



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

FACT SHEET
DRAFT HAZARDOUS WASTE FACILITY LICENSE
FOR
SAFETY-KLEEN SYSTEMS, INC., SALISBURY
JULY 2010

This Fact Sheet summarizes the content of the Draft Hazardous Waste Facility License (Draft License) prepared by the Department of Environmental Protection (MassDEP) for Safety-Kleen Systems, Inc., Salisbury (the Facility) pursuant to M.G.L. c. 21C and 310 CMR 30.000. This Fact Sheet was prepared in accordance with the provisions of 310 CMR 30.832, "Draft Facility License".

I. Purpose of the Licensing Process

The purpose of the licensing process is to afford MassDEP, the U.S. Environmental Protection Agency (EPA), local government, and citizens the opportunity to evaluate the ability of a license applicant to comply with the applicable hazardous waste management regulations promulgated under M.G.L. c. 21C and 310 CMR 30.000.

Facilities which treat, store and/or dispose of hazardous waste must be designed and safely operated to protect the people of Massachusetts from the dangers of improperly handled hazardous waste. Stringent licensing requirements are intended to ensure that those who accept hazardous waste are qualified to do so. Before issuance of any hazardous waste facility license, pursuant to M.G.L. c. 21C and 310 CMR 30.000, the MassDEP is required to prepare a Draft License. The Draft License sets forth in one document all the applicable requirements that a licensee is required to comply with during the 5-year duration of the license.

II. Procedures for Reaching a Final Decision

Massachusetts Hazardous Waste Regulation, 310 CMR 30.833, requires that MassDEP provide a public notice of the Draft License and allow at least a forty-five (45) day public comment period. The public comment period for this Draft License will begin with publication of the public notice in The Newburyport Daily News on July 9, 2010 and will end on August 23, 2010, 5 p.m. Any person interested in commenting on the Draft License must do so within this comment period. Submit comments in writing to:

Anna Stern, Environmental Engineer
Department of Environmental Protection
Bureau of Waste Prevention
Business Compliance Division
One Winter Street, 7th Floor
Boston, MA 02108

MassDEP will schedule an informal public hearing on the proposed Draft License if, during the comment period, or within 15 days of the close of the comment period, MassDEP receives written notice requesting an informal public hearing, or if it determines on its own that there is significant public interest in the Draft License. Written and oral comments will be accepted at the hearing.

In making a final decision, MassDEP will consider all written comments received during the comment period, all verbal comments received at a public hearing, if held, and the requirements of the Massachusetts Hazardous Waste Regulations 310 CMR 30.000. MassDEP will then make a final determination to issue or deny a hazardous waste facility license to the Facility.

MassDEP will give notice of its final license decision to the Facility and each person who has submitted written comments or has requested notice of the final license decision. A final license decision becomes effective 21 days after the date of the notice of the decision. The final license decision will be postponed if a request for an adjudicatory hearing before MassDEP is made within the 21-day period.

III. Facility Location, Facility Description, Facility Operations

A. Facility Location

The Facility is located at 90 Rabbit Road, Salisbury, MA. The Facility is approximately 1.3 miles north of Route 110, near the Route I-95 interchange, and roughly 0.5 miles south of Main Street. It is also located about 250 feet east of the northbound connector road linking Route I-495 to Route I-95. A mixture of commercial, industrial and residential properties exist along nearby streets. For highway related information refer to the map provided in Figure I of Attachment XII of the Draft License¹.

¹ Refer to the Draft License for all figures and attachments provided in this Fact Sheet.

B. General Description

The Facility is an existing Massachusetts licensed hazardous waste storage facility authorized to manage a broad range of hazardous wastes through its Truck-to-Truck Transfer program, and authorized to store a limited number of specific hazardous wastes in designated hazardous waste storage areas in containers and one hazardous waste storage tank. Hazardous wastes authorized for management at the Facility are identified in the RCRA Part A Form, Attachment VI, of the Draft License.. The maximum hazardous waste storage capacity is 16,500 gallons. The Facility is not authorized to treat, reclaim or dispose of hazardous waste.

The Facility is one of three of Safety-Kleen System, Inc's service centers operating in Massachusetts whose primary business is the leasing of solvent-based cleaning products and self-contained waste recovery systems and the subsequent collection and recycling of that waste solvent. These materials include hydrocarbon-based solvent used in degreasing, aqueous based solvent used in parts cleaning and as paint gun cleaner. Safety-Kleen System, Inc's business also includes the management of dry cleaner waste, photofixer waste primarily from photo-processing, and waste oil from a variety of sources. Finally, to a much lesser extent, Safety-Kleen Systems, Inc. also manages a broad range of hazardous waste types generated from small or very small quantity generators.

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

Waste oil and used oil are sent to Safety-Kleen's recycle/process centers located in East Chicago, Indiana or Buffalo, New York, for refining into base lubricating stock or blending into fuel for industrial furnaces.

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

C. Detailed Facility Description

A listing of the hazardous wastes that are authorized for receipt and storage is provided in Section D, below. A detailed description of waste types is provided in Attachment XI of the Draft License. These hazardous wastes, along with non-hazardous antifreeze and non-hazardous wastewater, are generally shipped to a Safety-Kleen Systems, Inc. recycling/processing center located out-of-state where some of the wastes are

reclaimed and then returned to Safety-Kleen customers as product. Hazardous waste that cannot be recycled is sent to an appropriately authorized independent hazardous waste treatment, storage or disposal facility.

The layout of the Facility is shown in the Site Plan, Figure VI of Attachment XII. The Facility consists of: a main building, identified as the Office/Warehouse containing a Hazardous Waste Container Storage Area; Container Staging; Satellite Accumulation and Universal Waste Storage Areas; a warehouse and offices; the Return/Fill Station; an underground tank farm; a Tanker Transfer Pad; and, a Truck-to-Truck Transfer Area. The Facility is surrounded by a seven-foot fence with one foot of barbed wire on top, and an electronically controlled gated entry with a Knox Box for fire emergencies. The Facility is served by public water from the Town of Salisbury, and by on-site sewage disposal system.

The main building, identified as the Office/Warehouse building, shown in Figure VII of Attachment XII, houses the Hazardous Waste Container Storage Area. This building is generally of metal frame construction with a concrete floor and steel frame ceiling and is constructed to meet applicable building codes and safety requirements. The Hazardous Waste Container Storage Area has a hazardous waste storage capacity of 4,500 gallons, and a secondary containment collection sump with a capacity of 451 gallons.

The Container Staging, Satellite Accumulation and Universal Waste Storage Areas are shown on Figure XIII of Attachment XII.

The Return/Fill Station, shown in Figure XXII of Attachment XII, houses the parts washer solvent return and fill station. Containers of waste parts washer solvent are emptied through a screened opening, which retains coarse solids, into two Drum Washer/Dumpster Units contained in this building, and the liquid contents is then pumped into the 12,000-gallon underground hazardous waste storage tank described as the "Tank 1 Hazardous Waste" tank. Proper spill containment measures, warning signs and fire extinguishers are also present.

The Tank Farm, shown in Figure VI of Attachment XII, includes two underground 12,000-gallon steel tanks, No. 1 and No. 2, used to store hazardous waste consisting of both aqueous and hydrocarbon based spent parts washer solvent and virgin parts washer solvent, respectively. Loading of virgin solvent from bulk tanker trucks into the virgin solvent storage tank and pumping out spent parts washer solvent from the hazardous waste storage tank into tanker trucks is conducted via pumps and transfer piping as shown in Figure XVII and Figure XVII-A of Attachment XII, and in accordance with standard operating procedures provided in Exhibit XI-W (SOP#4), Attachment XI. Tanks have hi-level alarms, are externally clad with a fiberglass reinforced plastic and are provided with thirteen sacrificial anodes for cathodic protection.

The location where truck-to-truck transfer of hazardous waste containers is allowed is identified as Paved Parking and Truck-to-Truck Transfer Area as shown in Figure VIII of Attachment XII.

The locations for temporary staging of containers of hazardous waste prior to loading and unloading are shown in Figure XIII of Attachment XII.

The Tanker Transfer Pad, shown in Figure IX of Attachment XII, includes a concrete transfer pad and a grated containment trench. Tanker trucks are positioned on the Tanker Transfer Pad for all transfers between tankers and storage tanks, or between two tankers of virgin solvents or waste solvent. The secondary containment capacity of the Tanker Transfer Pad is 7,115 gallons which is greater than the volume capacity of the largest transport vehicle used in this area. The Tanker Transfer Pad is covered with a mobile cover. The cover prevents all but wind-borne rainwater from collecting in the containment area. Any windborne rain that may accumulate in the containment trench must be removed within 24 hours of a storm event if it is visually contaminated. If this storm water is not visually contaminated, it must be removed within 72 hours of a storm event or prior to the accumulation of 55 gallons in the trench, whichever occurs first. This storm water must be stored in the waste storage tank and must be managed as waste oil or oily wastewater unless Safety-Kleen determines, based upon the requirements of 310 CMR 30.000, that a different waste category applies.

The parking lot is paved and graded in a manner to minimize the possibility of a release to the soil from a leaking container. The parking lot is peaked and the perimeter on the west side of the lot has a six-inch berm with cut-outs for the discharge of storm water. If a tanker truck containing waste is parked overnight at the facility, the truck must be parked on the Tanker Transfer Pad whenever possible.

A description of security, entry/egress and access to the facility is provided in Attachment VII.

D. Authorization to Receive and Store Hazardous Waste

The following hazardous wastes are stored at the Facility:

Hazardous Waste Container Storage

- Spent Parts Washer Solvent: Petroleum-based and Aqueous-based Solvents
- Spent Immersion Cleaner
- Dry Cleaning Wastes
- Paint Gun Cleaner Waste
- Waste Oil
- Photographic Fixer Waste
- Specification and Off-Specification Used Oil Fuel
- Class A Regulated Recyclable Materials
- Universal Wastes listed in 310 CMR 30.1000

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

hazardous waste codes:

<u>Waste Codes</u>	<u>Description</u>
MA01 *	Waste Oil
D001	Ignitable Waste
D004 - D011 **	Toxicity Characteristic Waste
D018 - D019 **	Toxicity Characteristic Waste
D021 - D030 **	Toxicity Characteristic Waste
D032 - D043 **	Toxicity Characteristic Waste
F001	Spent Solvents
F002, F004	Spent Solvents
F003, F005	Spent Solvents and Paint Wastes
U210	Tetrachloroethylene
MA97	Class A Regulated Recyclable Materials, and Specification Used Oil Fuel
MA98	Off-Specification Used Oil Fuel
MA95	Universal Waste

* Authorized storage includes waste oil that exhibits a hazardous waste characteristic (D001, D004-D008) provided that waste oil has not been mixed with any other hazardous waste, and provided it passes the rebuttable presumption test pursuant to 310 CMR 30.215(1)(b).

** These waste codes apply only to the presence of Toxicity Characteristic constituents in the waste streams listed above.

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

Hazardous Waste Tank Storage

Authorization for tank storage is granted only for the following hazardous waste with the hazardous waste codes noted below:

Spent Parts Washer Solvent: Petroleum-based and Aqueous-based Solvents*

<u>Waste Codes</u>	<u>Description</u>
D001	Ignitable Waste
D004 - D011 **	Toxicity Characteristic Waste
D018 - D019 **	Toxicity Characteristic Waste
D021 - D030 **	Toxicity Characteristic Waste
D032 - D043 **	Toxicity Characteristic Waste

MA01***

Spent Petroleum Based Solvent
with a flash point >140 F.

- * These include specific Safety-Kleen, Inc.'s proprietary solvents (see Waste Analysis Plan, Attachment I, Section 1.3.1.1., Draft License) that may be marketed under a variety of trade names, but are all subject to the requirements of the Waste Analysis Plan.
- ** These waste codes apply only to the presence of Toxicity Characteristic constituents in the waste streams listed above.
- *** Spent Petroleum Based Solvent with a flashpoint equal to or greater than 140 F and certified by the generator to have not been contaminated by hazardous waste constituents as described in the Waste Analysis Plan, Attachment I, of the Draft License.

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

Storage Schedule for Hazardous Waste in Containers

Hazardous waste shall only be stored in containers in the Hazardous Waste Container Storage Area located in the Office/Warehouse building, as provided in the following hazardous waste storage schedule:

<u>Hazardous Waste</u> <u>Container Storage Area</u>	<u>Contents</u>	<u>Maximum Volume</u> <u>in Containers (gallons)</u>
Hazardous Waste Container Storage Area	All wastes authorized for container storage to include ignitable waste of 1000 gallons maximum	4,500
Total		4,500

Storage Schedule for Hazardous Waste in the Tank

Hazardous waste shall be stored in the hazardous waste storage tank, Tank No.1, Figure VI of Attachment XII, as provided in the following hazardous waste storage schedule:

<u>Tank Farm</u>	<u>Contents</u>	<u>Maximum Volume (gallons)</u>
Tank No. 1	Spent solvents	12,000

E. Authority to Store Class A Regulated Recyclable Materials

The Facility is authorized to store Class A Regulated Recyclable Materials in the hazardous waste container storage areas and transport them only to authorized recyclers, i.e., send waste oil for re-refining. The provisions for the management of Class A Recyclable Materials are specified in the Specific Conditions of the Draft License.

F. Authority to Accumulate Universal Waste

The Facility is authorized to accumulate universal wastes. Universal Wastes are batteries, pesticides, mercury thermostats, mercury containing lamps and devices regulated under the Hazardous Waste Regulations, 310 CMR 30.1000. All universal waste shall be accumulated in a specifically designated universal waste accumulation area of the facility. Detailed provisions for the management of universal wastes are provided in the Specific Conditions of the Draft License.

The Facility has notified the Department as a Large Quantity Handler (LQH) of universal waste in accordance with 310 CMR 30.1000. Universal waste managed in accordance with 310 CMR 30.1000 does not count towards the facility's hazardous waste storage capacity.

G. Authority to Store Non-Hazardous Waste

The Facility is authorized to store liquid non-hazardous waste in its hazardous waste storage tank or in containers, and to store solid non-hazardous waste in containers only. Non-hazardous waste includes but is not limited to: antifreeze and glycols, spill residues, paint booth filters, and punctured and drained used oil filters. Detailed requirements for the management of non-hazardous waste are provided in the Specific Conditions of the Draft License.

H. Used Oil Fuel Management

The Facility is authorized to store and manage, but not to market, Used Oil Fuel. The provisions for the management of Used Oil Fuel are specified in the Specific Conditions of the Draft License.

I. Truck-to-Truck Transfers

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

J. Corrective Action Program

Safety-Kleen Systems, Inc. has conducted corrective actions at the Facility, and is currently monitoring the groundwater to determine whether natural attenuation of contaminants is working sufficiently to achieve a permanent solution. Safety-Kleen Systems, Inc. shall continue to perform annual groundwater monitoring activities in accordance with the requirements of Section III, Groundwater Monitoring Requirements and Corrective Action Program of the Draft License.

IV. Summary of License Conditions

In order to operate a hazardous waste management facility in Massachusetts, a licensee must comply with the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000, and all other applicable State and Federal statutes and regulations. These requirements are clearly stated in the terms and conditions of the Draft License, and failure to comply with them may result in suspension or revocation of the license or other enforcement actions by the Department and/or the Office of the Attorney General.

The licensee must properly operate and maintain the facility to prevent any actual or potential threat to the public health, safety, welfare and the environment. In addition, the licensee shall act to prevent all actual and potential adverse impacts to persons and the environment resulting from non-compliance and will be responsible for paying for damages caused by such non-compliance.

The licensee must provide records of activities to the Department, allow inspections, and inform the Department of any changes in activities or to the facility. In all cases, it is the obligation of the licensee to meet the burden of proof to persuade the Department that the applicant is competent with respect to hazardous waste activities. All documents submitted to the Department must be certified under penalty of law. In the event of an emergency involving hazardous waste that could threaten public health, safety, welfare and the environment, the hazardous waste emergency coordinator will invoke the facility contingency plan, which includes notification to the Department's Northeast Regional Office in Wilmington.

V. License Organization

The Draft License is organized as follows: Part I, Facility Operating Conditions; Part II, Facility Management Requirements; Part III, Groundwater Monitoring Requirements and Corrective Action Program, and the remainder of the Draft License consists of attachments.

Part I contains 4 sections which describe general license conditions, specific license conditions, the use and management of containers, and storage in the hazardous waste storage tank.

Part II contains 12 sections which describe facility management requirements for:

- Required Notices
- Manifest System
- Record Keeping and Reporting
- Ignitable and Incompatible Wastes
- General Waste Analysis Plan and Procedures
- Security Plan and Procedures
- Inspection Plan and Procedures
- Personnel Training Plan and Procedures
- Preparedness and Prevention
- Contingency Plan and Procedures
- Closure Plan and Procedures
- Financial Responsibility

Part III contains the Corrective Action Program:

- General Requirements
- Corrective Action Program
- Administrative Procedures
- Public Participation

Attachments:

- Waste Analysis Plan
- General Inspection Plan
- Personnel Training Plan
- Contingency Plan
- Closure Plan and Financial Responsibility
- RCRA Part A Form
- Security Plan
- Preparedness and Prevention Plan
- Truck-to-Truck Transfer Plan
- Facility Design, Waste Management Activities, and Selected Exhibits
- Figures

VI. Location of Available Information

A copy of the Draft License and additional copies of this Fact Sheet will be available at:

Department of Environmental
Protection
Bureau of Waste Prevention
Business Compliance Division
One Winter Street, 7th Floor
Boston, MA 02108
Contact: Anna Stern
(617) 292-5904

Department of Environmental
Protection
Northeast Regional Office
205B Lowell Street
Wilmington, MA 01887
Contact: Ed Pawlowski
(978) 694-3200

US Environmental Protection Agency
Congress St., Suite 1100 CHW
Boston, MA 02114-2023
Contact: Sharon Leitch
(617) 918-1647

Salisbury Board of Health
5 Beach Road
Salisbury, MA 01952
Contact: John Morris
(978) 462-3430

Salisbury Public Library
17 Elm Street
Salisbury, MA 01952
Contact: Terry Kyrios
(978) 465-5071

The Fact Sheet is also available on the MassDEP web site at:
<http://www.mass.gov/dep/recycle/hazardous/treatmen.htm>.

VII. Appeal Procedures

Pursuant to Massachusetts General Law (MGL) Chapter 21C, Section 11, any person aggrieved by a determination by the Department to issue or deny a license and has legal standing to do so, may request an adjudicatory hearing before the Department. For the purposes of 310 CMR 30.000, an “aggrieved person” shall be deemed to be any person who is or may become a “party” or “intervener” pursuant to 310 CMR 1.00.

A person aggrieved by a final decision in any adjudicatory proceeding may obtain judicial review thereof pursuant to the provisions of M.G.L. c. 30A. This license is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the Notice of Final License Decision.

CONTENTS OF HEARING REQUEST

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

FILING FEE AND ADDRESS

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

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

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

EXCEPTIONS

The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or municipal housing authority.

WAIVER

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

This Fact Sheet was prepared by the MA DEP, Business Compliance Division, Bureau of Waste

Prevention. For additional information contact Anna Stern at (617) 292-5904.