

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 Matthew A. Beaton Secretary

Martin Suuberg Commissioner

In the Matter of Massachusetts Bay Transportation Authority ("MBTA") February 27, 2018

Docket No. WET-2017-024 File No. 006-1520 Boston

FINAL DECISION

I adopt the Recommended Final Decision of the Presiding Officer. The parties to this proceeding are notified of their right to file a motion for reconsideration of this 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 Superior Court pursuant to M.G.L. c. 30A, §14(1). The complaint must be filed in the Court within thirty days of receipt of this decision.

Martin Syuberg

Commissioner

SERVICE LIST

In The Matter Of:

MBTA

Docket No. WET-2017-024

File No. 006-1520

Boston

Representative

<u>Party</u>

Jesse H. Alderman Foley Hoag LLP

APPLICANT

155 Seaport Boulevard

MBTA

Boston, MA 02210

jalderman@foleyhoag.com

Donald D. Cooper

PETITIONER

Nixon Peabody, LLP 100 Summer Street

B & W Second, LLC

Boston, MA 02110

dcooper@nixonpeabody.com

Elizabeth Kimball

DEPARTMENT

Mass DEP Office of General

Counsel

One Winter Street Boston, MA 02108

Elizabeth.Kimball@state.ma.us

Cc:

DEPARTMENT

CONCOM

Commission

Boston Conservation

Rachel Freed

MassDEP - Northeast Regional

Office

205B Lowell Street

Wilmington, MA 01887

Rachel.Freed@state.ma.us

Sammy S. Nabulsi

City of Boston Law Department

One City Hall Square, Room 615

Boston, MA 02201

Sammy.nabulsi@boston.gov

Date: February 27, 2018