



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

RICHARD K. SULLIVAN JR.  
Secretary

KENNETH L. KIMMELL  
Commissioner

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In the Matter of  
Wareham Fire District

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September 16, 2013  
Docket No. 2013-018  
File No. RPAN-BO-13-7S025  
Wareham

### FINAL DECISION

I have reviewed the attached Administrative Consent Order with Penalty – Acceptance of Settlement signed by Chief Robert McDuffy for the petitioner on August 14, 2013, and by Geri Lambert for the Department on September 11, 2013 (ACOP-BO-13-7S-Z010-SETT).

The petitioner is ordered to pay a civil administrative penalty in the amount of two hundred ten dollars (\$210.00) in accordance with the schedule and terms of paragraphs 1 and 3 of the Administrative Consent Order with Penalty.

The Department issues this Final Decision incorporating the Administrative Consent Order with Penalty. Under the terms of 310 CMR 1.01(8)(c), this proceeding is dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as any appeal to court.

  
Kenneth Kimmell  
Commissioner

Acceptance of Settlement  
(Administrative Consent Order with Penalty – ACOP)

ACOP- BO-13-7S-Z010 (SETT)  
Docket # 2013-018  
WAREHAM FIRE DISTRICT  
2550 CRANBERRY HWY, WAREHAM, MA  
Facility Acct # 223552  
RPAN-BO-13-7S025

REV  
9/6/13  
vc 6000192221 Adm2

600013BATS Z010SETT08

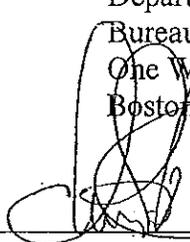
The above listed corporate or business entity (the "Company") hereby accepts the offer of settlement described in the foregoing letter from MassDEP dated 8/1/2013 and attached hereto, in order to resolve this administrative appeal. The terms of that letter are hereby incorporated into this ACOP.

1. The Company agrees to pay \$210 as a civil administrative penalty in accordance with the terms of the above referenced MassDEP offer with payment due no later than 30 days from the issuance of the final decision approving this ACOP.
2. If this agreement is approved, the Company waives whatever rights they would otherwise have to further administrative review before MassDEP as well as an appeal to court, pursuant to 310 CMR 1.01(8)c.
3. **The civil administrative penalty shall be paid as follows:** a certified check, cashier's check or money order, with a clearly marked Federal Employer Identification Number ("FEIN") and enforcement number (ACOP-BO-13-7S-Z010 (SETT)) on the check, made payable to the Commonwealth of Massachusetts and mailed to:

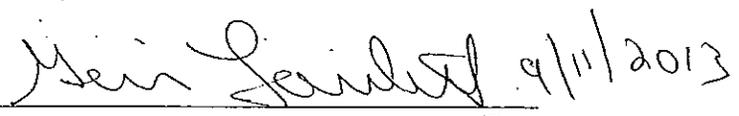
Commonwealth of Massachusetts  
Department of Environmental Protection  
Commonwealth Master Lock Box,  
P.O. Box 4062  
Boston, Massachusetts 02241-4062

4. A copy of the penalty payment shall be mailed, no later than 30 days from the date of issuance of the final decision approving this ACOP, to:

Jeff Gifford  
Department of Environmental Protection  
Bureau of Waste Prevention  
One Winter Street, 7<sup>th</sup> floor  
Boston, Massachusetts 02108



08/14/13  
Date



Date

For the Company:  
CHIEF ROBERT MCDUFFY  
WAREHAM FIRE DISTRICT  
315 MAIN ST  
WAREHAM, MA 02571

For the Department:  
Geri Lambert  
Acting Deputy Division Director  
Business Compliance Division  
One Winter Street  
Boston, MA 02108

## SERVICE LIST

In The Matter Of:

Wareham Fire District

Docket No. 2013-018

File No. RPAN-BO-13-7S025  
Wareham

Representative

Party

Wareham Fire District  
c/o Robert McDuffy, Chief  
2550 Cranberry Highway  
Wareham, MA 02571  
[chief@warehamfd.com](mailto:chief@warehamfd.com)

PETITIONER

Mike Dingle  
MassDEP/Office of General Counsel  
One Winter Street  
Boston, MA 02108  
[Mike.dingle@state.ma.us](mailto:Mike.dingle@state.ma.us)

DEPARTMENT

Cc:

Jeffrey Gifford  
MassDEP  
One Winter Street  
Boston, MA 02108  
[Jeffrey.gifford@state.ma.us](mailto:Jeffrey.gifford@state.ma.us)

DEPARTMENT

Tina Wong  
MassDEP/Revenue Department  
One Winter Street  
Boston, MA 02108  
[Tina.wong@state.ma.us](mailto:Tina.wong@state.ma.us)

DEPARTMENT/Revenue

Date: September 16, 2013