



Massachusetts Department of Environmental Protection Bureau of Air & Waste

Level I, II and III Recycling Permit Applicability Guide

Guide to Determining the Level and Class of a Recycling Activity

The recycling regulations (310 CMR 30.200) establish three *classes* of recycling permits: Class A, B and C. From Class A to Class C, the regulatory controls become progressively more stringent. Each class encompasses different types of materials and activities. There are, for example, 11 different types of Class A materials.

To determine the level and class of recycling permit you need, refer to the chart below. *Note: Very small quantity generators (VSQGs) who recycle do not have to get a permit.* You are a VSQG if you generate less than 27 gallons/month of hazardous waste or regulated recyclable material. If you have questions about hazardous waste recycling, call the Hazardous Waste Compliance Assistance Line at 617-292-5898.

HW21: Level I, Class A Presumptive Approval Recycling Permit			
Recyclable Material	Type of Recycling	Class	Regulation Citation
Any Regulated Recyclable Material that is used or reused as an: Ingredient in a product without reclamation; Substitute for a commercial product; Substitute for feedstock with reclamation.	Used or reused in manufacturing process which does not include reclamation, burning, over accumulation, or placing on land	A	310 CMR 30.212(1)
Industrial Ethyl Alcohol	Any Type of Recycling	A	310 CMR 30.212(2)
Scrap Metal that would be hazardous if disposed of	Any Type of Recycling	A	310 CMR 30.212(3)
A Characteristic Sludge	Being sent off-site for recycling	A	310 CMR 30.212(5)
A Characteristic By-Product	Being sent off-site for recycling	A	310 CMR 30.212(6)
Unused Commercial Chemical Product	Being sent off-site for recycling	A	310 CMR 30.212(7)
Waste Oil	Recycled in a manner other than burning for energy recovery	A	310 CMR 30.212(8)
Specification Used Oil	Burned for energy recovery in a boiler or furnace	A	310 CMR 30.212(9)
HW22: Level I, Class B Recycling Permit			
Recyclable Material	Type of Recycling	Class	Regulation Citation
Any Recyclable Material	Recycled in a manner constituting disposal	B(1)	310 CMR 30.213(1)
Waste Oil	Sent off-site by the generator to be burned for energy recovery	B(3)	310 CMR 30.213(3) 310 CMR 30.261
Hazardous Wastes and Spent Materials Containing Precious Metal	Sent off-site by the generator to be recycled	B(4)	310 CMR 30.213(4) 310 CMR 30.273



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HW23: Level II, Class B Recycling Permit			
Recyclable Material	Type of Recycling	Class	Regulation Citation
Hazardous Waste Fuels	Burned for Energy Recovery	B(2)	310 CMR 30.213(2)
Off- Specification Used Oil	Burned for energy recovery in amounts less than 100,000 gallons per year	B(3)	310 CMR 30.213(3)
Spent Materials and Hazardous Waste that Containing Precious Metal	Recycling and accumulation at transfer station	B(4)	310 CMR 30.213(4) 310 CMR 30.277
HW 25: Level III, Class A, B and C Recycling Permit			
Recyclable Material	Type of Recycling	Class	Regulation Citation
Scrap Metal that would be hazardous if disposed of	Received from off-site for recycling	A	310 CMR 30.212(3)
A Characteristic Sludge	Received from off-site for recycling	A	310 CMR 30.212(5)
A Characteristic By-Product	Received from off-site for recycling	A	310 CMR 30.212(6)
Unused Commercial Chemical Product	Received from off-site for recycling	A	310 CMR 30.212(7)
Waste Oil Generated off the Site of Recycling	Recycled in a manner other than burning for energy recovery, such as refining	A	310 CMR 30.212(8)
Specification Used Oil	Collected from generators by a marketer and sent to a burning facility	B(3)	310 CMR 30.213(3) 310 CMR 30.260(2)
Off-Specification Used Oil	Burned for energy recovery in amounts equal to or greater than 100,000 gallons per year	B(3)	310 CMR 30.231(3) 310 CMR 30.260(3) or 310 CMR 30.260(4)
Class C Materials as described in 310 CMR 30.214	Any type of recycling	C	310 CMR 30.214
HW 12: Level III, Class B Precious Metals Recycling Permit			
Recyclable Material	Type of Recycling	Class	Regulation Citation
Spent Materials and Hazardous Wastes Containing Precious Metals	For all precious metal waste recycling, except spent photographic fixer being recycled on-site.	B(4)	310 CMR 30.213(4) 310 CMR 30.276