

**310 CMR 15.000: The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of the On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage
and
314 CMR 21.00: Watershed Permit Regulations**

Notice to Reviewers

Throughout the development of these draft regulations, MassDEP worked with a wide range of stakeholders (*e.g.*, developers, watershed organizations, municipalities, a municipal stormwater coalition, state and federal agencies, wetlands organizations, consultants, planning and engineering organizations and environmental organizations) who provided input on the concepts addressed in these regulations. MassDEP thoughtfully considered all the comments received and addressed many of them, which resulted in a better proposal. In reviewing these proposed regulations for comment, we ask that you also consider the following specific points and provide feedback.

Implementation of Title 5 Upgrade Requirement

A concern expressed during meetings MassDEP held with communities related to the proposed revisions to the Title 5 regulations at 310 CMR 15.000. The concern is that if a Watershed Permit is not obtained, the requirement to upgrade many Title 5 systems within 5 years of the NSA designation will be difficult to accomplish, particularly on Cape Cod and the Islands, because of limited supplies of materials and equipment and a shortage of personnel such as soil evaluators, system installers, designers, contractors, municipal employees and Board of Health members. (The requirement to upgrade within 5 years would be waived if the affected community obtained a Watershed Permit pursuant to the proposed regulations at 314 CMR 21.00.) MassDEP is interested in hearing from reviewers about how to address this issue.

Federal Government as a Watershed Permittee

MassDEP is interested in hearing from reviewers about whether the proposed regulations should be drafted to accommodate the federal government as a permittee on a Watershed Permit.