

CENTRAL MASSACHUSETTS BUSINESS ENVIRONMENTAL NETWORK

INDEX OF SELECTED ENVIRONMENTAL REGULATIONS for MANUFACTURING FACILITIES

The Central Massachusetts Business Environmental Network (CMBEN) functions as a forum for area manufacturers to exchange ideas on environmental, health and safety issues.

The Massachusetts Manufacturing Assistance Center (MAC) and the Massachusetts Office of Technical Assistance (OTA) support CMBEN by providing manufacturing and government expertise, administrative staff, and other resources necessary for the continuing education of its members.

The Index of Selected Environmental Regulations for Manufacturing Facilities was developed as a tool for 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.

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 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 standard 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 MA DEP and US EPA, some construction-related activities may be regulated under the State Building Code and the National Electrical Code. 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.state.ma.us/dep>

Boston Office: 617-292-5500

DEP InfoLine: (800) 462-0444

Spill Reporting Hotline: (888) 304-1133, toll-free

MA Contingency Plan Hotline: (617) 338-2255

Western Regional Office (Springfield): 413-784-1100

Central Regional Office (Worcester): 508-792-7683

Northeast Regional Office (Wilmington): 978-661-7677

Southeast Regional Office (Lakeville): 508-946-2714

Massachusetts Department of Labor and Workforce Development

Web site: <http://www.state.ma.us/dos>

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

Massachusetts Department of Public Health

Web site: <http://www.state.ma.us/dph> - Boston: (617) 624-6000

Massachusetts Department of Food and Agriculture

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

Pesticide Bureau (Boston): 617-626-1700

Massachusetts Department of Fisheries, Wildlife, and Environmental Law Enforcement

Web site: <http://www.state.ma.us/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) 535-0202

Toxic Substances Control Act (TSCA) Hotline: (202) 554-1404 or email tsca-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

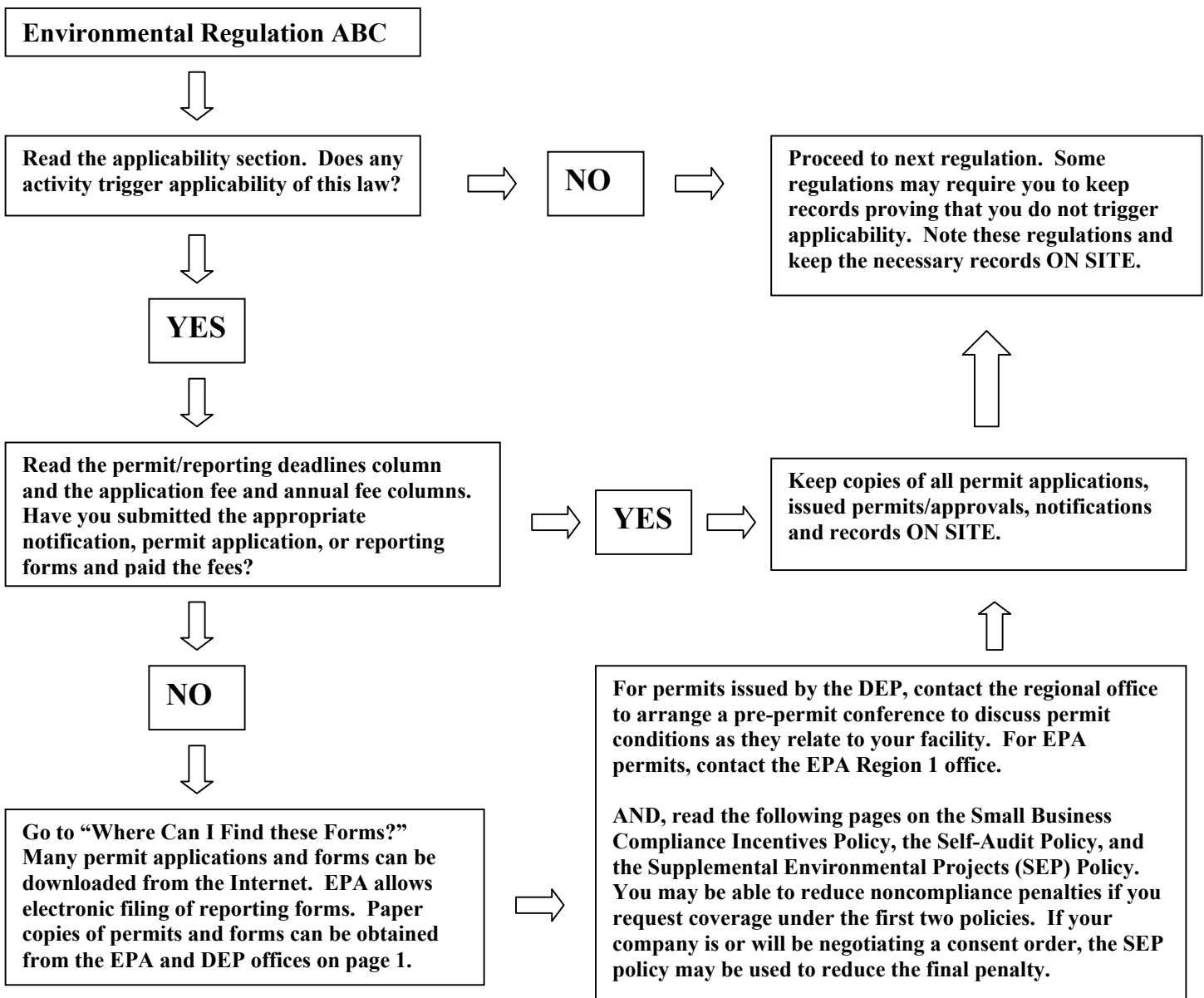
HOW to USE the INDEX

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.

The Road Map

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
DPH	Department of Public Health (Massachusetts)
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
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 Live 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
MBTU	Million British Thermal Units
MCP	Massachusetts Contingency Plan
MEPA	Massachusetts Environmental Policy Act
mg/m³	milligram (of contaminant) per cubic meter (of air); OSHA reference for measuring chemical exposure
MSDS	Material Safety Data Sheet

NESHAPs	National Emission Standards for Hazardous Air Pollutants
NOx	Nitrogen Oxides
NPDES	National Pollutant Discharge and Elimination System
NPL	National Priority List
NRT	National Response Team
NSPS	New Source Performance Standards
NSR	New Source Review
OSHA	Occupational Safety and Health Administration
P2	Pollution Prevention
PBTs	Persistent Bioaccumulative Toxins
PC	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
RACT	Reasonably Available Control Technology
RCRA	Resource Conservation and Recovery Act
RES	Restricted Emissions Status
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, TURP	Toxics Use Reduction Act, Toxics Use Reduction Plan/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?)

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

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OSHA Regulations (Standards - 29 CFR)

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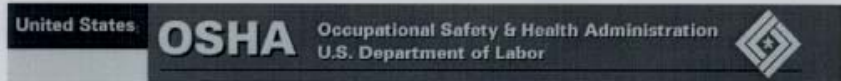
http://www.osha-slc.gov/OshStd_toc/OSHA_Std_toc_1910.html 04/18/2000

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 web site. Then, you can either contact the OSHA office, or the OSHA Consultation Service to request a confidential on site visit.

Above is an image of what you would see if you visited <http://www.osha.gov>, and clicked on "Regulations" on the OSHA home page, then clicked on "OSHA Regulations (Standards - 29CFR)" on the "Regulations and Compliance

Links" 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 word "Search".


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Regulations and Compliance Links

"Regulations and Compliance Links provides a comprehensive and easy to use resource for current OSHA standards and compliance-related information." [More...]

- [OSH Act](#)
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- [Review Commission Decisions \(RCD's\)](#)
- [QUIPs - Coming Soon!](#)
 QUIPs (Quick Interpretive Points) are succinct excerpts from letters and memos, containing a single point of OSHA compliance or enforcement information.

Last Updated:
February 29,
1999

-- **DISCLAIMER** --

To send comments, please see the following contact information.

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

04/18/2000

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 standard 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 can not be achieved, techniques for reducing hazards; and
- keeping records to demonstrate that a) the standard does not apply or b) the standard 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 standard. The guides do not replace reading the full text of the standard. To the left is an image of the "Regulations and Compliance Links" page. Clicking on "Compliance Guides" would direct you to a list of plain language compliance guides that can be

downloaded from the OSHA web site.

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. It is good practice to check your findings by contacting the OSHA Consultation Service.

ENVIRONMENTAL COMPLIANCE CALENDAR

	Air Quality	Water Quality	Solid Waste and Hazardous Waste	Toxic Chemical Use & Comm. Right-to-Know
January	January 30: Facilities required to install a CEMS must submit quarterly excess emissions report	NPDES: submit Discharge Monitoring Report (DMR) to EPA Region.		
February	February 1: NESHAP annual reports due to EPA Region.	NPDES: submit DMR to EPA Region		
March	March 1: submit Emission Statement (aka Source Registration to DEP)	NPDES: submit DMR to EPA Region.	March 1 (even-numbered years): LQGs submit biennial report to DEP	March 1: TRI, TURA--- submit Tier I/Tier II forms to LEPC and SERC --- FIFRA: pesticide dealer license renewals
April	April 30: Facilities required to install a CEMS must submit quarterly excess emissions report	NPDES: submit DMR to EPA Region.		
May		NPDES: submit DMR to EPA Region.		
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. Categorical dischargers to POTWs must submit semi-annual Sampling and Analysis Report to EPA unless local POTW collects it.		
July	July 30: Facilities required to install a CEMS must submit quarterly excess emissions report	NPDES: submit DMR to EPA Region.		July 1: submit Form R to EPA, Form S to DEP --- TUR plan updates (even-numbered years) --- FIFRA: pesticide registration renewal July 15: annual report to EPA Region for commercial storers/disposers of PCB waste
August		NPDES: submit DMR to EPA Region.		August 25 (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	September 15: submit ERP certifications to DEP	NPDES: submit DMR to EPA Region.		
October	October 30: Facilities required to install a CEMS must submit quarterly excess emissions report	NPDES: submit DMR to EPA Region.		
November		NPDES: submit DMR to EPA Region.		
December		NPDES: submit DMR to EPA Region. Categorical dischargers to POTWs must submit semi-annual Sampling and Analysis Report to EPA unless local POTW collects it.		

Few Words About DEP Permit Applications

DEP refers to permits that may introduce emissions to air, water, or soil as “Plan Approvals”. The purpose of plan approvals is to allow DEP to review the industrial process in order to determine what pollutants might be emitted and how the facility intends to prevent the process from contributing to degradation of the environment. For this reason, DEP states that plan approval applications should be submitted before construction or modification of a process line begins. If DEP encounters anything in the process that could be a cause of concern, the situation can be discussed with your facility and addressed before construction or modification begins. Permit application review before construction or modification begins provides a way to prevent environmental problems before they occur, thus saving both time and money for your facility. If DEP discovers that your facility has been operating without a plan approval, costly enforcement cases can be brought against your facility, and you will still be required to apply for the permit --- at a higher fee.

For planning purposes, facilities should note the following permit application review phases that DEP has established:

Administrative Completeness (AC) Review --- DEP checks to see that the facility submitted all materials and information requested in the permit application. If DEP finds the permit application is complete, the application proceeds to the next step. Applicants are notified of incomplete applications and are asked to submit the missing components.

Technical Review (T1) --- DEP reviews the application and assesses the process description, expected emissions from the process, proposed pollution control equipment, and any additional process information, including Operation and Maintenance Manuals or technical drawings. For some permits, a decision is made after this phase; for others, a second technical review may be required.

Supplemental Technical Review (T2) --- DEP may require an additional round of review for certain applications, particularly where deficiencies are noted in the Technical Review, and the facility submits additional or new information.

Public Comment Review (PC) --- DEP may solicit comments from the public for processes that it believes may have a strong impact on the surrounding community. Note: for permit applications that enter this phase, the public has 30 days to comment on the application. After the public comment period is over, DEP then reviews the comments for a time period that varies depending on the type of permit application submitted, and makes a decision on whether to approve the application.

Not every permit requires all of the review phases described above --- refer to the column labeled “Permit/Reporting Deadlines” to determine which review stages apply for the permit in question, and the duration of each review phase.

If you are planning to construct a new line 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 DEP 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.

TABLE 1: Air Quality Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 7.02: Plan Approvals</p> <ul style="list-style-type: none"> 7.02(4) (c): Limited Plan Approval (LPA) 7.02(4) (b): Comprehensive Plan Approval (CPA) 	<p>Facilities that emit criteria pollutants (ozone, NOx, SOx, CO, PM, lead) and non-criteria pollutants. Applications must address Best Achievable Control Technology (BACT).</p> <p><u>LPA</u>: increase in potential emissions ≥ 1 tpy but <5 tpy for criteria & non-criteria pollutants</p> <p><u>Non-major CPA</u>: increase in potential emissions ≥ 5 tpy 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>Major source process exceeds the thresholds.</p> <p><u>major CPA</u>: applies to facilities that hold a operating permit where a process modification or new construction results in a net increase in potential emissions of:</p> <ul style="list-style-type: none"> ≥ 25 tpy VOC, NOx ≥ 100 tpy CO ≥ 40 tpy SO₂ ≥ 15 tpy PM ≥ 0.6 tpy lead <p>or modification/new construction that exceeds non-major CPA thresholds.</p> <p><u>Administrative Authority</u>: MA has delegation authority from EPA.</p>	<p><u>LPA</u>:</p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 60 days T2 --- 60 days PC --- none <p><u>non-major CPA</u>:</p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 90 days T2 --- 90 days PC --- none <p><u>major CPA</u>:</p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 160 days T2 --- 160 days PC --- 90 days 	<p>LPA: \$300</p> <p>non-major CPA: \$1,100</p> <p>major CPA: \$11,250</p>	<p>LPA: \$150</p> <p>non-major CPA: \$1,000</p> <p>Facilities with major CPAs that hold an operating permit should refer to "Operating Permit" annual fee below.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable
<p>310 CMR 7.03: Plan Approval Exemption</p> <ul style="list-style-type: none"> Includes specific source categories, e.g. Spray Booths (7.03(13)) Additional source categories are currently under consideration 	<p>Facilities in source categories listed under 7.03(13) 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>Record keeping requirements exist, and are federally enforceable.</p>				<ul style="list-style-type: none"> <input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable
<p>310 CMR 7.02: Plan Approvals</p> <ul style="list-style-type: none"> 7.02(12): Restricted Emissions Status 	<p>Facilities wishing to limit emissions to below major source or RACT applicability for VOC, HOC, and NOx.</p>	<ul style="list-style-type: none"> AC --- 30 days T1 --- 90 days T2 --- 45 days PC --- 10 days 	<p>RES: \$1,000</p>	<p>RES: \$1,000</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <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 Fee	Facility Status
<p>310 CMR 7.02: Plan Approvals</p> <ul style="list-style-type: none"> 7.02(15): 50%/25% Facility-Wide Emissions Cap 	<p>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.</p>	<p>Facilities are required to submit annual emissions statements to DEP to demonstrate compliance.</p>	<p>No fee. Notify DEP.</p>	<p>50% cap: \$450 25% cap: \$150</p>	<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>310 CMR 7.00, Appendix C: Operating Permit Program</p> <p>40 CFR 70: State Operating Permits</p>	<p>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.</p> <p>Major source thresholds are:</p> <ul style="list-style-type: none"> 50 tons per year (tpy) VOC, NOx 100 tpy CO, SO₂, PM 10 tpy for any single HAP 25 tpy for a combination of HAPs <p>Title 5 applications are submitted to MA DEP</p>	<p><u>Group A:</u></p> <ul style="list-style-type: none"> AC --- 60 days T1 --- 180 days T2 --- 180 days PC --- 10 days <p><u>Group B:</u></p> <ul style="list-style-type: none"> AC --- 60 days T1 --- 300 days T2 --- 90 days PC --- 10 days <p><u>Group C:</u></p> <ul style="list-style-type: none"> AC --- 60 days T1 --- 180 days T2 --- 180 days PC --- 10 days 	<p>Fees will be changing in Fiscal Year 2001 (begins July 1, 2001).</p>	<p>See Permit Fee.</p>	<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>310 CMR 7.04, 7.05: Fuel Burning*</p> <p>310 CMR 70.00: Environmental Results Program</p> <p>*DEP only regulates air quality issues stemming from fuel burning. The MA Department of Public Safety regulates certification of boiler maintenance technicians.</p>	<p>Boilers with a heat input \geq 3 million BTUs are required to obtain a plan approval (see Plan Approvals, 310 CMR 7.02); emergency generators which have operate over 1,000 hours in a calendar year also require approval.</p> <p>Emergency generators operating less than 1,000 hours per year are exempt.</p> <p>New installations of boilers with heat inputs between 10 million and 40 million BTUs will be covered under the Environmental Results Program (ERP) for boilers.</p>	<p>Finalized ERP sector governing new installations will be submitted to EPA R1 for approval.</p> <p>ERP enrollees submit an annual certification statement, typically due on September 15.</p>	<p>For existing installations, the permit fee will vary depending upon whether emissions require an LPA, CPA, or Title V permit (see 7.02 above).</p> <p>Facilities with an existing approval may opt for the 50%/25% Facility-Wide Emissions Cap.</p> <p>ERP for Boilers has no fee.</p>	<p>For existing installations, see annual fees for LPA, CPA, and Title V.</p> <p>Facilities that opt for the 50%/25% Facility-Wide Emissions Cap pay one fee for all emission units.</p> <p>ERP fee to be set.</p>	<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <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 Fee	Facility Status
<p>310 CMR 7.18: RACT for VOC & HOC</p> <ul style="list-style-type: none"> Includes specific source categories, e.g. surface coating of Miscellaneous Metal Parts (7.18(11)) 	<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>Each industry-specific RACT category has its own applicability threshold and emissions limit.</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>New sources must demonstrate BACT.</p>	<p>State-approved ECP:</p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 90 days T2 --- 90 days PC --- 10 days <p>EPA-approved ECP (part of SIP):</p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 160 days T2 --- 160 days PC --- 90 days 	<p>No fee for specific source category RACTs.</p> <p>Fee for state- approved ECP is \$950.</p> <p>Fee for EPA-approved ECP is \$11,250.</p>	<p>No fee for industry-specific RACTs.</p> <p>Fee for ECP is based on the facility's potential emissions.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 7.19: RACT for NOx</p>	<p>Facilities with PTE for NOx \geq 50 tpy</p> <p>Facilities 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>New sources must demonstrate BACT.</p>	<p>State-approved ECP:</p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 90 days T2 --- 90 days PC --- 10 days <p>EPA-approved ECP (part of SIP):</p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 160 days T2 --- 160 days PC --- 90 days 	<p>Fee for state- approved ECP is \$950.</p> <p>Fee for EPA-approved ECP is \$11,250.</p>	<p>Fee for ECP is based on the facility's potential emissions.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>40 CFR 63: National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories</p> <p>40 CFR 61: National Emission Standards for Hazardous Air Pollutants</p>	<p>Applicability thresholds vary with the specific NESHAP, but are typically for major sources specified in the 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>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; these are specified in each subpart of 40 CFR 63. Subparts correspond 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>See Operating Permits.</p>	<p>See Operating Permits.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 7.22: Acid Rain Program</p>	<p>Fuel-burning equipment with capacity to burn \geq 100 MBTUs of fuel input per hour limited to annual emissions of 1.2 lbs SO₂ per 1 MBTU fuel input.</p> <p>Equipment must employ BACT.</p>				<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</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 Fee	Facility Status
<p>310 CMR 7.12: Emissions Statement (ES)</p>	<p>Requires facilities to file an inventory of emissions if the following thresholds are met:</p> <p>Submit ES annually:</p> <ul style="list-style-type: none"> Actual VOC emissions \geq 25 tpy Actual NOx emissions \geq 25 tpy Other CAA pollutants \geq 100 tpy <p>Submit ES every 3 years:</p> <ul style="list-style-type: none"> PTE for VOC > 10 tpy PTE for NOx > 4.4 tpy PTE for SOx > 2.5 tpy PTE for PM > 2 tpy <p>Also subject:*</p> <ul style="list-style-type: none"> Facilities subject to NESHAP Facilities with boilers Incinerators Any facility that receives an ES package at DEP's discretion <p>*reporting frequency will vary</p>	<p>Emissions statements are sent to DEP.</p> <p>DEP is authorized to require source registration for facilities subject to MACT standards for which DEP has accepted delegation.</p>			<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 7.13: Stack Testing</p> <p>310 CMR 7.14: Monitoring Devices and Reports</p>	<p>DEP 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.</p>				<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 7.06: Visible Emissions</p> <p>310 CMR 7.07: Open Burning</p> <p>310 CMR 7.09: Nuisance (Dust/ Odor)</p> <p>310 CMR 7.10: Noise</p>	<p>7.06 limits opacity of air emissions from a facility to no more than 20% in a 2-minute period in any hour and no more than 40% at any point during the two-minute period.</p> <p>7.07 prohibits open burning with exceptions for fire training, and certain agricultural activities.</p> <p>7.09 and 7.10 prohibit a facility from creating nuisance conditions by emission of odor, dust, and noise.</p>	<p>A plan approval may be required for approved open burning activities. See "Plan Approvals" for permitting timelines.</p>	<p>For open burning, will depend on the plan approval issued.</p>	<p>For open burning, will depend on the plan approval issued.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 7.15: Asbestos</p>	<p>Requires facilities to obtain a permit for activities that may result in asbestos releases.</p>	<p>A notification form must be submitted to DEP for activities involving possible asbestos release during construction, demolition or asbestos removal.</p>	<p>\$50 notification</p> <p>\$50 removal</p> <p>\$50 C/D</p>	<p>No annual fee.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</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 Fee	Facility Status
<p>310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use</p>	<p>Facilities with 250 or more employees at a site or within a one-mile radius of the site are required to reduce by 25% (from the baseline) the number of employees who commute to work individually in a single vehicle. Facilities are required to establish a baseline through commuting surveys, then conduct these surveys biannually to reach the 25% reduction.</p> <p>Facilities that employ 1,000 or more employees at a site or within a one-mile radius of the site are required to provide vanpools.</p>	<p>Initial baseline reports due to the Secretary of Environmental Affairs. Due date varies depending upon which air pollution control district the facility is located in (Boston, Worcester, Pioneer Valley, etc.) Effective dates and due dates for each pollution control district are specified in 310 CMR 7.16.</p>			<p> <input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable </p>

TABLE 2: Water Quality Permits, Regulations, and Policeis

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>314 CMR 7.00: Sewer Connection Permit Program</p> <p>314 CMR 12.00: Operation and Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers</p> <p>40 CFR 403: General Pretreatment Regulations for Existing and New Sources of Pollution</p> <p>310 CMR 70.00: Environmental Results Program</p> <p>257 CMR 2.00: Wastewater Treatment Operator Certification Regulations</p>	<p>Governs discharges of industrial process water to a local sewer system. POTWs enforce categorical pretreatment standards for specific industrial activities, or can use local permits to set stricter limits.</p> <p>Traditionally, DEP required plan approvals for all wastewater systems that pretreat industrial wastewater prior to discharge to the sewer.</p> <p>Plan Approvals are issued for Type I or Type II wastewater treatment systems. 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 (e.g. pH adjustment) is assigned a point rating. 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>The Massachusetts Water Resources Authority (MWRA) received delegation from DEP in 1993 to administer the sewer connection permit program for industrial dischargers in its service area. Facilities in the MWRA service area are still required to obtain plan approvals, and must obtain an industrial user permit in addition to paying a reduced sewer connection fee to DEP.</p> <p>Holding tanks for storage of non-hazardous industrial wastewater also require a permit under the Sewer Connection program.</p> <p>The ERP industrial wastewater sector will replace the sewer connection permit program with an annual certification statement. Until then, facilities are advised to contact DEP for a determination on permits and fees.</p> <p>Operators of industrial wastewater treatment are required to obtain a license from DEP.</p>	<p>The sewer connection permit is valid for 5 years; this will change when ERP for Industrial Wastewater becomes effective.</p> <p><u>Type I Permit & Plan Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 110 days • T2 --- 110 days • PC --- 90 days <p><u>Type II Permit & Plan Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 120 days • T2 --- 120 days • PC --- 90 days <p><u>Type I Plan Approval only:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- none <p><u>Type II Plan Approval only:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- none <p><u>Permit w/o Plan Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- 90 days <p><u>Holding Tank Installation:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- none <p><u>Existing Tank Conversion:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 60 days • T2 --- 60 days • PC --- none 	<p>Type I Permit AND Plan Approval: \$2,100</p> <p>Type II Permit AND Plan Approval: \$2,600</p> <p>Type I Plan Approval: \$1,100</p> <p>Type II Plan Approval: \$1,600</p> <p>Permit w/o Plan Approval: \$1,000</p> <p>New Holding Tank: \$1,050</p> <p>Existing Tank Conversion: \$200</p>	<p>Permits (with and without Type I and Type II Plan Approvals):</p> <ul style="list-style-type: none"> • \$50 for facilities in MWRA area. • \$100 for other facilities. <p>Type I and Type II Plan Approvals only have no annual fee.</p> <p>No fees for holding tanks</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable

TABLE 2: Water Quality Permits, Regulations, and Policeis

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual 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 (e.g. pH adjustment) is assigned a point rating. 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>Operators of industrial wastewater treatment are required to obtain a license pursuant to 257 CMR 2.00.</p> <p>Stormwater and cooling water discharges may be subject to the NPDES permit program.</p> <p>Submit EPA Notice of Intent (NOI) for stormwater discharges. A Stormwater Pollution Prevention Plan may also be required</p> <p>Submit EPA Notice of Intent for Non-Contact Cooling Water</p> <p>MA not delegated to administer the NPDES program. Surface water discharge permits applications are submitted to both DEP and EPA. DEP 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 (submitted to DEP) AND a Form 2C (submitted to EPA).</p> <p>The NPDES permit is valid for 5 years.</p> <p><u>Type I Permit & Plan Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 150 days • T2 --- 150 days • PC --- 90 days <p><u>Type II Permit & Plan Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 200 days • T2 --- 200 days • PC --- 90 days <p><u>Renewal or Modification:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 110 days • T2 --- 110 days • PC --- 90 days <p>NPDES permit regulations require facilities to submit Discharge Monitoring Reports (DMRs) on a monthly basis to the EPA Regional Office.</p>	<p>Type I Permit and Plan Approval: \$3,200</p> <p>Type II Permit and Approval: \$6,850</p> <p>Renewal or Modification: \$2,150</p> <p>Stormwater NOI Fee: \$50</p> <p>Management Plan: \$600</p> <p>Non-Contact Cooling Water NOI fee: \$250</p>	<p>Type I Permit & Plan Approval: \$850</p> <p>Type II Permit & Plan Approval: \$5,000</p> <p>Fees for renewals or modifications will be \$850, or \$5,000 depending on the facility</p> <p>Stormwater and non-contact cooling water fees \$5000 or \$850 depending on the type of discharge. A \$100 fee for non-process water discharge.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 2: Water Quality Permits, Regulations, and Policeis

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>314 CMR 5.00 and 6.00: Groundwater Discharge Permit Program</p> <p>40 CFR 141-143: National Primary and Secondary Drinking Water Regulations</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 (e.g. pH adjustment) is assigned a point rating. 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>Operators of industrial wastewater treatment are required to obtain a license pursuant to 257 CMR 2.00.</p> <p>Massachusetts has administrative authority over the groundwater discharge program.</p>	<p>The groundwater discharge permit is valid for 5 years, but DEP can choose to shorten the duration of the permit.</p> <p><u>Type I Permit & Plan Approval:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 120 days T2 --- 120 days PC --- 90 days <p><u>Type II Permit & Plan Approval:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 150 days T2 --- 150 days PC --- 90 days <p><u>Renewal or Modification:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 110 days T2 --- 110 days PC --- 90 days <p>Facilities are required to install monitoring wells upgrade and downgrade of the discharge and sample from these wells to ensure that drinking water standards are not violated. Data collected is sent to DEP.</p>	<p>Type I Permit and Approval: \$3,000</p> <p>Type II Permit and Approval: \$8,600</p> <p>Renewal or modification: \$1,500</p>	<p>Type I Permit and Approval: \$1,550</p> <p>Type II Permit and Approval: \$5,750</p> <p>Fees for Renewal or modification: can be \$1,500 or \$5,750 depending on the discharge.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 27.00: Underground Water Source Protection</p> <p>40 CFR 144-147: Underground Injection Control Program</p>	<p>Underground Injection Control (UIC) Program</p> <p>DEP will permit discharges to Class V wells only and may require a groundwater discharge permit. Facilities that discharge industrial wastewater to wells other than Class V are urged to stop.</p> <p>Examples of Class V discharges include: recharge wells to replenish water in an aquifer; wells to return water to the ground after being run through a heat exchanger; drainage wells for stormwater; and salt water intrusion barrier wells that inject fresh water into aquifers so the aquifer is not contaminated with salt water.</p> <p>Massachusetts has administrative authority.</p>	<ul style="list-style-type: none"> AC --- 30 days T1 --- 30 days T2 --- 30 days PC --- none 	<p>\$150</p>		<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 2: Water Quality Permits, Regulations, and Policeis

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 22.00: Drinking Water Regulations, Cross Connection Approvals</p>	<p>Facilities with direct or indirect connections between potable water lines and non-potable (process) water lines. Approvals must be obtained for each cross connection.</p> <p>Approximately half of the communities in Massachusetts are delegated authority from DEP to administer cross-connection approvals. Applicants are advised to consult the list of delegated communities included in the permit application package.</p> <p>Individuals may apply to DEP for certification as cross connection testers.</p>	<p>Cross Connection Tester licenses are valid for 3 years.</p> <p><u>Cross Connection Plan Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 60 days • T2 --- 60 days • PC --- none <p><u>Cross Connection Tester:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 30 days • T2 --- none • PC --- none 	<p>\$50 per backflow prevention device</p> <p>Cross Connection Tester: \$100</p>	<p>\$50 per backflow prevention device</p> <p>Cross Connection Tester: none</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 36.00: Water Management Act Regulations---Water Withdrawal</p>	<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.</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 --- requires new permit).</p> <p>Facilities with existing water withdrawal permits that are undergoing transfer of ownership.</p> <p>DEP has administrative authority.</p>	<p><u>Water Withdrawal Permit:</u></p> <ul style="list-style-type: none"> • AC --- none • T1 --- 90 days • T2 --- 90 days • PC --- none <p><u>Amendment to Existing Permit:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 45 days • T2 --- 45 days • PC --- none <p><u>Transfer of Withdrawal Rights:</u></p> <ul style="list-style-type: none"> • AC --- none • T1 --- 30 days • T2 --- 30 days • PC --- none 	<p>Water withdrawal permits are generally valid for 20 years, but DEP may limit duration to 5 years in certain river basins.</p> <p>Water Withdrawal: \$1,900</p> <p>Amendment: \$900</p> <p>Transfer of Rights: \$100</p>	<p>Withdrawal Permit: \$100</p> <p>Amendment: none</p> <p>Transfer of Rights: none</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>310 CMR 10.00: Wetlands Protection (includes Rivers Protection Act)</p>	<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>Activity that will dredge, remove, fill, or alter the area requires a Notice of Intent. Buffer Zone activity requires Determination of Applicability.</p> <p>Conservation Commissions have administrative authority. Decisions may be appealed through the DEP. wetlands variance may be granted.</p>	<p>Because the process is handled mainly through the Conservation Commission, the normal permit application timeline does not apply.</p>	<p>A wetlands variance is valid for 3-5 years and costs \$4,000.</p>		<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 3: Solid Waste Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 16.00: Site Assignment Regulations</p> <p>Solid Waste Facility Siting</p> <p>40 CFR 243: Guidelines for Storage and Collection of Residential, Commercial, and Industrial Solid Waste.g40</p> <p>CFR 243: Guidelines for storage and collection of residential, commercial, and industrial solid waste.</p>	<p>Solid waste management units (SWMU), including transfer stations and landfills, that transfer, store, process, treat, or dispose of solid waste, require a Site Assignment. The Site Assignment is a review that DEP conducts to determine that a location is suitable for solid waste management and will not adversely impact the environment.</p> <p>Facilities seeking to expand an existing SWMU or construct a new SWMU at an unassigned site must apply for a site assignment by submitting to DEP a Site Suitability Report for Solid Waste Facility Siting.</p> <p>Certain recycling, composting operations and categorical exemptions defined in 310 CMR 16.00 may be eligible for an exemption. These facilities must submit a "Determination of Need" to DEP. A "negative determinations" means the facility is exempt from Site Assignment regulations and permits. There are two types of DONs, Large Operations and Small Operations:</p> <p>Large Operation Recycling/Composting:</p> <ul style="list-style-type: none"> • Recycles more than 100 tons per day • Composts more than 10 tons per day by windrow method • Composts more than 1 ton per day by other methods <p>Small Operation Recycling/Composting:</p> <ul style="list-style-type: none"> • Recycles 100 tons per day or less • Composts 10 tons per day or less by windrow method • Composts 1 ton per day or less by other methods <p>The local Board of Health issues the site assignment after DEP reviews and approves the Site Suitability Report.</p>	<p><u>Site Suitability Report for Solid Waste Facility Siting:</u></p> <ul style="list-style-type: none"> • AC --- 21 days • T1 --- 60 days • T2 --- none • PC --- none <p><u>Determination of Need, Large Operation:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 60 days • T2 --- 60 days • PC --- 60 days <p><u>Determination of Need, Small Operation:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 20 days • T2 --- 20 days • PC --- 30 days <p><u>Determination of Need, Modification:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 20 days • T2 --- 20 days • PC --- 30 days 	<p>Site Suitability Report for Solid Waste Facility Siting: \$4,900</p> <ul style="list-style-type: none"> • separate fee must be paid to local Board of Health <p>Determination of Need, Large Operation: \$3,950</p> <p>Determination of Need, Small Operation: \$700</p> <p>Determination of Need, Modification: \$700</p>		<ul style="list-style-type: none"> <input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable

TABLE 3: Solid Waste Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 19.00: Solid Waste Management Facility Regulations</p> <p>Landfill Permits</p>	<p>Existing and new SWMUs must ensure that hazardous wastes are not disposed in landfills (Land Disposal Restriction).</p> <p>Applies to construction and operation of existing and new landfills. Facilities receive two separate approvals, first for construction, then for operation. Separate authorizations required for each phase of multi-phase projects.</p> <p>Existing landfills operated as of July 1990 and remained operational as of July 1, 1992.</p> <p>New Large Landfills/Majors Expansion have disposal volumes of 250 acre-feet or greater or proposed expansion fits this description.</p> <p>New Medium Landfills/Medium Expansion have disposal volumes between 25 and 250 acre-feet or proposed expansion fits this description.</p> <p>New Small Landfills/Small Expansion have disposal volumes of 25 acre-feet or less, or proposed expansion fits this description.</p> <p>A separate permit exists for landfilling of woodwaste. Permits are also required for modifications to landfill design and operation.</p> <p>Major modification is defined as a change to design requiring construction of additional structures.</p> <p>Minor modification is defined as a change in operations, equipment, or daily capacity.</p> <p>DEP has administrative authority.</p>	<p>Valid 5 years / capacity reached.</p> <p><u>Existing Landfill Permit</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- none <p><u>Existing Landfill Construction Approval for Multi-Phase Projects</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 45 days • T2 --- 45 days • PC --- 90 days <p><u>Large Landfill/Major Expansion:</u></p> <ul style="list-style-type: none"> • Project-by-project basis <p><u>Medium Landfill/Expansion or Woodwaste</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 100 days • T2 --- 100 days • PC --- 90 days <p><u>Small Landfill/Small Expansion or Woodwaste Landfill/Expansion:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- 90 days <p><u>Major Modification:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- none <p><u>Minor Modification:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 20 days • T2 --- 20 days • PC --- none <p><u>Authorization to Operate:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 45 days • T2 --- 45 days • PC --- none 	<p>Existing Landfill: \$3,350</p> <p>Existing Landfill, Multi-Phase Construction Approval: \$900</p> <p>Large Landfill/Major Expansion: case-by-case</p> <p>Medium Landfill/Expansion \$14,400</p> <p>Small Landfill/Expansion or Woodwaste \$7,200</p> <p>Major Modification: \$1,800</p> <ul style="list-style-type: none"> • \$2,450 if MEPA review is required <p>Minor Modification: \$700</p> <p>Authorization to Operate: \$900</p>	<p>Existing Landfill: \$8,100</p> <p>Existing Landfill Construction Approval for Multi-Phase Projects: \$8,100</p> <p>Large Landfill/Major Expansion: \$8,100</p> <p>Medium Landfill/Expansion: \$8,100</p> <p>Small Landfill/Expansion: \$8,100</p> <p>Woodwaste Landfill/Expansion: \$1,500</p> <p>Major Modification: \$8,100</p> <p>Minor Modification: \$8,100</p> <p>Authorization to Operate: \$8,100</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>
<p>40 CFR 243: Guidelines for Storage and Collection of Residential, Commercial, and Industrial Solid Waste.</p>					

TABLE 3: Solid Waste Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 19.00: Solid Waste Management Facility Regulations</p> <p>Landfill Assessment and Closure</p>	<p>Applies to facilities that wish to close a landfill or elements of the landfill design and operation are suspected to have contaminated the environment (leachate collection system is leaking, buildup of explosive gases, etc.) and action needs to be taken to limit contamination.</p> <p>The landfill closure process consists of the following steps: initial site assessment; comprehensive site assessment; corrective actions analysis; corrective actions design. Each step requires an approval from DEP.</p> <p>Initial Site Assessment --- present and past use of the facility is evaluated; monitoring plans are drafted to determine which contaminants are present and forms basis for Comprehensive Site Assessment.</p> <p>Comprehensive Site Assessment --- air, water, and soil monitoring are conducted at the site to ascertain type and extent of contamination. Risk assessments are conducted at this stage.</p> <p>Corrective Actions Analysis --- Landfill capping alternatives are compared and additional corrective measures (e.g. groundwater or soil remediation) are analyzed.</p> <p>Corrective Active Design --- once a corrective action plan is chosen, the design phase begins.</p>	<p><u>Initial Site Assessment Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 45 days • T2 --- 45 days • PC --- none <p><u>Comprehensive Site Assessment Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 75 days • T2 --- 75 days • PC --- none <p><u>Corrective Actions Analysis Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 60 days • T2 --- 60 days • PC --- none <p><u>Corrective Action Design Approval:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 90 days • T2 --- 90 days • PC --- none 	<p>Initial Site Assessment Approval: \$700</p> <p>Comprehensive Site Assessment Approval: \$2,850</p> <p>Corrective Actions Analysis Approval: \$1,800</p> <p>Corrective Action Design Approval: \$2,150</p>	<p>Inactive landfills with post-closure monitoring: \$650</p>	

TABLE 3: Solid Waste Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 19.00: Solid Waste Management Facility Regulations</p> <p>Beneficial Use Determination (BUD)</p>	<p>Facilities that generate solid waste (other than glass, plastic, and metal bottles and cans and office paper) from industrial processes may apply to DEP 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. Once classified as a BUD, the material is no longer considered solid waste. DEP issues two types of BUDs, major and minor.</p> <p>Major BUD --- Greater than 20 tons waste. Minor BUD --- 20 tons of less material.</p>	<p><u>BUD --- Major:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 30 days • T2 --- 30 days • PC --- 21 days for Board of Health if DEP believes the application warrants it <p><u>BUD --- Minor:</u></p> <ul style="list-style-type: none"> • AC --- 30 days • T1 --- 30 days • T2 --- 30 days • PC --- 21 days for Board of Health if DEP believes the application warrants it 	<p>BUD--- Major: \$900</p> <p>BUD --- Minor: \$250</p>		<ul style="list-style-type: none"> <input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not <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 Fee	Facility Status
<p>310 CMR 30.060: Notification Procedures</p> <p>310 CMR 30.100, 30.120-30.126: Hazardous Waste Determination</p> <p>310 CMR 30.136 -- --Acutely Hazardous Wastes</p> <p>40 CFR 260-279: Resource Conservation and Recovery Act (RCRA)</p>	<p>Hazardous waste defined: Waste is hazardous by characteristic (toxic, corrosive, reactive, ignitable), or by listing.</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 damage 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>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>DEP still regulates VSQGs, however, but allows VSQGs to self-assign their own identification number, typically the facility telephone number.</p> <p>Massachusetts considers waste oil hazardous. SQGs and VSQGs of waste oil are not required to obtain an EPA Identification Number.</p> <p>Determining Generator Status:</p> <ul style="list-style-type: none"> • LQG > 250-265 gallons HW per/month 1 kg acutely HW per/month • SQG < 250-265 gallons HW per/month < 1kg acutely HW per/month • VSQG < 25-27 gallons HW per/month No acutely HW • Waste oil is counted separately 			<p>VSQGs: No fee. SQGs: \$300 LQGs: \$1,800</p>	<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

TABLE 4: Hazardous Waste Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 30.351(8): Accumulation Area Standards</p> <p>310 CMR 30.351(5): Accumulation Time Limits</p>	<p>Accumulation Area Standards:</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. -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. <p>Accumulation and Storage Limits:</p> <ul style="list-style-type: none"> VSQGs may accumulate up to 165 gallons indefinitely before waste must be shipped SQGs may accumulate up to 1650 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 5 years.</p>			<input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable
<p>310 CMR 30.310, 30.311, 30.315, 30.316: Manifests and Special Conditions for Using Two-Part and Four-Part Manifests</p>	<p>Requirements for documenting shipment of hazardous waste. Standard manifest consists of 8 copies. The facility keeps copies 3 and 8.</p> <p>A two-part manifest may be where regulated recyclable material is sent to a facility that sends reprocessed material to the generator.</p> <p>A four-part manifest may be used for waste oil that does not leave Massachusetts; VSQGs may also use the four-part manifest.</p> <p>Note that hazardous waste transporters must be licensed by DEP.</p>	<p>Facilities are required to maintain copies of manifests on site 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 is located, if it is outside MA.</p>			<input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable

TABLE 4: Hazardous Waste Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>Hazardous Waste Exemptions</p> <p>DEP has set forth several policies indicating circumstances under which certain wastes may be managed as solid, and not hazardous waste.</p> <p>One Drop Rule (DEP Wiper Policy) --- if one drop of liquid can not be wrung from a wiper, then it may be managed as solid waste</p> <p>Mineral Sorbents Contaminated with Oil --- may be managed as solid waste, provided there is no free liquid</p> <p>Filter Cartridges --- may be managed as solid waste provided the filters are drained for 24 hours</p>	<p>DEP has set forth several policies indicating circumstances under which certain wastes may be managed as solid, and not hazardous waste.</p> <p>One Drop Rule (DEP Wiper Policy) --- if one drop of liquid can not be wrung from a wiper, then it may be managed as solid waste</p> <p>Mineral Sorbents Contaminated with Oil --- may be managed as solid waste, provided there is no free liquid</p> <p>Filter Cartridges --- may be managed as solid waste provided the filters are drained for 24 hours</p>				<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>310 CMR 30.200: Recyclable Material and Waste Oil</p> <ul style="list-style-type: none"> Establishes three classes of recyclable material: <ul style="list-style-type: none"> Class A Class B(1), B(2), B(3), B(4), B(5) Class C Five permit levels <ul style="list-style-type: none"> Class A 21-Day Presumptive Approval <ul style="list-style-type: none"> Regulated material recycled on site Level I Level II Level III Level III --- Precious Metals 	<p>Facilities that generate certain RCRA wastes may recycle these materials on-site or off-site rather than simply disposing of them as waste.</p> <p>VSQGs do not have to obtain recycling permits.</p> <p>examples of Class A materials:</p> <ul style="list-style-type: none"> Material recycled on-site in a completely-enclosed system Specification used oil burned for energy in a space heater <p>examples of Class B activities:</p> <ul style="list-style-type: none"> recycling considered as disposal burning hazardous waste fuel burning off-spec used oil recycling precious metal material recycling lead-acid batteries <p>Class C activities:</p> <ul style="list-style-type: none"> reclamation of listed/characteristic sludge 	<p>Permits typically valid for 5 years.</p> <p><u>Level I Recycling Permit:</u></p> <ul style="list-style-type: none"> AC --- none T1 --- 30 days T2 --- 30 days PC --- none <p><u>Level II Recycling Permit:</u></p> <ul style="list-style-type: none"> AC --- 45 days T1 --- 45 days T2 --- 45 days PC --- none <p><u>Level III Recycling Permit and Level III Precious Metals:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 120 days T2 --- 120 days PC --- none <p><u>Level II and Level III Modification:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 60 days T2 --- 60 days PC --- none 	<p>Class A: \$100* *VSQGs, no fee.</p> <p>Level I: \$150 Level II: \$750 Level III: \$5,800</p> <p>Level III/precious metals: \$2,950</p> <p>Modification: Level II: none Level III: \$1,800</p>	<p>Class A: No fee. Level I: No fee. Level II: No fee. Level III: \$1,800</p> <p>Level III/precious metals: \$1,800</p> <p>Modification: Level II: none Level III: \$1,800</p>	<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

TABLE 4: Hazardous Waste Permits, Regulations, and Policies

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 30.1000: Universal Waste Rule</p> <p>40 CFR 273: 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"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not 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.</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"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not 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:</p> <ul style="list-style-type: none"> • 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>LQGs are required to develop written contingency plans and keep them on site. Personnel training programs are also required.</p>			<input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not 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 Fee	Facility Status
<p>310 CMR 40.00: MA Contingency Plan (MCP)</p> <p>Hazardous Waste Site Cleanup</p> <p>40 CFR 303-307: 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>DEP directly oversees cleanup activity for Tier 1A sites. A Licensed Site Professional (LSP) oversees other sites, after a permit is issued.</p> <p>All clean up projects require LSP services.</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>Response Action Permits are valid for 5 years.</p> <p>Modifications, Extensions, and Transfers are valid for 5 years; Extensions valid for 2 years.</p> <p><u>Tier 1A, 1B, 1C Response Action Permits:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 75 days T2 --- 45 days PC --- 20 days <p><u>Tier 1 Major Permit Modification:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 75 days T2 --- 45 days PC --- 20 days <p><u>Tier 1 Permit Extension:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 60 days T2 --- 30 days PC --- 20 days <p><u>Tier 1 Permit Transfer:</u></p> <ul style="list-style-type: none"> AC --- 30 days T1 --- 60 days T2 --- 30 days PC --- 20 days 	<p>Tier 1A, 1B, 1C: \$3,550</p> <p>Major Permit Modification: \$1,200</p> <p>Extension: \$1,200</p> <p>Transfer: \$1,200</p> <p>Additional permits may be required.</p>	<p>Tier 1A: actual cost of DEP oversight</p> <p>Tier 1B: \$2,600</p> <p>Tier 1C: \$1,950</p> <p>Tier 2: \$1,300</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><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not 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 numbers for the DEP Spill Reporting Hotline and the National Response Team appear on the first page of this document.</p>				<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>

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

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>40 CFR 350-374: Emergency Planning and Community Right-to-Know Act (EPCRA)</p>	<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. 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 §304. 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. Tier I/II is a reporting requirement. No permits are involved.</p>			<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>310 CMR 50.00: Toxics Use Reduction Act (TURA)</p>	<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. The chemical list includes the EPCRA 313 list, the CERCLA list, and chemicals added to the existing TURA list by petition. STATE LAW ONLY. Facilities must report on chemical use and waste, and must submit plans for reducing toxic chemical use every two years. The plan must be signed by a state-certified Toxics Use Reduction Planner (TURP).</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. 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. 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 \$300. 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. The General Practice TURP fee is \$1,100.</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. Maximum fee: \$31,450. Limited Practice and General Practice TURPs must recertify every two years. Recertification fees are \$100 for Limited Practice TURPs and \$500 for General Practice TURPs. Continuing Education requirements apply. See "Where Do I Get These Forms" for more information on TURP certification.</p>	<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

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

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>40 CFR 372: Toxic Release Inventory (TRI)</p>	<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 will begin in July 2001.</p>	<p>Facilities must submit a Form R to the EPA by July 1 of each year.</p>			<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>40 CFR 700-799: Toxic Substances Control Act (TSCA)</p>	<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 as of 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".</p> <p>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>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>	<p>PMN \$2,500</p>		<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>310 CMR 11.00: Massachusetts Environmental Policy Act (MEPA)</p>	<p>MEPA is administered through the Executive Office of 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 can not act on a permit application if it triggers MEPA review, it is suggested that facilities contact the MEPA unit 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><u>Environmental Notification Form (ENF).</u> The Environmental Secretary's office publishes ENFs in the <u>Environmental Monitor</u>. If it is determined that a project does not require further MEPA review, then Agencies can proceed to review the permit application.</p> <p><u>Environmental Impact Review (EIR).</u> If required, the facility submits an EIR that is published in the <u>Environmental Monitor</u>. EIR review is 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>			<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>Pollution Prevention Act of 1990</p>	<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>			<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)</p> <p>333 CMR 1.00-12.00</p> <p>40 CFR 150-187</p>	<p>Regulates distribution, sale, and use of pesticides. The Massachusetts Department of Food & Agriculture (DFA), Pesticide Bureau administers FIFRA.</p> <p>Pesticides must be registered first through EPA then through the Pesticide Bureau.</p> <p>Pesticides that are distributed, sold, or used must be registered. Pesticide applicators and dealers must be licensed.</p>	<p>Pesticide registrations valid for 5 years (EPA) and 1 year at the state level.</p> <p>Annual dealer license renewal March 1.</p> <p>Annual pesticide registration renewals July 1.</p> <p>Annual applicator license renewal December 31.</p>	<p>Contact the Pesticide Bureau at MA DFA.</p>	<p>Contact the Pesticide Bureau at MA DFA.</p>	<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>Endangered Species</p> <p>321 CMR 10.00: Massachusetts Endangered Species Act</p>	<p>MA Division of Fisheries, Wildlife, and Environmental Law Enforcement (DFWELE) administers the Endangered Species Act. U.S. Fish and Wildlife Service maintains the list of endangered species under the Federal Act.</p> <p>The 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 DFWELE.</p>	<p>Contact DFWELE.</p>	<p>Contact DFWELE.</p>	<p>Contact DFWELE.</p>	<p><input type="checkbox"/> Applied</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Reported</p> <p><input type="checkbox"/> Not Applicable</p>

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>National Response Team: Integrated Contingency Plan (One Plan)</p>	<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>The ICP may be used by any facility, but may be most useful to facilities who are subject to several emergency planning regulations, including the three regulations immediately listed below:</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>			<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>40 CFR 112.7(d), 112.20 and 112.21: Spill Prevention, Control, and Countermeasures (SPCC)</p>	<p>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:</p> <ul style="list-style-type: none"> • USTs total volume 40,000 gallons • ASTs total volume 1,320 gallons or any one AST exceeds 660 gallons. 	<p>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.</p>			<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>29 CFR 1910.38: OSHA Emergency Action Plan (EAP)</p>	<p>Requires facilities with 10 or more employees to have a written plan in place detailing how evacuation will be carried out.</p>	<p>This is an emergency planning requirement. No forms are submitted to OSHA; however, the EAP must be kept on site.</p>			<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>29 CFR 1910.119: OSHA Process Safety Management (PSM) plan</p>	<p>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 triggered 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.</p>	<p>This is an emergency planning requirement. No forms are submitted to OSHA; however, the PSM program must be kept on site.</p>			<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>Asbestos 29 CFR 1910.1001: Asbestos 40 CFR 763: Asbestos 105 CMR 410.00: Minimum Standards of Fitness for Human Habitation</p>	<p>New uses of asbestos (after July 1989) are banned. Employees must not be exposed to more than 0.1 fibers per cm³ air over an 8-hour period. MA Department of Public Health regulates asbestos in residences and schools.</p>				<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>
<p>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</p>	<p>OSHA: any facilities working with materials that contain lead must ensure that employees are not exposed to lead concentrations above 100 mg/m³. Lead paint removal is administered through the MA Department of Public Health.</p>				<p><input type="checkbox"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

TABLE 7: Other Important Environmental Regulations

State Regulation and Related Rules	Applicability and Administrative Authority	Permitting/Reporting Deadlines	Permit Fee	Annual Fee	Facility Status
<p>Infectious Waste 105 CMR 480.00 --- Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste</p>	<p>Massachusetts Department of Public Health administers management of infectious waste.</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"/> Applied <input type="checkbox"/> Approved <input type="checkbox"/> Reported <input type="checkbox"/> Not Applicable</p>

COMPLIANCE and ENFORCEMENT POLICIES

EPA SMALL BUSINESS COMPLIANCE POLICY

The EPA Small Business Compliance Policy originally became effective on June 10, 1996; the revised policy became effective on May 11, 2000. The purpose of the policy is to encourage compliance among small businesses by providing incentives for these businesses to discover noncompliance, self-report to EPA, then correct the noncompliance in a timely manner. EPA defines “small business” as a person, corporation, partnership, or other entity that employs 100 or fewer individuals across all facilities and operations owned by the entity. A small business is eligible to use the policy if:

- the incident is a first-time violation. In the past three years, the small business was not subject to an information request, warning letter, notice of violation, field citation, citizen suit or other enforcement action or received penalty mitigation pursuant to this Policy for the current violation. And, in the past five years, the small business has not been subject to two or more enforcement actions for environmental violations.
- the incident shows lack of harm and no criminal conduct, i.e. the violation has not caused actual serious harm to public health, safety, or the environment; the violation is not one that may present an imminent and substantial endangerment to public health or the environment; the violation does not present a significant health, safety, or environmental threat; and the violation does not involve criminal conduct.

EPA will waive/reduce the gravity portion of the civil penalty if the small business demonstrates a good faith effort to comply with applicable environmental requirements by: voluntarily discovering violations (through a non-enforcement government/other audit, environmental management system, checklist etc., but not through an enforcement inspection, consent order, or monitoring required by a permit); promptly notifying EPA or the appropriate agency in writing of the violation within 21 calendar days of its discovery; and correcting the violation within 180 days of its discovery or within 360 days if correction involves implementing pollution prevention technology. EPA may also defer to the DEP’s Policy for Small Businesses for regulations over which DEP has authority. Note that DEP defines a small business as an entity with 10 or fewer employees. A complete description of the policy is available at: <http://www.epa.gov/oeca/smbusi.html>.

EPA SELF-AUDIT POLICY

The EPA Incentives for Self-Policing: Discovery, Disclosure, Correction, and Prevention of Violations is commonly referred to as the “Self-Audit Policy”. The Self-Audit Policy first took effect on January 22, 1996; the revised policy is effective as of May 11, 2000. The main differences between the two policies are: a) the Self-Audit Policy can be used by businesses of any size; b) the timeframe for correcting violations is 60 calendar days from the date of discovery; c) several more conditions must be satisfied for penalty reduction; and d) the amount of penalty reduction differs. More information is available at: <http://es.epa.gov/oeca/finalpolstate.pdf>.

EPA POLICY on SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs)

SEPs are environmentally beneficial projects that a facility can agree to undertake in settlement of an environmental enforcement action. SEPs are usually optional, with some portion of the final penalty mitigated in exchange for the cost of undertaking the SEP. The percent of penalty reduction is determined by how effectively the SEP meets the following criteria: a) significant and quantifiable reductions in risk to public health or the environment; b) degree of innovation; c) risk reduction in low-income or minority communities; d) community involvement in developing the SEP; e) emissions reduction in more than one media (e.g. water and air); or f) SEP embodies pollution prevention. A proposed SEP must show a distinct relationship (nexus) between violation and project, i.e., SEP addresses environmental or public health risks attributed to the violation, or reduces the likelihood that similar future violations will occur. SEP categories include:

Public Health	Environmental Restoration and Protection	Environmental Compliance Promotion
Pollution Prevention	Assessments and Audits	Emergency Planning and Preparedness
Pollution Reduction		

More information is available at: <http://www.epa.gov/oeca/sep>.

DEP’s versions of all three policies are available at: <http://www.state.ma.us/dep/enf/enforce.htm#enforce>

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.

DEP Regulations and Permit Applications

- Some environmental regulations (310 CMR 6.00-8.00, 310 CMR 16.00, 310 CMR 19.00, and 310 CMR 30.000) are now available on the DEP website. From the homepage, <http://www.state.ma.us/dep>, click on "Publications by Program". Go the DEP division you are interested in, scroll down, and select the program area (e.g. air quality). You will be directed to a listing of publications. Scroll down to the regulations. 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.
- DEP permit applications may be picked up at the DEP Regional Offices or may be downloaded from the DEP website. Note that DEP 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 DEP website, go to the homepage at <http://www.dep.state.ma.us/> and click on the "Permit Applications" icon.

Environmental Results Program

- Certification packages may be downloaded from the DEP website at <http://www.state.ma.us/dep/erp/>
- ERP Workbooks are not currently available on the DEP website. Contact the DEP Service Center at (800) 462-0444.

Universal Wastes and CRTs

- Summary information can be downloaded from the DEP website at <http://www.state.ma.us/dep/recycle>
- Companies that pick up these materials for recycling can be located from the Massachusetts Recycling Services Directory which can downloaded from <http://www.state.ma.us/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) 535-0202
 - 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

- Toxics Use Reduction Planner (TURP) Courses are offered 1-2 times a year by the Toxics Use Reduction Institute (TURI), located at the University of Massachusetts-Lowell campus. 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 Maria Lydotes of the DEP TURA program at (617) 292-5611.

- 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 <http://www.epa.gov/opptintr/iur98> 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/opptintr/newchems/> or you may contact the TSCA Hotline at (202) 554-1404