



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

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FACT SHEET
Complete Recycling Solutions, LLC
1075 Airport Road
Fall River, MA 02723
Facility I.D. Number: MAD980915755
Draft Class C Hazardous Waste Recycling Permit

January 2008

This fact sheet summarizes the content of the Draft Class C Hazardous Waste Recycling Permit ("Draft Permit") prepared by the Department of Environmental Protection ("Department") for Complete Recycling Solutions, LLC (CRS), pursuant to M.G.L. c. 21C and 310 CMR 30.000. This Fact Sheet was prepared in accordance with the provisions of 310 CMR 30.296 (3)(h), "Issuance of a Draft Permit".

I. Purpose of the Permitting Process

The purpose of the permitting process is to afford the Department, local government, and citizens the opportunity to evaluate the ability of a permit applicant to comply with the applicable hazardous waste management regulations promulgated under M.G.L. c. 21C and 310 CMR 30.000.

Facilities which recycle mercury bearing products (e.g., fluorescent lamps, intact mercury devices) must be designed and safely operated to protect the people of Massachusetts from the dangers of improperly handled materials. Stringent permitting requirements are intended to ensure that those who accept Class C regulated materials are qualified to do so. Before issuing a Class C Hazardous Waste Recycling Permit, pursuant to M.G.L. c. 21C and 310 CMR 30.000, the Department is required to prepare a Draft Permit. The Draft Permit sets forth in one document all the applicable requirements that a licensee is required to comply with during the 5-year duration of its facility permit.

II. Procedures for Reaching a Final Decision

Massachusetts Hazardous Waste Regulation, 310 CMR 30.296(3)(a), requires that the Department shall give a public notice of the Draft Permit and allow at least a thirty (30) day public comment period. The public comment period for this draft permit will begin with publication of the public notice in the Fall River Herald News on January 17, 2008 and will end on February 15, 2008. Any person interested in commenting on the draft permit must do so within this comment period. Submit comments in writing to the:

Department of Environmental Protection
Bureau of Waste Prevention
Business Compliance Division
One Winter Street, 7th Floor
Boston, Massachusetts 02108
Attention: Anna Stern

In making a final decision, the Department will consider all written comments received during the comment period, and the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000. The Department will then make a final determination to issue or deny a Class C Hazardous Waste Recycling Permit to CRS.

The Department will give notice of its final permit decision to CRS and each person who has submitted written comments or has requested notice of the final permit decision. A final permit decision becomes effective 21 days after the date of the notice of the decision. The final permit decision will be postponed if a request for an adjudicatory hearing before the Department is made within the 21-day period.

III. Facility Description and History

A. Site Description

CRS's recycling facility is currently operating at 1 Father DeValles Blvd in Fall River, MA. CRS proposes to relocate the facility. The proposed new location is on a 3.38-acre parcel of land located at 1075 Airport Road in Fall River, MA in the Fall River Industrial Park, which abuts Graham Road to the east, Airport Road to the North, Capitol Records Management business to the west and wooded land to the south.

B. General Description

CRS is a privately owned mercury recycling company. CRS recycles fluorescent and HID light bulbs containing small amounts of mercury and intact mercury devices and debris. CRS operates automated disassembly equipment to de-manufacture all mercury bearing lamps and devices. CRS recovers the component by-products for recycling (e.g., aluminum, glass, calcium phosphor powder and mercury); resulting in 100% recycling of components and mercury.

C. History

The site at 1075 Airport Road has been used for manufacturing (cabinet assembly and warehousing of materials) by a previous business.

D. Recyclable Materials

The following types of wastes are proposed to be received and recycled at the CRS facility:

<u>Description</u>	<u>Waste Category</u>
Mercury Contaminated Waste (fluorescent lamps, thermometers, etc.)	D009, U151, D006*, D008*, MA95**, MA99
Elemental Mercury Waste	D009, U151

*As these waste codes pertain to the identification, classification and receipt of mercury contaminated articles.

**As this waste code shall pertain to the identification, classification and receipt of mercury contaminated articles, under the universal waste rule at 310 CMR 30.1000.

E. Site Contamination and Remediation Evaluation

There is no contamination reported at the site. A site assessment report prepared in accordance with the Massachusetts Contingency Plan (M.G.L. c.21E) was completed in May of 2001 and the results were "no contamination". A site assessment inspection was conducted in January of 2008, and the results are pending.

IV. Summary of Permit Conditions

In order to operate a Class C Hazardous Waste Recycling facility in Massachusetts, a permittee must comply with the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000, and all other applicable State and Federal statutes and regulations. These requirements are clearly stated in the terms and conditions of the license, and failure to comply with them may result in suspension or revocation of the license or other enforcement actions by the Department and/or the Office of the Attorney General.

The permittee must properly operate and maintain the facility to prevent any actual or potential threat to the public health, safety, or welfare, or to the environment. In addition, the permittee must act to prevent all actual and potential adverse impacts to persons and the environment resulting from non-compliance and will be responsible to pay for all damages caused by such non-compliance.

The permittee must provide records of its activities to the Department, allow inspections, and inform the Department of any changes in activities or to the facility. In all cases, it will be the obligation of the permittee to meet the burden of proof to persuade the Department that it is competent with respect to hazardous waste activities for which it is authorized. All documents submitted to the Department must be certified under penalty of law. In the event of an emergency, which could threaten public health, safety, welfare, or the environment, the emergency response coordinator will invoke the facility contingency plan, which includes notification to the Department's Southeast Regional office in Lakeville, and appropriate local officials.

V. Permit Organization

The draft permit is organized into five sections:

Section One- Recycling Permit and Certification

Section Two- General Permit Conditions

Section Three- Specific Permit Conditions

Section Four- Permit Attachments (Facility Operations Plan, Waste Analysis Plan, Security Plan, Inspection Plan and Procedures, Personnel Training Plan, Contingency Plan and emergency Procedures, Closure Plan and Preparedness and Prevention

Section Five- Permit Figures

VI. Location of Available Information

A copy of the CRS draft permit and additional copies of this Fact Sheet will be available at:

Department of Environmental Protection
Business Compliance Division
Bureau of Waste Prevention
One Winter Street, 8th Floor
Boston, MA 02108
Anna Stern
(617) 292-5904

Department of Environmental Protection
Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347
Eric Johnson

Fall River Board of Health
Fall River City Hall
One Government Ctr
Fall River, MA 02723

Fall River Public Library
104 North Main Street
Fall River, MA 02720

VII. Appeal Procedures

Pursuant to Massachusetts General Law (MGL) Chapter 21C, Section 11, any person aggrieved by a determination by the Department to issue or deny a permit, and has legal standing to do so, may request an adjudicatory hearing before the Department. For the purposes of 310 CMR 30.000, an “aggrieved person” shall be deemed to be any person who is or may become a “party” or “intervener” pursuant to 310 CMR 1.00. A person aggrieved by a final decision in any adjudicatory proceeding may obtain judicial review thereof pursuant to the provisions of M.G.L. c. 30A. This permit is an action of the Department. If 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 (21) days of the Notice of Final License Decision.

CONTENTS OF HEARING REQUEST

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

FILING FEE AND ADDRESS

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of \$100 must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA. 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

EXCEPTIONS

The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or municipal housing authority.

WAIVER

The Department may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

This Fact Sheet was prepared by the MA DEP Business Compliance Division, Bureau of Waste Prevention. For additional information contact Anna Stern at (617) 292-5904.

