



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
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**FACT SHEET**  
**DRAFT HAZARDOUS WASTE FACILITY LICENSE**  
**FOR**  
**SAFETY-KLEEN SYSTEMS, INC., WEST BROOKFIELD**  
**DECEMBER 2009**

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

**I. Purpose of the Licensing Process**

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

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

## **II. Procedures for Reaching a Final Decision**

Massachusetts Hazardous Waste Regulation, 310 CMR 30.833, requires that MassDEP shall provide a public notice of the Draft License and allow at least a forty-five (45) day public comment period. The public comment period for this Draft License will begin with publication of the public notice in the Worcester Telegram & Gazette on December 18, 2009 and will end on February 1, 2010, 5 p.m. Any person interested in commenting on the Draft License must do so within this comment period. Submit comments in writing to:

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

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

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

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

## **III. Licensing History, Facility Description, Facility Operations**

### **A. Licensing History**

The Facility was issued its first hazardous waste facility license #8B by MassDEP on 08/17/1989. A renewal license #29B/95 was issued on 11/15/1995 by MassDEP renewing Safety-Kleen System Inc.'s authority to operate a hazardous waste facility at the West Brookfield Service Center. The Facility is presently operating under the hazardous waste facility license #29B/95, and subsequent MassDEP authorized modifications to that license.

## **B. General Description**

The Facility is an existing Massachusetts licensed hazardous waste storage facility authorized to manage a broad range of hazardous wastes through its Truck-to-Truck Transfer program, and authorized to store a limited number of specific hazardous wastes in designated hazardous waste storage areas in containers and one hazardous waste storage tank. Hazardous wastes authorized for management at the Facility are identified in the RCRA Part A Form, Attachment VI, of the Draft License.<sup>1</sup> The maximum hazardous waste storage capacity is 23,448 gallons. The Facility is not authorized to treat, reclaim or dispose of hazardous waste.

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

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

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

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

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<sup>1</sup> Refer to the Draft License for all figures and attachments provided in this fact sheet.

### **C. Detailed Facility Description**

A listing of the hazardous wastes that are authorized for receipt and storage is provided in Section D, below. A detailed description of waste types is provided in Attachment XI of the Draft License. These hazardous wastes, along with non-hazardous antifreeze and non-hazardous wastewater, are generally shipped to a Safety-Kleen Systems, Inc. recycling/processing facility located out-of-state where some of the wastes are reclaimed and then returned to Safety-Kleen customers as product. Hazardous waste that cannot be recycled is sent to an appropriately authorized independent hazardous waste treatment, storage or disposal facility.

The layout of the Facility is shown in the Site Plan, Figure I of Attachment XII. The Facility consists of: a main building, identified as the Office/Warehouse containing the North Hazardous Waste Container Storage Area, a warehouse, offices, and the South Hazardous Waste Container Storage Area; the Return/Fill building; an above-ground tank farm; two Ignitable Hazardous Waste Storage Shelters; one Flammable Product Storage Shed; a Truck Transfer Pad, and a Truck-to-Truck Transfer Area. The site is surrounded by a seven-foot fence with one foot of barbed wire on top, and an electronically controlled gated entry with a Knox Box for fire emergencies. The site is served by public water from the City of West Brookfield, and by on-site sewage disposal system.

The main building, identified as the Office/Warehouse building, shown in Figure I of Attachment XII, which houses the North Hazardous Waste Container Storage Area and South Hazardous Waste Container Storage Area. This building is generally of metal frame construction with a concrete floor and steel frame ceiling and is constructed to meet applicable building codes and safety requirements. The North Hazardous Waste Container Storage Area has a hazardous waste storage capacity of 2,304 gallons, concrete secondary containment curbs, and a secondary containment trench. The South Hazardous Waste Container Storage Area has a hazardous waste storage capacity of 3,456 gallons, concrete secondary containment curbs, and a secondary containment trench.

The Return/Fill building, shown in Figure VII of Attachment XII, houses the parts washer solvent return and fill station. Containers of waste parts washer solvent are emptied through a screened opening which retains coarse solids into two Drum Washer/Dumpster Units contained in this building and then are pumped into the 15,000-gallon aboveground hazardous waste storage tank described as the "Tank 2 Hazardous Waste" tank. Proper spill containment measures, warning signs and fire extinguishers are also present.

The Tank Farm, shown in Figure VII of Attachment XII, consist of the Covered Tank Farm which includes one above-ground 15,000-gallon hazardous waste storage steel tank and one above-ground 15,000-gallon virgin solvent storage steel tank located within a roofed concrete-walled enclosure. The Tank Farm also includes one 12,000-gallon above-ground virgin solvent storage steel tank located adjacent to the concrete-

walled enclosure. The hazardous waste storage tank is used for storage of spent parts washer solvents (hydrocarbon based and aqueous based). The virgin materials storage tanks are used for storage of virgin parts washer solvent. Loading of virgin solvent from bulk tanker trucks into the virgin solvent storage tanks and pumping out spent parts washer solvent from the hazardous waste storage tank into tanker trucks is conducted via pumps and transfer piping as shown in Figure XI of Attachment XII, and in accordance with standard operating procedures provided in Exhibit XI-W (SOP#4), Attachment XI. All tanks have hi-level alarms, are insulated, and have heat-tape affixed to exteriors to prevent freezing.

Locations where truck-to-truck transfer of hazardous waste containers is allowed are identified as Docks 1, 2 and 3 as shown in Figure XV of Attachment XII.

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

The Truck Transfer Pad, shown in Figure VII of Attachment XII, includes a concrete transfer pad and a grated containment trench. Tanker trucks are positioned on the Truck Transfer Pad for all transfers between tankers and storage tanks, or between two tankers, of virgin solvents or waste solvent. The secondary containment capacity of the Truck Transfer Pad is 7,031-gallons which is greater than the volume capacity of the largest transport vehicle used in this area. The Truck Transfer Pad is covered with a permanent canopy cover. The cover prevents all but wind-borne rainwater from collecting in the containment area. Any windborne rain that may accumulate in the containment trench must be removed within 24 hours of a storm event if visually contaminated. If this stormwater is not visually contaminated, it must be removed within 72 hours of a storm event or prior to the accumulation of 55 gallons in the trench, whichever comes first. This stormwater must be disposed of in the waste storage tank or as a waste oil or oily wastewater unless Safety-Kleen determines, based upon the requirements of 310 CMR 30.000, that a different waste category applies.

The North and South Ignitable Hazardous Waste Storage Shelters, shown in Figure I of Attachment XII, are licensed for the storage of ignitable hazardous waste. Each shelter is made of metal and has a storage capacity of 1,344 gallons.

Secondary containment capacity of each Ignitable Hazardous Waste Storage Shelter is 1,057 gallons. Both shelters have fire protection equipment.

The Flammable Product Storage Shed, shown on Figure I of Attachment XII is used for the storage of virgin flammable products. The Flammable Product Storage Shed has a fixed dry chemical fire suppression system.

The parking lot is paved and graded in a manner to minimize the possibility of a release to the soil from a leaking container. The parking lot perimeter is surrounded by six-inch berm with cut-outs for the discharge of stormwater. If a tanker truck containing waste is parked overnight at the facility, the truck will be parked on the Truck Transfer Pad whenever possible.

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

The Facility is located on Route 9 also known as Boston Post Road. Interstate 90, the Massachusetts Turnpike, is the major east-west thoroughfare in the region, and runs almost parallel to Route 9. A mixture of commercial and industrial businesses and residences exist along nearby streets.

#### **D. Authorization to Receive and Store Hazardous Waste**

The following hazardous wastes are stored at the Facility:

##### Hazardous Waste Container Storage

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

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

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

- \* Authorized storage includes waste oil that exhibits a hazardous waste characteristic (D001, D004-D008) provided that waste oil has not been mixed with any other hazardous waste, and provided it passes the rebuttable presumption test pursuant to 310 CMR 30.215(1)(b).
- \*\* These waste codes apply only to the presence of Toxicity Characteristic constituents in the waste streams listed above.

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

### Hazardous Waste Tank Storage

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

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

<u>Waste Codes</u>	<u>Description</u>
D001	Ignitable Waste
D004 - D011 **	Toxicity Characteristic Waste
D018 - D019 **	Toxicity Characteristic Waste
D021 - D030 **	Toxicity Characteristic Waste
D032 - D043 **	Toxicity Characteristic Waste
MA01***	Spent Petroleum Based Solvent with a flash point >140 F.

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

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

### Storage Schedule for Hazardous Waste in Containers

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

<u>Hazardous Waste Container Storage Area</u>	<u>Contents</u>	<u>Maximum Volume in Containers (gallons)</u>
North Hazardous Waste Container Storage Area	All wastes authorized for container storage except for ignitable waste with flashpoint < 100 F	2,304
South Hazardous Waste Container Storage Area	All wastes authorized for container storage except for ignitable waste with flashpoint < 100 F	3,456
Ignitable Hazardous Waste Storage Shelters (North and South)	Ignitable hazardous waste with flashpoint < 100 F authorized for container storage	2,688
-----		8,448 Total

### Storage Schedule for Hazardous Waste in the Tank

Hazardous waste shall be stored in the hazardous waste storage tank, Tank No.2, Figure VII of Attachment XII, as provided in the following hazardous waste storage schedule:

<u>Tank Storage Area</u>	<u>Contents</u>	<u>Maximum Volume (gallons)</u>
Covered Tank Farm	Spent solvents	15,000

### **E. Authority to Store Class A Regulated Recyclable Materials**

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

#### **F. Authority to Accumulate Universal Waste**

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

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

#### **G. Authority to Store Non-Hazardous Waste**

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

#### **H. Used Oil Fuel Management**

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

#### **I. Truck-to-Truck Transfers**

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

#### **J. Corrective Action Program**

Provisions regarding Corrective Action are specified in the Specific Conditions of the Draft License.

#### **IV. Summary of License Conditions**

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

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

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

#### **V. License Organization**

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

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

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

- Required Notices
- Manifest System
- Record Keeping and Reporting
- Ignitable and Incompatible Wastes
- General Waste Analysis Plan and Procedures
- Security Plan and Procedures
- Inspection Plan and Procedures

- Personnel Training Plan and Procedures
- Preparedness and Prevention
- Contingency Plan and Procedures
- Closure Plan and Procedures
- Financial Responsibility

Part III contains the Corrective Action Program:

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

Attachments:

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

## **VI. Location of Available Information**

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

Department of Environmental  
Protection  
Bureau of Waste Prevention  
Business Compliance Division  
One Winter Street, 7th Floor  
Boston, MA 02108  
Contact: Joseph Tepper  
(617) 292-5905

Department of Environmental  
Protection  
Central Regional Office  
627 Main Street  
Worcester, MA 01608  
(508) 792-7650  
Contact: Cecilia Catalan  
(508) 767-2755

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

West Brookfield Board of Health  
Town Hall  
2 East Main Street  
West Brookfield, MA 01585  
Contact: Melvin F. Dorman  
(508)867-1404 Ext 310

Merriam-Gilbert Public Library  
3 West Main St.  
West Brookfield, MA 01585  
(508)867-1410

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

## **VII. Appeal Procedures**

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

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

### **CONTENTS OF HEARING REQUEST**

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

### **FILING FEE AND ADDRESS**

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

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

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

### **EXCEPTIONS**

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

### **WAIVER**

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

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

Prevention. For additional information contact Joseph Tepper at (617) 292-5905.