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NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT

Pursuant to M.G.L. c. 13, §66B, and c. 30A, §2, the Board of Certification of Operators of Drinking Water Supply Facilities will hold a virtual public hearing regarding proposed amendments to the Board's regulations at 236 CMR 4.00, which establish qualification requirements for licensure as an operator of drinking water supply facilities. A small business impact statement has been filed with the Secretary of the Commonwealth's Office. The Board will hold this public hearing on Friday, July 11, 2025, at 9:00 a.m. by videoconference at <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>, Meeting ID: 250 722 104 329 0, Passcode: CX3cz2L6.

For telephone access, dial: (857) 327-9245, Phone Conference ID: 409 708 770# Interested parties will be given an opportunity to present testimony orally or in writing at this hearing. Written comments may be emailed to drinkingwaterboard@mass.gov or mailed to the Board of Certification of Operators of Drinking Water Supply Facilities, Division of Occupational Licensure, One Federal Street, 6th Floor, Boston, MA 02110, Attention: Ryan Doherty. Written comments must be received by 9:00 a.m. on Friday, July 11, 2025. A copy of the proposed regulations may be obtained at the Board's website at <https://www.mass.gov/orgs/board-of-certification-of-operators-of-drinking-water-supply-facilities> or by contacting the Board office directly at the above address or by phone: (617) 701-8732.



Small Business Impact Statement <i>(As required by M.G.L. c. 30A §§ 2, 3 & 5)</i>		
CMR No: 236 CMR 4.00		
Estimate of the Number of Small Businesses Impacted by the Regulation: 6,423 Licensees.		
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? No, this regulation does not create reporting requirements but rather sets minimum standards for Operator certification and licensure.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? No, this section imposes no additional record keeping burden. Public water systems are required to keep records in accord with DEP regulations.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? The regulation does not require additional 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? No, compliance with this regulation does not require business to hire 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.)? Compliance with this regulation does not require hiring other 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? There are no additional purchases that this regulation requires.
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.) Design/operations standards are more appropriate because state law mandates, "Said board shall meet at the call of the chairman and shall by rule establish the minimum qualification which must be possessed by operators of drinking water supply facilities."
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? No, the Board has exclusive authority over the licensing and regulation of Operators.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?</p> <p>No, this section sets the minimum certification requirements for licensure to operate any given level public water system.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</p> <p>No, individual Operators will continue to be required to meet continuing education requirements, but the regulation does not require small businesses to provide these educational services to Operators.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?</p> <p>There is no provision in the regulation that should deter the formation of small businesses in the Commonwealth.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?</p> <p>There appears to be nothing in the regulation to encourage the formation of small businesses.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation provide for less stringent compliance or reporting requirements for small businesses?</p> <p>This regulation does not establish compliance or reporting requirements for small businesses</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</p> <p>This regulation does not establish compliance or reporting requirements for small businesses.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Did the agency consolidate or simplify compliance or reporting requirements for small businesses?</p> <p>This regulation does not establish compliance or reporting requirements for small businesses</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?</p> <p>Design standards are more appropriate because the regulation sets minimum standards for operator certification for each public water system classification.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</p> <p>No, licensing qualifications and minimum practice standards are “requirement[s] of general application and future effect,” which must be established through regulations pursuant to G.L. c. 30A, s. 1(5) and G.L. c. 13, §66B.</p>