



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Solid Waste Management
Special Waste Determination
BWP SW 14 Special Waste Determination
Instructions and Supporting Materials

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Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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1. What is the purpose of these determinations?

Some solid wastes are classified as special wastes (see 310 CMR 19.061). MassDEP reviews and approves all requests for disposal or handling of a Special Waste. The regulations listed below govern the process to apply for an approval to handle or dispose a special waste.

Legal authority is found in MGL c. 21A, ss. 2 and 8, c. 111, s. 150A. Regulatory authority is found in 310 CMR 19.000: Solid Waste Management Facility Regulations, specifically 310 CMR 19.061, Special Waste.

2. Who must apply?

Any solid waste facility intending to handle or dispose the following special wastes:

- asbestos waste;
- medical or biological waste;
- sludges, including, but not limited to, wastewater treatment sludges, drinking water treatment sludges, and industrial process wastewater treatment sludges;

3. What application should I file?

The application for approval to handle or dispose a special waste is BWP SW 14.

4. What other requirements should be considered when applying for these determinations?

- a. The facility receiving the special waste must have a valid site assignment and a solid waste facility permit pursuant to c.111, s. 150A and 310 CMR 19.000.
- b. The applicant must submit the appropriate data on the physical, chemical and biological nature of the material for which a determination is to be made. In most cases the generator of the waste material should be able to provide most or all of the required information. If not, a certified laboratory should be retained to provide the relevant data. Please note that data is not required to be submitted for asbestos waste or infectious waste.



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Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include **all** requirements.

5. What is the application fee?

BWP SW 14 - Major.....\$1,940

6. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:
Dep't. of Environmental Protection
_____ * Regional Office
Solid Waste

Reserve Copy Location:
None

*Find your region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>

Important Note: A copy of the application must be sent to the board of health for the community in which the solid waste facility handling or disposing of the special waste is located.

7. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website:
<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

8. What is the annual compliance fee?

There is no annual compliance fee for these determinations.

9. How long are these determinations in effect?

There is generally no time limit on approvals to manage special wastes unless specified in the approval.

10. How can I avoid the most common mistakes made in applying for these determinations?

- a. Submit all the data on the chemical, physical and biological properties of the waste required by MassDEP.
- b. Sent a copy of the special waste application to the appropriate board of health.
- c. Submit a signed copy of the certification form.
- d. Submit fee and *one copy* of the MassDEP Transmittal Form
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html> to:

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



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11. What are the regulations that apply to these determinations? Where can I get copies?

These regulations include, but are not limited to:

- a. Solid Waste Management Facility Regulations, 310 CMR 19.000.
- b. Timely Action Schedule Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

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



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Application Completeness Check List

- The MassDEP Transmittal Form is completed:
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>
- The application has been completed.
- The certification statement submitted and signed (310 CMR 19.011).

To submit the application package:

- Checklist items have been completed.
- Send one copy of the application, with any supporting documentation, along with one copy of the MassDEP Transmittal Form to both of these locations:

Department of Environmental Protection
_____ *Regional Office
Solid Waste Management

*Find your region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>

AND

Board of Health
_____ (Address)
_____ (City or Town)

- Send fee of:

\$1,940 for BWP SW 14;

in the form of a check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the MassDEP Transmittal Form to:

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