



Department of Environmental Protection

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

July 22, 2022

In the Matter of
Rustam K. Devitre, DDS

Docket No. 2021-021
File No. RPAN 00011692
Boston

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 this appeal.

The Petitioner Rustam K. Devitre, DDS filed this appeal challenging a \$500.00 Reporting Penalty Assessment Notice (“RPAN”) that the Boston Office of the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”) issued to the Petitioner on August 2, 2021 for purported violations of 310 CMR 73.00: Amalgam Wastewater and Recycling Regulations for Dental Facilities; 310 CMR 70.00: Environmental Results Program Certification requirements; and 310 CMR 4.11(11)(b): Permits for Dental Mercury Amalgam Recycling. The Department issued the RPAN to the Petitioner in connection with the Petitioner’s dental practice at 392 Commonwealth Avenue in Boston, Massachusetts (“the Petitioner’s facility”).

On April 26, 2022, MassDEP determined that beginning in 2020, the Petitioner’s

facility was exempt from the regulations at 310 CMR 73.00. As a result, the Department rescinded the RPAN. The Department's rescission of the RPAN rendered the Petitioner's appeal of the RPAN as moot. Accordingly, the Petitioner's appeal of the RPAN is dismissed as moot.



Salvatore M. Giorlandino
Chief Presiding Officer

SERVICE LIST

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REPRESENTATIVE

PARTY

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