

Index of Selected Environmental Regulations for Manufacturing Facilities

A Guide for Massachusetts Businesses by Massachusetts Businesses



February 2008

INDEX OF SELECTED ENVIRONMENTAL REGULATIONS for MANUFACTURING FACILITIES

The *Index of Selected Environmental Regulations for Manufacturing Facilities* was originally developed by, and as a tool for, Central Massachusetts Business Environmental Network (CMBEN) members to use in their efforts to become superior environmental performers. The Index is intended for informational purposes only and is not a substitute for reading and complying with the full text of state and federal regulations. The regulations cited below do not necessarily include all the environmental regulations to which a facility could be subject. Please contact the respective local, state, and federal agencies for further information.

This Index has been designed to be as helpful to use as possible. We welcome suggestions on how it can be improved and encourage you to contact MassDEP's Central Regional Office Service Center at 508-767-2881 with your comments.

The Index summarizes selected Massachusetts and federal environmental regulations that may affect manufacturing facilities. The state environmental agency in Massachusetts is the Department of Environmental Protection (DEP). The federal environmental agency is the U.S. Environmental Protection Agency. The Massachusetts regulations are published in the Code of Massachusetts Regulations (CMR), which are available through the State House Bookstore (617-727-2834). The federal regulations are published in the Code of Federal Regulations (CFR) which is available online (www.epa.gov/epahome/cfr40toc.htm). The EPA establishes minimum standards that all states must comply with. State regulations must be at least as stringent as the federal regulations.

Note that in addition to environmental regulations set forth by MassDEP and US EPA, some construction-related activities may be regulated under the State Building Code and the National Electrical Code. In addition, you may be required to obtain local permits before you begin any construction activity, or have your construction projects inspected by a local or state official.

The following is a list of useful phone numbers and contact information:

Massachusetts Department of Environmental Protection

Web site: <http://www.mass.gov/dep>

MassDEP Central Office Service Center (508) 767-2881
Spill Reporting Hotline: (888) 304-1133, toll-free

Boston Office: 617-292-5500
Western Regional Office (Springfield): 413-784-1100
Central Regional Office (Worcester): 508-792-7683
Northeast Regional Office (Wilmington): 978-694-3200
Southeast Regional Office (Lakeville): 508-946-2714
Cape Cod Office (Hyannis): 508-771-6034

Massachusetts Department of Public Health

Web site: <http://www.mass.gov/dph>

Boston: (617) 624-6000

Massachusetts Department of Agricultural Resources

Web site: <http://www.massdfa.org/>

Boston: 617-626-1700

Massachusetts Department of Labor and Workforce Development

Web site: <http://www.mass.gov/dos>

OSHA Consultation Service (West Newton): 617-969-7177

Massachusetts Department of Fish and Game

Web site: <http://www.mass.gov/dfwele>

Boston: (617) 626-1500

United States Environmental Protection Agency

Web site: <http://www.epa.gov>

EPA New England (Boston): 617-918-1111

New England Environmental Assistance Team (NEEATeam) Hotline (800-906-3328) or 800-90NEEAT

Emergency Planning and Community Right-to-Know (EPCRA) Hotline: (800) 424-9346

EPA Small Business Assistance 800-368-5888

Toxic Substances Control Act (TSCA) Hotline: (202) 554-1404 or email tsc hotline@epa.gov

National Response Team: (800) 424-8802

United States Occupational Health and Safety Administration (OSHA)

Web site: <http://www.osha.gov>

Region 1 (Boston): 617-565-9860

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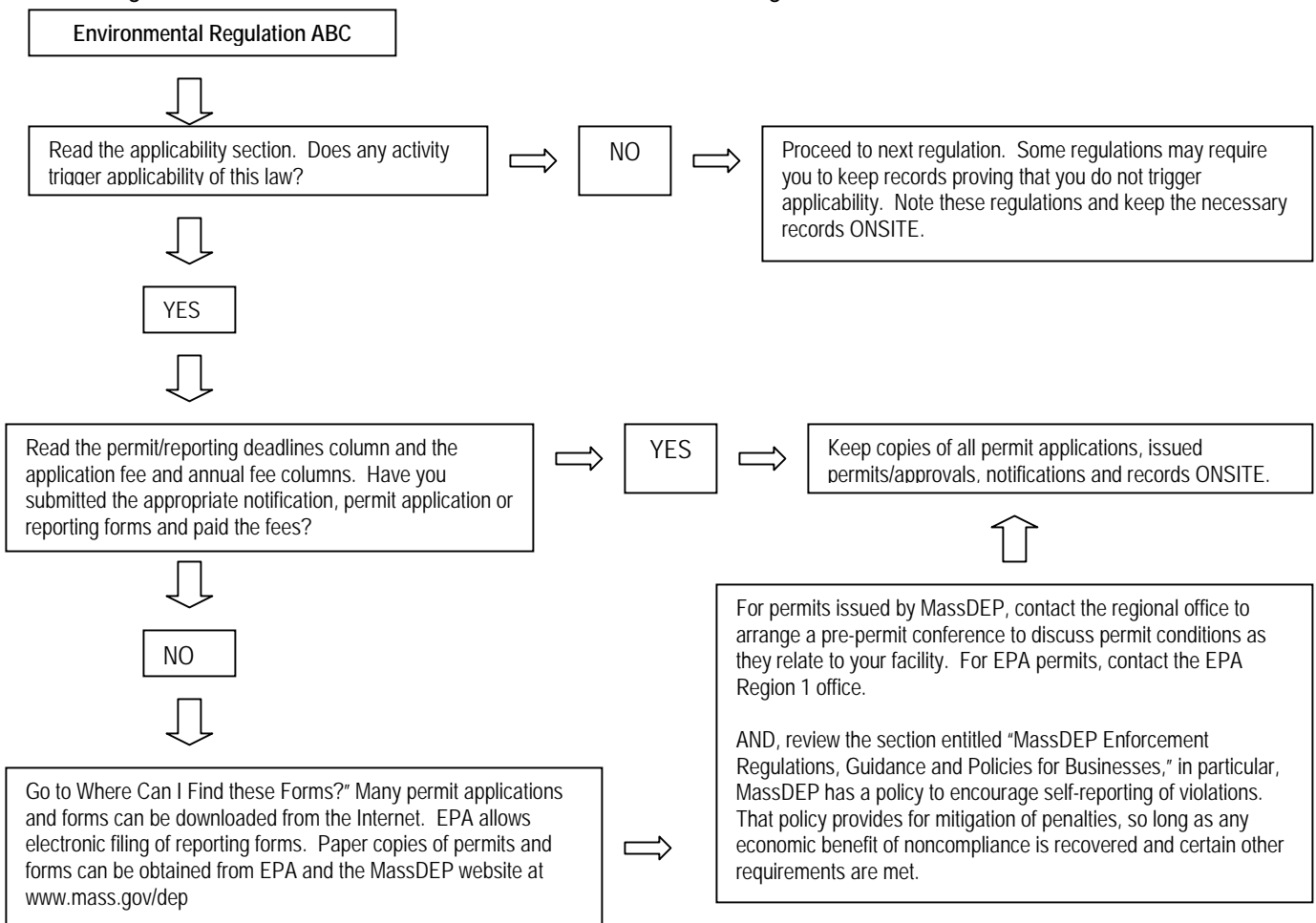
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How To USE the INDEX

The Index of Selected Environmental Regulations for Manufacturing Facilities is intended to provide individuals who are responsible for environmental, health, and safety compliance with an orientation to the types of issues that should be considered in daily operations. In essence, consider this document a type of road map --- you will not get door-to-door directions complete with landmarks, but you will get a general route to follow to get your questions answered and to achieve or even improve performance.

Whether or not you have obtained the required permits or submitted the necessary records or notification forms, search for opportunities to implement pollution prevention (P2) and best management practices (BMPs). P2 and BMPs not only help you to comply with the law, but they also are sound ways to improve safety and plant performance. Many companies have been able to reduce reporting requirements, operating costs, compliance costs, and accidents/injuries by adopting P2 strategies and BMPs. For companies that have been cited for noncompliance, P2 projects are a way to reduce enforcement penalties and improve community relations.

The following flowchart illustrates how to use the matrix of environmental regulations:



LIST OF ACRONYMS


AC	Administrative Completeness Review
ACO	Administrative Consent Order
ASTs	Aboveground Storage Tanks
BACT	Best Available Control Technology
BMPs	Best Management Practices
CAA	Clean Air Act
C/D	Construction/Demolition
CEMS	Continuous Emissions Monitoring Plan
CERCLA	Comprehensive Environmental Responsibility, Compensation, and Liability Act
CEUs	Continuing Education Units
CFR	Code of Federal Regulations
CHMM	Certified Hazardous Materials Manager
CIH	Certified Industrial Hygienist
CMR	Code of Massachusetts Regulations
CO	Carbon Monoxide
CPA	Comprehensive Plan Approval
CWA	Clean Water Act
DEP	Department of Environmental Protection (Massachusetts)
DFA	Department of Food and Agriculture (Massachusetts)
DMR	Discharge Monitoring Report
DON	Determination of Need
DOS	Department of Occupational Safety
DPH	Department of Public Health (Massachusetts)
DWM	Division of Watershed Management
ECP	Emission Control Plan
EIR	Environmental Impact Report
ENF	Environmental Notification Form
EPA	Environmental Protection Agency (United States)
EPCRA	Emergency Planning and Community Right-to-Know Act
ERP	Environmental Results Program
ES	Emissions Statement
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FTE	Full-Time Employee
GPM	Gallons Per Minute
GRP	Operating Permit Group-Source Type
HAPs	Hazardous Air Pollutants
HAZWOPER	Hazardous Waste Operations
HOC	Halogenated Organic Compound
HP	Horsepower
HW	Hazardous Waste

ICP	Integrated Contingency Plan
IDLH	Immediately Dangerous to Life and Health
IUR	Inventory Update Rule
LEPC	Local Emergency Planning Committee
LQG	Large Quantity Generator
LPA	Limited Plan Approval
LSP	Licensed Site Professional
MACT	Maximum Achievable Control Technology
MMBTU/hr	Million British Thermal Units per hour
MCP	Massachusetts Contingency Plan
MEPA	Massachusetts Environmental Policy Act
mg/m³	milligram (of contaminant) per cubic meter (of air); OSHA reference measuring chem exposure
MSDS	Material Safety Data Sheet
NESHAPs	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NOI	Notice of Intent
NPDES	National Pollutant Discharge and Elimination System
NPL	National Priority List
NRT	National Response Team
NSPS	New Source Performance Standards
NSR	New Source Review
O&M	Operation and Maintenance
OP	Operating Permit
OSHA	Occupational Safety and Health Administration
P2	Pollution Prevention
PBTs	Persistent Bioaccumulative Toxins
PC	Public Comment
PCR	Public Comment Review
PCBs	Polychlorinated Biphenyls
PE	Professional Engineer
PEL	Permissible Exposure Limit
PM	Particulate Matter
PMN	Pre-Manufacture Notice
POTW	Publicly Owned Treatment Works
ppb, ppm	parts per billion, parts per million
PRP	Potentially Responsible Party
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
PWS	Public Water Supply
RACT	Reasonably Available Control Technology
RCP	Resource Conservation Plan
RCRA	Resource Conservation and Recovery Act

RES	Restricted Emissions Status
RESTR	Restriction 7.02 or 7.03
RMP	Risk Management Plan
SARA	Superfund Amendments and Reauthorization Act
SDWA	Safe Drinking Water Act
SSEIS	Stationary Source Emissions Inventory System
SEP	Supplemental Environmental Project
SERC	State Emergency Response Coordinator
SIU	Significant Industrial User
SO2	Sulfur Dioxides
SPCC	Spill Prevention, Control, and Countermeasures
SQG	Small Quantity Generator
SWMU	Solid Waste Management Unit
T1, T2	Technical Review, Supplemental Technical Review
TLV	Threshold Limit Value
tpy	tons per year
TRI	Toxic Release Inventory
TSCA	Toxic Substances Control Act
TURA	Toxics Use Reduction Act
TURP	Toxics Use Reduction Planner
UIC	Underground Injection Control
USTs	Underground Storage Tanks
VOC	Volatile Organic Compound
VSQG	Very Small Quantity Generator
WWTF	Waste Water Treatment Facility


HOW to NAVIGATE the OSHA WEB SITE (or What is the Difference Between OSHA and the DEP and the EPA?)

Regulations (Standards - 29 CFR) Page 1 of 2



U.S. Department of Labor
Occupational Safety & Health Administration

www.osha.gov



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Safety/ Topics

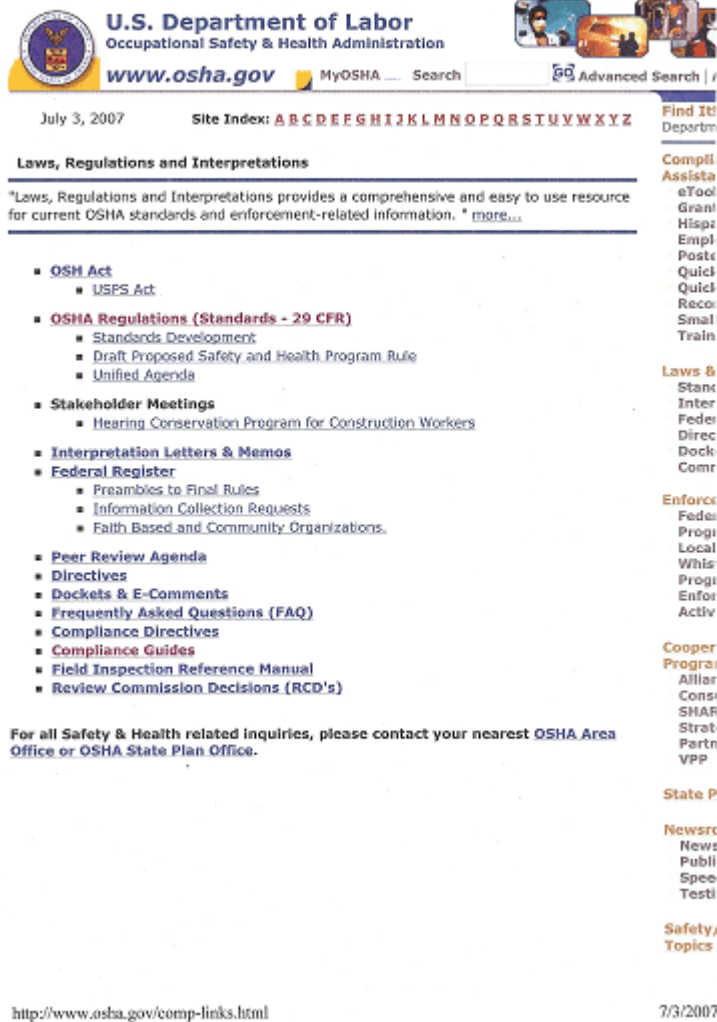
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http://www.osha.gov/pls/oshaweb/owasrch.search_form?p_doc_type=STANDARDS&p_to... 7/3/2007

Above is an image of what you would see if you visited <http://www.osha.gov> and clicked on "Laws and Regulations" on the right-hand side of the OSHA homepage, then clicked on "OSHA Regulations (Standards-29CFR)" on the "Laws, Regulations and Interpretations" page. The image is a list of OSHA standards that apply to General Industry. You can either click on any of the standards, or search for a regulation by entering a phrase (for example, "lead") in the box next to the work "Search".

The Massachusetts Department of Environmental Protection (DEP) and the United States Environmental Protection Agency (EPA) have established laws regulating manufacturing facilities in order to protect the general public and the environment from damage resulting from industrial activities. In other words, DEP and EPA focus on how the company's operations affect what is outside the facility. On the other hand, the Occupational, Safety and Health Administration (OSHA) establishes laws regulating manufacturing facilities to protect the workers inside the facilities. This is why issues such as lead or asbestos may be regulated by more than one agency.

Without actually setting foot inside a plant, it is impossible to tell which and how many OSHA standards will apply to any one facility; second, applicability of many of these standards is based on monitoring. Instead of trying to cover widely applicable OSHA standards in this document, we will instead tell you where to find the information on the OSHA website. Then, you can either contact the OSHA office, or the OSHA Consultation Service to request a confidential on site visit.



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Laws, Regulations and Interpretations

*Laws, Regulations and Interpretations provides a comprehensive and easy to use resource for current OSHA standards and enforcement-related information. * [more...](#)

- **OSH Act**
 - [USPS Act](#)
- **OSHA Regulations (Standards - 29 CFR)**
 - [Standards Development](#)
 - [Draft Proposed Safety and Health Program Rule](#)
 - [Unified Agenda](#)
- **Stakeholder Meetings**
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- **Interpretation Letters & Memos**
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- **Frequently Asked Questions (FAQ)**
- **Compliance Directives**
- **Compliance Guides**
- **Field Inspection Reference Manual**
- **Review Commission Decisions (RCD's)**

For all Safety & Health related inquiries, please contact your nearest OSHA Area Office or OSHA State Plan Office.

<http://www.osha.gov/comp-links.html>

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Common elements of OSHA standards include:

- procedure for determining workplace hazards (mechanical, electrical, thermal and chemical);
- monitoring the work area to determine if a particular standards is applicable;
- a program for instructing workers on wearing, maintaining and testing protective equipment;
- medical surveillance to document worker health before starting a job and throughout their years on the job;
- identifying opportunities to eliminate hazards and if this cannot be achieved, techniques for reducing hazards; and
- keeping records to demonstrate that a) the standards does not apply or b) the standards is being met.

Compliance Guides

The OSHA website also contains frequently asked questions and plain language guides to standards. The guides offer a summary of what a facility must do to comply with a given standards. The guides do not replace reading

the full text of the standard. To the left is an image of the "Laws, Regulations, and Interpretations" page. Clicking on "Compliance Guides" would direct you to a list of plain language compliance guides that can be downloaded from the OSHA website.

Letters of Interpretation

OSHA has received numerous letters from individuals who have requested clarification on when a particular standard is applicable, or what constitutes compliance with a given standard. If after reading the Compliance Guide for a particular standard you still have questions, you can click on "Interpretation Letters and Memos" and conduct a search by keyword for your topic.

OSHA Consultation Service

It is good practice to check your findings by contacting the OSHA Consultation Service, available through DLI (617-918-1111).

ENVIRONMENTAL COMPLIANCE CALENDAR

	Air Quality	Water Quality	Solid Waste and Hazardous Waste	Toxic Chemical Use & Community Right-to-Know/ERP
January	<u>January 30</u> : Operating permit semiannual and annual compliance Demonstration certification <u>January 30</u> : Facilities required to install a CEMS must submit quarterly excess emissions report	NPDES: submit Discharge Monitoring Report (DMR) to EPA Region 1 and MassDEP DWM		January 1: Even years-post TURP Employee Notification
February	February 1: NESHAP annual reports due to EPA	NPDES: submit DMR to EPA Region 1 and MassDEP DWM		
March	March 15: Restricted Emission Status (RES) Report March 15: Annual boiler certification	NPDES: submit DMR to EPA Region 1 and MassDEP DWM	<u>March 1</u> : Hazardous Waste Exporters Report <u>March 1</u> : (even-numbered years): LQGs submit biennial report to DEP <u>March 1</u> : Hazardous Waste Recycling Annual Report	March 1: FPCRA-submit Tier I/Tier II FORMS TO LEPC and SERC --FIFRA:pesticide dealer license renewals. March 1: Recycling permit Annual Report
April	April 15/30: Source Registration/Facilities required to install a CEMS must submit quarterly excess emissions report. Emission statements due either annually or tri-annually. Frequency based on facility-wide emissions.	NPDES: submit DMR to EPA Region 1 and MassDEP DWM		April 15: Propane storage permit from MA Department of Fire Services
May		NPDES: submit DMR to EPA Region 1 and MassDEP DWM		
June	Submit Risk Management Plan to EPA by: <ul style="list-style-type: none"> • June 21, 1999; or • 3 months after material is listed; or • 6 months after exceeding RMP thresholds 	NPDES: submit DMR to EPA Region 1 and MassDEP DWM Categorical dischargers to POTWs must submit semi-annual Sampling and Analysis Report to EPA unless local POTW collects it.	June 30: Hazardous Material Registration	
July	<u>July 30</u> : Facilities required to install a CEMS must submit quarterly excess emissions report. <u>July 30</u> : Operating permit semi-annual compliance report	NPDES: submit DMR to EPA Region 1 and MassDEP DWM	July 1: Date which all MassDEP status' are used to generate compliance fees.	<u>July 1</u> : submit Form R to EPA, Form S to DEP --TUR plan updates (even-numbered years) and FIFRA: pesticide registration renewal <u>July 15</u> : annual report to EPA Region for commercial storers/disposers of PCB waste.
August		NPDES: submit DMR to EPA Region 1 and MassDEP DWM		<u>August 25</u> (every 4 yrs beyond 1990)—Inventory Update Reports due to EPA for chemicals on the TSCA inventory imported or manufactured in amounts 10,000 lbs or more.
September		NPDES: submit DMR to EPA Region 1 and MassDEP DWM		ERP Annual Certification
October	October 30: Facilities required to install a CEMS must submit quarterly excess emissions report.	NPDES: submit DMR to EPA Region 1 and MassDEP DWM		
November	November 15: Rideshare Program Annual Report	NPDES: submit DMR to EPA Region 1 and MassDEP DWM		
December		NPDES: submit DMR to EPA Region 1 and MassDEP DWM Categorical dischargers to POTWs must submit semi-annual Sampling and Analysis Report to EPA unless local POTW collects it.		

A Few Words About MassDEP Permit Process

MassDEP issues a permit and/or plan approval for activity that may discharge emissions into the air, water or the ground. During the permitting process, a technical review of the industrial process or processes is conducted along with the amount of pollutants that would be emitted to the environment. The permit or plan approval that is issued has enforceable emission limits for pollutants and management standards that must be followed to protect public health and the environment. For this reason a permit or plan approval must be obtained prior to construction, replacement of existing equipment, or modification of process equipment. If MassDEP discovers that your facility has been operating without a permit or plan approval, enforcement actions will be taken against your facility, and you will still be required to apply for the permit. Permit and/or plan approval forms are available on MassDEP's web site <http://www.mass.gov/dep/service/online/gettings.htm>

MassDEP has established time lines for each step, identified below, during the review and the issuance of a permit or plan approval. These time lines are established so that the applicant can be assured that a decision is made in a timely manner on a permit or plan approval application. And, as provided by 310 CMR 4.00, if the time line is not met the applicant is entitled to a refund of their application fee.

First, an **Administrative Completeness Review (AC)** is conducted to determine whether you have provided all required elements of the application. MassDEP may request additional information from you during this review. Upon completion of the AC Review, MassDEP will either find your application Administratively Complete, or issue you a **Statement of Administrative Deficiencies**.

If the application is found to be lacking in some way, MassDEP will ask for additional information. (If there is no response to the Statement of Administrative Deficiency, MassDEP will determine the permit application to be withdrawn). Upon receipt of a response, the agency will conduct a second AC Review (of the same number of days allowed for the first). MassDEP then will either find your application Administratively Complete, or deny the application.

Once the agency issues a Determination of Administrative Completeness, it begins a **Technical Review (T1)** of your application and supporting materials. MassDEP may request additional information from you during T1 without extending the timeline. Upon completion of T1, MassDEP will in most cases approve or deny the application, or issue a draft approval or denial for public comment (if required).

It is possible, however, that MassDEP will find the application to be Technically Deficient, in which case the agency will request that you correct or supplement it. If you fail to respond to a **Statement of Technical Deficiency** within the time allowed by MassDEP, your application will be denied. Should that be the case, you have the option of declining and asking MassDEP to make a decision based on the information you have made available to date. But if you choose that option and MassDEP denies your application, the agency will consider your proposal again only if you submit a new application and fee.

When MassDEP asks you to submit additional technical information and you do so, the agency begins a **Supplemental Technical Review (T2)** of the amended or modified permit application and supporting materials. The agency will require a T2 if it would otherwise deny an application or place substantial restrictions on your project based on the available information. MassDEP may request additional information during T2 without extending the timeline. After finishing T2, MassDEP will approve or deny the application, or issue a draft approval or denial for public comment (if applicable).

MassDEP's decision to approve or deny an application following either T1 or T2 is subject to appeal in accordance with existing procedures.

If public comment is required by statute or program regulation, a **Public Comment Review Period (PC)** is conducted to allow MassDEP to consider public comment before making a final determination on a proposed application approval or denial. MassDEP may ask you for additional information during the PC Review. Upon completion of this review, the agency will either approve or deny your application.

Note: In most cases, a public comment period is not required. Please see Question 6 of the "Permit Fact Sheet" in the application instructions for the timelines that apply to the category of permit, license or plan approval.

A decision to approve or deny an application following PC Review may be subject to appeal in accordance with existing procedures.

Not every permit requires all of the review steps described above --- in the tables below, refer to the column labeled "Permit/Reporting Deadlines" to determine which review steps apply for the permit in question, and the duration of each review step.

If you are planning to construct a new line, replace existing equipment or modify an existing line, if you are building a new facility or purchasing an existing facility, it is strongly recommended that you contact your MassDEP Regional Service Center to discuss permits. If you need to apply for a permit, ask to schedule a Pre-Permit or Scoping Conference to discuss which permits may be most suitable for your facility operations.

A complete listing of fee schedules and review timelines for all DEP permits can be found in 310 CMR 4.00, Timely Action Schedule and Fee Provisions, which may be purchased at the State House Bookstore or viewed at <http://www.mass.gov/dep/service/regulations/310cmr04.pdf>

TABLE 1: Air Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 7.02: Plan Approvals</p> <p><input type="checkbox"/> 7.02 (2) (b): Exemptions from Plan Approval</p> <p><input type="checkbox"/> 7.03 Plan Approval Exemption: Construction Requirements</p> <p>(8) Degreaser (9) Waver Solder (10) Emergency or Stand-by Engine (11) Lead Melt Pots (12) Dry Material Storage Silo (13) Motor Vehicle Fuel Dispensing Facility (15) Non-headsets Offset Lithographic Printing (16) Paint Spray Booths (17) Groundwater/Soil Venting Systems (18) Fuel Cells (19) Flexographic, Gravure, Letterpress and Screen Printing (21) Corona Surface Treatment Devices (22) Conveyors and Dry Material Storage (except Silos) (23) Temporary Boilers (24) Welding (25) Biotechnology Surface Disinfection Processes</p>	<p>A plan approval application is required of an owner or operator where the construction, substantial reconstruction or alteration has the potential to cause or contribute to a source of air pollution. One facility may have several 7.02 approvals.</p> <p>Facilities and emission units that are exempt from Plan Approval requirements are identified in 310 CMR 7.02(2)(b).</p> <p>Facilities in source categories listed under 7.03 may opt out of a plan approval by meeting the conditions of the specific 7.03 source category, which includes complying with the conditions of the corresponding RACT categories listed in 310 CMR 7.18.</p> <p>These conditions have the force of a plan approval and failure to meet them is equivalent to failure to comply with a plan approval.</p>			<p>Calculated for all air pollution sources regardless of permit.</p> <p>Fees for minor sources are based on emissions: the percentage of the major source emission threshold for the pollutant that the source emits in the greatest amounts.</p> <p><u>Minor Air Source :</u> >50%: \$1,435 <50%: \$575 <25%: \$260</p> <p><u>Major Source:</u> Fees are calculated by MassDEP based on emission units.</p>	<p><input type="checkbox"/> Applied Date: _____</p> <p><input type="checkbox"/> Approved Date: _____</p> <p><input type="checkbox"/> Reported Date: _____</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 1: Air Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p><input type="checkbox"/> 7.02 (4) (c): Limited Plan Approval (LPA)</p> <p><input type="checkbox"/> 7.02 (4) (b): Comprehensive Plan Approval (CPA)</p>	<p><u>LPA (AQ01)</u> is required if there is an increase in potential emissions (see regulations for definition of "potential emissions") by ≥ 1 tpy but < 5 tpy for any criteria (VOCs, particulates, etc.) and non-criteria pollutants (i.e. acetone) calculated over any 12 month consecutive period.</p> <p><u>Non-major CPA (AQ02)</u> is required for any increase in potential emissions for any criteria or non-criteria pollutant ≥ 5 tpy calculated over any 12-month consecutive period and:</p> <ul style="list-style-type: none"> < 50 tpy VOCs, NOx < 100 tpy CO, SO₂, PM < 10 tpy single HAP < 25 tpy combination HAPs <p><u>A Major CPA (AQ03)</u> applies to facilities where a process modification or new construction results in a net increase in potential emissions of:</p> <ul style="list-style-type: none"> ≥ 50 tpy VOC, Nox ≥ 100 tpy CO ≥ 40 tpy SO₂ ≥ 15 tpy PM ≥ 0.6 tpy lead <p>or modifications/new construction that exceeds non-major CPA thresholds.</p> <p>NOTE: EPA administers PSD Permits and the review is conducted during CPA review.</p> <p>Massachusetts has administrative authority from EPA.</p>	<p><u>LPA (AQ01):</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---48 days <input type="checkbox"/> T2---48 days <input type="checkbox"/> PC---none <p><u>Non-major CPA (AQ02):</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---72 days <input type="checkbox"/> T2---72 days <input type="checkbox"/> PC---none <p><u>Major CPA (AQ03):</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---128 days <input type="checkbox"/> T2---128 days <input type="checkbox"/> PC---72 days 	<p><u>LPA:</u> \$525</p> <p><u>Non-major CPA:</u> \$1,930</p> <p><u>Major CPA:</u> \$19,780</p>	<p>See discussion of calculated fees for all air pollution sources.</p>	<p><input type="checkbox"/> Applied Date: _____</p> <p><input type="checkbox"/> Approved Date: _____</p> <p><input type="checkbox"/> Reported Date: _____</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 1: Air Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
310 CMR 7.02(12): Restricted Emissions Status	Facilities wishing to limit emissions to below major source or RACT applicability for VOC, HOC and NOx (AQ09)	Facilities are required to submit annual RES reports to MassDEP to demonstrate compliance. <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---72 days <input type="checkbox"/> T2---48 days <input type="checkbox"/> PC---10 days	RES: \$1,550	RES: \$1,435	<input type="checkbox"/> Applied Date: _____ <input type="checkbox"/> Approved Date: _____ <input type="checkbox"/> Reported Date: _____ <input type="checkbox"/> Not Applicable
310 CMR 7.02(15): 50% or 25% Facility-Wide emissions cap	Facilities with existing plan approvals, RES, or operating permits that wish to reduce annual compliance fees/defer applicability of RACT by limiting emissions to 50% or 25% of major source thresholds	Facilities are required to submit emissions statements to MassDEP every year or once every three years, depending on emission thresholds and permit categories identified in 310 CMR 7.12.	No fee. Notify MassDEP		<input type="checkbox"/> Applied Date: _____ <input type="checkbox"/> Approved Date: _____ <input type="checkbox"/> Reported Date: _____ <input type="checkbox"/> Not Applicable
310 CMR 7.00, Appendix C: Operating Permit Program 40 CFR 70: State Operating Permits	Facilities that trip major source thresholds for criteria pollutants, HAPs, or as required by a specific MACT category. Divided into Groups A, B C based on SIC code. Major source thresholds are: 50 tons per year (tpy) VOX, NOx 100 tpy CO, SO2, PM 10 tpy for any single HAP 25 tpy for a combination of HAPs OP applications are submitted to MassDEP	Group A (AQ15): <input type="checkbox"/> AC---48 days <input type="checkbox"/> T1---144 days <input type="checkbox"/> T2---144 days <input type="checkbox"/> PC---36 days Group B (AQ16): <input type="checkbox"/> AC---48 days <input type="checkbox"/> T1---240 days <input type="checkbox"/> T2---72 days <input type="checkbox"/> PC---36 days Group C (AQ17) <input type="checkbox"/> AC---48 days <input type="checkbox"/> T1---144 days <input type="checkbox"/> T2---144 days <input type="checkbox"/> PC---36 days	Calculated by MassDEP based on emission units.	See discussion of calculated fees for all air pollution sources.	<input type="checkbox"/> Applied Date: _____ <input type="checkbox"/> Approved Date: _____ <input type="checkbox"/> Reported Date: _____ <input type="checkbox"/> Not Applicable

TABLE 1: Air Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 7.04: Fossil Fuel Utilization Facilities and 7.05: Fuels All Districts</p> <p>*MassDEP only regulates air quality issues stemming from fuel burning. The MA Department of Public Safety regulates certification of boiler maintenance technicians.</p> <p>310 CMR 7.02(8)(i): Emission Limitations, Emergency or Stand-by Engines</p> <p>310 CMR 70.00: Environmental Results Program and 310 CMR 7.26: Boilers, Emergency Engines and Turbines, Non-Emergency</p> <p>Note: See Table 8 for ERP Dry-cleaners (310 CMR 7.26(12) and Printers (310 CMR 7.26(20))</p>	<p><u>Prior to September 14, 2001, a LPA is required for fuel burning equipment that meet these criteria:</u></p> <ul style="list-style-type: none"> > 10 MM Btu < 40 MM Btu /hr utilizing natural gas or propane; > 10 MM Btu < 30 MM Btu /hr utilizing distillate fuel oil; > 10 MM Btu < 20 MM Btu /hr utilizing residual fuel oil having a sulfur content \geq .28 lbs/MM Btu or approx. (0.5% sulfur by weight); > 5 MM Btu < 10 MM Btu /hr utilizing residual fuel oil sulfur content < 0.55 lbs/MM Btu (or approx. 1% sulfur by weight); > 3 MM Btu < 10 MM Btu/hr utilizing used oil fuel <p><u>After 9/14/01, a non-major CPA is required for fuel burning equipment that meets these criteria:</u></p> <ul style="list-style-type: none"> \geq 40 MM Btu/hr utilizing natural gas or propane; \geq 30 MM Btu/hr utilizing distillate fuel oil; \geq 20 MM Btu/hr utilizing residual fuel oil having a sulfur content \geq 0.28 lbs/MM Btu or approx (0.5% sulfur by weight); \geq 10 MM Btu/hr utilizing residual fuel oil sulfur content < 0.55 lbs/MM Btu (or approx 1% sulfur by weight); \geq 10 MM Btu/hr utilizing used oil fuel <p><u>Existing Emergency Engines or Stand-by Engines</u> installed after June 1, 1990 but before March 26, 2007 must comply with 310 CMR 7.02 (8) that excludes these units from plan approvals, but must maintain compliance with provisions of 310 CMR 7.02 (8)(i) or 310 CMR 7.03 (10)</p> <p><u>Boiler EPR</u>-facilities that install or substantially modify boiler after September 14, 2001 with heat rating input > 10 MM Btu/hr but < 40 MM Btu/hr must certify that they comply with 310 CMR 7.26 (29) and (30). These regulations restrict fuel and management standards.</p> <p><u>Emergency Engines ERP</u> Facilities that install emergency engines after March 23, 2006 with rated power output greater than 37 kW but less than 1 MW must submit a one-time certification 60 days following installation stating they comply with 310 CMR 7.26 (40) through (44).</p> <p><u>Non-Emergency Engines ERP</u>-for facilities that install non-emergency engines after March 23, 2006 with rated power output greater than 50 kW but less than 10 MW must submit a one-time certification stating they are in compliance with 310 CMR 7.26 (40) and (43).</p> <p>An online compliance assistance workbook is available http://www.mass.gov/dep/service/online/etwbook.pdf</p>	<p>ERP enrollees are required to submit annual certifications to MassDEP by March 15th.</p>	<p>For existing installations, the permit fee will vary depending upon whether emissions require an LPA, CPA permit (see 7.02 above).</p> <p>There is no certification fee for ERP boilers and emergency and non-emergency engines and turbines.</p>	<p>See discussion of calculated fees for all air pollution sources.</p> <p>See discussion of calculated fees for all air pollution sources.</p> <p>There is no annual compliance fee for ERP enrollees.</p>	<p><input type="checkbox"/> Applied Date: _____</p> <p><input type="checkbox"/> Approved Date: _____</p> <p><input type="checkbox"/> Reported Date: _____</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 1: Air Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 7.18: RACT for VOC & HOC</p> <p>(4) metal can (5) large appliances (6) magnetic wire (7) automobiles (8)solvent metal degreasing (9) cutback asphalt (10) metal coil (11) misc metal parts (12) graphic arts (14) paper (15) fabric surface (16) vinyl surface (17) RACT (18) polystyrene (19) organic chemical (22) leather (23) wood products (25) printing (26) textile (27) mixed tanks</p>	<p>Each industry-specific RACT category has its own applicability threshold and emissions limit. May apply to existing facilities prior to 1995. As of specific dates, facilities subject to RACT were required to have Emission Control Plans. Now, a source subject to VOC RACT that has not developed an ECP must meet BACT.</p> <p>General RACT and Emission Control Plan for categories not specified in or able to comply with 7.18; major sources for VOC</p> <p>New sources must demonstrate BACT.</p>	<p>Facilities that are subject to 7.18(17) and 7.18 (20) must submit an Emission Control Plan (ECP), which will receive either DEP approval or, if it is a single source State Implementation Plan revision, EPA approval.</p> <p>State-Approved ECP: <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---63 days <input type="checkbox"/> T2---63 days <input type="checkbox"/> PC---30 days</p> <p>EPA-approved ECP (part of SIP): <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---128 days <input type="checkbox"/> T2---128 days <input type="checkbox"/> PC---72 days</p>	<p>No fee for specific source category RACTs</p> <p>Fee for state-approved ECP is \$1,530</p> <p>Fee for EPA-approved ECP is \$18,155</p>	<p>See discussion of calculated fees for all air pollution sources.</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____
<p>310 CMR 7.19: RACT for NOx</p>	<p>As of the effective date, facilities with potential to emit (PTE) \geq 50 tpy NOx were required to submit an Emission Control Plan (ECP), which received either MassDEP approval or, if it was a single source, State Implementation Plan revision, EPA approval. Now, a source subject to NOx RACT that has not developed an ECP must meet BACT.</p> <p>New sources must demonstrate BACT.</p>	<p>Same as above</p>	<p>Fee for state-approved ECP: \$1,530</p> <p>Fee for EPA-approved ECP: \$18,155</p>	<p>See discussion of calculated fees for all air pollution sources.</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____
<p>40 CFR 61: National Emission Standards for Hazardous Air Pollutants</p> <p>40 CFR 63: National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories</p>	<p>Facilities are likely to require Operating Permit; each NESHAP identifies Maximum Achievable Control Technology (MACT), or the facility must demonstrate that its control techniques demonstrate MACT.</p> <p>Applicability thresholds vary with the specific NESHAP, but are typically for major sources specified in the source categories. Some new source categories apply to minor sources.</p> <p>Defer to 40 CFR 61 and 40 CFR 63 for performance standards, reporting and record keeping requirements.</p>	<p>Each NESHAP has reporting deadlines for submittal of initial notification, compliance status, annual reports and exceedance reports specified in each subpart of 40 CFR 63 corresponds to source categories.</p> <p>Facilities required to obtain Operating Permits under 40 CFR 63 must comply with the deadline specified in the subpart.</p>	<p>Calculated by MassDEP.</p>	<p>See discussion of calculated fees for all air pollution sources.</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 1: Air Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
310 CMR 7.22: Acid Rain Program	Fuel-burning equipment with capacity to burn \geq 100 MBTUs of fuel input per hour limited to annual emissions of 1.2 lbs SO ₂ per 1 MBTU fuel input. Equipment must employ BACT				<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____
310 CMR 7.12 Source Registration Emission Statements	Any facilities exceeding these thresholds must submit an emission statement -Natural Gas, Distillate and Residual Oil > 0 MM Btu/hr -Soil and Used Oil Fuel and Landfill gas > 3,000,000 MM Btu/hr -Particulate Matter-2 tons per year -Oxides of Sulfur-2.5 tons per year -Organic Material-10 tons per year -Nitrogen Dioxide-4.4 tons per year -Lead-5 tons per year -Hazardous Air Pollutants--10 tons of any HAP or 25 tons of total HAPs -For others see 310 CMR 7.12.	Emission statements are sent to MassDEP by April 15 or other date approved by MassDEP Facilities breaking the ES thresholds, or other criteria, are required to file Emission Statements every year or once every three years. See 310 CMR 7.12 to determine how often you must file.			<input type="checkbox"/> Applicable <input type="checkbox"/> Not Applicable
310 CMR 7.13: Stack Testing 310 CMR 7.14: Monitoring Devices and Reports	MassDEP reserves the right to require stack testing and submission of stack test reports and the right to require emission monitoring devices and reports for emissions units.		Contact MassDEP	Emission Stack Test: \$5,890	<input type="checkbox"/> Applicable <input type="checkbox"/> Not Applicable
310 CMR 7.06: Visible Emissions 310 CMR 7.07: Open Burning	310 CMR 7.06 limits opacity of air emissions from a facility. 310 CMR 7.07 prohibits open burning with exceptions for fire training and certain agricultural activities				<input type="checkbox"/> Applicable <input type="checkbox"/> Not Applicable

TABLE 1: Air Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 7.09: Dust, Odor, Const/Demolition</p> <p>310 CMR 7.10: Noise</p> <p>310 CMR 7.11: Transportation Media (Anti-Idling)</p>	<p>310 CMR 7.09 and 7.10 prohibit a facility from creating conditions of air pollution by emission of odor, dust and noise.</p> <p>MassDEP noise policy limits sound increase to no more than 10 dba above background and no pure tone. Facility noise is not included in background.</p> <p>Anti-Idling limits the unnecessary operation of the engine of a motor vehicle while it's stopped for no more than 5 minutes. Includes both cars and trucks.</p>				<input type="checkbox"/> Applicable <input type="checkbox"/> Not Applicable
<p>310 CMR 7.15: Asbestos *Regulations currently under review by MassDEP</p>	<p>MassDEP requires owner/operator to file notification (permit) for asbestos projects at least 10 working days prior to conducting asbestos removal work. This also establishes work practices to prevent asbestos fiber release of asbestos and asbestos-containing material.</p>	<p>After MassDEP and DOS receive the ANF-001, the notifier will be contacted <u>only in case of deficiencies</u>.</p> <p>Construction/Demolition (AQ06) and Notification (AQ04)</p> <p><input type="checkbox"/> AC-10 days <input type="checkbox"/> T1-None <input type="checkbox"/> T2-10 days <input type="checkbox"/> PC-None</p> <p>Const/Demolition (AQ06): \$85</p> <p>Municipalities, State Agencies and owner-occupied single-family residences are Fee Exempt but must still file the notification/permit.</p>	<p>(ANF-001) Asbestos Notification: \$85</p> <p>(AQ05) Asbestos Removal Blanket Plan: Decal: \$35 Notification: \$85</p>	No Annual Fee	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____
<p>310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use</p> <p>Massachusetts Ride Share Program</p>	<p>MassDEP implements the Rideshare Program; a statewide air quality program that requires affected facilities to conduct car pool matches, provide preferential parking spaces and establish bicycle incentives.</p>	<p>The following facilities are required to file annual reports:</p> <ul style="list-style-type: none"> • 250 or more applicable commuters and subject to the MassDEP Air Operating Permit Program (310 CMR 7.00, Appendix C) • 1,000 or more applicable commuters. <p>Find guidance at http://www.mass.gov/dep/air/approvals/guiddata.pdf</p>			<input type="checkbox"/> Applicable <input type="checkbox"/> Not Applicable

TABLE 2: Water Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>314 CMR 7.00: Sewer Connection Permit Program Governs discharges of industrial process water to a local sewer system. POTWs enforce federal categorical pretreatment standards for specific industrial activities or can use local permits to set stricter limits. In addition, US EPA has authority to enforce categorical standards in many smaller POTWs.</p> <p><u>For information on pretreatment standards & O&M, see:</u></p> <p>314 CMR 7.05(2)(g) Industrial Users within the Sewer System Extension and Connection Permit Program</p> <p>40 CFR 403: General Pretreatment Regulations for Existing and New Sources of Pollution</p>	<p>As of 1/12/07, MassDEP revised its sewer regulations (314 CMR 7.00), amending the state approval requirements for both sanitary and industrial wastewater sewer connections. Industrial facilities are defined as facilities that are categorized in the SIC Codes listed in 314 CMR 7.17(2)(c).</p> <p>Industrial facilities in the Massachusetts Water Resources Authority (MWRA) service area do not need to obtain the MassDEP permit or file a compliance certification.</p> <p>A <u>permit</u> is required for industrial facilities that discharge more than 50,000 GPD of combined sanitary and industrial wastewater to IPP POTWs (BWPIW38), or 25,000 GPD of combined sanitary and industrial wastewater to NON-IPP POTWs (BWPIW39); A <u>compliance certification</u> is required for industrial facilities that discharge 25,000 GPD or less of combined sanitary and industrial wastewater to NON-IPP POTWs; A <u>permit-by-rule</u> is available to industrial facilities that discharge 50,000 GPD or less of combined sanitary and industrial wastewater to IPP POTWs.</p> <p>All <u>existing industrial facilities</u> that are subject to the <u>permit or compliance certification</u> shall obtain the permit or compliance certification by 1/12/2008.</p> <p>All <u>new industrial facilities</u> that are subject to the <u>permit</u> requirement shall obtain the permit 90 days prior to construction unless approved by MassDEP in writing.</p> <p>All <u>new industrial facilities</u> that subject to the <u>compliance certification requirement</u> shall submit the certification within 60 days of starting operation.</p> <p>In addition, MassDEP may request a special permit (BWPIW40 or BWPIW41) or plan approval on a case-by-case basis when deemed necessary , as well as a permit for experimental or alternative treatment technologies pursuant to 314 CMR 7.00 (BWPIW25).</p> <p>All industrial facilities, regardless of their permit or certification category, must comply with applicable pretreatment standards specified in 314 CMR 7.05(2)(g).</p>	<p>Sewer connection permits and compliance certifications are valid for 5 years.</p> <p><u>BWP-IW 38 and 39</u> <input type="checkbox"/> AC/TC---15 days <input type="checkbox"/> PC---15 days</p> <p><u>BWP-IW40</u> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---96 days <input type="checkbox"/> T2---96 days <input type="checkbox"/> PC---72 days</p> <p><u>BWP IW41</u> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---96 days <input type="checkbox"/> T2---96 days <input type="checkbox"/> PC---72 days</p>	<p><u>Certification:</u> N/A</p> <p><u>BWP IW38 and 39</u> \$1,605</p> <p><u>BWP IW40</u> \$2,010</p> <p><u>BWP IW41:</u> \$1,340</p>	<p><u>Certifications</u> \$175</p> <p><u>BWP IW38 and 39</u> \$175</p> <p><u>BWP IW40</u> \$2010</p> <p><u>BWP IW41</u> N/A</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 2: Water Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 18.00: Industrial Wastewater Holding Tanks</p> <p>257 CMR 2.00: Wastewater Treatment Plant Operator Certification</p> <p>314 CMR 12: Operation and Maintenance and Pre-treatment standards for wastewater treatment works and indirect discharges</p>	<p>Applies to facilities that store non-hazardous, non-sanitary wastewater in IWHTs, mobile tanks or containers and intend to truck it directly off-site for disposal, recycling or treatment. There is a one-time compliance certification requirement for IWHTs. The certification form (DEP01) replaces holding tank plan approvals (IW-29 and WP-56) that were required before 11/20/02. IWHTs previously approved by MassDEP, as well as mobile tanks and containers, are exempt from the certification requirement.</p> <p>257 CMR 2.00 sets forth a process for the evaluation and certification of operators of wastewater treatment facilities in order to insure the facilities' proper management, operation and maintenance. Certified operators are required at all wastewater treatment facilities except:</p> <ul style="list-style-type: none"> • lime chip neutralization • neutralizing < 100 gpd, in batches of < two liters, in accordance with 314 CMR 7.05(2)(g)4a and b • small scale silver recovery • oil/water separators-MDC traps • closed loop systems <p>Facilities that maintain industrial wastewater treatment plants must meet general and specific prohibitions as well as specific categorical pretreatment standards. Contact local POTW.</p>		<p><u>IWW Holding Tank</u>: One-time certification fee: \$115</p>	<p>No fees for holding tanks.</p>	<p><input type="checkbox"/> Applicable</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 2: Water Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>314 CMR 3.00 and 4.00: Surface Water Discharge Permit Program</p> <p>40 CFR 125: Criteria and Standards for the National Pollutant Discharge Elimination System (NPDES)</p>	<p>Facilities that do not have access to a local sewer system and discharge industrial process water to rivers, lakes, streams, oceans and other water bodies but not groundwater.</p> <p>Plan Approvals are issued for Type I or Type II wastewater treatment systems pursuant to 314 CMR 12.00. The rating is based on the number and complexity of treatment steps (or unit operations) wastewater goes through before it is discharged. Each treatment step is assigned a point rating.</p> <p>Treatment systems with less than 3 steps and rate 20 points or less are Type I; treatment systems with 3 or more steps OR rate more than 20 points are Type II.</p> <p>Operators of IWW treatment systems are required to obtain a license pursuant to 257 CMR 2.00.</p> <p>Construction over 1 acre and certain industrial activities need a Notice of Intent (NOI) submitted to EPA. Stormwater dischargers to an Outstanding Resource Water also need a MassDEP application and approval. A Stormwater Pollution Prevention Plan may be required.</p> <p>Dischargers of contact and non-contact cooling water must submit a NOI to EPA.</p> <p>Massachusetts is not delegated to administer the NPDES program. Surface water discharge permits applications are submitted to both MassDEP and EPA. MassDEP begins a technical review of the application after it receives a draft permit from EPA.</p>	<p>Applicants are required to complete BOTH a Form 1 (to MassDEP) and a Form 2C (to EPA). The NPDES permit is valid for 5 years.</p> <p><u>Type I Permit & Plan Approval (BWPIW18):</u> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---120 days <input type="checkbox"/> T2---120 days <input type="checkbox"/> PC---72 days</p> <p><u>Type II Permit & Plan Approval (BWPIW16):</u> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---160 days <input type="checkbox"/> T2---160 days <input type="checkbox"/> PC---72 days</p> <p><u>Renewal or Modification (IW35/36) (with or without Plan Approval)</u> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---88 days <input type="checkbox"/> T2---88 days <input type="checkbox"/> PC---72 days</p> <p><u>Plan approval for treatment system modification (BWPIW37)</u> <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---72 days <input type="checkbox"/> T2---72 days</p> <p><u>Experimental or alternative treatment technology (BWPIW26)</u> pursuant to 314 CMR 3.00</p> <p>Surface water discharge permit not covered above (BWPIW27) pursuant to 314 CMR 3.00</p> <p>NPDES permit regulations require facilities to submit DMRs on a monthly basis to the EPA and MassDEP Regional Offices.</p>	<p><u>Type I Permit Plan & Approval (BWPIW18):</u> \$2,140</p> <p><u>Type II Permit Plan & Approval (BWPIW16):</u> \$4,555</p> <p><u>Renewal or Modification with Plan Modification (BWPIW35):</u> \$1,270</p> <p><u>Renewal or Modification without Plan Modification (BWPIW36):</u> \$600</p> <p><u>Plan approval for treatment system modification (BWPIW37):</u> \$800</p> <p><u>Stormwater NOI:</u> \$80</p> <p><u>Management Plan:</u> \$600</p> <p><u>Non-Contact Cooling Water NOI fee:</u> \$250</p>	<p><u>Type I Permit & Plan Approval:</u> \$1,490</p> <p><u>Type II Permit & Plan Approval:</u> \$8,790</p> <p><u>Fees for renewals or modifications</u> will be \$850 or \$5,000 depending on the facility.</p> <p><u>General Permit Uncontaminated cooling water, if > 150 gpd:</u> \$8,790</p> <p><u>General Permit Uncontaminated cooling water, if < 150 gpd:</u> \$1,490</p> <p><u>General Permit-Groundwater remediation:</u> \$175</p> <p><u>General Permit-Construction dewatering:</u> \$0</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 2: Water Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>314 CMR 5.00 and 6.00: Groundwater Discharge Permit Program</p> <p><u>40 CFR 141-143</u>: National Primary and Secondary Drinking Water Regulations</p> <p>*These regulations are under review by MassDEP. Applicants are instructed to contact MassDEP or refer to our website for updated information.</p>	<p>Facilities that do not have access to a local sewer system, and discharge industrial wastewater to the ground.</p> <p>Plan Approvals are issued for Type I or Type II wastewater treatment systems pursuant to 314 CMR 12.00. The rating is based on the number and complexity of treatment steps (or unit operations) wastewater goes through before it is discharged. Each treatment step (eg pH adjustment) is assigned a point rating.</p> <p>Treatment systems with less than 3 steps and rate 20 points or less are considered Type I; treatment systems with 3 or more steps OR rate more than 20 points are considered Type II.</p> <p>Facilities are required to install monitoring wells upgrade and downgrade of the discharge and sample from these wells to ensure drinking water standards are not violated. Data collection is sent to MassDEP.</p> <p>Massachusetts has administrative authority over the groundwater discharge program.</p>	<p>The groundwater discharge permit is valid for 5 years but MassDEP can choose to shorten the duration of the permit.</p> <p>Type I Permit & Plan Approval (IW05):</p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---96 days <input type="checkbox"/> T2---96 days <input type="checkbox"/> PC---72 days</p> <p>Type II Permit & Plan Approval (IW03)</p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---120 days <input type="checkbox"/> T2---120 days <input type="checkbox"/> PC---120 days</p> <p>Renewal or Modification with Plan Modification (IW30):</p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---88 days <input type="checkbox"/> T2---88 days <input type="checkbox"/> PC---72 days</p> <p>Renewal or Modification without Plan Modification (IW31):</p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---72 days <input type="checkbox"/> T2---72 days <input type="checkbox"/> PC---72 days</p> <p>Plan Approval without Modification (IW32)</p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---72 days <input type="checkbox"/> T2---72 days <input type="checkbox"/> PC---72 days</p>	<p>Type I Permit and Approval (IW05): \$2,945</p> <p>Type II Permit and Approval (IW03): \$5,725</p> <p>Renewal or Modification with Plan Modification (IW30): \$1,340</p> <p>Renewal or Modification without Plan Modification (IW31): \$600</p> <p>Plan Approval without Modification (IW32): \$870</p>	<p>Type I Permit and Approval: \$2,725</p> <p>Type II Permit and Approval: \$10,110</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 2: Water Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 27.00: Underground Water Source Protection</p> <p><u>40 CFR 144-147:</u> Underground Injection Control Program</p>	<p>Underground Injection Control (UIC) Program</p> <p>MassDEP will permit discharges to Class V wells only and may require a groundwater discharge permit.</p> <p>The Department may permit Class V wells that shall include but not be limited to the following:</p> <ul style="list-style-type: none"> • Wells used to return to the ground the water used for heating or cooling energy in a heat exchanger • Wells used to return water used for non-contact cooling to the ground • Wells used to drain storm runoff into soil or bedrock • Dry wells, seepage pits, and leaching pits used for the injection of waste fluids, other than sanitary waste • Recharge wells used exclusively to replenish the water in an aquifer with uncontaminated water • Salt water intrusion barrier wells used to inject uncontaminated water into a freshwater aquifer to prevent the intrusion of salt water to fresh water 	<p><u>Non-Residential-Class V (WS06 A,B,C)</u></p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---24 days <input type="checkbox"/> T2---24 days <input type="checkbox"/> PC---None</p> <p>See regulations to determine what class of permit is necessary (A, B, C)</p>	<p><u>Non-Residential Class V-</u> WS06A-\$480 WS06B-\$240 WS06C-\$90</p>		<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____
<p>310 CMR 22.00: Drinking Water Regulations-Public Water System</p> <p>310 CMR 22.22: Cross-Connections</p> <p>Individuals may apply to MassDEP as cross-connection surveyors and backflow testers (WS10)</p>	<p><u>Public Water System (PWS)</u>-Businesses that provide water from on-site wells to employees and/or customers may be required to obtain approval as a PWS <u>Community Water System</u> serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents</p> <p><u>Non-Transient Non-Community Water System (NTNC)</u>-non-community system that serves at least 25 of the same persons over six months per year</p> <p><u>Transient Non-Community Water System (TNC)</u>-A non-community water system that does not meet the definition of a NTNC system.</p> <p>Public Water Suppliers have responsibility of inspecting and surveying all industrial, commercial and institutional premises served by the PWS.</p> <p>Industrial, Commercial and institutions with direct or indirect connection between potable water lines and non-potable (process) lines must install a backflow prevention device.</p> <p>On-site inspections and surveys should be conducted by a Certified Backflow Prevention Device Tester to determine the existence and location of cross connections and/or the physical examination and testing of an installed backflow prevention device to verify it is working properly.</p> <p>Cross-connection tester licenses are valid for 3 years.</p>	<p>For types of Permits/Approval for PWS (WM03) Systems see www.mass.gov/dep</p> <p>MassDEP no longer issues cross-connection approvals. Contact local water authority for further information.</p> <p><u>Cross-connection Tester (WS10):</u></p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---24 days <input type="checkbox"/> T2---None <input type="checkbox"/> PC---None</p>	<p><u>PWS:</u> Fee varies depending on gpm being pumped. See www.mass.gov/dep</p> <p><u>Cross-connection tester:</u> \$55</p>	<p><u>PWS:</u> None</p> <p><u>Cross-connection tester:</u> None</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 2: Water Quality Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
310 CMR 36.00: Water Management Act Regulations-Water Withdrawal	<p>Facilities that withdraw 100,000 gallons or more per day of water on annual basis or 9,000,000 gallons in any 3-month period (WM03)</p> <p>Facilities with existing water withdrawal permits that wish to amend them because of a change of operating conditions (other than an increase in water withdrawn, which requires a new permit)</p> <p>Facilities with existing water withdrawal permits that are undergoing transfer of ownership.</p> <p>MassDEP has administrative authority.</p>	<p>Water Withdrawal Permit (WM03):</p> <p><input type="checkbox"/> AC---None <input type="checkbox"/> T1---72 days <input type="checkbox"/> T2---72 days <input type="checkbox"/> PC---None</p> <p>Amendment to Existing Permit (WM02):</p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---36 days <input type="checkbox"/> T2---36 days <input type="checkbox"/> PC---None</p> <p>Transfer of Withdrawal Rights (WM01)</p> <p><input type="checkbox"/> AC---None <input type="checkbox"/> T1---24 days <input type="checkbox"/> T2---24 days <input type="checkbox"/> PC---None</p>	<p>Water withdrawal permits are generally valid for 20 years but MassDEP may limit duration to 5 years in certain river basins.</p> <p><u>Water Withdrawal (WM03):</u> \$3,340</p> <p><u>Amendment (WM02):</u> \$1,580</p> <p><u>Transfer of Rights (WM01):</u> \$175</p>	<p><u>Withdrawal Permit:</u> \$175</p> <p><u>Amendment:</u> None</p> <p><u>Transfer of Rights:</u> None</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____
310 CMR 10.00: Wetlands Protection (includes Rivers Protection Act) 314 CMR 9.00: Water Quality Certification	<p>Projects in an Area Subject to Protection or within 100 feet (buffer zone). Areas include surface waters, wetlands, dunes, beaches, banks, riverfronts and lands subject to tidal action, coastal storm flows and flooding.</p> <p>A NOI is required for activity that will alter a wetland.</p> <p>Conservation Commissions have administrative authority. Decisions may be appealed to MassDEP. MassDEP may issue Superceding Orders of Conditions.</p> <p>Activity within a buffer zone requires a 401 Water Quality Certification</p>	<p>Because the process is handled mainly by Conservation Commissions, the normal permit application timeline does not apply.</p> <p>BRP WW07,08,10, and 11</p> <p>Timelines vary with project site</p>	<p>Fee varies according to project size: contact MassDEP</p> <p>Fee varies, contact MassDEP.</p>		<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 3: Solid Waste Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 19.013: Exemptions</p> <p>310 CMR 19.014: Prohibition on Open Dumps and Dumping Grounds and Illegal Solid Waste Disposal</p> <p>310 CMR 19.017: Waste Bans</p> <p>310 CMR 19.020: Permit Requirements for New and Existing Solid Waste Management Facilities</p> <p><u>40 CFR 243</u>: Guidelines for Storage and Collection of Residential, Commercial and Industrial Solid Waste.</p>	<p>Facilities regulated under 21E and facilities exempt from Site Assignment are exempt from regulation under 310 CMR 19, i.e. recycling and composting.</p> <p>Dumping or disposal of solid waste on property that is not Site Assigned as a solid waste facility is prohibited.</p> <p>The disposal of certain listed solid wastes, i.e. recyclable paper, is banned in Massachusetts. These requirements apply to generators of these wastes as well as to haulers and disposal facilities.</p> <p>Applies to construction, modification, and operation of existing and new SWMF. Facilities receive two separate approvals, first for construction, then for operation. Separate authorizations required for each phase of multi-phase projects.</p> <p>DEP has administrative authority.</p>	<p>See 310 CMR 19 and 310 CMR 4 for appropriate permit categories and fees</p>	<p>See 310 CMR 19 and 310 CMR 4 for appropriate permit categories and fees</p>		<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 3: Solid Waste Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 19.00: Beneficial Use Determination (BUD)</p>	<p>Facilities that generate solid waste may apply to MassDEP for approval to use these wastes as commercial products.</p> <p>DEP uses the BUD review to determine if the waste material poses a potential risk to the environment once it circulates into the market.</p> <p>A BUD can be obtained for materials to be used as a substitute for a commercial product, for use of a material at a site regulated by MassDEP or materials used for unrestricted and restricted uses. There is also a BUD modification category.</p> <p>MassDEP issues four types of BUDs.</p> <ul style="list-style-type: none"> • (SW39) Category 1: use of a secondary material in a commercial product • (SW40) Category 2: use of secondary material in a regulated system • (SW41) Category 3: use of a secondary material in a restricted application • (SW42) Category 4: use of a secondary material in an unrestricted application <p>Once a BUD has been issued, the material is no longer regulated as a solid waste.</p>	<p><u>(SW39) BUD-Commercial Products</u> AND <u>(SW40) BUD Regulated Systems:</u></p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---24 days <input type="checkbox"/> T2---24 days <input type="checkbox"/> PC---21 days for Board of Health if MassDEP believes the application warrants it.</p> <p><u>(SW41) BUD-Restricted Use:</u></p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---48 days <input type="checkbox"/> T2---48 days <input type="checkbox"/> PC---21 days for Board of Health if MassDEP believes the application warrants it.</p> <p><u>(SW42) BUD-Unrestricted Use:</u> Project-by-Project</p> <p><input type="checkbox"/> PC---21 days for Board of Health if MassDEP believes the application warrants it.</p> <p><u>(SW44) BUD Modification:</u></p> <p><input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---24 days <input type="checkbox"/> T2---24 days <input type="checkbox"/> PC---21 days for Board of Health if MassDEP believes the application warrants it.</p>	<p><u>BUD-Commercial Product:</u> \$2,000</p> <p><u>BUD-Regulated Systems:</u> \$2,000</p> <p><u>BUD-Restricted Use:</u> \$3,750</p> <p><u>BUD-Unrestricted Use:</u> Project-by-Project</p> <p><u>BUD-Modification:</u> \$925</p>		<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: Date: _____ • Approved: Date: _____ • Reported: Date: _____

TABLE 4: Hazardous Waste Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 30.000-Hazardous Waste Management</p> <p>40 CFR 260-299-Resource Conservation and Recovery Act (RCRA)</p> <p>310 CMR 30.060: Notification Procedures</p> <p>310 CMR 30.100, 30.120-30.125: Hazardous Waste Determination</p> <p>310 CMR 30.1102-Case-by-Case Waiver Determinations for Specific Hazardous Wastes and Activities</p>	<p>“Cradle-to-Grave” responsibility: RCRA provides for “cradle-to-grave” tracking of hazardous waste. Tracking is achieved through the Uniform Hazardous Waste Manifest system, a multi-copy form that is distributed between the generator, the generator’s state environmental agency, the receiving facility, and the state environmental agency where the treatment, storage and disposal facility (TSDF) is located. From the generator numbers and TSDF identification numbers of manifests, environmental damages resulting from mismanagement of the wastes may be tracked. The information provided in Table 5 describes programs for correcting environmental damage associated with improper management of hazardous materials.</p> <p>Notification-Any person who generates hazardous waste or Massachusetts regulated wastes (i.e. waste oil) must notify the Department of its activity. A waste is hazardous by characteristic (toxic, reactive, corrosive, ignitable, or by listing).</p> <p>EPA ID Numbers: Large and small generators (LQGs and SQGs) of hazardous waste are required to obtain an EPA Identification Number. EPA considers very small quantity generators (VSQGs) of hazardous waste “conditionally exempt” and does not require an Identification Number.</p> <p>Massachusetts ID Numbers: SQGs and VSQGs of waste oil and VSQGs of hazardous waste are required to register their hazardous waste activity with the Department on the “Generator Registration” .This allows these generators to self-assign their own identification number, typically the facility telephone number.</p> <p>Determining Generator Status:</p> <ul style="list-style-type: none"> • LQG > 1000 kg (approx 250-270 gallons) HW per month (1 kg acutely HW per month) • SQG < 1000 kg (approx 250-270 gallons) HW per month (1 kg acutely HW per month) • VSQG < 100 kg (approx 25-27 gallons) HW per month (no acutely HW) • Waste oil is counted separately <p>For wastes and activities that the Department determines are insignificant as a potential hazard to public health, safety, welfare or the environment or are adequately regulated by another government agency, the Department may grant a generator a waiver from any or all of the requirements of 310 CMR 30.000 that are more stringent than the minimum federal requirements promulgated under RCRA.</p>			<p>VSQG: No fee</p> <p>SQG: \$525</p> <p>LQG: \$3,160</p> <p><u>NOTE:</u> Fees apply to hazardous waste generators, not generators of waste oil</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> • Applied: _____ Date: _____

TABLE 4: Hazardous Waste Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 30.351(8): Accumulation Area Standards</p> <p>310 CMR 30.351(1): Accumulation Time Limits</p>	<ul style="list-style-type: none"> • Tanks and containers must be stored on ground that is impervious to HW • Area must be clearly marked • Visible line on the floor clearly separating the HW from points of generation & other containers • A sign with "HAZARDOUS WASTE" in capital letters at least 1 inch high must be posted • Drums must be labeled with: <ul style="list-style-type: none"> ○ "HAZARDOUS WASTE" ○ name of waste ○ type of hazard ○ date on which accumulation begins for SQG • VSQGs may accumulate up to 1000 kg (approx 270 gallons) indefinitely before waste must be shipped • SQGs may accumulate up to 6000 kg (approx 1620 gallons) or store waste up to 180 days before shipping is required. Whichever limit is reached first determines shipment date • LQGs must ship waste after 90 days 	<p>SQGs and LQGs are required to maintain written logs of monthly hazardous waste generation. DEP does not require logs to be submitted; however, they must be retained on site for 3 years.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
<p>310 CMR 30.310, 30.311: Manifests</p>	<p>Massachusetts generators and TSDf initiating shipments of hazardous waste and waste oil must use a national six-part manifest form required by the U.S. EPA.</p> <p>DEP has "state only" distribution requirements that require generators of shipments going out of state to photocopy and mail Copy 3 of the manifest to DEP within 30 days of receiving it from the designated facility. Other generator-specific requirements include:</p> <ul style="list-style-type: none"> • VSQGs and intrastate shipment of waste oil only 5 of the 6 copies need to be distributed, as required by 310 CMR 30.315 • For generators under a contractual agreement, only two of the six part manifest needs to be distributed, as required by 310 CMR 30.314 	<p>Facilities are required to maintain copies of manifests onsite for 3 years.</p> <p>If a facility does not receive a manifest copy from the final receiving facility within 35 days that the waste was shipped out, the facility must contact the transporter to determine the status of the shipment. If a manifest has not been received within 45 days from the date of shipment, then an Exception Report must be filed with DEP and the state where the receiving facility is located, if it is outside MA.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 4: Hazardous Waste Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 30.200: Recyclable Material and Waste Oil</p> <p>Facilities that generate certain hazardous wastes or waste oil may recycle these materials on-site or off-site.</p> <p>The regulations establish three classes: Class A, B and C and sub-classes within Class B materials (example Class B(4)-precious metals).</p> <p>There are three permit levels: Level I, II or III, depending on the complexity of the permit.</p>	<ul style="list-style-type: none"> VSQGs do not have to obtain recycling permits. Some on-site Class A recycling permit only requires a Notification Form, not a permit. <p><u>Class A Materials (310 CMR 30.212)</u></p> <ul style="list-style-type: none"> Used or re-used as an ingredient in an industrial process to make a product, without prior reclamation; or Used as a substitute for a commercial product; or Used as a substitute for a feedstock in the original production process without being reclaimed. <p><u>Class A Permits (HW21)</u></p> <ul style="list-style-type: none"> 21-Day Presumptive Approval for materials being sent off-site or received on-site for recycling On-site Class A Notification-for most Class A materials processed on-site, examples reclaiming solvent via a solvent still. <p><u>Note:</u> See permit guide to determine recycling activity either on-site and for materials being sent off-site that may require a Class A Level II or Level III permit.</p> <p><u>Class B Materials (310 CMR 30.213)</u></p> <p>B(1)-materials used in a manner constituting disposal B(2)-hazardous waste fuels used for heat or power by burning B(3)-used oil fuels used for heat or power by burning B(4)-precious metals B(5)-lead acid batteries being reclaimed for lead</p> <p><u>Class C materials (310 CMR 30.214)</u></p> <p>Materials being recycled that are not Class A or Class B, example, listed or characteristic sludges.</p>	<p>Permits typically valid for 5 years.</p> <p>Notifications do not expire (one-time filing)</p> <p>(HW22) Level I Recycling Permit: <input type="checkbox"/> AC---none <input type="checkbox"/> T1---24 days <input type="checkbox"/> T2---24 days <input type="checkbox"/> PC---none</p> <p>(HW23) Level II Recycling Permit: <input type="checkbox"/> AC---36 days <input type="checkbox"/> T1---36 days <input type="checkbox"/> T2---36 days <input type="checkbox"/> PC---none</p> <p>(HW25) Level III Recycling Permit and Level III Precious Metals: <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---96 days <input type="checkbox"/> T2---96 days <input type="checkbox"/> PC---24 days</p> <p>(HW26) Level II and Level III Modification: <input type="checkbox"/> AC---24 days <input type="checkbox"/> T1---48 days <input type="checkbox"/> T2---48 days <input type="checkbox"/> PC---none</p>	<p>Class A: \$130 *VSQG's no fees.</p> <p>Level I: \$200 Level II: \$1,005 Level III: \$7,775</p> <p>Level III/precious metals: \$4,760</p> <p>Modification/Renewal: Level II: \$265 Level III: \$870</p>	<p>Level III/precious metals: \$3,160</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p> <ul style="list-style-type: none"> Applied: Date: _____ Approved: Date: _____ Reported: Date: _____

TABLE 4: Hazardous Waste Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 30.1000: Universal Waste Rule</p> <p><u>40 CFR 273</u>: Universal Waste Rule</p>	<p>Facilities that use fluorescent lamps, mercury bearing thermostats, batteries, thermostats, mercury-containing devices and certain pesticides are prohibited from disposing of these materials in a solid waste landfill.</p> <p>Facilities are required to either store the materials for up to one year (<5,000 kg for Small Quantity Handlers and >5,000 kg for Large Quantity Handlers) for pick up by a licensed recycler or manage the material as hazardous waste. Facilities are allowed to exclude Universal Waste generation for the purposes of determining hazardous waste generator status.</p> <p>UWaste must be marked "Universal Waste" and segregated from other hazardous waste. Pesticides must retain the original label. The container must be labeled w/ the name of the waste, e.g. "Fluorescent Lamps".</p>				<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
<p>310 CMR 19.017: Cathode Ray Tubes (CRTs) and Electronic Devices</p>	<p>As of April 1, 2000 computer terminals, television sets and other devices containing cathode ray tubes or lead glass panels are banned from disposal in Massachusetts solid waste landfills. If broken, these must be managed as a hazardous waste.</p> <p>Businesses disposing of unwanted computers, televisions, and other electronic display devices should consult the Massachusetts Recycling Services Directory for qualified contractors.</p>				<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
<p>310 CMR 30.351, 30.520: Emergency Planning Requirements</p>	<p>Requires all hazardous generators to have in place a program to address emergencies.</p> <p>General requirements include: Evacuation routes Alarm or other method of notifying employees of an emergency Two-way communication with emergency personnel (hospitals, fire dept, etc) Fire control equipment</p>	<p>LQGs are required to develop written contingency plans and keep them on site. Personnel training programs are also required.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 5: Hazardous Waste Site Cleanup Permits, Regulations and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>310 CMR 40.00: MA Contingency Plan (MCP) or Hazardous Waste Site Cleanup</p> <p><u>40 CFR 303-307:</u> Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)—or “Superfund”</p>	<p>Addresses corrective actions for facilities with site contamination from hazardous materials.</p> <p>After October 1, 1993 spills of oil or hazardous materials that are reported to DEP but are not cleaned up within a year of notification are scored under the MCP Numerical Ranking System, and are designated Tier 1 or Tier 2. Tier 1 is subdivided into Tier 1A, 1B, and Tier 1C. Tier 1A sites pose the greatest environmental threat. MCP requires a Response Action Permit for clean up of Tier I sites. Tier II sites do not require a permit from DEP but may require other permits.</p> <p>MassDEP may, at its discretion, elect to oversee response actions at any site. A licensed Site Professional (LSP) oversees all sites after a permit is issued.</p> <p>All clean up projects require LSP services. Work is subject to audit by MassDEP.</p> <p>CERCLA establishes a National Priorities List of sites awaiting clean up. The burden for site clean up lies on Potentially Responsible Parties (PRPs) who may no longer operate on the facility site, but through title searches or other documentation, were shown to have a role in creating the site contamination. For this reason, it is important that facilities understand the historical use of the property, keep records of hazardous waste generation and shipments, and use reputable hazardous waste haulers.</p>	<p>Tier I and Tier II Status Permits are valid for 5 years.</p> <p>Tier I permits and Tier II Extensions are valid for two years.</p> <p>Tier I Permit applications of all types are Presumptive Approval, if MassDEP does not indicate otherwise within 45 days of the submittal</p> <p>Tier II Classifications are effective upon receipt by MassDEP</p> <p>Tier II Extensions and Transfers are Presumptive-Approval unless MassDEP indicates otherwise within 36 days of the submittal.</p>	<p>Tier 1A, 1B, 1C: \$3,550 (if homeowner, \$500)</p> <p><u>Major permit</u> Modification: \$1,200 (if homeowner \$250)</p> <p>Extension: \$1,200</p> <p>Transfer: \$1,200 (if homeowner \$250)</p>	<p>Tier 1A: \$5,000</p> <p>Tier 1B: \$4,000</p> <p>Tier 1C: \$3,000</p> <p>Tier 2: \$2,000</p> <p>Additional fees apply according to extent of clean up project. See 310 CMR 40.000 and 310 CMR 4.00 for categories and fees.</p> <p>At any site MassDEP may elect to recover the actual cost of its oversight in lieu of annual compliance fees, if it is more.</p>	<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p>
<p>40 CFR 302: Designation, Reportable Quantities and Notification</p> <p>Spill/Release Reporting</p>	<p>40 CFR 302 contains a list of hazardous chemicals (CERCLA list of chemicals) and establishes reporting thresholds. The facility must contact the National Response Team if spills occur in excess of reportable quantities.</p> <p>Under the hazardous waste program, DEP requires notification of spills or releases for hazardous materials.</p> <p>Contact telephone numbers: MassDEP Spill Reporting Hotline: 888-304-1133 Nation Response Center: 800-424-8802</p>				<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p>

TABLE 6: Toxic Chemical Reporting and Community Right-to-Know Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
40 CFR 350-374: Emergency Planning and Community Right-to-Know Act (EPCRA)	<p>Facilities using chemicals on the Extremely Hazardous Substances (EHS) list above the listed thresholds are required to notify local and state emergency response authorities of the types and amounts of chemicals kept on site.</p> <p>Facilities that trip reporting thresholds for EPCRA Section 302 and CERCLA chemicals must submit Tier II forms to the State Emergency Response Coordinator (SERC), the Local Emergency Planning Committee (LEPC) and local fire department under EPCRA s304.</p> <p>DEP constitutes the SERC.</p>	<p>Tier I/Tier II reports are due by March 1 each year that a chemical is present above the reporting threshold.</p> <p>Tier I/II is a reporting requirement. No permits are involved.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
310 CMR 50.00: Toxics Use Reduction Act (TURA)	<p>Facilities with 10 or more full-time employees which manufacture or process $\geq 25,000$ lbs of a listed chemical or otherwise use $\geq 10,000$ lbs of a listed chemical (Lower thresholds have been set for PBTs, following TRI (see page 35). Note also that the TURA law was amended in 2006 to allow the setting of lower thresholds for 'higher hazard' chemicals. Following such a designation, information will be posted on DEP's TURA web page.)</p> <p>The chemical list includes the EPCRA 313 list, the CERCLA list and chemicals added to the existing TURA list by petition. STATE LAW ONLY.</p> <p>Facilities must report on chemical use and waste and must submit plans for reducing toxic chemical use every two years. A state-certified Toxics Use Reduction Planner (TURP) must sign the plan.</p>	<p>Facilities must submit a Form S for each toxic chemical to the DEP by July 1; TURA Plan Updates are also due by July 1 every other year, on even-numbered years.</p> <p>Recent amendments to TURA allow some companies to substitute an Environmental Management System (EMS) or Resource Conservation ((RC) Plan for a Toxics Use Reduction Plan. Following the promulgation of regulations these new provisions will be posted on DEP's TURA web page.</p> <p>TURA is a reporting and planning requirement, not a permit.</p>	<p>Individuals may certify as Limited Practice (can only sign plans for their facility) or General Practice (can sign for any facility) TURPs.</p> <p>Limited Practice: submit form BWP TU02. You will need to document your experience at the facility that qualifies you to sign TUR plans. The Limited Practice TURP fee is \$100.</p> <p>General Practice: You will first need to enroll in the TURP course offered at the Toxics Use Reduction Institute (TURI) and take and pass the exam. Once you have passed the exam, you will need to submit form BWP TU01 and BWP TU02. The General Practice TURP fee is \$500. Check DEP's TURA website for details about certification of EMS and ARC Plans.</p>	<p>Combination of \$1,100 fee per chemical reported and a base fee per range of employees (10-50, 50-100, etc.). Minimum fee: \$2,950 (could be set lower for 'lower hazard' chemicals). Maximum fee: \$31,450.</p> <p>Limited Practice and General Practice TURPs must recertify every two years.</p> <p>First-time re-certification fees are \$100 for Limited Practice TURPs and \$500 for General Practice TURPs.</p> <p>Recertification fees for 2nd, 3rd, etc. are \$75 for Limited Practice and \$250 for General Practice TURPs. Continuing Education requirements apply.</p> <p>See "Where Do I Get These Forms" for more information on TURP certification.</p>	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 6: Toxic Chemical Reporting and Community Right-to-Know Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
40 CFR 372: Toxic Release Inventory (TRI)	<p>Facilities in SIC codes 20-39 with more than 10 full-time employees and process or manufacture 25,000 lbs of a listed chemical or otherwise use 10,000 lbs of a listed chemical are required to report. The TRI report, or Form R, addresses where chemical waste occurs (as air emissions, sludge, etc.) and how much waste is generated.</p> <p>In 1999, the TRI chemical list was expanded to include Persistent Bioaccumulative Toxins (PBTs). The PBT list has three tiers, with reporting thresholds set at 0.1 g, 10 lbs and 100 lbs, respectively. Reporting for PBTs began in July 2001.</p>	<p>Facilities must submit a Form R to the EPA by July 1 of each year.</p> <p>Facilities must now submit Form R's to EPA using EPA's electronic submission process or submit a diskette.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
40 CFR 700-799: Toxic Substances Control Act (TSCA)	<p>TSCA provides EPA with a system to identify chemicals in commerce that may pose environmental or health threats. Under TSCA, EPA has the authority to ban chemicals that it believes pose such a threat (e.g. EPA banned PCBs). EPA can also use rulemaking to gather data on health and environmental effects.</p> <p>An inventory of all chemicals that were manufactured or imported into the United States was created in January 1, 1977. This is known as the TSCA Chemical Inventory. Any chemical that is not on the original inventory is considered a "new chemical." Generally, facilities that manufacture or import more than 10,000 lbs of a substance on the Inventory may be subject to TSCA reporting under the Inventory Update Rule (IUR). IUR reporting is used to partially update TSCA Chemical Inventory Database.</p> <p>A facility that intends to manufacture or import a new chemical in amounts greater than 10,000 lbs may need to submit a Pre-Manufacture Notice (PMN).</p> <p>PCBs still in use in electrical transformers must be used in a totally enclosed manner. Inspections of asbestos must be performed by certified individuals. Anyone intending to use new microorganisms formed by combining genetic material from organisms in different genera for commercial purposes must submit a Microbial Commercial Activity Notice. Anyone testing new microorganisms in the environment must submit a TSCA Experimental Release Application.</p> <p>Certain classes of compounds and uses are exempt from reporting.</p>	<p>PMN: Must be submitted to EPA 90 days before facility intends to manufacture or import the chemical.</p> <p>IUR: The Form U must be submitted to EPA between August 25-December 23 every four years after 1990.</p>	PMN: \$2,500		<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
310 CMR 11.00: Massachusetts Environmental Policy Act (MEPA)	<p>MEPA is administered through the Executive Office of Energy and Environmental Affairs, MEPA Unit.</p> <p>Provides for public comment on projects that may trigger significant environmental impacts, and seeks comment from any environmental agency with an interest in the project.</p> <p>Since Agencies cannot act on a permit application if it triggers MEPA review, it is suggested that facilities contact the MEPA Unit early to determine if MEPA review is required.</p> <p>MEPA establishes review thresholds based on general categories of projects and environmental impacts-land use, endangered species, wetlands, water withdrawal, wastewater, air quality, transportation, solid and hazardous waste, historical and archaeological resources and areas of critical environmental concern.</p> <p>Environmental Notification Form (ENF). The Environmental Secretary's office publishes ENFs in the Environmental Monitor. If it is determined that a project does not require further MEPA review, then Agencies can proceed to review the permit applications.</p> <p>Environmental Impact Review (EIR). If required, the facility submits an EIR that is published in the Environmental Monitor. EIR review can be comprised of both a Draft EIR stage and a Final EIR stage.</p>	<p>ENF Review (after publication in the Environmental Monitor): 30 days.</p> <p>EIR Review (after publication in the Environmental Monitor): 37 days.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
Federal Pollution Prevention Act of 1990	<p>The federal law identifies a hierarchy of approaches to environmental management, with source reduction (preventing waste at the source), recycling when source reduction is not practical, followed by treatment and disposal when source reduction and recycling are not practical. The law also established that treatment and disposal must be employed only as the last resort.</p> <p>The law also requires federal facilities to submit Pollution Prevention Plans to EPA.</p>	<p>Federal facilities are required to submit Pollution Prevention Plans to EPA by December 31, 1995.</p> <p>Federal facilities must be in full compliance by December 31, 1999.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) 40 CFR 150-187 333 CMR 1.00-12.00	<p>Regulates distribution, sale and use of pesticides. The Massachusetts Department of Agricultural Resources (DAR), Pesticides Bureau administers FIFRA.</p> <p>Pesticides must be registered first through EPA then through the Pesticides Bureau.</p> <p>Pesticides that are distributed, sold or used must be registered. Pesticide applicators and dealers must be licensed.</p>	<p>Pesticide registrations are valid for 5 years (EPA) and 1 year at the state level.</p> <p>Annual deal license renewal March 1.</p> <p>Annual pesticide registration renewals July 1.</p> <p>Annual applicator license renewal December 31.</p>	Contact the Pesticide Bureau at MA DAR.	Contact the Pesticide Bureau at MA DAR.	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
321 CMR 10.00: Massachusetts Endangered Species Act	<p>MA Division of Fisheries and Wildlife (MassWildlife) administers the Endangered Species Act. U.S. Fish and Wildlife Service maintains the list of endangered species under the Federal Act.</p> <p>Massachusetts law prohibits the "taking" of rare animal or plant species by harassing, harming, collecting, trapping, hunting, fishing, transplanting, picking, cutting, or disrupting the nesting, breeding, feeding and migratory habits or existing habitat of the species.</p> <p>Permits for "taking" may be granted for scientific, educational, conservation and management purposes.</p> <p>The law also provides for designation of "Significant Habitats" for rare and endangered species. Projects that could alter Significant Habitats require a permit from MassWildlife.</p>	<p>Contact MassWildlife.</p> <p>Proponents of nonexempt projects or activities altering habitats located within a Priority Habitat must file with the Natural Heritage and Endangered Species Program (NHESP, a division of MassWildlife). Projects requiring a Notice of Intent to be filed with the local Conservation Commission that are also within an Estimated Habitat protecting rare animal wildlife must also file with NHESP.</p>	Contact MassWildlife.	Contact MassWildlife.	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
National Response Team: Integrated Contingency Plan (One Plan)	<p>NOT MANDATORY. The ICP provides facilities with a consolidated emergency-planning document. The ICP consists of a core plan that summarizes the response protocol and eight supporting annexes that provide additional information.</p> <p>If a facility chooses to develop an ICP, the contents must meet MassDEP Contingency Plan Requirements (310 CMR 30.520)</p>	<p>This is an emergency-planning requirement. No forms are submitted to EPA; however, the Plan must be kept on site and made available for inspection.</p> <p>Facilities who choose the ICP should check that the document addresses the requirements of all applicable emergency planning regulations.</p>			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
40 CFR 112.7(d), 112.20 and 112.21: Spill Prevention, Control and Countermeasures (SPCC)	Applies to facilities storing fuel oil/petroleum or any other oil (including cooking and vegetable oils) in aboveground storage tanks and underground storage tanks (ASTs and USTs) if the following thresholds are exceeded: <ul style="list-style-type: none"> • USTs total volume 40,000 gallons • ASTs total volume 1,320 gallons or any one AST exceeds 660 gal 	This is an emergency planning requirement. No forms are submitted to EPA; however, the SPCC plan must be kept on site and be made available for inspection.			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
29 CFR 1910.38: OSHA Emergency Action Plan (EAP)	Requires facilities with more than 10 employees to have a written plan in place detailing how evacuation will be carried out.	This is an emergency planning requirement. No forms are submitted to OSHA; however, the EAP must be kept on site and available to every employee.			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
29 CFR 1910.119: OSHA Process Safety Management (PSM) Plan	Establishes a list of hazardous process chemicals along with planning thresholds. In addition, specific process operations are named due to a past history of accidents. Facilities triggering either or both conditions are required to assess hazards in the facility's operations and develop a written program on how hazards will be addressed.	This is an emergency planning requirement. No forms are submitted to OSHA; however, the PSM program must be kept on site.			<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
Asbestos 29 CFR 1910.1001: Asbestos 40 CFR 763: Asbestos 105 CMR 410.00: Minimum Standards of Fitness for Human Habitation	New users of asbestos (after July 1989) are banned. Employees must not be exposed to more than 0.1 fibers per cm ³ air over an 8-hour period. MA Department of Public Health regulates asbestos in residences and schools.				<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
Lead 29 CFR 1910.1025: Lead 40 CFR 745: Lead-based Paint Poisoning Prevention in Certain Residential Structures 105 CMR 460.00: Lead Poisoning Prevention and Control	OSHA: any facilities working with materials that contain lead must ensure that employees are not exposed to lead concentrations above 50 mg/m ³ . Sale or lease of pre-1978 residences must include disclosures pertaining to lead paint and contractors disturbing paint in these residences must provide a lead hazard pamphlet. Abatement must be performed by certified professionals." Lead paint must be abated where children are residing. Lead paint removal is administered through the MA Department of Public Health.				<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>Infectious Waste</p> <p>105 CMR 480.00-Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste</p> <p>310 CMR 19.061: Special Waste</p>	<p>Massachusetts Department of Public Health administers management of infectious waste and MassDEP regulates the disposal of certain forms of infectious wastes.</p> <p>Infectious waste must be stored separately from hazardous waste in containers marked "Infectious Waste" or "Biohazard". Infectious waste must be autoclaved so that it is made non-infectious prior to disposal in a landfill or municipal waste combustor.</p> <p>Sharp medical waste, e.g. needles must be stored in rigid leak-proof containers or should be ground up so their potential to cut or stab is eliminated.</p> <p>Non-sharps must be placed in red plastic bags labeled "Infectious Waste" or "Biohazard".</p> <p>All bags and containers must be labeled with the generator's name, address and phone number. Licensed infectious waste transporters must be used.</p>				<p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Applicable</p>

TABLE 8: Environmental Results Program

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
<p>10 CMR 70.00 Environmental Results Program Certification:</p> <p>Dry Cleaners (310 CMR 72.00; 310 CMR 7.26(10) through (16); 310 CMR 30.00</p>	<p>Standards for compliance certifications required under the ERP are set here.</p> <p>All dry cleaners, except for the ones listed below, are required by MassDEP to comply with Air Quality, Hazardous Waste, and Industrial Wastewater regulations that apply. Exempt facilities include:</p> <ul style="list-style-type: none"> Do not have dry cleaning operations onsite Do not use perchlorethylene Have only coin-operated dry cleaning machine(s) Purchased more than 2,100 gallons of perchlorethylene in the last 12 months and have only "dry-to-dry" machines Purchased more than 1,800 gallons of perchlorethylene in the last 12 months and have "transfer" machine(s). (Operation of all transfer machines is banned after 7/27/08). 	Dry Cleaners: Annual		Dry Cleaners: \$250	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
<p>Printers (310 CMR 71.00; 310 CMR 7.26(20) thru (29); 310 CMR 30.00; 310 CMR 70.00) (See 314 CMR 12 and 314 CMR 7 for exemptions)</p>	<p>All commercial printers with printing operations with a primary Standard Industrial Classification (SIC) Code of 23, 26 or 27 or a primary North American Industry Classification System (NAICS) code of 323110-323113, or 323119 are subject to ERP standards, unless printing is an ancillary operation or you are a major source of air pollution, in which case you do not qualify for ERP.</p>	Printers: Annual		<p>Printers:</p> <ul style="list-style-type: none"> Small: \$225 Medium: \$225 Large (pursuant to 310 CMR 7.26(20)): \$575 Large holding an AQ09 permit or an AQ permit qualifying as a AQ minor: \$1175 	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
<p>Photo Processors (310 CMR 71.00; 310 CMR 7.00; 310 CMR 30.00) (See 314 CMR 12 and 314 CMR 7 for exemptions)</p>	<p>All photo processors except those using exclusively digital technology must certify annually. Photo processor ERP eliminates the sewer discharge permit and the Class A hazardous waste recycling permit for photo processors by replacing them with a performance-based compliance certification.</p>	Photo Processor: Annual		Photo Processor: \$50 (discharges to approved POTW: \$175)	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
<p>New Emergency Engines & Emergency Turbines (310 CMR 7.26(42))</p>	<p>All emergency engines with a rated power output \geq 37 kW and emergency combustion turbines with a rated power output less than one MW installed after March 23, 2006 must meet the air emission limits specified in the Engine and Combustion Turbine ERP regulation.</p>	One-time certification		There is no annual compliance fee for emergency and non-emergency engine/turbines.	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

TABLE 8: Environmental Results Program

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Compliance Fee	Facility Status
10 CMR 70.00 ERP Certification:					<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
New Engines & Turbines (Non-emergency) (310 CMR 7.26(43))	All engines with a rated power output \geq 50 kW and combustion turbines with a rated power output $10 \leq$ MW installed after March 23, 2006 must meet the air emission limits specified in the Engine and Combustion Turbine ERP regulations.	One-time certification		There is no annual fee for emergency and non-emergency engine/turbines	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
Boilers (310 CMR 7.26(30)-(37)) Amended effective 12/28/07	An owner or operator who installs a boiler with a heat input rating between 10 million and 40 million Btu/hour (~70 to 280 gallons of distillate fuel oil or 10,000 to 40,000 standard cubic feet (scf) of natural gas per hour) after 9/14/01 is subject to the requirements of the ERP for boilers. For example, if you install three 5 million Btu/hour boilers, you are not subject to ERP. If you install new boilers rated at 20 million and 5 million Btu/hour, only the 20 million Btu/hour boiler is subject to ERP. Please note if you replace only the burner(s) in a boiler you are not subject to Boiler ERP. All boilers installed after this date must meet the fuel requirements and air emission limits specified in the Boiler ERP regulations.	One-time certification due BEFORE installation for boilers installed after 12/28/07 (pursuant to amended 310 CMR 7/26(32)) One-time certification due within 60 days of installation for boilers installed before 12/28/07		There is not annual fee for ERP Boilers	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
Dentists (310 CMR 73.00)	On April 24, 2006, regulations were promulgated that requires most dental practices to install and operate amalgam separator systems, recycle mercury-containing wastes and certify their compliance with these requirements. These regulations apply to all dental practices and facilities located in Massachusetts. Dentists that do not generate or discharge wastewater from amalgam-related processes (ie dentistry is limited to oral and maxillofacial, orthodontic, periodontic and/or oral medicine practices), use only mercury-free filling material, or do not place or remove mercury amalgam are not required to install amalgam separators, but need to file a one-time certification to establish their exempt status.	Dentists: Annual		Dentists: \$400	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable
IWW Holding Tanks	See Table 2 (310 CMR 18) for description	IWW Holding Tanks: One-time certification		IWW Holding Tanks: \$115	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Applicable

**Massachusetts Department of Environmental Protection (MassDEP)
Enforcement Regulations, Guidance and Polices for Businesses**

MassDEP has administrative penalty regulations, enforcement policies, and guidance documents that can assist businesses and help promote early settlement of administrative penalty cases. This information can be found on the MassDEP web site at <http://www.mass.gov/dep/service/enfpol.htm>. MassDEP believes that by encouraging early settlement, it will maximize resources and benefit the environment through early compliance.

Administrative Penalty Regulations (310 CMR 5.00)

M.G.L. Chapter 21A, Section 16 grants MassDEP the authority to assess civil administrative penalties upon persons who violate the requirements of environmental laws enforced by MassDEP. The regulations are intended to promote protection of public health, safety, and welfare, and the environment, by promoting compliance, and deterring and penalizing noncompliance. They also assure that the Department assesses civil administrative penalties lawfully, fairly, and consistently.

Enforcement Response Guidance (ERG)

The Enforcement Response Guidance (ERG) <http://www.mass.gov/dep/service/enf97001.pdf>, along with other guidance and policy documents, collectively establish a framework for MassDEP to use in exercising its enforcement authority and discretion in determining appropriate enforcement responses. The ERG is intended to enhance the fairness, consistency, predictability, deterrence value and efficiency of the MassDEP enforcement process. These policies and guidance documents, which are intended to help businesses through the enforcement process, include:

Compliance Incentives for Small Business,
Interim Policy on Supplemental Environmental Projects (SEP),
Guidance On Incorporating Environmental Managements Systems Into Enforcement Negotiations And Settlements, and
Guidance from the Environmental Management Systems (EMS) Handbook

Each of these guidance documents and policies summarized below are intended to promote settlement of administrative penalty cases. It should be noted that MassDEP also has policies and guidance for Homeowners, Municipalities (Compliance Incentives for Municipalities) and for State Agencies that are not covered in this document.

Settling Civil Administrative Penalty Cases

MassDEP's goal is to encourage settlements in appropriate enforcement cases as early in the administrative process as possible (i.e. conducting negotiation meetings leading to Consent Orders, with or without penalties). Early settlement provides the violator with a greater opportunity to settle with more favorable terms and conditions, where later settlement, if any, with MassDEP may result in less flexible conditions depending on the circumstances of the case.

Compliance Incentives for Small Business

Many small businesses experience difficulty in complying with environmental requirements as a result of limited access to information concerning requirements, and limited financial resources. This policy is intended to provide compliance incentives to those small businesses that are experiencing such difficulties. Despite the difficulties typically experienced by small businesses, every small business is required to comply fully with the statutes and regulations administered by MassDEP, and will be regulated in a manner consistent with other regulated entities to the fullest extent possible. In recognition of the particular difficulties typically experienced by small businesses, this interim policy is intended to: 1) promote environmental compliance among small businesses by providing them with incentives to seek on-site compliance assistance, or to conduct environmental audits; and 2) achieve statewide consistency in responding to noncompliance by small business by providing guidance to DEP staff on the exercise of enforcement discretion in such cases. "Small business" includes a person, corporation, partnership, or other entity employing fewer than ten (10) persons, measured as Full Time equivalents (FTEs) on an annual basis [2000 hours per year of employment], including contract employees, to manufacture a product or to provide a service, and which does not fall into one or more of the following categories: 1) large quantity generator of hazardous waste, a hazardous facility or Level III recycler of hazardous waste pursuant to M.G.L. Chapter 21C and 310 CMR 30.000; 2) NPDES major source pursuant to M.G.L. Chapter 21, Sections 26-53 and 314 CMR 3.00; 3) air quality major source pursuant to 310 CMR 7.00; 4) TUR filer pursuant to M.G.L. Chapter 211, the Toxics Use Reduction Act; 5) a solid waste disposal or recycling facility pursuant to Chapter 584 of the Acts of 1987, M.G.L. Chapter 21A, Sections 2 and 8, and Chapter 111, Section 150A and 310 CMR 19.00; 6) any facility or location

owned and/or operated by local, county, state or Federal government; 7) branch offices, divisions, or subsidiaries of a business that in the aggregate employs ten or more persons; or 8) a location franchised by a parent corporation.

Policy on Incentives for Self-Policing: Environmental Audit Policy

MassDEP seeks to provide incentives to encourage voluntary compliance. This interim policy sets forth how MassDEP expects to exercise its enforcement discretion in determining an appropriate enforcement response and administrative penalty for violations discovered during the course of an environmental audit. It is intended to promote a higher standard of self-policing by eliminating or reducing penalties and refraining from recommending criminal prosecution for violations that are discovered through voluntary audits, compliance management systems or other activities that demonstrate due diligence, and that are promptly disclosed and expeditiously corrected – including the recovery of any economic benefit enjoyed as a result of non-compliance.

Policy on Supplemental Environmental Projects

The performance of environmentally beneficial projects, or Supplemental Environmental Projects (SEPs), can play an additional role in furthering MassDEP's goals to protect public health, safety and welfare, and the environment. SEPs may be particularly appropriate to further the objectives in the statutes administered by DEP, and to achieve other policy goals, including the promotion of pollution prevention and environmental justice. In certain enforcement cases, SEPs may be included as an appropriate condition of settlement, and, as such, may be considered as a factor in mitigating a penalty. When a SEP is proposed as a settlement term, this policy establishes a framework for MassDEP to use when exercising its enforcement discretion in applying its enforcement authority. **Whether MassDEP decides to accept a proposed SEP as part of a settlement is purely within MassDEP's discretion.** In some cases, even though a project appears to satisfy all of the provisions of this policy, application of this policy may not be appropriate, in whole or in part (e.g., the cost of reviewing a SEP proposal is excessive, the oversight costs of the SEP may be too high, or the regulated entity may not have the ability or reliability to complete the proposed SEP).

Guidance On Incorporating Environmental Managements Systems Into Enforcement Negotiations And Settlements

An Environmental Management System (EMS) is appropriate for many types of organizations of varying sizes in public and private sectors. MassDEP supports and encourages any organization seeking to improve its environmental performance through the implementation of an EMS. One method through which MassDEP intends to promote EMSs is the incorporation of EMSs in the settlement of enforcement cases, where appropriate. This guidance is intended to assist MassDEP staff to promote EMSs in their negotiation and settlement of enforcement cases. To that end, this guidance sets forth: 1) The role of MassDEP in promoting EMSs through the settlement of enforcement cases; 2) The appropriate use of EMSs in resolving enforcement cases; the types of higher level enforcement cases most suitable for incorporating an EMS requirement; an explanation about how this guidance relates to, and clarifies existing enforcement policy and guidance; key elements of a compliance-focused EMS; and MassDEP expectations about the development and implementation of EMSs.

Guidance from the Environmental Management Systems (EMS) Handbook

A checklist found in this Handbook is a guide for MassDEP staff to check whether or not an agreement with a regulated entity to develop an EMS contains all the elements for a fully adequate EMS. This checklist sets forth the elements of an EMS required by the EMS policy. The checklist can also be used to determine whether or not the EMS is being implemented, and thus whether stipulated or suspended penalties in the Order may be warranted.

WHERE CAN I FIND the FORMS I NEED?

The following is a list of sources that publish permit applications, guidance documents, and fact sheets as they relate to the regulations covered in this matrix. Note that website addresses may change over time. If you find that a website address does not provide you with the document you are looking for, start from the homepage. Many of these websites have searching capabilities that allow you to type in a keyword; the search engine will provide a list of pages on the website containing those keywords.

MassDEP Regulations and Permit Applications

- Some environmental regulations are now available on the MassDEP website. From the homepage, <http://www.mass.gov/dep>, click on the MassDEP Program you are interested in, scroll down and select "Regulations and Standards." Note that the web version of the regulations is not considered official --- use the internet version as a quick reference until you are able to purchase hard copies of the regulation from the State House Bookstore. Additionally, you may also access the Code of Massachusetts Regulations in its entirety at the Massachusetts Trial Court Law Library's website at <http://www.lawlib.state.ma.us/cmr.html>.
- MassDEP permit applications may be picked up at the MassDEP Regional Offices or may be downloaded from the MassDEP website. Note that MassDEP applications on the website are in PDF (portable document format). Check to see if you have Adobe Acrobat reader installed on your computer; if not, go to the Adobe website at <http://www.adobe.com> to download a free a copy of Acrobat Reader.
- To download permit applications from the MassDEP website, go to the homepage at <http://www.mass.gov/dep> and under the "Service Center" icon, select "Permitting."

Environmental Results Program

- You can begin your certification process by visiting the MassDEP Environmental Results Program website at <http://www.mass.gov/dep/service/compliance/erpinstr.htm>. Certification can be completed by following instructions at this site and using MassDEP's Online Filing System (eDEP).
- ERP Workbooks are available on the MassDEP website at <http://www.mass.gov/dep/service/online/erpforms.htm>.

Universal Wastes and CRTs

- Summary information can be downloaded from the DEP website at <http://www.mass.gov/dep/recycle/reducere.htm>
- Companies that pick up these materials for recycling can be located from the Massachusetts Recycling Services Directory which can downloaded from <http://www.mass.gov/dep/recycle> or by contacting the DEP Service Center at (800) 462-0444.

Toxic Release Inventory (TRI) Reporting

- The following information may be downloaded from the EPA website at <http://www.epa.gov/tri> or by contacting the EPCRA Hotline at (800) 424-9346
 - TRI reporting forms and Automated TRI Reporting Software (ATRS)
 - TRI reporting guidance documents
 - Information on PBTs and reporting requirements for 2000
 - TRI data release for the previous reporting year

Toxic Use Reduction Planner (TURP) Information

- The Toxics Use Reduction Institute (TURI), located at the University of Massachusetts-Lowell campus, offers toxics Use Reduction Planner (TURP) Courses 1-2 times a year. To get registration and class schedule information, contact TURI at <http://www.turi.org/> or contact Anne Basanese at (978) 934-3144
- For questions on TURP recertification and continuing education credits, contact Paul Walsh of the DEP TURA program at (617) 556-1011.
 - Reporting packages, Reporting Guidances, Policies, and Data Releases are available from the TURA web page. See “DEP Regulations and Permits” above for help on navigating the DEP Publications by Program page.

TSCA Information

- The Toxic Chemical Inventory Database is updated every 6 months and is available in electronic format from the following sources:
 - Chemical Abstract Service
1-800-631-1884
 - National Technical Information Service (NTIS)
1-800-553-6847
- The Inventory Update Form (Form U) may be downloaded from the EPA website at www.epa.gov/oppptiur or you may contact the TSCA Hotline at (202) 554-1404.
- Pre-Manufacturing Notices (PMNs) may be downloaded from the EPA website at <http://www.epa.gov/opppt/newchems> or you may contact the TSCA Hotline at (202) 554-1404