



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

October 22, 2010

Richard Baker, EHS Manager  
United Industrial Services  
47 Gracey Avenue  
Meriden, Ct. 06451

**Subject: NEWINGTON - United Oil Recovery, Inc., 410 Shattuck Way, Standard Permit Application; WMD Log #: 2010597**

Dear Mr. Baker:

The New Hampshire Department of Environmental Services, Waste Management Division (Department) has completed a review of the above referenced solid waste application. In accordance with the requirements of Env-Sw 304.03 of the New Hampshire Solid Waste Rules (Rules), it has been determined that the application is incomplete. To complete the application, the following information must be provided to satisfy the provisions of Env-Sw 314 and support a technical review of the completed application:

**Section II. Facility Description**

Item II (5) must be revised to include only solid wastes as defined by Env-Sw 104.36 of the Rules. The solid waste permit cannot include hazardous waste or other material not authorized by the RSA or the Rules. Where a waste is listed as non-hazardous due to an exemption, such as the hot drained oil filters, provide reference to the rule or statute that authorizes the exemption.

List of proposed authorized wastes:

1. The category of "non-hazardous solid wastes (including oil and other contaminated soils, media, and debris)" is too broad. In addition, contaminated soils and media are repeated in item 10. Please be specific.
2. "NH01 coded waste oil and gas filters" should not be listed on the solid waste permit. Please contact Linda Birmingham of the Hazardous Waste Bureau at 271-5328 if you wish to include these in your hazardous waste permit.
3. Please provide the reference to the hazardous waste exemption rule for "exempt hot drained oil filters". In addition, provide the reference to the authorization that would allow "gas filters" to be handled as a solid waste.
4. "Oily and non-oily wastewater" should be specified as non-hazardous. If there is a rule that provides an exemption, please provide the reference.
5. Please review the description of the C&D that the facility anticipates handling. Bulky waste as defined by Env-Sw 102.23 includes appliances, furniture, large auto parts, etc. Construction and demolition debris is defined in Env-Sw 102.42. Please include a specific description of wastes.

DES Web Site: [www.des.nh.gov](http://www.des.nh.gov)

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-2925 Fax: (603) 271-2456 TDD Access: Relay NH 1-800-735-2964

6. Ash. Reference should be made to Env-Sw 902 of the Rules.
7. Pharmaceuticals. Please contact Bob Bishop in the Hazardous Waste Bureau at 271-2383 to determine the criteria and any restrictions for handling pharmaceuticals in reference to hazardous waste rules and DEA requirements.
8. Please list PCB contaminated waste as non-TSCA and non-hazardous.
9. Empty used drums and expended fire extinguishers. List the rule or criteria under which the fire extinguishers would not be considered hazardous waste.
10. Aerosols and small fuel and non fuel cylinders cannot be authorized as an exemption under Section II (6), unauthorized waste. If the facility intends to accept them under the solid waste permit, they must be listed as an authorized waste and the reference provided to the rule or criteria which exempts them from being hazardous waste.
11. Non-infectious medical waste. Same comment as 10, above.
12. Item II (6) should be revised to reflect comments noted above. Generally restrictions in the Solid Waste Permit would be no hazardous waste, explosives, infectious waste, contained gaseous waste, sludge or septage, or other waste not specifically authorized.

**Section IV, Legal Notifications and Agreements:**

Pursuant to Env-Sw 303.05, if the applicant or the owner of the facility site owns any abutting parcel of land, the notice of filing shall be sent to the owner(s) of the next parcel(s) not owned by the applicant or the facility site owner. Accordingly, notice of filing should be sent to the owners of the parcels abutting the Sprague property.

**Section VI, Design Plans/Specifications:**

Provide an additional site plan, possibly NH1A that highlights or otherwise identifies the facilities covered by this permit. Include all features including the storage area for the pionite and sawdust and the asbestos receiving and handling area.

**Section VII, Operating Plan**

The comments provided below are preliminary and may change based on your responses to the comments provided above regarding authorized and unauthorized wastes. In general, for every waste the facility intends to receive there should be a corresponding description of the testing, receipt, management and final disposal procedures.

1. Pursuant to Env-Sw 1105.11, a facility operating plan shall provide sufficient detail to allow the certified operator and other trained facility personnel to operate the facility in compliance with RSA 149-M, the permit and the solid waste rules without further explanation or guidance. The operating plan should be written with this in mind and not strictly as a report to the Department.
2. Add a table of contents for ease of use of the document.

3. Page 1, Capacity of the Facility:  
The mix pit volumes as stated do not correspond with the dimensions shown on dwg NH-1. Please verify the correct dimensions and volumes.
4. Page 3, Authorized Wastes: Revise in accordance with changes made to Section II(5) of the permit application as discussed above.
5. Page 4, Waste Acceptance Procedures: Specify who reviews and approves the waste profile forms initially to make the acceptability determination and who reviews it at the site when the material is received.

Explain in more detail the statement that "there are times when a sample and lab analysis is required to determine the status of a waste stream". When would this be necessary and who would make this determination?

Provide a table specifying the analysis to be run for each type of waste.

6. Page 5, Waste Acceptance Procedures: Specify which staff position receives, verifies and accepts the waste. When and where is the wt/volume recorded? Records should be kept of all waste that is rejected and its destination?

Please provide a flow chart of the acceptance and processing procedures.

7. Page 5, Incoming and Outgoing Waste Tracking: Specify who is responsible for incoming and outgoing waste tracking.

Place a copy of the inventory tracking form in the Operating Plan as an appendix.

8. Page 6, Storage Time and Capacity Limits: Indicate how the incoming waste is identified and labeled for future processing or consolidation. Place a sentence at the beginning of this section stating that all waste will be actively managed pursuant to Env-Sw 102.03.
9. Page 8, Solid waste Processing: Elaborate on the statement that spill prevention procedures are used for all loading and unloading operations.
10. Page 8 Transfer by Pour Off: Reference is made to proper PPE. The requirements should be specified in more detail in this section or another section of the plan.
11. Page 9, Solidification in Processing Units (Pits): The statement is made that solidification may be performed directly in a roll off or dump truck if done in a safe and secure manner. The required procedures/protocols and locations in this case should be specified.
12. Page 9, Oil/Gas Filter Management: Are hot drained and non-hot drained filters commingled in the processing pits?

Describe how the contents of the pits (drained oil) are pumped (with a portable pump or is a permanent pump connection available?). Indicate where the contents are pumped to.

13. Page 10, Oily and non-Oily Wastewater: Describe the handling of oily and non-oily wastewater in more detail. It is not clear from reading the Operating Plan where the pumps are located, how they are controlled, and how they get connected to the vehicle. Describe any safety procedures or high level alarms to prevent overfilling the tanks. The process for separating the oil from the water in the tanks and the procedure for removing recovered oil from the storage tanks should be described.

Is the oil fraction of 5% or greater by volume determined pre or post acceptance at the facility?

Is the recycled oil stored anywhere else beside tanks 3004 and 3005.

Describe how the oily or non-oily wastewater is handled if it is determined to be hazardous.

14. Page 10, Industrial Sludge: Describe the required testing protocol.
15. Page 11, Asbestos Receipt, Treatment, Staging/Storage and Transfer:  
This section should be rewritten in more detail to show compliance with the solid waste rules (See Env-Sw 901.03, 901.02 and 901.06). Describe the process for receiving and processing. (Is everything to be received prebagged or other wise packaged?) Possibly drop the words processing and treating from the title to this item.

Asbestos should only be handled by certified personnel. The amount of handling contemplated will determine the level of training required.

As you mentioned in your response to the waste spreadsheet it may be best to delete asbestos at this time and add it as a permit modification at a later date.

16. Page 11, Ash Receipt: Describe the pre-acceptance and post test protocol.
17. Page 11, Contaminated Soils: Describe the pre-acceptance and post test protocols.
18. Page 12. C&D and Bulky Solid Waste: Delete "Bulky Waste" from this section. Elaborate on the C&D anticipated and provide examples of the source of the waste.
19. Page 12, Over the Counter Pharmaceuticals: Provide more detail on the procedures for accepting, receiving, handling and storage of pharmaceuticals. Describe the procedure for determining if the pharmaceuticals are hazardous or non hazardous. Describe the process for bulking, segregating, consolidating and labeling, in regard to compatibility.
20. Page13, Bypass Waste: State where the bypass waste is stored.

21. Page 13, Managing Bypass Wastes: Show the storage location on the site plan.
22. Solid Waste Processing, Treatment, Bulking/Consolidation, Storage/Staging and Transfer procedures: Indicate how the empty used and non-used drums/containers and expended fire extinguishers will be received, tested and processed. .
23. Page 15, Facility Maintenance: Inspection and maintenance requirements of the mix pit liners and storage tanks should be included in the maintenance and monitoring section. (Structural type inspections including the oil resistant membrane)
24. Page 16, Application Items: The fourth bullet discusses storage of aerosols and fuel cylinders, however, handling of this waste is not described in the Routine Operations Section.

The process should be described and the secure location identified. Indicate the procedure to determine if they are considered hazardous. (Is receipt of these items covered under the hazardous waste permit?)

The last bullet on this page refers to spill response equipment. The type of equipment should be described and its location shown on the site plan.

25. Page 18, Contingency Plan: Should also include items as required by the SW Rules (Fire, explosion, injury and asbestos spills).
26. Page 19. Emergency Names, Addresses and Telephone Numbers: Include phone numbers for DES, Solid Waste Management Bureau 271-2925, State Police Dispatch (271-3636) and possibly Portsmouth Coast Guard.
27. Page 28 Record Keeping and Reporting: Reference all record keeping and reporting requirements per the SW Rules. (Env-Sw 1105.06, 1105.07 and 1005.09)
28. Env-Sw 405.02(b) requires that a C/S/T shall not receive any waste for which it has no arrangements for removal to an authorized facility. Provide a table in the appendix of the Operating Plan listing the waste items to be received and the corresponding authorized disposal facility.

You may want to consider providing a series of tables and spreadsheets in the operating plan to address the comments regarding receiving, testing, handling and disposal as opposed to addressing each one in the text.

**Section VIII Closure Plan:**

1. Page 3, Closure Requirements-Procedures: Cite the reference to the Solid Waste Rules for Closure, Env-Sw 1106.
2. Page 7, Closure Cost Estimate: The cost estimate should include the cost of disposal of any residue in tanks 3004 and 3005.

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3. Pursuant to Env-SW 1403.02(g) (2), a 10% contingency is required to be added to the cost estimate.
4. Please provide backup for the unit prices used in the estimate. In addition, please break down costs into transportation and disposal components.
5. Please verify that the cost for excavating 50 cubic yards of soil includes transportation and disposal costs.

Please address the above comments by submitting three copies of the required information at your earliest convenience. Be certain to note the revision date on each replacement page. Continued review of your application will commence upon receipt of this information.

Note that in accordance with the provisions of Env-Sw 304.05(d) of the Rules, an incomplete application that becomes a dormant application shall be deemed denied. As defined by Env-Sw 102.54 of the Rules, a dormant application is one that the applicant fails to complete within 12 months of the date the application is deemed to be incomplete by the Department.

If you have any questions or comments, please contact me.

Sincerely:



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cc: Town Clerk, Town of Newington  
Lamprey Regional Solid Waste Cooperative  
Doug Kemp, NHDES  
Linda Birmingham, NHDES  
Laura Kieronski, NHDES