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**GUIDANCE REGARDING THE ORDERS BY THE GOVERNOR
EXTENDING CERTAIN OCCUPATIONAL AND PROFESSIONAL LICENSES
ENERGY AND ENVIRONMENTAL AFFAIRS AND CONSITUENT AGENCIES AND BOARDS**

ISSUED APRIL 23, 2020

On March 18, 2020 and March 26, 2020, Governor Baker issued a pair of orders relating to occupational and professional licenses, certificates and registrations (the "Licensing Orders"). The Licensing Orders provide that certain occupational and professional licenses issued to individuals and certain professional licenses issued to businesses that expired or will expire on or after March 10, 2020 are extended and shall remain valid until 90 days following the termination of the state of emergency.

In order for a license, certificate or registration to qualify for an automatic extension under the Licensing Orders, the license, certificate or registration must be in good standing on the date of the relevant order.

- For occupational and professional licenses, certificates or registrations issued to individuals, that date is March 18, 2020.
- For professional licenses, certificates or registrations issued to any for-profit or non-profit business or organization, that date is March 26, 2020.

While covered licenses, certificates and registrations will not expire due to the passage of time as a result of the Licensing Orders, agencies and boards will continue to engage in enforcement and discipline, and may suspend or revoke licenses in accordance with governing laws and/or regulations during the state of emergency.

The Licensing Orders direct the heads of state agencies that issue licenses to issue clarifying guidance to implement the Orders. This Guidance is issued by the Executive Office of Energy

and Environmental Affairs on behalf of the Office, the agencies and divisions within the Office and the boards within the Office and those agencies that issue professional licenses, certificates and registrations (collectively “EEA Licenses”). This Guidance consists of two parts. The first part provides information specific to particular EEA Licenses or groups of EEA Licenses that holders may find useful. The second part provides clarifying exclusions for licenses, certificates and registrations that are not covered by the Licensing Orders.

For questions regarding this guidance, please contact Victoria Grimes at victoria.s.grimes@mass.gov or the individual identified below for the license about which you have a question.

I. Guidance Relating to Specific Licenses or Groups of Licenses

DEPARTMENT OF AGRICULTURAL RESOURCES

LICENSE TYPE	GUIDANCE
Livestock Dealer License M.G.L. c. 129, § 39E	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.
Poultry Dealer License M.G.L. c. 129, § 26B; 330 CMR 5.00 et seq.	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.
Swine Garbage Feeding Permit M.G.L. c. 129, § 14B; 330 CMR 11.00 et seq.	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.
Pet Shop License M.G.L. c. 129, § 39A; 330 CMR 12.00 et seq.	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.
Horseback Riding School or Stable License M.G.L. c. 128, § 2B; 330 CMR 16.00 et seq.	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.

LICENSE TYPE	GUIDANCE
Horseback Riding Instructor License M.G.L. c. 128, § 2A; 330 CMR 16.00 et seq.	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.
Equine Dealer License M.G.L. c. 129, § 45; 330 CMR 16.00 et seq.	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.
Guard Dog Business License M.G.L. c. 129, § 39B; 330 CMR 20.00 et seq.	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/service-details/division-of-animal-health or call 617-626-1795 for details.
Certificate of Registration to Operate a Dairy Farm M.G.L. c. 94, § 16C; 330 CMR 27.11	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewal submitted to the Department. Please call 617-626-1795 for details.
Animal Rescue and Shelter License M.G.L. c. 140, § 139A; 330 CMR 30.00 et seq.	No licenses issued yet under new regulations.
Certificates of Agricultural Composting Registration M.G.L. c. 21H § 7; 330 CMR 25.00	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/agricultural-composting-program or call 617-626-1724 for details.
Pesticide Product Registration Renewal 333 CMR 8.00	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewals. Please visit https://www.mass.gov/pesticide-product-registration
Pesticide License Renewal; 333 CMR 10.00	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewal submitted online during the state of emergency and encourages all licensees to make use of the online portal. Please visit https://www.mass.gov/pesticide-examination-and-licensing

LICENSE TYPE	GUIDANCE
Fertilizer/Lime Product/Manufacture License; 330 CMR 15.00	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewal submitted online during the state of emergency and encourages all licensees to make use of the online portal. Please visit https://www.mass.gov/fertilizer-or-lime-registration
Hemp License Renewal; M.G.L. c. 128, Section 119	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewal submitted online during the state of emergency and encourages all licensees to make use of the online portal. Please visit https://www.mass.gov/industrial-hemp-program
Nursery Agent/Grower License; M.G.L. c. 128, Section 17-19	While licenses will remain valid until 90 days following the termination of the state of emergency, MDAR will continue to process applications for license renewal submitted online during the state of emergency and encourages all licensees to make use of the online portal. Please visit https://www.mass.gov/nursery-and-plant-inspections

DEPARTMENT OF CONSERVATION AND RECREATION

LICENSE	GUIDANCE
Forester License	<p>A Forester License with an expiration date on or after March 10, 2020 is automatically extended until 90 days after the state of emergency (SOE) is terminated. The Forester Licensing Board (FLB), which makes recommendations to the Director of State Parks and Recreation as to eligible and ineligible license applicants, will meet within 45 days of the termination of the SOE to review applications for renewal and new licenses.</p> <p>Communication about approved and disapproved renewal license applications will be made to applicants no later than 90 days after the termination of the SOE. All approved renewal applications will result in licenses that are effective starting on the 91st day after the termination of the SOE.</p> <p>Renewal of a license which would have expired during the SOE (plus 90 days) but for the 3/18/2020 Order will expire one year from the date the license would have expired but for the tolling provisions in the Order. (For instance, a license due to expire on 5/2/2020, which is extended by virtue of the Order, and which is eligible for renewal, will be renewed 90 days after the end of the SOE and will expire on 5/2/2021.)</p> <p>The requirement for renewal of a Forester License that certain continuing education (CE) criteria are met will be suspended for licenses with an expiration date in 2020. For licenses expiring in 2021, DCR will review CE requirements based on the SOE and will advise those licensees of CE requirements. All information will be posted on the DCR website also.</p> <p>DCR will send to all holders of Forester Licenses a communication containing the above guidance. This guidance will also be posted on the DCR website.</p>

LICENSE	GUIDANCE
Timber Harvester License	<p>All Timber Harvester Licenses (THLs) expire on June 30 annually. If the State of Emergency (SOE) continues past June 30, all THLs will be extended and remain valid until 90 days following the termination of the SOE. If the SOE continues past June 30, renewal notices will be sent to all licensed timber harvesters within 30 days of the lifting of the SOE.</p> <p>DCR's Service Forestry Program will not hold its planned continuing education (CE) sessions on the Massachusetts Forest Cutting Practices Act in May and June 2020. Regardless of when the SOE is terminated, DCR will suspend its CE requirements for FY2020 (7/1/2019 – 6/30/2020).</p> <p>Applicants for new Timber Harvester Licenses, or applicants who have expired (e.g., expired 6/30/2019 or earlier) licenses will be required to take a license exam given by DCR's Service Forestry Program. Consistent with DCR's current policy, a timber harvester may operate under a provisional license until the first license exam offered after their application. The Service Forestry Program will offer a series of license exams across the state within 60 days of the lifting of the SOE. Dates and locations of those exams will be posted on DCR's website at https://www.mass.gov/how-to/how-to-apply-for-a-timber-harvest-license.</p>

DEPARTMENT OF ENVIRONMENTAL PROTECTION

LICENSE	GUIDANCE
Laboratory Certification for Drinking Water and Non-Potable Water 310 CMR 42.00	Under the regular annual cycle, these certifications expire on June 30 th and the process for renewals will begin soon. Additional guidance on the renewal process will be provided in the coming weeks. For any renewal questions, please contact Lisa Touet at Lisa.Touet@mass.gov .
Certification of Operators of Drinking Water Supply Facilities – 236 CMR 2.00 – 5.00	Guidance will be provided by the Division of Professional Licensure for licenses that expired prior to the date of the order.
Certification of Operators of Wastewater Treatment Facilities – 257 CMR 2.07	Those operators who have renewed their licenses are valid until December 31, 2021. Those who did not renew prior to the order expired on December 31, 2019. However, all licensees with expired licenses have been given an extension to renew. If your license has an expiration date of December 31, 2019, and you want to renew, please contact Michelle Jenkins, NEIWPC at 978-349-2516 to complete the necessary form and payment. For other questions on wastewater operator licensing, please contact John Murphy, Wastewater Operator Certification and Training, MassDEP (john.j.murphy@mass.gov or (617) 292-5867.
Certification of UST third-party inspectors - 310 CMR 80.49	There are no third-party inspector renewal deadlines until December 2021. MassDEP will process applications for new third-party inspectors during the State of Emergency. For questions, please contact Tom DeNormandie at Thomas.Denormandie@mass.gov .
Registration of solid waste third-party inspectors - 310 CMR 19.018	Although registrations are extended 90 days after the termination of the State of Emergency, if MassDEP receives renewal applications during the State of Emergency they will be processed. MassDEP will process new third-party inspector registrations during the State of Emergency. For questions, please contact Tom Adamczyk at Thomas.Adamczyk@mass.gov .

LICENSE	GUIDANCE
Certification of toxic use reduction planners - c. 21I, sec. 12 and 310 CMR 50.50	Although certifications are extended 90 days after the termination of the State of Emergency, if MassDEP receives renewal applications during the State of Emergency they will be processed. MassDEP will process new toxic use reduction planner applications during the State of Emergency. For questions, please contact Walter Hope at Walter.Hope@mass.gov .
Title 5 Soil Evaluators – 310 CMR 15.017 Title 5 System Inspectors – 310 CMR 15.340	For general renewal information, please see https://neiwpsc.org/our-programs/wastewater/mass-title-5/title-5-renewals/ For any renewal questions, please contact Michelle Jenkins, NEIWPC (mjenkins@neiwpsc.org or 978-349-2516).
Well Driller Certification - 310 CMR 46.00	Renewal letters for well driller re-certification are sent by MassDEP to registered drillers at the end of October each year. The completed form and fee for renewal and rig renewal (if any) need to be submitted by the end of the calendar year. Registrations run from January to December. Please submit any renewal questions, to Program.Director-DWP@mass.gov . (In subject line: Well Drillers).
Certified Cross Connection Surveyors and Testers – 310 CMR 22.22(12)	The <u>Licensing Orders</u> extended the terms of certifications for the following: <u>Backflow Prevention Device Testers,</u> <u>Cross Connection Surveyor,</u> <u>Combination Certification.</u> MassDEP will continue to process renewal applications during the State of Emergency. Please submit all questions to Program.Director-DWP@mass.gov . (In subject line: Cross Connections).

DEPARTMENT OF PUBLIC UTILITIES

LICENSE TYPE	GUIDANCE
Retail Electric/Gas Supplier or Electric/Gas Broker	Renewals that are currently pending before the Department of Public Utilities or are due for renewal between the date of this guidance and the end of the state of emergency are considered active. The Department is still accepting renewal applications at this time, but applications are not due until 90 days following the termination of the state of emergency and will not be reviewed until after the state of emergency has ended. Please email dpu.electricsupply@mass.gov or dpu.gassupply@mass.gov for additional questions.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

LICENSE TYPE	GUIDANCE
Licensing of Hazardous Waste Site Cleanup Professionals, a.k.a., Licensed Site Professionals (or "LSPs"), as defined in M.G.L. c.21A, Section 19 and 309 CMR 2.02.	All LSP licenses in good standing that have expired since the Governor's March 10, 2020 declaration of a state of emergency, or will expire during the state of emergency, are automatically extended until ninety (90) days following the termination of the state of emergency. All pending applications for renewals will be acted upon before expiration of the 90 day period following the state of emergency so that there will be no gaps in licensure for license holders in good standing who meet renewal requirements. Further guidance will be issued regarding the processing of pending license applications and license applications received during the state of emergency, as well as the processing of continuing education requests.

II. Clarifying Exclusions for Licenses, Certificates and Registrations That Are Not Covered by the Licensing Orders

By their terms, the Licensing Orders apply only to “occupational or professional license[s], certificate[s], or registration[s] issued . . . to an individual person” and “professional license[s], certificate[s], or registration[s] issued . . . to any for-profit or non-profit business or organization.” For the sake of clarity, the following are not extended by the Licensing Orders. However, certain permits and approvals were, on March 26, 2020, extended by a separate Order issued by Governor Baker. A copy of the Permit Extension Order is available at <https://www.mass.gov/doc/march-26-2020-permit-extension-order/download>. The below licenses are considered permits and have been extended and tolled as applicable by the Permit Extension Order:

- (1) Hazardous waste transporter licenses issued by MassDEP pursuant to 310 CMR 30.801
- (2) Hazardous waste licenses issued by MassDEP pursuant to 310 CMR 30.801 re: use, collection, storage, treatment or disposal of hazardous waste

