

**Massachusetts Department of Environmental Protection**  
**Bureau of Air & Waste – Business Compliance Division**  
**HW 05, 14, 27 - License to Transport Hazardous Waste, Including Mixed Wastes**  
**HW 06, 15, 27 - License to Transport Precious Metal Waste**

## **License, Modification & Renewal Application & Support Materials**

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### **Introduction**

Thank you for your interest in applying for a Massachusetts Hazardous Waste Transporter License. Hazardous waste transporters move, by vessel or carrier, hazardous waste from the point of generation to any intermediate point(s) or to the points of ultimate storage, use, treatment, recovery, or disposal.

Transporter licensing serves to protect public health, welfare, and the environment through the review of a firm's qualifications and competence to transport hazardous wastes. License review includes assessment of an applicant's insurance coverage, driver training program, and emergency response procedures/equipment. Any firm or individual wishing to transport hazardous wastes from hazardous waste generators to authorized Treatment Storage Disposal Facilities (TSDFs) must first obtain this license.

The procedure for obtaining, modifying or renewing a License to Transport Hazardous Waste has changed significantly with the implementation of the ePLACE online system. As a result, this document covers both the guidance for filing an online application and Regulatory Guidance related to the requirements that must be met to obtain a License to Transport.

Any questions about the latter should be directed to the Business Compliance Unit and Marcus Henry at 617-292-5576. Questions about ePLACE including how to set up an account and complete an application for should be directed to the ePLACE Help line at 844-733-7522 or [ePLACE\\_helpdesk@state.ma.us](mailto:ePLACE_helpdesk@state.ma.us).

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Finally, screen by screen guidance has been provided on the MassDEP Website at <https://www.mass.gov/how-to/hw-05-14-27-hazardous-waste-transporter-license-renewal-or-modification>

### **Pre-Application Preparation**

Prior to applying on-line, obtain an updated copy of the Hazardous Waste Regulations (310 CMR 30.000) and refer to the sections cited in the application package for guidance on the information required.

Each application for a license to transport hazardous waste must be accompanied by up to 14 separate informational attachments. The on-line permitting system will require each attachment to be uploaded individually. The required information is described briefly in the application form and in some cases, samples and/or blank forms for the required information are attached to the application. Applicants are advised to read the regulations listed to be sure that all the necessary information is included.

Further, see the MassDEP website at <https://www.mass.gov/how-to/hw-05-14-27-hazardous-waste-transporter-license-renewal-or-modification> for model forms for attachments including the Transporter Data Sheets (TDS) described in the following paragraphs.

The following is some detail and guidance regarding Attachments:

- a. **DRIVER TRAINING:** (1) Provide a certification on company letterhead which states that the applicant is subject to the DOT hazardous materials training requirements of 49 CFR Part 172 (Subpart H) and Part 177, and that all drivers are currently trained and tested (See Transporter Data Sheet TDS 01-3, Training Programs); (2) Include a notation in your TDS 01-3 response indicating that drivers receive training in the list of notification numbers to call in the event of a spill or release, and that those numbers are listed in the Emergency Procedure Guide submitted in Attachment TDS-01-13, Spill Cleanup Equipment and Procedures.
- b. **OFFICER & DIRECTOR INFORMATION:** Provide the names and addresses of all officers, directors, and partners of the company and of all individuals who hold greater than 5% equity in the company (See Transporter Data Sheet TDS 01-4, Officers and Directors)
- c. **“NONE” VS. “N.A.”:** Respond directly to information requested on the Transporter Data Sheet for inclusion in each attachment; if for example, you have no “Other Business Activities”, indicate “none”; don’t respond by indicating “N.A.” (SEE TDS 01-5, Other Business Activities).

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- d. **DISCLOSURE:** Disclose all past and pending legal and administrative actions and civil suits regarding violations of environmental or public health laws or regulations (See Transporter Data Sheet TDS 01-6, Past/Pending Legal or Administrative Actions), including all violations issued by MassDEP. Also disclose a list of past or pending hazardous waste related civil suits (by docket number) (See Transporter Data Sheet TDS 01-7, Past/Pending Civil Suits). Failure to disclose these items may result in the denial of your application, the revocation of your license, and/or the assessment of penalties.
- e. **LIABILITY INSURANCE:** Provide the insurance documents required by 310 CMR 30.410. These are: (1) a Certificate of Insurance for automobile liability and (2) DOT Endorsement (Form MCS-90) for environmental restoration which amends the automobile policy number on the certificate of insurance (note that the corresponding automobile policy number must appear on the endorsement form!). Both insurance documents must be in an amount of at least \$1 million. The Certificate of Insurance must indicate the Department of Environmental Protection as the certificate holder (“Massachusetts DEP, Bureau of Waste Prevention, Business Compliance Division, One Winter Street, 7th Floor, Boston, MA 02108”), and must provide 30 day notice of cancellation. (See Transporter Data Sheet TDS 01-9, Insurance Documents).
- f. **VEHICLE CLEANING:** Provide a detailed plan for cleaning vehicles that are used to transport hazardous waste. The plan must address how your company prevents commingling of waste residues and what steps are taken to prevent releases from the washing operation (See Transporter Data Sheet TDS 01-12, Plan for Cleaning Vehicles).
- g. **EMERGENCY PROCEDURES:** Submit your company’s Emergency Procedures Guide which outlines step-by-step procedures to be followed by the driver in the event of a spill or release of hazardous waste during transport. The Guide must include a list of who shall be notified after a release, how the spill or release shall be initially contained, and how required emergency equipment shall be used. Make sure your list of MassDEP emergency response numbers and regional office phone numbers is up-to-date. The MassDEP emergency phone numbers are 617-556-1133 (from the Boston area) and 888-304-1133 (toll-free).

The MassDEP regional office phone numbers staffed on weekdays during normal business hours are:

- Central Regional Office (CERO): 508-792-7650
- Northeast Regional Office (NERO): 978-694-3200
- Southeast Regional Office (SERO): 508-946-2700
- Western Regional Office (WERO): 413-784-1100

Find your region: <https://www.mass.gov/service-details/massdep-regional-offices-by-community>

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### **Instructions for Completing an Application for an Authorization to Operate**

The application is an online form that can be found at:

<https://permitting.state.ma.us/CitizenAccess>

You will need to create an account to access the form. Screen by screen instructions to assist you in completing the form are available.

Please note that when completing the form online, every field with a red asterisk is required data. You will not be able to advance to the next page in the form or submit the form without entering something in each field of the form marked with a red asterisk.

The new form allows a preparer (who may be a different person than the responsible official for the company) to “Save and Resume Later” on any form. It is recommended that the first person to open a form in the online system enter the first page of data and then click “Save and Resume”. This action will create a Personal Identification Number (PIN) that can be shared with another person (consultant, staff or signatory). Once another person activates the PIN in their account, they will be able to open the form and add information or approve it as the signatory.

See <https://www.mass.gov/media/1981> for more instructions on activating a PIN and sharing a form.

This form will be used for the initial application (HW05), Modifications (HW27) and as the renewal application (HW14). When it is time to renew, an e-mail[?] notice will be sent to the applicant and a renewal link will appear next to the authorization listed on the applicant’s home page. Instead of starting a new application, click on the renewal link. The renewal form will be prepopulated with information from the initial approval but will need to be updated with changes made since the initial approval.

The following provides general instruction on the forms by section.

#### **Step 1. Company Information**

All existing Transporters will be pre-loaded into the system so Use the “Look up” feature to find the company for which the application is being prepared. If you cannot find the company by name, then search on address or even city. Do NOT “Add New” unless you are a new Transporter looking to operate in Massachusetts. If an existing company has a name changed, notify the Department in advance of starting this application. If the Company Contact has changed, Select the Company first then edit the contact information.

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At the bottom of the Company detail screen, please answer the question about whether the mailing address is the same as the physical address. If you click “No”, you will be asked to input the mailing address information.

### **Step 2. Application Information**

The following are the items that need to be provided in the online form:

#### *Regulated Activity*

Provide the Company EPA ID#, USDOT # and Federal Employer/ Tax Identification Number

#### *Parking Locations*

This section is a table that requires entry of at least one primary parking location in Massachusetts for vehicles used to transport hazardous waste. The parking location is for vehicles containing waste as well as those that are empty.

Click “Add a Row” to begin. The first field will ask for the address of the parking location. A second Address entry can be made to indicate locations such as “Rear” or Suite #. Also provide the City and Zip Code for the location.

If there is more than one primary parking location, “Add a Row” for each location. Out of State parking locations do not need to be listed.

#### *Waste Handling Activities*

This section asks for a short description of the waste handling activities performed by the company. This would include such things as re-packaging, or consolidating wastes. In lieu of a short description, an attachment can be provided.

#### *Types of Wastes*

The next Table asks the Company to identify the types of wastes they handle and how that waste type is transported. Waste Types in the drop down menu include Acutely Hazardous wastes, Corrosives, Discarded Chemical Products, Ignitable, PCBs, Reactive, and Toxicity Characteristic, waste oil, wastes from non-specific or specific activities but not waste oil or PCBs and Other. If “Other” is selected, a description is required. To select more than one type of waste handled, add a new row.

Transport methods include Bulk tanker, container or both. Select what is appropriate for the waste type.

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### *Legal Information*

Answer three questions about the applicant/ licensee with regards to any legal actions taken by or against them. If any of the three questions are answered “yes” then additional attachments will be required.

### *Marketer Information*

Indicate whether the applicant is also seeking authorization to be a marketer (yes or no). The information regarding Transporter as Marketer requirements is included for informational purposes only and does not apply directly to your application for a new transporter license. Do not submit a notification to market waste oil fuel pursuant to 310 CMR 255(4) prior to the effective date of your hazardous waste transporter license; you may choose to do so after the effective date.

### **Step 3. Documents**

Step 3 is where documents are attached to support the application.

Many of the documents described in the previous section would be attached here. Each document has to be attached separately. At a minimum, expect to attach the following:

- Corporate Records
- Proof of Financial Assurance
- Proof of Liability Assurance
- Officer & Director Information
- Description of Other Business Activities
- Plan for Cleaning Vehicles
- Spill Cleanup Equipment and Procedures
- Tax Certification Form
- Training Program Documentation

Other documents may be required based on answers provided in the form.

The document attachment process is very similar to attaching a document to an email. Start by clicking on the “Browse” button. This will bring up a pop-up box. Click on “Browse” again and you can search your computer for the document you want to attach. Once you have attached the document, you click “Continue” which brings you back to the main screen.



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On the main screen you will be asked to identify the attachment type (pick from a drop down list) and provide a brief description of the attachment. The description can be no more than 50 characters including spaces.

### **Step 4. Applicants and Contributors**

This Step is where the “Responsible Official” (hereafter called the signatory) for the application is identified. First, you will be asked to fill in the company name, pick the appropriate organization type (LLC, Corporation, or Sole Proprietorship). This is called “Source of Signatory Authority. Then pick the appropriate title or position of the person who will be the signatory.

At this point, the Signatory or Responsible Official must create an account in ePLACE and access the application to submit it. No other person can submit the application. When the signatory logs into the application, their name as provided in their account information will show up in the box labelled “Applicant Information”

### **Step 5. Application Review and Submittal**

The entire application is presented for final review in this step. You can reopen the application to edit it by clicking on the “Edit Application” button at the top or, if the information provided is complete and accurate you can submit the application.

At the bottom of the review page is the applicant certification statement. The applicant (signatory) should read the certification statement and click the box below the statement indicating acceptance with the terms of certification. The system will insert the date of the application and the content of the application will be “locked” once applicant accepts the certification.

The permit fee can be paid either online or by check through the mail. The Applicant is asked to select the preferred method. If the applicant chooses to pay the fee online, an electronic check or credit card payment is allowed. Both carry a nominal handling fee. The applicant will be sent to a payment page and asked to complete information specific to the credit card or electronic check.

If paying by mail, the applicant sends a check to the Massachusetts Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211. An email with this address information will be sent to the applicant as well.

Once the applicant certifies, pays the application fee (or indicates that the fee will be paid by mail) and clicks the “Continue” button, the application is submitted. The applicant will receive an email notice of a successful submittal and within five minutes the applicant will receive a

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printable copy of the application as submitted (minus attachments). This is called the Proof of Record.

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### *Public Notice*

If you have a Massachusetts office address(es) where transportation related activities take place and license records are maintained, the Department requires you to:

- 1. Send a copy of the application to the local board of health-** Send the Proof of Record and attachments to satisfy this requirement. The local Board of Health must be in the Massachusetts town/city of the applicant's office address, i.e., the location where transportation related activities take place and license records are maintained.
- 2. Send to the department written documentation of the board of health's receipt of the application copy** (e.g. a copy of a certified mail receipt).
- 3. Submit *public notice* for publication in a newspaper with circulation in the town of the applicant's business office.** The notice should be published no later than 15 days after you send the application to the Department. The notice will announce a 45-day public comment period commencing on the date of newspaper publication. ***Use the public notice format that is attached in this application package;*** and,
- 4. Send a copy of the published newspaper notice to the Department and to the local board of health** no later than 21 days after you send the application to the Department.

### **After Submittal**

If you log into ePLACE and click on the "My Records" button, you will be able to view the status of your application through the review and approval process. The timeline for the Department to review the application will not start until the fee has been paid, processed (if paying by check), or a fee exemption (if requested) has been verified.

Once approved, the My Records page is also where the link to Modify or Renew the application can be found.

You can also see your application and all of its attachment on the public viewer at:

<https://eeaonline.eea.state.ma.us/EEA/PublicApp/>

### **Renewals**

The process of renewing a license is the same as that for applying for an initial license (including the need for all attachments). What differs is how an existing license holder will apply for a renewal in ePLACE.

MassDEP will be creating basic accounts for each of the current license holders. Several months before the renewal is due, MassDEP will send the Applicant a Record ID code and PIN

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number. The applicant must create an account and click “File and Online Application”. On the screen with links to various EEA Agencies, click on the “Link Your Account” button.

On the next screen enter EEA as the Agency and the two codes that were sent. Once you click “continue” the system will take you back to the home screen. Click on “My Records” to see your current license and click on the link to the right to renew.

The first time a renewal is prepared, all of the information will need to be completed. The next renewal will prepopulate the application and the applicant will simply need to update the information and include updated attachments to file for the next renewal.

### **Modifications**

Once a transporter license is approved, an “Amendment” link will appear next to the license on the Home page of the applicant in ePLACE. To file for a modification (HW27), click on the “Amendment” link and make the necessary corrections and additions. You will be required to attach new or updated documents.

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### **Frequently Asked Questions**

#### **What is the timeline for review of my application?**

The Department's permitting and compliance fee regulations (310 CMR 4.00, Timely Action Schedule and Fee Provisions) now specify the following processing timelines:

- Within 60 days of receipt of the permit application and payment of the fee, the Department will complete a technical review of the application.
- If deficiencies are found in the application, the applicant has 60 days to correct them. Failure to respond adequately and in a timely manner will result in application denial and loss of fee[?]
- Within 60 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, MassDEP shall complete a supplemental technical review.
- Within 30 days of the close of the period for public comment, if any, the Department shall complete a public comment review.
- If the Department fails to make a determination on your application within the timeline outlined above, MassDEP will refund your application fee and will continue with the review.

#### **What is the fee for this application?**

The application fee for a license to transport hazardous waste is \$3,450. There is no annual compliance fee.

#### **What is the term of the license?**

The license is issued for up to 5 years, provided the applicant remains in compliance with appropriate laws and regulations.

#### **What regulations apply?**

Applicable regulations include, but are not limited to:

- Hazardous Waste Regulations, 310 CMR 30.00 (in particular sections 30.010, 30.400, and 30.800)
- Timely Action and Fee Schedule Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore  
Room 116  
Boston, MA 02133

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617-727-2834

State Bookstore  
436 Dwight Street, Room 102  
Springfield, MA 01103  
413-784-1376

**Procurement of the US Department of Transportation (DOT) North American  
Emergency Response Guidebook**

A copy of the most recent edition of the Emergency Response Guidebook for Hazardous Materials, published by the DOT, may be purchased from the organizations listed below:

J.J. Keller & Associates, Inc.  
3003 West Breezewood Lane  
P.O. Box 368  
Neenah, WI 54956  
(800)-843-3174

Labelmaster Co.  
5724 N. Pulaski Road  
Chicago, IL 60646-0402  
(773)-478-0900  
(800)-621-5808  
fax: (800)-723-4327

UNZ & Company  
700 Central Avenue  
New Providence, NJ 07974  
(201)-795-5400  
(800)-631-3098

**Obtaining Vehicle Identification Devices (VIDs)**

Your company must have a Vehicle Identification Device valid for the current year, for each vehicle transporting hazardous waste in Massachusetts. In accordance with Massachusetts General Laws, Chapter 21C, Sections 5 and 7 and the Massachusetts Hazardous Waste Regulations 310 CMR 30.414, a licensed hazardous waste transporter shall not transport hazardous waste in Massachusetts without a valid VID issued to the vehicle.

To obtain your VID as a new licensee, follow the instructions below so that the Department can efficiently process your order. The VID Form (see Permit Application Forms, Item #8; pp. 1-2) should be used when ordering VIDs. Complete the form providing company information on the

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upper right corner and all the vehicle information as required on the rest of the form. All information must be clear and legible. Submit this form with your license application. NOTE: For a tractor-trailer combination, a VID is needed only for the tractor or the trailer, whichever you choose.

Upon receiving your license, you will receive, the VID(s), effective through December 31 of the year in which you obtain your license.

After you have received your license, you may apply for VID (s) for additional vehicles at any time:

- You may apply online for additional VID(s), using application HW 28.

To submit an online application, you must first register at <https://edep.dep.mass.gov/DEPLogin.aspx> to obtain a user name and password. Then you may login to your eDEP account by visiting: <https://www.mass.gov/edep-online-filing>

If you need assistance in submitting your application, please contact the Business Compliance Division at 617-292-5576 or 617-292-5983.

VIDs are issued annually. As a licensee, you will be notified near the end of each year to submit to the Department a permit application BWP HW 28 for the following year's VID's.

### **Tax Certification Instructions: Compliance with General Laws, Chapter 62C, Section 49A for Firms Applying for or Renewing a License To Transport Hazardous Wastes in Massachusetts or To Transport Precious Metals Class (B4) RRM**

In compliance with the above stated law, all applicants for a license and all renewal applicants must certify under the penalties of perjury that they have complied with all laws of the Commonwealth relating to taxes. Such license may not be issued or renewed unless such certification is made.

The person providing such certification must be a corporate officer, i.e., president, secretary, treasurer, or vice president of the corporation in charge of a business function for the corporation. If the applicant is a partnership, the certification must be signed by a general partner. If the applicant is a sole proprietorship, the certification must be signed by the proprietor. All such certifications will become part of the application.

### **Chapter 62C, ANNOTATED LAWS OF MASSACHUSETTS, Section 49A: Applicants for License or Renewal Thereof; Contractors Providing Goods, Services or Real Estate Space to Commonwealth or Subdivision Thereof; Certification of Compliance with Tax Laws of Commonwealth; Enforcement Measures.**

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(a) Any person applying to any department, board, commission, division, authority, district or other agency of the commonwealth or any subdivision of the commonwealth, including a city, town or district, for a right or license to conduct a profession, trade or business, or for the renewal of such right or license, shall certify upon such application, under penalties of perjury, that he has complied with all laws of the commonwealth relating to taxes. Such right or license shall not be issued or renewed unless such certification is made.

(b) No contract or other agreement for the purposes of providing goods, services of real estate space to any of the foregoing agencies shall be entered into, renewed or extended with any person unless such person certifies in writing, under penalties of perjury, that he had complied with all laws of the commonwealth relating to taxes.

(c) Any such agency, which has been notified by the commissioner pursuant to section forty-seven A that a person who holds a license or certificate of authority issued by such agency or who has agreed to furnish goods, services or real estate space to such agency has neglected or refused to file any returns or to pay any tax required under this chapter and that such person has not filed in good faith a pending application for abatement of such tax or a pending petition before the appellate tax board contesting such tax, shall refuse to reissue, renew or extend such license, certificate of authority, contract or agreement until the agency receives a certificate issued by the commissioner that the person is in good standing with respect to any and all returns due and taxes payable to the commissioner as of the date of issuance of said certificate, including all returns and taxes referenced in the initial notification. (1983, 233, § 36; 1985, 593, §22; 1986, 557, 72.)

**Editorial Note:** The 1985 amendment deleted, after "section" in subsection ©, "forty-seven", and inserted therein "forty-seven A". The 1986 amendment, in § 213, repealed L 1985, ch 593, § 22, which, in subsection (c), substituted "forty-seven A" for "forty-seven", and in § 72, substituted "forty-seven A" for "forty-seven", thereby making no material change to the subsection.

**Total Client-Service Library® References:** 51 Am Jur 2d, Licenses and Permits §§ 45-58.

**Annotations:** Payment of taxes to prevent closing of, or interference with, business as involuntary So as to permit recovery. 80 ALR2d 1040.

### **Letter of Credit Instructions**

Following is a sample Letter of Credit which can be used as a guide for content when pursuing a Letter of Credit to meet the requirements of 310 CMR 30.411. For further guidance, refer to the Massachusetts Hazardous Waste Regulations section 310 CMR 30.411 and the enclosed checklist. If you have questions, please contact Marrcus Henry of the Division of Business Compliance at 617-292-5576.



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**\* SAMPLE \***

RE: IRREVOCABLE LETTER OF CREDIT #1000

Gentlemen:

We hereby establish our Irrevocable Letter of Credit in your favor for the account of Acme Transport, 100 Main Street, Boston, MA 02108 for a sum or sums not exceeding in all Ten Thousand and 00/100 U.S. Dollars (\$10,000) available by your sight draft(s) drawn on us accompanied by any of the following statements:

1. "We certify that the licensee has failed to replace this Letter of Credit with other collateral acceptable to the Department within 30 days of the Bank's notice to terminate the Letter of Credit."; or
2. "We certify that the licensee has violated any of the requirements of M.G.L. c. 21C, Massachusetts Hazardous Waste Regulations 310 CMR 30.000, and conditions of the license or a Department order issued to the licensee, and the Department also finds that the licensee has failed to promptly remedy such violation."; or
3. "We certify that the funds represented by the amount of our draft be paid over to the Department as result of forfeiture."

This Letter of Credit shall be automatically extended for an additional period of one year from the present or each future expiration date unless we have notified you in writing by certified mail, not less than ninety (90) days before such expiration date, that we elect not to renew this Letter of Credit.

We will give prompt notice to the licensee and the Department of a notice received or action filed alleging the insolvency or bankruptcy of the Bank or alleging any violations of regulatory requirements which could result in suspension or revocation of the Bank's Charter or License to do business.

Drafts drawn hereunder must be marked: Drawn under Letter of Credit #1000, Dated

We engage with you that your draft(s) drawn hereunder and in compliance with the terms of this credit will be duly honored by us on delivery of documents as specified if presented at this office on or before (date), or any extended expiration date.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 revision). International Chamber of Commerce Publication No. 400 including amendments and successor publications.

Very truly yours,  
(Bank Name) (Authorized Signature)

**Massachusetts Department of Environmental Protection**  
**Bureau of Air & Waste – Business Compliance Division**  
**HW 05, 14, 27 - License to Transport Hazardous Waste, Including Mixed Wastes**  
**HW 06, 15, 27 - License to Transport Precious Metal Waste**

## **License, Modification & Renewal Application & Support Materials**

(Title)  
(Phone Number)

**Massachusetts Department of Environmental Protection**  
**Bureau of Air & Waste – Business Compliance Division**  
**HW 05, 14, 27 - License to Transport Hazardous Waste, Including Mixed Wastes**  
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## **License, Modification & Renewal Application & Support Materials**

### **Transporter Letter of Credit Checklist**

*Regulation Item*

- 310 CMR 30.411 (7) (a) Issued by a Massachusetts bank or national bank.
- 30.411 (7) (a) Irrevocable. Valid for a term of at least one year.
- 30.411 (7) (a) (1) Automatic renewal for additional terms unless banks give 90 days prior notice of intent to terminate at end of term.
- 30.411 (7) (b) (2) Department may draw and convert to cash bond if licensee fails to replace with acceptable collateral within 30 days of bank's notice to terminate.
- 30.411 (7) (c) Payable in part or in full upon demand in case of forfeiture or failure of licensee to replace.
- 30.411 (7) (e) Subject to Uniform Customs & Practice for Documentary Credits, International Chamber of Commerce Publication #290.
- 30.411 (7) (f) Must provide that bank will give prompt notice to licensee and Department if action notice alleging insolvency, bankruptcy, or violations which may lead to suspension or revocation of bank's charter.
- 30.411 (8) The Department may declare forfeit all or any amount of the bond if the Department finds that the licensee has violated any of the requirements of M.G.L. c. 21C, 310 CMR 30.00, and conditions of the license or Department order issued to the licensee, and if the Department also finds that the licensee has failed to promptly remedy such a violation.

Other regulations pertaining to Letter of Credit but should not be referred to in a Letter or Credit:

- 30.411 (7) (g) Upon incapacity of bank, the licensee must provide evidence of replacement\coverage within 30 days of receipt of the bank's notice.

**Massachusetts Department of Environmental Protection**  
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**License, Modification & Renewal**  
**Application & Support Materials**

**Application Completeness Checklist**

To submit a HW05 Application, complete the steps outlined below:

1. Complete the HW 05 Application Form through ePLACE. Include all specified information and attachments
2. Submit the application fee of \$3,450 either through credit card payment or by check. If paying by check make payable to the Commonwealth of Massachusetts and mail to:

Massachusetts Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211

3. Send a copy of the application to the local Board of Health. The local Board of Health must be in the Massachusetts town/city of your office address (if any), i.e., in the location where transportation related activities take place and license records are maintained.
4. Submit *Public Notice* for publication in a newspaper with circulation in the town of your office address, using the Public Notice format that is attached in this application package. The notice should be published no later than 15 days after you send the application to the Department. The notice will announce a 45-day public comment period commencing on the date of newspaper publication.
5. Send to the Department written documentation of the Board of Health's receipt of the application copy (e.g. a copy of a certified mail receipt).
6. Send copies of the published newspaper Public Notice to the Department and to the local Board of Health if possible no later than 21 days after you send the application to the Department.