



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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Commissioner

### **FACT SHEET**

### **DRAFT HAZARDOUS WASTE FACILITY LICENSE**

### **SOLUTIA, INC.**

**August 2014**

This fact sheet summarizes the content of the Draft Hazardous Waste Facility License (Draft License) prepared by the Department of Environmental Protection (MassDEP) for Solutia, Inc., 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 30.832, "Draft Facility License."

#### **I. Purpose of the Licensing Process**

The purpose of the licensing process is to afford the MassDEP, the U.S. Environmental Protection Agency (USEPA), local government, and citizens the opportunity to evaluate the ability of a license applicant to comply with the applicable hazardous waste management regulations promulgated under M.G.L. c. 21C and 310 CMR 30.000.

Facilities which treat, store and/or dispose of hazardous waste must be designed and safely operated to protect the people of Massachusetts from the dangers of improperly handled hazardous waste. Stringent licensing requirements are intended to ensure that those who accept hazardous waste are qualified to do so. Before issuing a hazardous waste facility license, pursuant to M.G.L. c. 21C and 310 CMR 30.000, the MassDEP is required to prepare a Draft License. The Draft License 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 license.

## **II. Procedures for Reaching a Final Decision**

Massachusetts Hazardous Waste Regulation, 310 CMR 30.833, requires that the MassDEP shall give a public notice of the Draft License and allow at least a forty-five (45) day public comment period. The public comment period for this Draft License will begin with publication of the public notice in the Springfield Republican Newspaper on August 8, 2014 and will end on September 22, 2014. Any person interested in commenting on the Draft License must do so within this comment period. Submit comments in writing to the:

David Ellis, Environmental Engineer  
Department of Environmental Protection  
Bureau of Waste Prevention  
Business Compliance Division  
One Winter Street, 7th Floor  
Boston, MA 02108

The MassDEP will schedule an informal public hearing on the proposed Draft License if during the comment period, or within 15 days of the close of the comment period, the MassDEP receives written notice requesting an informal public hearing, or if it determines on its own that there is significant public interest in the Draft License. Written and oral comments will be accepted at the hearing.

In making a final decision, the MassDEP will consider all written comments received during the comment period, all verbal comments received at a public hearing, if held, and the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000. The MassDEP will then make a final determination to issue or deny a hazardous waste facility license to Solutia, Inc.

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

“U.S. EPA Region 1, Boston, MA will provide a coinciding public notice on its intention to issue a Hazardous and Solid Waste Amendments (HSWA) permit to Solutia. The HSWA permit includes federal requirements applicable to Solutia for which MassDEP is not authorized. When issued, the HSWA permit along with MassDEP’s license will constitute the full RCRA permit for Solutia.”

### **III. Site Description, General Description, Licensing History, Wastes that may be Accepted, and Storage Requirements for all Hazardous and Non-hazardous Waste**

#### **A. Site Description**

Solutia, Inc. is located at 730 Worcester Street, in the City of Springfield, County of Hampden. The plant encompasses roughly 250 acres. The licensed hazardous waste container storage facility, Building 386, is located in the eastern portion of the Solutia property as shown in Figure 3 of Attachment I of the Draft License.

#### **B. General Description**

Solutia, Inc. is a manufacturer of polymeric resins, plastic sheets, organic chemicals and raw materials used in a variety of industrial and commercial applications. Solutia, Inc. also operates a hazardous waste container storage facility authorized to manage a broad range of hazardous and non-hazardous wastes generated during its various research and manufacturing activities.

Solutia stores its own hazardous wastes greater than ninety (90) days and therefore must obtain a Massachusetts Hazardous Waste Facility license to do so. Hazardous and non-hazardous wastes are accumulated in containers, primarily 55-gallon steel drums at various locations throughout the manufacturing facility, consolidated at the container storage facility, segregated into compatible groups for storage and subsequently shipped in drums or pumped into bulk tanker trucks for treatment or disposal at approved hazardous waste treatment or disposal facilities.

The classes and categories of hazardous waste authorized for storage are detailed in Section B, Specific License Conditions, Part I, Facility Operating Conditions of the Draft License. The hazardous waste identification codes are identified in the Part A Form, Attachment I, Part III of this license. The total maximum volume of authorized hazardous waste for storage in containers is 46,200 gallons.

#### **C. Licensing History**

Monsanto, Inc. initially operated the facility under a Massachusetts Hazardous Waste License No. #15B/91. On September 1, 1997, Monsanto Co. spun off its chemical business into a new corporation named Solutia, Inc. Solutia, Inc. includes among its assets the property at 730 Worcester Street. Solutia, Inc. and currently operates under Part B Hazardous Waste Facility License No. 36B/08, issued by the Massachusetts Department of Environmental Protection on September 4, 2008.

#### **D. Wastes That May Be Accepted**

The following types of hazardous waste are stored at the facility:

<u>Category</u>	<u>Description</u>
D001	Ignitable Waste, 310 CMR 30.122
D002	Corrosive Waste, 310 CMR 30.123
* D004 - D043	Toxicity Characteristic Waste
MA01	Waste Oil
** MA02	Wastes which contain polychlorinated biphenyls (PCBs) in concentrations equal to or greater than 50 parts per million (ppm)
*** MA95	Universal Waste, 310 CMR 30.1000
* F - listed wastes	From Non-specific Sources, 310 CMR 30.131
* U - listed wastes	Hazardous Wastes Which Are Discarded Commercial Chemical Products or Off-Specification Batches of Commercial Chemical Products or Spill Residues or Either, 310 CMR 30.133.
*P - listed wastes	Acutely Hazardous Waste, 310 CMR 30.136

\* The specific hazardous wastes from these categories are listed in the Part A application and incorporated herein as Attachment I of this license.

\*\* As regulated under the U.S. Toxic Substances Control Act (TSCA), all applicable requirements of 40 CFR Part 761, and as subject to those requirements pursuant to 310 CMR 30.501(3).

\*\*\* As regulated at 310 CMR 30.1000.

Additionally, Solutia is authorized to store Non-hazardous wastes with a waste code of MA99.

#### **E. Storage Requirements for all Hazardous and Non-hazardous Waste**

<u>Container Storage Location</u>	<u>Maximum Licensed Storage Capacity</u>
Building 386	46,200 gallons in containers only

#### **IV. Summary of License Conditions**

In order to operate a hazardous waste management facility in Massachusetts, a licensee 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 MassDEP and/or the Office of the Attorney General.

The licensee 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 licensee shall 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 licensee must provide records of activities to the MassDEP, allow inspections, and inform the MassDEP of any changes in activities or to the facility. In all cases, it will be the obligation of the licensee to meet the burden of proof to persuade the MassDEP that the applicant is competent with respect to hazardous waste activities. All documents submitted to the MassDEP must be certified as accurate 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 implement the facility contingency plan, which includes notification to the MassDEP's Western Regional office in Springfield and local public safety officials.

#### **V. Draft License Organization**

The Draft License is organized into three parts:

Part I, Facility Operating Conditions;

Part II, Facility Management Requirements, and

Part III Attachments.

Part I, Facility Operating Conditions contains 3 sections, which describe General License Conditions, Specific License Conditions, and Use and Management of Containers.

Part II contains 12 sections, which describe facility management requirements for:

- Required Notices
- Manifest System
- Record Keeping and Reporting
- Ignitable, Reactive or Incompatible Wastes
- General Waste Analysis and Procedures
- Security Plan and Procedures
- Facility Inspection Plan and Procedures
- Personnel Training Plan and Procedures
- Preparedness and Prevention
- Contingency Plan and Procedures
- Closure Plan and Procedures
- Financial Responsibility

Part III contains the License Attachments that describe in detail the general Management standards for the Facility:

<u>Attachment No.</u>	<u>Title</u>
I.	Facility Description and Part A Form
II	Container Management Plan
III.	Waste Characteristic and Analysis Plan
IV.	Security Plan
V.	Inspection Plan
VI.	Personnel Training Plan
VII.	Contingency Plan
VIII	Preparedness and Prevention Plan
IX.	Closure Plan
X.	Financial Assurance for Closure and Liability Insurance

**VI. Locations where the Draft License is available for review.**

Contact your nearest location for an appointment to view the Draft License.

A copy of the Draft License 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, 7th Floor  
Boston, MA 02108  
David Ellis  
(617) 292-5983

Department of Environmental Protection  
Western Regional Office  
436 Dwight Street, 5<sup>th</sup>. Floor  
Springfield, MA 01103  
John Downes  
(413) 784-1100

Environmental Protection Agency  
New England - Region I  
5 Post Office Square, Suite 100 (OSRR07-1)  
Boston, MA 02109-3912  
Sharon Leitch  
(617) 918-1647

Springfield City Library  
Indian Orchard Branch  
44 Oak Street  
Springfield, MA 01151  
Layla Johnston  
(413) 263-6846

Springfield Board of Health and Human Services  
95 State Street , Suite 201  
Springfield, MA 01103  
Helen R. Caulton-Harris, Director  
(413) 787-6740

This Fact Sheet is also available on the MassDEP web site at:  
<http://www.mass.gov/eea/agencies/massdep/news/comment/>

## **VII. Appeal Procedures**

Pursuant to Massachusetts General Law (MGL) Chapter 21C, Section 11, any person aggrieved by a determination by the MassDEP to issue or deny a license, and has legal standing to do so, may request an adjudicatory hearing before the 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 license decision is an action of the 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 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 license 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 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 forth the facts believed to support the claim of undue financial hardship.

*This Fact Sheet was prepared by the MassDEP, Bureau of Waste Prevention, Business Compliance Division. For additional information contact David Ellis at (617) 292-5983.*