



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

PUBLIC NOTICE

Pursuant to M.G.L. c. 30A, the Massachusetts Department of Environmental Protection (MassDEP) is providing public notice of its intent to amend the State Revolving Fund (SRF) Regulations, including the Clean Water SRF Regulations published at 310 CMR 44.00 and the Drinking Water SRF Regulations published at 310 CMR 45.00. The SRF program is a federal-state partnership that provides state-subsidized, below market interest rate loans to local governments and Public Water Suppliers to reduce the cost of local debt to construct or rehabilitate water infrastructure.

The amendments to the financing criteria section of both sets of regulations will clarify that enhanced subsidies may be offered to borrowers for categories of projects designated by the Massachusetts Clean Water Trust (the Trust) in the annual project solicitation as priority projects.

The amendments are available on MassDEP's website at:

<https://www.mass.gov/regulations/310-CMR-4400-the-clean-water-state-revolving-fund>

<https://www.mass.gov/regulations/310-CMR-4500-the-drinking-water-state-revolving-fund>

Testimony may be presented orally or in writing at the public hearing to be held on:

Wednesday, June 12, 2019, from 10:00 a.m. to 12:00 p.m.
MassDEP Headquarters
One Winter Street, Second Floor Conference Room
Boston, MA 01208

MassDEP will accept comments via mail or by email until **5:00 PM on Monday June 24, 2019**. Written comments must be submitted by email to srfmadep@mass.gov or by mail to:

MassDEP, Division of Municipal Services
Bureau of Water Resources-Regulatory Comment Box
1 Winter Street, Fifth Floor
Boston, MA 02108-4747

Please contact Maria Pinaud, maria.pinaud@mass.gov or 617-292-5808, with any questions.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

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Small Business Impact Statement
(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 310 CMR 44.00 and 45.00

Estimate of the Number of Small Businesses Impacted by the Regulation: None

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to create, file, or issue additional reports?</p> <p>The amendments are narrowly focused on clarifying certain aspects of the increased state subsidy available for local government-owned water infrastructure project financing. This will not affect the relationship between the local government and the small businesses involved in the project design and construction</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to implement additional recordkeeping procedures?</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to provide additional administrative oversight?</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to hire additional employees in order to comply with the proposed regulation?</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Do any other regulations duplicate or conflict with the proposed regulation?</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?</p> <p>See above</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</p> <p>See above</p>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? See above
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? See above
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? See above
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? See above
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? See above
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? See above
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? See above