Annual Report on Timely Action, Fees and Program Improvements

State Fiscal Year 2019

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Commonwealth of Massachusetts

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Executive Office of Energy and Environmental Affairs

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I. INTRODUCTION

The Massachusetts Department of Environmental Protection (MassDEP), an agency within the Executive Office of Energy and Environmental Affairs (EEA), is responsible for the protection of human health, safety and the environment for the Commonwealth's citizens by ensuring that they have clean air and water; the safe management and disposal of solid and hazardous wastes; the cleanup of hazardous waste sites and spills; and, the preservation of wetlands and coastal resources.

MassDEP's permitting and annual compliance fee program was established in 1990 with the passage of M.G.L. c.21A Section 18 (the Fees Statute) and the promulgation of 310 CMR 4.00, the Department's Timely Action Schedule and Fee Provisions. In return for the payment of fees to support its environmental programs, MassDEP sets specific schedules for permit review supported by a money back guarantee if MassDEP fails to perform. The purpose of this statute and these regulations is to provide for the orderly and efficient administration of the permitting and compliance programs administered by the Department.

The Legislature directed MassDEP to report annually on its permitting and compliance performance and to provide a summary of the significant improvements the Department has made in these areas. This report is provided in response to that requirement.

Please visit our website at www.mass.gov/DEP for more information about these accomplishments and MassDEP's environmental programs.

II. HIGHLIGHTS OF MassDEP ACCOMPLISHMENTS: SFY2019

MassDEP is proud of its role as a nation leading state environmental agency in its work to preserve and protect the natural resources of the commonwealth, the public health of its citizens and maintain clean air, water, and land. Noteworthy initiatives were advanced in in the areas of climate engagement, solid waste and recycling management, and assessing the impacts of emerging contaminants – including poly and per-fluorinated substances - in SFY 2019. In addition, working with the Executive Office of Energy and Environmental Affairs, MassDEP has added to the Environmental Information and Public Access System (EIPAS) expanding the on-line permitting services, as well as building the Environmental Justice work in the areas of language access, outreach and providing opportunities for all citizens to provide meaningful input on MassDEP's agency actions.

CLIMATE ENGAGEMENT

Moving to Reduce Emissions from the Transportation Sector

Designing the Transportation Climate Initiative

Massachusetts is a leader of the multi-state **Transportation and Climate Initiative** (TCI), which is working to build a regional program that would cap and reduce greenhouse gas emissions from the transportation sector across the Northeast and Mid-Atlantic, and invest the proceeds in a cleaner, more resilient, and more equitable low-carbon transportation system. Announced in a **December 2018 Press Release**, Massachusetts joined with eight states (Connecticut, Delaware, Maryland, New Jersey, Pennsylvania, Rhode Island, Vermont, Virginia) and Washington, DC in a new effort to develop a regional policy for low-carbon transportation. As part of the effort, **the jurisdictions issued a statement** describing the goal of their collaboration to:

> …design a regional low-carbon transportation policy proposal that would cap and reduce carbon emissions from the combustion of transportation fuels through a cap-and-invest program or other pricing mechanism… [and]… to complete the policy development process within one year, after which each jurisdiction will decide whether to adopt and implement the policy.

Over the summer and fall of 2019, Massachusetts state agencies held eleven regional workshops to engage with the public and seek input on a draft TCI program framework Interested individuals and organizations also encouraged to **provide feedback in writing using the online portal on the TCI website**. TCI released the draft program framework for a regional policy on October 1, 2019 to reduce greenhouse gas pollution from transportation. The draft is available here **Transportation and Climate Initiative (TCI)**. While the overall goal is to reduce the far-reaching climate impacts of vehicles and fuels, Massachusetts is particularly focused on delivering benefits to communities that are under-served by

current transportation options and disproportionately burdened by pollution. Following the release of the draft framework, the participating jurisdictions began working on a draft Memorandum of Understanding. On December 17, 2019, TCI released and invited public input on the **draft "Memorandum of Understanding" (Draft MOU),** along with estimates of environmental and health benefits, building on the Draft Program Framework.

Volkswagen Settlement – Benefits for Massachusetts

As part of the national settlement of the Volkswagen diesel emissions case, Massachusetts is a beneficiary of $75 million in settlement funds obtained for the Commonwealth the settlement. MassDEP is the designated lead agency for administering the settlement funds, and developed the implementation plan for using the funds in 2018. The Baker-Polito administration announced the release of the Commonwealth's final Mitigation Plan in December 2018 for the first phase of settlement fund spending. The Plan prioritized spending to:

- Reduce greenhouse gas (GHG) emissions to meet reduction targets;
- Promote electrification of the transportation network;
- Drive technological and policy progress in air pollution mitigation in the transportation network;
- Serve environmental justice populations; and
- Promote equitable geographic distribution of the mitigation funds across the state.

The Final Plan allocated $23.5 million in the first phase of spending, including $11 million for diesel bus replacements with new electric buses for regional transit authorities; $5 million to supplement the network of electric vehicle charging station equipment in the commonwealth; and $7.5 million to be made available for grant awards for projects that reduce emissions for diesel vehicles, non-road equipment and marine vessels. MassDEP has been implementing these programs and information on the program including awarded grants can be found here: https://www.mass.gov/guides/volkswagen-diesel-settlements-environmental-mitigation The total settlement for Massachusetts ($75 million) must be used within 15 years.

Implementing targeted Greenhouse Gas regulations to reduce emissions

Global Warming Solutions Act Climate Regulations

On August 11, 2017 MassDEP promulgated a suite of regulations under the Global Warming Solutions Act to further reduce GHG emissions and protect communities, residents and infrastructure from the effects of climate change. The rules are designed to ensure that GHG limits for 2020 will be met and cover multiple emission sectors: transportation, electricity generation, methane gas distribution and electrical switchgear insulation. The 2020 limit is at least a 25% reduction of emissions from 1990 levels.

During 2019 the agency amended the electricity regulations to include allowance auctions. Two in-state auctions have been conducted, and a gradual transition to a regular schedule of quarterly auctions is underway. Other regulations are in various phases of implementation, including planning for required program reviews scheduled for 2020 and 2021.

Supporting Adaptation Efforts to Improve Resiliency

MassDEP continued to support the ongoing implementation of the first in the nation Integrated Hazard Mitigation and Climate Adaptation Plan in 2019. Working with the Executive Offices of Energy and Environmental Affairs and Public Safety, MassDEP has identified actions to improve the resiliency of the agency, and its regulated community. Those actions include:

- Developing regulatory performance standards for work in Land Subject to Coastal Storm Flowage under the Wetlands Protection Act with a stakeholder group;
- Updating precipitation models used by the Wetlands Program and related guidance;
- Participating in a regional water quality monitoring effort with other New England states; and
- Assessing the vulnerability of hazardous waste sites.

A. ADDRESSING EMERGING CONTAMINANTS

Addressing PFAS at waste sites

In June 2018, MassDEP's Bureau of Waste Site Cleanup issued guidance regarding when and how to sample and analyze for PFAS at disposal sites regulated under the Massachusetts Contingency Plan (MCP). In December 2019, MassDEP promulgated regulations to address six PFAS that established Reportable Concentrations (RCs), cleanup standards in soil and groundwater, and a specific Reference Dose (RfD) for use in site-specific risk characterizations.

The guidance and subsequent regulations provide a clear pathway for the notification, assessment, cleanup and closure of PFAS-contaminated sites in Massachusetts. At this time, approximately sixteen sites are known to include PFAS as contaminants of concern, including locations identified through public water supply testing, sites identified through the state cleanup program and a number of federal sites/federal facilities.

The discovery of PFAS in private drinking water supplies at these sites has resulted in response actions to minimize or eliminate ongoing exposure to PFAS, including the provision of bottled water, installation of point-of-entry treatment systems, and connection to a public water supply. These activities are conducted by MassDEP if there is no Potentially Responsible Party able or willing to undertake these efforts. At sites where PFAS contamination has affected public water supplies, the Drinking Water

Program requires actions to reduce or eliminate the consumption of contaminated drinking water through removal of the affected well from the distribution system, monitored blending of sources and/or installation of treatment systems while, in parallel, the Waste Site Cleanup Program initiates source discovery activities

Developing Standards for PFAS at waste sites and in drinking water

Per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals that includes PFOA, PFOS, GenX, and many other chemicals. PFAS are found in a wide range of consumer products that people use daily such as cookware, pizza boxes, and stain and water repellants. As they do not readily break down, most people have been exposed to PFAS. Certain PFAS can accumulate and stay in the human body for long periods of time. There is evidence that exposure to PFAS can lead to adverse health outcomes in humans.

There are no enforceable federal standards for these substances in public drinking water or in the hazardous waste program. EPA issued a Health Advisory of 70 parts per trillion in drinking water in May of 2016 for two of these substances (PFAS and PFOA). Additional research results have been published since then reaffirming health concerns with these substances, and other states including Massachusetts began working on enforceable standards in a variety of ways.

MassDEP's Guideline for Drinking Water. In June 2018, MassDEP issued a public health guideline to address five PFAS chemicals. These include PFOA, PFOS, perfluorononanoic acid (PFNA), perfluorohexanesulfonic acid (PFHxS) and perfluoroheptanoic acid (PFHpA). This type of guideline, known as an Office of Research and Standards Guideline (ORSG), provides recommended contaminant levels in drinking water and is set to be protective against adverse health effects for all people consuming the water for a lifetime. MassDEP recommended that this ORSG also apply to shorter-term exposures of weeks to months during pregnancy and breast-feeding. MassDEP recommended that: 1) consumers in sensitive subgroups (pregnant women, nursing mothers and infants) not consume water when the level of the five PFAS substances, individually or in combination, is above 0.070 micrograms per liter (µg/L) or 70 parts per trillion (ppt); and, 2) public water suppliers take steps expeditiously to lower levels of the five PFAS, individually or in combination, to below 70 ppt for all consumers. The June 2018 MassDEP ORSG and associated recommendations were developed out of an abundance of caution based on the similar chemical structure of the five PFAS compounds and available data indicating they most likely exhibit similar toxicities. Throughout 2019, MassDEP monitored the release of new information and the steps being taken by other states on PFAS in drinking water as well as in other media. As a result, toxicity value was developed by the Office of Research and Standards and the subgroup of PFAS addressed expanded to include Perfluorodecanoic Acid (PFDA). This information informed an update to the a more stringent ORSG and has also supported regulatory steps by MassDEP's Bureau of Waste Site Cleanup and the Drinking Water Program.

Waste Site Cleanup Standards. In June 2018, MassDEP's Bureau of Waste Site Cleanup issued guidance regarding when and how to sample and analyze for PFAS) at disposal sites regulated under the Massachusetts Contingency Plan (MCP). MassDEP recommended a specific list of target PFAS analytes and appropriate quantitative and qualitative risk characterization approaches. Proposed regulatory standards for the six PFAS noted previously in soil and groundwater were proposed during state fiscal year 2019, and were finalized at the end of 2019.

Maximum Contaminant Level for Drinking Water. The MassDEP Drinking water program has steadily been collecting data from public water systems that monitored for PFAS to comply with the federal Unregulated Contaminant Monitoring Rule in 2015. For systems in Massachusetts that detected PFAS, the Drinking Water Program assisted in identifying appropriate responses – including making operational adjustments, blending sources, taking wells off line, and installing treatment. In 2019, the program met with a stakeholder group and proposed a regulatory framework in December 2019 for a maximum contaminant level and for which action would be required, as well as associated monitoring requirements. The work to finalize a maximum contaminant level (MCL) under state authority in the Massachusetts drinking water regulations was completed in mid-2020.

Updating the Drinking Water Guideline. The cleanup standards are, and drinking water will be, based on an assessment of available toxicological information and risk assessment work completed by the Office of Research and Standards to ensure that the programmatic standards are based on the most recent scientific findings. Based on this assessment the ORSG was updated in January 2020 for six PFAS at a summed level of 20 parts per trillion.

More information on MassDEP's PFAS work can be found here: https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas

B. MANAGING SOLID WASTE AND RECYCLING

The Solid Waste Master Plan: 2020-2030 and Continued Recycling Assistance

Solid Waste Master Plan

Massachusetts General Laws **Chapter 16, Section 21**, requires the MassDEP to develop and maintain a comprehensive statewide master plan for solid waste management, which the agency updates on a ten-year planning cycle. The current Solid Waste Master Plan for 2010 – 2020, presented a "pathway to zero waste" and a shift in mindset to thinking of "waste" as materials or a resource to be reused. The plan highlights diverting waste from disposal as:

- An ***environmental opportunity*** that will help Massachusetts reduce greenhouse gas emissions, conserve natural resources, and supplement energy conservation;

- An ***economic development opportunity*** that can spur the expansion of businesses and jobs in the Commonwealth, using materials diverted from waste to make new products and to compete in the global marketplace; and
- An ***opportunity to reduce disposal costs*** for waste generators and municipalities.

MassDEP is developing a new Master Plan to guide solid waste management through the coming decade, from 2020 to 2030. The agency released a Draft Master Plan for Public Comment in 2019 and engaged in extensive stakeholder discussions to support and inform the process of drafting a new Plan. MassDEP's **Solid Waste Advisory Committee,** an established stakeholder group and its subcommittees will continue to play a central role in supporting the agency's master plan development work. More information about the Committee, including meeting notices and materials can be found here. **Solid Waste Advisory Committee.** A Final Plan is expected to be published by the end of 2021. Questions or comments on the development of the Master Plan can be sent to: dep.swmp@mass.gov.

Addressing the Changing Recycling Market

Restrictions imposed by the Chinese Government in 2018 on the importation of recyclable commodities have had dramatic effects on recycling here in Massachusetts and around the world. Tighter end-market specifications for recovered paper and plastics have resulted in rising processing costs and lower revenue, particularly for paper. Many municipalities are feeling the impact of this and other regional market disruptions, such as the closure in March 2018 of a large glass recycling plant in Milford, MA. The Department is having ongoing conversations with recycling processors, haulers and municipalities to fully understand the challenges faced in collecting, processing and marketing recyclable materials, and have taken a number of steps in an attempt to lessen the impact of these events. Examples include offering flexibility for processors to store finished materials, allowing municipalities to store unprocessed glass, and authorizing the use of Recycling Dividend Program payments to offset increases in recycling costs. In limited circumstances, when outlets for collected recyclables are unavailable, waste ban waivers to haulers and municipalities to facilitate continued operations have been granted. In 2018, MassDEP initiated two programs to help reduce contamination in recycling which can help reduce processing costs and increase the quality of recovered materials.

Recycling IQ Kit -

Contamination of the recycling stream is a growing problem. The **Recycling IQ Kit** was developed to provide cities and towns with steps, tools, and resources to help **I**mprove the **Q**uality (IQ) of local

recycling programs. The customized program was designed by MassDEP to educate residents to reduce contamination in the recycling stream and support municipal recycling operations. The Kit includes:

- Guidance for engaging with your Materials Recycling Facility (MRF) and hauler,
- Instructions and tools for targeting messages,
- Tools for tracking and reporting results,
- Customizable artwork for education and outreach, and
- Resources for direct feedback at curbside or drop-off.

The **Recycling IQ Kit** is open source and available for any city or town to use at any time. Funding and technical assistance to help best implement the **Recycling IQ Kit** tools are available from MassDEP. Technical assistance and grants up to $40,000 to hire staff and produce outreach materials are available. To date, 25 communities have implemented the Recycling IQ Kit with over $750,000 in support from MassDEP For more information see the MassDEP website: https://www.mass.gov/how-to/get-the-massdep-recycling-iq-kit

RecycleSmart Education Initiative

MassDEP announced a statewide recycling education initiative in 2018 to reduce contamination in recycling by asking residents to "do their part and recycle smart." The cornerstone of this initiative is our new website called RecycleSmartMA.org that features the "Smart Recycling Guide." The Guide identifies the four categories of materials that every materials recovery facility (MRF) across the state accepts:

- Mixed paper and cardboard
- Metal food and beverage cans
- Glass bottles and jars
- Plastic bottles, jars, jugs, and tubs

The guide also identifies the top five contaminants that MRFs do not want in recycling loads and explains that these materials should be managed in other ways. The top five contaminants are:

- Bagged recyclables and bagged garbage
- Loose plastic bags/plastic wrap
- Food and liquids
- Clothing or linens

- "Tanglers" - hoses, wires, chains, strings of lights, etc.

The website includes the "Recyclopedia" search tool, where residents can search for hundreds of items (from paper bags to pizza boxes) to find out how to properly manage them. There is also a video showing the recycling sorting process inside a MRF and answers to frequently asked questions about why and how to recycle smart. As of March 2020, RecycleSmart has 24,000 followers engaging with the Recycle Smart MA social media channels (Facebook, Twitter, & Instagram), with 267 organizations signed up as Recycle Smart Partners and 3,100 recycling advocates subscribed to receive monthly recycling news from Recycle Smart. Nearly 266,500 individuals have visited RecycleSmartMA.org and have used the Recyclopedia search tool over 230,000 times to figure out what does (and doesn't) belong in the recycling bin.

C. IMPROVING INFORMATION MANAGEMENT AND PUBLIC ACCESS

The Environmental Information and Public Access System (EIPAS) Grows

MassDEP, in coordination with EEA, continues to implement EIPAS a transformational environmental data and developing the public information access system. The first phase of EIPAS focuses on implementing e-permitting and the public portals. Massachusetts has implemented greater than 130 permits in the EIPAS system for three environmental agencies: MassDEP, the Department of Agricultural Resources, and the Department of Conservation and Recreation. MassDEP has completed online permitting for the Bureau of Air and Waste and now all Air Quality, Hazardous Waste, Toxic Use Reduction Planner and Solid Waste Permits are on line in the EIPAS system. MassDEP is now working to put permits from the Bureau of Water Resources on-line over a 2 year period. Drinking Water Cross Connection Permits have already been successfully implemented online.

EIPAS has also released additional information via the two public-facing online portals. The EEA **ePlace** Public Access Portal enables citizens to access information about pending permit applications and final decisions, as well as to submit and view public comments pertaining to permit applications. The second portal provides data and enables data queries for up to 20 years of MassDEP's permit, inspection, facility and enforcement data. Recent additions to the data portal include Drinking Water data pertaining to PFAS and Lead and Copper. Recently issued enforcement documents have also been added to the portal. MassDEP will continue to evaluate additional data sets to be added to both of these portals.

For more information on the **ePlace** Public Access portal, visit https://eeaonline.eea.state.ma.us/EEA/PublicApp/

For more information on the Data portal, visit here.

D. PROTECTING AND IMPROVING WATER QUALITY

Water Quality Partnerships for Sound Science, Monitoring and Assessment

New investment in U.S. Geological Survey Monitoring Stations in the Connecticut River Watershed.

In the fall of 2017, MassDEP funded the installation of a flow-monitoring station on the Connecticut River near the northern border of Massachusetts in Northfield. MassDEP also partnered with USGS and the Springfield Water and Sewer Commission to fund continued flow monitoring at this site and the expansion of its water quality data collection program. In addition, USGS has increased nutrient sampling frequency on the Connecticut River at the Thompsonville, CT station. In 2018, MassDEP invested in the installation of 4 more stations that are collecting nutrient loading information associated with the Millers, Deerfield, and Westfield and Chicopee sub-watersheds. The combination of loading information in the streams and the loads associated with the wastewater treatment plants will enable the nonpoint source contributions to be estimated. In combination, these investments total nearly $500,000 in 2019. This network will provide a framework for the development of watershed monitoring plans that will inform future water quality management decision-making in Massachusetts and regionally for the Long Island Sound Drainage Area.

Watershed Group Water Quality Monitoring Grant Program

On Nov. 13, 2018 the Baker-Polito Administration announced the allocation of funding to a new grant program at Massachusetts Department of Environmental Protection (MassDEP). The annual grant provides up to $200,000 in funding to watershed monitoring groups across the Commonwealth for testing rivers, lakes and ponds, and coastal resources for bacteria and other contaminants. The new Watershed Group Monitoring Grant program is being offered by the MassDEP to support watershed groups with baseline monitoring program activities and to help those groups build sampling knowledge and capacity. Watersheds across the Commonwealth must be assessed every two years. However, many water bodies are not assessed for one or more uses – such as primary or secondary recreation or aquatic life – in any given assessment cycle, and many small or unnamed streams and ponds have never been monitored or assessed. Also, new updated information is needed for many water bodies that have been assessed in the past to determine their current condition. The agency has been working on developing this program and plans to offer grant opportunities on a competitive basis. Projects supported by these grants are expected to increase the availability of water quality data used to determine the condition of surface waters within the state. The grant solicitation for proposals will be posted in early 2020 and awarded soon after.

Protecting Drinking Water

Massachusetts' Assistance Program for Lead in School Drinking Water

In April 2016, Governor Charlie Baker and State Treasurer Deborah Goldberg launched a cooperative program to help Massachusetts public schools voluntarily test for lead and copper in drinking water. As part of this program, MassDEP, University of Massachusetts – Amherst, and the Massachusetts Water

Resources Authority provide technical assistance to public schools and childcare facilities to establish a lead and copper in drinking water program. The technical assistance provided helps public schools and childcare facilities to establish a facility based program, provide lab analysis of samples taken at taps and water fountains used for drinking and cooking, and assist with the identification of fixtures with lead and copper concentrations over Massachusetts' lead and copper Action Levels and possible remedial actions.

After schools receive their sampling results, they are encouraged to shut off all fixtures with Action Level exceedances, and to communicate the results and short-term action plans to parents and staff. Schools communicate this information through emails, automated informational calls, letters, website postings, printed postings in schools, newspaper articles, and public meetings. Actions taken to address elevated copper or lead levels include removing and replacing fixtures, using signage to indicate fixtures that are not intended to be used for drinking water, and implementing water line flushing programs.

From the launch of the Program in April 2016 through September 2018, water sampling has been completed in 980 school buildings in 188 communities. Almost 38,825 fixtures resulting in over 67,000 individual water samples were taken at school facilities across the Commonwealth. Approximately 68 percent of these school buildings reported one or more exceedance of the lead Action Level of 15 ppb. In 2019, the U.S. Environmental Protection Agency awarded nearly $1,000,000 for testing of lead in drinking water of Massachusetts schools and childcare facilities. Complementing this initiative, in 2019, the Clean Water Trust allocated $5,000,000 for the installation of bottle filling stations in Massachusetts schools where lead has been detected in drinking water. This important work is ongoing.

E. Remediation of Waste Sites

In FY2019, MassDEP was notified of 1264 new reportable releases of oil and/or hazardous material, bringing the total number of reported releases since the beginning of the site cleanup program in 1985 to 51,688. Consistent with past years, 64% (808) were 2-hour notifications, including sudden releases greater than a Reportable Quantity and Imminent Hazards to health or the environment. Eleven percent (136) were 72-hour notifications, such as leaking underground storage tanks and Conditions of Substantial Release Migration. The remaining 320 notifications (25%) were 120-day notifications triggered by an exceedance of a Reportable Concentration in soil or groundwater.

The assessment and cleanup of disposal sites resulted in 1,081 new Permanent Solutions filed with MassDEP in FY2019. Of these, 87% were closed with no restrictions on future use. Sixty-five sites (6%) required an Activity and Use Limitation as part of the closure. In addition, 41 sites achieved a Temporary Solution.

F. Environmental Justice

Developing an Agency Focused Strategy.

The Executive Office of Energy & Environmental Affairs (EEA) 2017 Environmental Justice (EJ) Policy directed all EEA agencies to develop agency specific EJ Strategies. EEA agencies must consider how to appropriately integrate EJ considerations into their department's work through policies, programs, or other strategies. EEA agencies are also directed to identify and promote agency-sponsored projects, funding decisions, rulemakings or other actions intended to further EJ throughout the Commonwealth in order to assess and measure the fair distribution of benefits. These separate agency strategies will be consolidated into one Secretariat wide EJ Strategy.

MassDEP worked on its agency specific EJ Strategy and plans to finalize it in 2021. The document will outline actions for promoting and integrating EJ considerations across MassDEP's programs, policies, activities and function as the workplan to meet MassDEP's EJ goals. MassDEP is working on finalizing its Strategy in coordination with EEA. The agency is committed to ensuring the equal protection and meaningful involvement of all people residing in the Commonwealth with respect to environmental protection and the equitable development, implementation, and enforcement of environmental laws, regulations and policies.

III. By the Numbers: MassDEP Permitting, Compliance and Enforcement in FY 2019*

PIMS and _Accela_ Timely Action Permit Application Fees and Activity**

	FY 2018	FY 2019
Applications received	2,164	2,233
Total revenue	$1.42 million	$1.49 million
Final determinations issued	2085	2085
Refunds for missed timelines	1	0
Dollar value of timeline refunds	$860	0

PIMS and *Accela* Timely Action Permit Application Final Determinations***

	Applications Completed	Approved	Denied	Withdrawn
Air Quality	133	114	0	19
Waste Site Cleanup	3	3	0	0
Hazardous Waste	97	93	0	4
Lab Certifications	27	24	0	3
Solid Waste	198	186	0	12
Watershed Management	429	425	0	4
Water Pollution Control	161	153	1	7
Water Supply	589	581	0	8
Wetlands & Waterways	448	381	1	66
Total – All Programs	**2,085**	**1,960**	**2**	**123**

Timely Action Fees Collected Under 310 CMR 4.00

	FY 2018	FY 2019
Annual Compliance Fees	$10.7 million	$10.8 million
Chapter 21E Annual Compliance Fees	$3.8 million	$3.8 million
All Permit Application Fees	$3.3 million	$2.9 million
Wetlands Notices of Intent	$1.6 million	$1.7 million
Total Timely Action Fees Collected:	**$19.4 million**	**$19.2 million**

Special Projects Permitting and Oversight Fund

For certain permit applications that need specialized attention or action due to project size, complexity, or technical difficulty, or where proposed projects serve significant public interests and offer opportunities to restore, protect, conserve, or enhance natural resources, an alternative timeline and fee structure may be required. Pursuant to Section 40 of Chapter 149 of the Acts of 2004, revenue derived from these projects is deposited into the Special Projects Permitting and Oversight Fund. During Fiscal Year 2019, the following active projects met these criteria:

Project Name	Total FY19 Costs Incurred	Total Project Costs Incurred	Receipts to Date 9-27-19	Permit Code	FY 19 Permit Volume
TOTAL	**$2,720,670**	**$15,302,430**	**$21,252,869**		2
Clean Energy Results Program	$727,881	**$13,266,195**	$17,017,282		
Drinking Water & Waste Water	$1,807,158	**$1,820,538**	$4,000,000		
Tradebe Stoughton HW Lic	$8,181	**$38,248**	$47,014		
South Coast Rail Ch91 & Water Quality Cert	$97,724	**$97,724**	$67,795		
Clean Harbors Braintree RCRA Part B	$27,552	**$27,552**	$27,552		
Triumvirate Environmental (Merrimack)HW LIC	$6,334	**$6,334**	$7,425		
Coventa Bondi's Landfill Cell 2 Verticle Expansion	$5,342	**$5,342**	$28,600		
Haverhill Harbor Place II Ch91 Non Water Dep	$10,435	**$10,435**	$23,241	WW15C	1
Cyn Oil Corporation HW Lic Renewal	$13,779	**$13,779**	$7,960		
Vineyard Wind Ch91/401 WQC	$16,284	**$16,284**	$26,001	WW26	1

Compliance and Enforcement Activity		
	FY 2018	**FY 2019**
Compliance Inspections	5,974	6,156
Lower Level Enforcement	2,245	2,423
Higher Level Enforcement****	577	650
MassDEP Penalties Assessed	$2.8 million	$2.3 million
MassDEP Penalties Collected	$1.7 million	$1.5 million

** Permitting, compliance, and enforcement counts and dollar amounts for prior fiscal years may vary from figures previously reported due to post-report data reconciliation.*

*** PIMS and Accela Timely Action Permit Application volumes are only for those permit categories tracked in MassDEP's Permit Information Management System (PIMS) and in Accela, MassDEP's on-line permitting application submittal system, and does not include certain categories such as Asbestos/demolition notifications which are tracked separately.*

****Final determinations include only applications that were approved, denied or withdrawn during the fiscal year and may not reconcile with the total number of applications received because some reviews begin in one fiscal year and conclude in the next.*

**** *Complete HLE with Referrals and Settlements (AG, EPA, DA, LSP).*