



Massachusetts Department of Environmental Protection
 Bureau of Waste Prevention – Hazardous Waste
BWP HW21
Class A Off-Site Recycling
Presumptive Approval Permit

Transmittal Number # _____

Facility ID (when known) _____

Renewal Application?
 Yes No

A. Applicability

Please mail to appropriate MassDEP Regional Office as listed on the last page of this form.

Check the appropriate box. If neither applies, do not use this form.

- Facility is a Large Quantity Generator or Small Quantity Generator applying for a permit to ship Class A Regulated Recyclable Materials to an off-site recycler. (Complete All Parts EXCEPT Part D.)
- Facility is a recycler applying for a permit to recycle only those Class A Regulated Recyclable Materials received from off-site that are listed in Part D, Section 1. (Complete All Parts EXCEPT Part C.) Recycling of other Class A Regulated Recyclable Materials received from off-site requires a written permit from MassDEP.

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



B. General Information

1. Facility:

Located in DEP region: Western Central Northeast Southeast

a. Facility Name _____

b. Facility Address _____

c. City/Town _____

d. Zip Code _____

e. EPA Identification Number or MA Identification Number _____

2. Person on-site responsible for supervising recycling activity:

a. First Name _____

b. Last Name _____

c. Area Code and Telephone # _____

d. E-mail Address _____

3. Mailing address (when different from above facility address):

a. Mailing Address _____

b. Mailing Address (cont.) _____

c. City/Town _____

d. Zip Code _____

C. Facility Shipping Off-Site

1. Categories of Class A Materials to be shipped to an off-site recycler (check all that apply)

- a. Used or reused as an ingredient in a process to make a product, without being reclaimed
- b. Used as substitute for commercial product
- c. Industrial ethyl alcohol being reused or reclaimed
- d. Scrap metal that would be hazardous if disposed
- e. Characteristic sludge being reclaimed
- f. Characteristic by-product being reclaimed



Massachusetts Department of Environmental Protection
 Bureau of Waste Prevention – Hazardous Waste
BWP HW21
Class A Off-Site Recycling
Presumptive Approval Permit

Transmittal Number # _____

Facility ID (when known) _____

Renewal Application?
 Yes No

D. Recycling Facility Receiving Class A Recyclable Materials (cont.)

3. Type of Accumulation

Identify how the Class A Materials will be stored prior to recycling.

- | | | |
|---|-------------------------|-------------------|
| <input type="checkbox"/> Underground tanks | _____ | _____ |
| | a. Number of Tanks | b. Total Capacity |
| <input type="checkbox"/> Above ground tanks | _____ | _____ |
| | c. Number of Tanks | d. Total Capacity |
| <input type="checkbox"/> 55 gallon drums | _____ | _____ |
| | e. Number of Drums | f. Total Capacity |
| <input type="checkbox"/> Other containers | _____ | _____ |
| | g. Number of Containers | h. Total Capacity |

4. Generator Information

List all of the hazardous waste generators from whom you are applying to receive Class A materials. Complete a Recycling Data Sheet (RDS01-2) for each generator. A blank RDS01-2 form is included in this package. NOTE: If this application involves multiple wastes and multiple recyclers, indicate which wastes you are receiving from which generators.

- _____
- a. Name of Generator _____
- b. Name of Generator _____
- c. Name of Generator _____
- d. Name of Generator _____

E. Pollution Prevention and Toxics Use Reduction

The Massachusetts Toxics Use Reduction Act (TURA, M.G.L. Chapter 21 I), passed in 1989, aims to reduce the use of toxic and hazardous substances in the Commonwealth.

In order to fall under TURA, companies must manufacture or process at least 25,000 pounds or otherwise use 10,000 pounds of the chemicals listed under SARA 313 or CERCLA. Companies must also employ ten or more full time workers and fall within certain SIC Codes.

Facilities subject to the TURA are required to analyze chemical use, submit annual reports, and pay fees based on their use of toxic substance. It may, therefore, benefit a company to reduce their use of toxics so as to avoid reporting requirements and associated fees.

Call (617) 292-5982 to determine if your company must report its chemical use.



Massachusetts Department of Environmental Protection
 Bureau of Waste Prevention – Hazardous Waste
BWP HW21
Class A Off-Site Recycling
Presumptive Approval Permit

Transmittal Number # _____

Facility ID (when known) _____

Renewal Application?
 Yes No

F. 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, that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment. In addition, I understand that any material supplied with this application will not be considered confidential unless I have specifically requested 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 for and Confidentiality of Department Records and Files."

 Authorized Signature of Owner/Operator

 Title

 Print Name

 Date

G. General Conditions of Class "A" Recycling Permits

- I. The permittee shall have all equipment installed in accordance with all applicable federal, state and local regulations. The equipment site must have proper fire and explosion protection features, must have proper ventilation and provide easy access to all significant parts of the equipment.
 - (3) *Duty to Halt or Reduce Activity.* The permittee shall halt or reduce activity whenever necessary to maintain compliance with 310 CMR 30.200 or the permit conditions, or to prevent an actual or potential threat to public health, safety, or welfare, or the environment.
- II. The permittee shall install, operate and maintain recycling equipment in accordance with all recommendations provided by the manufacturer.
- III. Permittee shall not alter the recycling device.
- IV. Permittee shall not allow materials to be introduced into the recycling device, other than those which have been specifically enumerated by the manufacturers or that would result in inadequate performance of the device.
- V. All hazardous waste generated from recycling activities shall be subject to all applicable regulations including 310 CMR 30.000.
 - (4) *Duty to Mitigate.* The permittee shall remedy and shall act to prevent all potential and actual adverse impacts to persons and the environment resulting from noncompliance with the terms and conditions of the permit. The permittee shall repair at his own expense all damages caused by such noncompliance
 - (5) *Duty to Provide Information.* The permittee shall provide the Department, within a reasonable time, any information which the Department may request and which is deemed by the Department to be relevant in determining whether a cause exists to modify, revoke, or suspend a permit, or to determine whether the permittee is complying with the terms and conditions of the permit.
 - (6) *Entries and Inspections.* The permittee shall allow personnel or other authorized agents of the Department or authorized EPA representatives, upon presentation of credentials or other documents as may be required by law, to:
 - (a) Enter at all reasonable times any premises, public or private, for the purposes of investigating, sampling or inspecting any records, condition, equipment, practice, or property relating to activities subject to M.G.L. c. 21C, or RCRA, as amended; and
 - (b) Enter at any time such premises for the purpose of protecting the public health, safety or welfare, or the environment; and
 - (c) Have access to and copy at all reasonable times all records that are required to be kept pursuant to the conditions of the permit, and all other records relevant to the permittee's hazardous waste activity or to the permittee's activity involving regulated recyclable material.
- VI. Failure to comply shall be grounds for enforcement action including without limitation, permit suspension and revocation.
- VII. This permit is not transferable to other persons, locations or activities.
- VIII. The permittee shall satisfy all applicable conditions of 30.200. They include but are not limited to the following.
 - (1) *Duty to Comply.* The permittee shall comply at all times with the terms and conditions of the permit, 310 CMR 30.000, M.G.L. c. 21C, and all other applicable State and Federal statutes and regulations.
 - (2) *Duty to Maintain.* The permittee shall always properly operate and maintain all facilities, equipment, control systems, and vehicles which the permittee installs or uses.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste
BWP HW21
Class A Off-Site Recycling
Presumptive Approval Permit

Transmittal Number # _____

Facility ID (when known) _____

Renewal Application?
 Yes No

G. General Conditions of Class “A” Recycling Permits (cont.)

(7) *Records.*

(a) All records and copies of all applications, reports, and other documents required by 310 CMR 30.200 shall be kept by the permittee for at least three years from the expiration of the permit. This period shall be automatically extended for the duration of any enforcement action. This period may be extended by order of the Department. All record-keeping shall be in compliance with 310 CMR 30.007.

(b) All persons who claim that a material is subject to 310 CMR 30.200 shall retain documentation establishing that there is a known market for the recycled material and that the material is or will be recycled.

(c) A person who sends materials destined for recycling to an off-site facility shall retain records regarding the capability of the off-site facility to conduct recycling, including that the recycling yields a material that is within a specification range acceptable for use as a product and that the materials sent to the facility have in fact been recycled.

(d) A person who accepts materials for recycling from off-site sources shall retain records regarding its capability to conduct recycling, including that the recycling yields a material that is within a specification range acceptable for use as a product and that the materials have in fact been recycled.

(8) *Continuing Duty to Inform.* The permittee shall have a continuing duty to immediately:

- (a) correct any incorrect facts in an application; and
- (b) report or provide any omitted facts which should have been submitted; and
- (c) in advance, report to the Department each planned change in the permitted facility or activity which might result in noncompliance with 310 CMR 30.200 or with a term or condition of the permit; and
- (d) report to the Department any cessation of the permitted activity.

(9) *Preventing and Reporting Releases Into the Environment.* **No materials that are to be recycled shall be intentionally released into the environment or otherwise disposed of within Massachusetts except in full compliance with all applicable provisions of 310 CMR 30.000.** All accidental releases of recyclable material shall be immediately reported to the Department and to all other persons to whom such releases must be reported pursuant to State or Federal laws or regulations.

(10) *Compliance with the Application and the Terms of the Permit.* Except where 310 CMR 30.200 or other conditions of the permit provide otherwise, the materials that are to be recycled shall be recycled in the manner described in the application for the permit and in no other manner, and in compliance with all conditions of the permit. There shall be no change in the procedure of recycling without the prior express written approval of the Department for those permittees whose activities require a written permit. For those permittees whose activities do not require a written permit, a written notification to the Department is required.

(a) The EPA identification number, or state-only identification number, of the permittee; and

(b) The name, address, and EPA identification number, or state-only identification number, of the facility to which recyclable material was sent; and

(c) Identification of all recyclable material recycled by the permittee. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, the amount of material recycled; and

(d) Identification of all recyclable material shipped to off-site facilities. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, the amount of recyclable material transported, and the facility to which it was transported; and

(e) The name and EPA identification number of the transporters used.

(11) *Transportation of Recyclable Material.* Unless otherwise specified, all transportation of recyclable material, and preparation of all recyclable material for transportation, shall be in full compliance with all DOT and other Federal regulations, and all State regulations, governing the transportation of hazardous materials.

(12) *Annual Reporting.* All permittees shall submit an annual report, on a form prescribed by the Department, covering all recyclable material they handle. Each annual report shall be submitted to the Department no later than March 1 for the preceding calendar year. The report shall include, at a minimum, the following information:

(13) *Dust Suppression and Road Treatment.* The use of regulated recyclable material for dust suppression or road treatment is prohibited. The provisions set forth in 310 CMR 30.205(9) shall apply to such activity.

(14) *Speculative Accumulation.* Speculative accumulation is prohibited. The permittee shall make and keep records that will adequately demonstrate that there has occurred no speculative accumulation. Such records shall include, but not be limited to, the following:

- (a) records showing the amount of material being accumulated or stored at the beginning of the calendar year,
- (b) records showing the amount of material received or generated during the calendar year, and
- (c) records showing the amount of materials being accumulated or stored at the end of the calendar year.
- (d) records showing the amount of material that is recycled on-site, and/or that is transferred to a different site for recycling.

(15) *Personnel Training.* The permittee shall instruct, or give on-the-job training to, personnel involved in any activity authorized by the permit, so that such instruction or on-the-job training teaches such personnel how to comply with the conditions of the permit and to carry out the authorized activity in a manner that is not hazardous to public health, safety, or welfare, or the environment.

(16) *Emergency Prevention and Response.* The permittee shall plan and prepare for fires, explosions, or other occurrences that might result in release of oil or hazardous materials to the environment or otherwise constitute a



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste
BWP HW21
Class A Off-Site Recycling
Presumptive Approval Permit

Transmittal Number # _____

Facility ID (when known) _____

Renewal Application?
 Yes No

G. General Conditions of Class “A” Recycling Permits (cont.)

potential hazard to public health, safety, or welfare, or the environment. Without limiting the generality of the foregoing, if the permit authorizes the operation of a recycling facility, the design and operation of the recycling facility shall be in compliance with the requirements set forth in 310 CMR 30.341(1)(e)1.

(17) *Transfer of Permits.* Each permit issued pursuant to 310 CMR 30.200 shall be valid only for the person to whom it is issued and may not be transferred. Operation by an owner or operator other than those named in the permit shall be in violation of 310 CMR 30.000, and a basis for suspension or revocation of the permit, or for other enforcement action.

(18) *Permit Expiration.* Permits issued pursuant to 310 CMR 30.200 are in effect for a period of up to five years from the date of issuance. To continue the specified activity beyond this five year period, the permittee must reapply for a permit during the effective period of the existing permit. If the permittee wishes to engage in an activity different from the one specified in the permit, the permittee must receive a permit for the new activity prior to engaging in that activity.

(19) *Storage and Accumulation in Tanks and Containers.* Regulated recyclable materials shall be stored or accumulated only in tanks or containers. Generators of regulated recyclable materials that are waste oil or used oil fuel shall comply with applicable container and tank requirements in 310 CMR 30.253. Generators of all other regulated recyclable materials shall comply with applicable container and tank requirements in 310 CMR 30.340 (for large quantity generators), 30.351 (small quantity generators), or 310 CMR 30.353 (very small quantity generators), respectively. Each tank or container in which regulated recyclable material is being accumulated or stored and each outside container into which small containers are packed shall be clearly marked and labeled throughout the period of accumulation or storage with the following:

- (a) The words "Regulated Recyclable Material";
- (b) regulated recyclable material(s) identified in words (e.g., acetone, toluene);
- (c) type of hazard(s) associated with the material(s) indicated in words (e.g., ignitable, toxic, dangerous when wet);
- (d) The date upon which each period of accumulation or storage begins, marked on each tank or container at the time accumulation or storage begins in that tank or container, except that tanks containing regulated recyclable materials to be lawfully recycled are exempt from dating requirements if hard-piped and integrally connected to a used oil fired space heater. Marks and labels shall be placed on the sides of each tank or container in such a manner that they are clearly visible for inspection.

Additional General Permit Conditions for Recyclers who Receive Regulated Materials from Off-Site:

- (1) *Security.* The design and operation of the recycling facility shall be in compliance with the requirements set forth in 310 CMR 30.514 or with general security standards of equivalent stringency
- (2) *Inspections.* The permittee shall inspect the facility and remedy malfunctions in compliance with requirements set forth in 310 CMR 30.515(1)(a) and (b).
- (3) *Wastewater Treatment Units.* If a wastewater treatment unit is part of the recycling activity for which the permit is issued, such wastewater treatment unit shall be in compliance with the requirements set forth or referred to in 310 CMR 30.605.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01 (for use with BWP HW 21)

Recycling Data Sheet for Class A Permits Involving Transport of
Recyclable Material

Transmittal Number #

Facility ID (if known)

A. Summary of Recycling Activity

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



- Does the applicant plan to send Class A recyclable material to another person(s)?
 Yes No (If "Yes", attach RDS 01-1 described below)
- Does the applicant plan to receive Class A recyclable material from any person(s)?
 Yes No (If "Yes", attach RDS 01-1 described below)
- Will Class A recyclable material be sent to any person(s) located outside of Massachusetts:
 Yes No (If "Yes", attach RDS 01-3 described below)

B. Recycling Data Sheet Attachments

(Please label all attachments clearly as listed below)

Attachment: Brief Description of Information Required

RDS 01-1: This form should be filled out by generators. Provide the names, addresses and EPA identification numbers of persons to whom recyclable material will be sent. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to receive the recyclable material. Specify the type of permit. Make additional copies of this form as needed.

RDS 01-2: This form should be filled out by offsite recyclers. Provide the names, addresses and EPA identification numbers of persons from whom recyclable material(s) are to be received. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to send the recyclable material offsite. Specify the type of permit. Make additional copies of this form as needed.

RDS 01-3: If any person listed in Attachments RDS 01-1 is located outside of Massachusetts, they must sign the attached RDS 01-3 certification statement.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01-1

(for use with BWP HW 21)

Recycling data sheet for generators

Transmittal Number #

Facility ID (if known)

A. Instructions

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



This form should be filled out by generators sending Class A regulated recyclable materials to an offsite recycler. Provide the names, addresses and EPA identification numbers of persons to whom recyclable material will be sent. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to receive the recyclable material. Specify the type of permit. Make an additional copy of this form for each off-site recycler.

B. Off-Site Recycling Facility Information

1. Facility:

Name of Facility

Address

City/Town

State

Zip Code

EPA Identification Number

2. Is the facility located in Massachusetts?

Yes No

If **yes**, has this facility applied for or been granted a valid recycling permit to receive the recyclable material?

applied for granted

Type of permit

If **no**, complete form BWP HW RDS01-3



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01-2

(for use with BWP HW 21)

Recycling data sheet for offsite recyclers

Transmittal Number # _____

Facility ID (if known) _____

A. Instructions

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



This form should be filled out by offsite recyclers receiving Class A regulated recyclable materials. Provide the names, addresses and EPA identification numbers of persons from whom the recyclable materials are to be received. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to send the recyclable material offsite to your facility. Specify the type of permit. Make an additional copy of this form for each person sending you recyclable material.

B. Facility Information

1. Facility:

Name of Facility

Address

City/Town

State

Zip Code

EPA Identification Number

2. If the facility located in Massachusetts?

Yes No

If **yes**, has this facility applied for or been granted a valid recycling permit to send the recyclable material to your facility?

applied for granted

Type of permit



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01-3

(for use with BWP HW 21)

Class A, Out of State Certification Statement

Transmittal Number # _____

Facility ID (if known) _____

Certification

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



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 the information which relates to my involvement as described herein is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment.

Further, I certify that the regulated, recyclable materials described in the Class A permit application are materials that we _____ (Name of the receiving facility) are authorized to process in compliance with applicable state and federal laws and regulations.

Name of Applicant

Print Name

Position/Title

Authorized Signature

Date



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 05

(for use with BWP HW 21, BWP HW 23 or BWP HW 25)
Recycling Data Sheet For Burning Used Oil for Energy Recovery
Under a Class A Presumptive Permit or Class B(3) Permit

Transmittal Number #

Facility ID (if known)

A. Summary of Recycling Activity

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



1. Does the applicant plan to burn used oil fuel that is generated at the burning site?

Yes No

(If “Yes”, attach RDS 05-1 through RDS 05-5 described below).

2. Does the applicant plan to burn used oil fuel that is generated off the burning site?

Yes No

(If “Yes”, attach RDS 05-1 through RDS 05-6 described below).

B. Recycling Data Sheet Attachments

(Please label all attachments clearly as listed below)

Attachment: Brief Description of Information Required

RDS 05-1: Attach a description of the fuel characteristics determined through satisfactory analysis, including the constituents or properties listed in 310 CMR 30.215 and 30.216. Describe the characteristic variations, if appropriate.

RDS 05-2: Attach a description of the procedure for determining the characteristics stated above. If laboratory analysis is used, provide the name of each laboratory used and certification status. Describe the quality assurance procedures in use at the laboratory.

RDS 05-3: Attach a copy of the Department’s air quality approval to burn the used oil fuel pursuant to 310 CMR 7.00. Describe any conditions in that approval on the specification or type of fuel to be burned and any required air pollution control technology. Also describe how those conditions will be met.

RDS 05-4: Attach a description of the facilities for fuel storage showing that they meet the storage requirement stated or referred to in:

(1) 310 CMR 30.690 through 30.698 (for applicants planning to burn off-specification used oil generated off the burning site)

or

(2) 310 CMR 30.253 (for all other applicants).

RDS 05-5: Attach a description, if applicable, of the procedure for mixing the used oil fuel with other fuel, demonstrating that it is not subject to licensing pursuant to 310 CMR 30.800.

RDS 05-6: If the applicant plans to burn used fuel oil generated by a person(s) other than the applicant, attach the names, addresses and EPA identification numbers of those persons. Note which of these persons are “marketers” and provide reference to their permits.