narcan doses	
2mg - 7	32
4mg - 12	33
8mg - 5	34
	35
	36

Neighborhood	Acre - 1	Back Central - 18	Belvidere - 1	Centralville - 2	Downtown - 13
Highlands - 5	Lwr Belvidere - 2	Lwr Highlands - 6	Sacred Heart - 1		

Home town of pt	Atlas - 1, Beverly - 1, Billerica - 1, Chelmsford - 1, Dracut - 1, Dunstable - 1, Haverhill - 2, Lawrence - 1, Lowell - 28, Nashua - 1, North Chelmsford - 1, Tewksbury - 3, Tyngsboro - 1, Wilmington - 1, Unknown - 5

## Last 12 months All ORI calls

19-Jun	19-Jul	19-Aug	19-Sep	19-Oct	19-Nov	19-Dec	20-Jan	20-Feb	20-Mar	20-Apr	20-May	20-Jun
44	46	35	46	52	36	37	32	31	28	48	57	49
1.5	1.5	1.1	1.5	1.7	1.2	1.2	1.0	1.1	0.9	1.6	1.8	1.6

## Last 12 months Priority 1 only

19-Jun	19-Jul	19-Aug	19-Sep	19-Oct	19-Nov	19-Dec	20-Jan	20-Feb	20-Mar	20-Apr	20-May	20-Jun
30	26	26	27	34	23	27	21	17	19	26	31	25
1.0	0.8	0.8	0.9	1.1	0.8	0.9	0.7	0.6	0.6	0.9	1.0	0.8

## ORI - daily average

## Priority 1 only- daily average

	Q1	Q2	Q3	Q4	Yr avg		Q1	Q2	Q3	Q4	Yr avg	
2012	0.5	0.8	0.7	0.6	0.7	2013	0.1	0.2	0.3	0.3	0.2	51-55
2013	0.7	1.2	1.1	0.6	0.9	2013	0.3	0.4	0.5	0.2	0.3	56-60
2014	0.8	1.4	1.6	1.4	1.3	2014	0.3	0.6	0.8	0.9	0.7	61-65
2015	1.4	1.7	1.9	1.4	1.6	2015	0.8	0.7	0.9	0.8	0.8	66+
2016	1.7	1.6	2.0	2.3	1.9	2016	1.0	1.0	0.9	1.3	1.0	Unk
2017	2.0	2.3	2.8	1.8	2.2	2017	1.2	1.4	1.6	1.0	1.3	
2018	2.1	2.0	2.6	2.2	2.2	2018	1.2	1.1	1.3	1.4	1.3	
2019	1.5	1.5	1.4	1.4	1.5	2019	0.7	0.9	0.9	0.9	0.9	
2020	1.0	1.7				2020	0.6	0.9				



The following data is from Trinity EMS electronic Patient Care Reports. This data is from calls in all 13 communities Trinity provides service for. Only data from June 2020 opioid related calls are included

Trinity EMS Inc provides EMS services for the following communities in MA: Boxford, Chelmsford, Dunstable, Groveland, Haverhill, Lowell, and Dracut. In NH: Atkinson, Danville, Hampstead, Newton, Plaistow, and Sandown.

Only opiate overdoses that Trinity EMS Inc responded to are included. If someone from one of the communities listed above overdosed in another community not listed, it will not be represented in this data set.

System wide, Trinity treated 80 patients with an opioid related issue in June 2020.

Row Labels	Count of Date
LOWELL	28
HAVERHILL	16
(blank)	8
DRACUT	5
TEWKSBURY	3
LAWRENCE	2
WOBURN	2
DUNSTABLE	2
CHELMSFORD	2
TYNGSBORO	1
PINEHURST	1
YORK	1
BEVERLY	1
BILLERICA	1
MILLBURY	1
WILMINGTON	1
NASHUA	1
NORTH	1
CHELMSFORD	1
ALTUS	1
MELROSE	1
MILFORD	1
<b>Grand Total</b>	<b>80</b>



2020 2nd Quarter Report to the  
Lowell, Massachusetts  
Board of Health

Reporting Period: Apr 1 – Jun 30 2020

- **INTRODUCTION:**

This is the 2nd Qtr. 2020 Report for the Lowell Board of Health.

Any questions or concerns surrounding the contents of this report should be directed to:

Trinity EMS, Inc.

ATTN: Kirk Brigham, Director of Clinical Services

PO Box 187

Lowell, MA 01853

Email: [kbrigham@trinityems.com](mailto:kbrigham@trinityems.com)

Thank you,

Management Team

Trinity EMS, Inc

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<b>TIMES:</b>	Trinity BLS Q3 2019	Trinity ALS	LGH ALS	Trinity BLS Q4 2019	Trinity ALS	LGH ALS
Fractile %	<b>93.45%</b>	<b>88.50%</b>	<b>91.57%</b>	<b>91.87%</b>	<b>84.32%</b>	<b>92.12%</b>
Avg out of chute	24 sec	1 min	45 sec	43 sec	1 min 5 sec	50 sec
Avg resp time	4 min 11 sec	5 min 30 sec	5 min 12 sec	4 min 48 sec	4 min 53 sec	5 min 56 sec
Avg on scene time	11 min 42 sec	14 min 47 sec	13 min 10 sec	11 min 41 sec	13 min 52 sec	15 min 16 sec
Avg transport time	6 min 54 sec	7 min 38 sec	10 min 32 sec	6 min 42 sec	7 min 9 sec	10 min 44 sec
# of events >7:59 response time	375	23	156	429	37	145
# of events using Non Trinity BLS	0			1	<-- 8th 911 call in Lowell at that time	
	Trinity BLS Q1 2020	Trinity ALS	LGH ALS	Trinity BLS Q2 2020	Trinity ALS	LGH ALS
	<b>91.70%</b>	<b>84.92%</b>	<b>91.65%</b>	<b>92.28%</b>	<b>86.30%</b>	<b>91.10%</b>
Avg out of chute	58 sec	1 min 11 sec	56 sec	1 min 2 sec	1 min 19 sec	58 sec
Avg resp time	5 min 25 sec	7 min 8 sec	6 min 13 sec	4 min 36 sec	5 min 57 sec	5 min 23 sec
Avg on scene time	12 min 49 sec	15 min 17 sec	14 min 55 sec	11 min 46 sec	9 min 57 sec	13 min 3 sec
Avg transport time	7 min 4 sec	6 min 3 sec	10 min 25	6 min 17 sec	7 min 59 sec	10 min 23 sec
# of events >7:59 response time	429	30	150	389	27	148
# of events using Non Trinity BLS	0			2	<-- 1 was the 7th 911 call, the other was the 6th 911 in Lowell at that time.	

	Q3 2018	Q4 2018	Q1 2019	Q2 2019	Q 3 2019	Q4 2019	Q1 2020	Q2 2020
<b>TEMS BLS</b>	<b>94.72%</b>	<b>94.03%</b>	<b>92.75%</b>	<b>94.28%</b>	<b>93.45%</b>	<b>91.87%</b>	<b>91.70%</b>	<b>92.28%</b>

<b>BLS OUTLIERS:</b>	2018 Total		2019		Last 4 Qs Total		Q3 2019		Q4 2019		Q1 2020		Q2 2020	
1st Emergency	340	24%	386	26%	425	26%	85	23%	121	28%	108	25%	111	29%
2nd Emergency	372	26%	400	27%	404	25%	102	27%	96	22%	101	24%	105	27%
3rd Emergency	259	18%	306	20%	341	21%	91	24%	95	22%	87	20%	68	17%
4th Emergency	189	13%	181	12%	222	14%	43	11%	58	14%	64	15%	57	15%
5th Emergency	146	10%	135	9%	136	8%	31	8%	39	9%	41	10%	25	6%
6th Plus Emergency	115	8%	96	6%	94	6%	23	6%	20	5%	28	7%	23	6%
	1421		1504		1622		375		429		429		389	
<b>BLS REASONS OVER 7:59:</b>	2018 Total		2019		Last 4 Qs Total		Q3 2019		Q4 2019		Q1 2020		Q2 2020	
Total	1421		1504		1622		375		429		429		389	
Couldn't locate house/lost	40	3%	88	6%	107	7%	34	9%	26	6%	20	5%	27	7%
Crew took long route	115	9%	105	7%	73	5%	15	4%	29	7%	15	3%	14	4%
Distance	350	24%	362	24%	387	24%	85	23%	127	30%	93	22%	82	21%
Dispatch delay	40	3%	141	9%	163	10%	43	11%	35	8%	35	8%	50	13%
Highway	9	1%	17	1%	21	1%	7	2%	5	1%	6	1%	3	1%
Out of chute	186	13%	149	10%	150	9%	35	9%	39	9%	43	10%	33	8%
TEMS Dispatch error	127	7%	49	3%	52	3%	17	5%	12	3%	14	3%	9	2%
Weather	47	5%	42	3%	24	1%	11	3%	7	2%	4	1%	2	1%
EMD	227	16%	257	17%	239	15%	64	17%	70	16%	49	11%	56	14%
911 Call volume	235	17%	215	14%	212	13%	45	12%	56	13%	65	15%	46	12%
others/blank	45	3%	79	5%	194	12%	19	5%	23	5%	85	20%	67	17%

<b>BLS OUTLIERS:</b>	2018 Total	2019	Last 4 Qs Total	Q3 2019	Q4 2019	Q1 2020	Q2 2020
Witin the standard (7:59 >)		20243 95.78%	19519 92.35%	5289 93.48%	4838 91.85%	4741 91.70%	4651 92.28%
0800-0859		734 3.47%	768 3.63%	174 3.45%	197 3.91%	207 4.11%	190 3.77%
0900-0959		402 1.90%	415 1.96%	110 2.18%	110 2.18%	107 2.12%	88 1.75%
1000-1059		201 0.95%	217 1.03%	54 1.07%	61 1.21%	53 1.05%	49 0.97%
1100-1159		77 0.36%	94 0.44%	14 0.28%	29 0.58%	21 0.42%	30 0.60%
1200 plus		83 0.39%	122 0.58%	17 0.34%	32 0.63%	41 0.81%	32 0.63%
				see below	see below	see below	see below
<b>12 PLUS BREAKOUT</b>	<b>2018 Total</b>	<b>2019</b>	<b>Last 4 Qs Total</b>	<b>Q3 2019</b>	<b>Q4 2019</b>	<b>Q1 2020</b>	<b>Q2 2020</b>
911 Call volume (5th +)		26 21.31%	28 22.95%	3 9.38%	10 31.25%	9 28.13%	6 18.75%
Distance		0.00%	0.00%	1 3.13%	1 3.13%	3 9.38%	1 3.13%
Crew got lost/couldn't find house		11 9.02%	17 13.93%	1 3.13%	4 12.50%	6 18.75%	6 18.75%
EMD		13 10.66%	16 13.11%	3 9.38%	5 15.63%	3 9.38%	5 15.63%
Highway call		6 4.92%	7 5.74%	1 3.13%	3 9.38%	1 3.13%	2 6.25%
TEMS Dispatch error/delay		13 10.66%	11 9.02%	4 12.50%	3 9.38%	2 6.25%	2 6.25%
Others		12 9.84%	37 30.33%	4 12.50%	6 18.75%	17 53.13%	10 31.25%
<b>41 Q1 2020 over 12 minutes</b>							
1	Fall, pt refusal	17	Psy, pt with PD, TEMS disp delay				
2	COVID +, gen weak difficulty finding apartment	18	Diff ambu, patient refusal				
3	GI Issues, TEMS posting error	19	psy, highway call				
4	Psy, 911 call vol. Waited for PD	20	Unable to ambu, EMD				
5	? Lift assist, 911 call vol	21	Gen weak, 911 call volume				
6	COVID +, gen weak, no GPS	22	Life call activation, pt refusal				
7	MVA, no transport	23	Hyperglycemic, ALS w/ PT				
8	Fall, VNA w/ patient.	24	Bleeding, EMD				
9	Syncope, ALS w patient	25	Medication mis-dose, PT refusal				
10	Psy, EMD	26	CP, GPS fail. ALS w PT				
11	? Lift assist, No GPS	27	Rib pain, EMD				
12	Highway call, called by Fire	28	ETOH, diff finding house				
13	UTI, patient refusal	29	Post surg bleeding, Chute, BLS to hospital				
14	Large fight in progress. Canceled by PD	30	ABD pain, GPS fail, priority 3 to hospital				
15	Gen weak, 911 call volume	31	Life call activation, pt refusal				
16	Psy, GPS fail	32	Fall, 911 call volume				

<b>VOLUME:</b>	2018		2019		Last 4 Qs		Q3 2019		Q4 2019		Q1 2020		Q2 2020	
Total responses (ALS & BLS)	30318		30019		29607		7710		7350		7591		6956	
Total ALS Responses	8511	28%	8276	28%	8116	27%	2050	27%	2082	28%	2068	27%	1916	28%
TEMS ALS Responses	955	11%	871	11%	785	10%	200	10%	236	11%	200	10%	149	8%
LGH ALS Responses	7556	89%	7405	89%	7331	90%	1850	90%	1846	89%	1868	90%	1767	92%
<b>INCIDENTS:</b>	21807		21743		21138		5660		5268		5170		5040	
BLS Incident	12340		13467		13022		3610		3186		3102		3124	
ALS and BLS Incident	8467		8276		8116		2050		2082		2068		1916	
Needle pick ups	728		280		172		62		41		28		41	
Non Emergent Lift assists	784		582		163		102		37		15		9	
<b>TRANSPORTS:</b>	2018		2019		Last 4 Qs		Q3 2019		Q4 2019		Q1 2020		Q2 2020	
Total Transports (ALS & BLS)	16379		16483		15802		4117		4167		4063		3455	
Total BLS Transports	13078	80%	12963	79%	12636	80%	3206	78%	3348	80%	3270	80%	2812	81%
Total ALS Transports	3301	20%	3520	21%	3166	20%	911	22%	819	20%	793	20%	643	19%
TEMS ALS Transports	503	15%	362	10%	265	8%	112	12%	118	14%	20	3%	15	2%
LGH ALS Transports	2798	85%	3058	87%	2901	92%	799	88%	701	86%	773	97%	628	98%



Last Name	First Name	Hire Date	Positio	MA Certification #
Bertolini	Lizlye	2020-06-15	EMT-B	E0912337
Delima	Dalton	2020-06-15	EMT-B	E0904924
Diaz	Marlena	2020-06-15	EMT-A	A0900421
Doherty	Patrick	2020-06-15	EMT-B	E0916492
Ewing	Lucas	2020-06-15	EMT-B	E0917458
Garcia	Idalisse	2020-06-15	EMT-B	E0917675
Graham	Caitlin	2020-06-15	EMT-B	E0911226
Lindberg	Gary	2020-06-15	EMT-P	P833269
Penta	Cory	2020-06-15	EMT-B	E0909190

# EMD- Direct to Trinity

	2018 Total	2019	Last 4 Qs Total	Q3 2019	Q4 2019	Q1 2020	Q2 2020
Alpha (BLS-P3)	1524	1296	1316	296	335	396	289
Bravo (BLS-P2)	444	453	408	90	129	120	69
Charlie (ALS-P1)	722	719	773	220	167	190	196
Delta (ALS-P1)	634	716	821	223	163	169	266
Echo (ALS-P1)	3	6	9	2	1	1	5
Total EMD by Trinity in Lowell	3327	3190	3327	831	795	876	825

The above data are direct calls to Trinity for patients in Lowell.

Alpha- results in BLS going no lights or sirens to the patient

Bravo- results in BLS going lights and sirens to the patient

Charlie, Delta, Echo- results in ALS and BLS going lights and sirens to the patient

As part of Trinity EMS's EMD accreditation a portion of the above calls are randomly selected for quality assurance review. TEMS reviews 25 EMD'ed calls per week. These 25 calls could come from any city or state.

Potentially none or all 25 calls could be for patients in Lowell.

Trinity EMS an Accredited Center of Excellence through the International Academy of Emergency Dispatch. Trinity is 1 of 2 in Massachusetts and 1 of 184 of these centers in the world



	2018	2019	Last 4 Qrts	Q3 2019	Q4 2019	Q1 2020	Q2 2020							
Total ORI in Lowell	811	523	497	127	125	91	154							
Priority 1 ORI in Lowell	455	313	302	79	84	57	82							
Trinity wide ORI	1206	855	850	235	209	182	224							
Trinity wide Priority 1	708	545	542	151	144	124	123							
<b>ORI in Lowell by setting:</b>														
Inside Private home	327	40%	206	40%	192	39%	42	33%	68	54%	36	40%	46	30%
Public location inside	82	10%	76	10%	42	8%	14	11%	15	12%	10	11%	3	2%
Public location outside	386	48%	230	48%	253	51%	69	54%	42	34%	41	45%	101	66%
Other	16	2%	11	2%	10	2%	2	2%	0	0%	4	4%	4	3%
<b>Gender:</b>														
Female	224	28%	151	28%	138	28%	33	26%	34	27%	24	27%	47	31%
Male	588	72%	372	72%	358	72%	94	74%	91	73%	66	73%	107	69%
Females U20	2	1%	3	1%	0	0%	0	0%	0	0%	0	0%	0	0%
Female 20-29	78	35%	32	35%	35	25%	5	15%	6	18%	10	42%	14	30%
Female 30-39	79	35%	53	35%	45	33%	7	21%	12	35%	7	29%	19	40%
Female 40 - 49	36	16%	42	16%	36	26%	14	42%	11	32%	3	13%	8	17%
Female 50- +	29	13%	21	13%	22	16%	7	21%	5	15%	4	17%	6	13%
Male U20	2	0%	1	0%	2	1%	0	1%	1	0%	0	1%	1	0%
Male 20-29	178	30%	91	30%	74	21%	19	21%	21	20%	13	23%	21	20%
Male 30- 39	178	30%	129	30%	127	35%	35	35%	34	37%	23	37%	35	35%
Male 40 - +	124	21%	65	21%	70	20%	19	20%	14	20%	13	15%	24	20%
Male 50 - +	106	18%	86	18%	85	24%	21	24%	21	22%	17	23%	26	26%

	2018 Total		2019 Total		Last 4 Qs Total		Q3 2019		Q4 2019		Q1 2020		Q2 2020		
Acre	125	15%	63	15%	54	11%	15	12%	13	10%	13	14%	13	8%	
Back Central	107	13%	82	13%	104	21%	21	17%	20	16%	14	15%	49	32%	
Belvidere	17	2%	17	2%	24	5%	5	4%	6	5%	5	5%	8	5%	
Centralville	109	13%	68	13%	58	12%	14	11%	27	22%	8	9%	9	6%	
Downtown	204	25%	138	25%	122	25%	34	27%	25	20%	24	26%	39	25%	
Highlands	48	6%	36	6%	28	6%	8	6%	6	5%	7	8%	7	5%	
Lower Belvidere	21	3%	11	3%	8	2%	2	2%	2	2%	1	1%	3	2%	
Lower Highlands	81	10%	51	10%	48	10%	10	8%	16	13%	6	7%	16	10%	
Pawtucketville	48	6%	25	6%	22	4%	10	8%	5	4%	5	5%	2	1%	
Sacred Heart	42	5%	21	5%	20	4%	5	4%	3	2%	6	7%	6	4%	
South Lowell	9	1%	11	1%	9	2%	3	2%	2	2%	2	2%	2	1%	
<b>Home towns of patients:</b>															
Lowell	487	60%	314	60%	302	63%	74	58%	76	70%	49	54%	103	67%	
Dracut	39	5%	20	5%	13	3%	7	6%	3	3%	2	2%	1	1%	
Billerica	26	3%	19	3%	17	4%	3	2%	4	4%	6	7%	4	3%	
Chelmsford	18	2%	7	2%	5	1%	0	0%	1	1%	0	0%	4	3%	
Tewksbury	16	2%	11	2%	13	3%	3	2%	4	4%	1	1%	5	3%	
Other/unknow	225	28%	135	28%	130	27%	40	31%	20	19%	33	36%	37	24%	

ALS: Life Support- may refer to vehicles staffed with a least one paramedic or refer to a paramedic level of patient care. Trinity Emergency ALS vehicles are staffed with two paramedics.

A Response: Is defined as dispatching or sending an ambulance to a request for service. In this report , a response is further sorted to include only emergency responses. These numbers do not include routine transfers such as dialysis patients or radiation treatment patients.

A Transport: Is defined as taking a patient in an ambulance to a destination.

BLS: Basic Life Support- may refer to a vehicle staffed with two emergency medical technicians (EMT) or an EMT level of patient care. Trinity BLS ambulances are staffed with two EMT's

EMD: Emergency Medical Dispatch- a nationally recognized system whereby dispatchers are trained and follow a specific protocol to ascertain the nature of illness/injury and provide patient care instructions to the caller until the First Responders or ambulance arrives.

Intubation Attempt: Is defined as insertion of the laryngoscope blade into the oral cavity for the purpose of inserting an endotracheal tube.

MAI: Medication Assisted Intubation is generally regarded as facilitating an intubation with the use of sedatives. In Massachusetts how ever, this term includes the use of Paralytics. The Massachusetts MAI program is not part of the standard scope of practice for Paramedics. It is controlled through the Department of Public Health's Office of Emergency Medical Services Medical Services Committee.

On scene time: The amount of time that has elapsed from the moment the ambulance is on scene to the moment the ambulance begins transport or is released back into service

Out of chute time: The amount of time that elapses from the moment when the ambulance is dispatched to the moment the ambulance begins moving towards the call.

On time performance score: Is the percentage of calls that meet or exceed the response time criteria.

Request for service: When a dispatcher receives request for an ambulance usually via telephone or radio

Response time: The amount of time that has elapsed from the moment the call is completely entered into the dispatch system to the moment the ambulance arrives on scene.

RSI: Rapid Sequence Intubation is the facilitation of intubation using both sedatives and paralytics

Service Zone Plan: M.G.L. Part 1 Title XVI Chpt. 11C Section 1 defines as "a geographic area defined by and comprised of one or more local jurisdictions, in which a local jurisdiction may select and the department shall designate an EMS first response service and an ambulance service to provide EMD first response and primary ambulance response to the public within the defined area, pursuant to section 10." Massachusetts Regulations 105 CMR 170.249.

Transport time: The amount of time that has elapsed from the moment the ambulances leaves the scene with a patient to the moment the ambulance arrives at the receiving facility

Triage down: When a paramedic units arrives at the patients side and based on the patient condition determines that the patient may be treated and transported at the BS level. Note- There is no protocol for this practice, however, OEMS does address it though an administrative advisory: A/R5=620.

- The following document is a detailed outline of the reporting process used by Trinity EMS.
- **Responding lights and sirens**
  - From Lowell 911
    - All calls require a lights and sirens response regardless of the patients condition except
      - Needle pick ups
      - Pt carry down/up without a medical issue
      - Unless requested to response without lights and sirens by the 911 center.
  - Direct to Trinity calls that Trinity EMD's
    - Bravo, Charlie, Delta, and Echo go with lights and sirens
    - Alpha or Omega level calls go without lights and sirens
  - Direct to Trinity that Trinity doesn't EMD
    - Response lights and sirens for any patients. Unless the calling agency EMD'ed the call to a non-urgent level.
    - This set of calls would include call from UMASS PD, or other ambulance services.
- Incident
  - A request for or by someone within the city limits of Lowell that requires an EMS response.
  - Each request is counted as 1 incident
    - A patient that gets a BLS unit for back pain is counted as 1 incident
    - A 10 car MVC with 20 patients requiring 6 BLS, 2 ALS, and 2 helicopters is counted as 1 incident
- Responses
  - Counts the number of occurrences when EMS vehicles response lights and sirens to a call.
    - An ALS and BLS unit response to a patient with chest pain, that counts as 2 responses. (2 vehicles put their lights on)
- Times:
  - All below are from incidents
  - BLS
    - Priority 1, and 2 incident responses
    - Includes 911 and calls direct to Trinity
      - Any call directly to Trinity from another call center that would require an emergent response
        - (IE- Umass Lowell calls Trinity for a chest pain)
        - Any Charlie, Delta, Echo response called and EMD'ed by Trinity
    - Includes call when ALS and BLS responded as well as call when just BLS responded.
    - **Q# year# Performance score**
      - Is the created by
- Dividing the number of incidents BLS units responded to.

- Into the number of those calls that shows a response time over 08:00 or greater
  - Calls excluded
    - Delta level calls EMD'ed by Trinity that had a total response time of greater than 07:59
- **Avg out of chute**
  - Time from Trinity designated and selected ambulance was assigned call to selected crew to the time selected vehicles starts movement towards this call
  - Excluded-
    - Any time showing more than 10 minutes is excluded as likely time stamp missing
- **Avg response time**
  - From Call saved by Trinity dispatch to time ambulance arrived at geocoded location of the call.
    - Within Trinity CAD- The call saved time is called "call taken". This time is created after Trinity dispatch get an address, apartment, complaint, and any other info 911 passed along.
  - Excluded-
    - Charlie, delta, Echo, and Omega calls direct and EMD'ed by Trinity that result in a response time over 07:59
    - Any time showing more than 20 minutes is excluded as likely time stamp missing
- **Avg on scene time**
  - Includes only calls included above
  - Time from crew arrival on site to time vehicle:
    - Clears
    - Occupies to the hospital
  - Excluded
    - Any time showing more than 30 minutes is excluded as likely time stamp missing
- **Avg transport time**
  - Includes only calls included above
  - Time from crew: Clears or arrives to the hospital
  - Excluded
    - Any time showing more than 20 minutes is excluded as likely time stamp missing
- **# of events >7:59 or greater**
  - Includes any call that includes calls included from reasons earlier in the section
  - That's response time is greater than 07:59
  - Excluded
    - Any call where the unit is canceled prior to arrival
- Called that were EMD'ed by Trinity

- No other calls are excluded- weather, 911 call volume as examples are outliers counted and categories in the “BLS reasons over 07:59”
- **# of events using Non Trinity BLS units**
  - Requests for ambulances to Trinity that Trinity was not able to send a BLS unit on within the State mandated 5 minute dispatch time for
    - Any 911 priority 1 or 2 call
    - Any call directly to Trinity from another call center that would require an emergent response
      - (IE- UMass Lowell calls Trinity for a chest pain)
    - Any Charlie, Delta, Echo response called and EMD’ed by Trinity
- ALS
  - The only difference from the BLS is the ALS times start at dispatch, and not call created
- **BLS Outliers:**
  - For any BLS response over 07:59
    - Trinity will make note and report in this section the number of concurrent emergencies in Lowell at the time this call is created.
      - Includes 911 calls and calls direct to Trinity
      - Non-emergency and call in other cities will not be counted
- **BLS Reasons over 07:59**
  - For any BLS response over 07:59
    - Trinity will conduct a route cause analyses as to the reason for the response time
    - Trinity will take note and report in this section. These reasons will be grouping into 1 of the following
      - Couldn’t location house/lost
      - Crew passes the geo-coded location for the address more than once without getting on arrival
    - Crew took long route
      - Crew did not take the fastest route from their dispatch location to the pickup location
    - Distance
      - Usually this is used when a
        - Dispatcher gives the call out within 60 seconds
        - The crew is enroute within 120 seconds
        - Posting is happening
        - The ambulance crew went the most direct route
        - Circumstances include
          - If there is a second call in a sector of the city before reposting. 2<sup>nd</sup> call in downtown, this ambulance to the second call has two reports a much greater distance to the patient.



# BODY ART PRACTITIONER CHECK LIST

Name of Applicant: Katherine Ventura

---

Phone Number: 256-980-4318

---

Establishment Affiliation: Tierney's Tattoo Inc

---

Establishment Address: 12 Concord St Lowell, MA 01852

---

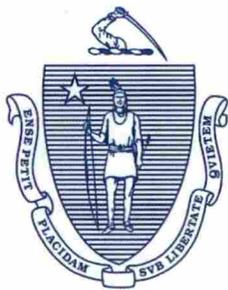
Establishment Phone Number: 978-452-7900

---

Both  
8-5-20

EXP DATE	Description of Document
ck# 736	Application (for Body Art Practitioner License)
<u>2 yrs Licensure confirmed (AL)</u>	Proof of 2 years experience as a practitioner or proof of completion of 2 year apprenticeship if less than 2 years as a practitioner
<u>6.9.20</u>	Letter of Hire from Employer (Apprentice to Mike Tierney)
<u>exp 6.9.21</u>	<b>Blood Borne Pathogen Certificate</b>
<u>exp 6.9.22</u>	<i>Basic First Aid Card</i>
<u>exp 6.9.22</u>	<i>Advanced CPR Card (if separate from First Aid Card)</i>
<u>ZaZa course 5.28.20</u>	Anatomy & Physiology I & II (Tattoo or Piercing) <u>OR</u> Certificate of Completion of Approved Skin Course (Tattoo Only)
<u>completed</u>	Hepatitis B Vaccination Status 1: <u>9.6.94</u> 2: <u>11.9.94</u> 3: <u>4.26.95</u>
<u>exp 8.29.23 (AL)</u>	<i>Driver's License/State ID - will be replacing with MA Lic when RMV reopens</i>

**Bold = New every year**  
*Italicised require updating when expired*



THE COMMONWEALTH OF MASSACHUSETTS  
STATE RECLAMATION & MOSQUITO CONTROL BOARD  
**CENTRAL MASSACHUSETTS  
MOSQUITO CONTROL PROJECT**

111 Otis Street, Northborough, MA 01532 - 2414  
Telephone (508) 393-3055 • Fax (508) 393-8492  
[www.cmmcp.org](http://www.cmmcp.org)



COMMISSION CHAIRMAN  
RICHARD DAY

EXECUTIVE DIRECTOR  
TIMOTHY D. DESCHAMPS

July 22, 2020

City of Lowell  
Health Department  
Lowell, MA 01581

*BoH  
8-5-20*

Central Massachusetts Mosquito Control Project personnel will be in your community to respond to residents' concerns about mosquitoes in their area on the following dates in August/September:

**August 5, 12, 19, 26, September 2**

**All dates** are subject to change due to weather conditions, mosquito populations, mosquito virus activity and/or special event spraying. This program will shut down when cool night time temperatures become predominant in the area. A detailed notice about our spray schedule is posted on the CMMCP phone system after 3:30 p.m. each day, and it is also listed on our website at <https://www.cmmcp.org/pesticide-information>.

Requests for service may be recorded by calling the CMMCP office at (508) 393-3055 between 7:00 AM - 3:30 PM, Monday through Friday, or logging on to <https://www.cmmcp.org/>. Results of these requests may initiate an application of mosquito insecticides to defined, site-specific areas of town. These applications will be performed by using truck-mounted equipment staying on paved surfaces.

Per 333CMR13.03(1)(a): "Wide Area Applications of pesticides and mosquito control applications of pesticides approved by the State Reclamation and Mosquito Control Board shall not be made to private property which has been designated for exclusion from such application by a person living on or legally in control of said property." For more information please check: <https://www.cmmcp.org/pesticide-information/pages/pesticide-exclusion>.

Please list this information in the local newspapers and on the local cable access channels if possible. Thank you for your assistance.

Sincerely,

*Timothy D. Deschamps*

Executive Director

cc: City/Town Clerk  
Police Department

MEMO

# Central Mass. Mosquito Control Project

[www.cmmcp.org](http://www.cmmcp.org)



TO: CMMCP Member Boards of Health  
FROM: Timothy Deschamps, Executive Director  
RE: abandoned swimming pools  
DATE: June 8, 2020

*Both  
8-5-20*

As we enter the 2020 summer season, I would like to inform you about a specific larval control program we have to target and treat **abandoned swimming pools**. These areas can quickly become significant larval mosquito habitat. We have extended release, bacterial products that can reduce or eliminate the hatch of all mosquito species, some of which could carry disease. One treatment per year is all that is necessary.

Treatment of the pools is at no cost to the city/town or the resident, and the pool can later be opened if the resident so desires. We ask that if there is an abandoned or foreclosed property, or a potential neighborly dispute, to inform our office by e-mail at [deschamps@cmmcp.org](mailto:deschamps@cmmcp.org) granting us authority to treat the pool. Residents can contact us directly at (508) 393-3055 or log onto our website at <https://www.cmmcp.org> and sign up under the Seasonal Updates section, look for "Abandoned Swimming Pools".

Information on these bacterial products used by CMMCP can be found on our website at <https://www.cmmcp.org/pesticide-information/pages/combination-btibsph>

*Thank you*



<https://www.facebook.com/Central.Mass.Mosquito>



<https://twitter.com/CMassMosquito>

###

# City of Lowell



## FIVE YEAR VEGETATION MANAGEMENT PLAN 2020-2024

Submitted by:

City of Lowell  
Department of Public Works

Prepared by:

 Vegetation Control Service, Inc.

April 1, 2020

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# 1. INTRODUCTION

The City of Lowell's Vegetation Management Plan (VMP) is designed to establish a five-year program to control vegetation along facilities considered rights-of-way under 333 CMR 11.02. These include "...any roadway, or thoroughfare on which public passage is made and any corridor of land over which facilities such as bicycle paths are located." These include roads, curbing, sidewalks, medians/traffic islands and bicycle paths ("public ways"). The city has been able to more efficiently manage these areas, which has reduced the amount of maintenance required. In compliance with 333 CMR 11.00, Lowell is continuing an Integrated Vegetation Management (IVM) program that incorporates regulatory and industry standards that account for safety, environmental concerns and effective target vegetation control. Described in detail below, cultural, physical, mechanical, and chemical (herbicide) practices and principles are the four components of this plan.

Incorporated in 1824, the City of Lowell has a total area of 14.5 square miles and over 100,000 residents. As the first large manufacturing center in the United States, Lowell is a mixture of urban, educational, suburban and historic/recreational sites with a dense population. Lowell's vegetation management program takes place within this highly populated landscape.

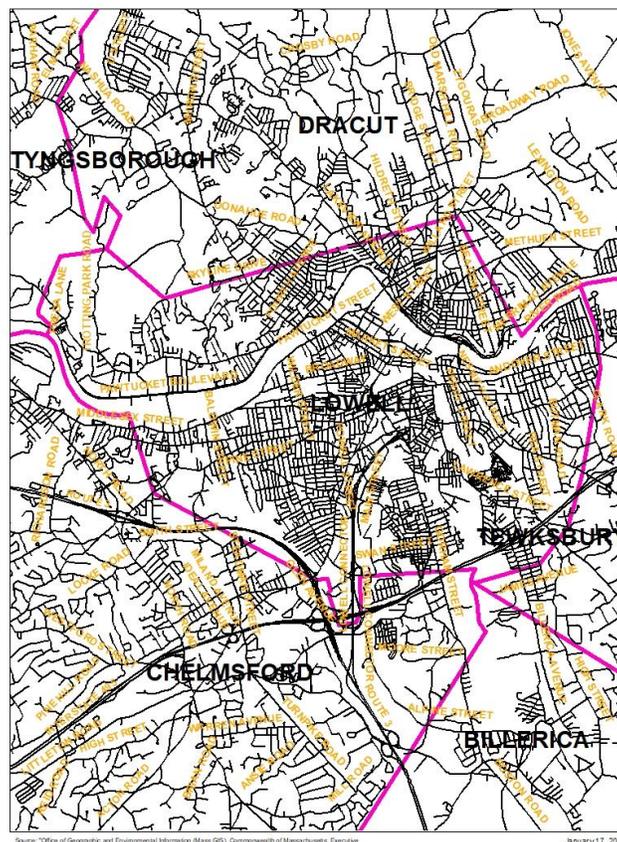


Figure 1: Lowell

## 2. GENERAL STATEMENT OF GOALS AND OBJECTIVES

Vegetation management along public ways is necessary to control unwanted vegetation that poses a public nuisance and creates traffic and pedestrian hazards. The operational goal of this VMP is to ensure vegetation management practices along public ways are conducted in an effective and environmentally sound manner.

Lowell is continuing its IVM program that adheres to the parameters set in 333 CMR 11.00. This will be accomplished by following an adaptation of the American National Standards Institute (ANSI)/International Society of Arboriculture (ISA) definition of IVM (*ANSI A300 (Part 7-2018) Tree, Shrub, and Other Woody Plant Management – Standard Practices (Integrated Vegetation Management)*). As stated in the IVM standard “*the reason for IVM is to create, promote, and conserve sustainable plant communities that are compatible with the intended use of the site, and manage incompatible plants that may conflicted with the intended use of the site.*”. This IVM model includes eight management objectives which are designed to be continuously re-examined and adapted to current conditions:

- “Determine the Right to Use IVM Methods”
- “Communicate With, and Engage Stakeholders”
- “Determine Management and planning Objectives”
- “Determine Tolerance Levels”
- “Establish IVM Treatment Methods”
- “Establish IVM Specifications”
- “Conduct IVM Application(s)”
- “Determine Adaptive Management, Quality Control, and Quality Assurance”.

Adhering to the model above, the individual objectives of this VMP are:

- To maintain safe public ways;
- To ensure that all vegetation management operations are conducted in a safe, effective regulatory compliant manner;
- To work towards achieving a long-term, low maintenance vegetation management program;
- To allow for unplanned tasks for which precautions are taken to utilize the correct treatment methods;
- To use certified, licensed and qualified vegetation management crews;
- To have a Department of Public Works (DPW) representative available to respond quickly to interactions with the public and/or government agencies;
- To perform an annual assessment of treatment methods, cost effectiveness, environmental effects, public safety and regulatory compliance;
- To maintain the flexibility necessary to accommodate unique situations and the need for more appropriate techniques as they arise within the regulatory framework of 333 CMR 11.00 (in accordance with new regulations and/or scientific advances).

Lowell's VMP is a public document designed to be the principle source of information for state and municipal officials, and other interested parties about Lowell's adherence to the regulatory standards set forth in 333 CMR 11.00. It also provides guidance to the qualified and licensed/certified individuals who implement the vegetation management treatment program.

### **3. IDENTIFICATION OF TARGET VEGETATION**

#### ***Target Vegetation:***

*Vegetation that poses a public nuisance and/or poses a risk to pedestrian or vehicle safety.*

Achieving a long-term, low maintenance vegetation management program requires the ability to identify incompatible plant species and to understand why they are targets. Incompatible vegetation along public ways poses a public nuisance and/or a safety risk to pedestrians or vehicles and interferes with the safe movement of goods and services.

#### ***Vegetation Posing a Risk to Safety***

Vegetation that obstructs visibility or impedes movement along public ways poses a risk to public safety. M.G.L. Chapter 87, Section 5 authorizes tree wardens to control "all public shade trees, shrubs, and growths" along public ways. This includes woody plants, grasses and herbaceous species and public nuisance vegetation as listed below. For example, any vegetation such as grape vines or tree branches that might obscure street signs.

#### ***Public Nuisance Vegetation***

Public nuisance vegetation includes but is not limited to plant species growing along public ways that pose a health, safety or environmental hazard. Poisonous, invasive and other nuisance plants and weeds, pose a risk to safety and health because of heavy thorns, dense foliage and/or impenetrable stems; examples include, but are not limited to, Multi-flora Rose, Common and Glossy Buckthorn, Japanese Knotweed, Blackberries, Barberry and Autumn Olive. Although not the only poisonous target species of concern, Poison Ivy currently comprises the overwhelming majority of poisonous plant communities along Lowell's public ways that require control.

#### ***Nuisance Grass and Herbaceous Growth***

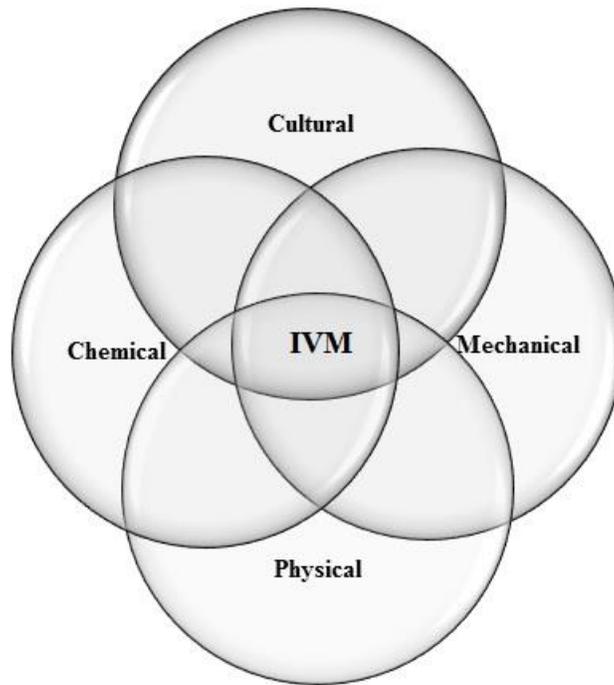
In most instances, grass is a desirable plant species. Along the shoulders of roads, grass growth is often encouraged and maintained through mechanical mowing. However, in some instances, grasses and other herbaceous plants are targets in areas where they cause a safety risk. These areas include, but are not limited to, cracks in asphalt, along guiderails, within paved traffic islands, medians, on and between sidewalks and the adjacent curbing. Herbaceous and other broadleaf vegetation can also impair the stability of grassy areas by out-competing the desirable grass species.

#### 4. PUBLIC WAY INTEGRATED VEGETATION MANAGEMENT

“The purpose of 333 CMR 11.00 is to establish a statewide and uniform regulatory process which will minimize the uses of, and potential impacts from herbicides in rights-of-way on human health and the environment while allowing for the benefits to public safety provided by the selective use of herbicides.”\*

Returning to the ANSI/ISA definition of IVM, the individual components of an IVM driven vegetation management program cannot work without the others. They are all part of both the decision and the treatment phases of IVM. The eight objectives list above of IVM are the same for all IVM programs but the individual components and the items thereunder, are tailored to both the ROWs being treated and the incompatible vegetation. As a result, IVM programs are well suited to deal with important items such as site sensitivity, the presence of endangered species, invasive species, safety, the public, the effectiveness of the program, etc.

Taking all these factors into considerations, the four components of Lowell’s IVM program are: cultural, physical, mechanical, and chemical (herbicide). Where all four components come together is IVM (see Figure 2).



**Figure 2: Public Way Integrated Vegetation Management**

The cultural component of IVM may be the hardest component to pin down due to the many variations in how individuals and industries use the word “cultural.” For the purposes of

---

\*333 CMR 11.00 Right of Way Management: Section 1.

this VMP, the term means understanding the uses, requirements, and aesthetics of the different treatment areas in Lowell. In other words, the first step in implementing any municipal IVM program is understanding how the property in the treatment areas is being used and why it is being used that way. In some places, plantings are appropriate, but others, such as roadways and sidewalks, require vegetation free conditions. Grass and weeds on sidewalks and pavement, aside from being unsightly and creating tripping hazards, also damage and destroy concrete and pavement. Likewise, inappropriate plantings may cause safety concerns at intersections. A well designed IVM program recognizes and manages for instances in which these factors prescribe the treatment methods. In all cases, effective control methods are adapted or limited to suit the management situation.

Another “cultural” component of Lowell’s IVM program is continued monitoring of the current and potential treatment areas. This allows the city to adapt the treatments to the conditions and to alter the treatment areas as necessary. For example, monitoring for new populations of Poison Ivy or other vegetation such as the invasive plant species Oriental Bittersweet that is killing trees along our roads throughout the Northeast; both are most effectively controlled with herbicides.

The physical control components of Lowell’s IVM program are general maintenance tasks that help prevent the establishment of vegetation. These include, sealing cracks, general right-of-way repairs (i.e. repaving, installing new sidewalk, etc.), cleaning ditches and sweeping streets (see Section 5).

Mechanical controls will be discussed in detail in Section 6, but in brief, they include mowing, selective pruning and hand cutting to remove or reduce target vegetation. For example, applying the decision-making part of an IVM program to the use of mechanical controls, in many locations the targets are grass and herbaceous plants growing along the edge of the road with no man-made obstructions (e.g. guiderail, curbs) therefore, they may effectively be controlled by the use of mowers, trimmers or other mechanical means.

The chemical control component of this IVM program is the use of herbicides to control incompatible vegetation that cannot be controlled effectively or safely by either physical or mechanical methods alone (see Section 6). When appropriate, herbicide use will be minimized by timing applications to maximize control, by avoiding fixed application schedules and by using the most selective methods practical on a site-by-site basis. The main chemical controls are basal, cut stump treatments, and foliar applications which may include pre-emergent herbicides.

In summary, the benefit of IVM is the ability to choose the most appropriate treatment method or combination of methods for each situation. This is only possible by using the cultural component of IVM in the process of deciding the direct methods of physical, mechanical and chemical treatments. This is achieved through careful monitoring, landscape awareness, education, experience and record keeping.

## 5. IVM PROTOCOL

*Taking into consideration all four components of Public Way IVM, the protocol for implementing the IVM program is as follows:*

**Monitoring:** All public ways will be surveyed prior to any scheduled treatment program. Monitoring will be conducted by foot or by vehicle. Monitoring of areas may also result from public requests. Monitoring is a year-round protocol.

**Maintenance:** Roads will be cleaned using a street sweeper. Cracks in the asphalt and sidewalks and other defects will be repaired, and ditches will be cleaned.

**Direct Vegetation Control Methods:** The decision to use one or a combination of IVM techniques will take into consideration the cultural uses of the landscape. The direct IVM management tactics selected will control nuisance vegetation in the most environmentally responsible and efficient manner:

A. Mechanical Controls

1. Hand Cutting
2. Mowing
3. Selective Pruning

B. Chemical Controls

1. Foliar applications
2. Pre-emergent applications
3. Cut stump treatments
4. Basal applications

**Record Keeping:** A log of surveyed areas will be kept for future planning and reference purposes. Areas maintained either through physical repair, mechanical or chemical control will be recorded by the DPW for at least 5 years.

## 6. VEGETATION MANAGEMENT CONTROL METHODS AND RATIONALE FOR USE

As the two IVM components directly used to control vegetation, the following section is a description of mechanical and chemical treatment methods. The method(s) chosen for a given vegetation problem are based on achieving a long-term, low-maintenance vegetation management program.

### ***Mechanical Methods:***

1. **Hand Cutting:** cutting target species using hand saws, chain saws and brush saws. Target species are cut as close to the ground as practical: the ideal stump height is three inches or less (when possible). Hand cutting is used to remove hazard trees and to protect environmentally sensitive sites including sites where herbicide use is prohibited by regulation, including the removal of target vegetation greater than twelve feet tall.

Hand cutting is also used on sites where terrain, target species size or sensitivity renders mowing impossible or impractical. Hand cutting may be used at any time of the year.

2. **Mowing:** the mechanical cutting of target vegetation using machines including push mowers, riding-mowers, offset flail mowers, brush mowers, edgers and/or trimmers. Equipment selection is based on site, terrain, and target vegetation size. Mowing is used in most areas where terrain and target stem size permit efficient use of the equipment and in areas where herbicide use is prohibited by regulation. Mowing is the principle vegetation control measure on the shoulders of roads and grassy islands. Mowing may be used at any time of the year except when deep snow precludes operations.
3. **Selective Pruning:** the mechanical pruning of the tops or encroaching limbs of tall vegetation which may cause a hazard or hamper access. The equipment includes aerial lifts mounted on trucks or tractors. If terrain or obstructions prevent equipment access, selective pruning may also be achieved using climbing crews. Selective pruning may be done at any time of the year and may provide a viable alternative to the removal of vegetation.

### *Chemical (Herbicide Applications) Methods*

1. **Foliar Treatments:** the application of herbicides diluted in water, to the leaves, stems, needles or blades of target vegetation. The equipment consists of backpack and vehicle mounted sprayers; both use low pressure at the nozzle per 333 CMR 11.02. Foliar applications take place when leaves are fully developed in the spring until early fall and the beginning of leaf abscission—i.e., when leaves begin dropping.
  - a. **Hand-held and backpack sprayers:** backpack, hand held canister sprayers or squirt bottles. This technique is excellent for spot treatments, such as localized Poison Ivy infestations. It is not as effective as other methods on high density target vegetation.
  - b. **Vehicle mounted sprayers** use truck, tractor and/or ATV mounted equipment that delivers the herbicide solution through nozzles attached to a hose or boom-mounted apparatus. This technique is used along roadways that have good access and where obstructions, terrain or site sensitivity do not exclude the equipment.
2. **Pre-emergent Treatments:** the use of pre-emergent herbicides using the same equipment described in the foliar treatments above. Pre-emergent applications are used where season long vegetation control requires “vegetation-free conditions” such as along curbing, sidewalks, under guiderails/guardrails and on paved traffic islands. This method is used from the early spring to early fall.
3. **Cut Stump Treatment (CST):** the mechanical cutting of target species followed by an herbicide treatment to the phloem and cambium tissue of the stumps. CST treatments prevent re-sprouts, thereby reducing the need to re-treat the same vegetation. The CST mixture is diluted in water, basal oil or a non-freezing agent and is ideally made to

freshly cut stumps. Application equipment includes low-volume, backpack or hand-held sprayers, hand held squirt bottles, paintbrushes, or sponge applicators. This method is used where maximum control is desirable; to reduce the visual impact of vegetation management treatments, and/or to reduce the potential of adverse impacts to desirable vegetation because of its selectivity. CST may be used at any time of the year provided snow depths do not prevent cutting the stumps below three inches in height. It is best to avoid during the season of high sap flow, or in moderate to heavy rains. It is not practical in moderate to heavy stem densities.

4. **Low Volume Basal Treatment:** the selective application of an herbicide, diluted in specially formulated oil, to wet the entire lower twelve to eighteen inches of the target plant stems. Using a hand-held or backpack sprayer, the oil enables the herbicide solution to penetrate the bark tissue and translocate within the plant. Low volume basal treatments are highly selective and used when vegetation density is low and in areas where extreme selectivity is necessary. It can be used any time of year except when snow is too deep, in extremely wet weather and/or during spring sap flow.
5. **Plant Growth Regulators/Broadleaf Control (PGR):** the selective application of herbicides to slow down the growth of grasses and remove broadleaf plant species. The principal use of this treatment method in Lowell is to control broadleaf plant species—many of which are invasive or nuisance plants—where they are out-competing desirable grasses despite regular mowing on sites such as roadside embankments. PGR treatments have the advantage of controlling the target broadleaf species without damaging the desirable grass species. They are used in the same time frame as foliar treatments, using the same types of equipment.

**Final Note: Anti-drift Adjuvants** are added to the mix or solution in foliage and pre-emergent applications to help reduce the potential exposure to non-target organisms. They reduce the break-up of sprays into fine droplets which increases selectivity and deposition onto target plants.

## **7. JUSTIFICATION OF HERBICIDE USE AND SUMMARY OF CONTROL STRATEGIES**

By following the IVM protocol listed in Section 5, physical and mechanical treatment methods control many plants that interfere with traffic, visibility and safety. Chemical controls are, however, necessary in management situations where topography, access, growth rate, certain species-specific factors, applicator safety, or environmental/social concerns limit the potential for control by physical or mechanical methods.

To begin with, Lowell will use herbicides on the Massachusetts Department of Agriculture's (MDAR) *Sensitive Area Materials List* in most locations. The general characteristics of these herbicides are: low toxicity to humans and other animal species; short term soil persistence; biodegradation of active ingredients; and low mobility. The specific herbicide formulations and mixtures will be listed in the Yearly Operational Plans (YOPs). The manufacturers' labels and Herbicide Fact Sheets approved by the MDAR will be included in the appendices of the YOPs.

Chemical controls are often the preferred method or only method to control plants that pose a health hazard for the technician in the field, either directly or due to their location. Poison Ivy, for example, is extremely hazardous to handle; it is not managed either safely or effectively by mechanical means and can pose a serious threat to anyone who inhales the smoke if it is burned. Likewise, attempting to control curbside plants and weeds by pulling them or trimming them can put a technician in danger from traffic and is ineffective for long term control.

Mowing controls most grasses. Herbicide applications, however, are used where mechanical control is not feasible due to location, stem density and/or height. Although grass is more often a desirable vegetative cover along public ways, in areas where it is a target, it is both difficult and sometime dangerous to remove by mechanical treatment methods. These areas include, but are not limited to, cracks in asphalt, along guiderails, paved traffic islands and sidewalks and curbing. In these instances, grass can be identified as target vegetation.

Herbicide applications are the ideal treatment method to control nuisance vegetation. Once established, poisonous and invasive vegetation are particularly difficult to control. Maintaining public ways by mechanical techniques can help control target vegetation by preventing its establishment, however, once established, hand-cutting this vegetation is less effective and more of a risk to the applicator than the use of herbicides.

Invasive vegetation is difficult to control. For example, Japanese Knotweed propagates primarily underground by rhizomes. Even, a half inch rhizome floating down a river or moved in top soil will start an infestation. In other words, digging up and removing the soil both spreads the plant and does not guarantee its removal from the site. As a result, herbicides are the most effective way to stop its spread.

This does not mean that mechanical methods are not an effective part of an IVM approach to treating Japanese Knotweed; this is the advantage of IVM. Mowing Japanese Knotweed in the early summer makes the plant much easier to treat with herbicides in the early fall during its ideal treatment window. Mowing the plant keeps it short at the time of treatment allowing for easy walking through the area and allowing the applicator to effectively direct the herbicide onto the foliage of the knotweed and nowhere else.

Poisonous plant species, such as poison ivy, are best controlled by herbicides. Poison Ivy, low when young, tall vines when mature, is nearly impossible to control through cultivation, hand pulling or roadside mowing operations. These climbing vines grow over stone walls, tree trunks and guiderails, making mechanical control out of the question for safety and economic reasons. In some locations, the judicious use of herbicides may also help develop herbaceous communities that out-compete poison ivy.

Woody vegetation over twelve feet in height that causes safety issues for pedestrian or vehicles can and will be treated mechanically by pruning or ground cutting using hand tools or chainsaws. Sometimes, the stumps of woody vegetation will be physically removed, depending upon the species of plant and its proximity to other vegetation. Stumps may also be treated with an herbicide (CST) to prevent re-sprouting.

Small woody plants, under twelve feet in height growing along the road shoulder in an accessible location will usually be mowed or cut and possibly treated with herbicides (CST). However, low volume foliar applications may be applied where woody plants or vines grow over obstacles, can't be hand cut and chipped, are resistant to control by mechanical means or where the target vegetation grows very rapidly.

Taking all these factors into consideration, the following table is a reference for control strategies organized by target plant species types; please note that the restrictions listed in Section 8 apply to all control strategies:

**Table 1: Summary of Control Strategies**

<b>Target</b>	<b>Method</b>	<b>Details</b>	<b>Restrictions</b>
Nuisance Vegetation	Foliar	Spot treatment using backpack method in most cases, unless extremely thick or (although rare) in locations where grasses and herbaceous growth are also being treated	Within 10 feet of the public way
Grasses & Herbaceous Growth	Mowing	Controls most sites; in no-spray <i>Sensitive Areas</i>	Topography, obstructions, density of growth
	Foliar	Spot treatment or in locations listed above	Where mowing is practical, in no-spray <i>Sensitive Areas</i>
	Pre-Emergent	Where season long vegetation control is most practical, and season long vegetation free conditions need to be maintained	Where mowing is practical, in no-spray <i>Sensitive Areas</i>
Broadleaf Vegetation in Grassy Areas	PGR	To control broad leaf vegetation in grassy areas without damaging the desirable grass species	<i>Sensitive Areas</i> : no-chemical sensitive areas; limit spray <i>Sensitive Areas</i> unless using approved herbicides
Low Growing Woody Vegetation	Mowing	Controls most sites; in no-spray <i>Sensitive Areas</i>	Topography, obstructions, density of growth
	Foliar	Where terrain prevents mechanical treatment methods; same as grasses and herbaceous growth; rapid resprouting species; invasive plant species	Where mowing is practical, in no-spray <i>Sensitive Areas</i>
	Hand Cutting	Where terrain prevents mowing; resprouting is not a concern; in no-spray <i>Sensitive Areas</i>	Where the safety of the operator is a factor
	CST	Where terrain prevents mowing; re-sprouting is a concern	Same as hand cutting; in no-spray <i>Sensitive Areas</i>
	Basal	Where terrain prevents mowing; where stem densities make hand cutting impractical; for invasive species	Same as hand cutting; in no-spray <i>Sensitive Areas</i>

Tall Growing Woody Vegetation	Selective Trimming	Where the visibility or interference issues do not warrant removal; option for <i>Sensitive Areas</i>	Where removal is warranted; where operator safety issues limit access to the tree
	Foliar	Where terrain prevent mechanical treatment methods; same as grasses and herbaceous growth; rapid resprouting species; invasive plant species	Vegetation over twelve (12) feet tall; Where mowing is practical, in no-spray <i>Sensitive Areas</i>
	Hand Cutting	Where terrain or stump diameter prevents mowing; resprouting is not a concern; in no-spray <i>Sensitive Areas</i>	Where the safety of the operator is a factor
	CST	Where terrain prevent mowing; on species over twelve (12) feet tall that are capable of resprouting	Same as hand cutting; in no-spray <i>Sensitive Areas</i>
	Basal	Where terrain prevents mowing; where stem densities make hand cutting impractical; for invasive species	Species over twelve (12) feet tall; same as hand cutting; in no-spray <i>Sensitive Areas</i>

Herbicides are a vital component of Lowell’s IVM program as there are areas where they are the best choice to control vegetation effectively, safely and with less frequency because of their ability to control the whole plant including the roots. For example, weeds growing in sidewalks hold a significant potential for causing trips or falls and on a larger scale damage infrastructure through their root systems. There is also a legitimate aesthetic value to this treatment. Adventitious vegetation growth (i.e., unplanted/unplanned) is not part of the aesthetic design of sidewalks. To fulfill the requirements of 333 CMR 11.01(2), this plan must improve the cultural value of the sites being treated while taking into account cultural beliefs about the treatment methods: “...taking into account the economic, social and environmental costs and benefits of the use of any pesticide.”

In summary, not only will Lowell monitor its vegetation it will also monitor its IVM program, records are kept regarding which treatments are applied to which sites. This information will be regularly reassessed so treatment prescriptions may be altered as the conditions at the various sites change over time. The plan will also maintain the flexibility necessary to accommodate unique situations and the need for more appropriate techniques as the industry changes.

## 8. DEFINITION, IDENTIFICATION AND TREATMENT OF SENSITIVE AREAS

The definition of sensitive areas regulated by 333 CMR 11.04 is as follows:

...any areas within Rights-of-Way, including No-Spray and Limited-Spray Areas, in which public health, environmental or agricultural concerns warrant special protection to further minimize risks of unreasonable adverse effects.

Protecting these environmentally sensitive areas is accomplished by defining specific sensitive areas and establishing treatment restrictions within these borders based on the relative sensitivity of each site and the requirement to minimize any unreasonable adverse impacts within that area.

Sensitive areas regulated by 333 CMR 11.00 include the following:

### Water Supplies:

- Zone I's
- Zone II's
- IWPA's (Interim Wellhead Protection Areas)
- Class A Surface Water Sources
- Tributaries to a Class A Surface Water Source
- Class B Drinking Water Intakes
- Private Wells

### Surface Waters:

- Wetlands
- Water Over Wetlands
- The Mean Annual High-Water Line of a River
- The Outer Boundary of a Riverfront Area
- Certified Vernal Pools

### Cultural Sites:

- Agricultural Areas
- Inhabited Areas

### Wildlife Areas:

- Certified Vernal Pool Habitat
- Priority Habitat.

These sensitive areas consist of no-spray areas in which herbicide use is prohibited, and larger, limited spray areas where herbicide use is permitted under certain conditions. Treatment in the limited spray areas require the use of herbicides from the *Sensitive Area Materials List*, available at <http://www.mass.gov/eea/agencies/agr/pesticides/rights-of-way-sensitive-area-materials-list.html>. Treatment crews will also follow the application restrictions in 333 CMR 11.04, including applications at no more than the minimum labeled herbicide application rate for the control of target species.

**TABLE 2: CONTROL STRATEGIES FOR SENSITIVE AREAS**

Table Compiled by Jeffrey M. Taylor, Vegetation Control Service, Inc.

Sensitive Area	Limited Spray or No-Spray Areas (feet)	Control Method	Time Limits Between Treatment(s)
Public Ground Water Supplies	400'	Mechanical Only	None
Primary Recharge Area	Designated buffer zone or 1/2-mile radius	Mechanical, Approved Herbicides*	24 months
Public Surface Water Supplies (Class A & Class B)	100'	Mechanical Only	None
	100'-400'	Approved Herbicides	24 months
Tributary to Class A Water Source, within 400' upstream of water source	100'	Mechanical Only	None
	100'-400'	Approved Herbicides	24 months
Tributary to Class A Water Source, greater than 400' upstream of water source	10'	Mechanical Only	None
	10'-200'	Approved Herbicides	24 months
Class B Drinking Water Intake, within 400' upstream of intake	100'	Mechanical Only	None
	100'-200'	Approved Herbicides	24 months
Private Drinking Water Supplies	50'	Mechanical Only	None
	50'-100'	Approved Herbicides	24 months
Surface Waters	10'	Mechanical Only	None
	10'-100'	Approved Herbicides	12 months
Rivers	10' from mean annual high-water line	Mechanical Only	None
	10'-200'	Approved Herbicides	12 months
Wetlands	10'	Mechanical Only	None
	100' or with approved Wetlands Determination 10'-100' [per 310 CMR 0.05(3)(a) & 310 CMR 0.03(6)(b)]#	Low-pressure Foliar, CST, Basal, Approved Herbicides	24 months
Inhabited Areas	100'	Approved Herbicides	12 months
Agricultural Area (Crops, Fruits, Pastures)	100'	Approved Herbicides	12 months
Certified Vernal Pools	10'	Mechanical Only when water is present	None
Certified Vernal Pool Habitat	10'-outer boundary of habitat	No treatment without approval	
Priority Habitat	No treatment outside the 4-foot paved road exemption without approval of the Natural Heritage Endangered Species Program of the Massachusetts Division of Fisheries and Wildlife (NHESP)		

\*Massachusetts approved herbicides for sensitive sites

## ***Identification Methods***

Two simple descriptions guide the complex identification of the sensitive areas defined in 333 CMR 11.04: *Readily identifiable in the field* and *Not readily identifiable in the field*. Readily identifiable in the field areas will be identified, where appropriate, marked, and treated according to all applicable restrictions listed in 333 CMR 11.00. Not readily identifiable in the field areas will likewise be marked and treated when appropriate, but they are identified using data marked on maps and collected in the YOP and notification processes before the time of treatment.

The individuals assigned the task of identifying and treating sensitive areas in the field will use the appropriate sources and methods from the following list:

- City maps, records and institutional knowledge;
- Massachusetts Department of Environmental Protection water supply maps available through MassGIS (<https://www.mass.gov/orgs/massgis-bureau-of-geographic-information>);
- Water Department, MDAR, and Lowell Board of Health information and identified private wells along the ROWs;
- Correspondence, meetings and input—from the chief elected official, board of health, conservation commission, public water suppliers and the public—within the forty-five day YOP and twenty-one day municipal right-of-way notification letter review and comment periods and the 48 hour newspaper notification (under 333 CMR 11.06 & 11.07 and Chapter 85 of the Acts of 2000);
- An individual who verifies, identifies and, where appropriate, marks sensitive areas and any additional areas that may require special precautions;
- USGS topographical maps;
- Information from MassGIS;
- When necessary, confidential information from the Natural Heritage Endangered Species Program of the Massachusetts Division of Fisheries and Wildlife (NHESP);
- A copy of the YOP and VMP.

The YOPs will contain maps with the most current data available at the time of printing. The maps are a resource and a tool for both the public and the applicators; therefore, they contain the data needed to identify, mark and treat sensitive areas appropriately.

Sensitive areas are located on the maps using a combination of the base USGS topographic maps and the most current data available through MassGIS such as public water supplies and certified vernal pools, along with municipal and private data for items such as private wells. At the time of treatment, additional sensitive area information that is collected through the review and notification processes (333 CMR 11.06-11.07) will be added to the information utilized by the applicators.

Sensitive areas will be identified and marked in the field by trained and experienced city and contractor staff members.

### ***Priority Habitat of State-Listed Species***

321 CMR 10.14(8) Massachusetts Endangered Species Act Regulations, Part II, exempts road maintenance from the permit process under the following condition:

[321 CMR 10.14(8)] the maintenance, repair or replacement, but not widening, of existing paved roads, shoulder repair that does not exceed four feet from an existing travel lane, paved driveways, and paved parking areas, but not including parking areas on barrier beaches, coastal beaches, coastal dunes, or salt marshes, as defined by the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40 and 310 CMR 10.00), and not including actions that are likely to result in changes in storm water drainage....

If Lowell needs to treat areas along paved roadways outside of the 4-foot limit or spot treat Poison Ivy in known Priority Habitats, a copy of the YOP will be sent for approval to the NHESP.

## **9. OPERATIONAL GUIDELINES RELATIVE TO HERBICIDE USE**

### ***Regulatory Restrictions***

- Follow the restrictions of all applicable state and federal regulations;
- Follow the guidelines and requirements in this VMP and the YOPs;
- Pesticide applicators must hold a valid pesticide license from the MDAR;
- All application crews must be supervised by an individual with a Category 40 pesticide license;
- Pesticide applicators will keep the appropriate records according to state and federal regulations that at a minimum include:
  - Date, name and address of vegetation management contractor(s)
  - Identification of site or work area
  - List of crew members
  - Type of equipment and hours used, both mechanical and chemical
  - Method of application and description of target vegetation
  - Amount, concentration, product name of herbicide(s), adjuvants and dilutants (EPA registration numbers must be on file)
  - Weather conditions
  - Notation of any unusual conditions or incidents, including public inquiries;
- Foliar treatments will not be made to target vegetation that exceeds twelve feet in height.

### ***Rain***

- No herbicide applications will be conducted during periods of moderate or heavy rainfall.
- Foliar and pre-emergent applications are effective in light mist, however measurable rainfall that creates leaf runoff will wash the herbicide off target vegetation, therefore, if foliar and pre-emergent applications are interrupted by unexpected rainfall, the treatment will not resume until the rain ends and active leaf runoff ceases.

- No CST or basal applications during measurable precipitation events.
- CST or basal applications interrupted by measurable rainfall will not resume until precipitation has ceased.

### ***Wind***

Excessive wind can create drift during foliar and pre-emergent applications and significant herbicide drift can cause damage to desirable vegetation on or off the public ways. CST and basal applications, on the other hand, are much less affected by wind because they are applied in such a close proximity to the ground.

To minimize off-target drift, during foliar and pre-emergent applications, the applicator will comply with the following restrictions:

- During periods of wind strong enough to bend the tops of the main stems of trees on the public ways, the applicator will constantly observe the application to prevent movement of the herbicide beyond the target area. The application will stop immediately if the applicator observes herbicide moving off target, until the wind subsides enough to permit further applications.
- All herbicide mixes will contain drift-retardant agents per the drift retardant agent label. In moderate wind conditions, as per label recommendations, more drift retardant may be added, at the discretion of the applicator, to control herbicide drift.

### ***Equipment Calibration***

- Foliar and pre-emergent application equipment will be calibrated at the beginning of the season, and as necessary during the season with changes to chemical mixes, treatment types, spray wands/tips, prior to touch-up application treatment(s), and in accordance with manufacturer's recommendations.
- Foliar application equipment will be calibrated to maintain pressures not exceeding sixty psi at the nozzle.
- Cut stump treatment squirt bottle applicators or hand pump sprayers will be adjusted to deliver the herbicide solution to the target zone.

### ***General Guidelines***

- All mixing and loading of herbicides will be conducted at the DPW's or contractors' central facility.
- Proper Personal Protective Equipment (PPE) will be worn according to the Product Label(s)
- Mix only the estimated amount of herbicide necessary to carry out the vegetation control, based on monitoring results to ensure that there will be no waste and minimize potential problems.

- The vehicles carrying the spray operations will be equipped with appropriate spill kits including a bag of adsorbent material and/or activated charcoal, leak-proof containers, a broom and a shovel in case of minor spills.
- A clipboard log of the herbicides on the vehicle will be kept on the vehicle.
- Herbicide labels, fact sheets, the VMP, current YOP and *Herbicide Spill Check List* (Appendix 5) will be on-site.

## **10. ALTERNATIVE LAND USE PROVISIONS**

Currently, Lowell does not offer Alternative Land Use provisions under 333 CMR 11.05(2)(i), except where abutters maintain their own vegetation. Since the treatment areas are located either in downtown or suburban neighborhoods, there is no need for alternative land use provisions. For example, a common practice of abutters to roadways is to mow and maintain road shoulders. In this instance, the monitoring program would reveal that the area does not warrant vegetation control.

## **11. REMEDIAL PLAN TO ADDRESS SPILLS AND RELATED ACCIDENTS**

This section is offered as a general procedural guide for responding to chemical spills or related accidents (related accidents include but are not limited to fire, poisoning and vehicle accidents). The following is, therefore, a guide to the items that will be available to the applicator on site in the event of a chemical spill or emergency.

Although education and attention will constantly be directed at accident and spill prevention, in the event of a spill, immediate action will be taken to contain the spill and protect the spill area (Appendix 5: *Herbicide Spill Check List* shall be available on-site to the applicator). Until clean, the spill area will be protected by placing barriers, flagging or crew members at strategic locations, as appropriate. If a fire is involved, care will be taken to avoid breathing fumes from any burning chemicals.

Minor spills will be remedied by soaking up the spill with adsorption clay or other adsorptive material and placed in leak proof containers, removed from the site and disposed of properly. Dry herbicides will be swept up or shoveled up directly into leak proof containers for proper disposal. When applicable, all contaminated soil will be placed in leak proof containers, removed from the site and disposed of properly. When applicable, activated charcoal will be incorporated into the soil at the spill location at a rate of several pounds per thousand square feet to inactivate any herbicide residue. Reportable spills will be reported to the MDAR Pesticide Division.

The Massachusetts Department of Environmental Protection will be contacted when there is a spill of a reportable quantity, regardless of major or minor spill status and in accordance with 310 CMR 40.0000, Massachusetts Contingency Plan.

***Types of Chemical Spills that Require Action***

Chemicals include, but are not limited to the following:

- Herbicides
- Bar and Chain Oil
- Motor and Hydraulic Oil/Fluids
- Diesel Fuel
- Gasoline
- Title 3 Hazmat Materials

***Required Spill Response Equipment***

As a minimum, the treatment crew will have available on the job site:

- YOP with Emergency Contact List
- PPE (Personal Protective Equipment) per Product Label
- SDS (Safety Data Sheet)
- Product Label
- Product Fact Sheets (when applicable)
- Appropriate adsorbent material
- Shovel
- Broom
- Flagging
- Leak Proof Container
- Heavy-duty Plastic Bags

***Personal Contact***

In the event of **Personal Contact** with hazardous chemicals:

- Wash affected area with plenty of soap and water
- Change clothing which has absorbed hazardous chemicals
- If necessary, contact a physician
- If necessary, contact the proper emergency services
- If necessary, follow the procedures for Major or Minor Spills as outlined in Appendix 5
- Avoid breathing the fumes of hazardous chemicals

***Reference Tables (information subject to change as necessary)***

**Table 3: Herbicide Manufacturers**

MANUFACTURER	TELEPHONE NUMBER	SPECIAL INSTRUCTIONS
Albaugh Inc.	(800) 247-8013	
BASF Corporation	(800) 832-4357	
Bayer Environmental Science	(800) 334-7577	
Corteva Agriscience	(800) 992-5994	
Monsanto	(314) 694-4000	
Nufarm	(877) 325-1840	Medical Emergencies
Zhejiang Tide Crop Science Co. Ltd.	(800) 424-9300	Medical Emergencies (Chemtrec)

**Table 4: State Agencies**

STATE AGENCY	TELEPHONE NUMBER	SPECIAL INSTRUCTIONS
Massachusetts Pesticide Bureau	(617) 626-1784	A.S.A.P. (within 48 hours)
Massachusetts Department of Environmental Protection, Emergency Response Section	Main Office: (888) 304-1133 (after hours number)	For emergencies involving reportable quantities of hazardous materials; required info: City/Town, street address, site name (if applicable), material
MA Department of Public Health, Bureau of Environmental Health's Environmental Toxicology Program	(617) 339-8351	
Massachusetts Poison Information Centers	(800) 682-9211	For medical emergencies involving suspected or known pesticide poisoning symptoms

**Table 5: Emergency Services:**

EMERGENCY SERVICE	TELEPHONE NUMBER	SPECIAL INSTRUCTIONS
Fire/ Police	911	
Massachusetts State Police, Andover Barracks	(978) 475-3800	
ChemTrec	(800) 262-8200	
Clean Harbors	(800) 645-8265	
Pesticide Hotline	(800) 858-7378	PST: 8:00 am-12:00 pm, web: <a href="http://www.NPIC.orst.edu">www.NPIC.orst.edu</a>

**Table 6: City of Lowell contacts in case of a spill or accident:**

**Christine Clancy, P.E.**  
*Commissioner of Public Works*  
 Department of Public Works  
 The City of Lowell  
 1365 Middlesex Street  
 Lowell, MA 01851  
 (978) 674-4111

## **12: THE QUALIFICATIONS OF THE INDIVIDUALS SUPERVISING, DEVELOPING, AND SUBMITTING THE VMP**

### **A. Individual Supervising the VMP:**

**Christine Clancy, P.E.**  
*Commissioner of Public Works*  
Department of Public Works  
The City of Lowell  
1365 Middlesex Street  
Lowell, MA 01851  
(978) 674-4111

### **B. Individual who wrote and developed the VMP:**

Andrew S. Powers  
*Vegetation Management Specialist*  
Vegetation Control Service, Inc.  
2342 Main Street  
Athol, Massachusetts 01331

Mr. Powers' qualifications extend from his work experience in the field of herbicide application, crew management, and permitting and consulting:

Mr. Powers' holds B.S. in Forest Management from the University of New Hampshire. He has worked full time since 1998 for Vegetation Control Service, Inc., a consulting, and service company that provides vegetation management programs for utilities, government agencies, municipalities, private business and landowners throughout New England and New York. He currently holds supervisory level pesticide certifications in all New England states and New York and is an ISA Certified Arborist. His experience includes both field and administrative experience in rights-of-way and industrial weed control programs. Since 2010, he has written or co-authored Vegetation Management Plans for utilities and municipalities both in Massachusetts and throughout New England.

**APPENDIX 1:**  
**333 CMR 11.00, RIGHTS-OF-WAY REGULATIONS**

## 333 CMR: PESTICIDE BOARD

### 333 CMR 11.00: RIGHTS OF WAY MANAGEMENT

#### Section

- 11.01: Purpose
- 11.02: Definitions
- 11.03: General Provisions
- 11.04: Sensitive Area Restrictions
- 11.05: Vegetation Management Plan (VMP)
- 11.06: Yearly Operational Plan (YOP)
- 11.07: Public Notification
- 11.08: Notice of Modification and Revocation
- 11.09: Right-of-appeal
- 11.10: Penalties
- 11.11: Rights-of-way Advisory Panel

#### 11.01: Purpose

The purpose of 333 CMR 11.00 is to establish a statewide and uniform regulatory process which will minimize the uses of, and potential impacts from herbicides in rights-of-way on human health and the environment while allowing for the benefits to public safety provided by the selective use of herbicides. Specific goals of 333 CMR 11.00 are to:

- (1) Ensure that an Integrated Pest Management (IPM) approach to vegetation management is utilized on all rights-of-way covered by 333 CMR 11.00.
- (2) Establish standards, requirements and procedures necessary to prevent unreasonable risks to humans or the environment, taking into account the economic, social and environmental costs and benefits of the use of any pesticide.
- (3) Ensure ample opportunity for public and municipal agency input on potential impacts of herbicide application to rights-of-way in environmentally sensitive areas.
- (4) Establish a mechanism for public and municipal review of rights-of-way maintenance plans.

#### 11.02: Definitions

For the purposes of 333 CMR 11.00, unless the context clearly requires otherwise, the following definitions shall apply:

Agricultural Area includes, but is not limited to, actively cultivated gardens, greenhouses, orchards, fields, pastures, and other areas under cultivation or agricultural management.

Applicant, any person representing any federal, state or local government or agency, utility, railroad or pipeline; that intends to maintain a right-of-way in the Commonwealth by application of herbicides.

Associated Surface Water Body, as identified on the most current available maps prepared by the Department of Environmental Protection, any body of water that is hydrologically connected to a Class A surface water source.

Ballast, the coarse gravel or crushed rock on which the ties, tracks and switching, signaling and communication devices of a railroad are laid.

Broadcast, any non-selective herbicide application technique which results in application to all vegetation within a target area.

Certified Vernal Pool, a confined basin depression, certified and mapped by NHESP pursuant to the provisions of 310 CMR 10.57(2)(a)5. and 6., which, at least in most years, holds water for a minimum of two continuous months during the spring and/or summer, and which is free of adult fish populations.

### 333 CMR: PESTICIDE BOARD

11.02: continued

Certified Vernal Pool Habitat, that vernal pool habitat which has been certified and mapped by NHESP pursuant to the provisions of 310 CMR 10.57(2)(a) 5. and 6. or, in the event that such habitat has not been mapped, the area extending 100 feet horizontally outward from the boundary of any Certified Vernal Pool.

Class A Waters, waters which are designated as a source of public water supply, as defined in 314 CMR 4.05(3)(a).

Class B Drinking Water Intakes, intakes to Class B waters suitable as sources of public water supply with appropriate treatment, as defined at 314 CMR 4.05(3)(b) and as identified on the most current available maps prepared by the Department of Environmental Protection.

Department, the Department of Agricultural Resources.

FIFRA, the Federal Insecticide, Fungicide and Rodenticide Act, Public Law 92-516.

Foliar Treatment, any technique which applies herbicide to leaves of target vegetation.

Inhabited Area, any area where people generally live, work or gather, including, but not limited to, any residence, school, hospital, park or recreational facility.

Interim Wellhead Protection Area (IWPA), for public water systems using wells or well fields that lack a Department of Environmental Protection-approved Zone II, an interim wellhead protection area, as that term is defined in the Massachusetts drinking water regulations, 310 CMR 22.02, and as identified on the most current available maps prepared by the Department of Environmental Protection, shall apply. Generally, this is a ½- mile radius for sources whose approved pumping rate is 100,000 gallons per day or greater. For smaller sources, the radius in feet is determined by multiplying the approved pumping rate in gallons per minute by 32 and adding 400.

Limited Application Waiver, a waiver from the requirements of 333 CMR 11.05 and 11.06, granted at the Department's sole discretion pursuant to 333 CMR 11.03(14), when the reason for the application is emergency public health or safety or when the application is for one time only.

Limited Spray Area, any area that is both within a Right-of-Way and within:

- (a) any Zone II or IWPA;
- (b) a distance of between 100 feet and 400 feet of any Class A Surface Water Source;
- (c) a distance of between ten and 200 feet of any tributary or associated surface water body where the tributary or associated surface water body runs outside the Zone A for the Class A surface water source;
- (d) a lateral distance of between 100 and 200 feet for 400 feet upstream, on both sides of the river, of a Class B Drinking Water Intake;
- (e) a distance of between 50 and 100 feet of any identified Private Well;
- (f) a distance of between 10 and 100 feet of any Wetlands or Water Over Wetlands;
- (g) a distance of between ten feet from the mean annual high-water line of any river and the outer boundary of the Riverfront Area;
- (h) a distance of between ten feet from any Certified Vernal Pool and the outer boundary of any Certified Vernal Pool Habitat; and
- (i) a distance of 100 feet of any Agricultural or Inhabited Area.

Low Pressure, pressure under 60 pounds per square inch (psi).

Maps, United States Geological Survey maps of scale 1:25,000 or other maps, as determined by the Department, which are of such accuracy and scale to provide sufficient detail so that sensitive areas can be delineated.

### 333 CMR: PESTICIDE BOARD

11.02: continued

NHESP, the Natural Heritage and Endangered Species Program within the Massachusetts Division of Fisheries and Wildlife.

No-spray Area, any area that is both within a Right-of-Way and within:

- (a) any Zone I;
- (b) 100 feet of any Class A Surface Water Source;
- (c) 100 feet of any tributary or associated surface water body where the tributary or associated surface water body runs within 400 feet of a Class A surface water source;
- (d) ten feet of any tributary or associated surface water body where the tributary or associated surface water body is at a distance greater than 400 feet from a Class A surface water source;
- (e) a lateral distance of 100 feet for 400 feet upstream, on both sides of the river, of a Class B Drinking Water Intake;
- (f) 50 feet of any identified Private Well;
- (g) ten feet of any Wetlands or Water Over Wetlands;
- (h) ten feet of the mean annual high-water line of any river; and
- (i) ten feet of any Certified Vernal Pool.

Person, an individual, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or its political subdivisions, administrative agencies, public or quasi-public corporation or body, or any other legal entity or its legal representatives, agent or assignee, or a group of persons.

Person Aggrieved, any person who, because of an act or failure to act by the Department may suffer an injury in fact which is different either in kind or magnitude from that suffered by the general public and which is within the scope of the interests identified in 333 CMR 11.00. Such person must specify in writing sufficient facts to allow the Department to determine whether or not the person is in fact aggrieved.

Private Well, any private drinking water supply identified by the local Board of Health, the well owner or the Department of Agricultural Resources. Private Well Registry, a registry of private wells located within 100 feet of a right-of-way which is maintained by the Department of Agricultural Resources. Homeowners must notify the Department by completing a registration form which is available directly from the Department or online at the Department website.

Public Water Supplier, as defined at 310 CMR 22.02(1), any person who owns or operates a public water supply system.

Public Ground Water Source, a source of water for a Public Water Supply System, as that term is defined in the Massachusetts drinking water regulations at 310 CMR 22.02.

Right(s)-of-way (ROW), any roadway, or thoroughfare on which public passage is made and any corridor of land over which facilities such as railroads, powerlines, pipelines, conduits, channels or communication lines or bicycle paths are located.

Rights-of-way Advisory Panel, a panel established to advise the Department on issues relating to 333 CMR 11.00 and to fulfill specific functions as detailed within 333 CMR 11.05 and 11.11.

River, a river as defined at 310 CMR 10.04 and as identified on the most current available maps prepared by the Department of Environmental Protection.

Riverfront Area, a riverfront area as defined at 310 CMR 10.58(2) and as identified on the most current available maps prepared by the Department of Environmental Protection. In general, this term shall mean the area between the mean annual high-water line of a perennially flowing river and a parallel line 200 feet away.

333 CMR: PESTICIDE BOARD

11.02: continued

Selective Application, any application of herbicides, in such a manner that the delivery to the target vegetation is optimized and delivery to non-target vegetation and the environment is minimized.

Sensitive Areas, as defined in 333 CMR 11.04, any areas within Rights-of-Way, including No Spray and Limited-Spray Areas, in which public health, environmental or agricultural concerns warrant special protection to further minimize risks of unreasonable adverse effects.

State-listed Species, any species on the Massachusetts list of Endangered, Threatened, and Special Concern Species as described in the Massachusetts Endangered Species Act (M.G.L. c. 131A; 321 CMR 10.02). State-listed Species Habitat, the Estimated Habitats of Rare Wildlife (310 CMR 10.59 and 10.37) and the Priority Habitats for State-listed Species (321 CMR 10.02) as shown on the most recent edition of the Massachusetts Natural Heritage Atlas prepared by NHESP.

Stem Treatment, any technique including, but not limited to, stump, basal, stem, injection, banding, frill, or girdle and any other technique which delivers herbicide at low pressure to the stump, base or stem of the target vegetation.

Surface Water Source, any lake, pond, reservoir, river, stream or impoundment designated as a public water supply in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00, as identified on the most current available maps prepared by the Department of Environmental Protection.

Target Vegetation, any plant species which has the potential to interfere with the operation and safety of the right-of-way.

Touch-up Application, any limited application of herbicides following an initial treatment, which is necessary to achieve the desired vegetation control.

Tributary, as identified on the most current available maps prepared by the Department of Environmental Protection, any body of running, or intermittently running, water which moves in a definite channel, naturally or artificially created, in the ground due to a hydraulic gradient, and which ultimately flows into a Class A surface water source, as defined in 314 CMR 4.05(3)(a).

Vegetation Management Plan (VMP), a long-term management plan for the applicant's right-of way system which describes the intended program for vegetation control over a five-year period.

Vernal Pool see Certified Vernal Pool.

Water Over Wetlands, the ocean or any estuary, lake or pond as defined at 310 CMR 10.04.

Wetlands, any of the following areas as defined in 310 CMR 10.02(1)(a), (b), (c) and (f):

- (a) Any bank, the ocean
- any freshwater wetland, any estuary
- any coastal wetland, any creek
- any beach, bordering any river
- any dune, on any stream
- any flat any pond
- any marsh, or any lake
- or any swamp;

- (b) Land under any of the water bodies listed in 333 CMR 11.02: Wetlands (a); and
- (c) Land subject to tidal action.

## 333 CMR: PESTICIDE BOARD

### 11.02: continued

Wetlands Determination, a written determination of the boundaries of Wetlands and boundaries of areas within 100 feet of Wetlands in accordance with the regulations of the Department of Environmental Protection (DEP) at 310 CMR 10.05(3)(a)1. and 2. 310 CMR 10.03(6)(b) requires applicants not eligible for a public utility exemption to submit these determinations with their VMPs if they will apply herbicides within 100 feet of wetlands and will not submit a Notice of Intent under M.G.L. c. 131, § 40, the Wetlands Protection Act. In order to obtain a Wetlands Determination, the applicant should submit a request to the conservation commission on maps of a scale that will enable the conservation commission or Department of Environmental Protection to find and delineate the boundaries of Wetlands and buffer zones within the vicinity of the right-of-way herbicide management area. To be considered “valid”, the Wetlands Determination should be made no sooner than six months immediately prior to the submission of the Vegetation Management Plan. The Wetlands Determination shall cover the period of the Vegetation Management Plan only and shall expire at the end of the five-year period of that Vegetation Management Plan.

Yearly Operational Plan (YOP), the yearly operational plan which describes the detailed vegetation management operation for the calendar year consistent with the terms of the long-term Vegetation Management Plan.

Zone A, as identified on the most current available maps prepared by the Department of Environmental Protection, the protective land area for a Surface Water Source, Class A water source, Tributary, or Associated Surface Water Body defined in 310 CMR 22.02 as:

- (a) the land area between the Class A surface water source and the upper boundary of the bank;
- (b) the land area within a 400-foot lateral distance from the upper boundary of the bank of a Class A surface water source, as defined in 314 CMR 4.05(3)(a); and
- (c) the land area within a 200-foot lateral distance from the upper boundary of the bank of a Tributary or Associated Surface Water Body.

Zone I, as identified on the most current available maps prepared by the Department of Environmental Protection and as defined at 310 CMR 22.02, the protective radius required around a public water supply well or wellfield. For public water system wells with approved yields of 100,000 gallons per day (gpd) or greater, the protective radius is 400 feet. Tubular wellfields require a 250-foot protective radius. Protective radii for all other public water system wells are determined by the following equation: Zone I radius in feet =  $(150 \times \log \text{ of pumping rate in gpd}) - 350$ .

Zone II, as identified on the most current available maps prepared by the Department of Environmental Protection and as defined at 310 CMR 22.02, the aquifer recharge area for a public water supply well or wellfield.

### 11.03: General Provisions

- (1) No person shall use an herbicide for the purpose of clearing or maintaining a right-of-way unless appropriately certified by the Department or licensed by the Department and working under the on-site supervision of an appropriately certified applicator.
- (2) No person shall use an herbicide for the purpose of clearing or maintaining a right-of-way except in accordance with a Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) as approved by the Department. The YOP shall be available at the work site at all times during herbicide applications and be made available to the Department and municipal officials including the Conservation Commission and Board of Health upon reasonable request.
- (3) No person shall handle, mix or load an herbicide concentrate on a right-of-way within 100 feet of a sensitive area.

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- (4) The perimeter of any sensitive areas which are not readily identifiable on the ROW shall be identified with a clearly visible marker system, consistent with the VMP, prior to any herbicide application.
- (5) No foliar application of herbicides shall be used to control vegetation greater than 12 feet in height except for side trimming.
- (6) No herbicide shall be applied when the wind velocity is such that there is a high propensity to drift off target and/or during measurable precipitation, and no person shall apply herbicides in such a manner that results in drift into any No-spray Area.
- (7) No person shall apply herbicides by aircraft for the purpose of clearing or maintaining a right-of-way.
- (8) No touch-up applications shall be carried out except under the following conditions:
  - (a) Touch-up applications must occur within 12 months of the initial application.
  - (b) All applicable public notification procedures of M.G.L. c. 132B, § 6B, as outlined in 333 CMR 11.07(1) and (3), are followed.
  - (c) No more than 10% of the initially identified target vegetation on the applicant's right-of way in any municipality may be treated and the total amount of herbicide applied in any one year shall not exceed the limits specified by the label or Yearly Operational Plan.
  - (d) The Department may impose such additional restrictions or conditions on the use of herbicides as it deems necessary to protect public health and the environment.
- (9) The Department will maintain mailing lists of individuals and groups desiring to obtain notices on various aspects of the Program.
- (10) No person shall apply any herbicide identified as a Potential Ground Water Contaminant pursuant to 333 CMR 12.00 to a right-of-way.
- (11) No person shall use an herbicide for the purpose of clearing or maintaining a right-of-way unless that person has obtained the most current available map of public ground water sources from the Department of Environmental Protection.
- (12) No person shall use an herbicide for the purpose of clearing or maintaining a right-of-way unless that person has done one or more of the following:
  - (a) obtained a current list of identified Private Wells within 100 feet of the right-of-way from the Board of Health, or
  - (b) obtained a current list of all private wells, within 100 feet of the right of way from the Department of Agricultural Resources private well registry; or
  - (c) followed an alternative Private Well identification method outlined in an approved YOP.
- (13) The applicator shall provide any employee of any state agency, or authority as defined in M.G.L. c. 3, § 39, when such employee is, within a right-of-way, using pesticides, supervising the use of pesticides, or present during the use of pesticides, with personal protective equipment and clothing. Applicators should note that other federal or state laws or regulations pertaining to pesticide applications may require this personal protective equipment to include protections according to Material Safety Data Sheets (MSDS's), the product label, and any other supporting technical data supplied by the manufacturer.
- (14) Notwithstanding the provisions of 333 CMR 11.03(2) or other provisions of 333 CMR 11.00, the Department may, at its sole discretion, issue Limited Application Waivers to applicants wishing to apply herbicides to clear or maintain rights-of-way without VMPs or YOPs, but only under the following conditions:

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### 11.03: continued

- (a) The applicant must demonstrate either: 1. that the application will not occur more than once in a five-year period unless a VMP and a YOP are prepared and all other requirements of 333 CMR 11.00 are met; or 2. that the application is necessary to protect public health or safety.
- (b) The applicant must still adhere to all public notification requirements established at 333 CMR 11.07(1) and (3).
- (c) The applicant must provide the Department with a letter establishing the concurrence of the chief elected official or board of selectmen of the municipality where the application is to be made.
- (d) The applicant may only use herbicides on the Department's "Herbicides Recommended for Use in Sensitive Areas List."
- (e) If the application could impact Wetlands, the Department recommends that the applicant send a copy of its application for a Limited Application Waiver to the Department of Environmental Protection's Division of Wetlands and Waterways no less than 21 days before the proposed application.
- (f) It should be noted that, with certain exceptions for public utilities, wetlands regulations at 310 CMR 10.03(6)(b) currently require Wetlands Determinations prior to any application within 100 feet of a Wetland.

Limited Application Waivers shall be issued solely at the Department's discretion, and the Department may impose such additional restrictions or conditions on the use of herbicides as it deems necessary to protect public health and the environment.

### 11.04: Sensitive Area Restrictions

#### (1) General. In any sensitive area:

- (a) No more than the minimum labeled rate of herbicide for the appropriate site, pest, and application method shall be applied.
- (b) Herbicides shall only be applied selectively by low pressure, using foliar techniques or basal or cut-stump applications, or other method approved for use by the Department.
- (c) No person shall apply herbicides for the purpose of clearing or maintaining a right-of way in such a manner that results in drift to any area within ten feet of standing or flowing water in a wetland; or area within 400 feet of a public drinking water supply well; or area within 100 feet of any Class A surface water used as a public water supply; or area within 50 feet of a Private Well.
- (d) Only herbicides specified by the Department as acceptable for use in sensitive areas pursuant to the Cooperative Agreement executed between the Department of Agricultural Resources and the Department of Environmental Protection on July 1 and 2, 1987, or future amendments thereto, shall be used in sensitive areas. Applicants proposing to use an herbicide which has been registered for use on rights-of-way but has not yet been evaluated pursuant to the provisions of the Cooperative Agreement may request that such herbicides be evaluated pursuant to said provisions. For an herbicide that has been evaluated pursuant to the provisions of the Cooperative Agreement, applicants proposing to use such herbicide in a manner inconsistent with the terms and conditions of use imposed in the guidelines may request a modification or waiver of such terms or conditions. A request for such modification or waiver shall provide a detailed rationale for use, with all relevant data including but not limited to environmental fate, efficacy and human health effects of the proposed herbicide. Such herbicides and/or uses shall be subject to the evaluation standards adopted by the Departments of Agricultural Resources and Environmental Protection in the Cooperative Agreement.

Commentary. Applicants not eligible for the public utilities exemption from the Wetlands Protection Act outlined at 310 CMR 10.03(6)(a), who wish to apply pesticides registered for use in Massachusetts to rights-of-way, may choose to apply herbicides determined to be suitable for use in sensitive areas in accordance with the provisions of the Cooperative Agreement mentioned above or, alternatively, such applicants may proceed pursuant to the provisions of 310 CMR 10.00 as authorized by M.G.L. c. 131, § 40.

11.04: continued

(e) The Department may impose such additional restrictions or conditions on the use of herbicides within or adjacent to sensitive areas as it determines necessary to protect human health or the environment. Such changes may be proposed by a municipal agency or individual during the public comment period.

(f) In the event of a question or dispute as to which setback applies to a sensitive area, the most restrictive setback shall apply.

(2) Water Supplies

(a) Public Ground Water Sources.

1. No herbicides shall be applied within a Zone I.

2. No herbicides shall be applied within a Zone II or IWPA unless:

a. A minimum of 24 months has elapsed since the last application to the site; and

b. Herbicides are applied selectively by low pressure, using foliar techniques or basal or cut-stump applications.

(b) Class A Public Surface Water Sources, Associated Surface Water Bodies, Tributaries and Class B Drinking Water Intakes.

1. No herbicides shall be applied within 100 feet of any Class A public surface water source.

2. No herbicides shall be applied within 100 feet of any tributary or associated surface water body located within the Zone A of a Class A public surface water source, or within ten feet of any tributary or associated surface water body located outside of the Zone A of the Class A public surface water source.

3. No herbicides shall be applied within a lateral distance of 100 feet for 400 feet upstream of any Class B Drinking Water Intake.

4. No herbicides shall be applied within a distance of between 100 feet from any Class A surface water source and the outer boundary of any Zone A, or within a distance of between ten feet and the outer boundary of the Zone A for any tributary or associated surface water body located outside of the Zone A of a Class A surface water source, or within a lateral distance of between 100 and 200 feet for 400 feet upstream of a Class B Drinking Water Intake, unless:

a. A minimum of 24 months has elapsed since the last application to the site; and

b. Herbicides are applied selectively by low pressure, using foliar techniques or basal or cut-stump applications.

(c) Private Wells.

1. No herbicides shall be applied within 50 feet of an identified Private Well.

2. No herbicides shall be applied within a distance of between 50 feet and 100 feet of an identified Private Well, unless:

a. A minimum of 24 months has elapsed since the last application to the site; and

b. Herbicides are applied selectively by low pressure, using foliar techniques or basal or cut-stump applications.

(3) State-listed Species Habitat.

(a) Any person proposing to apply an herbicide within any State-listed Species Habitat who does not have a current Yearly Operational Plan approved in writing by the Division of Fisheries and Wildlife pursuant to 321 CMR 10.14(12), shall submit all necessary materials required for review pursuant to 321 CMR 10.18.

(b) The management of vegetation within existing utility rights-of-way shall be exempt from the requirements of 321 CMR 10.18 through 10.23, provided that the management is carried out in accordance with a Yearly Operational Plan approved in writing by the Division of Fisheries and Wildlife, pursuant to 321 CMR 10.14(12).

(c) No person shall apply an herbicide within State-listed Species Habitat unless the application is approved by the Division of Fisheries and Wildlife pursuant to 333 CMR 11.04(3)(a) and (3)(b), and such approval is submitted to the Department.

11.04: continued

(4) Wetlands, Waters Over Wetlands, Riverfront Areas, and Certified Vernal Pools.

(a) No herbicide shall be applied on or within ten feet of a Wetland or Water Over a Wetland, within ten feet of the mean annual high-water line of any River, or within ten feet of any Certified Vernal Pool.

(b) No herbicide shall be applied on or within a distance of between ten feet and 100 feet of any Wetland or Water Over a Wetland, within a distance of ten feet from the mean annual high-water line of any River and the outer boundary of any Riverfront Area, or within a distance of ten feet from any Certified Vernal Pool and the outer boundary of any Certified Vernal Pool Habitat unless:

1. A minimum of 12 months has elapsed since the last application to the site; and
2. Herbicides are applied selectively by low pressure, using foliar techniques or basal or cut-stump applications.

(c) Notwithstanding 333 CMR 11.04(4)(a) and (b), public utilities providing electric, gas, water, telephone, telegraph and other telecommunication services (and other applicants, if consistent with all relevant provisions of the Massachusetts Wetlands Protection Act and its regulations in effect at the time of application) may apply herbicides on or within ten feet of a Wetland in accordance with the following conditions:

1. Submission of a study, the design of which is subject to prior approval by the Departments of Agricultural Resources and Environmental Protection, evaluating impacts of the proposed vegetation management program utilizing herbicides on or within ten feet of Wetlands, and comparing those impacts to those which would result if only non-chemical control methods were used in these areas. The study must detail vegetation management practices and use patterns specific to those used by the type of entity submitting the study; and
2. A finding by the Department, after consultation with the Rights-of-way Advisory Panel, that the proposed vegetation management program utilizing herbicides on or within ten feet of Wetlands will result in less impacts to the Wetlands than mechanical control.
3. Notwithstanding the above, no herbicides shall be applied on or within ten feet of any standing or flowing water in a Wetland.

(5) Inhabited and Agricultural Areas. No foliar herbicide shall be applied within 100 feet of any Inhabited Area or any Agricultural Area unless:

- (a) A minimum of 12 months has elapsed since the last application to the site; and
- (b) Herbicides are applied selectively by low pressure, using foliar techniques or basal or cut-stump applications.

11.05: Vegetation Management Plan (VMP)

(1) General.

- (a) Unless otherwise specified by the Department, all VMPs should be submitted by the applicant no later than September 1<sup>ST</sup> prior to the calendar year of the proposed first year of maintenance. All approved VMPs shall be effective for a five-year period unless otherwise modified or revoked by the Department.
- (b) The VMP shall be presented on forms and/or format approved by the Department.

(2) Requirements. The VMP shall include, but not be limited to, the following:

- (a) General statement of goals and objectives of the VMP.
- (b) Identification of target vegetation.
- (c) Intended methods of vegetation management and rationale for use, including vegetation control techniques, equipment proposed for use, timing of applications and alternative control procedures.
- (d) Discussion of justification for proposed herbicide applications, including a description of the alternative control methods considered and the reasons that they were rejected.

11.05: continued

- (e) Methods, references and sources for identifying sensitive areas and control strategies proposed for sensitive areas. Applicants should note that the Department of Environmental Protection regulations at 310 CMR 10.03(6)(b) require Wetlands Determinations for applicants that are not eligible for a public utility exemption.
- (f) Operational guidelines for applicators relative to herbicide use.
- (g) Identification and qualifications of individuals developing and submitting a plan.
- (h) A detailed description of the IPM Program, showing how it will minimize the amount and frequency of herbicide application.
- (i) Description of alternative land use provisions or agreements that may be established with individuals, state, federal or municipal agencies that would minimize the need for herbicides, including the rationale for accepting or denying any reasonable request made by any individual.
- (j) Description of a remedial plan to address spills and related accidents.
- (k) For state agencies and authorities as defined in M.G.L. c. 3, § 39, a description of the applicant's policy to eliminate or, if necessary, reduce the use of pesticides for any vegetation management purpose along roadways, and a demonstration that, for the proposed application, the costs of non-chemical vegetation control significantly outweigh the benefits.

(3) Public Notice, Review and Comment.

- (a) Upon receipt of the proposed VMP, the Department shall schedule and hold appropriate regional public hearings affording all interested parties the opportunity to comment, both at the hearings and in writing to the Department, on the proposed plan.
- (b) At least 21 days prior to the public hearings, the Department shall publish notice of the hearings in the Environmental Monitor and regionally located newspapers and send notice to municipalities covered by the plan and to the appropriate mailing list. The notice will include locations where copies of the VMP can be reviewed.
- (c) The public shall have no less than 45 days, starting from publication of the Environmental Monitor notice, to comment upon proposed VMPs, unless the Department extends the comment period for good cause.
- (d) Wherever a chief elected official, Board of Health or Conservation Commission in a municipality covered by the proposed VMP requests a copy of the proposed plan, the applicant shall, at least 21 days prior to the end of the public comment period, respond to this request. The response must either include a copy of the proposed VMP, or an Internet address where the VMP may be viewed and a note that a hard copy will be provided promptly upon further request.

(4) Disposition of VMP.

- (a) 25 copies of the proposed VMP shall be submitted to the Department. The Department shall distribute copies of the proposed VMP to each member of the Rights-of-way Advisory Panel. The Department may, at its sole discretion, allow electronic presentation of the VMP in lieu of some or all of the 25 copies that would otherwise be submitted pursuant to 333 CMR 11.05(4).
- (b) Within 30 days of the end of the public comment period unless extended for good cause, the Rights-of-way Advisory Panel shall review the VMPs and recommend in writing to the Department approval, denial or modification of each VMP; if necessary, the Advisory Panel may request additional information from the applicant.
- (c) Within 21 days of the end of the Rights-of-way Advisory Panel review period, unless extended by the Department for good cause, the Department will notify the applicant and the Advisory Panel in writing one of the following:
  - 1. request for additional information or modification;
  - 2. denial of VMP; or
  - 3. approval of VMP.
- (d) The VMP may be modified, withdrawn or amended by the applicant through a written request sent by certified mail to the Department.

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### 11.05: continued

(e) Resubmission of a denied VMP, updating of a VMP, or a significant amendment to an approved VMP shall be processed according to 333 CMR 11.05.

(f) The applicant must send a copy of the approved VMP, or an Internet address where the VMP may be viewed and a note that a hard copy will be provided promptly upon further request, to the chief elected official, Board of Health, and Conservation Commission in each municipality covered by the plan.

(5) Time for Action. Non-action by the Department on a VMP within the time specified in 333 CMR 11.05 does not constitute approval of the submitted plan. In the event that the Department fails to notify the applicant of a decision within the time specified in 333 CMR 11.05(4) and upon written request from the applicant, the Commissioner must issue a finding within ten days of receipt stating the reason for the delay and providing an estimated completion date.

### 11.06: Yearly Operational Plan (YOP)

#### (1) General.

(a) The applicant is responsible for the accuracy and completeness of all information submitted with the YOP. The YOP shall be consistent with the objectives of the VMP and shall describe the intended operational program for that calendar year.

(b) The YOP shall be presented on forms and in a format approved by the Department.

#### (2) Requirements. The YOP shall include but not be limited to the following:

(a) Maps locating the rights-of-way and sensitive areas not readily identifiable in the field;

(b) Herbicides proposed including Environmental Protection Agency (EPA) Registration numbers, application rates, carriers and adjuvants;

(c) Herbicide application techniques and alternative control procedures proposed.

(d) The name, address and phone number of the company which will perform any herbicide treatment;

(e) Identification of target vegetation;

(f) The name, address and phone number of the individual representing the YOP applicant;

(g) Description of methods used to flag or otherwise designate sensitive areas on the right-of-way;

(h) Herbicide Fact Sheets as approved by the Department; and

(i) Procedures and locations for handling, mixing and loading of herbicide concentrates.

#### (3) Public Notice, Review and Comment.

(a) Upon submittal of the YOP for approval, the Department will publish a notice in the Environmental Monitor. Said notice shall be provided by the applicant and shall include the information on the municipalities through which the rights-of-way pass, a brief description of the intended program, and the procedure for public review and comment. The Department shall send notification of the publication to the applicant and the appropriate mailing list.

(b) Upon submittal of the YOP to the Department, the applicant shall provide by certified mail under separate cover to the Board of Health, Conservation Commission, chief elected municipal official, and where applicable, the Massachusetts Water Resources Authority and Massachusetts Department of Conservation and Recreation, a copy of the proposed YOP (or an Internet address where the proposed YOP may be viewed and a note that a hard copy will be provided promptly upon request) and the Environmental Monitor notice for the municipality or municipalities in which the herbicide treatment is proposed. Community water suppliers shall receive electronic information or a one-page notification by mail which provides details about where to receive more information. The applicant shall maintain copies of the packet sent to municipalities and certified mail receipts. The applicant shall make copies of the packet, certified mail receipts, and any further correspondence regarding hard copies of YOPs in lieu of Internet viewing, available to the Department upon request.

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- (c) The Department shall allow a 45-day comment period on proposed YOPs, unless extended for good cause, commencing with the publication of the notice in the Environmental Monitor and receipt of the proposed YOP and Environmental Monitor notice by each municipality.
- (d) The Department may approve, deny or modify YOPs after the 45-day comment period has expired.

#### (4) Disposition of YOP.

- (a) The applicant shall submit the YOP to the Department at least 90 days prior to the proposed commencement of application to allow completion of the comment and review period.
- (b) The Department shall review the YOP to ensure that the YOP is consistent with the approved VMP. Any inconsistencies or deficiencies will be noted by the Department and returned with the YOP to the applicant.
- (c) Where practical, the Department shall approve or deny the YOP within 90 days of receipt. The Department will provide notice of the decision to the applicant, municipal agencies and commentators in writing.
- (d) The approved YOP in conjunction with the VMP shall govern the application of herbicide for a period not to exceed 12 months in accordance with other laws and regulations of the State and Federal governments and impose such conditions as necessary to minimize the risk of adverse effects on human health and the environment.

(5) Time for Action. Non-action by the Department on a YOP within the time specified in 333 CMR 11.06(4) does not constitute approval of the submitted plan. In the event that the Department fails to notify the applicant of a decision within the time specified and upon a written request from the applicant, the Commissioner must issue a finding within ten days of receipt stating the reason for the delay and providing an estimated completion date.

### 11.07: Public Notification

(1) At least 21 days in advance of application of herbicide to a right-of-way in any city or town, the applicant shall notify the Department, the board of health, and the local public water supplier and, by registered mail, the Mayor, City Manager or Chairman of the Board of Selectman, and the conservation commission in the municipality where the right-of-way lies. The notice shall include the following information: the approximate dates on which such herbicide application shall commence and conclude, provided however, that said application shall not commence more than ten days before nor conclude more than ten days after said approximate dates; the method and locations of application; a Department-approved Herbicide Fact Sheet on the active ingredient(s) of the herbicide(s) used; the EPA registration number(s) for the herbicide(s) used; the name, title, business address and phone number of the certified commercial applicator or licensed applicator, or the contractor, employer or employees responsible for carrying out the application. Where specific information required for this notice is already contained in the current YOP that is on file with the local official, the applicant may incorporate the appropriate pages of the YOP by reference in its notice to that official, indicating that these pages are also directly available from the applicant upon request.

(2) This public notice may run concurrently with the public notice and comment period in 333 CMR 11.06(3), provided that the notice is distributed at least 21 days prior to the herbicide application, and that, prior to the herbicide application, the public notice and comment period has closed and the Department has granted YOP approval without modifications. When the Department's final approval requires modifications or application dates are selected after YOP approval, separate notice under 333 CMR 11.07(1) is required.

(3) At least 48 hours prior to the application referred to in 333 CMR 11.07(1), the applicant must publish a conspicuous notice in at least one newspaper of general circulation in the city or town where the right-of-way lies. The notice must appear in the local section of the newspaper and measure at least four by five inches in size. The notice shall contain the following information: the method and locations of pesticide application; the approximate dates on which the pesticide application shall commence and conclude, provided that the applications shall not

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commence more than ten days before nor conclude ten days after said approximate dates; a list of potential pesticides to be used; a description of the purpose of the application; and the name, title, business address and phone number of a designated contact person representing the applicant from whom any citizen may request further information. The notice should apply only to the calendar year in which the notice is published. Upon request the notice must be made available to the Department.

### 11.08: Notice of Modification and Revocation

(1) The Department may suspend approval of any VMP or YOP, by written notice to the applicant and applicator, halting the application of herbicide to that right-of-way of the YOP. After 21 days if the applicant does not request a hearing, the Department may revoke or modify the VMP and YOP, if it finds:

- (a) that the terms, conditions or restrictions thereof, are being violated or are inadequate to avoid unreasonable adverse effects on the environment or on human health; or
- (b) that the applicant has made a false or misleading statement or has not provided information requested by the Department or Rights-of-way Advisory Panel; or
- (c) that the applicant has violated any provision of the Massachusetts Pesticide Control Act or FIFRA, or any regulations, standards, orders or license issued under either.

(2) Upon notice of revocation or modification, the applicant may modify the YOP by written request to the Department. Applications to modify the YOP shall be submitted in the manner set forth in 333 CMR 11.06 and disposed of in the manner set forth in 333 CMR 11.06. The Department may waive all or part of the requirement if it determines that the proposed changes do not significantly change the terms of the approved YOP.

### 11.09: Right-of-appeal

Any person aggrieved by the decision of the Department to approve, deny, modify or revoke a VMP or YOP may request an adjudicatory hearing. The request for a hearing must be received by the Department within 21 calendar days after receipt of the decision. The request should state clearly and concisely the facts of the proceeding, the reasons the decision is alleged to be inconsistent with 333 CMR 11.00 and the relief sought by the adjudicatory hearing. The adjudicatory hearing before the Pesticide Board shall be conducted in accordance with the informal rules of adjudicatory proceeding as set forth in M.G.L. c. 30A.

### 11.10: Penalties

Any person who violates any provision of 333 CMR 11.00 shall be subject to the criminal and civil penalties set forth in M.G.L. c. 132B, § 14.

### 11.11: Rights-of-way Advisory Panel

(1) A Rights-of-way Advisory Panel shall be established to advise the Department on issues relating to 333 CMR 11.00 and to fulfill specific functions as detailed within 333 CMR 11.00.

(2) The Department shall request that the following members participate on the Rights-of-way Advisory Panel: the Commissioner/Secretaries or his/her designee of the Department of Environmental Protection, the Department of Public Health, and the Executive Office of Transportation; and a representative, respectively, from each of the following, all to be appointed by the Department Commissioner: the Massachusetts Association of Conservation Commissions, the Massachusetts Association of Health Boards, the Massachusetts Department of Conservation and Recreation, and an Environmental Advocacy Organization Representative, a member of the University of Massachusetts Extension who is well versed in weed science and Integrated Pest Management of weeds, a representative of the Massachusetts Railroad Association, a representative of a utility company and a commercial pesticide applicator.

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(3) Non-agency representatives shall remain on the panel for a term of five years. Any member absent from two or more consecutive meetings may be removed from the Advisory Panel at the discretion of the Commissioner of the Department, and a replacement requested from the representative agency, industry group, or association.

(4) The Advisory Panel shall meet at least once each year and shall hold further meetings upon the request of the Department of Agricultural Resources or at the request of any two members of the Advisory Panel.

(5) All Advisory Panel members shall serve without compensation.

REGULATORY AUTHORITY

333 CMR 11.00: M.G.L. c. 132B.

**APPENDIX 2:**  
**MGL 132B MASSACHUSETTS PESTICIDE CONTROL ACT**

**Statutes - Pesticides**  
**MGL 132B Massachusetts Pesticide Control Act**

**Chapter 132B: Section 1. Title; purpose.**

**Section 1. This chapter shall be known and may be cited as the Massachusetts Pesticide Control Act.**

The purpose of this chapter is to conform the laws of the commonwealth to the Federal Insecticide, Fungicide, and Rodenticide Act, Public Law 92-516, as amended, and the regulations promulgated thereunder and to establish a regulatory process in the commonwealth. The exclusive authority in regulating the labeling, distribution, sale, storage, transportation, use and application, and disposal of pesticides in the commonwealth shall be determined by this chapter.

**Chapter 132B: Section 2. Definitions.**

Section 2. Unless the context clearly requires otherwise, when used in this chapter, the following words and phrases shall have the following meanings:<sup>a</sup>

"Active ingredient", in the case of a pesticide other than a plant regulator, defoliant, or desiccant, an ingredient which prevents, destroys, repels, or mitigates any pest; in the case of a plant regulator, an ingredient which through physiological action accelerates or retards the rate of growth or rate of maturation or otherwise alters the behavior of ornamental or crop plants or the products thereof; in the case of a defoliant, an ingredient which causes the leaves or foliage to drop from a plant; and, in the case of a desiccant, an ingredient which artificially accelerates the drying of plant tissue.

"Administrator", the Administrator of the United States Environmental Protection Agency.

"Adulterated", when used with reference to a pesticide, any pesticide the strength or purity of which falls below the professed standard of purity as expressed on its labeling under which it is sold; a pesticide for which any substance has been substituted wholly or in part; or a pesticide from which any valuable constituent has been wholly or in part abstracted.

"Advisory council", a council established by regulations adopted by the department for the purposes set forth in section five.

"Agricultural commodity", a plant, or part thereof, or animal or animal product produced by a person primarily for sale, consumption, propagation, or other use by man or animals.

"Animal", all vertebrate and invertebrate species, including but not limited to man and other mammals, birds, fish and shellfish.

"Certified applicator", an individual who is certified under the provisions of section ten as authorized to use or supervise the use of any pesticide which is classified by the department as being for restricted use.

"Private applicator", a certified applicator who uses or supervises the use of any pesticide which is classified by the department as being for restricted use for purposes of producing any agricultural commodity on property owned or rented by him or his employer or if applied without compensation other than trading of personal services between producers of agricultural commodities on the land of another person.

"Commercial applicator", a certified applicator, whether or not he is a private applicator with respect to some users, who uses or supervises the use of any pesticide which is classified by the department as being for restricted use for any purpose or on any land other than as provided in the preceding paragraph.

"Licensed applicator", an individual who is licensed under the provisions of section ten as authorized to be present while pesticides classified by the department as being for restricted use are being applied under the direct supervision of a certified applicator, or to use or to be present to supervise the use or land of another for hire any pesticide classified by the department as being for general use.

"Beneficial insects", insects which, during their life cycle, are effective pollinators of plants, are parasites or predators of pests, or are otherwise beneficial.

"Board", the pesticide board, established by section three.

"Commissioner", the commissioner of food and agriculture.

"Defoliant", a substance or mixture of substances intended to cause the leaves or foliage to drop from a plant, with or without causing abscission.

"Department", the department of food and agriculture.

"Desiccant", a substance or mixture of substances intended to artificially accelerate the drying of plant tissue.

"Device", an instrument or contrivance, other than a firearm, intended to hold or dispense a pesticide and used in conjunction with a pesticide, the purpose of which is to trap, destroy, repel, or mitigate any pest or any other form of plant or animal life, other than man and other than bacteria, virus, or other micro-organism on or in living man or other living animals, but not including equipment used for the application of pesticides when sold separately therefrom.

"Director", the pesticides program director established by section four.

"Distribution" or "Distribute", to offer for sale, hold for sale, sell, barter, ship, deliver for shipment, or receive.

"Environment", includes water, air, land, and all plants and man and other living animals therein, and the interrelationships which exist among these.

"Federally registered pesticide", a pesticide which is registered pursuant to FIFRA.

"FIFRA", the Federal Insecticide, Fungicide, and Rodenticide Act, Public Law 92-516, as amended.

"Fungi" or "Fungus", non-chlorophyll-bearing thallophytes of a lower order than mosses and liver-worts, as, for example, rusts, smuts, mildews, molds, yeasts, and bacteria, except those on or in living man or other living animals, and except those in or on processed food, beverages, or pharmaceuticals.

"Imminent hazard", a situation in which the continued use of a pesticide would result in unreasonable adverse effects on the environment.

"Inert ingredient", an ingredient which is not active.

"Insect", a small invertebrate animal generally having the body more or less obviously segmented, for the most part belonging to the class insects, comprising six-legged, usually winged forms, as for example, moths, beetles, bugs, bees, flies, and their immature stages, and to other allied classes of arthropods whose members are wingless and usually have more than six legs, as for example, spiders, mites, ticks, millipedes, and wood lice.

"Label", the written, printed, or graphic matter, on or attached to, the pesticide or device or any of its containers or wrappers.

"Labeling", all labels and all other written, printed or graphic matter accompanying the pesticide or device at any time, or to which reference is made on the label or in literature accompanying the pesticide or device, but shall not include publications of the United States Environmental Protection Agency, the United States Department of Agriculture, or Interior, or Health, Education and Welfare, state experiment stations, state agricultural colleges, and other similar federal or state institutions or agencies authorized by law to conduct research or disseminate information in the field of pesticides, except as otherwise provided by regulation of the department.

"Land", land and water areas, including airspace, and structures, buildings, contrivances, and machinery appurtenant thereto or situated thereon, fixed or mobile.

"Licensed pesticide dealer", a person who distributes pesticides classified by the department as being for restricted use or pesticides whose uses or distribution are further restricted by regulations adopted by the department, with the approval of the board.

"Misbranded", (a) in the case of a pesticide or device, if the labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(b) in the case of a pesticide or device, if it is an imitation of, or is offered for sale under the name of, another pesticide or device;

(c) in the case of a pesticide or device, if any word, statement, or other information required by or under authority of FIFRA or this chapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness, as compared with other words, statements, designs, or graphic matter in the labeling, and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(d) in the case of a pesticide, if it is contained in a package or other container or wrapping which does not conform to standards established pursuant to FIFRA or this chapter;

e) in the case of a pesticide, if it does not contain a label bearing the registration number assigned under FIFRA to each establishment in which it was produced;

(f) in the case of a pesticide, if the labeling accompanying it does not contain directions for use which are necessary for effecting the purpose for which the product is intended and if complied with, together with any requirements imposed under FIFRA or this chapter, is adequate to protect health and the environment;

(g) in the case of a pesticide, if its label does not contain a warning or caution statement which may be necessary and if complied with, together with any requirements imposed under FIFRA or this chapter, is adequate to protect health and the environment;

(h) in the case of a pesticide, if its label does not bear an ingredient statement on that part of the immediate container, and on the outside container or wrapper of the retail package, if there be one, through which the ingredient statement on the immediate container cannot be clearly read, which is presented or displayed under customary conditions or purchase, except that a pesticide is not misbranded if the administrator has permitted the ingredient statement to be placed on another part of the container pursuant to FIFRA;

(i) in the case of a pesticide, if its labeling does not contain a statement of the use classification under which it is registered;

(j) in the case of a pesticide, if there is not affixed to its container, and to the outside container or wrapper of the retail package, if there be one, through which the required information on the immediate container

cannot be clearly read, a label bearing the name and address of the producer, registrant, or person for whom the pesticide is produced; the name, brand, or trademark under which the pesticide is distributed; the net weight or measure of the content, as required by the administrator; and the registration number assigned to the pesticide by said administrator pursuant to FIFRA;

(k) in the case of a pesticide containing any substance or substances in quantities highly toxic to man, unless the label shall bear, in addition to any other matter required by FIFRA or this chapter the skull and crossbones; the word "POISON" prominently in red on a background of distinctly contrasting color; and a statement of practical treatment, first aid or otherwise, in case of poisoning by the pesticide; and (%93) in the case of a pesticide, if its container does not bear a label, as required by the department pursuant to this chapter.

"Nematode", invertebrate animals of the phylum nemathelminthes and class nematoda, that is, unsegmented round worms with elongated, fusiform, or sac-like bodies covered with cuticle, and inhabiting soil, water, plants or plant parts. Nematodes may also be referred to as nemas or eel-worms.

"Person", an individual, association, partnership, corporation, company, business organization, trust, estate, the commonwealth or its political subdivisions, administrative agencies, public or quasi-public corporation or body, or any other legal entity or its legal representative, agent or assign, or a group of persons.

"Pest", an insect, rodent, nematode, fungus, weed, or any other form of terrestrial or aquatic plant or animal life or virus, bacterium, or other micro-organism, except viruses, bacteria or other micro-organisms on or in living man or other living animal, which is declared to be a pest by the administrator or by the department with the approval of the board.

"Pesticide", a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant; provided that the term "Pesticide" shall not include any article that is a "new animal drug" within the meaning of section 201 (w) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. s 321 (w)), or that has been determined by the Secretary of the United States Department of Health, Education and Welfare not to be a new animal drug by a regulation establishing conditions of use for the article, or that is an animal feed within the meaning of section 201 (x) of such act (21 U.S.C. s 321 (x)).

"Plant regulator", a substance or mixture of substances intended, through physiological action, to accelerate or retard the rate of growth or rate of maturation, or to otherwise alter the behavior of plants or the produce thereof, but shall not include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments. Also, the term "plant regulator" shall not include any nutrient mixtures or soil amendments commonly known as vitamin-hormone horticultural products, intended for improvement, maintenance, survival, health, and propagation of plants, and as are not for pest destruction and are nontoxic, nonpoisonous in the undiluted package concentration.

"Produce", to manufacture, prepare, compound, propagate, process or repackage any pesticide or device.

"Producer", a person who manufactures, prepares, compounds, propagates, processes or repackages any pesticide or device.

"Protect health and the environment" or "protection of health and environment", protection against any unreasonable adverse effects on the environment.

"Registrant", a person who has registered any pesticide pursuant to the provisions of this chapter.

"Under the direct supervision of a certified applicator", unless otherwise prescribed by its labeling, a

pesticide shall be considered to be applied under the direct supervision of a certified applicator if it is applied by a competent person acting under the instructions and control of a certified applicator who is available if and when needed, and who is responsible for the pesticide applications made by that person, even though such certified applicator is not physically present at the time and place the pesticide is applied.

"Unreasonable adverse effects on the environment", an unreasonable risk to man or the environment, taking into account the economic, social and environmental cost and benefits of the use of any pesticide.

"Weed", a plant which grows where not wanted.

"Wildlife", vertebrate animals, excluding man, that are wild by nature, including fish, birds, mammals, reptiles and amphibians.

**Chapter 132B: Section 3. Pesticide board.**

Section 3. There shall be within the department of food and agriculture a pesticide board which shall consist of the commissioner of environmental protection or his designee, the commissioner of food and agriculture or his designee, the director of the division of food and drugs or his designee, the commissioner of fisheries, wildlife and recreational vehicles or his designee, the commissioner of environmental management or his designee, the commissioner of public health or his designee, and seven persons appointed by the governor one of whom shall have been engaged in the commercial production of a plant-related agricultural commodity for at least the preceding five years on land owned or rented by him, one of whom shall have been an active commercial applicator of pesticides for at least the preceding five years, one of whom shall have expertise in the health effects of pesticide use, one of whom shall be a physician, one of whom shall be experienced in the conservation and protection of the environment, and two of whom shall represent the public at large. The commissioner of food and agriculture or his designee shall be chairman of the board.

The appointive members of the board shall receive fifty dollars for each day or portion thereof spent in the discharge of their official duties and shall be reimbursed for their necessary expenses incurred in the discharge of their official duties. Each appointive member shall be appointed for a term of four years, except for persons appointed to fill vacancies who shall serve for the unexpired term. Any member shall be eligible for reappointment.

The board shall hold an annual meeting in March, and regularly at three other times annually, and from time to time at the call of the chairman or upon the request of any two members.

Seven members of the board shall constitute a quorum. The board may, by vote of a majority of its members then in office, adopt rules and regulations for the conduct of its business. Rules and regulations adopted may be amended or repealed by a two-thirds vote of its members.

The board in addition to other powers conferred in this chapter shall advise the commissioner of food and agriculture with respect to the implementation and administration of this chapter.

The pesticides program director established by section four shall attend meetings of the board, shall serve as secretary thereto, but shall have no vote in its deliberation.

**Chapter 132B: Section 3A. Pesticide board subcommittee.**

Section 3A. A subcommittee of the pesticide board shall be established and shall be charged with the responsibility of registering all pesticides for use in the commonwealth pursuant to section seven. Said subcommittee shall also be responsible for issuing all experimental use permits pursuant to section eight. Said subcommittee shall consist of five members, the director of the division of food and drugs, who shall act as chairman, the commissioner of the department of food and agriculture or his designee, the commissioner of the department of environmental management or his designee, the commissioner of public health or his designee, and one person appointed by the governor, who shall have been actively engaged in commercial application of pesticides for at least the preceding five years who shall be a

member of the pesticide board. Any person aggrieved by the decision of said subcommittee may appeal any such decision according to the provisions of section thirteen.

**Chapter 132B: Section 4. Programs director.**

Section 4. The pesticide regulatory functions conferred upon the department under the provisions of this chapter shall be under the administrative supervision of a pesticide programs director who shall be qualified by training and experience to perform such duties. Said director shall be appointed by the commissioner with the approval of the board for a term of five years. Said person shall be eligible for reappointment, but may be removed by the commissioner for cause. The position of director shall not be subject to the provisions of chapter thirty-one or the provisions of section nine A of chapter thirty. If an employee serving in a position which is classified under chapter thirty-one or in which he has tenure by reason of section nine A of chapter thirty shall be appointed director, he shall upon termination of his service as director be restored to the position which he held immediately prior to such appointment or to a position equivalent thereto in salary grade in the same state department; provided, however, that his service in such unclassified position shall be determined by the civil service commission in administering chapter thirty-one. Such restoration shall be made without impairment of his civil service status or tenure under section nine A of chapter thirty and without loss of seniority, retirement, or other rights to which uninterrupted service in such prior position would have entitled him. During the period of such appointment, the person so appointed from a position in the classified service shall be eligible to take any competitive promotional examination for which he would otherwise have been eligible.

**Chapter 132B: Section 5. Powers and duties of department.**

Section 5. The department with the approval of the board may cooperate and enter into cooperative agreements and contracts with appropriate federal agencies, the agencies of other states, interstate agencies, other agencies of the commonwealth or its political subdivisions, or private or nonprofit organizations in matters related to the purposes of this chapter or FIFRA, and may receive from and dispense to such agencies such funds as may be available for the purposes of this chapter and FIFRA.

The department with the approval of the board shall take all action necessary or appropriate to secure for the commonwealth the benefits of FIFRA and other pertinent federal legislation.

The department with the approval of the board and subject to the provisions of chapter thirty A may from time to time adopt, amend or repeal such forms, regulations and standards as it deems necessary for the implementation and administration of this chapter.

The department with the approval of the board shall by regulation establish and formulate procedures whereby the advice or relevant advisory councils shall be sought incident to the development of policy or the adoption, amendment or repeal of regulations related to the administration of this chapter.

The department may with the approval of the board declare such pests and devices as it deems necessary to be subject to the provisions of this chapter.

**Chapter 132B: Section 6. Prohibited distributions, etc.**

Section 6. No person shall distribute a pesticide not registered pursuant to the provisions of section seven. This prohibition shall not apply to the transfer of a pesticide from one plant or warehouse to another plant or warehouse and used solely at such plant or warehouse as a constituent part to make a pesticide which is or will be registered pursuant to the provisions of this act; or the distribution of a pesticide pursuant to the provisions of an experimental use permit issued under section eight.

No person shall distribute a pesticide classified by the department as being for restricted use to a person not appropriately certified to use that pesticide. This prohibition shall not apply to the distribution of a pesticide to a competent individual acting under the direct supervision of an individual appropriately certified to use that pesticide.

No person shall distribute a pesticide that is adulterated or misbranded or a device that is misbranded.

No person shall distribute any pesticide unless it is in the registrant's or the producer's unbroken, unopened, and sealed container. This prohibition shall not apply to the repackaging of pesticides because of damage in transit.

No person shall distribute any pesticide that does not conform to any requirement of its registration or permit.

No person shall distribute any pesticide in containers that are unsafe due to damage or design.

No person shall detach, alter, deface, or destroy, wholly or in part, any label or labeling provided for in this chapter or in regulations adopted thereunder, or to add any substance to, or take any substance from, a pesticide in a manner that may defeat the purposes of this chapter or regulations adopted thereunder.

No person shall distribute, handle, dispose of, discard, or store any pesticide or pesticide container in such a manner as to cause injury to humans, vegetation, crops, livestock, wildlife, beneficial insects, to cause damage to the environment, or to pollute or contaminate any water supply, waterway, groundwater or waterbody.

No person shall act in the capacity of, or advertise as, or assume to act as a licensed pesticide dealer unless that person is in possession of a currently valid license issued by the department pursuant to the provisions of section nine. No person possessing a pesticide dealer license shall violate or allow to be violated any term, condition, restriction or provision of said license.

No person shall purchase or use a pesticide that is not registered by the department under the provisions of section seven; provided, however, that this prohibition shall not apply to the use of a pesticide consistent with the terms of an experimental use permit issued by the department under the provisions of section eight.

**Chapter 132B: Section 6A. Prohibited activities.**

Section 6A. No person shall use a registered pesticide in a manner that is inconsistent with its labeling or other restrictions imposed by the department. No person shall use a pesticide which is the subject of an experimental use permit inconsistently with the terms and conditions of said permit.

No individual certified or licensed as a pesticide applicator shall violate any provision, condition, term or restriction of his certification or license.

No person shall use a pesticide that has been classified by the department as being for restricted use unless he is an appropriately certified private applicator, an appropriately certified commercial applicator, or a competent individual acting under the direct supervision of an appropriately certified applicator.

**Chapter 132B: Section 6B. Herbicides; application by utilities; notice.**

Section 6B. No gas, electric, telephone or other utility company licensed to do business in the commonwealth shall spray, release, deposit, or apply any herbicide to any land which it owns or as to which it holds an easement or similar right and over which it maintains power, high tension or other lines without first notifying, by registered mail, the mayor, city manager or chairman of the board of selectmen and the conservation commission in the city or town where such land lies twenty-one days prior to such spraying.

The notice shall contain the following information: the approximate dates on which such spraying shall commence and conclude; provided, however, that said spraying shall not commence more than ten days prior nor conclude more than ten days after said approximate dates; the type of herbicide to be used and a copy of all information supplied by the manufacturers thereof to the utility relative thereto; the name and address of the contractor who will make the application for the utility or the name, title and business

address of the employee who will be responsible for carrying out the application if it is to be made by utility company employees.

**Chapter 132B: Section 7. Registration.**

Section 7. Pesticides, including pesticides that are federally registered may be registered by the subcommittee of the pesticide board for use in the commonwealth.

Each applicant for the registration of a pesticide shall annually file with the subcommittee an application providing thereon such information as said subcommittee shall require. Said subcommittee may require of applicants for pesticide registrations any information that it deems necessary to determine whether, or how, the pesticide should be registered.

An applicant desiring to register or reregister a pesticide shall pay such registration fee, not to exceed twenty-five dollars, as said subcommittee may by regulation require. All pesticide registrations shall be for a period not to exceed one year.

In the event that any person files with said subcommittee an application to reregister a pesticide which is registered on the date of application for reregistration and pays the appropriate fee therewith, such registration shall be deemed to be in effect until the earlier of the following two events shall occur, ninety days have elapsed after the registration was scheduled to expire, or the subcommittee notifies the applicant for reregistration that the registration has been renewed, modified or denied.

If said subcommittee determines that a pesticide, when used in accordance with its directions for use, warnings and cautions and for the uses for which it is registered, or for one or more such uses, or in accordance with a widespread and commonly recognized practice, will not generally cause unreasonable adverse effects on the environment, it may classify the pesticide, or the particular use or uses of the pesticide to which the determination applies, as being for general use.

If said subcommittee determines that a pesticide, when used in accordance with its directions for use, warnings and cautions and for the use for which it is registered, or for one or more of such uses, or in accordance with a widespread and commonly recognized practice, may cause, without additional restrictions, unreasonable adverse effects on the environment, including injury to the applicator, it may classify the pesticide or the particular use or uses to which the determination applies, for restricted use.

Said subcommittee shall register a pesticide if it determines that its composition is such as to warrant the proposed claims for it; its labeling and other material required to be submitted comply with the requirements of this chapter; it will perform its intended function without unreasonable adverse effects on the environment; and when used in accordance with widespread and commonly recognized practice it will not generally cause unreasonable adverse effects on the environment.

As part of the registration of a pesticide, said subcommittee may require that the pesticide be colored or discolored if such requirement is necessary for the protection of health or the environment, may classify for restricted use any pesticide or pesticide use classified for general use under FIFRA, and may include in the registration such conditions of use as it deems necessary.

If at any time it appears that a pesticide registration does not comply with the provisions of FIFRA, this chapter, or rules and regulations promulgated thereunder, or when used as registered, or a pesticide may cause unreasonable adverse effects on the environment, or a registered pesticide is an imminent hazard, the subcommittee as established in section three A, may, forthwith by an order suspend the registration of such pesticide. Notification of such order shall be sent to the applicant and shall be a public record.

**Chapter 132B: Section 8. Experimental use permits.**

Section 8. Any person may apply to the subcommittee for an experimental use permit for a pesticide. Each applicant for an experimental use permit shall file with the department an application providing thereon such information as the department may require. Each applicant for an

experimental use permit shall pay such registration fee, not to exceed twenty-five dollars, as the department may by regulation require.

The subcommittee may grant an experimental use permit to an applicant therefor if it determines that the applicant needs such a permit to accumulate information necessary to register a pesticide.

The subcommittee shall refuse to grant an experimental use permit if it believes that the pesticide applications to be made under the proposed terms and conditions may cause unreasonable adverse effects on the environment, or if it believes that the applicant or person to conduct the experimentation is not competent to conduct such experimentation without causing unreasonable adverse effects on the environment.

The subcommittee shall revoke any experimental use permit, at any time, if it believes that its terms or conditions are being violated, or that its terms and conditions are inadequate to avoid unreasonable effects on the environment.

**Chapter 132B: Section 9. Dealers' licenses.**

Section 9. A person may apply to the department to be a licensed pesticide dealer. Said applicants shall submit to the department a statement supplying such information thereon as the department may require. An applicant for such a license shall pay such registration fee, not to exceed twenty-five dollars, as the department may by regulation require, for each principal distribution center, branch outlet, or direct sales representative of an out-of-state distributor.

In the event that any person files with the department an application to renew a pesticide dealer's license which is in effect on the date of application for renewal and pays the appropriate fee therewith, such license shall be deemed to be in effect until the earlier of the following two events shall occur: ninety days have elapsed after the license was scheduled to expire; or the department notifies the applicant for renewal that the license has been renewed, modified or denied.

The department shall grant a pesticide dealer's license for a term not to exceed one year. The department shall grant such licenses subject to such terms, conditions and restrictions as it deems necessary or appropriate.

The department shall refuse to grant a pesticide dealer's license if it finds that the proposed distributor or his agent has acted in a manner inconsistent with the purposes for requirements of this chapter or FIFRA.

The department shall revoke any pesticide dealer's license, at any time, if it finds that its terms, conditions or restrictions are being violated or are inadequate to avoid unreasonable adverse effects on the environment.

As part of its determination to refuse to grant, or to revoke, a pesticide dealer's license the department may specify a period, not to exceed two years, within which the applicant may not reapply for a pesticide dealer's license. In the event that the department has specified a period for non-application, the department may later, at its discretion, shorten or waive such period.

**Chapter 132B: Section 10. Certificates and licenses; issuance, suspension and revocation.**

Section 10. Certifications and licenses to use pesticides may be issued to individuals by the department in accordance with the provisions, standards and procedures contained in and established pursuant to this chapter. Each certification and license issued pursuant to this section shall be valid only for the individual to whom it is issued, may not be transferred, and shall not continue in force and effect after the death of the individual to whom it is issued. All certifications and licenses shall be for a period not to exceed one year, unless sooner revoked or suspended.

The department may authorize individuals to use pesticides in classifications as a certified commercial applicator, a certified private applicator, and a licensed applicator provided, however, that the department shall require that all persons who are applicators of pesticides in public and private places used for

human occupation and habitation, except residential properties with three or less dwelling units, shall be so licensed or certified with such special designation.

The department may establish such categories and subcategories as it deems necessary to restrict or condition the scope of pesticide use permitted within each classification. The department may establish such standards and criteria, take such action and impose such requirements as it deems necessary to determine or redetermine levels of competence and experience to qualify for each classification and each category and subcategory thereof.

Each applicant for a certification or license shall annually file with the department an application providing thereon such information as the department may require.

Each applicant desiring to be certified or licensed shall annually pay such application fee, not to exceed twenty dollars, as the department may by regulation require.

In the event that any individual files with the department an application to renew a certification or license which is in effect on the date of the application for renewal and pays the appropriate fee therewith, such certification or license shall be deemed to be in effect until the earlier of the following two events shall occur: ninety days have elapsed after the certification or license was scheduled to expire; or the department notifies the applicant that the certification or license has been renewed, modified or denied.

The department may issue a certification or license to an applicant therefor if it determines that the applicant satisfies the criteria established for that certification or license and the category or subcategory for which the certification or license is sought. The department may thus issue a certification or license subject to such terms, conditions, restrictions and requirements as it deems necessary. The department may require that an applicant for a certification or license has obtained and maintains in effect a contract of liability insurance conforming to regulations established by the department.

The department shall prior to issuing a certificate or license evaluate each applicant to determine his competence with respect to the use and handling of pesticides, or to the use and handling of the pesticides or class of pesticides covered or to be covered by said individual's certification or license. Said evaluation shall include such examinations as the department may require. Examinations may be taken only upon payment of a fee, not to exceed ten dollars for each examination given, as the department may require by regulation approved by the board.

The department may revoke, suspend, cancel or deny any certification or license, or any class thereof, at any time, if it believes: that the terms or conditions thereof are being violated or are inadequate to avoid unreasonable adverse effects on the environment, or that the holder of or applicant for the certification or license has violated any provision of this chapter or FIFRA or any regulation, standard, order, license, certification or permit issued thereunder or that the holder or applicant for said certification or license is not competent with respect to the use and handling of pesticides, or to the use and handling of the pesticides or class of pesticides covered by said individual's certification or license. Any person whose certification or license is suspended or revoked hereunder shall also be subject to such other punishment, penalties, sanctions or liabilities as may be provided by law. As part of its determination to refuse to grant, to revoke, or to suspend a certification or license the department may specify a period, not to exceed two years, within which the applicant may not reapply for a certification or license. In the event that the department has refused to issue or has revoked or suspended such a certification or license, and has specified a period for non-application, the department may later, at its discretion, shorten or waive such period.

The department may, at its discretion, appropriately license or certify any person possessing a valid certification or license, or equivalent rating, issued by the pesticide control agency of any other state or the federal government whose standards for the issuance of such rating are not less stringent than those of the department, provided that the pesticide control agency of that state extends similar privileges to persons so licensed or certified by the commonwealth. Any person so licensed or certified shall be subject to the annual fee requirements of this section.

**Chapter 132B: Section 11. Protection of health and environment; regulations.**

Section 11. The department shall by regulation establish such restrictions and prohibitions upon the disposal and storage of pesticides, packages and containers of pesticides, and materials used in the testing or application of pesticides as it deems necessary to protect health and the environment.

**Chapter 132B: Section 12. Departmental orders; hazards; adverse environmental effects; violations.**

Section 12. Whenever it appears to the department that there is an imminent hazard, or a potential threat of unreasonable adverse effect on the environment, or a violation or a potential violation of any provision of this chapter or of any license, certification, permit, order, registration or regulation issued or adopted thereunder, the department may issue to such persons as it deems necessary an order requiring the production of samples and records, or an order imposing restraints on or requiring such action, as it deems necessary. Issuance of an order under this section shall not preclude and shall not be deemed an election to forego any action to recover for damages to interests of the commonwealth or, under section fourteen of this act, for civil penalties or for criminal fines and penalties.

**Chapter 132B: Section 13. Adjudicatory hearings.**

Section 13. Any person aggrieved by a determination by the department to register or not to register a pesticide, to suspend a pesticide registration, to issue, not issue or revoke an experimental use permit, to issue, deny, revoke or suspend any certification or license, or to issue an order, made under the provisions of this chapter, may request an adjudicatory hearing before the board under the provisions of chapter thirty A. Said determination shall contain a notice of a right to request a hearing and may specify a time limit, not to exceed twenty-one days, within which said persons may request a hearing before the board under the provisions of said chapter thirty A. If no such request is timely made, the determination shall be deemed assented to. If a timely request is received, the board shall within a reasonable time hold a hearing and comply with the provisions of said chapter thirty A. In hearings so held the board shall designate a hearing officer to preside over the hearing, to assemble an official record thereof, and to render a tentative decision as provided in paragraph (7) of section eleven of said chapter thirty A. The board shall make the final decision on the basis of the official record and tentative decision so rendered.

If, in making a determination which under the provisions of the preceding paragraph may be the subject of an adjudicatory hearing, the department finds that an imminent hazard or an unreasonable adverse effect on the environment could result pending the conclusion of the adjudicatory hearing requested thereon, the department may order that the determination shall become provisionally effective and enforceable immediately upon issuance, and shall remain so notwithstanding and until the conclusion of any adjudicatory hearing procedures timely requested. In the event that the department has thus made a determination provisionally effective, it may later, at its discretion, shorten the duration of or waive such order.

As part of a final decision in an adjudicatory proceeding held under the provisions of this section, the board may specify a reasonable time period within which the matter may be barred from further proceedings before the department or the board. In the event that the board has so specified a time period, the board may later, at its discretion, shorten or waive such period.

A person aggrieved by a final adjudicatory determination of the board may obtain judicial review thereof pursuant to the provisions of chapter thirty A.

**Chapter 132B: Section 14. Violations; penalties; injunctions.**

Section 14. Any person who knowingly violates any provision of section six shall be punished by a fine of not more than twenty-five thousand dollars, or by imprisonment for not more than one year, or both such fine and imprisonment, for each such violation, or shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each such violation, which may be assessed in an action brought on behalf of the commonwealth in any court of competent jurisdiction. Each day of violation shall constitute a separate offense.

Any person who violates any provision of section six A or six B or who violates any regulation adopted under the provisions of this chapter, (a) shall be punished by a fine of not more than one thousand dollars, or imprisonment for not more than six months, or both such fine and imprisonment, for the second and each subsequent offense knowingly committed, or (b), shall be subject to a civil penalty not to exceed ten thousand dollars for any offense, which may be assessed in an action brought on behalf of the commonwealth in any court of competent jurisdiction. Each day of violation shall constitute a separate offense.

Any person who violates any order issued under the provisions of this chapter, (a) shall be punished by a fine of not more than twenty-five thousand dollars or imprisonment for not more than two years, or both such fine and imprisonment, for each violation knowingly committed, or (b) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation, which may be assessed in an action brought on behalf of the commonwealth in any court of competent jurisdiction. Each day of violation shall constitute a separate offense.

The superior court shall have jurisdiction to enjoin violations of, or grant such relief as it deems necessary or appropriate to secure compliance with, any provision of this chapter or the terms of an order, license, certification, registration, permit or regulation issued or adopted thereunder.

**Chapter 132B: Section 15. Departmental personnel, agents and inspectors; powers; evidence; confidential information.**

Section 15. For the purpose of administering the provisions of this chapter, personnel or agents of the department and its inspectors shall have access and entry at reasonable times to any premises pursuant to a search warrant duly issued by a court of competent jurisdiction, provided that no sample of a pesticide obtained in the course of such inspection and no result of any analysis or test of any such sample shall be received in evidence in any criminal proceeding under this chapter unless the sample shall have been taken and the analysis or test conducted by a chemist in the agricultural extension service of the University of Massachusetts authorized by the department. Personnel or agents of the department may take such samples as are reasonably necessary to accomplish the purpose of their investigation and inspection. Any information relating to secret processes, methods of manufacture, production or use obtained in the course of such inspection shall be kept confidential upon request, when not required to be disclosed incident to the enforcement of this chapter. This section shall not be construed to abrogate any of the powers and duties, as defined by general or special law or common law, of any agency or political subdivision of the commonwealth.

**APPENDIX 3:**  
**CHAPTER 85, SECTION 10**

## CHAPTER 85 OF THE ACTS OF 2000

### SECTION 10.

Said chapter 132B is hereby further amended by striking out section 6B, as appearing in the 1998 Official Edition, and inserting in place thereof the following section:

#### Section 6B.

- a. No gas, electric, telephone or other utility company licensed to do business in the commonwealth, nor any agency of the commonwealth or any of its political subdivisions, nor any authority, as defined in section 39 of chapter 3, nor any private entity or their agent, shall spray, release, deposit or apply any pesticide to any land which it owns, or as to which it holds an easement or similar right and over which it maintains power, high tension or other lines, or to any roadway, railway, or other transportation layout, without first notifying the department and, by registered mail, the mayor, city manager or chair of the board of selectmen and the conservation commission in the city or town where such application is to occur 21 days before such spraying, release, deposit or application, and without first publishing conspicuous notice in at least one newspaper of general circulation in each city or town where such land lies at least 48 hours prior to such spraying, release, deposit or application. Such notice shall appear in the local section of the newspaper and measure at least four by five inches in size. The published notice shall include: the method and locations of pesticide spraying, release, deposit or application; the approximate dates on which spraying, release, deposit or application shall commence and conclude, but such spraying, release, deposit or application shall not commence more than ten days before nor conclude more than ten days after such approximate dates; a list of potential pesticides to be used; a description of the purpose of the spraying, release, deposit or application; and the name, title, business address and phone number of a designated contact person from whom any citizen may request further information.
- b. The notice to the city or town where the affected land lies shall contain the following information: the method and locations of pesticide spraying, release, deposit or application; the approximate dates on which such spraying, release, deposit or application shall commence and conclude, but such spraying, release, deposit or application shall not commence more than ten days before nor conclude more than ten days after such approximate dates; the type of pesticide to be used and a copy of all information supplied by the manufacturers thereof relative to the pesticide; a department-approved fact sheet and United States Environmental Protection Agency registration number for each pesticide; the name, title, business address and phone number of the certified commercial applicator, certified private applicator or licensed applicator, or the contractor, employers or employees responsible for carrying out the pesticide spraying, release, deposit or application.
- c. Notwithstanding any other provision of law, all agencies of the commonwealth and all authorities, as defined in section 39 of chapter 3, shall develop policies to eliminate or, if necessary, reduce the use of pesticides for any vegetation management purpose along any roadway.
- d. Any employee of any state agency, or authority, as defined in section 39 of chapter 3, when spraying, releasing, depositing or applying pesticides, supervising the use of pesticides, or when present during the spraying, release, deposit or application of pesticides, shall be provided with personal protection equipment and clothing in conformance with all federal and state laws and regulations pertaining to pesticide applications. This shall include, but not necessarily be limited to, protections according to Material Safety Data Sheets (MSDS), the product label, and any other supportive technical data provided by the manufacturer.

**APPENDIX 4:**  
**TREATMENT NOTIFICATION PROCESS PER 333 CMR 11.06-11.07**

#### **Appendix 4: TREATMENT NOTIFICATION PROCESS PER 333 CMR 11.06-11.07**

A VMP serves as a guiding document for Lowell's IVM program. In the process of planning herbicide applications for any given year within the five-year time frame of the VMP, Lowell will also fulfill the requirements in 333 CMR 11.06, *Yearly Operational Plan (YOP)* and 11.07, *Public Notification* (See Appendix 1). No herbicide applications may occur without these additional actions, completed in the appropriate mandated time frames.

Following the requirements in 333 CMR 11.06, a YOP describes and locates the herbicide application program for the current year, including details of potential areas of retreatment ("touch-up") from the past year. The YOP will be submitted to the appropriate agencies and officials, along with a copy of the Environmental Monitor Notice (EMN), sent via certified return receipt or within the city, hand delivered with a sign off sheet, allowing for the 45-day review period before receiving approval from the MDAR, Pesticide Bureau. The 45 day review countdown starts upon receipt of the YOP by the appropriate agencies and officials. The YOP may be sent out in hard copy or posted online. If posted online, a written notice must be sent out via certified return receipt (or hand delivered...) along with the EMN, with notice that a hard copy will be made available upon request.

Following the requirements in 333 CMR 11.07, additional notice must be sent to the appropriate agencies and officials, at least 21 days before herbicide applications may begin, containing additional details about the program including the approximate treatment dates. This notice may run concurrently with the 45-day review period and be sent in the same envelope. It must also be sent via certified return receipt or be hand delivered within the city. Additionally, at least 48 hours before herbicide applications commence, a 4x5 notice must be published in the local section of a paper of local/regional circulation.

The agencies and officials included in the notification and/or review process include:

Commonwealth of Massachusetts Agencies:

1. MDAR, Pesticide Division (YOP, 21 Day Notice, EMN, Ad-copy).

If applicable the YOP is sent to:

1. Natural Heritage Endangered Species Program of the Massachusetts Division of Fisheries and Wildlife (NHESP)
2. Massachusetts Water Resource Authority
3. Department of Conservation and Recreation (DCR).

Officials that receive the YOP, 21 Day Notice and EMN:

1. Chief Elected Official
2. Conservation Commission
3. Board of Health
4. Municipal Public Water Supplier.

Other:

1. A YOP is a public document and must be made accessible either online or in hard copy to anyone who requests access.
2. DEP defined Public Water Suppliers are sent a one page letter under 333 CMR 11.06 detailing how they can request information on the program.

**APPENDIX 5:  
HERBICIDE SPILL CHECK LIST**

## APPENDIX 5: HERBICIDE SPILL CHECK LIST

**REPORTABLE SPILLS (Spills of reportable quantity of material):** FOLLOW STEPS 1-11  
**NON-REPORTABLE SPILLS:** FOLLOW STEPS 1-4, 7-11 as appropriate & contact the Lowell DPW representative.

Order	ACTION	Done (√)
1	Use any and all Personal Protective Equipment (PPE) as directed by product label or Safety Data Sheet (SDS)	
2	Cordon-off spill area to unauthorized people and traffic to reduce the spread and exposure of the spill	
3	Identify source of spill and apply corrective action, if possible stop or limit any additional amounts of spilled product.	
4	Contain spill and confine the spread by damming or diking with soil, clay or other absorbent materials.	
5	Report spills of "reportable quantity" to the Mass. DEP and MDAR:	
	MDAR, Pesticide Bureau	(617) 626-1700
	Massachusetts Department of Environmental Protection, Emergency Response Section	Main Office: (888) 304-1133 (after hours number)
		Northeast Region: (978) 694-3200
6	If the spill cannot be contained or cleaned-up properly, or if there is a threat of contamination to any bodies of water, immediately contact any of the following applicable emergency response personnel:	
	local fire, police, rescue	911
	Lowell DPW Representative: <b>Christine Clancy</b>	(978) 674-4111
	Albaugh Inc.	(800) 247-8013
	BASF Corporation	(800) 832-4357
	Bayer Environmental Science	(800) 334-7577
	Corteva Agriscience	(800) 992-5994
	Monsanto	(314) 694-4000
	Nufarm	(877) 325-1840
	Zhejiang Tide Crop Science Co. Ltd.	(800) 424-9300
	Chemtrec	(800) 424-9300
	If there is a doubt as to who should be notified, contact State Police, Andover Barracks	(978) 475-3800
	Remain at the scene to provide information and assistance to responding emergency clean-up crews	
7	Refer to the various sources of information relative to handling and cleanup of spilled product	
8	If possible, complete the process of "soaking up" with appropriate absorbent materials	
9	Sweep or shovel contaminated products and soil into leak proof containers for proper disposal at approved location	

THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lt. Governor

KATHLEEN A. THEOHARIDES  
Secretary

JOHN LEBEAUX  
Commissioner

Mr. Andrew Powers  
Vegetation Control Services  
2342 Main Street  
Athol, MA 01331

June 26, 2020

Dear Mr. Powers:

Pursuant to 333 CMR 11.05 (4), this shall serve as a notice of approval of the **City of Lowell Vegetation Management Plan (VMP) as modified. The approval is given by the attending members of the ROW Advisory Panel.** Copies of the approved VMP should be mailed to the Chief Elected Official, Board of Health and Conservation Commission of each municipality covered by the plan.

This approval is subject to all the provisions of (333 CMR 11.00-all). It will remain in effect for the years 2020 through 2024, unless suspended, revoked, or modified.

Please be advised, any violations of the Massachusetts Pesticide Control Act, MGL, Chapter 132 B or the Regulations promulgated thereunder, 333 CMR inclusive, may subject the responsible party or parties to agency action and referral of this matter to the Office of the Attorney General, Commonwealth of Massachusetts or the local District Attorney's office for civil or criminal prosecution.

Thank you for your time and efforts in this program.

Sincerely,

John Lebeaux  
Commissioner

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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KATHLEEN A. THEOHARIDES  
Secretary

JOHN LEBEAUX  
Commissioner

Mr. Andrew Powers  
Vegetation Control Services  
2342 Main Street  
Athol, MA 01331

June 29, 2020

Dear Mr. Powers:

After reviewing the Yearly Operational Plan (YOP) submitted for the “**City of Lowell**”, 2020, the Department feels the plan adequately satisfies the requirements put forth by the Department for approval.

The Department must be made aware of any compromises or agreements between the applicant and citizen(s)/departments of the municipality, as soon as it/ they are confirmed so that these compromises and or agreements will become part of the YOP. Those compromises or agreements made known to the Department by written confirmation will cause the YOP to be "modified."

Any violations of the Massachusetts Pesticide Control Act, MGL Chapter 132 B or the regulations promulgated hereunder, 333 CMR, inclusive, may subject the responsible party or parties to further agency action and referral of this matter to the Office of the Attorney General, Commonwealth of Massachusetts, or the local District Attorney's Office for civil or criminal prosecution.

On behalf of the Department of Agricultural Resources, we appreciate your continued cooperation throughout this process. Please call if you have any questions.

Sincerely,

*Clayton L. Edwards*

Clayton L. Edwards  
ROW Coordinator

**Public Notice**  
**RIGHT-OF-WAY MAINTENANCE**

As required by Massachusetts General Law Chapter 85, the City of Lowell Department of Consolidated Public Works hereby gives notice that it intends to apply herbicides along select locations on the town's public ways to control vegetation that poses a public nuisance and/or poses a safety risk to pedestrian or vehicular safety on roads, sidewalks, curbs, medians/traffic islands and bicycle paths.

Rodeo, Krenite S, Escort XP or Patriot, Garlon 4 Ultra and Polaris, in appropriate combinations will be selectively applied to the foliage or trunks of target vegetation using hand-held equipment between [insert date 48 hours after notice is published] and Oct. 15<sup>th</sup> and cut stumps will be treated to prevent resprouts between [insert date 48 hours after notice is published] and Dec. 31<sup>st</sup>. Lowell utilizes herbicides as a key component of their integrated vegetation management (IVM) program. This public way IVM program is a combination of cultural, physical, mechanical, and chemical management techniques that control undesirable vegetation in an ecologically sound manner.

No application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

Questions may be directed to:

The Department of Public Works  
978-674-4111  
1365 Middlesex Street  
Lowell, MA 01852

# Lowell Regional Water Utility

815 Pawtucket Blvd., Lowell, MA 01854

## 2019 Annual Water Quality Report

Volume 22

PWS ID # MA 3160000

BOH  
8-5-20

### ~ OUR PRIDE FLOWS ~

**Dear Consumer:** The Lowell Regional Water Utility (LRWU) is proud of the fine drinking water it provides to the residents of Lowell and to several of our neighboring communities. We are pleased to present a summary of the quality of the water provided to you during the calendar year 2019. The USEPA 1996 Safe Drinking Water Act (SDWA) requires that all utilities across the country issue an annual "Consumer Confidence Report" to their customers in addition to other notices that may be required by law. This report details where our water comes from, what it contains, and the possible risks to the health of certain segments of the population. Our constant water testing and the continuously updated treatment plant are designed to insure that we are providing you with the safest and most reliable water supply. We encourage public interest and participation in our community's decisions affecting drinking water. Informed consumers are our best allies in maintaining safe drinking water. All requests for information or any questions regarding this Water Quality Report should be directed to Steven Duchesne, Superintendent of Operations, at 978-674-1677, or Fax at 978-970-4235.

**From the desk of Steven Duchesne, Operations Superintendent:** Over the last two decades, the Lowell Regional Water Utility's (LRWU's) primary focus has been to improve the quality, pressure and reliability of the City's water supply. We have performed numerous upgrades to the treatment plant and distribution system, each of which was required to satisfy regulatory requirements and improve water service to consumers. I am proud to report that the City of Lowell continues to provide residents with the highest water quality at one of the lowest rates in the Commonwealth at \$2.13 per hundred cubic feet(HCF). In fact, despite the significant amount of work performed on our water system in recent years, of over 270 communities and water systems in Massachusetts, our water rates continue to be in the lowest 5% in the state. Today, the LRWU is continuing its focus on improving water service to the consumer population it serves. Recently completed projects and new projects currently underway will further improve the quality, pressure, and reliability of the water we deliver to consumers. We are also continuing to improve the overall efficiency of the water treatment plant and pumping operations. These projects include improvements to the distribution system, pumping stations, metering, and water treatment plant. Each of these projects is critical to the LRWU's ongoing effort to reliably deliver high quality water for many years to come.

### Overview:

In 2019, the LRWU purified more than 4.1 billion gallons (4,167,000,009) of drinking water delivered to approximately 135,000 residents and businesses in the communities of Lowell, Dracut, Tewksbury, Tyngsboro, and Chelmsford. **Lead and Copper:** The annual monitoring rounds of lead and copper "tap sampling" were performed for the years 2000, 2001, 2002, and 2003. In all required compliance testing rounds, the 90<sup>th</sup> percentile action level for lead (0.015 mg/l) and copper (1.3 mg/l) were not exceeded, and haven't since. The next rounds of lead and copper sample monitoring will be collected during summer 2020.

**An Explanation of the Water-Quality Data Table:** Unless otherwise noted, this report is based upon tests conducted in the year 2019 by the Lowell Regional Water Utility's certified Laboratory Director, Treatment Plant Operators, and by certified water-testing laboratories. Terms used in the Water-Quality Table and in other parts of this report are defined here.

**Maximum Contaminant Level - (MCL):** The highest level of a contaminant that is allowed in drinking water. MCL's are set as close to the MCLG's as feasible using the best available treatment technology.

**Maximum Contaminant Level Goal - (MCLG):** The level of a contaminant in drinking water below, which there is no known or expected risk to health. MCLG's allow for a margin of safety.

**Maximum Residual Disinfectant Level - (MRDL):** The highest level of a disinfectant (chlorine) allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

**Maximum Residual Disinfectant Level Goal - (MRDLG):** The level of a drinking water disinfectant (chlorine) below, which there is no known or expected risk to health. MRDLG's do not reflect the benefits of the use of disinfectants to control microbial contaminants.

**Action Level - (AL):** The concentration of a contaminant that, if exceeded, triggers a treatment or other requirement, which a water system must follow.

**Treatment Technique - (TT):** A required process intended to reduce the level of a contaminant in drinking water.

### Key to Table:

ppm = parts per million, or milligrams per liter (mg/l)  
ppb = parts per billion, or micrograms per liter (µg/l)  
ppt = parts per trillion  
pCi/l = picocuries per liter (a measure of radioactivity)  
TT = Treatment Technique  
AL = Action Level  
N/A = Not Applicable  
MDL = Method Detection Limit  
ORSG = Office of Research and Standards Guideline

MRDL = Maximum Residual Disinfectant Level  
MRDLG = Maximum Residual Disinfectant Level Goal  
< > = less than or greater than  
MCL = Maximum Contaminant Level  
MCLG = Maximum Contaminant Level Goal  
NTU = Nephelometric Turbidity Units  
N/D = Non-Detectable  
90<sup>th</sup> % = Out of 10 homes, 9 were at or below this level

## 2019 Water Quality Data Table

Contaminant Detected	Unit	MCL	MCLG	Level Detected	Range of Detection	Major Sources	Violation
<b>Regulated Contaminants</b>							
Nitrate	ppm	10	10	0.214	0.214	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion from natural deposits.	NO
Fluoride * (see below)				0.84	0.51 to 0.84	Water additive which promotes strong teeth.	NO
* State (MCL)	ppm	2	none				
* EPA (MCL)	ppm	4	none				
Sodium	ppm	none	none	33.0	33.0	Erosion of natural deposits; road salt and water treatment chemicals.	NO
Chlorite	ppm	1.0	0.8	0.37	0.09 to 0.37	By-product of drinking water disinfection.	NO
Turbidity (see note)	NTU	1.0	TT= 100 %	0.19	0.02 to 0.19	Soil runoff.	NO
TT = lowest percentage of monthly samples < 0.3 NTU							
<b>Note:</b> Turbidity is a measure of the cloudiness of the water. We monitor it because it is a good indicator of the effectiveness of our filtration system.							
Disinfectant residual	ppm (MRDL) 4	(MRDLG) 4		1.17	0.74 to 1.17	By-product of drinking water disinfection.	NO
Perchlorate	ppb	2.0	none	0.39	0.39	Rocket propellants, fireworks, munitions, flares, blasting agents. Aged water treatment disinfection chemicals.	NO
<b>Volatile Organic Contaminants</b>							
(TTHM) [Total Trihalomethanes]	ppb	80	0	(47)	20 to 47	By-product of drinking water chlorination.	NO
(Highest Running Annual Average)							
<b>Disinfection By-Product Contaminants</b>							
(HAA) [Halo-acetic Acids]	ppb	60	0	(11)	3.8 to 11.0	By-product of drinking water chlorination.	NO
(Highest Running Annual Average)							
<b>Unregulated Contaminants</b>							
MTBE	ppb	none	none	N/D	N/D < 0.5	Gasoline Additive.	NO
Chloroform	ppb	none	none	14.6	5.8 to 14.6	By-product of drinking water chlorination.	NO
Bromodichloromethane	ppb	none	none	5.7	1.4 to 5.7	By-product of drinking water chlorination.	NO
Sulfate	ppm	none	none	3.0	3.0	Mineral and nutrient	NO
<u>PFAS (Per-and Polyfluoroalkyl substances including PFOS and PFOA)</u>							
<b>ORSG</b>							
Perfluorooctane Sulfonic Acid (PFOS)	ppt	none	20 ppt	1.2	1.0 to 1.3	Surfactant or emulsifier; used in fire-fighting foam, circuit board etching acids, alkaline cleaners, floor polish, and as a pesticide active ingredient for insect bait traps; U.S. manufacture of PFOS phased out in 2002; however, PFOS still generated incidentally and in some older products.	NO
Perfluorooctanoic Acid <sup>1</sup> (PFOA)	ppt	none	20 ppt	2.4	1.9 to 2.9	Perfluorinated aliphatic carboxylic acid; used for its emulsifier and surfactant properties in or as fluoropolymers (such as Teflon), fire-fighting foams, cleaners, cosmetics, greases and lubricants, paints, polishes, adhesives and photographic film	NO
Perfluorohexanesulfonic <sup>1</sup> (PFHxS)	ppt	none	20 ppt	< 2.0	N/D < 2.0	Manmade chemical; used in products to make them stain, grease, heat and water resistant	NO
Perfluoroheptanoic Acid <sup>1</sup> (PFHpA)	ppt	none	20 ppt	1.0	0.79 to 1.3	Manmade chemical; used in products to make them stain, grease, heat and water resistant	NO

## 2019 Water Quality Data Table cont'd

Contaminant Detected	Unit	MCL	MCLG	Level Detected	Range of Detection	Major Sources	Violation
<b>Unregulated Contaminants</b>							
<u>PFAS (Per-and Polyfluoroalkyl substances including PFOS and PFOA)</u>							
Perfluorononanoic Acid <sup>1</sup> (PFNA)	ppt	none	<b>ORSG</b> 20 ppt	< 2.0	N/D < 2.0	Manmade chemical; used in products to make them stain, grease, heat and water resistant	NO
Perfluorodecanoic Acid (PFDA)	ppt	none	20 ppt	0.95	0.95 to < 2.0	Manmade chemical; used in products to make them stain, grease, heat and water resistant	NO
<p>There is currently no drinking water standard for PFAS as a group by the US Environmental Protection Agency (USEPA). USEPA has set Health Advisories for two PFAS compounds, PFOA and PFOS. Based on chemical similarities, MassDEP considers four other PFAS compounds, PFNA, PFHxS, PFHpA and PFDA, to be of similar concern and has established an Office of Research and Standard Guideline (ORSG) for these six PFAS as a group.</p>							
<p>Unregulated contaminants are those for which EPA has not established drinking water standards. The purpose of unregulated contaminant monitoring is to assist EPA in determining their occurrence in drinking water and whether future regulation is warranted.</p>							
<b>Radionuclides</b> next round of testing 2023							
Gross Alpha	pCi/l	15	0	0.04 (+-0.6)	N/A	Erosion of natural deposits	NO
Radium 228	pCi/l	5	0	- 0.20 (+-0.6)	N/A	Erosion of natural deposits	NO
Contaminant	Unit	AL	MCLG	90 <sup>th</sup> % Value	# of Samples Above AL	Major Sources	Violation
Lead	ppb	15	0	.001	1 of 50	Corrosion of household plumbing systems. Erosion of natural deposits;	NO
Copper	ppm	1.3	1.30	.029	0 of 50	Corrosion of household plumbing systems. Erosion of natural deposits; Leaching from wood preservatives	NO

Finished water pH 7.7 to 8.1

### Water Source:

The only water supply for Lowell's Water Treatment Plant is the surface water from the Merrimack River, which has its source in the White Mountains of New Hampshire. The Intake Station is situated on the riverbank north of the city and water is pumped one half mile to the treatment plant. The interconnections with the surrounding communities are to supply them with water; they cannot supply water to Lowell. A draft source water assessment (SWAP) was completed by the Massachusetts DEP. The (SWAP) report is available at the water utility for any parties interested.

A susceptibility ranking of High was assigned to this system using the information collected during the assessment by the DEP. As with many water systems, this watershed contains potential sources of contamination. However, source protection measures reduce the risk of actual contamination. The Lowell Regional Water Utility was commended for taking an active role in protecting their drinking water source. Some examples of the staff's good work include the following:

**Emergency Planning and Response** – The Utility works with upstream communities in Massachusetts and New Hampshire on emergency response planning. The City has an emergency management committee and has coordinated activities with the Massachusetts Emergency Management Agency (MEMA).

**Communication with Other Communities** – The Utility maintains contact with upstream and downstream communities, including those in New Hampshire, on a variety of source protection issues.

## Unregulated Contaminants:

Our utility participated in a major drinking water quality-testing program in 1998 called the **Information Collection Rule (ICR)**. One of the contaminants we tested for is the parasite *Cryptosporidium* which has caused outbreaks of intestinal disease in the U.S. and overseas. *Cryptosporidium* is the only contaminant for which source water monitoring results must be reported. It is common in surface water, very hard to kill, and even a well-run water system will contain some live parasites. The U.S. Environmental Protection Agency (EPA) is working to resolve several scientific issues that will allow it to set *Cryptosporidium* safety standards. Our testing, performed quarterly in 1998 on the river water, revealed the presence of *Cryptosporidium*, but no precaution about our drinking water is currently needed for the general public, since **Cryptosporidium was not found in the finished treated drinking water that goes to your tap!**

## Required Educational Information:

Drinking water, *including bottled water*, may reasonably be expected to contain at least small amounts of some contamination. The presence of contaminants does not necessarily indicate that water poses a health risk. Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about potential health effects of their drinking water from their health care providers. In order to ensure that tap water is safe to drink, EPA prescribes regulations that limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in *bottled water* that must provide the same protection for public health. Contact the EPA's Safe Drinking Water Hotline (800-426-4791) for more information about contaminants and potential health effects; and EPA/CDC guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants.

**Perchlorate** - Perchlorate interferes with the normal function of the thyroid gland and thus has the potential to affect growth and development, causing brain damage and other adverse effects, particularly in fetuses and infants. Pregnant women, the fetus, infants, children up to the age of 12, and people with a hypothyroid condition are particularly susceptible to perchlorate toxicity.

**Fluoride** was added to prevent tooth decay/cavities.

**Lead** - "If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The Lowell Regional Water Utility is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline 1.800.426.4791 or at: <http://www.epa.gov/safewater/lead>.

## Contaminants that may be present in source water include:

The sources of drinking water (*both tap water and bottled water*) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

- (A) **Microbial contaminants;** such as viruses and bacteria, may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- (B) **Inorganic contaminants;** such as salts and metals, can be naturally-occurring or result from urban storm water runoff, industrial, or domestic wastewater discharges, oil and gas production, mining, or farming.
- (C) **Pesticides and herbicides;** may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- (D) **Organic chemical contaminants;** include synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff and septic systems.
- (E) **Radioactive contaminants;** can be naturally occurring or be the result of oil and gas production and mining activities.

## CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION

The Lowell Regional Water Utility makes every effort to ensure that the water delivered to your home and business is clean, safe and free of contamination. Our staff works very hard to protect the quality of the water delivered to our customers from the time the water is extracted from the Merrimack River, throughout the entire treatment and distribution system. But what happens when the water reaches your home or business?

### What is a cross-connection?

A cross-connection occurs whenever the drinking water supply is or could be in contact with potential sources of pollution or contamination. Cross-connections exist in piping arrangements or equipment that allowed the drinking water to come in contact with non-potable liquids, solids or gases (hazardous to humans) in event of a backflow.

### What is a backflow?

Backflow is the undesired reverse of the water flow in the drinking water distribution lines. This can occur when the pressure created by an equipment or system such as a boiler or air-conditioning is higher than the water pressure inside the water distribution line (backpressure), or when the pressure in the distribution line drops due to routine occurrences such as water main breaks or heavy water demand causing the water to flow backward inside the water distribution system (back-siphonage).

### What can I do to help prevent a cross-connection?

- NEVER submerge a hose in soapy water buckets, pet watering containers, pool, tubs, sinks, drains or chemicals.
  - NEVER attached a hose to a garden sprayer without the proper backflow preventer.
  - Buy and install a hose bibb vacuum breaker in any threaded water fixture. The installation can be as easy as attaching a garden hose to a spigot. This inexpensive device is available at most hardware stores and home-improvement centers.
  - Identify and be aware of potential cross-connections to your water line.
  - Buy appliances and equipment with a backflow preventer
  - Buy and install backflow prevention devices or assemblies for all high and moderate hazard connections.
  - If you are the owner or manager of a property that is being used as a commercial, industrial or institutional facility you must have your property's plumbing system surveyed for cross-connection by your water purveyor. If your property has NOT been surveyed for cross-connection, contact your water department to schedule a cross-connection survey. For more information, please contact Thomas Laird at (978) 674-1683

Le rapport contient des informations concernant la qualité de l'eau de votre communauté. Faites-le traduire, ou parlez-en à un ami qui le comprend bien.

El informe contiene información importante sobre la calidad del agua en su comunidad. Tradúzcalo o hable con alguien que lo entienda bien.

O relatório contém informações importantes sobre a qualidade da água da comunidade. Traduza-o ou peça ajuda de uma pessoa amiga para ajudá-lo a entender melhor.

“នៅក្នុងរបាយការណ៍នេះមានព័ត៌មានសំខាន់ៗណាស់ ដែលទាក់ទងនឹងគុណភាពនៃទឹកប្រើនៅក្នុងសង្គមរបស់លោកអ្នក។ សូមមកស្រុះស្រួលរបាយការណ៍នេះ ឬក៏យកទៅជំរាញជាមួយមិត្តភក្តិស្រីលោកអ្នកដែលយល់ពីរបាយការណ៍នេះ បានច្បាស់ណាស់។”

Η έκθεση αυτή περιέχει σημαντικές πληροφορίες σχετικά με την ποιότητα του νερού της περιοχής σας. Εάν έχετε δυσκολία να καταλάβετε το περιεχόμενό της, παρακαλείσθε όπως ζητήσετε από γνωστούς ή φίλους σας να σας την μεταφράσουν.

**Lowell Regional Water Utility**  
**815 Pawtucket Blvd.**  
**Lowell, MA 01854**

“There’s a lot to like about Lowell” (2019 Water Quality Report)

LOWELL COVID-19 MOBILE TESTING SITES

Provider	Testing Location	Testing Hours	Contact	Details	Staff Language Capacity
Lowell Community Health Center	Lowell Community Health Center 161 Jackson Street	July 10–August 14  Tues and Thurs: 9 a.m. – 1 p.m.	978-937-9700	Pre-registration strongly encouraged, walk-up/drive through available	English, Spanish, other languages via interpreter services
Lowell Community Health Center	Lowell Health Department 341 Pine Street	July 20-24  Mon and Tues: 3 p.m. – 6 p.m.  Wed, Thurs, Fri: 9 a.m. – 12 p.m.	978-937-9700	Pre-registration strongly encouraged, walk-up/drive through available	English, Spanish, other languages via interpreter services
Lowell Community Health Center	Coalition for a Better Acre (CBA)  Near 517 Moody Street at North Canal Parking Lot	July 27-31  Mon and Tues: 3 p.m. – 6 p.m.  Wed, Thurs, Fri: 9 a.m. – 12 p.m.	978-937-9700	Pre-registration strongly encouraged, <b>*walk-up services only, no drive-through available*</b>	English, Spanish, other languages via interpreter services
Lowell Community Health Center	Robinson Middle School 110 June Street	August 3-7  Mon and Tues: 3 p.m. – 6 p.m.  Wed, Thurs, Fri: 9 a.m. – 12 p.m.	978-937-9700	Pre-registration strongly encouraged, walk-up/drive through available	English, Spanish, other languages via interpreter services
Lowell Community Health Center	Cambodian Mutual Assistance Association (CMAA)  465 School Street	August 10-14  Mon and Tues: 3 p.m. – 6 p.m.  Wed, Thurs, Fri: 9 a.m. – 12 p.m.	978-937-9700	Pre-registration strongly encouraged, <b>*walk-up services only, no drive-through available*</b>	English, Spanish, other languages via interpreter services

EMERGENCY ALERTS

HIDE ALERTS ^

## Coronavirus Update

Stay informed about COVID-19: Latest on cases, guidance, regulations *Jul. 28th, 2020, 9:00 am*

[Read more](#) ▶

Reopening Massachusetts - Learn more about the phased approach *Jul. 2nd, 2020, 12:00 pm*

[Read more](#) ▶



Mass.gov

# COVID-19 Travel Order

Effective August 1, 2020, all visitors and returning residents entering Massachusetts must follow new travel orders. The Commonwealth has made great progress to slow the spread of COVID-19 and gradually re-open the economy, and all visitors have a responsibility to help us keep transmission levels as low as possible.

All visitors entering Massachusetts, including returning residents, who do not meet an exemption, are required to:

- Complete the [Massachusetts Travel Form](/forms/massachusetts-travel-form) prior to arrival, unless you are visiting from a lower-risk state designated by the [Department of Public Health](/orgs/department-of-public-health).
- Quarantine for 14 days or produce a negative COVID-19 test result that has been administered up to 72-hours prior to your arrival in Massachusetts.

If your COVID-19 test result has not been received prior to arrival, visitors, and residents must quarantine until they receive a negative test result.

Failure to comply may result in a **\$500 fine per day**.

Please find more information below, including the list of lower-risk states, exemptions, business guidance and other details.

Prior to the effective date, the [existing travel policy can be found here](#) (</info-details/travel-information-related-to-covid-19>).

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## Massachusetts Travel Form

All individuals entering Massachusetts after 12:01 a.m. on August 1, 2020 who are over the age of 18 or an unaccompanied minor must complete and submit the on-line [Massachusetts Travel Form](#) (</forms/massachusetts-travel-form>) unless the individual meets an exemption below:

- **Lower-risk State:** This includes individuals coming from a COVID-19 lower-risk state within the United States, as detailed below.

- **Transitory travel:** This includes people who are passing through Massachusetts and permits travelers to drive through the State or to connect to their airplane, bus or train, or to stop at a highway rest stop, but this exception extends only so long as is reasonably required for the traveler to complete their transit, make any necessary airplane, bus, or train connection, or make use of travel services such as at a highway rest stop.
- **Persons Commuting for Work or School:** People who regularly commute, at least weekly, outside of Massachusetts to a fixed place to attend school or work or any person who regularly commutes, at least weekly into Massachusetts to a fixed place to attend school or work; provided that in either case, this exception applies only to and from the person's residence and place of work or school. Workers or students who travel to any place that is not their home state for personal or leisure reasons cannot rely on this exemption.
- **Patients Seeking or Receiving Medical Treatment:** Patients who are traveling to Massachusetts to seek or receive specialized medical care from a physician located in the Commonwealth and persons accompanying and providing needed support to the patient.
- **Military Personnel:** Any person who is required to travel to Massachusetts at the order or directive of a Federal or State military authority.
- **Workers Providing Critical Infrastructure Services:** Workers who enter Massachusetts to perform critical infrastructure functions as specified in Version 3.1 of the listing published by the Federal Cybersecurity and Infrastructure Security Agency are exempt from quarantine while they are commuting to or from or while at work. For the first 14-days after arrival, when the worker is not at work or commuting to work they must quarantine. Additional information may be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce> (<https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>). Workers who travel to or from Massachusetts for personal or leisure reasons cannot rely on this exemption. ()

If you do not meet one of the exemptions above, you must complete and submit the online [Massachusetts Travel Form \(/forms/massachusetts-travel-form\)](/forms/massachusetts-travel-form).

Failure to submit a completed [Massachusetts Travel Form \(/forms/massachusetts-travel-form\)](/forms/massachusetts-travel-form), when required, or failure to comply with the quarantine requirement, if applicable, **may result in a \$500 fine per day**. Additional information about both the [Massachusetts Travel Form \(/forms/massachusetts-travel-form\)](/forms/massachusetts-travel-form) and the 14-day quarantine requirement, can be found in this

## [comprehensive guidance issued by the Massachusetts Department of Public Health](#)

[\(/guidance/guidance-for-travelers-arriving-in-the-commonwealth-of-massachusetts\)](#).

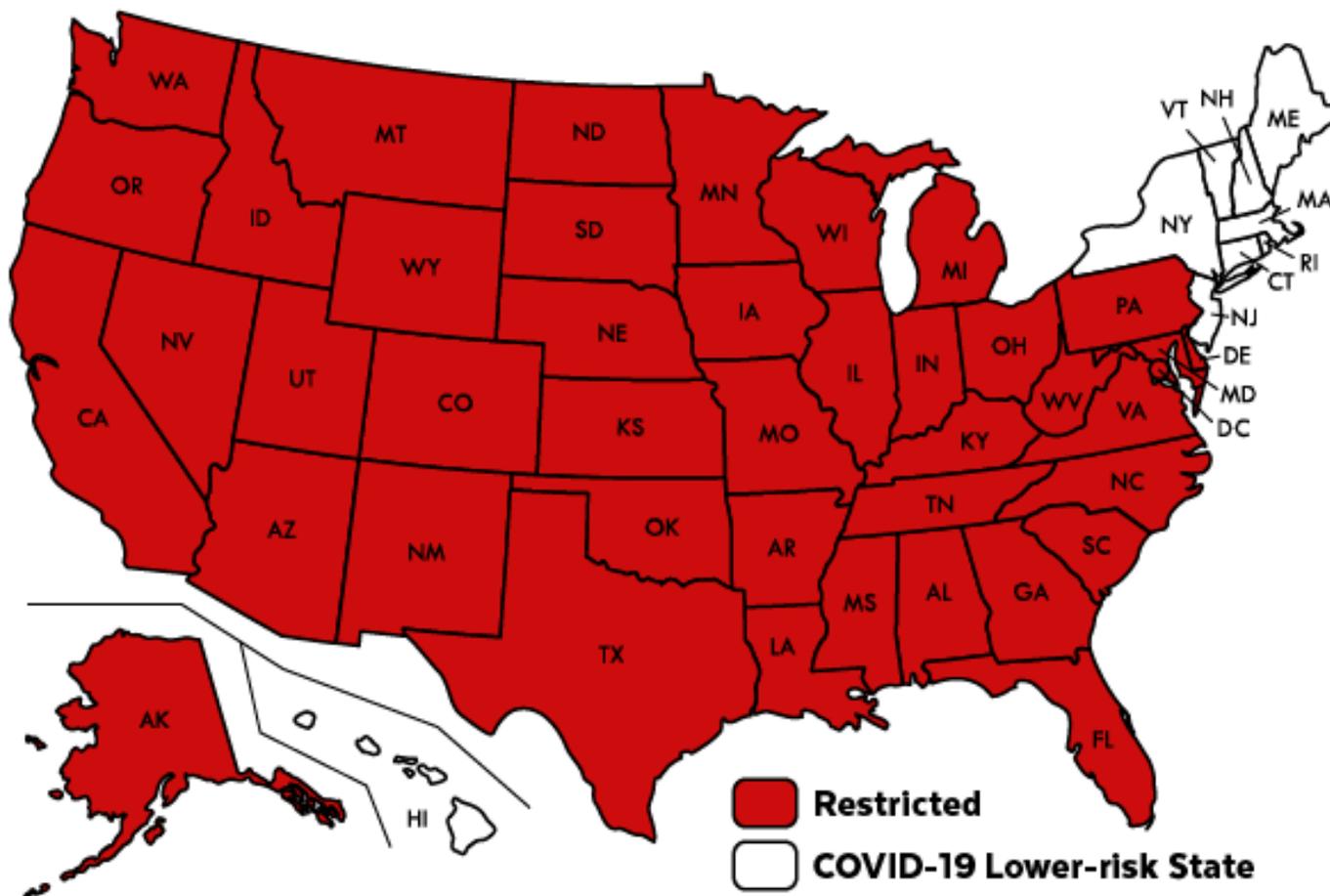
Thank you for helping us to continue to fight COVID-19.

## Lower-risk States

Travelers from COVID-19 lower-risk States are not required to fill out the [Massachusetts Traveler Form](#) ([/forms/massachusetts-travel-form](#)) and do not need to quarantine. States are included on the list based on meeting two criteria: average daily cases per 100K below 6 AND positive test rate below 5%, both measured as a 7-day rolling average. Data is from [covidexitstrategy.org](https://www.covidexitstrategy.org/) (<https://www.covidexitstrategy.org/>) as of July 21, 2020.

The current list of COVID-19 lower-risk states includes:

- 
- Connecticut
  - New Hampshire
  - Rhode Island
  - Hawaii
  - New Jersey
  - Vermont
  - Maine
  - New York
-



Massachusetts residents are urged to limit any out-of-State travel only to States designated as COVID-19 lower-risk States.

In determining whether you are required to complete the [Massachusetts Travel Form](#) (</forms/massachusetts-travel-form>) and whether you may be required to comply with the 14-day quarantine requirement, you will be treated as “arriving from” a place other than a COVID-19 lower-risk state if you were present in any State or jurisdiction not on the list of COVID-19 lower-risk states for more than a transitory period of time in the last 14 days.

Anyone arriving from an international destination must fill out the [Massachusetts Travel Form](#) (</forms/massachusetts-travel-form>) and must quarantine for 14 days or meet the 72-hour testing rule.

## Quarantine Requirement and Testing Options

### 14-Day Quarantine Requirement

All individuals entering Massachusetts after 12:01 a.m. on August 1, 2020 must quarantine for 14 days from the date of arrival in Massachusetts unless the individual meets one of the criteria below:

- **Lower-risk State:** This includes individuals coming from a COVID-19 lower-risk state within the United States, as detailed above.
- **72-hour Testing Rule:** The individual can produce, upon request, proof of a **negative test** result for COVID-19 from a test administered on a sample taken no longer than 72 hours before your arrival in Massachusetts.
- **Transitory travel:** This includes people who are passing through Massachusetts and permits travelers to drive through the State or to connect to their airplane, bus or train, or to stop at a highway rest stop, but this exception extends only so long as is reasonably required for the traveler to complete their transit, make any necessary airplane, bus, or train connection, or make use of travel services such as at a highway rest stop.
- **Persons Commuting for Work or School:** People who regularly commute, at least weekly, outside of Massachusetts to a fixed place to attend school or work or any person who regularly commutes, at least weekly into Massachusetts to a fixed place to attend school or work; provided that in either case, this exception applies only to and from the person's residence and place of work or school. Workers or students who travel to any place that is not their home state for personal or leisure reasons cannot rely on this exemption.
- **Patients Seeking or Receiving Medical Treatment:** Patients who are traveling to Massachusetts to seek or receive specialized medical care from a physician located in the Commonwealth and persons accompanying and providing needed support to the patient.
- **Military Personnel:** Any person who is required to travel to Massachusetts at the order or directive of a Federal or State military authority.
- **Workers Providing Critical Infrastructure Services:** Workers who enter Massachusetts to perform critical infrastructure functions as specified in Version 3.1 of the listing published by the Federal Cybersecurity and Infrastructure Security Agency are exempt from quarantine while they are commuting to or from or while at work. For the first 14-days after arrival, when the worker is not at work or commuting to work they must quarantine. Additional information may be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

<https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>). Workers who travel to or from Massachusetts for personal or leisure reasons cannot rely on this exemption.

Travelers who are required to complete a 14-day quarantine on arriving in Massachusetts will be contacted to remind them of their continuing obligation to quarantine.

Individuals who do not comply with their obligation to quarantine are subject to a **\$500 fine per day**.

## Testing as an Alternative to Quarantine

You do not need to quarantine for 14 days if you took a test for COVID-19 and have received a negative result. The specimen for the test must have been collected no longer than 72 hours before your arrival in Massachusetts, and the testing must be by a method approved by the [Massachusetts Department of Public Health](/service-details/about-the-department-of-public-health) (</service-details/about-the-department-of-public-health>). Upon request, you must be able to demonstrate proof of the negative test result.

If you took a test prior to your arrival but have not received your negative result, you **MUST quarantine** until you receive the negative result. You may obtain a test at your own expense after your arrival in Massachusetts, but you **MUST quarantine** until you obtain a negative result. [Use the COVID-19 testing map to find a site near you](/covid-19-testing) (</covid-19-testing>).

Information about approved molecular tests can be found in the [Department of Public Health Guidance](/guidance/guidance-for-travelers-arriving-in-the-commonwealth-of-massachusetts) (</guidance/guidance-for-travelers-arriving-in-the-commonwealth-of-massachusetts>). A negative result from an antigen test must be confirmed by a negative result from an FDA EUA-approved molecular (PCR) SARS-CoV2 test, on a sample obtained 72 hours or less prior to arrival in Massachusetts. Serology tests will not be accepted.

Visitors are strongly urged to obtain a negative result before traveling to Massachusetts.

Testing for children, 10 years and younger, who are traveling with an adult from their household is not required.

Individuals who do not comply with the requirement to quarantine are **subject to a fine of \$500 per day.**

## How to Quarantine

Travelers who do not fall within the one of the three exemption categories detailed above:

1. coming from a lower-risk state,
2. meeting the 72-hour testing rule, or
3. meeting a limited circumstance-specific exemption, must quarantine beginning immediately upon arrival in Massachusetts.

The quarantine must continue for a period of 14 days unless the traveler leaves the State sooner.

The requirements for quarantining are as follows:

- Travelers, along with their travel party, must separate from all other people for 14 days.
- Travelers must not be in public or otherwise leave the identified quarters.
- The living quarters must have a separate bathroom facility for each individual or family group. Access to a sink with soap, water, and paper towels is necessary. Cleaning supplies (e.g. household cleaning wipes, bleach) must be available in the bathroom.
- Travelers must have a way to self-quarantine from other household members if a fever or other symptoms develop, in a separate room(s) with a door.
- During the quarantine period, no one else should be in the living quarters other than those in the Travel Party, including hotel staff or delivery persons, as applicable.
- Food must be delivered to the living quarters.
- Travelers must have a sufficient supply of [face masks or face coverings to wear](#) ([/news/wear-a-mask-in-public](#)) and must be compliant with the Massachusetts' masking order <https://www.mass.gov/doc/may-1-2020-masks-and-face-coverings/download> ([/doc/may-1-2020-masks-and-face-coverings/download](#)).

- Travelers are not to leave their living quarters except to receive urgent medical care.
- Travelers should [engage in proper hygiene](/info-details/covid-19-prevention-and-treatment) (/info-details/covid-19-prevention-and-treatment) including washing hands frequently using soap and water for at least 20 seconds. If soap and water are not available, an alcohol-based hand sanitizer that contains at least 60% alcohol may be used.
- Travelers should remain aware of potential COVID like symptoms including: fever (temperature over 100.0 degrees); cough; difficulty breathing; shortness of breath; chills; muscle or body aches; runny nose or nasal congestion; new loss of taste or smell; headache; nausea; vomiting or diarrhea. **Travelers with any of these symptoms should immediately contact a healthcare provider.**
- If no one in the Travel Party develops symptoms, then the travel party may continue with their normal activities after 14 days.

**These requirements are in addition to Massachusetts requirements for wearing a mask or other face covering in both indoor and outdoor settings, any time you cannot socially distance and remain 6 feet from other people.**

## What Happens if I Develop COVID-19 Symptoms While in Massachusetts?

The 72-hour test is a diagnostic test that is a point in time clinical measurement. If you develop symptoms, you may need to be tested again and may need medical attention.

## Leaving Massachusetts Prior to Completion of Quarantine

A traveler may choose to leave Massachusetts before the completion of his or her 14-day quarantine.

## Information for Employers

Employers are strongly discouraged from requiring or allowing business-related travel to non-lower-risk states, as indicated in red on the map above. Employers that permit employer-paid or -reimbursed travel to non-lower-risk states should take measures to ensure employees comply with the [Travel Order \(/doc/july-24-2020-travel-order-pdf/download\)](/doc/july-24-2020-travel-order-pdf/download). Employers are also urged to strongly discourage their employees from taking leisure travel to non-lower-risk destinations.

## International Travel

Consult with the [U.S. Department of State website \(https://travel.state.gov/content/travel/en/international-travel.html\)](https://travel.state.gov/content/travel/en/international-travel.html) for COVID-19 information regarding international travel.

All International travelers arriving in Massachusetts must complete the [Massachusetts Travel Form \(/forms/massachusetts-travel-form\)](/forms/massachusetts-travel-form) and must quarantine for 14 days unless they can provide proof of a negative test result that meets the criteria stated above or they are covered by one of the other, limited exceptions.

## Stop the Spread

### We All Must Do Our Part to Stop the Spread

(/info-details/stop-the-spread): **Protect Yourself and Others**

- Avoid public places, including while traveling, if possible
- Massachusetts law requires you to wear a mask if
  - You are within 6 feet of distance from other individuals
  - In a situation or setting where you are unable to maintain 6 feet of distance from others
  - In a public business or public or private transportation carrier or for-hire vehicle
- Wash your hands often with soap and water for at least 20 seconds, especially before you eat

- Avoid touching your eyes, nose, and mouth with unwashed hands
- Cover your cough and sneezes with a tissue and discard it in a closed container
- Clean frequently touched surfaces and objects

## Potential Other Traveler Scenarios

### 1. Does this apply to students arriving from other States or foreign countries to attend college or university or boarding school?

**Yes.** The travel rule applies to all persons entering Massachusetts from any point of origin. A student who enters Massachusetts from any place not included on the list of COVID-19 lower-risk States must quarantine for 14 days if the student cannot provide proof of a negative test result that meets the standards of the 72-hour test rule.

### 2. Does the rule apply to parents, guardians and family members who are dropping their students off for boarding school or college/university?

**Yes.** If a parent/guardian/family member is entering Massachusetts only to drop off the student and then immediately leaves the campus and the state, then they would meet the exemption of transitory travel. If they are staying overnight, then they are subject to the requirements of the travel order.

Parents, guardians, and family members who do not meet the transitory travel exemption and are coming into Massachusetts from any place other than a COVID-19 lower-risk State are required to either receive a negative test within 72 hours of coming into Massachusetts or quarantine for 14 days.

### 3. Where can I report concerns I may have about non-compliance with the order?

Individuals should contact the [Massachusetts Department of Public Health](#) (</service-details/about-the-department-of-public-health>) or the [Local Board of Health](#) (<https://mhoa.com/municipal-links/>).

**4. If I develop symptoms but had a negative test what should I do?**

The 72-hour test is a diagnostic test that is a point in time clinical measurement. If you develop symptoms, you may need to be tested again and may need medical attention.

**5. I received a call that I should go into quarantine because I was exposed to someone who tested positive for COVID-19. My test came back negative 3 days ago. Do I still need to quarantine?**

**Yes.** If you were exposed to someone known to be COVID-19 positive, then you are at increased risk of becoming positive and will need to quarantine for 14 days in your home state.

**6. I had an antigen test which was negative, do I need to be tested again?**

**Yes,** a negative antigen test must be confirmed by a negative result from an FDA EUA-approved molecular (PCR) SARS-CoV2 test on a sample obtained 72 hours or less prior to arrival in Massachusetts.

**7. I plan to arrive in Massachusetts on, or before, July 31, 2020, do I need to fill out the travel form?**

**No**

**8. I am traveling with my children from a non-lower-risk State. I took a test and have my negative result. Do my kids need a test for COVID-19 as well?**

It depends on each child's age. If your child is 10 or younger, then the child does not need a test. If the child is 11 or older, then the child needs to be tested or will need to quarantine for 14 days, unless an exemption criteria applies.



# Answering the call stops the spread!

**You are confirmed COVID positive**  
 您已被證實 COVID 陽性

**Wash your hands with soap and water several times throughout the day.**  
 您應該每天多次用肥皂和水洗手。

**Use hand sanitizer with at least 60% alcohol if soap and water are not available.**  
 如果沒有肥皂和水，請使用至少含有 60% 酒精的洗手液。

**You are asked for information on your recent contacts**  
 如果您最近有發燒、咳嗽、氣喘、或呼吸短促等症狀，請向醫生諮詢。

**A care resource coordinator will be assigned to you if you need a mask or other support during quarantine**  
 如果您在隔離期間需要口罩或其他支持，我們將指派一名護理資源協調員為您提供協助。

**You may receive a text and then a call from the MA COVID Team or your local health department**  
 您可能會收到來自麻州 COVID 團隊或您當地的衛生部門的短信或電話。

**Follow all social distancing recommendations including staying at home when asked.**  
 請遵守所有社交距離建議，包括在被要求時待在家中。

**Keep a 6-foot physical distance from other people.**  
 請與他人保持至少 6 英尺的距離。

**Sneeze and cough into your elbow.**  
 請將鼻涕和咳嗽擤入手肘。

**We will reach out to your contacts to encourage testing and quarantine**  
 我們將聯繫您的接觸者，鼓勵他們進行測試和隔離。

**Your contacts get the help they need to quarantine**  
 您的接觸者將獲得他們所需的隔離協助。

## Answering the call stops the spread!

**You are confirmed COVID positive**  
 您已被證實 COVID 陽性

**What to expect if you receive a call from the MA COVID Team or your local health department**  
 如果您收到麻州 COVID 團隊或您當地衛生部門的電話，您可以預期：

- Confirm your name, address, and date of birth (姓名、地址和出生日期)
- Your symptoms and when you got tested (您的症狀和何時接受測試)
- Where you live and who lives with you (您住在哪裡以及與您同住的人)
- People you have been around and how best to get in contact with them (您曾與誰接觸以及最佳聯繫方式)

**You may be asked:**

- Confirm your name and date of birth (他們可能會詢問您的姓名和出生日期)
- Your symptoms and when you got tested (您的症狀和何時接受測試)
- Where you live and who lives with you (您住在哪裡以及與您同住的人)
- People you have been around and how best to get in contact with them (您曾與誰接觸以及最佳聯繫方式)
- What you are doing regarding your COVID status (他們可能會詢問您關於 COVID 的情況)

**You will be informed about:**

- How to isolate properly (如何正確隔離)
- People you have been around and how best to get in contact with them (您曾與誰接觸以及最佳聯繫方式)
- Test results (測試結果)
- What you are doing regarding your COVID status (您正在採取的 COVID 相關措施)

**You are asked for information on your recent contacts**  
 如果您最近有發燒、咳嗽、氣喘、或呼吸短促等症狀，請向醫生諮詢。

**Your social security number, your credit card number or bank account details will be assigned to you if you need support during quarantine**  
 如果您在隔離期間需要支持，我們將指派一名護理資源協調員為您提供協助。

**Your health insurance plan number or plan ID number**  
 您的健康保險計劃號碼或計劃 ID 號碼

**Your immigration status**  
 您的移民身份

## Self-Isolation Instructions

It is very important that you follow these self-isolation instructions to prevent the spread of COVID-19 to your family, friends and neighbors.

**Here for you**  
 這裡為您提供

**Your caller ID will show "MA COVID Team", a number that starts with 857 or 833, or the number of your local health department.**  
 您的來電號碼將顯示為「麻州 COVID 團隊」，以 857 或 833 開頭的號碼，或您當地衛生部門的號碼。

**Keep 6 feet distance from other people at all times. Sleep in a room and use a different bathroom if possible.**  
 隨時保持 6 英尺的距離。如果可能，請在單獨的房間睡覺並使用不同的浴室。

**Do not have visitors in your home.**  
 請勿讓訪客進入您的家。

**Do not share food or personal items.**  
 請勿分享食物或個人物品。

**Wash your hands throughout the day with soap and water for at least 20 seconds.**  
 每天多次用肥皂和水洗手至少 20 秒。

**Wipe down surfaces that you touch with bleach, if possible, or household cleaners.**  
 如果可能，請用漂白劑或家用清潔劑擦拭您接觸過的表面。

**Where you live and who lives with you**  
 您住在哪裡以及與您同住的人

**People you have been around and how best to get in contact with them**  
 您曾與誰接觸以及最佳聯繫方式

**They may tell you about your test results**  
 他們可能會告訴您測試結果

**Confirm your name and date of birth**  
 確認您的姓名和出生日期

**Where you live and who lives with you**  
 您住在哪裡以及與您同住的人

**People you have been around and how best to get in contact with them**  
 您曾與誰接觸以及最佳聯繫方式

**They may tell you about your test results**  
 他們可能會告訴您測試結果

**We will reach out to your contacts to encourage testing and quarantine**  
 我們將聯繫您的接觸者，鼓勵他們進行測試和隔離。

**Anyone you contact with (including anyone at your home) during your isolation must self-quarantine and watch for fever, cough, and other symptoms.**  
 您在隔離期間與任何人（包括您家裡的任何人）接觸時，必須自我隔離並觀察發燒、咳嗽和其他症狀。

**Your contacts get the help they need to quarantine**  
 您的接觸者將獲得他們所需的隔離協助。

**Call a doctor if you start to feel very sick. Call 9-1-1 if you have an emergency.**  
 如果您開始感到非常不適，請撥打 9-1-1 尋求緊急醫療援助。

**You will NOT be asked for:**

- Your social security number
- Your credit card number or bank account details
- Your health insurance plan number or plan ID number
- Your immigration status

For more information, visit [mass.gov/covid19](https://mass.gov/covid19) or call 2-1-1

# Mientras espera los resultados de su prueba

Si es sintomático o está en contacto con personas que han dado positivo con COVID-19, debe iniciar cuarentena y espera a recibir más información.

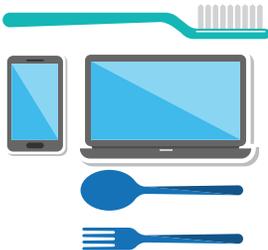


La cuarentena dura hasta 14 días a partir de la fecha de su última exposición, pero puede continuar si comienza a experimentar síntomas.



Limpie las superficies que toque con productos de limpieza domésticos o lejía diluida en agua. El virus COVID-19 puede vivir en superficies por días.

No comparta sus cosas con otros en casa.



No acepte visitas en su casa.



Quédese en casa excepto si necesita atención médica urgente. Si debe salir, use una mascarilla. Asegúrese de llamar a su médico antes de buscar atención médica. No tome el transporte público, viajes compartidos o taxis. Si no tiene automóvil y necesita transporte de emergencia, llame al **911**.



Lávese las manos a lo largo del día con agua y jabón durante al menos 20 segundos.



Mantenga una distancia de 6 pies (2 metros) con otras personas en todo momento, incluso en su hogar.

Si es posible, use un dormitorio y baño separados.



Llame a su médico si comienza a sentirse enfermo. Llame al 911 si tiene una emergencia.



**Para más información, visite [mass.gov/covid19](https://mass.gov/covid19) o llame al 2-1-1**

# Contestar la llamada detiene la propagación del virus

Usted ha sido confirmado positivo con COVID-19



Se le pedirá que confirme su información y sobre sus contactos recientes



Se le asignará un coordinador de recursos de atención si necesita apoyo durante el aislamiento



Será contactado por su departamento de salud local o por el MA COVID Team



su identidad será protegida



Nos comunicaremos con sus contactos para promover las pruebas y la cuarentena



Sus contactos obtendrán la ayuda que necesitan para permanecer en cuarentena

Su identificador de llamadas mostrará "MA COVID Team," un número que comienza con 857 u 833 o el número de su departamento de salud local



Qué esperar si recibe una llamada de MA COVID Team o su centro de salud local

## A usted se le podría preguntar:

- ✓ Confirme su nombre y fecha de nacimiento
- ✓ Sus síntomas y cuándo se hizo la prueba
- ✓ Dónde vive y quién vive con usted
- ✓ Las personas con las que ha estado y la mejor manera de ponerse en contacto con ellas

## Se le informará sobre:

- ✓ Los resultados de su prueba
- ✓ Cómo aislarse de forma correcta
- ✓ Cómo proteger a quienes viven con usted
- ✓ Qué esperar acerca de seguimiento de parte de su departamento de salud local o del MA COVID Team

## NO se le preguntará por:

- ⊗ Su número de seguridad social
- ⊗ Su número de tarjeta de crédito o detalles de su cuenta bancaria
- ⊗ Su número de plan de seguro de salud o número de identificación del plan
- ⊗ Su situación de inmigración

Para más información, visite [mass.gov/covid19](https://mass.gov/covid19) o llame al 2-1-1

**Board of Health Meeting – August, 2020**  
Community Health Division, Lowell Health Department

Community Health Coordinator (CHC)  
*Kate Elkins*

***COVID-19 Efforts***

- The CHC is providing support to the Health Director regarding COVID-19 communication efforts and community partnerships.
- The CHC has worked with the HHS Director to plan and coordinate the Lowell Stop the Spread campaign for COVID-19 testing, identifying and securing sites with our community partners to best serve our populations in most need.

***Flu Season 2020***

- The CHC assisted the Public Health Nursing Division with planning for flu season, which is expected to have higher volume than in the past, due to COVID-19.

***Healthy Living in Lowell***

- Healthy Living in Lowell filming is currently on hold due to COVID-19.

***Access to Equitable Physical Activity***

- The City of Lowell was awarded a grant from the Blue Cross Blue Shield of Massachusetts Foundation to establish more equitable opportunities for physical activity in Lowell over a three-year period.
- The “Healthy Walking Trails” project is on standby due to COVID-19.
- Stationary fitness equipment will be procured and a tentative installation timeframe of August 2020.

***Employee Health and Wellness***

- All activities are currently on hold due to COVID-19.

***Vision 2020 Grant***

- Mid-year report has been submitted to the Greater Lowell Health Alliance providing an update that 484 students at Lowell Public Schools received a vision screening using the SPOT Vision Screener (procured from grant funds). Screening efforts were cut short due to COVID-19 shutdown.

***Sun Safety Initiative***

- Sunscreen kiosks will be placed at public pool site, providing sunscreen at no cost to residents using facility.
- Kiosks were procured through a partnership with Impact Melanoma in 2019.

## **Board of Health Report – July 2020**

Substance Abuse and Prevention Division, Lowell Health Department

Substance Abuse Coordinator, Division Manager

*Lainnie Emond, LMHC*

### ***Prescription Drug Monitoring Program (PDMP) Grant Initiatives:***

- Lainnie continues to work with the Co-Chairs of the Mayor’s Opioid Epidemic Crisis Task Force. She has engaged in no planning as the March and April meetings were canceled due to social distancing measures.
  - *Upcoming Meetings: Monday June 29<sup>th</sup> from 5:30-6:30pm (virtually), no July meeting.*
- Lainnie continues to lead Data Subcommittee of the Mayor’s Opioid Task Force. Meetings are being held virtually. Agreed to hold off on creating a new “Opioid Trends in Lowell, MA” report until a topic is identified that would benefit the provider community during the COVID-19 response.
- Lainnie continues to work the Lowell Police Department and UMass Lowell grant partners to document the progress of the grant for the final report, as the PDMP grant ends in September 2020.

### ***Lowell CO-OP and Related Efforts:***

- Lainnie continues to be involved in administrative planning for the Lowell CO-OP, including co-facilitating Lowell CO-OP Supervisors Meetings and working with team and grant partners to ensure effectiveness of the team. All meeting are being held virtually or via conference call at this time.

### ***Additional Substance Abuse Coordinator Activities:***

- Lainnie continues to be the point person for [www.DrugFreeGreaterLowell.org](http://www.DrugFreeGreaterLowell.org) (see MOAPC report). Lainnie has been updating current and writing new content.
- Lainnie returned to working in to the office on June 19<sup>th</sup>.
- Lainnie continues to manage daily activities of the Substance Abuse and Prevention Division. The Division is checking-in twice a week via a virtual platform to share updates and provide mutual support.
- Lainnie attended the virtual New England Institute of Addiction Studies Summer School from June 1<sup>st</sup> – 4<sup>th</sup> via the MOAPC grant.
- Lainnie worked with partners from Tufts University, UMass Lowell, and Trinity EMS to edit their journal article entitled “Examining the spatial risk environment tied to the opioid crisis through a unique public health, EMS, and academic research collaborative: Lowell, Massachusetts, 2008-2018, which was submitted to Public Health Reports and is currently being considered for publication.

Massachusetts Opioid Abuse Prevention Collaborative (MOAPC)

*\*\* Lainnie Emond is overseeing the MOAPC Coalition and grant efforts in the interim\*\**

**Strategy One (implement Life Skills Training across the cluster):** Life Skills Training is an evidenced based prevention curriculum supported by the Bureau of Substance Addiction Services.

- No updates at this time.

**Grant Strategy Two (coordination and promotion of education on harm reduction strategies):**

- Several organizations within the MOAPC cluster offer Narcan training and Narcan kits while engaging in appropriate social distancing measures.
- Many towns in the Greater Lowell cluster continue to engage in post-overdose follow-up with precautions due to COVID-19.

**Drug Free Greater Lowell Website**

- [www.DrugFreeGreaterLowell.org](http://www.DrugFreeGreaterLowell.org) is being maintained via the MOAPC grant. The COVID-19 resource page related to mental health, substance abuse treatment and recovery, and youth prevention is being updated regularly.
- New content has been added about preventing youth vaping and marijuana use.

**2020 Drug Free Greater Lowell Website Analytics**

	Jan	Feb	Mar*	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Total page Views	645	497	--	470	430	--	--	--	--	--	--	--
Unique Page Views	496	362	--	329	295	--	--	--	--	--	--	--

*\*Analytics for March were unavailable at the time that this BOH report was submitted.*

**Other Updates**

- The MOAPC grant will be extended through June 30<sup>th</sup>, 2021. Due to the grant extension, the MOAPC Coalition Coordinator position job description will be posted.
- The June 16<sup>th</sup> Unwanted Medication and Sharps Disposal Day was postponed due to COVID-19 concerns. Planning to hold an upcoming Disposal Day is ongoing.
- The MOAPC grant paid for two MOAPC Coalition members to attend the virtual New England Institute of Addiction Studies Summer School from June 1<sup>st</sup> – 4<sup>th</sup>.

Partnerships for Success (PFS)  
*Shannon Gray, Outreach Health Educator*

**PFS Social Media Campaign:**

Shannon and the contracted graphic designer worked to create the finalized memes for the social media campaign. Instead of running focus groups with youth to gather their feedback on the memes, we will be gathering youth feedback from an online survey about the memes to adjust for social distancing measures placed because of COVID-19. This feedback will be gathered and analyzed by the end of this month.

***Strategy Two (social media and education dissemination to parents/guardians and high school-aged youth re: proper disposal and storage):***

**“Help Keep Our Kids Safe” Campaign:**

The prescription medication educational flier for parents/guardians was printed and 1,025 fliers were distributed to local programs that have access to parents/guardians. Shannon worked with PFS Coalition members to identify additional methods of flier distribution to reach parents/guardians of high-school aged youth. As social distancing measures set in place for COVID-19 have impacted direct contact for flier dissemination and education, PFS Coalition members have also been sharing the educational flier electronically to partners around the community. Shannon also created a new Prescription Medication page on [www.DrugFreeGreaterLowell.org](http://www.DrugFreeGreaterLowell.org). This resource will be available for the parents/guardians or youth themselves to access and learn more.

***Monthly Meeting:***

The most recent Partnerships For Success Coalition meeting was held on June 24<sup>th</sup> from 1-2pm via Zoom. The next Coalition meeting is scheduled for July 22<sup>nd</sup> and will be held virtually.

***Partnership For Success Updates:***

- PFS was able to order 40 locking medication pouches which are now available at the Lowell Health Department for community members who are in need of a safe and secure method to store their medications. These locking medication pouches will be distributed to community members who participate in the Lowell Health Department’s Unwanted Medication and Sharps Disposal Days and report that they lack a safe and secure way to store their medications. This does not happen often but, we would like to have them on hand for when this does occur.
- Due to the impact of COVID-19, Shannon and other nonessential staff at the Lowell Health Department have been working from home since the last week of March; however, Shannon will be returning to the office on June 29<sup>th</sup>. Shannon has continued to update a new timeline for PFS grant activities to adjust for recommendations set in place for COVID-19.
- Shannon has been able to attend virtual trainings while working from home. She was attended the 51st Annual New England Summer School of Addiction and Prevention Studies, which was a full week of different prevention topics. These trainings include topics such as youth substance use 101, neurobiology of addiction, harm reduction and more. The knowledge gained from these trainings will positively impact the PFS grant work moving forward.

Lowell Community Opioid Outreach Program (CO-OP) – **Overview**  
*Maricia Verma, Lowell CO-OP Supervisor*

**Lowell CO-OP Data**

--	May 2019	May 2020*	2019 Total	2020 Total
<b>Total Encounters</b>	88	17	667	151
<b>Unique Encounters</b>	52	5	378	83
<b>Initial Interaction</b>	17	1	100	22
<b>OD Follow-Up</b>	17	0	116	10
<b>Section 35</b>	5	0	20	3
<b>Clinical Clients</b>	3	4	40	14
<b>Disseminate Narcan</b>	13	0	141	13
<b>SUD Treatment</b>	14	1	158	27
<b>Medical Treatment</b>	3	1	33	6
<b>Other Services</b>	4	1	47	20
<b>Misc. Outreach</b>	--	0	1581	43

*\*Due to COVID-19 concerns the Lowell CO-OP outreach was restricted on 3/22/2020, as operations return to normal data will be revised.*

**Outreach and Educational Events**

Date	Event Type	Location	Topic	Attendance
06/25/20	Presentation / Panel Discussion	Rivier University, Division of Nursing and Health Professions <b>Tele-Conference:</b> Substance Use Disorder: COVID-19	Lowell CO-OP Services	60+

*Due to Corona virus (COVID-19) concerns in-person outreach and educational events have been temporarily suspended*

**Relationship Building**

Date	Organization	Relationship Building
7/14/2020	LMCC MOAPC Coordinator Lawrence - MA	Lowell CO-OP Supervisor and team to have a virtual meeting and discuss CO-OP services.

*Due to Corona virus (COVID-19) concerns relationship building continues to be focused on phone, email conversations, and video conferencing.*

**Additional**

- **6/22/2020** The Lowell CO-OP Supervisor and the Clinical Recovery Specialist (CRS) returned to the Lowell CO-OP office located in the Middlesex Sheriff’s Lowell Community Counseling Center. The Lowell CO-OP Supervisor and the CRS are currently meeting with clients in the office while socially distancing, and wearing masks in accordance with the City Managers’ guidelines. The Lowell Health Department has provided masks, gloves, hand sanitizer, and disinfecting wipes for the Lowell CO-OP team members to use.

Lowell Community Opioid Outreach Program (CO-OP) – **Clinical Services**  
*Joseph Aniello, Clinical Recovery Specialist*

\*\*Please note that “Clinical Staff” for the Lowell CO-OP are completed by Joseph Aniello, Maricia Verma (Lowell CO-OP Supervisor), and Gianna Sandelli (Outreach Specialist from Lowell House Addiction Treatment and Recover).\*\*

**Lowell CO-OP Clinical Services Data – 2020**

--	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
<b>Clinical Sessions</b>	--	--	18	16	7	--	--	--	--	--	--	--	41
<b>Clinical Clients</b>	--	--	7	4	3	--	--	--	--	--	--	--	14
<b>Initial Interaction</b>	--	--	1	0	0	--	--	--	--	--	--	--	1
<b>Medical Treatment</b>	--	--	4	1	0	--	--	--	--	--	--	--	5
<b>Transportation</b>	--	--	2	0	0	--	--	--	--	--	--	--	2
<b>Housing</b>	--	--	5	0	0	--	--	--	--	--	--	--	5
<b>Financial</b>	--	--	5	2	1	--	--	--	--	--	--	--	8
<b>DCF</b>	--	--	4	4	4	--	--	--	--	--	--	--	12
<b>Other</b>	--	--	18	0	0	--	--	--	--	--	--	--	18

<b>Definitions of Data Categories</b>	
Clinical Sessions	Total number of clients that have engaged in clinical case management with Lowell CO-OP Clinical Staff. Includes duplicates of clients.
Clinical Clients	Total number of unduplicated clinical clients that were engaged by Clinical Staff.
Initial Interaction	Total number of clients that the Clinical Staff began clinical case management services during the month.
Transportation	Total number of instances where Clinical Staff case management for clinical clients with regard to transportation services.
Housing	Total number of instances where Clinical Staff performed case management with clinical clients in regard to housing services.
Financial	Total number of instances where Clinical Staff performed case management with clinical client in regard to financial services.
DCF	Total number of instances where Clinical Staff performed case management with clinical clients in regard to services related to the DCF.
Other	Total number of instances where Clinical Staff performed case management with clinical clients for any other service.
Case Management	The process of assessment, planning, facilitation, care coordination, and advocacy for clinical clients’ ongoing psychosocial needs for the promotion of long term substance use recovery.

**Additional**

- CRS maintained contact on a daily basis with LCHC, Lahey Behavioral Health (Tewksbury and Danvers Detox), Lowell General Hospital Bridge Clinic, and treatment/detox facilities outside of the Greater Lowell area.

Syringe Collection Program  
*Andres Gonzalez, Syringe Collection Program Coordinator*

**City Department and Community Partner Engagement:**

- Lowell City Council
- Lowell Code Enforcement
- Lowell Public Works
- Mill City Grows
- Salvation Army
- Life Connection Center
- Healthy Streets
- UMass Lowell
- Trinity E.M.S.
- Middlesex County Superior Court
- Mass DOT
- Office of the City Manager
- Lowell CO-OP
- Department of Planning & Development
- Lowell Street Department
- Lowell Police Department
- Lowell Parks Department

**Areas Proactively Swept for Discarded Syringes:**

- Dutton Street Bridge
- Riverfront Park
- Le Lachur Park
- Lowell Locks
- Eastern Canal Park
- Hunts Falls Bridge
- George Street
- Favor Street
- Rogers Street Bridge
- South Common Park
- North Common Park
- Thorndike Overpass
- Eastern Canal Park
- Concord River
- Point Park
- Bridge Street Park
- River Bike Path
- Lincoln Street

**Syringe Collection Activity 2020**

Total Number of...	Jan	Feb	Mar	Apr	May	Jun 1-24	Jul	Aug	Sep	Oct	Nov	Dec	Total
Discarded pick-up requests*	20	24	21	14	13	15	--	--	--	--	--	--	107
Incoming calls for pick-up requests**	18	9	11	9	8	11	--	--	--	--	--	--	66
Syringes picked-up while responding to <b>all</b> discarded pick-up requests	375	135	547	124	50	76	--	--	--	--	--	--	1,307
Syringes picked up during Community Clean-up Events	0	0	0	0	0	0	--	--	--	--	--	--	0
Syringes proactively picked-up while in the community	1125	774	727	882	583	936	--	--	--	--	--	--	5,027
Hours proactively picking-up discarded syringes	50	44	40	51	27.5	50	--	--	--	--	--	--	262.5

*Discarded syringe pick-up request from City Employees (ie. police, fire) and Trinity EMS.*

*\*\*Discarded syringe pick-up request from Lowell residents.*

## **Board of Health Report – August 5<sup>th</sup>, 2020**

Substance Abuse and Prevention Division, Lowell Health Department

Substance Abuse Coordinator, Division Manager

*Lainnie Emond, LMHC*

### ***Prescription Drug Monitoring Program (PDMP) Grant Initiatives:***

- Lainnie continues to work with the Co-Chairs of the Mayor’s Opioid Epidemic Crisis Task Force. She has engaged in no planning as the March and April meetings were canceled due to social distancing measures.
  - *Upcoming Meetings: No July meeting, August 31<sup>st</sup> 5:30-6:30pm*
- Lainnie continues to lead Data Subcommittee of the Mayor’s Opioid Task Force. Meetings are being held virtually. Agreed to hold off on creating a new “Opioid Trends in Lowell, MA” report until a topic is identified that would benefit the provider community during the COVID-19 response.
- Lainnie continues to work the Lowell Police Department and UMass Lowell grant partners to document the progress of the grant for the final report, as the PDMP grant ends September 30<sup>th</sup>, 2020.

### ***Lowell CO-OP and Smart Policing Initiative (SPI) Grant Efforts:***

- Lainnie continues to be involved in administrative planning for the Lowell CO-OP, including co-facilitating Lowell CO-OP Supervisors Meetings and working with team and grant partners to ensure effectiveness of the team. All meeting are being held virtually at this time.
- Lainnie continues to attend monthly SPI grant, the grant that funds several Lowell CO-OP positions and efforts, conference calls with local and federal grant partners.

### ***Additional Substance Abuse Coordinator Activities:***

- Lainnie continues to manage daily activities of the Substance Abuse and Prevention Division. The Division is checking-in twice a week via a virtual platform to share updates and provide mutual support.
- Lainnie continues to be the point person for [www.DrugFreeGreaterLowell.org](http://www.DrugFreeGreaterLowell.org) (see MOAPC report). Lainnie has been updating current and writing new content.
- Partnerships For Success (PFS) Grant
  - Lainnie has been working with Shannon, Outreach Health Educator, to compile qualitative and quantitative data for the final PFS grant report as the last day of the grant is September 30<sup>th</sup>, 2020.
  - Lainnie has been meeting monthly with Shannon, Technical Assistance Liaison Ivy Jones-Turner, and BSAS Grant Coordinator Tonya Fernandez monthly to provide updates about the Lowell PFS grant and plan for the evaluation of the grant.
- Lainnie is part of the Merrimack Valley Substance Use Disorder Symposium planning committee. This is the third year that the symposium will be held, and focuses on bringing together providers working SUD and prevention populations together to network and learn about local efforts. The symposium will be held virtually in December 2020.

Massachusetts Opioid Abuse Prevention Collaborative (MOAPC)

*\*\* Lainnie Emond is overseeing the MOAPC Coalition and grant efforts in the interim\*\**

**Strategy One (implement Life Skills Training across the cluster):** Life Skills Training is an evidenced based prevention curriculum supported by the Bureau of Substance Addiction Services.

- No updates at this time.

**Grant Strategy Two (coordination and promotion of education on harm reduction strategies):**

- Several organizations within the MOAPC cluster offer Narcan training and Narcan kits while engaging in appropriate social distancing measures.
- Many towns in the Greater Lowell cluster continue to engage in post-overdose follow-up with precautions due to COVID-19. Some communities are using new methods to engage with clients while following guidelines, including utilizing telehealth and arranging to meet clients outside.

**Drug Free Greater Lowell Website**

- [www.DrugFreeGreaterLowell.org](http://www.DrugFreeGreaterLowell.org) is being maintained via the MOAPC grant. The COVID-19 resource page related to mental health, substance abuse treatment and recovery, and youth prevention is being updated regularly.
- New content has been added about prescription medication and youth alcohol use prevention.

**2020 Drug Free Greater Lowell Website Analytics**

	Jan	Feb	Mar*	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Total page Views	645	497	559	470	430	494	--	--	--	--	--	--
Unique Page Views	496	362	390	329	295	325	--	--	--	--	--	--

*\*Analytics for March were unavailable at the time that this BOH report was submitted.*

**Other Updates**

- The MOAPC grant will be extended through June 30<sup>th</sup>, 2021. Due to the grant extension, the MOAPC Coalition Coordinator position job description was posted on July 20<sup>th</sup> and will remain posted until filled.

Partnerships for Success (PFS)  
*Shannon Gray, Outreach Health Educator*

***Strategy One (social media education dissemination to high school-aged youth re: sharing prescription medications):***

**PFS Social Media Campaign:**

Rather than running focus groups with youth to gather their feedback on the memes, youth feedback was gathered from an online survey about the memes to adjust for social distancing measures put in place because of COVID-19. Positive feedback was gathered and analyzed from 16 respondents. Shannon has now made a two-week schedule for the meme campaign social media posts and is awaiting approval from the City.

***Strategy Two (social media and education dissemination to parents/guardians and high school-aged youth re: proper disposal and storage):***

**“Help Keep Our Kids Safe” Campaign:**

The prescription medication educational flier for parents/guardians was printed and about 1,900 fliers were distributed to local programs and pharmacies that have access to parents/guardians. As social distancing measures set in place for COVID-19 have impacted direct contact for flier dissemination and education, PFS Coalition members have also shared the educational flier electronically to partners around the community.

***Monthly Meeting:***

The most recent Partnerships For Success Coalition meeting was held on July 22<sup>nd</sup> from 1-2pm via Zoom. The next Coalition meeting is scheduled for August 19<sup>th</sup> and will be held virtually.

***Partnership For Success Updates:***

Shannon has been able to attend many virtual trainings. These trainings include topics such as neurobiology of addiction for youth and young adults, setting and maintaining professional boundaries, prevention sustainability and synthetic drugs, vaping, and youth substance use. The knowledge gained from these trainings will positively impact the work moving forward towards the end of the PFS grant.

Lowell Community Opioid Outreach Program (CO-OP) – **Overview**  
*Maricia Verma, Lowell CO-OP Supervisor*

**Lowell CO-OP Data**

--	June 2019	June 2020	2019 Total	2020 Total*
<b>Total Encounters</b>	58	34	667	192
<b>Unique Encounters</b>	34	20	378	106
<b>Initial Interaction</b>	3	1	100	23
<b>OD Follow-Up</b>	3	1	116	11
<b>Section 35</b>	1	1	20	4
<b>Clinical Clients</b>	2	4	40	22
<b>Disseminate Narcan</b>	4	6	141	26
<b>SUD Treatment</b>	14	1	158	28
<b>Medical Treatment</b>	4	0	33	6
<b>Other Services</b>	8	0	47	20
<b>Misc. Outreach</b>	156	16	1581	59

*\*On 6/22/2020 remote work restrictions eased allowing for the reevaluation data with the paper records, in addition to the electron health records. This reanalysis is reflected in the table above.*

**Outreach and Educational Events**

*Due to Corona virus (COVID-19) concerns in-person outreach and educational events have been temporarily suspended*

**Relationship Building**

*Due to Corona virus (COVID-19) concerns relationship building continues to be focused on phone, email conversations, and video conferencing.*

**Additional**

- The Lowell CO-OP Supervisor and the Clinical Recovery Specialist returned to the Lowell CO-OP office located in the Middlesex Sheriff’s Lowell Community Counseling Center on June 22<sup>nd</sup>.. The Lowell CO-OP Police Officer has returned to regular Lowell CO-OP duties. The Lowell House Clinical Outreach Specialist and the Trinity EMS EMT have returned to the Lowell CO-OP on a limited basis.
- The Lowell Health Department has provided masks, gloves, hand sanitizer, and disinfecting wipes for the Lowell CO-OP team members to use.
- The Lowell CO-OP Team continue to meet with clients in the office while socially distancing, and wearing masks.

Lowell Community Opioid Outreach Program (CO-OP) – **Clinical Services**  
*Joseph Aniello, Clinical Recovery Specialist*

\*\*Please note that “Clinical Staff” for the Lowell CO-OP are completed by Joseph Aniello, Maricia Verma (Lowell CO-OP Supervisor), and Gianna Sandelli (Outreach Specialist from Lowell House Addiction Treatment and Recover).\*\*

**Lowell CO-OP Clinical Services Data – 2020**

--	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
<b>Clinical Sessions</b>	--	--	18	16	7	10	--	--	--	--	--	--	51
<b>Clinical Clients</b>	--	--	7	4	3	4	--	--	--	--	--	--	21
<b>Initial Interaction</b>	--	--	1	0	0	0	--	--	--	--	--	--	1
<b>Medical Treatment</b>	--	--	4	1	0	0	--	--	--	--	--	--	5
<b>Transportation</b>	--	--	2	0	0	0	--	--	--	--	--	--	2
<b>Housing</b>	--	--	5	0	0	0	--	--	--	--	--	--	5
<b>Financial</b>	--	--	5	2	1	1	--	--	--	--	--	--	9
<b>DCF</b>	--	--	4	4	4	1	--	--	--	--	--	--	13
<b>Other</b>	--	--	18	0	0	5	--	--	--	--	--	--	23

<b>Definitions of Data Categories</b>	
Clinical Sessions	Total number of clients that have engaged in clinical case management with Lowell CO-OP Clinical Staff. Includes duplicates of clients.
Clinical Clients	Total number of unduplicated clinical clients that were engaged by Clinical Staff.
Initial Interaction	Total number of clients that the Clinical Staff began clinical case management services during the month.
Transportation	Total number of instances where Clinical Staff case management for clinical clients with regard to transportation services.
Housing	Total number of instances where Clinical Staff performed case management with clinical clients in regard to housing services.
Financial	Total number of instances where Clinical Staff performed case management with clinical client in regard to financial services.
DCF	Total number of instances where Clinical Staff performed case management with clinical clients in regard to services related to the DCF.
Other	Total number of instances where Clinical Staff performed case management with clinical clients for any other service.
Case Management	The process of assessment, planning, facilitation, care coordination, and advocacy for clinical clients’ ongoing psychosocial needs for the promotion of long term substance use recovery.

Syringe Collection Program  
*Andres Gonzalez, Syringe Collection Program Coordinator*

**City Department and Community Partner Engagement:**

- MassHire
- Lowell City Council
- Lowell Public Works
- Mill City Grows
- Salvation Army
- Life Connection Center
- Healthy Streets
- UMass Lowell
- Trinity E.M.S.
- Middlesex County Superior Court
- Mass DOT
- Office of the City Manager
- Lowell CO-OP
- Department of Planning & Development
- Lowell Street Department
- Lowell Police Department
- Lowell Parks Department

**Areas Proactively Swept for Discarded Syringes:**

- Dutton Street Bridge
- Riverfront Park
- Le Lachur Park
- Lowell Locks
- Eastern Canal Park
- Hunts Falls Bridge
- George Street
- Favor Street
- Rogers Street Bridge
- South Common Park
- North Common Park
- Thorndike Overpass
- Eastern Canal Park
- Concord River
- Point Park
- Bridge Street Park
- River Bike Path
- Lincoln Street

**Syringe Collection Activity 2020**

Total Number of...	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Discarded pick-up requests*	20	24	21	14	13	20	22	--	--	--	--	--	134
Incoming calls for pick-up requests**	18	9	11	9	8	16	17	--	--	--	--	--	88
Syringes picked-up while responding to <b>all</b> discarded pick-up requests	375	135	547	124	50	91	156	--	--	--	--	--	1478
Syringes picked up during Community Clean-up Events	0	0	0	0	0	0	0	--	--	--	--	--	0
Syringes proactively picked-up while in the community	1125	774	727	882	583	1190	1111	--	--	--	--	--	6392
Hours proactively picking-up discarded syringes	50	44	40	51	27.5	66	42.5	--	--	--	--	--	321

\*Discarded syringe pick-up request from City Employees (ie. police, fire) and Trinity EMS.

\*\*Discarded syringe pick-up request from Lowell residents.



Lowell Health  
Department  
Prevent • Promote • Protect

# Syringe Collection Program

## *Year One Summary*

### *April 16th, 2019 - April 15th, 2020*

### Syringes Removed from the Community

Pick-up Requests: 2,904  
Proactive Clean-up: 10,784  
Community Clean-up Events: 443

Total INDIVIDUAL  
Syringes Removed from  
the Community by  
the Syringe Collection  
Program Coordinator:

14,131

### Program Fast Facts

Incoming Pick-up Requests: 404  
Hours Spent on Proactive Cleanups: 451  
Community Clean-up Events Attended: 12  
Community Partners Engaged: 109

### Sharps Disposal Kiosk

611 pounds of sharps were disposed through the Lowell Health Department's sharps disposal kiosk.

Total POUNDS of  
Syringes Disposed of by  
Community Members:

1,372

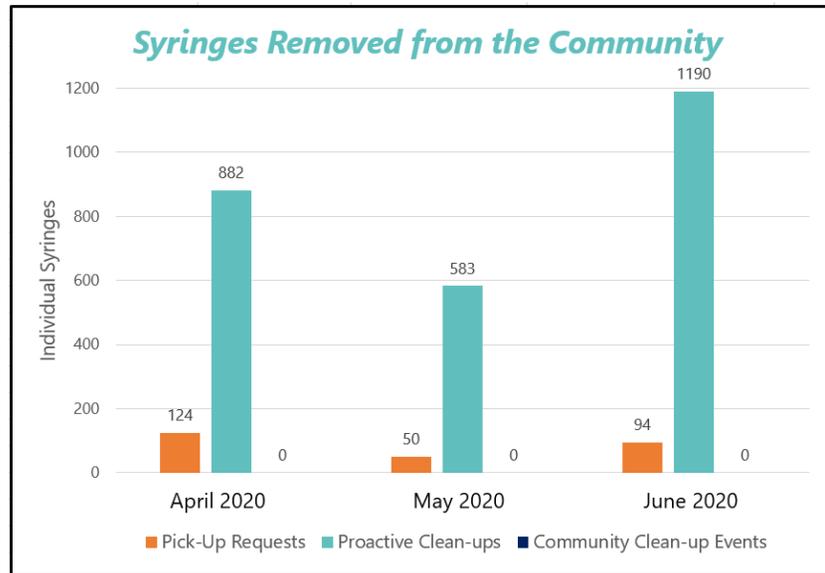
### Unwanted Medication & Sharps Disposal Days

761 pounds of unwanted sharps were disposed of at Disposal Day events held in June 2019, Sept. 2019, Dec. 2019, and Mar. 2020.

# Syringe Collection Program Quarterly Report *Apr. - June 2020*



The Syringe Collection Program (SCP) at the Lowell Health Department was established in 2019 as a means to educate the community on sharps safety and to respond to discarded syringe pick-up requests within Lowell. The SCP Coordinator actively builds relationships with community organizations to identify locations of frequent needle discard, proactively removes discarded needles in public spaces, coordinates educational activities surrounding safe needle storage and disposal, and supports community clean-up efforts. This quarterly report provides information on the program's progress.



## Syringe "Hotspots"

The SCP Coordinator works to identify areas across Lowell that have a high concentration of discarded syringes. These sites are proactively checked for syringes on a weekly basis. In this quarter, the most popular spots were concentrated near the **Thorndike Overpass** and **Dutton Street Bridge** area, and **Gorham Street**.

## Fast Facts April. - June. 2020

**2,923**

total syringes collected

**76**

incoming discarded syringe pick-up requests

**146**

hours spent on proactive cleanups

**21**

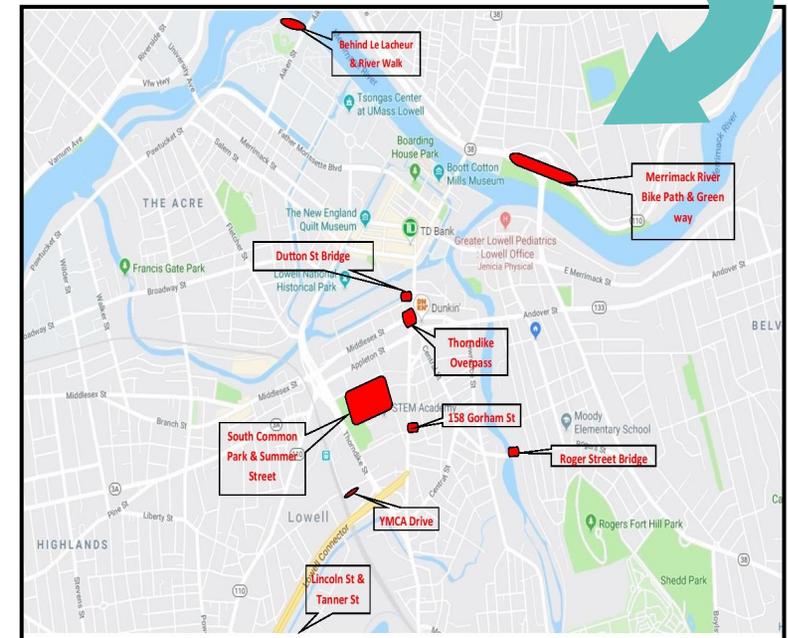
different community partners engaged

**4**

new syringe "hotspots" identified

**0**

community clean-up events attended



Have questions? Contact Andres Gonzalez, SCP Coordinator at 978-674-1049 or via email at [agonzalez@lowellma.gov](mailto:agonzalez@lowellma.gov).

LOWELL, MA 01854  
20 JUL 20 PM 1:06

**City of Lowell**  
**Job Description**  
**Please Post: July 20, 2020**  
**Deadline: Open Until Filled**  
**Health and Human Services Department**  
**MOAPC Coalition Coordinator**

**Job Title:** MOAPC Coalition Coordinator (1100-DH07, 2804)  
**Department:** Health and Human Services – Health Department  
**Reports to:** Substance Abuse Coordinator  
**Salary:** \$47,846.76 (min) to \$56,092.92 (max) annually  
35 hours/week - Grant Funded (MOAPC Grant)  
**FLSA Status:** Exempt

**SUMMARY**

The Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) Coalition Coordinator will be responsible for coordinating the planning, implementation and evaluation of opioid abuse prevention activities under the MOAPC grant for the City of Lowell and the towns of Billerica, Chelmsford, Dracut, Tewksbury, Westford, and Wilmington. Prevention activities under the MOAPC grant utilize the Strategic Prevention Framework to ensure a consistent data-driven planning process focused on implementing effective and sustainable strategies and interventions. This is a program funded through the Massachusetts Department of Public Health, Bureau of Substance Abuse Services (BSAS). The MOAPC grant ends June 30<sup>th</sup>, 2021.

**ESSENTIAL DUTIES AND RESPONSIBILITIES** include the following. Other related duties may be assigned.

- Coordinates and facilitates MOAPC meetings of the seven communities that make up the Greater Lowell MOAPC Cluster;
- Coordinates the opioid abuse prevention activities of the Greater Lowell MOAPC Cluster;
- Collects data regarding prevention efforts from the seven MOAPC communities in order to complete MOAPC quarterly reports;
- Attend the Lowell Mayor's Opioid Task Force, the Greater Lowell Health Alliance's Substance Use Prevention Task Force, the District Attorney's Opioid Task Force, and additional task forces and coalitions in Greater Lowell as assigned by the Substance Abuse Coordinator;
- Leads the MOAPC coalition in a Strategic Prevention Framework-based process, including Strategic Planning activities, monitoring, and adherence to a logic model and program evaluation;
- Oversees the MOAPC budget, including monitoring expenditures for appropriateness;
- Works with the assigned MOAPC grant BSAS team and its technical assistance partners to address education, training and technical assistance needs;
- Coordinate and attend training and education opportunities for the MOAPC Cluster

- partners;
- Gather/receive, prepare and disseminate information to Cluster partners and the public; including survey development and analysis, focus groups and key informant surveys as appropriate.
  - Develop and Conduct health education sessions with MOAPC Cluster partners to support the identified shared goals in the Strategic Plan and Logic Model;
  - Attend and represent the MOAPC Cluster at all State and regional coalition coordinator meetings;
  - Works collaboratively with the City Departments and MOAPC Cluster partners on joint projects relating to interventions identified by the MOAPC Cluster;
  - Develop and conduct appropriate outreach strategies for community members, human service organizations and community partners to promote a better understanding of the goals of the MOAPC grant and the interventions identified by the Cluster communities;
  - Maintains the regional [www.DrugFreeGreaterLowell.org](http://www.DrugFreeGreaterLowell.org) website with relevant and up-to-date information;
  - Works collaboratively with the MOAPC Cluster communities to attain sustainability of the substance abuse prevention activities, and implement and evaluate these activities' in the region;
  - Promotes and communicates Cluster goals, objectives activities and outcomes through media and other Community information channels to other coalitions and task forces working on similar issues, local drug free community grantees, prevention provider agencies and other prevention entities as appropriate.
  - Other duties may be assigned as needed.

**SUPERVISORY RESPONSIBILITIES:** None

### **QUALIFICATIONS**

To perform this job successfully, an individual must possess a strong meeting facilitation and coalition coordinating skills. Understanding of federal and/or State grants; strong writing and public speaking skills are essential; highly proficient in computer skills including all Microsoft Office Suite products. Experience with communication tools and social media a plus, including Google docs, Doodle polls, Survey Monkey, Facebook and website management.

### **EDUCATION and/or EXPERIENCE**

Either: (a) a Master's degree in Public Health, Human Service, Social Work, Mental Health and two years' experience in planning, implementation and evaluation of substance abuse prevention and coalition coordination; or (b) a Bachelor's degree in one of the above fields of study and 3 years' of experience as outlined above. Bilingual skills a plus. Must either be a Certified Prevention Specialist or be willing to complete certification within two years of hire.

### **LANGUAGE SKILLS**

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and business correspondence. Ability to speak effectively before individuals or employees of an organization.

**MATHEMATICAL SKILLS**

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

**REASONING ABILITY**

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**PHYSICAL DEMANDS** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit; use hands to finger, handle, or feel; reach with hands and arms; and talk or hear. The employee is occasionally required to stand; walk; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

**WORK ENVIRONMENT** The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is occasionally exposed to moving mechanical parts and risk of electrical shock (electrical outlets). The noise level in the work environment is usually moderate.

*The City of Lowell is a smoke and drug free employer and requires a physical with drug screen and CORI, post offer.*

**Qualified individuals may send application/resume with cover letter to the Human Relations Office, Mary Callery, HR Director Room 19 - City Hall, Lowell, MA 01852 by the Deadline~ Open Until Filled**

**Applicants may also send application/resume with cover letter to fax# 978-446-7102 or email to [cityjobs@lowellma.gov](mailto:cityjobs@lowellma.gov).**

**EOE/AA/504 EMPLOYER**

new  
1/15/20

**City of Lowell**  
**Job Posting**  
**Please Post: January 15, 2020**  
**Deadline: Open Until Filled**  
**Health and Human Services Department**  
**Public Health Nurse – Clinic**

**Job Title:** Public Health Nurse – Clinic (2100-33, 2759)  
**Department:** Health and Human Services Department  
**Reports to:** Director of Health and Human Services and Public Health Nurse  
Manager-Clinics  
**Salary:** \$60,711.56 (min) to \$68,292.64 (max) annually  
**FLSA Status:** Non-exempt  
**Union:** AFSCME Local 1705A

**SUMMARY**

Responsible for assisting in the development, implementation and management of a public health program for the City of Lowell. Responsibilities include, but are not limited to, case management and surveillance of reportable and communicable diseases; as well as identifying disease trends in order to initiate control measures which may include coordinating and organizing public health clinics.

**ESSENTIAL DUTIES AND RESPONSIBILITIES** include the following. Other duties may be assigned.

- Participates in a comprehensive public health program consistent with the MA guidelines, regulations and statutes governing nursing and public health as well as local public health policy.
- Consults with the Director of Health and Human Services, Public Health Nurse Manager – Clinics, and other appropriate managers to establish, review and revise policies, procedures and specific programs for comprehensive public health services.
- Investigates and case manages reportable disease as outlined in 105 CMR 300.000 Reportable Diseases, Surveillance and Isolation and Requirement and 105 CMR 365.000 Standards for Management of TB outside hospitals.
- Performs disease surveillance through the regular collection, monitoring, and analysis of data relevant for the control and prevention of reportable diseases.
- Responds to disease surveillance by providing case management, health counseling and referrals to appropriate community resources.
- Attend regional tuberculosis (TB) clinic at Lowell General Hospital as needed; provides direct case management; assists with the coordination of admission and discharge planning between hospitals or patient clinics, private doctors and TB control.
- Provides short term coverage for other Lowell Public Health Nurses for time-sensitive duties.
- Organizes and implements state and city programs such as Immunizations, Tuberculosis and Communicable Disease Surveillance.
- Uses population-based data collection to plan and evaluate the public health program with the Director of Health and Human Services, Public Health Nurse Manager-Clinics.

- WGN  
05/21/11
- Collaborates with other professional community providers in assessing, planning, implementing and evaluating programs so as to maximize and coordinate services and prevent duplication.
  - Collaborates with surrounding post-secondary institutions to mentor and provide practicum experience in public health and education.
  - Prepares regular written reports for PH officials, city officials; utilizes/maintains web based databases established by MDPH (including but not limited to MAVEN); creates and utilizes database/programs to track and/or organize health or client information;
  - Be familiar with the Department's Emergency Operations Plan and its activation in an emergency requiring medical and public health response.
  - Plan, organize and conduct immunization clinics, including flu clinics, according to community needs.
  - Follows MDPH Vaccine Management protocols, documenting immunizations in MIIS system.
  - Disseminates current information from MDPH and CDC to public and private providers.
  - Provides health information/education upon request from residents, city officials, employees as well as School Health Unit.
  - Provides documentation of health records to clients.
  - Maintains and disposes of client health records according to Federal, State and City guidelines.
  - Applies appropriate nursing theory as the basis for decision making in the public health setting; seeks further expert consultation and/or supervision when appropriate.
  - Attends professional continuing education programs including seminars, ICS (Incident Command System) trainings, conferences and staff meetings to stay current on public health issues.

### **QUALIFICATIONS**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and /or ability required. Reasonable accommodations may be made to enable the individuals with disabilities to perform the essential functions.

### **EDUCATION and/or EXPERIENCE**

Current and valid license as a Registered Nurse under the Massachusetts Board of Registration in Nursing. Certification in CPR required. Two years of full-time or equivalent experience in community or municipal public health required. BSN required.

Demonstrated knowledge in such areas as professional issues in community health nursing; communicable disease control; health assessment; special health conditions, both chronic and acute; injury prevention and emergency care; health counseling, education and promotion; risk assessment and prevention. Desire knowledge in the utilization of Outlook, Microsoft Word, Excel, PowerPoint and Access.

### **LANGUAGE SKILLS**

Ability to read, analyze and interpret governmental regulations, professional journals, and technical procedures. Ability to write reports, policy and procedures and business correspondences. Ability to effectively and confidently present information and respond to

questions from regulatory agencies, municipal offices, community agencies, and the general public. Ability to build and strengthen working relationships. Bilingual capabilities preferred but not required.

**MATHEMATICAL SKILLS**

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent. Ability to draw and interpret bar graphs.

**REASONING ABILITY**

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Cognitive ability to observe, analyze and interpret data appropriate to assisting with program development responsibilities. Ability to work in a team environment as well as independently.

**CERTIFICATES, LICENSES, REGISTRATIONS**

Maintain a current and valid license as a Registered Nurse in MA. Valid driver's license and car required. Maintain a current CPR certification.

**PHYSICAL DEMANDS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions. While performing the duties of this job, the employee is regularly required to talk or hear. The employee frequently is required to sit, stand and walk and to reach with arms and hands. The employee is occasionally required to stoop; kneel, crouch, or crawl; and taste or smell. The employee must frequently lift and /or move up to 25 pounds. Specific vision abilities required by this job include close vision and distance vision, color visions, and peripheral vision and ability to adjust focus.

**WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

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**EOE/AA/504 Employer**

new  
6-24-20

LOWELL PUBLIC HEALTH DEPARTMENT  
20 JUN 25 PM 1:24

**City of Lowell  
Job Posting  
Please Post: June 24, 2020  
Deadline: Open Until Filled  
Health Department  
Public Health Nurse – Schools**

**2 Anticipated Vacancies  
City Funded**

**Job Title:** Public Health Nurse – Schools (2100-1352/3152, 2802)  
**Department:** Health Department  
**Reports To:** Nurse Coordinator; other designated personnel as need be.  
**Salary:** \$52,929.76 (min) to \$ 59,529.08 (max) annually with BSN, DOE Qualified  
\$58,103.76 (min) to \$ 65,358.28 (max) annually with MSN, DOE Qualified  
**FLSA Status:** Non-Exempt  
**Union:** 1705A

**SUMMARY** Responsible for developing, implementing and managing a school health program for a school population as defined by the school district.

**ESSENTIAL DUTIES AND RESPONSIBILITIES** include the following. Other duties may be assigned.

Establishes and manages a comprehensive school health program consistent with the MA guidelines, regulations and statutes governing nursing and school health, as well as local school district policy.

Consults with the school physician, school administrators and others on team to establish; review and revise policies, procedures and specific programs for comprehensive school health education and services; works with others to develop a needs assessment and data collection procedure.

Ensures the orientation, training, supervision and evaluation of health paraprofessionals as needed to comply with the Nurse Practice Act and other relevant statutes and regulations; organizes and implements the state mandated programs such as immunization surveillance and screening programs; works with school administration to promote positive safety practices both within and outside of school buildings; and assists in developing an emergency response plan which is communicated to personnel and students; assumes responsibility for in-service programs for school personnel for first aid, emergency care and current health issues including sensitivity towards medically challenged students; maintains comprehensive school health records.

Collaborates with school administration and personnel in assessing and improving the social and emotional climate of students and faculty; involves them in maintaining a healthful school environment. Establishes a process to identify students at risk for physical and psycho social problems and communicates health needs to other school personnel as appropriate and establishes a referral system using both internal and external community resources. Includes the student and guardian in team conference when possible and appropriate. Identifies health-related needs for

inclusion in the individual education plan. Serves as a member of pertinent teams and committees.

Uses population based data collection to plan and evaluate the school health program with nursing coordination.

Prepares written reports for school officials and MDPH and other agencies describing the services provided by the program etc.

Using the nursing process, collaborates with the parent/guardian and student, where appropriate, to develop and implement an individualized health care plan for the student. Collects information about the health and development of the student, family etc and makes home visits if necessary. Develops a nursing diagnosis and care plan with specific goals; provides medically prescribed interventions; responds to frequently encountered health issues, providing counseling and crisis intervention when necessary; assesses student responses to nursing actions.

Participates with other members of the community to assess, plan, implement and evaluate school health services and community services which include the broad continuum of primary, secondary and tertiary prevention. Uses the media to convey important health information and advocate for the role of the school health program in promoting the positive lifestyles and health of the student population.

Applies appropriate nursing theory as the basis for decision-making in the school setting while expanding knowledge and skills in response to the student health needs and participating in research.

### **QUALIFICATIONS**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

### **EDUCATION and/or EXPERIENCE**

Demonstrated current knowledge in such areas as professional issues in school nursing, school and community health, communicable disease control, growth and development, health assessment, special health conditions, both chronic and acute, injury prevention and emergency care, health counseling and health education and promotion. Must have a valid license to practice as a Registered Nurse in MA; Hold a minimum of a BS in Nursing from a college or university program accredited by the National League for Nursing; two years of experience in community health or child health prior to entry into school nursing practice. Works towards and subsequently maintains certification in school nursing, community health nursing or pediatric/school nurse practitioner by a nationally recognized professional nursing organization.

### **CERTIFICATIONS, LICENSES, REGISTRATIONS**

Current and valid license as a Registered Nurse in MA; Certified by the Department of Elementary and Secondary Education as a school nurse or able to meet the requirements for licensure. Licensure must be obtained within one year from date of hire. Driver's license may be required.

### **LANGUAGE SKILLS**

Ability to read, analyze, and interpret general business periodicals, professional journals,

technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from school administrators, students, regulatory agencies, and the general public.

#### **MATHEMATICAL SKILLS**

Ability to calculate figures and amounts such as proportions, percentages, and volume.

#### **REASONING ABILITY**

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

#### **PHYSICAL DEMANDS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, or feel and talk or hear. The employee frequently is required to stand, walk, sit, and reach with hands and arms. The employee is occasionally required to stoop, kneel, crouch, or crawl and taste or smell. The employee must frequently lift and/or move up to 50 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, and ability to adjust focus.

#### **WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions

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**EOE/AA/504 Employer**