

# Commonwealth of Massachusetts Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Central Regional Office • 8 New Bond Street, Worcester MA 01606 • 508-792-7650

Maura T. Healey Governor

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By electronic mail

Groton-Dunstable Regional School District 703 Chicopee Row Groton, MA 01450 lchesson@gdrsd.org March 2, 2023

RE: Groton-Dunstable Regional High School 703 Chicopee Row Groton

Attention: Dr. Laura Chesson, Superintendent

Release Tracking #2-0021961

Enforcement Document No.: 00014848

# NOTICE OF RESPONSIBILITY INTERIM DEADLINES M.G.L. c. 21E, 40.0000

Dear Dr. Chesson,

The Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (MassDEP) has information that you (as used in this notice, "you" refers to Groton-Dunstable Regional School District) are the owner of the property located at 703 Chicopee Row in Groton, Massachusetts (the Site). MassDEP has identified this property, or portions thereof, as a disposal site which requires a response action. MassDEP has reason to believe that a release of per- and polyfluoroalkyl substances (PFAS) occurred at the Site though the application of fire-retardant foam in response to a fire. This release has resulted in a Condition of Substantial Release Migration (SRM) and a potential Imminent Hazard to human health, as described below. MassDEP has assigned Release Tracking Number (RTN) 2-0021961 to this disposal site.

The cleanup of disposal sites is governed by the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, M.G.L. c. 21E and the Massachusetts Contingency Plan, (the MCP), 310 CMR 40.0000. The purpose of this notice is to inform you that MassDEP, based on the available information, considers you a party with potential liability for response action costs and damages under M.G.L. c. 21E, §5 for this disposal site. This liability is "strict" meaning it is not based on fault, but solely on your status as owner of the Site. It is also joint and several, meaning that each person who falls within one of the categories in §5 may be held liable for all response action costs incurred at the disposal site, regardless of the existence of any other liable parties.

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MassDEP has determined that there are two (2) potentially responsible parties with respect to this release: 1) C.R. Klewin Northeast, LLC as the party that caused or is legally responsible for the release of PFAS at the Site, pursuant to M.G.L. c. 21E § 5(a)(5), and 2) Groton-Dunstable Regional School District as the owner of the Site. The Department requests that the two (2) parties determine amongst themselves how to allocate responsibility for the necessary response actions at the site.

MassDEP wishes to ensure that you are aware of your rights and responsibilities under the M.G.L. c. 21E, and the MCP. This notice and the attached summary are intended to provide you with information about liability under Chapter 21E to assist you in deciding what actions to take in response to the conditions that are present at this disposal site.

You should be aware that you might have claims against third parties for damages, including claims for contribution or reimbursement for the costs of cleanup. Such claims do not exist indefinitely but are governed by laws that establish the time allowed for bringing litigation. MassDEP encourages you to take any action necessary to protect any such claims you may have against third parties.

#### **SITE INFORMATION**

MassDEP has established a Reportable Concentration for groundwater category GW-1 (RCGW-1) of 20 nanograms/liter (ng/L) for the sum of 6 PFAS compounds (PFAS6): perfluorooctanesulfonic acid (PFOS), perfluorooctanoic acid (PFOA), perfluoroheptanoic acid (PFHpA), perfluorodecanoic acid (PFDA), perfluorohexanesulfonic acid (PFHxS), and perfluorononanoic acid (PFNA). Category GW-1 includes groundwater within a current or potential drinking water source area. A release to the groundwater that results in a detectable concentration of Site contaminants in a public water supply well or private drinking water well is considered a Condition of Substantial Release Migration (SRM) and critical exposure pathway (CEP) for any private drinking water well servicing a pre-school, daycare, or occupied residential dwelling, requiring notification and implementation of an Immediate Response Action (IRA).

According to the August 14, 2003, Response Action Outcome submitted by C.R. Klewin Northeast, LLC for RTN 2-0014807, the Groton Fire Department responded to the Site on June 17, 2003 after materials that were being utilized in the construction of a running track at the Groton-Dunstable Regional High School had caught fire. Aqueous film forming firefighting foam was reportedly used to extinguish the fire.

Laboratory analysis of a drinking water sample collected on March 1, 2022 from the public water supply (PWS) well that serves the Groton-Dunstable Regional High School located at 703 Chicopee Row in Groton, (PWS ID# 2115010-01G) reported a PFAS6 concentration of 490 ng/L. The reported location of the June 17, 2003 fire associated with RTN 2-0014807 was approximately 800 feet from PWS ID# 2115010-01G.

In an effort to identify and mitigate exposure, MassDEP contractors collected drinking water samples from 15 residential private drinking water wells located on Kemp Street and Groton Street, Dunstable for PFAS analysis. PFAS6 was detected at concentrations up to 123 ng/L in the private drinking water wells sampled by MassDEP. The results are tabulated below in Figure 1.0. Of the fifteen samples that have been analyzed to date, three contained PFAS6 at concentrations above the RCGW-1 of 20 ng/L.

Figure 1.0 - MassDEP Private Well Sampling Results

<u>Address</u>	Sum of PFAS6 (ng/L)
232 Kemp Street	Below Reporting Limit
235 Kemp Street	Below Reporting Limit
252 Kemp Street	37
259 Kemp Street	4.2
271 Kemp Street	Below Reporting Limit
273 Kemp Street	Below Reporting Limit
274 Kemp Street	123
285 Kemp Street	Below Reporting Limit
286 Kemp Street	45
290 Kemp Street	5.9
655 Groton Street	2.1
670 Groton Street	9.7
690 Groton Street	4.3
700 Groton Street	Below Reporting Limit
710 Groton Street	Below Reporting Limit

The detection of PFAS6 in private wells at concentrations above 90 ng/L is considered by MassDEP to pose an Imminent Hazard to public health. MassDEP installed and currently maintains a point-of-entry treatment (POET) system at 274 Kemp Street in June 2022 to address the Imminent Hazard condition related to this release.

Based on the available information, MassDEP has determined that a release of PFAS has come to be located at your property at 703 Chicopee Row, Groton. Pursuant to 310 CMR 40.0313(4), releases to the groundwater that have been detected in a public or private water supply well is a condition of SRM that requires notification to MassDEP within 72 hours of knowledge and the performance of an IRA. Detections of contaminants, at any concentration, in a well serving an occupied residence, pre-school, school, or daycare are considered CEPs requiring an IRA to eliminate, prevent or mitigate the exposure, pursuant to 310 CMR 40.0414. Pursuant to 310 CMR 40.0311(7), releases that pose or could pose and Imminent Hazard are required to notify MassDEP within 2 hours of obtaining knowledge of the condition, and performance of an IRA. MassDEP met with you on January 31, 2023 to discuss these conditions, and this date will be used by MassDEP to establish your Interim Deadlines for response actions for this Site.

#### NECESSARY RESPONSE ACTIONS AND APPLICABLE DEADLINES

Pursuant to 310 CMR 40.0420, you are required to perform the following actions:

On or before April 1, 2023, you are required to submit to MassDEP a completed Release Notification Form (BWSC-103) and a written IRA Plan, prepared in accordance with 310 CMR 40.0424 and subject to MassDEP approval. This deadline is an Interim Deadline as defined by 310 CMR 40.0167. Your IRA Plan must include:

- Iterative identification and sampling of all public or private drinking water wells located:
  - a. within 500 feet of any drinking water well where PFAS6 is detected; and/or

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- b. within 500 feet of any groundwater monitoring well where PFAS6 is detected at concentrations equal to or greater than 20 ng/L.
- c. within 500 feet of irrigated areas of the Site.
- Immediate provision of bottled water or treatment to prevent, eliminate, and/or mitigate any measurable detection of PFAS in any private well serving a pre-school, school, occupied residence, or daycare, considered a CEP, as required by 310 CMR 40.0414. The provision of bottled water must continue until a POET is installed and demonstrated to be effective at the removal of PFAS6 in the effluent to below the detectable concentration or the IRA is considered complete.
- Immediately make arrangements to install a POET for any private drinking water well with concentrations of PFAS6 at or above 20 ng/L.
- Provisions for the continued operation, maintenance, and monitoring of installed POETs, including a monitoring schedule.
- Measures to address CEPs must be implemented immediately upon obtaining knowledge of such CEPs. In addition, the IRA Plan must include measures and a schedule to address any future PFAS detections at other private or public water supply wells that are not considered CEPs, but are considered a condition of SRM (e.g. commercial private wells). Such measures can include, but are not limited to, provision of bottled water or installation of treatment systems.
- A schedule to monitor public and private drinking water wells with Site-related PFAS6 concentrations below 20 ng/L.
- Specific plans including a defined schedule to assess soil, surface water and groundwater at the Site and implement response actions necessary to control the source and control contaminant migration from the Site.

No disposal site will be deemed to have had all the necessary and required response actions taken for it unless and until all substantial hazards presented by the release and/or threat of release have been eliminated and a level of no significant risk exists or has been achieved in compliance with M.G.L. c. 21E and the MCP. The MCP requires persons undertaking response actions at a disposal site to submit to MassDEP a Permanent Solution Statement prepared by a Licensed Site Professional upon determining that a level of no significant risk exists or has been achieved at the disposal site.

Unless otherwise provided by MassDEP, responsible parties have one year from the initial date notice of a release or threat of release is provided to MassDEP pursuant to 310 CMR 40.0300 or from the date MassDEP issues a Notice of Responsibility, whichever occurs earlier, to file with MassDEP one of the following submittals: (1) a completed Tier Classification Submittal; or (2) a Permanent Solution Statement; or if applicable, (3) a Downgradient Property Status Submittal. The deadline for these submittals for this disposal site is January 31, 2024, pursuant to 310 CMR 40.0501(2)(b). This deadline is an Interim Deadline, as defined by 310 CMR 40.0167.

The MCP requires responsible parties and any other person undertaking response actions to perform Immediate Response Actions in response to sudden releases, Imminent Hazards and Conditions of Substantial Release Migration. Such persons must continue to evaluate the need for Immediate Response Actions and notify MassDEP immediately if such a need exists.

#### PROCEDURES TO FOLLOW TO UNDERTAKE RESPONSE ACTIONS

MassDEP encourages parties having liability under M.G.L. c. 21E to take prompt action in response to releases and threats of release of oil and hazardous materials. By taking prompt action, liable parties may significantly lower cleanup costs and avoid the imposition of, or reduce the amount of, certain permit and/or annual compliance assurance fees payable under 310 CMR 4.00. You are encouraged to confer with other potentially responsible parties identified for this disposal site to share information and allocate your responsibilities.

You must continue to employ or engage a Licensed Site Professional (LSP) to manage, supervise or perform all response actions that you intend to undertake at this disposal site. You may obtain a list of the names and addresses of LSPs by visiting <a href="http://www.mass.gov/eea/agencies/lsp">http://www.mass.gov/eea/agencies/lsp</a>, by contacting the Board of Registration of Hazardous Waste Site Cleanup Professionals by telephone at (617) 556-1091, or in person or by mail at 100 Cambridge Street, 9th Floor, Boston, Massachusetts 02114.

All submittals for this Disposal Site that require an LSP Opinion must be submitted through eDEP, MassDEP's electronic document and form submittal repository. For more information on electronic submittal of forms and reports, please visit MassDEP's website, <a href="http://www.mass.gov/eea/agencies/massdep/service/online/edep-online-filing.html">http://www.mass.gov/eea/agencies/massdep/service/online/edep-online-filing.html</a>.

If you have any questions or need additional information, please Timothy Maus of MassDEP's Central Regional Office by email at <u>timothy.maus@mass.gov</u> or phone at 857-360-1977.

Kevin Daoust

Section Chief

Site Management and Compliance Assistance

Bureau of Waste Site Cleanup

#### $KD\PDV\twm$

Enclosures.: Summary of Liability Under Chapter 21E, Summary of Fees, Communications Document

eCc: Bernard Hayes, OGC

Mary Jude Pigsley, Regional Director, MassDEP-CERO

Elizabeth Callahan, Acting Assistant Commissioner, MassDEP-Boston

Marielle Stone, Deputy Regional Director BWR, MassDEP-CERO

Mark Baldi, Deputy Regional Director, BWSC, MassDEP-CERO

Groton Town Manager; townmanager@grotonma.gov

Dunstable Town Administrator; jsilva@dunstable-ma.gov

Groton Board of Health; <a href="health@grotonma.gov">health@grotonma.gov</a>

Dunstable Board of Health; jferrari@dunstable-ma.gov

Nashoba Associated Boards of Health; jgarreffi@nashoba.org

Mark Wagner, LSP; Tighe & Bond, Inc.; MGWagner@tighebond.com

Database Entry [ NOR/ISSUED C&E/INTLET ]

#### **SUMMARY OF LIABILITY UNDER CHAPTER 21E**

As stated in the Notice of Responsibility accompanying this summary, MassDEP has reason to believe that you are a Potentially Responsible Party ("PRP") with potential liability under M.G.L. c. 21E, section 5, for response action costs and damages to natural resources caused by the release and/or threat of release. MassDEP has identified you as a PRP because it believes you fall within one or more of the following categories of persons made potentially liable by subsection 5(a):

- any current owner or operator of a site from or at which there is or has been a release or threat of release of oil and/or hazardous material:
- any person who owned or operated a site at the time hazardous material was stored or disposed of;
- any person who arranged for the transport, disposal, storage or treatment of hazardous material to or at a site;
- any person who transported hazardous material to a transport, disposal, storage or treatment site from which there is or has been a release or threat of release of such material; and
- any person who otherwise caused or is legally responsible for a release or threat of release of oil or hazardous material at a site.

For purposes of the MCP, you are considered a Responsible Party ("RP") with actual liability under Chapter 21E if you fall within one of these categories unless you (1) are entitled to a defense under section 5 or other applicable law, and (2) have reasonably incurred cleanup costs in an amount equal to or greater than any applicable cap on liability under subsection 5(d).

This liability is "strict," meaning it is not based on fault, but solely on your status as an owner, operator, generator, transporter or disposer. It is also joint and several, meaning that each person who falls within one of these categories may be held liable for all response action costs incurred at the site, regardless of the existence of any other liable parties.

Section 5 provides a few narrowly drawn defenses to liability, including a defense for releases and damages caused by an act of God, an act of war or an act by a third party other than an employee, agent or person with whom the party has a contractual relationship (*see* subsection 5(c)); a defense for certain owners of residential property at which the owner maintains a permanent residence (*see* subsection 5(h)); and a defense for certain public utilities and agencies of the Commonwealth which own a right-of-way that is a site (*see* subsection 5(j)).

You may voluntarily undertake response actions under the MCP without having your liability under Chapter 21E formally adjudicated by MassDEP. If you do not take the necessary response actions, or fail to perform them in an appropriate and timely manner, MassDEP is authorized by Chapter 21E to perform the necessary work.

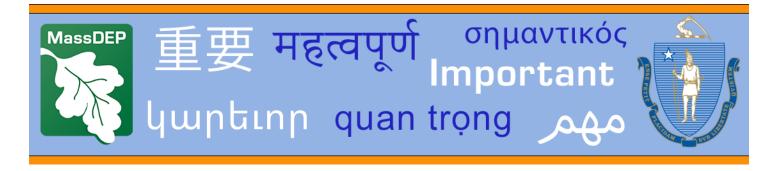
By taking the necessary response actions, you can avoid liability for response action costs incurred by MassDEP in performing these actions. If you are an RP and you fail to perform necessary response actions at the site, you may be held liable for up to three (3) times all response action costs incurred by MassDEP and sanctions may be imposed on you for failure to perform response actions required by the MCP.

Response action costs include, without limitation, the cost of direct hours spent by Department employees arranging for response actions or overseeing work performed by persons other than MassDEP or its contractors, expenses incurred by MassDEP in support of those direct hours, and payments to MassDEP's contractors (for more detail on cost liability, *see* 310 CMR 40.1200: Cost Recovery). MassDEP may also assess interest on costs incurred at the rate of twelve percent (12%), compounded annually.

Any liability to the Commonwealth under Chapter 21E constitutes a debt to the Commonwealth. To secure payment of this debt, MassDEP may place liens on all of your property in the Commonwealth under M.G.L. c. 21E, section 13. To recover this debt, the Commonwealth may foreclose on these liens or the Attorney General may bring legal action against you.

In addition to your potential liability for response action costs and damages to natural resources caused by the release, civil and criminal liability may also be imposed by a court of competent jurisdiction under M.G.L. c. 21E, section 11, and civil administrative penalties may be assessed by MassDEP under M.G.L. c. 21A, section 16, for each violation of Chapter 21E, the MCP or any order, permit or approval issued thereunder.

If you are an RP and you have reason to believe that your performance of the necessary response actions is beyond your technical, financial or legal ability, you should promptly notify MassDEP in writing of your inability in accordance with Chapter 21E, subsection 5(e), and 310 CMR 40.0172. If you assert and demonstrate in compliance therewith that performing or paying for such response action is beyond your ability, subsection 5(e) provides you with a limited defense to an action by the Commonwealth for recovery of two to three times MassDEP's response action costs and 310 CMR 40.0172 provides you with a limited defense to MassDEP's assessment of civil administrative penalties.



## **Communication for Non-English-Speaking Parties**

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Diversity Director at the telephone number listed below.

#### **Español Spanish**

Este documento es importante y debe ser traducido de inmediato. Si necesita este documento traducido, comuníquese con la Directora de Diversidad de MassDEP al número de teléfono que aparece más abajo.

#### Português Portuguese

Este é um documento importante e deve ser traduzido imediatamente. Se precisar de uma tradução deste documento, entre em contato com o Diretor de Diversidade da MassDEP nos números de telefone listados abaixo.

#### 繁體中文 Chinese Traditional

本文件非常重要,應立即翻譯。如果您需要翻譯這份 文件,請用下面列出的電話號碼聯絡 MassDEP 多元 化負責人。

## 简体中文 Chinese Simplified

本文件非常重要,应立即翻译。如果您需要翻译这份 文件,请用下面列出的电话号码与 MassDEP 的多元 化主任联系。

#### **Ayisyen Kreyòl Haitian Creole**

Dokiman sa-a se yon bagay enpòtan epi yo ta dwe tradwi I imedyatman. Si ou bezwen dokimar sa a tradwi, tanpri kontakte Direktè Divèsite MassDEP Ia nan nimewo telefòn endike anba.

#### **Việt Vietnamese**

Tài liệu này rất quan trọng và cần được dịch ngay lập tức. Nếu quý vị cần dịch tài liệu này, xin liên lạc với Giám đốc Đa dạng của MassDEP theo các số điện thoại ghi dưới đây.

### ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះគឺសំខាន់ហើយគួរត្រូវបានបកប្រែ ភ្លាមៗ។ ប្រសិនបើអ្នកត្រូវការឲ្យគេបកប្រែ ឯកសារនេះ

សូមទាក់ទងមកនាយកផ្នែកពិពិធកម្មរបស់ MassDEP តាមលេខទូរស័ព្ទខាងក្រោម។

## Kriolu Kabuverdianu Cape Verdean

Kel dukumentu li é inpurtánti y debe ser traduzidu imidiatamenti. Se bu meste di kel dukumentu traduzidu, pur favor kontakta Diretor di Diversidádi di MassDEP na numeru abaxu indikadu.



Contact Glynis L. Bugg, Acting Diversity Director/Civil Rights 857-262-0606

#### Русский Russian

Это важный документ, и он должен быть безотлагательно переведен. Если вам нужен перевод данного документа, пожалуйста, свяжитесь с директором по вопросам многообразия (Diversity Director) компании MassDEP по указанному ниже телефону.

#### Arabic العربية

هذه الوثيقة مهمة ويجب ترجمتها على الفور. اذا كنت بحاجة الى هذه الوثيقة مترجمة، يرجى الاتصال بمدير التنوع PMassDE على أرقام الهواتف المدرجة أدناه.

### 한국어 Korean

이 문서는 중요하고 즉시 번역해야 합니다. 이 문서의 번역이 필요하시다면, 아래의 전화 번호로 MassDEP의 다양성 담당 이사에 문의하시기 바랍니다.

## hայերեն Armenian

Այս փաստաթուղթը կարևոր է և պետք է անմիջապես թարգմանվի։ Եթե Ձեզ անհրաժեշտ է այս փաստաթուղթը թարգմանել, դիմեք MassDEP-ի բազմազանության տնօրենին ստորև նշված հեռախոսահամարով։

## Farsi Persian فارسى

این سند مهم است و باید فورا ترجمه شود. اگر به ترجمه این سند نیاز دارید، لطفا با مدیر بخش تنوع نژادی MassDEP به شماره تلفن ذکر شده در زیر تماس بگیرید.

## **Français French**

Ce document est important et devrait être traduit immédiatement. Si vous avez besoin de ce document traduit, veuillez communiquer avec le directeur de la diversité MassDEP aux numéros de téléphone indiqués ci-dessous.

#### **Deutsch German**

Dieses Dokument ist wichtig und sollte sofort übersetzt werden. Sofern Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an den Diversity Director MassDEP unter der unten aufgeführten Telefonnummer.

#### Ελληνική Greek

Το παρόν έγγραφο είναι σημαντικό και θα πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του παρόντος εγγράφου, παρακαλούμε επικοινωνήστε με τον Διευθυντή Διαφορετικότητας του MassDEP στους αριθμούς τηλεφώνου που αναγράφονται παρακάτω.

#### Italiano Italian

Comunicazione per parti che non parlano inglese. Questo documento è importante e dovrebbe essere tradotto immediatamente. Se avete bisogno di questo documento tradotto, potete contattare il Direttore di Diversità di MassDEP al numero di telefono elencato di seguito.

#### Język Polski Polish

Dokument ten jest ważny i powinien zostać natychmiast przetłumaczony. Jeśli potrzebujesz przetłumaczonej wersji dokumentu, prosimy o kontakt z dyrektorem ds. różnorodności MassDEP pod jednym z numerów telefonu wymienionych poniżej.

## हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए. यदि आपको इस दस्तावेज़ का अनुवाद करने की आवश्यकता है, तो कृपया नीचे सूचीबद्ध टेलीफोन नंबरों पर मासडेप्स डाइवर्सिटी के निदेशक से संपर्क करें.

## Please Be Aware of MassDEP Fees

Unless response actions at this site are completed within one year of the release notification date, you will be billed an Annual Compliance Assurance Fee by MassDEP for each year thereafter up to and including the year in which a Permanent Solution is achieved and filed for this disposal site. Annual Compliance Assurance Fees cover a portion of MassDEP's costs for ensuring compliance of response actions with the Massachusetts Contingency Plan. Annual Compliance Assurance Fees are issued pursuant to M.G.L. chapter 21E Section 3B and 310 CMR 4.00, the *Timely Action Schedule and Fee Provisions*. Fee categories and rates are summarized as shown below. Fees invoiced by MassDEP are considered a debt to the Commonwealth. Unpaid fee invoices are typically referred for collection action. Contact your Licensed Site Professional to discuss what is necessary to *complete the response actions required for this site as quickly as possible*. For more information on the Annual Compliance Assurance Fees that apply in your case, see the "Fees and Payments" entry at <a href="https://www.mass.gov/lists/site-cleanup-fact-sheets">https://www.mass.gov/lists/site-cleanup-fact-sheets</a> or contact your Licensed Site Professional or the MassDEP Fee inquiry line at (617) 292-5545.

A thorough & timely cleanup will result in fewer MassDEP Fees.

#### SUMMARY OF MassDEP ANNUAL COMPLIANCE ASSURANCE FEES

Туре		Timing of Submittal (for One-Time fees)			Fee Rate	
	Fee Category	Within 120 days of initial notification	After 120 days and prior to Tier Classification	After Tier Classification	Non-Homeowner	Homeowner <sup>3</sup>
One-Time Fees <sup>1</sup>	Permanent Solution		Permanent Solution Fee	See Note <sup>4</sup>	\$1,470	\$735
	RAM Plan	RAM Fee	RAM Fee		\$980	\$490
	DPS	DPS Fee	DPS Fee		\$1,965	\$1,965
	Notice of AUL	AUL Fee	AUL Fee	AUL Fee⁵	\$2,000	\$1,000
Regular Annual Fees <sup>2</sup>	Tier ID			\$4,915	\$2,455	
	Tier I			\$4,320	\$1,225	
	Tier II			\$2,455	\$1,225	
	Temporary Solution			\$980	\$490	
	Phase V			\$980	\$490	

Notes: 1. One-Time Fees must be paid when submittal is made.

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- 2. Regular Annual Fees are billed by MassDEP after Tier Classification; Fee Category is based on Status of site on each Annual Status Date.
- 3: Completed Homeowner Certification Form BWSC120 is required to qualify for lower Homeowner fee rates.
- 4: One-Time Permanent Solution Fee also applies if site is Tier ID and submittal is made within first 90 days after initial Status Date.
- 5: One-Time AUL Fee is applicable for a Notice of AUL filed prior to or concurrent with a Permanent Solution.