

General Terms and Definitions used on EEA's Data Portal for MassDEP

- 1) **Administrative Consent Order** - (also known as "consent order") means an administrative order that is agreed to in writing by the regulated entity against whom noncompliance is alleged or who may be obligated to comply with a statute or a regulation, and is thus not subject to administrative appeal. A consent order may be negotiated and executed either in advance of an administrative order being issued unilaterally, or in settlement of an appeal following the issuance of an administrative order. In all other respects, a consent order is the same as an administrative order. [NOTE: Consent orders negotiated pursuant to M.G.L. Chapter 21E may not always allege noncompliance, but instead may specify details of cleanup actions and a schedule for completion.]
- 2) **Administrative Consent order, no penalty** - See Administrative Consent Order (with no penalty)
- 3) **Administrative Consent Order, with penalty** - See Administrative Consent Order (with penalty)
- 4) **Administrative Order** - "Administrative order" (also known as "unilateral order" or "order") means a document, generally subject to appeal, issued by MassDEP to one or more regulated entities, that: (1) specifies a requirement(s) with which the regulated entity failed to comply; (2) specifies an occasion(s) on which the alleged noncompliance was discovered; and (3) requires the regulated entity to take appropriate response action to achieve and/or maintain compliance with statutory or regulatory requirements by a specific date or dates.
- 5) **Analyte** – A chemical substance being measured.
- 6) **Blank** - A sample of analyte-free media.

- 7) **Boil Order** - Boil water orders are issued by MassDEP to local public water suppliers, who in turn issue advisories to their consumers advising them that they should boil their tap water for drinking and other human-consumption uses like cooking, hand washing, brushing teeth, etc. Boil water orders are preventative measures issued to protect public health from waterborne infectious agents that could be or are known to be present in drinking water.
- 8) **Demand Action** - A demand action is a letter or some other formal notice demanding that the party to perform an alleged legal obligation such as rectifying some identified problem, paying a sum of money or acting on a contractual commitment.
- 9) **DEP Facility** – A term MassDEP created for “*Facility Type*” for our information systems to describe facilities that have multiple permits and may be regulated by multiple programs; or an entity that MassDEP has regulatory actions against, such as Inspections and Enforcement, that did not meet criteria to be regulated by a program.
- 10) **Expedited Penalty Assessment Notice** - (EXPAN) is a Penalty Assessment Notice that may be issued: (1) during, or within a very short period of time following an inspection; (2) in response to six or fewer violations of requirements specifically identified as qualifying for use of an EXPAN; and (3) for which a Notice of Noncompliance or Field Notice of Noncompliance has previously been issued. In all other respects, an Expedited Penalty Assessment Notice is the same as a Penalty Assessment Notice.
- 11) **Federal Administrative Order against PWS** - Same as Administrative Order, except issued by EPA against a Public Water System.
- 12) **Federal Notice of Noncompliance against PWS** - Same as Notice of Noncompliance, except issued by EPA against a Public Water System.
- 13) **Field notice of noncompliance** - (Field NON or FNON) is a Notice of Noncompliance that may be issued in the field immediately following an inspection in response to six or fewer violations of requirements specifically identified as qualifying for use of a FNON. In all other respects, a Field Notice of Noncompliance is the same as a Notice of Noncompliance.
- 14) **For General Permit Use** – A generic catch all for facilities

- 15) **MCL - Maximum contaminant level:** the highest level of a contaminant that is allowed in drinking water.
- 16) **MDL - Method Detection Limit:** The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.
- 17) **Method** - Approved EPA methods for measuring the concentration of a substance or pollutant.
- 18) **Notice of noncompliance - (NON)** means a written notice given to a regulated entity by MassDEP and which says that the regulated entity has failed to comply on any specified occasion with one or more requirements
- 19) **Operations** - Apparent records tied to all programs.