



Commonwealth of Massachusetts  
Executive Office of Environmental Affairs  
**Department of Environmental Protection**  
**Work Plan for Executive Order 562**

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MassDEP has begun a thorough assessment of all of our regulations in accordance with Governor Baker's Executive Order [EO562](#) and has reviewed more than 95 regulations. During this initial assessment we have considered a number of issues for each regulation including:

- Purpose/necessity of the regulation
- Whether the regulation was reviewed/amended during recent regulatory reform initiatives
- Year of most recent review
- Whether the regulation is required by state or federal law
- Reporting requirements associated with the regulation
- Consistency with federal requirements (whether the requirements are more stringent)

#### **MASSDEP's PRELIMINARY EO562 PROPOSAL**

MassDEP has made preliminary recommendations as to which regulations should be retained, rescinded, or revised. To date we have recommended that 18 regulatory packages be evaluated for amendment before March 2016 and that 10 regulations be evaluated for rescission. These will be adjusted as appropriate based on stakeholder and general public feedback. The proposed grouping of regulation packages is listed below.

**The following regulations are under consideration for amendment to promote more efficient agency operations, or to promote streamlining of requirements:**

REGULATION	CITATION	PROPOSED CHANGE
Waterways – Designated Port Areas (DPA) and Facilities of Public Accommodation (FPA)	310 CMR 9.00	Flexibility in DPA and FPA requirements
Laboratory Certification	310 CMR 42.00	Updates for reporting, preventing fraud and certification standards
Land Application of Sludge and Septage	310 CMR 32.00	Update of Molybdenum limits
Industrial Wastewater Holding Tanks	314 CMR 18.00	Clarification for tanks within areas served by Publicly Owned Treatment Works
Industrial Wastewater – Photo Processors and Printers and Amalgam Wastewater & Recycling	310 CMR 71.00, 73.00	Environmental Results Program streamlining to reduce requirements for small photo processors, printers, and dentists.

Regulations for Dental Facilities		
Ground Water Discharge Permits Program	314 CMR 5.00	Add exemptions and self certification mechanism
Asbestos	310 CMR 7.15	Narrow scope: adjust training qualifications required for abatement work.
Air Pollution Control Regulation	310 CMR 7.18	Rescind outdated sections and update other sections to align with federal requirements; streamline/clarify certain permit and reporting requirements; establish appeal procedures.
Regional Greenhouse Gas Initiative (RGGI)	310 CMR 7.70	Narrow scope and propose allowances for facilities that provide steam in addition to electricity.

**The following regulations are under consideration for amendment based on requirements contained in state or federal law:**

REGULATION	CITATION	PROPOSED CHANGE
Air Pollution - Massachusetts Motor Vehicle Emissions Inspection and Maintenance Program – For “Kit Cars”	310 CMR 60.02	Final package for “Kit car” air emission standards.
Air Pollution – Low Emission Vehicle Regulations	310 CMR 7.00	Conform vehicle emission standards to California standards per state law
Drinking Water	310 CMR 22.00	Federal conformity required for primacy of Revised Total Coliform Rule
Underground Injection Control	310 CMR 27.00	Federal conformity required for primacy to administer this program
Clean Water State Revolving Fund	310 CMR 44.00	Required update by state statute and conformance with federal law
Drinking Water State Revolving Fund	310 CMR 45.00	Required update by state statute and conformance with federal law

Title 5	310 CMR 15.00	Adjust design flow for assisted living facilities. Required by state statute
Surface Water Quality Standards	314 CMR 4.00	Comply with federal requirement to update bacteria standards for recreational coastal waters. Associated with changes to be promulgated by the Department of Public Health

**The following regulation has been the subject of ongoing work by MassDEP with an Advisory Committee:**

REGULATION	CITATION	PROPOSED CHANGE
Wetlands Protection	310 CMR 10.00	Promulgate new standards for working in Land Subject to Coastal Storm Flowage.

**The following regulations are under consideration for rescission:**

REGULATION	CITATION	PROPOSED CHANGE
Solid Waste Transfer Stations	310 CMR 18.00	Change from “reserved” in CMR. No need to reserve.
Water Supply Contamination Correction Program	310 CMR 28.00	Grant program no longer exists/not funded.
Water Conservation Grants Program	310 CMR 31.00	Grant program no longer exists/not funded.
Household Hazardous Waste Grant Program	310 CMR 35.00	Grant program no longer exists/ not funded.
Landfill Capping Grant Program	310 CMR 37.00	Grant program no longer exists/ not funded.
Solid Waste Grant & Loan Programs	310 CMR 39.00	Grant program no longer exists/ not funded.
Financial Assistance to Municipalities for Correcting Failed On-Site Disposal Systems	310 CMR 14.00	Grant program no longer exists.
Conversions to Coal	310 CMR 7.17	Superseded, outdated
Sulfur Dioxide Emissions Limits	310 CMR 7.21 and 7.22	Superseded, outdated
The Massachusetts Green Fleet Program	310 CMR 7.45	Superseded, outdated

All regulations that are revised or rescinded will have a public process (hearing and comment period) associated with them. Proposed regulatory changes will be featured on the MassDEP website as the public comment periods begin, and will be published by the Secretary of State in the Massachusetts Register.

## **STAKEHOLDER OUTREACH**

To inform our review and decision making, MassDEP will hold three general listening sessions so that the public at large as well as interested stakeholders have the opportunity to hear about our process and offer feedback on regulations that should be revised in accordance with the Executive Order. The general listening sessions will be held as follows:

- **Tuesday, September 29, 2015, from 4-6 p.m.** – MassDEP’s Central Regional Office, Suasco Conference Room, 8 New Bond Street, Worcester.
- **Wednesday, September 30, 2015, from 4-6 p.m.** – Springfield Central Library, 220 State Street, Springfield.
- **Thursday, October 1, 2015, from 4-6 p.m.** – MassDEP’s Boston headquarters, Conference Rooms A, B & C, second floor, 1 Winter Street, Boston.

## **TO SUBMIT A SUGGESTION OR COMMENT:**

As part of MassDEP’s review, we will be considering written comments received prior to the listening sessions, including comments submitted to the on-line portal of the Executive Office of Administration and Finance. We welcome all comments going forward. Submit a suggestion or comment by choosing any one of the following options:

- Send a letter to:  
EO562 Input  
C/O Deneen Simpson  
MassDEP  
One Winter Street  
Boston, MA 02108
- Submit an on-line comment through the electronic portal here: [A&F Portal for Comments](#)
- Send us an email: to [DEP.Talks@state.ma.us](mailto:DEP.Talks@state.ma.us)
- Come to a Listening Session and give us your feedback!