

NewStream, LLC  
527 Pleasant Street, Building 11-D  
Attleboro, Massachusetts 02703

CLASS B(3) PERMIT NUMBER S09-002 FOR RECEIVING,  
STORING AND MARKETING  
OF SPECIFICATION USED OIL FUEL

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COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WASTE PREVENTION

**RECYCLING PERMIT**

NewStream, LLC  
Name of Permittee

NewStream Industrial Recycling, 527 Pleasant Street,  
Building 11D, Attleboro, MA 02703  
Mailing Address

Michael Spoor  
Contact Person

August 3, 2009  
Effective Date

B (3)

S09-002  
Permit No.

508-236-6001  
Phone Number

August 3, 2014  
Expiration Date

MAC300005808  
EPA Identification No.

\*\*\*\*\*

This is to certify that the above named company is authorized to manage regulated recyclable materials pursuant to M.G.L. c. 21C and 310 CMR 30.200.

This permit authorizes recycling of the following materials only:

<u>Material Description</u>	<u>EPA Waste Code</u>	<u>Amount</u>
Specification Used Oil Fuel *	MA97	5,000,000 gallons/year

\* MA97 Class A regulated recyclable material that is shipped using a licensed hazardous waste transporter and a hazardous waste manifest or a bill of lading.

DESCRIPTION OF RECYCLING OPERATIONS

NewStream will receive specification used oil fuel (SUOF) and will separate out any water and/or solids prior to storing and marketing the SUOF to other marketers<sup>1</sup> and/or burners of the SUOF.

LOCATION OF RECYCLING OPERATIONS

NewStream LLC  
527 Pleasant Street, Building 11D

Newstream, LLC  
SUOF Marketing Permit  
Transmittal # W074379  
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Attleboro, MA 02703

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This Class B(3)<sup>2</sup> Recycling Permit authorizes NewStream LLC to receive, store, and market specification used oil fuel in accordance with requirements of 310 CMR 30.264

THIS PERMIT AUTHORIZES ONLY NEWSTREAM TO ENGAGE IN THE ACTIVITIES DESCRIBED ABOVE. THIS PERMIT DOES NOT GRANT ANY RIGHTS NOT OTHERWISE GRANTED BY FEDERAL, STATE, OR LOCAL STATUTES, ORDINANCES, OR REGULATIONS NEWSTREAM SHALL COMPLY AT ALL TIMES WITH ALL STATE AND FEDERAL REGULATIONS AND STATUTES APPLICABLE TO THE MANAGEMENT OF REGULATED RECYCLABLE MATERIALS.

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Christopher Tilden, P.E.  
Regional Engineer for Waste Prevention

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Date

**SECTION A**  
**SPECIAL CONDITIONS**

## Special Conditions

1. Authority to Accept Regulated Recyclable Materials<sup>3</sup>

NewStream is authorized to accept only used oil meeting the criteria for **specification used oil fuel**<sup>4</sup> (SUOF).

<u>Waste Category</u>	<u>Description</u>
MA97	Specification Used Oil Fuel

1a. Standards of Acceptance

The used oil fuel accepted by NewStream shall not exceed the allowable level of any constituent or property as set forth in Table 1, 310 CMR 30.216, of the Massachusetts Hazardous Waste Regulations (310 CMR 30.000), as provided below in Table 1\*.

Table 1

<u>Constituent or Property</u>	<u>Allowable Level</u>
Pb (Lead)	100 ppm maximum
Cr (Chromium)	10 ppm maximum
As (Arsenic)	5 ppm maximum
Cd (Cadmium)	2 ppm maximum
TOX (Total Halogens as Chlorine)	4,000 ppm maximum*
FP (Flash Point)	100°F minimum

\*See also 310 CMR 30.215(1)(b) and corresponding sections of 40 CFR Part 279 “Standards for Management of Used Oil”.

**All incoming waste oil shall be properly classified by the generator in accordance with 310 CMR 30.302, or by NewStream, prior to being accepted at the NewStream facility.** Waste oil containing total organic halogens in excess of 1000 parts per million shall undergo a second analysis to overcome the rebuttable presumption that the waste oil contains a halogenated constituent listed in 310 CMR 30.160 in a significant amount and, therefore, does not meet the definition of a used oil fuel. In such instances, as stipulated in 310 CMR 30.215(1)(b), the Department must be persuaded that the waste oil is not a mixture of oil and halogenated hazardous waste to meet the acceptance criteria. If the generator does not

successfully rebut the presumption, then the waste is hazardous waste and cannot be received by NewStream.

Waste oil that is generated from a transformer, capacitor or other electrical device is presumed to be mixed with PCBs and therefore must be analyzed for PCBs and meet the 2 ppm maximum standard to be managed as SUOF.

Note: The analysis of the oil and the “rebuttable presumption”, if necessary, is the generator’s responsibility and shall be conducted prior to shipping to NewStream.

2. Authority to Process and Store Regulated Recyclable Materials

NewStream is authorized to process and store SUOF utilizing the processing and storage facility described in its application for this Class B(3) Recycling Permit, which includes the report titled "Supplemental Information Class B3 Recycling Operation November 5, 2008" and plans titled “NewStream LLC Attleboro, MA B3 SUOF TANKAGE & TRANSFER PIPING + PROCESS FLOW DETAIL Drawing # 2008-2-hmpe Rev A” and “CONTAINMENT DETAILS & SUMP LOCATIONS DRAWING # 2008-1-hmpe Rev A”. NewStream shall notify the Bureau of Waste Prevention, Southeast Regional Office, prior to initiating any changes or modifications to the recycling facility and/or to recycling activities.

2.a. Storage and Processing

The above ground storage tanks identified in Table 2 have been designated by NewStream as collection, process and storage tanks for Newstream’s SUOF recycling activity.

**TABLE 2**

<b>Tank No.</b>	<b>Contents</b>	<b>Capacity</b>	<b>Function</b>
<b>B-1a</b>	<b>Oil/water - RRM</b>	<b>10,000 gallons</b>	<b>Receiving and oil/water phase separation</b>
<b>B-1b</b>	<b>Oil/water - RRM</b>	<b>10,000 gallons</b>	<b>Receiving and oil/water phase separation</b>
<b>B-2</b>	<b>Oil/water - RRM</b>	<b>6,000 gallons</b>	<b>Process Tank-oil/water phase separation</b>
<b>B-3</b>	<b>Oil/water - RRM</b>	<b>6,000 gallons</b>	<b>Process Tank-oil/water phase separation</b>
<b>B-4</b>	<b>SUOF - RRM</b>	<b>12,000 gallons</b>	<b>SUOF Storage</b>
<b>B-5</b>	<b>Industrial Wastewater</b>	<b>5,500 gallons</b>	<b>Wastewater Storage</b>
<b>B-6</b>	<b>Sludge</b>	<b>1,300 gallons</b>	<b>Sludge holding</b>

NOTES:

1. Tanks may be heated to aid in phase separation, but contents **shall not exceed 180 degrees Fahrenheit.**
2. All residuals generated from the storage and processing of the SUOF shall be handled, stored and transported as MA01 (waste oil<sup>5</sup>).
3. In the event that there is a spill on the property, any material from the Class B(3) Recycling activities that is deposited on the ground shall be treated as a hazardous waste. NewStream, LLC shall follow their Integrated Spill Prevention, Control, and Countermeasure (SPCC) Response Plan and Emergency Prevention and Response Plan, 527 Pleasant Street, Attleboro, Massachusetts, October 2008.
4. An as-built plan stamped and signed by a Massachusetts Registered Professional Engineer **shall be submitted to this office within sixty (60) days of completion** of all construction activities related to this permit or prior to the start-up of the recycling operations, whichever occurs first.

3. Authority to Market SUOF

NewStream has authority to market SUOF to authorized marketers and burners of SUOF. NewStream shall notify the Department's Southeast Regional Office, Bureau of Waste Prevention fifteen (15) days prior to shipping the SUOF to receive authorization for all new marketers and burners. The request for authorization shall include, at a minimum, receiving facility name, street address, EPA ID Number and any applicable Air Quality Permits/Approvals issued to date to the burners. The authorization request shall include an updated list of all marketers and burners currently approved.

4. Prohibited Conduct

NewStream is prohibited from receiving any hazardous waste, waste oil, or off-specification used oil fuel and prohibited from storing such material received from offsite in any containers, tanks or vehicles at the facility. NewStream may not blend, mix or commingle off-specification used oil with specification used oil or unused fuel oil at the facility to produce specification used oil fuel. Any unauthorized material that is rejected shall be handled in accordance with 310 CMR 30.264(2) and immediately transferred to a properly licensed facility. NewStream shall notify the Department within 24 hours of any rejected load, which shall include the generator and transporters name, address and reason for rejection.

**SECTION B**  
**OPERATING CONDITIONS**

1. Facility Operating Procedures

a. Operation and Maintenance Manual:

An Operation and Maintenance Manual for the Class B(3) recycling operation shall be maintained, reviewed annually, and updated as needed.

b. Outgoing Material Classification:

To ensure that all oil managed by NewStream is specification used oil fuel, a representative sample of the oil in each batch will be taken and analyzed using methodology described in Section B5 of this permit ("Waste Analysis Plan for Managing Specification Used Oil Fuel"), prior to that batch being transported from NewStream, LLC to an authorized marketer or burner. For the purpose of this permit a "batch" is defined as the total contents of Tank B-4.

c. Loading and Unloading:

All loading and unloading is to be performed as specified in Section 3.0 of the Supplemental Information Class B(3) Recycling Operation dated November 5, 2008 and the Standard Operating Procedures (Attachment I). The Log Sheet & Receiving Sheet for incoming SUOF is Attachment II of this permit.

In addition, the following loading procedures shall be followed:

1. The tanker truck must be gauged to ensure adequate capacity to accept the product.
2. No smoking shall be allowed in the storage area or loading area at any time.
3. Any spills, regardless of size, must be reported to the facility manager and listed on the spill report sheet.

All loading/unloading areas shall be paved with a material that is sufficiently impervious to spills or leaks of waste oil such that the oil shall be prevented from coming in contact with soil or groundwater

d. Spills – Emergency Procedures:

In the event that there is a spill on the property, any material that is deposited on the ground shall be treated as a hazardous waste. NewStream, LLC shall follow their Integrated Spill Prevention, Control, and Countermeasure (SPCC) Response Plan and Emergency Prevention and Response Plan, 527 Pleasant Street, Attleboro, Massachusetts, October 2008.

2. Security:

NewStream shall comply with all of the requirements set forth in 310 CMR 30.206(1). Security procedures shall follow procedures outlined in NewStream's Spill Prevention, Control and Countermeasure (SPCC) Plan. These procedures include a twenty-four (24) hour security detail and a surveillance system that allows personnel located in the office to view the truck loading area at all times.

3. Facility Inspection:

a. In addition to the Inspections, Tests, and Records, outlined in NewStream's SPCC Plan (Section 7.), NewStream shall comply with all of the inspection requirements of 310 CMR 30.206(2) as noted below:

1. NewStream shall inspect the facility for malfunctions and deterioration of equipment or structures, operator error, and discharges which may be causing or may lead to the release of hazardous constituents to the environment. The owner or operator shall conduct these weekly inspections to identify problems in time to correct them before they harm public health, safety, or welfare or the environment.
2. To ensure that they do not lead to a threat to public health, safety, or welfare, or to the environment, NewStream shall remedy in a timely manner all malfunctions, deteriorations, operator errors, and discharges which any inspection reveals. When a hazard is imminent or has already occurred, the owner or operator shall immediately notify the Department and shall immediately take remedial action.

b. NewStream shall record every inspection in an inspection log. At a minimum, these records shall include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.

c. Weekly inspections are to be conducted and include, at a minimum:

1. Fences
2. Buildings
3. Alarm systems
4. The containment areas
5. The tanks, valves, hoses
6. Pumps
7. Safety equipment

All inspections are to be recorded on the weekly inspection sheet which is to be kept on file for a minimum of three years. Any deficiencies shall be recorded on the log and repaired immediately.

4. Record Keeping and Reporting

a. Accurate and Complete Record Keeping and Submittals to the Department

No person shall make any false or misleading statement in any application, record, report, plan, file, log, register or statement which that person keeps or submits to the Department or is required to submit to the Department pursuant to G.L.c.21C and 310 CMR 30.000.

Any application, record, report, plan, file, log, register, or statement which any person is required to keep or submit to the Department shall be filled out completely and kept or submitted in compliance with M.G.L.c.21C, 310 CMR 30.200, or any order issued by the Department, unless otherwise specified by the Department.

b. Annual Reporting

NewStream shall submit an annual report to the Department in accordance with 310 CMR 30.205(12).

c. Daily Record Keeping

The following additional records shall be retained at the facility for a period of at least three (3) years:

1. Copies of manifests, analytical test results, and/or bills of lading.
2. A written report of any exceptions to the acceptance criteria resulting in rejection of materials. Each occasion of rejected material shall also be reported to the Department within 24 hours of each occurrence.
3. Daily total (gallons) of specification used oil fuel/water received from generators.
4. Daily total (gallons) of specification used oil fuel marketed.
5. Daily total (gallons) of all wastewater generated from on-site activities (i.e. water not included in the incoming specification used oil fuel).
6. Daily total (gallons) of wastewater generated and/or transferred to NewStream's wastewater pretreatment facility.
7. Copies of the analytical results of both incoming and outgoing shipments of specification used oil fuel.
8. Training records, which document that a training experience has been satisfactorily

received and completed by facility personnel.

d. Transportation Requirements

Specification used oil fuel which has been tested in accordance with the waste acceptable for burning may be transported according to the Transport and Manifest Standards, 310 CMR 30.223.

Each incoming and outgoing shipment of specification used oil fuel shall be accompanied by a properly executed shipping paper pursuant to 310 CMR 30.223, 30.255(6) and 30.255(7), on which the "specification used oil fuel" shall be described as indicated. Specification used oil fuel which is shipped on a hazardous waste manifest shall use a "MA97" shipping code. A copy of analytical results, if applicable (see Note below), shall also be attached to the shipping document. Copies of both documents shall be retained by NewStream in accordance with record keeping procedures specified in this permit. NewStream's SPECIFICATION USED OIL FUEL Profile Form (Attachment III) shall accompany all incoming shipments of SUOF.

**NOTE: Virgin oil/water mixtures do not need analytical testing if certified by a Licensed Site Professional (LSP) to the origin of the SUOF and that the load meets the SUOF standards as outlined at Section A1 "Standards of Acceptance" of this permit.**

5. Waste Analysis Plan for Managing Specification Used Oil Fuel

All sampling and analysis of SUOF will be conducted in accordance with Newstream's Waste Analysis Plan(WAP), which is incorporated and made part of this permit as Attachment IV.

Incoming SUOF

NewStream shall follow the procedures outlined in the Waste Analysis Plan for accepting and receiving SUOF. An additional sample, called a "retain" sample shall be taken and kept on-site for sixty (60) days\_in the event an outgoing load fails the analytical requirements for SUOF.

Outgoing SUOF

Sampling must be conducted on a batch-by-batch basis as required by 310 CMR 30.255(7) and as described in the Waste Analysis Plan. In addition to the procedures contained in Attachment IV, the following procedures shall be followed:

- a. NewsStream, LLC shall collect a representative sample prior to shipment from Tank B-4 for analysis.
- b. A retain sample must be taken from Tank B-4 before transfer of its contents to the shipping vehicle.
- c. Tank B-4 shall be “locked out”.
- d. Samples shall be collected in clean, unused sample jars, labeled showing sampling location, contents, container number, date, time, and person taking sample.
- e. The SUOF analysis must be performed according to analytical methods referenced in 310 CMR 30.255(7) and specified in the WAP.
- f. Used oil fuel shall be analyzed for the constituents stated in Section A1”Standards of Acceptance” of this permit.
- g. Depending upon the analytical results of the oil, one of two things shall occur:
  1. If the oil meets specification used oil fuel criteria in Table 1, then it shall be shipped in accordance with 310 CMR 30.223(3).
  2. If the oil exceeds the specification used oil fuel criteria in Table 1, or in the case of PCBs, if any sample exceeds 2 ppm, Newstream, LLC shall do the following:
    - a. Send under chain of custody retained samples from all incoming loads that may have contributed to the final batch in question to a Massachusetts Certified Laboratory to determine the source of the exceedance. The laboratory shall conduct analysis consistent with the methods and procedures described in EPA’s “Tests Methods for Evaluating Solid Waste, SW-846 Edition III and Updates” for all parameters outlined at Table 1 and PCBs.
    - b. If all retained samples meet the parameters for SUOF, another sample from Tank B4 may be taken for a second analysis or the batch can be managed as hazardous waste pursuant to 310 CMR 30.264(2). If a second sample is taken and meets the criteria for SUOF criteria at Table 1 and PCBs, the batch may be sent out as SUOF. If the second sample exceeds the SUOF criteria at Table 1, or 2 ppm for PCBs, the batch shall be managed as hazardous waste pursuant to 310 CMR 30.264(2).
    - c. All exceedances shall be reported to the Bureau of Waste Prevention, Compliance and Enforcement Section Chief, , Southeast Regional Office, 20 Riverside Drive, Lakeville, MA 02347 within 48 hours from when the

exceedance is first known.

6. EMPLOYEE TRAINING:

All training shall meet the requirements of 310 CMR 205(15).

All NewStream, LLC personnel participating in the inspection of shipments, quality control analysis, record keeping and reporting, storage and receiving operations or recycling process operations shall be trained to perform their duties. All personnel involved with sample collection and container security shall be trained by NewStream, LLC to perform their duties. Training will consist of formal instruction or on-the-job training prior to being allowed to perform their respective duties. All personnel shall be trained to inspect all incoming shipments for integrity of trucks and containers, labeling and accuracy of documents. They shall also be instructed in record keeping so that a history of all transactions will be available. The training shall include emergency response actions, spill containment, and notification procedures in accordance with all applicable regulations (DEP, EPA, DOT, OSHA), as outlined in NewStream LLC's Integrated Spill Prevention, Control, and Countermeasure (SPCC) Response Plan and Emergency Prevention and Response Plan, 527 Pleasant Street, Attleboro, Massachusetts, October 2008 and all subsequent updates.

All employees assigned to the SUOF marketing operation shall participate in an annual review of the job training requirements. A record of each employee's training shall be maintained and made part of the operating record.

**SECTION C**  
**GENERAL CONDITIONS**

## General Conditions

- I. NewStream shall have all equipment installed in accordance with all applicable Federal, State and local regulations. The equipment site must have proper fire and explosion protection features, must have proper ventilation and provide easy access to all significant parts of the equipment.
- II. NewStream shall install, operate and maintain recycling equipment in accordance with all recommendations provided by the manufacturer.
- III. NewStream shall not modify the approved recycling equipment without the Department's approval.
- IV. NewStream shall not allow material to be introduced into the recycling device, other than those which have been specifically enumerated by the manufacturers that would result in inadequate performance of the device.
- V. NewStream shall adhere to all of the provisions included in the application for the B (3) Recycling Permit that was submitted to the Department for approval to market specification used oil fuel.
- VI. NewStream shall satisfy all applicable conditions of 30.200. They include but are not limited to the following:
  - (1) Duty to Comply. NewStream shall comply at all times with the terms and conditions of the permit, 310 CMR 30.000, M.G.L. c. 21C, M.G.L. c. 21E, and all other applicable State and Federal statutes and regulations.
  - (2) Duty to Maintain. NewStream shall always properly operate and maintain all facilities, equipment, control systems, and vehicles that NewStream installs or uses.
  - (3) Duty to Halt or Reduce Activity. NewStream shall halt or reduce activity whenever necessary to maintain compliance with 310 CMR 30.200 or the permit conditions, or to prevent an actual or potential threat to public health, safety, or welfare, or the environment.
  - (4) Duty to Mitigate. NewStream shall remedy and shall act to prevent all potential and actual adverse impacts to persons and the environment resulting from noncompliance with the terms and conditions of the permit. NewStream shall repair, at his own expense, all damages caused by such noncompliance.
  - (5) Duty to Provide Information. NewStream shall provide the Department, within a reasonable time, any information, which the Department may request and which is

deemed by the Department to be relevant in determining whether a cause exists to modify, revoke, or suspend a permit, or to determine whether NewStream is complying with the terms and conditions of the permit.

- (6) Entries and Inspections. NewStream shall allow personnel or other authorized agents of the Department or authorized EPA representatives, upon presentation of credentials or other documents as may be required by law, to:
  - (a) Enter at all reasonable times any premises, public or private for the purposes of investigation, sampling or inspecting any records, condition, equipment, practice, or property relating to activities subject to M.G.L. c. 21C, M.G.L. c.21E, or RCRA, as amended; and
  - (b) Enter at any time such premises for the purpose of protecting the public health, safety or welfare, or the environment; and
  - (c) Have access to and copy at all reasonable times all records that are required to be kept pursuant to the conditions of the permit, and all other records relevant to New Stream's hazardous waste activity or to New Stream's activity involving regulated recyclable material.
- (7) Records. All records and copies of all applications, reports, and other documents required by 310 CMR 30.200 shall be kept by NewStream for at least three (3) years from the expiration of the permit. This period shall be automatically extended for the duration of any enforcement action. This period may be extended by order of the Department. All record keeping shall be in compliance with 310 CMR 30.007.
- (8) Continuing Duty to Inform. NewStream shall have a continuing duty to immediately:
  - (a) Correct any incorrect facts in an application; and
  - (b) Report or provide any omitted facts which should have been submitted; and
  - (c) In advance, report to the Department each planned change in the permitted facility or activity which might result in noncompliance with 310 CMR 30.200 or with a term or condition of the permit; and
  - (d) Report to the Department any cessation of the permitted activity.
- (9) Preventing and Reporting Releases into the Environment. No materials that are to be recycled shall be intentionally released into the environment or otherwise disposed of within Massachusetts except in full compliance with all applicable provisions of 310

CMR 30.000 and M.G.L. c. 21C. All accidental releases of recyclable material shall be immediately reported to the Department and to all other persons to whom such releases must be reported pursuant to State or Federal laws or regulations.

- (10) Compliance with the Application and the Terms of the Permit. Except where 310 CMR 30.200 or other conditions of the permit provide otherwise, the materials that are to be recycled shall be recycled in the manner described in the application for the permit and in no other manner, and in compliance with all conditions of the permit. There shall be no change in the procedure of recycling without the prior express written approval of the Department.
- (11) Transportation of Recyclable Material. Unless otherwise specified, all transportation of recyclable material, and preparation of all recyclable material for transportation, shall be in full compliance with U.S. Department of Transportation and other Federal regulations, and all State regulations, governing the transportation of hazardous materials.
- (12) Annual Reporting. NewStream shall submit to the Department an annual report covering all recyclable material they handle. Each annual report shall be submitted to the Department no later than March 1 for the proceeding calendar year. NewStream shall use the form prescribed by the Department for Annual Reports submitted in compliance with 310 CMR 30.205(12). All annual reports shall include at least the following information:
  - (a) The EPA identification number of the generator; and
  - (b) The name, address, and EPA identification number of the Facility to which recyclable material was sent; and
  - (c) Identification of all recyclable material recycled at the site of generation. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, and the amount of material recycled; and
  - (d) Identification of all recyclable material shipped to off-site facilities. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, the amount of recyclable material transported, and the facility to which it was transported; and
  - (e) The name and EPA identification number of the transporters used.
- (13) Dust Suppression and Road Treatment. The use of regulated recyclable material for dust suppression or road treatment is prohibited. The provisions set forth in 310 CMR 30.205(9) shall apply to such activity.

- (14) Speculative Accumulation. Speculative accumulation is prohibited. NewStream shall make and keep records that will adequately demonstrate that there has occurred no speculative accumulation. Such records shall include, but not be limited to, the following:
  - (a) Records showing the amount of material being accumulated or stored at the beginning of the calendar year;
  - (b) Records showing the amount of material received or generated during the calendar year, and
  - (c) Records showing the amount of materials being accumulated or stored at the end of the calendar year.
- (15) Personnel Training. NewStream shall instruct, or give on-the-job training to, personnel involved in any activity authorized by the permit, so that such instruction or on-the-job training teaches such personnel how to comply with the conditions of the permit and to carry out the authorized activity in a manner that is not hazardous to public health, safety, or welfare, or the environment.
- (16) Emergency Prevention and Response. NewStream shall plan and prepare for fires, explosions, or other occurrences that might result in release of oil or hazardous materials to the environment or otherwise constitute a potential hazard to public health, safety, or welfare, or the environment. Without limiting the generality of the foregoing, if the permit authorizes the operation of a recycling facility, the design and operation of the recycling facility shall be in compliance with the requirements set forth in 310 CMR 30.524(1).
- (17) Transfer of Permits. Each permit issued pursuant to 310 CMR 30.200 shall be valid only for the person to whom it is issued and may not be transferred. Operation by an owner or operator other than those named in the permit shall be in violation of 310 CMR 30.000, and a basis for suspension or revocation of the permit, or for other enforcement action.
- (18) Permit Expiration. Permits issued pursuant to 310 CMR 30.200 are in effect for a period of up to five years from the date of issuance. To continue the specified activity beyond this five-year period, NewStream must reapply for a permit during the effective period of the existing permit. If NewStream wishes to engage in an activity different from the one specified in the permit, NewStream must receive a permit for the new activity prior to engaging in that activity.
- (19) Storage and Accumulation in Tanks and Containers. Regulated recyclable materials shall be stored or accumulated only in tanks or containers. Generators of regulated recyclable materials that are waste oil or used oil fuel shall comply with

applicable container and tank requirements in 310 CMR 30.253. Generators of all other regulated recyclable materials shall comply with applicable container and tank requirements in 310 CMR 30.340 (for large quantity generators), 30.351 (small quantity generators), or 310 CMR 30.353 (very small quantity generators), respectively. Each tank or container in which regulated recyclable material is being accumulated or stored and each outside container into which small containers are packed shall be clearly marked and labeled throughout the period of accumulation or storage with the following:

- (a) The words "Regulated Recyclable Material";
- (b) regulated recyclable material(s) identified in words (*e.g.*, acetone, toluene);
- (c) type of hazard(s) associated with the material(s) indicated in words (*e.g.*, ignitable, toxic, dangerous when wet);
- (d) The date upon which each period of accumulation or storage begins, marked on each tank or container at the time accumulation or storage begins in that tank or container, except that tanks containing regulated recyclable materials to be lawfully recycled are exempt from dating requirements if hard-piped and integrally connected to a used oil fired space heater. Marks and labels shall be placed on the sides of each tank or container in such a manner that they are clearly visible for inspection.

**SECTION D**  
**CERTIFICATION**

**CERTIFICATION**

NewStream, LLC hereby certifies that, (1) it has read all of this document and attached documents, (2) it understands everything in this document, (3) it agrees to comply with all the requirements set forth in this document, (4) the individual whose signature appears below has full authority to sign this document on behalf of NewStream, LLC and that by doing so, he/she is legally binding NewStream, LLC to comply with all the requirements set forth in this document.

**"I certify under penalty of law that I have personally examined and am familiar with the contained in this document and all attachments and that I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for violations of this permit, 310 CMR 30.000, M.G.L. c. 21C, 310 CMR 40.000 and M.G.L. c. 21E, including fines and imprisonment."**

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
[Signature]  
\_\_\_\_\_  
[Typed]  
\_\_\_\_\_  
[Title]

**ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION:**

DATE: \_\_\_\_\_ BY: \_\_\_\_\_

## **ENDNOTES:**

<sup>1</sup> A "marketer", other than a transporter/marketer, who receives only specification used oil fuel from off the site of generation thereof, and who receives no other used oil fuel or waste oil or other hazardous wastes, and who intends to or does sell or otherwise transfer such fuel, or offer to sell or otherwise transfer such fuel, to any person authorized to market used oil fuel, or to other persons who burn that fuel, or who intend or plan to burn that fuel, for energy recovery in a fossil fuel utilization facility and have all the legal authority to burn such fuel in said fossil fuel utilization facility. (see 310 CMR 30.260)

<sup>2</sup>Class B regulated recyclable materials are those regulated recyclable materials which have been determined by the Department to require some specific management practices in order to be recycled or otherwise managed without constituting a significant potential hazard to the public health, safety, or welfare, or the environment. The following are Class B regulated recyclable materials:

(1) Class B(1) - regulated recyclable materials that are not intended to be, and are not, used for the production of heat or power by burning, and that are intended to be, or that are, used in a manner constituting disposal. *See* 310 CMR 30.010, "Use constituting disposal".

(2) Class B(2) - hazardous waste fuels that are intended to be, and that are, used for the production of heat or power by burning.

**(3) Class B(3) - used oil fuels that are intended to be, and that are, used for the production of heat or power by burning.**

<sup>3</sup> Regulated Recyclable Material means any recyclable material which:

- (a) has a characteristic described in 310 CMR 30.120 through 310 CMR 30.125, or
- (b) is listed or otherwise described in 310 CMR 30.131 through 310 CMR 30.136, or
- (c) has been determined by the Department to be a hazardous waste pursuant to 310 CMR 30.144.

Recyclable Material means any material other than an inherently waste-like material that is used, reused or reclaimed.

(a) Used or reused material means any material that is either:

1. employed as an ingredient (including use as an intermediate) in an industrial process to make a product (for example, distillation bottoms from one process used as feedstock in another process). However, a material will not satisfy this condition if distinct components of the material are recovered as separate end products (as when metals are recovered from metal-containing secondary materials); or

2. employed in a particular function or application as an effective substitute for a commercial product (for example, spent pickle liquor used as phosphorous precipitant and sludge conditioner in wastewater treatment).

(b) Reclaimed material means any material that is processed to recover a usable product or that is regenerated. Examples are recovery of lead values from spent batteries and regeneration of spent solvents.

<sup>4</sup> Any waste oil, and any mixture of waste oil with any other material, that is used oil fuel is either specification used oil fuel or off-specification used oil fuel. If used oil fuel does not exceed the allowable level of any constituent or property as set forth in 310 CMR 30.216: *Table 1*, such used oil fuel is specification used oil fuel. If used oil fuel does exceed the allowable level of any constituent or property as set forth in 310 CMR 30.216: *Table 1*, such used oil fuel is off-specification used oil fuel.

Table 1.

Constituent or Property	Allowable Level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	100°F minimum
Total Halogens	4,000 ppm maximum *

[\* see also 310 CMR 30.215(1)(b)]

<sup>5</sup> Waste oil<sup>1</sup> means used or unused waste oil (or any mixture thereof) that is not otherwise hazardous waste pursuant to 310 CMR 30.120 through 30.136, except that used waste oil that has a flash point greater than or equal to 100/ F and less than 140/ F (solely through use) remains subject to regulation as used waste oil.

<sup>1</sup>White oils and incidental waste oil appearing as a film on scrap metal are not subject to 310 CMR 30.000. However, waste transformer oil is subject to 310 CMR 30.000. See also 310 CMR 30.200.