



Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs

Department of Environmental Protection

Address: 100 Cambridge Street, Suite 900, Boston MA 02114 | Phone: 617-292-5500

Maura T. Healey
Governor

Kim Driscoll
Lieutenant Governor

Rebecca Tepper
Secretary

Bonnie Heiple
Commissioner

PUBLIC HEARING NOTICE

This Public Hearing Notice is available in alternative languages (Español -- Tiếng Việt -- Chinese -- Kreyòl Ayisyen -- Português) 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) will hold public hearings on proposed amendments to 314 CMR 5.00, *Ground Water Discharge Permit Program* pursuant to the authority of M.G.L. c. 21 §§ 21 and 26 through 53.

The proposed amendments to 314 CMR 5.00 add an activity to the list of exempt activities for discharges from wells during drilling, pump testing and purging for the purpose of sampling. Public hearings will be held virtually on:

March 10, 2026 at 1:30 pm. Use this link to register to attend this hearing:

https://us06web.zoom.us/webinar/register/WN_0wbDA8bOTMeiWKjekVI3kw

March 10, 2026 at 6:30 pm. Use this link to register to attend this hearing:

https://us06web.zoom.us/webinar/register/WN_vs_3xb55RH2AQW_jAU1_9A

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 Friday, March 20, 2026**. Written comments must be submitted by email to the Drinking Water Program at program.director-dwp@mass.gov using the subject line: Public Comments – Proposed DWP and GWDPP Amendments or by mail to Damon Guterman, MassDEP, 100 Cambridge Street, Suite 900, Boston, MA 02114.

The proposed amendments and hearing registration links are available on MassDEP's website at: <https://www.mass.gov/regulations/314-CMR-5-ground-water-discharge-permit-program>.

For special accommodations for these hearings, please call the EEA Diversity Office at 617-626-1282. TTY# MassRelay Service 1-800-439-2370. This Notice 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
Bonnie Heiple, Commissioner

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

CMR No: 314 CMR 5.00

Estimate of the Number of Small Businesses Impacted by the Regulation: Up to 600 Groundwater Discharge permittees or other facilities subject to permitting

- **Will small businesses have to create, file, or issue additional reports?**
No. 314 CMR 5: The exemption does not create additional reporting requirements.
- **Will small businesses have to implement additional recordkeeping procedures?**
Yes. 314 CMR 5: All small businesses making use of the exemption will be required to implement minor additional recordkeeping procedures.
- **Will small businesses have to provide additional administrative oversight?**
No. 314 CMR 5: The exemption will reduce the amount of administrative oversight needed.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. 314 CMR 5: Compliance is not expected to require additional employees.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
Yes. 314 CMR 5: Most small businesses are not expected to need to hire additional professionals, although some small businesses may need to employ additional professionals.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
Yes. 314 CMR 5: Most small businesses are not expected to need to make any purchases in order to meet compliance, although some small businesses may need to purchase equipment.
- **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.)
Yes. 314 CMR 5: The requirements to meet the exemption criteria require the implementation of performance standards.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No. 314 CMR 5: No, the proposed regulation does not conflict with other regulations.

- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
Yes. 314 CMR 5: MassDEP may inspect regulated activity.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
No. 314 CMR 5: The proposed exemption does not require the provision of educational services.
- **Is the regulation likely to deter the formation of small businesses in Massachusetts?**
No. 314 CMR 5: These regulations create a permit exemption that will have a small beneficial impact on the competitive environment in the Commonwealth by removing a small regulatory burden.
- **Is the regulation likely to encourage the formation of small businesses in Massachusetts?**
No. 314 CMR 5: Although the regulation does not discourage the formation of small businesses, the proposed exemption will only have a small beneficial impact that is not expected to increase the formation of small businesses.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
Yes. 314 CMR 5: The proposed exemption lessens the compliance requirements and eliminates the permitting requirement.
- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
Yes. 314 CMR 5: The proposed exemption eliminates the permitting and reporting requirements.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
Yes. 314 CMR 5: Yes, the proposed exemption eliminates the permitting and reporting requirements. Additionally, the exemption reduces the compliance requirements.
- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
Yes. 314 CMR 5: The requirements to meet the exemption criteria require the implementation of performance standards.

- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**

No. 314 CMR 5: No. The proposed exemption minimizes the adverse impact on small businesses.