



#483

THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin
Secretary of the Commonwealth

Regulation Filing *To be completed by filing agency*

CHAPTER NUMBER: 310 CMR 7.00

CHAPTER TITLE: Air Pollution Control

AGENCY: Department of Environmental Protection

SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*

The regulation requires applicable tunnel ventilation projects in the Metropolitan Boston Air Pollution Control District to certify compliance with Massachusetts and National Ambient Air Quality Standards and Massachusetts NO2 Policy Guideline. The amendments incorporate technical revisions to allow accurate emissions monitoring and data collection.

RECEIVED

JAN 06 2006

DEP
NORTHEAST REGIONAL OFFICE

REGULATORY AUTHORITY: M.G.L. c. 111, Sections 142A through 142M

AGENCY CONTACT: Sharon Weber

PHONE: 617-556-1190

ADDRESS: Department of Environmental Protection, One Winter Street., Boston MA 02108

Compliance with M.G.L. c. 30A

EMERGENCY ADOPTION - *If this regulation is adopted as an emergency, state the nature of the emergency.*

Not Applicable

PRIOR NOTIFICATION AND/OR APPROVAL - *If prior notification to and/or approval of the Governor, Legislature or others was required, list each notification, and/or approval and date, including notice to the Local Government Advisory Commission.*

Not Applicable

PUBLIC REVIEW- *M.G.L. c. 30A. §§ 2 and/or 3 requires notice of the hearing or comment period be filed with the Secretary of the Commonwealth, published in appropriate newspapers, and sent to persons to whom specific notice must be given at least 21 days prior to such hearing or comment period.*

Date of public hearing or comment period: Public Hearing-7/19/2005, Comment period - 6/17/05 - 7/29/05

FISCAL EFFECT - Estimate the fiscal effect of the public and private sectors.

For the first and second year: _____

For the first five years: _____

No fiscal effect: The technical revisions to 310 CMR 7.38 allow accurate emissions monitoring and data collection and are not expected to have a fiscal effect.

SMALL BUSINESS IMPACT - State the impact of this regulation on small business. Include a description of reporting, record keeping and other compliance requirements as well as the appropriateness of performance versus design standards and whether this regulation duplicates or conflicts with any other regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.

Not Applicable

CODE OF MASSACHUSETTS REGULATIONS INDEX - List key subjects that are relevant to this regulation:

Monitoring, tunnels

PROMULGATION - State the action taken by this regulation and its effect on existing provisions of the Code of Massachusetts Regulations (CMR) to repeal, replace or amend. List by CMR number:

310 CMR 7.38 is amended to incorporate technical revisions to allow accurate emissions monitoring and data collection.

ATTESTATION - The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency. ATTEST:

SIGNATURE: [Signature] DATE: December 13, 2005

Publication - To be completed by the Regulations Division

MASSACHUSETTS REGISTER NUMBER: 1042 DATE: 12/30/05

EFFECTIVE DATE: 12/30/05

CODE OF MASSACHUSETTS REGULATIONS

Remove these pages: _____ Insert these pages: _____

PLEASE SEE FILING INSTRUCTIONS AT DOCKET #482

TRUE COPY ATTEST	
<u>[Signature]</u>	
WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH	
12/14/05	<u>[Signature]</u>
DATE	CLERK