



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

November 17, 2022

In the Matter of
A-Plus Waste & Recycling Services, LLC

Docket No. 2022-017
DEP File No. 0001057
Middleborough, MA

FINAL DECISION

Martin Suuberg, the Commissioner of the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”) has designated me as the Final Decision Maker in these consolidated appeals.

On October 3, 2022, the Office of Appeals and Dispute Resolution of the Massachusetts Department of Environmental Protection (“OADR”) received a Notice of Claim from Petitioner A-Plus Waste & Recycling Services, LLC, purporting to appeal a Notice of Noncompliance (“NON”) issued by the Southeast Regional Office of MassDEP on September 19, 2022. In response to an Order to Show Cause issued by Presiding Officer Jane Rothchild on October 12, 2022, asking the Petitioner to show cause why the appeal should not be dismissed because an NON is not appealable, the Petitioner filed a withdrawal of its appeal, while noting its disagreement with MassDEP’s findings which gave rise to the NON.

The Petitioner's withdrawal of its appeal constitutes a waiver by the Petitioner to any further administrative review before the Department as well as appeal to court of the NON that was at issue in this appeal. Accordingly, the Department issues this Final Decision dismissing the appeal.

A handwritten signature in black ink, reading "Salvatore M. Giorlandino". The signature is written in a cursive style with a horizontal line underneath it.

Salvatore M. Giorlandino
Chief Presiding Officer

SERVICE LIST

In the Matter of
A-Plus Waste & Recycling Services, LLC, et al

Docket No. 2017-005
Enf. Doc. # 0001057

Petitioner: A-Plus Waste & Recycling Services, LLC

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