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NOTICE OF HEARING

Pursuant to M.G.L. c. 142, §4, 13 and c. 30A, §2, the Board of State Examiners of Plumbers and Gas Fitters will hold a public hearing relative to proposed promulgation of amendments to the Board's regulations at 248 CMR 10.00, the Uniform State Plumbing Code. The proposed revisions clarify requirements, resolve ambiguities, and remove redundancies as well as update the plumbing code to accommodate update methods and materials now used in modern plumbing installations. Additional major changes include clarifying the minimum plumbing fixtures required in different types of installations as well as new language allowing non-gender designated multi-user bathrooms. A small business impact statement has been filed with the Secretary of State's Office.

The Board will hold this public hearing in person and remotely on:

Friday, November 17, 2023, at 11:00 a.m., at:

Division of Occupational Licensure
1000 Washington Street – Room 1D
Boston, Massachusetts 02118

By videoconference at <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>
Meeting ID: 236 684 053 286,
Passcode: i8aoaU
Or call in to:
(857) 327-9245, Phone Conference ID: 935 317 304.

Interested Parties will be given an opportunity to present testimony orally or in writing at this hearing. The Board will also accept written comments regarding the regulations sent via email at plumbingboard@mass.gov or by mail at this address:

Board of State Examiners of Plumbers and Gas Fitters
Division of Occupational Licensure
1000 Washington Street, 7th Floor
Boston, MA 02118

Written comments must be received by 5:00 P.M. on **Wednesday, November 15, 2023**. A copy of the proposed regulations may be obtained at the Board's web site located at: <http://www.mass.gov/dpl/boards/pl/> or by contacting the Board office directly at the above address or by phone: (617) 701-8798.



Small Business Impact Statement

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

CMR No:248 CMR 10.00

Estimate of the Number of Small Businesses Impacted by the Regulation: The Board presently has issued approximately 13,000 personal licenses as well as 1,341 business licenses (for business entities), the vast majority of these licensees are believed to be, or work within, small businesses.

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? This section does not create a reporting requirement.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? This section does mandate recordkeeping
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? This section does not create mandates requiring 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? This section does not create regulatory burdens necessitating 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.)? This section does not create regulatory burdens necessitating the hiring of professionals.
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? This regulation section does not mandate purchasing a product or making other 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.) In order to ensure plumbing installations are safe and effective, specific criteria must be adopted by these regulations.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? No other regulations are known to duplicate/conflict with this section.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? This section does not mandate cooperation with audits, inspections, or other regulatory enforcement activities (note, such a requirement does exist in 248 CMR 3.00).

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? This section does not mandate continuing education (see however, 248 CMR 11.00)
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? This regulation adopts minimal standards of practice necessary for the safe practice in the performance of plumbing work, accordingly, it would not deter the formation of any 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? In mandating Massachusetts plumbing meet minimal but necessary standards for safety and functioning, it is anticipated that Massachusetts would be deemed business friendly and would encourage the formation of new businesses.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? This section mandates equal requirements for all plumbing installations, it could not fairly reduce those requirements for any one sector of the industry. That being said, the code is being amended to increase the use of more cost effective materials, such as plastic piping in certain mixed use installations.
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? This section mandates equal requirements for all plumbing installations, it could not fairly reduce those requirements for any one sector of the industry.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? This section mandates equal requirements for all gas fitting installations, it could not fairly reduce those requirements for any one sector of the industry. That being said, the code is being amended to increase the use of more cost effective materials, such as plastic piping in certain mixed use installations.
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? In order to ensure plumbing installations are safe and effective, specific criteria must be adopted by these regulations.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? In order to ensure plumbing installations are safe and effective, specific regulatory criteria must be adopted by these regulations. As a result, this regulation section could not use a different regulatory method for any one sector of the industry.