



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

December 19, 2024

In the Matter of
Town of Billerica

OADR Docket No. 2022-004
DEP File No. 9P-3-14-031.01
Billerica, MA

FINAL DECISION

In accordance with the Adjudicatory Proceeding Rules at 310 CMR 1.01(14)(b), Bonnie Heiple, Commissioner of the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”), has designated me the Final Decision-Maker in this administrative appeal.¹

I have reviewed and hereby approve the attached Revised Final Permit and Settlement Agreement executed on March 14, 2024, by the Petitioner, Town of Billerica’s representative, John C. Curran, Town Manager, and on March 18, 2024 by Kathleen Baskin, Assistant Commissioner of the Bureau of Water Resources for the Massachusetts Department of Environmental Protection.

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 Massachusetts Department of Environmental Protection as well as any appeal to court.

Salvatore Giorlandino
Chief Presiding Officer

¹ 310 CMR 1.01(14)(b) provides in relevant part that “[e]very final decision” in an administrative appeal “shall be in writing and shall be signed by the [Department’s] Commissioner or a designee of the Commissioner.”

This information is available in alternate format. Please contact MassDEP at 617-292-6500.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

SERVICE LIST

Petitioner
Town of Billerica

Frederick W. Russell, Director
Department of Public Works
Town of Billerica
365 East Boston Road
Billerica, Ma 01812
frussell@town.billerica.ma.us

Department

Duane LeVangie, Program Chief
Water Management Act Program
Bureau of Water Resources
MassDEP/Boston
100 Cambridge Street, 9th Floor
Boston, MA 02114
duane.levangie@mass.gov

Jen DUrso, Environmental Analyst
Water Management Act Program
Bureau of Water Resources
MassDEP/Boston
100 Cambridge Street, 9th Floor
Boston, MA 02114
jen.durso@mass.gov

Department's Representative

Brett H. Hubbard, Counsel
MassDEP/Office of General Counsel
100 Cambridge Street, 9th Floor
Boston, MA 02114
Brett.Hubbard@mass.gov

Cc: Jakarta Childers, Program Coordinator
MassDEP/Office of General Counsel
100 Cambridge Street, 9th Floor
Boston, MA 02114
jakarta.childers@mass.gov