



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Maura T. Healey
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Commissioner

PUBLIC HEARING NOTICE

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>

The Massachusetts Department of Environmental Protection (MassDEP), under the authority of M.G.L. c. 21A, sections 2, 8, and 16, M.G.L. c. 21N, and M.G.L. c. 111, sections 2C, 142A through 142E, will hold public hearings in accordance with M.G.L. Chapter 30A on proposed amendments to 310 CMR 7.71: *Reporting of Greenhouse Gas Emissions*. The proposed amendments implement registration and greenhouse gas (GHG) emissions reporting requirements for companies selling and distributing heating fuels to homes and businesses in Massachusetts, including suppliers of natural gas, fuel oil, and propane and implement a reporting requirement for fuel storage facilities.

The proposed amendments and a background document are available on MassDEP's website at: <https://www.mass.gov/service-details/massdep-public-hearings-comment-opportunities>

Two public hearings will be conducted online and via telephone. The public hearings will be held:

Tuesday, February 6, 2024 at 10:00 am

Register in advance for this hearing:

<https://us06web.zoom.us/meeting/register/tZcsd-igrj8jG9UwWrFEgh4sWB6I8f3A8qDn>

Tuesday, February 6, 2024 at 6:00 pm

Register in advance for this hearing:

<https://us06web.zoom.us/meeting/register/tZUrfuCurDgsHdBhiM3PiLsEsPC0C5UjDeIB>

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 public hearing, or written comments may be submitted until 5:00 PM on February 23, 2024. Written comments must be submitted via email to climate.strategies@mass.gov, or by mail to Climate Strategies, MassDEP, 100 Cambridge Street, Boston, MA 02114.

For special accommodations for these hearings, please call the EEA 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, please reach out to Joshua Cook at joshua.cook@mass.gov or 781-429-9656.

By Order of the Department of Environmental Protection
Bonnie Heiple
Commissioner

Small Business Impact Statement

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

CMR No: 310 CMR 7.71

Estimate of the Number of Small Businesses Impacted by the Regulation: The amendments will impact several hundred heating oil suppliers and storage facilities, many or most of which are likely small businesses.

Select Yes or No and Briefly Explain

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? Small businesses will be required to file additional reports covering their heating fuel sales and shipments.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? The reporting can draw from records that are currently maintained by heating fuel suppliers.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to provide additional administrative oversight? Small businesses will need to oversee their reporting obligations.
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? It is unlikely that heating oil suppliers and storage facilities will have to hire additional employees because the new requirements are designed to take into account existing requirements and practices.
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 is no requirement to hire other professionals, and it is unlikely businesses will have to hire professionals to comply with the proposed amendments.
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? There is no requirement to purchase a product or make any other 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 amendments do not include standards that require actions beyond reporting.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? No other regulations duplicate or conflict with the proposed regulation.
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?

		Heating oil suppliers would be required to cooperate with audits, inspections or other regulatory 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? No additional educational services must be provided.
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 amendments are not likely to deter the formation of small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? The proposed amendments are not likely to encourage the formation of small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? The proposed amendments do not provide for less stringent reporting requirements for small businesses.
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 proposed amendments do not provide for less stringent schedules or deadlines for compliance or reporting requirements for small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? Although MassDEP does not consolidate or simplify compliance or reporting requirements for small businesses, the requirements are simplified in that they are consistent with existing regulations and practices.
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 proposed amendments do not include standards that require action beyond reporting.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? There are no alternative regulatory methods for obtaining the greenhouse gas emissions data reporting under the proposed amendments that would minimize the adverse impact on small businesses.