

Commonwealth of Massachusetts Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Charles D. Baker Governor

Karyn E. Polito Lieutenant Governor Kathleen A. Theoharides Secretary

> Martin Suuberg Commissioner

In the Matter of	
Algonquin Gas Transmission	LLC.

July 12, 2019
Docket Nos. 2019-008, 009, 010, 011, 012 and 013
Air Quality Plan Approval
Weymouth, MA

FINAL DECISION

I adopt the Recommended Final Decision of the Presiding Officer.¹ Within seven (7) business days of the date of this Final Decision, MassDEP (or "the Department") shall make the changes to the Air Quality Plan Approval as recommended by the Presiding Officer on pages 62 and 63 of the Recommended Final Decision.

The parties to this proceeding are notified of their right to file a motion for reconsideration of this Final Decision, pursuant to 310 CMR 1.01(14)(d). The motion must be filed with the Case Administrator and served on all parties within seven business days of the postmark date of this decision. A person who has the right to seek judicial review may appeal this decision to the U.S. Court of Appeals for the First Circuit ("the First Circuit") pursuant to

¹ I note that during the pendency of these consolidated appeals, MassDEP received numerous letters and emails from legislators and citizens in opposition to the project. They have been made part of the record of the appeals.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

the federal Natural Gas Act, 15 U.S.C. § 717r(d)(1)² and M.G.L. c. 30A, §14(1). The complaint must be filed in the First Circuit within thirty days of receipt of this decision.³

Martin Suuberg Commissioner

The United States Court of Appeals for the circuit in which a facility subject to ... [15 USCS § 717b or 717f] is proposed to be constructed, expanded, or operated shall have original and exclusive jurisdiction over any civil action for the review of an order or action of a State administrative agency acting pursuant to Federal law to issue, condition, or deny any permit, license, concurrence, or approval (hereinafter collectively referred to as "permit") required under Federal law, other than the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

See also In The Matter Of Tennessee Gas Pipeline Company, LLC ("TGP"), OADR Docket No. 2016-020, Recommended Final Decision (March 22, 2017), 2017 MA ENV LEXIS 34, at 134-39, Adopted As Final Decision (March 27, 2017), 2017 MA ENV LEXIS 38.

² 15 U.S.C. § 717r(d)(1) provides in relevant part that:

³ TGP, 2017 MA ENV LEXIS 34, at 134-39.

SERVICE LIST

IN THE MATTER OF: LLC

ALGONQUIN GAS TRANSMISSION,

Docket Nos. 2019-008, 009, 010, 011, 012, 013

Weymouth

REPRESENTATIVE

PARTY

Michael H. Hayden, Esq. Morrison Mahoney LLP 250 Summer Street Boston, MA 02210-1181 mhayden@morrisonmahoney.com PETITIONER (in 2019-008) Ten Residents Group

Margaret Bellafiore 49 Caldwell Street Weymouth, MA 02191 Margaret@mobius.org PETITIONER (in 2019-008) Ten Residents Group

Elizabeth Moulds, Pro Se 70 Winter Street Hingham, MA 02043 egmoulds@gmail.com PETITIONER (in 2019-009) Hingham Ten Persons Group

Kerry T. Ryan, Special Counsel Bogle, Deascentis & Coughlin, P.C. 25 Foster Street, First Floor Quincy, MA 02169 ktr@b-dlaw.com PETITIONER (in 2019-010) Town of Hingham

Stephen J. Durkin, Esq. Assistant City Solicitor City of Quincy Quincy City Hall 1305 Hancock Street Quincy, MA 02169 sdurkin@quincyma.gov PETITIONER (in 2019-011) City of Quincy

John J. Goldrosen, Esq. Assistant Town Solicitor Town of Braintree One JFK Memorial Drive Braintree, MA 02184 jgoldrosen@braintreema.gov PETITIONER (in 2019-012) Town of Braintree J. Raymond Miyares, Esq.
Bryan Bertram, Esq.
Ivria Glass Fried, Esq.
Katherine Stock, Esq.
Miyares and Harrington, LLP
40 Grove Street, Suite 190
Wellesley, MA 02482
ray@miyares-harrington.com
bbertram@miyares-harrington.com
ifried@miyares-harrington.com
kstock@miyares-harrington.com

PETITIONER (in 2019-013) Town of Weymouth & Weymouth Ten Citizens Group

Joseph Callanan, Esq.
Town Solicitor
Town of Weymouth
75 Middle Street
Weymouth, MA 02189
jcallanan@weymouth.ma.us

PETITIONER (in 2019-013)
Town of Weymouth & Weymouth Ten
Citizens Group

Ralph Child, Esq.
Nicholas Cramb, Esq.
Jennifer Mather McCarthy, Esq.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, MA 02111
RChild@mintz.com
nccramb@mintz.com
immccarthy@mintz.com

APPLICANT Algonquin Gas Transmission LLC

Mike Dingle, Esq., Chief, Litigation MacDara Fallon, Senior Counsel Jenny E. Outman, Senior Counsel Lauren Karam, Counsel MassDEP Office of General Counsel One Winter Street Boston, MA 02108 mike.dingle@state.ma.us macdara.fallon@mass.gov iennv.e.outman@mass.gov lauren.karam@mass.gov

DEPARTMENT

Cc:

Thomas Cushing, Permit Chief Bureau of Air & Waste MassDEP Southeast Regional Office 20 Riverside Drive Lakeville, MA 02347 thomas.cushing@mass.gov **DEPARTMENT**

Shaun Walsh, Chief Regional Counsel MassDEP/Southeast Regional Office Office of General Counsel 20 Riverside Drive Lakeville, MA 02347 shaun.walsh@mass.gov **DEPARTMENT**

Leslie DeFilippis, Paralegal MassDEP/Office of General Counsel One Winter Street Boston, MA 02108 Leslie.defilippis@mass.gov **DEPARTMENT**

July 12, 2019