Massachusetts Department of Environmental Protection
Bureau of Waste Prevention • Business Compliance Division
BWP HW 05
License to Transport Hazardous Waste, Including Mixed Wastes
Instructions & Support Materials

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Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at 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 Waste Prevention • Business Compliance Division
BWP HW 05
License to Transport Hazardous Waste, Including Mixed Wastes
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Bureau of Waste Prevention Guidance

Thank you for your interest in applying for a Massachusetts Hazardous Waste Transporter License. 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 application fee for a license to transport hazardous waste is $2,810.

As shown in the Application Instructions, if you have a Massachusetts office address(es) where transportation related activities take place and license records are maintained, the Department requires you to:

- **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 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.

The information regarding Transporter as Marketer requirements is included for informational purposes only and does not apply directly to your application for a new transporter license. Do not submit a notification to market waste oil fuel pursuant to 310 CMR 255(4) prior to the effective date of your hazardous waste transporter license; you may choose to do so after the effective date.

Applicants are required to submit **two complete application originals** 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 application denial.

For qualified applicants, the Department will issue licenses for a term of up to five years.

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, 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 the Business Compliance Division at (617) 292-5576.

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, 9th 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 addresses 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).

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 DEP emergency response numbers and regional office phone numbers is up-to-date. The 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): 978-661-7600
- Southeast Regional Office (SERO): 508-946-2700
- Western Regional Office (WERO): 413-784-1100

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

k. WHERE TO SUBMIT: Submit fee and *photocopy* of the DEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

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.

DEP 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 wishing to transport hazardous wastes from hazardous waste generators to authorized Treatment Storage Disposal Facilities (TSDFs).

Documentation to accompany application
Each application for a license to transport hazardous waste must be accompanied by 14 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 $2,810 is due when the application is submitted.
- There is no annual compliance fee.

License review timeline
- Within 60 days of receipt of application and payment of fee the Department shall complete a technical review
- Within 30 days of the close of the public comment period, the Department shall complete a public comment review

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, 30.400, 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

Application Completeness Checklist

To submit a BWP HW05 Application, complete the steps outlined below:

1. ☐ Complete a DEP Transmittal Form

2. ☐ Complete the BWP HW 05 Application Form. Include all specified information and attachments and indicate their inclusion by checking off the completion box on the application form.

3. ☐ Submit two complete copies of the application package including the Transmittal Form and a BWP HW 05 Application Form with all specified attachments to:

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

4. ☐ Submit the application fee of $2,810 in the form of a check or money order payable to the Commonwealth of Massachusetts along with a copy of the DEP 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.

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

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 #9; pp. 16-17) should be used when ordering VIDs. Complete the form providing the license 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**.** Please be advised that the Department currently does not charge a fee for VIDs. 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 31st of the year in which you obtain your license) and 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. **(Be sure to make additional copies of the instructions and the blank VID Form for your future use, for example, when ordering additional VID cards.)**

- To Request Additional VIDs by Mail, send all mail-in requests to:

  Department of Environmental Protection
  Bureau of Waste Prevention, Business Compliance Division
  One Winter Street 9th Floor
  Boston, MA 02108
  Attn: Paula Forrester

- To Request Additional VIDs at the Boston Office:

  The Department receives walk-in requests at the Department's Boston Office on the 2nd floor. Bring completed copies of the enclosed VID FORMS to submit for processing; the Department will then issue the appropriate VID cards. **Please call ahead so that we can expedite your request**. Call Paula Forrester at (617) 292-5822 or fax information to (617) 292-5778.

VIDs are updated annually. In the 2nd through 5th years of your hazardous waste transporter's license, the Department will issue VID stickers with a new expiration date to be affixed to your VID cards. As a licensee, your will be notified near the end of each year to submit to the Department an appropriate order form for VID stickers valid for the following year.

If you have any questions, please contact Paula Forrester of the Business Compliance Division at 617-292-5822.

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.

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.

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.

*** 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)

Transporter Letter of Credit Checklist

Regulation	Item		
310 CMR 30.411	(7) (a)	Issued by a Massachusetts bank or national bank.	☐
30.411	(7) (a)	Irrevocable.	☐
		Valid for a term of at least one year.	☐
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.	☐
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.	☐
30.411	(7) (c)	Payable in part or in full upon demand in case of forfeiture or failure of licensee to replace.	☐
30.411	(7) (e)	Subject to Uniform Customs & Practice for Documentary Credits, International Chamber of Commerce Publication #290.	☐
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.	☐
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.	☐

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.	☐
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.	☐

Massachusetts Department of Environmental Protection

Bureau of Waste Prevention • Business Compliance Division

BWP HW 05

License to Transport Hazardous Waste, Including Mixed Wastes

This file contains a series of forms compiled in Microsoft Word that can be filled out and saved on your computer. 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 HW05 application process. Please consult the BWP HW05 Instructions and Supplemental Materials for full instructions.

Table of Contents

- Board of Health Notification Letter
- Public Notice Template
- Hazardous Waste Transporter License
- BWP HW05 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 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
One Winter Street, 9th Floor
Boston, MA 02108

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

Sincerely,

_____

Public Notice of
Hazardous Waste Transporter License Application

Pursuant to Massachusetts Hazardous Waste Regulation 310 CMR 30.000

_____
Notice Publication Date

Public Notice is hereby given of the application by:

_____
License Applicant

_____
Dba

_____
Location

for a 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 Asha Shah at the Boston DEP office, Business Compliance Division at 617-292-5822.

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

1. Board of Health:

   _____
   Board of Health

   _____
   Street Address

   _____ _____
   City or Town Zip Code

   _____
   Telephone Number

2. The Department of Environmental Protection (DEP), Business Compliance Division, One Winter Street, 9th Floor, Boston, Massachusetts 02108; contact Paula Forrester at (617) 292-5822 to schedule an appointment to review an application.

The Department shall consider all written comments regarding this application submitted to its Boston office (attention: Asha Shah) 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: Asha Shah).

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. Parking Locations:

5. Contact person:

Name | Telephone #

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

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

BWP HW 05 Permit Application

License To Transport Hazardous Waste, Including Mixed Wastes

Transmittal Number

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 - firm or individual needing 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)

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

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:

DEP or FMF Facility ID # (if known) | EPA ID#

U.S. DOT # | MA Hazardous Waste Transporter License # or Precious Metals Class B(4) RRM Transporter License #

B. Locations

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

1. Business Addresses:

Business Location #1

Business Location #2

Business Location #3

Business Location #4

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

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

Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Business Compliance Division
BWP HW 05 Permit Application
License To Transport Hazardous Waste, Including Mixed Wastes

Transmittal Number

C. Activities & Applicant Qualifications

1. Summary of Activities:

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

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).

Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Business Compliance Division
BWP HW 05 Permit Application
License To Transport Hazardous Waste, Including Mixed Wastes

Transmittal Number

Estimate the approximate quantities transported annually in pounds or gallons

D. Wastes

1. Waste Estimates:

Estimate of total solids (in Pounds) _____ Estimate of total liquid (in US Gallons) _____

2. Types of Waste:

Indicate all categories of waste that you expect to transport

X	Waste Category / Regulation Reference	Describe how each waste type will be transported; e.g. bulk tanker, drums (size of drums).
☐	Ignitables 310 CMR 30.122	
☐	Corrosives 310 CMR 30.123	
☐	Reactives 310 CMR 30.124	
☐	Toxicity Characteristic (TC) 310 CMR 30.125B	
☐	Wastes from Non-Specific or Specific Sources Except Waste Oil or PCBs 310 CMR 30.131; 310 CMR 30.132	
☐	Discarded Chemical Products 310 CMR 30.131; 310 CMR 30.132	
☐	Acutely Hazardous Wastes 310 CMR 30.136	
☐	Waste Oil 310 CMR 30.131 MA01	
☐	PCBs 310 CMR 30.131 MA02	
☐	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, provide the following information:

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

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.

Transporter Data Sheet (Attachments) and Reference	Description of Required Materials	Please check off item when complete
TDS 01-1 See 310 CMR 30.807 for who must sign such documents	**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.	☐
TDS 01-2 See 310 CMR 30.805(1) for DTE certification	**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.	☐
TDS 01-3 See 310 CMR 30.803(8) training program requirements and 310 CMR 30.409(1) – (4) what employees must know	**Training Program Documentation:** (1) Provide a certification on 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.	☐
TDS 01-4 See 310 CMR 30.803(9) for details of who must be listed	**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.	☐
TDS 01-5 See 310 CMR 30.803(10) for details of what must be reported.	**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.	☐

G. Transporter Data Sheets (cont)

TDS 01-6 See CMR 30.803(11 and 30.813(4-5)) for details of what must be reported	**Past /Pending Legal or Administrative Actions:** Attach a list and explanation of *all* 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 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.	☐
TDS 01-7 See 310 CMR 30.803(12) for details of what must be reported	**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.	☐
TDS 01-8 See 310 CMR 30.826 for a description of Corporate Records requirements.	**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. 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.	☐
TDS 01-9 See 310 CMR 30.410 for detailed insurance requirements and 310 CMR 30.805(4) requiring that applicants submit this information.	**Liability Insurance:** 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.	☐
TDS 01-10 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	**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. 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. ▪ note that the Department accepts only bonds and letters of credit; and the attached Letter of Credit documents (Guidance, Sample, and Checklist) for details on what constitutes and acceptable letter of credit.	☐

G. Transporter Data Sheets (cont.)

TDS 01-11 See 310 CMR 30.805(5) that requires applicants to submit this information.	**Vehicle Information:** Submit a list of vehicles owned or operated by the applicant to transport hazardous waste. For each vehicle, specify: owner, operator, year, model, color, capacity, plate number and state, and identification number.	☐
TDS 01-12 See 310 CMR 30.805(2) requiring that applicants submit this information.	**Plan for Cleaning Vehicles:** Provide a detailed plan for cleaning vehicles that are used to transport hazardous waste.	☐
TDS 01-13 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 procedures guide, including a list of equipment that must be carried on all *vehicles.*	**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): 978-661-7600 • Southeast Regional Office (SERO): 508-946-2700 • Western Regional Office (WERO): 413-784-1100.	☐
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.	☐

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

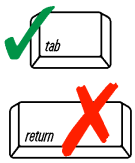
Massachusetts Department of Environmental Protection

Bureau of Waste Prevention • Business Compliance Division

BWP HW 05 - 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

Telephone: (617) 305-3559
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 Public Utilities to send DEP either:

- A certification of compliance with the requirements of Massachusetts General Law chapter 159B (for common 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	

Form Approved
OMB No. 2125-0074

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.

SCHEDULE OF LIMITS
Public Liability

	Type of Carriage	Commodity Transported	Minimum Insurance
(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

Vehicle Seating Capacity	Minimum Insurance
(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

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

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

Vehicle Identification Device

check one: ☐ BWP HW 05 ☐ BWP HW 14

DEP Use Only		
	date received	#VID's made
	voucher # (OK)	Date VID logged
	date VID mailed/picked up	signature of receiver

Form #Year

1. Name and Address of Licensee:

Name

Street Address

City

State Zip Code

2. Contact person:

Name Phone Number

3. Total number of VIDs ordered: Total # Fax Number

Use if applicable

old VID # Year and Make Model and Color Capacity
☐owner/operator ☐leased VID # VIN # Registration State Trans. Veh. # (optional)

old VID # Year and Make Model and Color Capacity
☐owner/operator ☐leased VID # VIN # Registration State Trans. Veh. # (optional)

old VID # Year and Make Model and Color Capacity
☐owner/operator ☐leased VID # VIN # Registration State Trans. Veh. # (optional)

old VID # Year and Make Model and Color Capacity
☐owner/operator ☐leased VID # VIN # Registration State Trans. Veh. # (optional)

old VID # Year and Make Model and Color Capacity
☐owner/operator ☐leased VID # VIN # Registration State Trans. Veh. # (optional)

old VID # Year and Make Model and Color Capacity
☐owner/operator ☐leased VID # VIN # Registration State Trans. Veh. # (optional)

Massachusetts Department of Environmental Protection
Bureau of Waste Prevention • Business Compliance

Vehicle Identification Device

check one: ☐ BWP HW 05 ☐ BWP HW 14

Form #Year

1. Name and Address of Licensee:

Name

Use if applicable

old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)
old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)
old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)
old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)
old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)
old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)
old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)
old VID #	Year and Make		Model and Color		Capacity
☐owner/operator ☐leased	VID #	VIN #	Registration	State	Trans. Veh. # (optional)

Massachusetts Department of Environmental Protection

Bureau of Waste Prevention • Business Compliance Division

License to Transport Hazardous Waste, Including Mixed Wastes

Tax Certification Form

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

Massachusetts Department of Environmental Protection
Hazardous Waste Transporter Program

Notification of Activities as a Marketer of Used Oil Fuel

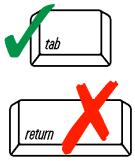
Pursuant to 310 CMR 30.255

For Official Use Only:

EPA ID Number

Date Issued

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.

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).

Massachusetts Department of Environmental Protection
Hazardous Waste Transporter Program

Notification of Activities as a Marketer of Used Oil Fuel

Pursuant to 310 CMR 30.255

For Official Use Only:

EPA ID Number

Date Issued

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, 9th Floor
Boston, MA 02108