



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

**BWP HW 15** License to Transport Class B(4) Regulated Recyclable Material (RRM)  
**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 Word™ format 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

## **BWP HW 15**

### **Bureau of Waste Prevention (BWP) Guidance**

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Transporters of Class B(4) Regulated Recyclable Materials must have a valid, up-to-date Transporter License in order to conduct operations in Massachusetts. If your existing License to Transport Precious Metals Class B(4) Regulated Recyclable Materials expires, you must renew it by submitting a BWP HW15 renewal application.

In August 2000, the Department streamlined its hazardous waste transporter and precious metals transporter licensing programs. 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:

- T1 - Within 60 days of receipt of the application and payment of the fee, the Department will complete a Technical Review.
- TRD - If deficiencies in the application are identified, applicant may remedy those deficiencies within 60 days; and,
- T2 = Within 60 days of receipt of an applicant's response to a deficiency, the Department will complete a supplemental technical review.

As before, the renewal application fee for a license to transport precious metals is \$725. Payment is made using the Transmittal Form enclosed in the application package.

Applicants are required to submit **only one complete application original** 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 precious metals transporter license to expire without submitting a renewal application, the Department will not grant an extension for the existing precious metals license; it will expire. Firms not intending to renew should notify the MassDEP/BWP Business Compliance Division as soon as possible.

For qualified applicants, the Department will issue precious metals transporter licenses for terms of up to five years.



## **BWP HW 15**

### **Bureau of Waste Prevention (BWP) Guidance**

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The Department's Division of Business Compliance staff conducts informal help sessions at the Department's One Winter Street, Boston office to assist hazardous waste transporter and precious metal transporter licensees and license/permit applicants in filling out their applications and to help reduce review and response timelines. In the help session, Boston 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 me in the Business Compliance Division at (617) 292-5576. - revisions to the hazardous waste and fees regulations,  
- transporter application packages, and,  
- license modification requirements;

common mistakes typically made in applications; and,

- ssues 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 me in the Business Compliance Division at (617) 292-5576



Massachusetts Department of Environmental Protection  
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## BWP HW 15

### How to Avoid Common Mistakes

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**How can I avoid the most common mistakes made in applying for this precious metals transporter application?**

- 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 02-3, 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-02-10, 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 02-4, 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 02-5, 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 02-7, 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 02-9, Insurance Documents).
- h. **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).

Find your region: <http://mass.gov/dep/about/region/findyour.htm>

- i. **NEED HELP?:** Contact Asha Shah of the MassDEP/BWP/Business Compliance Division at 617-292-5574 if you need assistance.
- j. **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



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

# BWP HW 15

## Permit Fact Sheet

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### Permit Name

License to Transport Precious Metals Class B(4) Regulated Recyclable Materials

### 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 precious metals that are Class B(4) Regulated Recyclable Materials (RRM). License review includes assessment of an applicant's insurance coverage, driver training program, and emergency response procedures/equipment. Successful applicants will receive a Precious Metals Class B(4) Regulated Recyclable Materials (RRM) Transporters License.

### 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

Companies wishing to transport precious metals that are Class B(4) regulated recyclable materials.

### Documentation to accompany application

Each permit application for a license to transport precious metals Class B(4) RRM must be accompanied by **11 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 ensure that all the necessary information is included.

### Fees associated with license

An application fee of \$725 is due when the application is submitted.  
There is no annual compliance fee.

### License review timelines

The timelines are available on the MassDEP Website: [www.mass.gov/dep/service/online/fees.htm](http://www.mass.gov/dep/service/online/fees.htm)

### Duration of license

The 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:

Hazardous Waste Regulations, 310 CMR 30.00 (in particular sections 30.010, 30.274, 30.275, 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



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

## **BWP HW 15**

# **Application Completeness Checklist**

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To submit a BWP HW 15 application, complete the steps outlined below:

- Complete a MassDEP Transmittal Form: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- Complete the BWP HW 15 Application Form. Include all specified information and attachments and indicate their inclusion by checking off the completion box on the application form.
- Submit two complete copies of the application package including the Transmittal Form and a BWP HW 15 Application Form with all specified attachments to:

**Bureau of Waste Prevention, Business Compliance Division**  
**Hazardous Waste Transporter Program**  
**One Winter Street, 9<sup>th</sup> Floor**  
**Boston, MA 02108**

- Submit the application fee of \$725 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**

- Retain a copy of the complete application package for your files.

**For assistance, contact:**

Contact the Bureau of Waste Prevention, Business Compliance Division at 617-292-5576.



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

## **BWP HW 15**

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

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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



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

## **BWP HW 15**

### **Tax Certification Instructions**

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**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.



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

**BWP HW 15**  
**License Renewal**

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.



Commonwealth of Massachusetts  
 Executive Office of Environmental Affairs  
 Department of Environmental Protection  
 Bureau of Waste Prevention - Business Compliance Division  
**Precious Metals Transporter License**  
**REGULATED RECYCLABLE MATERIAL (CLASS B (4))**

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



1. Name of Licensee/Permitee:

\_\_\_\_\_  
 Name

2. Office Address:

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

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

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

3. Mailing address, if different:

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

\_\_\_\_\_  
 City

\_\_\_\_\_  
 State

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

4. Contact person:

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Telephone #

5. EPA Identification number and address:

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

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

6. Signature:

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Name

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

This license is 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 class B(4) regulated recyclable material 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 class B (4) regulated recyclable material listed or described in 310 CMR 30.213(4). The licensee is authorized to transport regulated recyclable materials pursuant to M.G.L. Chapter 21C and 310 CMR 30.200, including 310 CMR 30.270 – "Requirements Governing Class B (4) Regulated Recyclable Material". 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

\_\_\_\_\_  
 Massachusetts Precious Metals Transporter License Number



### Application Forms



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

## A. General Information

### 1. Applicant Information:

The applicant is the firm or individual that wants or is required to obtain a DEP approval or determination.

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

### 2. Preparer Information:

If prepared by the applicant, enter "same as #1," and move on to item 3, otherwise please complete all items.

_____	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:

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

## B. Locations

### 1. Business Addresses:

List all Massachusetts transporter related business addresses. Use additional sheets if necessary.

_____	Business Location #1
_____	Business Location #2
_____	Business Location #3



**Application Forms**

**B. Locations (cont.)**

Specify all locations in Massachusetts where vehicles used to transport Class B(4) Regulated Recyclable Material Precious Metals will be parked. Indicate the number and type of vehicle(s) to be parked at each location. (Use additional sheets if necessary)

2. Parking Locations:

_____	_____
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
_____	_____
Parking Location #3	Number and Type(s) of Vehicles to be parked here
_____	_____
Parking Location #4	Number and Type(s) of Vehicles to be parked here
_____	_____
Parking Location #5	Number and Type(s) of Vehicles to be parked here

**C. Current and Proposed Activities & Applicant Qualifications**

1. Summary of Activities:

Describe the recyclable material to be transported and its waste code.

Note: The waste code for materials containing silver, such as spent photography fixer, is D011.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

2. Summary of Qualifications:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Application Forms**

**C. Current and Proposed Activities & Applicant Qualifications (cont.)**

Estimate the approximate quantities transported annually in pounds or gallons.

3. Waste Estimates:

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

\_\_\_\_\_ Estimate of total liquids (in U.S. Gallons)

4. Receiving Facility Information:

Provide the name and address of the facility or facilities that will receive the recyclable material. Also describe the state or federal license, permit, or authorization that allows the facility to receive the material.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Storage Prior to Recycling:

Describe storage prior to recycling, if any, and steps taken to ensure that speculative accumulation of the recyclable material does not occur.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. Information on Vehicle Used to Transport Recyclable Material**

1. Marking and Placarding:

Describe the steps taken to ensure that vehicles are properly marked or placarded according to any applicable statutes or regulations, including any applicable U.S. Department of Transportation regulations.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Application Forms**

**D. Information on Vehicle Used to Transport Recyclable Material (cont.)**

2. Information available in the cab of vehicles:

Describe the steps to be taken to ensure that information identifying the owner and operator of the vehicles is available in the cab of such vehicles.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**E. Criminal Record**

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 had been convicted of a felony?

Yes                       No

\_\_\_\_\_  
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

**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.



**Application Forms**

**G. Transporter Data Sheets (attachments to be submitted with the application)**

Each application for a license to transport hazardous waste must include the following 12 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.
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).

Hints in preparing attachments:

**Reference**

**Transporter Data Sheet (Attachments)**

**Description of Required Materials**

**Check when complete**

See 310 CMR 30.807 for who must sign such documents

TDS 02-1

**Authority To Sign License Application:**  
Attach a statement on company letterhead that designates an authorized representative of your company to sign application forms and other official documents.

See 310 CMR 30.805(1) for DTE certification

TDS 02-2

**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 02-2. Send the original to the DTE at the address shown on the form. Blank form provided.

See 310 CMR 30.803(8) training program requirements and 310 CMR 30.409(1) - (4) what employees must know

TDS 02-3

**Training Program Documentation:**  
(1) Provide a certification on company letterhead that 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 02-3 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 02-13, Spill Cleanup Equipment and Procedures.

See 310 CMR 30.803(9) for details of who must be listed.

TDS 02-4

**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.

See 310 CMR 30.803(10) for details of what must be reported.

TDS 02-5

**Other Business Activities:**  
Attach a list of other hazardous waste management businesses owned by any officer, director, partner, and persons named in Attachment TDS 02-4 above. \*



**Application Forms**

**G. Transporter Data Sheet (cont.)**

Reference	Transporter Data Sheet (Attachments)	Description of Required Materials	Check when complete
See CMR 30.803(11) and 30.813(4-5) for details of what must be reported	TDS 02-6	<p><b>Past /Pending Legal or Administrative Actions:</b> 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 licensee/applicant, officer, director, trustee, partner, key staff individual (i.e., manager or supervisor) or persons named in Attachment TDS 02-4 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.</p>	<input type="checkbox"/>
See 310 CMR 30.803(12) for details of what must be reported.	TDS 02-7	<p><b>Past/Pending Civil Suits:</b> 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. *</p>	<input type="checkbox"/>
See 310 CMR 30.826 for a description of Corporate Records requirements.	TDS 02-8	<p><b>Corporate Records:</b> 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. 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 02-9	<p><b>Liability Insurance:</b> Submit two insurance documents: (1) a 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, 9th Floor, Boston, MA 02108") and (c) provides for thirty (30) days notice of cancellation to the certificate holder; and, (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>	<input type="checkbox"/>





**Massachusetts Department of Environmental Protection**  
 Bureau of Waste Prevention – Hazardous Materials – Hazardous Waste Program  
**Department of Telecommunications**  
**and Energy Approval**

**A. Facility Information**

**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 renewal 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 for-hire carriers), OR
- A statement that the applicant is exempt from the requirements of MGL chapter 159B (for 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 Name and Principal Place of Business:**

_____ Carrier Name	_____ Principal Place of Business
_____ Carrier Name	_____ Principal Place of Business
_____ Carrier Name	_____ Principal Place of Business

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

I certify that \_\_\_\_\_ is a common carrier identified by:

_____ Interstate ICC#	_____ Intrastate DPU #
_____ Name	_____ Signature of Owner, Operator or Partner
_____ Position/Title	_____ Date
_____ Telephone	

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

Form Approved  
OMB No. 2125-0074

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

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

Amending Policy Number \_\_\_\_\_ 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.

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

Form Approved  
OMB No. 2125-0074

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.

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.

**ENDORSEMENT FOR  
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**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



**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