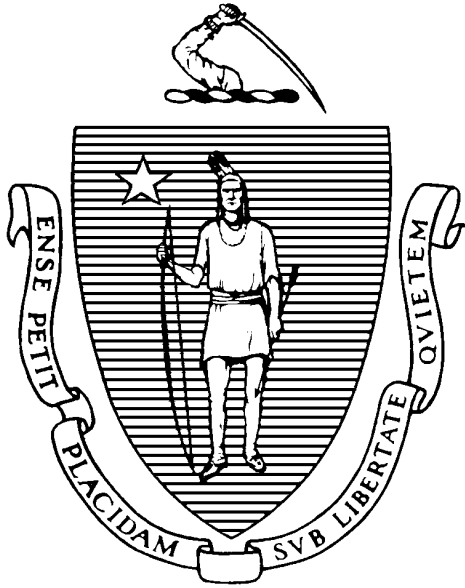




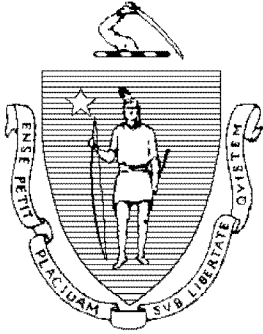
The

Massachusetts

Register

Published by:
The Secretary of the Commonwealth,
William Francis Galvin, Secretary

\$15.00



THE COMMONWEALTH OF MASSACHUSETTS
Secretary of the Commonwealth - William Francis Galvin

The Massachusetts Register
TABLE OF CONTENTS

	<u>Page</u>
THE GENERAL COURT	
Acts and Resolves	1
OFFICE OF THE GOVERNOR	
Executive Order No. 657: Investing in Primary Care in Massachusetts	5
DIVISION OF MARINE FISHERIES	
Notice of Fishery Closure: 2026 Commercial Striped Bass Fishery	9
STATE LOTTERY COMMISSION	
Public Notice - Online Lottery	11
ADMINISTRATIVE PROCEDURES	
Notices of Public Review of Prospective Regulations	13
Cumulative Table	43
Notice of Expiration of Emergency Regulations	-
Emergency Regulations	53
Permanent Regulations	63
Future Date Effective Regulations	-

Notices of Emergency Expiration

There Are No Notices of Emergency Expiration

Emergency Regulations

105 CMR Department of Public Health

726.000	Temporary Placement of Kratom in Schedule I Pursuant to M.G.L. c. 94C, § 2A	53
	<i>Places Kratom in schedule 1 of M.G.L. c. 94C: Controlled Substances Act.</i>	

961 CMR State Lottery Commission

2.00	Rules and Regulations	61
	<i>Allows for the implementation of BET and PLAY Game Terminals and the offering of products thereon.</i>	

Permanent Regulations

103 CMR Department of Correction

483.00	Visiting Procedures	63
	<i>Establishes rules and regulations governing visitation at state correctional institutions which reflect the importance of maintaining contact with family and the community, as well as the need for safety, security, and order in administering visitation.</i>	

205 CMR Massachusetts Gaming Commission

138.00	Uniform Standards of Accounting Procedures and Internal Controls - Correction	65
254.00	Temporary Prohibition from Sports Wagering - Correction	67
256.00	Sports Wagering Advertising	69
	<i>Governs the requirements with respect to sports wagering advertising.</i>	

225 CMR Department of Energy Resources

21.00	Clean Peak Energy Portfolio Standard (CPS) - Compliance	71
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314 CMR Division of Water Pollution Control

4.00 Massachusetts Surface Water Quality Standards

73

Allows for the implementation of BET and PLAY Game Terminals and the offering of products thereon. M.G.L. c. 21, §§ 26 through 53 charges the Department with the duty and responsibility to protect the public health and enhance the quality and value of the water resources of the Commonwealth. It directs the Department to take all action necessary or appropriate to secure to the Commonwealth the benefits of the federal Clean Water Act, 33 U.S.C. § 1251, with the objective to restore and maintain "the chemical, physical and biological integrity of the Nation's waters". The MA Surface Water Quality Standards designate the most sensitive uses for which the waters of the Commonwealth shall be enhanced, maintained and protected; prescribes minimum water quality criteria to sustain the Designated Uses; and regulates as necessary to achieve uses and maintain water quality.

Acts 2026

CHAPTER NUMBER	BILL NUMBER	TITLE	DATE
144	S 2895	Further Regulating the Amendment of a Conservation Restriction in the Town of Hanson.	7/17/2026
145	S 2967	Providing for the Ownership and Maintenance of the Town Line Brook and Linden Brook Culverts and Dams.	7/17/2026
146	S 2628	Regulating the Issuance of Licenses for the Sale of Alcoholic Beverages in the Town of Bolton.	7/17/2026
147	H 2250	Dissolving the Whately Water District.	7/25/2026
148	S 2577	Increasing the Amount of Parking Fines in the Town of Scituate.	7/25/2026
149	S 3106	Relative to Toxic-Free Medical Devices.	7/25/2026
150	H 4321	Authorizing the Dalton Fire District to Continue the Employment of Interim Fire Chief Christopher Francis Cachat.	7/28/2026
151	H 899	Dedicating a Certain Park and a Certain Field Space in the South Boston Section of the City of Boston.	7/28/2026
152	S 2735	Dissolving the North Carver Water District.	7/31/2026
153	H 5388	Authorizing the Transfer of a Certain Parcel of Land in the Town of Marion from the Open Space Acquisition Commission to the Marion Select Board.	7/31/2026
154	H 5308	Providing for the Powers of the Town Administrator of the Town of Carlisle.	7/31/2026
155	H 4813	Authorizing the Town of Milton to Grant Additional Licenses for the Sale of All Alcoholic Beverages to Be Drunk on the Premises.	7/31/2026
156	H 4702	Exempting the Position of Police Lieutenant and Police Sergeant in the City of Leominster from the Civil Service Law.	7/31/2026
157	H 5569	Further Regulating Property Tax Classifications in the City of Watertown for Fiscal Year 2027 and Subsequent Fiscal Years.	7/31/2026
158	H 4224	Validating the Actions Taken at the New Salem Annual Town Election.	8/4/2026
159	H 5227	Further Regulating the Filling of Vacancies in the Office of Ward Councilor in the City of Marlborough.	8/4/2026
160	H 3911	Amending the Charter of the Town of Millis.	8/4/2026
161	H 4506	Authorizing the Town of Conway to Continue the Employment of Fire Department Member Howard Boyden.	8/4/2026
162	H 4525	Authorizing the Town of Conway to Continue the Employment of Police Department Member Michael Habel.	8/4/2026

Acts 2026

CHAPTER NUMBER	BILL NUMBER	TITLE	DATE
163	H 5620	Promoting Rule of Law, Oversight, Trust and Equal Constitutional Treatment.	8/5/2026
164	S 3230	Authorizing the Massachusetts Department of Transportation to Acquire Interests in Certain Portions of Land Owned by the Town of Andover.	8/5/2026
165	S 3160	Relative to the Dissolution of the Holmes Park Water District.	8/5/2026
166	S 3052	Authorizing the Town of Dighton to Use a Portion of Conservation Land for Public Way Purposes.	8/5/2026
167	H 5531	Authorizing a Change of Use to Portion of James J. O'Neill Park in the City of Lawrence.	8/5/2026
168	H 5492	Authorizing the Town of Billerica to Transfer Control of Certain Land in the Town of Billerica for the Yankee Doodle Bike Path.	8/5/2026
169	H 5467	Authorizing the Transfer of Certain Parcels of Land in the Town of Weston from the Weston Conservation Commission to the Weston Select Board.	8/5/2026
170	H 5463	Releasing or Excluding Certain Portions of Land from a Conservation Restriction in the Town of Middleton.	8/5/2026
171	H 5391	Regarding the Disability Pension for Misael Rodriguez Administered by the Springfield Retirement Board.	8/5/2026
172	H 5379	Further Providing for the Disposition of Certain Land in the Town of West Brookfield.	8/6/2026
173	H 5616	Authorizing the Massachusetts Department of Transportation to Take Easements Over Certain Land Located in the City of Woburn and the Town of Burlington Held in Trust by the City of Boston for the Mary P. C. Cummings Testamentary Trust for Highway Purposes.	8/6/2026
174	H 5561	Authorizing the Commissioner of Capital Asset Management and Maintenance to Transfer Certain Parcels of Land in the Town of Norton.	8/6/2026
175	H 4992	Providing for the Conveyance of Certain Parcels of Land in the Town of Bourne.	8/6/2026
176	H 5614	Authorizing the Release or Exclusion of Certain Land from Conservation Restrictions in the Town of Deerfield.	8/6/2026
177	H 5568	Providing for the Terms of Certain Bonds for Transportation Purposes to Be Issued by the Commonwealth.	8/6/2026
178	H 5553	Authorizing the Division of Capital Assset Management and Maintenance to Take by Eminent Domain Certain Land in the Town of Norwood.	8/6/2026

Acts 2026

CHAPTER NUMBER	BILL NUMBER	TITLE	DATE
179	H 5629	Enhancing Child Welfare Protections.	8/6/2026
180	H 5627	To Improve Massachusetts Home Care.	8/6/2026
181	H 5639	Authorizing the Nantucket Conservation Commission to Convey a Certain Parcel of Land to the Nantucket Islands Land Bank.	8/7/2026
182	S 3237	Authorizing the Town of Bourne to Convey a Right-of-Way and Easement.	8/7/2026
183	S 3188	Authorizing the Buzzards Bay Water District to Convey Non-exclusive Easements Over a Certain Parcel of Land.	8/7/2026
184	S 2968	Authorizing the Division of Capital Asset Management and Maintenance to Grant Permanent Easements Over Certain Land in the Town of Milton for Highway Purposes.	8/7/2026
185	H 5640	Authorizing the Town of Hingham to Transfer to the Commonwealth for Highway Purposes Certain Parcels of Park Land in the Town of Hingham for Highway Purposes.	8/7/2026
186	S 3236	Authorizing the Department of Fish and Game to Convey Easements Over Certain Parcels of Land in the Town of Bourne.	8/7/2026
187	S 785	Further Regulating Insurance Claims.	8/10/2026
188	H 5595	Prioritizing Patient Access to Care.	8/10/2026
189	S 2726	Regarding Free Expression.	8/10/2026



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

By Her Excellency
MAURA T. HEALEY
GOVERNOR

EXECUTIVE ORDER NO. 657

INVESTING IN PRIMARY CARE IN MASSACHUSETTS

WHEREAS, primary care is the foundation of a well-functioning health system, and access to primary care is associated with better health outcomes, fewer hospitalizations, and less frequent use of emergency rooms;

WHEREAS, Massachusetts is a global leader in health care, and at a time when health care costs are on the rise and our residents are experiencing persistent challenges in accessing primary care, we must redouble our efforts to ensure that high-quality, affordable primary care is readily available to all state residents;

WHEREAS, research has shown that primary care providers are facing rising rates of burnout, resulting in fewer new health care providers entering primary care and more providers leaving each year;

WHEREAS, expert guidance recommends increased investment in primary care as a means of stabilizing the workforce, attracting new providers into the field, and promoting broad access to high-quality primary care;

WHEREAS, the Healey-Driscoll Administration recognizes that a stronger primary care system in Massachusetts will improve health outcomes and lower costs for residents;

WHEREAS, MassHealth, our state program for Medicaid and the Children's Health Insurance Program within the Executive Office for Health and Human Services (EOHHS), provides health benefits to 1.9 million Massachusetts residents, including children, families, seniors, and people with disabilities;

WHEREAS, in 2023, MassHealth launched a new payment model for primary care providers participating in its Accountable Care Organization program, with the goal of providing more consistent revenue for primary care practices and supporting more comprehensive services in the primary care setting;

WHEREAS, through further innovation at MassHealth, the Healey-Driscoll Administration is committed to identifying strategies to increase investments in primary care, thereby improving access for all residents and better supporting the primary care providers who serve our communities;

NOW, THEREFORE, I, Maura T. Healey, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § I, Art. I, do hereby order as follows:

SECTION 1.

Definition of "Total Medical Expenses (TME)." As used in this Executive Order, TME refers to the full amount paid to providers by EOHHS for non-pharmaceutical, medical and behavioral health care services delivered to the population of members who receive primary care through MassHealth, expressed on a per member per month basis.

SECTION 2.

EOHHS shall increase its investments in primary care services for MassHealth members who receive primary care through MassHealth, with the goal of spending 12 percent of TME on primary care by December 31, 2028.

SECTION 3.

The requirements of Section 2 shall be subject to appropriation, receipt of all necessary federal approvals, and the availability of federal financial participation.

SECTION 4.

EOHHS shall partner with the Center for Health Information and Analysis to track expenditures subject to this order.

SECTION 5.

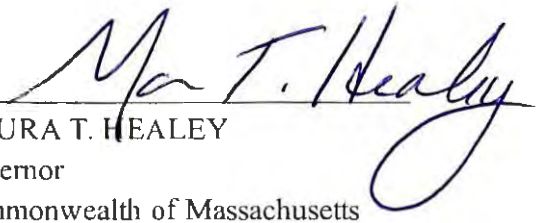
EOHHS shall, at least annually, report to the Governor on the status of its work, until the spending target established in Section 2 is achieved.

SECTION 6.

This Executive Order shall take effect upon execution and shall continue in effect until amended, superseded, or revoked by subsequent Executive Order.



Given in Boston this third day of August in the year two thousand and twenty-six, and of the Independence of the United States of America two hundred and fifty.


MAURA T. HEALEY
Governor
Commonwealth of Massachusetts


WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth



The Commonwealth of Massachusetts

Division of Marine Fisheries

(617) 626-1520 | www.mass.gov/marinefisheries



MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lt. Governor

REBECCA L. TEPPER
Secretary

THOMAS K. O'SHEA
Commissioner

DANIEL J. MCKIERNAN
Director

NOTICE OF FISHERY CLOSURE: **2026 COMMERCIAL STRIPED BASS FISHERY**

Pursuant to the notice and public comment requirements of G.L. c. 30A, §3 and under the authority of G.L. c. 130, §§ 17A, 21 and 80 and 322 CMR §§ 6.41(2)(c) and 7.01(7), the Commonwealth's 2026 commercial striped bass quota, as established at 322 CMR § 6.07(2), is projected to be taken on Tuesday, August 4, 2026. In accordance with 322 CMR §6.07(4)(a) and (b), the 2026 commercial striped bass fishery in Massachusetts will be closed effective 0001 hours on Wednesday, August 5, 2026.

Unless otherwise notified, the commercial striped bass fishery will remain closed until it reopens in 2027. During this period, it shall be unlawful for any fisher to retain, possess, or land striped bass in any manner that does not conform with the recreational striped bass limits at 322 CMR 6.07(5), or to offer for sale or sell any striped bass. Additionally, pursuant to 322 CMR 7.07(5)(b), it is unlawful for seafood dealers, permitted in accordance with G.L. c. 130 § 80 and 322 CMR §7.01(3) to purchase striped bass from any fisher during this closed period. However, dealers may purchase striped bass from dealers in other states and import this fish for processing or sale, provided the fish comply with all relevant striped bass tagging regulations at 322 CMR §6.07(6)(h).

Dated: August 4, 2026

By: *Daniel J. McKiernan*



Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG
Treasurer and Receiver General

MARK WILLIAM BRACKEN
Executive Director

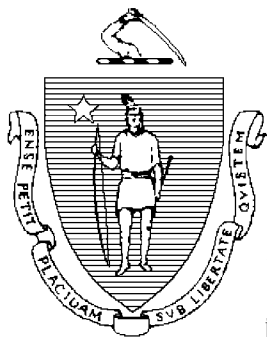
PUBLIC NOTICE

In accordance with Section 204 of Chapter 140 of the Acts of 2024, the Director of the Massachusetts State Lottery Commission (“Lottery”) provides this public notice for publication in the Massachusetts Register. The date of the first sale of an online Lottery product was July 27, 2026.



Supporting the 351 Cities and Towns of Massachusetts

150 Mount Vernon Street • Dorchester • Massachusetts • 02125 • Tel: 781-849-5555 • Fax: 781-849-5547 • TTY: 781-849-5678 • www.masslottery.com



THE COMMONWEALTH OF MASSACHUSETTS

Secretary of the Commonwealth - William Francis Galvin

NOTICES OF PUBLIC REVIEW OF PROSPECTIVE REGULATIONS PUBLISHED IN COMPLIANCE WITH M.G.L. c. 30A, §§ 2 AND 3

August 28, 2026

Agricultural Resources, Department of	330 CMR 35.00	9/23/26 @ 11:00 A.M. - 3:00 P.M. Written comments accepted until 10/8/26 by 5:00 P.M.
Gaming Commission, Massachusetts	205 CMR 17.00	9/8/26 @ 9:30 A.M. Written comments accepted until 9/7/26 by 5:00 P.M.
State Lottery Commission	961 CMR 2.00	9/10/26 @ 10:00 A.M. Written comments must be received by 9/11/26 @ 4:00 P.M.
Veterans' Services, Executive Office of	108 CMR 2.00 through 9.00	9/14/26 @ 11:00 A.M. Written comments accepted until 9/28/26 by 5:00 P.M.

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

225 Turnpike Road, 3rd Floor, Southborough, MA 01772
www.mass.gov/agr



Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT
GOVERNOR

Rebecca L. Tepper
SECRETARY

Ashley E. Randle
COMMISSIONER

DEPARTMENT OF AGRICULTURAL RESOURCES NOTICE OF PUBLIC HEARING

Notice is hereby given that the Department of Agricultural Resources, under its authority pursuant to the Code of Massachusetts Regulations Title 330, and in accordance with M.G.L. c. 30A, will hold a public hearing on proposed amendments to the regulations at 330 CMR 35.00, Regulations Implementing the Act to Prevent Cruelty to Farm Animals, to remove language stricken from the Act in recent federal litigation; exempt transshipped product, which is otherwise covered product produced outside of Massachusetts that subsequently enters and exits Massachusetts without additional processing or repackaging, exclusively for the purpose of sale or export outside of Massachusetts, from the Act's coverage to address constitutional concerns raised in a second federal case; clarify the existing ground or comminuted pork exemption; and, address other minor corrections.

A public hearing will be held on 330 CMR 35.00 on the following date:
September 23, 2026, from 11:00 A.M – 1:00 P.M. Eastern Time

Please note this hearing will be held virtually via Zoom. To join the hearing, please use either the link or the call-in telephone number below:

Topic: Q3 Regulations Public Hearing

Time: Sep 23, 2026 11:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/9015262660?pwd=aGZnbIVpMllvMDBGL3F4NFhS29YZz09&omn=87856696903>

Meeting chat link

<https://us06web.zoom.us/jc/87856696903>

Meeting ID: 901 526 2660

Passcode: 425578

One tap mobile

+13092053325,,9015262660#,,, *425578# US

+13126266799,,9015262660#,,, *425578# US (Chicago)

Join by SIP

- 9015262660@zoomcrc.com

Join instructions

https://us06web.zoom.us/join/87856696903?signature=4SOXvhB7e_GqVcdRscyKiiY0jKA2JDFw3soGh5s8-tI

Testimony may be presented orally at the virtual hearing or in writing. Written comments will be accepted until **October 8, 2026, at 5:00 P.M.** Written testimony must be submitted by e-mail to Michael.Cahill@mass.gov or by mail to the Department of Agricultural Resources, Division of Animal Health, 100 Cambridge Street, 9th Floor, Boston, MA 02114.

The proposed regulations are available on the MDAR website at <https://www.mass.gov/info-details/mdar-proposed-amendments-to-regulations> or may be obtained by emailing Michael Cahill at Michael.Cahill@mass.gov. For special accommodations for this event or to obtain this information in an alternative format, you may contact ADA and Diversity Manager, Gabriella Knight, at Gabriella.Knight@mass.gov or call 857-268-0629.

Small Business Impact Statement <i>(As required by M.G.L. c. 30A §§ 2, 3 & 5)</i>		
CMR No: 330 CMR 35.00		
Estimate of the Number of Small Businesses Impacted by the Regulation:		
Select Yes or No and Briefly Explain		
Yes ☐	No ☒	Will small businesses have to create, file, or issue additional reports? The amendment will not require additional reports.
Yes ☐	No ☒	Will small businesses have to implement additional recordkeeping procedures? The amendment will not require additional recordkeeping.
Yes ☐	No ☒	Will small businesses have to provide additional administrative oversight? No additional oversight is required.
Yes ☐	No ☒	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No additional employees are needed to comply.
Yes ☐	No ☒	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No other professionals are needed to comply.
Yes ☐	No ☒	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? No purchases or capital investments are needed to comply.
Yes ☐	No ☒	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.) N/A. The statute establishes performance standards, not design/operational standards, and the regulations implement the statute.
Yes ☐	No ☒	Do any other regulations duplicate or conflict with the proposed regulation? There are no similar or related regulations.
Yes ☐	No ☒	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? The amendment creates no new enforcement activities.
Yes ☐	No ☒	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? No educational services are needed.
Yes ☐	No ☒	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No.
Yes ☐	No ☒	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?

		No.
Yes ☐	No ☒	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? The amendment does not provide different compliance or reporting requirements for small businesses.
Yes ☐	No ☒	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No change to any schedule or deadline.
Yes ☒	No ☐	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? Requirements for businesses engaged solely in transshipment to be compliant were eliminated. Others remain the same.
Yes ☐	No ☒	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? N/A. The regulations do not establish design or operational standards.
Yes ☐	No ☒	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? This is the method chosen by ballot initiative.



Legal Division

Notice of Public Hearing

Notice is hereby provided that in accordance with G.L. c. 30A § 2, the Massachusetts Gaming Commission (“Commission”) will convene a public hearing for purposes of gathering comments, ideas, and information relative to the proposed adoption of the below regulation. The regulation was promulgated pursuant to G.L. c. 128A §§ 9 and 9B, as part of the Commission’s regulatory process for racing meetings and concern the following chapter of 205 CMR:

205 CMR 17.00: *Review of a Proposed Transfer of Interests in a Racing Meeting License*

This regulation is being promulgated to establish a process for the Commission to review and evaluate a request for a proposed transfer of interest in a racing meeting license in accordance with M.G.L. c. 128A, § 11(C), and to set out the necessary requirements for prospective licensees.

Scheduled Hearing Date and Time:

Tuesday, September 8, 2026, at 9:30 AM EST

Pursuant to Chapter 2 of the session acts of 2025, Governor Healey extended a limited relief from certain provisions of the Open Meeting Law which was first implemented to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission will conduct this hearing utilizing remote collaboration technology.

MEETING ID: 218 281 812 070 92

PASSCODE: N8dX6mU6

DIAL BY PHONE: 1 213-631-9908

PHONE CONFERENCE ID: 828 136 662#

A complete copy of the draft regulations referenced above may be downloaded by visiting www.massgaming.com, clicking on ‘Regulations and Compliance’ and selecting the ‘[Proposed Rulemaking](#)’ Section. Anyone wishing to offer comments on these regulations can email Judith.Young@massgaming.gov and request the virtual hearing link to appear and speak. Alternatively, written comments may also be submitted to the same email address with ‘Regulation Comment’ in the subject line.

Comments must be received by 5:00 PM EST on September 7, 2026.

Additionally, please find the accompanying Small Business Impact Statements in accordance with M.G.L. c. 30A, § 2 attached.





SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed promulgation of **205 CMR 17.00: Review of a Proposed Transfer of Interests in a Racing Meeting License**, notice of which was filed with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing racing in the Commonwealth. This regulation is authorized by G.L. c. 128A, §§11C, 9 and 9B; and G.L. c. 128C.

This is a new regulation, and it will apply directly to racing licensees seeking to transfer the interest in a racing meeting license in the Commonwealth. Accordingly, these proposed regulations are not likely to have a negative impact on small businesses. In accordance with G.L. c. 30A, § 2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

To the extent that the transferee is a small business, they may be impacted by these regulations. It is difficult to estimate with accuracy the potential number of small businesses that may be impacted.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

As this is a new regulation, projected reporting, recordkeeping and other administrative costs within this chapter are not expected to impact small businesses.

3. State the appropriateness of performance standards versus design standards:

Portions of the proposed regulations are design standards, and some are performance standards. The design standards are important as they encourage uniformity, while the performance standards provide further clarification regarding the responsibilities and prohibitions of anyone licensed by the Massachusetts Gaming Commission to conduct or participate in racing or simulcasting in the Commonwealth of Massachusetts.

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.



5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

This amendment will most likely not affect small businesses in an administrative capacity and is unlikely to deter or encourage the formation of new businesses in the Commonwealth at this time.

Massachusetts Gaming Commission
By:

/s/ Judith A. Young
Judith A. Young
Sr. Associate General Counsel

Dated: July 22, 2026



NOTICE OF PUBLIC HEARING

Notice is hereby provided that in accordance with M.G.L. c. 30A, §2, the Massachusetts State Lottery Commission will hold a public hearing for purposes of gathering comments relative to proposed amendments to 961 CMR 2.00: Rules and Regulations. The amendments are authorized by M.G.L. c. 10, §24.

The amendments include the rules for, and authorization for the Lottery to sell through the iLottery Platform, eInstant games and two new Lottery draw games, Mass 3 and Mass 4. The amendments also authorize the Lottery to sell Megabucks and Mass Cash products via the iLottery Platform, update the introduction section to address iLottery-related revenues and prize payouts, address improper use of iLottery Player Accounts, provide procedures for claiming prizes for tickets and games purchased via the iLottery Platform, and allow the terms "scratch ticket" and "scratch game" to be used interchangeably with "instant ticket" and "instant game." These regulations are governed by M.G.L. c. 10, §24 and M.G.L. c. 30A.

The Massachusetts State Lottery Commission will hold this public hearing remotely on **Thursday, September 10, 2026, at 10:00 a.m.** To participate in the remote public hearing by telephone, call 1-(972) 301-8269 and enter conference ID number 872 304 389# when prompted.

A copy of the proposed amendments referenced above may be downloaded by visiting www.masslottery.com. Anyone wishing to offer comments may participate in the remote public hearing at the designated date and time above or submit written comments. Those who wish to receive a written copy of the proposed amendments, or to submit written comments, may do so by sending an email to cporche@masslottery.com, or by mail to Cecelia Porche, Massachusetts State Lottery Commission, 150 Mount Vernon Street, Dorchester, MA 02125. Written comments must be received by 4:00 p.m. on September 11, 2026.

Additionally, attached please find the accompanying Small Business Impact Statement in accordance with M.G.L. c. 30A, §2.





SMALL BUSINESS IMPACT STATEMENT

The Massachusetts State Lottery Commission ("Commission") hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in 961 CMR 2.00: Rules and Regulations; notice of which was filed this day with the Secretary of the Commonwealth.

The amendments include the rules for, and authorization for the Lottery to sell through the iLottery Platform, eInstant games and two new Lottery draw games, Mass 3 and Mass 4. The amendments also authorize the Lottery to sell Megabucks and Mass Cash products via the iLottery Platform, update the introduction section to address iLottery-related revenues and prize payouts, address improper use of iLottery Player Accounts, provide procedures for claiming prizes for tickets and games purchased via the iLottery Platform, and allow the terms "scratch ticket" and "scratch game" to be used interchangeably with "instant ticket" and "instant game." These regulations are governed by M.G.L. c. 10, §24.

These amendments should not adversely impact small businesses as these products will be sold online. In accordance with G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

There are approximately 6926 licensed Lottery agents, approximately 5604 of whom would be considered a small business. The Lottery will engage in promotional activities to encourage the purchase of lottery tickets at Lottery agent locations. Aside from that, there is minimal impact caused by these regulations as Lottery agents will continue to conduct ongoing Lottery business.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no projected additional reporting, recordkeeping or administrative costs created by these regulations that would affect small businesses. Lottery agents will conduct ongoing Lottery business.



3. State the appropriateness of performance standards versus design standards:

These regulations do not implicate a design or performance standard that would affect small businesses. Lottery agents will conduct ongoing Lottery business.

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:

The Commission is not aware of duplicate or conflicting regulations.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

These regulations are not likely to deter or encourage the formation of new businesses in the Commonwealth.

MASSACHUSETTS STATE LOTTERY COMMISSION,

/s/ Gregory M. Polin

By: _____

GREGORY M. POLIN
GENERAL COUNSEL

August 13, 2026

Date: _____



**EXECUTIVE OFFICE OF VETERANS SERVICES
NOTICE OF PUBLIC HEARING**

Please be advised that, in accordance with M.G.L. c. 30A, § 2, notice is hereby given that the Commonwealth of Massachusetts Executive Office of Veterans Services ("EOVS") will hold a public hearing for the purpose of receiving comments regarding the proposed revisions to 108 CMR 2.00 through 9.00.

The proposed amendments comprehensively revise the regulations governing the administration of Chapter 115 Veterans benefits. The revisions are intended to modernize and clarify the regulations, improve administrative efficiency, incorporate statutory changes, provide greater guidance regarding eligibility and financial determinations, update the appeals process, and ensure consistency throughout the regulatory framework governing the administration of benefits under M.G.L. c. 115.

EOVS will hold this public hearing remotely on Monday, September 14, 2026 at 11:00 A.M. through 2:00 P.M. via Microsoft Teams at the following link:

Microsoft Teams Link:

[Join the Public Comment Hearing for Proposed Regulations at 108 CMR 2.00-9.00](#)

or by

Meeting ID: 239 526 376 291 221

Passcode: 5TW9Gp2C

A copy of the proposed Regulations may be viewed by visiting:

<https://www.mass.gov/event/notice-of-public-hearing-revised-proposed-regulations-108-cmr-200-through-900-09-14-2026>

Any person wishing to offer comments may participate in the public hearing at the date and time indicated above or submit written comments. Those wishing to obtain a copy of the proposed Regulations or submit written comments may do so by email or mail to:

Jenna Buonopane, Paralegal Supervisor
Commonwealth of Massachusetts
Executive Office of Veterans
One Bowdoin Square
15 New Chardon Street, 4th Floor
Boston, MA 02114
Email: jenna.buonopane5@mass.gov

Written comments must be received no later than **5:00 p.m. on September 28, 2026**.
Attached please find the accompanying Small Business Impact Statement in accordance with
M.G.L. c. 30A, § 2.

Initial Small Business Impact Statement

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

CMR No: 108 CMR 2.00

Estimate of the Number of Small Businesses Impacted by the Regulation:

Select Yes or No and Briefly Explain

Yes ☐	No X	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No X	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No X	Will small businesses have to provide additional administrative oversight?
Yes ☐	No X	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes ☐	No X	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
Yes ☐	No X	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?
Yes ☐	No X	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 ☐	No X	Do any other regulations duplicate or conflict with the proposed regulation?
Yes ☐	No X	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?
Yes ☐	No X	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
Yes ☐	No X	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?
Yes ☐	No X	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
Yes ☐	No X	Does the regulation provide for less stringent compliance or reporting requirements for small businesses?

Yes ☐	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes ☐	No X	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes ☐	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

Initial Small Business Impact Statement

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

CMR No: 108 CMR 3.00

Estimate of the Number of Small Businesses Impacted by the Regulation:

Select Yes or No and Briefly Explain

Yes ☐	No X	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No X	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No X	Will small businesses have to provide additional administrative oversight?
Yes ☐	No X	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes ☐	No X	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
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Yes ☐	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes ☐	No X	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes ☐	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

Initial Small Business Impact Statement

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

CMR No: 108 CMR 4.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes ☐	No ☒	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No ☒	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No ☒	Will small businesses have to provide additional administrative oversight?
Yes ☐	No ☒	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes ☐	No ☒	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
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Yes ☐	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
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Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

Initial Small Business Impact Statement

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

CMR No: 108 CMR 5.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes ☐	No X	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No X	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No X	Will small businesses have to provide additional administrative oversight?
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Yes ☐	No X	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
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Yes ☐	No X	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes ☐	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

Initial Small Business Impact Statement

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

CMR No: 108 CMR 6.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes ☐	No X	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No X	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No X	Will small businesses have to provide additional administrative oversight?
Yes ☐	No X	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
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Yes ☐	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes ☐	No X	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes ☐	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

Initial Small Business Impact Statement

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

CMR No: 108 CMR 7.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes ☐	No X	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No X	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No X	Will small businesses have to provide additional administrative oversight?
Yes ☐	No X	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes ☐	No X	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
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Yes ☐	No X	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
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Yes ☐	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes ☐	No X	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes ☐	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

Initial Small Business Impact Statement

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

CMR No: 108 CMR 8.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes ☐	No X	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No X	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No X	Will small businesses have to provide additional administrative oversight?
Yes ☐	No X	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
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Yes ☐	No X	Does the regulation provide for less stringent compliance or reporting requirements for small businesses?

Yes ☐	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes ☐	No X	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes ☐	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

Initial Small Business Impact Statement

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

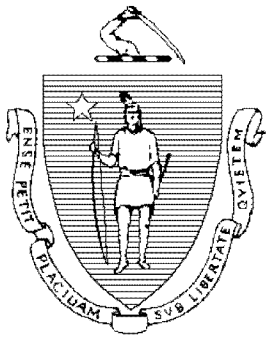
CMR No: 108 CMR 9.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes ☐	No ☒	Will small businesses have to create, file, or issue additional reports?
Yes ☐	No ☒	Will small businesses have to implement additional recordkeeping procedures?
Yes ☐	No ☒	Will small businesses have to provide additional administrative oversight?
Yes ☐	No ☒	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes ☐	No ☒	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer,
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Yes ☐	No ☒	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
Yes ☐	No ☒	Does the regulation provide for less stringent compliance or reporting requirements for small businesses?

Yes ☐	No X	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes ☐	No X	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes ☐	No X	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes ☐	No X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?



THE COMMONWEALTH OF MASSACHUSETTS

Secretary of the Commonwealth - William Francis Galvin

2026 CUMULATIVE TABLE TO THE MASSACHUSETTS REGISTER 1565 - 1581

The Cumulative Tables lists all regulations and amendments thereto published in the Massachusetts Register during the current year. The Table is published in each Register.

State agencies are listed in the Table as they appear in the Code of Massachusetts Regulations (CMR or Code) in CMR numerical order which is based on the cabinet structure. For example, all Human Service agencies are prefaced by the number "1" and are designated as 101 CMR through 130 CMR.

The Cumulative Tables published in the last issue of previous years will have a listing of all regulations published for that year. These Registers are:

April 6, 1976 - 1977	Register: # 88	Date: 2004	Register: #1016
1978	138	2005	1042
1979	193	2006	1068
1980	241	2007	1094
1981	292	2008	1120
1982	344	2009	1146
1983	396	2010	1172
1984	448	2011	1198
1985	500	2012	1224
1986	546	2013	1250
1987	572	2014	1276
1988	598	2015	1302
1989	624	2016	1329
1990	650	2017	1355
1991	676	2018	1381
1992	702	2019	1407
1993	729	2020	1433
1994	755	2021	1459
1995	871	2022	1485
1996	Supp. # 2 807	2023	1511
1997	833	2024	1537
1998	859	2025	1563
1999	885		
2000	911		
2001	937		
2002	963		
2003	989		

		<u>Issue</u>	<u>Effective Date</u>
101 CMR	Executive Office of Health and Human Services		
204.00	Rates of Payment to Resident Care Facilities		
	- <i>Emergency Refile</i> (MA Reg. # 1563)	1569	12/5/25
	- <i>Compliance</i> (MA Reg. # 1563)	1572	12/5/25
206.00	Standard Payments to Nursing Facilities		
	- <i>Emergency Refile</i> (MA Reg. # 1559)	1564	10/1/25
		1567	2/13/26
307.00	Rates for Psychiatric Day Treatment Center Services	1569	3/13/26
317.00	Rates for Medicine Services - <i>Emergency Refile</i> (MA Reg. # 1561) . .	1567	11/7/25
		1573	5/8/26
322.00	Rates for Durable Medical Equipment, Oxygen and Respiratory Therapy Equipment.	1568	3/1/26
327.00	Rates for Ambulance and Wheelchair Van Services		
	- <i>Emergency Refile</i> (MA Reg. # 1557)	1564	9/26/25
	- <i>Compliance</i> (MA Reg. # 1557)	1570	9/26/25
	- <i>Correction</i> (MA Reg. # 1557)	1571	9/26/25
330.00	Rates for Team Evaluation Services	1577	7/3/26
334.00	Rates for Prostheses, Prosthetic Devices, and Orthotic Devices.	1576	6/19/26
337.00	Rates for Dialysis Treatments and Home Dialysis Supplies.	1578	7/17/26
343.00	Rates for Hospice Services	1576	6/19/26
346.00	Rates for Certain Substance-related and Addictive Disorders Programs	1578	7/17/26
347.00	Rates for Freestanding Ambulatory Surgery Center Services	1572	4/24/26
349.00	Rates for Early Intervention Program Services		
	- <i>Future Effective Regulation</i>	1565	7/1/26
		1576	7/1/26
355.00	Rates for Freestanding Birth Center Services	1567	2/13/26
410.00	Rates for Competitive Integrated Employment Services	1580	8/14/26
413.00	Payments for Youth Intermediate-term Stabilization Services.	1576	6/19/26
414.00	Rates for Family Stabilization Services	1574	5/22/26
416.00	Rates for Clubhouse Services	1574	5/22/26
417.00	Rates for Certain Elder Care Services.	1570	3/27/26
420.00	Rates for Adult Long-term Residential Services	1577	7/3/26
422.00	Rates for General Programs Disability Services.	1574	5/22/26
423.00	Rates for Certain In-home Basic Living Supports	1577	7/3/26
424.00	Rates for Certain Developmental and Support Services.	1580	8/14/26
425.00	Rates for Certain Young Parent Support Programs	1578	7/17/26
514.00	Hospital Assessment - <i>Emergency</i>	1578	7/7/26
614.00	Health Safety Net Payments and Funding		
	- <i>Emergency Refile</i> (MA Reg. # 1559)	1564	9/30/25
		1569	3/13/26
		1576	6/19/26

		<u>Issue</u>	<u>Effective Date</u>
103 CMR	Department of Correction		
483.00	Visiting Procedures	1581	8/28/26
105 CMR	Department of Public Health		
125.000	Licensing of Radiologic Technologists	1564	1/2/26
	- <i>Correction</i> (MA Reg. # 1564)	1567	1/2/26
270.000	Blood Screening of Newborns for Treatable Diseases and Disorders .	1575	6/5/26
726.000	Temporary Placement of Kratom in Schedule I Pursuant to M.G.L. c. 94C, § 2A - <i>Emergency</i>	1581	8/28/26
775.000	Certified Medication Aides in Long-term Care Facilities.	1567	2/13/26
110 CMR	Department of Children and Families		
2.00	Glossary	1571	4/10/26
7.000	Services - <i>Emergency</i>	1564	12/12/25
	- <i>Compliance</i> (MA Reg. # 1564)	1570	12/12/25
124 CMR	Massachusetts Office for Victim Assistance		
2.00	Compensation for Victims of Violent Crimes		
	- <i>Compliance</i> (MA Reg. # 1554)	1564	8/4/25
	- <i>Correction</i> (MA Reg. # 1564)	1565	8/4/25
130 CMR	Division of Medical Assistance		
405.000	Community Health Center Services	1577	7/3/26
406.000	Pharmacy Services	1577	7/3/26
409.000	Durable Medical Equipment Services.	1579	7/31/26
410.000	Outpatient Hospital Services.	1577	7/3/26
420.000	Dental Services	1580	8/1/26
422.000	Personal Car Attendant Services.	1577	7/3/26
428.000	Prosthetics Services	1579	7/31/26
432.000	Therapist Services.	1579	7/31/26
442.000	Orthotics Services.	1579	7/31/26
449.000	Correctional Facility Services - <i>Emergency Refile</i> (MA Reg. # 1561). .	1567	11/7/25
	- <i>Emergency Refile</i> (MA Reg. # 1561)	1573	11/7/25
	- <i>Emergency</i>	1578	7/2/26
450.000	Administrative and Billing Regulations	1579	7/31/26
501.000	Health Care Reform: MassHealth: General Policies.	1567	2/13/26
502.000	Health Care Reform: MassHealth: The Eligibility Process	1567	2/13/26
503.000	Health Care Reform: MassHealth: Universal Eligibility Requirements	1567	2/13/26
505.000	Health Care Reform: MassHealth: Coverage Types.	1567	2/13/26
506.000	MassHealth: Financial Requirements	1566	1/30/26
	- <i>Correction</i> (MA Reg. # 1566)	1568	1/30/26

		<i>Issue</i>	<i>Effective Date</i>
508.000	MassHealth: Managed Care Requirements	1578	7/17/26
515.000	MassHealth: General Policies	1567	2/13/26
516.000	MassHealth: The Eligibility Process	1567	2/13/26
	- <i>Correction</i> (MA Reg. # 1567)	1569	2/13/25
517.000	MassHealth: Universal Eligibility Requirements.	1567	2/13/26
519.000	MassHealth: Coverage Types	1567	2/13/26
522.000	MassHealth: Other Division Programs	1567	2/13/26
205 CMR Massachusetts Gaming Commission			
3.00	Harness Horse Racing - <i>Emergency</i>	1571	3/27/26
	- <i>Emergency Refile</i> (MA Reg. # 1571)	1578	3/27/26
	- <i>Compliance</i> (MA Reg. # 1571)	1580	3/27/26
		1580	8/14/26
17.00	Review of a Proposed Transfer of Interests in a Racing Meeting License - <i>Emergency</i>	1580	7/22/26
101.00	M.G.L. c. 23K Adjudicatory Proceedings	1572	4/24/26
116.00	Persons Required to Be Licensed or Qualified	1569	3/13/26
133.00	Voluntary Self-exclusion	1574	5/22/26
134.00	Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations	1572	4/24/26
138.00	Uniform Standards of Accounting Procedures and Internal Controls - <i>Correction</i> (MA Reg. # 1492)	1571	3/9/23
		1578	7/17/26
	- <i>Correction</i> (MA Reg. # 1494)	1581	3/9/23
147.00	Uniform Standards of Rules of the Games	1574	5/22/26
149.00	Race Horse Development Fund	1572	4/24/26
234.00	Sports Wagering Vendors - <i>Compliance</i> (MA Reg. # 1560)	1564	10/24/25
238.00	Additional Uniform Standards of Accounting Procedures and Internal Controls for Sports Wagering	1569	3/13/26
	- <i>Correction</i> (MA Reg. # 1569)	1571	3/13/26
		1572	4/24/26
239.00	Continuing Disclosure and Reporting Obligations of Sports Wagering Licensees - <i>Correction</i> (MA Reg. # 1558).	1571	10/10/25
	- <i>Correction</i> (MA Reg. # 1558)	1572	10/10/25
	- <i>Correction</i> (MA Reg. # 1558)	1578	10/10/25
247.00	Uniform Standards of Sports Wagering	1572	4/24/26
248.00	Sports Wagering Account Management	1572	4/24/26
		1578	7/17/26
250.00	Protection of Minors and Underage Youth from Sports Wagering . . .	1571	4/10/26
254.00	Temporary Prohibition from Sports Wagering - <i>Correction</i> (MA Reg. # 1494)	1581	3/9/23
256.00	Sports Wagering Advertising	1581	8/28/26

		<i>Issue</i>	<i>Effective Date</i>
211 CMR	Division of Insurance		
52.00	Managed Care Consumer Protections and Accreditation of Carriers . .	1575	6/5/26
157.00	Licensing and Regulation of Pharmacy Benefit Managers.	1569	3/13/26
220 CMR	Department of Public Utilities		
29.00	Billing Procedures for Residential Rental Property Owners Cited for Violation of the State Sanitary Code 105 CMR 410.200	1568	2/27/26
	- <i>Correction</i> (MA Reg. # 1568)	1569	2/27/26
32.00	Fees for Applications to the Energy Facilities Siting Board.	1576	6/19/26
34.00	Intervenor Support Grant Program	1568	2/27/26
225 CMR	Department of Energy Resources		
21.00	Clean Peak Energy Portfolio Standard (CPS) - <i>Emergency</i>	1576	5/28/26
	- <i>Compliance</i> (MA Reg. # 1576)	1581	5/28/26
28.00	Solar Massachusetts Renewable Target (SMART) Program 3.0 - <i>Emergency</i>	1578	6/26/26
29.00	Small Clean Energy Infrastructure Facility Siting and Permitting . . .	1568	2/27/26
250 CMR	Board of Registration of Professional Engineers and Land Surveyors		
2.00	General Provisions, Board Procedures and Definitions	1568	2/27/26
3.00	The Registration Process.	1568	2/27/26
5.00	Professional Practice.	1568	2/27/26
7.00	Enforcement and Discipline	1568	2/27/26
262 CMR	Board of Registration of Allied Mental Health and Human Services Professionals		
2.00	Requirements for Licensure as a Mental Health Counselor	1579	7/31/26
3.00	Requirements for Licensure as a Marriage and Family Therapist . . .	1579	7/31/26
8.00	Ethical Codes and Standards of Conduct	1579	7/31/26
266 CMR	Board of Registration of Home Inspectors		
2.00	Definitions	1567	2/13/26
3.00	Procedure for Registration	1567	2/13/26
4.00	Associate Home Inspector Training Program Requirements	1567	2/13/26
6.00	Standards of Practice.	1567	2/13/26
11.00	Insurance Requirements for Limited Liability Corporations and Limited Liability Partnerships	1567	2/13/26

		<i>Issue</i>	<i>Effective Date</i>
301 CMR	Executive Office of Energy and Environmental Affairs		
11.00	MEPA Regulations	1566	1/30/26
41.00	Toxic or Hazardous Substance List - <i>Correction</i> (MA Reg. # 1563) . .	1568	12/19/25
309 CMR	Board of Registration of Hazardous Waste Site Cleanup Professionals		
2.00	Introductory Provisions.	1566	1/30/26
3.00	Licensing of Licensed Site Professionals	1566	1/30/26
4.00	Rules of Professional Conduct	1566	1/30/26
5.00	Advisory Rulings	1566	1/30/26
6.00	Design and Use of Licensed Site Professional's Seal	1566	1/30/26
7.00	Procedure Governing Disciplinary Proceedings and Other Dispositions	1566	1/30/26
8.00	Administrative Penalty Regulations	1566	1/30/26
9.00	Inactive Status.	1566	1/30/26
314 CMR	Division of Water Pollution Control		
4.00	Massachusetts Surface Water Quality Standards	1581	8/28/26
321 CMR	Division of Fisheries & Wildlife		
3.00	Hunting - Emergency	1564	12/19/25
	- <i>Emergency Correction</i> (MA Reg. # 1564)	1565	12/19/25
		1564	1/2/26
	- <i>Compliance</i> (MA Reg. # 1564)	1571	12/19/25
		1577	7/3/26
	- <i>Correction</i> (MA Reg. # 1577)	1580	7/3/26
322 CMR	Division of Marine Fisheries		
4.00	Fishing and Shellfishing Equipment.	1566	1/30/26
		1573	5/8/26
6.00	Regulation of Catches - <i>Emergency</i>	1573	4/24/26
	- <i>Correction</i> (MA Reg. # 1573)	1580	4/24/26
	- <i>Compliance</i> (MA Reg. #1573)	1580	4/24/26
		1573	5/8/26
	- <i>Correction</i> (MA Reg. # 1573)	1578	5/8/26
	- <i>Emergency</i>	1580	7/31/26
7.00	Permits	1566	1/30/26
		1567	2/13/26
		1573	5/8/26
	- <i>Correction</i> (MA Reg. # 1573)	1578	5/8/26
15.00	Management of Marine Aquaculture	1566	1/30/26

		<u>Issue</u>	<u>Effective Date</u>
400 CMR	Executive Office of Economic Development		
9.00	Qualified Data Centers	1570	3/27/26
527 CMR	Board of Fire Prevention Regulations		
12.00	Massachusetts Electrical Code	1572	4/24/26
	- <i>Correction</i> (MA Reg. # 1572)	1575	4/24/26
540 CMR	Registry of Motor Vehicles		
5.00	Motor Vehicle Title: Use of Electronic Signature and Electronic Title.	1580	8/14/26
603 CMR	Department of Elementary and Secondary Education\		
7.00	Educator Licensure and Preparation Program Approval	1574	5/22/26
23.00	Student Records	1568	2/27/26
28.00	Regulations on Special Education	1579	7/31/26
31.00	Certificate of Mastery and State Seal of Biliteracy.	1568	2/27/26
57.00	Standards for Interpretation and Translation Services in Schools	1579	7/31/26
606 CMR	Department of Early Education and Care		
10.00	Child Care Financial Assistance	1566	1/30/26
610 CMR	Board of Higher Education		
16.00	Degree Granting Regulation for Pilot Proposals on Innovation	1568	2/27/26
651 CMR	Executive Office of Aging and Independence		
12.00	Certification Procedures and Standards for Assisted Living Residences.	1579	7/31/26
760 CMR	Executive Office of Housing and Livable Communities		
69.00	Starter Home Zoning Districts	1569	3/13/26
76.00	Seasonal Communities	1568	2/27/26
77.00	Surplus Real Property	1578	7/17/26
801 CMR	Executive Office for Administration and Finance		
4.00	Rates	1567	2/13/26
		1568	2/27/26
		1579	7/31/26
29.00	Disaster Relief and Resiliency Fund - <i>Emergency</i>	1580	7/29/26

		<u>Issue</u>	<u>Effective Date</u>
804 CMR	Massachusetts Commission Against Discrimination		
1.00	Rules of Procedure	1576	6/19/26
807 CMR	Teachers' Retirement Board		
25.00	Interest on Delayed Corrections	1570	3/27/26
815 CMR	Office of the Comptroller		
2.00	State Grants, Federal Grant Awards, Federal Subgrants and Subsidies	1574	5/22/26
3.00	Ready Payment System.	1574	5/22/26
4.00	Late Penalty Interest	1574	5/22/26
6.00	Interdepartmental Fiscal Business	1574	5/22/26
8.00	Contingent Fee Contracts for Non-tax Revenue Maximization	1574	5/22/26
9.00	Debt Collection and Intercept	1574	5/22/26
830 CMR	Department of Revenue		
62B.00	Withholding of Taxes on Wages and Declaration of Estimated Income Tax	1575	6/5/26
62C.00	Administrative Provisions Relative to State Taxation - <i>Emergency</i> . . .	1568	2/5/26
840 CMR	Public Employee Retirement Administration Commission		
28.00	Electronic Signatures	1573	5/8/26
935 CMR	Cannabis Control Commission		
500.000	Adult Use of Marijuana	1564	1/2/26
	- <i>Correction</i> (MA Reg. # 1564)	1568	1/2/26
		1570	3/27/26
	- <i>Correction</i> (MA Reg. # 1570)	1572	3/27/26
	- <i>Emergency</i>	1577	6/18/26
501.000	Medical Use of Marijuana.	1564	1/2/26
	- <i>Correction</i> (MA Reg. # 1564)	1565	1/2/26
	- <i>Correction</i> (MA Reg. # 1564)	1568	1/2/26
		1570	3/27/26
	- <i>Correction</i> (MA Reg. #1570).	1572	3/27/26
	- <i>Emergency</i>	1577	6/18/26
940 CMR	Office of the Attorney General		
11.00	Fair Information Practices Act - <i>Correction</i> (MA Reg. # 1562).	1576	12/5/25
40.00	Assisted Living Residences	1578	7/17/26

		<i>Issue</i>	<i>Effective Date</i>
945 CMR	Office of the Inspector General		
4.00	Owner's Representative for Major Contracts under M.G.L. c. 30, § 39M½	1565	1/16/25
5.00	Owner's Representative for Major Contracts under M.G.L. c. 149A, § 15½	1565	1/16/25
957 CMR	Center for Health Information and Analysis		
3.00	Assessment on Certain Health Care Providers and Surcharge Payers - <i>Emergency</i>	1566 1571	1/16/26 4/10/26
4.00	Standard Quality Measure Set	1569	3/13/26
5.00	Health Care Claims, Case Mix and Charge Data Release Procedures .	1568	2/27/26
6.00	Cost Reporting Requirements	1568	2/27/26
7.00	Nursing Facility Cost Reporting Requirements	1568	2/27/26
9.00	Financial Data Reporting Requirements for Health Care Entities and Affiliated Entities	1565	1/16/26
11.00	Registered Provider Organization Reporting Requirements.	1580	8/14/26
12.00	Pharmacy Benefit Manager Reporting	1566	1/30/26
958 CMR	Health Policy Commission		
6.00	Registration of Provider Organizations.	1573	5/8/26
7.00	Notices of Material Change and Cost and Market Impact Reviews . .	1573	5/8/26
9.00	Assessment on Certain Health Care Providers and Pharmacy Benefit Managers	1573	5/8/26
960 CMR	Office of the State Treasurer and Receiver General		
6.00	Massachusetts Defined Contribution CORE Plan.	1564	1/2/26
961 CMR	State Lottery Commission		
2.00	Rules and Regulations.	1567 1576	2/13/26 6/19/26
	- <i>Emergency</i>	1580	7/21/26
	- <i>Emergency</i>	1581	8/4/26
980 CMR	Energy Facilities Siting Board		
1.00	Rules for the Conduct of Adjudicatory Proceedings	1568	2/27/26
2.00	General Information and Conduct of Board Business	1568	2/27/26
4.00	Freedom of Information; Protection of Trade Secrets	1568	2/27/26
5.00	Environmental Assessment and Environmental Impact Energy Facilities Siting Counsel	1568	2/27/26
7.00	Long Range Forecasts and Supplements	1568	2/27/26

		<i>Issue</i>	<i>Effective Date</i>
8.00	Notices to Construct an Oil Facility	1568	2/27/26
11.00	Licensing of Hydropower Generating Facilities	1568	2/27/26
13.00	Consolidated Permits for Clean Energy Infrastructure Facilities	1568	2/27/26
14.00	De Novo Adjudications of Consolidated Local Permit Applications . .	1568	2/27/26
15.00	Cumulative Impact Analysis and Standards for Applying Site Suitability Criteria.	1573	5/8/26
16.00	Pre-filing Consultation and Engagement Requirements	1568	2/27/26
17.00	Constructive Approval	1575	6/5/26



Docket # 1287

THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin

Secretary of the Commonwealth

Regulation Filing

To be completed by filing agency

CHAPTER NUMBER: **105 CMR 726.000**

CHAPTER TITLE: **Temporary placement of Kratom in schedule I pursuant to M.G.L. c. 94C, § 2A**

AGENCY: **Department of Public Health**

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

The purpose of 105 CMR 726.000 is to place Kratom in schedule 1 of M.G.L. c. 94C: Controlled Substances Act.

REGULATORY AUTHORITY: **M.G.L. c. 94C, § 2A**

AGENCY CONTACT: **Heather Engman** PHONE: **617-276-2533**

ADDRESS: **250 Washington 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.*

Kratom products carry substantial risks of dependence, acute toxicity, overdose, and organ failure. Additional risks of use include delusional thinking, psychosis, seizures, and dehydration. Massachusetts health data demonstrate that kratom is an acute public health safety hazard in Massachusetts.

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.*

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period, including a small business impact statement, 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: _____

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

For the first and second year: **Entities that currently inventory, manufacture, or distribute kratom products may be directly or indirectly impacted by requirement to cease sales.**

For the first five years: **Entities that currently inventory, manufacture, or distribute kratom products may be directly or indirectly impacted by requirement to cease sales.**

No fiscal effect:

SMALL BUSINESS IMPACT - M.G.L. c. 30A section 5 requires each agency to file an amended small business impact statement with the Secretary of the Commonwealth prior to the adoption of a proposed regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.

Date amended small business impact statement was filed:

CODE OF MASSACHUSETTS REGULATIONS INDEX - List key subjects that are relevant to this regulation:
Kratom; controlled substances; schedule I

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

105 CMR 726.000 is a new regulation.

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

SIGNATURE: SIGNATURE ON FILE DATE: **Aug 13 2026**

Publication - To be completed by the regulations Division

MASSACHUSETTS REGISTER NUMBER: **1581** DATE: **8/28/26**

EFFECTIVE DATE: **8/28/26**

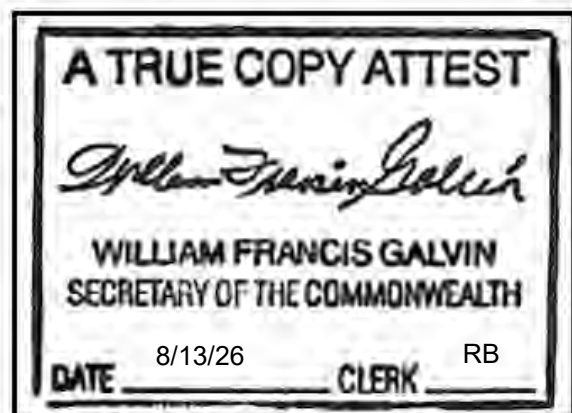
CODE OF MASSACHUSETTS REGULATIONS

Remove these Pages:

This is an Emergency Regulation.

Insert these Pages:

There are no replacement pages.



ORDER OF THE COMMISSIONER PURSUANT TO G.L. c. 94C, § 2A PLACING KRATOM IN SCHEDULE I

Statutory Authority

The Commissioner of the Department of Public Health has the authority under G.L. c. 94C, § 2A to order the placement of an unscheduled substance in schedule I on a temporary basis if the Commissioner finds that it is necessary to avoid an imminent hazard to the public safety and that it is necessary for the preservation of the public health, safety or general welfare as well as other procedural prerequisites. The statute requires a 14-day notice period and the order is an emergency regulation in effect for up to 1 year.

For the reasons stated below, I find that the conditions of section 2A have been met regarding the use, sale and distribution of kratom, and therefore order the placement of kratom on schedule I on a temporary basis as provided in section 2A. (Attached)

Prior to issuing this Order, I have considered the public safety hazard posed by kratom's actual or relative potential for abuse and its history and current patterns of abuse, as discussed below:

Kratom Background

Kratom (*Mitragyna speciosa*) is a plant native to Southeast Asia. Depending on the amount used, kratom may produce stimulant-like effects, such as increased alertness, or opioid-like effects, such as pain relief and sedation. While individuals may use kratom recreationally, it is also used to self-treat conditions such as anxiety, depression, opioid use disorder and opioid withdrawal. According to data from the Substance Abuse and Mental Health Services Administration's National Survey on Drug Use and Health an estimated 1.7 million Americans aged 12 and older used kratom in 2021.¹ Kratom is not well researched for efficacy in treatment of psychiatric and substance use disorders, nor for any other medical condition.

Synthesized products typically contain higher concentrations of the naturally occurring substance, 7-hydroxymitragynine (7-OH), or synthetic derivatives of mitragynine. The contents of kratom products, both "natural" and "synthetic", vary widely in their ingredients, strength, and purity, and are difficult to distinguish from one another. Consumers have no reliable way of knowing what compounds a specific product contains or how potent it may be. As a relatively new product in the United States and given current marketing methods, many individuals may consume kratom without being aware of its presence in a product and/or without understanding of potential harmful side effects and risk of dependence.²

Some kratom products are manufactured as gelatin-based "gummy" candies with flavors that reflect those found in popular candy (e.g. "blue raspberry", "sour apple"). Packaging resembles that of popular candy brands and does not carry warning labels. These products appeal to youth who may consume them without knowledge or understanding of their psychoactive nature (see "Appendix A"). Products are often marketed as a "sober alternative," branded as "all-natural" or "plant-based" herbal

¹ [FDA and Kratom | FDA](#)

² Perry T, Chin S. The Unregulated Rise of Kratom Drinks: Emerging Challenges and Policy Recommendations. Public Health Rep. 2026 May-Jun;141(3):329-334. doi: 10.1177/00333549251403378. Epub 2026 Jan 12. PMID: 41527301; PMCID: PMC12799471.

supplements, exploiting the health-halo effect, which is the tendency to associate such labels with safety and wellness. Such marketing obscures the fact that kratom use can lead to tolerance, withdrawal, and misuse.³

According to the FDA, there are no prescription or over-the-counter drug products containing kratom or its known alkaloids that are legally on the market in the U.S.⁴

Risks of Kratom Use

The FDA has warned consumers not to use kratom because of the risk of serious adverse events, including liver toxicity, seizures, and substance use disorder (SUD). The active alkaloids in kratom act upon opioid receptors. As such, kratom products carry substantial risks of dependence, acute toxicity, overdose, and organ failure. Additional risks of use include delusional thinking, psychosis, seizures, and dehydration resulting from excessive urination and sweating. Overdose can occur, including fatal overdose, particularly when using highly potent products, using kratom products mixed with unknown substances, and/or using other substances alongside kratom products, especially opioids, alcohol, benzodiazepines, or other sedatives.⁵

Overdose can occur, particularly when:

- Using highly potent products with 7-OH or other synthetic kratom derivatives alone;
- Using highly potent products that are mixed with unknown substances; and
- Using other substances with kratom, especially opioids (like fentanyl, heroin, oxycodone, or methadone), alcohol, benzodiazepines, or sedatives.

Although rare, kratom-involved deaths have been reported. Patients are especially at risk when combining with other substances and/or when they have a chronic health condition. While overdose deaths from some of the synthetic kratom derivatives like MGM-15 and MGM-16 have not yet been reported and confirmed, they have caused respiratory depression and overdose in laboratory experiments.

Physical dependence develops when an individual takes kratom products often and consistently so that when they stop taking it, they experience unpleasant withdrawal symptoms. Many people take kratom products and don't realize that it could be harmful or that dependence can occur.

Withdrawal can occur when regular or daily use of kratom products is stopped. People can experience symptoms similar to opioid withdrawal, such as anxiety, agitation, muscle spasms, runny nose, hot flashes, loss of appetite, diarrhea, restlessness, and fever.

³ Perry T, Chin S. The Unregulated Rise of Kratom Drinks: Emerging Challenges and Policy Recommendations. Public Health Rep. 2026 May-Jun;141(3):329-334. doi: 10.1177/00333549251403378. Epub 2026 Jan 12. PMID: 41527301; PMCID: PMC12799471.

⁴ [FDA and Kratom | FDA](#)

⁵ Smallets S, Litvin S, Abele G, Kirsh S, Paustenbach D. The acute adverse health effects of kratom: an evaluation of case reports. Front Pharmacol. 2025 Aug 29;16:1620601. doi: 10.3389/fphar.2025.1620601. PMID: 40949154; PMCID: PMC12425911.

Kratom use disorder (addiction) can occur when people using kratom products compulsively use and crave these products despite adverse consequences, like overdose, withdrawal, or disruptions in their relationships and ability to work, go to school, or take care of their family.

Commercial Availability and Vulnerability of Minors

Because these products are widely sold over the counter at retail locations in Massachusetts including gas stations, convenience stores, and smoke shops, consumers, including minors, can easily acquire them without age verification or understanding of potential dangers. Kratom products are not required to carry warning labels and are often stocked in areas in front of counters and accessible to all customers. This leaves the public unaware of severe health risks, including potentially dangerous drug interactions, undisclosed adulterants, and other risks. Further, manufacturers frequently use colorful packaging and target marketing that obscures the drug’s effects and addictive qualities, placing children and consumers at risk of accidental ingestion, dependency, overdose, and acute toxicity.

Massachusetts Usage and Impact Data

Massachusetts health data demonstrate that kratom is an acute public health safety hazard in Massachusetts. Since 2020, there have been approximately 100 deaths reported in Massachusetts to be associated with kratom or related substances. Deaths may be underreported as no ICD codes (clinical modification for diagnosis coding in U.S. healthcare settings) currently relate to kratom or related substances.

From July 2025 through July 28, 2026, the Electronic Surveillance System for the Early Notification of Community-Based Epidemics (ESSENCE) has records of 314 visits reported in MA where kratom was mentioned in either the “triage notes” or “chief complaint” field.

Additionally, the Massachusetts and Rhode Island Poison Center has reported 127 kratom-related calls from January 2021 through July 29, 2026, including 10 calls for children aged 5 years or less, half of which were for children aged 1 year or less. Of the 127 calls received, approximately 46% were categorized as “moderate” or “major” effect. Calls for kratom exposure from Jan 1, 2026, through July 29, 2026 are approximately equal to the total number of calls for kratom exposure received in all of calendar year 2025.

Currently, mitragynine and 7-OH are routinely tested for upon overdose death and DPH is actively monitoring counts and trends of kratom-involved overdose. Death records contain the names of substances that contributed to death. From 2020-2026, kratom, mitragynine, and/or 7-hydroxymitragynine (7-OH) were listed in the “cause of death” fields in the following number of DPH’s Registry of Vital Records (RVRS) death records, by year:

Table 1: RVRS death records: Deaths associated with Kratom use in MA

Year	Number of Records
2020	15
2021	10
2022	16

2023	19*
2024	18*
2025	21*
2026	8†

*preliminary data

† data as reported 1/1/2026-7/28/2026

Appendix A

Examples of kratom products currently on the market in Massachusetts.



The above photo is from [Minnesota Public Radio News](#) with all products confirmed as being available in Massachusetts by Brookline's Massachusetts Tobacco Cessation and Prevention (MTCP) Board of Health program.



The above photo has been provided by Melrose's MTCP Board of Health program.

105 CMR: DEPARTMENT OF PUBLIC HEALTH

(105 CMR 725.000: RESERVED)

(PAGES 4149 THROUGH 4150 ARE RESERVED FOR FUTURE USE.)

105 CMR 726.000: TEMPORARY PLACEMENT OF KRATOM IN SCHEDULE 1 PURSUANT TO
M.G.L. c. 94C, § 2A

Section

- 726.001: Findings
- 726.002: Purpose
- 726.003: Definitions
- 726.004: Order
- 726.005: Effective Date
- 726.006: Guidance to all Local and Regional Boards of Health

726.001: Findings

- (1) The Commissioner has considered kratom's actual or relative potential for abuse and its history and current patterns of abuse and has found that kratom is an imminent hazard to the public safety.
- (2) The Commissioner has found:
 - (a) The order stated in 105 CMR 726.004 is necessary:
 - 1. to avoid an imminent hazard to the public safety; and,
 - 2. for the preservation of the public health, safety or general welfare.
 - (b) Kratom is not listed in any other schedule identified in M.G.L. c. 94C, § 3.
 - (c) No exception is in effect for kratom pursuant to M.G.L. c. 94C, § 4.
 - (d) Kratom is not excluded under M.G.L. c. 94C, § 2(c).
- (3) Based on the foregoing, the Commissioner has found that the immediate adoption of 105 CMR 726.000 is necessary for the preservation of the public health, safety, and general welfare.

726.002: Purpose

The purpose of 105 CMR 726.000 is to place Kratom in schedule 1 of M.G.L. c. 94C: *Controlled Substances Act*.

726.003: Definitions

Commissioner. The Commissioner of Public Health.

Kratom. The plant *mitragyna speciosa*, mitragynine, 7-hydroxymitragynine (also known as 7-OH), mitragynine pseudoindoxyl (also known as MP), dihydro-7-hydroxymitragynine (also known as MGM-15), 9-fluoro-7-hydroxymitragynine (also known as MGM-16), including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible. Kratom includes any product held out or holding itself out to be kratom.

Board of Health or Local Board of Health or Regional Board of Health. The appropriate and legally designated health authority of the city, town, or other legally constituted governmental unit within the Commonwealth having the usual powers and duties of the board of health or health department of a city or town.

Schedule. As defined in M.G.L. c. 94C, § 1.

726.004: Order

Kratom is hereby placed in schedule 1 in accordance with M.G.L. c. 94C, § 2A.

726.005: Effective Date

The effective date of 105 CMR 726.000 shall be August 28, 2026. 105 CMR 726.000 shall remain in effect for one year from its effective date unless the Commissioner finds during the intervening period that the order stated in 105 CMR 726.004 is no longer necessary.

726.006: Guidance to all Local and Regional Boards of Health

Possession or distribution of kratom by any food, retail or other commercial establishment shall constitute an imminent health hazard. While the order stated in 105 CMR 726.004 is in effect, a board of health or an authorized agent, the local inspection department or the equivalent, or a municipal government or its agent may, pursuant to M.G.L. c. 111, § 30 and any regulation promulgated pursuant thereto, take any enforcement action consistent with a finding of an imminent health hazard, up to and including summary suspension of a municipal license or permit held by the establishment including, but not limited to, a permit to operate.

The Commissioner may issue other guidance under 105 CMR 726.006 as may be necessary.

REGULATORY AUTHORITY

M.G.L. c. 94C, § 2A

(105 CMR 727 THROUGH 774.000: RESERVED)

NON-TEXT PAGE



THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin

Secretary of the Commonwealth

Regulation Filing

To be completed by filing agency

CHAPTER NUMBER: **961 CMR 2.00**

CHAPTER TITLE: **RULES AND REGULATIONS**

AGENCY: **State Lottery Commission**

SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*
To allow for the implementation of BET and PLAY Game Terminals and the offering of products thereon.

REGULATORY AUTHORITY: **M.G.L. c. 10, § 24 and M.G.L. c. 30A**

AGENCY CONTACT: **Gregory M. Polin, General Counsel** PHONE: **781-849-5515**

ADDRESS: **150 Mount Vernon Street, Suite 300, Dorchester, MA 02125**

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

EMERGENCY ADOPTION - *if this regulation is adopted as an emergency, state the nature of the emergency.*
To allow for the implementation of BET and PLAY Game Terminals and the offering of products thereon.

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.*

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period, including a small business impact statement, 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: _____

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

For the first and second year: Not Available

For the first five years: Not Available

No fiscal effect: Not Available

SMALL BUSINESS IMPACT - *M.G.L. c. 30A section 5 requires each agency to file an amended small business impact statement with the Secretary of the Commonwealth prior to the adoption of a proposed regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.*

Date amended small business impact statement was filed: _____

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

BET and PLAY, BET and PLAY Game Terminals

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

Amendments to 961 CMR 2.00.

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

SIGNATURE: _____ SIGNATURE ON FILE _____ DATE: Aug 04 2026

Publication - *To be completed by the regulations Division*

MASSACHUSETTS REGISTER NUMBER: 1581 DATE: 8/28/26

EFFECTIVE DATE: 8/4/26

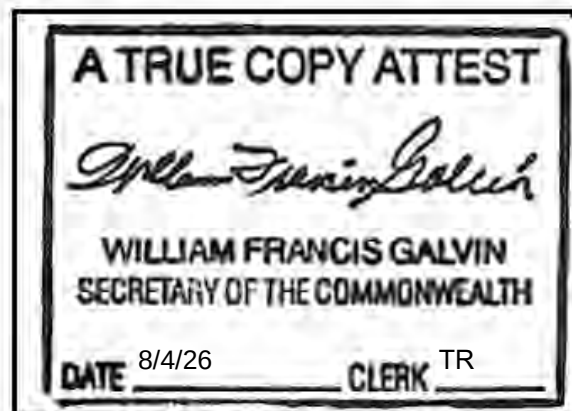
CODE OF MASSACHUSETTS REGULATIONS

Remove these Pages:

This is an emergency regulation.

Insert these Pages:

There are no replacement pages.



961 CMR 2.00: RULES AND REGULATIONS

Section

- 2.01: Introduction
- 2.02: General Regulations
- 2.03: Definitions
- 2.04: Lottery Director
- 2.05: Licensed Sales Agents
- 2.06: Intervals and Ticket Amounts
- 2.07: Erroneous or Mutilated Tickets
- 2.08: Lottery Sales Agents Application, Sales Agent Update and License
- 2.09: License to Be Displayed
- 2.11: Bonding of Sales Agents
- 2.12: Conversion to Vending Machines
- 2.13: Denials, Revocation, Suspension or Non-renewal of License
- 2.14: Sales Agent's Compensation
- 2.15: Transfer of Location of License, Substantial Change of Ownership, or Complete Change of Ownership
- 2.16: Deposits of Lottery Revenues
- 2.17: Special Lottery Agents
- 2.18: Hearings on Denial or Revocation of License
- 2.19: Procedure if License Is Revoked
- 2.20: Obligations of Licensed Sales Agents
- 2.21: Lottery Accounts
- 2.22: Lottery Tickets – Safekeeping
- 2.25: Sales Agent's Instructions
- 2.26: Stolen and Mutilated Tickets
- 2.27: Price of Tickets – Limitations
- 2.28: Prizes
- 2.30: Special Games
- 2.31: Instant Game Rules
- 2.32: Severability
- 2.33: Determination of Prizes
- 2.34: One Prize per Ticket
- 2.35: Betting Limitations
- 2.36: Manner of Conducting Lottery Drawings
- 2.37: Notification of Prize Winners
- 2.38: Procedure for Claiming Prizes
- 2.39: Ownership of Lottery Tickets
- 2.40: Bonus Payments to Sales Agents
- 2.41: Other Lotteries or Sweepstakes
- 2.42: Prizes Payable after Death or Disability of Owner
- 2.43: Payment of Prizes
- 2.44: Place of Payment
- 2.45: Discharge of State Lottery upon Payment
- 2.46: Amendments
- 2.47: Returned Lottery Tickets
- 2.48: Postponement of Drawings
- 2.49: Change of Drawing Format
- 2.50: Sales of Lottery Tickets to Minors - Penalties
- 2.52: The Numbers Game – On-line System Operating Rules
- 2.53: On-line Semi-weekly Number Game – MEGABUCKS DOUBLER
- 2.54: On-line Semi-weekly Number Selection Game – MASS MILLIONS
- 2.55: On-line Semi-weekly Number Selections Game – MASS CASH
- 2.56: Pull Tab Tickets
- 2.57: Gift Certificates
- 2.58: On-line Number Selection Game – KENO
- 2.59: Semi-weekly Multi-state Game – MEGA MILLIONS
- 2.60: Anti-litter Program
- 2.61: On-line Semi-weekly Number Selection Game – CASH WinFall
- 2.62: On-line Number Selection Game – DAILY RACE GAME

Section: continued

- 2.63: Multi-state Game – POWERBALL
- 2.64: Multi-state Game – LUCKY FOR LIFE
- 2.65: JACKPOT POKER
- 2.66: ALL OR NOTHING
- 2.67: THE WHEEL OF LUCK
- 2.68: MILLIONAIRE FOR LIFE
- 2.69: Lotteries Conducted Online (iLottery)
- 2.73: Bet & Play Terminal Games

2.01: Introduction

The Massachusetts State Lottery ("Lottery") was established by the enactment of St. 1971, c. 813. This law created a State Lottery Commission ("Commission") in the office of the State Treasurer who is Chairman of the Commission. Other members of the Commission are: the Secretary of Public Safety, the State Comptroller, and two persons appointed by the Governor for terms coterminous with that of the Governor. The Lottery directs the State Treasurer to appoint a Director of the Lottery, subject to the approval of the Governor. Revenues from the Lottery must be distributed as follows:

- (a) no less than 45% must be paid to holders of winning tickets;
- (b) not more than 15% may be used for operating costs; and
- (c) the balance must be distributed to the Local Aid Fund for the benefit of all the cities and towns in Massachusetts.

961 CMR 2.00 has been enacted pursuant to and under the authority of M.G.L. c. 30A and M.G.L. c. 10, § 24.

2.02: General Regulations

961 CMR 2.00 is established by the Massachusetts State Lottery Commission to define and regulate the operation and administration of the Massachusetts State Lottery. In addition to 961 CMR 2.00, rules for specific games, drawings or other matters may be found in Administrative Bulletins periodically issued by the Director.

2.03: Definitions

Act or Law means M.G.L. c. 10, §§ 22 through 35 and § 36.

Administrative Bulletin means a set of rules or guidelines issued by the Director for the purpose of detailing the rules, procedures or specific details of games and/or drawings and other matters that may arise from time to time in the course of business.

Bank means and includes all banks, banking associations, cooperative banks, credit unions, trust companies and any other type or form of banking institution organized under the authority of the Commonwealth of Massachusetts or the United States of America whose principal place of business is within the Commonwealth of Massachusetts and is designated to perform such functions, activities, or service in connection with the operations of the Lottery for the deposit and handling of Lottery funds.

Claims Center, Claim Center or Office means any place designated by the Lottery where the holder or his or her representative may file a claim upon a paper form supplied by the Lottery for payment or acknowledgment of a Lottery prize and the submission of the winning ticket.

Bet & Play Game Terminal (B&PGT) means a Lottery-owned interactive self-service play terminal with specifications as determined by the Lottery

- (1) that is connected to a Lottery vendor or third-party gaming system ("B&PGT gaming system"), and
- (2) that only offers some or all of the Lottery games specifically enumerated and authorized in 961 CMR 2.73, which have randomly generated outcomes, and
- (3) with the accounts of Sales Agents settled on the Lottery's invoicing system.

2.03: continued

Bet & Play Ticket Validation and Printing Terminal means a Lottery-owned device that validates vouchers and tickets of Lottery games, as specifically enumerated and authorized in 961 CMR 2.73, printed from the Bet & Play Game Terminal, having the accounts of Sales Agents settled on the Lottery's invoicing system, and which is connected to the B&PGT gaming system.

Commission means a board of five members consisting of the State Treasurer, Secretary of Public Safety or his or her designee, the State Comptroller, or his or her designee, and two persons appointed by the Governor with the powers and authority to conduct a state Lottery as conferred by law.

Digitally Created Barcode means a machine-readable code which may include, but is not limited to, a quick response (QR) code, that is approved by the Lottery in its sole discretion and accepted by the On-line System.

Director means the Director of the Massachusetts State Lottery. Any reference to powers and duties of the Director also means the Director's authorized designee.

Gift Certificate means a document printed in fixed dollar amount redeemable for Lottery products.

High-frequency Prize Winner means a person, as defined in 961 CMR 2.03, who submits at least 20 claims for Lottery prizes, each with a value of at least \$1,000.00, within any period of 365 days.

Instant/Pull Tab Ticket means a Lottery ticket issued by the State Lottery.

Lottery or State Lottery means the Lottery established and operated pursuant to M.G.L. c. 10, §§ 22 through 35 and § 36.

Lottery Online and/or Digital Property means one or more websites, mobile applications, or other on-line and/or digital services established by the Lottery.

Mobile Claim means a claim submitted through a Lottery Online and/or Digital Property in accordance with the Mobile Claim Process.

Mobile Claim Process means the terms, conditions, and requirements set, by the Director in his or her discretion for the submission and processing of Mobile Claims, which shall require, at a minimum, the claimant to submit sufficient claim and winning ticket information as determined by the Director, and which includes, but is not limited to, the claimant to have a registered player account for Mobile Claims, as defined by the Lottery to be valid, the claimant's digital signature, and the submission of barcode(s) for a valid ticket to be automatically verified against the Lottery's computer gaming system for eligibility.

On-line System means the Lottery's On-line Computer Wagering System consisting of ticket issuing terminals, central processing equipment and a communications network.

On-line Instant Ticket Cashing means a procedure by which Sales Agents are required, as a prerequisite to cashing, to validate instant tickets via an on-line bar code scanner.

On-line Ticket means a ticket produced on official paper stock in an authorized manner from the Lottery's on-line computer system.

Person means and includes any individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, designee, referee, executor, administrator, commissioner, charitable institution, fraternal organization, guardian, custodian, any legal entity created by law, all natural individuals in all capacities whether appointed by a court or otherwise and any other combination of individuals or legal entities. Person shall also be construed to mean and include all departments, commission, agencies, and instrumentalities of the Commonwealth of Massachusetts, including counties and municipalities, agencies, and instrumentalities thereof.

2.03: continued

Prize means any award, financial or otherwise, awarded by the State Lottery.

Prize Winner means the individual who represents him or herself to be the winner of a single prize or one or more individuals who represent themselves as winners of a portion of a single prize as identified on Internal Revenue Service Form 5754 at the time the claim is filed and reported as such to the Internal Revenue Service and the Department of Revenue.

Promotions means limited time marketing initiatives to promote the Lottery and its products, which may include special offers.

Remote Ticket Cashing Service means a function provided by the Lottery through the Lottery Online and/or Digital Properties which is designated to allow users to file Mobile Claims of eligible Lottery tickets, and transfer awarded prize winnings to a bank account pursuant to the Mobile Claims Process.

Sales Agent means a person who has been licensed to sell Lottery tickets or register bets on behalf of the player under M.G.L. c. 10, §§ 22 through 36.

Trust Account means a designated dedicated bank account for the receipt of Lottery proceeds.

Quic Pic or Quick Pick means a player option in which number selections are determined at random by computer software.

2.04: Lottery Director

The Director of the Massachusetts State Lottery shall supervise and administer the operation of the Lottery pursuant to M.G.L. c. 10, § 26.

2.05: Licensed Sales Agents

The Director shall license as Sales Agents such persons who, in his or her opinion, will best serve the public interest and convenience and promote the sale of tickets. Said Sales Agents must enter into a Lottery Sales Agent Agreement, on a form approved by the Director, permitting them to sell such tickets or shares as in the Director's opinion will promote the best interests of the Commission and produce maximum revenue, but a Sales Agent need not be permitted to sell all the Lottery games operated by the Commission. Each Licensed Sales Agent may be required to provide a list of guarantors who agree to be personally liable for any and all debts incurred by the Licensed Sales Agent.

2.06: Intervals and Ticket Amounts

Lottery tickets may be initiated in such amounts and at such intervals as may be determined in the discretion of the Commission or Director.

2.07: Erroneous or Mutilated Tickets

Lottery tickets erroneously printed, defective in any way, or mutilated when received by Sales Agent are to be returned by the Sales Agent immediately to the Lottery. Credit may be allowed for said tickets. Each ticket, to obtain credit or to claim a prize, must contain with legible certainty the Lottery number or winning symbols, serial number, and, if applicable, the drawing date. Unless the Director determines that a mutilated Lottery or otherwise defective or invalid ticket is genuine, no credit or prize will be issued to the holder of said ticket.

2.08: Lottery Sales Agents Application, Sales Agent Update and License

(1) Application.

(a) Any person may apply for a license to sell Lottery tickets as a Sales Agent by first filing with the Director an application on a form approved by the Director, said form to be signed under the pains and penalties of perjury, together with any supplements thereto.

2.68: continued

- (f) In no event shall installment payments be made in the Deferred Annuity Portion of the Annuity Option after the Annuitant's death.
- (g) It shall be the Prizewinner's responsibility to provide the Lottery paying the Annuity any updated address information to which Prize installments will be mailed even if a full annual payment or multiple payments have been assigned to a third-party.
- (h) Where a Claimant of a Grand Prize or Second Level Prize is a minor who has not yet attained a majority age in the applicable jurisdiction in which the lottery that sold the Play is located, such Prize will be subject to the laws and regulations governing the Selling Lottery.

2.69: Lotteries conducted online (iLottery)(1) Definitions.

iLottery Platform shall mean a Lottery system that provides for the sale of lottery products and ancillary services *via* the internet through channels that may include, but are not limited to, online and mobile applications.

(2) Commencing on a date to be determined by the Director in their discretion, the Lottery shall offer for sale via its iLottery Platform lottery tickets, games, or shares as authorized by the Law and 961 CMR 2.00.

(3) All activity and use of the iLottery Platform, including the use of iLottery Player Accounts, are also subject to any terms, conditions, and requirements established by the Director in their discretion.

(4) iLottery Player Accounts. Players who wish to utilize the iLottery Platform to purchase lottery tickets, games, or shares, claim prizes, receive winnings, and engage/participate in such other activities as authorized by the Director, must duly register an account (referred to herein as "an iLottery Player Account") with the iLottery Platform.

(5) Age Verification. To purchase lottery tickets, games, or shares via the iLottery Platform, the player must be 21 years of age or older at the time of purchase. The Director shall use any reasonably designed identity and age verification measures, which may include but is not limited to, software, public databases, Lottery databases, financial information, or other Know Your Customer (KYC) functionality, to block access to and prevent sales of lottery tickets, games and shares via the iLottery Platform to persons younger than 21 years old.

(6) Location. To purchase lottery tickets, games, or shares *via* the iLottery Platform, the player must be physically present in the Commonwealth of Massachusetts at the time of purchase. The Director shall use measures such as geolocation software, geo-filtering software, geofencing software, or other software to limit the sale of lottery tickets, games, or shares *via* the iLottery Platform to transactions initiated and received, or otherwise made, within the Commonwealth at the time of purchase.

(7) Voluntary Self-exclusion. Any player may voluntarily prohibit or otherwise exclude themselves from purchasing *via* the iLottery Platform a lottery ticket, game, or share. The manner and process by which a player may voluntarily prohibit or otherwise exclude themselves is governed by the terms, conditions, and requirements set by the Director in their discretion. Any list or record that identifies a player as having voluntarily prohibited or otherwise excluded themselves from purchasing lottery tickets, games, or shares via the iLottery Platform is exempt from disclosure under M.G.L. c. 66, § 10 and M.G.L. c. 4, §7(26).

(8) Account Limits. Maximum limits for iLottery Player Account deposits and transactions of lottery tickets, games, or shares via the iLottery Platform shall be established by the Director by Administrative Bulletin; players may reduce their deposit or transaction limit to a lesser amount at any time subject to the terms, conditions, and requirements set by the Director in their discretion.

2.69: continued

(9) Account Withdrawal. Cash deposited and unspent in an iLottery Player Account belongs to the owner of the account. Said cash or any portion thereof may be withdrawn by the owner at any time subject to the terms, conditions, and requirements set by the Director in their discretion as authorized to maintain the security of customer funds and to prevent fraud and unauthorized or unlawful withdrawals. Such terms, conditions, and requirements may include, but not be limited to, restrictions on withdrawals of specified funds originating from a player's acceptance of a promotional offer.

(10) Promotional Activities. Pursuant to M.G.L. c. 10, § 24(b)(vi), as a cost incurred in the operation and administration of the sale of lottery tickets, games, and shares via the iLottery Platform, each fiscal year, an amount determined by the Director in their discretion shall be used in accordance with M.G.L. c. 10, § 25(b)(a)(ii) to fund promotional activities, which shall be determined by the Director in their discretion, to encourage the purchase of lottery tickets, games, or shares *via* licensed Sales Agents.

(11) Search Function. The user-facing website and mobile application of the iLottery Platform shall offer a search function enabling players to find nearby licensed Sales Agents offering lottery sales at brick-and-mortar retail stores located in the Commonwealth.

(12) As determined by the Director in their discretion but not less than annually, the Lottery shall supply the Department of Public Health with customer tracking data collected or generated by the sale of lottery tickets, games, or shares *via* the iLottery Platform ("Data"). The Data shall be anonymized to remove

(a) personally identifying information, including a player's name, street address, bank or credit information and the last four digits of a player's zip code, in compliance with M.G.L. c. 93H, § 2; and

(b) game identifying information, including game name and device manufacturing company, in protection of corporate intellectual property.

The Data shall include information on player characteristics including, but not limited to, gender, age and region of residence and player behavior including, but not limited to, frequency of play, length of play, speed of play, denomination of play, amounts wagered and, if applicable, characteristics of games.

2.73: Bet & Play Terminal Games

(1) The Lottery may only offer Lottery games as specifically enumerated and authorized herein, for sale through the Bet & Play Game Terminal.

(2) Sales Start Date. Sale of Lottery games, as specifically enumerated and authorized herein, through the Bet & Player Terminal shall commence and conclude, if applicable, at the discretion of the Director.

(3) Definitions.

Bet & Play Game Terminal (B&PGT) means a Lottery-owned interactive self-service play terminal with specifications as determined by the Lottery

(1) that is connected to a Lottery vendor or third-party gaming system ("B&PGT gaming system"), and

(2) that only offers some or all of the Lottery games specifically enumerated and authorized in 961 CMR 2.73, which have randomly generated outcomes, and

(3) with the accounts of Sales Agents settled on the Lottery's invoicing system.

Bet & Play Ticket Validation and Printing Terminal means a Lottery-owned device that validates vouchers and tickets of Lottery games, as specifically enumerated and authorized in 961 CMR 2.73, printed from the Bet & Play Game Terminal, having the accounts of Sales Agents settled on the Lottery's invoicing system, and which is connected to the B&PGT gaming system.

2.73: continued

(4) B&PGT TAP Game(s).

(a) A B&PGT TAP Game is an instant-style game that may be offered for sale only through a Bet & Play Game Terminal, which is displayed on the Bet & Play Game Terminal screen and not printed. A B&PGT TAP Game may allow for the screen to be tapped to reveal the game results, or allow for game results to be revealed automatically, or both.

(b) Each B&PGT TAP Game shall have an individual game name, specified wager amounts, and prize structure detailing winning prizes at each wager amount selected by the player. Specific game rules for each B&PTG TAP Game, including wager and prize amounts and such other matters as may be necessary or desirable for the proper operation of the game, shall be detailed in an Administrative Bulletin issued by the Director.

(c) The value of any B&PGT TAP Game play prize winnings, and any cash balance, shall be displayed on the Bet & Play Game Terminal screen. B&PGT TAP Game play results, whether winning or non-winning, for a valid wager, shall be displayed on the Bet & Play Game Terminal screen. The Bet & Play Game Terminal must generate a TAP voucher with the cumulative prize winnings of a play session at its conclusion, or such other time as required by or authorized by the Lottery, which shall be the bettor's only receipt pursuant to (d) hereunder. Notwithstanding the information displayed on the Bet & Play Game Terminal screen, B&PGT TAP Game play prize winnings shall not be due and payable until a TAP voucher is presented by the player for payment and the TAP voucher is properly validated by an authorized Lottery Bet & Play Ticket Validation and Printing Terminal. The Lottery shall not be responsible for prize payments made by a Sales Agent on the basis of a TAP voucher that is determined to have no prize winnings.

(d) A TAP voucher generated by the Bet & Play Game Terminal shall be evidence of a play or plays through the Bet & Play Game Terminal, represented digitally on the touch screen of the Bet & Play Game Terminal, and is validly registered enabling play, unless determined otherwise by the B&PGT gaming system or by 961 CMR 2.00 *et seq.*

(e) In the event of a contradiction between information as displayed on the Bet & Play Game Terminal, as shown on a TAP voucher, and/or as reflected in the B&PGT gaming system, prize amounts for any TAP Game play or plays shall be governed, and any inconsistency shall be resolved, by what is reflected in the B&PGT gaming system.

(f) TAP vouchers are bearer instruments until signed by owner and prize winnings may be claimed by anyone in possession of unsigned TAP voucher.

(g) Lost, Mislaid or Stolen TAP vouchers. The Lottery may pay a prize to the holder of a TAP voucher and the payment of such prize winnings shall absolve the Lottery of any further liability with respect to such TAP voucher. In determining whether prize winnings have been paid on a TAP voucher, the Lottery may rely solely upon records from the B&PGT gaming system in determining whether prize winnings have been paid and the status as determined by the B&PGT gaming system shall be binding on the holder. In the event of a lost, stolen or mislaid TAP voucher, the Director may order an investigation, and if the Director is satisfied that the claimant in fact is the owner of the lost, stolen or mislaid TAP voucher and it has not otherwise been paid, the Director may, in the Director's discretion, pay the prize to the claimant thereof. All payments of prizes on lost, stolen or mislaid TAP vouchers shall not be made for a period of 90 days in the case of a prize of \$200.00 or less and shall not be made for one year if the prize exceeds \$200.00, unless the Director, in the Director's discretion, shall decide otherwise.

(h) Specific game rules for each B&PGT TAP Game shall be detailed in an Administrative Bulletin issued by the Director.

(i) The below B&PGT TAP Games are authorized for sale, at the discretion of the Director, through a Bet & Play Game Terminal:

- a. Diamond Dazzler - B&PGT TAP#1
- b. Ultra Cashword - B&PGT TAP#2

(5) B&PGT Fast Play Game(s).

(a) A B&PGT Fast Play Game is an instant-style game that may be offered for sale only through a Bet & Play Game Terminal, which is printed for each game upon purchase.

(b) Each B&PGT Fast Play Game shall have an individual game name, specified wager amounts, and prize structure detailing winning prizes. Specific game rules for each B&PGT Fast Play Game, including wager and prize amounts and such other matters as may be necessary or desirable for the proper operation of the game, shall be detailed in an Administrative Bulletin issued by the Director.

2.73: continued

(c) The Bet & Play Game Terminal shall generate a printed B&PGT Fast Play ticket upon purchase which shall be available as a receipt to the bettor, pursuant to section (d) hereunder. B&PGT Fast Play Game play results are displayed on the B&PGT Fast Play ticket that is printed for each game upon purchase. Notwithstanding the information displayed on the printed B&PGT Fast Play ticket, B&PGT Fast Play game prize winnings shall not be due and payable until the B&PGT Fast Play ticket is presented by the player for payment and the ticket is properly validated by an authorized Lottery Bet & Play Ticket Validation and Printing Terminal. The Lottery shall not be responsible for prize payments made by a Sales Agent on the basis of a B&PGT Fast Play ticket that is determined to be a non-winning ticket.

(d) A B&PGT Fast Play ticket generated by the Bet & Play Game Terminal shall be evidence of a play in printed form and is a validly registered enabling play, unless determined otherwise by the B&PGT gaming system or by 961 CMR 2.00 *et seq.*

(e) In the event of a contradiction between information as displayed on the B&PGT Fast Play ticket and the information reflected in the B&PGT gaming system, prize amounts for any B&PGT Fast Play game ticket shall be governed, and any inconsistency shall be resolved, by what is reflected in the B&PGT gaming system.

(f) B&PGT Fast Play tickets are bearer instruments until signed by owner and prize winnings may be claimed by anyone in possession of unsigned B&PGT Fast Play ticket.

(g) Lost, Mislaid or Stolen B&PGT Fast Play tickets. The Lottery may pay a prize to the holder of a B&PGT Fast Play ticket and the payment of such prize winnings shall absolve the Lottery of any further liability with respect to such B&PGT Fast Play ticket. In determining whether prize winnings have been paid on a B&PGT Fast Play ticket, the Lottery may rely solely upon records from the B&PGT gaming system in determining whether prize winnings have been paid and the status as determined by the B&PGT gaming system shall be binding on the holder. In the event of a lost, stolen or mislaid B&PGT Fast Play ticket, the Director may order an investigation, and if the Director is satisfied that the claimant in fact is the owner of the lost, stolen or mislaid B&PGT Fast Play ticket and it has not otherwise been paid, the Director may, in the Director's discretion, pay the prize to the claimant thereof. All payments of prizes on lost, stolen or mislaid B&PGT Fast Play tickets shall not be made for a period of 90 days in the case of a prize of \$200.00 or less and shall not be made for one year if the prize exceeds \$200.00, unless the Director, in the Director's discretion, shall decide otherwise.

(h) Specific game rules for each B&PGT Fast Play Game shall be detailed in an Administrative Bulletin issued by the Director.

(i) The below B&PGT Fast Play Games are authorized for sale, at the discretion of the Director, through the Bet & Play Game Terminal:

- a. Tic Tac Toe - B&PGT FP#1
- b. Lobstah Roll - B&PGT FP#2
- c. Blackjack - B&PGT FP#3
- d. Quick Spot - B&PGT FP#4

(6) Valid Bet. Except as otherwise provided in 961 CMR 2.73, a valid wager uses the B&PGT gaming system and is a bet which is:

(a) A wager purchased through the touch screen of a Bet & Play Game Terminal at a Sales Agent location authorized to sell from the Bet & Play Game Terminal or an authorized Lottery office.

(b) Paid for in full at the time of the play and at the Sales Agent location or at authorized Lottery office where the wager is placed.

(c) Recorded and accepted correctly on the B&PGT gaming system.

(d) In the event of an apparent contradiction, the information collected by, and as reflected in, the B&PGT gaming system will govern and such outcome shall be deemed final.

(7) Placing Bets.

(a) Wagers to purchase plays may be placed through the touch screen of a Bet & Play Game Terminal at a Sales Agent location authorized to sell from the Bet & Play Game Terminal or at an authorized Lottery office.

2.73: continued

(b) Bets may be placed at any time during the day at such time or times as will be determined by the Director, but all wagers must be placed and accepted by the B&PGT gaming system prior to the outcome of the play offered by the Bet & Play Game Terminal. In the event that a bet is placed for a play offered by the Bet & Play Game Terminal subsequent to the outcome of such play, such bet shall be void and the Lottery's liability shall be limited to a refund of the amount of the bet.

(c) The Lottery shall not be liable for payment of a prize because of Sales Agent or B&PGT gaming system error when a bet is placed.

(d) Plays purchased through the Bet & Play Game Terminal cannot be canceled.

(e) It shall be the responsibility of the person who collects the prize to make certain that the sum of prize money received is correct. The Lottery shall not be liable for any underpayment, except that the Director, in the Director's sole discretion, may direct that an additional prize payment be made in order to correct an incorrect payment.

(8) For Lottery plays sold pursuant to 961 CMR 2.73, Lottery-authorized Sales Agents may pay claims up to and including the sum of \$600.99. The procedure to be followed for claims in excess of \$600.99 shall be pursuant to 961 CMR 2.38, however the availability of the Mobile Claim Process for such claims is at the sole discretion of the Director.

(9) Sales Agents. Sales Agents are required to pay to the Lottery all sums due on the date established for payment. Failure to make payment when due or upon notice from the custodial bank that funds are not available may result in the immediate suspension of the Sales Agent's terminal and Bet & Play Game Terminal and the Sales Agent's license to sell plays from the Bet & Play Game Terminal and/or any other Lottery games shall be subject to revocation, suspension or nonrenewal pursuant to the provisions 961 CMR 2.13.

(10) Prizes. All prizes (less taxes and withholdings, if any) will be paid in full at the time the claim is made and after the ticket is properly validated by the Bet & Play Ticket Validation and Printing Terminal located in the Sales Agent location where the play was purchased or such other Bet & Play Ticket Validation Printing Terminal(s) as authorized by the Director.

(11) The liability, whether by negligence or otherwise, of the Lottery and its licensed Sales Agents for invalid bets is limited to a refund of the amount wagered.

(12) Miscellaneous. All other provisions of 961 CMR shall, if applicable, apply to the Bet & Play Game Terminal, as well as the B&PGT TAP Games and the B&PGT Fast Play Games sold through the Bet & Play Game Terminal.

REGULATORY AUTHORITY

961 CMR 2.00: M.G.L. c. 10, § 24 and c. 30A, § 3.

NON-TEXT PAGE

**THE COMMONWEALTH OF MASSACHUSETTS****William Francis Galvin**

Secretary of the Commonwealth

Regulation Filing*To be completed by filing agency*CHAPTER NUMBER: **103 CMR 483.00**CHAPTER TITLE: **Visiting Procedures**AGENCY: **Department of Correction**SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.***103 CMR 483.00 establishes rules and regulations governing visitation at state correctional institutions which reflect the importance of maintaining contact with family and the community, as well as the need for safety, security, and order in administering visitation.**REGULATORY AUTHORITY: **103 CMR 483.00: M.G.L. c. 124, § 1 (b), (c), and (q); M.G.L. c. 127, §§ 36 and 37 and M.G.L. c. 268, § 31**AGENCY CONTACT: **Timothy Whooley and Michele Dupuis-Clarke** PHONE: **617-727-3300**ADDRESS: **70 Franklin St., Suite 600 Boston, MA 02110****Compliance with M.G.L. c. 30A**EMERGENCY ADOPTION - *if this regulation is adopted as an emergency, state the nature of the emergency.*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.***04/23/2026 LGAC Notifications**
07/31/2026 Gov's Legal ApprovalPUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period, including a small business impact statement, 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: **06/11/2026**

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

For the first and second year: None

For the first five years: None

No fiscal effect: None

SMALL BUSINESS IMPACT - *M.G.L. c. 30A section 5 requires each agency to file an amended small business impact statement with the Secretary of the Commonwealth prior to the adoption of a proposed regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.*

Date amended small business impact statement was filed: 08/12/2026

CODE OF MASSACHUSETTS REGULATIONS INDEX - *List key subjects that are relevant to this regulation:*
103 CMR 483, Visiting Procedures

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

This regulation amends the existing 103 CMR 483.00, Visiting Procedures regulation.

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

SIGNATURE: _____ SIGNATURE ON FILE _____ DATE: Aug 13 2026

Publication - *To be completed by the regulations Division*

MASSACHUSETTS REGISTER NUMBER: 1581 DATE: 8/28/26

EFFECTIVE DATE: 8/28/26

CODE OF MASSACHUSETTS REGULATIONS

Remove these Pages:

**11 & 12
235 - 244.4**

Insert these Pages:

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235 - 244.6**

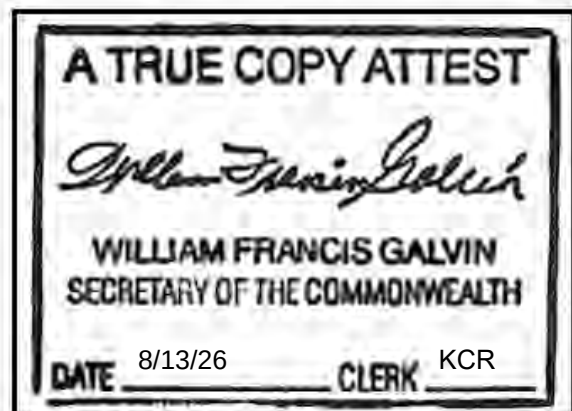


Table of Contents

	<u>Page</u>
103 CMR 483.00: VISITING PROCEDURES	235
Section 483.01: Purpose	235
Section 483.02: Cancellation	235
Section 483.03: Applicability	235
Section 483.04: Access to 103 CMR 483.00	236
Section 483.05: Definitions	236
Section 483.06: Institution Visiting Rules and Procedures	237
Section 483.07: Department Standards for Institution Rules and Procedures	238
Section 483.08: Visiting Area Officer	239
Section 483.09: Maximum Security/Special Visiting Inmate Populations	239
Section 483.10: Visitor Approval Process	240
Section 483.11: Identification and Sign-In Requirements	244
Section 483.12: Smuggling Prohibited	244
Section 483.13: Searches of Visitors	244.1
Section 483.14: Visitor Conduct and Dress Code	244.3
Section 483.15: Exclusion of Visitors	244.3
Section 483.16: Visiting Records	244.5
Section 483.17: Video Communication Services	244.5
Section 483.18: Time Limits	244.5
Section 483.19: Emergencies	244.5
Section 483.20: Responsible Staff	244.5
Section 483.21: Annual Review	244.5
Section 483.22: Severability	244.6
(103 CMR 484.00: RESERVED)	245
103 CMR 485.00: VOLUNTEERS AND VOLUNTEER PROGRAMS	247
Section 485.01: Purpose	247
Section 485.02: Cancellation	247
Section 485.03: Applicability	247
Section 485.04: Access to Regulation	247
Section 485.05: Definitions	247
Section 485.06: Administration and Supervision of Volunteers and Volunteer Programs	248
Section 485.07: Recruitment of Volunteers	249
Section 485.08: Application Procedures for Permanent Volunteers	249
Section 485.09: Application Procedures for Ex-offenders	250
Section 485.10: Temporary Volunteers	250
Section 485.11: Reentry Volunteers	250
Section 485.12: Application Procedures for Volunteer Programs and Special Activities	251
Section 485.13: Orientation	252
Section 485.14: Entrance to Correctional Institutions	252
Section 485.15: Security	252.1
Section 485.16: Rescission of Approval for Volunteers and Volunteer Programs	252.1
Section 485.17: Responsible Staff	252.2
Section 485.18: Annual Review	252.2
Section 485.19: Severability Clause	252.2

Table of Contents

	<u>Page</u>
103 CMR 486.00: ATTORNEY ACCESS AT MASSACHUSETTS CORRECTIONAL INSTITUTIONS	253
Section 486.01: Purpose	253
Section 486.02: Cancellation	253
Section 486.03: Applicability	253
Section 486.04: Access	253
Section 486.05: Definitions	253
Section 486.06: General Requirements	254
Section 486.07: Identification and Security Requirements	255
Section 486.08: Requirements for Visiting Inmates; Delays	256
Section 486.09: Legal Papers and Materials	256.1
Section 486.10: Emergencies	256.1
Section 486.11: Annual Review	256.1
Section 486.12: Severability	256.1
(103 CMR 487.00 through 490.00: RESERVED)	257
103 CMR 491.00: INMATE GRIEVANCES	258.1
Section 491.01: Purpose	258.1
Section 491.02: Cancellation	258.1
Section 491.03: Applicability	258.1
Section 491.04: Access to Regulation	258.1
Section 491.05: Definitions	258.2
Section 491.06: Institution Procedures	258.3
Section 491.07: Inmate Access to the Grievance Process	258.3
Section 491.08: Reprisals	258.3
Section 491.09: Informal Resolution	258.3
Section 491.10: Staffing Requirements	258.4
Section 491.11: General Requirements	258.4
Section 491.12: Grievance and Appellate Decisions	258.5
Section 491.13: Sexual Abuse Grievances	258.5
Section 491.14: Filing a Grievance	258.5
Section 491.15: Grievance Processing, Investigation, and Decision	258.6
Section 491.16: Appeal Process	258.6.1
Section 491.17: Extension of Time Periods	258.6.2
Section 491.18: Emergency Grievances	258.6.3
Section 491.19: Grievance Withdrawals	258.6.3
Section 491.20: Property and Monetary Resolutions	258.6.4
Section 491.21: Abuse of the Grievance Process	258.6.4
Section 491.22: Evaluation of the Grievance Process	258.6.5
Section 491.23: Record Keeping	258.6.5
Section 491.24: Emergencies	258.6.6
Section 491.25: Responsible Staff	258.6.6
Section 491.26: Annual Review	258.6.6
Section 491.27: Severability	258.6.6
(103 CMR 492.00 through 504.00: RESERVED)	258.7
103 CMR 505.00: USE OF FORCE	259
Section 505.01: Purpose	259
Section 505.02: Cancellation	259
Section 505.03: Applicability	259
Section 505.04: Access to Regulation	259
Section 505.05: Responsible Staff for Implementing and Monitoring Regulation	260

103 CMR 483.00: VISITING PROCEDURES

Section

- 483.01: Purpose
- 483.02: Cancellation
- 483.03: Applicability
- 483.04: Access to 103 CMR 483.00
- 483.05: Definitions
- 483.06: Institution Visiting Rules and Procedures
- 483.07: Department Standards for Institution Rules and Procedures
- 483.08: Visiting Area Officer
- 483.09: Maximum Security/Special Visiting Populations
- 483.10: Visitor Approval Process
- 483.11: Identification and Sign-In Requirements
- 483.12: Smuggling Prohibited
- 483.13: Searches of Visitors
- 483.14: Visitor Conduct and Dress Code
- 483.15: Exclusion of Visitors
- 483.16: Visiting Records
- 483.17: Video Communication Services
- 483.18: Time Limits
- 483.19: Emergencies
- 483.20: Responsible Staff
- 483.21: Annual Review
- 483.22: Severability

483.01: Purpose

The purpose of 103 CMR 483.00 is to establish rules and regulations governing visitation at state correctional institutions which reflect the importance of maintaining contact with family and the community, as well as the need for safety, security, and order in administering visitation. Massachusetts Department of Correction (Department or DOC) staff shall treat visitors with dignity and respect while maintaining proper safety, security, and order. The Department recognizes the importance of ongoing visitation between incarcerated and civilly committed individuals and their family members, especially children, to help promote successful community reentry of its incarcerated and civilly committed population. The Department welcomes and encourages families to visit on a regular basis. The Department shall make every effort to ensure that visits are conducted in a safe and respectful atmosphere. 103 CMR 483.00 is not intended to confer any private right of action or any procedural or substantive rights not otherwise granted by state or federal law.

483.02: Cancellation

103 CMR 483.00 cancels all previous Department policy statements, bulletins, directives, orders, notices, rules or regulations regarding visitation to the extent they are inconsistent with 103 CMR 483.00, except that they do not cancel 103 CMR 131.00: *News Media Relations*, 103 CMR 421.00: *Department Segregation Units*, 103 CMR 485.00: *Volunteers and Volunteer Programs*, or 103 CMR 486.00: *Attorney Access at Massachusetts Correctional Institutions*.

483.03: Applicability

103 CMR 483.00 is applicable to all employees, visitors, incarcerated individuals, and civilly committed individuals at all state correctional institutions. 103 CMR 483.00 applies to all visits, including those by tour groups, and to special events at correctional institutions, in which outsiders are allowed to participate, except where 103 CMR 483.00 specifically provides otherwise. 103 CMR 483.00 shall not apply to Lemuel Shattuck Hospital, the Bridgewater State Hospital, or the Massachusetts Alcohol and Substance Abuse Center at Plymouth which shall create and maintain separate and distinct visiting procedures for their respective institutions.

483.04: Access to 103 CMR 483.00

The Department shall maintain 103 CMR 483.00 within the Central Policy File and it shall be accessible to all Department employees. Each Superintendent shall maintain a copy of 103 CMR 483.00 in their institution's Central Policy File and in each institution's library.

483.05: Definitions

Assistant Deputy Commissioner of North/South. A senior level manager who reports to the Deputy Commissioner of the Prison Division and is responsible for ensuring policy compliance and standardization of procedures, for institutions under their supervision (divided by northern and southern sectors), in such areas as staff development, labor management, disorder management, and overall operations.

Chief of Staff. As one of the agency's second in command, the Chief of Staff reports directly to the Commissioner of Correction. The Chief of Staff collaborates closely with the Commissioner to ensure the Department's mission and vision are carried out and provides direction to senior level management regarding policy changes and updates.

Child. For the purposes of 103 CMR 483.00 only, any person younger than 18 years old requiring a minor consent form to gain entrance into the institution. All persons meeting this criterion shall fall under all provisions of this policy.

Commissioner. The Commissioner of Correction.

Director of Security. The individual responsible for the overall security within a correctional institution through formulation and enforcement of rules and regulations and by overseeing the performance of security staff.

Dress Code for Incarcerated and Civilly Committed Individuals on Visit. Clothing worn by the incarcerated and civilly committed individual while the individual is on a visit. Each Superintendent shall describe the dress code for visits in their institution's orientation manual.

General Counsel. The executive staff person who reports to the Commissioner, and is the chief legal counsel for the agency.

Holiday. Those legal holidays set forth in M.G.L. c. 4, § 7.

Immediate Family. Mother, father, spouse, children, grandchildren, brother, sister, grandmother, grandfather, half siblings, son-in-law, daughter-in-law, sister-in-law, brother-in-law, mother-in-law, father-in-law, mother or father of an incarcerated or civilly committed individual's child if documented by a birth certificate or other government-issued identification, and if they currently have physical custody of the child. A stepparent is considered within immediate family. Stepchildren may also be considered immediate family if the incarcerated or civilly committed individual and their spouse were married prior to the current incarceration.

Passive Detection Canine. A canine that is trained exclusively for contraband detection and to passively indicate the detection (*i.e.*, by sitting or lying down).

Personal Search. A clothed search of an individual limited to the pressing of palms of the hand against the outer surface of an individual's clothing, and examination of all pockets, shoes, caps and hairpieces. It does not include the removal of any of the person's clothing except removable outer garments (*e.g.*, sweaters, blazers, suit jackets, coats and sweatshirts).

Probable Cause. Facts and circumstances which would lead a reasonable and prudent person to believe that:

- (a) A crime has been committed, is being committed, or is about to be committed;
- (b) A particular item or items of physical evidence of that crime presently exists; and
- (c) The item or items are presently in the location to be searched.

483.05: continued

Special Visiting Populations. Incarcerated and civilly committed individuals who, due to special conditions of custody, may receive visits in locations other than the general visiting room, or in the general visiting room but only at specified times and/or under specified conditions.

Superintendent. The Chief Administrative Officer of a state correctional institution.

Video Communication Services. The transmission, conveyance, or routing of real-time, two-way communications, via video, to a point or between or among points by or through any electronic, radio, satellite, cable, optical, microwave, wireline, wireless, or other medium or method, regardless of the protocol used. This shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, spoken word, data, information, or intelligence, in whole or in part, via video on a computer, tablet, video kiosk, cell phone, or similar electronic device. Video Communication shall not include audio-only communication.

Visiting Area. That area within an institution which is designated for visits between incarcerated or civilly committed individuals and visitors.

Visiting Area Officer(s). The officer(s) assigned to the visiting area to maintain security and supervision.

Visiting Period. A three-to-four-hour block of time provided by each institution, except as outlined in 103 CMR 483.09. Visiting Periods are set by the Superintendent or designee, in their discretion, based upon the safety, security and/or order of the institution. The Department shall provide incarcerated individuals and visitors with as much time spent visiting as reasonably possible within prescribed Visiting Periods, with the understanding that visits lasting the entire length of a Visiting Period may not be possible due to factors, including, but not limited to: staffing limitations; visitor time of arrival at the institution; the number of visitors arriving to an institution in a given timeframe; infrastructure constraints; visiting area capacity; and other institutional safety, security, order, and operational needs and considerations.

Visitor (Incarcerated and Civilly Committed Individual). Any person requesting entrance into a correctional institution's visiting room or other approved visiting area for the sole purpose of conducting a social/family visit with an incarcerated or civilly committed individual within any state correctional institution.

Visitor Processing. The process of a prospective visitor entering the lobby (or similar area) of an institution and beginning an institution-specific check-in process, such as completing and submitting a visitor processing form. Visitor processing shall begin 30 minutes prior to the Visiting Period, unless inconsistent with the safety, security, and/or orderly operation of the institution. Visitor Processing does not include the search of visitors.

483.06: Institution Visiting Rules and Procedures

(1) Each Superintendent shall develop written institution visiting rules and procedures which, although tailored to the particular institution, and/or to specific populations within that institution, are consistent with 103 CMR 483.00. At a minimum, institution rules shall specify the following aspects of visiting at the institution:

- (a) Institution address/phone number, directions to the institution and information about all local transportation;
- (b) Procedures for checking personal effects before entering the visiting area;
- (c) Any security precautions that visitors are required to take (*e.g.*, locking cars, locking up items in lockers);
- (d) A statement that the carrying of guns or other weapons, controlled substances, alcohol, cellphones, electronic devices, or any other article into or out of the institution may result in loss of visiting privileges as well as criminal prosecution. This statement shall appear in the institution's rules and procedures and shall be posted on a sign in English and in Spanish, conspicuously displayed in the institution lobby or other entrance;
- (e) A statement regarding the prohibition of smoking on state property or possession of tobacco and tobacco related products within a correctional institution;

483.06: continued

- (f) Designation of an area where incarcerated and civilly committed individuals have access to counsel and confidential contact with attorneys and/or legal professionals, in accordance with 103 CMR 486.00: *Attorney Access at Massachusetts Correctional Institutions*; and
- (g) Designation of a private and separate area away from the visiting area in order to reasonably accommodate a visitor's request to nurse their infant child. Upon conclusion of breast feeding, an appropriate search shall be conducted in accordance with 103 CMR 483.07(4)(t).

- (2) A copy of the institution's visiting rules and procedures shall be made available to any visitor who requests one.

483.07: Department Standards for Institution Rules and Procedures

- (1) Each institution shall provide, at a minimum, three Visiting Periods per week, with at least one Visiting Period on a weekday evening, and at least one Visiting Period on the weekend. At least one Visiting Period shall be provided on any Holiday. 103 CMR 483.07(1) shall not apply to visitation for maximum security and special visiting populations, which is governed by 103 CMR 483.09.

- (2) The Commissioner may require that visitors schedule visits in advance to enhance the safety, security, and/or order of any institution. If the Commissioner decides, in their discretion, to implement advance scheduling of visits at institutions, the reason(s) for such determination shall be documented in writing and placed on file in the office of the Superintendent of each institution. Reasons for this requirement may include, but are not limited to, preventing overcrowding of institution visiting areas and/or lobbies, maximizing the length of visits between visitors and incarcerated individuals; preventing the introduction of contraband; and/or other reasons related to the security, safety, and/or orderly operation of the institution(s).

- (3) A maximum of two adults shall be permitted to visit an incarcerated or civilly committed individual at the same time during any Visiting Period. Minimum and Prerelease institutions may allow up to four adults. There shall be no limitations on the number of children. However, the number of children accompanying any parent/guardian must be of a number that can be adequately supervised by the parent/guardian in the institution and a number that can be accommodated by the institution's visiting area(s).

- (4) Visitors and incarcerated and civilly committed individuals shall adhere to the following conduct guidelines while in the visiting room:

- (a) Excessive familiarity, profanity, offensive behavior, or serious deviation from appropriate standards of behavior in a public place, may result in administrative action, such as verbal warning, termination of a visit, or loss of visiting privileges;
- (b) Commonly accepted public displays of affection shall be allowed, which include one closed mouth kiss/hug upon inception and conclusion. Anything that exceeds this standard, shall receive a notice of discretionary caution;
- (c) Disruptive behavior of any kind will not be tolerated;
- (d) No straddling chairs. Furniture is not to be rearranged;
- (e) No sitting with one person's legs crossed over another person's legs;
- (f) Feet shall remain visible at all times;
- (g) No lying across or sitting on another's lap. Exceptions shall be made for children younger than eight years old, who shall be allowed to sit on the accompanying and /or incarcerated parent/guardian's lap;
- (h) When sitting, hands shall be in plain sight at all times;
- (i) Incarcerated or civilly committed individuals and adult visitors shall sit across from one another, not side-by-side, at all medium and maximum-security institutions. Exceptions shall be made for children's visiting areas.
- (j) Incarcerated or civilly committed individuals and visitors shall not be allowed to put their arms around each other when sitting or standing. The only exceptions shall be once at the inception of the visit (greeting) and once at the conclusion of the visit during departure;
- (k) Incarcerated or civilly committed individuals and visitors shall follow the orders of the officers assigned to the visiting room and its related areas;

483.07: continued

- (l) No article(s), with the exception of food and beverage items as described in 103 CMR 483.07(4)(o), shall be passed between visitors and incarcerated or civilly committed individuals;
- (m) Incarcerated or civilly committed individuals and visitors are responsible for cleaning up and throwing away trash, leftover vending machine items, or wrappers or purchased items during the visit;
- (n) No cross visiting (visiting an incarcerated or civilly committed individual other than the specifically approved incarcerated or civilly committed individual) is permitted between incarcerated or civilly committed individuals and visitors;
- (o) If available, visitors may purchase a beverage or food item and deliver it to the incarcerated or civilly committed individual they are visiting. The visitor and incarcerated or civilly committed individual shall not be permitted to share any beverage or food item at any time;
- (p) At no time shall visitors and/or incarcerated or civilly committed individuals be allowed to change seats, unless directed to or given permission by a visiting room staff member;
- (q) Interactions between an incarcerated or civilly committed individual and the visitor of another incarcerated or civilly committed individual or between visitors are not allowed;
- (r) Possession or use of tobacco or alcohol products or unauthorized controlled substances is prohibited;
- (s) Parents or legal guardians shall be responsible for an accompanying child's actions and behavior at all times. Children shall not be allowed to engage in disruptive behavior or to roam the visiting room or lobby unattended. This type of behavior may be grounds for termination of the visit;
- (t) Visitors utilizing the restroom facilities or designated nursing areas may be subject to a personal search prior to and upon reentering the visiting room area. Failure to comply shall result in termination of the visit and may result in the suspension of visiting privileges upon review by the Superintendent.

(5) Any disruptive action which threatens the security of the institution shall result in termination of the visit upon approval by the Shift Commander. Following such incidents, each visiting area officer(s) shall submit a written report to the Superintendent before completing their tour of duty at that post. All details concerning the reason(s) for termination of the visit shall be noted.

(6) All institution visiting rules shall be enforced.

(7) Each Superintendent shall post available forms of nearby public transportation, such as specific MBTA lines and busses, in a conspicuous location at the entrance or lobby of the institution.

483.08: Visiting Area Officer

The responsibilities of the visiting area officer shall include, but are not limited to:

- (1) Maintaining safety and security;
- (2) Enforcing 103 CMR 483.00 and the institution's procedures on visiting;
- (3) Maintaining cleanliness and sanitation in the visiting room;
- (4) Appropriately processing and providing all required information to visitors; and
- (5) Supervising the incarcerated or civilly committed individuals and visitors.

483.09: Maximum Security/Special Visiting Populations

Each Superintendent shall develop institution procedures as required for incarcerated individuals in maximum security and incarcerated and civilly committed individuals in a special visiting population under their jurisdiction, which shall include but not be limited to:

483.09: continued

- (1) Designation of an area for visiting;
- (2) Provision for devices, if any, to preclude physical contact, which may be necessary to satisfy security requirements;
- (3) Provisions for special visits with attorneys, law students, paralegals, private investigators, and members of the clergy;
- (4) Incarcerated and civilly committed individuals in a special visiting population shall be afforded three visiting periods per week, with at least one period on a weekday evening, and at least one period on the weekend (unless serving a sanction of loss of visits). At least one visiting period shall be provided on any Holiday. The Superintendent shall determine the time and duration of visiting periods, commensurate with the safety and security needs of the institution and special visiting population.
- (5) Incarcerated and civilly committed individuals in maximum security shall be afforded three visiting periods per week, with at least one period on a weekday evening, and at least one period on the weekend (unless serving a sanction of loss of visits). The Superintendent shall allow for at least one visiting period to be provided on any Holiday. The Superintendent shall, on such Holidays, determine the time and duration of visiting periods, commensurate with the safety and security needs of the institution.

483.10: Visitor Approval Process

Each Superintendent shall develop institution procedures to ensure a systematic approach to the requests and approval process of visitors. The Commissioner may authorize an additional system for the delivery of requests and visitor approval process through electronic means.

It is the Department's policy not to restrict visiting to prescribed classes of persons such as incarcerated or civilly committed individuals' relatives or friends, or prior acquaintances. Each incarcerated or civilly committed individual shall be allowed a maximum of 20 preapproved adult visitors. Although minors do not require preapproval, the guidelines outlined in 103 CMR 483.10(10) must be met prior to the allowance of minor visitation. The preapproved visitors may consist of a combination of immediate family members and/or friends. This list may be revised upon an incarcerated or civilly committed individual's request four times per year. Requests for changes shall be submitted on the Incarcerated/Civilly Committed Individual Visitor Listing Form available at each institution's library, and attached as Attachment #3 to 103 CMR 483.00: *Visiting Procedures* at each institution. Requests for changes shall be submitted to the Director of Security for processing during the months of February, May, August, and November. The Superintendent, in their discretion, may permit incarcerated or civilly committed individuals to submit change requests at other times and shall permit submission of such change requests where a compelling need has been demonstrated. The Director of Security shall process change requests within 30 days of receiving the request.

NOTE: If an incarcerated or civilly committed individual's immediate family exceeds 20 and the incarcerated or civilly committed individual only has immediate family on their list, then exceptions may be made to exceed this number, upon the written approval of the Superintendent.

- (1) The following restrictions on who may visit do apply:
 - (a) By statute (M.G.L. c. 127, § 36), no person except the Governor, a Member of the Governor's Council, a Member of the General Court, a Justice of the Supreme Judicial, Superior or District Court, the Attorney General, a District Attorney, the Commissioner, a Deputy Commissioner of Correction, a Member of the Parole Board, or a Parole or Probation Officer may visit a state correctional institution without the permission of the Superintendent or the Commissioner.
 - (b) By statute (M.G.L. c. 127, § 37) the Superintendent may refuse admission to a person who has permission to visit if, in the Superintendent's opinion, such admission would be injurious to the best interests of the institution.

483.10: continued

- (c) Generally, no one may visit an incarcerated or civilly committed individual who is temporarily confined in an outside hospital (other than the Lemuel Shattuck Hospital Correctional Unit, which shall maintain its own visiting procedures). Incarcerated or civilly committed individuals who are admitted to an outside hospital and medically determined to be in critical condition or in imminent danger of death may be allowed to have visits if the Superintendent of the parent institution has provided written authorization, subject to the visiting policies and procedures of the outside hospital.
- (d) Incarcerated or civilly committed individuals who have been medically paroled, but remain in Department custody, shall be allowed to have visits unless there is a compelling safety, security, and/or clinical contraindication to the visit.
- (e) Except for the officials listed in 103 CMR 483.10(1)(a), and except as provided by 103 CMR 486.00: *Attorney Access at Massachusetts Correctional Institutions*, persons wishing to visit a correctional institution to provide services to incarcerated or civilly committed individuals or to examine or report on incarcerated or civilly committed individuals or conditions must obtain prior permission to visit. Unless a Department regulation (e.g., 103 CMR 131.00: *News Media Relations*; 485.00: *Volunteers and Volunteer Programs*; 486.00: *Attorney Access at Massachusetts Correctional Institutions*) establishes a particular procedure for obtaining permission, such visitors shall apply to the Superintendent.
- (f) Special Visits. Exceptions to the visiting schedule, duration of visits, the number of persons allowed to visit at one time, and/or other requests, may be considered under special circumstances (e.g., visitors who have traveled over 75 miles one way). Such requests must be submitted in writing to the Superintendent or a designee. Special visit approval shall be documented, in writing, and a copy shall be sent to the requesting visitor, the incarcerated or civilly committed individual, the visitor processing area and outer control.

Consideration for a special visit shall be at the Superintendent's discretion. All visitors approved through such requests shall be subject to the preapproval process outlined in 103 CMR 483.10(1)(f) prior to entry into a Department institution. Upon commitment to a Department institution, an incarcerated or civilly committed individual shall be allowed to have two visitors and a reasonable number of visiting children pending the visitor pre approval process. Incarcerated or civilly committed individuals shall submit an Incarcerated/Civilly Committed Individual Visitor Listing within 30 days of admission to the Department. However, visitors who are added to any subsequent Incarcerated/Civilly Committed Individual Visitor Lists shall not be allowed to visit until approved. The two visitors allowed to visit pending the approval process shall become inactive after 40 business days if not properly approved through the application process.

(2) Up to ten blank copies of The Visitation Application (available at www.mass.gov/doc, and at each institution's library attached as Attachment #1 to 103 CMR 483.00) and a copy of the Incarcerated/Civilly Committed Individual Visitor Listing shall be provided to each incarcerated or civilly committed individual at orientation. Prospective visitors shall complete and return the forms with a copy of current photo identification to the institution's Director of Security by mail or by submitting through an electronic application process if one becomes available. Where required per 103 CMR 483.13(2)(b) or (9), the prospective visitor shall also include medical documentation. The Director of Security or their designee shall approve or deny completed applications within 20 business days and thereafter mail their decision to the applicant.

(3) Prior to submitting the application to the Director of Security for final approval/disapproval, institution staff shall complete the following Criminal Justice Information System (CJIS) checks for potential visitors who submit a Visiting Application:

- (a) Board of Probation (BOP) report;
- (b) Warrant Management System (WMS) warrant check;
- (c) Wanted/Missing Person/Vehicle (QWA) warrant check (also known as NCIC).

(4) Victim Notification Registry (VNR) checks of the potential visitor will be completed by the Victim Services Unit.

483.10: continued

(5) Upon receipt of a Visitor Application, the Director of Security shall review the application. An improper and/or incomplete application shall be returned to the individual submitting the application. The reason for the returned application shall be included as well as the need for resubmittal. After consulting with any necessary staff, the Director of Security shall make the final decision. The Superintendent shall designate a staff member to complete random subsequent checks at least quarterly.

(6) If the application is approved or denied, the visitor's name and status shall be entered on the Incarcerated/Civilly Committed Individual Visitor Listing which shall be maintained at a central location as determined by the Superintendent. This location shall be accessible to staff processing visits.

(7) The prospective visitor shall be notified in writing of an approval or, in the case of a denial, the reason(s) for a denial, through the Visitor Status Notification Form (available at www.mass.gov/doc, and at each institution's library, attached as Attachment #4 to 103 CMR 483.00) The prospective visitor may appeal a denial in writing to the Superintendent. The incarcerated or civilly committed individual shall be notified in writing whether the visitor has been approved or denied.

(8) Reasons for denial may include, but are not limited to the following:

- (a) The prospective visitor poses a direct threat to the safety, security and/or orderly operation of the institution;
- (b) If the prospective visitor is a victim of the incarcerated or civilly committed individual or a family member of the victim, the guidelines outlined in 103 CMR 483.10(10)(f) shall be followed prior to rendering of a final decision;
- (c) The prospective visitor is discovered to have a previously disclosed felony conviction or is convicted of a new felony. However, the Superintendent has the discretion to approve a visitor based on the severity and date of previous felony convictions in accordance with 103 CMR 483.10;
- (d) The prospective visitor has previously introduced contraband into a correctional institution;
- (e) The prospective visitor is listed as an approved visitor on another incarcerated or civilly committed individual's visitation list within the Department, except where a prospective visitor requests to visit multiple immediate family members who are incarcerated;
- (f) The prospective visitor has active felony charges or warrants pending;
- (g) The prospective visitor provides false information on the visitation application;
- (h) The prospective visitor is currently barred from entering any Department institution;
- (i) The prospective visitor has an active restraining order (209A) against the incarcerated or civilly committed individual or the incarcerated or civilly committed individual has an active restraining order against the prospective visitor;
- (j) The prospective visitor has previously assisted an incarcerated or civilly committed individual in a violation of institutional rules and regulations (*e.g.*, violations of mail regulations, financial transactions regulations, and/or telephone access regulations, such as facilitating three-way telephone calls).

(9) If an incarcerated or civilly committed individual requests to delete a visitor from their visitor listing, the Incarcerated/Civilly Committed Individual Visitor Listing shall be completed and submitted to the Director of Security. A Visitor Status Notification shall be completed and a copy forwarded to both the visitor and incarcerated or civilly committed individual.

(10) Approval of visitors shall be at the Superintendent or designee's discretion, in accordance with the following guidelines:

- (a) Children younger than 18 years old may visit without being on the incarcerated or civilly committed individual's approved visitor list, provided they are accompanied by a parent, legal guardian having physical custody and who is on the incarcerated or civilly committed individual's approved visiting list. Originals or copies of birth certificates or of official hospital records or other government-issued identification verifying the birth of the child, the date of birth of the child, and parent information, are required for children younger than 18 years old;

483.10: continued

(b) An adult who is not the parent or guardian having physical custody of the minor must submit a completed Minor Consent Form (available at www.mass.gov/doc, and at each institution's library, attached as Attachment #2 to 103 CMR 483.00). The adult shall also provide the Superintendent copies of the minor's birth certificate or of an official hospital record or other government-issued identification verifying the birth of the child, the date of birth of the child, and parent information and obtain the Superintendent's approval prior to visiting with the minor. Minor Consent Forms shall not need to be resubmitted upon the incarcerated individuals transfer to another Department institution;

(c) Adults entering with a minor shall have the minor's original or a copy of the minor's birth certificate or an official hospital record or other government-issued identification verifying the birth of the child, the date of birth of the child, and parent information, and if the adult is not the parent or guardian, a copy of the approved Minor Consent Form with them each time they visit. An incarcerated or civilly committed individual may sign the Minor Consent Form if they are noted as the parent on the child's birth certificate;

(d) Members of the clergy, as authorized by the Chaplain or Superintendent, need not be placed on the Approved Visitors List;

(e) Attorneys, law students, paralegals and/or private investigators need not be placed on the Approved Visitors List;

(f) If the prospective visitor has been approved or denied, the name shall be entered on the incarcerated or civilly committed individual's visitor listing. If the prospective visitor is the victim, family member of a victim, or registered to receive notification concerning an incarcerated or civilly committed individual currently incarcerated, the Victim Services Unit shall be informed to provide additional information and guidance on the proper course of action. The Superintendent or designee shall make the final decision when a prospective visitor is initially denied.

(11) The following shall apply for persons with past criminal felony convictions:

(a) A visitor who is paroled or otherwise released from Department custody must obtain the permission of the Superintendent before visiting an incarcerated or civilly committed individual who is still confined.

(b) Incarcerated or civilly committed individual family members recently released from a correctional institution may not be considered for visitation approval for six months following release from incarceration;

(c) Other visitor applicants with prior incarcerations who are not immediate family members may apply for visitation one year after release from confinement;

(d) The Superintendent or designee may deny the visitation applications of anyone with felony convictions if it is believed that the security of the institution or safety of individuals could be jeopardized.

(12) The following shall also apply to current/former employees, contract staff, interns, and volunteers:

(a) Current or former employees of the Department, of contract agencies, and former Department interns shall not be approved to visit an incarcerated or civilly committed individual unless they are immediate family members of the incarcerated or civilly committed individual or if they left their service to the Department in good standing. In such cases, the Superintendent, in their discretion, may grant approval. If further extenuating circumstances exist, a request may be submitted in writing to the Superintendent;

(b) If the prospective visitor's separation from the Department was due to a violation of Department policy or state law, whether or not prosecution occurred, visitation requests shall not be considered for at least a minimum period of one year, depending on the severity of the violation;

(c) Prospective visitors who are or have been volunteers may be considered for visitation approval upon written authorization from the Superintendent.

483.10: continued

(13) Visitors may not be placed on more than one incarcerated or civilly committed individual's visiting list at the same institution or visit an incarcerated or civilly committed individual at another institution unless the incarcerated or civilly committed individual(s) are immediate family members of the visitor. All other visitors must submit a request, in writing. The Superintendent may approve or deny the request in writing based on the safety, security, and /or order of the institution.

(14) No child who was a victim of the incarcerated or civilly committed individual's offense shall be authorized to visit without the authorization of the Commissioner or a designee.

(15) All copies of visitor applications shall be maintained in the institutional visitation file or electronically, clearly marked "approved" or "denied" with the signature of the Superintendent or a designee in accordance with the Massachusetts State wide Record Retention Schedule.

(16) Each institution shall maintain an electronic record of the names of all visitors admitted to the institution to visit incarcerated or civilly committed individuals through the Department's electronic information system .

483.11: Identification and Sign-in Requirements

(1) Visitor processing shall begin 30 minutes before the start of the scheduled Visiting Period. Deviations of this time frame must be approved by an Assistant Deputy Commissioner.

(2) Before being admitted to an institution, a visitor shall be required to produce identification which, in the opinion of the admitting officer(s), is adequate. Acceptable identification for adult visitors shall include a current photographic identification, such as a valid state driver's license, a passport, a military identification card or official photographic identification cards originating from any state or federal agency, including government employee identification cards and Immigration and Customs Enforcement documents. Prior to denying a visitor visiting privileges, or in cases in which the visitor's identification is questioned, the admitting officer shall notify the Shift Commander for final determination. Exceptions may be made by the Superintendent or a designee.

(3) The visitor shall be checked for pre approval against the incarcerated or civilly committed individual's visitor listing.

483.12: Smuggling Prohibited

(1) It is a felony in Massachusetts (M.G.L. c. 268, § 28) for any person to deliver any article to an incarcerated or civilly committed individual, procure any article to be delivered to an incarcerated or civilly committed individual, possess any article with intent to deliver it to an incarcerated or civilly committed individual, or to deposit or conceal any article with intent that an incarcerated or civilly committed individual shall obtain it, without the permission of the Superintendent or Commissioner.

(2) Upon entering, visitors must disclose to the admitting or searching officer(s) any article they are carrying on their person except the clothes that they are wearing. Anyone who attempts to carry in or out of the institution any article without the knowledge of the admitting or searching officer(s) may be subject to arrest and loss of visiting privileges.

(3) Each visitor shall be asked by the admitting officer, before entrance into the institution, if they have any weapons, cuff keys, medication, cell phones, electronic devices, pagers or other contraband. All weapons shall be given to the officer prior to entry to the institution. No weapon requiring a license in order to be lawfully possessed shall be returned to the visitor unless the visitor can show proof of license.

(4) The provisions of 103 CMR 483.12(1) and (2) shall be posted at the entrance of the institution.

483.13: Searches of Visitors

- (1) Each Superintendent shall have posted in the lobby or other entrance a large sign which reads "ALL VISITORS ARE SUBJECT TO BEING SEARCHED," and containing the same wording in Spanish, "TODAS LAS VISITAS ESTAN SUJETAS A REVISION."
- (2) Visitors are allowed to bring in the following item(s) but must declare them to the processing officer. Items are to be carried in hand or in a clear plastic bag.
 - (a) Engagement rings, wedding rings/band, one religious medallion, and medical alert jewelry;
 - (b) Visitors who are required to maintain life saving medication on their person (*e.g.*, nitroglycerine, inhalers, and glucose tablets) shall obtain prior approval from the Superintendent to visit with such medication. The visitor shall submit to the Superintendent for review written evidence, signed by a health care professional, documenting the need for such medication. Once substantiated, the Superintendent shall provide written approval to allow the visitor to enter the institution with the medication. The visitor shall be required to declare this medication and produce the Superintendent's written approval to the officer in charge of the visitor processing area prior to entering the pedestrian trap every time they visit. If this is the visitor's first time visiting a Department institution, the Shift Commander shall be notified for authorization to enter with the necessary medication. This one time approval shall be documented via an incident report and made available to processing staff. The visitor shall be advised that they must obtain the required approval prior to their next visit. Visitors who have life saving medication shall keep it on their person at all times;
 - (c) Items for Infants. Two plastic bottles with either formula, milk, water or juice, one empty sippy cup, two infant diapers and infant wipes in a clear plastic bag, one blanket, one pacifier, two clear plastic sealed containers of baby food, one plastic spoon and one bib;
 - (d) A handkerchief;
 - (e) Prescription eyeglasses (no case) and hearing aids.

ALL OTHER ITEMS REQUIRE PRIOR APPROVAL.

- (3) Upon entering the pedestrian trap/processing area, the visitor must remove all outer garments, belt, shoes, etc., to be searched. The visitor shall also remove all items in their pockets. The officer assigned to the area shall inspect all items for contraband.
- (4) All visitors shall be searched at medium and maximum-security level institutions and may be searched at minimum/pre-release security levels prior to entering the visiting room. A search of non-attorney visitors may be conducted by a canine officer utilizing a passive drug detection canine. Visitors may also be subject to scanning or inspection by a walk-through metal detector, handheld wand, and/or other similar equipment, devices, or tools. If a visitor fails the metal detector or other search, an additional search (*e.g.* personal search, hand-held wand, *etc.*) shall then be required prior to any entrance. Prior to the additional search, the officer in charge of the visitor processing area must be notified for approval.
- (5) In addition to the metal detector search, medium and maximum-security institutions shall also require a personal search of the day in a sequence to be determined by the Shift Commander. Visitors shall be granted the opportunity to leave the institution rather than submit to a personal search unless:
 - (a) The employee has those arrest powers granted by the authority of M.G.L. c. 127, § 127 and;
 - (b) The employee has probable cause to believe that the visitor has committed an arrestable offense; and,
 - (c) The employee has probable cause to believe that the visitor has physical evidence concealed on their person.
 Under these conditions, a personal search incident to arrest may be conducted.
- (6) If during any search contraband is found, the Shift Commander shall be notified immediately for appropriate action. Based on the circumstances and type of contraband found, the Shift Commander may either allow the visit to proceed or bar the visitor from entry into the institution.

483.13: continued

- (7) If the contraband is of a criminal nature (*e.g.*, weapons, drugs):
- (a) The Shift Commander may temporarily detain the visitor(s) until the police arrive and take any further action deemed necessary;
 - (b) The Shift Commander may, with the approval of the Superintendent, contact the state or local police immediately for arrest, transportation, booking and processing;
 - (c) An incident report shall be generated by the processing officer and a copy provided to the responding police agency as soon as possible, but before the end of the officer's shift;
 - (d) Any contraband found by the processing officer on the visitor shall be seized by the officer, bagged and labeled with the officer's name, institution, identity of the visitor and the date the contraband was seized. The processing officer shall sign a statement verifying the contents and the chain of custody. The evidence and the chain of custody statement shall be given to the responding police officer, who must sign and date a receipt for the evidence;
 - (e) If the state or local police do not respond to the institution after a one hour time period, the detained visitor(s) shall be released and a criminal complaint filed with the court upon approval of the Superintendent.
- (8) Visitors who appear to be under the influence of drugs or alcohol or have the odor of what appears to be alcohol on their breath shall be refused entrance to the institution. The Shift Commander shall be notified immediately. In cases in which it appears a visitor has operated or may operate a motor vehicle while under the influence of alcohol and/or drugs, upon the Superintendent's approval, an officer or the Shift Commander shall contact state or local police prior to the visitor leaving state property. In such an instance, an incident report shall be generated by the processing officer.
- (9) Staff shall use the utmost tact and dignity when dealing with individuals with disabilities. Visitors who utilize medical devices such as an automatic implantable cardioverter/defibrillator and/or pacemaker, wheelchairs, prosthetic devices, insulin pumps, casts, braces, medically necessary shoes, canes, walkers, guide dogs, etc., or requiring the use of oxygen tanks, shall obtain the Superintendent's prior approval to visit with such device(s). The visitor shall submit to the Superintendent written evidence signed by a health care professional documenting the need for such device(s). In circumstances where the medical condition is temporary, the written evidence shall include an anticipated end date for the use of all devices that are necessary for a limited time period (*e.g.*, cane, cast). Once substantiated, the Superintendent shall provide written approval to allow the visitor to enter the institution with the device(s); if applicable, the Superintendent shall authorize an alternate search whenever the visitor is unable to submit to a metal detector search due to physical limitations or the presence of the device(s). The visitor shall be required to declare the device(s) and produce the written approval by the Superintendent each time they visit. If an alternative search is approved, the visitor shall be subject to a personal search every time they visit the institution. If this is a first time visit to a correctional institution by the visitor, the Shift Commander shall be notified for authorization to enter with the necessary device(s) provided the visitor has agreed to a personal search prior to entering. This one time approval shall be documented via an incident report and made available to processing staff. The visitor shall be advised that they must obtain the required approval prior to their next visit. The officer shall note all medical devices upon entry and verify upon exit of the visiting room. Additionally, a tool control inventory sheet shall be completed for all oxygen tanks that enter the institution.
- (10) Visitors at all institutions may be stamped with the stamp of the day on the hand designated by the Shift Commander, when applicable.
- (11) Employees conducting searches shall do so in a professional and courteous manner.
- (12) Personal searches shall be conducted by a correctional employee of the same sex as the visitor. Upon request by the visitor, personal searches shall be conducted by a correctional employee of the same gender as the one with which the visitor identifies.
- (13) Papers and documents carried in or out by any judge, attorney, law student, paralegal, the Governor, any legislator or member of the Parole Board may be inspected for concealed articles but shall not be read.

483.14: Visitor Conduct and Dress Code

Visitors are expected to conduct and dress themselves in a manner that is appropriate for a public place.

No visitor may give or exchange any article of clothing or any other items with an incarcerated or civilly committed individual during a visit.

The Department's Visitor Dress Code applies to all visitors (adults and children) and is available at www.mass.gov/doc and in Attachment #6. If an admitting officer deems a prospective visitor to be in violation of the Visitor Dress Code, the officer shall immediately refer the matter to the Shift Commander for evaluation and a determination as to compliance. If the Shift Commander determines that the prospective visitor is in violation of the Visitor Dress Code, they may deny the visitor's entrance into the institution. The Shift Commander shall be the only staff member who may deny visitor entrance into an institution based upon a visitor's conduct or a violation of the Visitor Dress Code.

483.15: Exclusion of Visitors

(1) Any visitor, even one who has obtained prior permission to visit, may be denied entrance to the institution or required to terminate a visit and leave the premises. M.G.L. c. 266, § 123 makes it a criminal trespass to refuse to leave an institution after being ordered by an officer to do so.

(2) If an officer determines a visit should be denied, barred or terminated, the Shift Commander shall be notified for approval. The Shift Commander shall then make the decision as to whether or not the visit shall be denied, barred or terminated.

(3) Before any attorney is denied, barred or terminated, the Superintendent shall be consulted. In accordance with 103 CMR 486.00: *Attorney Access at Massachusetts Correctional Institutions*, the Commissioner and/or the General Counsel shall be notified of such action by the institution Superintendent or a designee within 24 hours of the incident. Within 15 business days of any such action, the Superintendent shall take any of the actions listed in 103 CMR 483.15(8). In addition to the right to seek reconsideration or review by the Superintendent, pursuant to 103 CMR 483.15(9), the attorney may immediately appeal any exclusion to the Commissioner.

(4) Before any of the Officials listed in 103 CMR 483.10(1)(a), are denied, barred or terminated, the Superintendent shall be notified and shall then consult with the Assistant Deputy Commissioner, Chief of Staff and, when appropriate, the Director of Legislative Affairs. The Superintendent shall then make the decision as to whether the denial, bar or termination is appropriate. Within 15 business days of any such action, the Superintendent shall take any of the actions listed 103 CMR 483.15(8). In addition to the right to seek reconsideration or review by the Superintendent, pursuant to 103 CMR 483.15(9), the official may immediately appeal any exclusion to the Commissioner.

(5) A visitor who is denied entrance or asked to leave shall be told the reason for such action, except when it is deemed that to specify the reason might jeopardize security interests or the safety of any person.

(6) Where the problem is something that clearly may be remedied, the visitor may be told that they may return to the institution at some specified time in the near future (such as the next day or the next Visiting Period) or upon satisfaction of some stated condition (such as having sufficient identification or being improperly dressed). In cases where this is not appropriate, the visitor shall be told to await notification from the Superintendent before returning to the institution.

483.15: continued

(7) Whenever a visitor is denied entrance, is barred, or a visit is terminated, except where such denial or termination is based on a prior order of the Superintendent, on a reason other than misconduct (*e.g.*, visiting room reaching capacity), or on a failure to obtain prior permission to visit where such permission is required by 103 CMR 483.10, the Shift Commander shall file an incident report prior to the end of the shift. This report shall include the name of the visitor and the incarcerated or civilly committed individual visited, the time of the denial or termination and the reasons therefore. If the visitor has been informed that they may return at some specified time in the near future or upon satisfaction of some condition, the report shall so indicate.

(8) The Superintendent or a designee shall promptly review all visitor incident reports and conduct whatever factual investigation they deem necessary. After such review, and within one week of receipt of the incident report, one of the following shall occur:

- (a) In a case where the visitor has been told that they may return to the institution at some specified time or upon the satisfaction of some stated condition, the Superintendent may take no action, thus allowing the resumption of visits to occur;
- (b) The Superintendent may notify the visitor that they may return to the institution to resume visiting;
- (c) The Superintendent may notify the visitor in writing that they may resume visiting under specified conditions;
- (d) The Superintendent may notify the visitor in writing that visiting privileges are suspended for a specified period of time, up to one year, and that they may reapply for admission at the end of the period.
- (e) If a barred visitor applies for reinstatement following the end date of the visitor's bar, and the Superintendent determines it necessary to extend the bar for an additional period of time up to one year, the Superintendent may enact such an extension only with the approval of the Commissioner. The visitor may again apply for reinstatement at the conclusion of any additional bar period and the Superintendent may only further extend the bar for a period of up to one year with the approval of the Commissioner. This procedure does not apply to permanent visitor bars for the attempted introduction of drug contraband or weapons.
- (f) Any visitor who is barred from visiting due to the attempted introduction of drug contraband or weapons shall not be eligible to visit a correctional institution again under any circumstances.
- (g) A copy of each such notice shall be sent forthwith to the Commissioner or designee, Chief of Staff, and the respective Assistant Deputy Commissioner, and a copy shall be given to the incarcerated or civilly committed individual.

(9) Every Superintendent's notice pursuant to 103 CMR 483.15(8), shall advise the visitor that they may seek a review or reconsideration of the barring, suspension or restrictions by the Superintendent by sending them a letter within 15 business days. The visitor's letter shall include a detailed narrative describing the incident and setting forth the reason the visitor feels the bar, suspension or restriction should be lifted. The visitor may also request a meeting with the Superintendent or a designee.

(10) The Superintendent shall review any visitor's letter seeking review or reconsideration of any bar, suspension or restriction still in effect. The Superintendent may take any action they deem necessary to resolve questions raised by a visitor's letter including, but not limited to, additional investigation of the facts, consultation with the Commissioner and/or the Department's Legal Division, or the conducting of an informal meeting or conference. After review, the Superintendent may eliminate, reduce or modify the specific limitations on visiting and shall respond within 30 business days. If additional time is required to make a determination, the Superintendent shall advise the visitor in writing, noting the reason(s) additional time is needed and an anticipated response date and/or timeline. No person shall be penalized for exercising the rights of appeal provided by 103 CMR 483.00.

(11) Once an incarcerated individual transfers to a different institution, any suspended visitor may apply to the Superintendent of the new institution for permission to visit upon conclusion of the original suspension time frame by submitting a new visitor application. The Superintendent shall consult with the barring Superintendent and ensure that a background check pursuant to 103 CMR 483.10(3) is completed.

483.15: continued

(12) Nothing in 103 CMR 483.00 shall limit a Superintendent's authority pursuant to M.G.L. c. 127, § 37 to exclude a visitor whenever, in their opinion, admitting that person to visit would be injurious to the best interests of the institution, or limit the Superintendent's and Commissioner's authority pursuant to M.G.L. c. 127, § 36 to deny permission to visit.

483.16: Visiting Records

(1) A record shall be kept and stored in accordance with the Massachusetts State wide Record Retention Schedule for every incarcerated or civilly committed individual on which shall be recorded the name of every person who visits that incarcerated or civilly committed individual and the dates on which those visits occur.

(2) Each institution shall keep and store in accordance with the Massachusetts State wide Record Retention Schedule all Visitor Application Forms.

483.17: Video Communication Services

The Department may, in its discretion, offer the opportunity for incarcerated individuals to engage in Video Communication Services with individuals who are not incarcerated. If the Department chooses to offer Video Communication Services to incarcerated individuals:

- (a) The Department shall create written guidelines for the administration, monitoring, and oversight of Video Communication Services;
- (b) Video Communication Services may be offered in addition to, and not in place of, in-person visitation as described in 103 CMR 483;
- (c) Use of Video Communication Services shall not be considered to be a "visit" for purposes of 103 CMR 430, Inmate Discipline, and each and every use is subject to administrative monitoring and oversight;
- (d) Video Communication Services may be offered only if and when consistent with the safety, security, and orderly operation of Department institutions.

Nothing in this section is intended to confer any procedural or substantive right to any individual to engage in Video Communication Services.

483.18: Time Limits

All procedural time limits set forth in 103 CMR 483.00 are directory and may be modified by the Superintendent or Commissioner.

483.19: Emergencies

Whenever in the opinion of the Commissioner, Deputy Commissioner, Chief of Staff, Assistant Deputy Commissioner or the Superintendent of a state correctional institution, an emergency exists which requires suspension of all or part of 103 CMR 483.00, the Superintendent may order such suspension except that any such suspension lasting beyond 48 hours may be authorized by the Commissioner.

483.20: Responsible Staff

The Superintendent of each institution shall implement and monitor 103 CMR 483.00 within their respective institution.

483.21: Annual Review

103 CMR 483.00 shall be reviewed at least annually by the Commissioner or designee. The party or parties conducting the review shall outline any recommended revisions, additions, or deletions, which shall be included for the Commissioner's approval and shall become effective pursuant to applicable law.

483.22: Severability

If any article, section, subsection, sentence, clause or phrase of 103 CMR 483.00 is for any reason held to be unconstitutional, contrary to statute, in excess of the authority of the Commissioner or otherwise inoperative, such decision shall not affect the validity of any other article, section, subsection, sentence, clause or phrase of 103 CMR 483.00.

REGULATORY AUTHORITY

103 CMR 483.00: M.G.L. c. 124, § 1 (b), (c), and (q); M.G.L. c. 127, §§ 36 and 37 and M.G.L. c. 268, § 31.



THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin

Secretary of the Commonwealth

Notice of CorrectionRegulation Filing *To be completed by filing agency*CHAPTER NUMBER: 205 CMR 138.00CHAPTER TITLE: Uniform Standards of Accounting Procedures and Internal ControlsAGENCY: Massachusetts Gaming CommissionORIGINAL PUBLICATION REFERENCE: 1494 Date: 4/28/23

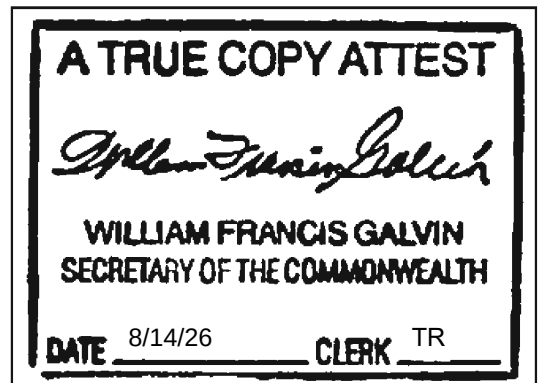
SUMMARY OF CORRECTION:

205 CMR 138.23(1)(c)(1) contains a typographical error where a word was omitted. The correction would change "daily" to "daily operation" to provide clarification. 205 CMR 138.48(7)(b) makes reference to "205 CMR 138.46(6)(c) through (q)" which is a clerical error stating the incorrect subsection and range. The correction would instead reference "205 CMR 138.48(6)(c) through (p)"

AGENCY CONTACT: Autumn Birarelli PHONE: (617)533-9716ADDRESS: 101 Federal Street, 12th floor,ATTESTATION - *The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency.* ATTEST:SIGNATURE: SIGNATURE ON FILE DATE: Aug 14 2026Publication - *To be completed by the regulations Division*MASSACHUSETTS REGISTER NUMBER: 1581 DATE: 8/28/26EFFECTIVE DATE: 3/9/23

CODE OF MASSACHUSETTS REGULATIONS

<i>Remove these Pages:</i>	<i>Insert these Pages:</i>
496.21 - 496.22	496.21 - 496.22
496.43 - 496.44	496.43 - 496.44



138.19: continued

(13) No person shall remove his or her hands from or return them to a position on or above the count table, banking table or counting equipment unless the backs and palms of his or her hands are first held straight out and displayed to other members of the count team and surveillance cameras. In addition, whenever any person enters or leaves the count room during the counting process, any employee remaining in the count room shall be required to step away from the count table, banking table and counting equipment until the person has entered or left the count room.

(14) Immediately prior to the commencement of the count, doors to the count room shall be securely locked and remain locked at all times, except when opened for an authorized purpose in 205 CMR 138.19(6). A count team member shall notify surveillance that the count is about to begin, after which surveillance shall make a continuous video and, if applicable, audio recording, with the time and date inserted thereon, of the entire counting process. A count room member shall also notify surveillance whenever a count room door will be opened during the count.

(15) Once all currency, gaming vouchers, coupons, coin and/or slot tokens have been counted and the final count totals have been obtained, no employee shall be permitted to leave the count room, except in an emergency, until the recount and acceptance of the drop is completed by a cage cashier or cashier supervisor.

(16) The count room supervisor shall prepare a record of the names and credential or license numbers of each employee who was present in the count room during any part of the count process. Such record shall be forwarded to the accounting department at the conclusion of the count.

138.20: Possession of Firearms

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a policy prohibiting any person from possessing a firearm within or upon the premises of a gaming establishment. If the gaming licensee learns that an individual possesses a firearm within or upon the premises of a gaming establishment, the gaming licensee must immediately notify an official within the on-site office of the IEB and the individual violating the policy shall be removed from the premises of the gaming establishment by officers assigned to the Gaming Enforcement Unit. Thereafter, the gaming licensee shall promptly, and in any event no later than 48 hours of such removal, or violation of the policy, notify the Chief of the Gaming Enforcement Division of the Massachusetts Attorney General's Office.

(2) Notwithstanding 205 CMR 138.20(1), the following individuals may, in the course of their official duties, possess a firearm within or upon the premises of a gaming establishment:

- (a) A member of the Massachusetts State Police assigned to the Gaming Enforcement Unit;
- (b) A law enforcement officer of the host community police department assigned to work at the gaming establishment pursuant to the memorandum of agreement required to be executed in accordance with M.G.L. c. 23K, § 6(f);
- (c) An official who is specifically authorized to do so by the commission or the IEB; and
- (d) A federal law enforcement officer.

(3) Any law enforcement officer in possession of a firearm, other than a member of the Massachusetts State Police assigned to the Gaming Enforcement Unit, shall provide notification to an official within the on-site office of the State Police Gaming Enforcement Unit at the gaming establishment prior to arrival or upon arrival at the gaming establishment. This notification shall be documented with the onsite office of the State Police Gaming Enforcement Unit.

(4) The gaming licensee shall post in a conspicuous location at each entrance to the gaming establishment a legible sign that states:

"No firearms are allowed within or upon the premises of this gaming establishment. This prohibition extends to all areas of this facility: public, non-public, restricted, and non-restricted areas. Persons violating this restriction will be removed from the premises and subject to further investigation and, if appropriate, prosecution. If you have any questions about this prohibition, please request to see an official from the Massachusetts Gaming Commission Office before proceeding."

138.20: continued

Certain law enforcement officers may be exempt from this prohibition; however they must notify the Massachusetts State Police of their presence by either visiting the Massachusetts State Police Gaming Enforcement Unit Office on-site or by calling the State Police Gaming Enforcement Unit at [number to be provided by the IEB]."

138.21: Protection of Minors and Underage Youth

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02: *Licensee's System of Internal Controls* shall include the internal policies and procedures as required in 205 CMR 150.00: *Protection of Minors and Underage Youth* and 205 CMR 250.00: *Protection of Minors and Underage Youth from Sports Wagering*.

138.22: Critical Incident Preparedness Plan

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a detailed critical incident preparedness plan to enhance the prevention of, preparedness for, and response to critical incidents, including without limitation natural disasters, workplace violence, dangerous substance, and active shooter crisis incidents. This plan shall include a training component which is designed to enhance awareness of pre-incident indicators and describe actions to take to prevent and prepare for potential crisis incidents. This plan also shall include an action plan that describes the gaming establishment's preplanning and coordination for a series of activities and procedures involving the gaming licensee's management and security personnel; the commission on-site officials; the on-site responding Massachusetts State Police personnel; the responding local, county, state law enforcement personnel; EMS and other first responder personnel, all in response to potential or actual critical incidents. The gaming licensee shall review its crisis preparedness plan annually. The gaming licensee's submission shall be evaluated in terms of its adequacy to assure that reasonable preparation and steps have been taken to ensure public safety, inter-agency crisis communication, tactical coordination, site facility identification and pre-staging, which as a whole, shall serve to maximize the protections afforded to the public, patrons, employees, law enforcement officers, and first responders and maximize the efficacy of first responder actions in emergent critical incident situations.

138.23: Drop Boxes for Table Games; Gaming Table Slot Cash Storage Boxes

(1) A secure, tamper-resistant container known as a "drop box" shall be attached to each gaming table and any other gaming device at which currency, coupons, or other items of value are accepted by the gaming establishment. The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include:

- (a) Specifications for the construction and material composition of drop boxes and housing, identification of the asset number or serial number to be used on gaming equipment, and whether the asset number will be imprinted on such equipment electronically or permanently.
- (b) A detailed plan identifying which of the gaming licensee's department(s) will be involved in handling the table drop. The plan must include at least one key gaming employee on the drop team and shall also include the following:
 - 1. Identification of the department having primary responsibility for the drop;
 - 2. An outline of the responsibilities of all gaming employees involved in handling the drop;
 - 3. A chain of command in the event the gaming licensee uses multiple departments to handle the drop; and
 - 4. A chain of command in the event the gaming licensee uses multiple departments to handle the count responsibilities.
- (c) A detailed procedure for independent verification of the count as performed in accordance with 205 CMR 138.19. The procedure shall include:
 - 1. Separation of duties such that the person performing the daily operation of the counting machine shall not also perform the duties to determine the final numbers;
 - 2. Procedures to be followed in the event unaccounted currency is found in accordance with 205 CMR 138.33(7) and (8); and
 - 3. Procedures governing the use and redemption of both valid and invalid coupons.

138.48: continued

- (c) Supervise a count team member who shall select a drop box or slot cash storage box. If slot storage boxes are being counted that day, a slot cash storage box must be selected and it must contain currency, and if issued by the gaming licensee, gaming vouchers and coupons. The count team member shall place the entire contents of the table drop box or slot cash storage box into the first counting machine, which shall count the currency by denomination as well as any gaming vouchers and coupons. Any soiled or off-sorted bills, gaming vouchers or coupons shall be re-fed into the machine. Any items which the counting machine is not able to count automatically, such as coins, tokens, gaming chips or mutilated or torn currency, gaming vouchers, and coupons shall be manually counted, recorded either manually or entered into the counting machine, and segregated from items which the counting machine was able to count automatically. The count team member shall cause the counting machine, in conjunction with the gaming voucher system, to produce one or more test receipts of the count, and the count shall not be shown to anyone until completion of the final verification process;
- (d) Supervise a second count team member, independent of the team member performing the initial count, who shall manually count or use a second counting machine to count and summarize the items on test receipts;
- (e) Compare the totals on the test receipts for agreement. If the totals are in agreement, the count room supervisor shall sign and date the test receipts and place them in the locked accounting box to be forwarded to the gaming accounting department at the end of the count process. If the totals do not agree, the test count procedures shall be repeated. The test count procedures shall be repeated until the totals are in agreement or a determination is made that the count machine cannot be used. The count room supervisor shall not permit a counting machine to be used until these totals are in agreement;
- (f) Supervise a count team member who, at the conclusion of the test procedure shall display the cash bin or storage cassettes to the full view of a closed circuit television camera to assure that the contents have been emptied prior to replacing cassettes into the counting machine; and
- (g) Verify that the counting machine has a zero balance in accordance with 205 CMR 138.48(4)(a).

(5) Procedures for the count of boxes shall be as follows:

- (a) The contents shall be segregated and counted so as to permit the contents to be recorded for the box from which it was removed. Each box shall be individually:
 - 1. placed on the count table at which time one count team member shall verbalize, in a tone of voice to be heard by all persons present and to be recorded by the surveillance audio recording device, the game and table number marked thereon for table drop boxes, or the asset or unique identification number marked thereon for slot cash storage boxes; and
 - 2. unlocked and the contents emptied on the count table. The inside of the box shall be held up to the full view of a closed circuit television camera to assure all contents of the drop box or slot cash storage box have been removed, after which the drop box or slot cash storage box shall be locked and placed in the storage area for drop boxes and slot cash storage boxes;
- (b) A count team member shall segregate:
 - 1. Currency, machine count coupons, and gaming vouchers;
 - 2. Coin, tokens, gaming chips, manual count coupons and any mutilated or torn items; and
 - 3. Forms and documents;
- (c) A count team member shall attempt to match pieces of mutilated or torn items which shall be processed as follows:
 - 1. Mutilated or torn currency shall be recorded as revenue if the bill includes one entire serial number and one letter and number of the serial number from the other half of the bill;
 - 2. Mutilated or torn currency that is not recorded as revenue shall be placed in a sealed transparent envelope or container and transferred to the main bank by the main bank cashier or cage supervisor at the end of the count; and
 - 3. All mutilated or torn coupons and gaming vouchers shall be recorded as revenue regardless of condition;

138.48: continued

- (d) The value and number of coin, tokens, gaming chips, manual count coupons (by denomination) and any mutilated or torn items shall be manually entered into the counting machine for each drop box or slot cash storage box;
- (e) Currency, machine count coupons and gaming vouchers shall be placed in a counting machine. The counting machine shall count and calculate the value of the currency. The value of each gaming voucher or coupon shall be obtained from the counting machine or an approved gaming voucher system, as applicable;
- (f) Upon completion of the machine count:
 - 1. For each drop box, the counting machine shall generate the report required by 205 CMR138.48(3)(c);
 - 2. The currency, table game coupons, coin, tokens, and gaming chips counted shall be placed on the banking table; and
 - 3. Any drop box coupon which has not already been cancelled upon acceptance or during the count shall be cancelled prior to the conclusion of the count;
- (g) The forms and documents shall be compared to the preliminary master game report for accuracy by a count team member who shall not simultaneously have access to currency. Any discrepancies shall be recorded on the preliminary master game report to be resolved by the gaming accounting department. The forms and documents and preliminary master game report shall be placed in the locked accounting box to be forwarded to the accounting department at the end of the count process; and
- (h) The count team supervisor shall prepare a detailed written report describing all count room incidents that may have negatively impacted the opening, counting and recording of the drop boxes (for example, a computer interface problem, dropped basket). The report shall include a description of any corrective action taken and shall be electronically filed with the IEB at the conclusion of the count.

(6) As the contents of each table drop box are counted, if not already recorded in the computer system used to create the Master Game Report and supporting documentation, a count team member shall manually record or cause a computer system to record, the following information by game and table number:

- (a) The value of each denomination of currency counted;
- (b) The value of coin, tokens and/or gaming chips counted;
- (c) The total value of currency, coin, tokens and gaming chips counted;
- (d) The value of each denomination and total value of coupons other than match play coupons;
- (e) The value of each denomination and total value of match play coupons and table game wager coupons;
- (f) 50% of the total value of match play coupons and table game wager coupons;
- (g) The amount recorded on each document and the total of all documents evidencing a debit card chip transaction;
- (h) The amount of the Opener;
- (i) The amount of the Closer;
- (j) The serial number and amount of each Counter Check and the total amount of all Counter Checks;
- (k) The serial number and amount of each Pit Redemption Form and the total of all Pit Redemption Forms;
- (l) The serial number and amount of each Fill and the total amount of all Fills;
- (m) The serial number and amount of each Credit and the total amount of all Credits;
- (n) The amount recorded on each Complimentary Vigorish Form and the total amount of all Complimentary Vigorish Forms;
- (o) The table game win or loss or, for poker, the poker revenue; and
- (p) The table game win or loss percentage.

(7) In addition to the requirements of 205 CMR 138.48(6), the Master Game Report shall include:

- (a) The gaming date of the items recorded;
- (b) The grand total for items in 205 CMR 138.48(6)(c) through (p);
- (c) The total number of drop boxes opened and counted; and
- (d) The date and time prepared.



THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin

Secretary of the Commonwealth

Notice of CorrectionRegulation Filing *To be completed by filing agency*CHAPTER NUMBER: 205 CMR 254.00CHAPTER TITLE: Temporary Prohibition from Sports WageringAGENCY: Massachusetts Gaming CommissionORIGINAL PUBLICATION REFERENCE: 1494 Date: 4/28/23

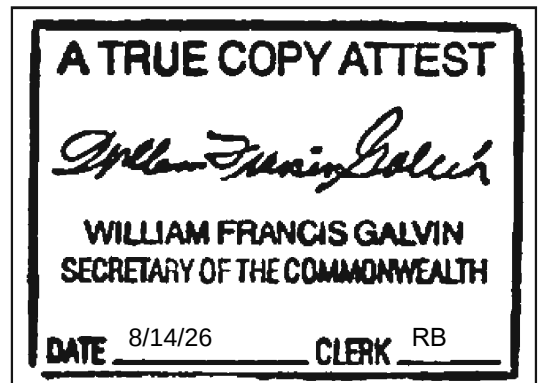
SUMMARY OF CORRECTION:

205 CMR 254.02(1) has a typographical error. The word "employees's" is grammatically incorrect, and is being corrected by removing the final s.

AGENCY CONTACT: Autumn Birarelli PHONE: (617)533-9716ADDRESS: 101 Federal Street, 12th Floor, Boston MA 02110ATTESTATION - *The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency.* ATTEST:SIGNATURE: SIGNATURE ON FILE DATE: Aug 14 2026Publication - *To be completed by the regulations Division*MASSACHUSETTS REGISTER NUMBER: 1581 DATE: 8/28/26EFFECTIVE DATE: 3/9/23

CODE OF MASSACHUSETTS REGULATIONS

<i>Remove these Pages:</i>	<i>Insert these Pages:</i>
<u>847 & 848</u>	<u>847 & 848</u>



205 CMR 254.00: TEMPORARY PROHIBITION FROM SPORTS WAGERING

Section

254.01: Scope and Purpose

254.02: Temporary Prohibition

254.03: Duration of Temporary Prohibition and Conclusion of Temporary Prohibition

254.04: Responsibilities of the Sports Wagering Operator

254.05: Collection of Debts

254.01: Scope and Purpose

As an alternative to voluntary self-exclusion as described in 205 CMR 233.00: *Sports Wagering Voluntary Self-exclusion*, Sports Wagering Operators shall allow individuals to designate themselves as temporarily prohibited from Sports Wagering. 205 CMR 254.00 shall govern the procedures and protocols relative to individuals' designation of themselves as temporarily prohibited from Sports Wagering. Designation is intended to offer individuals one means to help address potential problem gambling behavior, where individuals have not yet determined whether they may benefit from voluntary self-exclusion as described in 205 CMR 233.00.

254.02: Temporary Prohibition

(1) Individuals who designate themselves to a Sports Wagering Operator as temporarily prohibited from Sports Wagering shall be prohibited from making any deposits into the individual's Sports Wagering Account or placing any wagers on the Sports Wagering Operator's Sports Wagering Platform for the temporary prohibition period referred to in 205 CMR 254.03(1). Provided, however, that employees of a Sports Wagering Operator who designate themselves to the Sports Wagering Operator as temporarily prohibited from Sports Wagering may engage in Sports Wagering solely for the purposes of performing the employees' job functions.

(2) Individuals who designate themselves as temporarily prohibited from Sports Wagering shall not collect any winnings or recover any losses resulting from Sports Wagering in violation of the temporary prohibition.

(3) Upon an individual's initial enrollment onto a Sports Wagering Platform, a Sports Wagering Operator shall conspicuously display a message notifying an individual of the opportunity to designate themselves as temporarily prohibited from Sports Wagering. A Sports Wagering Operator shall require an individual to acknowledge the following prior to being designated as temporarily prohibited from Sports Wagering:

(a) That the individual will not make any deposits into the individual's Sports Wagering Account or place any wagers on the Sports Wagering Operator's Sports Wagering Platform in accordance with 205 CMR 254.02(1);

(b) That the individual shall not collect any winnings or recover any losses resulting from Sports Wagering in violation of the temporary prohibition in accordance with 205 CMR 254.02(2);

(c) That once the individual is designated as temporarily prohibited from Sports Wagering, an individual's attempted Sports Wager shall be rejected or, if placed, shall be voided or cancelled by the Sports Wagering Operator.

(4) If an individual elects to designate themselves as temporarily prohibited from Sports Wagering, the temporary prohibition shall become immediately effective.

(5) Sports Wagering Operators shall maintain at all times a link prominently placed on the Sports Wagering Operator's Sports Wagering Platform on which individuals may designate themselves as temporarily prohibited from Sports Wagering.

254.02: continued

(6) If the Sports Wagering Operator utilizes an internal management system to track individuals temporarily prohibited from Sports Wagering, the Sports Wagering Operator shall update that system at least every 24 hours with the names of individuals designated as temporarily prohibited from Sports Wagering, or individuals who are no longer designated as temporarily prohibited from Sports Wagering. Such system shall notify the Sports Wagering Operator's marketing and communications departments so as to prevent the further marketing and communication of Sports Wagering material to individuals designated as temporarily prohibited from Sports Wagering.

254.03: Duration of Temporary Prohibition and Conclusion of Temporary Prohibition

- (1) An individual may select a temporary prohibition period.
- (2) An individual may elect to renew the temporary prohibition at any time by informing the Sports Wagering Operator of the individual's desire to renew the temporary prohibition period. There shall be no limitations regarding the number of times an individual is permitted to renew the temporary prohibition period.

254.04: Responsibilities of the Sports Wagering Operator

A Sports Wagering Operator shall have the same responsibilities relative to the administration of the temporary prohibition from the Sports Wagering program as gaming licensees and Sports Wagering Operators have relative to the administration of the voluntary self-exclusion list pursuant to 205 CMR 133.06(3) through (6) and 7(b) and 205 CMR 233.06(4) through (8), respectively, including the obligation to submit a written policy for compliance with 205 CMR 254.00. Individuals who designate themselves to the Sports Wagering Operator as temporarily prohibited from Sports Wagering shall have the same rights as those provided under 205 CMR 133.06(7)(b). A Sports Wagering Operator shall also not accept any Sports Wager from an individual who designates themselves to the Sports Wagering Operator as temporarily prohibited from placing a Wager on the Sports Wagering Platform.

254.05: Collection of Debts

Nothing in 205 CMR 254.00 shall be construed to prohibit a Sports Wagering Operator from seeking payment of a debt from an individual who is designated to the Sports Wagering Operator as temporarily prohibited from Sports Wagering, but who violates the terms of the temporary prohibition.

REGULATORY AUTHORITY

205 CMR 254.00: M.G.L. 23N, § 4(d)2.



THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin

Secretary of the Commonwealth

Regulation Filing

To be completed by filing agency

CHAPTER NUMBER: **205 CMR 256.00**

CHAPTER TITLE: **Sports Wagering Advertising**

AGENCY: **Massachusetts Gaming Commission**

SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*
205 CMR 256.00 governs the requirements with respect to sports wagering advertising.

REGULATORY AUTHORITY: **M.G.L. c. 23N, § 4**

AGENCY CONTACT: **Autumn Birarelli** PHONE: **(617)533-9716**

ADDRESS: **101 Federal Street, 12th Floor, Boston MA 02110**

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

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

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.*

LGAC Filing: 6/18/2026

Notice to the Secretary of the Commonwealth: 7/2/2026

Publication in the Boston Herald: 7/7/2026

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period, including a small business impact statement, 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: **7/28/26**

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

For the first and second year: 0.00

For the first five years: 0.00

No fiscal effect: 0.00

SMALL BUSINESS IMPACT - *M.G.L. c. 30A section 5 requires each agency to file an amended small business impact statement with the Secretary of the Commonwealth prior to the adoption of a proposed regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.*

Date amended small business impact statement was filed: 8/13/2026

CODE OF MASSACHUSETTS REGULATIONS INDEX - *List key subjects that are relevant to this regulation:*
Sports Wagering, Operators, Licensing, Advertising, Promotional Materials, Endorsements, Marketing.

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

Amends 205 CMR 256.00, specifically 205 CMR 256.06.

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

SIGNATURE: _____ SIGNATURE ON FILE _____ DATE: Aug 14 2026

Publication - *To be completed by the regulations Division*

MASSACHUSETTS REGISTER NUMBER: 1581 DATE: 8/28/26

EFFECTIVE DATE: 8/28/26

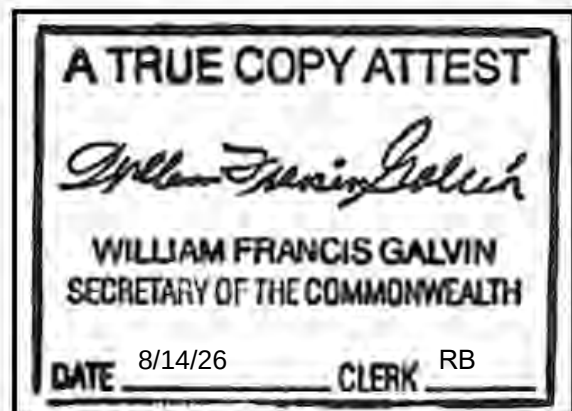
CODE OF MASSACHUSETTS REGULATIONS

Remove these Pages:

859 & 860

Insert these Pages:

859 & 860



256.04: continued

- (e) Encourage players to "chase" losses or re-invest winnings;
- (f) Suggest that betting is a means of solving or escaping from financial, personal, or professional problems;
- (g) Portray, suggest, condone or encourage Sports Wagering behavior as a rite of passage or signifier of reaching adulthood or other milestones;
- (h) Portray, suggest, condone or encourage Sports Wagering behavior that is socially irresponsible or could lead to financial, social or emotional harm;
- (i) Imply that the chances of winning increase with increased time spent on Sports Wagering or increased money wagered;
- (j) Be placed on any website or printed page or medium devoted primarily to responsible gaming;
- (k) Offer a line of credit to any consumer; or
- (l) Use individuals to provide purported expertise or Sports Wagering advice who are employed by, contracted with, or otherwise compensated by a Sports Governing Body, team, club or athlete on which a wager may be placed.

256.05: Advertising to Youth

- (1) Advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator shall state that patrons must be 21 years of age or older to participate; provided that branding consisting only of a display of an Operator's logo or trademark shall not be required to comply with this provision unless it is, or is intended to be, displayed on signage or a fixed structure in a location where it is likely to be viewed by persons younger than 21 years old.
- (2) No Sports Wagering Operator shall allow, conduct, or participate in any advertising, marketing, or branding for Sports Wagering that is aimed at individuals younger than 21 years old.
- (3) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall contain images, symbols, celebrity or entertainer endorsements, or language designed to appeal primarily to individuals younger than 21 years old.
- (4) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall be published, aired, displayed, disseminated, or distributed:
 - (a) in media outlets, including social media, video and television platforms, where 25% of the audience is reasonably expected to be younger than 21 years old, unless adequate controls are in place to prevent the display, dissemination or distribution of such advertising, marketing, branding or other promotional materials to individuals younger than 21 years old including by use of age category exclusions and similar mechanisms;
 - (b) in other media outlets, including social media, video and television platforms, unless the Operator utilizes all available targeted controls to exclude all individuals younger than 21 years old from viewing such advertising, marketing, branding, and other promotional materials;
 - (c) at events aimed at minors or where 25% or more of the audience is reasonably expected to be younger than 21 years old;
 - (d) at any elementary, middle, and high school, or at any sports venue exclusively used for such schools;
 - (e) on any college or university campus, or in college or university news outlets such as school newspapers and college or university radio or television broadcasts, except for advertising, including television, radio, and digital advertising that is generally available, and primarily directed at an audience, outside of college and university campuses as well; or
 - (f) to any other audience where 25% or more of the audience is presumed to be younger than 21 years old.
- (5) No Sports Wagering advertisements, including logos, trademarks, or brands, shall be used, or licensed for use, on products, clothing, toys, games, or game equipment designed or intended for persons younger than 21 years old.

256.05: continued

(6) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall depict an individual who is, or appears to be, younger than 21 years old, except live footage or images of professional athletes during sporting events on which sports wagering is permitted. Any individual younger than 21 years old may not be depicted in any way that may be construed as the underage individual participating in or endorsing sports gaming.

(7) No advertising, marketing, branding, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator for Sports Wagering shall depict students, schools or colleges, or school or college settings.

256.06: Advertising to Other Vulnerable Persons

(1) No Sports Wagering Operator shall allow, conduct, or participate in any advertising, marketing, or branding for Sports Wagering that is aimed exclusively or primarily at individuals or groups of people that are at moderate or high risk of gambling addiction. A Sports Wagering Operator shall not use characteristics of at-risk or problem bettors to target potentially at-risk or problem bettors with advertisements.

(2) Advertising, marketing, and other promotional materials published, aired, displayed, disseminated, or distributed by or on behalf of any Sports Wagering Operator shall include a link to and phone number for the Massachusetts Problem Gambling Helpline using language provided by the Department of Public Health or such other responsible gaming information required by the Commission ("Responsible Gaming Messaging").

(3) Such advertising, marketing, and other promotional materials shall not use a font, type size, location, lighting, illustration, graphic depiction or color obscuring or limiting the advertisement of such Problem Gambling Helpline Information.

(4) Information regarding Responsible Gaming Messaging must also meet the following requirements:

(a) For signs, direct mail marketing materials, posters and other print advertisements, the height of the font used to advertise Responsible Gaming Messaging must be the greater of:

1. The same size as the majority of the text used in the sign, direct mail marketing material, poster or other print advertisement; or
2. 2% of the height or width, whichever is greater, of the sign, direct mail marketing material, poster or other print advertisement.

(b) For billboards, the height of the font used for Responsible Gaming Messaging must be at least 5% of the height or width, whichever is greater, of the face of the billboard.

(c) For digital billboards, Responsible Gaming Messaging must be visible for the entire time the rest of the advertisement is displayed.

(d) For video and television, Responsible Gaming Messaging must be visible for either:

1. The entire time the video or television advertisement is displayed, in which case the height of the font used for Responsible Gaming Messaging must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.
2. From the first time Sports Wagering Equipment, a Sports Wagering Facility, a Sports Wagering Area or Sports Wagering is displayed or verbally referenced, and on a dedicated screen shot visible for at least the last three seconds of the video or television advertisement. If the Operator elects to utilize this option, the height of the font used for Responsible Gaming Messaging:
 - a. During the advertisement must be at least 2% of the height or width, whichever is greater, of the image that will be displayed.
 - b. On the dedicated screen shot must be at least 8% of the height or width, whichever is greater, of the image that will be displayed.

(e) For web sites, including social media sites:

1. Responsible Gaming Messaging must be posted in a conspicuous location on each website or profile page and on a gaming related advertisement posted on the webpage or profile page.
2. The height of the font used for Responsible Gaming Messaging must be at least the same size as the majority of the text used in the webpage or profile page.



THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin

Secretary of the Commonwealth

Notice of ComplianceRegulation Filing *To be completed by filing agency*CHAPTER NUMBER: **225 CMR 21.00**CHAPTER TITLE: **Clean Peak Energy Portfolio Standard (CPS)**AGENCY: **Department of Energy Resources**

THIS REGULATION WAS ORIGINALLY FILED AS AN EMERGENCY:

*Published in Massachusetts Register
Number:***1576**

Date:

6/19/26

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.*

DOER issued EO 145 Notifications to EOHLC and MMA on May 28, 2026.

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period, including a small business impact statement, 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: **7/6/26**

SMALL BUSINESS IMPACT - *M.G.L. c. 30A section 5 requires each agency to file an amended small business impact statement with the Secretary of the Commonwealth prior to the adoption of a proposed regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.*

Date amended small business impact statement was filed: **8/13/2026**AGENCY CONTACT: **Samantha Meserve** PHONE: **(617) 823-2214**ADDRESS: **100 Cambridge Street, 9th Floor, Boston, MA 02114**

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

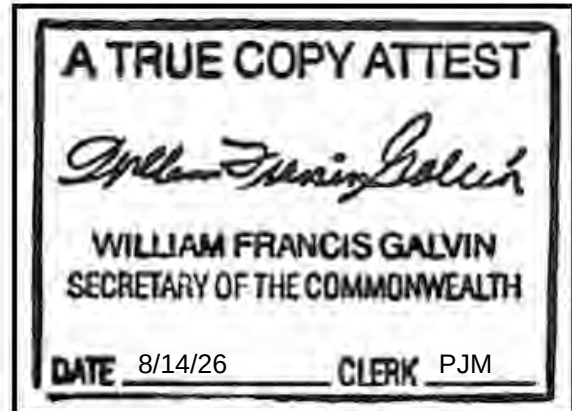
SIGNATURE: **SIGNATURE ON FILE** DATE: **Aug 14 2026**

MASSACHUSETTS REGISTER NUMBER: 1581 DATE: 8/28/26

EFFECTIVE DATE: 5/28/26

CODE OF MASSACHUSETTS REGULATIONS

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197 - 198 201 - 206	197 - 198 201 - 206



225 CMR 21.00: CLEAN PEAK ENERGY PORTFOLIO STANDARD (CPS)

Section

- 21.01: Purpose and Application
- 21.02: Definitions
- 21.03: Administration
- 21.04: Applicability
- 21.05: Eligibility Criteria for Clean Peak Resources
- 21.06: Qualification Process for Clean Peak Resources
- 21.07: Clean Peak Energy Standard
- 21.08: Compliance Procedures for Retail Electricity Suppliers
- 21.09: Annual Compliance Filings for Retail Electricity Suppliers
- 21.10: Reporting Requirements
- 21.11: Inspection
- 21.12: Noncompliance
- 21.13: Severability

21.01: Purpose and Application

The purpose of 225 CMR 21.00 is to establish a Clean Peak Energy Portfolio Standard to increase clean energy during the periods when Net Demand of electricity is the highest. Clean Peak Resources contribute to the Commonwealth's environmental protection goals concerning air emissions including, but not limited to, those required by the Global Warming Solutions Act, M.G.L. c. 21N, §§ 1-9, by displacing nonrenewable generating resources during Seasonal Peak Periods, while also having added benefits of reducing peak demand and system losses and increasing grid reliability. Clean Peak Resources that participate in the CPS program pursuant to 225 CMR 21.00 do so on a voluntary basis, but must comply with the terms and requirements of 225 CMR 21.00.

21.02: Definitions

Actual Monthly System Peak. The highest net demand for electricity in a calendar month in ISO-NE Control Area.

Aggregation. A group of one or more Clean Peak Resources that receives a single Statement of Qualification from the Department under the criteria and procedures set forth in 225 CMR 21.05.

Alternative Compliance Credit. A credit obtained by a Retail Electricity Supplier upon making an Alternative Compliance Payment. Such credit is used to document compliance with 225 CMR 21.07. One unit of credit shall be equivalent to one Clean Peak Energy Certificate.

Alternative Compliance Payment (ACP). A payment of a certain dollar amount per Clean Peak Certificate, resulting in the issuance of an Alternative Compliance Credit, which a Retail Electricity Supplier may submit to the Department in *lieu* of providing a Clean Peak Energy Certificate as required under 225 CMR 21.07.

Authorized Agent. A person or entity that serves under an agreement entered into by each of the Owners of a Clean Peak Resource for all dealings with the Department and with the NEPOOL GIS.

Business Day. Monday through Friday, exclusive of state and federal legal holidays.

Clean Peak Energy Certificate (CPEC). A credit received for each megawatt hour of energy or energy reserves at NEPOOL GIS that is adjusted by applicable Clean Peak Energy Certificate Multipliers and provided during a Seasonal Peak Period that represents a compliance mechanism.

Clean Peak Energy Certificate Multipliers. Values which, when applicable, are multiplied against Clean Peak Resource's performance, thereby increasing or decreasing the number of Clean Peak Energy Certificates produced in a given time period.

21.02: continued

Clean Peak Resource. A Qualified RPS Resource, a Qualified Energy Storage System or a Demand Response Resource that generates, dispatches or discharges electricity to the electric distribution system during Seasonal Peak Periods, or alternatively, reduces load on said system during said periods.

Clean Peak Seasons. The four seasons of the year as established in 225 CMR 21.05.

Commercial Operation Date. The date that a Clean Peak Resource first produces or provides electrical energy for sale. In the case of a Clean Peak Resource that is connected to the End-use Customer's side of the electric meter, the date on which the local Distribution Company grants approval for the Clean Peak Resource to interconnect with the grid. In the case of a Demand Response Resource, the date on which the resource first changes electric usage.

Compliance Filing. A document filed annually by a Retail Electricity Supplier with the Department documenting compliance with 225 CMR 21.07, consistent with the format set forth in the Guidelines and submitted no later than the first day of July, or the first Business Day thereafter, of the subsequent Compliance Year.

Compliance Year. A calendar year beginning January 1st and ending December 31st, for which a Retail Electricity Supplier must demonstrate that it has met the requirements of 225 CMR 21.07 and 21.08.

Contracted Resource. A Clean Peak Resource that:

- (a) Has received a Statement of Qualification as a Solar Tariff Generation Unit pursuant to 225 CMR 20.00 or 225 CMR 28.00; or,
- (b) Has a contract with a Distribution Company that has been approved by the Massachusetts Department of Public Utilities pursuant to St. 2008, c. 169, §§ 83, 83A or 83C.

Control Area. A geographic region in which a common generation control system is used to maintain scheduled interchange of electrical energy within and without the region.

Demand Response Resource. A resource that has received a Statement of Qualification from the Department, which changes electric usage by retail end-use customers in the Commonwealth from their normal consumption patterns in response to:

- (i) changes in the price of electricity over time including, but not limited to, time-of-use rates for residential and small commercial and industrial customers; or
- (ii) incentive payments designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized.

Department. The Massachusetts Department of Energy Resources, established by M.G.L. c. 25A.

Distribution Company. A company engaging in the distribution of electricity or owning, operating or controlling distribution facilities as defined in M.G.L. c. 164, § 1; provided, however, a Distribution Company shall not include a municipal lighting plant established pursuant to the provisions of M.G.L. c. 164.

Distribution System. The electric system, owned and operated by a Distribution Company and/or a municipal lighting plant typically operated at voltages below 69 kilovolts, which provides distribution service as defined in M.G.L. c. 164, § 1.

DPU. The Massachusetts Department of Public Utilities, established by M.G.L. c. 25, § 1.

End-use Customer. A person or entity in Massachusetts that purchases electrical energy from a Distribution Company.

Existing Resource. A Clean Peak Resource that has a Commercial Operation Date before January 1, 2019.

21.02: continued

SMART ES Resource. A Clean Peak Resource that is an energy storage system which is paired with a qualified Solar Tariff Generation Unit in the SMART Program or SMART 3.0 Program which receives the SMART Program energy storage adder.

Solar Massachusetts Renewable Target (SMART) Program. The solar incentive program established pursuant to 225 CMR 20.00.

Solar Massachusetts Renewable Target (SMART) 3.0 Program. The solar incentive program established pursuant to 225 CMR 28.00.

Standalone Qualified Energy Storage System (Standalone QESS). A Qualified Energy Storage System (QESS) that serves no associated on-site load other than parasitic load or station load utilized to operate the QESS.

Statement of Qualification. A document issued by the Department that qualifies a Clean Peak Resource under 225 CMR 21.00.

Transmission System. The electric system established for the delivery of power over lines that operate at a voltage level typically equal to or greater than 69,000 volts, which provides transmission service as defined M.G.L. c. 164, § 1.

21.03: Administration

225 CMR 21.00 shall be administered by the Department.

21.04: Applicability

225 CMR 21.00 applies to Retail Electricity Suppliers and to the Owners and Operators of Clean Peak Resources.

21.05: Eligibility Criteria for Clean Peak Resources

(1) Eligibility Criteria. A Clean Peak Resource may qualify for a Statement of Qualification subject to the limitations in 225 CMR 21.05. The Department shall publish a Guideline on Clean Peak Resource Eligibility that explains the parameters of eligibility requirements.

(a) Energy Resources and Technologies. The Clean Peak Resource shall use one or more of the energy resources or technologies listed in 225 CMR 21.05(1)(a)1. through 3. The Clean Peak Resource shall be interconnected with or offset load otherwise served by the Distribution System, or shall be interconnected with the Transmission System in the Commonwealth of Massachusetts. Clean Peak Resources must demonstrate that they generate, dispatch, or discharge electricity to the electric distribution system in Massachusetts. Resources interconnected within the service territory of a municipal lighting plant shall be ineligible to generate Clean Peak Energy Credits under 225 CMR 21.00 as municipal lighting plants are exempt from the requirements of the Clean Peak Standard pursuant to M.G.L. c. 25A, § 17(d).

1. Qualified RPS Resources.

a. RPS Class I Renewable Generation Units with a Commercial Operation Date on or after January 1, 2019 that have received a Statement of Qualification and meet all other applicable requirements.

b. RPS Class I Renewable Generation Units and RPS Class II Renewable Generation Units with a Commercial Operation Date prior to January 1, 2019, that are co-located with a Qualified Energy Storage System that has a Commercial Operation Date on or after January 1, 2019, subject to the following:

21.05: continued

i. Minimum Nominal Rated Power. The nominal rated power capacity of a Qualified Energy Storage System paired with a RPS Class I Renewable Generation Unit or RPS Class II Renewable Generation Unit must be at least 25% of the nameplate power rating of the RPS Class I Renewable Generation Unit or RPS Class II Renewable Generation Unit.

Special Provisions for De-rated Qualified Energy Storage Systems paired with RPS Class I Renewable Generation Units and RPS Class II Renewable Generation Units. A Qualified Energy Storage System's nominal rated power capacity may be de-rated to meet the four hour minimum nominal useful energy requirements in 225 CMR 21.05(1)(a)1.b.i. provided its de-rated power capacity is still at least 25% of the nameplate power rating of the RPS Class I Renewable Generation Unit or RPS Class II Renewable Generation Unit with which it is paired.

ii. Minimum Nominal Useful Energy. The nominal useful energy capacity of the Energy Storage System must be at least four hours at the nominal rated power.

iii. Co-location. The RPS Class I or Class II Renewable Generation Unit and the Qualified Energy Storage System must be located on the same or adjacent parcels within the same Distribution Company's service territory, and must be interconnected to the same common collector located on the same parcel(s) on which the RPS Class I or Class II Renewable Generation Unit and Qualified Energy Storage System facilities are located.

2. Qualified Energy Storage Systems: A Qualified Energy Storage System must operate primarily to store and discharge renewable energy as demonstrated by one or more of the following factors:

- a. Co-location with a Qualified RPS Resource as defined in 225 CMR 21.02 where the Qualified RPS Resource must have a nameplate capacity of at least 75% of the nameplate capacity of the energy storage;
- b. Contractual pairing with a Qualified RPS Resource that demonstrates to the Department's satisfaction that the Qualified Energy Storage System operates primarily to store and discharge renewable energy;
- c. Charging coincident with periods of typically high renewable energy production as a percent of the grid generation mix as defined below;
 - 1. Spring: 12:00 A.M. until 6:00 A.M. and 8:00 A.M. until 4:00 P.M.
 - 2. Summer: 12:00 A.M. until 6:00 A.M. and 7:00 A.M. until 2:00 P.M.
 - 3. Fall: 12:00 A.M. until 6:00 A.M. and 9:00 A.M. until 3:00 P.M.
 - 4. Winter: 12:00 A.M. until 6:00 A.M. and 10:00 A.M. until 3:00 P.M.

	Energy Storage Charging Windows	
Clean Peak Season	Wind-based Charging Hours	Solar-based Charging Hours
Spring	12:00 A.M. - 6:00 AM	8:00 A.M. - 4:00 P.M.
Summer	12:00 A.M. - 6:00 AM	7:00 A.M. - 2:00 P.M.
Fall	12:00 A.M. - 6:00 AM	9:00 A.M. - 3:00 P.M.
Winter	12:00 A.M. - 6:00 AM	10:00 A.M. - 3:00 P.M.

d. Inclusion of an operational schedule in the Qualified Energy Storage System's Interconnection Service Agreement demonstrating that the Qualified Energy Storage System serves to resolve load flow or power quality concerns otherwise associated with intermittent renewable energy resources.

3. Demand Response Resources: Demand Response Resources must demonstrate that changes to electric usage from their normal consumption patterns are measurable and verifiable. The Department shall publish a Guideline on Demand Response Resources to explain the parameters of Demand Response Resources in the Clean Peak Standard.

A facility that generates electricity, including a Qualified RPS Resource, shall not be considered a Demand Response Resource.

21.05: continued

(2) Metering. A Clean Peak Resource shall meter and report 15-minute interval performance in compliance with standards and protocols as established by a third-party Program Administrator designated by the Department. The Department may grant an exception to the 15-minute interval and designate a shorter or longer interval on a case-by-case basis. The Program Administrator shall be the designated independent third-party meter reader, as defined in Rule 2.5(j) of the NEPOOL GIS Operating Rules, or any successor rule. All standards and metering protocols shall be subject to review and approval by the Department. A Clean Peak Resource shall submit metered data to the Program Administrator for all hours of the previous month. Subject to review and approval by the Department, the Program Administrator may assess Clean Peak Resources a fee associated with the administration of the CPS.

The electrical energy output or performance of a Clean Peak Resource shall be verified by the Program Administrator for the purpose of calculating the number of Clean Peak Energy Certificates a qualified resource produced in the previous month. The Program Administrator shall report the number of Clean Peak Energy Certificates each qualified resource is due to receive to NEPOOL GIS for the purpose of minting Clean Peak Energy Certificates.

(3) Clean Peak Seasons.

(a) The four Clean Peak Seasons are established as:

1. Spring: March 1st through May 14th;
2. Summer: May 15th through September 14th;
3. Fall: September 15th through November 30th;
4. Winter: December 1st through February 28th; and as adjusted by leap years.

(4) Seasonal Peak Periods. The Seasonal Peak Periods establish the time of day in which a qualified resource produces Clean Peak Energy Certificates.

(a) The Seasonal Peak Periods are established as the periods of all Business Days in each Clean Peak Season that historically coincide with Massachusetts' peak electricity demand:

1. Spring: from 5:00 P.M. until 9:00 P.M.
2. Summer: from 4:00 P.M. until 8:00 P.M.
3. Fall: from 4:00 P.M. until 8:00 P.M.
4. Winter: from 4:00 P.M. until 8:00 P.M.

(5) Clean Peak Energy Certificate Generation. Clean Peak Energy Certificates generated by a Clean Peak Resource shall be equal to the sum of the metered average MW performance of a Clean Peak Resource for each hour during a Seasonal Peak Period, multiplied by the Seasonal Multiplier, and any other applicable multipliers as described in 225 CMR 21.05(6)(c) through (g), plus the metered average MW performance during the Hour of Actual Monthly System Peak Demand, multiplied by the Seasonal Multiplier, the Actual Monthly System Peak Multiplier, and any other applicable multipliers as described in 225 CMR 21.05(6)(c) through (g).

(6) Clean Peak Energy Certificate Multipliers. The Clean Peak Energy Certificate Multipliers shall modify the number of Clean Peak Energy Certificates that a Clean Peak Resource generates as follows:

(a) Seasonal Multiplier. Seasonal multipliers are established for each Clean Peak Season to reflect the level of emissions and magnitude of peak demands in a season. Seasonal Multipliers shall be:

- a. Spring: 1
- b. Summer: 4
- c. Fall: 1
- d. Winter: 4

(b) Actual Monthly System Peak Multiplier. The Actual Monthly System Peak Multiplier shall modify the number of Clean Peak Energy Certificates generated during the Hour of Actual Monthly System Peak. The multiplier shall be 25.

(c) Resilience Multiplier. The Resilience Multiplier modifies the number of Clean Peak Energy Certificates generated by a Clean Peak Resource that is also a Resilient Facility and can provide electric power to a load during external outage conditions. Clean Peak Resources that can demonstrate the added ability to provide electricity to load during an external outage will receive a Resilience Multiplier on all eligible output occurring during Seasonal Peak Periods. The multiplier shall be 1.5.

21.05: continued

(d) Existing Resource Multiplier. The Existing Resource Multiplier modifies the number of Clean Peak Energy Certificates generated by an Existing Resource. The multiplier shall be 0.1.

(e) Contracted Resource Multiplier. The Contracted Resource Multiplier modifies the number of Clean Peak Energy Certificates generated by a Contracted Resource. The multiplier shall be 0.01.

(f) SMART ES Resource Multiplier. The SMART ES Resource Multiplier modifies the number of Clean Peak Energy Certificates generated by a SMART ES Resource. The multiplier shall be 0.3.

(g) Distribution Circuit Multiplier. The Department may establish a Distribution Circuit Multiplier that modifies the number of Clean Peak Energy Certificates generated by a Clean Peak Resource based on the locational value of the unique load profile and particular needs of each distribution circuit, as defined by the Department, in consultation with the Distribution Companies. Clean Peak Resources which are owned by a Distribution Company are not eligible for a Distribution Circuit Multiplier. The Department may consider Distribution Circuit Multipliers greater than or less than one. The Department, in coordination with the Distribution Companies, shall determine whether sufficient data is available to enable effective implementation of a Distribution Circuit Multiplier no later than December 31, 2022. If the Department determines that a Distribution Circuit Multiplier shall be established, the Department shall publish a Guideline on the Distribution Circuit Multiplier that provides the multiplier amount(s) and explains the parameters of the applicability of the Distribution Circuit Multiplier.

(h) Near-term Resource Multiplier. The Near-term Resource Multiplier modifies the number of Clean Peak Energy Certificates generated by a Standalone QESS that is not co-located with a Qualified RPS Resource or a Demand Response Resource and is interconnected to the Distribution System. The Qualified Energy Storage System must not have received a Statement of Qualification on or before January 1, 2025, and must have a Commercial Operation Date before January 1, 2027. No Qualified Energy Storage System shall receive both the Distribution Circuit Multiplier and the Near-term Resource Multiplier. The Department shall set an initial eligibility cap for the Near-term Resource Multiplier of 50 MW of cumulative Qualified Energy Storage System capacity. After notice and opportunity for public comment, the Department may increase this cap in the future. No individual or affiliated Owner, Operator, or Authorized Agent may qualify for greater than 50% of the capacity designated by the Department. The multiplier shall be two for years one through ten from the Qualified Energy Storage System's effective date on its Statement of Qualification, provided that no energy discharged from a Qualified Energy Storage System shall have its Clean Peak Energy Certificates modified by the multiplier after the deadline specified under 225 CMR 21.05(6)(h)2. The Department may publish a guideline that explains the parameters of the applicability of the Near-term Resource Multiplier.

1. Extension to Commercial Operation Date Requirement for Good Cause. A Qualified Energy Storage System subject to the requirement to have a Commercial Operation Date before January 1, 2027 under 225 CMR 21.05(6)(h) may request an extension for good cause. Any request for an extension for good cause under this provision shall include evidence of a good faith effort to achieve a Commercial Operation Date of January 1, 2027 and evidence of delays outside the Owner, Operator, or Authorized Agent's control, including, but not limited to, supply-chain constraints and interconnection delays.

2. Expiration of Near-term Resource Multiplier. No energy discharged from a Qualified Energy Storage System shall have the associated number of Clean Peak Energy Certificates modified by the Near-term Resource Multiplier after December 31, 2036.

(i) Review. Beginning in 2024 and not less frequently than every four years thereafter, the Department shall conduct a review of the Clean Peak Energy Certificate Multipliers and, following stakeholder review and input, may modify the multipliers.

21.05: continued

(7) Special Provision for Clean Peak Energy Certificate Generation for Energy Reserves.

(a) The Department may establish a mechanism by which Clean Peak Energy Certificates may be generated by provision of energy reserves, subject to applicable requirements including, but not limited to, such provision of energy reserves being directly measurable and verifiable in accordance with 225 CMR 21.05(2). The Department shall determine whether such a mechanism can be implemented no later than December 31, 2020. If the Department determines that such a mechanism shall be established, the Department shall publish a *Guideline on Energy Reserves* that explains the mechanism and its applicability.

(8) Clean Peak Certificate Procurement.

(a) Each Distribution Company shall competitively procure Clean Peak Energy Certificates pursuant to M.G.L. c. 25A, § 17(c). Clean Peak Certificate procurements shall be designed to achieve an initial target of at least 30% of the total market obligation of Retail Electricity Suppliers in a given Compliance Year. No later than November 12, 2024, the Department shall establish a staggered procurement schedule for the issuance for requests for proposals for Clean Peak Certificates.

(b) The Department may adjust the procurement target in response to the Market Supply in any Compliance Year. After notice and opportunity for public comment, the Department may increase the target for the Clean Peak Certificate Procurement or determine that additional procurements are not required based on Market Supply conditions.

(c) A request for proposals to conduct the competitive procurement shall be developed by the Distribution Companies, in consultation with and subject to review and approval by the Department. Such request for proposals may include the following components:

(d) Any contracts resulting from a competitive procurement under this section shall be subject to review and approval by the Department of Public Utilities.

(e) The Department may establish a Guideline on Clean Peak Certificate Procurements that explains the parameters and provides additional detail to the procurement process.

21.06: Qualification Process for Clean Peak Resources.

(1) Statement of Qualification Application. A Statement of Qualification Application shall be submitted to the Department by the Owner or Operator of the Clean Peak Resource or by the Authorized Agent for an Aggregation. The applicant must use the most current forms and associated instructions provided by the Department, and must include all information, documentation, and assurances required by such forms and instructions.

NON-TEXT PAGE

21.06: continued

(2) Review Procedures.

(a) The Department will notify the applicant when the Statement of Qualification Application is administratively complete or if additional information is required pursuant to 225 CMR 21.06(1).

(b) The Department may, in its sole discretion, provide an opportunity for public comment on any Statement of Qualification Application.

(3) Issuance or Non-issuance of a Statement of Qualification.

(a) If the Department finds that a resource meets the requirements for eligibility as a Clean Peak Resource pursuant to 225 CMR 21.00, the Department will provide the Owner, Operator, or the Authorized Agent for such Aggregation with a Statement of Qualification.

(b) The Statement of Qualification shall include any applicable restrictions and conditions that the Department deems necessary to ensure compliance by a Clean Peak Resource or Aggregation with the provisions of 225 CMR 21.00.

(c) If the Clean Peak Resource or Aggregation does not meet the requirements for eligibility, the Department shall provide written notice to the Owner, Operator, or Authorized Agent, including the Department's reasons for such finding.

(d) In calendar year 2020, a resource may receive a Statement of Qualification which back-dates qualification to January 1, 2020 or the Commercial Operation Date, whichever is later.

(4) CPS Effective Date. The CPS Effective Date shall be the earliest date on or after the Commercial Operation Date on which the operation of a Clean Peak Resource can result in the creation of Clean Peak Energy Certificates, as determined by the Department.

(5) Notification Requirements for Change in Eligibility Status. The Owner or Operator of a Clean Peak Resource shall notify the Department of any changes in the technology, operation, emissions, fuel sources, energy resources, enrollment in incentive program(s), or other characteristics of the Clean Peak Resource(s) that may affect the eligibility of the Clean Peak Resource. The Owner, Operator, or Authorized Agent shall submit the notification to the Department no later than five days following the end of the month during which such changes were implemented. The notice shall state the date the changes were made to the Clean Peak Resource and describe the changes in sufficient detail to enable the Department to determine if a change in eligibility is warranted.

(6) Notification Requirements for Change in Ownership, Generation Capacity, or Contact Information. The Owner or Operator of a Clean Peak Resource shall notify the Department of any changes in the ownership, operating entity, capacity, NEPOOL GIS account for the Clean Peak Resource or Aggregation, or contact information for the Clean Peak Resource or Aggregation. The Owner or Operator shall submit the notification to the Department no later than five days following the end of the month during which such changes were implemented.

(7) Suspension or Revocation of Statement of Qualification. The Department may suspend or revoke a Statement of Qualification if the Owner or Operator of a Clean Peak Resource or Authorized Agent of an Aggregation fails to comply with 225 CMR 21.00 or if a Clean Peak Resource does not operate during a consecutive 12-month period.

21.07: Clean Peak Standard

(1) CPS Minimum Standard. The total annual sales of each Retail Electricity Product sold to Massachusetts End-use Customers by a Retail Electricity Supplier, under contracts executed or extended on or after January 1, 2020, shall include a minimum percentage of electrical energy sales with Clean Peak Certificates.

(a) The CPS Minimum Standard shall be set to the percentage identified in 225 CMR 21.07(1)(a).

21.07: continued

Compliance Year	Cumulative Minimum Percentage
2019	0.0%
2020	1.5%
2021	3.0%
2022	4.5%
2023	6.0%
2024	4.0%
2025	5.5%
2026	4.0%
2027	8.0%
2028	12.0%
2029	18.0%
2030	24.0%
2031	29.0%
2032	31.0%
2033	32.5%
2034	34.0%

(b) The CPS Minimum Standard for each Compliance Year shall increase 1.5% annually after 2034.

**THE COMMONWEALTH OF MASSACHUSETTS****William Francis Galvin**

Secretary of the Commonwealth

Regulation Filing*To be completed by filing agency*CHAPTER NUMBER: **314 CMR 4.00**CHAPTER TITLE: **Massachusetts Surface Water Quality Standards**AGENCY: **Division of Water Pollution Control**SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*

M.G.L. c. 21, §§ 26 through 53 charges the Department with the duty and responsibility to protect the public health and enhance the quality and value of the water resources of the Commonwealth. It directs the Department to take all action necessary or appropriate to secure to the Commonwealth the benefits of the federal Clean Water Act, 33 U.S.C. § 1251 et seq, with the objective to restore and maintain "the chemical, physical and biological integrity of the Nation's waters." The MA Surface Water Quality Standards designate the most sensitive uses for which the waters of the Commonwealth shall be enhanced, maintained and protected; prescribe minimum water quality criteria to sustain the Designated Uses; and regulate as necessary to achieve uses and maintain water quality.

REGULATORY AUTHORITY: **M.G.L. c. 21, § 27**AGENCY CONTACT: **Richard Carey** PHONE: **617-312-1319**ADDRESS: **MassDEP, 100 Cambridge Street, Boston, MA 02114****Compliance with M.G.L. c. 30A**EMERGENCY ADOPTION - *if this regulation is adopted as an emergency, state the nature of the emergency.*

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.*

See Appendix.

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period, including a small business impact statement, 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: **Comment Period: 1/2/2026 - 2/9/2026**

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

For the first and second year: No fiscal effect anticipated

For the first five years: No fiscal effect anticipated

No fiscal effect: No fiscal effect anticipated

SMALL BUSINESS IMPACT - *M.G.L. c. 30A section 5 requires each agency to file an amended small business impact statement with the Secretary of the Commonwealth prior to the adoption of a proposed regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.*

Date amended small business impact statement was filed: Thursday 08/13/2026

CODE OF MASSACHUSETTS REGULATIONS INDEX - *List key subjects that are relevant to this regulation:*
Massachusetts Surface Water Quality Standards

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

314 CMR 4.00, the Massachusetts Surface Water Quality Standards, are being amended by these regulations to update the secondary contact recreational water quality criteria for bacteria and the adjustment procedures for marine copper criteria.

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

SIGNATURE: _____ SIGNATURE ON FILE _____ DATE: Aug 14 2026

Publication - *To be completed by the regulations Division*

MASSACHUSETTS REGISTER NUMBER: 1581 DATE: 8/28/26

EFFECTIVE DATE: 8/28/26

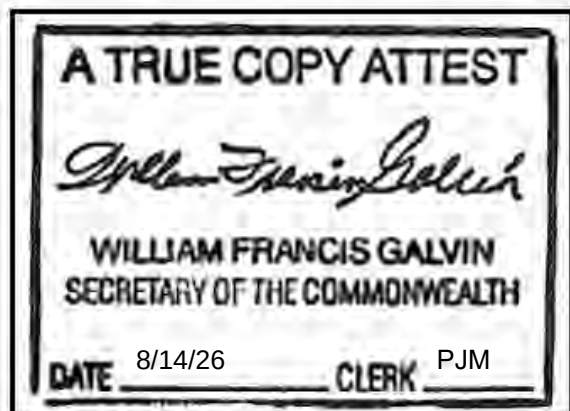
CODE OF MASSACHUSETTS REGULATIONS

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1 & 2
65 - 68
73 -160.82

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65 - 68
73 -160.82



Appendix to Regulations Filing Entry for 314 CMR 4.00 MA Surface Water Quality Standards

Prior Notifications and Approvals

Approvals:

Water Resources Commission approval-8/13/2026

Department of Public Health, Commissioner approval-8/12/2026

Notifications on December 19, 2025

MA Historical Commission

MA Municipal Association, Local Government Advisory Committee

Executive Office of Housing and Livable Communities

US Environmental Protection Agency

MA Department of Public Health

Energies Facilities Siting Board

MA Department of Public Utilities

Executive Office of Energy and Environmental Affairs

314 CMR: DIVISION OF WATER POLLUTION CONTROL

Table of Contents

	<u>Page</u>
(314 CMR 1.00: RESERVED)	5
314 CMR 2.00: PERMIT PROCEDURES	7
Section 2.01: Purpose and Authority	7
Section 2.02: Definitions	7
Section 2.03: Application for a Permit or General Permit Coverage	8
Section 2.04: Tentative Determination and Preparation of Draft Permits	8
Section 2.05: Preparation of Fact Sheet or Statement of Basis for Permit	9
Section 2.06: Public Notice and Comment	10
Section 2.07: Public Hearings	13
Section 2.08: Issuance and Effective Date of Permit, General Permit Coverage, or Other Determination and Requests for Adjudicatory Hearings	13
Section 2.09: Response to Comments	14
Section 2.10: Modification, Suspension, Revocation and Renewal of Permits and General Permit Coverage	14.1
Section 2.11: Confidentiality of Information	14.1
Section 2.12: Applications, Fees and Inspection Information	14.2
Section 2.13: Computation of Time	14.2
Section 2.14: Violations	14.3
314 CMR 3.00: SURFACE WATER DISCHARGE PERMIT PROGRAM	15
Section 3.01: Purpose and Authority	15
Section 3.02: Definitions	15
Section 3.03: Discharges Requiring a Permit	19
Section 3.04: Other Activities Requiring a Permit	20
Section 3.05: Exemptions	21
Section 3.06: General Permits	22
Section 3.07: Restrictions on the Issuance of a Permit	28
Section 3.08: Effect of a Permit	29
Section 3.09: Continuation of an Expiring Permit	29
Section 3.10: Application for a Permit	29
Section 3.11: Permit Conditions	30
Section 3.12: Variances for Thermal Discharges	34
Section 3.13: Modification, Suspension, Revocation and Renewal of Permits	36
Section 3.14: Transfer of Permits	37
Section 3.15: Signatories to Permit Applications and Reports	37
Section 3.16: Appendix A - Criteria for Determining a Concentrated Aquatic Animal Production Facility	38
Section 3.17: Appendix B - Toxic Pollutants	38
Section 3.19: Standard Permit Conditions	40
314 CMR 4.00: MASSACHUSETTS SURFACE WATER QUALITY STANDARDS	65
Section 4.01: General Provisions	65
Section 4.02: Definitions	65
Section 4.03: Application of Standards	69
Section 4.04: Antidegradation Provisions	72
Section 4.05: Classes and Criteria	73
Section 4.06: Classification, Figures, and Tables	82
Section 4.07: Severability	160.82

314 CMR: DIVISION OF WATER POLLUTION CONTROL

Table of Contents

	<u>Page</u>
314 CMR 5.00: GROUND WATER DISCHARGE PERMIT PROGRAM	161
Section 5.01: Purpose, Authority and Scope	161
Section 5.02: Definitions	161
Section 5.03: Discharges Requiring a Permit	168
Section 5.04: Other Activities Requiring a Permit	169
Section 5.05: Activities Not Requiring a Permit	169
Section 5.06: Restrictions on the Issuance of a Permit	172
Section 5.07: Effect of a Permit	173
Section 5.08: Continuation of an Expiring Permit	173
Section 5.09: Duty to Submit Hydrogeological Evaluation	173
Section 5.09A: Application for a Permit	174
Section 5.10: Permit Conditions	176
Section 5.11: Ground Water Standards	185
Section 5.12: Modification, Suspension, Revocation, Renewal, and Transfer of Permits	186
Section 5.13: General Permits	189
Section 5.14: Signatories to Permit Applications, Notices of Intent, and Reports	192
Section 5.15: Requirements for Privately Owned Wastewater Treatment Facilities	193
Section 5.16: General Conditions	195
Section 5.17: Orders, Violations and Penalties	198.2
(314 CMR 6.00: RESERVED)	199
314 CMR 7.00: SEWER SYSTEM EXTENSION AND CONNECTION PERMIT PROGRAM	211
Section 7.01: Purpose and Authority	211
Section 7.02: Definitions	211
Section 7.03: Activities Requiring a Permit	214
Section 7.05: Activities Not Requiring a Permit	214
Section 7.06: Prohibitions	216
Section 7.07: Effect of a Permit	216
Section 7.08: Continuation of an Expiring Permit	216
Section 7.09: Application for a Permit	217
Section 7.10: Permit Conditions	217
Section 7.12: Modification, Suspension, Revocation and Renewal of Permits	218
Section 7.13: Transfer of Permits	219
Section 7.14: Signatories to Permit Applications and Reports	219
Section 7.17: Standard Industrial Classification (SIC) Codes	219
314 CMR 8.00: SUPPLEMENTAL REQUIREMENTS FOR HAZARDOUS WASTE MANAGEMENT FACILITIES	227
Section 8.01: Purpose and Authority	227
Section 8.02: Definitions	227
Section 8.03: RCRA Facilities Subject to 314 CMR 8.00	229
Section 8.04: Additional Standards and Requirements for RCRA Facilities	231
Section 8.05: Standards for Wastewater Treatment Units Permitted under 314 CMR 3.00: <i>Surface Water Discharge Permit Program</i>	232
Section 8.06: Standards for all other RCRA Facilities	232
Section 8.07: Supplemental Application and Permit Requirements	233
Section 8.08: Interim Status Standards for RCRA Facilities	233

314 CMR 4.00: MASSACHUSETTS SURFACE WATER QUALITY STANDARDS

Section

- 4.01: General Provisions
- 4.02: Definitions
- 4.03: Application of Standards
- 4.04: Antidegradation Provisions
- 4.05: Classes and Criteria
- 4.06: Classification, Figures, and Tables
- 4.07: Severability

4.01: General Provisions

- (1) Title. 314 CMR 4.00 shall be known as the "Massachusetts Surface Water Quality Standards".
- (2) Organization of the Standards. 314 CMR 4.00 is comprised of seven sections: 314 CMR 4.01: *General Provisions*; 314 CMR 4.02: *Definitions*; 314 CMR 4.03: *Application of Standards*; 314 CMR 4.04: *Antidegradation Provisions*; 314 CMR 4.05: *Classes and Criteria*; 314 CMR 4.06: *Classification, Figures, and Tables*; and 314 CMR 4.07: *Severability*.
- (3) Purpose. M.G.L. c. 21, §§ 26 through 53 charges the Department with the duty and responsibility to protect the public health and enhance the quality and value of the water resources of the Commonwealth. It directs the Department to take all action necessary or appropriate to secure to the Commonwealth the benefits of the federal Clean Water Act, 33 U.S.C. § 1251 *et seq.* The objective of 33 U.S.C. § 1251 *et seq.* is the restoration and maintenance of "the chemical, physical and biological integrity of the Nation's waters" 33 U.S.C. § 1251(a). To achieve the foregoing requirements the Department has adopted the Massachusetts Surface Water Quality Standards which designate the most sensitive uses for which the various waters of the Commonwealth shall be enhanced, maintained and protected; which prescribe the minimum water quality criteria required to sustain the Designated Uses, as defined in 314 CMR 4.02: *Designated Uses*; and which contain regulations necessary to achieve the Designated Uses and maintain existing water quality including, where appropriate, the prohibition of discharges.

4.02: Definitions

Aquatic Life. A native, naturally diverse, community of aquatic flora and fauna including, but not limited to, wildlife and threatened and endangered species.

Authorization. An approval granted pursuant to 314 CMR 4.04(5) for a discharge to High Quality Waters, Outstanding Resource Waters or Special Resource Waters.

Background Conditions. That water quality which exists or would exist in the absence of pollutants requiring permits and other controllable cultural factors that are subject to regulation under M.G.L. c. 21, §§ 26 through 53.

Best Available Treatment Technology. The technology-based standard of the Clean Water Act defined as Best Available Technology Economically Achievable (BAT) for privately-owned treatment works. BAT effluent limitation guidelines reflect the best performance technologies for a particular pollutant or group of pollutants, or for a category or class of point sources, that are economically achievable.

Best Management Practices or BMPs. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the Commonwealth. BMPs include treatment requirements, operating procedures, structures, devices, and/or practices to control plant site runoff, spillage, or leaks, sludge or waste disposal, or drainage from raw material storage.

Best Professional Judgment. The method used by the Department to develop technology-based Surface Water Discharge Permit Conditions on a case by case basis using all reasonably available and relevant data.

4.02: continued

Biological Integrity. The capability of supporting and maintaining a balanced, integrated, adaptive community of organisms having species composition, diversity, and functional organization comparable to that of the natural habitat of the region.

Class A Waters or Class A. Those Inland Waters so designated pursuant to 314 CMR 4.06; including, without limitation, 314 CMR 4.06(1)(d)1. and (4) as public water supplies and their tributaries; certain wetlands designated in 314 CMR 4.06(2); certain reservoirs designated in 314 CMR 4.06(3); and certain surface waters designated in 314 CMR 4.06(6)(b). They are designated as excellent habitat for fish, other aquatic life and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation, even if not allowed. These waters shall have excellent aesthetic value. These waters are protected as Outstanding Resource Waters.

Class B Waters or Class B. Those Inland Waters so designated pursuant to 314 CMR 4.06; including, without limitation, certain wetlands designated in 314 CMR 4.06(2), certain other waters designated in 314 CMR 4.06(5), and certain qualified waters designated in 314 CMR 4.06(6)(b). These waters are designated as a habitat for fish, other aquatic life, and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation. Where designated in 314 CMR 4.06(1)(d)7. and (6)(b) as a "Treated Water Supply" these waters shall be suitable as a source of public water supply with appropriate treatment. Class B waters shall be suitable for irrigation and other agricultural uses and for compatible industrial cooling and process uses. These waters shall have consistently good aesthetic value.

Class B (CSO). Those Class B partial use Inland Waters so designated in accordance with 314 CMR 4.06(1)(d)11. and (6)(b).

Class SA Waters or Class SA. Those Coastal and Marine Waters so designated pursuant to 314 CMR 4.06; including, without limitation, 314 CMR 4.06(2) and (5), and certain qualified waters designated in 314 CMR 4.06(6)(b). These waters are designated as an excellent habitat for fish, other aquatic life and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation. In certain waters, excellent habitat for fish, other aquatic life and wildlife may include, but is not limited to, seagrass. Where designated for shellfishing in 314 CMR 4.06(6)(b), these waters shall be suitable for shellfish harvesting without depuration (Approved and Conditionally Approved Shellfish Areas). These waters shall have excellent aesthetic value.

Class SB Waters or Class SB. Those Coastal and Marine Waters so designated pursuant to 314 CMR 4.06; including, without limitation, 314 CMR 4.06(2) and certain surface waters designated in 314 CMR 4.06(6)(b). These waters are designated as a habitat for fish, other aquatic life and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation. In certain waters, habitat for fish, other aquatic life and wildlife may include, but is not limited to, seagrass. Where designated for shellfishing in 314 CMR 4.06(6)(b), these waters shall be suitable for shellfish harvesting with depuration (Restricted and Conditionally Restricted Shellfish Areas). These waters shall have consistently good aesthetic value.

Class SB (CSO). Those Class SB partial use Coastal and Marine Waters so designated in accordance with 314 CMR 4.06(1)(d)11. and (6)(b).

Coastal and Marine Waters. The Atlantic Ocean and all contiguous saline bays, inlets and harbors within the jurisdiction of the Commonwealth including areas where fresh and salt waters mix and tidal effects are evident or any partially enclosed coastal body of water where the tide meets the current of a stream or river.

4.02: continued

Cold Water Fishery. Waters in which the mean of the maximum daily temperature over a seven day period generally does not exceed 68°F (20°C) and, when other ecological factors are favorable (such as habitat), are capable of supporting a year-round population of cold water stenothermal aquatic life such as trout (Salmonidae).

Combined Sewer Overflow or CSO. Any intermittent overflow, bypass or other discharge from a municipal combined sewer system which results from a wet-weather flow in excess of the dry-weather carrying capacity of the system.

Criteria. Elements of state water quality standards, expressed as constituent concentrations, levels, or narrative statements, representing a quality of water that supports a use.

Cultural Eutrophication. The human-induced increase in nutrients resulting in acceleration of primary productivity, which causes nuisance conditions, such as algal blooms or dense and extensive macrophyte growth, in a waterbody.

Department or MassDEP. The Massachusetts Department of Environmental Protection.

Designated Use. Those uses specified in 314 CMR 4.05 and 314 CMR 4.06 for each water Class whether or not they are being attained.

Discharge of Pollutants. Any addition of any pollutant or combination of pollutants to the waters of the Commonwealth from any source.

EPA. The United States Environmental Protection Agency.

Epilimnion. The upper circulating layer of a stratified lake or pond.

Existing Use. Those designated uses and any other uses that do not impair the designated uses that are actually attained in a waterbody on or after November 28, 1975; except that in no case shall assimilation or transport of pollutants be considered an existing use.

Federal Act. *The Federal Water Pollution Control Act* (FWPCA), currently known as the *Clean Water Act*, 33 U.S.C. § 1251 *et seq.*

Harmonic Mean Flow. A long-term flow value calculated by dividing the number of daily flows analyzed by the sum of the reciprocals of those daily flows.

Highest and Best Practical Treatment or HBPT. The best practicable waste treatment technology for publicly-owned treatment works that is the most appropriate means available on a regional basis for controlling the direct discharge of toxic and nonconventional pollutants to navigable waters. HBPT effluent limitation guidelines reflect the best performance technologies for a particular pollutant or group of pollutants that are economically achievable.

Inland Waters or Fresh Waters. Any surface water not subject to tidal action or not subject to the mixing of fresh and ocean waters.

Lakes and Ponds. Waterbodies having open water, situated in a topographical depression, generally with a maximum depth of greater than two meters. Lakes and ponds do not include constructed stormwater retention basins, constructed impervious basins or impervious impoundments, permitted wastewater lagoons, constructed farm ponds into which and from which no stream or river flows, and generally do not include dammed river or stream impoundments. The Department may determine, on a case-by-case basis, that a shallower waterbody or a dammed river or stream impoundment is a lake or pond based on aquatic and other resources or uses to be protected.

4.02: continued

Massachusetts Act. The *Massachusetts Clean Waters Act*, M.G.L. c. 21, §§ 26 through 53.

National Goal Uses. Propagation of fish, shellfish other aquatic life and wildlife and recreation in and on the water in accordance with 33 U.S.C. § 1251 *et seq.*

New or Increased Discharge. Any discharge which commences after the date 314 CMR 4.00 initially became effective; any discharge requiring a permit which is unpermitted and commenced prior to the date 314 CMR 4.00 became effective; and any increase in discharges except for an increase in conformance with a currently valid permit.

Nonpoint Source. Any source of pollutant discharge that is not a point source.

Outstanding Resource Waters or ORW. Waters designated for protection in 314 CMR 4.06, which include Class A Public Water Supplies (314 CMR 4.06(1)(d)1.) and their tributaries, certain wetlands as specified in 314 CMR 4.06(2), certain surface waters designated in 314 CMR 4.06(6)(b), and other waters as determined by the Department based on their outstanding socio-economic, recreational, ecological and/or aesthetic values.

Point Source. Any discernable, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, from which pollutants are or may be discharged. Point Source does not include return flows from irrigated agriculture.

Pollutant. Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter in whatever form, and whether originating at a point or nonpoint source, that is or may be discharged, drained or otherwise introduced into any sewage system, treatment works or waters of the Commonwealth.

Primary Contact Recreation. Any recreation or other water use in which there is prolonged and intimate contact with the water with a significant risk of ingestion of water. These include, but are not limited to, wading, swimming, diving, surfing and water skiing.

Publicly-owned Treatment Works or POTW shall have the meaning as defined in 314 CMR 3.02: Publicly-owned Treatment Works or POTW.

Rivers and Streams. Waterbodies contained within a channel (naturally or artificially created) which periodically or continuously contains flowing water or forms a connecting link between two bodies of standing water.

Secondary Contact Recreation. Any recreation or other water use in which contact with the water is either incidental or accidental. These include, but are not limited to, fishing, including human consumption of fish, boating and limited contact incident to shoreline activities. Where designated, secondary contact recreation also includes shellfishing, including human consumption of shellfish.

Segment. A finite portion of a waterbody established by the Department for the purpose of classification.

Site-specific Criteria. Site-specific criteria are criteria that apply to a particular surface water or segment, as set forth in 314 CMR 4.06(6)(c): *Table 28: Site-specific Criteria*.

Source Reduction. In-plant changes in production processes or raw materials that reduce, avoid or eliminate the use of pollutants including, but not limited to, toxic or hazardous substances, or generation of pollution by-product per unit of product, so as to reduce risks overall to the environment. Also compliance with M.G.L. c. 211: *Toxics Use Reduction Act*, to the extent required by such law.

Special Resource Waters or SRW. Waters of exceptional significance, such as waters in national or State parks and wildlife refuges, so designated by the Department pursuant to 314 CMR 4.06(1)(d)4. and (6)(b).

4.04: continued

- (a) the discharge results in temporary and short term changes in the quality of the SRW, provided that the discharge does not permanently lower water quality or result in water quality lower than necessary to protect uses; and
- (b) an authorization is granted pursuant to 314 CMR 4.04(5).

(5) Authorizations.

- (a) An authorization to discharge to waters designated for protection under 314 CMR 4.04(2) may be issued by the Department where the applicant demonstrates that:
 - 1. The discharge is necessary to accommodate important economic or social development in the area in which the waters are located;
 - 2. No less environmentally damaging alternative site for the activity, receptor for the disposal, or method of elimination of the discharge is reasonably available or feasible;
 - 3. To the maximum extent feasible, the discharge and activity are designed and conducted to minimize adverse impacts on water quality, including implementation of source reduction practices; and
 - 4. The discharge will not impair existing water uses and will not result in a level of water quality less than that specified for the Class.
- (b) An authorization to discharge to the narrow extent allowed in 314 CMR 4.04(3) or 314 CMR 4.04(4) may be granted by the Department where the applicant demonstrates compliance with 314 CMR 4.04(5)(a)2. through 4.
- (c) Where an authorization is at issue, the Department shall circulate a public notice in accordance with 314 CMR 2.06: *Public Notice and Comment*. Said notice shall state an authorization is under consideration by the Department, and indicate the Department's tentative determination. The applicant shall have the burden of justifying the authorization. Any authorization granted pursuant to 314 CMR 4.04 shall not extend beyond the expiration date of the permit.
- (d) A discharge exempted from the permit requirement by 314 CMR 3.05(4) (discharge necessary to abate an imminent hazard) may be exempted from 314 CMR 4.04(5) by decision of the Department.
- (e) A new or increased discharge specifically required as part of an enforcement order issued by the Department in order to improve existing water quality or prevent existing water quality from deteriorating may be exempted from 314 CMR 4.04(5) by decision of the Department.

(6) The Department applies its Antidegradation Implementation Procedures to point source discharges subject to 314 CMR 4.00.

(7) Discharge Criteria. In addition to the other provisions of 314 CMR 4.00, any authorized discharge shall be provided with a level of treatment equal to or exceeding the requirements of 314 CMR 3.00: *Surface Water Discharge Permit Program*. Before authorizing a discharge, all appropriate public participation and intergovernmental coordination shall be conducted in accordance with 314 CMR 2.00: *Permit Procedures*.

4.05: Classes and Criteria

(1) Classes and Uses. The surface waters of the Commonwealth shall be segmented and each segment assigned to one of the Classes listed in 314 CMR 4.05(3) and (4). Each class is identified by the most sensitive, and therefore governing, water uses to be achieved and protected. Surface waters may be suitable for other beneficial uses, but shall be regulated by the Department to protect and enhance the existing and designated uses. In accordance with 314 CMR 4.03(4), the Department may designate a partial use subcategory for these Classes. A partial use designation may be appropriate where waters are impacted by combined sewer overflows or stormwater discharges. Partial use is described in 314 CMR 4.06(1)(d)11.

(2) Criteria.

(a) Minimum criteria for each class of surface water are listed in 314 CMR 4.05(3) and (4). Additional minimum criteria for all surface waters are listed in 314 CMR 4.05(5). In cases where fresh water and coastal and marine waters mix, 314 CMR 4.05(6) establishes whether fresh water or coastal and marine water aquatic life criteria apply. Provided that all existing and designated uses are protected, the Department may establish site-specific criteria as

4.05: continued

alternative minimum criteria. Site-specific numerical criteria also may supplement any of the narrative criteria in 314 CMR 4.00. Site-specific criteria are set forth in and pursuant to 314 CMR 4.05(7). Should the Department develop site-specific numerical criteria for any pollutant that is the primary cause of nonattainment of any criteria in 314 CMR 4.00, the Department may determine that such site-specific criteria supersede other criteria in 314 CMR 4.00. The Department may establish site-specific criteria for a segment or segments of a water, for an entire water, or for a group of waters with similar physical, chemical or biological qualities. The Department may establish site-specific hydrologic conditions at which criteria are applied. The Department will adopt any such site-specific criteria as revisions to 314 CMR 4.00 in accordance with M.G.L. c. 30A.

(b) Criteria for segments designated for partial use in 314 CMR 4.06 shall be site-specific but, to the maximum extent feasible, shall be the same as the criteria assigned to the Class. For segments so designated because of the impacts of CSO or stormwater discharges, criteria may depart from the criteria assigned to the Class only to the extent necessary to accommodate the technology-based treatment limitations of the CSO or stormwater discharges.

(3) Inland Water Classes.

(a) Class A. Those Inland Waters so designated pursuant to 314 CMR 4.06; including, without limitation, 314 CMR 4.06(1)(d)1. and (4) as public water supplies and their tributaries; certain wetlands designated in 314 CMR 4.06(2); certain reservoirs designated in 314 CMR 4.06(3); and certain surface waters designated in 314 CMR 4.06(6)(b). They are designated as excellent habitat for fish, other aquatic life and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation, even if not allowed. These waters shall have excellent aesthetic value. These waters are protected as Outstanding Resource Waters.

1. Dissolved Oxygen. Shall not be less than 6.0 mg/L in cold water fisheries and not less than 5.0 mg/L in warm water fisheries. Where natural background conditions are lower, DO shall not be less than natural background conditions. Natural seasonal and daily variations that are necessary to protect existing and designated uses shall be maintained.

2. Temperature.

a. Shall not exceed 68°F (20°C) based on the mean of the daily maximum temperature over a seven-day period in cold water fisheries, unless naturally occurring. Where a reproducing cold water aquatic community exists at a naturally occurring higher temperature, the temperature necessary to protect the community shall not be exceeded and natural daily and seasonal temperature fluctuations necessary to protect the community shall be maintained. Temperature shall not exceed 83°F (28.3°C) in warm water fisheries. The rise in temperature due to a discharge shall not exceed 1.5°F (0.8°C); and

b. natural seasonal and daily variations that are necessary to protect existing and designated uses shall be maintained. There shall be no changes from natural background conditions that would impair any use assigned to this Class, including those conditions necessary to protect normal species diversity, successful migration, reproductive functions or growth of aquatic organisms.

3. pH. Shall be in the range of 6.5 through 8.3 standard units, but not more than 0.5 units outside of the natural background range. There shall be no change from natural background conditions that would impair any use assigned to this Class.

4. Bacteria.

a. At water supply intakes in unfiltered public water supplies: either fecal coliform shall not exceed 20 fecal coliform organisms per 100 mL in all samples taken in any six-month period, or total coliform shall not exceed 100 organisms per 100 mL in 90% of the samples taken in any six-month period. If both fecal coliform and total coliform are measured, then only the fecal coliform criterion must be met. More stringent regulations may apply under 310 CMR 22.00: *Drinking Water* (see 314 CMR 4.06(1)(d)1.); and

b. For protection of primary and secondary contact recreation, surface waters shall meet the additional minimum criteria for bacteria set forth in 314 CMR 4.05(5)(f)1., 3., and 4.

4.05: continued

5. Solids. These waters shall be free from floating, suspended and settleable solids in concentrations or combinations that would impair any use assigned to this class, that would cause aesthetically objectionable conditions, or that would impair the benthic biota or degrade the chemical composition of the bottom.
 6. Color and Turbidity. These waters shall be free from color and turbidity in concentrations or combinations that are aesthetically objectionable or would impair any use assigned to this class.
 7. Oil and Grease. These waters shall be free from oil and grease, petrochemicals and other volatile or synthetic organic pollutants.
 8. Taste and Odor. None other than of natural origin.
- (b) Class B. Those Inland Waters so designated pursuant to 314 CMR 4.06; including, without limitation, certain wetlands designated in 314 CMR 4.06(2); certain other waters designated in 314 CMR 4.06(5); and certain qualified waters designated in 314 CMR 4.06(6)(b). These waters are designated as a habitat for fish, other aquatic life, and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation. Where designated in 314 CMR 4.06(1)(d)7. and (6)(b) as a "Treated Water Supply", they shall be suitable as a source of public water supply with appropriate treatment. Class B waters shall be suitable for irrigation and other agricultural uses and for compatible industrial cooling and process uses. These waters shall have consistently good aesthetic value.
1. Dissolved Oxygen. Shall not be less than 6.0 mg/L in cold water fisheries and not less than 5.0 mg/L in warm water fisheries. Where natural background conditions are lower, DO shall not be less than natural background conditions. Natural seasonal and daily variations that are necessary to protect existing and designated uses shall be maintained.
 2. Temperature.
 - a. Shall not exceed 68°F (20°C) based on the mean of the daily maximum temperature over a seven-day period in cold water fisheries, unless naturally occurring. Where a reproducing cold water aquatic community exists at a naturally occurring higher temperature, the temperature necessary to protect the community shall not be exceeded and the natural daily and seasonal temperature fluctuations necessary to protect the community shall be maintained. Temperature shall not exceed 83°F (28.3°C) in warm water fisheries. The rise in temperature due to a discharge shall not exceed 3°F (1.7°C) in rivers and streams designated as cold water fisheries nor 5°F (2.8°C) in rivers and streams designated as warm water fisheries (based on the minimum expected flow for the month); in lakes and ponds the rise shall not exceed 3°F (1.7°C) in the epilimnion (based on the monthly average of maximum daily temperature);
 - b. natural seasonal and daily variations that are necessary to protect existing and designated uses shall be maintained. There shall be no changes from natural background conditions that would impair any use assigned to this Class, including those conditions necessary to protect normal species diversity, successful migration, reproductive functions or growth of aquatic organisms;
 - c. alternative effluent limitations established in connection with a variance for a thermal discharge issued under 33 U.S.C. § 1251 (FWPCA, § 316(a)) and 314 CMR 3.00: *Surface Water Discharge Permit Program* are in compliance with 314 CMR 4.00. As required by 33 U.S.C. § 1251 (FWPCA, § 316(a)) and 314 CMR 3.00, for permit and variance renewal, the applicant must demonstrate that alternative effluent limitations continue to comply with the variance standard for thermal discharges; and
 - d. in the case of a cooling water intake structure regulated by EPA under 33 U.S.C. § 1251 (FWPCA § 316(b)), the Department has the authority under 33 U.S.C. § 1251 (FWPCA § 401), M.G.L. c. 21, §§ 26 through 53 and 314 CMR 3.00: *Surface Water Discharge Permit Program* to condition the cooling water intake structure to assure compliance of the withdrawal activity with 314 CMR 4.00 including, but not limited to, compliance with narrative and numerical criteria and protection of existing and designated uses.
 3. pH. Shall be in the range of 6.5 through 8.3 standard units and not more than 0.5 units outside of the natural background range. There shall be no change from natural background conditions that would impair any use assigned to this Class.

4.05: continued

4. Bacteria. For protection of primary and secondary contact recreation, surface waters shall meet the minimum criteria for bacteria set forth in 314 CMR 4.05(5)(f)1., 3., and 4.
5. Solids. These waters shall be free from floating, suspended and settleable solids in concentrations and combinations that would impair any use assigned to this Class, that would cause aesthetically objectionable conditions, or that would impair the benthic biota or degrade the chemical composition of the bottom.
6. Color and Turbidity. These waters shall be free from color and turbidity in concentrations or combinations that are aesthetically objectionable or would impair any use assigned to this Class.
7. Oil and Grease. These waters shall be free from oil, grease and petrochemicals that produce a visible film on the surface of the water, impart an oily taste to the water or an oily or other undesirable taste to the edible portions of aquatic life, coat the banks or bottom of the water course, or are deleterious or become toxic to aquatic life.
8. Taste and Odor. None in such concentrations or combinations that are aesthetically objectionable, that would impair any use assigned to this Class, or that would cause tainting or undesirable flavors in the edible portions of aquatic life.

(4) Coastal and Marine Classes.

(a) Class SA. Those Coastal and Marine Waters so designated pursuant to 314 CMR 4.06; including, without limitation, 314 CMR 4.06(2) and (5), and certain qualified waters designated in 314 CMR 4.06(6)(b). These waters are designated as an excellent habitat for fish, other aquatic life and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation. In certain waters, excellent habitat for fish, other aquatic life and wildlife may include, but is not limited to, seagrass. Where designated for shellfishing in 314 CMR 4.06(6)(b), these waters shall be suitable for shellfish harvesting without depuration (Approved and Conditionally Approved Shellfish Areas). These waters shall have excellent aesthetic value. In the case of a water intake structure at a desalination facility, the Department has the authority under 33 U.S.C. § 1251 (FWPCA § 401), M.G.L. c. 21, §§ 26 through 53 and 314 CMR 3.00: *Surface Water Discharge Permit Program* to condition the water intake structure to assure compliance of the withdrawal activity with 314 CMR 4.00 including, but not limited to, compliance with the narrative and numerical criteria and protection of existing and designated uses.

1. Dissolved Oxygen. Shall not be less than 6.0 mg/L. Where natural background conditions are lower, DO shall not be less than natural background. Natural seasonal and daily variations that are necessary to protect existing and designated uses shall be maintained.
2. Temperature.
 - a. Shall not exceed 85°F (29.4°C) nor a maximum daily mean of 80°F (26.7°C), and the rise in temperature due to a discharge shall not exceed 1.5°F (0.8°C);
 - b. there shall be no change from natural background that would impair any uses assigned to this class, including those conditions necessary to protect normal species diversity, successful migration, reproductive functions or growth of aquatic organisms;
 - c. alternative effluent limitations established in connection with a variance for a thermal discharge issued under 33 U.S.C. § 1251 (FWPCA, § 316(a)) and 314 CMR 3.00: *Surface Water Discharge Permit Program* are in compliance with 314 CMR 4.00. As required by 33 U.S.C. § 1251 (FWPCA, § 316(a)) and 314 CMR 3.00, for permit and variance renewal, the applicant must demonstrate that alternative effluent limitations continue to comply with the variance standard for thermal discharges; and
 - d. in the case of a cooling water intake structure regulated by EPA under 33 U.S.C. § 1251 (FWPCA § 316(b)), the Department has the authority under 33 U.S.C. § 1251 (FWPCA § 401), M.G.L. c. 21, §§ 26 through 53 and 314 CMR 3.00: *Surface Water Discharge Permit Program* to condition the cooling water intake structure to assure compliance of the withdrawal activity with 314 CMR 4.00 including, but not limited to, compliance with narrative and numerical criteria and protection of existing and designated uses.

4.05: continued

3. pH. Shall be in the range of 6.5 through 8.5 standard units and not more than 0.2 standard units outside of the natural background range. There shall be no change from natural background conditions that would impair any use assigned to this Class.
4. Bacteria.
 - a. Waters designated for shellfishing: fecal coliform shall not exceed a geometric mean Most Probable Number (MPN) of 14 organisms per 100 mL, nor shall more than 10% of the samples exceed an MPN of 28 per 100 mL, or other values of equivalent protection based on sampling and analytical methods used by the Massachusetts Division of Marine Fisheries and approved by the National Shellfish Sanitation Program in the latest revision of the Guide for the Control of Molluscan Shellfish (more stringent regulations may apply, *see* 314 CMR 4.06(1)(d)6.); and
 - b. For protection of primary and secondary contact recreation, surface waters shall meet the additional minimum criteria for bacteria set forth in 314 CMR 4.05(5)(f)2. through 4.
5. Solids. These waters shall be free from floating, suspended and settleable solids in concentrations or combinations that would impair any use assigned to this class, that would cause aesthetically objectionable conditions, or that would impair the benthic biota or degrade the chemical composition of the bottom.
6. Color and Turbidity. These waters shall be free from color and turbidity in concentrations or combinations that are aesthetically objectionable or would impair any use assigned to this class.
7. Oil and Grease. These waters shall be free from oil and grease and petrochemicals.
8. Taste and Odor. None other than of natural origin.
- (b) Class SB. Those Coastal and Marine Waters so designated pursuant to 314 CMR 4.06; including, without limitation, 314 CMR 4.06(2) and certain surface waters designated in 314 CMR 4.06(6)(b). These waters are designated as a habitat for fish, other aquatic life and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation. In certain waters, habitat for fish, other aquatic life and wildlife may include, but is not limited to, seagrass. Where designated for shellfishing in 314 CMR 4.06(6)(b), these waters shall be suitable for shellfish harvesting with depuration (Restricted and Conditionally Restricted Shellfish Areas). These waters shall have consistently good aesthetic value. In the case of a water intake structure at a desalination facility, the Department has the authority under 33 U.S.C. § 1251 (FWPCA § 401), M.G.L. c. 21, §§ 26 through 53 and 314 CMR 3.00: *Surface Water Discharge Permit Program* to condition the water intake structure to assure compliance of the withdrawal activity with 314 CMR 4.00 including, but not limited to, compliance with the narrative and numerical criteria and protection of existing and designated uses.
 1. Dissolved Oxygen. Shall not be less than 5.0 mg/L. Where natural background conditions are lower, DO shall not be less than natural background. Natural seasonal and daily variations that are necessary to protect existing and designated uses shall be maintained.
 2. Temperature.
 - a. Shall not exceed 85°F (29.4°C) nor a maximum daily mean of 80°F (26.7°C), and the rise in temperature due to a discharge shall not exceed 1.5°F (0.8°C) during the summer months (July through September) nor 4°F (2.2°C) during the winter months (October through June);
 - b. there shall be no changes from natural background that would impair any uses assigned to this class, including those conditions necessary to protect normal species diversity, successful migration, reproductive functions or growth of aquatic organisms;
 - c. alternative effluent limitations established in connection with a variance for a thermal discharge issued under 33 U.S.C. § 1251 (FWPCA, § 316(a)) and 314 CMR 3.00: *Surface Water Discharge Permit Program* are in compliance with 314 CMR 4.00. As required by 33 U.S.C. § 1251 (FWPCA, § 316(a)) and 314 CMR 3.00, for permit and variance renewal, the applicant must demonstrate that alternative effluent limitations continue to comply with the variance standard for thermal discharges; and
 - d. in the case of a cooling water intake structure regulated by EPA under 33 U.S.C. § 1251 (FWPCA § 316(b)), the Department has the authority under 33 U.S.C. § 1251 (FWPCA § 401), M.G.L. c. 21, §§ 26 through 53 and 314 CMR 3.00: *Surface Water Discharge Permit Program* to condition the cooling water intake structure to assure compliance of the withdrawal activity with 314 CMR 4.00 including, but not limited to, compliance with narrative and numerical criteria and protection of existing and designated uses.

4.05: continued

3. pH. Shall be in the range of 6.5 through 8.5 standard units and not more than 0.2 units outside of the natural background range. There shall be no change from natural background conditions that would impair any use assigned to this Class.
 4. Bacteria.
 - a. Waters designated for shellfishing shall not exceed a fecal coliform median or geometric mean MPN of 88 organisms per 100 mL, nor shall more than 10% of the samples exceed an MPN of 260 per 100 mL or other values of equivalent protection based on sampling and analytical methods used by the Massachusetts Division of Marine Fisheries and approved by the National Shellfish Sanitation Program in the latest revision of the Guide For The Control of Molluscan Shellfish (more stringent regulations may apply, see 314 CMR 4.06(1)(d)6.); and
 - b. For protection of primary and secondary contact recreation, surface waters shall meet the additional minimum criteria for bacteria set forth in 314 CMR 4.05(5)(f)2 through 4.
 5. Solids. These waters shall be free from floating, suspended and settleable solids in concentrations or combinations that would impair any use assigned to this class, that would cause aesthetically objectionable conditions, or that would impair the benthic biota or degrade the chemical composition of the bottom.
 6. Color and Turbidity. These waters shall be free from color and turbidity in concentrations or combinations that are aesthetically objectionable or would impair any use assigned to this class.
 7. Oil and Grease. These waters shall be free from oil, grease and petrochemicals that produce a visible film on the surface of the water, impart an oily taste to the water or an oily or other undesirable taste to the edible portions of aquatic life, coat the banks or bottom of the water course, or are deleterious or become toxic to aquatic life.
 8. Taste and Odor. None in such concentrations or combinations that are aesthetically objectionable, that would impair any use assigned to this class, or that would cause tainting or undesirable flavors in the edible portions of aquatic life.
- (5) Additional Minimum Criteria Applicable to All Surface Waters.
- (a) Aesthetics. All surface waters shall be free from pollutants in concentrations or combinations that settle to form objectionable deposits; float as debris, scum or other matter to form nuisances; produce objectionable odor, color, taste or turbidity; or produce undesirable or nuisance species of aquatic life.
 - (b) Bottom Pollutants or Alterations. All surface waters shall be free from pollutants in concentrations or combinations or from alterations that adversely affect the physical or chemical nature of the bottom, interfere with the propagation of fish or shellfish, or adversely affect populations of non-mobile or sessile benthic organisms.
 - (c) Nutrients. Unless naturally occurring, all surface waters shall be free from nutrients in concentrations that would cause or contribute to impairment of existing or designated uses and shall not exceed criteria established by the Department pursuant to 314 CMR 4.00 including, but not limited to, those established in 314 CMR 4.06(6)(c): *Table 28: Sitespecific Criteria*. Any existing point source discharge containing nutrients in concentrations that would cause or contribute to cultural eutrophication, including the excessive growth of aquatic plants or algae, in any surface water shall be provided with the most appropriate treatment as determined by the Department, including, where necessary, highest and best practical treatment (HBPT) for POTWs and BAT for non-POTWs, to remove such nutrients to ensure protection of existing and designated uses. Human activities that result in the nonpoint source discharge of nutrients to any surface water may be required to be provided with cost effective and reasonable best management practices for nonpoint source control.
 - (d) Radioactivity. All surface waters shall be free from radioactive substances in concentrations or combinations that would be harmful to human, animal or aquatic life or the most sensitive designated use; result in radionuclides in aquatic life exceeding the recommended limits for consumption by humans; or exceed Massachusetts Drinking Water Regulations as set forth in 310 CMR 22.09A: *Maximum Radionuclide Contaminant Levels, Monitoring Requirements and Analytical Methods Effective as of December 8, 2003*.

4.05: continued

(e) Toxic Pollutants. All surface waters shall be free from pollutants in concentrations or combinations that are toxic to humans, aquatic life or wildlife.

1. Generally Applicable Criteria. For each pollutant identified in 314 CMR 4.06(6)(d): *Table 29: Generally Applicable Criteria*, the concentrations identified or calculated for that pollutant in or pursuant to Table 29 shall be generally applicable criteria for all categories of surface waters, as specified therein; unless the Department determines that naturally occurring background concentrations are higher. Where the Department determines that naturally occurring background concentrations are higher, those concentrations shall be the allowable receiving water concentrations. (For purposes of convenience, Table 29 also references certain pollutants for which 314 CMR 4.05(3), (4) or (5)(a), (5)(b), (5)(c), (5)(d) or (5)(f) establish criteria.)

2. Use of Toxic Pollutant Criteria. For any discharge of a pollutant described in 314 CMR 4.05(5)(e) requiring a permit or approval:

a. Accumulation of Pollutants. Where appropriate, the Department shall use an additional margin of safety when establishing water quality based effluent limits to assure that pollutants do not persist in the environment or accumulate in organisms to levels that:

- i. are toxic to humans, wildlife or aquatic life; or
- ii. result in unacceptable concentrations in edible portions of marketable fish or shellfish or for the recreational use of fish, shellfish, other aquatic life or wildlife for human consumption.

b. Public Notice. Where toxic pollutant criteria as established under 314 CMR 4.00 are used to determine water quality based effluent limitations in a permit or approval, these effluent limitations and the criteria used shall be documented and subject to all applicable public notice requirements for the permit or approval.

c. Expression of Metal Concentrations. Metal concentrations in effluent limitations shall be expressed as total recoverable metals. Translation from dissolved metals criteria to total recoverable metals concentrations shall be based on the conversion factors set forth in Appendix F of Table 29a at 314 CMR 4.06(6)(d): *Table 29: Generally Applicable Criteria*.

d. Methods for Data Collection and Calculation of Instantaneous and Final Equation- and Model-based Criteria Values. Use of pollutant criteria established in 314 CMR 4.05(5)(e)1. which are equation- or model-based to develop water quality based effluent limits shall be subject to the following:

- i. where ambient water quality data are required as inputs to equation- or model-based criteria to calculate instantaneous criteria values, sampling and analysis shall be conducted in compliance with a quality assurance project plan (QAPP) approved by MassDEP which shall include collection of sufficient and representative data to reflect the impact of spatial, temporal, and hydrological variability on water chemistry in the receiving water at locations outside the influence of effluent discharge including, but not limited to, upstream samples or measurements, which shall be developed using applicable approved procedures as set forth in 314 CMR 4.03(6); and
- ii. all final criteria values shall be calculated by MassDEP from multiple instantaneous criteria values using procedures that MassDEP has determined provide protection over the full range of seasonal and flow conditions throughout the year, including when the pollutant is most bioavailable and therefore is likely to have increased toxic effect.

e. Unlisted Pollutants; Combinations of Pollutants. Any pollutant or combination of pollutants within the meaning of 314 CMR 4.05(5)(e) for which 314 CMR 4.05(5)(e)1. does not establish a generally applicable criterion shall not be discharged to surface waters in a quantity or manner that would:

- i. exceed safe exposure levels for aquatic life as determined by toxicity testing using methods approved by MassDEP pursuant to 314 CMR 4.03(6); or

4.05: continued

- ii. cause adverse human health effects due to the ingestion, inhalation or dermal absorption of such toxins attributable to such waters during their reasonable use as designated in 314 CMR 4.00; or
- iii. result in a human health excess lifetime cancer risk level greater than 10⁻⁶ for individual carcinogens.

(f) Bacteria.

1. Inland Waters. Concentrations of bacteria in Inland Waters, subject to the reduced interval requirements set forth in 314 CMR 4.05(5)(f)3. as applicable, and except as otherwise provided in the seasonal exception set forth in 314 CMR 4.05(5)(f)4. as applicable, shall, on a year-round basis, satisfy 314 CMR 4.05(5)(f)1.a. for primary contact recreation and 314 CMR 4.05(5)(f)1.b. for secondary contact recreation:

- a. for primary contact recreation:
 - i. E. coli concentrations shall not exceed 126 colony-forming units (cfu) per 100 mL, calculated as the geometric mean of all samples collected within any 90-day or smaller interval, and no more than 10% of all such samples shall exceed 410 cfu per 100 mL (the statistical threshold value); or
 - ii. enterococci concentrations shall not exceed 35 cfu per 100 mL, calculated as the geometric mean of all samples collected within any 90-day or smaller interval; and no more than 10% of all such samples shall exceed 130 cfu per 100 mL (the statistical threshold value).
- b. for secondary contact recreation:
 - i. E. coli concentrations shall not exceed 244 colony-forming units (cfu) per 100 mL, calculated as the geometric mean of all samples collected within any 90-day or smaller interval, and no more than 10% of all such samples shall exceed 794 cfu per 100 mL (the statistical threshold value), or
 - ii. enterococci concentrations shall not exceed 68 cfu per 100 mL, calculated as the geometric mean of all samples collected within any 90-day or smaller interval, and no more than 10% of all such samples shall exceed 252 cfu per 100 mL (the statistical threshold value).

c. The preceding primary and secondary contact recreation criteria for Inland Waters are summarized in the following table:

Bacterial Indicator	Bacterial Criteria for Inland Waters (cfu/100mL)*			
	Primary Contact Recreation		Secondary Contact Recreation	
	Geometric Mean*	Statistical Threshold Value*	Geometric Mean*	Statistical Threshold Value*
E. coli	<126	<410	<244	<794
enterococci	<35	<130	<68	<252
*The geometric mean for at least one indicator shall not be exceeded in any 90-day or smaller interval. No more than 10% of all samples collected within that interval shall exceed the statistical threshold value for that indicator.				

4.05: continued

2. Coastal and Marine Waters. Concentrations of bacteria in Coastal and Marine Waters, subject to the reduced interval requirements set forth in 314 CMR 4.05(5)(f)3. as applicable, and except as otherwise provided in the seasonal exception set forth in 314 CMR 4.05(5)(f)4. as applicable, shall, on a year-round basis, satisfy 314 CMR 4.05(5)(f)2.a. for primary contact recreation and 314 CMR 4.05(5)(f)2.b. for secondary contact recreation:
- a. for primary contact recreation, enterococci concentrations shall not exceed 35 cfu per 100 mL, calculated as the geometric mean of all samples collected within any 90-day or smaller interval; and no more than 10% of all such samples shall exceed 130 cfu per 100 mL (the statistical threshold value).
 - b. for secondary contact recreation, enterococci concentrations shall not exceed 68 cfu per 100 mL, calculated as the geometric mean of all samples collected within any 90-day or smaller interval, and no more than 10% of all such samples shall exceed 252 cfu per 100 mL (the statistical threshold value).
 - c. The preceding primary and secondary contact recreation criteria for Coastal and Marine waters are summarized in the following table:

Bacterial Indicator	Bacterial Criteria for Coastal and Marine Waters (cfu/100mL)*			
	Primary Contact Recreation		Secondary Contact Recreation	
	Geometric Mean*	Statistical Threshold Value*	Geometric Mean*	Statistical Threshold Value*
enterococci	<35	<130	<68	<252
*The geometric mean for this indicator shall not be exceeded in any 90-day or smaller interval. No more than 10% of all samples collected within that interval shall exceed the statistical threshold value for this indicator.				

3. Reduced Interval Requirements. The geometric means and statistical threshold values for bacteria set forth in 314 CMR 4.05(5)(f)1. and 2. shall be calculated and assessed, respectively, over a 30-day or smaller interval in *lieu* of any otherwise applicable longer interval, if either of the conditions set forth in 314 CMR 4.05(5)(f)3.a.i. or ii. is met.
- a. Conditions which require a reduced interval:
 - i. criteria are being applied to waters adjacent to any public or semi-public beach, at a location used for bathing and swimming purposes, and for the dates of operation of any such beach as posted or as otherwise established by the operator pursuant to 105 CMR 445.020: *Operation*; or
 - ii. criteria are being applied to segments impacted by CSO-, B(CSO)-, SB(CSO)-, or POTW-discharges.
 - b. Massachusetts Department of Public Health definitions: the terms "public bathing beach", "semi-public bathing beach" and "operator" as used in paragraph 314 CMR 4.05(5)(f)3.a.i. shall have the meanings as defined in 105 CMR 445.010: *Public Bathing Beach; Semi-Public Bathing Beach; and Operator*. (Standards and procedures for bathing water closures have been established by the Massachusetts Department of Public Health, at 105 CMR 445.000: *Minimum Standards for Bathing Beaches (State Sanitary Code, Chapter VII).*)
4. Seasonal Exception. The primary contact recreation year-round minimum criteria for bacteria set forth in 314 CMR 4.05(5)(f)1.a.i or ii. and 2.a., as subject to the reduced interval requirements set forth in 314 CMR 4.05(5)(f)3., as applicable, may be applied on a seasonal basis in *lieu* of a year-round basis upon MassDEP's determination that, because of a reduction in primary contact recreation during a specified period of time, such criteria are not needed to be protective. Bases for such determinations may include identification of periods when frequency of use is reduced due to cold weather (typically, from November through March); and/or consideration of other relevant and appropriate factors. Any such determinations shall be documented in writing (*e.g.*, by the relevant provisions of surface water discharge permits issued pursuant to 314 CMR 3.00: *Surface Water Discharge Permit Program*) and made publicly available for review (*e.g.*, through MassDEP's Surface Water Discharge Permit webpage). For any determination that primary contact recreation criteria are not needed to be protective, secondary contact criteria shall apply.

4.05: continued

(g) Organoleptic Effect Pollutant Criteria. All surface waters shall be free from pollutants in concentrations that would exceed the organoleptic effect (*e.g.*, taste and odor) criteria established in 314 CMR 4.06(6)(e): *Table 30: Organoleptic Effect Criteria*. Provided, however, that the more stringent of the following organoleptic effect criteria, as applicable, shall control:

1. the numeric criteria set forth in said Table 30; and
2. the following narrative criteria:
 - a. the taste and odor criteria set forth in 314 CMR 4.05(3) and (4); and
 - b. the aesthetic criteria set forth in 314 CMR 4.05(5)(a).

(6) Determining Aquatic Life Criteria Applicability Where Fresh Water and Coastal and Marine Waters Mix. 314 CMR 4.05(6) establishes whether fresh water or coastal and marine water aquatic life criteria, which are set forth in 314 CMR 4.05(3), (4) and (5), and in Table 29a at 314 CMR 4.06(6)(d): *Table 29: Generally Applicable Criteria*, shall apply. 314 CMR 4.05(6) shall apply, regardless of the designated class of water pursuant to 314 CMR 4.06.

- (a) For surface waters and segments in which the salinity is equal to or less than 1 part per thousand (ppt) 95% or more of the time, fresh water criteria shall apply.
- (b) For surface waters and segments in which the salinity is equal to or greater than 10 ppt 95% or more of the time, coastal and marine criteria shall apply.
- (c) For surface waters and segments in which the salinity is between 1 and 10 ppt 95% or more of the time, the more stringent of the fresh water or the coastal and marine criteria shall apply, except as provided in 314 CMR 4.05(6)(d).
- (d) For surface waters and segments in which the salinity is between 1 and 10 ppt 95% or more of the time, as an alternative to 314 CMR 4.05(6)(c), either the fresh water or the coastal and marine criteria may be applied, respectively, where a scientific analysis demonstrates that the biology of the surface water is dominated either by fresh water aquatic life or by coastal and marine aquatic life.

(7) Site-specific Criteria. Where the Department has established site-specific numerical minimum criteria for a pollutant, as described in 314 CMR 4.05(2), such criteria shall supersede any otherwise applicable minimum numerical criteria established in 314 CMR 4.00. For each pollutant identified in 314 CMR 4.06(6)(c): *Table 28: Site-specific Criteria*, the concentrations listed for that pollutant for each specified surface water or segment shall constitute site-specific criteria. Such site-specific criteria shall control over the generally applicable criteria listed in 314 CMR 4.06(6)(d). If, however, the Department determines that a more stringent requirement for a particular pollutant is necessary for the same surface water or segment pursuant to the narrative criteria set forth in 314 CMR 4.05(3), (4) or (5), the more stringent requirement shall be the criteria for that surface water or segment.

4.06: Classification, Figures, and Tables

(1) Classification. For the purposes of applying 314 CMR 4.00, the surface waters of the Commonwealth are classified as shown in 314 CMR 4.06(2), (3), (4), (5) and (6)(b). The following terms used in the classification tables set forth in 314 CMR 4.06(6)(b): *Figure A; Figures and Tables 1 through 27*, have the following meanings:

- (a) Boundary. a description of the boundaries of the segment being classified.
- (b) Mile Points. for rivers and streams, the upstream and downstream mile points; it is also used to indicate the point at which a tributary enters the main stem of a river or stream.
- (c) Class. the appropriate water use Class for each segment in accordance with 314 CMR 4.05.
- (d) Qualifiers. indicates special considerations and uses applicable to the segment that may affect the application of criteria or antidegradation provisions of 314 CMR 4.00.
 1. Public Water Supply denotes those surface waters that may be used as a source of public drinking water for a public water system as defined in 310 CMR 22.00: *Drinking Water*. They may be subject to more stringent regulation in accordance with 310 CMR 22.00, adopted pursuant to M.G.L. c. 111, and may have restricted use. These waters are designated for protection as Outstanding Resource Waters under 314 CMR 4.04(3). No discharge of dredged or fill material into wetlands or waters of the Commonwealth shall be allowed within 400 feet of the high water mark of a Class A surface water (exclusive of its tributaries), unless conducted by a public water system under 310 CMR 22.00, conducted by a public agency or authority for the maintenance or repair of existing public

4.06: continued

roads or railways, or conducted by a person granted a variance pursuant to 314 CMR 9.08: *Variance*. Any maintenance or repair of existing public roads or railways shall also include the removal or implementation of the highest and best practical method of treatment of stormwater discharges in accordance with 314 CMR 4.04(3) within the reasonable vicinity of the activity. Maintenance or repair of an existing public road or railway shall not include substantial reconstruction, substantial enlargement, replacement or realignment of any portion of the roadway or railway. The Department will presume that any reconstruction or enlargement is substantial and requires a variance under 314 CMR 9.08. The Department may determine that a public agency or authority has overcome the presumption based upon a showing that the activity proposed within 400 feet of the high water mark of a Class A surface water will result in the loss of less than 5000 square feet cumulatively of bordering and isolated vegetated wetlands and land under water, and that the entirety of the activity will improve water quality, or maintain water quality if removal or implementation of the highest and best practical method of treatment of stormwater discharges already has been achieved.

2. Public Water Supply – Abandoned denotes those surface water sources that were used as public water supplies and that meet the definition of existing use at 314 CMR 4.02, but have been abandoned as public water supplies pursuant to 310 CMR 22.25, are physically disconnected from a public water system, and are no longer maintained as active, inactive, or emergency sources as defined at 30 CMR 22.02. These surface waters are no longer subject to regulation under 310 CMR 22.00: *Drinking Water*. However, their designated use as a public water supply under 314 CMR 4.00 remains unchanged.

3. Outstanding Resource Waters denotes those waters that are designated for protection as Outstanding Resource Waters under 314 CMR 4.04(3). Outstanding Resource Waters are assigned at the discretion of the Department, as appropriate. An application to nominate a waterbody as an Outstanding Resource Water must be submitted in accordance with applicable Department application procedures and requirements.

4. Special Resource Waters denotes those waters designated for protection as Special Resource Waters under 314 CMR 4.04(4). Special Resource Waters are assigned at the discretion of the Department, as appropriate.

5. High Quality Waters denotes certain waters designated for protection under 314 CMR 4.04(2). Other waters as described in 314 CMR 4.04(2) also are high quality, although they are not necessarily denoted as high quality in the classification tables.

6. Shellfishing denotes those waters subject to more stringent regulation in accordance with the rules and regulations of the Massachusetts Division of Marine Fisheries pursuant to M.G.L. c. 130, § 75. These include applicable criteria of the National Shellfishing Sanitation Program. Approval for use of areas designated for shellfishing is issued by the Massachusetts Division of Marine Fisheries. To determine whether a particular water designated for shellfishing also is approved for use, the Massachusetts Division of Marine Fisheries and/or the appropriate local authority (usually the Shellfish Department) should be contacted.

7. Treated Water Supply denotes those Class B waters that are used as a source of public water supply after appropriate treatment. These waters may be subject to more stringent site-specific criteria established by the Department as appropriate to protect and maintain the use. See also, 310 CMR 22.00: *Drinking Water*.

8. Cold Water denotes those waters where dissolved oxygen and temperature criteria for cold water fisheries apply. Certain waters not designated as cold water in 314 CMR 4.00 may contain habitat that supports a cold water fish population and, in such cases, the cold water fish population and habitat shall be protected and maintained as existing uses. The Massachusetts Division of Fisheries and Wildlife is responsible for identifying cold water fish populations that meet their protocol, regardless of whether or not the water meets the cold water criteria in 314 CMR 4.00. Where a cold water fish population has been identified by the Division of Fisheries and Wildlife as meeting their protocol, but the water has not been documented to meet the cold water criteria in 314 CMR 4.00, the Department will protect the existing cold water fish population and its habitat as an existing use.

9. Warm Water denotes those waters where dissolved oxygen and temperature criteria for warm water fisheries apply.

4.06: continued

10. CSO denotes those waters identified as impacted by the discharge of combined sewer overflows; however, a long term control plan has not been approved or fully implemented for the CSO discharges.

11. Partial Use, B(CSO) and SB(CSO) denotes those waters occasionally subject to short-term impairment of swimming or other recreational uses due to untreated CSO discharges in a typical year, and the aquatic life community may suffer adverse impact yet is still generally viable. In these waters, the uses for Class B and Class SB waters are maintained after the implementation of long term control measures described in the approved CSO long term control plan, except as identified in such plan. The Department may designate a segment partial use, B(CSO) or SB(CSO), provided that:

- a. a Department approved long term control plan provides justification for the overflows;
- b. the Department finds through a use attainability analysis, and EPA concurs, that achieving a greater level of CSO control is not feasible for one of the reasons specified at 314 CMR 4.03(4);
- c. existing uses and the level of water quality necessary to protect the existing uses shall be maintained and protected; and
- d. public notice is provided through procedures for permit issuance under M.G.L. c. 21, §§ 26 through 53 and regulations promulgated pursuant to M.G.L. c. 30A. In addition, the Department will publish a notice in the Environmental Monitor. Other combined sewer overflows may be eligible for a variance granted pursuant to 314 CMR 4.03(4). When a variance is not appropriate, partial use may be designated for the segment after public notice and opportunity for a public hearing in accordance with M.G.L. c. 30A.

12. Vernal Pools. No point source discharge shall be allowed to a vernal pool certified by the Massachusetts Division of Fisheries and Wildlife; and no discharge of dredged or fill material shall be allowed to a vernal pool certified by the Massachusetts Division of Fisheries and Wildlife, unless a variance is granted under 314 CMR 9.08: *Variance*.

(e) Treated Water Supply, Public Water Supply, Public Water Supply – Abandoned, and Shellfishing are assigned at the discretion of the Department, as appropriate.

(f) Cold Water and Warm Water are considered consistent with the national goal uses and are assigned whenever attainable, as applicable.

(2) Wetlands. Wetlands bordering Class A Outstanding Resource Waters are designated Class A Outstanding Resource Waters. Vernal pools are designated Class B Outstanding Resource Waters. All wetlands bordering other Class B, SB or SA Outstanding Resource Waters are designated as Outstanding Resource Waters to the boundary of the defined area. All other wetlands are designated Class B, High Quality Waters for inland waters and Class SA, High Quality Waters for coastal and marine waters.

(3) Active and Inactive Reservoirs. All active and inactive reservoirs approved by the Department's Drinking Water Program after December 29, 2006 as a source of public water supply are designated Class A, Outstanding Resource Waters, regardless of whether they are listed in 314 CMR 4.06(6)(b): *Figure A; Figures and Tables 1 through 27*.

(4) Tributaries. Tributaries to a Class A water qualified as a Public Water Supply or a Public Water Supply – Abandoned per 314 CMR 4.06(1)(d) include, but are not limited to, waterbodies from which water is manually diverted to the Class A Public Water Supply or Public Water Supply – Abandoned.

(5) Other Waters. Unless otherwise designated in 314 CMR 4.06: *Classification, Figures, and Tables*, other waters are Class B, and presumed High Quality Waters for inland waters and Class SA, and presumed High Quality Waters for coastal and marine waters. Inland fisheries designations and coastal and marine shellfishing designations for unlisted waters shall be made on a case-by-case basis as necessary.

4.06: continued

(6) Figures and Tables. All figures and tables referred to in 314 CMR 4.00 are set forth in a "List of Figures and Tables" in 314 CMR 4.06(6)(a). 314 CMR 4.06(6)(b) includes "*Figure A, Commonwealth of Massachusetts River Basins and Coastal Drainage Areas*" (showing river basins and coastal drainage areas) and Figures and Tables 1 through 27, inclusive (each figure providing a general orientation for the information in the corresponding table and each table showing those segments and classifications subject to qualifiers as set forth in 314 CMR 4.06(1)(d)). The class of each surface water identified in 314 CMR 4.06(6)(b) shall be as set forth therein. In cases of inconsistency between the figures and the tables in 314 CMR 4.06(6)(b), the information contained in the tables shall control. 314 CMR 4.06(6)(c) includes Table 28: *Site-specific Criteria*. The site-specific criteria for each surface water or segment identified in 314 CMR 4.06(6)(c) shall be as set forth therein, subject to the provisions of 314 CMR 4.05(2) and (7) as applicable. 314 CMR 4.06(6)(d) includes Table 29: *Generally Applicable Criteria*, consisting of Table 29a: *Aquatic Life Criteria* and Table 29b: *Human Health Criteria*. The generally applicable criteria for all surface waters identified in 314 CMR 4.06(6)(d) shall be as set forth therein. 314 CMR 4.06(6)(e) includes Table 30: *Organoleptic Effect Criteria*. The criteria set forth in 314 CMR 4.06(6)(e) shall be applicable to all surface waters in accordance with 314 CMR 4.05(5)(g). All appendices and footnotes to the tables shall be a part of 314 CMR 4.06(6): *Figures and Tables*.

4.06: continued

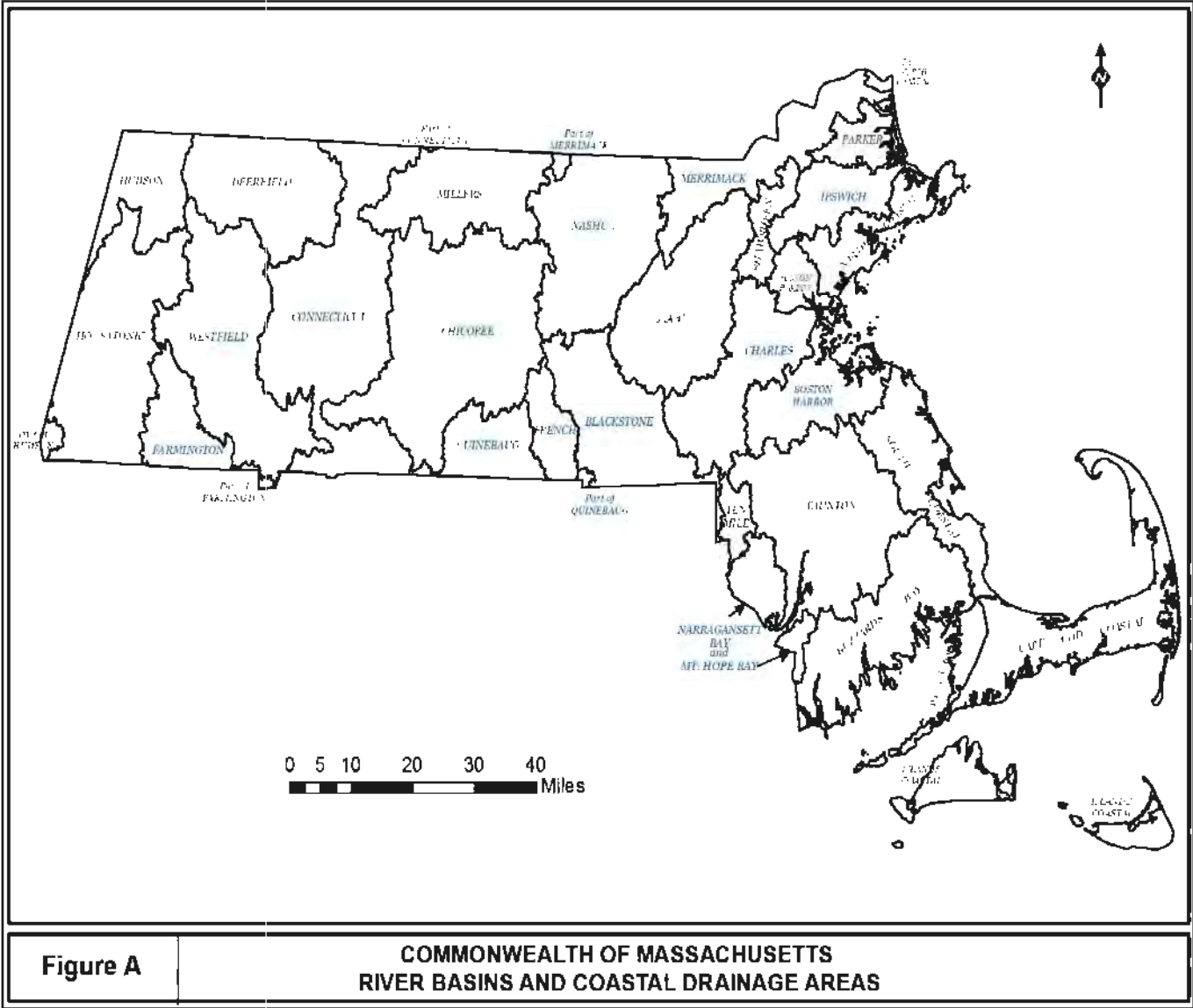
(a) List of Figures and Tables*.

NUMBER	TITLE
A (Figure only)	River Basins and Coastal Drainage Areas
1	Blackstone River Basin
2	Boston Harbor Drainage Area (formerly Boston Harbor Drainage System and Mystic, Neponset and Weymouth & Weir River Basins)
3	Buzzards Bay Coastal Drainage Area
4	Cape Cod Coastal Drainage Area
5	Charles River Basin
6	Chicopee River Basin
7	Connecticut River Basin
8	Deerfield River Basin
9	Farmington River Basin
10	French River Basin
11	Housatonic River Basin
12	Hudson River Basin (formerly Hoosic, Kinderhook and Bashbish)
13	Ipswich River Basin
14	Islands Coastal Drainage Area (formerly Martha's Vineyard and Nantucket)
15	Merrimack River Basin
16	Millers River Basin
17	Narragansett Bay and Mount Hope Bay Drainage Area
18	Nashua River Basin
19	North Coastal Drainage Area
20	Parker River Basin
21	Quinebaug River Basin
22	Shawsheen River Basin
23	South Coastal Drainage Area
24	Sudbury, Assabet, and Concord (SuAsCo) River Basin (formerly Concord)
25	Taunton River Basin
26	Ten Mile River Basin
27	Westfield River Basin
28 (Table only)	Site-specific Criteria
29 (Table only)	Generally Applicable Criteria: 29a. Aquatic Life Criteria 29b. Human Health Criteria
30 (Table only)	Organoleptic Effect Criteria

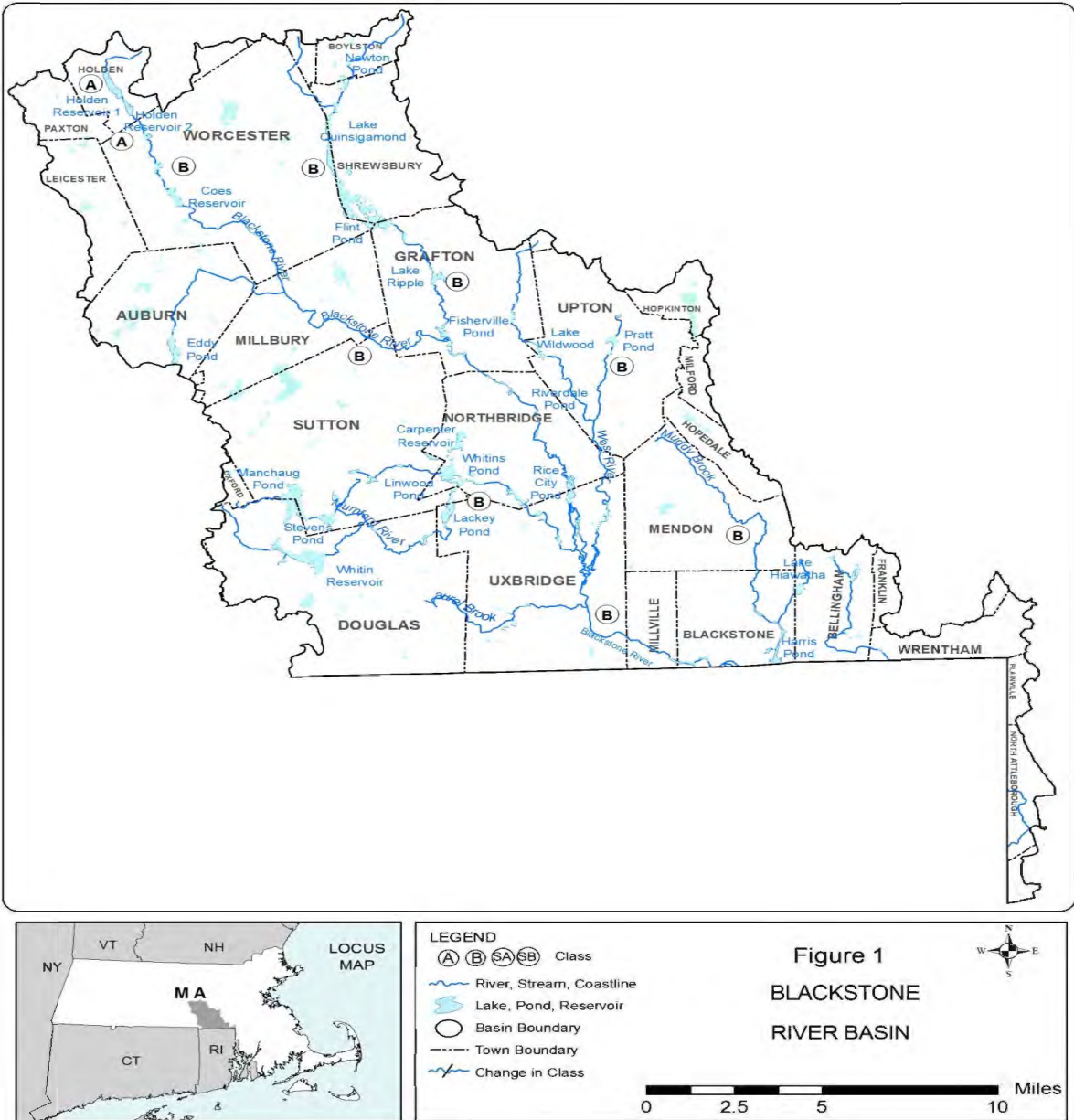
*DISCLAIMER: The river basin bounds, the coastal drainage area bounds, and the surface water classes depicted on the figures are approximations and may not be complete. They are intended for general orientation purposes, and should not be relied upon for precise locations of any such bounds or classifications. See 314 CMR 4.06(6): *Figures and Tables*

4.06: continued

(b) Figure A; Figures and Tables 1 through 27.



4.06: continued



4.06: continued

TABLE 1 BLACKSTONE RIVER BASIN*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Kettle Brook	From outlet of Kettle Brook Reservoir #4, Paxton to dam at Reservoir #1, Leicester (flowing through and including Kettle Brook Reservoirs 1, 2 and 3) and those tributaries thereto	14.7 - 9.7	A	PWS ORW
	From dam at Reservoir #1, Leicester, to outlet of Waite Pond, Leicester	9.7 - 8.0	B	Warm Water
	From outlet of Waite Pond, Leicester, to inlet of Leesville Pond, Leicester	8.0 - 0.0	B	Warm Water
Leesville Pond	Entire pond in Auburn and Worcester		B	Warm Water
Unnamed stream	From outlet of Leesville Pond, Worcester, to inlet of Curtis Ponds, Worcester		B	Warm Water
Curtis Ponds	Entire ponds (North and South), Worcester		B	Warm Water
Middle River	From outlet of Coes Pond, Worcester, to confluence with an unnamed stream (Mill Brook), Worcester	2.5 - 0.0	B	Warm Water
Blackstone River	From confluence of Middle River and unnamed stream (Mill Brook), Worcester to outlet of Fisherville Pond, Grafton	48.8 - 39.8	B	Warm Water CSO
	Outlet of Fisherville Pond, Grafton, to MA-RI state line, Blackstone	39.8 - 20.0	B	Warm Water
Unnamed stream (Mill Brook)	From outlet of Indian Lake, Worcester, to confluence with Middle River, Worcester	3.0 - 0.0	B	Warm Water CSO
Quinsigamond River	Entire length, Grafton	5.3 - 0.0	B	Warm Water
Mumford River	Source in Sutton to Douglas POTW discharge, Douglas	14.5 - 9.0	B	Warm Water High Quality Water
	From Douglas POTW discharge, Douglas, to confluence with the Blackstone River, Uxbridge	9.0 - 0.0	B	Warm Water
West River	Source in Grafton to Upton POTW discharge, Upton		B	Cold Water High Quality Water
	From the Upton POTW discharge, Upton to confluence with the Blackstone River, Uxbridge	8.8 - 0.0	B	Warm Water

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4.06: continued

TABLE 1 BLACKSTONE RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Mill River	From the outlet of North Pond, Milford, to the Mendon/Blackstone town line		B	Warm Water
	From the Mendon/Blackstone town line to a line 1000 feet northerly of and parallel to the MA-RI state line, Blackstone		B	Warm Water Treated Water Supply
Beaver Brook	Entire length, Worcester	3.0 - 0.0	B	Warm Water High Quality Water
Weasel Brook	Entire length, Worcester	3.0 - 0.0	B	Warm Water High Quality Water
Kettle Brook Reservoir No. 4	Entire reservoir in Paxton and those tributaries thereto		A	PWS ORW
Lynde Brook Reservoir	Entire reservoir in Leicester and those tributaries thereto		A	PWS ORW
#2 Holden Reservoir	Entire reservoir in Holden and those tributaries thereto		A	PWS ORW
#1 Holden Reservoir	Entire reservoir in Holden and those tributaries thereto		A	PWS ORW
Wallum Lake	The northern portion of the lake in Douglas to a line 1000 feet northerly of and parallel to the MA-RI state line		B	Treated Water Supply
MA interstate surface waters that flow into Rhode Island PWSs	From a line in MA which is 1000 feet upstream from and parallel to the MA-RI state line, to that state line (including, but not limited to, the relevant portions of Wallum Lake in Douglas, Mill River in Blackstone, and the entirety of Robin Hollow Pond in North Attleborough)		A	PWS ORW
Coal Mine Brook	Source in Worcester to inlet of Lake Quinsigamond, Worcester		B	Cold Water
Cold Spring Brook	Entire length, Uxbridge		B	Cold Water

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4.06: continued

TABLE 1 BLACKSTONE RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Scott Brook	Source in Holden to inlet of Holden Reservoir No 1, Holden		A	Cold Water PWS ORW
Warren Brook	Entire length, Upton ¹		B	Cold Water

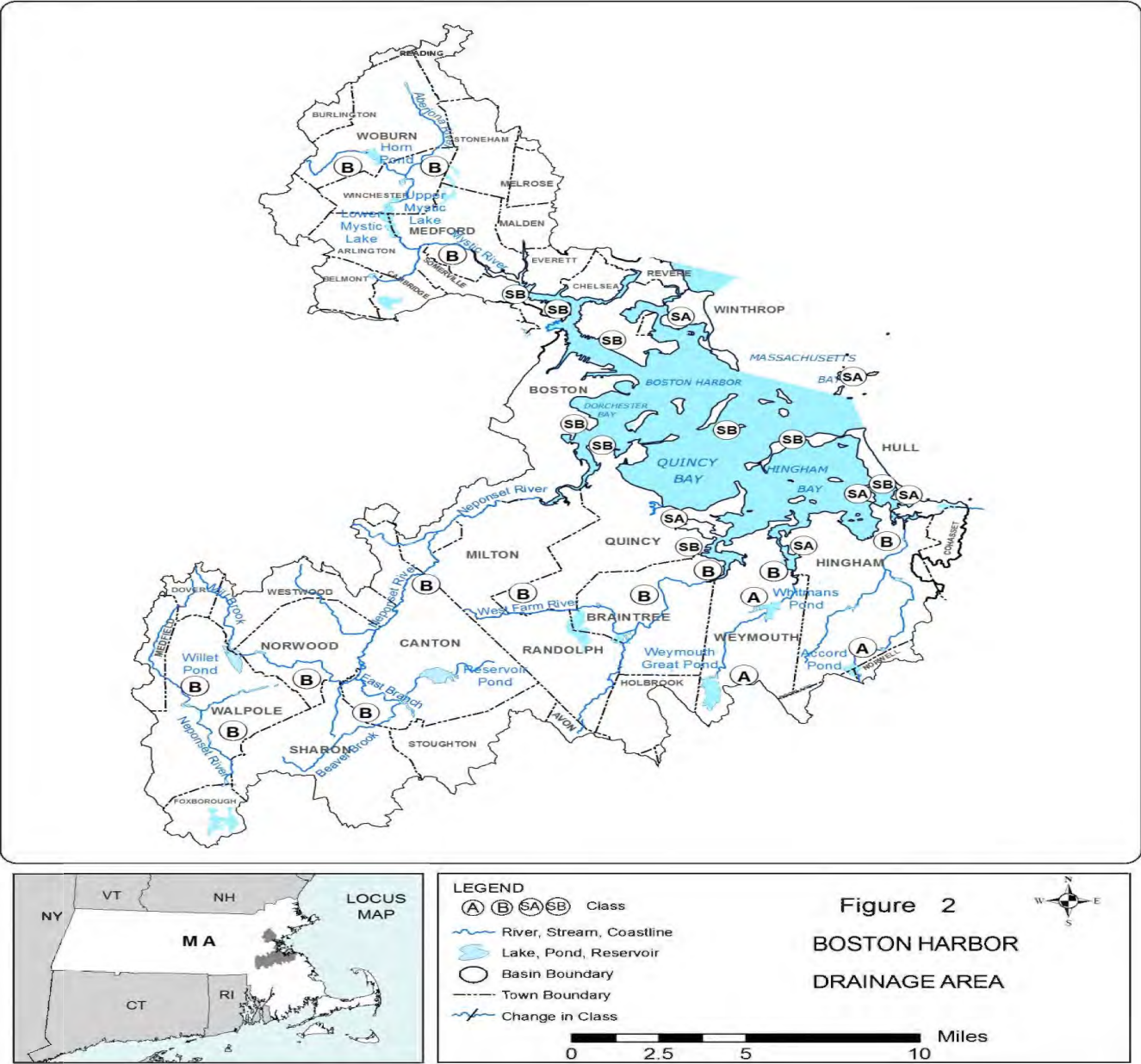
*Acronyms:
CSO = Combined Sewer Overflow
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Note that all or a portion of this surface water is within the Miscoe, Warren and Whitehall Watersheds Area of Critical Environmental Concern.

4.06: continued



4.06: continued

TABLE 2 BOSTON HARBOR DRAINAGE AREA*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Boston Harbor	Entire harbor, from the respective seaward boundaries of Boston Inner Harbor, and Pleasure, Dorchester, Quincy, and Hingham bays, easterly to a straight line drawn from the southerly tip of Deer Island to Boston Lighthouse on Little Brewster Island, then south to Point Allerton in Hull		SB	Shellfishing
Pleasure Bay	Entire semi-enclosed bay, its seaward boundary formed by a straight line drawn from the southerly tip of Castle Island to the northerly tip of Head Island, Boston		SB	Shellfishing
Boston Inner Harbor	Entire inner harbor, inclusive of the Reserved, Fort Point and Little Mystic channels, from the respective mouths of the Charles, Mystic, and Chelsea rivers, southeasterly to its seaward boundary formed by a straight line drawn from the southern tip of Governors Island to Fort Independence, Boston		SB(CSO)	
Island End River	Entire river, Everett/Chelsea, to confluence with the Mystic River		SB(CSO)	
Chelsea River (Chelsea Creek)	Entire river, from the confluence of Mill Creek, Chelsea/Revere to its mouth at Boston Inner Harbor, Boston/Chelsea		SB(CSO)	
Dorchester Bay	Entire bay, from the mouth of the Neponset River, Boston/Quincy, northeasterly to the bay's seaward boundary formed by straight lines drawn from the southerly tip of Head Island, Boston, to the north side of Thompson Island, Boston; and from the southerly tip of Thompson Island to Chapel Rocks, Quincy		SB	Shellfishing
Quincy Bay	The southern portion of Quincy Bay in Quincy, southerly of a seaward boundary formed by a straight line drawn from Bromfield Street near 692 Quincy Shore Drive (the Wollaston Yacht Club) northeast to 42° 17' 3" N, 71° 00' 1" W (buoy "C 1") southeast to Houghs Neck near Sea Street and Peterson Road (formerly referred to as the "Willows"), Quincy		SA	Shellfishing

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4.06: continued

TABLE 2 BOSTON HARBOR DRAINAGE AREA (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Quincy Bay (cont.)	The northern portion of Quincy Bay: northeasterly from the seaward boundary of the southern portion, to a seaward boundary formed by a straight line drawn from the eastern tip of Moon Head to the northern tip of Nut Island, Quincy		SB	Shellfishing
Hingham Harbor	Entire harbor in Hingham, southerly of the seaward boundary formed by a straight line drawn from Crow Point to Worlds End Promontory		SA	Shellfishing
Hingham Bay	Entire bay, westerly of the seaward boundaries of Hull Bay and Hingham Harbor and of the mouth of the Weir River; and northerly of the mouths of the Weymouth Fore and Weymouth Back rivers; to its northwest and seaward boundary formed by a straight line drawn from the northerly tip of Nut Island, Quincy, to Peddocks Island at the southerly point of West Head, Hull; and from the northeastern point of Peddocks Island, Hull, to Windmill Point, Hull		SB	Shellfishing
Hull Bay	Entire bay, its western and seaward boundary formed by straight lines drawn from Windmill Point, Hull, to Bumkin Island (Bumpkin Island), Hingham; and from the easterly point of Bumkin Island to the westerly point of Sunset Point, Hull		SB	Shellfishing
Other coastal and marine waters	In the Boston Harbor Drainage Area		SB	Shellfishing
Aberjona River	Source in Reading to outlet of Mishawum Lake, Woburn	9.5 - 5.9	B	Warm Water
	Outlet of Mishawum Lake, Woburn to inlet of Upper Mystic Lake, Winchester	5.9 - 0.0	B	Warm Water
Upper Mystic Lake	Entire lake, Winchester/Arlington /Medford		B	Warm Water
Lower Mystic Lake	Entire lake, Arlington/Medford		B	Warm Water
Mystic River	From outlet of Lower Mystic Lake, Arlington/Medford to Amelia Earhart Dam, Somerville/Everett	7.4 - 2.0	B	Warm Water CSO ¹

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4.06: continued

TABLE 2 BOSTON HARBOR DRAINAGE AREA (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Mystic River (cont.)	Amelia Earhart Dam, Somerville/Everett to its mouth at Boston Inner Harbor, Chelsea/Charlestown	2.0 - 0.0	SB(CSO)	Shellfishing
Malden River	Entire length, from source in Malden to confluence with the Mystic River, Everett/Medford	1.9 - 0.0	B	Warm Water
Alewife Brook	Entire length, source in Cambridge to confluence with Mystic River, Arlington/Somerville		B	Warm Water CSO ²
Little River	The portion of the Little River, formerly included as part of Alewife Brook, beginning 2,800 feet (approximately 0.5 miles) upstream of the confluence with Alewife Brook, Cambridge, to the confluence with Alewife Brook, Cambridge		B	Warm Water CSO ³
Horn Pond	Entire pond to outlet in Woburn		B	Warm Water
Belle Isle Inlet	Entire inlet from tidegate at Bennington Street Boston/Revere to confluence with Winthrop Bay, Boston/Winthrop and those tributaries thereto ⁴		SA	Shellfishing ORW
North Reservoir	Entire reservoir to outlet in Winchester and those tributaries thereto		A	PWS ORW
Middle Reservoir	Entire reservoir to outlet in Medford and those tributaries thereto		A	PWS ORW
South Reservoir	Entire reservoir to outlet in Medford and those tributaries thereto		A	PWS ORW
Fresh Pond	Entire pond to outlet in Cambridge and those tributaries thereto		A	PWS ORW
Neponset Reservoir	Entire reservoir to outlet into Crackrock Pond, Foxborough		B	Warm Water High Quality Water

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4.06: continued

TABLE 2 BOSTON HARBOR DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Neponset River	From outlet of Neponset Reservoir, Foxborough, to confluence with Mother Brook, Boston (inclusive of Crackrock Pond)		B	Warm Water
	From confluence with Mother Brook, Boston, to Milton Lower Falls Dam (Neponset River Baker Chocolate Dam, NAT ID: MA0193), Milton/Boston	7.9 - 4.2	B	Warm Water
Neponset River (cont.)	Tidal portion, from Milton Lower Falls Dam (Neponset River Baker Chocolate Dam, NAT ID: MA0193), Milton/Boston to its mouth at Dorchester Bay, Boston/Quincy	4.2 - 0.0	SB	Shellfishing
Weymouth Fore River	Entire river to its mouth at Hingham Bay formed by a straight line between Lower Neck, Weymouth and Wall Street on Houghs Neck, Quincy		SB, B ⁵	Shellfishing ⁶ Warm Water ⁶
Weymouth Back River	From the base of the fish ladder north of Commercial Street, Weymouth, to its mouth at Hingham Bay formed by a straight line between Lower Neck, Weymouth and Wompatuck Road, Hingham ⁷		SA, B ⁵	Shellfishing ⁶ Warm Water ⁶ ORW
Weir River	From confluence of Crooked Meadow River and Fulling Mill Brook to its mouth at Hingham Bay ⁸ formed by a straight line from the northerly point of Worlds End, Hingham, to Nantasket Road near Beech Avenue, Hull		SA, B ⁵	Shellfishing ⁶ ORW
Fresh River	Entire river in Weymouth/Hingham ⁷ , to confluence with the Weymouth Back River		SA, B ⁵	Warm Water ⁶
Cranberry Brook	From the outlet of Cranberry Pond, Braintree, to confluence with the Cochato River, Braintree ⁹		B	ORW
Cranberry Pond	Entire pond to outlet in Braintree ⁹		B	ORW
Bouve Pond	Entire pond in Hingham ⁷		B	Warm Water ORW
Brewer Pond	Entire pond in Hingham ⁷		B	Warm Water ORW
Straits Pond	Entire pond in Hull and Cohasset ⁸		B	Warm Water ORW

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4.06: continued

TABLE 2 BOSTON HARBOR DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Great Pond	Entire pond to outlet in Braintree and those tributaries thereto		A	PWS ORW
Upper Reservoir of Great Pond	Entire reservoir to outlet in Braintree/Randolph and those tributaries thereto		A	PWS ORW
Whitmans Pond	Entire pond to outlet in Weymouth and those tributaries thereto		A	PWS ORW
Richardi Reservoir	Entire reservoir to outlet in Braintree and those tributaries thereto		A	PWS ORW
Weymouth Great Pond (Great Pond)	Entire pond to outlet in Weymouth and those tributaries thereto		A	PWS ORW
Accord Pond	Entire pond to outlet in Hingham and those tributaries thereto		A	PWS ORW
Accord Brook	From outlet of Accord Pond, Hingham, to water supply intake, Hingham, and those tributaries thereto		A	PWS ORW

- *Acronyms:
- ACEC = Area of Critical Environmental Concern
 - CSO = Combined Sewer Overflow
 - NAT ID = National Inventory of Dams
 - ORW = Outstanding Resource Water
 - PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Discharges from the jointly-permitted Massachusetts Water Resources Authority and City of Somerville CSO 007a (also known as MWR205a) within this segment are subject to a variance titled, 'Final Determination to Adopt a Water Quality Standards Variance for Combined Sewer Overflow Discharges to Alewife Brook/Upper Mystic River Basin', effective through 8-31-2029. This variance is available on MassDEP's website.

² Discharges from multiple CSOs permitted to the Massachusetts Water Resources Authority, the City of Somerville, and the City of Cambridge within this segment are subject to the variance described in footnote 1 above.

³ Discharges from Massachusetts Water Resources Authority's CSO MWR003 within this segment are subject to the variance described in footnote 1 above.

⁴ Note that all or a portion of this surface water is within the Rumney Marshes ACEC.

⁵ Coastal and marine waters Class SA or SB as designated; fresh waters Class B.

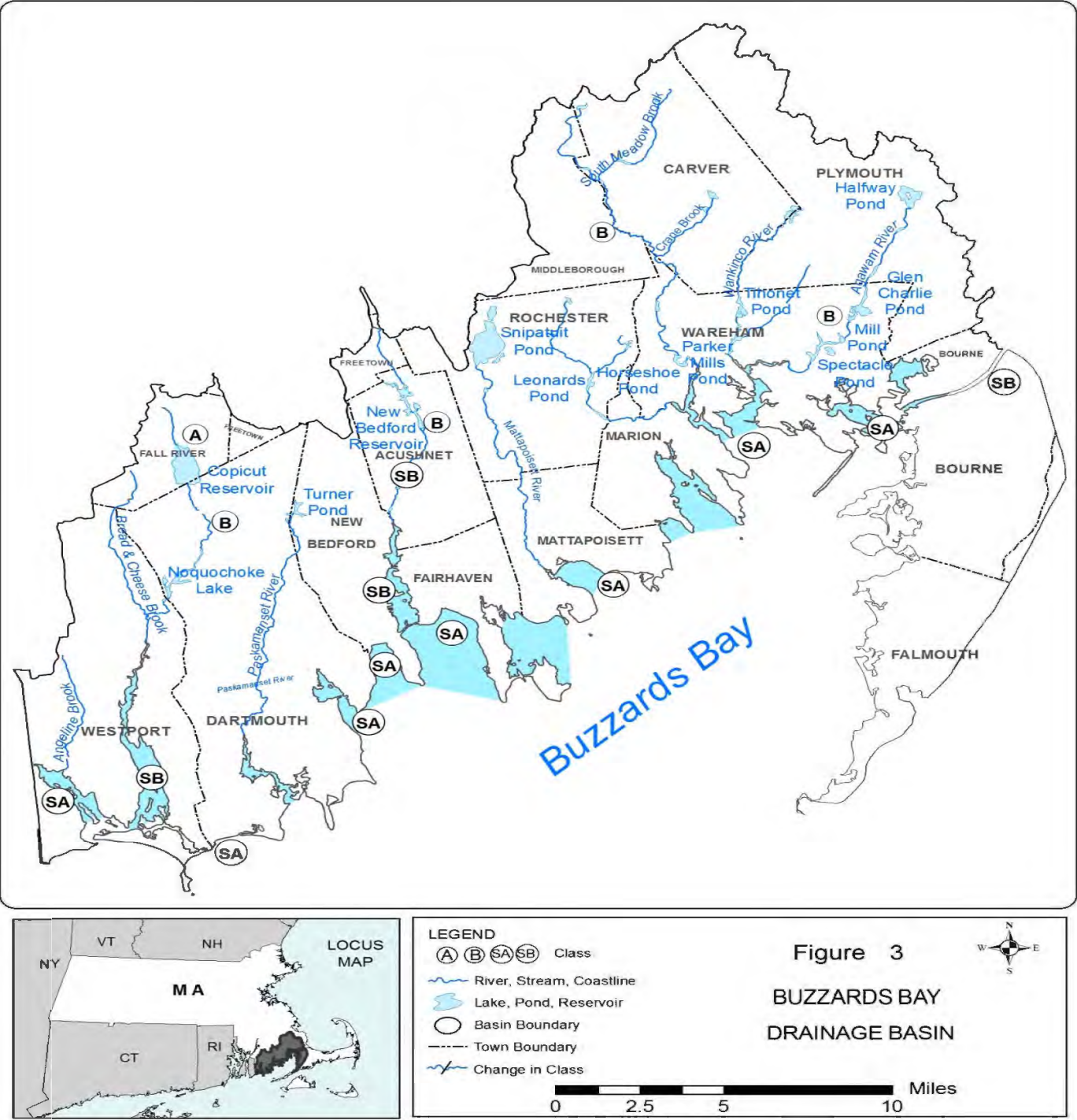
⁶ Shellfishing applies to coastal and marine waters only; warm water applies to fresh waters only.

⁷ Note that all or a portion of this surface water is within the Weymouth Back River ACEC.

⁸ Note that all or a portion of this surface water is within the Weir River ACEC.

⁹ Note that all or a portion of this surface water is within the Cranberry Brook Watershed ACEC.

4.06: continued



4.06: continued

TABLE 3 BUZZARDS BAY COASTAL DRAINAGE AREA*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Cape Cod Canal	The portion of the canal in Sandwich		SB	Shellfishing
	The portion of the canal in Bourne		SB	Shellfishing
Buttermilk Bay	Entire bay in Bourne/Plymouth		SA	Shellfishing
Onset Bay	Entire bay in Wareham		SA	Shellfishing
Pocasset River ¹	From the outlet of Mill Pond, Bourne to the mouth at confluence with Buzzards Bay, Bourne		SA	Shellfishing ORW
Agawam River	Source in Plymouth to Wareham POTW discharge, Wareham	Above 2.2	B	Warm Water High Quality Water
	From Wareham POTW discharge to confluence with the Wareham River	2.2 - 0.0	SB	Shellfishing
Wareham River	Entire length, from confluence of Wankinko and Agawam Rivers at Route 6 bridge, Wareham to confluence with Buzzards Bay, Wareham (inclusive of Marks Cove)		SA	Shellfishing High Quality Water
Weweantic River	Source in Carver to outlet of Horseshoe Pond, Wareham	Above 4.4	B	Warm Water High Quality Water
	From the outlet of Horseshoe Pond, Wareham to confluence with Buzzards Bay, Marion/Wareham	4.4 - 0.0	SA	Shellfishing High Quality Water
Sippican River	Source in Rochester to County Road, Marion/Wareham	Above 2.1	B	Warm Water High Quality Water
	From County Road, Marion/Wareham to confluence with the Weweantic River	2.1 - 0.0	SA	Shellfishing High Quality Water
Sippican Harbor	Entire harbor		SA	Shellfishing
Aucoot Cove	Entire cove		SA	Shellfishing

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4.06: continued

TABLE 3 BUZZARDS BAY COASTAL DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Mattapoissett Harbor	Entire harbor, from the mouth of the Mattapoissett River, Mattapoissett to an imaginary line drawn from Ned Point to a point of land between Bayview Avenue and Grandview Avenue, Mattapoissett.		SA	Shellfishing
Nasketucket Bay	Entire bay, from the confluence with Little Bay, Fairhaven to Buzzards Bay along Causeway Road, Fairhaven (on the south) and along an imaginary line drawn from the southern tip of Brant Island, Mattapoissett to the eastern tip of West Island, Fairhaven (includes Shaws Cove and Round Cove).		SA	Shellfishing
New Bedford Reservoir	Entire reservoir to its outlet in Acushnet		B	Warm Water High Quality Water
Acushnet River	From outlet of New Bedford Reservoir, Acushnet, to Tarkin Hill Bedford/Acushnet	7.0 - 3.3	B	Warm Water High Quality Water
Acushnet River (cont.)	From Tarkiln Hill Road/Main Street, New Bedford/Acushnet to Rt. 6, New Bedford/ Fairhaven	3.3 - 0.0	SB	Shellfishing CSO
Inner New Bedford Harbor		1.2 - 0.0	SB	Shellfishing CSO
Outer New Bedford Harbor	Entire harbor, from the hurricane barrier, Fairhaven/New Bedford to an imaginary line drawn from Wilbur Point, Fairhaven to Clarks Point, New Bedford		SA	Shellfishing
Clarks Cove	Entire semi-enclosed cove, landward of an imaginary line drawn between Clarks Point, New Bedford and Ricketsons Point, Dartmouth		SA	Shellfishing CSO
Apponagansett Bay	Entire bay, from the mouth of Buttonwood Brook, Dartmouth to an imaginary line drawn from Ricketsons Point, Dartmouth to Samoset Street near North Avenue, Dartmouth		SA	Shellfishing
Slocums River	From confluence with the Paskamanset River, Dartmouth, to confluence with Buzzards Bay, Dartmouth		SA	Shellfishing High Quality Water

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4.06: continued

TABLE 3 BUZZARDS BAY COASTAL DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Westport River, East Branch	From the outlet of Noquochoke Lake, Dartmouth, to Old County Road, Westport	12.0 - 10.0	B	Warm Water High Quality Water
	From Old County Road, Westport to confluence with Westport Harbor and Horseneck Channel	10.0 - 0.0	SB	Shellfishing High Quality Water
Westport River, West Branch	Entire length, from the outlet of Grays Mill Pond, Westport to the mouth at confluence with Westport Harbor/Westport River, Westport		SA	Shellfishing High Quality Water
Freeman Pond	Entire pond in Bourne ¹		SA, B ²	Warm Water ³ ORW
Mill Pond	Entire pond in Bourne ¹		SA, B ²	Warm Water ³ ORW
Shop Pond	Entire pond in Bourne ¹		SA, B ²	Warm Water ³ ORW
Upper Pond	Entire pond in Bourne ¹		SA, B ²	Warm Water ³ ORW
Copicut Reservoir	Entire reservoir to outlet in Fall River and Dartmouth and those tributaries thereto		A	PWS ORW
Sand Pond Reservoir	Entire reservoir to outlet in Wareham and those tributaries thereto		A	PWS ORW

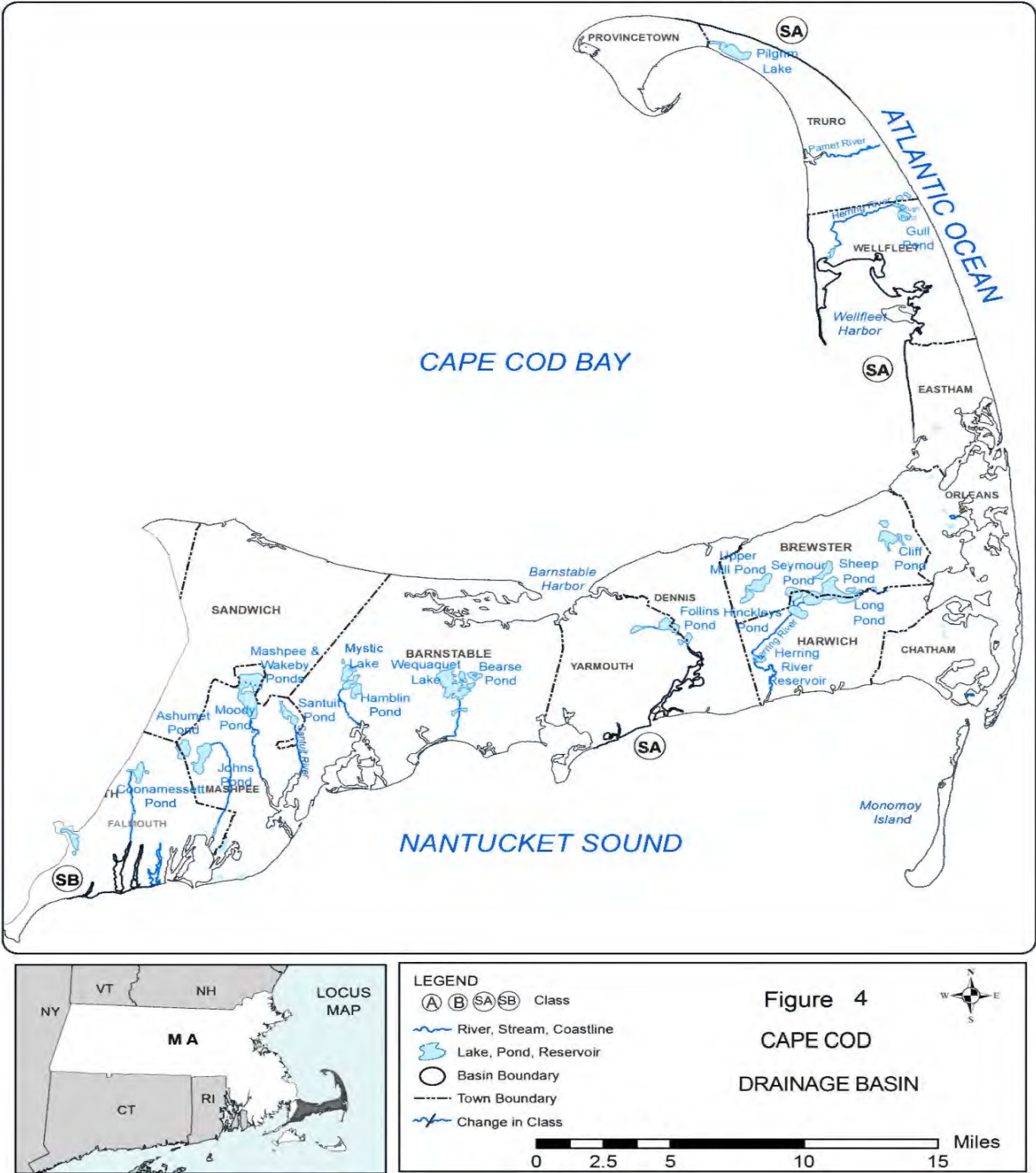
*Acronyms:
CSO = Combined Sewer Overflow
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Note that all or a portion of these surface waters are within the Pocasset River Area of Critical Environmental Concern.
² Coastal and marine waters Class SA; fresh waters Class B.
³ Warm water applies to fresh waters only.

4.06: continued



4.06: continued

TABLE 4 CAPE COD COASTAL DRAINAGE AREA*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Scorton Harbor	Entire harbor		SA	Shellfishing
Scorton Creek	Source in Sandwich to confluence with Scorton Harbor and those tributaries thereto		SA, B ¹	Shellfishing ²
Barnstable Harbor	Entire area, from the mouths of Scorton and Spring creeks, Barnstable east to an imaginary line drawn from Beach Point to the western edge of the Mill Creek estuary, Barnstable but excluding Freezer Point and the developed marina ³		SA	Shellfishing ORW
Broad Sound	Entire sound		SA	Shellfishing
Bass Creek	Entire creek		SA	Shellfishing
Brickyard Creek	Entire creek		SA, B ¹	Shellfishing ²
Mill Creek	Entire creek		SA	Shellfishing
Wells Creek	Entire creek		SA	Shellfishing
Namskaket Creek	Entire creek ⁴		SA, B ¹	Shellfishing ² ORW
Little Namskaket Creek	Entire creek ⁴		SA, B ¹	Shellfishing ² ORW
Rock Harbor Creek	Entire creek ⁴		SA, B ¹	Shellfishing ² ORW
Boat Meadow River	Entire river ⁴		SA, B ¹	Shellfishing ² ORW
Herring River	Entire river ⁴		SA, B ¹	Shellfishing ² ORW
Pleasant Bay	Entire bay and those tributaries thereto ⁵		SA, B ¹	Shellfishing ² ORW
Ryder Cove	Portion of the surface water within the Pleasant Bay ACEC, Chatham		SA	ORW
Bassing Harbor	Portion of the surface water within the Pleasant Bay ACEC, Chatham		SA	ORW
Frost Fish Creek	Portion of the surface water within the Pleasant Bay ACEC, Chatham		SA, B ¹	ORW
Muddy Creek	Portion of the surface water within the Pleasant Bay ACEC, Chatham		SA	ORW
Round Cove	Portion of the surface water within the Pleasant Bay ACEC, Harwich		SA	ORW
Namequoit River	Portion of the surface water within the Pleasant Bay ACEC, Orleans		SA	ORW
The River	Portion of the surface water within the Pleasant Bay ACEC, Orleans		SA	ORW

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4.06: continued

TABLE 4 CAPE COD COASTAL DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
The Horseshoe	Portion of the surface water within the Pleasant Bay ACEC, Orleans		SA	ORW
The Narrows	Portion of the surface water within the Pleasant Bay ACEC, Orleans		SA	ORW
Frostfish Cove	Portion of the surface water within the Pleasant Bay ACEC, Orleans		SA	ORW
Hog Island Creek	Portion of the surface water within the Pleasant Bay ACEC, Orleans		SA	ORW
Broad Creek	Portion of the surface water within the Pleasant Bay ACEC, Orleans		SA	ORW
Waquoit Bay	Entire bay and those tributaries thereto ⁶		SA, B ¹	Shellfishing ² ORW
Childs River	Portion of the surface water within the Waquoit Bay ACEC, Falmouth		SA, B ¹	ORW
Quashnet River	Portion of the surface water within the Waquoit Bay ACEC, Falmouth		SA, B ¹	ORW
Red Brook	Portion of the surface water within the Waquoit Bay ACEC, Mashpee		SA, B ¹	ORW
Falmouth Inner Harbor	Falmouth		SB	Shellfishing
Herring Pond (Coles Pond)	Entire pond in Eastham ⁴		SA, B ¹	Warm Water ² ORW
Cedar Pond	Entire pond in Orleans ⁴		SA, B ¹	Warm Water ² ORW
Stillwater Pond	Entire pond in Chatham ⁵		B	Warm Water ORW
Lovers Lake	Entire lake in Chatham ⁵		B	Warm Water ORW
Mill Pond	Entire pond in Chatham/East Harwich ⁵		B	Warm Water ORW
Ministers Pond	Entire pond in Chatham ⁵		B	Warm Water ORW
Crows Pond	Entire pond in Chatham ⁵		SA	ORW
Pilgrim Lake (Dean Sparrows Pond)	Entire lake in Orleans ⁵		B	Warm Water ORW
Quanset Pond	Entire pond in Orleans ⁵		SA	ORW

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4.06: continued

TABLE 4 CAPE COD COASTAL DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Crystal Lake (Fresh Pond)	Entire lake in Orleans ⁵		B	Warm Water ORW
Paw Wah Pond	Entire pond in Orleans ⁵		SA	ORW
Uncle Seths Pond	Entire pond in Orleans ⁵		B	Warm Water ORW
Sarahs Pond	Entire pond in Orleans ⁵		B	Warm Water ORW
Areys Pond	Entire pond in Orleans ⁵		SA	ORW
Gould Pond	Entire pond in Orleans ⁵		B	Warm Water ORW
Kescayo Gansett Pond	Entire pond in Orleans ⁵		SA	ORW
Meeting House Pond	Entire pond in Orleans ⁵		SA	ORW
Bourne Pond	Entire pond in Falmouth ⁶		B	Warm Water ORW
Bog Pond	Entire pond in Falmouth ⁶		SA, B ¹	Warm Water ² ORW
Caleb Pond	Entire pond in Falmouth ⁶		SA	ORW
Hamblin Pond	Entire pond in Falmouth/Mashpee ⁶		SA	ORW
Flat Pond	Entire pond in Mashpee ⁶		SA, B ¹	Warm Water ² ORW
Jehu Pond	Entire pond in Mashpee ⁶		SA	ORW
Jim Pond	Entire pond in Mashpee ⁶		B	Warm Water ORW
Lily Pond (Little Flat Pond)	Entire pond in Mashpee ⁶		SA, B ¹	Warm Water ² ORW
Sage Lot Pond	Entire pond in Mashpee ⁶		SA	ORW
Witch Pond	Entire pond in Mashpee ⁶		B	Warm Water ORW
Long Pond (Long Pond Reservoir)	Entire pond to outlet in Falmouth and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 4 CAPE COD COASTAL DRAINAGE AREA (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Atlantic Ocean and other surface waters within/bordering the Cape Cod National Seashore	Waters within and adjacent (within 1,000 feet seaward of mean low water) to the Cape Cod National Seashore		SA, B ¹	Shellfishing ² ORW

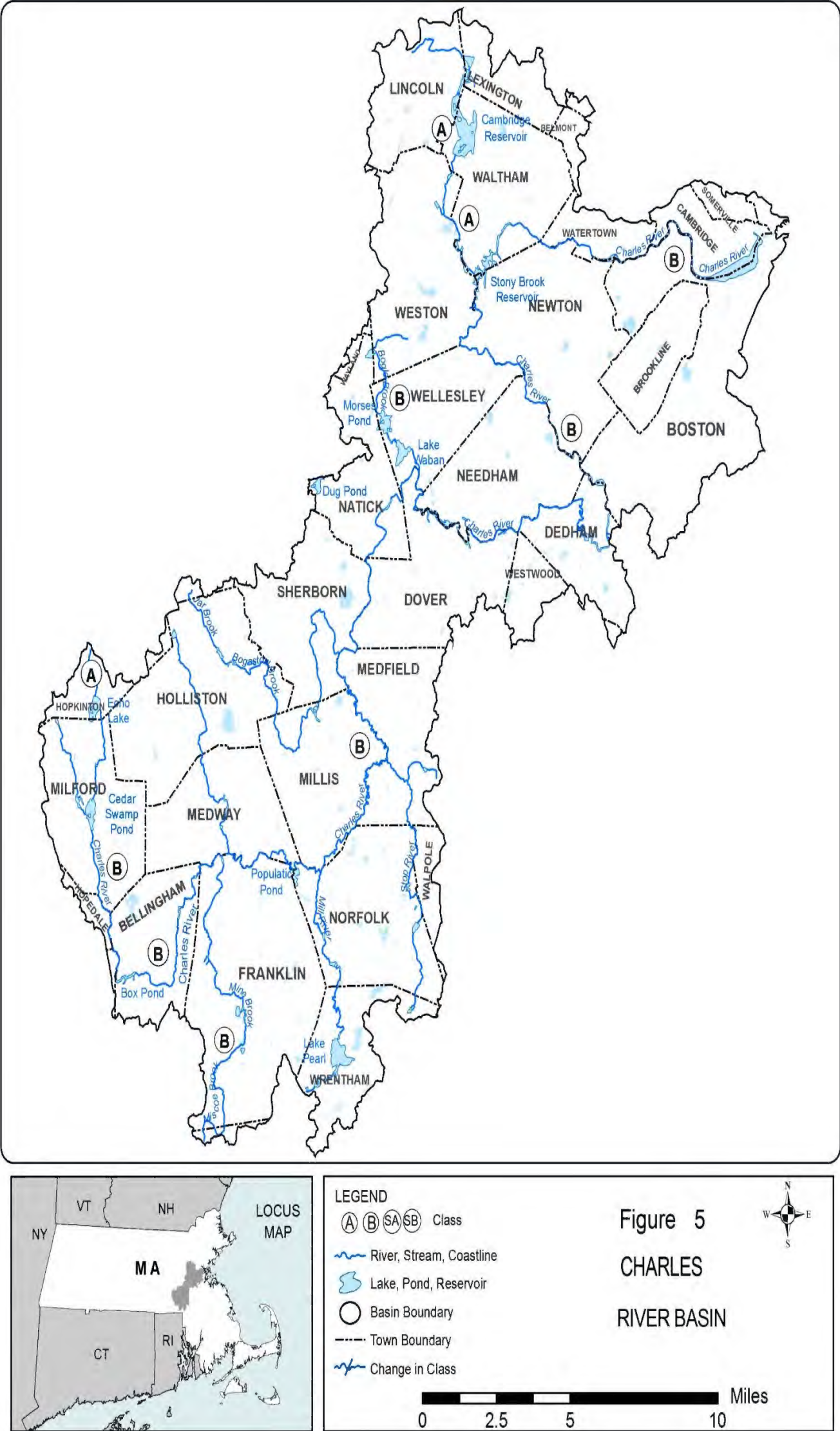
* Acronyms:
ACEC = Area of Critical Environmental Concern
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Coastal and marine waters Class SA; fresh waters Class B.
² Shellfishing applies to marine and coastal waters only; warm water applies to fresh waters only.
³ Note that all or a portion of this surface water is within the Sandy Neck Barrier Beach System ACEC.
⁴ Note that all or a portion of this surface water is within the Inner Cape Cod Bay ACEC.
⁵ Note that all or a portion of this surface water is within the Pleasant Bay ACEC.
⁶ Note that all or a portion of this surface water is within the Waquoit Bay ACEC.

4.06: continued



4.06: continued

TABLE 5 CHARLES RIVER BASIN*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Charles River	Source in Hopkinton to Dilla Street, Milford and those tributaries thereto	78.2 - 75.8	A	PWS ORW
	From Milford POTW discharge, Milford, to outlet of Populatic Pond, Medway/Norfolk	72.7 - 58.2	B	Warm Water
	From outlet of Populatic Pond, Medway/Norfolk, to South Natick Dam, Watertown	58.2 - 40.3	B	Warm Water
	From South Natick Dam, Natick, to Watertown Dam, Watertown	40.3 - 9.1	B	Warm Water
	From Watertown Dam, Watertown, to BU Bridge, Cambridge	9.1 - 3.0	B	Warm Water CSO ¹
	From BU Bridge, Cambridge, to its mouth at the New Charles River Dam (inclusive of Charles River Basin), Chelsea/Boston	3.0 - 0.0	B	Warm Water CSO ²
Muddy River	Entire length, Boston	2.7 - 0.0	B(CSO)	Warm Water
Mine Brook	Source to former Franklin POTW discharge, Franklin	7.2 - 4.0	B	Warm Water High Quality Water
	From former Franklin POTW discharge, Franklin to confluence with the Charles River, Franklin	4.0 - 0.0	B	Warm Water
Unnamed tributary (Sugar Brook)	Source in Millis to confluence with the Charles River, Millis		B	Warm Water High Quality Water
Stony Brook Reservoir (Turtle Pond)	Entire reservoir to outlet in Weston/Waltham and those tributaries thereto		A	PWS ORW
Cambridge Reservoir (Hobbs Brook Upper and Lower Reservoirs)	Entire reservoir to outlet in Waltham and those tributaries thereto (this reservoir is a "feeder" to Fresh Pond, Cambridge)		A	PWS ORW
Sandy Pond (Flint's Pond)	Entire pond to outlet in Lincoln and those tributaries thereto		A	PWS ORW
Echo Lake	Entire lake to outlet in Hopkinton and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 5 CHARLES RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point [‡]	Class	Qualifiers
Louisa Lake	Entire lake to outlet in Milford and those tributaries thereto		A	PWS ORW
Shepards Brook	Source in Franklin to confluence with Charles River, Franklin		B	Cold Water

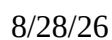
* Acronyms:
CSO = Combined Sewer Overflow
ORW = Outstanding Resource Water
PWS = Public Water Supply

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‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Discharges from the City of Cambridge's CSOs within this segment are subject to a variance titled, 'Final Determination to Adopt a Water Quality Standards Variance for Combined Sewer Overflow Discharges to Lower Charles River/Charles Basin', effective through 8-31-2029. This variance is available on MassDEP's website.

² Discharges from the Massachusetts Water Resources Authority's and the City of Cambridge's CSOs within this segment are subject to the variance described in footnote 1 above.



4.06: continued

TABLE 6 CHICOPEE RIVER BASIN*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Ware River	Source in Barre to MDC intake, Barre and those tributaries thereto	34.0 - 29.1	A	PWS ORW
	From MDC intake, Barre, to dam at South Barre	29.1 - 27.3	B	Cold Water High Quality Water
	From dam at South Barre to confluence with Quaboag River, Palmer	27.3 - 0.0	B	Warm Water
Prince River	Source in Barre to confluence with the Ware River, Barre		B	Cold Water High Quality Water
Swift River	From Winsor Dam, Ware/Belchertown, to confluence with Ware River, Palmer	9.8 - 0.0	B	Cold Water
Sevenmile River	Source in Spencer to confluence with Cranberry River, Spencer	8.6 - 2.4	B	Warm Water High Quality Water
	From confluence with Cranberry River, Spencer to confluence with East Brookfield River, East Brookfield	2.4 - 0.0	B	Warm Water
East Brookfield River	Entire length, East Brookfield	2.2 - 0.0	B	Warm Water
Quaboag River	Source in Brookfield to Rt. 67, West Brookfield	24.9 - 19.2	B	Warm Water
	Rt. 67, West Brookfield, to Warren POTW discharge, Warren	19.2 - 13.1	B	Warm Water
	From Warren POTW discharge, Warren to confluence with Ware River, Palmer	13.1 - 0.0	B	Warm Water
Forget-Me-Not Brook	Source in North Brookfield to North Brookfield POTW discharge, North Brookfield		B	Cold Water High Quality Water
	From North Brookfield POTW discharge, North Brookfield, to confluence with Dunn Brook, East Brookfield		B	Warm Water
Dunn Brook	From confluence with Forget-Me-Not, East Brookfield Brook to confluence with the Quaboag River, Brookfield	2.4 - 0.0	B	Warm Water
Chicopee Brook	Entire length, Monson		B	Cold Water

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4.06: continued

TABLE 6 CHICOPEE RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Chicopee River	Confluence of Ware and Quaboag Rivers, Palmer, to confluence with the Connecticut River, Chicopee	17.9 - 0.0	B	Warm Water CSO
Lake Mattawa (North Pond Brook Reservoir)	Entire lake to outlet in Orange and those tributaries thereto		A	PWS ORW
Allen Hill Reservoir (Barre Town Reservoir)	Entire reservoir to outlet in Barre and those tributaries thereto		A	PWS ORW
Ludlow Reservoir (Springfield Reservoir)	Entire reservoir to outlet in Ludlow and those tributaries thereto		A	PWS ORW
Doane Pond	Entire pond to outlet in North Brookfield and those tributaries thereto		A	PWS ORW
Horse Pond (North Pond)	Entire pond and those tributaries thereto		A	PWS ORW
Palmer Reservoir (Graves Brook Upper Reservoir)	Entire reservoir to outlet in Palmer and those tributaries thereto		A	PWS ORW
Shaw Pond	Entire pond to outlet in Leicester and those tributaries thereto		A	PWS ORW
Mare Meadow Reservoir	Entire reservoir to outlet in Hubbardston and those tributaries thereto		A	PWS ORW
Bickford Pond	Entire pond to outlet in Hubbardston and those tributaries thereto		A	PWS ORW
Palmer Reservoir (Unnamed Reservoir, Graves Brook Lower Reservoir, Palmer Lower Reservoir)	Entire reservoir to outlet in Palmer and those tributaries thereto		A	PWS ORW
Quabbin Reservoir	Entire reservoir to outlet in Ware and those tributaries thereto		A	PWS ORW
Bradish Brook	Source in West Brookfield to inlet of Wickaboag Pond, West Brookfield		B	Cold Water
Cadwell Brook	Source in Wilbraham to confluence with Twelvemile Brook, Wilbraham		B	Cold Water
Cadwell Creek	Source in Pelham to inlet of Quabbin Reservoir, Belchertown		A	Cold Water PWS ORW

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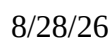
4.06: continued

TABLE 6 CHICOPEE RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Camel Brook	Source in Shutesbury to confluence with West Branch Swift River, Shutesbury		A	Cold Water PWS ORW
Cobb Brook	Source in Shutesbury to inlet of Quabbin Reservoir, Shutesbury		A	Cold Water PWS ORW
Pinnacle Creek	Source in Monson to confluence with Twelvemile Brook, Monson		B	Cold Water
Popple Camp Brook	Source in Phillipston to confluence with East Branch Swift River, Phillipston		A	Cold Water PWS ORW
Rocky Run	Source in Shutesbury to confluence with West Branch Swift River, Shutesbury		A	Cold Water PWS ORW
Smith Brook	Source in Barre to confluence with Prince River, Barre		B	Cold Water
Turkey Brook	Source in Brimfield to confluence with Penny Brook, Brimfield		B	Cold Water
Underhill Brook	Source in New Salem to inlet of Quabbin Reservoir, New Salem		A	Cold Water PWS ORW

* Acronyms:
CSO = Combined Sewer Overflow
MDC = Massachusetts District Commission
ORW = Outstanding Resource Water
PWS = Public Water Supply

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‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.



4.06: continued

TABLE 7 CONNECTICUT RIVER BASIN*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Connecticut River	From MA-NH-VT state line, Northfield, to Turner's Falls Dam, Gill	138.2 - 123.4	B	Warm Water
	From Turner's Falls Dam, Gill, to Holyoke Dam, Holyoke/South Hadley	123.4 - 85.7	B	Warm Water CSO
	Holyoke Dam, Holyoke/South Hadley, to MA-CT state line, Longmeadow/Agawam	85.7 - 69.8	B	Warm Water CSO
Lampson Brook	From the Belchertown POTW discharge to confluence with Weston Brook	1.1 - 0.0	B	Warm Water
Weston Brook	From confluence with Lampson Brook to inlet of Forge Pond (through which Bachelor Brook flows)	1.4 - 0.0	B	Warm Water
Bachelor Brook	From the inlet of Weston Brook to Forge Pond (through which Bachelor Brook flows) to the confluence with the Connecticut River	11.3 - 0.0	B	Warm Water
Atkins Reservoir	Entire reservoir to outlet in Shutesbury and those tributaries thereto		A	PWS ORW
Unnamed reservoir (Amethyst Brook, Hawley/Hill PWS Intake)	Entire reservoir to outlet in Pelham and tributaries thereto		A	PWS ORW
Hawley Reservoir	Entire reservoir to outlet in Pelham and those tributaries thereto		A	PWS ORW
Hill Reservoir	Entire reservoir to outlet in Pelham and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Running Gutter Brook Reservoir, Hatfield Reservoir)	Entire reservoir to outlet in Hatfield and those tributaries thereto		A	PWS ORW
White Reservoir	Entire reservoir to outlet in Southampton and those tributaries thereto		A	PWS ORW
Tighe Carmody Reservoir (Manhan Reservoir)	Entire reservoir to outlet in Southampton and those tributaries thereto		A	PWS ORW
Whiting Street Reservoir	Entire reservoir to outlet in Holyoke and those tributaries thereto		A	PWS ORW
Green Pond	Entire pond to outlet in Montague and those tributaries thereto		A	PWS ORW
Lake Pleasant	Entire lake to outlet in Montague and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 7 CONNECTICUT RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Roberts Meadow Reservoir	Entire reservoir to outlet in Northampton and those tributaries thereto		A	PWS ORW
Mountain Street Reservoir	Entire reservoir to outlet in Williamsburg and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Northampton Reservoir [New], Ryans Reservoir)	Entire reservoir to outlet in Whately and those tributaries thereto		A	PWS ORW
West Whately Reservoir (Northampton Reservoir [Old])	Entire reservoir to outlet in Whately and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Louisiana Brook Reservoir, Grandin Reservoir, Upper Reservoir)	Entire reservoir to outlet in Northfield and those tributaries thereto		A	PWS ORW
Lithia Springs Reservoir	Entire reservoir to outlet in South Hadley and those tributaries thereto		A	PWS- Abandoned ORW
Unquomunk Brook Reservoir	Entire reservoir to outlet in Williamsburg and those tributaries thereto		A	PWS - Abandoned ORW
Unnamed Reservoir (Roaring Brook Reservoir)	Entire reservoir to outlet in Conway and those tributaries thereto		A	PWS ORW
Conway Reservoir	Entire reservoir in Conway and those tributaries thereto		A	PWS ORW
Mill River	From Walnut Street Bridge, Springfield, to confluence with the Connecticut River, Springfield		B	CSO
Adams Brook	Source in Shutesbury to confluence with Fort River, Amherst		B	Cold Water
Bradford Brook	Source to confluence with East Branch Mill River, Williamsburg		B	Cold Water
Broad Brook	Entire length, from source in Holyoke to the inlet of Nashawannuck Pond, Easthampton		B	Cold Water
Buffam Brook (Buffum Brook)	Entire length, Shutesbury/Pelham		B	Cold Water

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4.06: continued

TABLE 7 CONNECTICUT RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Couch Brook	Source in Leyden to confluence with Fall River, Bernardston		B	Cold Water
Day Brook	Source in Williamsburg to confluence with unnamed tributary to the Mill River, Northampton (such unnamed tributary flowing from the confluence of Roberts Meadow and Clark brooks, Northampton, to the Mill River, Northampton)		B	Cold Water
Dean Brook	Entire length, Shutesbury		A	Cold Water PWS ORW
Dry Brook	Source in Bernardston to confluence with Connecticut River, Gill		B	Cold Water
Esther Brook	Source in Whately to confluence with Mill River, Whately		B	Cold Water
Fall River	From the MA-VT state line, Bernardston, to confluence with the Connecticut River, Greenfield		B	Cold Water
Fourmile Brook	Entire length, Northfield		B	Cold Water
Gates Brook	Entire length, Pelham		B	Cold Water
Grass Hill Brook	Source in Whately to confluence with Beaver Brook, Williamsburg		B	Cold Water
Goddard Brook	Source in Montague to confluence with Sawmill River, Montague		B	Cold Water
Hearthstone Brook	Source in Pelham to confluence with Adams Brook, Amherst		B	Cold Water
Hannigan Brook	Source in Montague to inlet of Lake Pleasant, Montague		A	Cold Water PWS ORW
Harris Brook	Source in Pelham to the outlet of Intake Reservoir Dam, Pelham (inclusive of the Hawley Reservoir and the Amethyst Brook Hawley/Hill PWS Intake, also listed separately)		A	Cold Water PWS ORW
	From the outlet of Intake Reservoir Dam, Pelham to confluence with Amethyst Brook, Pelham		B	Cold Water
Joe Wright Brook	Entire length, Williamsburg		B	Cold Water
Manhan River, North Branch	Source in Chesterfield to confluence with the Manhan River, Easthampton		B	Cold Water

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4.06: continued

TABLE 7 CONNECTICUT RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Meekin Brook	Source in Chesterfield to confluence with West Branch Mill River, Williamsburg		B	Cold Water
Mill Brook	Entire length (from the outlet of Stevens Swamp Dam, Warwick, to confluence with the Connecticut River, Northfield)		B	Cold Water
Mill River, East Branch	Source in Williamsburg to confluence with the Mill River, Williamsburg		B	Cold Water
Mill River, West Branch	From East St., Goshen, to confluence with Meekin Brook, Williamsburg		B	Cold Water
Millers Brook	Source in Northfield to confluence with Connecticut River, Northfield		B	Cold Water
Mohawk Brook	Source in Sunderland to confluence with Connecticut River, Hadley		B	Cold Water
Moose Brook	Entire length, Southampton		B	Cold Water
Mountain Brook	Source in Leverett to confluence with Doolittle Brook, Leverett		B	Cold Water
Nurse Brook	Entire length, Shutesbury		A	Cold Water PWS ORW
Spaulding Brook	Source in Montague to confluence with Sawmill River, Montague		B	Cold Water
Red Brook	Source in Wendell to confluence with Sawmill River, Leverett		B	Cold Water
Rice Brook	Entire length, Westhampton		B	Cold Water
Roaring Brook	Source in Conway to South Deerfield Water Supply Dam, Whately		A	Cold Water PWS ORW
	From South Deerfield Water Supply Dam, Whately, to confluence with Mill River, Whately		B	Cold Water
Rogers Brook	Entire length, Goshen		B	Cold Water
Sacket Brook	Entire length, Montgomery		B	Cold Water
Sawmill River	From Dudleyville Road, Leverett, to confluence with the Connecticut River, Montague		B	Cold Water
Scarboro Brook	Entire length, Belchertown		B	Cold Water
Schneelock Brook	Entire length, Springfield		B	Cold Water
Schoolhouse Brook	Entire length, West Springfield/Holyoke		B	Cold Water

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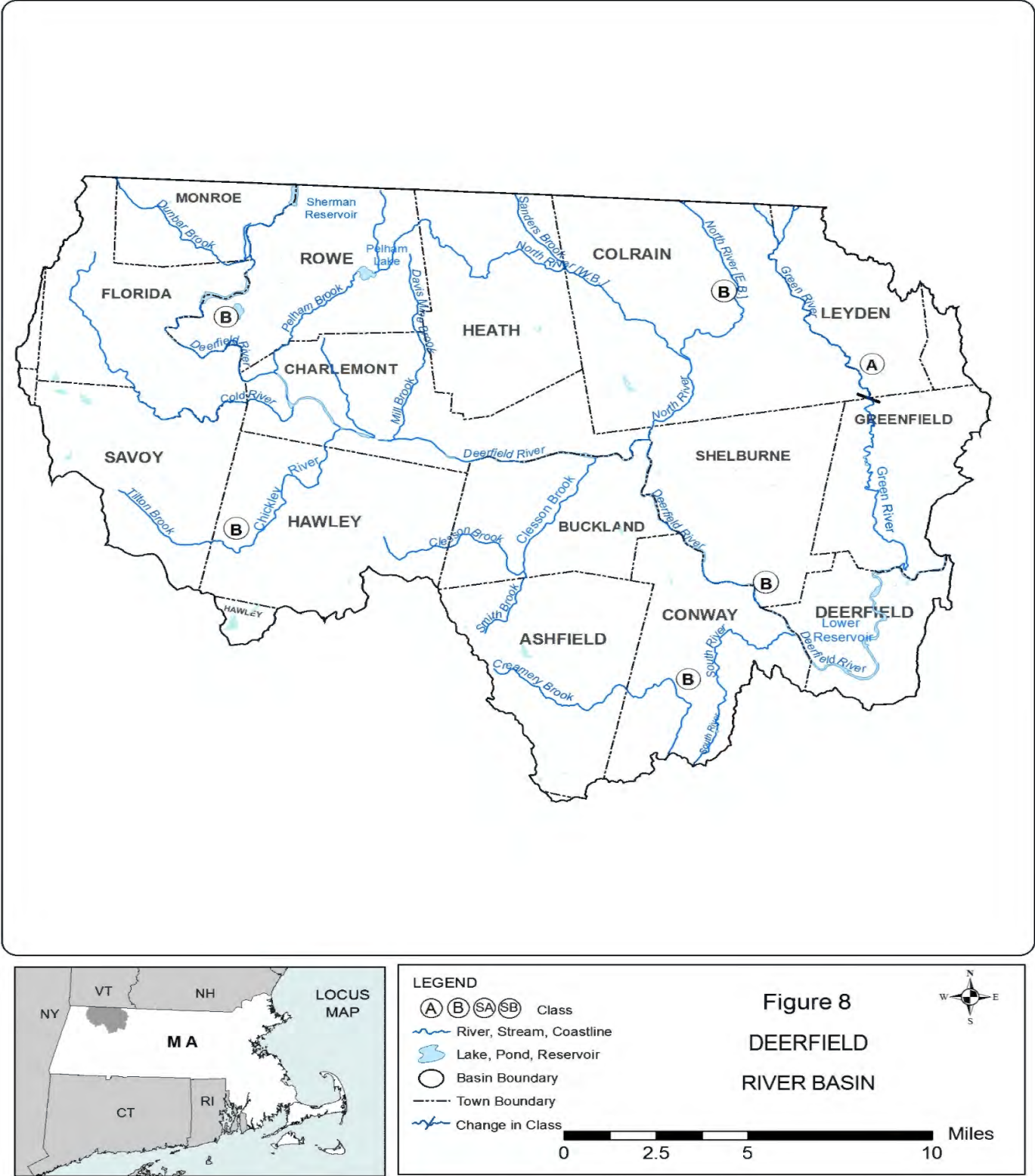
TABLE 7 CONNECTICUT RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Shattuck Brook	Entire length, Leyden/Bernardston		B	Cold Water
Sodom Brook	Entire length, Westhampton		B	Cold Water
Tripple Brook	Entire length, Southampton		B	Cold Water
West Brook	Entire length (from the outlet of West Whately Reservoir Dam, Whately, to confluence with the Mill River, Hatfield)		B	Cold Water
Williams Brook	Source in Wendell to confluence with Sawmill River, Leverett		B	Cold Water

- * Acronyms:
- CSO = Combined Sewer Overflow
 - ORW = Outstanding Resource Water
 - PWS = Public Water Supply

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‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued



4.06: continued

TABLE 8 DEERFIELD RIVER BASIN*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Deerfield River	From the MA-VT state line, Monroe/Rowe, to confluence with the North River, Charlemont	42.9 - 18.2	B	Cold Water
	From confluence with the North River, Charlemont, to confluence with the Connecticut River, Greenfield/Deerfield	18.2 - 0.0	B	Warm Water
West Branch North River	From source in Heath to confluence with the North River, Colrain		B	Cold Water High Quality Water
East Branch North River	From the MA-VT state line, Colrain, to confluence with the North River, Colrain		B	Cold Water High Quality Water
North River	From confluence of East and West Branches of the North River, Colrain, to the treatment works discharge, Colrain, located approximately 0.3 river miles south of the Adamsville Road and Route 112 intersection	3.1 - 2.7	B	Cold Water High Quality Water
	From the treatment works discharge, Colrain, located approximately 0.3 river miles south of the Adamsville Road and Route 112 intersection, to confluence with the Deerfield River, Charlemont/Shelburne/Buckland	2.7 - 0.0	B	Cold Water
Green River	From the MA-VT state line, Colrain to Green River water supply intake, Greenfield and tributaries thereto	14.5 - 8.4	A	Cold Water PWS High Quality Water ORW
	From Green River water supply intake, Greenfield to the Greenfield POTW's former discharge, Greenfield	8.4 - 0.6	B	Cold Water High Quality Water
	From the Greenfield POTW's former discharge to confluence with the Deerfield River	0.6 - 0.0	B	Cold Water
Highland Springs Reservoir (Upper Reservoir)	Entire reservoir to outlet in Ashfield and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 8 DEERFIELD RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Unnamed Reservoir (Mountain Spring Reservoir or Mountain Brook Reservoir)	Entire reservoir to outlet in Colrain and those tributaries thereto		A	PWS ORW
Greenfield Reservoir (Leyden Glen Reservoir, Glen Brook Upper Reservoir)	Entire reservoir to outlet in Leyden and those tributaries thereto		A	PWS ORW
Fox Brook Reservoir	Entire reservoir to outlet in Colrain and those tributaries thereto		A	PWS ORW
Phelps Brook Reservoir	Entire reservoir to outlet in Monroe and those tributaries thereto		A	PWS ORW
Albee Brook	Entire length, Hawley/Charlemont		B	Cold Water
Avery Brook	Entire length, Heath/Charlemont		B	Cold Water
Bear River	Entire length, Ashfield/Conway		B	Cold Water
Bear Swamp Outflow	Entire length, Rowe		B	Cold Water
Black Brook	Entire length, Savoy		B	Cold Water
Bozrah Brook	Entire length, Hawley/Charlemont		B	Cold Water
Brown Brook	Source in Savoy to confluence with Chickley River, Savoy		B	Cold Water
Burrington Brook	Source in Heath to confluence with West Branch Brook, Heath		B	Cold Water
Cary Brook	Source in Colrain to confluence with West Branch North River, Colrain		B	Cold Water
Cascade Brook	Source in Florida to confluence with Deerfield River, Florida		B	Cold Water
Chapel Brook	Entire length, Ashfield/Conway		B	Cold Water
Chickley River	Entire length (from source in Savoy to confluence with the Deerfield River, Charlemont)		B	Cold Water
Clesson Brook	Source in Hawley to confluence with Deerfield River, Buckland		B	Cold Water
Cold River	Entire length (from source in Florida to confluence with the Deerfield River, Charlemont)		B	Cold Water
Cooley Brook	Source in Hawley to confluence with Clesson Brook, Buckland		B	Cold Water

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4.06: continued

TABLE 8 DEERFIELD RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Creamery Brook	Entire length, Ashfield		B	Cold Water
Dickenson Brook	Source in Heath to confluence with West Branch Brook, Heath		B	Cold Water
Drakes Brook	Entire length (from source in Buckland to confluence with Bear River, Conway)		B	Cold Water
Dunbar Brook	From the MA-VT state line, Florida, to confluence with the Deerfield River, Monroe		B	Cold Water
Fife Brook	Entire length, Monroe/Florida		B	Cold Water
First Brook	Entire length, Buckland		B	Cold Water
Foundry Brook	Source in Colrain to confluence with East Branch North River, Colrain		B	Cold Water
Fuller Brook	Source in Hawley to confluence with Chickley River, Hawley		B	Cold Water
Hartwell Brook	Source in Charlemont to confluence with Deerfield River, Charlemont		B	Cold Water
Hawkes Brook	Entire length, Shelburne		B	Cold Water
Hinsdale Brook	From source in Colrain to confluence with Punch Brook, Greenfield		B	Cold Water
Houghton Brook	Source in Colrain to confluence with North River, Colrain		B	Cold Water
Hunt Brook	Source in Florida to confluence with Fife Brook, Florida		B	Cold Water
Johnny Bean Brook	Source in Conway to confluence with South River, Conway		B	Cold Water
Kinsman Brook	Entire length, Heath		B	Cold Water
Manning Brook	Source in Florida to confluence with Cold River, Florida		B	Cold Water
Mccard Brook	Source in Leyden to confluence with Mill Brook, Greenfield		B	Cold Water
Mill Brook (2)	Entire length, Heath/Charlemont		B	Cold Water
Mill Brook (3)	Entire length, Hawley		B	Cold Water
Miller Brook	Source in Colrain to confluence with Borden Brook, Colrain		A	Cold Water PWS ORW
Maxwell Brook	Entire length, Rowe/Charlemont		B	Cold Water
North Brook	Entire length, Hawley		B	Cold Water

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4.06: continued

TABLE 8 DEERFIELD RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Nye Brook	Source in Conway to confluence with Poland Brook, Conway		B	Cold Water
Pelham Brook	Entire length, Rowe/Charlemont		B	Cold Water
Poland Brook	Entire length, Conway		B	Cold Water
Reed Brook	Entire length, Florida		B	Cold Water
Rice Brook	Entire length, Rowe/Charlemont		B	Cold Water
Ruddock Brook	Source in Hawley to confluence with Clesson Brook, Buckland		B	Cold Water
Second Brook	Entire length, Buckland		B	Cold Water
Sheldon Brook	Source in Shelburne to confluence with Deerfield River, Deerfield		B	Cold Water
Smead Brook	Source in Greenfield to confluence with Wheeler Brook, Greenfield		B	Cold Water
Smith Brook	Source in Florida to confluence with the Deerfield River (inlet to Lower Reservoir), Florida		B	Cold Water
South River	Source to confluence with Johnny Bean Brook		B	Cold Water
Stewart Brook	Source in Colrain to confluence with Hinsdale Brook, Shelburne		B	Cold Water
Tannery Brook	Entire length, Savoy		B	Cold Water
Taylor Brook	Entire length, Rowe		B	Cold Water
Third Brook	Entire length, Buckland		B	Cold Water
Todd Brook	Entire length, Charlemont		B	Cold Water
Unnamed Stream (within Hog Hollow)	Entire length, Buckland		B	Cold Water
West Branch Brook	From the MA-VT state line, Heath, to confluence with West Branch North River, Heath		B	Cold Water
Wilder Brook	Entire length, Heath/Charlemont		B	Cold Water
Willis Brook	Entire length, Heath/Charlemont		B	Cold Water
Wheatherby Brook	Source in Hawley to confluence with Deerfield River, Charlemont		B	Cold Water
Wheeler Brook	From MA-NH state line, Rowe, to inlet of Sherman Reservoir, Rowe		B	Cold Water
Whitcomb Brook	Entire length, Florida		B	Cold Water

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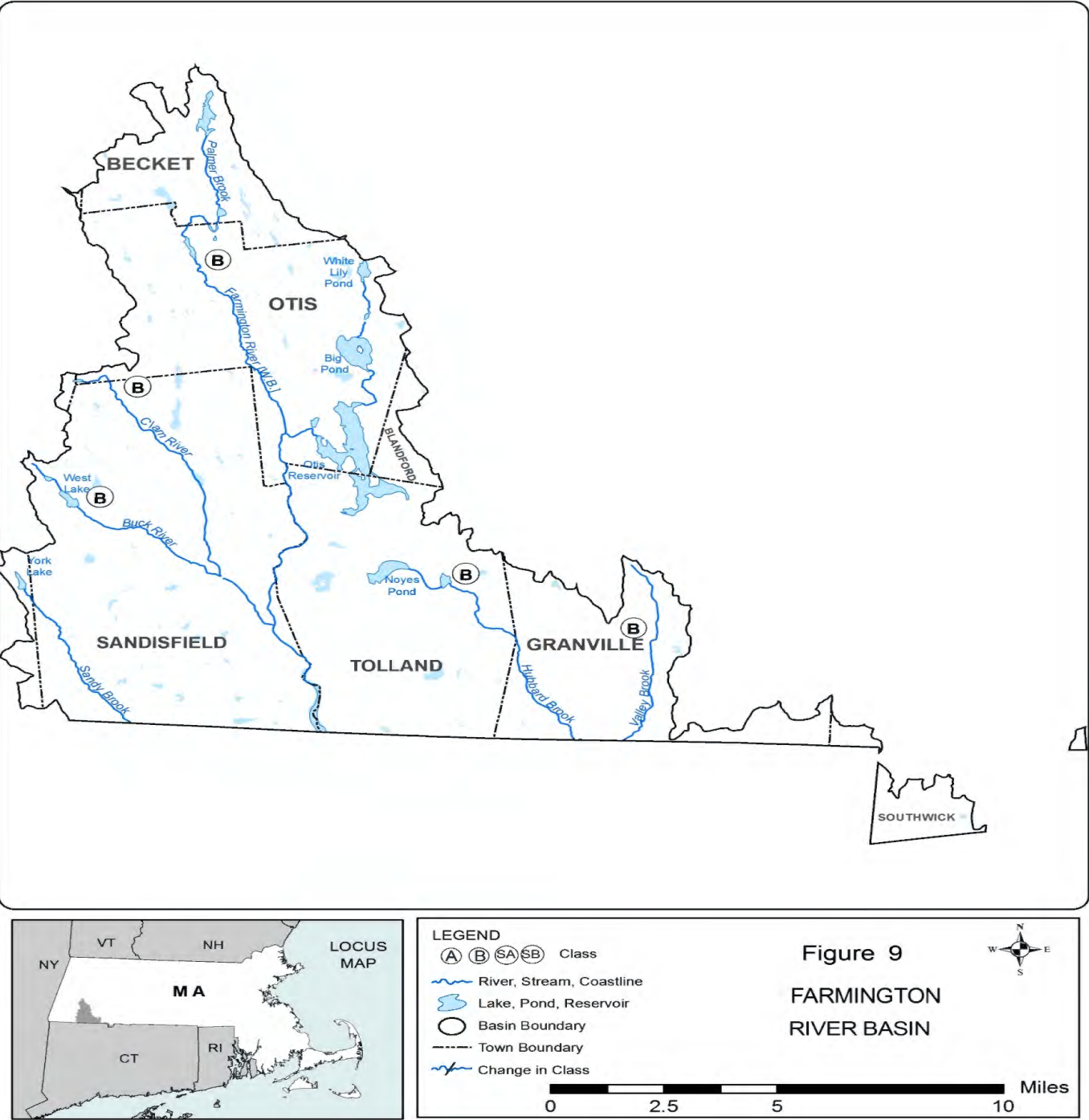
TABLE 8 DEERFIELD RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
White Brook	Source in Florida to confluence with Cold River, Florida		B	Cold Water

* Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

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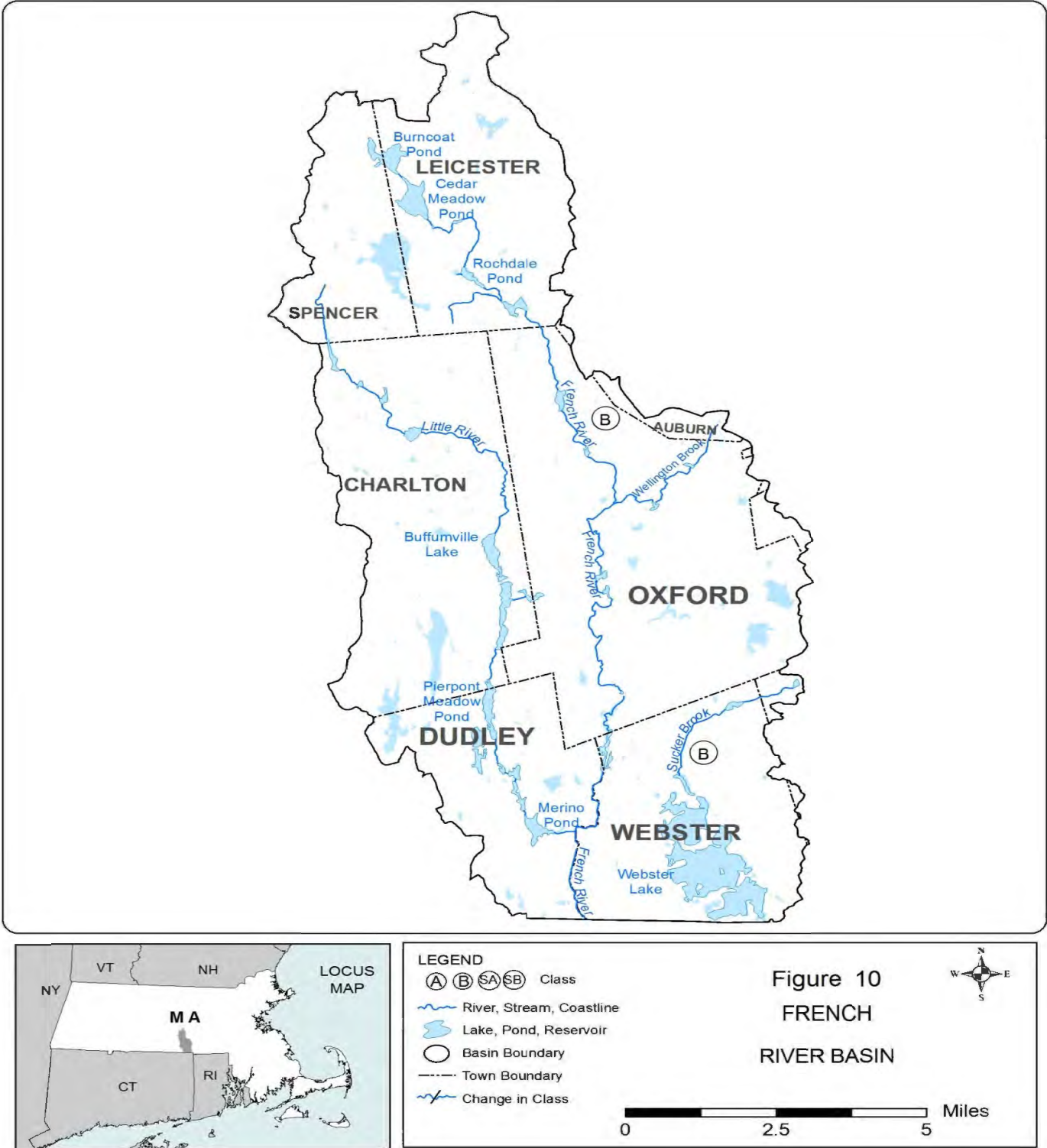


4.06: continued

TABLE 9 FARMINGTON RIVER BASIN				
Surface Water Name	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Surface waters within the Farmington River Basin	All surface waters with the exception of those that may be designated otherwise		B	Cold Water High Quality Water

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued



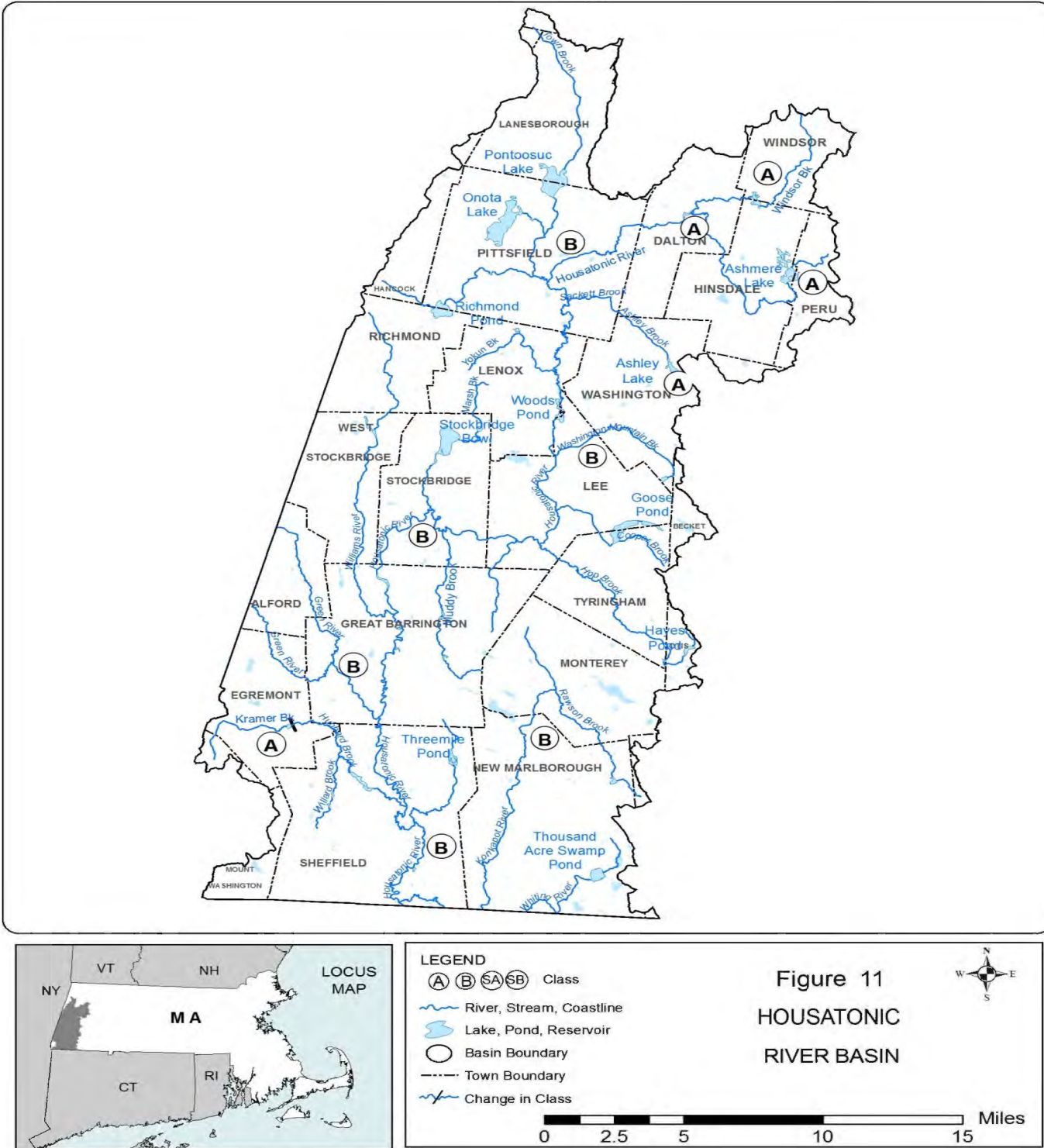
4.06: continued

TABLE 10 FRENCH RIVER BASIN*				
Surface Water Name	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
French River	From the outlet of Greenville Pond, Leicester, to the MA-CT state line, Dudley	17.8 - 0.0	B	Warm Water
Unnamed tributary to Town Meadow Brook	From the outlet of Sargent Pond to the inlet of Dutton Pond	0.5 - 0.0	B	Warm Water High Quality Water
Town Meadow Brook	From the outlet of Dutton Pond to the inlet of Greenville Pond	1.9 - 0.0	B	Warm Water
Henshaw Pond	Entire pond to outlet in Leicester and those tributaries thereto		A	PWS ORW

*Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued



4.06: continued

TABLE 11 HOUSATONIC RIVER BASIN*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
East Branch Housatonic River	Source in Washington to outlet of Center Pond, Dalton	13.6 - 5.5	B	Cold Water High Quality Water
	From outlet of Center Pond, Dalton to confluence with the Housatonic River, Pittsfield	5.5 - 0.0	B	Warm Water
Housatonic River	From confluence of the Southwest and West Branches Housatonic River, Pittsfield, to Pittsfield POTW discharge	55.4 - 50.9	B	Warm Water
	From Pittsfield POTW discharge to the MA-CT state line, Sheffield	50.9 - 0.0	B	Warm Water
West Branch Housatonic River	Entire length, Pittsfield	36.0 - 0.0	B	Cold Water High Quality Water
Southwest Branch Housatonic River	Entire length, Pittsfield	34.1 - 0.0	B	Cold Water High Quality Water
Goose Pond Brook	Entire length, Lee/Tyringham	2.3 - 0.0	B	Cold Water High Quality Water
Williams River	Entire length, Great Barrington	10.0 - 0.0	B	Cold Water High Quality Water
Green River	Entire length, Alford/Egremont, and Great Barrington	9.5 - 0.0	B	Cold Water High Quality Water
Hubbard Brook	Entire length, Egremont and Sheffield	6.6 - 0.0	B	Cold Water High Quality Water
Fenton Brook	Entire length, Egremont	2.9 - 0.0	B	Cold Water High Quality Water

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4.06: continued

TABLE 11 HOUSATONIC RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Karner Brook (includes unnamed reservoir (Karner Brook Reservoir))	Source to unnamed reservoir (Karner Brook Reservoir) PWS intake and those tributaries thereto, Mount Washington/Egremont ¹		A	PWS ORW
	From unnamed reservoir (Karner Brook Reservoir) PWS intake to the inlet of Mill Pond, Egremont ¹		B	ORW
East Mountain Reservoir	Entire reservoir to outlet in Great Barrington and those tributaries thereto		A	PWS ORW
Long Pond	Entire pond to outlet in Great Barrington and those tributaries thereto		A	PWS ORW
Belmont Reservoir	Entire reservoir to outlet in Hinsdale and those tributaries thereto		A	PWS ORW
Lower Reservoir (Coddington Brook Lower Reservoir, Vanetti Reservoir)	Entire reservoir to outlet in Lee and those tributaries thereto		A	PWS ORW
Leahey Reservoir (Coddington Brook Upper Reservoir)	Entire reservoir to outlet in Lee and those tributaries thereto		A	PWS ORW
Lenox Reservoir (Lower Root Reservoir)	Entire reservoir to outlet in Lenox and those tributaries thereto		A	PWS ORW
Lenox Reservoir (Upper Root Reservoir)	Entire reservoir to outlet in Lenox and those tributaries thereto		A	PWS ORW
Ashley Lake (Ashley Lake Reservoir)	Entire lake to outlet in Washington and those tributaries thereto		A	PWS ORW
Sandwash Reservoir	Entire reservoir to outlet in Washington and those tributaries thereto		A	PWS ORW
Farnham Reservoir	Entire reservoir to outlet in Washington and those tributaries thereto		A	PWS ORW
School House Lake	Entire lake to outlet in Washington and those tributaries thereto (inclusive of Washington Mountain Brook upstream of the lake)		A	PWS ORW
Cleveland Brook Reservoir (Cleveland Reservoir)	Entire reservoir to outlet in Hinsdale and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 11 HOUSATONIC RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Lake Averic (Echo Lake, Mountain Mirror Lake)	Entire lake to outlet in Stockbridge and those tributaries thereto		A	PWS ORW
Egypt Pond (Egypt Brook Reservoir)	Entire pond to outlet in Dalton and those tributaries thereto		A	PWS ORW
Windsor Reservoir (Cady Brook Reservoir)	Entire reservoir to outlet in Windsor and those tributaries thereto		A	PWS ORW
Upper Sackett Reservoir (Sackett Brook Reservoir)	Entire reservoir to outlet in Hinsdale and those tributaries thereto		A	PWS ORW
Lower Sacket Reservoir	Entire reservoir to outlet in Dalton and those tributaries thereto		A	ORW
Unnamed reservoir (Anthony Brook Reservoir)	The entire unnamed reservoir (known as Anthony Brook Reservoir) to outlet in Dalton and those tributaries thereto (inclusive of Anthony Pond)		A	Cold Water PWS ORW
	From the outlet of unnamed reservoir (Anthony Brook Reservoir), Dalton, to confluence with Wahconah Falls Brook, Dalton		B	Cold Water
Ashley Reservoir (Ashley Intake Reservoir)	Entire reservoir to outlet in Washington and those tributaries thereto		A	PWS ORW
Sandisfield Road Reservoir	Entire reservoir and those tributaries thereto		A	PWS ORW
Alford Brook	Source in West Stockbridge to confluence with Seekonk Brook, Alford		B	Cold Water
Barton Brook	Source in Dalton to confluence with East Branch Housatonic River, Pittsfield		B	Cold Water
Bear Rock Stream	Source in Mount Washington to confluence with Schenob Brook, Sheffield		B	Cold Water
Brattle Brook	Source in Dalton to confluence with East Branch Housatonic River, Pittsfield		B	Cold Water
Churchill Brook	Entire length, Lanesboro/Pittsfield		B	Cold Water
Cleveland Brook	From the outlet of Cleveland Brook Reservoir, Hinsdale, to confluence with East Branch Housatonic River, Dalton		B	Cold Water
Commons Brook	Source in Lee to confluence with Coddington Brook, Lee		A	Cold Water PWS ORW

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4.06: continued

TABLE 11 HOUSATONIC RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Crystal Brook	Source in Tyringham to confluence with Hop Brook, Tyringham		B	Cold Water
Dry Brook	Source in Mount Washington to confluence with Schenob Brook, Sheffield		B	Cold Water
Hathaway Brook	Source in Washington to confluence with Sackett Brook, Dalton		B	Cold Water
Muddy Brook	Source in Great Barrington to confluence with Stony Brook, Great Barrington		B	Cold Water
Race Brook	Source in Mount Washington to confluence with Dry Brook, Sheffield		B	Cold Water
Russo Brook	Source in Hinsdale to confluence with East Branch Housatonic River, Hinsdale		B	Cold Water
Swann Brook	Source in Monterey to confluence with Konkapot River, Monterey		B	Cold Water
Sykes Brook	Source in Pittsfield to confluence with Housatonic River, Pittsfield		B	Cold Water
Tom Ball Brook	Source in West Stockbridge to confluence with Alford Brook, Alford		B	Cold Water
Tyler Brook	Entire length, Windsor (Tyler Brook is a tributary to Windsor Brook which flows into Windsor Reservoir and ultimately to Cleveland Reservoir)		A	Cold Water PWS ORW
Welch Brook	Entire length, Hinsdale ²		B	Cold Water
Weston Brook	Source in Windsor to confluence with Wahconah Falls Brook, Dalton		B	Cold Water

* Acronyms:
ACEC = Area of Critical Environmental Concern
ORW = Outstanding Resource Water
PWS = Public Water Supply

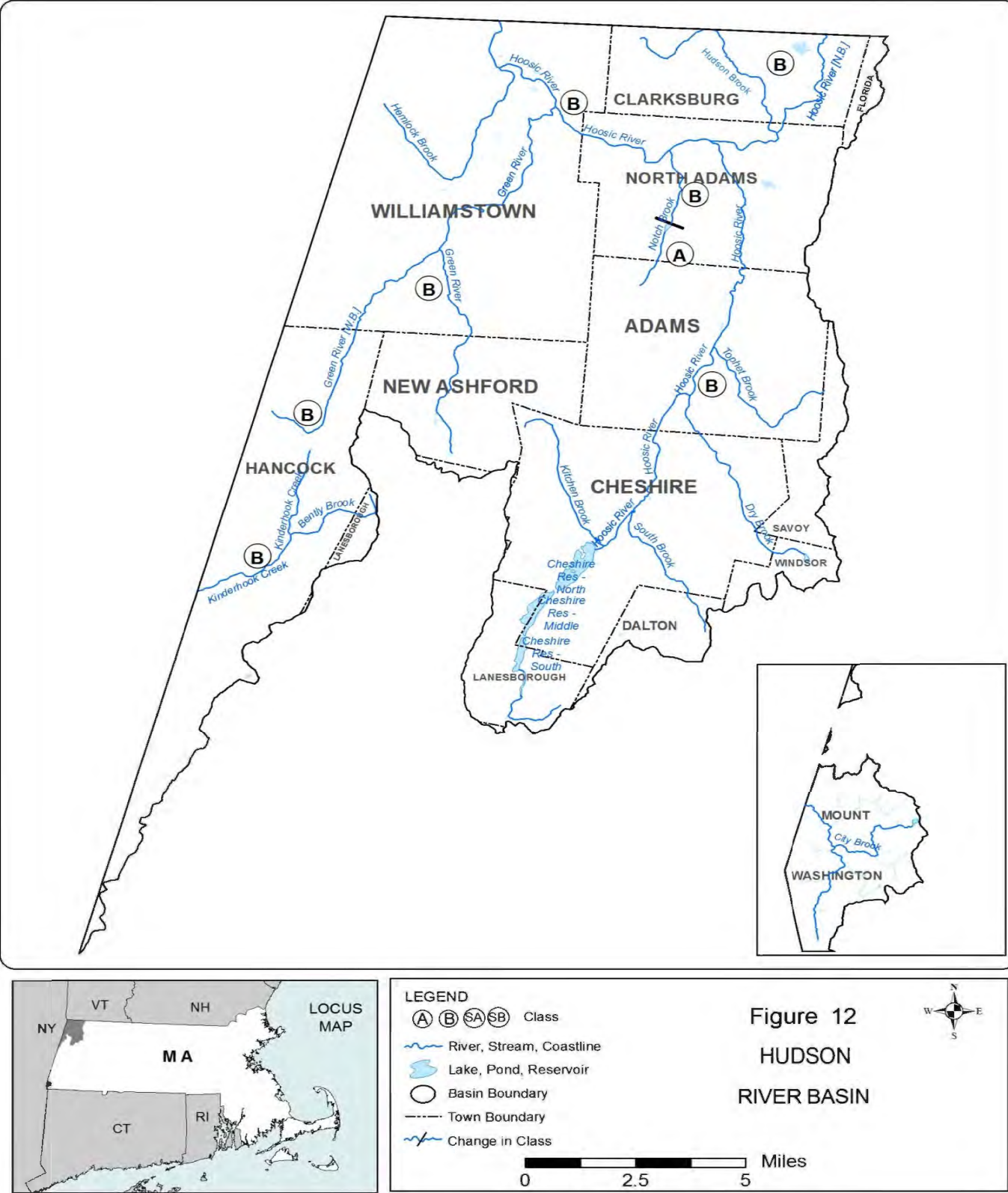
† Names cited in parentheses are unofficial, locally-used names.

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¹ Note that all or a portion of this surface water is within the Karner Brook Watershed ACEC.

² Note that all or a portion of this surface water is within the Hinsdale Flats Watershed ACEC.

4.06: continued



4.06: continued

TABLE 12 HUDSON RIVER BASIN*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
North Branch Hoosic River	From the MA-VT state line to confluence with the Hoosic River (South Branch Hoosic River)	9.9 - 0.0	B	Cold Water High Quality Water
Hoosic River (South Branch Hoosic River)	From the outlet of Cheshire Reservoir to Adams POTW discharge	23.5 - 15.4	B	Cold Water High Quality Water
	From Adams POTW discharge to confluence with the North Branch Hoosic River	15.4 - 10.3	B	Warm Water
Hoosic River	Confluence of North Branch Hoosic River and Hoosic River (South Branch Hoosic River) to MA-VT state line	10.3 - 0.0	B	Warm Water
Green River	Entire length, New Ashford/Williamstown	10.8 - 0.0	B	Cold Water
Basset Brook Reservoir	Entire reservoir to outlet in Cheshire and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Kitchen Brook Reservoir)	Entire reservoir to outlet in Cheshire and those tributaries thereto		A	PWS ORW
Notch Reservoir	Entire reservoir to outlet in North Adams and those tributaries thereto		A	PWS ORW
Mt. Williams Reservoir	Entire reservoir to outlet in North Adams and those tributaries thereto		A	PWS ORW
Williamstown Reservoir (Sherman Springs Reservoir)	Entire reservoir to outlet in Williamstown and those tributaries thereto		A	PWS ORW
Thunder Brook	Entire length in Cheshire and those tributaries thereto		A	PWS- Abandoned ORW
Broad Brook	From the MA-VT state line, Williamstown, to the water supply intake in Williamstown		A	PWS- Abandoned ORW
Bashbish Brook	Source to the MA-NY state line, Mount Washington		B	Cold Water High Quality Water
Bear Swamp Brook	Source in Clarksburg to confluence with Hudson Brook, Clarksburg		B	Cold Water
Birch Brook	Source in Williamstown to confluence with Buxton Brook, Williamstown		B	Cold Water

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4.06: continued

TABLE 12 HUDSON RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Buxton Brook	Entire length, Williamstown		B	Cold Water
East Branch Green River	Source in New Ashford to confluence with Green River, New Ashford		B	Cold Water
Gore Brook	Source in Dalton to inlet of Cheshire Reservoir, Cheshire		B	Cold Water
Hemlock Brook	From the MA-NY state line to confluence with the Hoosic River, Williamstown		B	Cold Water
Hopper Brook	Source in Williamstown to confluence with Green River, Williamstown		B	Cold Water
Hoxie Brook	Source in Adams to confluence with Hoosic River, Adams		B	Cold Water
Hunterfield Brook	Source in Clarksburg to confluence with North Branch Hoosic River, North Adams		B	Cold Water
Kinderhook Creek	Source to the MA-NY state line, Hancock		B	Cold Water High Quality Water
Kitchen Brook	Source in Cheshire to inlet of unnamed reservoir (Kitchen Brook Reservoir)		A	Cold Water PWS ORW
	From Kitchen Brook Dam [outlet of unnamed reservoir (Kitchen Brook Reservoir)] to confluence with South Branch Hoosic River, Cheshire		B	Cold Water
McDonald Brook	Entire length, Windsor/Cheshire		B	Cold Water
Miller Brook	Source in Adams to confluence with Tophet Brook, Adams		B	Cold Water
Mitchell Brook	Source in New Ashford to confluence with East Branch Green River, New Ashford		B	Cold Water
Money Brook	Source in Williamstown to confluence with Hopper Brook, Williamstown		B	Cold Water
Notch Brook	Source in Adams to inlet of Notch Reservoir, North Adams		A	Cold Water PWS ORW
	From Notch Reservoir Dam (outlet of Notch reservoir) to confluence with Hoosic River, North Adams		B	Cold Water

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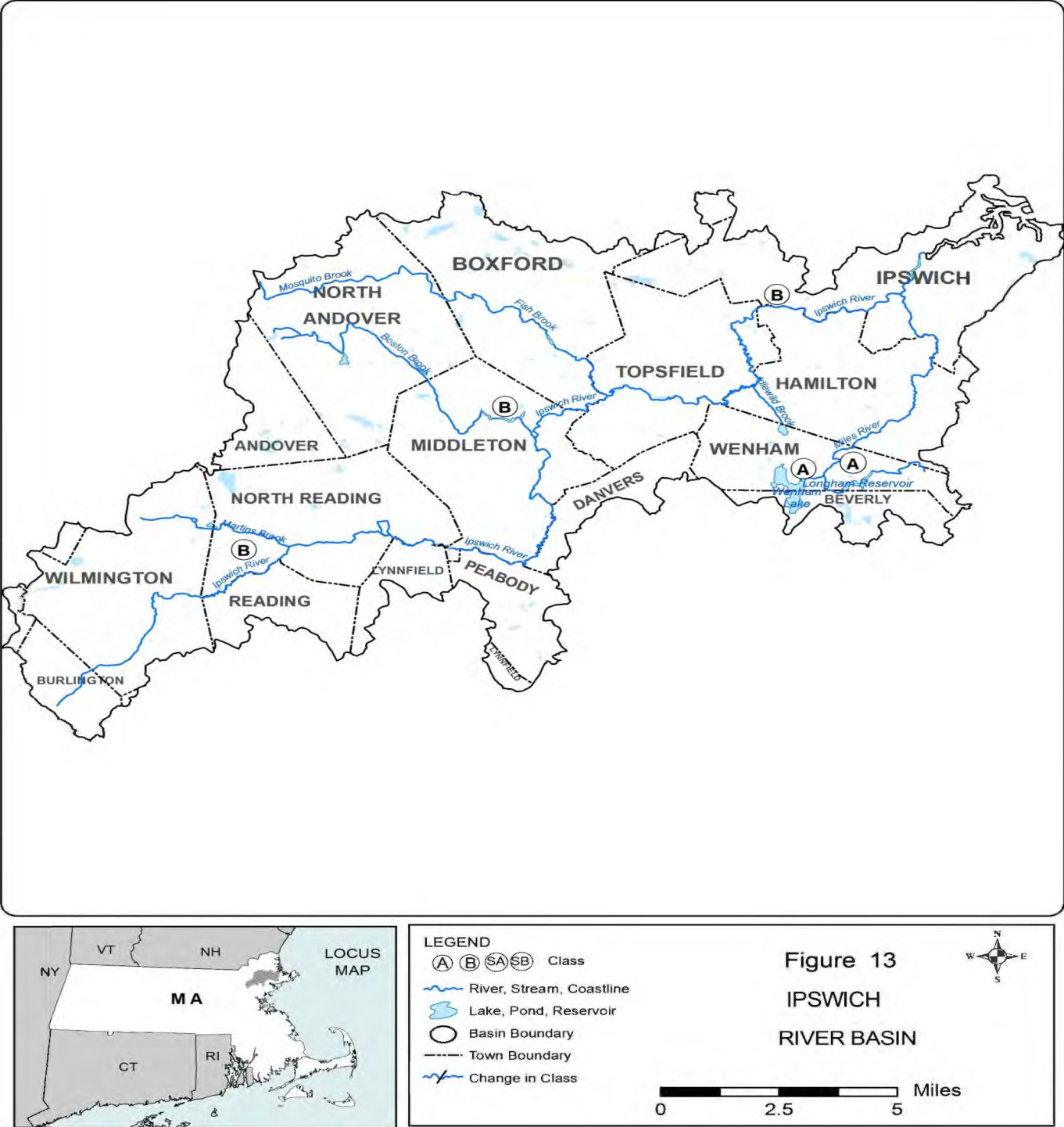
TABLE 12 HUDSON RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Patton Brook	Source in Savoy to confluence with Tophet Brook, Adams		B	Cold Water
Penniman Brook	Source in Cheshire to confluence with Hoosic River, Cheshire		B	Cold Water
Pettibone Brook	Source in Cheshire to inlet of Cheshire Reservoir, Lanesborough		B	Cold Water
Reed Brook	Source in Adams to confluence with Tophet Brook, Adams		B	Cold Water
South Brook	Source in Dalton to confluence with Hoosic River and South Branch Hoosic River, Cheshire		B	Cold Water
Sherman Brook	Source to confluence with Hoosic River, North Adams		B	Cold Water
Sweet Brook	Source in Williamstown to confluence with Hemlock Brook, Williamstown		B	Cold Water
Tunnel Brook	Entire length, North Adams		B	Cold Water
Wheeler Brook	Source in Clarksburg to confluence with Hunterfield Brook, Clarksburg		B	Cold Water

* Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

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4.06: continued



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TABLE 13 IPSWICH RIVER BASIN*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Ipswich River	Source to the Salem Beverly Waterway Canal	41.1 - 16.4	B	Treated Water Supply Warm Water High Quality Water
	From the Salem Beverly Waterway Canal to the tidal portion	16.4 - 4.5	B	Warm Water High Quality Water
	Tidal portion and those tributaries thereto	4.5 - 0.0	SA	Shellfishing
Middleton Pond	Entire pond to outlet in Middleton and those tributaries thereto		A	PWS ORW
Swan Pond	Entire pond to outlet in North Reading and those tributaries thereto		A	PWS ORW
Mill Pond Reservoir	Entire reservoir to outlet in Burlington and those tributaries thereto		A	PWS ORW
Longham Reservoir	Entire reservoir to outlet in Wenham and those tributaries thereto		A	PWS ORW
Wenham Lake	Entire lake to outlet in Wenham and those tributaries thereto		A	PWS ORW
Putnamville Reservoir	Entire reservoir to outlet in Danvers and those tributaries thereto		A	PWS ORW
Suntaug Lake	Entire lake to outlet in Lynn and Peabody and those tributaries thereto		A	PWS ORW
Winona Pond	Entire pond to outlet in Peabody and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Emerson Brook Reservoir)	Entire reservoir to outlet in Middleton and those tributaries thereto		A	PWS ORW
Fox Creek	Portion in the Great Marsh ACEC ¹		SA	ORW
Neck Creek	Portion in the Great Marsh ACEC ¹		SA, B ²	ORW
Treadwell Island Creek	Portion in the Great Marsh ACEC ¹		SA, B ²	ORW

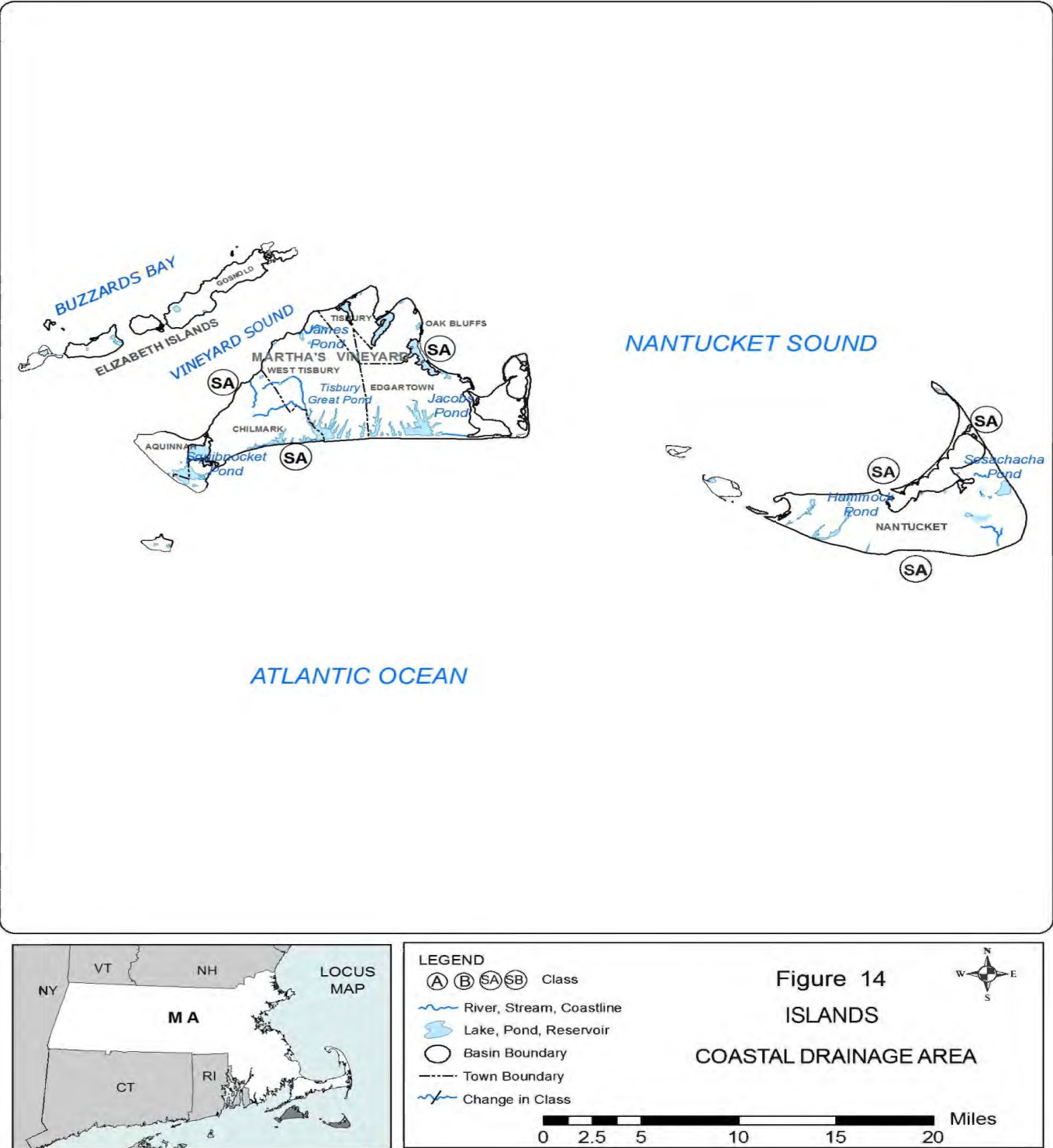
* Acronyms:
ACEC = Area of Critical Environmental Concern
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PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

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¹ Formerly the Parker River/Essex Bay ACEC.
² Coastal and marine waters Class SA; fresh waters Class B.

4.06: continued



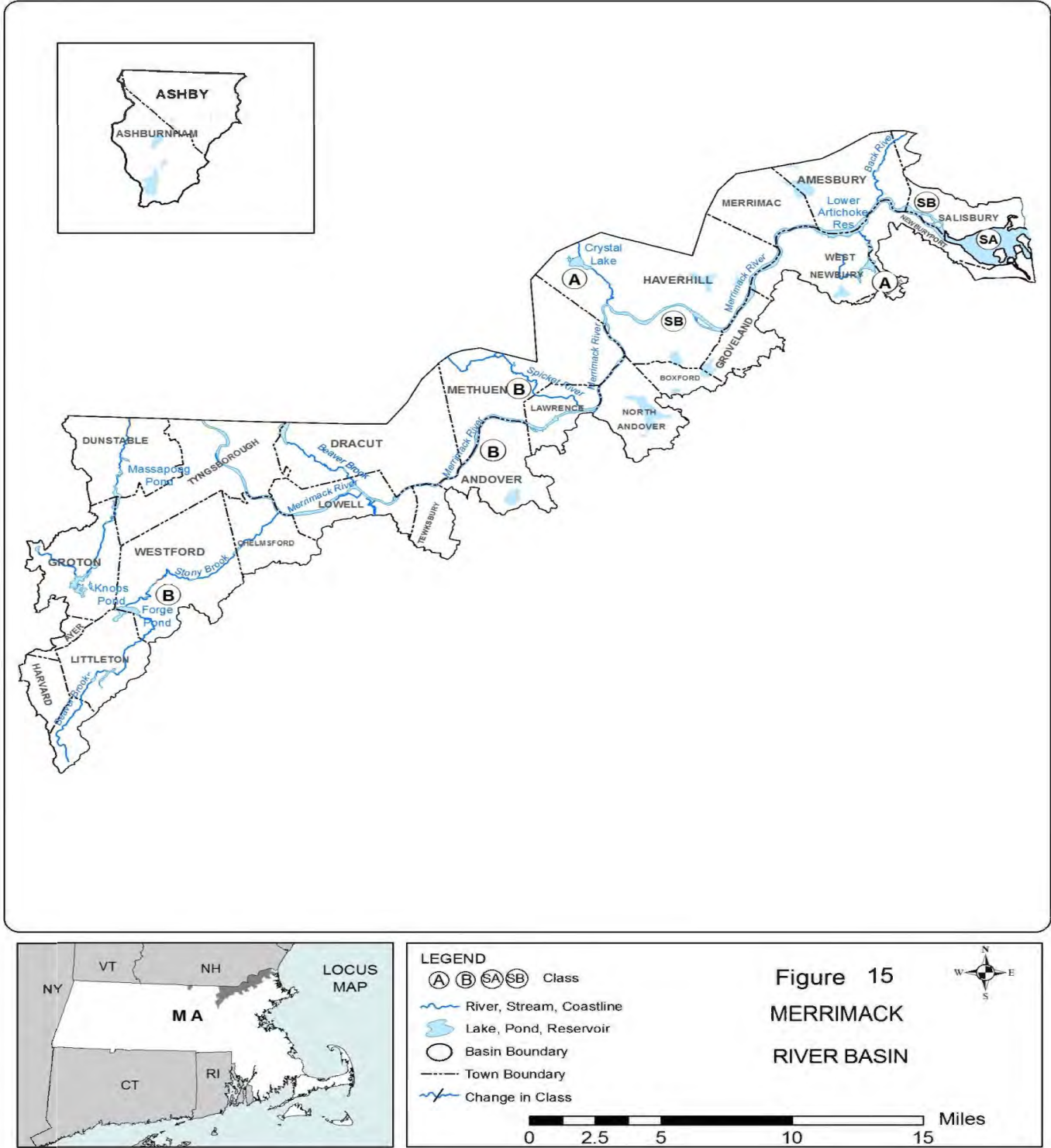
4.06: continued

TABLE 14 ISLANDS COASTAL DRAINAGE AREA*				
Surface Water Name	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Atlantic Ocean and other surface waters	All surface waters within and adjacent to the Elizabeth Islands subject to the rise and fall of the tide and within 1,000 feet seaward of mean low water		SA	Shellfishing ORW
	All surface waters subject to the rise and fall of the tide, within the off-shore boundaries of the towns within Nantucket and Dukes counties		SA	Shellfishing

* Acronym:
ORW = Outstanding Resource Water

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued



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TABLE 15 MERRIMACK RIVER BASIN*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Merrimack River	From the MA-NH state line to Pawtucket Dam	49.8 - 40.6	B	Warm Water Treated Water Supply CSO
	From Pawtucket Dam to Essex Dam, Lawrence	40.6 - 29.0	B	Warm Water Treated Water Supply CSO
	From Essex Dam, Lawrence to confluence with the Little River, Haverhill	29.0 - 21.9	B	Warm Water CSO
	From confluence with the Little River, Haverhill to the Atlantic Ocean; includes the Back River, Salisbury	21.9 - 0.0	SB	Shellfishing CSO
	The Basin in the Merrimack River Estuary, Newbury and Newburyport		SA	Shellfishing
Stony Brook	From outlet of Forge Pond, Westford to confluence with the Merrimack River, Chelmsford	10.3 - 0.0	B	Warm Water
Beaver Brook	From the MA-NH state line, Dracut, to confluence with the Merrimack River	4.2 - 0.0	B	Cold Water
Spicket River	From the MA-NH state line, Methuen, to the General Street Bridge, Lawrence		B	Warm Water
	From the General Street Bridge, Lawrence, to confluence with the Merrimack River, Lawrence		B	Warm Water CSO
Little River	From the MA-NH state line, Rosemont, to confluence with the Merrimack River, Haverhill	4.3 - 0.0	B	Warm Water
Cobbler Brook	Source in Merrimack to confluence with the Merrimack River	3.7 - 0.0	B	Cold Water
Powwow River	From outlet of Tuxbury Pond, Amesbury, to inlet of Lake Gardner and those tributaries thereto		A	PWS ORW
	From outlet of Lake Gardner to tidal portion	6.4 - 1.3	B	Warm Water
	Tidal portion	1.3 - 0.0	SB	Shellfishing

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4.06: continued

TABLE 15 MERRIMACK RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Plum Island River	From Chaces Island, Merrimack River Estuary, to the "high sandy sand bar" ¹ , just north of the confluence with Pine Island Creek, Newbury		SA	Shellfishing ORW
Little Pine Island Creek	Entire length ¹ , Newbury		SA, B ²	ORW
Plumbush Creek			SA, B ²	ORW
Lake Attitash	Entire lake to outlet in Amesbury and those tributaries thereto		A	PWS ORW
Tuxbury Pond	Entire pond to outlet in Amesbury and those tributaries thereto		A	PWS ORW
Millvale Reservoir	Entire reservoir to outlet in Haverhill and those tributaries thereto		A	PWS ORW
Kenoza Lake	Entire lake to outlet in Haverhill and those tributaries thereto		A	PWS ORW
Crystal Lake	Entire lake to outlet in Haverhill and those tributaries thereto		A	PWS ORW
Haggets Pond	Entire pond to outlet in Andover and those tributaries thereto		A	PWS ORW
Fish Brook	Entire length and those tributaries thereto	4.0 - 0.0	A	PWS ORW
Lake Cochichewick	Entire lake to outlet in North Andover and those tributaries thereto		A	PWS ORW
Artichoke Reservoir (Upper and Lower Artichoke Reservoir)	Entire reservoir to outlet in West Newbury and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Indian Hill Reservoir)	Entire reservoir to outlet in West Newbury and those tributaries thereto		A	PWS ORW
Chadwick Pond (Little Pond)	Entire pond to outlet in Haverhill and those tributaries thereto		A	PWS ORW
Hoveys Pond (Mitchell Pond, Johnson Pond)	Entire pond to outlet in Boxford and those tributaries thereto		A	PWS ORW
Johnsons Pond	Entire pond to outlet in Groveland and those tributaries thereto		A	PWS ORW
Round Pond (Lake Pentucket)	Entire lake to outlet in Haverhill and those tributaries thereto		A	PWS ORW
Crooked Springs Brook	Source in Chelmsford to confluence with Stony Brook, Chelmsford		B	Cold Water

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4.06: continued

TABLE 15 MERRIMACK RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Reed Brook	Source in Westford to confluence with Stony Brook, Westford		B	Cold Water

* Acronyms:
ACEC = Area of Critical Environmental Concern
CSO = Combined Sewer Overflow
ORW = Outstanding Resource Water
PWS = Public Water Supply

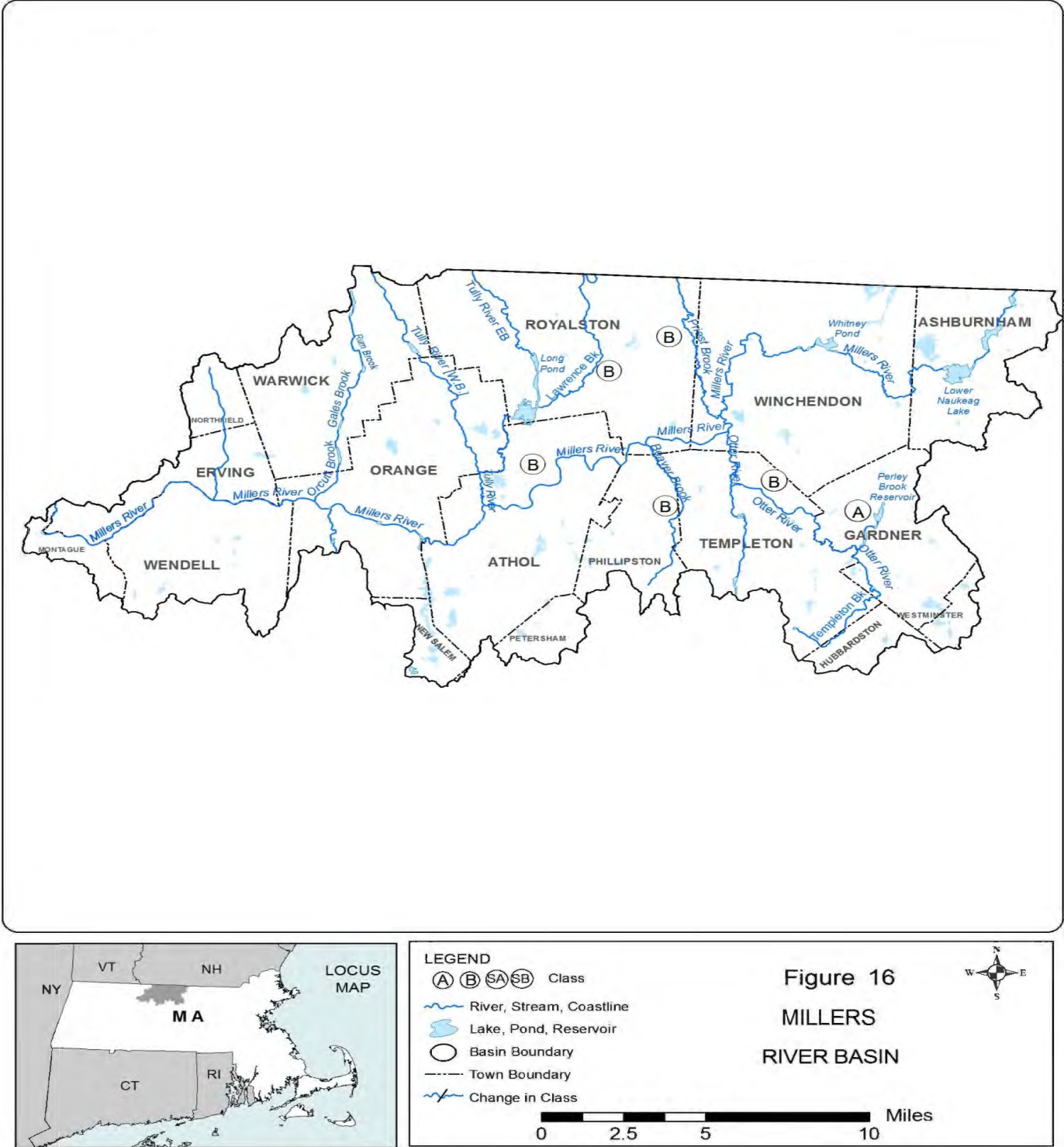
† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Note that all or a portion of this surface water is within the Great Marsh ACEC, (formerly Parker River/Essex Bay ACEC).

² Coastal and marine waters Class SA; fresh waters Class B.

4.06: continued



4.06: continued

TABLE 16 MILLERS RIVER BASIN*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Millers River	Source to Winchendon POTW discharge	42.2 - 35.7	B	Cold Water
	From Winchendon POTW discharge to confluence with the Connecticut River	35.7 - 0.0	B	Warm Water
Otter River	From Gardner POTW discharge to confluence with the Millers River	9.7 - 0.0	B	Warm Water
Beaver Brook	Source in Phillipston to confluence with the Millers River, Royalston		B	Cold Water
Upper Naukeag Lake	Entire lake to outlet in Ashburnham and those tributaries thereto		A	PWS ORW
Newton Reservoir	Entire reservoir to outlet in Athol and those tributaries thereto		A	PWS ORW
Phillipston Reservoir	Source to outlet in Phillipston and those tributaries thereto		A	PWS- Abandoned ORW
Crystal Lake (Crystal Lake Reservoir)	Entire lake to outlet in Gardner and those tributaries thereto		A	PWS ORW
Cowee Pond (Mamjohn Pond)	Entire pond to outlet in Gardner and those tributaries thereto		A	PWS ORW
Perley Brook Reservoir	Entire reservoir to outlet in Gardner and those tributaries thereto		A	PWS ORW
Lake Ellis (Ellis Pond)	Entire lake to outlet in Athol and those tributaries thereto		A	PWS- Abandoned OR W
Boyce Brook	From New Hampshire state line at Royalston to confluence with East Branch Tully River, Royalston		B	Cold Water
Briggs Brook	Source in Erving to confluence with Millers River, Erving		B	Cold Water
Cheney Brook	Source in Warwick to confluence with West Brook, Orange		B	Cold Water
Collar Brook	Source in Royalston to confluence with West Branch Tully River, Orange		B	Cold Water
Coolidge Brook	Source in Orange to confluence with North Pond Brook, Orange		B	Cold Water
Crow Hill Brook	Source in Templeton to confluence with Trout Brook, Templeton		B	Cold Water
Dunn Brook	Source in Phillipston to confluence with Chickering Brook, Phillipston		B	Cold Water

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4.06: continued

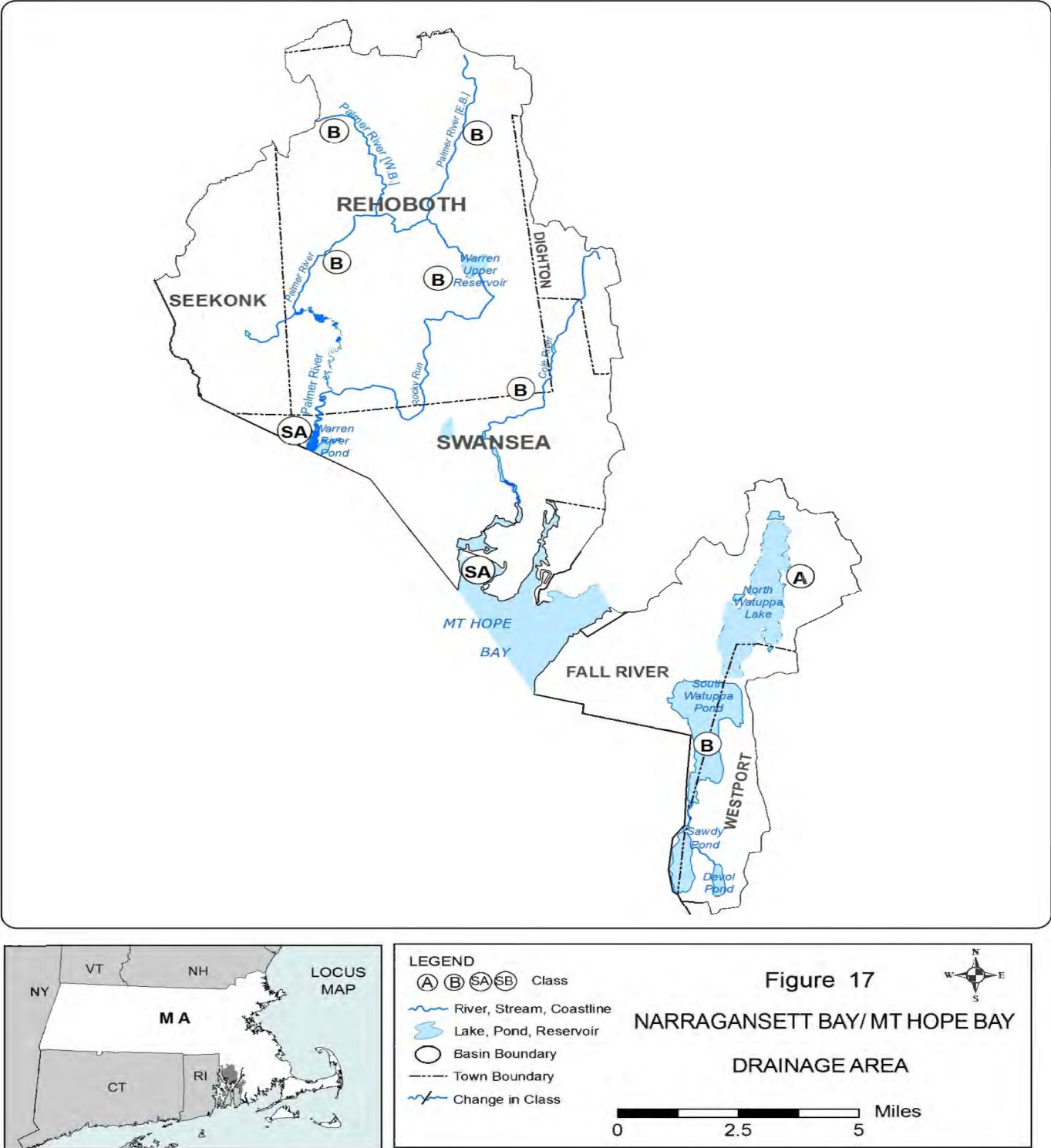
TABLE 16 MILLERS RIVER BASIN (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Fish Brook	Source in Royalston to confluence with West Branch Tully River, Orange		B	Cold Water
Gate Hill Brook	Source in Wendell to confluence with Mormon Hollow Brook, Wendell		B	Cold Water
Hoyt Brook	Source in Phillipston to confluence with Beaver Brook, Phillipston		B	Cold Water
Jacks Brook	Source in Northfield to confluence with Keyup Brook, Erving		B	Cold Water
Kenny Brook	Source in Royalston to confluence with Millers River, Royalston		B	Cold Water
Keyup Brook	Source in Northfield to confluence with Millers River, Erving		B	Cold Water
Lyons Brook	From the outlet of Ruggles Pond, Wendell, to confluence with the Millers River, Montague		B	Cold Water
Mormon Hollow Brook	Source in Wendell to confluence with Millers River, Wendell		B	Cold Water
Packard Brook	Source in Erving to confluence with Millers River, Erving		B	Cold Water
Rich Brook	Source in Royalston to confluence with Millers River, Athol		B	Cold Water
Thrower Brook	Source in Athol to inlet of South Athol Pond, Athol		B	Cold Water
Tully Brook	From MA-NH state line at Royalston to confluence with East Branch Tully River, Royalston		B	Cold Water
Wilson Brook	Source in Warwick to confluence with Darling Brook, Warwick		B	Cold Water

* Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued



4.06: continued

TABLE 17 NARRAGANSETT BAY/MOUNT HOPE BAY DRAINAGE AREA*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Barrington River	Source to the MA-RI state line		SA	Shellfishing
Palmer River	Source to inlet of Shad Factory Pond		B	Cold Water
	From the outlet of Shad Factory Pond to the MA-RI state line		SB	Shellfishing
Mount Hope Bay	East of a straight line from Brayton Point to Buoy 4		SB	Shellfishing CSO
	The Massachusetts portion of the bay landward from an imaginary line drawn from MA/RI state border, Swansea, southeastwardly along the MA/RI state border, Swansea to Buoy 4 (approximately 3/4 of a mile due east of Spar Island, RI), then along an imaginary line from Buoy 4 to Brayton Point, Somerset, excluding the Lee and Cole rivers.		SA	Shellfishing
Cole River	Source to estuary		B	Warm Water
	Estuary, from Route 6, Swansea to mouth at confluence with Mount Hope Bay at old railway grade, Swansea.		SA	Shellfishing
Lee River	Source to estuary		B	Warm Water
	Estuary, from confluence with Lewin Brook, Swansea to mouth at confluence with Mount Hope Bay, Swansea/Somerset		SA	Shellfishing
Quequechan River	Entire length	2.5 - 0.0	B	Warm Water CSO
North Watuppa Pond	Entire pond to outlet in Fall River and those tributaries thereto		A	PWS ORW
Shad Factory Pond	Entire pond to outlet in Rehoboth		B	Treated Water Supply Cold Water
Warren Upper Reservoir (Anawan Reservoir)	Entire reservoir to outlet in Rehoboth		B	Treated Water Supply

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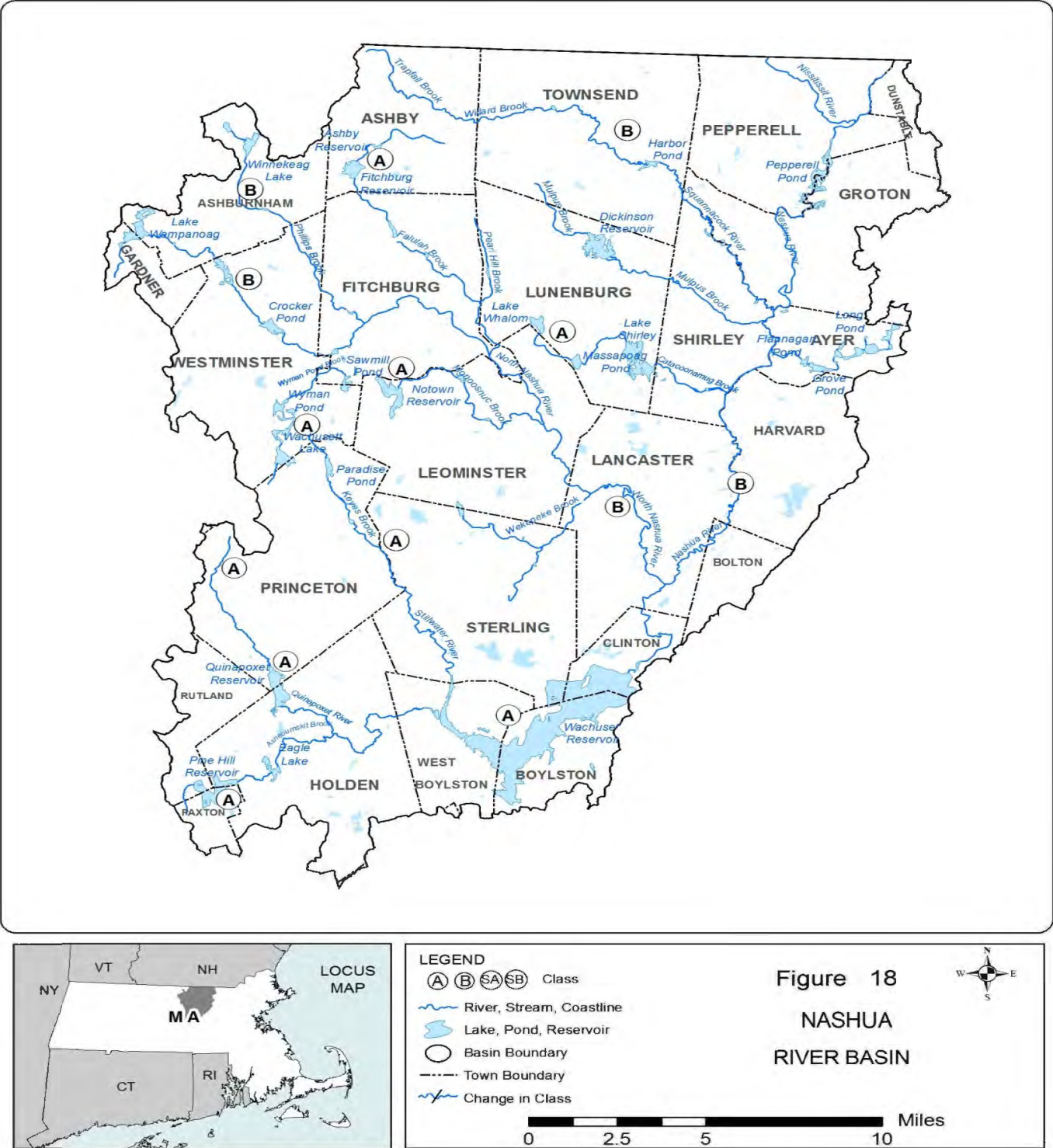
TABLE 17 NARRAGANSETT BAY/MOUNT HOPE BAY DRAINAGE AREA (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Warren Reservoir (Swansea Reservoir)	Entire reservoir to outlet in Swansea		B	Treated Water Supply

* Acronyms:
CSO = Combined Sewer Overflow
ORW = Outstanding Resource Water
PWS = Public Water Supply

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4.06: continued



4.06: continued

TABLE 18 NASHUA RIVER BASIN*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Nashua River	From outlet of Lancaster Millpond, Clinton, to confluence with the North Nashua River, Lancaster (this segment is also known as the South Branch Nashua River)	41.0 - 36.4	B	Warm Water
	From confluence with the North Nashua River, Lancaster, to Pepperell Dam, Pepperell	36.4 - 14.1	B	Warm Water
	From the Pepperell Dam, Pepperell, to the MA-NH state line, Pepperell	14.1 - 10.5	B	Warm Water
North Nashua River	Source to Leominster POTW discharge	18.3 - 12.0	B	Warm Water CSO
	From the Leominster POTW discharge to confluence with the Nashua River	12.0 - 0.0	B	Warm Water
Phillips Brook	From Fitchburg to confluence with the North Nashua River, Fitchburg	1.0 - 0.0	B	Warm Water
Squannacook River	Source to Hollingsworth & Vose Dam, Shirley ¹	14.3 - 3.3	B	Cold Water ORW
	From the Hollingsworth & Vose Dam, Shirley to confluence with the Nashua River ¹	3.3 - 0.0	B	Warm Water
Nissitissit River	From the MA-NH state line, Pepperell, to confluence with the Nashua River ¹		B	Cold Water ORW
Baker Brook	In Fitchburg/Lunenburg, to confluence with the Nashua River, Fitchburg		B	CSO
Unnamed stream (Punch Brook)	From CSO discharge (FIT082) at Oliver Street between Adams and Elm Street, Fitchburg, to confluence with the North Nashua River, Fitchburg (this entire segment is culverted)		B	CSO
Beaver Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Bixby Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Locke Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Mason Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Mine Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Pearl Hill Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW

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4.06: continued

TABLE 18 NASHUA RIVER BASIN (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Pumpkin Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Stewart Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Sucker Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Trap Swamp Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Trapfall Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Trout Brook	In Townsend. Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Walker Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Willard Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Witch Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Wolf Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	ORW
Bayberry Hill Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	Cold Water ORW
Gulf Brook	Portion within the Squannacook and Nissitissit Rivers Sanctuary		B	Cold Water ORW
Lovell Reservoir	Entire reservoir to outlet in Fitchburg and those tributaries thereto		A	PWS ORW
Scott Reservoir	Entire reservoir to outlet in Fitchburg and those tributaries thereto		A	PWS ORW
Wachusett Lake	Entire lake to outlet in Westminster and those tributaries thereto		A	PWS ORW
Overlook Reservoir	Entire reservoir to outlet in Fitchburg and those tributaries thereto		A	PWS ORW
Falulah Reservoir	Entire reservoir to outlet in Fitchburg and those tributaries thereto		A	PWS ORW
Muschopauge Pond (Muschopauge Pond Reservoir)	Entire pond to outlet in Rutland and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 18 NASHUA RIVER BASIN (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Notown Reservoir	Entire reservoir to outlet in Leominster and those tributaries thereto		A	PWS ORW
Simonds Pond (Simonds Pond Reservoir)	Entire pond to outlet in Leominster and those tributaries thereto		A	PWS ORW
Goodfellow Pond	Entire pond to outlet in Leominster and those tributaries thereto		A	PWS ORW
Haynes Reservoir	Entire reservoir to outlet in Leominster and those tributaries thereto		A	PWS ORW
Morse Reservoir	Entire reservoir to outlet in Leominster and those tributaries thereto		A	PWS ORW
Distributing Reservoir	Entire reservoir to outlet in Leominster and those tributaries thereto		A	PWS ORW
Fall Brook Reservoir	Entire reservoir to outlet in Leominster and those tributaries thereto		A	PWS ORW
Meetinghouse Pond (Meeting House Reservoir)	Entire pond to outlet in Westminster and those tributaries thereto		A	PWS ORW
Asnebumskit Pond	Entire pond to outlet in Paxton and those tributaries thereto		A	PWS ORW
Fitchburg Reservoir	Entire reservoir to outlet in Ashby and those tributaries thereto		A	PWS ORW
Kendall Reservoir	Entire reservoir to outlet in Holden and those tributaries thereto		A	PWS ORW
Pine Hill Reservoir	Entire reservoir to outlet in Holden and those tributaries thereto		A	PWS ORW
Quinapoxet Reservoir	Entire reservoir to outlet in Holden and those tributaries thereto		A	PWS ORW
Wachusett Reservoir	Entire reservoir to outlet in Clinton and those tributaries thereto		A	PWS ORW
Ashby Reservoir	Entire reservoir to outlet in Ashby and those tributaries thereto		A	ORW
Bixby Reservoir	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Townsend		B	ORW
Coon Tree Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Pepperell		B	ORW
Damon Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Ashby		B	ORW
Flat Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Groton		B	ORW

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4.06: continued

TABLE 18 NASHUA RIVER BASIN (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Graves Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Townsend		B	ORW
Harbor Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Townsend		B	ORW
Heald Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Pepperell		B	ORW
Pearl Hill Brook Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Townsend		B	ORW
Pork Barrel Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Pepperell		B	ORW
Walker Pond	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Townsend		B	ORW
Wright Pond (Lower Wright Pond & Upper Wright Pond)	Portion within the Squannacook and Nissitissit Rivers Sanctuary, Ashby		B	ORW
Ball Brook	Source in Holden to confluence with Stillwater River, Sterling		A	Cold Water PWS ORW
Bumbo Brook	Source in Paxton to inlet of Pine Hill Reservoir, Paxton		A	Cold Water PWS ORW
Unnamed Stream (Burnt Mill Pond Brook)	From outlet of Round Meadow Pond Dam, Westminster, to confluence with the Whitman River, Westminster		B	Cold Water
Goodridge Brook	Entire length, Lancaster/Clinton		B	Cold Water
Malden Brook	Source in West Bolyston to inlet of Wachusett Reservoir, West Bolyston		A	Cold Water PWS ORW
Morse Brook	Source in Shirley to confluence with Nashua River, Shirley		B	Cold Water
Mulpus Brook	Source in Lunenburg to confluence with the Nashua River, Shirley ¹		B	Cold Water
Ponakin Brook	Source in Lancaster to confluence with North Nashua River, Lancaster		B	Cold Water
Poor Farm Brook	Source to inlet of Chaffin Pond, Holden		A	Cold Water PWS ORW
Reedy Meadow Brook	Source in Groton to confluence with the Nashua River, Pepperell ²		B	Cold Water

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4.06: continued

TABLE 18 NASHUA RIVER BASIN (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Scanlon Brook	Source in Sterling to confluence with Stillwater River, Sterling		A	Cold Water PWS ORW
South Meadow Brook	From outlet of Fitch Pond, Sterling, to inlet of South Meadow Pond, Clinton		B	Cold Water
Steam Mill Brook	Source in Princeton to confluence with Bartlett Pond Brook, Sterling		A	Cold Water PWS ORW
Still River	Source to Rte. 117, Bolton ³		B	Cold Water

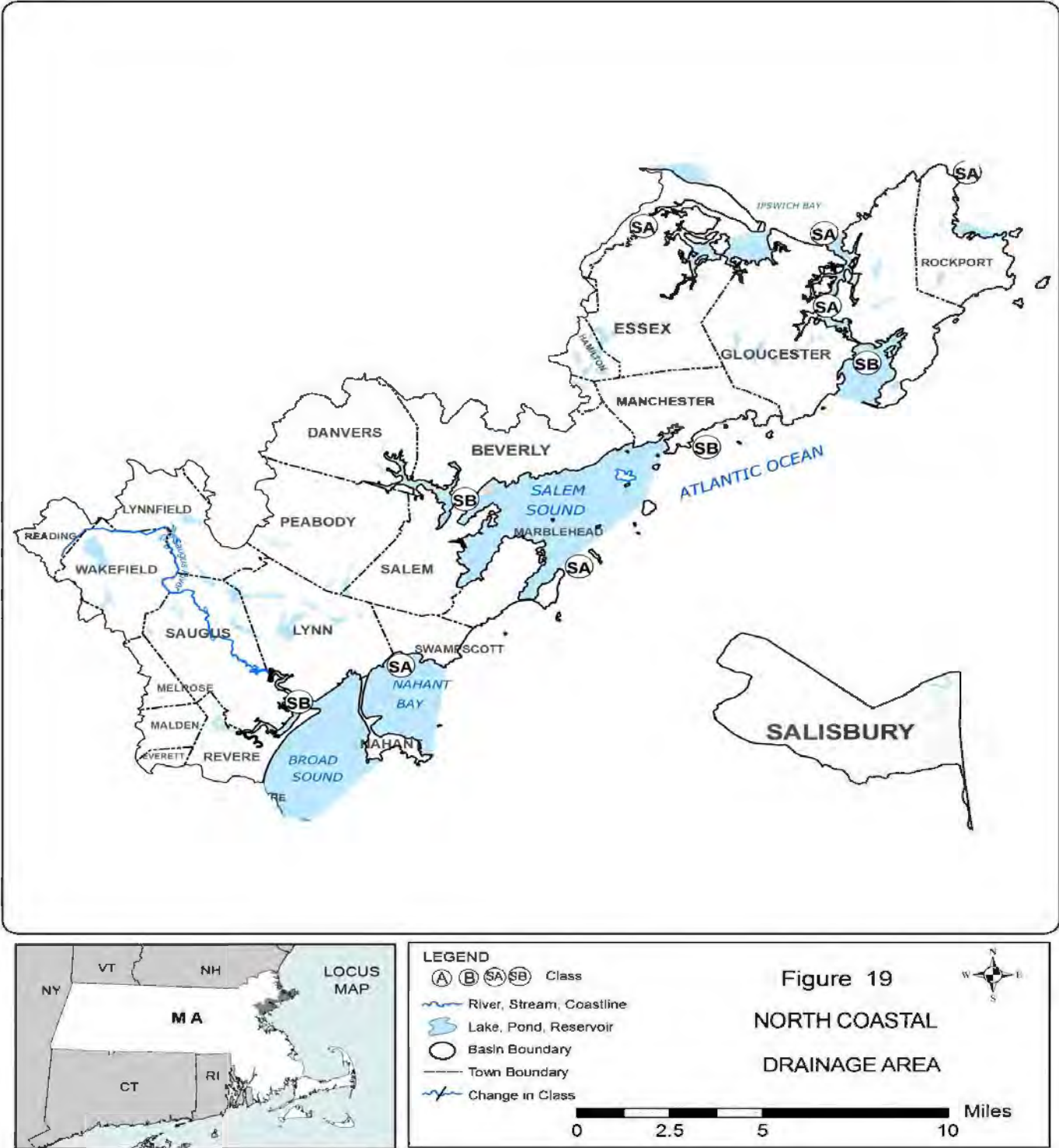
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‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Note that all or a portion of this surface water is within the Squannacook and Nissitissit Rivers Sanctuary and/or the Squannassit ACEC.
² Note that all or a portion of this surface water is within the Petapawag ACEC.
³ Note that all or a portion of this surface water is within the Central Nashua River Valley ACEC.

4.06: continued



4.06: continued

TABLE 19 NORTH COASTAL DRAINAGE AREA*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Essex River	The coastal and marine portions of the Essex River and those tributaries thereto in the Town of Essex ¹		SA	Shellfishing ORW
Ebben Creek	Portion of the surface water within the Great Marsh ACEC ²		SA	Shellfishing ORW
Lufkin Creek	Portion of the surface water within the Great Marsh ACEC ²		SA	Shellfishing ORW
Soginese Creek	Portion of the surface water within the Great Marsh ACEC ²		SA	Shellfishing ORW
Essex Bay	The waters landward within an imaginary line drawn from the northwestern tip of Gloucester near Coffins Beach to the southern tip of Castle Neck, Ipswich, to the easternmost point of Dilly Island, Essex, and then from Cross Island, Essex, to confluence with Essex River (to Conomo Point, Essex) excluding Walker, Lanes, and Farm creeks.		SA	Shellfishing ORW
Castle Neck River	Portion of the surface water within the Great Marsh ACEC ²		SA	Shellfishing ORW
Walker Creek			SA	Shellfishing ORW
Lanes Creek			SA	Shellfishing ORW
Farm Creek			SA	Shellfishing ORW
Annisquam River	From confluence with Gloucester Harbor at the Route 127 bridge, Gloucester, north to confluence with Ipswich Bay, Gloucester (an imaginary line drawn from Bald Rocks to Wigwam Point, Gloucester).		SA	Shellfishing
Rockport Harbor (including Back Harbor and a portion of Sandy Bay)	The waters landward from the boundary formed by a straight line drawn between Gully Point, Rockport, and Granite Pier, Rockport (including Back Harbor and a portion of Sandy Bay)		SB	Shellfishing
Gloucester Harbor			SB	Shellfishing CSO
Manchester Harbor			SB	Shellfishing

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4.06: continued

TABLE 19 NORTH COASTAL DRAINAGE AREA (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Beverly Harbor	The waters landward from the boundary formed by a straight line drawn between Juniper Point, Salem, to Hospital Point, Beverly (excluding the Danvers River)		SB	Shellfishing
Salem Harbor (including a portion of Salem Sound and Salem Channel)	The waters landward from the boundary formed by a straight line drawn from Naugus Head, Marblehead, to the northwest point of Bakers Island, Salem, to Hospital Point, Beverly, to Juniper Point, Salem (including a portion of Salem Sound and Salem Channel and excluding Forest River)		SB	Shellfishing
Marblehead Harbor	Entire harbor, landward of an imaginary line drawn northwesterly from the northern tip of Marblehead Neck, Marblehead, to Fort Sewall, Marblehead.		SA	Shellfishing
Massachusetts Bay			SA	Shellfishing
Nahant Bay	Entire bay, landward of an imaginary line drawn southerly from Galloupes Point, Swampscott, to East Point, Nahant.		SA	Shellfishing CSO
Lynn Harbor			SB	Shellfishing CSO
Saugus River	Source to the Saugus River Dam	13.6 - 10.5	A	PWS ORW
	From the outlet of the Saugus River Dam to Saugus Iron Works/Bridge Street	10.5 - 5.1	B	
	From Saugus Iron Works/Bridge Street to Boston Street Bridge	5.1 - 3.1	SB	Shellfishing
	Boston Street Bridge to mouth ³	3.1 - 0.0	SB	Shellfishing CSO ORW
Pines River	Source to mouth at confluence with the Saugus River and Lynn Harbor, Saugus/Revere ³		SB	ORW
Diamond Creek			SA	ORW
Spring Pond	Entire pond to outlet in Saugus ⁴		B	ORW
Griswold Pond	Entire pond to outlet in Saugus ⁴		B	ORW
Babson Reservoir	Entire reservoir to outlet in Gloucester and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 19 NORTH COASTAL DRAINAGE AREA (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Haskell Pond (Haskell Reservoir)	Entire pond to outlet in Gloucester and those tributaries thereto		A	PWS ORW
Goose Cove Reservoir	Entire reservoir to outlet in Gloucester and those tributaries thereto		A	PWS ORW
Dykes Pond (Dykes Reservoir)	Entire pond to outlet in Gloucester and those tributaries thereto		A	PWS ORW
Wallace Pond (Wallace Reservoir)	Entire pond to outlet in Gloucester and those tributaries thereto		A	PWS ORW
Fernwood Lake	Entire lake to outlet in Gloucester and those tributaries thereto		A	PWS ORW
Klondike Reservoir (Quarry Reservoir)	Entire reservoir to outlet in Gloucester and those tributaries thereto		A	PWS ORW
Hawkes Pond	Entire pond to outlet in Saugus and those tributaries thereto		A	PWS ORW
Birch Pond	Entire pond to outlet in Saugus and Lynn and those tributaries thereto		A	PWS ORW
Breeds Pond	Entire pond to outlet in Lynn and those tributaries thereto		A	PWS ORW
Walden Pond	Entire pond to outlet in Lynn and those tributaries thereto		A	PWS ORW
Gravelly Pond	Entire pond to outlet in Hamilton and those tributaries thereto		A	PWS ORW
Spring Pond	Entire pond to outlet in Peabody and those tributaries thereto		A	PWS ORW
Cape Pond	Entire pond to outlet in Rockport and those tributaries thereto		A	PWS ORW
Quarry Reservoir (Carlson's Quarry)	Entire reservoir to outlet in Rockport and those tributaries thereto		A	PWS ORW
Crystal Lake	Entire lake to outlet in Wakefield and those tributaries thereto		A	PWS ORW

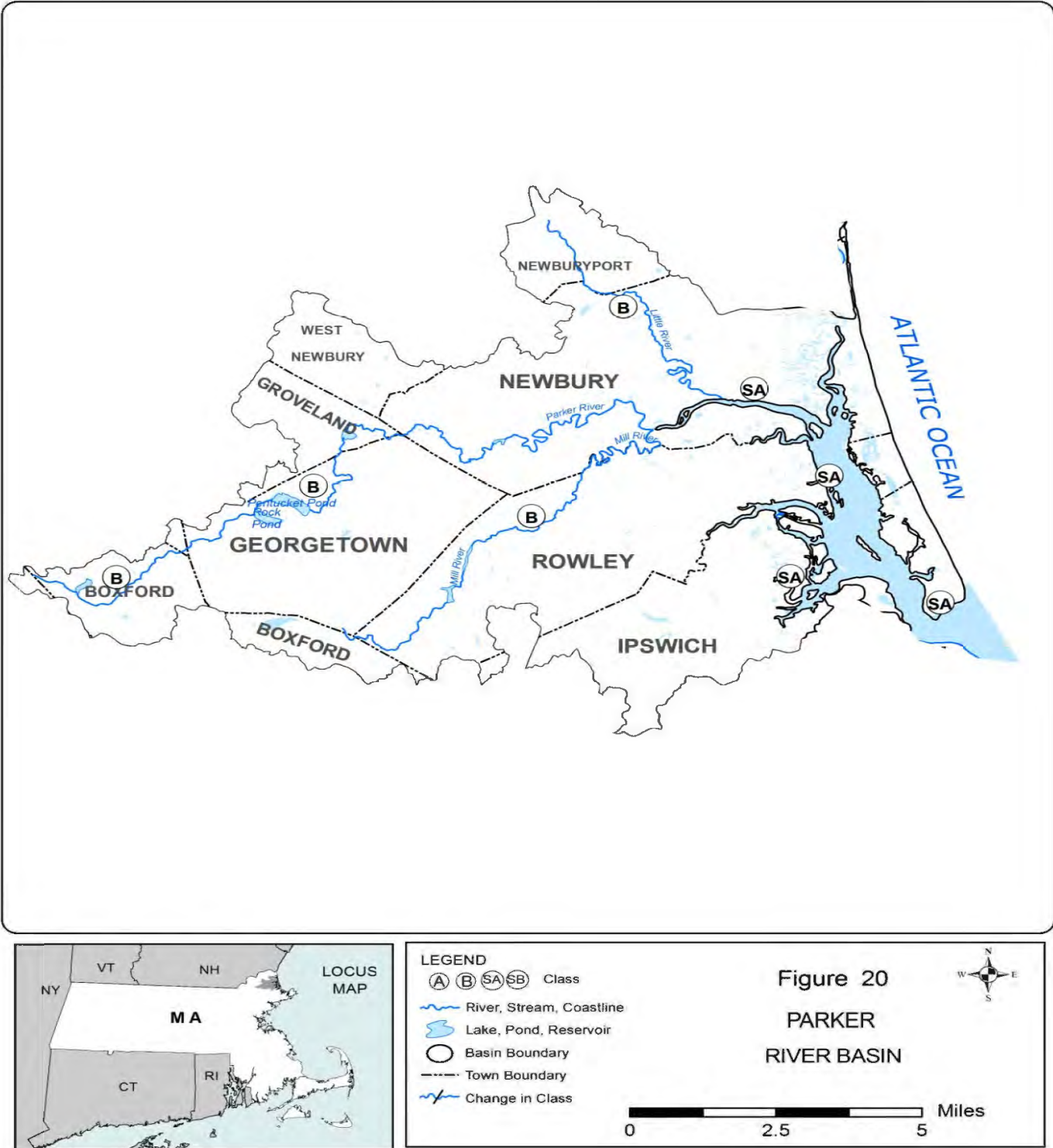
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¹ Note that all or a portion of this surface water is within the Great Marsh ACEC (formerly the Parker River/Essex Bay ACEC).
² Formerly the Parker River/Essex Bay ACEC.
³ Note that all or a portion of this surface water is within the Rumney Marshes ACEC.
⁴ Note that all or a portion of this surface water is within the Golden Hills ACEC.

4.06: continued



4.06: continued

TABLE 20 PARKER RIVER BASIN*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Parker River	Source in Boxford to tidal portion east of Parker River Dam #1, Newbury	23.1 - 9.0	B	Warm Water High Quality Water
	Tidal portion east of Parker River Dam #1 (NAT ID: MA00241), Newbury, to confluence with Plum Island Sound, Newbury, and those tributaries thereto ¹	9.0 - 0.0	SA	Shellfishing ORW
Mill River	Source in Boxford to tidal portion and those tributaries thereto	9.6 - 2.3	B	Warm Water ORW
	Tidal portion and those tributaries thereto ¹	2.3 - 0.0	SA, B ²	Shellfishing ORW
Eagle Hill River	Entire length and those tributaries thereto ¹		SA, B ²	ORW
Third Creek	Entire length, Ipswich ¹		SA, B ²	ORW
Roger Island River	Entire length and those tributaries thereto ¹		SA, B ²	ORW
Rowley River	Entire length and those tributaries thereto ¹		SA, B ²	ORW
Egypt River	Entire length, Ipswich/Rowley ¹		SA, B ²	ORW
Mud Creek	Entire length, Newbury/Rowley, and those tributaries thereto ¹		SA, B ²	ORW
Plum Island River	South of “high sandy” sand bar, <u>Newbury</u> , to confluence with Plum Island Sound, Newbury ¹		SA	Shellfishing ORW
Pine Island Creek	Entire length, Newbury ¹		SA, B ²	ORW
Jericho Creek	Entire length, Newbury ¹		SA, B ²	ORW
Plum Island Sound	Entire sound, Newbury/Rowley/Ipswich ¹ , from confluence with the mouths of the Parker and Plum Island rivers, Newbury, to confluence with the Atlantic Ocean, Ipswich (includes Ipswich Bay)		SA	Shellfishing ORW
Broad Creek	Portion within the Great Marsh ACEC ³ , Ipswich		SA	ORW
Carolton Creek	Portion within the Great Marsh ACEC ³ , Rowley		SA	ORW
Club Head Creek	Portion within the Great Marsh ACEC ³ , Rowley		SA	ORW
Laws Creek	Portion within the Great Marsh ACEC ³ , Ipswich		SA	ORW

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4.06: continued

TABLE 20 PARKER RIVER BASIN (continued)*				
Surface Water Name †	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Lords Creek	Portion within the Great Marsh ACEC ³ , Ipswich		SA	ORW
Metcalf Creek	Portion within the Great Marsh ACEC ³ , Ipswich		SA, B ²	ORW
Paine Creek	Portion within the Great Marsh ACEC ³ , Ipswich		SA	ORW
Sand Creek	Portion within the Great Marsh ACEC ³ , Rowley		SA, B ²	ORW
Sawyer Creek	Portion within the Great Marsh ACEC ³ , Rowley		SA, B ²	ORW
Shad Creek	Portion within the Great Marsh ACEC ³ , Rowley		SA, B ²	ORW
Six Goose Creek	Portion within the Great Marsh ACEC ³ , Ipswich		SA	ORW
Stacy Creek	Portion within the Great Marsh ACEC ³ , Ipswich		SA	ORW
West Creek	Portion within the Great Marsh ACEC ³ , Rowley		SA	ORW
Ox Pasture Brook	Portion within the Great Marsh ACEC ³ , Rowley		SA, B ²	ORW
Bull Brook Reservoir	Entire reservoir to outlet in Ipswich and those tributaries thereto		A	PWS ORW
Dow Brook Reservoir	Entire reservoir to outlet in Ipswich and those tributaries thereto		A	PWS ORW

- * Acronyms:
- ACEC = Area of Critical Environmental Concern
 - NAT ID = National Inventory of Dams
 - ORW = Outstanding Resource Water
 - PWS = Public Water Supply

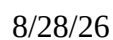
† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Note that all or a portion of this surface water is within the Great Marsh ACEC (formerly Parker River/Essex Bay ACEC).

² Coastal and marine waters Class SA; fresh waters Class B.

³ Formerly the Parker River/Essex Bay ACEC.



4.06: continued

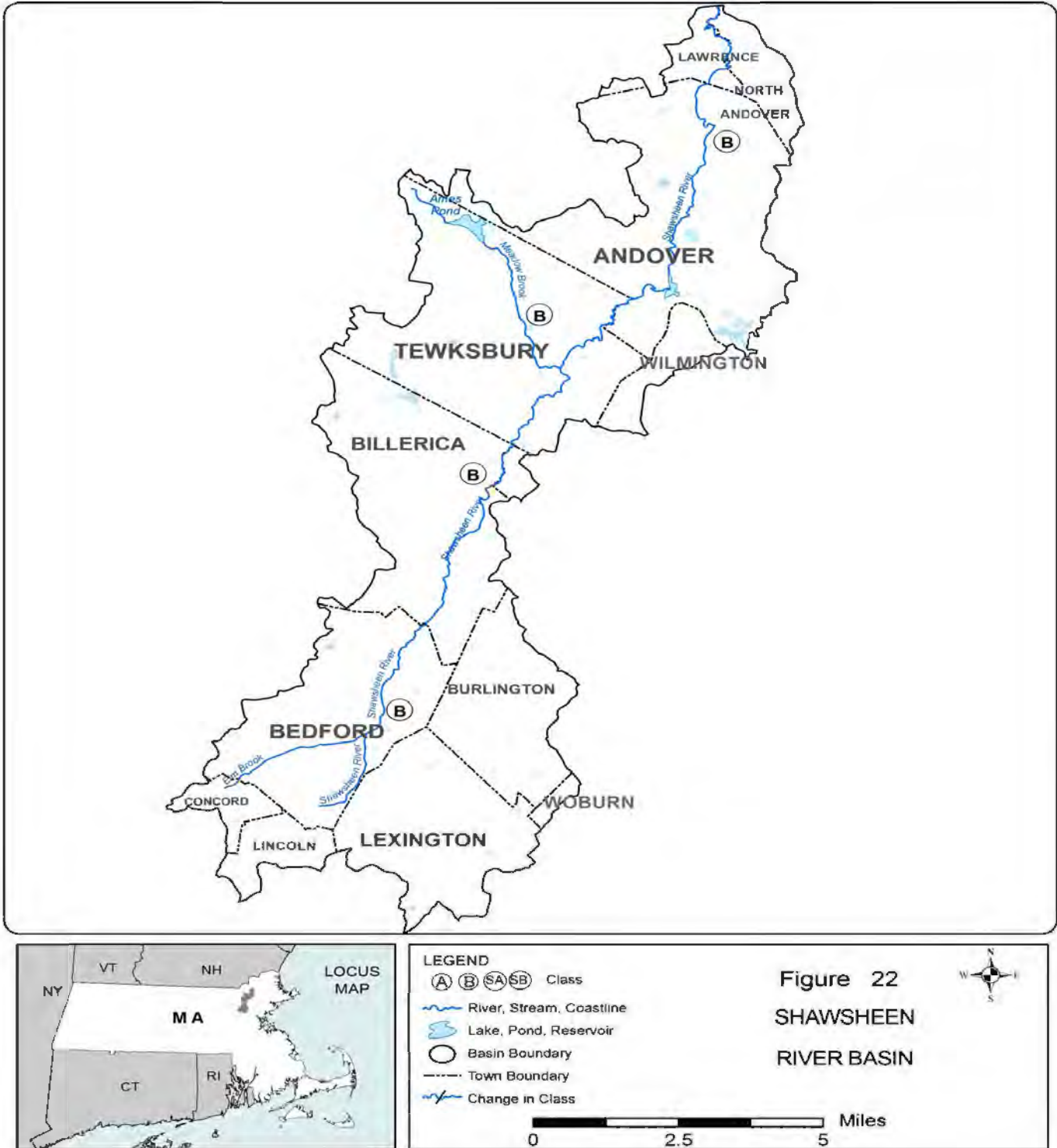
TABLE 21 QUINEBAUG RIVER BASIN*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Quinebaug River	From outlet of Hamilton Reservoir to Sturbridge POTW discharge	0.7 - 19.7	B	Cold Water High Quality Water
	From Sturbridge POTW discharge to confluence with Cady Brook	19.7 - 13.4	B	Cold Water
	From confluence with Cady Brook to Southbridge POTW discharge	13.4 - 12.2	B	Warm Water
	From Southbridge POTW discharge to MA-CT state line	12.2 - 7.9	B	Warm Water
Cady Brook	From outlet of Glen Echo Lake to Charlton City POTW discharge	6.1 - 5.1	B	Warm Water High Quality Water
	From Charlton City POTW discharge to confluence with Quinebaug River	5.1 - 0.0	B	Warm Water
Cohasse Brook Reservoir (Lo Cohasse Brook Reservoir)	Entire reservoir to outlet in Southbridge and those tributaries thereto		A	PWS ORW
No. 3 Reservoir (Hatchet Brook Reservoir #3)	Entire reservoir to outlet in Southbridge and those tributaries thereto		A	PWS ORW
Tufts Branch	From source in Dudley to the MA-CT state line		B	Cold Water

* Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued

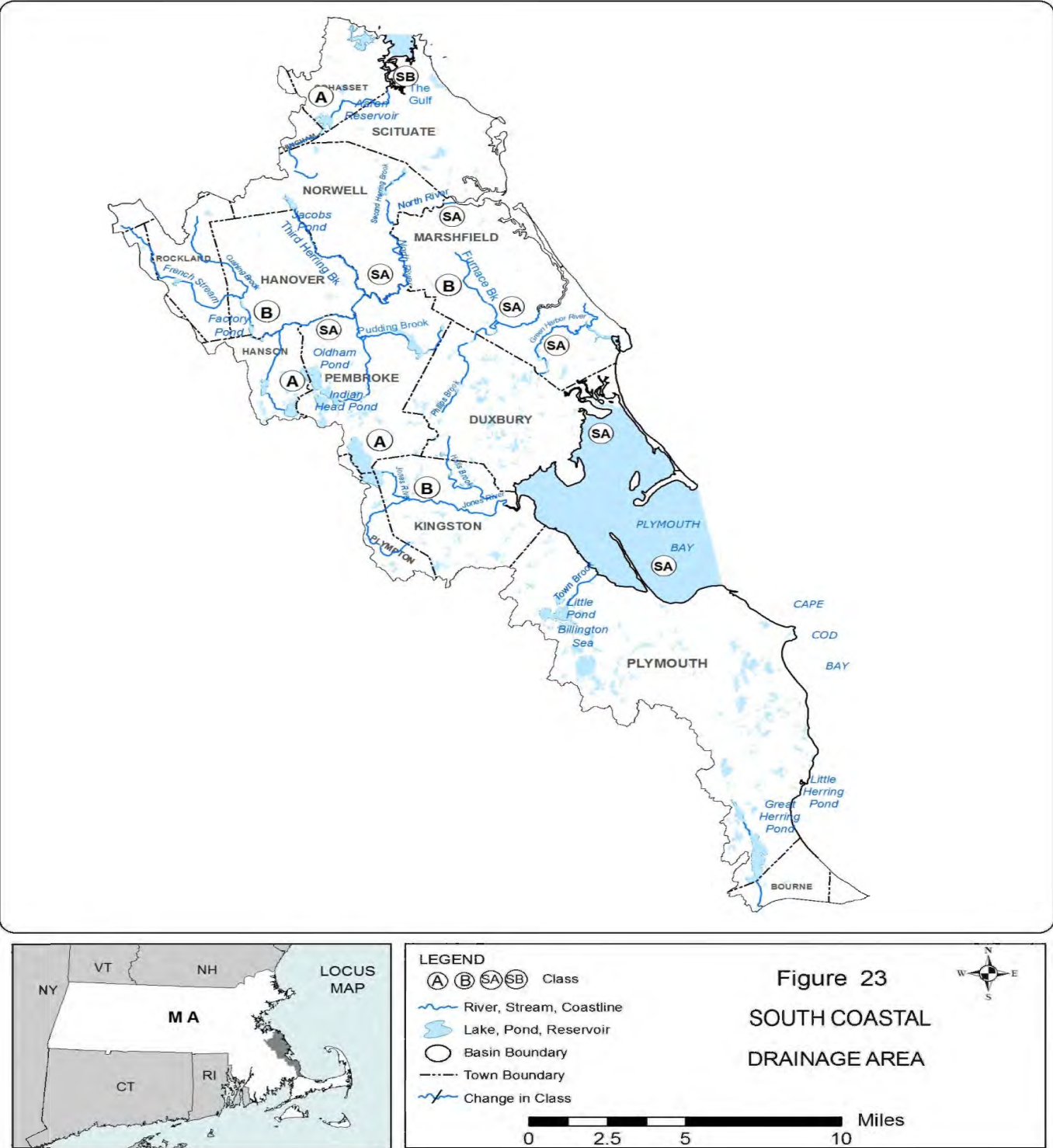


4.06: continued

TABLE 22 SHAWSHEEN RIVER BASIN				
Surface Water Name	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Shawsheen River	Source to drinking water intake in Billerica (approximately Cook Street and Alexander Road)	25.0 - 18.0	B	Treated Water Supply Warm Water
	From drinking water intake in Billerica to confluence with the Merrimack River	18.0 - 0.0	B	Warm Water

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued



4.06: continued

TABLE 23 SOUTH COASTAL DRAINAGE AREA*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Cohasset Harbor	The waters south of an imaginary line drawn from the northwestern point of Scituate Neck, Scituate, westerly to the tip north of Quarry Point, Cohasset, not including Cohasset Cove, Cohasset/Scituate.		SA	Shellfishing
Little Harbor	Entire harbor, landward of the Atlantic Avenue Bridge, Cohasset		SA	Shellfishing
The Gulf			SB	Shellfishing
Scituate Harbor	Entire harbor, landward of an imaginary line drawn from the elbow of the jetty southeast off Lighthouse Point, Scituate, to the jetty northeast of the U.S. Coast Guard Station, Scituate.		SA	Shellfishing
French Stream	Entire length, Rockland/Abington/Hanover		B	Warm Water
Drinkwater River	Entire length, Hanover		B	Warm Water
Indian Head River	Source to Curtis Crossing Dam, Hanover/Hanson/Pembroke		B	Warm Water
	From the Curtis Crossing Dam to confluence with Herring Brook, Hanover/Pembroke ¹		B	Warm Water ORW
North River	From the confluence of Indian Head River and Herring Brook, Pembroke/Hanover, to confluence with Third Herring Brook, Hanover/Norwell ¹	11.6 - 9.6	SA	Shellfishing ORW
	From the confluence with Third Herring Brook, Hanover/Norwell, to Main Street (Rte 3A), Marshfield/Scituate ¹	9.6 - 2.0	SA	Shellfishing ORW
	Main Street (Rte 3A), Marshfield/Scituate, to confluence with South River/Massachusetts Bay, Marshfield/Scituate	2.0 - 0.0	SA	Shellfishing
South River	Source in Duxbury to dam at Main Street (Rte 3A), Marshfield/Scituate ¹		B	ORW
	From the dam at Main Street, Marshfield to confluence with North River, Marshfield ¹		SA	Shellfishing ORW
Green Harbor			SA	Shellfishing

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4.06: continued

TABLE 23 SOUTH COASTAL DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Jones River	Source to former Wapping Road Dam, Kingston	7.0 - 3.4	B	Warm Water High Quality Water
	From former Wapping Road Dam, Kingston, to Elm Street Dam, Kingston	3.4 - 2.5	B	Warm Water
Cove Brook	Portion of this surface water within the North River Corridor, Marshfield ¹		SA, B ²	ORW
Herring Brook	Portion of this surface water within the North River Corridor, Pembroke ¹		SA, B ²	ORW
Iron Mine Brook	Portion of this surface water within the North River Corridor, Hanover ¹		SA, B ²	ORW
Second Herring Brook	Portion of this surface water within the North River Corridor, Norwell ¹		SA, B ²	ORW
Stony Brook	Portion of this surface water within the North River Corridor, Norwell ¹		SA, B ²	ORW
Third Herring Brook	Portion of this surface water within the North River Corridor, Norwell ¹		SA, B ²	ORW
Robinson Creek	Portion of this surface water within the North River Corridor, Pembroke ¹		SA, B ²	ORW
Furnace Pond	Entire pond to outlet in Pembroke and those tributaries thereto		A	PWS ORW
Silver Lake	Entire lake to outlet in Kingston and those tributaries thereto		A	PWS ORW
Mounce Pond	Portion of this surface water within the North River Corridor		SA, B ²	ORW
Great Sandy Bottom Pond	Entire pond to outlet in Pembroke and those tributaries thereto		A	PWS ORW
Great South Pond	Entire pond to outlet in Plymouth and those tributaries thereto		A	PWS ORW
Lily Pond	Entire pond to outlet in Cohasset and those tributaries thereto		A	PWS ORW
Little South Pond (South Pond)	Entire pond to outlet in Plymouth and those tributaries thereto		A	PWS ORW
Old Oaken Bucket Pond (Herring Brook Pond)	Entire pond to outlet in Scituate and those tributaries thereto		A	PWS ORW
Aaron River Reservoir	Entire reservoir to outlet in Cohasset and those tributaries thereto		A	PWS ORW

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4.06: continued

TABLE 23 SOUTH COASTAL DRAINAGE AREA (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Abington Rockland Reservoir (Hingham Street Reservoir)	Entire reservoir to outlet in Rockland and those tributaries thereto		A	PWS ORW
Huldah Brook	Source in Marshfield to confluence with Pudding Brook, Pembroke		B	Cold Water

* Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

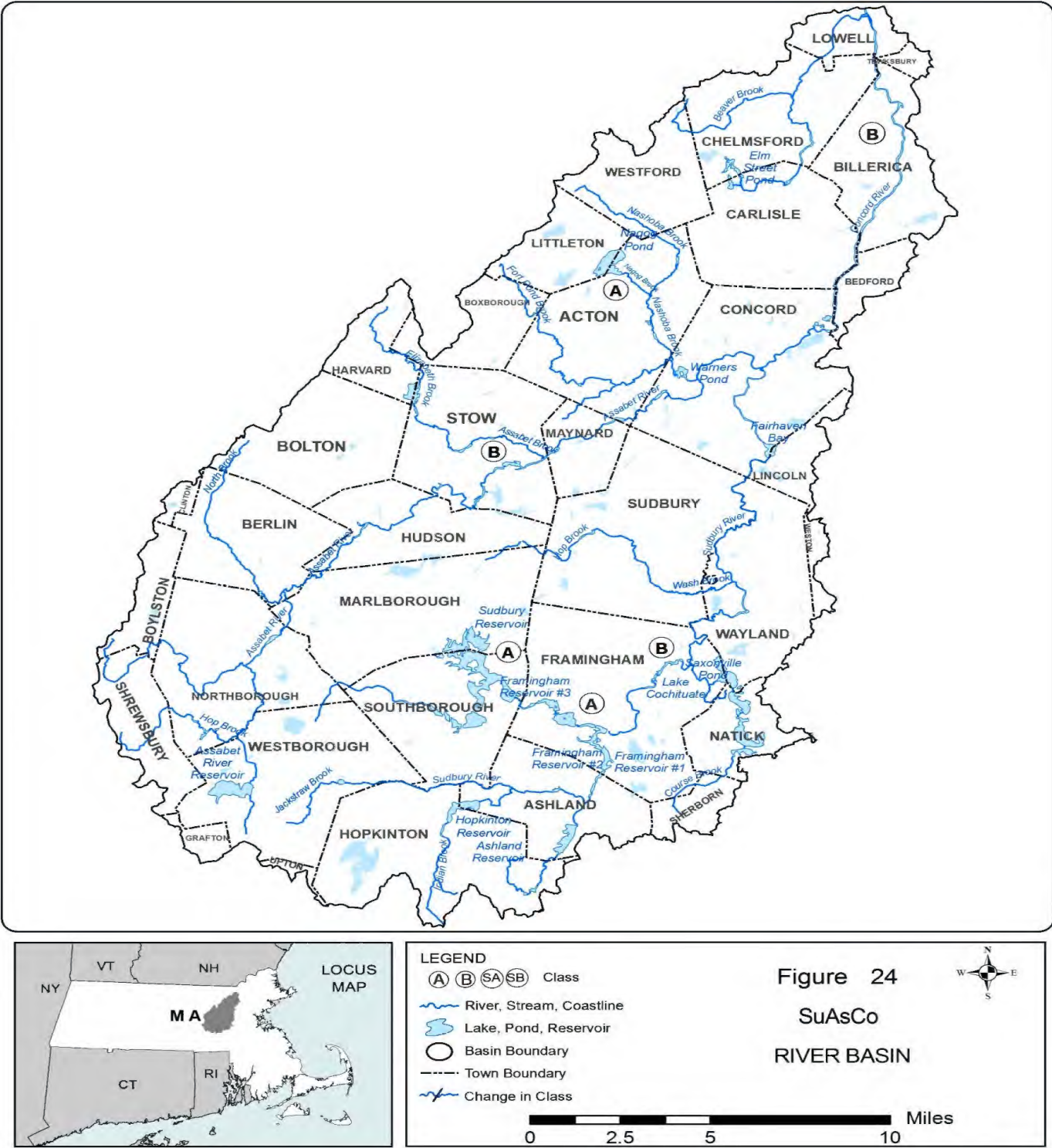
† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Note that all or a portion of these surface waters are within the North River Corridor as defined by the "Scenic and Recreational River Protective Order for the North River", issued pursuant to M.G.L. 21, § 17B, and St. 1978, c. 367, § 62.

² Coastal and marine waters Class SA; fresh waters Class B.

4.06: continued



4.06: continued

TABLE 24 SUDBURY, ASSABET, and CONCORD (SuAsCo) RIVER BASIN*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Sudbury River	From outlet of Cedar Swamp Pond to Fruit Street Bridge in Hopkinton ¹	Above 29.1	B	Warm Water ORW
	From Fruit Street Bridge, Hopkinton to outlet of Saxonville Pond	29.1 - 16.2	B	Warm Water High Quality Water
	From outlet of Saxonville Pond to confluence with Hop Brook, Wayland	16.2 - 10.6	B	High Quality Water
Denney Brook	Entire brook ¹		B	ORW
Jackstraw Brook	Source in Westborough to Upton Road, first crossing south of Hopkinton Road, Westborough ¹		B	Cold Water ORW
	From Upton Road, first crossing south of Hopkinton Road, Westborough, to the inlet of Cedar Swamp Pond, Westborough ¹		B	ORW
Picadilly Brook	Entire brook ¹		B	ORW
Rutters Brook	Entire brook ¹		B	ORW
Whitehall Brook	Entire brook ¹		B	ORW
Hop Brook	From Carding Mill Pond Dam to confluence with the Sudbury River	9.7 - 0.0	B	Warm Water
Concord River	From confluence of Assabet and Sudbury Rivers to the Billerica Water Supply Intake	15.4 - 5.9	B	Warm Water Treated Water Supply
	From the Billerica Water Supply Intake to Rogers Street, Lowell	5.9 - 1.0	B	Warm Water
	From Rogers Street, Lowell to confluence with the Merrimack River	1.0 - 0.0	B	Warm Water CSO

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4.06: continued

TABLE 24 SUDBURY, ASSABET, and CONCORD (SuAsCo) RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Assabet River	Source to the Westborough POTW discharge	31.8 - 30.4	B	Warm Water High Quality Water
	From the Westborough POTW discharge to outlet of Boones Pond (Lake Boon)	30.4 - 12.4	B	Warm Water
	From outlet of Boones Pond to confluence with the Sudbury River, forming the headwaters of the Concord River	12.4 - 0.0	B	Warm Water
Nagog Pond	Entire pond to outlet in Acton and those tributaries thereto		A	PWS ORW
Westborough Reservoir (Sandra Pond)	Entire reservoir to outlet in Westborough and those tributaries thereto		A	PWS ORW
Gates Pond (Gates Pond Reservoir)	Entire pond to outlet in Berlin and those tributaries thereto		A	PWS ORW
White Pond	Entire pond to outlet in Hudson and those tributaries thereto		A	PWS ORW
Millham Reservoir	Entire reservoir to outlet in Marlborough and those tributaries thereto		A	PWS ORW
Lake Williams Reservoir (Williams Lake)	Entire reservoir to outlet in Marlborough and those tributaries thereto		A	PWS ORW
Sudbury Reservoir	Entire reservoir in Westborough/ Marlborough/Southborough/ Framingham and those tributaries thereto		A	PWS ORW
MWRA Open Canal (Wachusett Aqueduct)	Entire length and those tributaries thereto		A	PWS ORW
Framingham Reservoir No. 3	Entire reservoir to outlet in Framingham and those tributaries thereto		A	PWS ORW
Cedar Swamp Pond	The portion of the surface water within the Cedar Swamp ACEC		B	ORW
Pine Brook	Source in Wayland to confluence with Sudbury River, Wayland		B	Cold Water
Sheep Fall Brook	Source in Marlborough to confluence with Flagg Brook, Marlborough		B	Cold Water

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4.06: continued

TABLE 24 SUDBURY, ASSABET, and CONCORD (SuAsCo) RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Unnamed tributary to Assabet River	Entire length from source south of Athens St. in Stow to confluence with the Assabet River, Stow		B	Cold Water

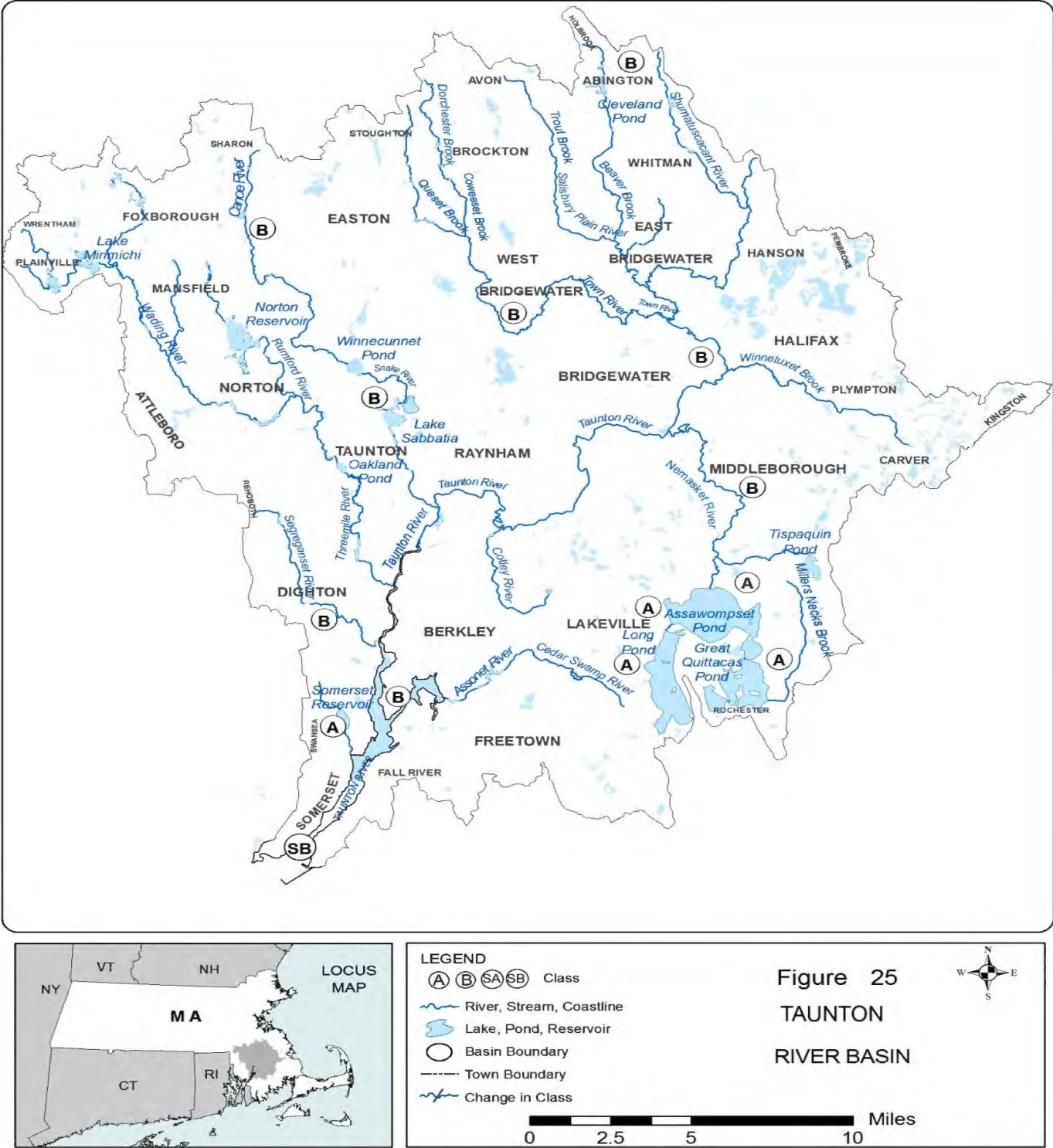
- * Acronyms:
- ACEC = Area of Critical Environmental Concern
 - CSO = Combined Sewer Overflow
 - MWRA = Massachusetts Water Resources Authority
 - ORW = Outstanding Resource Water
 - PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names.

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

¹ Note that all or a portion of this surface water is within the Cedar Swamp ACEC.

4.06: continued



4.06: continued

TABLE 25 TAUNTON RIVER BASIN*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Taunton River	From confluence with the Town River to Rt. 24 Bridge	40.8 - 21.2	B	Warm Water
	From Rt. 24 Bridge to its mouth at confluence with Mt. Hope Bay	21.2 - 0.0	SB	Shellfishing CSO
Salisbury Plain River	From Brockton POTW discharge to confluence with the Matfield River, East Bridgewater		B	Warm Water
Matfield River	From confluence with the Salisbury Plain River, East Bridgewater, to confluence with the Town River, East Bridgewater		B	Warm Water
Town River	From Bridgewater POTW discharge to confluence with the Matfield and Taunton Rivers	2.4 - 0.0	B	Warm Water
Nemasket River	From Middleborough POTW discharge to confluence with the Taunton River		B	Warm Water
Saw Mill Brook	Entire length	1.5 - 0.0	B	Warm Water
Mill River	From outlet of Lake Sabbatia, Taunton, to confluence with the Taunton River	3.4 - 0.0	B	Warm Water
Three Mile River	Source to confluence with the Taunton River	15.8 - 0.0	B	Warm Water
Wading River (Attleboro Reservoir)	Source to PWS intake in Mansfield and those tributaries thereto		A	PWS ORW
	From water supply intake, Mansfield to confluence with Three Mile River		B	Warm Water
Assawompset Pond	Entire pond to outlet in Lakeville and those tributaries thereto		A	PWS ORW
Great Quittacas Pond	Entire pond to outlet in Lakeville and those tributaries thereto		A	PWS ORW
Little Quittacas Pond	Entire pond to outlet in Lakeville and those tributaries thereto		A	PWS ORW
Long Pond	Entire pond to outlet in Lakeville and those tributaries thereto		A	PWS ORW
Pocksha Pond	Entire pond to outlet in Lakeville and those tributaries thereto		A	PWS ORW
Somerset Reservoir	Entire reservoir to outlet in Somerset and those tributaries thereto, including Segreganset River from pumping station, Dighton, to source		A	PWS ORW

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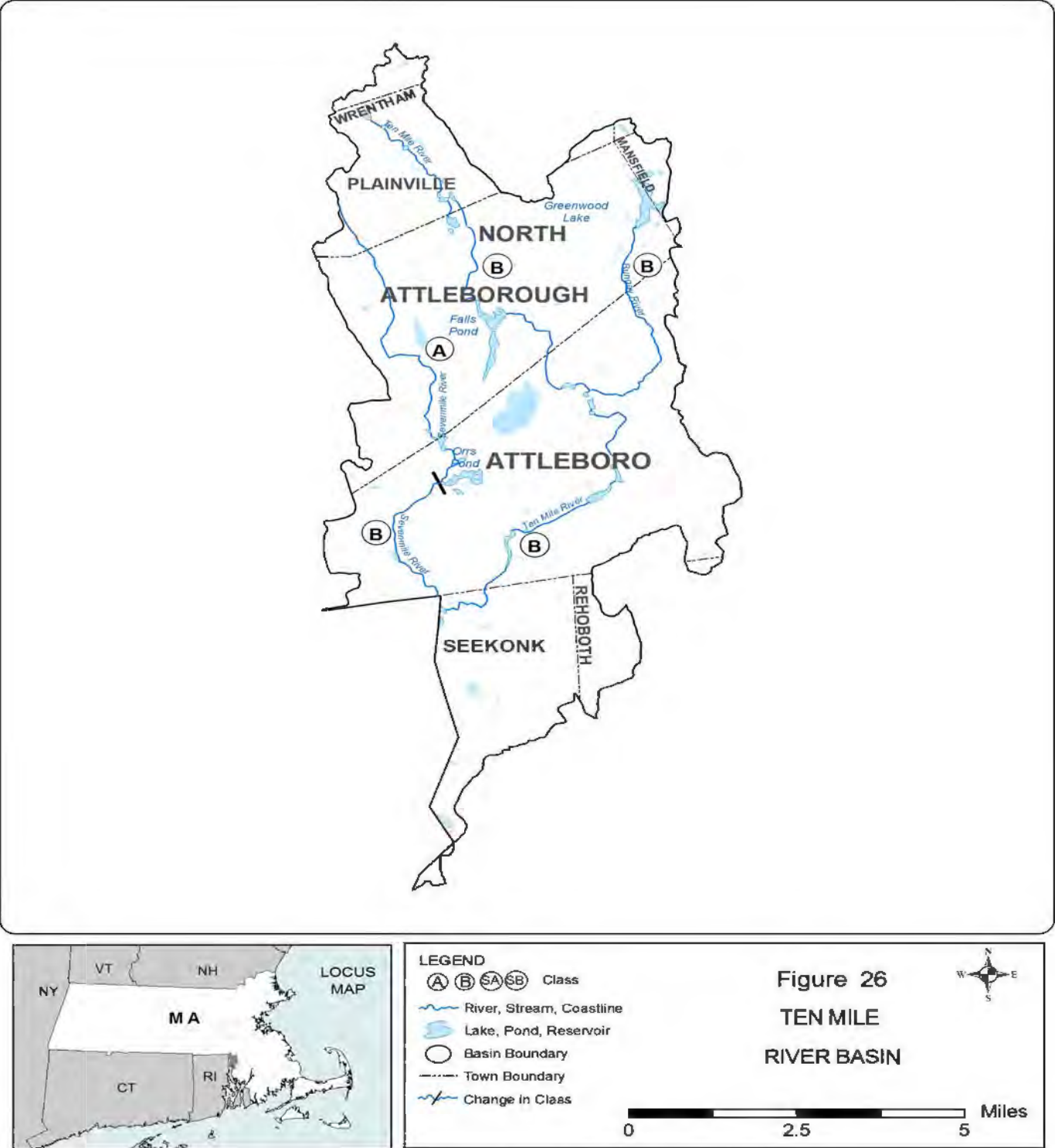
TABLE 25 TAUNTON RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point [‡]	Class	Qualifiers
Monponsett Pond	Entire pond to outlet in Halifax and those tributaries thereto (inclusive of east and west basins; feeder to Silver Lake water supply listed in the South Coastal drainage area)		A	PWS ORW
Elders Pond	Entire pond to outlet in Lakeville and those tributaries thereto		A	PWS ORW
Brockton Reservoir (Avon Reservoir, Salisbury Brook Reservoir)	Entire reservoir to outlet in Avon and those tributaries thereto		A	PWS ORW

* Acronyms:
CSO = Combined Sewer Overflow
ORW = Outstanding Resource Water
PWS = Public Water Supply

[†] Names cited in parentheses are unofficial, locally-used names

[‡] Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

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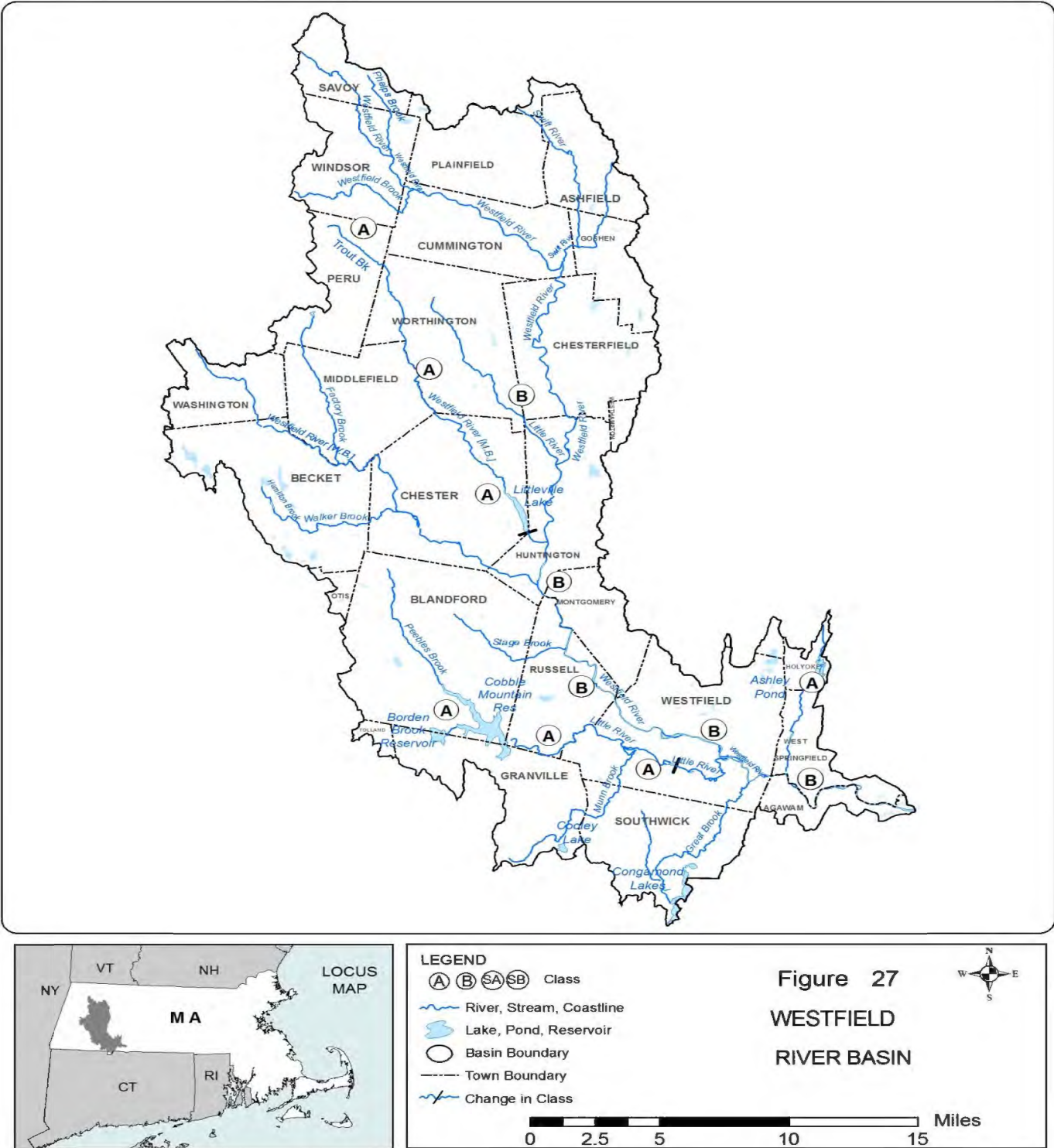
TABLE 26 TEN MILE RIVER BASIN*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Ten Mile River	Source to West Bacon Street, Plainville	23.1 - 19.9	B	Warm Water High Quality Water
	From West Bacon Street, Plainville to Whiting Pond Dam	19.9 - 19.3	B	Warm Water High Quality Water
	From Whiting Pond Dam to MA-RI state line	19.3 - 0.0	B	Warm Water
Bungay River	Entire length, North Attleborough/Attleboro	4.5 - 0.0	B	Warm Water
Speedway Brook (Thacher Brook)	Entire length, Attleboro	2.0 - 0.0	B	Warm Water
Orrs Pond (Sevenmile River, City Pond, Upper Pond, Orrs Reservoir)	Entire pond to outlet in Attleboro and those tributaries thereto		A	PWS ORW

* Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

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‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued



4.06: continued

TABLE 27 WESTFIELD RIVER BASIN*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Middle Branch Westfield River	Source to Kinnebrook Road, Dayville	Above 3.0	A	Cold Water PWS ORW
	From Kinnebrook Road, Dayville to Littleville Dam, Chester/Huntington (inclusive of Littleville Lake) and those tributaries thereto	3.0 - 1.0	A	PWS ORW
	From outlet of Littleville Dam to confluence with the Westfield River	1.0 - 0.0	B	Warm Water High Quality Water
West Branch Westfield River	Source to Chester Center	17.5 - 7.5	B	Cold Water High Quality Water
	From Chester Center to confluence with the Westfield River	7.5 - 0.0	B	Cold Water
Westfield River	Source to confluence with the Middle Branch Westfield River (includes the former segment of river known locally as the Westfield River East Branch)	62.5 - 27.1	B	Cold Water High Quality Water
	From confluence with the Middle Branch Westfield River to confluence with the Connecticut River	27.1 - 0.0	B	Warm Water
Dead Branch (Brook)	From outlet of Long Pond to confluence with the Westfield River		B	Cold Water
Little River	From Cobble Mountain Reservoir Dam to hydroelectric dam (this river is a tributary to a PWS)		A	Cold Water PWS ORW
	From Hydroelectric dam to confluence with Westfield River		B	Cold Water
Long Pond (Long Pond Reservoir, Tucker Healy Pond, Lincoln Pond)	Source to outlet in Blandford and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Austin Brook Reservoir)	Entire reservoir to outlet in Chester and those tributaries thereto		A	PWS ORW
Horn Pond (Horn Pond Reservoir)	Entire pond to outlet in Becket and those tributaries thereto		A	PWS ORW
Huntington Reservoir (Cold Brook Reservoir)	Entire reservoir to outlet in Blandford and those tributaries thereto		A	PWS- Abandoned ORW

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4.06: continued

TABLE 27 WESTFIELD RIVER BASIN (continued)*				
Surface Water Name†	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Russell Reservoir (Lower Black Brook Reservoir)	Entire reservoir to outlet in Russell and those tributaries thereto		A	PWS ORW
Bearhole Reservoir (Bearhole Brook Reservoir, Prudys Pond)	Entire reservoir to outlet in West Springfield and those tributaries thereto		A	PWS ORW
Granville Reservoir	Entire reservoir to outlet in Granville and those tributaries thereto		A	PWS ORW
Cobble Mt. Reservoir	Entire reservoir to outlet in Russell and those tributaries thereto		A	PWS ORW
Intake Reservoir	Entire reservoir to outlet of hydroelectric dam in Russell and those tributaries thereto		A	PWS ORW
Unnamed Pond (Sedimentation Basin, Westfield Mountain Pond)	Entire pond northeast of the intersection of Gorge Road and Granville Road in Westfield and those tributaries thereto		A	PWS ORW
Ashley Reservoir (Ashley Pond, Wright Pond, Cedar Reservoir)	Entire reservoir to outlet in Holyoke and those tributaries thereto		A	PWS ORW
McLean Reservoir	Entire reservoir to outlet in Holyoke and those tributaries thereto		A	PWS ORW
Unnamed Reservoir (Upper Black Brook Reservoir)	Entire reservoir on Black Brook just west of Martin Phelps Road to outlet in Blandford and those tributaries thereto		A	PWS ORW
Abbott Brook	Entire length, Chester		B	Cold Water
Arm Brook	Source to inlet of unnamed impoundment upstream of Rte. 90 highway crossing, Southampton/ Westfield		B	Cold Water
Ashley Brook	Source to confluence with Jacks Brook, Westfield		B	Cold Water
Austin Brook	Source in Becket to the inlet of Unnamed Reservoir (Austin Brook Reservoir)		A	Cold Water PWS ORW
	From the outlet of Unnamed Reservoir (Austin Brook Reservoir) to confluence with Walker Brook, Chester		B	Cold Water

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TABLE 27 WESTFIELD RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Barry Brook	Entire length, Holyoke/West Springfield/Westfield		B	Cold Water
Bartlett Brook	Entire length, Plainfield/Cummington		B	Cold Water
Bearden Brook	Source in Montgomery to confluence with Westfield River, Montgomery		B	Cold Water
Blair Brook	Source in Chester to confluence with West Branch Westfield River, Chester		B	Cold Water
Bronson Brook	Entire length, Cummington/Worthington		B	Cold Water
Bush Brook	Entire length, Westfield		B	Cold Water
Clear Brook	Source in Savoy to confluence with Windsor Jambs Brook, Windsor		B	Cold Water
Cone Brook	Source in Peru to confluence with Tuttle Brook, Peru (this brook is a tributary to a PWS)		A	Cold Water PWS ORW
Crow Brook	Source in Montgomery to confluence with Roaring Brook, Montgomery		B	Cold Water
Depot Brook	Entire length, Washington/Becket		B	Cold Water
Dickinson Brook	Entire length, Granville		B	Cold Water
Factory Brook	Entire length, Peru/Middlefield		B	Cold Water
Florida Brook	Source in Huntington to confluence with Westfield River, Huntington		B	Cold Water
Freeland Brook	Source in Blanford to confluence with Stage Brook, Russell		B	Cold Water
Fuller Brook	Entire length, Peru/Worthington		A	Cold Water PWS ORW
Geer Brook	Entire length, Peru/Middlefield		B	Cold Water
Hamilton Brook	Source in Becket to confluence with Walker Brook, Becket		B	Cold Water
Hollister Brook	Source in Granville to inlet of Granville Reservoir, Granville (this brook is a tributary to a PWS)		A	Cold Water PWS ORW
Horse Hill Brook	Source in Huntington to confluence with Roaring Brook, Huntington		B	Cold Water
Hume Brook	Source in Windsor to confluence with Westfield Brook, Windsor		B	Cold Water
Hundred Acre Brook	Source in Westfield to confluence with Little River, Westfield		B	Cold Water

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4.06: continued

TABLE 27 WESTFIELD RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point‡	Class	Qualifiers
Kearney Brook	Entire length, Cummington/ Worthington		B	Cold Water
Kellog Brook	Entire length, Southwick/Westfield		B	Cold Water
Kinne Brook	Entire length, Worthington/Chester		A	Cold Water PWS ORW
Mica Mill Brook	Source in Chester to confluence with West Branch Westfield River, Chester		B	Cold Water
Mill Brook	Entire length in Plainfield/Cummington to confluence with the Westfield River		B	Cold Water
Miller Brook	Entire length, Agawam		B	Cold Water
Mongue Meadow Brook	Source in Windsor to confluence with Alder Meadow Brook, Windsor		B	Cold Water
Munn Brook	Entire length, Granville/Southwick/ Westfield		B	Cold Water
Otis Wait Brook	Source in Chester to confluence with West Branch Westfield River, Chester		B	Cold Water
Pittsinger Brook	Source in Huntington to confluence with Dead Branch Brook, Huntington		B	Cold Water
Pixley Brook	Source in Blandford to confluence with Peebles Brook, Blanford (this brook is a tributary to a PWS)		A	Cold Water PWS ORW
Pond Brook	Entire length, Huntington		B	Cold Water
Potash Brook	Entire length, Blandford/Russell		B	Cold Water
Powell Brook	Source in Cummington to confluence with Kearney Brook, Cummington		B	Cold Water
Roaring Brook (1)	Entire length in Huntington/ Montgomery to confluence with the Westfield River		B	Cold Water
Roaring Brook (2)	Entire length in Chester/Huntington to confluence with the West Branch Westfield River		B	Cold Water
Shaker Mill Brook	Entire length, Washington/Becket		B	Cold Water
Shaw Brook	Entire length, Windsor		B	Cold Water
Skunk Brook	Source in Chester to confluence with Kinne Brook, Chester (this brook is a tributary to a PWS)		A	Cold Water PWS ORW
Smith Brook	Source to confluence with Middle Branch Westfield River, Chester (this brook is a tributary to a PWS)		A	Cold Water PWS ORW

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4.06: continued

TABLE 27 WESTFIELD RIVER BASIN (continued)*				
Surface Water Name [†]	Surface Water or Segment Boundary	Mile Point [‡]	Class	Qualifiers
Sodum Brook	Source in Russell to confluence with Little River, Russell		B	Cold Water
Stage Brook	Entire length, Russell		B	Cold Water
Steep Bank Brook	Entire length, Windsor		B	Cold Water
Stones Brook	Entire length, Ashfield/Goshen		B	Cold Water
Swift River	Entire length, Hawley/Ashfield/Goshen/Cummington		B	Cold Water
Swift River North Branch	Entire length, Plainfield/Ashfield/Cummington		B	Cold Water
Sykes Brook	Source in Chester to confluence with Westfield River, Huntington		B	Cold Water
Tannery Brook	Source in Blanford to confluence with Bedlam Brook, Blandford (this brook is a tributary to a PWS)		A	Cold Water PWS ORW
Tower Brook	Entire length, Cummington/Worthington/Chesterfield		B	Cold Water
Walker Brook	Entire length, Becket/Chester		B	Cold Water
West Branch (Brook)	Entire length, Worthington/Chesterfield		B	Cold Water
Westfield Brook	Entire length, Windsor/Cummington		B	Cold Water
White Brook	Entire length, Agawam		B	Cold Water
Whitmarsh Brook	Source in Cummington to confluence with Bronson Brook, Worthington		B	Cold Water
Wolf Brook	Source in Cummington to confluence with Westfield Brook, Cummington		B	Cold Water
Yokum Brook	Entire length, Becket		B	Cold Water

* Acronyms:
ORW = Outstanding Resource Water
PWS = Public Water Supply

† Names cited in parentheses are unofficial, locally-used names

‡ Mile Point values represent the approximate distance in miles of each end of a given surface water or segment from its mouth (assigned a value of "0"). Mile Points are provided where available for convenience in locating the upstream and downstream ends of segments. Narrative descriptions of surface water or segment boundaries, however, always control over boundaries based upon Mile Points.

4.06: continued

(c) Table 28: Site-specific Criteria.

TABLE 28 SITE-SPECIFIC CRITERIA*				
Basin/Drainage Area	Surface Water†	Boundary, Town or River Mile ‡	Site-specific Criteria	
			Pollutant	Criteria ^{II}
Blackstone River Basin	Auburn Pond	Auburn	Total Phosphorus	0.025 mg/L
	Blackstone River	From the Upper Blackstone POTW discharge to the MA-RI state line (river mile 45.2 to 20.0)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
	Brierly Pond	Millbury	Total Phosphorus	0.025 mg/L
	Curtis Pond North	Worcester	Total Phosphorus	0.025 mg/L
	Curtis Pond South	Worcester	Total Phosphorus	0.025 mg/L
	Dorothy Pond	Millbury	Total Phosphorus	0.025 mg/L
	Eddy Pond	Auburn	Total Phosphorus	0.015 mg/L
	Flint Pond	Grafton, Worcester, Shrewsbury	Total Phosphorus	0.012 mg/L
	Green Hill Pond	Worcester	Total Phosphorus	0.025 mg/L
	Howe Reservoir (West Basin)	Millbury	Total Phosphorus	0.025 mg/L
	Indian Lake	Worcester	Total Phosphorus	0.027 mg/L
	Jordan Pond	Shrewsbury	Total Phosphorus	0.025 mg/L
	Lake Quinsigamond	Worcester, Shrewsbury	Total Phosphorus	0.012 mg/L
	Leesville Pond	Auburn, Worcester	Total Phosphorus	0.040 mg/L
	Mill Pond	Shrewsbury	Total Phosphorus	0.025 mg/L
	Mumford River	From the Douglas POTW discharge to confluence with the Blackstone River (river mile 9.0 to 0.0)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
	Newton Pond	Shrewsbury	Total Phosphorus	0.025 mg/L
	Pondville Pond	Auburn	Total Phosphorus	0.025 mg/L

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4.06: continued

TABLE 28 SITE-SPECIFIC CRITERIA (continued)*				
Basin/Drainage Area	Surface Water †	Boundary, Town or River Mile ‡	Site-specific Criteria	
			Pollutant	Criteria ^{II}
Blackstone River Basin (cont.)	Salisbury Pond	Worcester	Total Phosphorus	0.0455 mg/L
	Shirley Pond	Shrewsbury	Total Phosphorus	0.025 mg/L
	Smiths Pond	Leicester	Total Phosphorus	0.020 mg/L
	Southwick Pond	Leicester	Total Phosphorus	0.010 mg/L
	Stoneville Pond	Auburn	Total Phosphorus	0.025 mg/L
	West River	From the Upton POTW discharge to confluence with Blackstone River (river mile 8.8 to 0.0)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
Buzzards Bay Coastal Drainage Area	Unnamed Brook	The unnamed brook located approximately ¼-mile northeast of and parallel to Aucoot Creek, from the Marion POTW discharge in Marion to confluence with Aucoot Cove (river mile 0.75 to 0.0)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
Cape Cod Coastal Drainage Area Stage Harbor System	Mill Pond	Chatham. Criterion applies at mid-channel of the outlet of Mill Pond (which is a part of the Mitchell River), approximately 350 meters upstream of Bridge Street Bridge (Lat. 41.67191; Long. -69.95974167). If criterion is met, it will also protect Little Mill Pond and Mitchell River.	Total Nitrogen	0.38 mg/L
	Oyster Pond	Chatham. Criterion applies at approximately mid-channel between Long Point and the point off the end of Woodcarver Knoll Road (Lat. 41.6787192; Long. -69.97749022). If criterion is met, it will also protect Stetson Cove, Oyster Pond River and Stage Harbor.	Total Nitrogen	0.38 mg/L
Cape Cod Coastal Drainage Area Sulphur Springs System	Harding Beach Pond (locally known as Sulphur Springs)	Chatham. Criterion applies at lower end of Harding Beach Pond in open water, near the outlet to Bucks Creek (Lat. 41.67365; Long. -70.00000278). If criterion is met, it will also protect Bucks Creek.	Total Nitrogen	0.38 mg/L
Cape Cod Coastal Drainage Area Taylors Pond System	Taylors Pond	Chatham. Criterion applies at the eastern side of the pond, approximately 60 meters from shore (Lat. 41.677769; Long. -70.016989). If criterion is met, it will also protect Mill Creek.	Total Nitrogen	0.38 mg/L

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4.06: continued

TABLE 28 SITE-SPECIFIC CRITERIA (continued)*				
Basin/Drainage Area	Surface Water†	Boundary, Town or River Mile ‡	Site-specific Criteria	
			Pollutant	CriteriaII
Cape Cod Coastal Drainage Area Bassing Harbor System	Ryder Cove (Inner and Outer Ryder Cove)	Chatham. Criterion applies at two locations: 50 meters from the eastern shore, adjacent to Woodland Way Circle (Lat. 41.708384; Long. -69.981777) and Mid-channel of Ryder Cove at narrows (adjacent to Rover Run Road) approximately 0.6 kilometers upstream of outlet to Bassing Harbor (Lat. 41.706554; Long. -69.973544). If criterion is met at these two locations, it will also protect Bassing Harbor, Crows Pond, and Frost Fish Creek.	Bioactive Nitrogen³	0.160 mg/L
Cape Cod Coastal Drainage Area Muddy Creek System	Muddy Creek	Outlet of small unnamed pond south of Countryside Drive and north-northeast of Old Queen Anne Road to mouth at Pleasant Bay, Chatham. Criterion applies at mid-channel, approximately 200 meters upstream of Orleans Road Bridge (Lat. 41.71109; Long. -69.99653472)	Bioactive Nitrogen³	0.210 mg/L
Charles River Basin	Charles River	From Dilla Street, Milford to Milford POTW discharge (river mile 75.8 - 72.7)	Dissolved Oxygen	>5.0 mg/L at least 16 hours of any 24-hour period and > 3.0 mg/L at any time.
			Temperature	<85°F (29.4°C) and <5°F (2.8°C) rise due to a discharge.⁴
	Charles River	From the Milford POTW discharge to the Watertown Dam (river mile 73.4 to 9.8)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
	Stop River	to confluence with Charles River (river mile 4.4 to 0.0)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
Chicopee River Basin	Browning Pond	Oakham	Total Phosphorus	0.015 mg/L
	Long Pond	Springfield	Total Phosphorus	0.030 mg/L
	Mona Lake	Springfield	Total Phosphorus	0.030 mg/L
	Minechoag Pond	Ludlow	Total Phosphorus	0.030 mg/L
	Spectacle Pond	Wilbraham	Total Phosphorus	0.020 mg/L
	Sugden Reservoir	Spencer	Total Phosphorus	0.015 mg/L
	Wickaboag Pond	West Brookfield	Total Phosphorus	0.015 mg/L
Connecticut River Basin	Aldrich Lake East	Granby	Total Phosphorus	0.030 mg/L
	Aldrich Lake West	Granby	Total Phosphorus	0.030 mg/L

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4.06: continued

TABLE 28 SITE-SPECIFIC CRITERIA (continued)*				
Basin/Drainage Area	Surface Water†	Boundary, Town or River Mile‡	Site-specific Criteria	
			Pollutant	CriteriaII
Connecticut River Basin (cont.)	Bachelor Brook	River mile 12.4 to 0.0 (its mouth at the confluence with Connecticut River, South Hadley)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
	Lake Warner	Hadley	Total Phosphorus	0.030 mg/L
	Lake Wyola	Shutesbury	Total Phosphorus	0.015 mg/L
	Leverett Pond	Leverett	Total Phosphorus	0.015 mg/L
	Loon Pond	Springfield	Total Phosphorus	0.030 mg/L
French River Basin	Buffumville Lake	Charlton	Total Phosphorus	0.015 mg/L
	Cedar Meadow Pond	Leicester	Total Phosphorus	0.015 mg/L
	Dresser Hill Pond	Charlton	Total Phosphorus	0.035 mg/L
	Dutton Pond	Leicester	Total Phosphorus	0.025 mg/L
	Gore Pond	Charlton, Dudley	Total Phosphorus	0.014 mg/L
	French River	River mile 27.3 to 7.0 (at the MA-CT state line, Dudley/Webster)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
	Granite Reservoir	Charlton	Total Phosphorus	0.015 mg/L
	Greenville Pond	Leicester	Total Phosphorus	0.025 mg/L
	Hudson Pond	Oxford	Total Phosphorus	0.015 mg/L
	Jones Pond	Charlton, Spencer	Total Phosphorus	0.015 mg/L
	Larner Pond	Dudley	Total Phosphorus	0.014 mg/L
	Lowes Pond	Oxford	Total Phosphorus	0.015 mg/L
	McKinstry Pond	Oxford	Total Phosphorus	0.015 mg/L
	New Pond	Dudley	Total Phosphorus	0.014 mg/L
	Peter Pond	Dudley	Total Phosphorus	0.010 mg/L
	Pikes Pond	Charlton	Total Phosphorus	0.015 mg/L
	Robinson Pond	Oxford	Total Phosphorus	0.012 mg/L
	Rochdale Pond	Leicester	Total Phosphorus	0.025 mg/L
	Shepherd Pond	Dudley	Total Phosphorus	0.014 mg/L
	Texas Pond	Oxford	Total Phosphorus	0.025 mg/L
	Tobins Pond (Mosquito Pond)	Dudley	Total Phosphorus	0.014 mg/L

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4.06: continued

TABLE 28 SITE-SPECIFIC CRITERIA (continued)*				
Basin/Drainage Area	Surface Water†	Boundary, Town or River Mile‡	Site-specific Criteria	
			Pollutant	Criteria¶
French River Basin (cont.)	Wallis Pond	Dudley	Total Phosphorus	0.014 mg/L
Hudson River Basin	Hoosic River (South Branch Hoosic River)	From Adams POTW discharge to confluence with the North Branch Hoosic River, North Adams (river mile 15.4 to 10.3)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
Housatonic River Basin	Housatonic River	From Pittsfield POTW discharge to the MA-CT state line, Sheffield (river mile 50.9 to 0.0)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
Ipswich River Basin	Unnamed tributary (Greenwood Creek)	From Ipswich POTW discharge to confluence with the Ipswich River, Ipswich (river mile 0.7 to 0.0)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
Millers River Basin	Beaver Flowage Pond	Royalston	Total Phosphorus	0.0125 mg/L
	Bents Pond	Gardner	Total Phosphorus	0.015 mg/L
	Bourne-Hadley Pond	Templeton	Total Phosphorus	0.015 mg/L
	Brazell Pond	Templeton	Total Phosphorus	0.015 mg/L
	Cowee Pond	Gardner	Total Phosphorus	0.0127 mg/L
	Davenport Pond	Petersham, Athol	Total Phosphorus	0.0127 mg/L
	Depot Pond	Templeton	Total Phosphorus	0.015 mg/L
	Ellis Pond	Athol	Total Phosphorus	0.015 mg/L
	Greenwood Pond	Templeton	Total Phosphorus	0.015 mg/L
	Greenwood Pond	Westminster	Total Phosphorus	0.0139 mg/L
	Hilchey Pond	Gardner	Total Phosphorus	0.019 mg/L
	Lake Denison	Winchendon	Total Phosphorus	0.015 mg/L
	Lake Monomonac	Winchendon	Total Phosphorus	0.0133 mg/L
	Lower Naukeag Lake	Ashburnham	Total Phosphorus	0.0145 mg/L
	Minott Pond	Westminster	Total Phosphorus	0.015 mg/L
	Minott Pond South	Westminster	Total Phosphorus	0.011 mg/L
	Otter River	Source to Gardner POTW discharge (river mile 12.2 to 9.7)	Dissolved Oxygen	>5.0 mg/L at least 16 hours of any 24-hour period and > 3.0 mg/L at any time.
			Temperature	<85°F (29.4°C) and <5°F (2.8°C) rise due to a discharge. ⁴
	Parker Pond	Gardner	Total Phosphorus	0.015 mg/L
	Ramsdall Pond	Gardner	Total Phosphorus	0.015 mg/L

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4.06: continued

TABLE 28 SITE-SPECIFIC CRITERIA (continued)*				
Basin/Drainage Area	Surface Water†	Boundary, Town or River Mile‡	Site-specific Criteria	
			Pollutant	CriteriaII
Millers River Basin (cont.)	Reservoir No. 1	Athol	Total Phosphorus	0.015 mg/L
	Reservoir No. 2	Phillipston, Athol	Total Phosphorus	0.0051 mg/L
	Riceville Pond	Petersham, Athol	Total Phosphorus	0.015 mg/L
	South Athol Pond	Athol	Total Phosphorus	0.015 mg/L
	Stoddard Pond	Winchendon	Total Phosphorus	0.015 mg/L
	Wallace Pond	Ashburnham	Total Phosphorus	0.0137 mg/L
	Ward Pond	Athol	Total Phosphorus	0.015 mg/L
	Whites Mill Pond	Winchendon	Total Phosphorus	0.015 mg/L
	Whitney Pond	Winchendon	Total Phosphorus	0.015 mg/L
	Wrights Reservoir	Gardner, Westminster	Total Phosphorus	0.0135 mg/L
Nashua River Basin	Bare Hill Pond	Harvard	Total Phosphorus	0.030 mg/L
	North Nashua River	River mile 36.5 to 0.0 (its mouth at the confluence with the Nashua River, Lancaster)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
	Nashua River (South Branch)	The portion of the Nashua River from its confluence with the North Branch Nashua River, Lancaster, to 3.3 miles upstream, Clinton	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
	Squannacook River	From 500 feet downstream of the outlet of the Squannacook River Reservoir Dam to confluence with the Nashua River, Shirley/Groton (river mile 3.3 to 0.0)	Zinc	Acute¹: 167.2 µg/L Chronic²: 168.6 µg/L
Quinebaug River Basin	Cady Brook	From the Charlton POTW discharge to confluence with the Quinebaug River, Southbridge (river mile 5.1 to 0.0)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
	Quinebaug River	River mile 19.7 to 7.9 (at the MA-CT state line, Dudley)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L
South Coastal Drainage Area	French Stream	River mile 3.3 to 0.0 (its mouth at the confluence with the Drinkwater River, Hanover)	Copper	Acute¹: 25.7 µg/L Chronic²: 18.1 µg/L

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4.06: continued

TABLE 28 SITE-SPECIFIC CRITERIA (continued)*				
Basin/Drainage Area	Surface Water†	Boundary, Town or River Mile‡	Site-specific Criteria	
			Pollutant	CriteriaII
Suasco River Basin	Assabet River	River mile 30.4 to 0.0 (its mouth at the confluence with the Sudbury River, Concord)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
	Lake Boon	Hudson, Stow	Total Phosphorus	0.020 mg/L
	Sudbury River	From outlet of Saxonville Pond to confluence with the Assabet River forming the headwaters of the Concord River (river mile 16.2 to 0.00)	Dissolved Oxygen	>5.0 mg/L at least 16 hours of any 24-hour period and > 3.0 mg/L at any time.
			Temperature	<85°F (29.4°C) and <5°F (2.8°C) rise due to a discharge. ⁴
Taunton River Basin	Nemasket River	River mile 5.5 to 0.0 (its mouth at the confluence with the Taunton River, Middleborough)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
	Salisbury Plain River	River mile 2.0 to 0.0 (its mouth at the confluence with Beaver Brook, both surface waters forming the headwaters of the Matfield River, East Bridgewater)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
	Three Mile River	River mile 6.0 to 0.0 (its mouth at the confluence with the Taunton River, Dighton/Taunton)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
	Town River	River mile 2.2 to 0.0 (its mouth at the confluence with the Matfield River, both surface waters forming the headwaters of the Taunton River, Bridgewater)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
Ten Mile River Basin	Ten Mile River	River mile 14.0 to 0.0 (at the MA-RI state line, Seekonk)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L
Westfield River Basin	Westfield River	River mile 10.8 to 0.0 (its mouth at the confluence with the Connecticut River)	Copper	Acute ¹ : 25.7 µg/L Chronic ² : 18.1 µg/L

* Acronyms:
MWRA = Massachusetts Water Resources Authority
POTW = Publicly-Owned Treatment Works

† Names cited in parentheses are unofficial, locally-used names.

‡ A River Mile is a linear measurement that begins at the mouth of the river ("0.0"), and increases in an upstream direction along its path.

II Copper and zinc criteria are dissolved concentrations.

¹ The average ambient surface water pollutant concentration over any 1-hour period shall not exceed the acute criterion (Criterion Maximum Concentration or CMC) more than once during any three year period.

² The average ambient surface water pollutant concentration over any 4-day period shall not exceed the chronic criterion (Criterion Continuous Concentration or CCC) more than once during any three year period.

³ Bioactive Nitrogen consists of ammonia, nitrate, nitrite, and particulate organic nitrogen (composed primarily of live and dead phytoplankton).

⁴ Temperature standards for Class B waters at 314 CMR 4.05(3)(b)2.b. - d. also apply.

(d) Table 29: Generally Applicable Criteria

TABLE 29: GENERALLY APPLICABLE CRITERIA							
29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Acrolein	107028	P	3 Standard CMC Frequency & Duration	3 Standard CCC Frequency & Duration	--	--	
Aesthetics			See 314 CMR 4.05(5)(a): <i>Aesthetics</i>				
Aldrin	309002	P	1.5 Standard CMC Frequency & Duration	--	0.65 Standard CMC Frequency & Duration	--	
Alkalinity			--	20,000 Where the background condition of alkalinity is lower than this value, the criterion cannot be lower than 25% of the background level.	--	--	

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Aluminum	7429905		the default concentration for the applicable watershed specified in Appendix A or the calculated concentration using the Aluminum Criteria Calculator V.2.0 as set forth in Appendix D However the criterion is determined, the Standard CMC Frequency & Duration applies.	the default concentration for the applicable watershed specified in Appendix A or the calculated concentration using the Aluminum Criteria Calculator V.2.0 as set forth in Appendix D However the criterion is determined, the Standard CCC Frequency & Duration applies.	--	--	1. Criteria are expressed as total recoverable metal in the water column. ¹ 2. The Aluminum Criteria Calculator V.2.0, as more specifically described in Appendix D, is a model used to calculate Fresh Water site-dependent instantaneous criteria values for aluminum. When using this model, the input parameters for each calculation shall consist of a concurrently collected set of pH, hardness and dissolved organic carbon (DOC) data, for the relevant location. ² 3. If applicable default criteria are available in Appendix A and instantaneous criteria values are calculated using the Aluminum Criteria Calculator V.2.0 for Fresh Water for a relevant location, the values calculated using the Aluminum Criteria Calculator V.2.0 shall be used.

¹ The default criteria concentrations were derived using EPA's Final Aquatic Life Ambient Water Quality Criteria for Aluminum 2018 (EPA-822-R-18-001).

² 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Arsenic	7440382		340 Standard CMC Frequency & Duration	150 Standard CCC Frequency & Duration	69 Standard CMC Frequency & Duration	36 Standard CCC Frequency & Duration	1. These criteria are expressed as total recoverable concentrations. 2. Criteria may be adjusted using the water effects ratio (WER) procedure as described in Appendix E.
Bottom Pollutants or Alterations			See 314 CMR 4.05(5)(b): <i>Bottom Pollutants or Alterations</i>				

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER *	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Cadmium	7440439	P	the calculated concentration using the hardness-dependent equation as provided in Appendix C ⁶ Standard CMC Frequency & Duration	the calculated concentration using the hardness-dependent equation as provided in Appendix C ⁶ Standard CCC Frequency & Duration	33 Standard CMC Frequency & Duration	7.9 Standard CCC Frequency & Duration	1. These criteria are expressed as dissolved metal in the water column. 2. Hardness-dependent equations are used to develop the Fresh Water criteria for cadmium. The input parameters for each calculation using these equations shall consist of ambient surface water data for hardness, collected for the relevant location, and other parameters as provided in Appendix C. 3. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable metal concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F. 4. Criteria may be adjusted using the water effects ratio (WER) as described in Appendix E.

⁶ The following are examples of cadmium criteria calculated using a hardness of 25 mg/L as CaCO₃: CMC = 0.49 µg/L and CCC = 0.09 µg/L.

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Carbaryl	63252		2.1 Standard CMC Frequency & Duration	2.1 Standard CCC Frequency & Duration	1.6 Standard CMC Frequency & Duration	--	
Chlordane	57749	P	1.2 ⁷ Standard CMC Frequency & Duration	0.0043 ⁸ Standard CCC Frequency & Duration	0.045 ⁷ Standard CMC Frequency & Duration	0.004 ⁸ Standard CCC Frequency & Duration	
Chloride	16887006		860,000 Standard CMC Frequency & Duration	230,000 Standard CCC Frequency & Duration	--	--	
Chlorine	7782505		19 Standard CMC Frequency & Duration	11 Standard CCC Frequency & Duration	13 Standard CMC Frequency & Duration	7.5 Standard CCC Frequency & Duration	
Chlorpyrifos	2921882		0.083 Standard CMC Frequency & Duration	0.041 Standard CCC Frequency & Duration	0.011 Standard CMC Frequency & Duration	0.0056 Standard CCC Frequency & Duration	

⁷ The 1980 EPA CMC criterion was divided by 2 to obtain values more comparable to derivations using the 1985 EPA Guidelines.
⁸ The CCCs are based on the Final Residue Value (FRV) procedure.

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Chromium (III)	16065831	P	the calculated concentration using the hardness-dependent equation as provided in Appendix C ⁹ Standard CMC Frequency & Duration	the calculated concentration using the hardness-dependent equation as provided in Appendix C ⁹ Standard CCC Frequency & Duration	--	--	1. These criteria are expressed as dissolved metal in the water column. 2. Hardness-dependent equations are used to develop the Fresh Water criteria for chromium (III). The input parameters for each calculation using these equations shall consist of ambient surface water data for hardness, collected for the relevant location, and other parameters as provided in Appendix C. 3. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable metal concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F. 4. Criteria may be adjusted using the water effects ratio (WER) procedure as described in Appendix E.

⁹ The following are examples of chromium (III) criteria calculated using a hardness of 25 mg/L as CaCO₃: CMC = 183 µg/L and CCC = 24 µg/L.

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC3 [†] µg/L	CCC [‡] µg/L	
Chromium (VI)	18540299	P	16 Standard CMC Frequency & Duration	11 Standard CCC Frequency & Duration	1,100 Standard CMC Frequency & Duration	50 Standard CCC Frequency & Duration	1. These criteria are expressed as dissolved metal in the water column. 2. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F. 3. Criteria may be adjusted using the water effects ratio (WER) as described in Appendix E.
Color and Turbidity			See 314 CMR 4.05(3) and (4)				

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER *	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Copper	7440508	P	the default calculated concentration using the hardness-dependent equation as set forth in Appendix C or the calculated concentration using the Biotic Ligand Model (BLM) as set forth in Appendix D However the criterion is determined, the Standard CMC Frequency & Duration applies	the default calculated concentration using the hardness-dependent equation as set forth in Appendix C or the calculated concentration using the BLM as set forth in Appendix D However the criterion is determined, the Standard CCC Frequency & Duration applies	4.8 ¹⁰ Standard CMC Frequency & Duration	3.1 ¹⁰ Standard CCC Frequency & Duration	1. These criteria are expressed as dissolved metal in the water column. 2. Hardness-dependent equations are used to calculate the Fresh Water criteria values for copper. The input parameters for each calculation using these equations shall consist of ambient surface water data for hardness, collected for the relevant location, and other parameters as provided in Appendix C. ¹¹ 3. The BLM is a model used to calculate Fresh Water site-dependent instantaneous criteria values for copper. The input parameters for each criteria calculation using the copper BLM shall consist of a set of pH, DOC, alkalinity, temperature, calcium, magnesium, sodium, potassium, sulfate, and chloride data, for the relevant location. ¹¹ 4. If both hardness-dependent and BLM instantaneous criteria values for Fresh Water are calculated or are able to be calculated for a relevant location, the values calculated using the BLM shall be used. 5. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F.

¹⁰ Criteria may be adjusted using the water effects ratio (WER) procedure as described in Appendix E.

¹¹ 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

4.06: continued

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Cyanide	57125	P	22 Standard CMC Frequency & Duration	5.2 Standard CCC Frequency & Duration	1 Standard CMC Frequency & Duration	1 Standard CCC Frequency & Duration	These criteria are expressed as µg free cyanide (CN/L).
4,4'-DDT	50293	P	0.4 ¹² Standard CMC Frequency & Duration	0.001 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	0.07 ¹² Standard CMC Frequency & Duration	0.001 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	Each criterion applies to 4,4'-DDT and also applies to the combined total of 4,4'DDT and its metabolites (<i>i.e.</i> , TDE and DDE).
Demeton	8065483		-- Standard CMC Frequency & Duration	0.1 Standard CCC Frequency & Duration	-- Standard CMC Frequency & Duration	0.1 Standard CCC Frequency & Duration	
Diazinon	333415		0.17 Standard CMC Frequency & Duration	0.17 Standard CCC Frequency & Duration	0.82 Standard CMC Frequency & Duration	0.82 Standard CCC Frequency & Duration	

¹² The 1980 EPA CMC criterion was divided by 2 to obtain a value more comparable to derivations using the 1985 EPA Guidelines.

4.06: continued

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Dieldrin	60571	P	0.12 ¹³ Standard CMC Frequency & Duration	0.056 ¹⁴ Standard CCC Frequency & Duration	0.36 ¹³ Standard CMC Frequency & Duration	0.0019 ¹⁴ The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	
alpha-Endosulfan beta-Endosulfan	959988 (alpha) 33213659 (beta)	P	0.11 ¹³ Standard CMC Frequency & Duration	0.056 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	0.017 ¹³ Standard CMC Frequency & Duration	0.0087 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	These criteria apply to the sum of alpha-endosulfan and beta-endosulfan.
Endrin	72208	P	0.086 Standard CMC Frequency & Duration	0.036 ¹⁵ Standard CCC Frequency & Duration	0.018 Standard CMC Frequency & Duration	0.0023 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period	

¹³ The 1980 EPA CMC criterion was divided by 2 to obtain values more comparable to derivations using the 1985 EPA Guidelines.

¹⁴ The CCC did not consider exposure through the diet, which is probably important for aquatic life occupying upper trophic levels.

¹⁵ The Fresh Water CCC did not consider exposure through the diet, which is probably important for aquatic life occupying upper trophic levels.

4.06: continued

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Gases, Total Dissolved	--		≤ 110% saturation	--	≤ 110% saturation	--	Criteria apply for gases at the existing atmospheric and hydrostatic pressures.
Guthion	86500		--	0.01 ¹⁶ Standard CCC Frequency & Duration	--	0.01 ¹⁶ Standard CCC Frequency & Duration	
Heptachlor	76448	P	0.3 ¹⁷ Standard CMC Frequency & Duration	0.0038 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	0.03 ¹⁷ Standard CMC Frequency & Duration	0.0036 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	
Heptachlor Epoxide	1024573	P	0.3 ¹⁷ Standard CMC Frequency & Duration	0.0038 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	0.03 ¹⁷ Standard CMC Frequency & Duration	0.0036 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	

¹⁶

Criterion was developed using an 0.1 application factor applied to the 96-hour LC50.

¹⁷

The 1980 EPA CMC criterion was divided by 2 to obtain values more comparable to derivations using the 1985 EPA Guidelines.

TABLE 29
GENERALLY APPLICABLE CRITERIA

29a: AQUATIC LIFE CRITERIA**

POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Lead	7439921	P	the calculated concentration using the hardness-dependent equation as set forth in Appendix C ¹⁹ Standard CMC Frequency & Duration	the calculated concentration using the hardness-dependent equation as set forth in Appendix C ¹⁹ Standard CCC Frequency & Duration	210 Standard CMC Frequency & Duration	8.1 Standard CCC Frequency & Duration	1. Criteria are expressed as dissolved metal in the water column. 2. Hardness-dependent equations are used to develop the Fresh Water criteria for lead. The input parameters for each calculation using these equations shall consist of ambient surface water data for hardness, collected for the relevant location, and other parameters as provided in Appendix C. ²⁰ 3. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable metal concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F. 4. Criteria may be adjusted using the water effects ratio (WER) as described in Appendix E.

¹⁹ The following are examples of lead criteria calculated using a hardness of 25 mg/L as CaCO₃: CMC = 14 µg/L and CCC = 0.54 µg/L.

²⁰ 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and-model-based criteria values where discharge of a toxic pollutant requires a permit or approval.
314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL & MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Nickel	7440020	P	the calculated concentration using the hardness-dependent equation as set forth in Appendix C ²¹ Standard CMC Frequency & Duration	the calculated concentration using the hardness-dependent equation as set forth in Appendix C ²¹ Standard CCC Frequency & Duration	74 Standard CMC Frequency & Duration	8.2 Standard CCC Frequency & Duration	1. Criteria are expressed as dissolved metal in the water column. 2. Hardness-dependent equations are used to develop the Fresh Water criteria for nickel. The input parameters for each calculation using these equations shall consist of ambient surface water data for hardness, collected for the relevant location, and other parameters as provided in Appendix C. ²² 3. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable metal concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F. 4. Criteria may be adjusted using the water effects ratio (WER) as described in Appendix E.
Nonylphenol	84852153		28 Standard CMC Frequency & Duration	6.6 Standard CCC Frequency & Duration	7 Standard CMC Frequency & Duration	1.7 Standard CCC Frequency & Duration	
Nutrients	--		See 314 CMR 4.05(5)(c).: <i>Nutrients</i> .				

²¹ The following are examples of nickel criteria calculated using a hardness of 25 mg/L as CaCO₃: CMC = 140 µg/L and CCC = 16 µg/L.

²² 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Oil and Grease	--		See 314 CMR 4.05(3) and (4)				
Oxygen, Dissolved	782447		See 314 CMR 4.05(3) and (4)				
Parathion	56382		0.065 Standard CMC Frequency & Duration	0.013 Standard CCC Frequency & Duration	--	--	
Pentachloro-phenol	87865	P	the calculated concentration using the equation as set forth in Note 1.a. ²³ Standard CMC Frequency & Duration	the calculated concentration using the equation as set forth in Note 1.b. ²³ Standard CCC Frequency & Duration	13 Standard CMC Frequency & Duration	7.9 Standard CCC Frequency & Duration	1. Two equations are used to develop the Fresh Water criteria for pentachlorophenol. The input parameter for each calculation using the equations shall consist of pH data for the relevant location. ²⁴ . The equations used to calculate the criteria are as follows: a. CMC = exp(1.005(pH)-4.869); and b. CCC = exp(1.005(pH)-5.134).
pH	--		See 314 CMR 4.05(3) and (4)				
Phosphorus, Elemental (also known as "P4", "white phosphorus" and historically known as "yellow phosphorus")	7723140		--	--	--	0.1 Standard CCC Frequency & Duration	

²³ The following are examples of pentachlorophenol criteria corresponding to a pH of 7: CMC = 8.7 µg/L, CCC = 6.7 µg/L.

²⁴ 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

29a: AQUATIC LIFE CRITERIA**							
Pollutant	CAS Number*	Priority (P) ^{II}	Fresh Water		Coastal & Marine		NOTES
			Criterion Maximum Concentration (CMC) [†] µg/L	Criterion Continuous Concentration (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Polychlorinated Biphenyls (PCBs)		P	--	0.014 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	--	0.03 The average ambient surface water concentration over any 24-hour period shall not exceed the criterion more than once during any three year period.	These criteria apply to total PCBs (the sum of all homolog, all isomer, all congener, or all Aroclor analyses).
Radioactivity			See 314 CMR 4.05(5)(d): <i>Radioactivity</i>				

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Selenium	7782492	P	the calculated concentration using the equation as set forth in Note 3 Standard CMC Frequency & Duration	5.0 Standard CCC Frequency & Duration	290 Standard CMC Frequency & Duration	71 ²⁵ Standard CCC Frequency & Duration	1. Fresh Water criteria are expressed as total recoverable metal in the water column. 2. Coastal and Marine criteria are expressed as dissolved metal in the water column. 3. The freshwater CMC selenium equation is used to develop the criterion for selenium. The CMC equation is the following: $1/[(f1/CMC1) + (f2/CMC2)]$, where f1 and f2 are the fractions of total selenium as selenite and selenate, respectively, and CMC1 = 185.9 µg/L and CMC2 =12.82 µg/L. The input parameters for each calculation using this equation shall consist of data for the fractions of total selenium as selenite and selenate, collected for the relevant location. ²⁶ 4. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable metal concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F.

²⁵ The CCC does not take into account uptake *via* the food chain; therefore, it is recommended that the status of the fish community be monitored whenever the concentration of selenium exceeds 5.0 µg/L.

²⁶ 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)							
29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Silver	7440224	P	the calculated concentration using the hardness-based equation as set forth in Appendix C ²⁷ Standard CMC Frequency & Duration	--	0.95 ²⁸ Standard CMC Frequency & Duration	--	1. These criteria are expressed as dissolved metal in the water column. 2. The hardness-dependent equation is used to develop the Fresh Water criterion for silver. The input parameters for the calculation using this equation shall consist of ambient surface water data for hardness, collected for the relevant location, and other parameters as provided in Appendix C. ²⁹ 3. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable metal concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F. 4. Criteria may be adjusted using the water effects ratio (WER) as described in Appendix E.
Solids and Turbidity	--		See 314 CMR 4.05(3) and (4)				

²⁷ The following is an example of a silver criterion applying a hardness of 25 mg/L as CaCO₃: CMC = 0.30 µg/L.

²⁸ The 1980 EPA CMC criterion was divided by 2 to obtain a value more comparable to derivations using the 1985 EPA Guidelines.

²⁹ 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

4.06: continued

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER [†]	PRIORITY (P) ^{II}	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC) [†] µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC) [‡] µg/L	CMC [†] µg/L	CCC [‡] µg/L	
Sulfide-Hydrogen Sulfide	7783064		--	2.0 Standard CCC Frequency & Duration	--	2.0 Standard CCC Frequency & Duration	
Taste and Odor	--		See 314 CMR 4.05(3) and (4)				
Temperature	--		See 314 CMR 4.05(3) and (4)				
Toxaphene	8001352	P	0.73 Standard CMC Frequency & Duration	0.0002 Standard CCC Frequency & Duration	0.21 Standard CMC Frequency & Duration	0.0002 Standard CCC Frequency & Duration	
Tributyltin (TBT)	--		0.46 Standard CMC Frequency & Duration	0.072 Standard CCC Frequency & Duration	0.42 Standard CMC Frequency & Duration	0.0074 Standard CCC Frequency & Duration	

TABLE 29: GENERALLY APPLICABLE CRITERIA (continued)

29a: AQUATIC LIFE CRITERIA**							
POLLUTANT	CAS NUMBER†	PRIORITY (P)II	FRESH WATER		COASTAL AND MARINE		NOTES
			CRITERION MAXIMUM CONCENTRATION (CMC)† µg/L	CRITERION CONTINUOUS CONCENTRATION (CCC)‡ µg/L	CMC† µg/L	CCC‡ µg/L	
Zinc	7440666	P	the calculated concentration using the applicable hardness-dependent equation as set forth in Appendix C ³⁰ Standard CMC Frequency & Duration	the calculated concentration using the applicable hardness-dependent equation as set forth in Appendix C ³⁰ Standard CCC Frequency & Duration	90 Standard CMC Frequency & Duration	81 Standard CCC Frequency & Duration	1. Criteria are expressed as dissolved metal in the water column. 2. Hardness-dependent equations are used to develop the Fresh Water criteria for zinc. The input parameters for each calculation using these equations shall consist of ambient surface water data for hardness, collected for the relevant location, and other parameters as provided in Appendix C. ³¹ 3. In certain contexts, use of a criterion may require applying a conversion factor to translate dissolved concentrations to total recoverable metal concentrations, or vice versa. Conversion factors for specified metals and the method for their application are set forth in Appendix F. 4. Criteria may be adjusted using the water effects ratio (WER) as described in Appendix E.

³⁰ The following are examples of zinc criteria applying a hardness of 25 mg/L as CaCO₃: CMC = 36 µg/L and CCC = 37 µg/L.
³¹ 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

** For a particular surface water or segment, to determine the applicable aquatic life criteria in 314 CMR 4.00, either fresh water or coastal and marine criteria, see 314 CMR 4.05(6). Where the criteria determination in 314 CMR 4.05(6) conflicts with the designated class for such surface water or segment, the determination from 314 CMR 4.05(6) shall control.

* Chemical Abstracts Service (CAS) Numbers, which are maintained in the CAS registry, are unique numeric identifiers for chemical substances. CAS is a division of the American Chemical Society.

II The Priority Pollutants are a subset of toxic pollutants for which EPA has published analytical test methods. The list of Priority Pollutants are published at 40 CFR Part 423, Appendix A.

† Unless otherwise noted, the average ambient surface water pollutant concentration over any 1-hour period shall not exceed the CMC more than once during any three year period ("Standard CMC Frequency & Duration").

‡ Unless otherwise noted, the average ambient surface water pollutant concentration over any 4-day period shall not exceed the CCC more than once during any three year period ("Standard CCC Frequency & Duration").

29a: AQUATIC LIFE CRITERIA

APPENDIX A: Default Fresh Water Aluminum Criteria by Watershed (River Basin or Coastal Drainage Area)

Default Fresh Water Aluminum Criteria by Watershed (River Basin or Coastal Drainage Area)†*		
River Basin or Coastal Drainage Area	CMC† (Acute) µg/L	CCC† (Chronic) µg/L
Blackstone	532	262
Boston Harbor/Charles	978	380
Buzzards Bay/Mt Hope Bay/Narragansett Bay/Ten Mile	451	230
Cape Cod Coastal ³²	--	--
Chicopee (5 th percentile)	290	170
Connecticut (5 th percentile)	600	290
Deerfield	440	220
Farmington/Westfield (5 th percentile)	299	169
French/Quinebaug	570	270
Housatonic/Hudson	1400	515
Ipswich/North Coastal/Parker	932	396
Islands Coastal ³²	--	--
Merrimack/Shawsheen (5 th percentile)	460	249
Millers	329	200
Nashua (5 th percentile)	368	200
South Coastal	1200	460
Sudbury, Assabet, and Concord (SuAsCo)	940	394
Taunton (5 th percentile)	300	190
† Defaults are based on 10 th percentile criteria calculated from concurrent pH, DOC, and hardness data, except watersheds marked as 5 th percentile to protect state and federal endangered species.		
* Acronyms: CCC = Criterion Continuous Concentration CMC = Criterion Maximum Concentration		
³² Insufficient data are available to calculate watershed-based default criteria.		

29a: AQUATIC LIFE CRITERIA

APPENDIX B: Calculation of Fresh Water Ammonia Criteria Values

Criteria for ammonia as total ammonia nitrogen (mg/L TAN) are pH- and temperature-dependent. Criteria are derived in accordance with the equations set forth below, where MIN indicates the lesser of the two values separated by a comma, MAX indicates the greater of the two values separated by a comma, and T is temperature in degrees Celsius. The criterion maximum concentration (CMC or acute) equations differ according to the presence or absence of fish in the family Salmonidae.

- 1. The CMC (acute) calculation:
 - a. The following equation shall be used when Salmonidae species are present. Salmonidae species are presumed present in surface waters designated Cold Waters in 314 CMR 4.00; in MA Division of Fisheries and Wildlife's designated Cold Water Fisheries Resources (CFR); in surface waters where applicable data indicate the definition of a Cold Water Fishery is met ("Cold Water Fishery existing use"); and, as a rebuttable presumption, in any tributary to such designated Cold Waters, CFRs, or Cold Water Fishery existing uses:

$$CMC\ present = MIN\left(\left(\frac{0.275}{1+10^{7.204-pH}} + \frac{39.0}{1+10^{pH-7.204}}\right), \left(0.7249 \times \left(\frac{0.0114}{1+10^{7.204-pH}} + \frac{1.6181}{1+10^{pH-7.204}}\right) \times \left(23.12 \times 10^{0.036 \times (20-T)}\right)\right)\right),\ or$$

- b. The following equation shall be used when Salmonidae species are absent. Salmonidae species are presumed absent in surface waters designated Warm Waters in 314 CMR 4.00; and in surface waters that are not designated Cold Waters, CFRs or Cold Water Fishery existing uses, or tributary to such designated Cold Waters, CFRs or Cold Water Fishery existing uses:

$$CMC\ absent = 0.7249 \times \left(\frac{0.0114}{1+10^{7.204-pH}} + \frac{1.6181}{1+10^{pH-7.204}}\right) \times MIN(51.93, 23.12 \times 10^{0.036 \times (20-T)})$$

- 2. The following Criterion Continuous Concentration (CCC or chronic) calculation shall be used in all surface waters:

$$CCC = 0.8876 \times \left(\frac{0.0278}{1+10^{7.688-pH}} + \frac{1.1994}{1+10^{pH-7.688}}\right) \times (2.126 \times 10^{0.028 \times (20-MAX(T,7))})$$

APPENDIX C: Calculation of Hardness-Dependent Fresh Water Dissolved Metals Criteria Values*

- | Parameters for Calculating Hardness-Dependent Fresh Water Dissolved Metals Criteria Values | | | | | | |
|--|----------------|----------------|----------------|----------------|------------------------------------|------------------------------------|
| Chemical | m _A | b _A | m _C | b _C | Conversion Factors | |
| | | | | | CMC | CCC |
| Cadmium ³⁴ | 0.9789 | -3.866 | 0.7977 | -3.909 | 1.136672-[(ln hardness)(0.041838)] | 1.101672-[(ln hardness)(0.041838)] |
| Chromium III | 0.8190 | 3.7256 | 0.8190 | 0.6848 | 0.316 | 0.860 |
| Copper | 0.9422 | -1.700 | 0.8545 | -1.702 | 0.960 | 0.960 |
| Lead ³⁴ | 1.273 | -1.460 | 1.273 | -4.705 | 1.46203-[(ln hardness)(0.145712)] | 1.46203-[(ln hardness)(0.145712)] |
| Nickel | 0.8460 | 2.255 | 0.8460 | 0.0584 | 0.998 | 0.997 |
| Silver | 1.72 | -6.59 | - | - | 0.85 | - |
| Zinc | 0.8473 | 0.884 | 0.8473 | 0.884 | 0.978 | 0.986 |

CMC = Criterion Maximum Concentration

³⁴ When an ambient hardness of less than 25 mg/L is used to establish criteria for cadmium or lead, if the calculated hardness-dependent Conversion Factor (CF) is greater than one, it shall default to one.

29a: AQUATIC LIFE CRITERIA

APPENDIX D: Model-Based Software for Calculating Fresh Water Aluminum and Copper Criteria Values ³⁵

1. Aluminum: As used in Table 29a at 314 CMR 4.06(6)(d), the term "Aluminum Criteria Calculator V.2.0" shall mean the software published by EPA for calculation of criteria values as described in EPA's "Final Aquatic Life Ambient Water Quality Criteria For Aluminum 2018" (EPA-822-R-18-001), referred to therein as the "Aluminum Criteria Calculator V.2.0". A copy of this software is available from MassDEP's website.
2. Copper: As used in Table 29a at 314 CMR 4.06(6)(d), the term "Biotic Ligand Model" (or "BLM") for copper shall mean version 2.2.3 of the software published by EPA for calculation of criteria values as described in EPA's "Aquatic Life Ambient Freshwater Quality Criteria - Copper, 2007 Revision" (EPA-822-R-07-001), referred to therein as the "copper biotic ligand model (BLM)". A copy of this software is available from MassDEP's website.
3. Software Updates: For purposes of Table 29a at 314 CMR 4.06(6)(d), the software referred to as the Aluminum Criteria Calculator V.2.0. and the copper BLM version 2.2.3, respectively, shall include any software updates which MassDEP may determine in writing are necessary or desirable for purposes of maintaining or improving compatibility with updated computer operating systems, usability, or computational efficiency; provided that:
 - a. no such software update shall substantively alter the toxicity data or water quality criteria calculations used in such software;
 - b. notice of all such written determinations and all such associated software updates shall be published on MassDEP's website, and shall also be made available upon request to MassDEP; and
 - c. any software update that does not satisfy all of the requirements listed in Appendix D.3., shall only be implemented by amending this regulation.

³⁵ 314 CMR 4.05(5)(e)2.d. specifies required methods for data collection and calculation of equation- and model-based criteria values where discharge of a toxic pollutant requires a permit or approval. 314 CMR 4.03(1)(a) requires consideration of downstream uses when applying these criteria.

29a: AQUATIC LIFE CRITERIA

APPENDIX E: Adjustment of Criteria Using the WER (Specified Metals) or the Streamlined WER (Copper in Coastal and Marine Waters Only)

1. For specified metals (as noted in Table 29a at 314 CMR 4.06(6)(d)), criteria may be adjusted in accordance with the procedure published in EPA's "Interim Guidance on Determination and Use of Water-Effect Ratios for Metals, February 1994" (EPA-823-B-94-001) and as clarified and updated by EPA's Aquatic Life Guidelines Committee memo titled "Modifications to Guidance Site-Specific Criteria" dated December 3, 1997 (collectively, the WER). A workplan and/or sampling plan and quality assurance project plan (QAPP) is required for use of the WER and shall be subject to MassDEP's advance written approval.
2. For copper (as noted in Table 29a at 314 CMR 4.06(6)(d)) in coastal and marine waters only, the criteria may, in the alternative, be adjusted in accordance with the procedure published in EPA's "Streamlined Water-Effect Ratio Procedure for Discharges of Copper March 2001" (Streamlined WER, EPA-822-R-01-005), as applicable. The procedure applies to situations where most of the copper is from continuous point source effluents. A workplan and/or sampling plan and QAPP are required for the use of the Streamlined WER and shall be subject to MassDEP's advance written approval. The workplan and/or sampling plan and QAPP shall be consistent with EPA's 2002 acute and chronic toxicity testing guidance for marine and estuarine systems, using one or more of the test organisms listed in the table below.^{36,37} MassDEP may, at its discretion, approve the use of other test organisms consistent with the recommendations in those documents.

Marine and Estuarine Toxicity Test Organisms for Streamlined WER for Discharges of Copper	
Acute Toxicity Test Organisms	Chronic Toxicity Test Organisms
Mysid (<i>Mysidopsis bahia</i>)	sheepshead minnow (<i>Cyprinodon variegatus</i>)
sheepshead minnow (<i>Cyprinodon variegatus</i>)	inland silverside (<i>Menidia beryllina</i>)
inland silverside (<i>Menidia beryllina</i>)	mysid (<i>Mysidopsis bahia</i>)
Atlantic silverside (<i>Menidia menidia</i>)	sea urchin (<i>Arbacia punctulata</i>)
tidewater silverside (<i>Menidia peninsulae</i>)	red macroalga (<i>Champia parvula</i>)

³⁶.EPA. 2002a. Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms. Fifth Edition. October 2002. EPA-821-R-02-012.

³⁷.EPA. 2002b. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms. Third Edition. October 2002. EPA-821-R-02-014.

29a: AQUATIC LIFE CRITERIA

APPENDIX F: Conversion Factors (CF) to Convert from Total to Dissolved or from Dissolved to Total Concentrations

Conversion Factors (CF) to Convert from Total to Dissolved Concentrations (multiply by CF) or Convert from Dissolved to Total Concentrations (divide by CF)*				
Metal	CF for Freshwater CMC	CF for Freshwater CCC	CF for Saltwater CMC	CF for Saltwater CCC
Arsenic	1.000	1.000	1.000	1.000
Cadmium	1.136672-[(ln hardness)(0.041838)]	1.101672-[(ln hardness)(0.041838)]	0.994	0.994
Chromium III	0.316	0.860	-	-
Chromium VI	0.982	0.962	0.993	0.993
Copper	0.960	0.960	0.83	0.83
Lead	1.46203-[(ln hardness)(0.145712)]	1.46203-[(ln hardness)(0.145712)]	0.951	0.951
Mercury	0.85	0.85	0.85	0.85
Nickel	0.998	0.997	0.990	0.990
Selenium	0.996	0.922	0.998	0.998
Silver	0.85	-	0.85	-
Zinc	0.978	0.986	0.946	0.946

* Acronyms:
CCC = Criterion Continuous Concentration
CF = Conversion Factors
CMC = Criterion Maximum Concentration

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Acenaphthene	83329	P	70	90	
Acrolein	107028	P	3	400	
Acrylonitrile	107131	P	0.061	7.0	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Aldrin	309002	P	0.00000077	0.00000077	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Anthracene (polycyclic aromatic hydrocarbon or PAH)	120127	P	300	400	
Antimony	7440360	P	5.6	640	Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day as applicable.
Arsenic	7440382	P	0.018	0.14	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk These recommended water quality criteria refer only to the inorganic form of arsenic. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable
Asbestos	1332214	P	7 million fibers/L	--	Criterion was determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Bacteria (Pathogens)			See 314 CMR 4.05(3), (4), and (5)(f)		
Barium	7440393		1,000	--	Criterion was determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day.
Benzene	71432	P	0.58-2.1	16-58	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Benzidine	92875	P	0.00014	0.011	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Benzo(a)anthracene (PAH)	56553	P	0.0012	0.0013	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Benzo(a)pyrene (PAH)	50328	P	0.00012	0.00013	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Benzo(b)fluoranthene (PAH) (also known as 3,4-benzofluoranthene)	205992	P	0.0012	0.0013	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Benzo(k)fluoranthene (PAH)	207089	P	0.012	0.013	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Beryllium	7440417	P	3.7 ng/L	64 ng/L	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Bis(2-Chloroethyl) Ether	111444	P	0.03	2.2	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Bis(Chloromethyl) Ether	542881		0.00015	0.017	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Bis(2-Chloro-1-methylethyl) Ether (also known as Bis(2-Chloroisopropyl) Ether)	108601	P	200	4,000	
Bis(2-Ethylhexyl) Phthalate (also known as Di(2-Ethylhexyl)-Phthalate)	117817	P	0.32	0.37	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Bromoform ³⁶ (also known as tribromomethane)	75252	P	7.0	120	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Butylbenzyl Phthalate	85687	P	0.10	0.10	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Cadmium	7440439	P	5	-	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1993). Criterion was determined assuming a human body weight of 70-kilograms and a drinking water consumption rate of 2 liters/day.
Carbon Tetrachloride	56235	P	0.4	5	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Chlordane	57749	P	0.00031	0.00032	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Chlorobenzene (also known as monochlorobenzene)	108907	P	100	800	
Chlorodibromomethane ³⁶ (also known as dibromochloromethane)	124481	P	0.80	21	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.

³⁶ See also total trihalomethanes.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Chloroform ³⁶ (also known as trichloromethane)	67663	P	60	2,000	
2-Chloronaphthalene	91587	P	800	1,000	
2-Chlorophenol	95578	P	30	800	
Chlorophenoxy Herbicide (also known as 2,4-D)	94757		70	12,000	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1993) and was determined assuming a 70 kg adult ingests 2 liters/day of drinking water.
Chlorophenoxy Herbicide (also known as 2,4,5-TP or Silvex)	93721		50	400	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1996) and was determined assuming a 70 kg adult ingests 2 liters/day of drinking water.
Chromium (total)	7440473	P	100	--	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1993) and was determined assuming a 70 kg adult ingests 2 L/day of drinking water and that 0.71 of the total exposure to chromium is through drinking water.
Chrysene (PAH)	218019	P	0.12	0.13	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. EPA has issued a Maximum Contaminant Level for this chemical which may be more stringent.
Copper	7440508	P	1,300	--	The exposure criterion is based on carcinogenicity of 10 ⁻⁶ risk. The exposure criterion was determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Cyanide	57125	P	4	400	These recommended water quality criteria are expressed as µg total cyanide (<i>i.e.</i> , zinc-potassium cyanide, free potassium cyanide and hydrocyanic acid).
Dibenzo(a,h)anthracene	53703	P	0.00012	0.00013	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
1,2-Dichlorobenzene (also known as o-DCB)	95501	P	600	3,000	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1993) and was determined by assuming that a 70 kg adult ingests 2 liters/day of water.
1,3-Dichlorobenzene	541731	P	7	10	
1,4-Dichlorobenzene (also known as p-DCB)	106467	P	5	900	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1993).
3,3'-Dichlorobenzidine	91941	P	0.049	0.15	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Dichlorobromomethane ³⁶ (also known as Bromodichloromethane)	75274	P	0.95	27	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
p,p'-Dichlorodiphenyldichloroethane (also known as DDD)	72548	P	0.00012	0.00012	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
p,p'-Dichlorodiphenyldichloroethylene (also known as DDE)	72559	P	0.000018	0.000018	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
p,p'-Dichlorodiphenyltrichloroethane (also known as DDT)	50293	P	0.000030	0.000030	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
1,2-Dichloroethane	107062	P	5	650	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1989). The criterion is based on the 1,2-dichloroethane practical quantitation limit (PQL)
1,1-Dichloroethylene	75354	P	7	20,000	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1989). The criterion is based on the 1,1-dichloroethylene PQL.
2,4-Dichlorophenol	120832	P	10	60	
1,2-Dichloropropane	78875	P	0.90	31	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
1,3-Dichloropropene	542756	P	0.27	12	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Dieldrin	60571	P	0.0000012	0.0000012	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Diethyl Phthalate	84662	P	600	600	
2,4-Dimethylphenol	105679	P	100	3,000	
Dimethyl Phthalate	131113	P	2,000	2,000	
Di-n-Butyl Phthalate	84742	P	20	30	

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Dinitrophenols	25550587		10	1,000	
2,4-Dinitrophenol	51285	P	10	300	
2,4-Dinitrotoluene	121142	P	0.049	1.7	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Dioxin (also known as 2,3,7,8-Tetrachloro-dibenzo-p-dioxin or TCDD)	1746016	P	5.0E-9	5.1E-9	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
1,2-Diphenylhydrazine	122667	P	0.03	0.2	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
alpha-Endosulfan	959988	P	20	30	
beta-Endosulfan	33213659	P	20	40	
Endosulfan Sulfate	1031078	P	20	40	
Endrin	72208	P	0.03	0.03	
Endrin Aldehyde	7421934	P	1	1	
Ethylbenzene	100414	P	68	130	
Fluoranthene	206440	P	20	20	
Fluorene (PAH)	86737	P	50	70	
Heptachlor	76448	P	0.0000059	0.0000059	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Heptachlor Epoxide	1024573	P	0.000032	0.000032	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Hexachlorobenzene	118741	P	0.000079	0.000079	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Hexachlorobutadiene	87683	P	0.01	0.01	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
alpha-Hexachlorocyclohexane (also known as alpha-HCH)	319846	P	0.00036	0.00039	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
beta-Hexachlorocyclohexane (also known as beta-HCH)	319857	P	0.008	0.014	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
gamma-Hexachlorocyclohexane (also known as gamma-HCH or Lindane)	58899	P	0.2	4.4	The Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1991) and was determined assuming a human body weight of 70-kilograms and a drinking water ingestion rate of 2 liters/day.
Hexachlorocyclohexane -Technical (also known as technical HCH)	608731		0.0066	0.010	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Hexachlorocyclopentadiene	77474		4	4	
Hexachloroethane	67721	P	0.1	0.1	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Indeno(1,2,3-cd) pyrene (PAH)	193395	P	0.0012	0.0013	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Isophorone	78591	P	34	1,800	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Manganese	7439965		50	100	The Drinking Water Plus Fish and Shellfish Consumption criterion for manganese is not based on toxic effects, but rather is intended to minimize qualities such as laundry stains and objectionable tastes in beverages. The Fish & Shellfish Consumption Only criterion was determined assuming a human body weight of 70-kilograms, and a fish consumption rate of 17.5 grams/day.
Mercury (inorganic)	--		2	--	The Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (2004) and was determined assuming a human body weight of 70-kilograms and a drinking water ingestion rate of 2 liters/day.
Methylmercury	22967926	P	-	0.3 mg/kg	The Fish and Shellfish Consumption Only criterion was determined assuming a human body weight of 70-kilograms, and a fish consumption rate of 17.5 grams/day.
Methoxychlor	72435		0.02	0.02	
3-Methyl-4-Chlorophenol (also known as p-chloro-m-cresol)	59507	P	500	2,000	
2-Methyl-4,6-Dinitrophenol	534521	P	2	30	
Methyl Bromide	74839	P	100	10,000	

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Methylene Chloride (also known as Dichloromethane)	75092	P	5	1,000	The Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1995) and was derived based on the Practical Quantitation Limit (PQL) for Methylene Chloride. The Fish and Shellfish Consumption Only criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Nickel	7440020	P	100	4,600	The Drinking Water Plus Fish and Shellfish Consumption criterion is based on the ORSG ³⁹ . This ORSG is derived assuming that an adult ingests 2 L/day of water. The criteria were determined assuming a human body weight of 70-kilograms and a fish consumption rate of 17.5 grams/day.
Nitrate (as N) (criterion also applies to total nitrate/nitrite)	14797558		10,000	--	Criterion was determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day.
Nitrite	14797650		1,000	--	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1996) and was derived assuming that a 4 kg infant ingests 0.64 L of formula per day.
Nitrobenzene	98953	P	10	600	

³⁹ The MassDEP Office of Research and Standards (ORS) issues guidance for chemicals other than those with Massachusetts MCLs in drinking water. These ORS guidance values are known as ORS Guidelines or ORSG and are usually developed for use by Departmental programs in the absence of any other federal standards or guidance. ORS uses methodologies similar to that used by the EPA's Office of Groundwater and Drinking Water (OGWDW) when setting guidelines for chemicals in drinking water.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Nitrosamines	-		0.0008	1.24	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
Nitrosodibutylamine	924163		0.0063	0.22	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
Nitrosodiethylamine	55185		0.0008	1.24	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Nitrosopyrrolidine	930552		0.016	34	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
N-Nitrosodimethylamine (also known as NDMA)	62759	P	0.00069	3.0	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
N-Nitrosodi-n-Propylamine	621647	P	0.0050	0.51	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
N-Nitrosodiphenylamine	86306	P	3.3	6.0	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
Pentachlorobenzene	608935		0.1	0.1	
Pentachlorophenol	87865	P	0.03	0.04	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
pH	-		See 314 CMR 4.05(3) and 4.05(4)		
Phenol	108952	P	4,000	300,000	
Polychlorinated Biphenyls (PCBs)		P	0.000064	0.000064	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk. This criterion applies to total PCBs (<i>e.g.</i> , the sum of all congener or all isomer or homolog or Aroclor analyses). Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
Pyrene (PAH)	129000	P	20	30	
Radioactivity			See 314 CMR 4.05(5)(d): <i>Radioactivity</i>		

4.06: continued

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Selenium	7782492	P	50	4,200	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (1996) and was determined assuming a human body weight of 70-kilograms and a drinking water consumption rate of 2 liters/day. Fish and Shellfish Consumption Only Criterion was determined assuming a human body weight of 70-kilograms and a fish consumption rate of 17.5 grams/ day.
Solids (Dissolved) and Salinity	-		250,000	-	This criterion applies to the total of chlorides and sulfates.
1,2,4,5-Tetrachlorobenzene	95943		0.03	0.03	
Tetrachloroethylene	127184	P	10	29	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
1,1,2,2-Tetrachloroethane	79345	P	0.2	3	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
Thallium	7440280	P	0.24	0.47	Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.
Toluene	108883	P	57	520	
Total Trihalomethanes (TTHM) (the sum of bromodichloromethane, dibromochloromethane, bromoform (tribromomethane) and chloroform (trichloromethane))			80	--	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL (2004).
Toxaphene	8001352	P	0.00070	0.00071	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Trans-1,2-Dichloroethylene	156605	P	100	4,000	
1,2,4-Trichlorobenzene	120821	P	0.071	0.076	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Trichloroethylene	79016	P	0.6	7	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
1,1,1-Trichloroethane	71556	P	200	200,000	Drinking Water Plus Fish and Shellfish Consumption criterion is based on the MMCL and assumes a human body weight of 70-kilograms and a drinking water consumption rate of 2 liters/day.

TABLE 29 GENERALLY APPLICABLE CRITERIA					
29b: HUMAN HEALTH CRITERIA**					
POLLUTANT	CAS NUMBER*	PRIORITY (P) ^{II}	EXPOSURE TYPE		NOTES
			DRINKING WATER PLUS FISH & SHELLFISH CONSUMPTION† µg/L	FISH & SHELLFISH CONSUMPTION ONLY µg/L	
1,1,2-Trichloroethane	79005	P	0.55	8.9	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
2,4,5-Trichlorophenol	95954		300	600	
2,4,6-Trichlorophenol	88062	P	1.5	2.8	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Vinyl Chloride	75014	P	0.022	1.6	The exposure criteria are based on carcinogenicity of 10 ⁻⁶ risk.
Zinc	7440666	P	7,400	26,000	Criteria were determined assuming a human body weight of 70-kilograms, a drinking water consumption rate of 2 liters/day, and a fish consumption rate of 17.5 grams/day, as applicable.

** Metals criteria are expressed as total concentrations. To identify Massachusetts Maximum Contaminant Levels (MMCL) for pollutants not listed in this table, *see* 310 CMR 22.00: *Drinking Water*.

* Chemical Abstracts Service (CAS) Numbers, which are maintained in the CAS registry, are unique numeric identifiers for chemical substances. CAS is a division of the American Chemical Society.

^{II} The Priority Pollutants are a subset of toxic pollutants for which EPA has published analytical test methods. The list of Priority Pollutants are published at 40 CFR Part 423, Appendix A.

† Unless otherwise noted, criteria are based on a human body weight of 80 kilograms, a water intake rate of 2.4 liters/day (representing the per capita estimate of combined direct and indirect household tapwater ingestion at the 90th percentile for U.S. adults ages 21 and older), and an organism ingestion rate of 22 grams/day (representing the 90th percentile consumption rate of finfish and shellfish from inland and nearshore waters for U.S. adults ages 21 and older).

(e) Table 30: Organoleptic Effect Criteria.

TABLE 30 ORGANOLEPTIC EFFECT CRITERIA** (<i>e.g.</i> , taste and odor)		
POLLUTANT	CAS NUMBER*	CRITERION µg/L
Acenaphthene	83329	20
Chlorobenzene (also known as monochlorobenzene)	108907	20
2-Chlorophenol	95578	0.1
3-Chlorophenol		0.1
4-Chlorophenol	106489	0.1
Copper	7440508	1,000
2,3-Dichlorophenol		0.04
2,4-Dichlorophenol	120832	0.3
2,5-Dichlorophenol		0.5
2,6-Dichlorophenol		0.2
3,4-Dichlorophenol		0.3
2,4-Dimethylphenol	105679	400
Hexachlorocyclopentadiene	77474	1
Iron	7439896	300
2-Methyl-4-Chlorophenol		1,800
3-Methyl-4-Chlorophenol (also known as p-chloro-m-cresol)	59507	3,000
3-Methyl-6-Chlorophenol		20

TABLE 30 ORGANOLEPTIC EFFECT CRITERIA (continued)** (e.g., taste and odor)		
POLLUTANT	CAS NUMBER*	CRITERION µg/L
Nitrobenzene	98953	30
Pentachlorophenol	87865	30
Phenol	108952	300
2,3,4,6-Tetrachlorophenol		1
2,4,5-Trichlorophenol	95954	1
2,4,6-Trichlorophenol	88062	2
Zinc	7440666	5,000

** Metals criteria are expressed as total concentrations.
* Chemical Abstracts Service (CAS) Numbers, which are maintained in the CAS registry, are unique numeric identifiers for chemical substances. CAS is a division of the American Chemical Society.

314 CMR: DIVISION OF WATER POLLUTION CONTROL

4.07: Severability

If any provision of 314 CMR 4.00 is held invalid, the remainder of 314 CMR 4.00 shall not be affected.

REGULATORY AUTHORITY

314 CMR 4.00: M.G.L. c. 21, § 27.

