



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

NOTICE OF PUBLIC HEARING

This Public Hearing Notice is available in alternative languages (Español -- Tiếng Việt -- Chinese -- Kreyòl Ayisyen -- Português -- Khmer) on MassDEP's website at: <https://www.mass.gov/service-details/massdep-public-hearings-comment-opportunities>.

Notice is hereby given that the Massachusetts Department of Environmental Protection (MassDEP), under its authority pursuant to M.G.L. c. 21C, c. 21A, §§ 2 and 8, and M.G.L. c. 21C, § 4 will hold public hearings in accordance with M.G.L. Chapter 30A on proposed amendments to 310 CMR 30.000 *Hazardous Waste*.

The proposed amendments include exemptions for nicotine-containing smoking cessation products and airbag wastes, the federal e-manifest rule, and requirements for aerosol cans managed under the universal waste rule. MassDEP also is proposing to adopt U.S. Environmental Protection Agency (EPA) rules related to confidentiality determinations for hazardous waste export and import documents, expanded public participation for licensed hazardous waste facilities, and technical revisions to wood preservative listings. Also proposed are minor revisions to existing requirements related to obtaining EPA identification numbers, the academic labs rule, and waste oil generator status calculations.

A copy of the proposed amendments and background document is available on MassDEP's website at <https://www.mass.gov/service-details/massdep-public-hearings-comment-opportunities>

The following public hearings will be held:

January 30, 2023 at 6:00 p.m.

Register in advance for this hearing:

https://us06web.zoom.us/join/tZAoc-6hqDIrGN0OfMBx1Dae1JbF5izv1_Gt

January 31, 2023 at 10:00 a.m.

Register in advance for this hearing:

https://us06web.zoom.us/join/tZYvcemqrzMqE9FJfEQP_IPvfhkYsCCDnJVz

February 1, 2023 at 10:00 am.

Register in advance for this hearing:

<https://us06web.zoom.us/join/tZwpfuysqzpkEtOXuhHYWgoF9BTN-yBQAYwv>

February 1, 2023 at 6:00 p.m.

Register in advance for this hearing:

https://us06web.zoom.us/meeting/register/tZckcOCqTMuHtzyS31_DU-21j-tjsxhsO4U

February 2, 2023 at 1:00 p.m.

Register in advance for this hearing:

<https://us06web.zoom.us/meeting/register/tZAsde6qqzIuG9ZvOqiHlqrNjVhDuXnBmpoM>

February 3, 2023 at 4:00 p.m.

Register in advance for this hearing:

<https://us06web.zoom.us/meeting/register/tZ0kdumsrTMiE9x2AUE5dMLhFgg7QIw2rWma>

Please join the public hearing from your computer, tablet or smartphone. You can also dial in using your phone. Testimony may be presented orally at the hearing. MassDEP will accept written comments until 5:00 p.m. on February 17, 2023. Written comments must be submitted by email to: DEP.Talks@mass.gov or by mail to: James Paterson, MassDEP, 100 Cambridge Street, Boston, MA 02114.

For special accommodations at these hearings, please call the MassDEP Diversity Office at 617-626-1282. TTY# MassRelay Service 1-800-439-2370. This information is available in alternate format upon request. MassDEP provides language access interpreter/translation services to limited English proficient individuals free of charge. If you need an interpreter to participate in this meeting, translation services can be found at the following link: <https://www.mass.gov/info-details/massdep-language-translation-assistance>.

By order of the Department
Martin Suuberg
Commissioner

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

CMR No: 310 CMR 30.000

Estimate of the Number of Small Businesses Impacted by the Regulation: 400

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? The proposed regulations do not have any new reporting requirements.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? The proposed regulations do not have any new recordkeeping procedures.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? The proposed regulations do not require additional administrative oversight.
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? The proposed regulations do not require small businesses to hire additional employees.
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.)? There will be no need to hire additional professionals to comply with these new regulations.
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? The regulation does not require small businesses to purchase a product or make capital investments.
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.) The proposed regulations provide performance standards and design standards. To the extent allowed by the federal RCRA regulations, some of the regulatory requirements establish performance standards rather than design standards.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? The regulations do not conflict with any existing regulations. The adoption of federal rules will mirror U.S. Environmental Protection Agency (EPA) requirements and are consistent with commitments made by MassDEP to EPA to administer the RCRA program.

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, but many small businesses are registered as very small quantity generators and are already required to cooperate with MassDEP compliance and enforcement activities.
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? The regulation does not require small businesses to provide educational services.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? The proposed regulations are not likely to deter the formation of small businesses in Massachusetts.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? These requirements will neither encourage nor deter the formation of new businesses in the Commonwealth.
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 new reporting requirements.
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? The regulations provide sufficient lead time for compliance.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? There are no new reporting requirements, and the compliance approach is relatively straightforward.
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? The regulations provide performance standards and design/operational standards. To the extent allowed by the federal RCRA regulations, some of the regulatory requirements establish performance standards rather than design standards.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? MassDEP does not expect significant adverse impacts on small businesses and the regulatory changes are driven by EPA requirements.