The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
NOTICE OF PUBLIC HEARING

The Massachusetts Executive Office of Energy and Environmental Affairs will hold a public hearing on proposed amendments to 301 CMR 41.00: *Toxic or Hazardous Substance List* as authorized by the Toxics Use Reduction Act (TURA, G.L. c. 21I). **Please note that this hearing will be conducted remotely.**

These amendments will add one per- and polyfluoroalkyl substance (PFAS) to the TURA List, pursuant to a vote by the Administrative Council on Toxics Use Reduction on September 1, 2026. USEPA added this substance to the federal Toxics Release Inventory (TRI) under EPCRA Section 313 in 2025. M.G.L. c. 21I, § 9 requires the Administrative Council to adjust the TURA List annually to add substances consistent with changes in the TRI list.

A public hearing via Zoom will be conducted from 1pm to 3pm on Friday, October 30, 2026, to receive comments on the proposed amendments. Testimony may be presented orally at the hearing or may be submitted in writing. Meeting access information is below:

Join Zoom Webinar: https://zoom.us/j/97926301661

Webinar ID: 979 2630 1661

Find your local number: https://zoom.us/u/aNPgmlQRR

Simultaneous interpretation will be provided at this virtual hearing in the following languages: Spanish, Portuguese, Chinese, Haitian Creole, and Vietnamese.

Written testimony will be accepted until 5 PM on October 30, 2026. Written testimony may be submitted via email to Tiffany Skogstrom at tiffany.skogstrom@mass.gov or via mail to: Tiffany Skogstrom, Executive Director, TURA Administrative Council, Executive Office of Energy and Environmental Affairs, 100 Cambridge Street, 10th Floor, Boston, MA 02114. Copies of the proposed regulations are available on the Executive Office of Energy and Environmental Affairs web site at https://www.mass.gov/tura-regulations-and-amendments, or may be obtained by sending an email or calling Tiffany Skogstrom at 857-275-1561.

Reasonable accommodations for people with disabilities are available upon request. To submit a request for an accommodation please email eeadiversity@mass.gov or call 617-872-3270, and an ADA Coordinator will receive your request. Please include a description of the request in as much detail as possible and a way we can contact you if we need more information. Please allow at least two weeks (14 days) advance notice. Last-minute requests will be accepted but we may be unable to fulfill the request.

Translations of this notice are available in Spanish, Portuguese, Chinese, Haitian Creole, and Vietnamese at https://www.mass.gov/tura-regulations-and-amendments.

This document contains important information. Please have it translated immediately.

В данном документе содержится важная информация. Вам необходимо срочно сделать перевод документа.

Este documento contiene información importante. Por favor, consiga una traducción inmediatamente.

تحتوي هذه الوثيقة على معلومات هامة.
يُرجى ترجمتها فورًا.

Dokiman sa gen enfômasyon enpôtan. Tanpri fè yon moun tradwi l touswit.

Questo documento contiene informazioni importanti. La preghiamo di tradurio inmediatamente.

Este documento contém informações importantes. Por favor, traduzi-lo imediatamente.

此文件含有重要信息。
请立即找人翻译。

본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록 하십시오.

Tài liệu này có chứa thông tin quan trọng. Vui lòng dịch tài liệu này ngay.

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ឯកសារនេះមាននូវព័ត៌មានដ៏សំខាន់។

សូមបកប្រែវាជាបន្ទាន់។

Ce document contient des informations importantes. Veuillez le faire traduire au plus tôt.

Small Business Impact Statement

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

CMR No: 301 CMR 41:00 Toxic or Hazardous Substance List
Estimate of the Number of Small Businesses Impacted by the Regulation: 0 to 3

- **Will small businesses have to create, file, or issue additional reports?**
  Yes. Regulated manufacturers using above the threshold amount of listed substances will be required to report their use of the listed substances.
- **Will small businesses have to implement additional recordkeeping procedures?**
  Yes. Regulated manufacturers are required to develop and use a tracking system for listed substances. However, the additional recordkeeping associated with this rule is expected to be marginal because all businesses expected to be impacted are already tracking other listed substances; the substance included in this listing has already been subject to tracking and reporting since Reporting Year 2022 under 301 CMR 41.03(14); and regulated businesses also must track use for federal annual waste and emissions reporting for substances that are on the EPA EPCRA 313 list, including the substance included in this regulation.
- **Will small businesses have to provide additional administrative oversight?**
  Yes. The annual reports and plan update summaries that are submitted to the MassDEP are reviewed and signed by a senior management official at the company.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
  No. All manufacturers expected to be covered by the regulation are already TURA filers and will not need to hire additional employees to comply.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
  No. A toxics use reduction plan must be certified by a MassDEP certified toxics use reduction planner (TURP). Most manufacturers prepare the toxics use reduction plan using in-house expertise and staff (Limited Toxics Use Reduction Planner) and some choose to use/hire a General Practice TURP (a consultant from outside the manufacturer).
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
  No.
- **Are performance standards more appropriate than design standards?**
  No. TURA is neither a performance nor a design standard, but employs right to know disclosure and what has been termed a "management" standard. It leaves the decision of whether to switch substances or make manufacturing process changes up to the manufacturer based on the self-evaluation of their business needs. This approach ensures that companies subject to TURA only undertake changes that are technically and financially feasible and make good business sense.
- **Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?**
  No.
- **Will the regulation have the effect of creating additional taxes and/or fees for small businesses?**
  Yes. The reports that are submitted to the MassDEP are accompanied by an annual reporting fee. If a facility reduces use below threshold, the fee no longer applies.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
  No.
- **Is the regulation likely to *deter* the formation of small businesses in Massachusetts?**
  No.
- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**
  No.
- **Can the regulation provide for less stringent compliance or reporting requirements for small businesses?**
  Yes. TURA exempts manufacturers with fewer than 10 full-time equivalent employees. All large quantity toxics users above this threshold are subject to the same reporting and compliance requirements, but the fee varies by the size of the manufacturer (number of employees), with smaller manufacturers paying significantly less than larger manufacturers. The law also allows manufacturers to remove themselves from the regulatory requirements by reducing use below threshold amounts.
- **Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
  No. All large quantity toxics users are subject to the same reporting and compliance requirements. The statute requires they be treated equally and does not allow for less stringent schedules or deadlines for compliance.
- **Can the compliance or reporting requirements be consolidated or simplified for small businesses?**
  No. All large quantity toxics users are subject to the same reporting and compliance requirements. The statute requires they be treated equally and does not allow for consolidation or simplified reporting. However, the TURA Program may assist small manufacturing businesses with compliance by targeting assistance services, outreach, research, and grant programs to users of substances on the TURA List.
- **Can performance standards for small businesses replace design or operational standards?**
  No. The design of the program is established by statute.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**
  No.
- **Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe**
  Yes. Announcement of the public meetings with an agenda was sent to the list of TURA program stakeholders that are notified of each Administrative Council and Advisory Committee meeting.