

## WATER RESOURCES COMMISSION – UPDATE ON WASTEWATER REGULATORY REFORM November 14, 2013

Reg Package	Cite	WRC Approval required?	Sig. Public Comments	Changes from Draft to Final Rules	Review status
Surface Water Quality Standards	314 CMR 4.00	Yes	No	Minor formatting corrections.	Approved
Land Application of Sludge and Septage	310 CMR 32.00	Yes	No	Minor formatting corrections.	Approved
Operator Certification	257 CMR 2.00	Yes	No	Minor formatting corrections.	Approved
Title 5	310 CMR 15.000	Yes	No	<p>Goal: Eliminate duplicative permitting at the state level and allow MassDEP to authorize a third party to evaluate innovative and alternative treatment systems for I/A technology approvals.</p> <p>Adjustments were made for clarification and consistency and to correct formatting.</p>	EEA Review
Permitting Procedures	314 CMR 2.00	Yes	No	Minor formatting corrections.	EEA Review
Sewer Connections and Extensions	314 CMR 7.00	Yes	Yes	<p>Proposed eliminating sewer connection and extension permits. Moved substantive provisions of 7.00 to 12.00.</p> <ol style="list-style-type: none"> <li>1. MassDEP will retain the existing permit requirements for industrial facilities that discharge greater than 25,000 gallons per day to a treatment facility that does not have an approved industrial pretreatment program.</li> <li>2. MassDEP will retain its ability to require a permit where the Department determines the discharge will, or has the potential to, pass through the treatment facility, cause water quality violations in the receiving water, or by-pass treatment.</li> </ol>	<p>MassDEP review, Commissioner's office</p> <p>To EEA for review in December</p>

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Operation and Maintenance	314 CMR 12.00	Yes	Yes	<p>314 CMR 12.00 will require public entities to include the following elements into their Operation and Maintenance Programs:</p> <ul style="list-style-type: none"> <li>• Developing and implementing an I/I identification and elimination program as part of municipal operation and maintenance procedures</li> <li>• Conducting sewer system evaluations to identify areas where limited capacity could lead to sanitary sewer overflows</li> <li>• Developing offset programs for systems or portions of systems that experience chronic overflows or where evaluation identifies a potential problem area.</li> </ul> <p>The changes also move the pretreatment standards for industrial discharges, and the sanitary sewer overflow reporting requirements, from the sewer regulations into the O&amp;M regulations.</p> <p><u>In response to public comments,</u> the final rules have been adjusted to provide more flexibility to municipalities, and reduce reporting requirements.</p> <ol style="list-style-type: none"> <li>1. Clarify that municipalities with existing I/I identification and elimination programs may submit them to satisfy the I/I program requirement.</li> <li>2. Eliminate the requirement to develop an I/I program every ten years. MassDEP will require updates to I/I programs when needed.</li> <li>3. Make approvals of I/I identification and elimination programs presumptive if MassDEP does not respond in writing within 120 days of submittal.</li> <li>4. Allow flexibility in the standard 4:1 offset required for systems or portions of systems that experience chronic overflows or where evaluation identifies a potential problem area.</li> <li>5. Eliminate the requirement for municipalities to submit local sewer use rules and regulations to MassDEP for review and approval. Rules must be submitted upon request.</li> </ol>	<p>MassDEP review, Commissioner's office</p> <p>To EEA for review in December</p>