



Department of Environmental Protection

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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

[Date]

[PRP First] [PRP Last]
[Company]
[PRP Street Address]
[City, State, Zip]

RE: RTN [Release Tracking Number]
Disposal Site Address: [City]
[Site Street Address]

Compliance Assistance Information - Notice of Activity and Use Limitation

Dear [PRP First] [PRP Last]:

According to Massachusetts Department of Environmental Protection (MassDEP) records, you are the owner of the above-referenced property at which a Notice of Activity and Use Limitation (AUL) applies. This letter is to remind you of your responsibilities as owner of a property with an AUL. These responsibilities, described below, are established in Massachusetts General Law chapter 21E and the Massachusetts Contingency Plan (310 CMR 40.0000), the state regulation for the assessment and cleanup of releases of oil or hazardous materials to the environment.

This letter is being sent as a routine reminder to owners of properties with AULs. It does not require a response and it is not being sent because of any compliance issue identified at your property.

What is an AUL?

An AUL is a document recorded at the Registry of Deeds to provide notice to current and future property owners and other interested parties of contamination that remains in the environment at a property and the conditions the property owner is required to meet to protect against exposure to contamination. An AUL lists activities and uses of the property that are acceptable and unacceptable with respect to preventing such exposure.

Responsibilities as an Owner of a Property with an AUL

As the owner of a property with an AUL, you are required by the Massachusetts Contingency Plan to:

- Maintain any obligations and conditions that are specified in the AUL.
- If you are contemplating a change in activities and/or uses at your property that may not be consistent with the requirements of the AUL, hire a Licensed Site Professional to evaluate whether such change would require additional cleanup of the property or an amended or new AUL.

- If the property is sold or title is otherwise transferred to a new owner, ensure that the AUL is incorporated in full or by reference in the instrument of transfer.
- If the property is sold or title is otherwise transferred, submit a copy of the new deed to MassDEP.

Please be aware that MassDEP may conduct a compliance audit of any property for which an AUL has been recorded to evaluate whether the AUL has been properly implemented and whether the activities and uses occurring in the area subject to the AUL are consistent with the terms of the AUL. A failure to comply with the terms of an AUL is a failure to comply with the Massachusetts Contingency Plan, and enforcement actions may be initiated against you. The law provides for administrative penalties of up to \$25,000 per day for failure to comply with the terms of an AUL.

If you wish to provide MassDEP with updated contact information, such as current mailing address, phone number, or email address, you may provide this information by sending an email to BWSC.Regulations@mass.gov.

Information about the assessment/cleanup of your property is available online at <https://eeaonline.eea.state.ma.us/portal#!/search/wastesite>. The RTN (“Release Tracking Number”) printed at the top of the letter may be used to search for your property.

If you have any questions, please contact MassDEP by email at BWSC.Regulations@mass.gov or by telephone at (617) 292-5823.

Sincerely,



Paul W. Locke
Assistant Commissioner
Bureau of Waste Site Cleanup