



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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DEVAL L. PATRICK  
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Lieutenant Governor

IAN A. BOWLES  
Secretary

LAURIE BURT  
Commissioner

December 29, 2009

The Honorable Anthony W. Petrucelli, Senate Chair  
Joint Committee on the Environment, Natural Resources, and Agriculture  
State House, Room 413-B  
Boston, MA, 02133

The Honorable William M. Straus, House Chair  
Joint Committee on the Environment, Natural Resources, and Agriculture  
State House, Room 473-F  
Boston, MA, 02133

Dear Chairmen,

The Oil Spill Act in paragraph (f) of section 9 of Chapter 21M of the Massachusetts General Laws, as most recently amended by Chapter 101 of the Acts of 2009, reads:

- (f) The commissioner may waive the requirement of subsection (b) or (d) upon determination that exigent circumstances exist. No such authorization shall be construed to relieve or otherwise limit the liability of an owner or operator of a tank vessel for any oil spill from such tank vessel that occurs while the tank vessel enters or operates in Buzzards bay. The commissioner shall report, annually, not later than January 1, to the joint committee on the environment, natural resources and agriculture, as well as report in the *Environmental Monitor*, the number of occasions that such exemptions were authorized.

To the end described in the final sentence of that paragraph I am pleased to offer the following report: In calendar year 2009, authorizations for exigent circumstances were neither requested nor were authorized by MassDEP.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurie Burt".

Laurie Burt