

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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### DEPARTMENT OF AGRICULTURAL RESOURCES NOTICE OF PUBLIC HEARING

Notice is hereby given that the Department of Agricultural Resources ("Department"), under its authority pursuant to M.G.L. c. 21H, § 7 and in accordance with M.G.L. c. 30A, will hold a public hearing on the promulgation of 330 CMR 25.00.

330 CMR 25.00 establishes criteria under which the Department may register Agricultural Composting Operations in the Commonwealth. 330 CMR 25.00 is intended to facilitate Agricultural Composting and to ensure Agricultural Composting Operations are effectively managed to protect the natural resources of the Commonwealth while minimizing the potential for nuisance conditions.

Two public hearings are to be conducted on the following dates at the following locations to receive comments on the proposed regulation.

**Monday, August 12, 2019: 5:30 P.M.**

Charlton Public Library-Dexter Hall, 40 Main Street, Charlton, MA 01507

**Wednesday, August 14, 2019: 5:30 P.M.**

Middleborough Public Library, 102 North Main Street, Middleborough, MA 02346

Testimony may be presented orally or in writing at the hearing. Written comments will be accepted until 5:00 P.M. on Thursday, August 15, 2019. Written testimony must be submitted by e-mail to [dorothy.du@mass.gov](mailto:dorothy.du@mass.gov) or by mail to Dorothy Du, 251 Causeway Street, 5th Floor, Boston, MA 02114-2151.

The proposed regulation is available on the Department's website at: <https://www.mass.gov/service-details/mdar-proposed-amendments-to-regulations> or may be obtained by calling Dorothy Du at 617-626-1741. For special accommodations for this event or to obtain this information in an alternative format, you may contact ADA Coordinator, Agatha Summons, at 617-626-1282.

MDAR intends to conduct education, outreach and training sessions for the agricultural community to encourage farmers to compost.

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

CMR No: 330 CMR 25.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 40-50

**Select Yes or No and Briefly Explain**

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? No – only the filing of an application.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? No - no additional record keeping procedures will be required.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? No - no additional oversight will be required.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No - no additional employees will be needed.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No - the registration process is straightforward and simple.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? No - registration does not require additional capital investment.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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.) N/A
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? DEP exempts registered agricultural composting operations.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? Yes – to be registered the applicant must be inspected.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? No - educational services are not required. An education class is required for all applicants prior to education, but there is no continuing education requirement.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No - no impact on the formation of small businesses.

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? These regulations encourage agricultural composting and would allow farms to sell certain amounts of compost not used on the farm.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? There are no reporting or compliance requirements for businesses, regardless of size.
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? No - there are no reporting requirements for small businesses.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? The regulations set forth a clearer registration process.
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? Not applicable – the regulations provide performance standards to be registered.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? Not applicable – there is no adverse impact on businesses that choose to register.