

## Proposed Changes to:

- 310 CMR 7.26 Air Pollution Control Regulations – Industry Performance Standards
- 310 CMR 70.00 Environmental Results Program (ERP) Certification Regulations
- 310 CMR 71.00 Industrial Wastewater Regulations for Photo Processors and Printers
- 310 CMR 73.00 Amalgam Wastewater and Recycling Regulations for Dental Facilities
- 310 CMR 4.00 Timely Action Schedule and Fee Provisions

Water Resource Commission

July 7, 2016

# Background

- The proposed changes consist of streamlining procedures and correcting several regulations governing the Environmental Results Program (ERP)
- These changes include:
  - Simplifying certifications
  - Aligning dental certifications with dental license renewals
  - Eliminating photo processing and printer sectors that pose little or no environmental risk
  - Adjusting fee regulations to align with these changes
  - Consolidating holding tank and ERP certification requirements to streamline paperwork and fee payments

# Photo Processors

## Current Regulations:

- The ERP regulations have required annual ERP certifications and fees since 1998
- The industrial wastewater regulations established performance standards for photo processors who used wet chemical processing, including discharge limits on silver and the operation of silver recovery units
- There were approximately 330 photo processors who are regulated under 310 CMR 71.00

# Proposed Changes to Photo Processor Program

- Photo processors who use only digital technology will be exempt from the regulations
  - The number of photo processors regulated under the proposed changes will be approximately 25
- Photo processors who use wet chemistry will submit a one-time certification upon commencement of operations, not an annual certification
- Annual certification fee will be eliminated

# Printers

## Current Regulations:

- The ERP regulations have required annual ERP certifications and fees since 1998
- The primary environmental concern for this sector is the release of volatile organic compounds to the air
  - These VOCs are contained in cleanup solution and alcohol used in the printing process

# Proposed Changes to Printer Program

- Include a new category of printers – Very Small Printer (VSP) – defined as:
  - Connected to a municipal sewer
  - Generate no more than 55 gallon of HW annually
  - Use no more than 55 gallons of cleanup solution annually
  - Use no more than 55 gallons of alcohol annually
- Inspections showed that approximately 29% of registered printers could be classified as VSP
- Elimination of the annual certification and fee
  - There will be a one-time ERP certification to MassDEP upon commencement of operations

# Dental Amalgam Regulations

## Current Regulations:

- Since 2006, the ERP regulations have required ERP certifications and fees be submitted to MassDEP every five years
- The primary environmental concern for this sector is the release of mercury from dental amalgam to wastewater
  - Mercury can accumulate in sewage sludge
  - Sludge containing mercury that is incinerated or applied to land as a soil amendment can be released to the environment via precipitation
  - Mercury that runs into waterways can bioaccumulate in fish and subsequently accumulate in people who eat the fish

# Proposed Changes to Dental Regulations

- Amend the ERP certification periodicity from five years to two years:
  - Align the certification with dental license renewals – March 31 of every even-numbered year
- Amend the fee from \$460 every five years to \$200 every two years
- Amend ERP certification to address compliance with 310 CMR 18.00 for those dentists that own or operate IWW holding tanks
  - Proposing a corresponding amendment to 310 CMR 18.00 to exempt these dentists from filing the one-time certification required by 310 CMR 18.00
  - Consolidation of certifications will exempt these dentists from annual IWW holding tank fee
  - Simplify dentists' compliance obligations



# References for Certain Sewer Connections

- Retract references to 314 CMR 7.00 Sewer Connections found within 310 CMR 70.00 ERP Certification Regulations
  - 314 CMR 7.00 was amended in April 2014 to delete an ERP certification requirement for certain sewer connections
  - At that time, the ERP certification regulations were not changed
  - Deleting these references will remedy this oversight and align both sets of regulations

# Public Process

- Notice letters were sent to state agencies on June 9, 2016
- Public Hearings are as follows:
  - Monday, July 25, 4:00 PM – Southeast Regional Office; Lakeville
  - Tuesday, July 26, 4:30 PM - Central Regional Office; Worcester
  - Wednesday, July 27, 1:00 PM – Boston Office; 1 Winter Street
  - Wednesday, July 27, 4:30 PM – Northeast Regional Office; Wilmington
  - Thursday, July 28, 4:00 PM – Springfield Public Library; Springfield, MA
  - Monday, August 1, 1:00 PM; Boston Office; 1 Winter Street
- Public Comment Period ends August 11, 2016

# Questions?

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