

FFY13 Year-End Annual Report

MassDEP/U.S. EPA Region I Environmental Performance Partnership
Agreement: 2013-2015

Massachusetts Department of Environmental Protection
1 Winter Street
Boston Massachusetts 02108

April 2014

Introduction

This document is the Massachusetts Department of Environmental Protection's (MassDEP's) Federal FY 2013 Year-End Annual Report for the MassDEP/US EPA-Region I Program Plan/Performance Partnership Agreement (PPA). In Federal FY 2013 (October 1, 2012 – September 30, 2013), under the first year of our 3 year PPA, MassDEP received about \$14 million from U.S. EPA under an umbrella grant agreement called the Performance Partnership Grant (PPG). The PPG, and the associated narrative agreement that outlines work commitments to be performed by MassDEP (called the Performance Partnership Agreement [PPA]), covers MassDEP's implementation of federally-delegated programs under the Clean Air Act, Clean Water Act, RCRA, etc. Since 2001, MassDEP has elected to combine the annual PPA narrative with the annual agency-wide Program Plan in an attempt to have a single comprehensive plan for the agency's activities for the coming year (including federally-funded and non-federally funded).

This document provides information on MassDEP's accomplishments for FFY 2013 and has three parts:

Part 1: Priorities and Commitments – Tables summarizing progress made toward the environmental goals and in meeting the commitments contained in the FFY13 PPA Grant Workplan

Part 2: Inspection Tables -- Inspection tables showing the number and type of inspections conducted in FFY12.

Part 3: MassDEP Accomplishment Highlights for 2013 under the following headings: Innovation, Reform and Cross-Cutting Issues; Clean Air, Energy and Climate Change; Clean and Safe Water; Waste Management and Site Cleanup and Compliance and Enforcement.

For more information on MassDEP's activities, including MassDEP Program Plan/Environmental Performance Partnership Agreements (PPAs) and Year-End Annual PPA Reports for previous years, please see the MassDEP website at the following URL:

<http://www.mass.gov/dep/about/priorities/ppahome.htm>

For more information on MassDEP's activities, accomplishments, and the Commonwealth's environmental trends, go to:

- MassDEP Programs and Initiatives: <http://www.mass.gov/eea/agencies/massdep/about/programs/>
- Statistics on Cleaning Up Oil and Hazardous Waste Sites in Massachusetts: <http://www.mass.gov/eea/agencies/massdep/cleanup/reports/statistics-on-cleaning-up-oil-and-hazardous-waste-sites.html>
- Air and Climate: Reports, Plans and Data: <http://www.mass.gov/eea/agencies/massdep/air/reports/>
- Waste Reduction and Recycling Information: <http://www.mass.gov/eea/agencies/massdep/recycle/reports/waste-reduction-and-recycling.html>
- Toxic Use Reduction Act (TURA) Data and Results: <http://www.mass.gov/eea/agencies/massdep/toxics/reports/tura-data-and-results.html>
- Progress Report on Water, Waste Water and Wetlands: <http://www.mass.gov/eea/agencies/massdep/water/reports/>

Same New Revised	EPA's MassDEP 2013 PPA Priorities & Commitments List and End of Year (Sep 30, 2013) Progress Report Record (note: #'s parenthesis are a crosswalk to last year's P&C List)	MassDEP Contacts 617.292.XXXX	EPA Contacts 617.918.XXXX	Sep 30, 2013 End of Year Status	Sep 30, 2013 Comments or Highlights
GOAL 1: TAKING ACTION ON CLIMATE CHANGE AND IMPROVING AIR QUALITY					
Objective 1.1: Address Climate Change					
<i>GHG</i>					
Same	Participate in NESCAUM's Regional Adaptation Planning efforts including GEOSS/AMI project.	Kathy Baskin, EEA	Manager Cynthia Greene 1813, Tech: Norm Willard -1812; Reginna Lyons - 1557		
<i>GHG Permitting</i>					
Same	Work with EPA to develop state PSD and Title V rules which incorporate the GHG permitting requirements of EPA's Final GHG Tailoring Rule.	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Donald Dahl - 1657	Title V Complete; PSD no longer applicable	Title V effective date August 16, 2013; PSD delegated, so state rule unnecessary; not planned at this time
<i>Actions in the industrial sector</i>					
Same	Work with EPA on the implementation of the Greenhouse Gas Reporting Rule and analysis of the reported data. Activities may include: 1) reviewing a preliminary list of MA facilities subject to reporting rule; 2) assisting EPA in notifying facilities potentially subject to the rule; 3) answering and/or directing questions from facilities on the rule; 4) helping EPA analyze and do quality assurance on the reported data, etc.	Christine Kirby 292-5631	Manager: Cynthia Greene -1813, Tech: Shutsu Wong -1078	Ongoing	
Same	Work with EPA and the Bureau of Ocean Energy Management Regulation and Enforcement on permits, rules and reporting for offshore energy development.		Manager: Cynthia Greene -1813, Tech: John Moskal -1826		
Revised	Continue roundtable work enhancing drinking water and wastewater treatment energy improvements with current EPA funding until end of FY12. EPA and MassDEP will continue to support this work in FY13.	Mike DiBara 508-767-2885, Ann Lowery 617-292-5846	Manager Cynthia Greene -1813, Tech: Jason Turgeon -1637, Linda Darveau -1718		
<i>Actions in the transportation sector</i>					
Same	Continue to implement the MA Rideshare program	Christine Kirby 292-5631	Manager: Anne Arnold -1047, Tech: Gary Rennie -1525	Ongoing	
Same	Through the Northeast Diesel Collaborative, promote programs to improve fuel efficiency and reduce emissions from transportation and goods movement such as EPA's SmartWay Transport Partnership and EPA's Clean Ports USA program. (OTAQ 04)	Christine Kirby 292-5631	Manager: Anne Arnold -1047, Tech: Abby Swaine -1841	Ongoing	
Objective 1.2: Improve Air Quality					
<i>Ozone, PM_{2.5}, PM₁₀ and CO</i>					
Revised	Participate in EPA's AIRNOW program. This includes: 1) Submitting ozone, PM _{2.5} and other real-time pollutant data to the Data Management Center; 2) Providing ozone and PM _{2.5} forecasts and issuing state alerts using EPA's EnviroFlash system; 3) as travel allows, participating in Region I's outreach and forecasting workshop and the National Air Quality Conference.	Richard Fields 292-5607	Manager: Anne Arnold -1047, Tech: Anne McWilliams - 1697	ongoing	

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Revised	Develop 2011 periodic emission inventory estimates.	Ken Santlal 292-5776	Manager: Anne Arnold -1047, Tech: Bob McConnell -1046	DONE	MassDEP 2011 PEI data submittal to EPA-NEI is completed. Submitted the required 2011 Point and Non-point emissions data by EPA's Jan 8 2013 deadline. The Onroad MOVES inputs were submitted June 5 2013.
Revised	Submit 2011 emissions data to EPA's NEI by December 31, 2012.	Mark Wert 292-5598	Manager: Anne Arnold -1047, Tech: Bob McConnell -1046	Done.	Working on improved QA for 2013-14 to reduce time needed for corrections.
Same	Commit to move forward with the regulatory process for the rules necessary pursuant to the following CTGs issued by EPA: 1) Industrial Cleaning Solvents; 2) Offset Lithographic Printing & Letterpress Printing; 3) Flexible Package Printing; 4) Paper, Film, and Foil Coatings; 5) Metal Furniture Coating; 6) Miscellaneous Metal Products and Plastic Parts Coatings; 7) Fiberglass Boat Manufacturing Materials; 8) Large Appliance Coatings; and 9) Miscellaneous Industrial Adhesives.	<u>Sharon Weber 556-1190</u> or Eileen Hiney 292-5520 or Marc Wolman 292-5515	Manager: Anne Arnold -1047, Tech: David Mackintosh - 1584	Item 9 regulation promulgated; other regulations drafted	The Adhesives regulations were promulgated 8/30/13, see http://www.mass.gov/eea/agencies/massdep/air/regulations/310-cmr-7-00-air-pollution-control-regulation.html#3 for final regulations and Response to Comments document. The other regulations have been drafted, sent to EPA for comment in 2 batches on 4/25/13 and 6/14/13, and are now being revised in response to EPA comments received 6/7/13 and 9/27/13.
Same	Submit a negative declaration for the following CTGs: -Automobile and Light-Duty Truck Assembly Coatings.	Eileen Hiney 292-5520 or Marc Wolman 292-5515	Manager: Anne Arnold -1047, Tech: David Mackintosh - 1584	On hold	Will submit to EPA along with promulgated CTG regulations (above) for concurrent CTG SIP action.
Revised	Submit rules relied on in 8-hour attainment demonstration, including rules limiting emissions from asphalt paving and adhesives & sealants.	Eileen Hiney 292-5520	Manager: Anne Arnold -1047, Tech: David Mackintosh - 1584	Adhesives/Sealants regulation became effective 8/30/2013. No plans to propose an asphalt paving rule.	
Revised	Adopt and submit CAIR-Replacement Rule.	Sharon Weber 556-1190	Manager: Anne Arnold -1047, Tech: Alison Simcox -1684		
Same	Complete and submit annual I/M reports to EPA. (OTAQ 06)	Christine Kirby 292-5631	Manager: Anne Arnold -1047, Tech: Ariel Garcia -1660	Done	Submitted 7/29/13

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New	If the State plans to discontinue its Stage II Vapor Recovery Program, work with EPA to develop an approvable SIP revision.	Eileen Hiney 292-5520	Manager: Anne Arnold -1047, Tech: Ariel Garcia -1660	Have had extensive stakeholder and EPA involvement in plans to discontinue Stage II.	Draft regulation and SIP amendment has been reviewed by EPA and is expected to be proposed for public review by end of calendar year.
Same	Process conformity determinations for 8-hour ozone nonattainment areas and CO maintenance areas. (OTAQ 03a)	Christine Kirby 292-5631	Manager: Anne Arnold -1047, Tech: Don Cooke -1668	Done	Letter issued 9/26/13
Same	Continue to participate in Northeast Diesel Collaborative to advance state and regional programs to reduce diesel emissions.	Christine Kirby 292-5631	Manager: Anne Arnold -1047, Tech: Cyndi Veit -1666, Gary Rennie -1525, John Rogan-1645	Ongoing	
New	Submit an infrastructure SIP for the 2008 ozone standard.	Eileen Hiney 292-5520	Manager: Anne Arnold -1047, Tech: Richard Burkhardt -1664	Infrastructure SIP issued for public review 8/2/2013 with comment deadline of 9/16. In process of responding to comments received from EPA and Sierra Club.	
New	Submit items committed to in the PM _{2.5} infrastructure rulemaking. These include SIP revisions for: 1) revised air quality standards regulation, and 2) conflict of interest statute.	Eileen Hiney 292-5520	Manager: Anne Arnold -1047, Tech: Alison Simcox -1684	Regulation revisions were issued for public review 5/20/2013. Incorporation of statute into SIP was issued for public review 8/2/2013.	When regulation revisions are final they will be submitted along with the statute.
	<i>NO₂, SO₂ and Pb</i>				
Same	Submit final lead NAAQS infrastructure SIP to EPA.	Eileen Hiney 292-5520	Manager: Anne Arnold -1047, Tech: Bob McConnell -1046	Submitted to EPA 12/2/2012.	EPA issued completeness letter dated 2/1/2013.
Revised	Submit infrastructure SIP for the one hour NO ₂ standard by January 22, 2013.	Eileen Hiney 292-5520	Manager: Ida McDonnell -1653, Tech: Donald Dahl-1657	Infrastructure SIP issued for public review 8/2/2013 with comment deadline of 9/16. In process of responding to Infrastructure SIP issued for public review 8/2/2013 with comment deadline of 9/16.	
New	Submit infrastructure SIP for the one hour SO ₂ standard by June 2, 2013.	Eileen Hiney 292-5520	Manager: Ida McDonnell -1653, Tech: Donald Dahl-1657	In process of responding to Awaiting EPA guidance for areas not designated non-attainment	
Revised	Work with EPA to develop a plan to ensure that the 1-hr SO ₂ standard is being attained throughout the state. Initial focus of the plan should be areas surrounding the very largest existing SO ₂ sources.	Eileen Hiney 292-5520	Manager: Ida McDonnell -1653, Tech: Donald Dahl -1657		

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Revised	Develop a reasonable method of notifying the public of elevated NO ₂ and SO ₂ levels, such as providing real-time 1-hr AQI information for both pollutants on the DEP web site.	Richard Fields 292-5607	Manager: Anne Arnold -1047, Tech: Anne McWilliams - 1697	ongoing	
	<i>Regional Haze</i>		Senior Program Manager: Dave Conroy -1661		
Same	Participate in the modeling activities of the Ozone Transport Commission (OTC) and in the northeast regional haze planning organization Mid-Atlantic and Northeast States Visibility Union (MANE VU) to ensure that Massachusetts' ozone and Regional Haze modeling obligations are appropriately addressed.	Eileen Hiney 292-5520	Manager: Anne Arnold -1047, Tech: Anne McWilliams - 1697	Participation is ongoing	
	<i>Title V / NSR Permits</i>		Senior Program Manager: Dave Conroy -1661		
Same	Insure that 100 percent of Title V operating permit significant modifications are issued within 18 months of receiving a complete permit application or settlement of an enforcement case. Provide necessary data through the TOPS Tracking Form to document the goal every six months. (OAQPS P11)	Karen Regas 292-5624	Manager: Ida McDonnell -1653, Tech: Donald Dahl - 1657	Ongoing	Reported on time to EPA
Same	Insure that 100 percent of new Title V operating permits are issued within 18 months of receiving a complete permit application or settlement of an enforcement case. Provide necessary data through the TOPS Tracking Form to document the goal every six months. (OAQPS P11)	Karen Regas 292-5624	Manager: Ida McDonnell -1653, Tech: Donald Dahl - 1657	Ongoing	Reported on time to EPA
Revised	Title V operating permit renewals: Document the number of expired Title V permits as of Oct. 1, 2012 and reduce the total universe by 10% during the fiscal year. Provide necessary data through the TOPS Tracking Form to document the goal every six months. (OAQPS P11)	Karen Regas 292-5624	Manager: Ida McDonnell -1653, Tech: Donald Dahl - 1657	Ongoing	Reported on time to EPA
Same	Insure that 78 percent of major NSR permits are issued within 12 months of receiving a complete permit application. Provide necessary data to document the goal every six months. (OAQPS P001)	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Brendan McCahill -1652	Ongoing, compliant	One complete major NSR application submitted in FFY 2013; on target to issue within 12 months
Same	Insure that data are submitted to EPA's RACT, BACT, LAER Clearinghouse for new major sources and major modifications within 90 days of permit issuance. Provide the data documenting the timeliness of the submissions in the end of year report.	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Brendan McCahill -1652	Ongoing	No major permits issued in FFY 13; Will submit permits within 90 days of issuance
Same	Issue PSD permits in accordance with the Delegation Agreement signed on April 11, 2011.	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Brendan McCahill -1652	Ongoing	UMass Amherst minor modification proposed in FFY 2013, Footprint Salem Harbor proposed in FFY 2014
	<i>Air Monitoring</i>		Senior Program Manager Katrina Kipp -8309		

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Revised	Air Monitoring Network: Implement plans to monitor for NO ₂ consistent with final January, 2010 NO ₂ NAAQS. Commensurate with the level of additional funding, annual network plan should address the need for any NO ₂ monitors to be operational in accordance with final rule, including near road, community scale and RA40 monitors, as appropriate. (Near road monitor locations should consider the near road CO monitoring requirements of August, 2011 final CO NAAQS.)	Tom McGrath 727-9015 x318	Tech: Bob Judge -8387	Done	Near Road NO ₂ and CO operating July, 2013.
Revised	Air Monitoring Network: Submit to EPA by July 1 the annual air monitoring network plan (40 CFR 58.10). State Plan should be made available for public and EPA review by May 31, at the latest. The Plan should include ensuring monitoring networks are consistent with the requirements of recent NO ₂ , SO ₂ , CO, lead and ozone NAAQS rules, in particular. (OAQPS M08)	Tom McGrath 727-9015 x318	Tech: Bob Judge -8387	Done	Network approval letter received September, 2013.
Revised	Air Monitoring Network: Operate EPA-approved network (SLAMS, PAMS, PM), enter the air monitoring, precision and accuracy data into AQS within 90 days (180 days for PAMS) of the end of each calendar quarter (40 CFR 58.12, 58.14, & 58.16) (OAQPS M11) and submit the Annual Air Quality Data certification by May 1, 2013 (40 CFR 58.15). (OAQPS M06)	Tom McGrath 727-9015 x318	Tech: Bob Judge -8387	Mostly done.	All ambient data except PAMS submitted on time. Data certification letter submitted on time (May 1). PAMS data behind schedule due to complicated nature.
Same	Toxics Air Monitoring: Continue operation of the toxics air monitoring sites and enter the data into AQS. (OAQPS M20)	Tom McGrath 727-9015 x318	Tech: Bob Judge -8387	Done	NATTS site operated according to spec. Data submitted.
Revised	Quality Assurance: Ensure all approved QAPPs are reviewed by November 1, 2012, and confirm this in writing to EPA. Major changes will require a QAPP revision. Ensure adequate, independent QA audits of NAAQS monitors or participate in NPAP and PEP QA programs. (OAQPS M10)	Tom McGrath 727-9015 x318	Tech: Bob Judge -8387	Done	All audits done according to spec. Annual QAPP letter submitted on time (November 1, 2013).
Revised	Prepare to terminate, as needed, the current PM §103 air monitoring project on March 31, 2013, and apply for new PM funds, as appropriate.	Tom McGrath 727-9015 x318	Tech: Bob Judge -8387	Done	Grant extension applied for and received according to schedule. Grant letter dated June, 2013.
New	Participate and support EPA in every 3rd year Technical Systems Audit (TSA) for State during FY 2013. (OAQPS M07)	Tom McGrath 727-9015 x318	Tech: Bob Judge -8387	Done	AAB participated and met with EPA regarding findings
	<i>Air Toxics</i>		Senior Program Manager: Dave Conroy -1661		

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Same	Work with EPA to develop and implement a compliance and assistance strategy for the final Industrial, Commercial, and Institutional Boilers NESHAPs for area sources. Implementation activities should include: developing workshops and trainings for affected facilities; conducting outreach mailings to facilities or trade association groups; updating websites to include information about the NESHAPs; providing technical assistance to facilities; amending Boiler Environmental Certification Workbook to include information on NESHAP and EPA contacts; and evaluating Boiler ERP regulation as applied to oil-fired boilers.	Karen Regas 292-5624	Manager: Ida McDonnell -1653, Tech: Susan Lancey - 1656	Done but ongoing	We update our webpage as new information is available (e.g. EPA webinars etc)
Same	Work with EPA to perform compliance and assistance activities for the area source NESHAP for reciprocating internal combustion engines. Implementation activities could include: developing workshops and trainings for affected facilities; conducting outreach mailings to facilities or trade association groups; updating websites to include information about the NESHAPs; providing technical assistance to facilities; and working to promote pollution prevention in the sector as part of the outreach or trainings.	Karen Regas 292-5624	Manager: Ida McDonnell -1653, Tech: Susan Lancey - 1656	Done but ongoing	We update our webpage as new information is available. Marc Wolman participated with Region 1 staff on an engine webinar focusing on the intersection of our regulations and EPAs requirements.
Revised	Continue delegation and implementation of toxic requirements under section 112, 129, and 111(d) for major sources rules, area source rules, and residual risk rules.	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Susan Lancey - 1656	Ongoing	Delegated at Air Operating Permit facilities per Title V (Air Operating Permit) Memorandum of
Same	Submit revisions to 310 CMR 7.08 which meet EPA's May 10, 2006 final rule for Large Municipal Waste Combustors.	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Patrick Bird - 1287	Formally proposed and conducted public hearing/comment period.	Currently drafting response to comment & final reg, plan to initiate internal approval process during FFY '14
Same	Analyze whether there are any facilities in Massachusetts subject to EPA's December 16, 2005 rule for Other Solid Waste Incinerators. If no facilities exist, submit the appropriate negative declaration to EPA.	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Patrick Bird - 1287	Received formal notification that Natick Labs unit shut down	Will confirm absence of facilities and submit "Negative Declaration" in FFY 2014
Revised	Pursuant to the final revised Sewage Sludge Incinerator rule, submit a State Plan that contains appropriate enforceable limitations for the existing sewage sludge incinerators in Massachusetts.	Marc Wolman 292-5515	Manager: Ida McDonnell -1653, Tech: Patrick Bird - 1287	Ongoing discussion with EPA's Bird; changed approach planning to seek delegation of impending Federal Implementation Plan	Pending upcoming proposal of FIP, working to get initial Title V Air Operation Permit applications in 2014 from Brockton, Lynn, Fall River, and looking towards initial compliance date in 2016 for all including Upper Blackstone
Same	Review and comment on the draft 2008 National Air Toxics Assessment (NATA)/National Air Pollutant Assessment (NAPA) when it is available for comment.	Eileen Hiney 292-5520	Manager: Ida McDonnell -1653, Tech: Susan Lancey - 1656	Not available as of 9/2013.	

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Same	Support EPA's efforts to produce an accurate National Emission Inventory (NEI) for Hazardous Air Pollutants (HAPs). This includes reviewing Massachusetts point source data released for comment under EPA's Risk and Technology Review rulemakings, to the extent that appropriate emissions data is available.	Eileen Hiney 292-5520, Mark Wert 292-5598	Manager: Anne Arnold -1047, Tech: Bob McConnell -1046	Review ongoing	
	Objective 1.3: Restore the Ozone Layer				
	No specific PPA related action for the State				
	Objective 1.4: Reduce Unnecessary Exposure to Radiation				
	No specific PPA related action for the State				
	GOAL 2: PROTECTING AMERICA'S WATERS				
	Objective 2.1: Protect Human Health				
	<i>Certification of Drinking Water Labs</i>	Dr. Oscar Pancorbo - 978-682-5237	Senior Program Manager: Gerry Sotolongo - 8311		
Revised	Maintain full certification of the DEP WES state principal laboratory and follow up promptly on any action items resulting from EPA's audits of the laboratory. Maintain required schedule for private laboratory inspections.	Dr. Oscar Pancorbo - 978-682-5237	Senior Program Manager: Gerry Sotolongo -8311 Tech: Ann Jefferies -8373	Ongoing	The MassDEP/WES state principal laboratory continues to maintain certification. The Laboratory Certification Program, including the frequency of inspection of MassDEP-certified laboratories, continues to meet and exceed EPA requirements.
	<i>Source Water Protection</i>	Program Director: Marielle Stone 617-292-5529	Senior Program Manager: Jane Downing -1571		
revised	Continue to support implementation of local programs and, where appropriate, continue to integrate source water protection implementation into other programs as appropriate (e.g., UIC, stormwater). Local programs include watershed and wellhead protection plans, land use controls, education and outreach programs, emergency response planning.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Kira Jacobs -1817	Ongoing	Completed activities planned for this year, but this is an ongoing commitment.
	<i>Drinking Water</i>	Program Director: Marielle Stone 617-292-5529	Senior Program Manager: Jane Downing -1571		

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Revised	Work to achieve target of 92% of population served by CWSs that receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Kevin Reilly -1694	Ongoing	Achieved target and completed activities planned for this year, but this is an ongoing commitment.
Same	Work to achieve target of 90% of CWSs that provide drinking water that meets all applicable health-based standards through approaches including effective treatment and source water protection. (SP-1).	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Kevin Reilly -1694	Ongoing	All work planned for this year was completed but the target will not be met until the RTCR is implemented (no later than April 1, 2016.)
Same	Work to achieve target of 95% of "person months" (i.e., all persons served by CWSs times 12 months) during which CWSs provide drinking water that meets all applicable health-based drinking water standards. (SP-2).	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Kevin Reilly -1694	Ongoing	Achieved target and completed activities planned for this year, but this is an ongoing commitment.
Same	LT2/Stage2: Implement rules and coordinate, as necessary, with Region. Work with Region to make any changes necessary to primacy package to obtain EPA approval.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Kevin Reilly -1694	Complete	
Same	GWR: Implement rules and coordinate, as necessary, with Region. Work with Region to make any changes to package to obtain approval.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Denise Springborg -1681	Complete	
Revised	Sanitary surveys: Continue to conduct surveys of Community Water Systems (CWS) on three-year cycle (and 5 year cycle if system has met the MassDEP outstanding performance criteria) and non-transient non-community water systems (NTNCWSs) and transient non-community water systems (TNCWSs) on five-year cycle. As a goal, work to prepare and issue reports in a timely manner (within 60 days of inspection). At a minimum, report surveys for surface water and GWUDI systems to SDWIS. Note: three-year cycle for surveys conducted at CWSs (served by surface water/GWUDI) will be measured for FY13 based on the period 1/1/10 through 12/31/12.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Kevin Reilly -1694	Ongoing	Completed activities planned for this year, but this is an ongoing commitment. Surveys to ensure public health protection, evaluations resulting from Boil order and other Public Health protection orders are a priority and may be swapped, when necessary, for systems with outstanding compliance histories.
Same	File Reviews (previously called Program Review/Data Verifications): Work with the Region to improve SDWIS data quality highlighted in the Data Reliability Study. Prepare for the next file review by reviewing the deficiencies identified and addressed in the past program review and discussions with the Region as part of the data reliability study, and evaluate policies, procedures, and data management to ensure that compliance determinations are consistent with state and federal regulations.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Kevin Reilly -1694	Complete	

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Same	Security/Emergency Response: continue to coordinate with EPA on security workshops, drills and all hazards preparedness.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1751 Tech: Kevin Reilly -1694	Ongoing	Completed activities planned for this year, but this is an ongoing commitment.
Same	Implement Short-Term LCR revisions. Continue to follow-up on any LCR action items (e.g., follow-up on LCR data verification) and work with EPA to obtain final LCR primacy approvals for both minor revisions and short term revisions.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Ellie Kwong -1592	Complete	
revised	Maintain timely and accurate reporting to SDWIS and otherwise comply with 40 CFR 142.15. Modify database to allow for GWR. Stage 2 DBPR, and LT2 ESWTR reporting. After database modifications, modify XML generation software and upgrade to most recent version of FedBen.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Emanuel Souza -1594	Complete	
revised	Develop a phone- and email-based automated reminder system for alerting public water systems to monitoring and reporting deadlines.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571 Tech: Denise Springborg - 1681	Ongoing	The product has been purchased, installed and is in test mode. The final application of this product is planned for Spring 2014.
Same	Coordinate with EPA on mid-year and year-end PWSS reviews, including status of various rule implementation, GPRA progress, and resource issues. When EPA provides the output from the Logic Model, MassDEP will use the Logic Model with Region in midyear process and to facilitate any program analysis as needed.	Program Director: Marielle Stone 617-292-5529	Manager: Jane Downing -1571;Tech: Kevin Reilly -1694, Emanuel Souza - 1594	Complete	
	<i>UIC</i>	Program Director: Marielle Stone 617-292-5529 Tech Lead: Joe Cerutti (617) 292-5859	Senior Program Manager: Jane Downing -1571		
Same	Continue to identify and to close or permit identified motor vehicle waste disposal wells and large capacity cess pools; report number identified, closed or permitted (UIC National Measure SDW-8). Continue to report UIC activities (e.g., number of inspections conducted, number of permits issued, number of wells closed, UIC enforcement activity, etc.) to EPA per 7520 forms.	Program Director: Marielle Stone 617-292-5529 Tech Lead: Joe Cerutti (617) 292-5859	Manager: Jane Downing -1571 Tech: Denise Springborg - 1681 and Gevon Solomon - 1513	Ongoing	Completed activities planned for this year, but this is an ongoing commitment.

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Revised	Complete eDEP (electronic registration - UIC applications), complete upgrades to MassDEP UIC database (authorized-by-rule and permitted Class IV & V wells) and complete schema to transfer UIC data to EPA UIC database.	Program Director: Marielle Stone 617-292-5529 Tech Lead: Joe Cerutti (617) 292-5859	Manager: Jane Downing -1571 Tech: Denise Springborg-1681 and Gevon Solomon-1513	Incomplete	MassDEP was unable to commit the IT resources to complete this item. There is an ongoing DEP-wide project to evaluate and improve data storage and access systems (EIPAS). We anticipate that the completion of the EIPAS project will facilitate completion of this item .
Revised	Provide updates, responses and clarifications to questions raised during EPA's primacy review related to 1999 amendments to EPA's Class V regulations that may be impacted by recent (and proposed) MassDEP UIC-related regulatory revisions that have occurred since the original MassDEP application for the Class V 1999 amendments. Develop a schedule to finalize and submit a revised MassDEP Primacy Package that reflects the MassDEP UIC- related regulatory revisions that have occurred since the original MassDEP application for primacy for the Class V 1999 amendment.	Program Director: Marielle Stone 617-292-5529 Tech Lead: Joe Cerutti (617) 292-5859	Manager: Jane Downing -1571 Tech: Denise Springborg-1681 and Gevon Solomon-1513	Complete	
	Objective 2.2: Protect and Restore Watersheds and Aquatic Ecosystems				
	<i>Water Monitoring</i>	Rick Dunn 508-767-2874	Senior Program Manager Katrina Kipp -8309		
Revised	Continue implementing final comprehensive water monitoring strategy covering lakes, rivers and estuaries, as resources allow. (WQ-5).	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309 Tech: Diane Switzer -9377	Ongoing	
New	Conduct statewide probabilistic survey and assessment of at least one water resource and at least one designated use with applicable water quality standard. Provide schedule and progress report for multi-year surveys.	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309 Tech: Diane Switzer -9377	Ongoing	
Revised	Provide draft updated monitoring strategy to EPA by March 31, 2013 if not completed during FY12, and finalize by July 1, 2013.	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309 Tech: Diane Switzer -9377	Ongoing	Draft complete, but has not yet been submitted to EPA, on hold pending internal DEP review and program evaluation.
Revised	Report on outcomes of monitoring activities using FY2012 106 supplemental funding for monitoring by Sept. 30, 2013, and prepare workplan for FY2013 106 supplemental funds by June 1, 2013.	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309 Tech: Diane Switzer -9377	Ongoing	
Same	Participate as feasible in New England-wide projects such as the Biological Condition Gradient (BCG) workgroup, other biological/water quality monitoring activities, and attend relevant regional meetings/conferences (e.g., NEAEB).	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309, Tech: Hilary Snook -8670	Ongoing	

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Same	Participate in, as feasible, or coordinate with EPA Office of Water's National Aquatic Resource Surveys (NARS) and submit workplan reflecting level of participation.	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309 Tech: Hilary Snook -8670	Ongoing	
	303(d)/305(b)	Rick Dunn 508-767-2874	Senior Program Managers: Katrina Kipp -8309 & Steve Silva -1561		
Revised	Submit electronic updates of the final EPA approved 305(b)/303(d) Integrated Report using ADB if new assessments are completed. (WQ-7)	Rick Dunn 508-767-2874	Senior Program Manager Katrina Kipp -8309 & Steve Silva 1561	Complete	
Revised	Submit CALM (Comprehensive Assessment and Listing Methodology) document by Nov 1, 2012 if not submitted during FY12.	Rick Dunn 508-767-2874	Senior Program Manager Katrina Kipp -8309 & Steve Silva 1561	Complete	
Same	MassDEP will continue to georeference waters to NHD 1:25,000 and will begin using 1:24,000 when MassGIS is updated to reflect the finer resolution.	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309 Tech: Diane Switzer -9377	Ongoing	
	STORET/WQX (Water Quality Exchange)	Rick Dunn 508-767-2874	Senior Program Manager Katrina Kipp -8309		
Revised	Upon completion of the WRATS database provide annual uploads of physical, chemical and biological monitoring data to WQX (STORET).	Rick Dunn 508-767-2874	Manager: Katrina Kipp -8309 Tech: Diane Switzer -9377	Ongoing	
	Water Quality Standards - Biological, Nutrient, Temperature	Rick Dunn 508-767-2874	Senior Program Manager: Steve Silva -1561		
Same	EPA will provide support to DEP, EEA, DCR and other state and federal agencies in their efforts toward addressing flow quantity and water level issues as part of their Sustainable Water Management Initiative.	Beth Card (617) 292-5748 & Ann Lowery 292-5846	Manager: Stephen Silva -1561 Tech: Ralph Abele -1629	Ongoing	
Same	Continue ongoing WQS activities and work with EPA to resolve outstanding issues.	Marcia Sherman 617-556-1198	Manager: Stephen Silva -1561 Tech: Ellen Weitzler -1582	Ongoing	
Same	Work with EPA towards the development of a nutrient management framework and criteria for phosphorus and nitrogen for lakes/ponds/impoundments and rivers/streams/estuaries at the earliest possible time. (WQ-1a, 1b).	Rick Dunn 508-767-2874	Manager: Stephen Silva -1561 Tech: Ellen Weitzler -1582	Ongoing	

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Same	Provide any necessary schedule updates and a brief progress report to EPA for the development of numeric water quality criteria, total phosphorus and total nitrogen for lakes/ponds/impoundments; rivers/streams; and estuaries in Massachusetts by December 2012. (WQ-1c).	Rick Dunn 508-767-2874	Manager: Stephen Silva -1561 Tech: Ellen Weitzler -1582	Complete	
Same	In meeting their responsibilities under commitments 76 and 77, EPA and DEP recognize that there is not sufficient data available in Massachusetts to establish numeric criteria for both phosphorus and nitrogen in lakes/ponds, impoundments, rivers/streams and estuaries and therefore "as early as possible" in some instances will be significantly in the future. Further, EPA and DEP agree to work together to collect any necessary data, as well as, assess the progress being made within the region and nationally on the development of science for establishing phosphorus and nitrogen numeric criteria.	Rick Dunn 508-767-2874	Manager: Stephen Silva -1561 Tech: Ellen Weitzler -1582	Ongoing	
	<i>TMDL Development</i>	Rick Dunn 508-767-2874	Senior Program Manager: Steve Silva -1561		
Revised	Establish and submit to EPA for approval 40-50 TMDLs during FY13, and provide tentative list of water bodies (future substitutions allowed) by 9/30/12. Work with EPA contractor toward completion of TMDLs under development. (WQ-8b)		Manager: Stephen Silva -1561	Complete	
Same	Participate in Region 1/State/NEIWPCC TMDL efforts to improve environmental effectiveness of the TMDL program. (WQ-8b).	Rick Dunn 508-767-2874	Manager: Stephen Silva -1561; Tech: Mary Garren -1322	Ongoing	
Same	EPA agrees to continue to monitor and report on RI efforts to develop a TMDL for Nitrogen for Narragansett Bay.	Rick Dunn 508-767-2874	Manager: Stephen Silva -1561	Ongoing	
Same	EPA agrees to closely coord. w/ MA & carefully consider MA strategies & implementation plans prior to initiating residual designation (RD) efforts, or making a decision on any RD petition. EPA will solicit & give strong consideration to DEP's views on whether RD is necessary to ensure reasonable progress toward meeting WQS. Agencies agree to coordinate closely in event an RD is considered as part of the implementation plan for any future TMDLs. (WQ-8b).	Ann Lowery 292-5846	Manager: Stephen Silva -1561	Ongoing	
	<i>Watershed Approach</i>	<u>Rick Dunn 508-767-2874</u>	Senior Program Managers: Johanna Hunter -1041		

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Revised	Submit a list of waterbodies and HUC-12 watersheds to EPA by 3/15/13 that the state is working to fully or partially restore. (SP-10, SP-11, SP12).	Rick Dunn 508-767-2874	Manager: Johanna Hunter - 1041	Complete	Report is complete but not yet submitted to EPA. Undergoing MassDEP review.
Revised	In these priority water bodies and watersheds, work to leverage existing tools and resources such as the state TMDL, nonpoint source, water quality permit, SRF, and source water assessment programs to concentrate implementation efforts. Report progress on restoring these priority waters and watersheds by 8/31/13. (SP-10, SP-11, SP-12).	Rick Dunn 508-767-2874	Manager: Johanna Hunter - 1041	Complete	Report is complete but not yet submitted to EPA. Undergoing MassDEP review.
Revised	Collaborate on the Mystic River Watershed Initiative to improve water quality and environmental conditions throughout the watershed by serving on the Mystic River Watershed Initiative Steering and Science Committees and actively participate in all meetings, support priority actions, including environmental justice, to the best of each agency's ability and within their authorities.	Kevin Brander: 978-694-3236	Manager: Lynne Hamjian - 1601 Tech: Caitlyn Whittle -1748	Ongoing	
Same	Participate on Regional Healthy Watershed State Work Group to help implement Region 1's Healthy Watershed Strategy and/or work to assess healthy watersheds in your state (WQ 22a).	<u>Jane Peirce 508-767-2792</u>	Senior Program Manager: Johanna Hunter -1041 Tech: Trish Garrigan 1583	Complete	
	<i>319 Program</i>	<u>Steve McCurdy (617)292-5779</u>	Senior Program Manager: Johanna Hunter -1041		
Revised	National Guidelines: Use the most current Nonpoint Source Program and Grants Guidelines for states and territories to identify eligible activities, program priorities, and reporting requirements.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	
Revised	Attendance at NPS meetings/training: A representative of the state's NPS program is expected to attend NPS and GRTS national and regional meetings convened by EPA unless prevented by state-wide travel bans. States shall utilize s.319 funds to cover travel expenses for NPS program staff to participate in regional and national GRTS training meetings, national NPS conferences, and regional meetings and conferences, unless other state funds are available for this purpose. State workplans should ensure that adequate 319 funding is set aside annually for this purpose.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	National NPS meeting attended; GRTS training attended.

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Revised	Working with USDA: Cooperate with USDA through participation at four quarterly meetings of the State Technical Committee, to look for opportunities to leverage Farm Bill (e.g., EQIP, CRP, WRP) funds for 319-funded projects or other high priority watershed restoration needs. Continue to work with other government agencies to address and improve areas of environmental concern (e.g., impaired waters, compliance w/ instream flow and water level rules, fragile waters in need of protection, and a watershed approach). In FY13, participate in the NRCS Water Quality Initiative to target EQIP funds to 1-3 small watersheds.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	Palmer River watershed selected as NWQI focus.
Revised	Priority-Setting: MassDEP will use the results of the Recovery Potential Screening Tool to help target 319 funding toward restoration of priority segments, water bodies or watersheds and protection of high priority healthy and threatened waters (e.g. Measure SP-12 watershed commitments). Inform EPA of the state's priority-setting methodology (e.g., EPA's Recovery Potential Screening Tool or some other process).	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	
Revised	Success Stories: Submit one or more success stories for waterbodies that have been fully or partially delisted in previous years, and/or that show improvement in water quality or demonstrate ecological restoration (WQ-10). To do this, identify selected water bodies that were recently partially or fully delisted, or that demonstrate water quality or habitat improvement, and investigate whether local, state, federal or private NPS mitigation occurred that might make these waterbodies a candidate for a NPS Success Story. Using EPA's guidance (http://water.epa.gov/polwaste/nps/success319/info.cfm#cat1), prepare and submit to EPA a success story for selected water bodies by June 1st. See http://water.epa.gov/polwaste/nps/success319/ for examples of success stories and other information.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	Two success stories submitted.
Revised	GRTS: Within 90 days of receipt of a categorical grant or receipt of final 319 funding under a PPG award, enter into the Grants Reporting Tracking System (GRTS) all 319 grant mandatory data elements except for best management practices data and load reduction model and data. By February 15th, complete annual GRTS reporting by entering all remaining mandatory BMP and load reduction data (if applicable). Provide timely review of national GRTS reports prepared for the state.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	

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New	Annual Report: In accordance with the CWA and following the current Nonpoint Source Program and Grants Guidelines, report annually on progress made in implementing the state's NPS Management Program, including a summary of major accomplishments and completed milestones, a description of 319-funded statewide programs and completed 319-funded watershed projects, a financial summary (total 319 and match amounts), a list of active 319 projects with expected completion dates, and reference to information related to water quality improvements (e.g. restoration of impaired waters or other notable environmental results) and NPS pollutant load reductions (total phosphorus, nitrogen, and sediment reductions for the state, from the previous February's GRTS reporting).	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	
New	Workplan: Submit an annual workplan that describes 319-related work, including how the state is organized to implement the NPS management plan and achieve its broad goals (e.g., staffing, training, technology transfer, financial assistance, public outreach, etc.), as well as proposed projects and activities for the year consistent with management plan priorities.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	
New	Management Program Update: Work toward updating the State NPS management program. Work with EPA to resolve questions about NPDES stormwater impacts to nonpoint source pollution policy in regulated areas. Ensure that program plans are consistent with anticipated new guidance. If EPA defines the sources and occurrence of nonpoint source pollution under NPDES stormwater permits and provides direction to MA on how to proceed with program planning by June 30, 2013, submit a conceptual strategy for updating the State NPS management plan by September 30, 2013.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	
New	Watershed-based Planning: Continue to develop watershed-based plans, as required and specified in the current NPS program guidance. Adapt the current statewide watershed-based plan to redefinition of NPS in MS4 regulated areas, and to any new guidance that EPA may provide. Continue to use the Recovery Potential Screening Tool to help target development of WBPs for water quality implementation projects. Revise and update the WBP as the statewide nonpoint management plan develops (P&C # 95).	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	
New	On-the-ground Implementation: Continue to implement structural and non-structural BMPs that result in restoration of impaired waters and protection of healthy and threatened waters. The state's approach will align with national NPS guidelines (e.g. 50% 319 funding for on-the-ground implementation).	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	

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New	Satisfactory Progress Determinations: Participate in ongoing discussions and provide sufficient documentation consistent with the PPG framework for the Region to make a determination of satisfactory progress.	Jane Peirce 508-767-2792	Manager: Johanna Hunter - 1041 Tech: MaryJo Feuerbach - 1578	Complete	
	<i>NPDES Development</i>	Dave Ferris (617) 654-6514 & Ann Lowery 292-5846	Senior Program Manager: David Webster -1791		
Revised	Identify and develop state-lead NPDES permits and identify and complete other work-sharing activities for FY 2013. <u>Identify, develop and complete</u> work-sharing and capacity building activities for FY 2013 including development of new MASSDEP NPDES permitting staff members, and investigating site specific water quality determinations for aluminum._	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Ongoing	
Revised	Evaluate the capacity, authority, feasibility, costs , advantages, disadvantages, and support for NPDES authorization for MA.	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Complete	MassDEP's report to the state legislature was completed in June 2013 and a copy of the report was sent to EPA.
Same	MassDEP will work with EPA to develop efficiencies for processing NPDES permits including ways to reduce duplication between the agencies, increase production of permits, develop nutrient effluent limits, consolidate state agency reviews, and explore state NPDES delegation.	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Ongoing	
Same	Participate in bi-monthly coordination and planning calls on the status of joint NPDES permits. Include regular discussion of enforcement coordination in these meetings.	<u>Ann Lowery 292-5846 and David Ferris (617)654-6514</u>	Manager: David Webster -1791	Ongoing	
Same	Coordinate on NPDES Permitting for Power Plants.	<u>Dave Ferris (617) 654-6514</u>	Manager: David Webster -1791	Ongoing	
Same	Assist EPA in responding to comments received during public comment periods.	<u>Dave Ferris (617) 654-6514</u>	Manager: David Webster -1791	Ongoing	
Same	Assist EPA in defending NPDES permit appeals	<u>Dave Ferris (617) 654-6514</u>	Manager: David Webster -1791	Ongoing	Assistance provided upon EPA request.

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Revised	Assist in the issuance of "priority" permits during FY 13. These permits will be determine in the late months of FY2012 and include, but are not limited to any targeted permits if not issued in FY 2012 (e.g. GE-Lynn, Gloucester, Suffolk Downs, Taunton, Charles River PCD, South Essex Sewerage District, UMass Boston, MWRA Deer Island, PEDDA, Mt. Tom, Assabet permits). EPA and MassDEP will identify any and all critical issues associated with any priority permit prior to its going to public notice so as to avoid any delay in issuance thereafter. (WQ-19a).	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Ongoing	
Revised	Assist as applicable in the development and issuance of General Permits including drafting any state specific requirements for GPs. Provide coordination and state reviews and approvals of NOIs under all effective GPs as required. If not eliminated in FY2012, continue to work toward eliminating the backlog of NCCWGP NOI authorizations and PWTFGP NOI authorizations. In FY 13 assist in the development of the reissued Dewatering GP (DGP).(WQ-12a).	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Ongoing	
New	If not provided in FY2012, provide state-endorsed procedure for meeting state antidegradation requirements for new and increased MS4 stormwater discharges, to be included in MA small MS4 permits..	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Ongoing	
Same	Consider joint administration and enforcement of the Phase II MS4 Permit.	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Ongoing	This issue is still under discussion.
Same	Should MA decide to jointly issue the MS4 GPs: assist in public notice and issuance of new Phase II MS4 general permits; Assist in the review of NOIs and other permit-related documents; Assist in authorizing discharges under new Phase II MS4 GPs, as resources allow.	Dave Ferris (617) 654-6514	Manager: David Webster -1791 Tech: Thelma Murphy -1615	Ongoing	
Revised	Support and coordinate storm water permitting outreach efforts.	Dave Ferris (617) 654-6514	Manager: David Webster -1791 Tech: Thelma Murphy -1615	Ongoing	
Same	Assist in the joint reissuance of Phase I MS4 permits for Boston and Worcester. (WQ13a & b).	Dave Ferris (617) 654-6514	Manager: David Webster -1791 Tech: David Gray -1577	Ongoing	
Revised	Assist in the development of new Phase II Storm Water MS4 GP for issuance if all final GPs are not issued in FY12. Assist with public inquiries regarding the implementation of the new Construction Storm Water GP and Multi-Sector GP.	Dave Ferris (617) 654-6514	Manager: David Webster -1791 Tech: Thelma Murphy -1615	Ongoing	
Same	Continue to work with EPA to approve and enforce Long Term CSO Control Plans. Work with EPA to deal with Communities that chose sewer separation as the cost-effective alternative and want to amend their LTCP to address the added requirement of treating stormwater.	Dave Ferris (617) 654-6514	Manager: Roger Janson -1621 & David Webster -1791	Ongoing	

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Revised	Complete regulatory revision to allow electronic public notifications of NPDES permits, if not completed in FY2012. If not promulgated in FY2012, promulgate state rule to allow electronic public notice of minor NPDES permits as opposed to newspaper public notifications.	Dave Ferris (617) 654-6514	Managers: David Webster -1791	Complete	DEP anticipates that the regulations will be promulgated in January 2014.
Revised	If not provided in FY 2012, provide 401 certifications for the reissued Vessel General Permit (VGP) and small-VGP, so that the permit terms assure compliance with Massachusetts water quality standards.	Dave Ferris (617) 654-6514	Manager: David Webster -1791, Tech: John Nagle 1054	Complete	
Revised	Work to develop general performance standards for development and re-development projects that would meet MA anti-degradation requirements in MS4 permits, if not done in FY2012.	Dave Ferris (617) 654-6514	Manager: David Webster -1791	Ongoing	
	<i>Wetlands</i>	Lealdon Langley, 617-574-6882	Senior Program Manager: Jackie Leclair -1549		
Same	Update annually a tracking report on gains and losses on wetlands state-wide by December 31st of each year. Report will be based on available gain/loss data while DEP develops an electronic tracking mechanism as part of the eDEP and WIRE applications. Every five years (2010, 2015, etc.) report of trends and patterns for the previous five years.	Manager: Lealdon Langley, 574-6882, Tech: Lisa Rhodes, 292-5512	Manager: Jackie Leclair -1549 Tech: Ed Reiner -1692	Ongoing	
Same	Continue Web-based reporting on the status of DEP Wetland Program Development Grant projects.	Manager: Lealdon Langley, 574-6882, Tech: Lisa Rhodes, 292-5512	Manager: Jackie Leclair -1549 Tech: Ed Reiner -1692	Ongoing	
Same	Continue to participate in the NEBAWWG biological monitoring and assessment effort.	Manager: Lealdon Langley, 574-6882, Tech: Lisa Rhodes, 292-5512	Manager: Jackie Leclair -1549, Tech: Beth Alafat -1399	Complete	
Same	Continue implementing wetlands biological monitoring and assessment plan. (WT-4).	Lealdon Langley, 574-6882	Manager: Jackie Leclair -1549 Tech: Ed Reiner -1692	Ongoing	
	<i>Dredged Material Management</i>	Lealdon Langley, 574-6882	Senior Program Manager: Lynne Hamjian -1601		
Same	Participate on Regional Dredging Team Technical Workgroup to coordinate with other federal and state agencies on planning and regulatory activities associated with dredging and dredged material management.	Ken Chin 617-292-5893	Manager: Mel Cote - 1553 Tech: Olga Guza - 1542	Ongoing	

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Revised	Coordinate with other federal and state agencies on planning and regulatory activities associated with dredging and dredged material management (CO-6) through electronic communications via project posting in ACoE's website or by participating in Joint Processing when meetings are held.	Ken Chin 617-292-5893 Lealdon Langley	Manager: Mel Cote - 1553 Tech: Olga Guza - 1542	Ongoing	
	<i>No Discharge Areas</i>	David Delorenzo 617 292-5774	Senior Program Manager: Lynne Hamjian -1601		
Revised	Coordinate with MA CZM to implement outreach and enforcement strategies in support of current NDAs (Buzzards Bay, Cape Cod Bay, Boston Harbor, North Shore, and Salem Sound), Cape Cod National Seashore, and future NDAs (Mt. Hope Bay, south Cape and Islands). (CO-2).	David Delorenzo 617 292-5774	Manager: Mel Cote - 1553, Tech: Ann Rodney -1538	Ongoing	
	<i>Beaches</i>		Senior Program Manager: Lynne Hamjian -1601		
Same	Coordinate with MDPH when necessary to investigate/enforce chronic beach closures due to bacteria. If state funding/staffing constraints become an issue, DEP will notify EPA and discuss strategies to address the shortfall. (SP-9, SS-2).	Oscar Pancorbo 978-682-5237 x314	Manager: Mel Cote - 1553 Tech: Caitlyn Whittle -1748	Ongoing	
	<i>National Estuary Program</i>	Ann Lowery 292-5846	Senior Program Manager: Lynne Hamjian -1601		
Same	EPA to provide administrative, technical, and financial support to the National Estuary Programs in your state. (CO-4).	Ann Lowery 292-5846	Manager: Mel Cote - 1553 Tech: Margherita Pryor - 1597	Complete	This is an EPA task. They provided significant support to the Narragansett Bay Estuaries Program this last year. Much appreciated.
Same	EPA to disseminate national and regional guidance and award grants and cooperative agreements in a timely fashion. (CO-4).	Ann Lowery 292-5846	Manager: Mel Cote - 1553 Tech: Margherita Pryor - 1597	Ongoing	This is an EPA task.
Same	Participate on Buzzards Bay National Estuary Program Steering Committee and coordinate with MA CZM to support implementation of Buzzards Bay CCMP. (CO-3, CO-4, and 4.3.2).	Ann Lowery 292-5846 & David Delorenzo 617 292-5774	Manager: Mel Cote - 1553 Tech: Ann Rodney-1538	Ongoing	
Same	Participate on Massachusetts Bays Estuary Program Management Committee and coordinate with MA CZM to support implementation of Massachusetts Bays CCMP. (CO-3, CO-4, and 4.3.2).	Ann Lowery 292-5846	Manager: Mel Cote - 1553 Tech: Regina Lyons -1557	Ongoing	

Same New Revised	EPA's MassDEP 2013 PPA Priorities & Commitments List and End of Year (Sep 30, 2013) Progress Report Record (note: #'s parenthesis are a crosswalk to last year's P&C List)	MassDEP Contacts 617.292.XXXX	EPA Contacts 617.918.XXXX	Sep 30, 2013 End of Year Status	Sep 30, 2013 Comments or Highlights
Same	Participate on Narragansett Bay Estuary Program Management Committee and coordinate with RI DEM to support implementation of Narragansett Bay CCMP. (CO-3, CO-4, and 4.3.2).	Ann Lowery 292-5846 & Bryant Firmin (508)849-4003	Manager: Mel Cote - 1553 Tech: Margherita Pryor - 1597	Ongoing	
GOAL 3: CLEANING UP COMMUNITIES AND ADVANCING SUSTAINABLE DEVELOPMENT					
Objective 3.1: Promote Sustainable and Livable Communities					
	<i>Environmental Justice</i>	Phil Weinberg - 292-5962	Senior Program Manager: Sharon Wells - 1007		
Same	MassDEP will continue to implement EJ policies.	Phil Weinberg - 292-5962	Manager: Sharon Wells -1007 Tech: Amy Braz - 1346		
Objective 3.2: Preserve Land					
	<i>Sustainable Material Management</i>		Senior Program Manager: Thomas D'Avanzo -1801		
Same	MA will continue to work on projects that reduce or divert municipal solid waste from incineration and landfills while supporting a sustainable materials approach. This approach, emphasizing the value of materials, will lead to increasing source reduction, reuse, recycling and composting.	Greg Cooper 292-5988	Manager: Jeri Weiss - 81568	Ongoing	Issued for public comment – draft regulations proposing a ban on the disposal of commercial organic waste
	<i>RCRA Authorization</i>	James Doucett 292-5868	Senior Program Manager: Mary Sanderson - 1381		
Revised	Adopt and submit authorization application for rules (Labs, DTC, Evaporators, and remaining HSWA listings).	-James Paterson 556-1096	Manager: Beth Deabay -1343 Tech: Robin Biscaia -1642	Draft undergoing BWP management review	Evaporator rule deleted at EPA's recommendation; EPA's solvents wipes rules added to package.
	<i>RCRA Permit Renewals</i>	James Doucett 292-5868	Senior Program Manager: Mary Sanderson - 1381		
Revised	Renew TSDf permits at two (2) TSDf's on the 12-15 permit renewal baseline. (HW0)	Albert Nardone 292-5580	Manager: Beth Deabay -1343 Tech: Sharon Leitch -1647	Murphy's Waste Oil and ECC (now Tradebe in Stoughton)	
	<i>UST</i>	Thomas DeNormandie 617-292-5763	Senior Program Manager: Mary Sanderson - Ext 81381		
	<i>STAG funds are included in the PPG to cover costs for UST Program activities that are ineligible with LUST Prevention (LP) Funds. LP funds are not PPG eligible - funds are in separate cooperative agreement.</i>				

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Same	Continue MassDEP UST program development work including, but not limited to, development of MassDEP UST regulations to replace existing Department of Fire Service regulations; development of on-line (eDEP) registration, change of status and third party inspection report submittal and automated data systems; verification of regulated universe information and database clean-up; and development of additional compliance assistance materials and outreach.	Thomas DeNormandie 617-292-5763	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	On 10/28/13 Draft UST regulation were forwarded to EEA/Governor's Office for review and approval to go to public hearing	
Same	Improve UST Operational Compliance: (a) Perform state lead field inspections to determine significant operational compliance.	Thomas DeNormandie 617-292-5763	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	UST-4 Spill, overfill, and corrosion protection: 88% UST-5 Release Detection Requirements: 23% UST-6 Compliance with both the UST Release Detection & Release Prevention Requirements: 22%	Despite low overall SOC findings, Massachusetts has the highest level UST-4 compliance in New England (EPA Semiannual Report Of UST Performance Measures End Of Fiscal Year 2013 (October 1, 2012 – September 30, 2013), 12/4/13).
Same	Improve UST Operational Compliance: (b) continue to improve operational compliance by 0.5% over rate of previous year. (ACS Code: ST6 / 3.2).	Thomas DeNormandie 617-292-5763	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	In response to low overall SOC findings, MassDEP is considering an outreach initiative to UST facility Owner/Operators and Class A, B, and A/B operators regarding compliance with UST system operation, maintenance and record keeping requirements over time.	
Same	Inspect all regulated UST facilities once every 3 years; complete all inspections by 8/8/13	Thomas DeNormandie 617-292-5763	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	93% of UST facilities are in compliance with Third-Party Inspection requirements (12/9/13). As of 12/12/13: 134 NONs issued 36 Candidates for Higher Level Enforcemnt (orders and/or penalties)	
Revised	Reduce Number of Confirmed UST Releases Annually – Regional target of <400; In FY11, confirmed releases were 231 (<4% of National total). (ACS Code: ST1 / 3.2).	Thomas DeNormandie 617-292-5763	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	'11 = 32 confirmed UST Releases '12 = 38 '13 = 35	

Same New Revised	EPA's MassDEP 2013 PPA Priorities & Commitments List and End of Year (Sep 30, 2013) Progress Report Record (note: #'s parenthesis are a crosswalk to last year's P&C List)	MassDEP Contacts 617.292.XXXX	EPA Contacts 617.918.XXXX	Sep 30, 2013 End of Year Status	Sep 30, 2013 Comments or Highlights
Same	Continue development and implementation of operator training. All operators must be trained by 8/08/12.	Thomas DeNormandie 617-292-5763	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	Completed 8/8/12. As of 11/6/13: Class A: 92 Class B: 358 Class A/B: 1,891 Total: 2,341	
Revised	Post the annual USTCA public record which will include: the number, sources, and causes of underground storage tank releases; the record of compliance by USTs; and data on the number of UST equipment failures in State. SIXTH ANNUAL REPORT DUE 12/31/2012.	Thomas DeNormandie 617-292-5763	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	Electronic collection of data started 5/2013. Between 5/13 and 9/30/2013, the following source and cause of release data were collected: Tank 6 Dispenser 1 Other 8 Pipe 1 Blank 2 Total 18	
	Objective 3.3: Restore Land				
	<i>Emergency Preparedness</i>		Senior Program Manager: Art Johnson -1251		
Same	EPA will continue to work with the New England states on Homeland Security and emergency response readiness issues through routine, day-to-day coordination and the existing Regional Response Team mechanism.	Benjamin Ericson 617-556-1121	Acting Manager: Steve Novick- 1271 Dave McIntyre -1281 Tech: Cosmo Caterino 1264	Ongoing	
	<i>RCRA Training & Meetings</i>	James Doucett 292-5868	Senior Program Manager: Mary Sanderson - 1381		
Same	Attend EPA sponsored regional and national RCRA meetings and training as appropriate.	Albert Nardone 292-5580	Manager: Beth Deabay -1343 Tech: Sharon Leitch - 1647		
	<i>Corrective Action Sites</i>	Paul Locke 556-1160	Senior Program Manager: Mary Sanderson - 1381		
Revised	Achieve Human Exposures Controlled Under Current Conditions at three (3) facilities. (CA1).	Jeff Chormann 292-5888	Manager: Daniel Wainberg 617-918-1283; Frank Battaglia - 1362	Complete	goal 3, achieved 5

Same New Revised	EPA's MassDEP 2013 PPA Priorities & Commitments List and End of Year (Sep 30, 2013) Progress Report Record (note: #'s parenthesis are a crosswalk to last year's P&C List)	MassDEP Contacts 617.292.XXXX	EPA Contacts 617.918.XXXX	Sep 30, 2013 End of Year Status	Sep 30, 2013 Comments or Highlights
Revised	Achieve Contaminated Ground Water Migration Under Control at two (2) facilities. (CA2).	Jeff Chormann 292-5889	Manager: Daniel Wainberg 617-918-1283; Tech: Frank Battaglia -1362	Complete	goal 2, achieved 3
Revised	Achieve site-wide Remedy Selection at four (4) facilities.	Jeff Chormann 292-5890	Manager: Daniel Wainberg 617-918-1283; Tech: Frank Battaglia -1362	Incomplete	goal 4, achieved 3
Revised	Achieve Construction Complete at four (4) facilities. (CA5).	Jeff Chormann 292-5891	Manager: Daniel Wainberg 617-918-1283; Tech: Frank Battaglia -1362	Incomplete	goal 4, achieved 3
Revised	Assessment of financial assurance current status for all new remedies.	Jeff Chormann 292-5892	Manager: Daniel Wainberg 617-918-1283; Tech: Frank Battaglia -1362	Complete	
Revised	Verify adequacy of financial assurance instrument for all remedies, as resources allow.	Jeff Chormann 292-5893	Manager: Daniel Wainberg 617-918-1283; Tech: Frank Battaglia -1362	Complete	
	LUST	Jay Naparstek 617-292-5697	Senior Program Manager: Mary Sanderson - Ext 81381		
	Not PPG eligible - funds are in separate LUST Trust Cooperative Agreement.				
Revised	Use LUST grant to fund maximum #FTEs to respond to notifications of UST releases, and to assist LSPs and the regulated community in meeting closure requirements under the Massachusetts Contingency Plan. Assessment and cleanup of the maximum number of LUST sites using awarded LOE grant funds.	Eric Arvedon 617-292-5887	Manager: Beth Deabay -1343 Tech: Stuart Gray - 1302	Complete	Responded to 36 of 36 notifications received in FY13. 86 LUST sites achieved closure. Completed assessment and cleanup of 4 LUST sites using LOE grant funds.
	Objective 3.4: Strengthen Human Health and Environmental Protection in Indian Country				
	No specific PPA related action for the State				
GOAL 4: ENSURING THE SAFETY OF CHEMICALS AND PREVENTING POLLUTION					
	Objective 4.1: Ensure Chemical Safety				
	No specific PPA related action for the State				
	Objective 4.2: Promote Pollution Prevention				
	No specific PPA related action for the State				
GOAL 5: ENFORCING ENVIRONMENTAL LAWS					
	Objective 5.1: Enforce Environmental Laws				

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Revised	Submit annual Compliance Plans containing descriptions of the state's compliance, assistance and innovative programs, including projections for inspections and other priority activities. See "FY2013 Guidance for Compliance and Assistance and Innovative Program Strategies in New England Performance Partnership Agreements".	Suzi Peck - 292 - 5870 & Sue Figelman 556-1032	Manager: Sam Silverman -1731	Ongoing	
Revised	Submit annual 2013 End of Year report on Compliance, assistance and innovation program accomplishments, activities and results.	Suzi Peck - 292 - 5870 & Sue Figelman 556-1032	Manager: Sam Silverman -1731	Ongoing	
Revised	Enter/send information necessary to satisfy the inspection, testing, compliance monitoring, and enforcement minimum data requirements (MDRs) to EPA's national AFS data system at least once every 60 calendar days (as required by the ICR). (CAA 07).	Laurel Carlson 348-4095	Steve Rapp -1551	DONE by 30 October 2013	
Revised	Identify/address/resolve HPVs in accordance with EPA's Timely and Appropriate Enforcement Response to High Priority Violators (the HPV policy), July 1999. Inform the EPA NE liaison in person, by phone, or by email within 45 days of identifying/addressing/resolving an HPV. (CAA 06).	Laurel Carlson 348-4095	Steve Rapp -1551	DONE- ongoing activity	
Revised	Continue implementing EPA's Compliance Monitoring Strategy, including FCE's at agreed upon number of Title V and Synthetic Minor (SM80) per year and Minor facilities,-- Review all Title V Compliance Certifications and CEM reports. Number of inspections may need to be re-negotiated with EPA-NE (CAA01.s, CAA02.s).	Laurel Carlson 348-4095	Manager: Steve Rapp -1551	DONE by 30 Sept 2013	
EVAULATION, REPORTING & QUALITY ASSURANCE					
	<i>Re-Opener Clause</i>	Doug Fine - 292-5792	Senior Program Manager: Carl DeLoi - 1581		
Same	The Regional Office will strive to honor the spirit of the PPA. In keeping with this spirit the Region will work with EPA HQ to limit the impact of unexpected demands on the states. To address new, very high priority issues that might emerge a re-opener clause will be included as part of this process permitting the Regional Office and/or the state to introduce necessary changes to the PPA.	Doug Fine - 292-5792	Carl DeLoi -1581 & Deb Harstedt -1085	Ongoing	
	<i>Performance Partnership</i>	Doug Fine - 292-5792	Senior Program Manager: Carl DeLoi - 1581		
Same	A process for jointly evaluating and reporting progress and accomplishments under the workplan must be developed and described in the workplan. The process must be based on a negotiated schedule. (40CFR35.115).	Doug Fine - 292-5792	Carl DeLoi -1581 & Deb Harstedt -1085	Ongoing	
Same	An annual written progress report must be submitted within 90 days after the end of the annual grant period. (40CFR35.115, 40CFR31.40).	Doug Fine - 292-5792	Carl DeLoi -1581 & Deb Harstedt -1085	Complete	

Same New Revised	EPA's MassDEP 2013 PPA Priorities & Commitments List and End of Year (Sep 30, 2013) Progress Report Record (note: #'s parenthesis are a crosswalk to last year's P&C List)	MassDEP Contacts 617.292.XXXX	EPA Contacts 617.918.XXXX	Sep 30, 2013 End of Year Status	Sep 30, 2013 Comments or Highlights
	<i>QMP QAPP</i>	Deneen M. Simpson 292-5906	Senior Program Manager: Gerry Sotolongo -8311		
Same	Continue to implement the State Quality Management Plan (QMP) and submit an Annual update letter to the EPA-NE Quality Assurance Unit documenting the status of annual quality system assessments and any changes necessary to the QMP.	Deneen M. Simpson 292-5906	Manager: Gerry Sotolongo -8311 Tech: Moira Lataille -8635	Complete	
Same	Review the State QMP and summarize changes made to the QMP in the update letter to the EPA-NE Quality Assurance Unit.	Deneen M. Simpson 292-5906	Manager: Gerry Sotolongo -8311	Complete	Updated QMP in October 2013 to incorporate competency language.
Same	Update the State Quality Assurance Quality Assurance Project Plan inventory list.	Deneen M. Simpson 292-5906	Manager: Gerry Sotolongo -8311 Tech: John Smaldone -8312	Complete	

Acronym List 2013

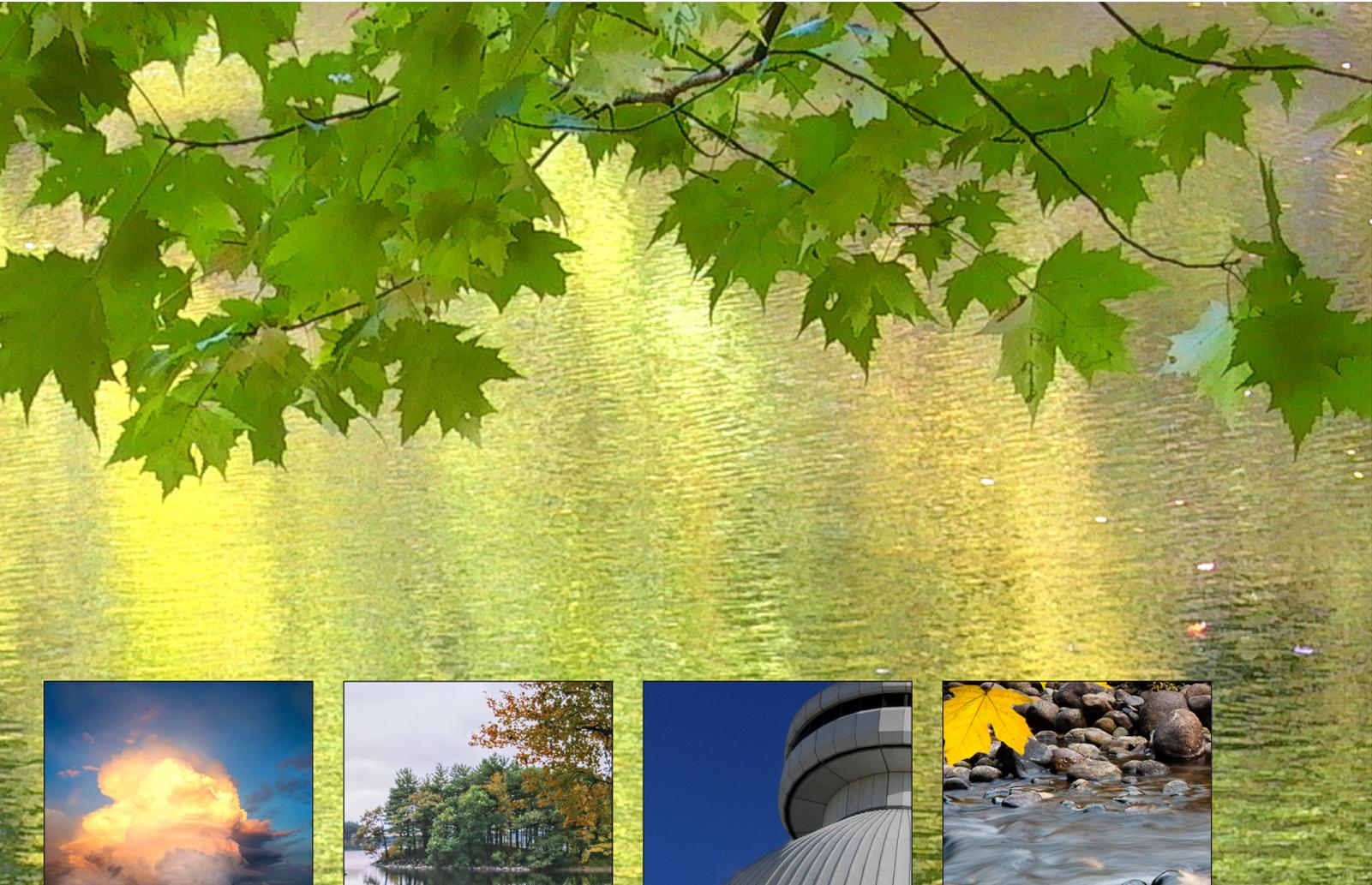
ACS	Annual Commitment System
ADB	Assessment Data Base
AFS	Air Facility System
AIM	Architectural Industrial and Maintenance Coatings
AST	Above ground storage tank
AQS	Air Quality System
AQI	Air Quality Index
BACT	Best Available Control Technology
BART	Best Available Retrofit Technology
BCG	Biological Condition Gradient
BEACH	Beaches Environmental Assessment and Coastal Health
BMP	Best Management Practice
BOEMRE	Bureau of Ocean Energy Management, Regulation and Enforcement
BWP (MA)	Bureau of Waste Prevention
CAA	Clean Air Act
CAFO	Combined Animal Feeding Operation
CAIR	Clean Air Interstate Rule
CALM	Consolidated Assessment and Listing Methodology
CARE	Community Action for a Renewed Environment
CCMP	Comprehensive Conservation and Management Plan
CEM/COM Parameter	Continuous Emissions Monitoring/Continuous Opacity Monitoring, Excess Emissions Report
EER Reports	
CGP	Construction General Permit
CHP	Combined Heat and Power
CISWI	Commercial Industrial Solid Waste Incinerators
CLF	Compact Fluorescent
CMR (MA)	Code of Massachusetts Regulations
CO	Carbon Monoxide
CSO	Combined Sewer Overflow
CTG	Control Technique Guideline
C/U	Colleges/Universities
CWS	Community Water System
CWSRF	Clean Water State Revolving Fund
CZM (MA)	Coastal Zone Management
DCR (MA)	Department of Conservation and Recreation
DEC (VT)	Department of Environmental Conservation
DEM (RI)	Department of Environmental Management
DEP (MA)	Department of Environmental Protection
DES (NH)	Department of Environmental Services
DGP	Dewatering General Permit
DMR	Discharge Monitoring Report
DOH (VT)	Department of Health
DPH (MA)	Department of Public Health
DPW	Department of Public Works
DV	Data Verification
ECHO	Enforcement and Compliance History online
EDMR	Electronic Discharge Monitoring Report
EGU	Electric Generating Unit
EIS	Environmental Impact Statement
EJ	Environmental Justice

ELG	Effluent Limitations Guidelines
EOEEA (MA)	Executive Office of Energy and Environmental Affairs
EPA NE	Environmental Protection Agency – New England
EQIP	Environmental Quality Incentive Program
ERP	Environmental Results Program
FCE	Full Compliance Evaluation
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FY	Fiscal Year
GCC (ME)	Governor’s Carbon Challenge
GEOSS/AMI	Global Earth Observation System of Systems/Advanced Monitoring Initiative
GHG	Greenhouse Gas
GP	General Permit
GRTS	Grants Reporting and Tracking System
GWR	Groundwater Rule
GWUDI	Ground Water Under Direct Influence of surface water
HAP	Hazardous Air Pollutant
HEDD	High Energy Demand Day
HGP	Hydroelectric Generating Facility General Permit
HPV	High production volume chemicals
HPV	High Priority Violators
HQ	Headquarters
HYDROGP	Hydroelectric Generating Facility General Permit
ICIS	Integrated Compliance Information System
IU	Industrial User
ICR	Information collection Rule
I/M	Inspection/Maintenance
LAER	Lowest Achievable Emission Rate
LCR	Lead and Copper Rule
LDR	Land Disposal Restrictions
LIS	Long Island Sound
LP	Lust Prevention
LQG	Large Quantity Generator
LT 2	Long Term 2 Enhanced Surface Water Treatment Rule
LTCP	Long Term Control Plan
LUST	Leaking Underground Storage Tank
MACT	Maximum Available Control Technology
MAM	Mobile Air Monitoring
MANE VU	Mid-Atlantic Visibility Union
MATI	Maine Air Toxics Initiative
MCGP (ME)	Maine Construction General Permit
MDR	Minimum Data Requirements
MEP	Massachusetts Estuary Program
MEPA (MA)	Massachusetts Environmental Policy Act
MMS	Minerals Management Service
MOA	Memorandum of Agreement
MMTCE	Million Metric Tons of Carbon Equivalent
MS4	Municipal Separate Storm Sewer System
MSGP	Multi Sector General Permit
MTRS (NH)	Measures Tracking and Reporting System
MWRA (MA)	Massachusetts Water Resources Authority
NAAQS	National Ambient Air Quality Standards
NAMS/SLAMS	National Air Monitoring Stations/State and Local Air Monitoring Stations

NAPA	National Air Pollution Assessment
NARS	National Aquatic Resource Survey
NAS	National Aquatic Survey
NATA	National Air Toxics Assessment
NCCWGP	Non Contact Cooling Water General Permit
NCVECS	National Center for Vehicle Emissions Control
NDA	No Discharge Area
NEAEB	New England Association of Environmental Biologists
NEBAWWG	New England Biological Assessment of Wetlands Work Group
NEDC	Northeast Diesel Collaborative
NEERS	National Estuarine Research Reserve
NEG/ECP	New England Governors and Eastern Canadian Premiers
NEI	National Emissions Inventory
NEIWPC	New England Interstate Water Pollution Control Commission
NELAP	New England Lakes and Ponds
NESCAUM	Northeast State for Coordinated Air Use Management
NESHAP	National Emission Standards for Hazardous Air Pollutants
NETI	National Enforcement Training Institute
NEWMOA	Northeast Waste Management Official's Association
NHD	National Hydrography Dataset
NMC	Nine Minimum Controls
NMFS	National Marine Fisheries Service
NO2	Nitrogen Dioxide
NOI	Notice of Intent
NOx	Nitrogen Oxides
NPAP	National Performance Audit Program
NPDES	National Pollutant Discharge Elimination System
NPS	Non-point source
NSPS	New Source Performance Standards
NSPS	Nonstructural Stormwater Management Strategies Point System
NSR	New Source Review
NTNCWS	Non Transient Non Community Water System
OBD	On-Board Diagnostics
OECA	Office of Compliance Assistance
OEP	Office of Environmental Protection
OES	Office of Environmental Stewardship
OMB	Office of Management and Budget
OPP	Office of Pesticide Programs
OTC	Ozone Transport Commission
PAMS	Photochemical Air Monitoring
PART	Program Assessment and Rating Tool
PC	Pretreatment Compliance
PCB	Polychlorinated biphenyls
PCI	Pretreatment Compliance Inspection
PEP	Performance Evaluation Program
PM	Particulate Matter
POTW	Publically Owned Treatment Works
PPA	Performance Partnership Agreement
PPG	Performance Partnership Grant
PSD	Prevention of Significant Deterioration
PSNH	Public Service on New Hampshire
PUC (ME)	Public Utilities Commission

PWTFGP	Potable Water Treatment Facility General Permit
QA	Quality Assurance
QAPP	Quality Assurance Project Plan
QMP	Quality Management Plan
RACT	Reasonably Available Control Technology
RCC	Resource Conservation Challenge
RCRA	Resource Conservation and Recovery Act
RCRIS	Resource Conservation and Recovery Information System
RD	Residual Designation
REMAP	Regional Environmental Monitoring and Assessment Program
RFP	Request for Proposal
RGF	Remediation General Permit
SDWIS	Safe Drinking Water Information System
SIP	State Implementation Plan
SIU	Significant Industrial User
SLAMS	State and Local Air Monitoring Stations
SNC	Significant Non-Compliance
SO2	Sulfur Dioxide
SPO (ME)	State Planning Office
SQG	Small Quantity Generator
SRF	State Revolving Fund
SSO	Sanitary Sewer Overflow
STORET	Storage and Retrieval system
SWTR	Surface Water Treatment Rule
TC	Toxicity Characteristic
TCR	Total Coliform Rule
TMDL	Total Maximum Daily Load
TNCWS	Transient Non Community Water System
TOPS	Title V Operating Permits System
TPY	Tons Per Year
TSA	Technical Systems Audit
TSCA	Toxic Substances Control Act
TSDF	Treatment, Storage and Disposal Facility
UIC	Underground Injection Control
UST	Underground Storage Tank
USTCA	Underground Storage Tank Compliance Act
VGP	Vessel General Permit
VOC	Volatile organic compounds
WET	Whole Effluent Toxicity
WWTF	Wastewater Treatment Facility
WWTP	Wastewater Treatment Plant
WQ	Water Quality
WQS	Water Quality Standards
WQX	Water Quality Exchange

Accomplishment Highlights | 2013



Massachusetts Department of
Environmental Protection

Contents



A Look Back at 2013 1



Innovation, Reform and Cross-Cutting Issues 3



Clean Air, Energy and Climate Change 7



Clean and Safe Water 11



Waste Management and Site Cleanup 15



Compliance and Enforcement 19

A Look Back at 2013

In 2013, the Massachusetts Department of Environmental Protection (MassDEP) had another strong year of accomplishments protecting the Commonwealth's environment and the health of those who live and work here, while at the same time supporting robust economic development in the state.

Key initiatives in 2013 included more efforts to reform the effectiveness of the agency during an era of challenging budgets; continued strides to advance clean energy and reduce greenhouse gas emissions; innovations in organics management and protecting aquatic ecosystems; ongoing strong work to ensure compliance with environmental regulations; and rapid responses to oil spills and other emergencies. This Accomplishments Highlights report for 2013 provides information on some of the agency's most notable achievements. A few of these accomplishments are summarized here in this executive summary, and more details follow.

Innovation and Reform

In 2011, MassDEP launched a sweeping regulatory reform initiative designed to focus the agency's efforts on the most important areas of work. This effort, which proactively engaged stakeholders from all key sectors outside the agency as well as MassDEP personnel, came up with 21 changes to regulations and agency processes. The regulatory changes identified included major revisions to the state's waste site cleanup program; the

streamlining of various permitting processes; improvements to the safe siting of green energy operations; and the elimination of duplicative regulatory requirements. During 2013, all of these regulation changes were released as draft for public review, and as of early 2014 nearly all the reforms have been promulgated as final regulations. Also in 2013, MassDEP and the Executive Office of Energy and Environmental Affairs secured funding to begin a 5-year sweeping transformation of the Information Technology capabilities and services of the state's environmental agencies. This \$40 million initiative will begin in earnest in the summer of 2014, with early improvements to online permitting and reporting slated for release in 2015.

Clean Air, Energy and Climate Change

In 2013, the Commonwealth continued to lead the nation in reducing greenhouse gas emissions while continuing to grow the state's economy. One major accomplishment was the multi-state agreement under the Regional Greenhouse Gas Initiative (RGGI) to cut 50% of the carbon emissions from power plants by 2020. In addition, the RGGI program is serving as a model for Washington's thinking about a national greenhouse gas reduction effort. The Commonwealth has also taken great leaps to substantially increase the number of zero-emission electric vehicles on the road, and to continue to grow the number of solar energy arrays on closed landfills and Brownfields sites.



An electric vehicle charging.

Clean and Safe Water

MassDEP has been working closely with our sister agencies and external stakeholders to use science for answering the question of how much water can be withdrawn from our rivers and watersheds without harming our aquatic ecosystems. In 2013, the Commonwealth released a comprehensive water management framework called the Sustainable Watershed Management Initiative. In early 2014, MassDEP will release draft regulations for public comment that will implement this protective and balanced approach. The state also oversaw the issuance of more than \$512 million in low-interest loans to cities and towns for wastewater and drinking water improvement projects. In addition, MassDEP helped broker \$3.35 million in funding for Cape Cod to develop a comprehensive water quality management plan aimed at reducing harmful nutrient pollution from the region's estuaries, beaches, and other water bodies.

Waste Management and Site Cleanup

Perhaps the biggest MassDEP achievement in waste management came with efforts to bolster the diversion of organic waste from disposal to instead be utilized for clean energy via anaerobic digestion. In 2013, the agency promulgated regulations that improve the siting of anaerobic digestion and compost facilities. Also in 2013, MassDEP issued draft regulations that propose to require large commercial and institutional facilities to divert more than 350,000 tons of organic waste from disposal to be used as clean fuel or

for other beneficial uses. The final organics ban regulations were promulgated in early 2014. In addition, MassDEP continued to respond quickly and effectively to spills of oil and other hazardous materials, and agency emergency response personnel provided vital assistance to cities and towns in recovering from flooding and other extreme weather events.

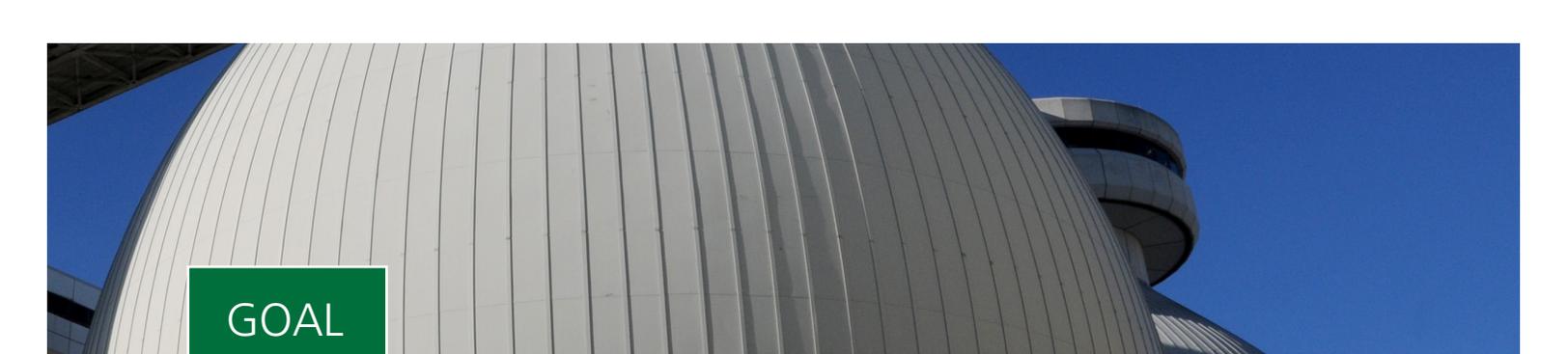
Compliance and Enforcement

An important role for MassDEP is to prevent, identify, and stop environmental violations. 2013 was another year where the agency provided excellent "cop on the beat" coverage through traditional compliance inspections as well as through innovative approaches like the Springfield Urban Compliance Initiative. There were also many important cases where businesses or individuals who seriously violated state environmental regulations were faced with fair -- but substantial -- penalties in addition to being required to repair the harms they caused.

Moving Forward

The accomplishments highlighted below are just a snapshot of the vital work done by MassDEP in 2013. In the year ahead, the agency will continue make strides to protect the public health and environment of the Commonwealth. Some of the key goals for 2014 are:

- Implementation of the organics waste ban for large-scale commercial and institutional facilities;
- Finalization and roll-out of the Sustainable Water Management Initiative regulations;
- Implementation of the many regulatory reforms that were finalized in late 2013 and early 2014;
- Continued reductions of greenhouse gas emissions through RGGI and by expansion of additional clean energy operations;
- Ongoing efforts to prevent and halt violations of environmental requirements;
- Beginning to design the overhauled IT capabilities and services of the environmental agencies.



GOAL

1

Innovation, Reform and Cross Cutting Issues

MassDEP's Regulatory Reform Initiative in the Home Stretch

In the fall of 2013, MassDEP hit the home stretch of its Regulatory Reform Initiative; with final regulations close to being promulgated that will simplify, streamline, and improve many of the agency's programs while maintaining the same or better environmental protection. More than a year ago, MassDEP launched a major initiative to look for possible improvements to all of the agency's regulatory areas. After working closely with external stakeholders and going through the public comment process, these across-the-board reforms are now being completed and being published as final regulations. The last of the regulation changes will be promulgated by April 2014.

Commissioner Ken Kimmell kicked off MassDEP's Regulatory Reform Initiative with the goal of maintaining the agency's current high standards of environmental protection with a drastically-reduced present level of staff (which dropped more than 30 percent since 2002). MassDEP's Regulatory Reform Initiative was also a mechanism for reviewing existing regulations to identify efficiency improvements as required of all state agencies under the Economic Development Reorganization Act of 2010.

The resulting programmatic changes, which were being codified into final regulations in late 2013 and early 2014, will achieve efficiencies without sacrificing protection by disinvesting from low-value activities, relying on other regulatory entities where redundant oversight currently exists, and utilizing authorized third parties rather than agency resources. The regulatory changes

include improvements to the following MassDEP programs: waste site cleanups/MCP; public waterfront protection/c.91; wetlands; wastewater permitting; septic systems/Title 5; solid waste transfer stations and landfills; asbestos abatement; and clean energy projects.

Information about MassDEP's Regulatory Reform Initiative can be found here: <http://www.mass.gov/eea/agencies/massdep/about/programs/massdep-regulatory-reform-initiative.html>

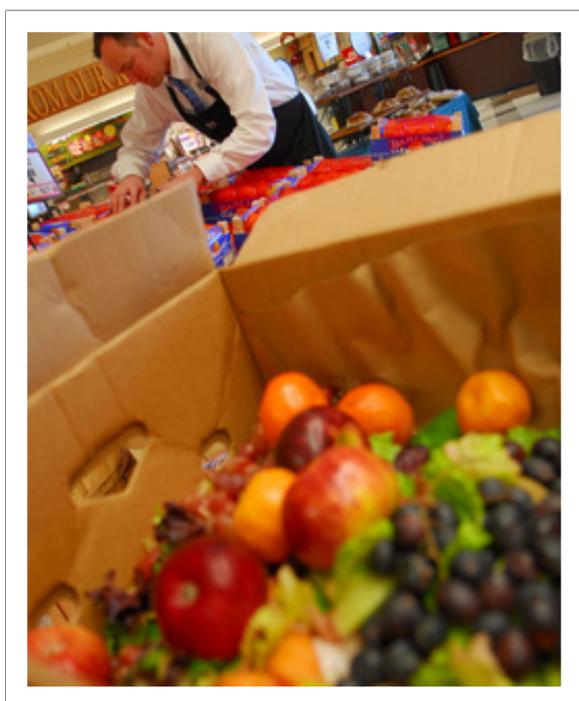
Anyone can sign up to receive notice of MassDEP's proposed and final regulation changes, including those associated with the Regulatory Reform Initiative, at the following link: <http://www.mass.gov/dep/public/reglist.htm>.

Major Advances on Diversion of Organic Material from Disposal to Clean Energy

In 2013, MassDEP took some major steps forward in implementing a nation-leading program to convert a solid waste problem into a clean energy solution. Through a combination of regulatory mandates, financial assistance, and the state leading by example, Massachusetts is poised to divert 450,000 tons/year of organic waste that would otherwise be burned in incinerators or buried in landfills. Instead, this material will go to composting facilities, or even better to anaerobic digestion facilities which create a clean biogas that can be used for electricity and heat.

Massachusetts' Solid Waste Master Plan sets a goal to quadruple the diversion of organic material from disposal in landfills and incinerators from the current level (100,000 tons per year

diverted) to 450,000 tons per year by 2020. Once diverted from the trash, organic material can go to anaerobic digesters, an emerging technology that generates renewable biogas and creates beneficial byproducts (for animal bedding, compost, and fertilizer) while reducing the potential of nuisance odors, and can also be diverted for composting. The Commonwealth has a goal to have three anaerobic digestion facilities on state land or multiple private facilities operating or in active permitting in 2014, and to increase energy production from aerobic and anaerobic digestion to 50 megawatts (375 GWh/y) by 2020. To achieve these goals, MassDEP has developed and is implementing a multi-pronged strategic Organics Action Plan. The Organics Action Plan includes initiatives that are collecting and analyzing data, building a robust and efficient collection and diversion infrastructure, establishing increased processing capacity and markets, and improving the Commonwealth's regulatory framework for managing organic materials that have been diverted from waste and for harvesting clean power and other beneficial uses from this material.



Culling food at a supermarket.

In 2013, MassDEP undertook the following activities to move this important initiative forward. The agency established regulations designed to foster siting of facilities that beneficially reuse source-separated organics, including anaerobic digestion, and issued draft regulations proposing a ban on disposal of organic material in waste by large generators that will preserve dwindling landfill capacity as well as create a valuable feedstock for anaerobic digestion. MassDEP also worked with other state agencies to proactively explore potential sites for three anaerobic digestion (AD) facilities on state lands (including using food waste generated at a university and two prisons to create lower-cost clean energy that can be used on site); provided technical and financial assistance for waste management and diversion to large generators of organic waste; and made low-interest loan funds available to construct anaerobic digester and composting operations, building a strong market for organics re-use in Massachusetts. The central component of this strategy is the waste ban, which applies to any business or institution that disposes more than 1 ton of organic material per week. MassDEP expects this ban to increase diversion by an additional 350,000 tons of organic waste each year, capturing valuable materials for renewable energy generation and soil enrichment, generating jobs and economic development in Massachusetts, and supporting improved materials management at farms and wastewater treatment plants. The draft waste ban regulation went out for public comment in the summer of 2013 and most commenters expressed support for the ban. MassDEP expects the final waste ban regulations to be promulgated in early 2014 and to take effect on October 1, 2014.

More information about MassDEP's overall Solid Waste Master Plan can be found here: <http://www.mass.gov/eea/agencies/massdep/recycle/reports/solid-waste-master-plan.html>



To learn about the proposed Organics Waste Ban, go here: <http://www.mass.gov/eea/docs/dep/service/regulations/wbreg14.pdf>

Additional information about Anaerobic Digestion is available here: <http://www.mass.gov/eea/agencies/masdep/service/energy/anaerobic-digestion/>

Funding Secured for Information Technology Transformation



In 2012, MassDEP and the Executive Office of Energy & Environmental Affairs (EEA) formally launched a major initiative to transform the services delivered by its agencies through an unprecedented overhaul of their information technology capabilities. These new capabilities will be delivered via a new enterprise-wide Energy and Environmental Information and Public Access System, or “EIPAS.” The development of EIPAS is expected to cost \$40 million and take about five years. In 2013, EEA and MassDEP took major strides forward by completing a “Return on Investment” (ROI) analysis which led to securing the funding needed to begin developing EIPAS. The promising ROI led to issuance of a Request for Responses in the fall of 2013 for system acquisition and development work.

EIPAS will be a tightly-integrated online system that enables all the energy and environmental agencies to utilize their vast information in a cohesive and automated fashion. Efficient use of information is critical as state government is increasingly required to do more with less. With EIPAS in place, the state’s energy and environmental agencies will have a more integrated IT system that enhances the ability of

staff to focus on their core mission via new tools, like computer-assisted compliance screening and document generation. EIPAS will help the agencies effectively capture and use the information needed by decision-makers, while improving the ability of businesses and the regulated community to apply for permits and submit reports online, and enabling citizens to easily access Commonwealth energy and environmental information. EIPAS will replace existing agency applications – many of which are more than 20 years old.

In the spring of 2013, the Patrick Administration conducted a Return on Investment (ROI) on all major IT projects prior to being funded. The ROI study for EIPAS assessed the direct financial benefits as well as the indirect benefits (and efficiencies) to the Commonwealth, and also the benefits to our constituents. The study concluded that EIPAS will achieve a very strong annual positive ROI within six years of going on-line.

Due to the impressive ROI projected for EIPAS, Governor Patrick endorsed capital funding for the project. The Commonwealth issued a Request for Responses in late Fall 2013 for system acquisition and development. MassDEP expects that this EIPAS contract will be awarded in summer of 2014. Meanwhile, MassDEP has been working internally to standardize and align agency work practices across programs and locations prior to beginning system development. This work, referred to as “Agency Process Optimization,” will help the agency maximize the benefits from the new EIPAS system.

With EIPAS in place, citizens will have vastly-improved access to vital environmental information; businesses will experience much quicker and more predictable interactions with the state’s energy and environmental departments; and agency personnel will be able to reduce the amount of time spent on data entry and administrative activities and make more

informed decisions based on timely and accurate information. Find more details about EIPAS at: <http://www.mass.gov/dep/about/priorities/eipas.htm>

MassDEP's State Environmental Laboratory Achieves LEED (Leadership in Energy and Environmental Design) Platinum Status – One of 29 LEED Platinum Labs Worldwide!

In March 2013, MassDEP received fantastic news – the renovation and expansion of the agency's state environmental lab (the Wall Experiment Station) had achieved the elite status of "Platinum" in Leadership in Energy and Environmental Design (LEED). LEED measures the sustainability level of the design and construction of structures, and a LEED Platinum designation is as good as it gets.

MassDEP implemented a \$30 million upgrade of the WES lab in Lawrence and cut the ribbon to the new facility in November of 2011. The project transformed the old lab into a state-of-the-art "green" building. The green upgrades include: a solar photovoltaic system for on-site renewable energy production; reusing a Brownfields site and maximizing open space; use of rain gardens and detention basins for stormwater management; water-efficient landscaping; a high-performance roof and smaller green roof to reduce the heat-island effect; a rain-water reclamation system for reuse to flush toilets and operate the cooling tower; water-efficient plumbing system with 40 percent water savings; optimized energy performance with 21 percent reduction in energy use over the LEED building baseline, with estimated savings of more than \$50,000 a year; windows that allow daylight to 75 percent of the space; and plug-in charging stations for two electric vehicles.

Worldwide, there are slightly more than 50,000 LEED-certified projects, but only about 1,000 (or less than 2 percent) are certified at the highest level – Platinum. WES is one of only 19 Platinum

buildings in Massachusetts, which makes up only 6 percent of all LEED buildings in the state. And there are only 29 LEED Platinum laboratories around the world, and now MassDEP's lab is one of them.

For more information, go here: <http://tinyurl.com/php68c>

MassDEP's Improved Web Presence: Website Now in Mass.Gov Unified Format, plus 2,000 Twitter Followers and Growing

In 2013 MassDEP has continued to evolve its presence on the internet. On May 1, 2013, MassDEP's web content was formatted to align with Commonwealth-wide Mass.Gov structure, and the agency's web pages were moved under the Executive Office of Energy and Environmental Affairs (EEA) Mass.Gov "portal" website. This work, done as part of Governor Patrick's IT Consolidation Plan, brought many positives, including a more modern toolset for internal and external web users, Google analytics and better integration of MassDEP's content with other EEA sites. Also, by moving to the Mass.Gov portal, MassDEP's web pages will have more room for our content and will be easier to view on smart phones and tablets. In addition, in October 2013 MassDEP passed the 2,000-followers mark for our MassDEP Twitter account. Using the Twitter social media account helps the agency get its message out that MassDEP is on the job 24/7, protecting the environment and the public health across the Commonwealth. MassDEP continues to utilize Twitter and other means of communication to spread the word about the agency's environmental goals and successes.

See the newly formatted MassDEP website at: www.mass.gov/dep.

Sign up to follow MassDEP's on Twitter at: <https://twitter.com/massdep>



GOAL

2

Clean Air, Energy and Climate Change

Leading the Way in Greenhouse Gas Emissions Reduction Efforts; Successful RGGI Program Advocated as Model for Other States

Massachusetts continues to lead the way to a clean energy economy and reaping some of the direct benefits in economic growth through smart policies that reduce greenhouse gas emissions by promoting greater energy efficiency, developing renewable energy and encouraging other alternatives to the combustion of fossil fuels. The results clearly disprove the myth that environmental protection hinders economic progress.

The Commonwealth's success in addressing climate change can be seen in a number of areas, such as the implementation of the multi-state Regional Greenhouse Gas Initiative (RGGI) and the 2013 reduction of its carbon dioxide (CO₂) emission cap to 91 million tons per year. All nine RGGI states have implemented the new emissions cap. RGGI is expected to reduce CO₂ emissions from power plants by 45 percent in 2020 compared to 2005 levels.

MassDEP and its eight RGGI partners are also advocating that the successful RGGI program is an excellent model to control power plant greenhouse gas (GHG) as the U.S. Environmental Protection Agency (EPA) works on a proposal to reduce GHG emissions from existing power plants across the nation.

The proceeds from the RGGI allowance auctions have totaled more than \$252 million for Massachusetts to date, and the reinvestment of a majority of those funds has helped to make

Massachusetts the most energy-efficient state in the nation during the past three years, as selected by the American Council on an Energy-Efficient Economy. With the reduced RGGI cap and the anticipated increase in the allowance price moving forward, Massachusetts can anticipate approximately an additional \$625 million in proceeds for reinvestment in energy efficiency and renewable energy by 2020.

RGGI is the first cap-and-invest program in the United States – it caps GHG emissions from the power sector and reduces those emissions by 2.5 percent a year until 2020. The states participating then invest the proceeds generated from auctioning emission allowances back into clean energy programs, which lower overall energy costs and grow local economies.

Within RGGI, Massachusetts has been a leader in energy efficiency. During the first three years of the program, Massachusetts was among the states that invested almost 80% of allowance auction revenues back into energy efficiency. The state is saving energy every year with new energy efficiency investments and programs for residents and municipalities and continues to embrace efficiency as its "First Fuel."

These diverse programs have saved enough electricity to power nearly 110,000 homes for a year and enough natural gas to heat 15,000 homes for a year. Energy efficiency has reduced greenhouse gas emissions by more than 430,000 metric tons – the equivalent of taking approximately 85,000 cars off Massachusetts' roads for a whole year. For every \$1 invested in energy efficiency, the average benefit for homeowners was \$4.17, and for businesses, it

was \$5.10. According to a report by The Analysis Group, reinvestment of allowance revenues stands out as the most economically beneficial use of RGGI dollars, and Massachusetts has led the way in this effort.

The EPA is in the process of proposing new regulations to reduce CO2 emissions at power plants across the nation. In early 2014, the RGGI states submitted comments to the EPA, recommending that RGGI be used as the national model when EPA implements its carbon reduction rules, because RGGI has a proven track record of reducing emissions. RGGI has also created thousands of clean-tech jobs, reduced energy bills by more than \$1 billion, and added a net of \$1.6 billion to the economies of the RGGI states. More information on RGGI can be found at: <http://www.mass.gov/eea/agencies/massdep/air/climate/massachusetts-and-the-regional-greenhouse-gas-initiative.html>

Continued Progress on the Massachusetts Global Warming Solutions Act

In 2008, Governor Deval Patrick signed the Global Warming Solutions Act (GWSA) into law. It established the most ambitious, economy-wide greenhouse gas emission limits for any state in the country and made Massachusetts one of the first states in the nation to move forward with a comprehensive regulatory program to address Climate Change. The GWSA requires all sectors of the Massachusetts economy to reach a 25-percent reduction of GHGs below 1990 levels by 2020 and an 80-percent reduction by 2050. The path to reach those ambitious goals is outlined in the Massachusetts Clean Energy and Climate Plan for 2020. For more information about the Clean Energy and Climate Plan, go to: <http://www.mass.gov/eea/waste-mgmt-recycling/air-quality/greenhouse-gas-and-climate-change/climate-change-adaptation/mass-clean-energy-and-climate-plan.html>.

Massachusetts had reduced its GHG emissions by approximately 10 percent as of 2010, with further reductions expected as the new 2013 RGGI cap takes effect and energy efficiency efforts expand. In addition, Massachusetts has dramatically boosted its renewable energy generation. Due to financial incentives, such as renewable energy credits, net metering and long-term contracts, solar energy capacity has grown from 1.64 megawatts (MW) in 2007 to 327 MW in 2013, reaching Governor Patrick's goal of 250 MW four years ahead of schedule. Wind energy has grown from 1.64 MW to 103 MW in this same time frame, and Massachusetts is vigorously pursuing other clean energy solutions, such as combined heat and power. For more information on our progress in meeting the Commonwealth's 2020 goal, please see the five-year review, which can be viewed here: <http://www.mass.gov/eea/docs/eea/gwsa/ma-gwsa-5yr-progress-report-1-6-14.pdf>

In addition, in 2013 the Executive Office of Energy and Environmental Affairs (EEA) launched a new Global Warming Solutions Act "Dashboard" – a user-friendly website to raise public awareness on the status of GWSA implementation. The dashboard provides an estimate of emission reductions achieved to date, and also includes an overview of emissions trends in the state and updated information about each of the strategies included in the Clean Energy and Climate Plan for 2020.

The dashboard is one of the first of its kind nationwide and is expected to serve as a regional and national model that other states can adopt to analyze their efforts in reducing GHG emissions. You can view the dashboard here: <http://www.mass.gov/eea/air-water-climate-change/climate-change/massachusetts-global-warming-solutions-act/>



The Commonwealth and MassDEP Take Bold Steps to Increase Use of Electric Cars

One of the key strategies to help the state reach its ambitious goals for reducing greenhouse gas emissions, bolstering Massachusetts' energy independence, and growing the Commonwealth's clean energy economy, is to support greater use of alternative technology transportation options, such as electric vehicles or plug-in hybrids. A number of important activities related to electric vehicles were conducted in 2013 that have helped the Administration get closer to its ambitious goals.

In April 2013, MassDEP celebrated Earth Day by announcing the Massachusetts Electric Vehicle Incentive Program (or MassEVIP). The program made \$2.5 million available to encourage deployment of up to 300 advanced technology vehicles in cities and towns. MassEVIP offered eligible communities grants up to \$7,500 per electric vehicle and up to \$15,000 per publicly-accessible electrical charging station. Over the lifetime of an EV, the owner can reduce fuel consumption by more than 6,000 gallons of gasoline, and reduce fuel costs by thousands of dollars.

Also in April 2013, our colleagues at the Massachusetts Department of Energy Resources (DOER) launched two other alt-vehicle programs for the Administration. DOER Commissioner Sylvia announced that \$11.7 million in federal highway department funding had been made available to promote the adoption of EVs, place additional charging stations in our communities, and to help replace or convert more than 200 public and private fleet vehicles now powered by gasoline and diesel with vehicles fueled by natural gas, propane, electric, solar electric and hybrid technologies. DOER also provided \$1.8 million in grants for eight electric school buses with vehicle-to-grid capability as part of a pilot project with the Clinton Global Initiative's EV V2G School Bus Demonstration.

In the fall of 2013, governors from eight states, including Massachusetts, announced a groundbreaking initiative that sets a goal to put 3.3 million zero-emission vehicles on the roads in their states by 2025. Massachusetts joined California, Connecticut, Maryland, New York, Oregon, Rhode Island and Vermont by making a joint commitment to expand consumer awareness and demand for Zero Emission Vehicles (ZEVs), and to identify specific actions they will promote to help build a robust national market for electric- and hydrogen-powered cars. Those efforts include making it easier to construct new electric vehicle (EV) charging stations, putting more ZEVs in state fleets, and developing common standards for roadway signs and charging stations.

For more information on the Commonwealth's alt-vehicle programs, go here: <http://www.mass.gov/eea/agencies/massdep/news/releases/grants-in-alternative-fuel-vehicles-announced-.html>

For more information on the 8-state agreement, go here: <http://www.mass.gov/eea/agencies/massdep/news/releases/governors-initiative-to-put-3-3-m-zevs-on-road-by-2025.html>

MassDEP Provides \$800,000 in Funding for Woodstove Change-out Program

Poor air quality remains a concern in Massachusetts during certain times of the year and under specific circumstances. MassDEP continues to implement programs that address air pollution from fine particulate matter. Reducing particulate matter air pollution is especially important in western Massachusetts where many residents heat their homes with wood. Unhealthy levels of fine particles in the wood smoke can settle into the valleys and low-lying areas due to winter temperature inversions. In January 2013, representatives from MassDEP, the Massachusetts Clean Energy Center and the Massachusetts Department of Energy Resources announced \$800,000 in funding for a woodstove change-out program.

The funding provided a \$1,000 or \$2,000 voucher for residents to change-out their old, inefficient woodstove and replace it with a new one that burns less wood and emits up to 80 percent less particulate matter. This effort was part of MassDEP's comprehensive work to reduce fine particle pollution, which also includes the regulation of large power plants and industries, requiring reduced idling from cars and trucks, and providing funding for emission controls on school buses, trucks and other diesel vehicles. The woodstove change-out program helped to have more than 750 new efficient stoves installed in homes across the state from Williamstown to Wellfleet.

For more information go to: <http://www.mass.gov/eea/docs/dep/public/committee-4/changout413.pdf>

State Increases Goal for Solar Energy Projects on Closed Landfills and Brownfields

A key MassDEP environmental priority is the generation of more renewable energy at old landfills and contaminated parcels. When MassDEP partnered with the Massachusetts

Department of Energy Resources (DOER) to launch the Clean Energy Results Program (CERP) in November of 2011, the agency set some very aggressive targets for renewable energy. On environmentally challenged properties like landfills and Brownfields, the initial goal was to develop 50 megawatts of clean energy by 2020. In the past few years, MassDEP has approved 42 projects that would place more than 83 megawatts of solar or wind on top of closed landfills across the state; 15 of those projects (13 solar, 2 wind) were already operating at the end of 2013. Those operating projects were producing 23.6 megawatts of renewable energy. In a number of other projects were either under construction or close to completion as of December 2013.

As a result of this tremendous success, MassDEP and DOER have increased the solar development targets to place 75 megawatts of clean energy on closed landfills by 2020, and develop another 50 megawatts of clean energy on contaminated land by 2020. More information about efforts under the Clean Energy Results Program to utilize landfills and former waste sites for renewable energy can be found here: <http://www.mass.gov/eea/agencies/massdep/service/energy/>



GOAL

3

Clean and Safe Water

Sustainable Water Management Initiative (SWMI) Moves Forward with Community Grants

MassDEP continues to work closely with the Executive Office of Energy and Environmental Affairs (EEA), the Department of Conservation and Recreation (DCR), the Division of Fish and Game (DFG) and a number of important stakeholders on the Sustainable Water Management Initiative (SWMI) framework. The Commonwealth launched SWMI to balance the sometimes competing water needs in the Commonwealth through new water policy that supports ecological needs while meeting the needs of economic growth. The successful implementation of this initiative will bring about clear, predictable and science-based permitting for large water withdrawals, in order to ensure prudent and sustainable use of water, and to maintain healthy watersheds and gradually improve degraded ones.

In the spring of 2013, MassDEP moved SWMI forward by making nearly \$1 million in grant funding available to assist 11 communities with water conservation, demand management and other projects to help mitigate the ecological impacts of water withdrawals. The SWMI Grant Program helped water suppliers by providing funding for planning and implementation to reduce the demand for water, increase in-stream flow, improve the handling of wastewater and stormwater, and upgrade ecosystem habitats. The grant funding was awarded to: Amherst, Brockton, Dedham-Westwood Water District, Franklin, Halifax, Hopkinton, Kingston, Medway, Pembroke, Scituate, and Worcester. Over the years, a number of communities in

the Commonwealth have implemented water conservation measures, but the Commonwealth needs to do more to protect our water supplies and the ecosystems they support. These projects will help to remove dams, increase waterway flow, recharge aquifers by keeping local water within its own watershed, and reduce the daily demand for water.

In 2014, MassDEP will release draft regulations guiding permitting of high-volume water withdrawals under the Water Management Act in accordance with the SWMI framework.

For more information on SWMI, visit: <http://www.mass.gov/eea/waste-mgmt-recycling/water-resources/preserving-water-resources/sustainable-water-management/>

For more information on SWMI and the grant program, visit: Patrick-Murray Administration Grants Nearly \$929,000 to Assist Communities with Water Conservation, Demand Management Projects.

\$512 Million in Low-Interest Loans Awarded for Wastewater & Drinking Water Projects

Each year, MassDEP works with the Massachusetts Water Pollution Abatement Trust (MWPAT) on hundreds of millions of dollars in low-interest water infrastructure loans. This loan program, known as the "State Revolving Fund" (SRF), helps fund construction and planning projects to improve water quality, upgrade or replace aging sewer infrastructure, and cut treatment facility energy use and costs.

In 2013, MassDEP and the MWPAT awarded more than \$512 million in low-interest loans for eighty-nine wastewater and drinking water projects in 67 communities, regional water supplies, and wastewater treatment districts. Thirty-two of the 89 projects, or more than \$337 million of the total \$512 million, are for renewable-energy or green-infrastructure projects or green components of projects. Those projects involve energy-efficiency upgrades to treatment plants and the on-site installation of renewable-energy technologies, such as solar cells and hydro-electric power. Energy use at wastewater and drinking water treatment facilities is a major contributor to overall energy consumption for many municipalities, with communities statewide spending approximately \$150 million per year on electricity to treat 662 billion gallons of wastewater and drinking water. Approximately 30 percent of municipal energy use derives from drinking water treatment and wastewater treatment.

The projects supported by SRF funding will help communities across the state improve water quality in rivers, lakes and estuaries, and also protect the public health. The renewable and energy efficiency measures included in the projects will also help to cut air emissions from treatment plants and stabilize municipal energy costs. The treatment facilities combine energy efficiency savings and renewable energy production from solar and hydro to upgrade their operations, leading to significant budget savings that are good for communities and the environment.

Using U.S. Environmental Protection Agency data, 39 of the projects are in Environmental Justice (EJ) communities. Each of these is expected to receive some principal loan forgiveness. EJ communities are areas with below-average Median Household Income levels and communities of color that may experience a disproportionate share of environmental burdens and often lack environmental assets in their neighborhood.

The SRF comprises two programs: the Clean Water Fund, which has awarded approximately

\$5.3 billion in wastewater-related loans since the program's inception in 1991; and the Drinking Water Fund, which has awarded approximately \$1.3 billion in projects since it began in 1999.

For a full listing of the Clean Water SRF projects for 2013, see Table No. 1 at: <http://www.mass.gov/eea/docs/dep/water/wastewater/a-thru-n/13-cwiup.pdf>

For a full listing of the Drinking Water SRF projects for 2013, see Table No. 1 at: <http://www.mass.gov/eea/docs/dep/water/wastewater/a-thru-n/13-dwiup.pdf>

New Web-Based Tool with Surface Water Quality Information

In the summer of 2013, MassDEP posted to its website a new interactive tool that provides information on the condition of the state's surface waters, and specifically whether each water body supports aquatic life, fish consumption, and primary and secondary recreation. The application allows the user to geographically locate rivers, streams, lakes and ponds, and view what is known about the water quality of each. Users can access this map without specialized Geographic Information System (GIS) software. The user can click on the water body and a set of attributes related to water quality assessments will appear. The map also includes information on the development of restoration plans for improving water quality. These restoration plans are known as Total Maximum Daily Loads (TMDLs). A TMDL is the greatest amount of a pollutant that a water body can accept and still meet water quality standards for protecting public health and maintaining the designated beneficial uses of those waters for drinking, swimming, recreation, and fishing.

For more information on the Surface Water Quality web based application, go to: <http://www.mass.gov/eea/agencies/massdep/water/watersheds/2012-integrated-list-of-waters.html>



State Provides \$3.35 Million for Cape Cod Water Quality Management Plan

Cape Cod continues to face serious surface water quality problems in its estuaries, ponds and other waterways due to excessive loading of nutrient pollution. The Cape's water bodies, particularly the estuaries on south-facing beaches, are degrading due to the dramatic increase in population and corresponding pollution, and the lack of effective control of nitrogen and phosphorus from conventional Title 5 septic systems.

In the spring of 2013, the Commonwealth pledged \$3.35 million to help the Cape Cod Commission develop a comprehensive water quality management plan for Cape Cod, which will ensure that the region has sufficient wastewater management in place. The Cape Cod Commission is the regional entity charged with developing the water quality plan which, when implemented, will reduce nutrient pollution impacting Cape waterways in order to meet state and federal water quality standards. MassDEP Commissioner Kenneth Kimmell, Treasurer Steven Grossman and Cape Cod Commission officials signed the agreement, which provides funding through the Massachusetts Water Pollution Abatement Trust. The water quality plan will be drafted and offered for public review by the spring of 2014. The final plan will be certified by Governor Patrick and then submitted to the U.S. Environmental Protection Agency for approval.

Nitrogen overload causes growth of nuisance plants, weeds and algae, which in turn destroys habitat for native finfish, shellfish and plants. Other nutrient pollution also contributes to resource degradation and declines in fishing, shell-fishing, tourism and property values. The grant funding provides the Cape Cod Commission sufficient resources needed to develop the most cost-effective and environmentally-sound approaches to managing water quality across the Cape. While there are varying estimates

for implementing a solution to the nutrient problem, ranging from \$3 to \$8 billion, the MOU underscores that there is clearly agreement among state leaders that allowing this degradation of the region's ecosystem is unacceptable. MassDEP will partner with the Commission and local officials to develop and implement a cost-effective solution that addresses this serious problem across the Cape. The process will include significant citizen participation and public input.

The Cape Cod Commission will use the \$3 million to develop a plan that will prioritize water resources, identifying the most impaired or endangered, and the actions needed locally to achieve water quality goals as quickly as possible. The plan will also limit the amount of infrastructure needed by prioritizing those areas requiring "shared" systems to restore water quality. It will also provide an opportunity to more fully evaluate decentralized and innovative approaches, and identify preferred solutions for nutrient management in nitrogen-sensitive watersheds. An additional \$350,000 appropriated by the Trust will be used to build a Cape Cod Wastewater "SmartMap" and cost model. It will link land-use data with newly-developed scientific and financial-planning data to help Cape communities identify environmentally-appropriate and affordable wastewater-infrastructure solutions. It will also support the development of the regional management plan.

For more information on the Cape Cod water quality management study, visit: <http://www.mass.gov/eea/pr-2013/130110-cape-waterway-funding.html>

Grant Funds Help Protect Watersheds from Pollution

In November 2013, continuing the Patrick Administration's efforts to promote environmental stewardship, MassDEP announced that seven projects had been recommended for more

than \$1.27 million in grants from the U.S. Environmental Protection Agency (EPA).

The projects will protect the watersheds across the state and allow the residents of the Commonwealth the enjoyment of cleaner drinking water, waterways and aquatic recreational areas. More than \$1.27 million in “non-point source” grants were awarded to seven projects that will implement or demonstrate best management practices to mitigate the effects of polluted stormwater runoff. Non-point source (NPS) pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters and

ground waters. The grant program focused on implementation of measures to control non-point source pollution to surface and ground water. Unlike pollution from industrial facilities and sewage treatment plants, NPS pollution is unregulated and comes from diffuse sources.

The funds will be used in Amesbury, Greenfield, Ipswich, Leominster, Plymouth and Barnstable County, as well as for a statewide project that will seek to educate citizens about the dangers of non-point source pollution and how to eliminate it. For more details on the grant program and the funded projects, go here: <http://www.mass.gov/eea/agencies/massdep/news/releases/1-27-million-in-grants-to-fund-watershed-projects.html>



GOAL

4

Waste Management and Site Cleanup

Updated Solid Waste Master Plan Finalized

Since 1990, when MassDEP issued the first Solid Waste Master Plan, the Commonwealth has made great progress on solid waste management, including recycling 42 percent of the waste produced. This is one of the best recycling rates in the nation, but it has not grown during the past decade, and those who live and work in the Commonwealth continue to dispose of materials that have significant value.

On May 7, 2013, the Patrick-Murray Administration issued the final Solid Waste Master Plan (SWMP) for the period ending in 2020, putting Massachusetts on the path to a “zero waste” future. The Master Plan announces a goal of reducing waste generation by an additional 30 percent by 2020, and by 80 percent by 2050. The Plan features a diverse strategy that will increase commercial and residential recycling and materials re-use, tighten waste ban enforcement across the Commonwealth, increase the diversion of organics and food waste, encourage the growth of anaerobic digestion and composting capacity, extend producer responsibility for a variety of products, and provide funding to municipalities to support recycling and re-use efforts. As the Master Plan is implemented, the Commonwealth can look to a future with full recycling bins, empty trash cans, active re-use markets, new green jobs, and innovations in waste reduction technology -- all combining to reach the goal of reducing waste disposal by two million tons per year by 2020.

While the Master Plan promotes a number of important efforts to increase recycling and reduce waste generation, it also recognizes that by 2020,

Massachusetts will have a shortfall of capacity to dispose of waste that cannot be recycled or re-used. The SWMP modifies the current municipal waste incinerator moratorium to encourage the development of innovative and alternative technologies for converting municipal solid waste to energy or fuel on a limited basis. Massachusetts needs new methods for managing waste, and it’s unwise to rely on exporting our trash to other states. Traditional disposal of valuable materials squanders valuable resources and is a lost economic opportunity. By encouraging the development of innovative waste-to-energy technologies, we can address that portion of the waste stream that recycling cannot now handle. The moratorium modification will allow the development of alternative technologies like gasification or pyrolysis. Total additional capacity for gasification or pyrolysis of solid waste will be limited statewide to 350,000 tons per year, which is half of the projected in-state capacity shortfall of 700,000 tons expected in 2020, even if all of the Master Plan’s disposal reduction goals are met. If not addressed, that capacity shortfall would require these wastes to be exported to out-of-state facilities.

Proposed projects that use an innovative or alternative technology will have to meet stringent recycling, emissions and energy efficiency standards, and new facilities will be subject to the same site assignment rules as other solid waste facilities. The modification will not change or lift the moratorium on construction of new capacity for traditional combustion of municipal solid waste. These strategies are a step toward making it easier to lower our carbon footprint while we take advantage of better alternative energy opportunities. Allowing this new technology

makes economic and environmental sense and has the potential to preserve limited open space, protect the environment and save municipalities money.

The SWMP also includes a bold plan to divert an additional 350,000 tons of food waste and organic materials on an annual basis by 2020 and build 50 megawatts of renewable energy from anaerobic digestion of organic waste. Food waste and other organic materials represent fuel sources for renewable energy production that are typically unrealized. Therefore, starting October 12014, the Commonwealth will phase in a ban on the land-filling or burning of food wastes from food processors and large institutions like colleges, hotels and grocery stores.

As part of the Plan, MassDEP will also increase its inspections of landfills, incinerators and transfer stations, to ensure compliance with current waste bans. MassDEP will also change its regulations to require all solid waste facilities to hire independent third parties to perform regular facility inspections, to have those inspectors check in coming trash loads periodically, and to require those inspectors to be independent from the entities that own and operate the facilities they inspect.

Under the Master Plan, MassDEP will promote municipal performance targets – combined with financial and other incentives totaling \$2.5 million annually – to help increase recycling and composting. The Plan also seeks to extend producer responsibility for waste products such as paint, carpet and pesticides, as well as expand the current bottle deposition law to include water, juice, tea and sports drink containers.

Recycling, re-use and manufacturing based on recycled feed stocks directly supports more than 2,000 businesses, with an estimated 14,000 jobs in Massachusetts, a payroll of nearly \$500 million, and annual revenues of \$3.2 billion. To see the final Solid Waste Master Plan for 2010-2020 and the response to comments received on the draft document, visit: Solid Waste Master Plan

\$2.47 Million in Recycling & Composting Grants to 136 Municipalities

In late October 2013, statewide recycling and waste reduction efforts got a big boost when MassDEP announced the latest round of Sustainable Materials Recovery Program (SMRP) grants, which provided \$2.47 million to 136 communities, regional groups and non-profit organizations. The funds are be used to start or expand Pay-As-You-Throw recycling programs, buy wheeled carts for curbside collection of recyclables and food waste, help to fund local recycling-enforcement-coordinator positions, offer school recycling assistance, and support innovative waste-reduction projects.

Some of the most important grant awards are going to places like Salem, Manchester and Newton, to help investigate or implement curbside residential food-waste-collection programs. Another grant will help the towns of Randolph, Braintree, Milton and Weymouth to explore the feasibility of placing a regional organics composting facility on state-owned land in Randolph. For more information on the 2013 SMRP grant program, go to: <http://www.mass.gov/eea/agencies/massdep/news/releases/2-47m-in-grants-for-recycling-composting-reduction.html>

MassDEP's Response to Arlington Diesel Spill

On May 31, 2013, the video shot from a hovering news helicopter showed an overturned tanker truck sitting awkwardly on its side in front of 199 Medford Street in Arlington. The video revealed a reddish-pink diesel fuel spilling from the tanker and rushing in a torrent down the street toward the unprotected Mystic River nearby. That's what was encountered when emergency responders from MassDEP's Wilmington office arrived at the scene late in the afternoon of Friday, May 31st.

A J.P. Noonan tanker carrying a full load of 10,000 gallons of diesel fuel had overturned near the



intersection with the Mystic Valley Parkway, and the fuel had flowed into local catchbasins and out into the river, forming an ever-growing pool of red fuel on top of the slow-moving river water. MassDEP's Emergency Response personnel – working with fire and police from Arlington and Medford, and joined by private cleanup crews from Moran Environmental and Clean Harbors – quickly sprang into action to minimize the environmental damage and protect the safety of residents in the area. MassDEP brought its own oil spill trailer to the scene, and the agency also activated its state-of-the-art Field Assessment and Support Team (FAST) vehicle.

MassDEP personnel and the other first-responders were able to stretch a boom across the water downstream from the crash site to catch the diesel fuel before it flowed deeper into Medford. Six other booms were placed at various spots both upstream and downstream in the river, causing thousands of gallons of fuel to pool within the containment areas. Vacuum trucks and skimmers were deployed overnight to collect the fuel from the water, and that operation continued well into Sunday. In all, an estimated 6,800 gallons were skimmed from the surface, another 1,000 gallons were collected in the absorbent pads that were used on the river, and it is estimated that another 1,000 gallons evaporated into the air due to the sunny and very hot weather that was present that weekend.

MassDEP was also heavily involved in making sure that the spill site was cleaned up, and that the fuel odors did not impact nearby residents. The FAST vehicle measured the winds and set up air monitoring stations, searching the air for volatile fuel vapors. The outdoor samples contained some vapors, but at concentrations that were well below levels of concern for human health. MassDEP also checked the indoor air of a home on Medford Street, but again was quickly able to determine that the levels were not a concern.

Personnel from MassDEP's Northeast Regional Office continued to oversee the ongoing river assessment and cleanup efforts throughout the week.

For more information on the response and cleanup of the May 31st incident, go to: <http://www.mass.gov/eea/docs/dep/cleanup/sites/ar1roll.pdf>

MassDEP Responds to Fish Kill in the Charles River

In early July 2013, the MassDEP Emergency Response (ER) program responded to a reported fish kill in the Charles River. The incident was first described as a "blue oily sheen" on the water with dead fish floating down the river. The source appeared to be further up-river in the Medfield/Millis area. MassDEP confirmed that there were many hundreds of dead fish in the water, and then coordinated with the Massachusetts Department of Fish & Wildlife, Massachusetts Dept. of Public Health, the U.S. EPA, and the Charles River Watershed Association.

At the scene, local responders deployed booms, identified and checked possible commercial sources, and helped with scouting the incident. MassDEP personnel collected samples for both field and lab screening. Water samples were delivered to the MassDEP's State Environmental Lab (the William S. Wall Experiment Station) to check for metals, PCBs and pesticides. The public drinking water supply wells for Millis and Medfield were temporarily turned off while chemical contaminants were being ruled out. After extensive analysis, the cause was determined to be a very unusual natural event, probably related to low dissolved oxygen in the water column. This event spanned six towns (Norfolk, Millis, Medfield, Sherborn, Dover and Natick) and necessitated response from three of MassDEP's regional offices and its Boston Office.

MassDEP Leads Cleanup of Fuel Spill in New Bedford Harbor

In September 2013, MassDEP, the U.S. Coast Guard and New Bedford officials received a report of a diesel fuel spill in New Bedford Harbor from the Route 6 Bridge south to Pier 3 on the New Bedford side. The red-dyed fuel had been pumped into the harbor waters at some point before 5 a.m. on Friday, September 6, 2013, and no responsible party was evident. The New Bedford Fire Department and Harbormaster, the Coast Guard, and MassDEP emergency responders jumped into action. Floating booms and absorbent pads were strategically located along the waterfront to capture as much of the fuel as possible. In the end, we determined that more than 500 gallons of fuel was recovered from the harbor.

Unfortunately, the responsible party never came forward and, despite the best efforts of DEP and the Coast Guard, including the boarding and inspection of vessels and the review of surveillance camera footage, we were unable to track down the entity responsible. The inability to locate the responsible party was unfortunate, because the cost of such a significant spill should be borne by the source of the spill and, at this time, most of the cost will be covered by the citizens of Massachusetts through DEP, and the country as a whole through the Coast Guard. We continue to search for the responsible party and, when we find them, penalties and restitution will be high on the priority list.

Defendants Pay \$4.25 Million Settlement for Restoring Natural Resources at Industri-Plex Superfund Site in Woburn

The Commonwealth of Massachusetts manages natural resources such as fish, shellfish, wildlife, and rare species, groundwater, rivers, lakes, ponds

and wetlands and holds them in trust for the public. State and federal agencies have “Natural Resource Damages” (NRD) recovery authority, which applies to injuries to natural resources resulting from releases of oil or hazardous substances. Only federal, state, and tribal Trustees may recover for natural resource damages subject to their jurisdiction on behalf of the public. The NRD process generally includes injury assessment and quantification, determination of monetary damages to compensate the public for the injuries, and restoration planning and implementation to restore, replace, or acquire the equivalent of the injured resources. The overall goal of an NRD action is to restore injured resources. The NRD action may also include compensation to the public for the lost use (including human use) of the injured resource from onset of injury to completion of restoration.

In February 2013, a great example of this was realized when an environmental settlement was reached to help fund the restoration of damaged natural resources in the Woburn area. MassDEP joined with federal partners from the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration to finalize a \$4.25 million settlement with two companies connected to the Industri-Plex Superfund site in Woburn. Many decades of contaminants from this site significantly impacted resources in the Aberjona River and the surrounding watershed.

The money from the two companies will help fund projects that will restore, repair or replace natural resources that were impacted, including a variety of wildlife, fish, turtles, amphibians and migratory birds like great blue heron, black ducks and kingfishers. With this settlement, there is now funding and technical expertise to bring this ecosystem back to vitality again.



GOAL

5

Compliance and Enforcement

MassDEP's Compliance and Enforcement Activities Continue to Prevent Violations, and to Find and Correct Violations When they Occur

MassDEP continues to place priority on maintaining compliance and enforcement activities. Ultimately, the credibility and effectiveness of any environmental program depend upon our success in ensuring compliance with our protective environmental standards. MassDEP employs a comprehensive compliance-assurance strategy that promotes environmental compliance through compliance-assessment activities, enforcement, technical assistance, and public education. MassDEP strives to set priorities for compliance and enforcement activities based on relative risk, requiring increased reliance on assessment of environmental monitoring and performance data for particular sectors.

In addition to more traditional compliance assessments and enforcement, MassDEP continues to provide technical assistance, outreach and education to targeted segments of the regulated community, with continued focus on providing assistance to our municipalities. The agency is enhancing its information management systems and better utilizing technology to make compliance and enforcement efforts more efficient and effective. When violations are discovered, MassDEP takes consistent, appropriate and timely enforcement action to deter non-compliance and ensure a level playing field by making non-compliance substantially more costly than compliance; to require violators to cease actions impacting the environment or public health and to restore impacted environmental resources; and to

capitalize on opportunities to induce the regulated community to permanently reduce pollution and adopt environmental management systems and establish best management practices.

Inspections: It is critical to MassDEP's compliance and enforcement success that the agency maintains a vigorous and visible "cop on the beat" presence, which can be measured in large part by the number of facilities and project sites visited by MassDEP inspectors. The traditional compliance inspection – in which a trained inspector visits a facility or other location to review compliance status – remains the mainstay of the MassDEP's compliance assessment program. In FY13, MassDEP conducted 6539 inspections, which is consistent with past years.

Enforcement Actions: When MassDEP discovers violations of environmental rules, the agency takes timely and appropriate enforcement actions to ensure that infractions are corrected and (when called for) penalties are assessed. In FY13, MassDEP issued more than 3004 enforcement actions, including:

- **Lower Level Enforcement (LLE):** These are notices of non-compliance (NONs) which are generally used to require correction of minor compliance problems, provide notice that existing practices are unacceptable, or warn of administrative orders and/or penalties if problems are not corrected. In FY13, MassDEP undertook 2268 lower level enforcement actions.
- **Higher Level Enforcement (HLE):** HLE encompasses a range of enforcement actions

generally pursued for more serious violations. These include administrative consent orders -- with or without penalties, penalty assessments, permit and license suspensions or revocation, and referrals to the Attorney General or U.S. Environmental Protection Agency (EPA). In FY13, MassDEP undertook 732 higher-level enforcement actions.

- **Penalties:** An important element of a credible enforcement program is setting appropriate penalties and fines which send a strong message to regulated facilities that breaking environmental rules won't gain them any financial advantages and, in fact, will cost them more in the long run. In FY13, MassDEP independently assessed approximately \$2.44 million in administrative penalties.

Alternative Compliance Monitoring Strategy

In FY13, MassDEP collaborated with the United States Environmental Protection Agency (EPA) to launch an innovative approach to our compliance and enforcement efforts, known as the Massachusetts Alternative Compliance Monitoring Strategy (ACMS). The ACMS, which covers the hazardous waste, air quality and underground storage tank programs, provides MassDEP with the flexibility to focus increased resources on smaller sources that may have significant, aggregate environmental impacts, while maintaining an appropriate and more targeted inspection program for the major sources, which generally have high compliance rates.

As a condition of its annual air pollution control and hazardous waste management program implementation grants from EPA, the federal agency requires MassDEP to inspect the most significant air pollution sources and hazardous waste generators in accordance with EPA's national Compliance Monitoring Strategy (CMS). Because MassDEP believes that smaller facilities are likely to have more compliance problems than

the larger, frequently-visited pollution sources covered under the traditional CMS, the agency asked for and received EPA's approval for the Massachusetts ACMS that reduced the frequency of inspections of the largest sources in exchange for inspecting 100 carefully targeted smaller sources, picked on the basis of their inherent risk or suspected compliance problems.

The ACMS allowed MassDEP to:

- Reduce the frequency of Large Quantity Generator of Hazardous Waste (LQG) inspections from the once every five years required in EPA's standard Compliance Monitoring Strategy (CMS) to once every eight years, for existing sources, and inspect new LQGs within five years of becoming an LQG.
- Defer inspections of high performing (those with no recent High Priority Violations or whose compliance status was not otherwise a matter of concern) Title V Air Operating Permit Sources (OPs) and facilities that have restricted their emissions to between 80 and less than 100% of the air operating permit threshold (SM80s) from once every three years for "process" sources and once every 5 years for "combustion sources" to once every 5 years for both types of sources.

In exchange, MassDEP agreed to:

- Conduct "offsite" inspections (in-depth review of all available reported information) of combustion OPs every other year, and review all monitoring, operational, and compliance reports submitted by OPs and SM80s as they are submitted.
- Identify and inspect 100 "small" air pollution sources and hazardous waste generators (ACMS facilities) that were thought to be at a higher risk of noncompliance than the large sources covered by EPA's standard CMS, and



- Track and compare the results of the inspections of the ACMS and EPA Major facilities.

Based on results to date, the inspection strategy appears to have been a success. While some enforcement actions stemming from FY13 inspections are still being finalized, the data thus far demonstrate that inspectors are finding, and addressing through enforcement, many more violations at the ACMS facilities than at the sources covered by EPA's standard CMS that have been subject to routine repeat inspections. The results also indicate that the "major" facilities that have been subject to routine inspections were found as a group to be largely in compliance. At the same time inspectors found and addressed more violations at the 100 carefully targeted smaller, less frequently inspected facilities.

To date, the overall enforcement rate (the percentage of inspected facilities that received enforcement) was 58% at the 96 ACMS facilities, and 39% at the 102 EPA majors. The ACMS facilities also had more individual violations and more environmentally significant violations than the EPA majors.

The ACMS also provides MassDEP the flexibility to direct compliance and enforcement resources to achieve other strategic compliance initiatives. For example, during FY13 MassDEP inspectors discovered potential sector-wide air quality compliance issues at commercial laboratories. MassDEP was able to redirect ACMS inspections to assess the compliance in this sector. And the flexibility provided by the ACMS has enabled MassDEP to target inspections to support an Urban Compliance Initiative focusing on environmental justice communities (see below).

2013 was the first year of what was planned as a three-year trial for the Massachusetts ACMS. MassDEP is preparing a detailed report on the first-year results, and plans to continue with the ACMS in FFY14 and FFY15.

Springfield Urban Compliance Initiative

In FY13, MassDEP completed an Urban Compliance Initiative in the Ward 1 area of Springfield, Massachusetts. The purpose of the initiative was to focus the resources of MassDEP and its partners to address quality-of-life issues related to environmental conditions. Ward 1, designated as an environmental justice area according to state and federal policy, has one of the lowest per capita income rates in the Commonwealth as well as very high childhood-asthma rates. The residential areas are surrounded by highways, rail lines and MassDEP-regulated entities such as combined sewer overflows, automobile junkyards, automobile-body repair shops, high-hazard industries, and 21E sites. In addition, it has a number of abandoned buildings and vacant lots that potentially pose a multitude of environmental and health/safety risks to nearby residents.

The Urban Compliance Initiative featured extensive community involvement, and was launched after meetings with Mayor Sarno, municipal department heads, state legislators and civic, neighborhood and business leaders in Ward 1. These municipal and neighborhood contacts became active partners in the Initiative by providing input, direction, communication with the community and feedback as the Initiative was implemented. Input from the community was vital to the effectiveness of this initiative and resulted in modifications to the action plan as needed.

The Initiative was developed and implemented in two phases. In Phase 1, MassDEP identified regulated facilities that had not been inspected within the last 18 months, and performed inspections to assess and ensure compliance with applicable regulations. Phase 2 was a discovery effort, in which MassDEP identified facilities and activities outside the regulated universe that were not in conformance with regulations. Many of these inspections performed in conjunction with City inspectors. MassDEP's commitment to the

community was to ensure outreach and technical assistance when no imminent hazard to public health and the environment existed. MassDEP provided technical assistance to small businesses and property owners to help them come into compliance and mitigate sources of potential pollution. MassDEP staff provided Spanish translation of guidance documents and assisted in bilingual communications to facilitate compliance.

MassDEP's efforts during the initiative included:

- Multiple unannounced inspections within the neighborhood for vehicle idling;
- Review of all demolition and asbestos notifications filed within the neighborhood and multiple unannounced inspections of those properties to ensure proper asbestos abatement was being implemented;
- An alternative penalty settlement (known as a Supplemental Environmental Project [SEP]) to conduct an asbestos survey and abatement on a City-owned property slated for demolition;
- 33 announced inspections of regulated or permitted facilities impacting residential and commercial neighborhoods, including auto-repair shops, hospitals, transportation facilities and junkyards;
- 72 inspections of potential Brownfields properties;
- 14 inspections of unregulated or unregistered facilities identified by the community for inspection;
- Collection and analysis of 5 rounds of river water bacteria sampling at 7 identified outfalls along the Connecticut River;
- Installation of hidden cameras to monitor illegal dumping at three sites;
- Issuing "Requests for Information" and conducting file reviews and inspections at two high-hazard facilities located proximal to the neighborhoods;
- Installation of air-quality-monitoring equipment on the Gerena School, participation in an EPA CARE Grant project; and
- Attending the regular meetings of the

Counter Criminal Continuum (C3) Policing effort in the Ward 1 community.

The initiative yielded significant results, including:

- Community partners not only supporting the goals of the initiative but also becoming participants in identifying areas of concern and communicating compliance and outreach goals;
- Correction of multiple non-compliance issues related to hazardous waste and waste oil registration, management and documentation at regulated facilities;
- Documentation of illegal dumping and follow-up with local code enforcement officers;
- Identification of three locations along the Connecticut River exhibiting high bacteria counts. MassDEP is requiring further investigation;
- Flagging of 18 brownfields sites for follow-up inspection and assessment and then working closely with city officials to identify funding sources for assessment and cleanup of these parcels to help spur economic development;
- Collection and evaluation of air-quality-monitoring data at the Gerena School indicates that levels in the ambient air around the school compare closely to the levels of particulate matter reported at the other monitors in Springfield and have met the National Ambient Air Quality Standards.

MassDEP also took enforcement action where appropriate, with significant actions including:

- On January 15, 2013, MassDEP issued a \$33,718 penalty to Pioneer Valley Refrigerated Warehouse Inc. in Chicopee for failure to notify MassDEP of a release of anhydrous ammonia at the facility that occurred on August 5, 2008, and for failure to respond to a Request for Information to obtain details of that release.
- On January 2, 2013, MassDEP issued a \$9,188 penalty to Hampden Framing Contractors, a construction firm based in Hampden, for the



company's failure to notify MassDEP of a spill of diesel fuel that impacted several roadways in Springfield on June 15, 2012, and failure to take measures to clean up the spill.

- On September 27, 2012, MassDEP issued an order to Trident Alloys, Inc. of Springfield to address a pile of 55-gallon drums, ash and foundry sand exposed to the elements on their property and causing runoff into a city catchbasin.
- MassDEP negotiated the terms of a settlement agreement with Associated Building Wreckers to conduct the demolition of a building on city-owned property. In lieu of collection of the penalty, the violator expended funds to take down the building, which was posing a hazard to the neighborhood.

Due to the success of this Initiative, City and community groups have requested that MassDEP undertake a similar initiative in two additional neighborhoods near Ward 1, "Six Corners" and "Old Hill." Residents in these neighborhoods face similar challenges to those in Ward 1. In FY14, MassDEP is planning to complete a similar initiative in these neighborhoods, along with follow-up to outstanding issue identified in the first effort.

Enforcement Case Highlights

What follows are a few examples of important enforcement cases from the past year. Press releases on all of the agency's higher-level enforcement actions can be found here: <http://www.mass.gov/eea/agencies/massdep/news/enforcement/>

Manager of Milford Water Company Sentenced for Falsifying Drinking Water Samples

In May 2013, a Milford man was found guilty and sentenced for tampering with samples of contaminated drinking water. In 2009, the Town of Milford was suffering through more than a week of a boil-water order required by MassDEP

when the operator of the privately-owned Milford Water Company decided to take matters into his own hands. The company's senior official, Henry Papuga, decided to douse that day's water samples with bleach in order to artificially purify the water and with the intent of getting the boil order finally lifted. Instead, his ruse was uncovered by MassDEP, and he was eventually charged with a crime. In the spring of 2013, Mr. Papuga was found guilty in court and sentenced for his transgressions.

Mr. Papuga violated the trust placed in him by Milford residents when he tampered with the water samples and put thousands of residents health at risk. As a society, we depend on the integrity of water system operators to ensure that water-quality sampling results are accurate and timely to protect the public health. The case was prosecuted by representatives from the Massachusetts Office of the Attorney General, and was investigated by officers of the Massachusetts Environmental Police, personnel from the United States Environmental Protection Agency, and investigators from MassDEP. Mr. Papuga was found guilty of six counts of tampering with an environmental monitoring device and two counts of making false statements. The judge sentenced Papuga to one year in the House of Correction, which was suspended for a five-year probationary period during which he is prohibited from having any involvement in the drinking water industry. Mr. Papuga was also required to complete 250 hours of community service.

For more information on this story go to: <http://www.mass.gov/ago/news-and-updates/press-releases/2013/2013-05-17-papuga-sentence.html>

Owner of Unlicensed Dump in Northborough found Guilty

In July of 2013, in Worcester Superior Court, Santo Anza Jr. of Northborough was found guilty on three counts of violating the Clean Air Act and eight counts of violating the Solid Waste Act, during the operation of his "farm"

in Northborough from 2010 to 2011. Instead of operating a farm, Mr. Anza instead used the property as an unlicensed dump for spoiled and rotting food, non-food waste, street-sweepings and other materials. Operations at the property emitted strong and repulsive odors into a nearby residential neighborhood on repeated occasions.

After an extensive investigation by MassDEP staff, this case was referred to the Attorney General's Office for prosecution. Mr. Anza was forced to stop these illegal practices when he received a guilty verdict and was sentenced on August 22. This was a fantastic result for the environment and for the quality of life of those residents who live near the Anza site.

For more information on this case, go to: <http://www.mass.gov/ago/news-and-updates/press-releases/2013/2013-08-01-santo-anza-guilty.html>

Major Waste Management Firms Fined More Than \$112,000 for Violations of Waste Transport Requirements

In September of 2013, Clean Harbors Environmental Services Inc. of Norwell and its affiliate, Murphy's Waste Oil Service of Woburn, ran afoul of the hazardous waste transport regulations and they paid a price in a settlement with MassDEP and the Attorney General's Office. It was alleged that the two companies transported hazardous waste, particularly waste oil, from facilities that did not first receive valid identification numbers, and they submitted inaccurate electronic monthly operating reports regarding this transportation. MassDEP's investigation found nearly 500 instances where the companies accepted wastes from facilities that did not have valid ID numbers.

Hazardous wastes are handled in Massachusetts under a cradle-to-grave system that is only as good as those companies that accurately report the wastes under their control. From generation

to disposal, companies must do the right thing or our health and the environment are threatened. When they fail in their responsibilities, companies will face significant penalties.

Clean Harbors is a licensed hazardous-waste-transporter that picks up hazardous waste from customers who generate it and transports it to facilities licensed to accept such waste. In Massachusetts, facilities that generate hazardous waste must first receive a U.S. Environmental Protection Agency (EPA) identification number or a valid Massachusetts identification number. Transporters of hazardous waste may only accept such waste from facilities that have a valid identification number and must submit monthly operating reports that include detailed information for each shipment of hazardous waste.

Under the terms of the settlement agreement, the companies had to pay a civil penalty in the amount of \$112,500 to the Commonwealth: \$75,000 to be paid within 15 days of the final settlement, and the remaining amount, \$37,500, suspended pending their compliance with environmental laws as outlined in the settlement.

The companies must also take steps to ensure that they are only accepting waste from registered facilities.

The companies are further required to provide training to all current and future employees. The companies must institute penalties for drivers who unlawfully accept hazardous waste from unregistered facilities, including penalties up to \$200, and report those violations to MassDEP. Additionally, Clean Harbors and Murphy's are also required to take steps to ensure that all monthly reports are accurate and complete.

For more information on this case, go to: <http://tinyurl.com/llhsz78>



Hampden Country Club Assessed \$115,860 Penalty, Required to Restore Impacted Wetlands Areas along Watchaug Brook

In the fall of 2013, a ruling was issued in a court case involving the Hampden Country Club. MassDEP had issued a penalty of \$115,860 to Hampden Country Club, LLC for violations of wetlands and waterways regulations resulting from construction activities that occurred on club property in late 2012. Under a settlement with MassDEP, the country club was required to complete restoration of all streams, ponds and freshwater wetlands that were altered without permits during construction.

In response to a complaint, MassDEP conducted an inspection of the site adjacent to Watchaug Brook in Hampden on Dec. 24, 2012. MassDEP observed that golf course reconstruction activity involving heavy equipment was occurring within the brook without a wetlands permit from the town. The country club also failed to secure federal and state wetland permits as required. In January 2013, MassDEP issued an order ceasing all work in regulated resource areas and requiring site stabilization to prevent erosion.

Further investigation by MassDEP staff, in coordination with representatives from the U.S. Army Corps of Engineers and the U.S. EPA, discovered significant alterations and loss of resource areas at the site. Hampden Country Club had opened up substantial acreage of unstable and excavated soils, filled in and placed segments of Watchaug Brook within a pipe, filled wetlands, altered ponds, impacted Riverfront Area and discharged muddy water into Watchaug Brook.

The final settlement with MassDEP requires the country club to retain the services of a consulting firm with expertise in resource area restoration to develop detailed site plans depicting existing and proposed grades. The plan must also include a full delineation of all water resources, requires dye tests to determine direction of flow for

pipled resources, must disclose all water resource area impacts by site activities and must include a comprehensive plan for full restoration of impacted water resources.

Additionally, the agreement requires the restoration of sections of Watchaug Brook that had been recently or historically piped, to a natural channel with adjacent wetlands. The order also requires restoration of Riverfront Area previously disturbed and protection for vernal pools at the site. Restoration work must be conducted during the fall of 2013.

MassDEP regularly provides up-front permitting guidance on large projects in order to lay out various permitting requirements and items of concern requiring resolution prior to issuance of permits. MassDEP will impose appropriate monetary penalties and restoration requirements upon companies that choose to ignore the regulations, work without permits, and put sensitive resource areas in jeopardy.

EP Energy, Contractors and Engineers to Pay \$3.25 Million after Illegally Overfilling Agawam, West Springfield Landfill

In December 2012, a Massachusetts electric generating company, along with its contractors and engineers, agreed to pay a total of \$3.25 million to settle allegations that they allegedly overfilled an ash landfill and three wastewater treatment basins in Agawam and West Springfield for extra profit.

The final judgment, filed in Suffolk Superior Court, resolved claims that, in an effort to avoid close to \$200,000 in permitting fees after overfilling the site with about 225,000 tons of mildly contaminated recyclable materials, the defendants falsely certified to MassDEP that the work was done properly to avoid liability – violating the state's False Claim Act. According to the complaint, the site was overfilled 11.5 feet above the permitted elevation.

The defendants also allegedly failed to pay the required per-ton tax on the solid waste illegally dumped at the site. After discovering the violations, MassDEP referred the case to the Office of the Attorney General. It is believed that the defendants blatantly violated the law by overfilling this site, pocketing the extra revenues, and making false statements about their work to the MassDEP. The settlement demonstrated MassDEP's and the Attorney General's Office resolve to punish environmental violators, especially when they try to cover up illegal conduct that costs cities and towns essential tax revenue, and threatens the public health and safety of residents.

The settlement required the defendants to pay approximately \$2.68 million of civil penalties to the Commonwealth and back taxes to Agawam and West Springfield totaling approximately \$570,000.



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