



**Environmental
 Notification Form**

For Office Use Only
 Executive Office of Environmental Affairs

EOEA No.: 13536
 MEPA Analyst: A. Eglinton
 Phone: 617-626-1024

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Proposed Revisions to Hazardous Waste Regulations, 310 CMR 30.000: Provision for Waiver of Requirements for Elementary Neutralization Of Hazardous Waste by Generators in Tanks and Containers and Other Wastes and Activities That are Adequately Regulated or That are Determined to Pose Insignificant Hazards

RECEIVED
 MAY 13 2005

Street:		
Municipality:	Watershed:	
Universal Transverse Mercator Coordinates:	Latitude:	Longitude:
Estimated commencement date:	Estimated completion date:	
Approximate cost:	Status of project design:	%complete
Proponent:		
Massachusetts Department of Environmental Protection Bureau of Waste Prevention Business Compliance Division		
Street: One Winter St		
Municipality: Boston	State: MA	Zip Code: 02108
Name of Contact Person From Whom Copies of this ENF May Be Obtained:		
James D. Miller		
Firm/Agency: DEP/Bureau of Waste Prevention	Street: One Winter St	
Municipality: Boston	State: MA	Zip Code: 02108
Phone: 617-292-5574	Fax:	E-mail: James.Miller@State.MA.US

- Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes No
- Has this project been filed with MEPA before?
 Yes (EOEA No. _____) No
- Has any project on this site been filed with MEPA before?
 Yes (EOEA No. _____) No
- Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
- a Single EIR? (see 301 CMR 11.06(8)) Yes No
 - a Special Review Procedure? (see 301 CMR 11.09) Yes No
 - a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No
 - a Phase I Waiver? (see 301 CMR 11.11) Yes No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including

the agency name and the amount of funding or land area (in acres):

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify _____) No

List Local or Federal Permits and Approvals: Not Applicable

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- | | | |
|---------------------------------|---|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air | <input type="checkbox"/> Solid & Hazardous Waste |
| <input type="checkbox"/> ACEC | <input checked="" type="checkbox"/> Regulations | <input type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
				<input type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i>
Total site acreage	N.A.			
New acres of land altered		N.A.		
Acres of impervious area	N.A.	N.A.	N.A.	
Square feet of new bordering vegetated wetlands alteration		N.A.		
Square feet of new other wetland alteration		N.A.		
Acres of new non-water dependent use of tidelands or waterways		N.A.		
Gross square footage	N.A.	N.A.	N.A.	
Number of housing units	N.A.	N.A.	N.A.	
Maximum height (in feet)	N.A.	N.A.	N.A.	
Vehicle trips per day	N.A.	N.A.	N.A.	
Parking spaces	N.A.	N.A.	N.A.	
Gallons/day (GPD) of water use	N.A.	N.A.	N.A.	
GPD water withdrawal	N.A.	N.A.	N.A.	

GPD wastewater generation/ treatment	N.A.	N.A.	N.A.
Length of water/sewer mains (in miles)	N.A.	N.A.	N.A.

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify _____) No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify _____) No

HISTORICAL /ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify _____) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary*)

The Department is proposing to amend the hazardous waste regulations, 310 CMR 30.0000, by: 1) allowing hazardous waste generators to apply on a case-by-case basis for a waiver of the requirements of the regulations; and 2) establishing a blanket waiver of the requirement for a treatment license for elementary neutralization of aqueous corrosive wastes at the site of generation. These provisions would be available to any generator of hazardous waste.

The proposal to allow case-by-case waiver of regulatory requirements would establish the process and criteria the Department would use in reviewing waiver applications, and would set forth the information generators would need to provide in their applications. Use of this case-by-case waiver will be limited by the requirement that the Department, as a condition of its authorization by U.S. EPA to administer the federal Resource Conservation and Recovery Act (RCRA), implement a program that is no less stringent than federal hazardous waste requirements.

The proposal for a blanket waiver from the requirement for a treatment license for elementary neutralization of aqueous corrosive wastes would allow hazardous waste generators to adjust the pH of their own aqueous wastes that are hazardous solely due to the corrosivity characteristic, rendering the waste less hazardous or non-hazardous. Generators could benefit from this proposed rule change since it is generally more cost-effective to treat corrosive waste on-site in tanks and containers than to ship them off-site as hazardous waste.

The current Massachusetts Hazardous Waste Regulations, 310 CMR 30.000, prohibit treatment, including elementary neutralization, by generators without a full hazardous waste facility license- a very comprehensive license. Elementary neutralization by generators is exempt from permitting under the federal hazardous waste program, and therefore the proposed changes would bring the Massachusetts regulations in-line with the federal regulations on this specific issue.

With this proposal, the Department would address, in part, longstanding requests from the regulated community to allow treatment on-site by generators in tanks and containers without a license. Based on input from its Hazardous Waste Advisory Committee, the Department would exclude from licensing elementary neutralization (pH adjustment of aqueous corrosive waste) since it is a relatively simple, low-risk procedure, and because the corrosive waste would be managed as a hazardous waste until it is made non-hazardous by elementary neutralization. The Department has determined that elementary neutralization, at the site of generation, of aqueous corrosive hazardous wastes poses an insignificant potential hazard when managed in compliance with the proposed standards.

The Department believes that allowing generators to conduct elementary neutralization is beneficial since it would reduce the amount of hazardous waste accumulated onsite and eventually transported over the highways to often distant disposal facilities, thereby reducing the risks of releases during transportation and disposal. Eliminating the licensing requirements will better enable generators, especially laboratories, to achieve the goals of waste minimization and hazard reduction. Finally, this proposal is consistent with the Department's broader goal to make its hazardous waste program more consistent with the requirements of the federal program when appropriate.