



**Massachusetts Department of Environmental Protection**  
Bureau of Hazardous Waste – Business Compliance Division

## **BWP HW 14**

### **Renewal of License to Transport Hazardous Waste, Including Mixed Wastes Instructions and Supporting Materials**

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#### **Introduction**

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at [mass.gov/dep](http://mass.gov/dep) in two file formats: Microsoft Word® and Adobe Acrobat PDF®. Either format allows documents to be printed.

*Instructions & Support Materials* files in Microsoft Word® format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

*Permit Applications* in Microsoft Wordformat must be downloaded separately. Users with Microsoft Word® 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF® format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF® files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



Massachusetts Department of Environmental Protection  
Bureau of Hazardous Waste – Business Compliance Division

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#### **Bureau of Waste Prevention Guidance**

Thank you for your interest in applying for a Massachusetts Hazardous Waste Transporter License Renewal. In August 2000, the Department streamlined its Hazardous Waste Transporter Licensing Program. The Department's permitting and compliance fee regulations (310 CMR 4.00, titled "Timely Action Schedule and Fee Provisions") now specify the following processing timelines:

- Within 60 days of receipt of the permit application and payment of the fee, the Department will complete a technical review of the application.
- If deficiencies are found in the application, the applicant has 60 days to correct them.
- Within 60 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, MassDEP shall complete a supplemental technical review.
- Within 30 days of the close of the period for public comment, if any, the Department shall complete a public comment review.

If the Department fails to make a determination on your application within the timeline outlined above, MassDEP will refund the your application fee and will continue with the review. As before, the application fee for a renewal of a license to transport hazardous waste is \$1,935.

Please be aware that the Department now requires renewal license applicants to take some additional actions. If you have a Massachusetts office address(es) where transportation related activities take place and license records are maintained, you must:

- **Send a copy of the application to the local board of health;** The local Board of Health must be in the Massachusetts town/city of the applicant's office address, i.e., the location where transportation related activities take place and license records are maintained. Attach the enclosed Board of Health cover letter when sending a copy of your application to the local Board of Health;
- **Send to the Department written documentation of the board of health's receipt of the application copy** (e.g. a copy of a certified mail receipt);
- **Submit *public notice* for publication in a newspaper with circulation in the town of the applicant's business office;** The notice should be published no later than 15 days after you send the application to the Department. The notice will announce a 45-day public comment period commencing on the date of newspaper publication. ***Use the public notice format that is attached in this application package;*** and,
- **Send a copy of the published newspaper notice to the department and to the local board of health** no later than 21 days after you send the application to the Department.

Renewal applicants are required to submit **only one complete original application in a three-ring binder** to the Department. Firms submitting incomplete applications will be notified of deficiencies and required to provide the requested information. Failure to respond adequately and in a timely manner will result in renewal application denial and license revocation.

If a licensee allows its transporter license to expire without submitting a renewal application, the Department will not grant an extension for the existing transporter license; it will expire. Firms not intending to renew should notify the MassDEP/BWP Business Compliance Division as soon as possible.



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For qualified applicants, the Department issues hazardous waste transporter licenses for terms of up to five years. You may also be contacted to provide the Department additional information concerning vehicles that require Vehicle Identification Devices (VIDs) and updated stickers.

The Department's Division of Business Compliance staff conducts informal help sessions at the Department's One Winter Street, Boston office to assist transporter licensees and license applicants in filling out their applications and to help reduce review and response timelines. In the help session, MassDEP staff will discuss the following:

- each portion of the transporter application;
- the streamlined transporter licensing program, including:
  - revisions to the hazardous waste and fees regulations,
  - transporter application packages, and,
  - license modification requirements;
- common mistakes typically made in applications, and,
- issues such as compliance checks, nondisclosure, and responses to requests for information.

If you are interested in attending a help session or are in need of assistance in completing your application, you may contact the Business Compliance Division at (617) 292-5576.



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#### **How To Avoid Common Mistakes**

- a. **HAZADOUS WASTE REGULATIONS:** Prior to filling out your application, obtain an updated copy of the Hazardous Waste Regulations (310 CMR 30.000) and refer to the sections cited in the application package for guidance on the information required.
- b. **ORGANIZE YOUR APPLICATION:** Arrange your application attachments in the same order as listed in “Attachments” (Section G of the Permit Application”. The Permit Fact Sheet, the Hazardous Waste Regulations, and instructions in the Permit Application offer guidance for submitting a complete application.
- c. **DRIVER TRAINING:** (1) Provide a certification on company letterhead which states that the applicant is subject to the DOT hazardous materials training requirements of 49 CFR Part 172 (Subpart H) and Part 177, and that all drivers are currently trained and tested (See Transporter Data Sheet TDS 01-3, Training Programs); (2) Include a notation in your TDS 01-3 response indicating that drivers receive training in the list of notification numbers to call in the event of a spill or release, and that those numbers are listed in the Emergency Response Guide submitted in Attachment TDS-01-13, Spill Cleanup Equipment and Procedures.
- d. **OFFICER & DIRECTOR INFORMATION:** Provide the names and addresses of all officers, directors, and partners of the company and of all individuals who hold greater than 5% equity in the company (See Transporter Data Sheet TDS 01-4, Officers and Directors)
- e. **“NONE” VS. “N.A.”:** Respond directly to information requested on the Transporter Data Sheet for inclusion in each attachment; if for example, you have no “Other Business Activities”, indicate “none”; don’t respond by indicating “N.A.” (SEE TDS 01-5, Other Business Activities).
- f. **DISCLOSURE:** Disclose all past and pending legal and administrative actions and civil suits regarding violations of environmental or public health laws or regulations (See Transporter Data Sheet TDS 01-6, Past/Pending Legal or Administrative Actions), including all violations issued by the Massachusetts DEP. Also disclose a list of past or pending hazardous waste related civil suits (by docket number) (See Transporter Data Sheet TDS 01-7, Past/Pending Civil Suits). Failure to disclose these items may result in the denial of your application, the revocation of your license, and/or the assessment of penalties.
- g. **LIABILITY INSURANCE:** Provide the insurance documents required by 310 CMR 30.410. These are: (1) a Certificate of Insurance for automobile liability and (2) DOT Endorsement (Form MCS-90) for environmental restoration which amends the automobile policy number on the certificate of insurance (note that the corresponding automobile policy number must appear on the endorsement form!). Both insurance documents must be in an amount of at least \$1 million. The Certificate of Insurance must indicate the Department of Environmental Protection as the certificate holder (“Massachusetts DEP, Bureau of Waste Prevention, Business Compliance Division,, One Winter Street, 9<sup>th</sup> Floor, Boston, MA 02108”), and must provide 30 day notice of cancellation. (See Transporter Data Sheet TDS 01-9, Insurance Documents).
- h. **VEHICLE CLEANING:** Provide a detailed plan for cleaning vehicles that are used to transport hazardous waste. The plan must address how your company prevents co-mingling of waste residues and what steps are taken to prevent releases from the washing operation (See Transporter Data Sheet TDS 01-12, Plan for Cleaning Vehicles).



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- i. **EMERGENCY PROCEDURES:** Submit your company's Emergency Procedures Guide which outlines step-by-step procedures to be followed by the driver in the event of a spill or release of hazardous waste during transport. The Guide must include a list of who shall be notified after a release, how the spill or release shall be initially contained, and how required emergency equipment shall be used. Make sure your list of MassDEP emergency response numbers and regional office phone numbers is up-to-date. The MassDEP emergency phone numbers are 617-556-1133 (from the Boston area) and 888-304-1133 (toll-free).

The MassDEP regional office phone numbers staffed on weekdays during normal business hours are:

- Central Regional Office (CERO): 508-792-7650
- Northeast Regional Office (NERO): 978-694-3200
- Southeast Regional Office (SERO): 508-946-2700
- Western Regional Office (WERO): 413-784-1100
- Find your region: <http://mass.gov/dep/about/region/findyour.htm>

- j. **NEED HELP?** Contact Asha Shah of the MassDEP/BWP/Business Compliance Division at 617-292-5576 if you need assistance.

- k. **WHERE TO SUBMIT:** Submit fee and *photocopy* of the MassDEP Transmittal Form <http://mass.gov/dep/service/online/trasmfrm.shtml> to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

Submit application and copy of the MassDEP Transmittal Form to: Department of Environmental Protection, Business Compliance Division, Hazardous Waste Transporter Program, One Winter Street, Boston, MA 02108.



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## **Permit Fact Sheet**

### **Purpose of license**

Transporter licensing serves to protect public health, welfare, and the environment through the review of a firm's qualifications and competence to transport hazardous wastes. License review includes assessment of an applicant's insurance coverage, driver training program, and emergency response procedures/equipment.

### **MassDEP unit responsible for license review**

Bureau of Waste Prevention, Business Compliance Division, Hazardous Waste Transporter Program  
One Winter Street  
Boston, MA 02108  
617-292-5576

### **Who must apply**

Any firm or individual that wishes to continue to transport hazardous wastes beyond the expiration date of their current license.

### **Documentation to accompany application**

Each application for a license to transport hazardous waste must be accompanied by separate informational attachments. The required information is described briefly in the application form and in some cases, samples and/or blank forms for the required information are attached to the application. Applicants are advised to read the regulations listed to be sure that all the necessary information is included.

### **Fees associated with license**

- An application fee of \$1,935 is due when the application is submitted.
- There is no annual compliance fee.

### **License review timeline**

The Department has 60 days from receipt of the application and fee to complete its technical review of a BWP HW14 application. If it fails to take timely action on an adequately prepared license application within 90 days from receipt of the application and fee, the Department will refund the entire fee and will continue its review. A second 60-day technical review period will be conducted only if the original submission is incomplete.

### **Duration of license**

The renewal license is issued for up to 5 years, provided the applicant remains in compliance with appropriate laws and regulations.

### **What regulations apply?**

Applicable regulations include, but are not limited to: (in particular sections 30.010, 30.400, and 30.800)

Timely Action and Fee Schedule Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore  
Room 116  
Boston, MA 02133  
617-727-2834

State Bookstore  
436 Dwight Street, Room 102  
Springfield, MA 01103  
413-784-1376



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### **Procurement of the US Department of Transportation (DOT) North American Emergency Response Guidebook**

A copy of the most recent edition of the Emergency Response Guidebook for Hazardous Materials, published by the DOT, may be purchased from the organizations listed below:

J.J. Keller & Associates, Inc.  
3003 West Breezewood Lane  
P.O. Box 368  
Neenah, WI 54956  
(800)-843-3174

Labelmaster Co.  
5724 N. Pulaski Road  
Chicago, IL 60646-0402  
(773)-478-0900  
(800)-621-5808  
fax: (800)-723-4327

UNZ & Company  
700 Central Avenue  
New Providence, NJ 07974  
(201)-795-5400  
(800)-631-3098



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#### **Obtaining Vehicle Identification Devices (VIDs)**

Your company must have a Vehicle Identification Device valid for the current year, for each vehicle transporting hazardous waste in Massachusetts. In accordance with Massachusetts General Laws, Chapter 21C, Sections 5 and 7 and the Massachusetts Hazardous Waste Regulations 310 CMR 30.414, a licensed hazardous waste transporter shall not transport hazardous waste in Massachusetts without a valid VID issued to the vehicle.

To obtain your VID cards as a new licensee, follow the instructions below so that the Department can efficiently process your order. The VID Form (see Permit Application Forms, Item #8; pp. 1-2) should be used when ordering VIDs. Complete the form providing company information on the upper right corner and all the vehicle information as required on the rest of the form. All information must be clear and legible. Submit this form with your license application. NOTE: For a tractor-trailer combination, a VID is needed only for the tractor or the trailer, whichever you choose.

Upon receiving your license, you will receive, enclosed with the VID cards, “calendar year” stickers (effective through December 31 of the year in which you obtain your license) which must be affixed to the cards.

After you have received your license, you may apply for VID cards for additional vehicles at any time:

- You may apply online for additional VID cards, using application BWP HW 28.
- To submit an online application, you must first register at <https://edep.dep.mass.gov/DEPHome.aspx> to obtain a user name and password.
- Then you may login to your eDEP account by visiting the MassDEP home page (<http://www.mass.gov/dep/>) and selecting eDEP Online Filing.
- If you need assistance in submitting your application, please contact the Business Compliance Division at 617-292-5576.

VIDs are issued annually. As a licensee, you will be notified near the end of each year to submit to the Department a permit application BWP HW 28 for the following year’s VIDs.

If you have any questions, please contact Asha Shah of the Business Compliance Division at 617-292-5576.



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### **Tax Certification Instructions**

#### **Compliance with General Laws, Chapter 62C, Section 49A for Firms Applying for or Renewing a License To Transport Hazardous Wastes in Massachusetts or To Transport Precious Metals Class (B4) RRM**

In compliance with the above stated law, all applicants for a license and all renewal applicants must certify, under penalties of perjury, that they have complied with all laws of the Commonwealth relating to taxes. Such license may not be issued or renewed unless such certification is made.

The person providing such certification must be a corporate officer, i.e., president, secretary, treasurer, or vice president of the corporation in charge of a business function for the corporation. If the applicant is a partnership, the certification must be signed by a general partner. If the applicant is a sole proprietorship, the certification must be signed by the proprietor. All such certifications will become part of the application.



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#### **Tax Certifications Instructions**

C. 62C

ANNOTATED LAWS OF MASSACHUSETTS

§ 49A

#### **§ 49A. Applicants for License or Renewal Thereof; Contractors Providing Goods, Services or Real Estate Space to Commonwealth or Subdivision Thereof; Certification of Compliance with Tax Laws of Commonwealth; Enforcement Measures.**

- (a) Any person applying to any department, board, commission, division, authority, district or other agency of the commonwealth or any subdivision of the commonwealth, including a city, town or district, for a right or license to conduct a profession, trade or business, or for the renewal of such right or license, shall certify upon such application, under penalties of perjury, that he has complied with all laws of the commonwealth relating to taxes. Such right or license shall not be issued or renewed unless such certification is made.
- (b) No contract or other agreement for the purposes of providing goods, services of real estate space to any of the foregoing agencies shall be entered into, renewed or extended with any person unless such person certifies in writing, under penalties of perjury, that he had complied with all laws of the commonwealth relating to taxes.
- (c) Any such agency, which has been notified by the commissioner pursuant to section forty-seven A that a person who holds a license or certificate of authority issued by such agency or who has agreed to furnish goods, services or real estate space to such agency has neglected or refused to file any returns or to pay any tax required under this chapter and that such person has not filed in good faith a pending application for abatement of such tax or a pending petition before the appellate tax board contesting such tax, shall refuse to reissue, renew or extend such license, certificate of authority, contract or agreement until the agency receives a certificate issued by the commissioner that the person is in good standing with respect to any and all returns due and taxes payable to the commissioner as of the date of issuance of said certificate, including all returns and taxes referenced in the initial notification. (1983, 233, § 36; 1985, 593, § 22; 1986, 557, 72.)

#### **Editorial Note--**

The 1985 amendment deleted, after "section" in subsection ©, "forty-seven", and inserted therein "forty-seven A".

The 1986 amendment, in § 213, repealed L 1985, ch 593, § 22, which, in subsection (c), substituted "forty-seven A" for "forty-seven", and in § 72, substituted "forty-seven A" for "forty-seven", thereby making no material change to the subsection.

#### **Total Client-Service Library® References--**

51 Am Jur 2d, Licenses and Permits §§ 45-58.

#### **Annotations--**

Payment of taxes to prevent closing of, or interference with, business as involuntary  
So as to permit recovery. 80 ALR2d 1040.



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### **MEMORANDUM**

TO: Hazardous Waste Transporter Applicants and Licensees

FROM: Jim Miller, Business Compliance Division, Waste Branch Chief

DATE: August 2000

SUBJECT: **Guidance for Letters of Credit for Transporters of Hazardous Waste 310 CMR 30.411(7)**

Attached is a sample Letter of Credit which can be used as a guide for content when pursuing a Letter of Credit to meet the requirements of 310 CMR 30.411. For further guidance, refer to the Massachusetts Hazardous Waste Regulations section 310 CMR 30.411 and the enclosed checklist.

If you have questions, please contact Asha Shah of the Division of Business Compliance at 617-292-5576.



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\* SAMPLE \*

RE: IRREVOCABLE LETTER OF CREDIT #1000

Gentlemen:

We hereby establish our Irrevocable Letter of Credit in your favor for the account of Acme Transport, 100 Main Street, Boston, MA 02108 for a sum or sums not exceeding in all Ten Thousand and 00/100 U.S. Dollars (\$10,000) available by your sight draft(s) drawn on us accompanied by any of the following statements:

1. "We certify that the licensee has failed to replace this Letter of Credit with other collateral acceptable to the Department within 30 days of the Bank's notice to terminate the Letter of Credit."; or
2. "We certify that the licensee has violated any of the requirements of M.G.L. c. 21C, Massachusetts Hazardous Waste Regulations 310 CMR 30.000, and conditions of the license or a Department order issued to the licensee, and the Department also finds that the licensee has failed to promptly remedy such violation."; or
3. "We certify that the funds represented by the amount of our draft be paid over to the Department as result of forfeiture."

This Letter of Credit shall be automatically extended for an additional period of one year from the present or each future expiration date unless we have notified you in writing by certified mail, not less than ninety (90) days before such expiration date, that we elect not to renew this Letter of Credit.

We will give prompt notice to the licensee and the Department of a notice received or action filed alleging the insolvency or bankruptcy of the Bank or alleging any violations of regulatory requirements which could result in suspension or revocation of the Bank's Charter or License to do business.

Drafts drawn hereunder must be marked: Drawn under Letter of Credit #1000, Dated \_\_\_\_\_

We engage with you that your draft(s) drawn hereunder and in compliance with the terms of this credit will be duly honored by us on delivery of documents as specified if presented at this office on or before \_\_\_\_\_, or any extended expiration date.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 revision). International Chamber of Commerce Publication No. 400 including amendments and successor publications.

Very truly yours,

\_\_\_\_\_  
(Bank Name)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Phone Number)



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#### **Transporter Letter of Credit Checklist**

<b>Regulation</b>	<b>Item</b>	<b>Comments</b>	
310 CMR 30.411	(7) (a)	Issued by a Massachusetts bank or national bank.	<input type="checkbox"/>
30.411	(7) (a)	Irrevocable.	<input type="checkbox"/>
		Valid for a term of at least one year.	<input type="checkbox"/>
30.411	(7) (a) (1)	Automatic renewal for additional terms unless banks give 90 days prior notice of intent to terminate at end of term.	<input type="checkbox"/>
30.411	(7) (b) (2)	Department may draw and convert to cash bond if licensee fails to replace with acceptable collateral within 30 days of bank's notice to terminate.	<input type="checkbox"/>
30.411	(7) (c)	Payable in part or in full upon demand in case of forfeiture or failure of licensee to replace.	<input type="checkbox"/>
30.411	(7) (e)	Subject to Uniform Customs & Practice for Documentary Credits, International Chamber of Commerce Publication #290.	<input type="checkbox"/>
30.411	(7) (f)	Must provide that bank will give prompt notice to licensee and Department if action notice alleging insolvency, bankruptcy, or violations which may lead to suspension or revocation of bank's charter.	<input type="checkbox"/>
30.411	(8)	The Department may declare forfeit all or any amount of the bond if the Department finds that the licensee has violated any of the requirements of M.G.L.c. 21C, 310 CMR 30.00, and conditions of the license or Department order issued to the licensee, and if the Department also finds that the licensee has failed to promptly remedy such a violation.	<input type="checkbox"/>
Other regulations pertaining to Letter of Credit but should not be referred to in a Letter or Credit:			
30.411	(7) (d)	Department cannot accept a Letter of Credit if the amount is greater than 10% of the bank's capital surplus.	<input type="checkbox"/>
30.411	(7) (g)	Upon incapacity of bank, the licensee must provide evidence of replacement\coverage within 30 days of receipt of the bank's notice.	<input type="checkbox"/>



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#### **Application Completeness Checklist**

To submit a BWP HW 14 Application, complete the steps outlined below:

1.  Complete a MassDEP Transmittal Form:  
<http://mass.gov/dep/service/online/trasmfrm.shtml>
2.  Complete the BWP HW 14 Application Form. Include all specified information and attachments and indicate their inclusion by checking off the completion box on the application form.
3.  Submit one complete copy of the application package, including the Transmittal Form and a BWP HW 05 Application Form with all specified attachments, in a three-ring binder to:

**Bureau of Waste Prevention, Business Compliance Division  
Hazardous Waste Transporter Program  
One Winter Street  
Boston, MA 02108**

4.  Submit the application fee of \$1,935 in the form of a check or money order payable to the Commonwealth of Massachusetts along with a copy of the MassDEP Transmittal Form to:  
**Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211**
5.  Retain a copy of the complete application package for your files.

***Please complete steps #6-9 only if you have a Massachusetts office address(es) where transportation related activities take place and license records are maintained.***

6.  Send a copy of the application to the local Board of Health, using the enclosed applicant's cover letter to the Board of Health. The local Board of Health must be in the Massachusetts town/city of your office address (if any), i.e., in the location where transportation related activities take place and license records are maintained.
7.  Submit *Public Notice* for publication in a newspaper with circulation in the town of your office address, using the Public Notice format that is attached in this application package. The notice should be published no later than 15 days after you send the application to the Department. The notice will announce a 45-day public comment period commencing on the date of newspaper publication.
8.  Send to the Department written documentation of the Board of Health's receipt of the application copy (e.g. a copy of a certified mail receipt).
9.  Send copies of the published newspaper Public Notice to the Department and to the local Board of Health if possible no later than 21 days after you send the application to the Department.



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**BWP HW14 Permit Application**

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This file contains a series of forms compiled in Microsoft Word that can be filled out electronically. Some of these materials must be completed and returned to DEP or forwarded to third parties such as local newspapers, boards of health, or other federal and state agencies as part of the BWP HW14 application process. Please consult the BWP HW14 Instructions and Supplemental Materials for full instructions.

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- Board of Health Notification Letter
- Public Notice Template
- Hazardous Waste Transporter License
- BWP HW14 Application Form
- Department of Communications & Energy (DTE) Approval Letter
- Motor Carrier Liability Endorsement (MCS90)
- Bond Form 8909
- Vehicle Identification Device (VID) Form
- Tax Certification Form
- Notification of Activities as a Marketer of Used Oil Fuel

# BOH Hazardous Waste Transporter Notification Letter

To be sent with a copy of the application submitted to the local Board of Health in the Massachusetts city or town where transportation activities take place and license and records are maintained.

**TO: Chairman  
Board of Health**

\_\_\_\_\_, **Massachusetts**  
City/Town Zip Code

**RE: Application For Renewal of Hazardous Waste Transporter License**

Dear Sir/Madam:

Enclosed, please find a copy of an application for a hazardous waste transporter license for our company:

\_\_\_\_\_  
*Company name*

whose office is located in your city/town. Hazardous waste transporters move, by vessel or carrier, hazardous waste from the point of generation to any intermediate point(s) or to the points of ultimate storage, use, treatment, recovery, or disposal.

The Massachusetts Department of Environmental Protection (DEP) requires license applicants to send a copy of their hazardous waste **transporter license application to the local Board of Health**. The local board of health is specified in the Massachusetts Hazardous Waste Regulations (310 CMR 30.000) as located in the "Massachusetts town/city of the applicants office address, i.e., the location where transportation related activities take place and license records are maintained".

A public notice regarding this hazardous waste transporter license application will soon appear in the

\_\_\_\_\_ on \_\_\_\_\_  
*newspaper with circulation in your town* *date*

We will send you a copy of the public notice soon after publication.

Please keep your copy of the transporter license application available for **public review** at your office for the duration of the public comment period which will end forty five (45) days from the date of publication of the public notice.

Please send or direct any written comments regarding this application to:

Massachusetts Department of Environmental Protection  
BWP Business Compliance Division  
HW Transporter Program  
One Winter Street  
Boston, MA 02108

Thank you for your assistance and cooperation. Feel free to call DEP's Bureau of Waste Prevention, Business Compliance Division at (617) 292-5576 if you have any questions.

Sincerely,

\_\_\_\_\_

# Public Notice of Hazardous Waste Transporter Renewal License Application

Pursuant to Massachusetts Hazardous Waste Regulation 310 CMR 30.000

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Notice Publication Date

Public Notice is hereby given of the application by:

---

License Applicant

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DBA

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Location

for a renewal license to transport hazardous waste in Massachusetts. The Massachusetts Department of Environmental Protection (DEP) shall review written comments and then determine whether to grant or deny authorization for this activity pursuant to Massachusetts Hazardous Waste Regulation 310 CMR 30.000. When the Department either grants or denies the license, and you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty one days of the date of the decision. Persons seeking information about the status of the license review or any other information should contact DEP's Business Compliance Division at 617-292-5576.

This application is available for review at the following two locations:

1. Board of Health:

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Board of Health

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Street Address

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City or Town

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Zip Code

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Telephone Number

2. The Department of Environmental Protection (DEP), Business Compliance Division, One Winter Street, 9th Floor, Boston, Massachusetts 02108; contact Steve White at (617) 574-6888 to schedule an appointment to review an application.

The Department shall consider all written comments regarding this application submitted during the public comment period, which ends forty-five (45) days after the publication date of this notice. Written comments should be sent to: The Department of Environmental Protection (DEP), Business Compliance Division, One Winter Street, 9th Floor, Boston, Massachusetts 02108 (attention: HW Transporter Licensing).



**Commonwealth of Massachusetts  
 Executive Office of Environmental Affairs  
 Department of Environmental Protection  
 Bureau of Waste Prevention - Business Compliance Division  
 Hazardous Waste Transport License**

1. Name of Licensee:

\_\_\_\_\_  
 Name

2. Facility Address:

\_\_\_\_\_  
 Street Address

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

\_\_\_\_\_  
 Zip Code

3. Mailing address, if different:

\_\_\_\_\_  
 Street/PO Box:

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

\_\_\_\_\_  
 Zip Code

4. Office and/or Parking Locations in Massachusetts:

\_\_\_\_\_

\_\_\_\_\_

5. Contact person:

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Telephone Number

\_\_\_\_\_  
 Email Address

6. EPA Identification number and address:

\_\_\_\_\_  
 EPA I.D. Number

\_\_\_\_\_  
 Address - On EPA I.D. Number Form

7. Signature:

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Official Title

This license is not valid until the effective date and unless signed by the Applicant and the Director of the Business Compliance Division (Bureau of Waste Prevention, Massachusetts Department of Environmental Protection).

**Do not write below this line - for DEP use only**

The Department hereby grants the above-named company a license to transport hazardous waste pursuant to M.G.L. Chapter 21C and Massachusetts Hazardous Waste Regulations 310 CMR 30.000. **The license becomes effective 21 days after the date of signature on the license by the Director of the Business Compliance Division**, unless during that time an appeal has been received by the Department. In that case, the license is not in effect until, and if, the appeal is resolved in favor of the license applicant.

This license authorizes only the named licensee to engage in the transportation of all categories of hazardous waste listed or described in 310 CMR 30.100. This license is not transferable. This license does not grant any rights not otherwise granted by federal, state, or local statutes, ordinances, or regulations. The licensee shall comply at all times with all state and federal regulations and statutes applicable to the transportation of hazardous waste.

\_\_\_\_\_  
 Director, Business Compliance Division

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Effective Date

\_\_\_\_\_  
 Expiration Date

\_\_\_\_\_  
 Massachusetts License Number



Transmittal Number # \_\_\_\_\_

# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

Facility ID (if known) \_\_\_\_\_

### A. General Information

The applicant is the firm or individual needing a DEP approval or determination.

1. Applicant Information:

_____	_____	
Legally Responsible Official	Company Name	
_____	_____	_____
Street Address/PO Box	City/Town	State
_____	_____	
Zip Code	Telephone Number	
_____	_____	
e-mail address (optional)		

If prepared by the applicant, enter "same as #1", and move on to item 3.

2. Preparer Information:

_____	_____	
Individual Preparing this Application	Company Name	
_____	_____	_____
Street Address/PO Box	City/Town	State
_____	_____	
Zip Code	Telephone Number	
_____	_____	
e-mail address (optional)		

3. Facility or Regulated Activity (if known):

_____	_____
DEP or FMF Facility ID # (if known)	EPA ID# (permanent or, if pending, temporary)
_____	_____
U.S. DOT #	MA Hazardous Waste Transporter License #

### B. Locations

Specify all locations in Massachusetts where vehicles used to transport hazardous waste will be parked. Indicate number and types of vehicles at each location. Use additional sheets if necessary.

1. Business Addresses:

_____
Business Location #1
_____
Business Location #2

2. Parking Locations in Massachusetts:

_____	_____
Parking Location #1	Number and Type(s) of Vehicles to be parked here
_____	_____
Parking Location #2	Number and Type(s) of Vehicles to be parked here



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

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### C. Activities & Applicant Qualifications

1. Summary of Activities:

Provide a complete description of all current and proposed hazardous waste related activities in Massachusetts (use additional sheets if necessary). This description will not limit your ability to conduct hazardous waste transportation related activities. It is for planning purposes only.

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### C. Activities & Applicant Qualifications (cont.)

2. Summary of Qualifications:

Provide a complete description of the applicant's qualifications and experience in managing and operating a hazardous waste management firm. (for example, resumes including education, years in the business related experience). Include a list of states in which your firm holds hazardous waste permits. (Use additional sheets if necessary).

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# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

### D. Wastes

Estimate the approximate quantities transported annually in pounds or gallons.

1. Estimated Quantities of Hazardous Wastes Transported Annually:

\_\_\_\_\_  
Estimate of total solids (in pounds)

\_\_\_\_\_  
Estimate of total liquid (in gallons)

2. Types of Waste:

Indicate all categories of hazardous waste that you expect to transport. For a complete list of hazardous waste categories, refer to the MA hazardous waste regulations at 310 CMR 30.00. These projections would not limit the categories of hazardous waste that you would be allowed to transport; they are for planning purposes only.

<b>X Waste Category/Reg Reference</b>	Describe how each waste type will be transported; e.g. bulk tanker, drums (size of drums).
<input type="checkbox"/> Ignitables 310 CMR 30.122	_____
<input type="checkbox"/> Corrosives 310 CMR 30.123	_____
<input type="checkbox"/> Reactives 310 CMR 30.124	_____
<input type="checkbox"/> Toxicity Characteristic (TC) 310 CMR 30.125B	_____
<input type="checkbox"/> Wastes from Non-Specific or Specific Sources Except Waste Oil or PCBs 310 CMR 30.131; 310 CMR 30.132	_____
<input type="checkbox"/> Discarded Chemical Products 310 CMR 30.131; 310 CMR 30.132	_____
<input type="checkbox"/> Acutely Hazardous Wastes 310 CMR 30.136	_____
<input type="checkbox"/> Waste Oil 310 CMR 30.131 MA01	_____
<input type="checkbox"/> PCBs 310 CMR 30.131 MA02	_____
<input type="checkbox"/> Other (please specify)	_____

### E. Criminal Record Information

See 310 CMR 30.813(3).

Has any applicant/licensee or any officer, director, trustee, partner, or any person holding greater than 5% equity (or 5% liability) or any key staff individual (i.e., manager or supervisor) of the applicant/licensee ever been convicted of a felony?  Yes  No

If Yes above, provide the following information:

\_\_\_\_\_  
Dates of pleas or convictions

\_\_\_\_\_  
Description of charges and/or convictions

\_\_\_\_\_  
Pending charges, if any

\_\_\_\_\_  
Court(s) where charges were brought

\_\_\_\_\_  
Sentence(s) imposed, if any



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

### F. Confidentiality Request

You may request in writing that the Department keep confidential part or all of any documentary material or data submitted to the Department if such material or data, if made public, would divulge a trade secret. You are advised to read 310 CMR 3.00 carefully before making such a request because only certain material or data may properly be the subject of a request for confidentiality.

### G. Transporter Data Sheets

Each application for a license to transport hazardous waste must include the following informational attachments. The required information is described briefly below, and in some cases, samples of the required information are included with this application. Applicants are advised to read the regulations listed to be sure that all the necessary information is included.

**To speed review of your permit application, please observe the following procedures:**

1. Organize your application; arrange your application attachments in the same order as listed below.
2. Label each attachment; clearly identify each attachment as listed by the TDS # in the left-hand column below and put them in a three-ring binder.
3. Use "NONE" vs. "N.A."; respond directly to information requested on the Transporter Data Sheet for inclusion in each attachment; if for example, you have no "Other Business Activities", indicate "none;" do not respond by indicating "N.A." (particularly in sections indicated below by "\*\*").

Hints in preparing attachments

Reference	Transporter Data Sheet (Attachments)	Description of Required Materials	Check when completed
See 310 CMR 30.807 for who must sign such documents.	TDS 01-1	Authority To Sign License Application: Attach a statement on company letterhead which designates an authorized representative of your company to sign application forms and other official documents	<input type="checkbox"/>
See 310 CMR 30.805(1) for DTE certification.	TDS 01-2	Department of Telecommunications & Energy (DTE) Certification: complete the enclosed DTE Transporter Division approval form (Form BWP HW 06-159B) requesting that DTE certify your compliance with the motor carrier requirements of MGL Chapter 159B. Submit one copy of the form to DEP as Attachment TDS 01-2. Send the original to the DTE at the address shown on the form. Blank form provided.	<input type="checkbox"/>



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

### G. Transporter Data Sheets (cont.)

Reference	Transporter Data Sheet (Attachments)	Description of Required Materials	Check when completed
See 310 CMR 30.803(8) training program requirements and 310 CMR 30.409(1) - (4) what employees must know.	TDS 01-3	Training Program Documentation:(1) Provide a certification one company letterhead which states that all drivers and those accompanying drivers are trained and tested in compliance with 49 CFR part 172, Subpart H and 49 CFR section 177.800. (2) Include a notation in your TDS 01-3 response indicating that drivers receive training in the list of notification numbers to call in the event of a spill or release, and that those numbers are listed in the Emergency Response Guide submitted in Attachment TDS-01-13, Spill Cleanup Equipment and Procedures.	<input type="checkbox"/>
See 310 CMR 30.803(9) for details of who must be listed.	TDS 01-4	Officer & Director Information: Provide the names, residential and business addresses, and dates of birth of all officers, directors, and partners of the applicant and of all individuals who hold greater than 5% equity in (or liability of) the applicant.	<input type="checkbox"/>
See 310 CMR 30.803(10) for details of what must be reported.	TDS 01-5	Other Business Activities: Attach a list of other hazardous waste management businesses owned by any officer, director, partner, and persons named in Attachment TDS 01-4 above.	<input type="checkbox"/>



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

### G. Transporter Data Sheets (cont.)

Reference	Transporter Data Sheet (Attachments)	Description of Required Materials	Check when completed
See CMR 30.803(11) and 30.813(4-5) for details of what must be reported.	TDS 01-6	Past /Pending Legal or Administrative Actions: Attach a list and explanation of <i>all</i> past/pending legal or administrative actions citing a violation of any statute, regulation, or court order related to hazardous waste management or transportation (or other related environmental or public health statutes/regulations) by the applicant/licensee, officer, director, trustee, partner, key staff individual (i.e., manager or supervisor) or persons named in Attachment TDS 01-4 above. "Legal or Administrative Action" refers to criminal convictions, criminal indictments, civil penalties, civic actions in court, notices of violation, administrative orders, and license revocations/suspensions (issued by any State or Federal authority). Failure to disclose these actions may result in the denial of your application, the revocation of your license, and/or the assessment of penalties.	<input type="checkbox"/>
See 310 CMR 30.803(12) for details of what must be reported.	TDS 01-7	Past/Pending Civil Suits: Disclose a list of all past or pending civil suits (by docket number and court) related to hazardous waste management or transportation operations or activities by the licensee/applicant. *	<input type="checkbox"/>



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

### G. Transporter Data Sheets (cont.)

Reference	Transporter Data Sheet (Attachments)	Description of Required Materials	Check when completed
See 310 CMR 30.826 for a description of Corporate Records requirements.	TDS 01-8	<p>Corporate Records: In this attachment, submit copies of all records and documents that must be submitted to the Massachusetts Secretary of State. If the applicant is a Massachusetts corporation, attach a copy of the applicant's Articles of Organization and the latest Massachusetts Corporation Annual Report. If the applicant is an out-of-state corporation and has an office in Massachusetts, attach a copy of the applicant's Foreign Corporation Certificate and latest Foreign Annual Report. If the applicant is an out-of-state corporation and does not have an office in Massachusetts, attach a copy of the applicant's Articles of Organization.</p> <p>If the applicant is not a corporation, specify the applicant's business organization, i.e., sole proprietorship, partnership, or other. Indicate the applicant's status as a public, private, or other entity.</p>	<input type="checkbox"/>
See 310 CMR 30.410 for detailed insurance requirements and 310 CMR 30.805(4) requiring that applicants submit this information.	TDS 01-9	<p>Liability Insurance: Submit two insurance documents:</p> <p>(1) Certificate of Insurance that (a) shows a minimum coverage of \$1 million per accident, (b) names the Department of Environmental Protection as the certificate holder ("Massachusetts DEP, Bureau of Waste Prevention, Business Compliance Division, One Winter Street, Boston, MA 02108") and (c) provides for thirty (30) days notice of cancellation to the certificate holder; and,</p> <p>(2) A DOT Endorsement (Form MCS-90) completed by your insurance company. This form covers liability for accidents, including environmental restoration, bodily injury, and property damage. Please note that this form amends the automobile policy number on the certificate of insurance.</p> <p>Note that renewal applicants may submit to the Department either originals or photocopies of current insurance certificates and corresponding DOT MCS-90 endorsement forms</p>	<input type="checkbox"/>



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

### G. Transporter Data Sheets (cont.)

Reference	Transporter Data Sheet (Attachments)	Description of Required Materials	Check when completed
See the following: 310 CMR 30.805(4) requiring applicants to submit bonding documentation; & 310 CMR 30.411 for detailed bonding requirements and the types of financial instruments sufficient to meet those requirements	TDS 01-10	Bonding Documentation: Complete and attach the enclosed Bond Form 8909 or submit a letter of credit as a financial guaranty that the applicant will faithfully perform regulatory requirements. Note that the Department accepts only bonds and letters of credit. See also the attached Letter of Credit documents (Guidance, Sample, and Checklist) for details on what constitutes an acceptable letter of credit. Note that renewal applicants need only send a photocopy of their bond or letter of credit to the Department. Please instruct your surety company or lending institution to send bonding documents to you for submission to the Department with your application, and not directly from the surety company or lending institution to DEP.	<input type="checkbox"/>
See 310 CMR 30.805(5) that requires applicants to submit this information.	TDS 01-11	Vehicle Information: Submit a list of vehicles owned or operated by the applicant to transport hazardous waste. For each vehicle, specify: model year, plate number and state, and identification number.	<input type="checkbox"/>
See 310 CMR 30.805(2) requiring that applicants submit this information.	TDS 01-12	Plan for Cleaning Vehicles: Provide a detailed plan for cleaning vehicles that are used to transport hazardous waste.	<input type="checkbox"/>



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

### G. Transporter Data Sheets (cont.)

Reference	Transporter Data Sheet (Attachments)	Description of Required Materials	Check when completed
See the following: 310 CMR 30.805(6) which requires that applicants submit this information;  310 CMR 30.413 describing actions that must be taken in transportation- related spills; and,  310 CMR 30.415 detailing required elements of an emergency procedure guide, including a list of equipment that must be carried on all <i>vehicles</i> .	TDS 01-13	Spill Cleanup Equipment and Procedures: Submit a list of equipment carried on each vehicle, and your company's "Emergency Procedures Guide" which outlines step-by- step procedures to be followed by the driver in the event of a spill or release of hazardous waste during transport. The Guide must include a list of who shall be notified after a release, how the spill or release shall be initially contained, and how required emergency equipment shall be used. Make sure your list of DEP emergency response numbers and regional office phone numbers is up-to- date. The statewide DEP emergency phone numbers are: 617-556-1133 (from the Boston area) and 888-304-1133 (toll-free).  The DEP regional office phone numbers staffed on weekdays during normal business hours are: Central Regional Office (CERO): 508- 792-7650 Northeast Regional Office (NERO): 978- 694-3200 Southeast Regional Office (SERO): 508- 946-2700 Western Regional Office (WERO): 413- 784-1100.	<input type="checkbox"/>
	TDS 01-14	Transporter License: Complete the applicant information in sections 1-6 and sign and date line 7 of the enclosed "Final License" (blank). If the application is approved, the license will be signed and the official copy returned to the applicant, with an effective date 21 days later (appeal period) as described on the license.	<input type="checkbox"/>



# BWP HW 14 Permit Application

## Renewal Of License To Transport Hazardous Waste, Including Mixed Wastes

\_\_\_\_\_  
Transmittal Number #

\_\_\_\_\_  
Facility ID (if known)

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### H. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Position/Title

\_\_\_\_\_  
Date



**Massachusetts Department of Environmental Protection**  
**Bureau of Waste Prevention • Business Compliance Division**  
 BWP HW14 – Renewal of License to Transport Hazardous Waste, Including Mixed Wastes  
**Department of Telecommunications and Energy Approval**

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**MAIL OR FAX THIS FORM TO:**

Department of Telecommunications and Energy  
 Transportation Division  
 One South Station, 2nd Floor  
 Boston, Massachusetts 02110  
 Attn: Timothy Davis

Telephone: (617) 305-3773  
 Fax: (617) 478-2598

Dear Sir/Madam:

My firm is a carrier applying to the Massachusetts Department of Environmental Protection (DEP) for a license to transport hazardous waste pursuant to Massachusetts General Law Chapter 21C and the Hazardous Waste Management Regulations (310 CMR 30.000).

As part of the licensing process, I must ask the Department of Telecommunications and Energy to send DEP either:

- A certification of compliance with the requirements of Massachusetts General Law chapter 159B (for-hire carriers), OR
- A statement that the applicant is exempt from the requirements of MGL chapter 159B (private carriers).

I have completed Items 1 and 2 below so that your office can provide DEP with either the required certification or an exemption statement. Please send me a copy of your correspondence with DEP on this matter.

**Item 1: Enter Carrier Information**

Owner/Corporation Name	D/B/A
Principal Business Address	Mailing Address
Telephone Number	

**Item 2: Certify the Type of Carrier**

I certify that the above carrier provides and is licensed to perform:

Interstate for-hire transportation. Provide FMCSA operating MC #: \_\_\_\_\_  
 MC #

Intra state for-hire transportation. Provide Mass. DTE compliance #: \_\_\_\_\_  
 DTE Compliance #

OR,  I certify that the above carrier provides no for-hire transportation and is a private carrier.

Name	Signature
Position/Title	Date

**ENDORSEMENT FOR  
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY  
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980**

Issued to \_\_\_\_\_ of \_\_\_\_\_

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Amending Policy No. \_\_\_\_\_ Effective Date \_\_\_\_\_

Name of Insurance Company \_\_\_\_\_

Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_ Countersigned by \_\_\_\_\_  
Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by the "x", for the limits shown:

- This insurance is primary and the company shall not be liable for amounts in excess of \$ \_\_\_\_\_ for each accident.
- This insurance is excess and the company shall not be liable for amounts in excess of \$ \_\_\_\_\_ for each accident in excess of the underlying limit of \$ \_\_\_\_\_ for each accident.

Whenever required by the Federal Highway Administration (FHWA) or the Interstate Commerce Commission (ICC), the company agrees to furnish the FHWA or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FHWA or the ICC, to verify that the policy is in force as of a particular date. The telephone number to call is: ( \_\_\_\_\_ ) \_\_\_\_\_.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days of notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date the notice is received by the ICC at its office in Washington, D.C.).

**DEFINITIONS AS USED IN THIS ENDORSEMENT**

**ACCIDENT** includes continuous or repeated exposure to conditions, which results in bodily injury, property damage, or environmental damage, which the insured neither expected nor intended.

**MOTOR VEHICLE** means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

**BODILY INJURY** means injury to the body, sickness, or disease to any person, including death resulting from any of these.

**ENVIRONMENTAL RESTORATION** means restitution for the loss,

damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

**PROPERTY DAMAGE** means damage to or loss of use of tangible property.

**PUBLIC LIABILITY** means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgement recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or

any other endorsement thereon, or violation thereof, shall relieve the company from liability or from the payment of any final judgement, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgement recovered against the insured as provided herein, the judgement creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgements resulting from any other accident.

The Motor carrier Act of 1980 requires limits of financial responsibility according to type of carriage and commodity transported by the motor carrier. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE.

The limits shown in the schedule are for information purposes only.

(OVER)

**SCHEDULE OF LIMITS  
Public Liability**

	<b>Type of Carriage</b>	<b>Commodity Transported</b>	<b>Minimum Insurance</b>
(1)	For-hire (in interstate or foreign commerce).	Property (nonhazardous)	\$ 750,000
(2)	For-hire and Private (in interstate, foreign, or intrastate commerce).	Hazardous substances transported in cargo tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk class A or B explosives, poison gas (Poison A), liquefied compressed gas, or compressed gas; or highway route controlled quantity radioactive materials.	5,000,000
(3)	For-hire and Private in interstate commerce: in any quantity) or (in intrastate commerce: in bulk only).	Oil listed in 49 CFR 172.101, hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.	1,000,000
(4)	For-hire and Private (in interstate or foreign commerce).	Any quantity of Class A or B explosives, any quantity of poison gas (Poison A), or highway route controlled quantity radioactive materials.	5,000,000

**Note:** The type of carriage listed under (1), (2), and (3) apply to vehicles with a gross vehicle weight rating of 10,000 pounds or more. The type of carriage listed under number (4) applies to all vehicles with gross vehicle weight rating of less than 10,000 pounds.

**SCHEDULE OF LIMITS  
Public Liability**

**For-hire motor carriers of passengers operating in interstate or foreign commerce**

	<b>Vehicle Seating Capacity</b>	<b>Minimum Insurance</b>
(1)	Any vehicle with a seating capacity of 16 passengers or more.	\$ 5,000,000
(2)	Any vehicle with a seating capacity of 15 passengers or less.	1,500,000



# BOND FORM 8909 (for use with BWP HW TDS 01)

Transmittal Number # \_\_\_\_\_

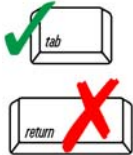
Facility ID (if known) \_\_\_\_\_

## Bond for Licensed Hazardous Waste Transporters in Accordance with 310 CMR 30.411, Bonding Requirements

Bond Number # \_\_\_\_\_

### KNOW ALL MEN BY THESE PRESENTS:

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



That we \_\_\_\_\_, of \_\_\_\_\_,  
(name of licensee) (city)

in the County of \_\_\_\_\_, in \_\_\_\_\_ as PRINCIPAL, and the  
(state)

\_\_\_\_\_, a corporation duly organized and existing under the laws of  
(Surety Company)

the State of \_\_\_\_\_ having its principal office at \_\_\_\_\_  
(address)

in the State of \_\_\_\_\_ and being duly authorized to transact the business of a surety

company in the Commonwealth of Massachusetts, as SURETY, are holden and stand firmly bound and obligated unto the Commonwealth of Massachusetts, acting by and through the Department of Environmental Protection, hereinafter called the Department, as OBLIGEE, in the sum of Ten Thousand and no/100 dollars, \$10,000.00, to the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators, successors and assigns, by these presents.

Whereas the PRINCIPAL has made application to the Department for a license to engage in the business of transporting hazardous waste within and through the Commonwealth of Massachusetts and to perform related services ancillary to such transportation pursuant to Massachusetts General Laws, Chapter 21C, and regulations promulgated thereunder.

Now therefore, the conditions of this obligation are such that if the said Department shall grant the application and issue the license above referred to and if the PRINCIPAL or his or its agents, operatives, assistants or employees shall not comply with the provisions of Massachusetts General Laws, Chapter 21C, or any order issued or regulation promulgated thereunder, or with such other law or order, or regulation of the Commonwealth as may be applicable to anything done by the PRINCIPAL in the pursuance of said license or licensed activities, or fails to faithfully conduct the business and properly discharge all the services which he or it may perform by virtue of such license, then this obligation shall be and remain in full force and effect, subject, however, to the following conditions.

1. That this bond shall be continuous in form; the liability under the bond may be terminated by a surety or bank by giving thirty (30) days written notice to the Department and to the licensee by registered or certified mail, and upon giving such notice, the surety or bank shall be discharged from all liability under the bond for any act or omission of the licensee, one year and 30 days from the date of receipt of the notice by both the Department and the licensee, as shown by the later return receipt.
2. That nothing contained herein shall be construed to impose upon the SURETY any greater liability in the aggregate than the total amount of this bond.
3. After the surety or bank gives such notice, and before the surety's or bank's discharge from liability takes effect, or within another period set by order of the Department, the licensee shall provide evidence of replacement bond coverage; otherwise, the licensee shall be deemed to be without bond coverage in violation of 310 CMR 30.411.
4. The said bond may be enforced by the OBLIGEE if the PRINCIPAL does not comply with any of the requirements of MGL chapter 21C, 310 CMR 30.000 or a condition of the license or a Department order issued to the PRINCIPAL and if the Department also finds that the PRINCIPAL failed to promptly remedy said failure to comply.



Massachusetts Department of Environmental Protection  
Bureau of Waste Prevention – Business Compliance Division

# BOND FORM 8909 (for use with BWP HW TDS 01)

Bond for Licensed Hazardous Waste Transporters in  
Accordance with 310 CMR 30.411, Bonding Requirements

\_\_\_\_\_  
Transmittal Number #

\_\_\_\_\_  
Facility ID (if known)

\_\_\_\_\_  
Bond Number #

In witness whereof, the said \_\_\_\_\_ as PRINCIPAL has hereunto set  
\_\_\_\_\_  
signature and seal and the said \_\_\_\_\_ Company  
has affixed its corporate seal and caused these presents to be signed in its behalf by its duly authorized  
thereto this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

In the presence of

\_\_\_\_\_  
(Principal)

\_\_\_\_\_  
(Surety Company)

The above bond examined and approved as being  
for the amount, and in the form, by the Department

\_\_\_\_\_  
Commissioner of the Department of Environmental Protection

**ATTACH POWER OF ATTORNEY**







**Massachusetts Department of Environmental Protection**  
Bureau of Waste Prevention – Business Compliance Division

# Tax Certification Form

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As part of the Hazardous Waste or Precious Metals Class (B4) Regulated Recyclable Material Transporter Application process, you are required to provide the tax certification described below. Please have your authorized company representative provide the required certification, and return the form to the Bureau of Waste Prevention, Business Compliance Division.

The person providing such certification must be a corporate officer, i.e., president, secretary, treasurer, or vice president of the corporation in charge of a business function for the corporation. If the applicant is a partnership, the certification must be signed by a general partner. If the applicant is a sole proprietorship, the certification must be signed by the proprietor. All such certifications will become part of the application.

## CERTIFICATION

Under penalties of perjury, I certify, as required by General Laws, Chapter 62C, Section 49A, that:

\_\_\_\_\_  
Name of Corporation, Partnership, or Sole Proprietorship

has complied with all laws of the Commonwealth of Massachusetts relating to taxes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



EPA ID Number

Date Issued

# Notification of Activities as a Marketer of Used Oil Fuel

Pursuant to 310 CMR 30.255

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Instructions

Please Print. For assistance in completing this form, call the Hazardous Waste Compliance Assistance line at (617) 292-5898.

This form should be used only by existing Hazardous Waste Transporters licensed by the Massachusetts Department of Environmental Protection to amend an existing notification to include "Activities as a Marketer" or by a new applicant for a Transporter's License who intends to market used oil fuel.

## B. Applicant Information

### 1. Notifying Company:

Name of Notifying Company

Site of Hazardous Waste Activity

City/Town

State

Zip

### 2. Mailing Address:

P.O. Box or Street

City/Town

State

Zip

### 3. Standard Industrial Classification(s) - (consult your industry fact sheet)

Four digit SIC Code

Description

Four digit SIC Code

Description

### 4. Contact person to be telephoned regarding information on this form:

Name

Title

Address

Telephone Number including area code and extension

### 5. Ownership - Enter the name and address of the person or corporate entity which is the legal owner of the business. Check type of ownership:

Name of Legal Owner of Business

Mailing Address

City/Town

State

Zip

- Federal  
  State  
  Country  
  Municipal  
 Indian  
  Private  
  Other

### Return to:

MA DEP  
Hazardous  
Waste  
Transporter  
Program  
One Winter  
Street, 9th Floor  
Boston, MA  
02108

Note: The  
Massachusetts  
Department of  
Environmental  
Protection is  
authorized by the  
U.S. EPA to  
administer the  
notification  
process (310  
CMR 30.303(2)).



# Notification of Activities as a Marketer of Used Oil Fuel

Pursuant to 310 CMR 30.255

## C. Type of Hazardous Waste Activity

1. Check each that applies:

Market used oil fuel      Type of used oil fuel       Specification       Off-Specification

▪ License of Permit Activity - Complete this section if a permit, license, is on file with the Massachusetts DEP. Check only where application.

Transporter of hazardous waste       Transporter of waste oil only

Transporter of precious metal waste only       Recycler (commercial/level III)

Treatment, storage disposal facility

## D. Certification

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attached documents and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are penalties for submitting false information, including the possibility of fine and imprisonment.

"I also certify that I have a program and procedures in effect to:

1. Ascertain by appropriate analytical methods contained in EPA's Test Methods for Evaluating Solid Waste, SW-846 Edition III, and Updates, such as the field screening tests described in Method 9077, or by an alternate method accepted by EPA, that each shipment I market as off-specification used oil fuel meets the conditions for used oil fuel provided in 310 CMR 30.215; and
2. Ascertain by appropriate analytical methods contained in EPA's Test Methods for Evaluating Solid Waste, SW-846 Edition III, and Updates, or by an alternative method accepted by EPA, that each shipment I market as specification used oil fuel meets the conditions provided in 310 CMR 30.215 for used oil fuel and the parameters provided in 310 CMR 30.216 for specification used oil fuel; and
3. Assure compliance with the requirements of 310 CMR 30.255 as applicable.

"In addition, I understand that any material supplied with this application will not be considered confidential unless I specifically request that such material be kept confidential and the Department has made a determination of confidentiality in accordance with 310 CMR 3.00 regulations governing access to, and confidentiality of, Department records and files under the Hazardous Waste Management Act."

\_\_\_\_\_  
Signature (legal owner or chief operating officer at the site)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Official Title

\_\_\_\_\_  
Date Signed

**Return to:**

MA DEP  
Hazardous Waste Transporter Program  
One Winter Street  
Boston, MA 02108