

MassDEP's Regulatory Review Update Executive Order #562

October 31, 2016

- In March 2015, Governor Baker signed Executive Order #562, requiring all agencies to conduct a comprehensive review of their regulations. Since then, MassDEP has reviewed 111 sets of regulations and been implementing a work plan to retain, amend or rescind each set.
- Amendment and Rescission: 39 sets of regulations (or 35 % of all our rules) were ultimately recommended for amendment or rescission. Of those, changes to 19 chapters or sections have been finalized. This means amendments to 17 sections or chapters are still in process, and 3 sections of rules are left to be rescinded.
- Retention: 72 sets of regulations (65% of all our rules) were recommended to be retained.

COMPLETED AMENDMENTS and RESCISSIONS

#	CITATION	NAME	DATE OF FINAL PROMULGATION / RESCISSION
1	310 CMR 7.74	Low Emission Vehicles	1/1/16
2	310 CMR 14	Financial assistance to municipalities for failed on site systems (Rescind)	8/26/16
3	310 CMR 15	Title 5	9/9/16
4	310 CMR 18	Solid Waste Transfer Stations (Rescind)	1/30/15
5	310 CMR 22	Drinking Water	3/25/16
6	310 CMR 27	Underground Injection Control	9/23/16
7	310 CMR 28	Contamination Correction Program (Rescind)	8/26/16
8	310 CMR 31	Water Conservation Grants Program (Rescind)	8/26/16
9	310 CMR 32	Land Application of Sludge and Septage	9/23/16
10	310 CMR 35	Household Hazardous Waste Grant Program (Rescind)	7/15/16
11	310 CMR 37	Landfill Capping Grant Program (Rescind)	7/15/16
12	310 CMR 39	Solid Waste Grant and Loan Program (Rescind)	7/15/16
13	310 CMR 42	Certification and Operation of Environmental Labs	11/4/16
14	310 CMR 60.00	Mobile sources ("kit car" changes)	7/15/16
15	310 CMR 60.02	Inspection and Maintenance Program	7/15/16
16	310 CMR 70	Environmental Results Program	9/9/16
17	310 CMR 71	Industrial Wastewater- Photoprocessors & Printers	9/9/16
18	310 CMR 73	Amalgam Wastewater & Recycling Regulations for Dental Facilities	9/9/16
19	314 CMR 18	Industrial Wastewater Holding Tanks	9/23/16

AMENDMENTS and RESCISSIONS IN PROGRESS

#	CITATION	NAME	COMMENT / STATUS
1	310 CMR 4	Timely Action and Fees	Preparing final regulations
2	310 CMR 6	Ambient Air Quality Standards	Preparing for public comment
3	310 CMR 7.00	Air Pollution	Part of omnibus Air Package
4	310 CMR 7.05	Air Pollution: Fuels	Part of omnibus Air Package
5	310 CMR 7.08	Air Pollution: Incinerators	Part of omnibus Air Package
6	310 CMR 7.70	RGGI – CHP changes	Preparing final regulations
7	310 CMR 7.08	Air Pollution: Incinerators (aka municipal waste combustors)	Part of omnibus Air Package.
8	310 CMR 7.15	Asbestos (“Phase 1”)	Preparing final regulations
9	310 CMR 7.17	Air Pollution: Conversion to coal (Rescind)	To be rescinded with omnibus Air package
10	310 CMR 7.18	Air Pollution: Ozone Nonattainment / Ozone Transport Region	Part of omnibus Air Package
11	310 CMR 7.21	Air Pollution: SOX emissions limit (Rescind)	To be rescinded with omnibus Air package
12	310 CMR 7.45	Air Pollution: Green Fleet Program (Rescind)	To be rescinded with omnibus Air package
13	310 CMR 9	Waterways	Preparing final regulations
14	310 CMR 10	Wetlands	Preparing for public comment period
15	310 CMR 44	State Revolving Loan Fund – Clean Water	Preparing final regulations
16	310 CMR 45	State Revolving Loan Fund – Drinking Water	Preparing final regulations
17	314 CMR 4	Surface Water Quality Standards	Preparing for public comment
18	314 CMR 5	Groundwater Discharge Permit Program	Preparing final regulations
19	314 CMR 8	Supplemental Requirements for Hazardous Waste Management Facilities (for POTWs)	Preparing final regulations
20	310 CMR 3	Access to and Confidentiality of Department Records	Preparing to reissue for public comment to align with Sec. of State public records regulations

- Additional Changes / Evaluation for “Round 2”. During the review process MassDEP committed to evaluating some regulations on a longer schedule to consider changes that might be needed. Future regulatory proposals may be forthcoming as a result of this review. The programs and regulations that will be evaluated in this way include:
 - Title 5
 - Asbestos (“Phase 2”)
 - Water Management Act (review will be done in conjunction with the analysis for the legislative report due in 2017)