



Massachusetts Organization of State Engineers & Scientists



Keeping the Commonwealth's air, water, environment, health & infrastructure safe.

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October 30, 2015

Commissioner Martin Suuberg
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

RE: Massachusetts Department of Environmental Protection Regulatory Review

Dear Commissioner Suuberg:

The Massachusetts Organization of State Engineers & Scientists (hereinafter MOSES) is pleased with the opportunity to submit commentary concerning the Massachusetts Department of Environmental Protection's (hereinafter MassDEP) regulatory review process as part of Executive Order 562. MOSES is a professional organization made up of over 3200 public employees at 29 different state agencies dedicated to enhancing the quality of life of Massachusetts residents through professional science and engineering. Over 400 of our members serve in various capacities at MassDEP.

Our membership consists of educated public servants who provide the Commonwealth's first line of defense against environmental threats and hazards. From wetland biologists, toxicologists, wastewater specialists, chemists and geologists to air quality and drinking water regulators, waste site cleanup and solid waste experts, these professionals are dedicated to maintaining our status as [one of the most eco-friendly states](#) in the nation. Furthermore, because our members hold exceptional levels of education, from Bachelors, Masters and PhDs in various scientific and technical fields, they serve a secondary duty of providing taxpaying citizens and the business community with a reliable and consistent source of professional environmental expertise.

Massachusetts state regulations are an important tool for MassDEP professionals to ensure that Massachusetts residents live and work with minimal exposure to various environmental risks and hazards. In their day-to-day work, regulations relating to industrial wastewater holding tanks, Groundwater discharge permits, Surface water quality standards, Asbestos, Air Pollution

Control, and other areas provide MassDEP professionals with important oversight and enforcement authority in maintaining the safety and environmental health of our beaches, waterways, wetlands, water supply, etc. This oversight authority ensures accountability by providing clear, explicit standards for businesses, municipalities and homeowners alike.

Lack of oversight and self-certification remains MOSES' largest concern in regards to regulatory revisions. Specifically, MOSES and our members are concerned about the proposed changes to the **Ground Water Discharge Permits Program (314 CMR 5.00)**, which according to the Department's brief synopsis of proposed changes, would be changed to 'add exemptions and self-certification mechanism[s]'. Massachusetts taxpayers have come to rely on and respect direct government oversight when it comes to upholding and enforcing strict environmental standards. These are seen as quality of life issues that taxpayers are willing to pay for in order to protect such principles. Self-certification mechanisms would effectively remove direct government oversight from the process and risk delaying government intervention before it is too late.

MOSES represented scientists and engineers are the eyes and ears of the public. They are regulators who have no profit or political motive, only enthusiasm and care for our natural resources. We are well aware of the consequences inherent with the lack of proper oversight and strong enforcement of regulations. Our members see it every day. They understand, perhaps better than any other group, how deregulation has adversely impacted our natural resources. It is important to remember that MassDEP's role under Article 97 of the Massachusetts Constitution is the guarantor of the people's right to "clean air and water," as well as "the natural scenic, historic and aesthetic qualities of the environment."

In conclusion, MOSES thanks you for this opportunity to submit commentary regarding this extensive regulatory review process. We look forward to working with the Department as these proposed changes are reviewed and heard in accordance with [Chapter 30A Section 2 of the Massachusetts General Laws](#). MOSES and our members are hopeful that this process will only serve to **strengthen** the Commonwealth's commitment to ensuring our great lands, waters and other natural resources remain intact and protected for future generations. Should you have any questions or comments, please contact MOSES' Legislative Director Robert Oftring at roftring@moses-ma.org or 774 696 2018 at your convenience.

Sincerely yours,


Joseph Dorant
President