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
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?

Veronica Wancho O’Donnell
Branch Chief – Compliance and Enforcement
MassDEP
617-574-6859
veronica.odonnell@state.ma.us