



Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs

Department of Environmental Protection

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PUBLIC HEARING NOTICE

This Public Hearing Notice is available in alternative languages (Español, Português, Ayisyen Kreyòl, 繁體中文, 简体中文, ភ្នំស្រី, Việt, Kriolu Kabuverdianu, Русский, العربية, Français) 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, §16, will hold public hearings in accordance with M.G.L. Chapter 30A on proposed amendments to 310 CMR 5.00, *Administrative Penalties*. The proposed amendments implement amendments to M.G.L. c. 21A, § 16 that allow MassDEP to use electronic notices of noncompliance and to serve penalty notices using electronic means as provided in the 2020 amendments. Public hearings will be held online and via telephone:

May 5, 2026 at 10 a.m.

Register in advance for this hearing: <https://us06web.zoom.us/meeting/register/d7-UebskSOMe1fyD5v2zEA>

May 6, 2026 at 6 p.m.

Register in advance for this hearing: <https://us06web.zoom.us/meeting/register/Ws5d7DJpQW2cPXTu7Uqygg>

The proposed amendments and hearing registration links are available on MassDEP's website at: [MassDEP Public Hearings & Comment Opportunities](#) .

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 **May 22, 2026**. Written comments must be submitted by email to Jennifer Davis, jennifer.davis@mass.gov or by mail to Jennifer Davis, Office of General Counsel, MassDEP, 100 Cambridge Street, Suite 900, 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 can be found at the following link: <https://www.mass.gov/info-details/massdep-language-translation-assistance>.

Amended Small Business Impact Statement

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

CMR No: 310 CMR 5.00

- **Estimate of the Number of Small Businesses Impacted by the Regulation: None**
- **Will small businesses have to create, file, or issue additional reports?**
No. The regulation does not require the creation, filing or issuance of reports.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. The regulation does not require recordkeeping.
- **Will small businesses have to provide additional administrative oversight?**
No. The regulation will not require additional administrative oversight.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. The regulation will not require the hiring of additional employees.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. The regulation will not require the hiring of other professionals.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
No. The regulation does not require any purchases.
- **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.)
No. The regulation only provides for service of notices by electronic means; there is no requirement for regulated parties to meet.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No other regulations duplicate or conflict with the regulation.
- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
Yes. All of MassDEP's regulations require that small businesses and other regulated parties cooperate with audits, inspections and other regulatory enforcement actions.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
No. The regulation does not require the provision of educational services.

- **Is the regulation likely to deter the formation of small businesses in Massachusetts?**
No. The regulation is not likely to deter the formation of small businesses.
- **Is the regulation likely to encourage the formation of small businesses in Massachusetts?**
No. The regulation is not likely to encourage the formation of small businesses.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
No. The regulation does not require any compliance or reporting.
- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
No. The regulation does not establish any schedules or deadlines for compliance or reporting.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
The regulation only relates to providing delivery by MassDEP of electronic notices.
- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
No. The regulation does not establish any design or operational standards or performance standards.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**
No. The regulation does not impose compliance requirements on small businesses.