\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ February 25, 2016

In the Matter of Docket No. 2014-015

Mayhew’s Cleaners File No. RPAN-BO-14-Hj-068 New Bedford

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**FINAL DECISION**

The Petitioner brought this appeal challenging a $1,000.00 Reporting Penalty Assessment Notice (“RPAN”) that the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”) issued to the Petitioner on April 9, 2014. The Department issued the RPAN as a result of the Petitioner’s purported failure to submit for 2013 an ERP Compliance Certification in accordance with the Dry Cleaner Certification Program, in violation of 310 CMR 70.04(1)(a). During the course of the appeal, the Petitioner and the Department agreed to settle the appeal for a $250.00 payment to be made by the Petitioner to the Commonwealth in pursuant to the attached Administrative Consent Order with Penalty (“ACOP”). The Petitioner has paid the $250.00 to the Commonwealth pursuant to the ACOP. Accordingly, there has been an accord and satisfaction of the appeal and the appeal is moot. Under the terms of 310 CMR 1.01(8)(c), this proceeding is dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as any appeal to court, and accordingly, the appeal is dismissed as moot.

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Martin Suuberg

Commissioner