



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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FACT SHEET

DRAFT HAZARDOUS WASTE FACILITY LICENSE (RENEWAL)
SAFETY-KLEEN SYSTEMS, INC.,
50 BRIGHAM ST., A
MARLBOROUGH, MA 01752
August 2021

This Fact Sheet summarizes the Draft Hazardous Waste Facility License (Draft License) prepared by the Department of Environmental Protection (MassDEP or the Department) for Safety-Kleen Systems, Inc., Marlborough (the Facility or SKM) pursuant to M.G.L. c. 21C and 310 CMR 30.000.

I. Purpose of the Licensing Process

The purpose of the licensing process is to afford MassDEP, the U.S. Environmental Protection Agency (EPA), local government, and citizens the opportunity to evaluate the ability of a license applicant to comply with the applicable hazardous waste regulations, 310 CMR 30.000. Before issuance of any hazardous waste facility license, MassDEP is required to prepare a Draft License. The Draft License sets forth in one document all the applicable requirements that a licensee must comply with.

II. Procedures for Reaching a Final Decision

MassDEP licenses hazardous waste facilities for terms of five years. After receiving its license, a facility must apply to MassDEP for a license renewal before its current five-year term expires. There is a public comment period on the draft license. A person aggrieved by a Department decision (to issue or deny a license) may request an adjudicatory hearing before the Department if that person has legal standing to do so.

Massachusetts Hazardous Waste Regulation 310 CMR 30.833 requires that MassDEP provide a public notice of the Draft License and a 45-day public comment period. The public comment period for this Draft License will begin with publication of the public notice in the MetroWest Daily News on August 24, 2021 and end on October 8, 2021. Any person interested in commenting on the Draft License must submit their comments to Richard Blanchet at richard.blanchet@mass.gov.

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

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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, it 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, MassDEP will consider all comments received during the comment period along with the requirements of the Massachusetts hazardous waste regulations, 310 CMR 30.000. MassDEP will then make a final determination to issue or deny a hazardous waste facility license to the Facility.

MassDEP will give notice of its final license decision to the Facility and each person who has submitted 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 MassDEP is made within the 21day period.

III. History, Facility Description and Facility Operations

SKM was issued its first hazardous waste facility license (#7B) by MassDEP in 1989. The Facility is presently operating under the hazardous waste facility license #30B/15, and subsequent MassDEP authorized modifications to that license. MassDEP inspects this hazardous waste facility annually.

The Facility is authorized to manage a broad range of hazardous wastes through its Truck-to-Truck Transfer program, and to store certain hazardous wastes in containers and in one hazardous waste storage tank. The maximum hazardous waste storage capacity is 23,910 gallons. The Facility also operates a rail spur where used oil and used antifreeze is transferred from Safety-Kleen System Inc.'s tanker trucks to railroad tanker cars. SKM is not authorized to treat, reclaim, or dispose of hazardous waste.

The Facility is one of three of Safety-Kleen System, Inc. service centers operating in Massachusetts whose primary business is the leasing of solvent-based cleaning products and self-contained waste recovery systems, and the subsequent collection and recycling of that waste solvent. These materials include hydrocarbon-based solvent used in degreasing and aqueous based solvent used in parts cleaning and as paint gun cleaner. Safety-Kleen System, Inc.'s business also includes the management of dry cleaner waste, photo processing waste and waste oil. SKM also manages small volumes of hazardous wastes generated by small and very small quantity generators.

All waste received at the Facility is transferred to other Safety-Kleen Service Centers in Massachusetts for consolidation or sent to out-of-state Service Centers, and ultimately to Safety-Kleen's Recycle/Process Centers. Hazardous waste that cannot be recycled by Safety-Kleen is sent to an authorized independent hazardous waste treatment, storage and disposal facility.

Waste oil for refining into base lubricating stock or blending into fuel for industrial furnaces is sent to Safety-Kleen's Recycle/Process Centers located in East Chicago, Indiana or Buffalo, New York.

Safety-Kleen Systems, Inc. (Plano, TX) is also a Massachusetts licensed hazardous waste transporter that operates various types of transport vehicles out of the Facility and the two other Massachusetts Service Centers. These vehicles are parked in SKM's paved parking area overnight.

A list of hazardous wastes SKM can receive and store is provided in Section D. below. These hazardous wastes, along with non-hazardous antifreeze and non-hazardous wastewater, are generally shipped to a Safety-Kleen Systems, Inc. recycling processing facility located out-of-state where some of the wastes are reclaimed and then returned to Safety-Kleen customers as product. Hazardous waste that cannot be recycled is sent to an authorized independent hazardous waste treatment, storage or disposal facility.

SKM is located on Brigham Street, Marlborough. Route 85 (Maple Street) is the approach road to the site. Routes 9 and 20, both running east-west, are the most important feeder roads to the Facility. A mixture of commercial, industrial businesses and residences exist along nearby streets.

On March 16, 2021 SKM purchased the property where the SKM facility is located from A.P. Dawson Realty Trust, the previous owner of the property.

D. Authorization to Receive and Store Hazardous Waste

The following hazardous wastes are stored at the Facility:

Container Storage

Spent Parts Washer Solvent: Petroleum-based and Aqueous-based Solvents
Spent Immersion Cleaner
Dry Cleaning Wastes
Paint Gun Cleaner Waste
Waste Oil
Photographic Fixer Waste
Specification and Off-Specification Used Oil Fuel
Class A Regulated Recyclable Materials
Universal Wastes

Authorization for the above listed hazardous waste streams is limited to the following hazardous waste codes:

<u>Waste Code</u>	<u>Description</u>
MA01	Waste Oil

D001	Ignitable Waste
D002	Corrosive Waste
D004-D011	Toxicity Characteristic Waste
D018- D019	Toxicity Characteristic Waste
D021-D030	Toxicity Characteristic Waste
D032-D043	Toxicity Characteristic Waste
F001-F005	Spent Solvents
U210	Tetrachloroethylene
MA97	Class A Regulated Recyclable Materials, and Specification Used Oil Fuel
MA98	Off-Specification Used Oil Fuel
MA95	Universal Waste
MA04	Waste generated in Manufacture of Paint
MA99	Not Hazardous Waste

Any hazardous wastes other than the hazardous wastes identified by the waste codes listed above are prohibited from being stored in containers.

Tank Storage

Spent Parts Washer Solvent (petroleum-based and aqueous-based solvents) *

Authorization for storage of the waste stream identified as Spent Parts Washer Solvent is limited to the following hazardous waste codes:

<u>Waste Codes</u>	<u>Description</u>
D001	Ignitable Waste
D004 – D011	** Toxicity Characteristic Waste
D018 – D019	** Toxicity Characteristic Waste
D021 – D030	** Toxicity Characteristic Waste
D032 – D043	** Toxicity Characteristic Waste
MA01	*** Spent Petroleum Based Solvent with a flash point >140 F.

Any hazardous waste, other than the hazardous wastes identified by the hazardous waste codes specifically listed above, is prohibited from storage in tanks.

* These include specific Safety-Kleen, Inc.'s proprietary solvents that may be marketed under a variety of trade names.

*** Spent Petroleum Based Solvent with a flashpoint equal to or greater than 140 F and certified by the generator to have not been contaminated by hazardous waste constituents.

Storage Schedule for Hazardous Waste in Containers

Hazardous waste shall only be stored in containers in the hazardous waste East Drum Storage Area and West Drum Storage Area located in the Hazardous Waste Container Storage Building, as provided in the following hazardous waste storage schedule.

<u>Container</u>	<u>Storage Area Contents</u>	<u>Maximum Volume in Containers (gallons)</u>
East Drum Storage Area	All wastes authorized for container storage except for ignitable waste with flashpoint < 100 F	5,940
West Drum Storage Area	All wastes authorized for container storage including ignitable waste with flashpoint < 100 F	2,970
		8,910 Total

Storage Schedule for Hazardous Waste in the Tank

<u>Tank Storage Area</u>	<u>Contents</u>	<u>Maximum Volume (gallons)</u>
Tank Farm Building	Spent solvents	15,000

E. Authority to Store Class A Regulated Recyclable Materials

The Facility is authorized to store Class A Regulated Recyclable Materials and transport them only to authorized recyclers, i.e., send waste oil for re-refining.

F. Authority to Accumulate Universal Waste

The Facility is authorized to accumulate the following universal wastes: batteries, pesticides, mercury thermostats, mercury containing lamps and devices regulated under 310 CMR 30.1000. All universal waste is accumulated in a designated universal waste accumulation area. The Facility notified the Department as a Large Quantity Handler (LQH) of universal waste in accordance with 310 CMR 30.1000. Universal waste managed in accordance with 310 CMR 30.1000 does not count towards the facility's hazardous waste storage capacity.

G. Authority to Store Non-Hazardous Waste

The Facility is authorized to store liquid non-hazardous waste in its hazardous waste storage tank or in containers, and to store solid non-hazardous waste in containers only. Non-hazardous waste includes but is not limited to: antifreeze and glycols, spill residues, paint booth filters, and punctured and drained used oil filters.

H. Used Oil Fuel Management

The Facility is authorized to store and market Used Oil Fuel for recycling to authorized

marketers and/or burners of used oil.

I. Truck-to-Truck Transfers

The Facility is authorized to conduct truck-to-truck transfer of containerized and bulk hazardous wastes between staged transfer vehicles. The provisions for truck-to-truck transfers are specified in the Specific Conditions of the Draft License.

J. Groundwater Monitoring Requirements and Corrective Action Program

Provisions regarding Groundwater Monitoring and Corrective Action are specified in the Specific Conditions of the Draft License.

IV. Location of Available Information

A copy of the Draft License will be available at:

Marlborough Board of Health
255 Main St.
Walker Building, Room 101
Marlborough, MA 01752
Contact: John Garside
(508) 460-3751

Marlborough Public Library
35 West Main St.
Marlborough, MA 01752
(508) 624-6900

The Draft License may be viewed on-line here (search *All Applications Open for Public Comment*): <https://eeaonline.eea.state.ma.us/EEA/PublicApp/>

VII. Appeal Procedures

Pursuant to Massachusetts General Law Chapter 21 C, s. 11, any person aggrieved by a determination by the Department to issue or deny a license and has legal standing to do so, may request an adjudicatory hearing before the Department. For the purposes of 310 CMR 30.000, an "aggrieved person" shall be deemed to be any person who is or may become a "party" or "intervener" pursuant to 31 0 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 is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within 21 days of the Notice of Final License Decision.

CONTENTS OF HEARING REQUEST

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

FILING FEE AND ADDRESS

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

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA. 0221 1

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or municipal housing authority.

WAIVER

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

This Fact Sheet was prepared by the MassDEP, Business Compliance Division, Bureau of Air and Waste. For additional information contact James Paterson at james.paterson@mass.gov.