

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR AND WASTE
BUSINESS COMPLIANCE DIVISION

NOTICE

PUBLIC NOTICE OF A DRAFT RENEWAL CLASS C HAZARDOUS WASTE RECYCLING PERMIT PURSUANT TO MASSACHUSETTS GENERAL LAW CHAPTER 21C AND MASSACHUSETTS HAZARDOUS WASTE REGULATIONS, 310 CMR 30.000.

NAME AND LOCATION OF FACILITY

Veolia ES Technical Solutions L.L.C.
90 Pleasant Street
West Bridgewater, MA 02379
FACILITY I.D. NUMBER: MAC300017498

PROPOSED: Veolia ES Technical Solutions L.L.C. (Veolia) is an existing hazardous waste recycling facility located at 90 Pleasant Street West Bridgewater, MA 02379. Veolia has applied for a renewal of their five-year permit from the Massachusetts Department of Environmental Protection (MassDEP) to conduct recycling activities at this location.

These activities include recycling of mercury containing manufacturing articles such as spent fluorescent lamps, high intensity discharge lamps, mercury batteries, mercury switches, regulators, and thermometers. These activities also include recycling of elemental mercury and clean up debris. Veolia proposes to recycle up to 30,000 tons/year of mercury containing wastes. All mercury containing wastes enter the recycling process within 48 hours of arrival at Veolia (excluding weekends and holidays). A draft permit has been issued by MassDEP. Pursuant to the public participation requirements in 310 CMR 30.200, the public has thirty (30) days to comment on the Draft Permit.

PUBLIC COMMENT:

Any member of the public wishing to comment on the Draft Permit may file written comments during the public comment period that will extend from June 30, 2018 to July 29, 2018. Comments should be submitted to:

James Paterson, Branch Chief
Massachusetts Department of Environmental Protection
Bureau of Waste Prevention
Business Compliance Division
One Winter Street, 7th Floor
Boston, MA 02108

If during the comment period MassDEP receives written notice requesting a public hearing or if MassDEP determines on its own that there is significant public interest in the Draft Permit, MassDEP will schedule an informal public hearing on the proposed action and give public notice at least 21 days prior to the hearing date. Written and oral comments will be accepted at the hearing.

The draft permit and a Fact Sheet that describes the permitting process, the company, its operation, and terms and conditions of the Draft Permit are available for review at the West Bridgewater Board of Health, West Bridgewater Public Library, MassDEP's Lakeville and Boston Offices. Anyone wishing to examine the Draft Permit may do so at these locations.

Additionally, a Fact Sheet is also available for viewing on MassDEP's website at

<https://www.mass.gov/service-details/massdep-public-hearings-comment-opportunities>

FINAL DECISION

MassDEP will consider all written comments received during the comment period, the hearing, if held, and the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000. MassDEP will then make a final decision regarding the issuance of a hazardous waste recycling permit to Veolia. A notice of the final permit decision will be sent to the applicant and to each person who has submitted written comments, or has otherwise requested notice of the final permit decision. If no comments requesting a change to the Draft Permit are received, a final permit decision will become effective twenty-one (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 MassDEP is made within the twenty-one (21) day period.

For additional information, contact James Paterson at MassDEP's Business Compliance Division at (617) 556-1096.

Richard Blanchet, Deputy Director
Business Compliance Division
Bureau of Air and Waste

FACT SHEET
Veolia ES Technical Solutions, L.L.C.
Draft Class C Hazardous Waste Recycling Permit
90 Pleasant Street, West Bridgewater, MA 02379
EPA ID: MAC300017498
June 2018

This fact sheet summarizes the Draft Class C Hazardous Waste Recycling Permit (“Draft Permit”) **renewal application** prepared by Veolia ES Technical Solutions, L.L.C. (Veolia), pursuant to M.G.L. c. 21C and 310 CMR 30.000.

I. Reason for this Fact Sheet

Facilities that recycle mercury products (e.g., fluorescent lamps) must be designed and safely operated to protect human health and the environment. MassDEP’s permitting program ensures that those who accept Class C regulated materials are qualified to do so. As part of the permit renewal process, the permittee must prepare, and update as appropriate, a Draft Permit that sets forth the requirements a permittee must comply with for the duration of the five-year permit. This permit application process affords MassDEP, local government and citizens the opportunity to evaluate an applicant’s ability to comply with the applicable hazardous waste regulations, 310 CMR 30.000. Veolia, which is currently operating under a permit issued by MassDEP in March 2013, is applying for a permit renewal without any proposed changes to its permit.

II. Procedures for Reaching a Final Decision

Massachusetts Hazardous Waste Regulation, 310 CMR 30.296(3), requires that MassDEP shall give a public notice of the Draft Permit and allow a 30 day public comment period. The public comment period for this draft permit will begin with publication of the public notice in the Enterprise (Brockton) on June 30, 2018 and will end on July 29, 2018. Any person interested in commenting on the draft permit must do so within this comment period. Submit comments in writing to:

MassDEP
Attention: James Paterson
Bureau of Air and Waste
One Winter Street, 7th Floor
Boston, Massachusetts 02108

If during the comment period MassDEP receives written notice requesting a public hearing or determines on its own that there is significant public interest in the Draft Permit, MassDEP will schedule an informal public hearing and give public notice at least 21 days prior to the hearing. Written and oral comments will be accepted at the hearing.

In making a final decision, MassDEP will consider all comments received during the comment period and the requirements of 310 CMR 30.000. MassDEP will then make a final determination to

renew or deny a Class C Permit to Veolia. MassDEP will give notice of its final permit decision to Veolia 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 MassDEP is made within the 21-day period.

III. Facility Description

Veolia recycles fluorescent and high intensity discharge lamps containing small amounts of mercury, intact mercury devices and mercury containing debris. Veolia operates automated disassembly equipment to de-manufacture all mercury bearing lamps and devices and recover the component by-products for recycling (e.g., aluminum, glass, calcium phosphor powder and mercury) resulting in 100% recycling of components and mercury.

The following types of wastes are received and recycled at Veolia:

<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

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 310 CMR 30.000 and all other applicable State and Federal statutes and regulations. These requirements are stated in the terms and conditions of the permit, and failure to comply with them may result in suspension or revocation of the permit or other enforcement actions by MassDEP 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 MassDEP, allow inspections, and inform MassDEP 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 MassDEP that it is competent with respect to hazardous waste activities for which it is authorized. All documents submitted to MassDEP 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 MassDEP's Southeast Regional office in Lakeville, and appropriate local officials.

V. Permit Organization

The draft permit is organized into four sections:

Section I. Hazardous Waste Recycling Permit and Certification

Section II. General Permit Conditions

Section III. Specific Permit Conditions

Section IV. Permit Attachments:

- Facility Design and Waste Management Activities
- Waste Analysis Plan
- Security Plan
- Inspection Plan and Procedures
- Personnel Training Plan
- Contingency Plan/ Emergency Procedures
- Preparedness and Prevention Plan
- Closure Plan
- Post-Closure Plan
- Application for EPA ID #
- Required Notices,
- Manifest System Procedures
- Facility Operating Record
- Management of Ignitable, Reactive, and Incompatible Wastes
- Local Approvals and Additional Facility Permits
- Air Handling Systems
- Groundwater Protection
- Use and Management of Containers
- Storage and Treatment in Tanks
- Facility Location Standards
- Detailed Applicant Information

VI. Location of Available Information

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

MassDEP
Business Compliance Division
Bureau of Air and Waste
One Winter Street, 7th Floor
Boston, MA 02108
James Paterson
(617) 556-1096

MassDEP
Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347
Dan DiSalvio
(508) 946-2878

West Bridgewater Board of Health
65 North Main Street
West Bridgewater, MA 02379
Robert W. Casper Jr.
(508) 894-1209

West Bridgewater Public Library
80 Howard Street
West Bridgewater, MA 02379
Beth Roll Smith
(508) 894-1255

VII. Appeal Procedures

Pursuant to Massachusetts General Law (MGL) Chapter 21C, Section 11, any person aggrieved by a determination by MassDEP to issue or deny a permit and has legal standing to do so, may request an adjudicatory hearing before MassDEP. 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 MassDEP. 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 Permit 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
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

MassDEP 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 the facts believed to support the claim of undue financial hardship.

This Fact Sheet was prepared by the MassDEP, Business Compliance Division, Bureau of Air and Waste. For additional information contact James Paterson at (617) 556-1096.