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Frank J. Widmayer, III
Chief of Police

APD FAX # (978) 263-350

COVER SHEET

Date: 7-19-05 Time: 14:30

PLEASE DELIVER THE ATTACHED TO:

NAME: Brent Reagor

FIRM: Acton Health Dept.

FAX NUMBER: (978) 264-9630

THIS MESSAGE IS BEING SENT FROM:

NAME: Dean Keeler

DIVISION: PATROL _____ DETECTIVES _____
SPECIAL SERVICES _____ COMMUNICATIONS _____



WE ARE TRANSMITTING 3 PAGES INCLUDING THIS COVER SHEET.

MESSAGE:

Copy of Police report re: oil spill at
K-Mart.

Any Question please call me

- Dean

STATEMENT OF CONFIDENTIALITY

THE DOCUMENTS INCLUDED WITH THIS FACSIMILE TRANSMITTAL SHEET CONTAIN INFORMATION FROM THE ACTON POLICE DEPARTMENT WHICH IS CONFIDENTIAL AND/OR PRIVILEGED. THIS INFORMATION IS INTENDED TO BE FOR THE USE OF THE ADDRESSEE NAMED ON THIS SHEET. IF YOU ARE NOT THE ADDRESSEE, NOTE THAT ANY DISCLOSURE, PHOTOCOPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS FAXED INFORMATION IS PROHIBITED BY LAW. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THE FAXED DOCUMENTS.

**Acton Police Department
Incident Report**

July 19, 2005

Tuesday 14:29

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
I0510820 9 No Yes	PATROL INITIATED KMART 252 MAIN ST Cross: BEVERLY RD @250 MASSACHUSETTS AV ACTON, MA, 01720 (01) REPORT	KEELER	07/19/2005, 11:01 07/19/2005, 11:01 07/19/2005, 11:01 07/19/2005, 11:55	BOYD LAWTON OIL SPILL MALICIOUS DEST CT: BOYD

Reported as: MALICIOUS DEST Found as: MALICIOUS DEST
Domestic Abuse: No

Dispatcher Remarks:

65DK WILL BE OUT AT THE ABOVE FOR AN OIL SPILL IN THE REAR LOT. AFD WILL BE GOING TO THE ABOVE. HEALTH DEPT NOTIFIED AND WILL BE RESPONDING.

OTHER K-MART STORE 7104 License: None
252 MAIN ST

M8902159 ACTON MA 01720 DOB: None Recorded
Phone: 263-7756
Commt: LOCATION OF OIL SPILL

OTHER KURTZ, CRYSTAL ANN License: 154-78-2622 (MA)
(Female) 3 OLD TOWNE RD Apt: 223 SSN: 154-78-2622

M0402870 AYER MA 01432 DOB: 11/22/1973 Age: 31
Phone: 978-772-3814 Race: W
Commt: ON DUTY ASST. MANAGER AT K-MART

OTHER REAGOR, BRENT License: None
472 MAIN ST

M0503070 ACTON MA 01720 DOB: None Recorded
Phone: None Recorded
Commt: RESPONDING TOWN EMPLOYEE/ HEALTH DEPT.

Narrative(s):

Narr. 1: PTL. DEAN KEELER Division: None Status: Open [I0510820]
Title: INCIDENT REPORT Entered: PTL. DEAN KEELER
Reviewed: No officer

07/19/2005
Tuesday
11:01 Hrs.

The following is a summary of the events that occurred on the above stated date and time. While working a uniformed patrol shift in marked unit #25 I was making a random check of the area of the K-Mart parking lot when I observed a large amount of motor oil spilled on the ground and side of the building. The spill was located in the area of the garage bay doors that face Massachusetts ave., adjacent to the outside storage area of the garden center.

Single Incident

INCIDENT LOCAL #	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
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Narrative 1 (continued) By: PTL. DEAN KEELER Incident I0510820

I observed that three, one gallon bottles of used motor oil had been dumped out in the area. Additionally, some of the oil had been splattered onto the side of the building and poured onto bags of both limestone and bark mulch which were stored on pallets against the building. A stream of oil could be seen leading away from these bags of material. The oil on the bagged material and stream appeared that some effort may have been made to ignite the oil and bagged material. However, no evidence of any items being burnt was observed. After making this observation I went inside the store and located the on duty assistant manager, Crystal Kurtz. Crystal informed me that she had been made aware of the spill, but at the direction of her superiors, did not make any reports to the Police. Crystal also informed me that she had been advised to have some kitty litter dumped onto the oil and swept up later to clean up the area. I advised Crystal that this was not an appropriate clean up because of the hazardous nature of the material and advised I would be contacting the Fire Department. In addition to Acton Fire being called to respond, I requested the Town Health Department be notified of the spill. Upon the arrival of the Fire Department, Capt. Williams advised that he would have oil-dry applied to the area, but a HAZMAT company would be needed to remove the material. I provided Crystal with the names and numbers of two companies that are capable of this type of cleanup and was later advised that she had contacted Clean Harbors and they would be responding. Brent Reagor of the Health Department, responded from Town Hall and was advised of the situation. During conversations with Crystal I learned that it is common for people to leave containers of oil in this area for recycling. Because K-mart is a retailer of oil, they are required by law to accept used oil. Pictures of the area were taken by Detective Heffernan. Because of availability, the pictures were taken after the Fire Department had spread the oil-dry material on the ground. Due to the fact that the bottles that were emptied were covered in oil, fingerprinting these was not an option. A copy of this report was faxed to the Health Department for their files. There are no suspects at this time.

Respectfully Submitted,

Ptl. Dean Keeler #65
Acton Police Department