



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

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## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

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# eDEP and Waste Site Cleanup: Frequently Asked Questions

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*Reformatted December 2017*

## **BWSC eDEP Questions?**

Email [bwsc.edep@state.ma.us](mailto:bwsc.edep@state.ma.us)

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## **NEW! eDEP Security Changes**

eDEP is adding features to make your account more secure and easier to manage. To enable these features, eDEP will prompt you to review and accept the revised Terms and Conditions and then to set-up your security questions.

### ***How is eDEP protecting my account?***

eDEP is adding features to make your account more secure and easier to manage. To enable these features, eDEP will prompt you to review and accept the revised Terms and Conditions and then to set-up your security questions.

### ***What are the security questions?***

The security questions help confirm your identity whenever you make changes to your profile or reset your password. In some cases, you may also need to answer a security question when you sign your form. Certain forms are now subject to federal requirements for this additional verification.

### ***When will eDEP add this new security?***

eDEP will be updated in stages between October and December 2013.

In phase 1, eDEP will prompt users to set-up their security questions. After set-up, users will be able to reset their passwords automatically.

In phase 2, some users will need to answer a security question when signing their forms. Certain forms are now subject to this federal verification step. Other users, whose forms do not require this verification, will see no change when signing their forms.

**This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.**

**TTY# MassRelay Service 1-800-439-2370**

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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## **Transitioning to the Revised MCP Regulations, effective June 20, 2014**

### **How Do I File a Tier I Permit Extension?**

As of April 25, 2014 applications for Initial Tier I Permits are no longer required. Tier I Permit Extensions, for existing Tier I Permits can be filed using the Application for Supplemental Tier I Permit Actions BWSC 10, 20, 30 Form until June 20, 2014. After June 20, 2014 all Tier Classification Extensions must be filed using a BWSC107 Form, checking Box B5 on the BWSC107 Form and attaching a copy of the Tier Classification Extension Submittal.

### **How Do I File a Notice of Activity and Use Limitation (AUL) through eDEP? The Activity and Use Limitation (AUL) BWSC113 Form does not include the BWSC113A-Activity and Use Limitation Opinion Form**

On May 29, 2014, the old version of the BWSC113 Form (which included the BWSC113A-Activity and Use Limitation Opinion Form) was retired and is no longer available in eDEP. The new version of the BWSC113 Form does not include the BWSC113A, as the new regulations do not require that a BWSC113A-Activity and Use Limitation Opinion Form be signed and submitted to MassDEP nor filed with the Registry of Deeds. Starting May 29, 2014 use the new version of the BWSC113 Form to file a Notice of Activity and Use Limitation (AUL). Note, a separate AUL Opinion Form is no longer required.

### **How do I file an RAO Statement prior to June 20, 2014? The BWSC104 only uses the terms Permanent or Temporary Solution?**

An RAO Statement can be filed prior to June 20, 2014 using the new version of the BWSC104 Form Permanent or Temporary Solution Statement Transmittal Form. The old version of the BWSC104 Form was retired on April 24, 2014 and is no longer available in eDEP. Since both MGL Chapter 21E and the current MCP use the terms "Permanent Solution" and "Temporary Solution" to describe the available closure options (i.e., RAOs), the terminology used in the revised BWSC104 form may be used before and after June 20, 2014. Just remember:

- Class A-1, A-2 and B-1 RAOs are Permanent Solutions with No Conditions
- Class A-3, A-4, and B-2 RAOs are Permanent Solutions with Conditions
- Class C-1 and C-2 RAOs are Temporary Solutions

The performance standards used for achieving site closure and documented in the RAO Statement attached to the BWSC104 must be based on the regulations in effect at the time of submittal. This means, for example, that the new Permanent Solution with Conditions (but no AUL) closure category is not available until June 20, 2014 (except for residual contamination under roadways, an existing exemption to the requirement for an AUL).

### **Can Tier 1 Permit Transmittal Forms Still be Submitted Through eDEP?**

As of April 25, 2014, Applications for new initial Tier I Permits are not required. The Initial Application for Tier I Permit BWSC 01, 02, 03 Form was retired on April 25, 2014 and is no longer available in eDEP. The Application for Supplemental Tier I Permit Actions BWSC 10, 20, 30 Form is available in eDEP through June 20, 2014, as the related requirements remain in effect until that date.

### **Are Geographic Location Coordinates Required on the BWSC Transmittal Forms?**

Geographic Location Coordinates are required to be reported on the BWSC103 Release Notification Form, BWSC107 Tier Classification Form and BWSC104 Permanent or Temporary Solution Statement Form. The revised transmittal forms require that geographic location coordinates be reported in Latitude/Longitude as opposed to the previously used UTMs. The change to latitude/longitude creates consistency across MassDEP programs using coordinates to identify locations.

## Non-editable Data on eDEP Forms

### How do you correct inaccurate data on the preloaded forms in eDEP?

For the first time, by using eDEP, PRPs and LSPs are able to view data exactly as it is stored in the MassDEP database. The user now has the opportunity to verify the accuracy of the data and to assist MassDEP in updating the data.

- a. In order to maintain data integrity, certain sections such as the "Release/Site Location" or "Relationship to the Release of the Person Undertaking the Response Action" cannot be updated directly on BWSC forms. For quality control purposes, eDEP pulls data directly from the MassDEP BWSC database, and only certain staff has the authority to update these fields. Therefore, to update information in the form sections "Release/Site Location", and "Relationship to the Release of the Person Undertaking the Response Action", please send an email to [BWSC.eDEP@state.ma.us](mailto:BWSC.eDEP@state.ma.us) listing the RTN and the correct information for MassDEP to update the database.
- b. For other sections, such as the information contained in the "Person Undertaking Response Actions" section, including the contact name, address information, and phone numbers, users can update the information in certain fields directly on the eDEP BWSC Transmittal Forms. To make those changes permanent in the database, please send an email to [BWSC.eDEP@state.ma.us](mailto:BWSC.eDEP@state.ma.us) listing the RTN and the correct information for MassDEP to update the database.
- c. For LSP Section, if the telephone number that appears on the eDEP form is incorrect, please send an email to [BWSC.eDEP@state.ma.us](mailto:BWSC.eDEP@state.ma.us) listing the correct telephone number and MassDEP will update the database.

*Please be aware that DEP staff cannot view your draft forms and can never edit your forms directly.* We make edits to our internal databases which are then copied to eDEP to be made available for future submittals. Because we cannot view your draft submittals, it is usually best not to request changes by simply citing form section numbers. If the site has had multiple PRPs, for example, we have no way of telling which of these you wish changed. Please specify contact names so that we know which of the people/organizations in our databases to edit.

## Form Questions

**When filing BWSC107 Tier Classification Transmittal Form for a new Tier Classification for a Tier II Site and submitting a Phase I Completion Statement and the Phase II Conceptual Scope of Work (or the Phase II Scope of Work), is it necessary to also submit the BWSC108 Comprehensive Response Action (CRA) Transmittal Form & Phase I Completion Statement?**

No, it is not necessary to submit the BWSC108 and submit the same reports, i.e. Phase I Completion Statement and the Phase II Conceptual Scope of Work (or the Phase II Scope of Work) as where submitted with the BWSC107. BWSC108 CRA Transmittal Form is a stand alone form to be used to submit the Phase I Completion Statement, Phase II Conceptual Scope of Work or the Phase II Scope of Work when you are submitting these reports independent of the BWSC107 Tier Classification Transmittal Form.


**If supporting documentation for an eDEP submittal is over the 50 MB limit, what options are available?**

### FOR NEW FILES GREATER THAN 50MB

1. Try HARDER to compress the file to less than 50MB
2. Split the file into 2 (or more) less-than-50MB segments. The first piece should contain the body of text, the figures & tables.  
Part 2 (Part 3, etc...) would be the appendices.
3. Use the appropriate transmittal form (e.g., BWSC108 for a Phase 2 Report) to officially submit the document and LSP-stamp it  
The last page of the attached Part 1 should note that the appendices are being submitted using BWSC126 due to size constraints
4. Use BWSC126 to upload the appendices as necessary
5. Fill out the BWSC126, with B2 selected and described along these lines of "Appendices to Phase 2 Report Submitted 7/15/2014, eDEP transaction ID #635782"
6. The BWSC126 will NOT affect the timelines/deadlines for the site – it is merely conveying the final portions of the document started in the original transmittal form.

### FOR FILES PREVIOUSLY SUBMITTED ON DISK

1. Try to compress the file to less than 50MB, OR  
split the file into 2 (or more) less-than-50MB segments
2. Use BWSC126 to upload each less-than-50MB file, using as many BWSC126's as necessary
3. Fill out the BWSC126, with B2 selected and described, for example, along the lines of "Duplicate (1 of 2) of previously submitted (1/23/2010) Phase 2 Report"
4. The BWSC126 will NOT affect the timelines/deadlines for the site – it is merely conveying a document that just happens to be a smaller duplicate of something officially sent in before.

	<b>Massachusetts Department of Environmental Protection</b> Bureau of Waste Site Cleanup  <b>Miscellaneous Document Transmittal Form</b>	<b>BWSC126</b>  Release Tracking Number <input style="width: 20px; height: 20px;" type="text"/> - <input style="width: 20px; height: 20px;" type="text"/>
<b>A. DISPOSAL SITE LOCATION:</b>		
1. Disposal Site Name: _____		
2. Street Address: _____		
3. City/Town: _____ 4. Zip Code: _____		
<b>B. THIS FORM IS BEING USED TO: (check all that apply)</b>		
<input type="checkbox"/> 1.	Correct typographical errors and/or make corrections that do not materially affect the nature or complexity of the response actions. If changes are materially significant, then a revised or modified submittal must be made to the Department. List the report/form that is being corrected that is associated with the above Release Tracking Number (RTN). Attach an errata sheet containing a description of the errors and/or corrections.	
	Form/Report _____	Submittal Date (mm/dd/yyyy) _____
	Transaction ID _____	
<input checked="" type="checkbox"/> 2.	Submit other documents associated with this RTN that cannot be submitted to the Department using any other BWSC transmittal form. Do not submit documents that are of a time-critical nature and/or that require a direct response from the Department and/or that require an LSP Opinion pursuant to 310 CMR 40.0015. (Section C is not required).	
	Description of Submittal: <u>Duplicate (part 1 of 2) of previously submitted (January 23, 2010) Phase 2 Report</u>	
<input type="checkbox"/> 3.	Resign as I SP-of-Record for the above Release Tracking Number (RTN). Attach a copy of the I SP resignation	

### How do you file an AUL in eDEP?

MCP submittals filed via eDEP are no different than submittals filed in paper. eDEP does not change filing requirements, hence the regulatory requirements and applicable policies and guidance documents are the same.

To file an AUL in eDEP:

- Take the original Notice of Activity and Use Limitation (Form 1075), with attachments to the Registry to be recorded or registered.
- When you have the Book and Page Number from the Registry, complete the BWSC113 Form in eDEP.
- Scan the Registry copy of the AUL instrument and when prompted in eDEP, upload and attach it to the BWSC113 Form.
- Sign the BWSC 113 Form and submit it via eDEP. Both the PRP and LSP must sign the form. If the PRP does not own the property, the owner of the property must also sign the form.

### In the "Required Attachment and Submittals Section" of a BWSC transmittal form, what does the statement below mean? The statement is found on all BWSC transmittal forms.

Check here if the Response Action(s) on which this opinion is based, if any, are (were) subject to any order(s), permit(s) and/or approval(s) issued by DEP or EPA. If the box is checked, you MUST attach a statement identifying the applicable provisions thereof.

The "opinion" noted above is the LSP Opinion that is a combination of the transmittal form attestation section (where the LSP signature and stamp/electronic seal is placed), and any site specific information that is attached as supporting documentation. eDEP will require that you attached a summary of the site specific requirements, such as order(s), permit(s) and/or approval(s) issued by DEP or EPA if you check the box found in the Required Attachment and Submittals section of all BWSC transmittal forms.

The attachment is a one-page statement identifying the specific order or approval of the response action that you will upload to the submittal. For example, an Interim Deadline specifies that an Imminent Hazard Evaluation is required. The statement should reference that the submittal is being made as part of an Interim Deadline requirement.

**For which submittals do grace periods apply, and how long are the grace periods? For which submittals do the grace periods not apply?**

The due dates for MCP submittals are specified in the provisions related to a given submittal. For example, the due date for a Tier Classification Submittal is specified in 310 CMR 40.0501(3). The MCP at 310 CMR 40.0008 details when a grace period is applicable.

In Summary: A 7-day grace period from the actual due date is allowed for most submittals. In other words, the submittal is considered received on time if the document is delivered within 7 calendar days of the actual submittal due date. If given by electronic transmission the document is considered received by the due date, if the date the transmission is delivered to the Department is within 7 days of the due date. If the actual submittal due date falls on a weekend, holiday or any other day MassDEP offices are closed, the due date runs to the end of the next business day and the 7-day grace period is calculated from that day. If the 7th day of the grace period falls on a weekend, holiday or any other day MassDEP offices are closed, the last day of the 7-day grace period is the next business day.

The following are NOT subject to the 7-day grace period:

- Notifications required by 310 CMR 40.0300, including Notification of Releases, Threats of Release and Imminent Hazards
- The date of MassDEP's receipt of a written request for approval of an IRA
- Submittals required by Interim Deadlines
- Submittals required by Notices of Noncompliance
- Any deadline in any MassDEP enforcement order, penalty assessment or other enforcement document.

These exceptions to the 7-day grace period are set forth in more detail in 310 CMR 40.0008(5).

**Why is it not possible for the LSP to upload the supporting documentation after the client (the person undertaking the response action) signs the eDEP transmittal form?**

By signing the eDEP Transmittal Form, the Person Undertaking the Response Action is certifying the completeness of the transmittal form and the work performed/status at the site detailed in the supporting documentation. To ensure that the steps in the electronic mode of submittal do not circumvent the ability of the Person Undertaking the Response Action to review that supporting documentation, the requirement to upload the documentation takes place **before** the Certification (Signature) step in eDEP.

**What if I have one report, for example, that contains both a Status Report and a Phase Report?**

On the Attach Files Page, there will be prompts in eDEP to upload an attachment for each submittal checked off in Section B on the BWSC Transmittal Form. In the example of the Status Report and Phase Report submittals, if the report for both submittals is contained in one document



(30 MB or less), you can upload the report at the first prompt that calls for an attachment. At the second prompt in eDEP that calls for an attachment, upload a memo indicating that the required information is contained in the previous document uploaded to the submittal form.

**What do you do in eDEP when submitting BWSC105 for an IRA Completion Statement, when it is within 60 days of notification and no IRA Plan has been submitted? The BWSC105 form will not validate in eDEP. The error message brings you back to the form at B.1., List Submittal Date of Initial IRA Written Plan. Since there is no written IRA Plan to submit, there is no date to put on the form.**

In the IRA Plan date field, please use the same date as the Oral Approval date for the IRA. The form will not validate without a date in that field. We are working to make the validation more flexible.

**What is and eDEP Sub-form? Where can I find the eDEP RMR forms as they are not listed in the eDEP dropdown list of forms?**

The Remedial Monitoring Report (RMR) is a sub-form to the following forms: BWSC105, Immediate Response Action Transmittal (IRA) Form; BWSC106, Release Abatement Measure (RAM) Transmittal Form; BWSC108, Comprehensive Response Action Transmittal Form; and BWSC119, Utility-Related Abatement Measure (URAM) Transmittal Form. Sub-forms are secondary forms that do not appear on the Transaction Overview page until the main transmittal form has been filled out and validated. You must indicate in Section B of the main eDEP Transmittal Form that you are submitting an RMR form. When the validation step for the main form is completed, the RMR is then available to fill out.

Another example of a transmittal form with sub-forms is the BWSC107 Tier Classification Transmittal Form. The BWSC107 B, C and D are not stand-alone forms, and do not appear on the Transaction Overview page of the eDEP transmittal form BWSC107 until you validate that form. When the validation step for the BWSC107 is completed, the BWSC107B Tier Classification Compliance History, BWSC107C Tier Classification Transferor Certification, and the BWSC107D Eligible Person, Eligible Tenant or Other Person Transmittal Form will appear on the Transaction Overview page if you have indicated on the BWSC107 form that you want to submit a Compliance History, the Transferor Certification form, and/or the Eligible Person form.

**After selecting the Transmittal Form in eDEP and entering the Release Tracking Number (RTN) on the Pre-Form page, eDEP is telling me that the RTN I entered is not valid. Why is that happening? This is an RTN that has been around for a long time, for example, RTN 3-00XXX.**

When entering an RTN on the BWSC Pre-Form -page, first use the dropdown arrow to select the Region Number of the RTN. Then enter the Tracking Number, but do not enter the leading zeros. In the example, RTN 3-00XXX, just enter the XXX Tracking Number without the two zeros in front. eDEP will then retrieve the applicable disposal site information from the MassDEP database.

**How can I use eDEP for 120-day notifications?**


9/30/10 - MassDEP announces the availability in eDEP of a second version of the BWSC103 Release Notification & Notification Retraction Form to be used to submit the BWSC103 to MassDEP when the Release Tracking Number (RTN) has not yet been assigned by the regional office. Note: the new BWSC103 form is to be used for 120 Day releases only.

## Bill of Lading Questions

### Can the BWSC112 form be used to transport remediation waste generated under an LRA?

The BWSC112 can be used to transport Remediation Waste under an LRA. However, soil excavated under an LRA does not have an RTN; consequently the BWSC112 Form must be filled out manually, if remediation waste is being shipped under the LRA. The BWSC112 BOL and any supporting documentation for an LRA is not submitted to MassDEP, but must be retained for 5 years.

### A Bill of Lading Log Sheet (former BWSC-012B) is not included with the BWSC112 BOL. Is the Log Sheet required to be submitted to MassDEP?

MassDEP does not require that a BOL Transport Log Sheet be submitted with the BWSC112 Attestation of Completion of Shipment BOL. MassDEP only requires that a BOL Summary Sheet (BWSC112A) be filed, and that copies of the Transport Log Sheets (formerly BWSC-012B) be retained for 5 years. MassDEP provides, as a courtesy, a Transport Log Sheet that can be downloaded, and used by the transport vehicle and Receiving Facility: [Transport Log Sheet](#) 

### How do I void a Bill of Lading filed through eDEP?

To Void a BWSC112 Bill of Lading that has already been filed through eDEP, the PRP will need to submit the BWSC112 BOL Form, selecting Box B4 to certify that remediation waste was not shipped and the Bill of Lading is void. Please insert the eDEP transaction ID# of the submitted BWSC112 BOL in Box B5b. A BWSC112 Certification that a BOL is Void may be submitted through eDEP or mailed to the regional office. A BWSC112 Certification that a BOL is Void can only be filed if the remediation waste was not shipped.

### Are all parts of the BWSC112 Bill Of Lading required to be submitted electronically through eDEP?

MassDEP only requires that the initial BWSC112 Bill of Lading, which includes the LSP Opinion and Remediation Waste Characterization, be submitted electronically through eDEP. Although MassDEP encourages the use of eDEP for all parts of the BOL, subsequent parts of the BWSC112 BOL, the Attestation of Completion of Shipment to Receiving Facility (or to Temporary Storage) or a Certification that a BOL is VOID do not need to be signed and submitted through eDEP, but can be signed in ink and submitted on paper to the regional office.

### When should a BWSC112 BOL be voided and a new BWSC112 BOL be filed through eDEP?

A new BWSC112 BOL must be filed, and a BWSC112 Certification that a BOL is Void submitted for the original BOL, if the timeline for transporting excavated remediation waste cannot be met, and if any of the following parties change:

- The person conducting response actions
- Receiving Facility
- Transporter
- The LSP

### Can the estimated volume of remediation waste (Section C4 of the BWSC112, Bill of Lading) be revised after the initial, Part 1 of the Bill of Lading is filed in eDEP (and remediation waste generation and transport has already begun)?

Currently, eDEP does not allow the estimated volume of remediation waste to be updated after the initial Bill of Lading has been filed. Once the initial BWSC112 Form is submitted through eDEP, the form is locked from further revisions. Actual total volumes of remediation waste transported under the

Bill of Lading are recorded as part of the Attestation of Shipment on BWSC Form 112A, which is signed by both the person performing response actions and the receiving facility.

If the volume is initially underestimated, a second Bill of Lading (with supporting remediation waste characterization) should be filed in eDEP to address the proposed increase.

**Can the period of generation be updated in eDEP after the initial Bill of Lading has been filed?**

The initial, Part I of the Bill of Lading requires that the LSP and persons performing response actions file a "projected period of generation", which can be updated after shipment, when the Attestation of Shipment is filed. Currently, eDEP does not allow the period of generation to be revised after the initial Bill of Lading has been filed. If the period of generation has changed, then the Attestation of Shipment indicating the new period of generation must be filed non-electronically (in paper form with "wet signatures") and submitted to the Regional Office.

## PRP/Client/Multiple Reviewer Questions

### How does the LSP act as an Agent of PRP and sign the PRP Certification Statement?

The same rules apply for eDEP as for a paper transmittal form, the authority to authorize the LSP to act as the agent of the PRP is found in the MCP at 310 CMR 40.0009(2). For paper transmittal forms the PRP submits a letter to the appropriate regional office authorizing the LSP to act as their agent for response actions at the site (RTN). In eDEP the PRP writes the same letter and the LSP uploads the letter and attaches it to each eDEP submittal for that RTN. The authorization letter can be added to whatever document is being submitted in eDEP. The LSP then signs their own name in the PRP Certification section "For the Person Undertaking Response Actions"

### Is a Client (Person Making the Submittal) required to submit a Proof of Identity?

No, the registration process is very simple for most clients needing to certify BWSC Transmittal Forms. The client would click on the new user link on the eDEP Homepage and set up their eDEP account, creating a user name and password. A nickname is also created at the time of registration that is used to share forms in eDEP. The client does not need to submit a Proof of Identity form to allow certification of BWSC Transmittal Forms through eDEP. Once the eDEP account is created, the user is taken directly to their My eDEP Homepage and can begin using eDEP.

### Why does eDEP keep rejecting my client's signature at the Signature Step for the Person Undertaking Response Actions?

Please note that in eDEP the name of the person entered in the first field of the Certification of Person Undertaking Response Actions section on the transmittal form, must match EXACTLY the name entered in the Signature step of eDEP.

"EXACTLY" means that initials, punctuation, such as periods, and spaces used in this field of the Certification of Person Undertaking Response Actions section must be duplicated precisely the same in the Signature Step in eDEP for that person. For example: On BWSC105 IRA the name entered in Section I. 1., or on BWSC108 CRA the name entered in Section G. 1., must match exactly with the name entered in the Signature step of eDEP.

Please be aware that differences in capitalization do not matter in the eDEP. The name of the Person Undertaking Response Actions can be entered all in capital letters and the Signature entered all in lower case, and as long as the name is entered exactly the same, the signature entered in the Signature Step will validate in eDEP with no problem.

### What does the word "Owner" mean in eDEP? When I try to share my transmittal form with my client for signature, do I make my client the "owner" since he/she owns the property where the release is located?

Any eDEP user can begin a form, the LSP, the person performing the response action, or the Administrator. In eDEP, the person who begins the form is the eDEP form "owner".

When sharing a form in eDEP, the word "Owner" only applies to the BWSC transmittal form, it has no relationship to the site, the RTN or the owner of the property. Only the form "Owner", the person who started the form, has the ability to share the form with other eDEP users. On the page "Share a Submittal" note the box labeled "**Role**". Usually if you are sharing the transmittal form with the client, you will select the role of Editor and Signer or maybe just Signer.

**If you select the role of Owner**, then you are in fact **transferring ownership of this submittal** to the other person and giving that eDEP user the ability to **share the transmittal form or to delete** the form prior to submittal to DEP.

Make sure that you want to transfer ownership of this transmittal form to another eDEP user if you select "**Owner**" here.

In eDEP the role of "Owner" of a BWSC form has no relationship to the RTN, the site or ownership of a property. In most cases the LSP will want to retain "ownership" of the BWSC transmittal form and give the client the role of "Reviewer and Signer" of that particular BWSC transmittal form.

**I am reviewing a shared transmittal form with my client, and I cannot see their edits or certification?**

It is not possible for both of you to be updating the form at the same time, and see any changes made until the form has been saved to the system. You and your client need to exit the form, so the form and data can refresh.

**What happens if the client is not computer literate, or does not have access to or own a computer?**

MassDEP recognizes that some clients are reluctant to authorize the use of eDEP for their submittals for a number of reasons. However, electronic business processes are becoming the normal way of doing business rather than the exception. In cases where the Person Making the Submittal does not have internet access, and/or will not authorize anyone that has internet access to sign electronically on their behalf, a form BWSC125 may be used.

**How does the client sign an eDEP submittal?**

Both the LSP and the Person Making the Submittal (PRP) must register in eDEP. Go to the eDEP homepage to do so. For the client, the registration process is similar to creating any online account with a user name and password. The PRP does not need to submit the Proof of Identity form that the LSP is required to stamp and send to MassDEP. There is a sharing function in eDEP that allows BWSC documents to be shared, edited and electronically signed by each party. The electronic signature is the legal signature of the document.

**How are forms made available to more than one user, i.e. for signing purposes?**

Forms can be shared in eDEP by using a registered user's Nickname.

## **Electronic Signature Questions**

### **Does an electronic signature have the same legal protections as a written signature?**

There is detailed case law establishing the legality of electronic signatures. Electronic signatures carry the same legal authority as a hand written signature. MassDEP is confident that the use of the electronic signature is appropriate and legal for eDEP submittals and will continue to conduct outreach to the regulated community to address their concerns.

### **Are the electronic submittals and signatures secure?**

Once MassDEP receives a submittal electronically, it is in Read-Only format and cannot be changed. The eDEP signature is only available to the eDEP account holder with that user name and password.

## eDEP System Questions

### Once I press the eDEP submit button, what proof do I have that DEP has received the electronic submittal?

There are 3 ways that you can confirm that DEP has received the electronic submittal:

1. Open and print the Submittal Summary and Receipt, found on the Transaction Overview page for the eDEP transaction. The Receipt shows the date and time DEP received the transmittal, also shown are the RTN, site location, name of person making submittal, LSP name, person making the certification and any ancillary (uploaded) document(s).
2. Open the transmittal form from the Transaction Overview page and print the form, the DEP Date and Time of Receipt will be imprinted in the Receipt Box on the last page of the transmittal form.
3. The online [Waste Site / Reportable Release File Viewer](#) is now available. The documents viewable include all site information submitted electronically via eDEP.

### What types of documents can be submitted in eDEP?

To upload to eDEP, the file must:

- Be less than 30MB in file size
- Be in one of the following formats:  
doc, gif, html, jpeg, jpg, pdf, rtf, tiff, txt, xls, xml, xsl, or zip.

### What sizes of documents can be submitted in eDEP?

Files up to and including 30 MB in size can be uploaded in eDEP. Any file greater than 30 MB should be submitted on CD to the appropriate regional office. Along with the CD, please submit a paper copy of the eDEP Transaction Summary Report to indicate the RTN and transmittal form associated with the documents on the CD.

For a RMR submittal that includes a large amount of data, the RMR Report can be uploaded in eDEP together with the RMR transmittal form. The RMR data reports can be submitted on CD together with the eDEP Transaction Summary Report.

### Can you save an eDEP Transmittal Form to the hard drive of your computer?

Yes. There are two ways to save the eDEP Transmittal Form to your hard drive. From your My Homepage, or the Transaction Overview page, click on the 'get copy' link for the submittal you want to save. The 'get copy' link activates the eDEP batch processing function that compiles the form(s) for the specific transmittal into a file that can be downloaded to your hard drive. Note that when the 'get copy' link is clicked, it will compile the form for that specific moment. More specifically, if you run the batch processing when the form is still a work in progress, it will not display the completed and submitted form, even if you submit the form before the batch processing is completed.

If your computer is running a full suite of Adobe, such as Acrobat Professional, the second way to save the form to your hard drive is to use the browser's 'Save As' function to save a copy of the completed form. However, if you only have Adobe Reader, this option is not applicable.

### What are the compatibility issues between operating systems and software, and what are the systems/software requirements to use eDEP?

The minimum requirements (Macintosh and Windows PC) for using the eDEP online system are detailed at the "eDEP Instructions & Frequently Asked Questions" Web page.

**What is wrong when the Transmittal Forms will not load in Adobe in eDEP?**

eDEP computer requirements noted above call for users to have Adobe Reader 5.0 or above installed on the computer. eDEP will not work (PDF forms will not load properly) if earlier versions of Adobe Reader or Acrobat are also installed.

**Will the file size limitation in eDEP be increased?**

30 MB is the current size limit for each eDEP attachments, and can be increased in the future if needed.

**Why is the response time slow when working with eDEP slow, and why does the system go down completely at times?**

The response time in eDEP is usually very good. There is scheduled maintenance of eDEP that is noted on the web site, and occasionally there are unforeseen problems or crashes. Please contact the eDEP Help Desk at [helpdesk.eea@massmail.state.ma.us](mailto:helpdesk.eea@massmail.state.ma.us), if you have questions regarding eDEP system response time or availability concerns. MassDEP is working on making the response time even faster.



## Miscellaneous Questions

### What are the advantages of online submissions?

- Many data fields on the forms will fill themselves in or pre-populate based on prior submittals.
- Data will be confirmed faster as submittals are validated online avoiding lost time for corrections.
- Verified administrative review will ensure that the Transmittal Form is administratively complete for the purpose of considering the submittal received as of a certain date.
- LSPs and persons responsible for certifying submittals will be able to fill out and sign BWSC transmittal forms almost worldwide through standard Internet access

### How does the 7 Day Grace Period work in eDEP?

Effective January 1, 2009, all MCP submittals and documentation shall be submitted electronically.

A 7-day grace period from the actual due date is allowed for most submittals. Exceptions are listed at 310 CMR 40.0008(5). In other words, if given by electronic transmission the document is considered received by the due date, if the date the transmission is delivered to the Department is within 7 calendar days of the actual submittal due date.

Calculating the 7-day grace period:

- If the actual submittal due date falls on a weekend, holiday or any other day MassDEP offices are closed, the due date runs to the end of the next business day and the 7-day grace period is calculated from that day.
- If the 7th day of the grace period falls on a weekend, holiday or any other day MassDEP offices are closed, the last day of the 7-day grace period is the next business day.

### Clarification Regarding the 7-Day Grace Period, eDEP and MCP Deadlines:

There has been some confusion recently regarding the 7-Day Grace Period and the filing of electronic submittals, (eDEP), so we want to take this opportunity to clarify the associations between eDEP submittals, the 7-Day Grace Period and MCP deadlines.

With the advent of eDEP, BWSC considered eliminating the 7-Day Grace Period entirely given that MCP submittals now can be made to MassDEP at any time without regard to the variants in mail delivery. However, after some deliberation the decision was made to keep the 7-Day Grace Period in the MCP regulations thereby allowing filers extra time to complete electronic submittals in case difficulties are encountered with eDEP.

We want to reiterate that if you encounter problems with an eDEP submittal, please send an email to the dedicated BWSC eDEP email box at [BWSC.eDEP@state.ma.us](mailto:BWSC.eDEP@state.ma.us). MassDEP staff are assigned daily to respond to questions. We will work with you to find to the most appropriate option available to complete the submittal.

We urge you to not wait until the last days of the 7-Day Grace Period to file your MCP submittal. It is not often that eDEP is down for more than a few hours, but as with any electronic system, unanticipated outages do happen. If you are unable to file through eDEP, the BWSC125, Notification of a Non-Electronic Submittal needs to be filed and post marked by the end of the 7-Day Grace Period to complete the submittal. In order to make timely submittals, please plan accordingly.

### **How Can I Conduct a Review of Electronic Submittals?**

An online [Waste Site / Reportable Release File Viewer](#) is now available. The documents viewable include all site information submitted electronically via eDEP.

### **Can I submit electronic payments through eDEP?**

No, not at this time.

### **Where do I mail fee payments?**

All payments for fees should be made payable to Commonwealth of Massachusetts. For One-Time Fees (RAM, PTS, DPS) the check and a copy of the first page of the applicable BWSC transmittal form should be mailed to: MassDEP, P.O. Box 4062, Boston, MA, 02211-4062. The original BWSC transmittal form and report should be submitted electronically to MassDEP. Note: copies of checks **should not** be submitted electronically.

### **Is there a fee associated with eDEP?**

No additional fee is required.

## **Training Questions**

### **Is there a mechanism to allow a practice session or practice projects?**

Registered users can practice creating, sharing and signing submittals at any time in eDEP. Submittals can be deleted at any point prior to clicking on the eDEP submit button.