

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WASTE PREVENTION

Notice is hereby given that the Department of Environmental Protection will hold public hearings on proposed amendments to 310 CMR 7.02, in accordance with the provisions of M.G.L. Chapter 111, Section 142A-142N.

In March 2007, Governor Deval L. Patrick announced new initiatives to improve the efficiency and effectiveness of environmental permitting and regulation in Massachusetts without compromising environmental protection. These proposed amendments are part of that commitment and are the result of a comprehensive study of the air emission source permitting program conducted in the spring and summer of 2007.

It is proposed to amend 310 CMR 7.02 Plan Approval and Emission Limitations as follows:

1. To include a simplified procedure whereby owners/operators of facilities with existing air plan approvals can make administrative amendments to those approvals.
2. To increase the threshold for a Non Major Comprehensive Plan Application from five tons of potential emissions per 12 month period to tens tons of potential emissions per 12 month period.
3. To allow owner/operators with multiple existing plan approvals to consolidate those approvals into a single document.
4. To elaborate on the emission control requirements for plan approval, specifically Best Available Control Technology (BACT) and the tools available to determine BACT.

It is also proposed to amend 310 CMR 7.03 Plan Approval Exemption: Construction Requirements as follows:

1. To include a new performance standard for rock crushing and materials handling equipment. This section would allow for replacement of existing, permitted rock crushing and associated materials handling equipment without a new plan approval provided that specified performance standards are met and no increase in processing capacity is proposed.

Public hearings will be conducted pursuant to the provisions of M.G.L. Chapter 30A on:

October 7, 10:00 AM, Room A, 2<sup>nd</sup> Floor  
Department of Environmental Protection  
One Winter Street  
Boston, MA

October 8, 10:00 AM Room B42  
Department of Environmental Protection  
436 Dwight Street  
Springfield, MA

Testimony may be presented orally and/or in writing at the public hearings. Written testimony will also be accepted until 5:00 PM on October 20, 2008. Written testimony must be submitted either via mail or email to:

Department of Environmental Protection  
Bureau of Waste Prevention  
One Winter Street, 7<sup>th</sup> Floor  
Boston, MA 02108  
Attn: Laurel Carlson  
Email address: [Laurel.Carlson@state.ma.us](mailto:Laurel.Carlson@state.ma.us)

Copies of the proposed regulations and background information will be available for inspection during normal business hours at the MassDEP/Bureau of Waste Prevention, One Winter Street, Boston, MA, at the four regional offices of MassDEP and on MassDEP's website at [www.mass.gov/dep](http://www.mass.gov/dep).

For special accommodations for these events or hearing information in an alternative format, please contact Donald Gomes, MassDEP's ADA coordinator at 617-556-1057 or at MassDEP, BAS/HR, One Winter Street, Boston, MA 02108

By Order of the Department  
Laurie Burt  
Commissioner