

MASSDEP EXECUTIVE ORDER 562 SUMMARY
PRELIMINARY REGULATORY RECOMMENDATIONS

RECOMMENDED AMENDMENTS

<u>REGULATION & CITATION</u>	<u>PROPOSED CHANGE</u>
<p>Waterways – DPA/FPA 310 CMR 9.00</p> <p>STREAMLINING</p>	<p>MassDEP and CZM worked with two external stakeholder groups in 2014 and 2015 to develop the draft amendments. The proposed changes will provide flexibility in the Designated Port Area (DPA) and Facilities of Public Accommodation (FPA) requirements while supporting vibrant ports and waterfronts. The waterways DPA-related changes will work in concert with proposed changes to CZM’s Municipal Harbor Plan regulations at 301 CMR 23 and the DPA regulations at 301 CMR 25.</p> <p>The result of the proposed DPA-related changes to 310 CMR 9, 301 CMR 23 and 301 CMR 25 will be to:</p> <ul style="list-style-type: none"> • provide municipalities a greater ability to manage and plan for uses in DPAs, and provide businesses located in DPAs with more flexibility to potentially be removed from a DPA through a boundary review; • allow municipalities to permit additional uses that will help support the primary marine industrial businesses; • allow for alternative beneficial revenue sources to support port operations; and • add flexibility to expanded compatible industrial and commercial uses that reflect new and emerging technology in water-dependent industrial commerce. <p>Specifically, the proposed DPA-related changes to 310 CMR 9 will:</p> <ul style="list-style-type: none"> • clarify the definition of a Boatyard; • broaden the definition of Supporting DPA Uses; • strengthen the definition of Temporary Uses; • add allowable water-dependent industrial uses; • add clarification to allowed Accessory Uses to a water-dependent industrial use; • add more specificity to Categorical Restrictions for parking and supporting uses on pile-supported structures over flowed tidelands within a DPA; • permit maintenance of existing previously authorized recreational boating facilities within a DPA; • permit recreational berths authorized in connection with a Boatyard; and • provide for more flexibility in the standards for Boatyards in a DPA.

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	<p>The proposed FPA-related changes to 310 CMR 9 will:</p> <ul style="list-style-type: none"> • create “Facilities of Limited Accommodation” as an option where Facilities of Public Accommodation would otherwise be required, to provide property owners with flexibility to site businesses that are open to the public by appointment, in exchange for funding programs that enhance public access and enjoyment of the waterfront; • where only a portion of a building is subject to c. 91 jurisdiction, allow property owners to relocate FPA or FLA within the footprint of the building to an alternative location that will more efficiently promote public use and enjoyment.
<p>Laboratory Certification 310 CMR 42.00</p> <p>Streamlining and Updates.</p>	<p>The proposed revisions to the regulations include the following:</p> <ol style="list-style-type: none"> 1) improved measures to prevent and detect fraudulent and deceptive laboratory practices; 2) requirements to ensure the timely reporting of results of drinking water analyses, especially in cases where maximum contaminant levels are exceeded; 3) updates to the scope of certification to meet the needs of MassDEP programs and their enforcement requirements; 4) clarifications to the standards and procedures for denial, downgrading, revocation and reinstatement of certification; 5) updates to the regulations to include standard MassDEP regulatory language regarding inspections, orders, violations, penalties, and appeals; and 6) other minor technical fixes, updates, and clarifications.
<p>Air Pollution – Low Emission Vehicle (LEV)/Zero Emission Vehicle (ZEV) Regulations</p> <p>310 CMR 7.40</p> <p>Conform with State law</p>	<p>Amendments will conform MA Zero Emission Vehicle standards to the most recent California standards, in compliance with M.G.L. c. 111, Section 142K, which requires MassDEP to adopt and implement California motor vehicle emission standards as long as those standards are at least as protective as the federal standards. There are no federal standards in this area, and therefore the California standards are “at least as protective.” Over the 20 year history of this program, MassDEP has revised the MA LEV/ZEV regulation many times to conform to the California rule.</p>

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	<p>These proposed amendments incorporate the most recent amendments of the California ZEV regulation adopted in 2013 and 2014. In addition, MassDEP proposes to improve the process for how the automobile manufacturers report Executive Orders (EOs) and warranty and recall reports to MassDEP.</p>
<p>Air Pollution - Massachusetts Motor Vehicle Emissions Inspection and Maintenance Program</p> <p>310 CMR 60.02</p> <p>Conform with state law</p>	<p>This final package will amend standards for “kit cars”, which are built by automobile hobbyists, will increase flexibility for repair professionals, and will remove outdated rules pertaining to these vehicles.</p> <p>This regulation will amend the Massachusetts Motor Vehicle Emissions Inspection and Maintenance Program regulations, 310 CMR 60.02, which establishes requirements for the inspection of motor vehicle emissions. The main part of the regulation was developed to meet the requirements of Chapter 311 of the Acts of 2010, an Act Relative to the Registration and Inspection of Street Rods and Custom Vehicles (informally known as the “Kit Car” statute), which became effective April 30, 2011, and to update the regulations to make them easier for the regulated parties to comply. It changes registration and inspection requirements for “Kit Cars,” and makes it easier for owners of these vehicles to comply with inspection requirements. The regulation provides more flexibility than federal requirements by allowing the use of new engines in these vehicles in certain circumstances [60.02(12)(c)1.] and by simplifying the requirements for vehicle transmissions [60.02(12)(c)2].</p> <p>In addition, MassDEP proposed increased flexibility for becoming a Registered Repairer for diesel vehicles by recognizing a new diesel certification issued by the Institute for Automotive Service Excellence (ASE) [60.02(22)(b)2.], and removed outdated sections of the regulation that ceased to be in effect after September 30, 2008.</p>
<p>Drinking Water</p> <p>310 CMR 22.00</p> <p>Conform with Federal law</p>	<p>Proposed changes include:</p> <ul style="list-style-type: none"> • Incorporating the new federal Revised Total Coliform Rule (RTCR) in order to maintain state primacy (oversight and administration) to implement the RTCR. Massachusetts must have a final rule promulgated by April 1, 2016, to maintain state primacy for this rule, which covers sampling, analysis and reporting of bacteriological contamination of drinking water; • Corrections requested by EPA to prior rules that have been adopted into MassDEP’s drinking water regulations;

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	<ul style="list-style-type: none"> • Additional requirements from the federal Reduction of Lead in Drinking Water Act; • Clarifying staffing and certification requirements for treatment facilities; • Incorporating current guidelines into the regulations; • Language clarifying violations and enforcement authority; and • Additional small changes regarding reporting, lab results, etc.
<p>Underground Injection Control 310 CMR 27.00</p> <p>Conform with Federal law</p>	<p>The Underground Injection Control (UIC) Regulations were promulgated in order to receive approval from EPA for primacy over the administration of the federal UIC regulations, 40 CFR Parts 144 – 147. The main purpose of both the federal and state UIC regulations is to protect underground sources of drinking water through the permitting and registration of subsurface wastewater discharges.</p> <p>Most of the proposed changes are designed to bring the regulations into alignment with changes to the federal UIC regulations. These changes include updating definitions, aligning these regulations with other relevant MassDEP regulations (e.g., 314 CMR 5, 310 CMR 40), updating well closure requirements, and updating record keeping and reporting requirements.</p> <p>Additional proposed changes allow for presumptive approvals of registration applications, require electronic reporting, and eliminate registration requirements for single-family residences (for residential geothermal wells).</p>
<p>Clean Water State Revolving Fund 310 CMR 44.00</p> <p>Conform with State and Federal law</p>	<p>The draft regulations will amend the Commonwealth’s Clean Water State Revolving Fund (“CWSRF”) program regulations (310 CMR 44.00) and the Drinking Water State Revolving Fund (“DWSRF”) program regulations (310 CMR 45.00) to comport with 2014 changes in state law. The draft regulations also contain minor adjustments to the CWSRF regulations to ensure consistency with 2014 changes to federal law.</p> <p>The CWSRF and DWSRF programs are federal-state partnerships under which Congress provides federal grants as seed money to states to make below-market rate loans available to municipalities, public water suppliers and wastewater districts for specified water pollution abatement and drinking water projects. The Massachusetts Clean Water Trust (formerly known as the Massachusetts Water Pollution Abatement Trust, the “Trust”) is a public instrumentality of the Commonwealth that makes loans to, or purchases local governmental obligations from, eligible entities to finance or refinance costs of such water pollution abatement and drinking water projects.</p>

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	<p>MassDEP is responsible for promulgating regulations establishing a priority system and priority lists for selecting projects eligible for loan approval, and determining eligible project costs for loans by the Trust. The Department may establish different levels of subsidy available for eligible projects by regulation.</p> <p>Changes Required by State Law: The Massachusetts Act Improving Drinking Water and Wastewater Infrastructure (a.k.a. the Water Infrastructure Bill) authorizes enhanced subsidies to borrowers for certain projects beyond the current standard 2% rate of interest, 20-year loan, <i>provided that funding for enhanced subsidy has been appropriated by the Massachusetts Legislature.</i> The Act allows certain projects to receive interest rates as low as 0%, and also authorizes loan principal forgiveness.</p> <p>The proposed regulations codify the eligibility criteria for enhanced subsidy as outlined in the Act, which include projects:</p> <ul style="list-style-type: none"> • for nutrient management; • to implement activities consistent with area-wide management plans under Section 208 of the Clean Water Act; • to mitigate the impacts of water withdrawals; • as a result of a natural disaster; and • and to provide drinking water when there is well contamination. <p>Consistency with Changes in Federal Law: The federal Water Resource Reform and Development Act of 2014 (“WRRDA”) requires CWSRF project applicants to maximize water use efficiency and reuse, as well as energy efficiency; and projects applying for assistance must develop and implement a fiscal sustainability plan. In addition, WRRDA codified eligibility to include so-called Green Infrastructure practices. The existing CWSRF regulations are substantively consistent with the WRRDA requirements, however, a handful of minor, non-substantive adjustments are proposed to ensure consistency with WRRDA.</p>
<p>Drinking Water State Revolving Fund 310 CMR 45.00</p> <p>Conform with State law</p>	<p>SEE DETAILED SUMMARY ABOVE</p>
<p>Title 5 310 CMR 15.00</p>	<p>The Massachusetts Act Improving Drinking Water and Wastewater Infrastructure (a.k.a. the Water Infrastructure Bill) requires MassDEP to establish a design flow for septic systems for assisted living facilities by</p>

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Conform with State law	September of 2016. The current regulations contain a design flow for nursing homes, which is also applied to assisted living facilities. MassDEP is analyzing assisted living facilities and evaluating whether a different design flow is more appropriate.
<p>Land Application of Sludge and Septage 310 CMR 32.00</p> <p>New initiative/ improvement</p>	<p>310 CMR 32.00 regulates the land application of wastewater treatment plant sludge for beneficial use as a substitute for commercial fertilizers. The current regulations include a limit on the concentration of molybdenum in sludge used to grow forage for ruminants (<i>e.g.</i> cattle) of 10 parts per million (ppm) and a limit of 25 ppm for all uses where foraging does not occur.</p> <p>Based on a request from MWRA to consider current data, as well as discussions with EPA officials, MassDEP plans to propose a molybdenum sludge concentration limit of 40 ppm, in line with limits in other states and the limit EPA plans to propose.</p> <p>The planned revisions simplify the regulation by establishing a single limit of 40 ppm for treated sludge. The proposed revisions also include a modification of the existing labeling requirements that improves information provided to farmers regarding site conditions that could lead to molybdenosis and steps that can be taken to avoid it.</p>
<p>Industrial Wastewater Holding Tanks 314 CMR 18.00</p> <p>New initiative/ improvement</p>	<p>These regulations establish design and operating standards for holding tanks and containers used for accumulating and storing industrial wastewater prior to off-site recycling, treatment or disposal. MassDEP is considering changes to increase flexibility for regulated parties. These changes may include:</p> <ul style="list-style-type: none"> • Where it is feasible to connect to a sewer system, facilities may be permitted to discharge industrial wastewater to a holding tank for shipping to a permitted Centralized Wastewater Treatment Facility; • Relaxing the standard for case-by-case exemptions where connection to a sewer is feasible but expensive; • Case-by-case exemptions from some in-ground holding tank design standards for sanitary sewage-like wastewater (<i>e.g.</i>, milk bottle washing water).
<p>Environmental Results Program - Certification</p> <p>Industrial Wastewater – Photo</p>	<p>These amendments would streamline this multi-media set of regulations to reduce requirements for photoprocessors, small printers, and dentists.</p>

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<p>Processors and Printers;</p> <p>Amalgam Wastewater & Recycling Regulations for Dental Facilities</p> <p>310 CMR 70.00, 71.00, 73.00</p> <p>New initiative/ improvement</p>	<p>MassDEP is considering updating the certification regulations to adjust thresholds:</p> <p>Photoprocessors: exclude those that conduct only digital processing and change the frequency of compliance certifications from annual to a one-time certification filed at start-up.</p> <p>Printers: add a new category for “Very Small Printers” who would only need to file a one-time certification (rather than annual certifications)</p> <p>Dentists: align dental facility certification requirements with dentist licensing requirements of the MA Department of Public Health (required every two years), rather than the current five year certification schedule, and adjust the associated dental certification fees (from 5 year to 2 year cycle) so the change would be revenue-neutral.</p> <p>Eliminate remaining references in 310 CMR 70 to certain sewer connections, to align this regulation with 314 CMR 7, which was amended to delete these certification requirements in 2014.</p>
<p>Ground Water Discharge Permits Program</p> <p>314 CMR 5.00</p> <p>Streamlining</p>	<p>DEP is considering changes to improve flexibility and clarity, which may include:</p> <ul style="list-style-type: none"> • Requiring owners of private wastewater treatment facilities to self-certify that they meet regulatory requirements regarding single-entity and shared financial and operational responsibilities; • Requiring only one financial assurance mechanism account for private wastewater treatment facilities receiving residential wastewater; • Exemptions from permitting for application of plant nutrients (e.g., compost, manure) and agricultural process water as fertilizer to agricultural land in compliance with Department of Agricultural Resources regulations; • Clarifying exemptions for certain Underground Injection Control wells; and • Providing for electronic reporting of Discharge Monitoring Reports
<p>Surface Water Quality Standards</p> <p>314 CMR 4.00</p> <p>Conform with Federal law</p>	<p>Proposed changes include:</p> <ul style="list-style-type: none"> • updating bacteria standards for recreational coastal waters (this is a federal requirement and is associated with regulatory changes to be proposed by DPH);

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	<ul style="list-style-type: none"> removing site-specific copper limits (EPA disapproved these recent changes to the Surface Water Quality Standard regulations because of the methodology used in their development); and changing the standard for aluminum to acid-soluble
<p>Wetlands 310 CMR 10.00</p> <p>New initiative/ improvement</p> <p>Ongoing Advisory Committee</p>	<p>DEP is proposing to add performance standards for work in Land Subject to Coastal Storm Flowage in order to prevent storm damage, provide flood control and protect this resource area from the impacts of climate change, including sea level rise, and more frequent and intense coastal storms.</p> <p>A stakeholder group has been engaged in developing these standards over the past year.</p>
<p>Asbestos 310 CMR 7.15</p> <p>New initiative/ improvement; Streamlining</p>	<p>This proposed amendment would adjust training qualifications, and management standards for abatement work on asbestos cement pipe, an issue which has been raised by stakeholders doing pipe replacement projects. The revisions would:</p> <ul style="list-style-type: none"> Clarify applicable work practices when underground asbestos-cement pipes need to be repaired or replaced by water, sewerage, electric and gas utilities and their contractors. Clarify how utilities/contractors need to establish whether concrete pipe that will be repaired or replaced contains asbestos and how the work site will need to be inspected at the end of a repair or replacement (before the excavation is backfilled to ensure that no pieces of asbestos-containing material remain. <p>In addition, MassDEP will propose a few miscellaneous technical and administrative corrections to the regulation.</p>
<p>Air Pollution Control Regulations</p> <p>310 CMR 7.00</p> <p>New initiative/ improvement; Streamlining; Conform to Federal law</p>	<p>The proposed changes will cover a variety of topics. Three outdated sections (state Acid Rain program, “conversion to coal” provisions, and the Green Fleet program) will be proposed to be rescinded (See list below of recommendations for rescission). Updates will be proposed for the following sections:</p> <ul style="list-style-type: none"> Revise Reasonably Available Control Technology (RACT) for volatile organic compounds and nitrogen oxides (NO_x) and maintain summertime NO_x cap for large facilities to meet EPA ozone requirements of the Clean Air Interstate Rule (CAIR) Replacement Rule revisions); Revise Plan Approval procedures to clarify exemptions, account for greenhouse gases, add public comment procedures, and address inconsistencies;

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	<ul style="list-style-type: none"> • Remove greenhouse gas Operating Permit thresholds to reflect revised federal rules (to reflect the reversal of the federal Tailoring Rule); • Revise engine and turbine requirements (e.g., align with federal requirements, clarify alternative approval pathways); and • Codify appeal procedures.
<p>Regional Greenhouse Gas Initiative (RGGI) 310 CMR 7.70</p> <p>New initiative/improvement</p>	<p>Consider establishing set-aside allowances for facilities that provide steam in addition to electricity.</p>

RECOMMENDED RESCISSIONS

REGULATION	CITATION	RATIONALE
Solid Waste Transfer Stations	310 CMR 18.00	Text was rescinded in 1990, but the title was was not changed to “reserved” in the CMR (It has remained the substantive title of this former section, “Solid Waste Transfer Stations”. This has now been corrected administratively by the Secretary of State (SOS). Authority: M.G.L. c. 111, Section 150A
Water Supply Contamination Correction Program	310 CMR 28.00	These regulations authorize the expenditure of funds by the Department for devising solutions to the contamination of sources of public drinking water. The regulation is no longer necessary because the program is no longer funded. The program’s goals are now being met by the SRF loan program which provides low-cost financing to help public water suppliers comply with federal and state drinking water requirements. Authority: Chapter 286 of the Acts of 1982, §§ 18 and 19
Water Conservation Grants Program	310 CMR 31.00	These regulations establish criteria and standards by which MassDEP administered a program of water conservation grants to municipalities for the provision of information and technical assistance to water consumers regarding water supply conservation and protection and projects which promote water conservation. This regulation is no longer necessary because the program is no longer funded, and other sources of funding for municipal water conservation projects have been created. Authority: Chapter 241 of the Acts of 1982, § 2, Line Item 2200-0300
Household Hazardous Waste Grant Program	310 CMR 35.00	Grant program no longer exists/ not funded. PURPOSE: The State Budget for 1985 provided a finite amount of funding for grants for safe collection/disposal of household hazardous waste. This regulation established the process by which grant applications would be solicited and awarded. All funds have been expended, and there is no longer a need for this regulation. Grants for these activities are now available to municipalities through MassDEP’s Sustainable Material Recovery Program. Authority: M.G.L. c. 21A, § 2(28) and a portion of St. 1985, c. 140, § 2, line item 2200-0300.
Landfill Capping Grant Program	310 CMR 37.00	The Landfill Capping Grant Program was established by the Legislature to provide funds to municipalities that owned inactive landfills that had not been properly capped and closed. The grants were provided to

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		<p>assist municipalities with costs of closure and post-closure monitoring of eligible landfills, and limit any post-closure uses of landfills receiving funding from this program. Funding for this program was limited, and has all been expended. Therefore, this regulation is no longer needed.</p> <p>Authority: St. 1983, c. 723, § 9H and St. 1984, c. 233, § 15.</p>
Solid Waste Grant & Loan Programs	310 CMR 39.00	<p>Grant program no longer exists/ not funded.</p> <p>PURPOSE: Establishes criteria and procedures for awarding grants to municipalities and others for development of local composting programs solid waste planning, & solid waste management capacity development. The funding was limited, and has all been expended. Therefore, this regulation is no longer needed. Grants to municipalities for these activities are now available through MassDEP's Sustainable Material Recovery Program.</p> <p>Authority: St. 1987, c. 584, § 24.</p>
Financial Assistance to Municipalities for Correcting Failed On-Site Disposal Systems.	310 CMR 14.00	<p>These regulations were promulgated in 1994 to establish criteria and standards for a program of grants to municipalities to assist homeowners in the repair and replacement of failed on-site sanitary sewage disposal systems. The appropriation has been spent and no new funds have been appropriated. This program's goals are now being met by the State Revolving Fund loan program – enabling communities with betterments to provide loans for failed septic system replacement.</p> <p>Authority: Chapter 85 of the Acts of 1994, § 2, Line Item 2200-9959.</p>
Conversions to Coal	310 CMR 7.17	<p>Superseded, outdated</p> <p>Allowed and established emissions limits for certain power plants converting from oil to coal. Since new coal-fired capacity is not being developed, the regulation is no longer needed. This regulation will be proposed for rescission with amendments to 310 CMR 7.00 (described above).</p> <p>Authority: M.G.L. c. 111, §§ 142A – 142E</p>
Sulfur Dioxide Emissions Limits	310 CMR 7.21 and 7.22	<p>Superseded, outdated</p> <p>These regulations were created to limit and cap emissions of sulfur dioxide that cause acid rain. The caps for sulfur dioxide emissions have been superseded by other federal requirements, and are no longer needed because the current emissions from large emitters are out of scale (much lower) than the large volume limitations in these regulations. These regulations will be proposed for rescission with</p>

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		<p>other amendments of 310 CMR 7.00 (described above).</p> <p>Authority: M.G.L. c. 111, §§ 142A – 142E</p>
<p>The Massachusetts Green Fleet Program</p>	<p>310 CMR 7.45</p>	<p>Superseded, outdated</p> <p>This regulation requires the MA Operational Services Division in the Executive Office of Administration and Finance to buy/lease clean vehicles. It was adopted to codify federal Energy Policy Act (EPACT) requirements for alternative fuel vehicles.</p> <p>This regulation is now obsolete because the federal act controls this area, and there is no longer any need for state regulations. It will be proposed for rescission with other amendments of 310 CMR 7.00 (described above).</p> <p>Authority: M.G.L. c. 111, §§ 142A – 142E</p>

**RETAIN NOW: BUT EVALUATE FOR AMENDMENT AFTER MARCH 2016
(14)**

Bureau	Regulation	Citation	Proposed topic to evaluate
BAW and EEA	HAZARDOUS WASTE FACILITY SITE SAFETY COUNCIL (*in conjunction with EEA)	990 CMR 1.00-16.00	<p>These regulations were promulgated by MassDEP and the Council to implement the Massachusetts Hazardous Waste Facility Siting Act, M.G.L. c. 21D regulating:</p> <p>(a) The construction, operation and maintenance of a new facility for the storage, treatment, recycling or disposal of hazardous waste; and</p> <p>(b) An increase at a new or existing facility in its capacity to store, treat, recycle or dispose of hazardous waste.</p> <p>Further analysis is needed to evaluate current authority, legal effect, and future needs relating to these standards for facility siting.</p>
Board and EEA	BOARD OF REGISTRATION OF HAZARDOUS WASTE SITE CLEANUP PROFESSIONALS (* EEA and Board of Registration)	309 CMR 1.00 – 9.00	<p>The Board has been considering regulatory changes, which are likely to fall into a number of different categories (streamlining, etc).</p> <p>A stakeholder process, and public involvement, will benefit the development of this package of amendments in the future.</p>
BAW	Ambient Air Quality Standards	310 CMR 6.00	<p>Updating Air Quality standards so we no longer use incorporation by reference.</p> <p>In accordance with guidance from the Sec. of State and our legal office, regulations should not include a standard by reference to or adoption of other guidance or documents unless done in a specific manner. The aim is to ensure enforceability of standards that may currently be in guidance or other documents.</p>
BAW	Collection, Recycling, Labeling, & Sales Ban of Mercury-added Products	310 CMR 75.00	<p>We are considering revisions to update the mercury lamp provisions from 2014 legislation.</p>

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BWR	Irrigation System Regulations – Interruption Devices	310 CMR XXXX	<p>MassDEP plans to develop these regulations with a stakeholder advisory group in accordance with provisions of the “Water Infrastructure Bill”.</p> <p>The law requires that MassDEP develop regulations that require interruption devices for new or renovated programmed irrigation systems during periods of sufficient moisture. The regulations must also require that:</p> <ul style="list-style-type: none"> • Irrigation systems be inspected every three years by a qualified inspector. • Municipalities may establish a fee to cover record keeping costs. <p>MassDEP is authorized to develop penalties for violating these regulations. Agricultural uses will be exempt from these regulatory requirements.</p>
BAW	Hazardous Waste Facility Siting / Waste Management / Transportation	310 CMR 30.000	Amendments are required by EPA to update our RCRA programs, a commitment to EPA.
BAW	Site Selection Criteria for Low-Level Radioactive Waste Management Facilities	310 CMR 43.00	<p>There have been no proposals for radioactive waste management facilities in the recent past.</p> <p>MassDEP may evaluate these regulations to identify potential efficiencies or streamlining opportunities.</p>
BAW	Supplemental Requirements for Hazardous Waste Management Facilities	314 CMR 8.00	<p>314 CMR 8.00 establishes the program whereby wastewater treatment works exempted from M.G.L. c. 21C, which treat, store, or dispose of hazardous wastes generated at the same site are regulated pursuant to M.G.L. c. 21, § 43 to ensure that such activities are conducted in a manner which protects public health and safety and the environment.</p> <p>MassDEP may evaluate these regulations along with 310 CMR 30.000 to ensure consistency, and identify potential efficiencies or streamlining opportunities.</p>

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BWR	Massachusetts Water Resources Management Program	310 CMR 36.00	<p>Because of the high level of interest in how the new water management regulations will be implemented through permitting, we are taking great care to move this initiative forward with significant pre-permitting support and with constant coordination with stakeholders and EEA.</p> <p>The Legislature has requested a report on the cost impacts to permittees to be submitted in March 2017.</p> <p>Given that MassDEP will have a better understanding of how the program is working at that time, we are recommending retaining, but continuing MassDEP’s ongoing evaluation and considering amendment (if appropriate) after March 2016.</p>
BWR	Certification of Well Drillers and Filing of Well Completion Reports	310 CMR 46.00	<p>This program was transferred to MassDEP, and we have recognized the need to update and streamline “legacy” regulations.</p> <p>MassDEP will consider amendments to improve program implementation and provide more options to regulated well drillers.</p> <p>Changes may include creating tiers of licensing and certification based on applicants’ training and experience and on the type of well to be drilled.</p> <p>Coordination with plumbing certification would also be considered for the potential of shared qualifications for certain kinds of wells.</p>
BAW	Industrial Wastewater Standards for Dry Cleaners	310 CMR 72.00	<p>This Environmental Results Program may be evaluated for streamlining, and updates to make them fit this regulated sector more appropriately.</p>
BAW	Air Pollution - <ul style="list-style-type: none"> • Plan Approvals, • permits by rule, and 	310 CMR 7.02, 7.03, 7.04, 7.06,	<p>A number of air topics might be addressed in a package of changes to be developed after March 2016.</p>

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	<ul style="list-style-type: none"> • general emissions standards, including limits for fossil fuel facilities, • visible emissions, • stack testing requirements, • monitoring devices and reports, and • large combustion units • Clean energy standard • RGGI Program review / Clean Power Plan 	7.13, 7.14. 7.54 7.75. 7.70	<p>Changes might include elements to achieve:</p> <ol style="list-style-type: none"> 1) Streamlining 2) Federal consistency 3) State law consistency 4) Efficiency and improvement in permitting <p>Changes to RGGI regulations may be needed to comply with EPA’s clean power plan.</p>
BAW	AIR - Incinerators / Municipal Waste Combustors	310 CMR 7.08	<p>States with existing Municipal Waste Combustors (MWCs) are required by the federal Clean Air Act to maintain regulations at least as protective as MWC emissions guidelines promulgated by EPA. EPA’s emissions guidelines include federal regulations that apply to existing MWCs. EPA updated its guidelines in 2006 and required states to update their MWC regulations to be at least as protective by promulgating regulatory revisions no later than April, 2007.</p> <p>Proposed regulations were the subject of public hearing in 2013 and the regulatory changes need to be finalized</p>
BAW	Air – Reduction of Single Occupancy Vehicles (Rideshare)	310 CMR 7.16	MassDEP will consider additional ways to streamline submittals, procedures and other aspects of the Rideshare program in addition to the reforms that were implemented in 2012.