

CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.	2	MAINE HAZARDOUS WASTE, SEPTAGE & SOLID WASTE MANAGEMENT ACT
RUMERY ROAD, SOUTH PORTLAND CUMBERLAND COUNTY, MAINE)	
WASTE OIL FACILITY LICENSE)	
LICENSE# O-154-97-E- R)	RENEWAL LICENSE

The facility has historically received an average weekly volume of two hundred and fifty thousand (250,000) gallons of waste oil per week or approximately thirteen million (13,000,000) gallons per year. Waste oil is delivered in bulk by vacuum or tanker trucks, tote tanks and in U.S. Department of Transportation approved non-bulk containers less than one hundred and nineteen (119) gallons in size and drums up to fifty five (55) gallons in size. CLEAN HARBORS also collects waste oil from do it yourself (DIY) oil changers as a service to the general public. Incoming waste oil is inspected and sampled by CLEAN HARBORS prior to offloading to ensure it is not hazardous waste.

Once inspected and approved, the waste oil is offloaded into a vaulted receiving tank and then pumped into a treatment tank or depending on the quality of the waste oil directly to a reclaimed waste oil storage tank for resale as a heating fuel or shipment to other permitted facilities for further treatment.

Waste to be handled at the facility:

<u>Waste</u>	<u>Maximum volume in gallons</u>	<u>Storage Vessel</u>
Waste oil reclaimed	28,000	T-1
Waste oil reclaimed	28,000	T-2
Waste oil treatment	24,000	T-3
Waste oil treatment	24,000	T-4
Waste oil treatment	20,000	T-5
Waste water processing	20,000	T-6
Waste water processing	20,000	T-7
Hydroxide sludge	15,000	T-8
Waste water	15,000	T-9
Processed waste water	20,000	T-11
Processed waste water	20,000	T-12
Processed waste water	20,000	T-13
Spec used oil	5,000	Boiler fuel tank
Glycol based coolant	5,000	
Ancillary process tanks	14,000	

CLEAN HARBORS imports waste oil into the State of Maine from other states. Waste oil shipped to the Rumery facility from outside the State of Maine is

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shipped on a hazardous waste manifest utilizing the originating state's waste codes.

For example, Massachusetts uses waste codes MA01 for shipments of unused waste oil, used oil and mixtures of both; MA97 for specification used oil fuel; and MA98 for off-specification used oil. New Hampshire uses waste code NH01 for used oil and NHX1 for oil for recycling. Connecticut uses waste codes CR02 for oil or petroleum no longer suitable for its original purpose and CR03 for oil or petroleum that is no longer suitable for its original purpose and is miscible in water.

CLEAN HARBORS's Rumery Road facility has a total maximum storage capacity of two hundred and seventy eight thousand (278,000) gallons. This consists of the following: one hundred and twenty four thousand (124,000) gallons of waste oil in treatment and storage tanks, seventy thousand (70,000) gallons of waste water in water holding and treatment tanks, sixty thousand (60,000) gallons of treated water which is stored prior to discharge to the South Portland Sewer District, five thousand (5,000) gallons in the boiler feed tank, a five thousand (5,000) gallon Glycol based coolant tank and an additional fourteen thousand (14,000) gallons of capacity provided by process tanks utilized throughout the treatment process. The process tanks also include tanks associated with CLEAN HARBORS's waste water treatment system. CLEAN HARBORS stores oil contaminated solid material at the Rumery facility such as soil, absorbents, hydroxide sludge and debris from the waste oil treatment system. The solid material is stored in roll off containers of up to 40 yards in size on concrete pads.

General Description of the Facility:

The waste oil facility ("the facility") proposed by CLEAN HARBORS consists of 5 areas:

- A. Tank storage and tank treatment area
- B. Filter press area
- C. Loading area
- D. Unloading area
- E. Waste water treatment system area

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Figure 1 depicts the locations of these areas and the treatment facility and is attached to and incorporated into this Order.

A detailed description of the 5 areas is provided below:

i. Tank Storage and Tank Treatment Area:

The tank storage and treatment area consists of a 103 foot long x 47.5 foot wide x 5 foot high concrete containment structure that is open to the environment. A dike that is 2 feet high x 1 foot thick divides the structure into two sections (I & II). Section I is 43 feet long and Section II occupies the remaining 60 feet. The containment structure consists of a 4 inch reinforced thick concrete pad underlain with 1.5 feet of compacted crushed gravel, and 10 inch thick exterior containment walls. The dike containment area is sufficient to contain 110% of the volume of the largest tank in containment and 20% of the volume of all tanks in the containment area.

Section I consist of 4 vertical tanks: two storage tanks, T-1 and T-2, and two treatment tanks, T-3 and T-4. Tanks T-1 and T-2 have a storage capacity of twenty-eight thousand (28,000) gallons per tank and tanks T-3 and T-4 have a capacity of twenty-four thousand (24,000) gallons per tank. These tanks are constructed of $\frac{1}{4}$ inch gauge carbon steel at the bottom, decreasing to $\frac{3}{16}$ th of an inch gauge steel at the top. All four tanks are located on false bottoms allowing for one foot of clearance between the tank bottom and the concrete pad which allows for tank bottom inspections and cleanup of leaks or spills. Tanks 1 through 4 are equipped with high-level alarm systems. Each tank has a vertical height of 35.2 feet. The high level alarm activates when the liquid level reaches 32.5 feet causing a low frequency audible alarm and a flashing amber light. The high/high level alarm activates when the liquid level reaches 33.5 feet causing an audible alarm and a flashing red light. The lights and alarms are located at the northwest corner of the building directly above the control room door. Lights also show up on the control panel in the control room. Each tank is also equipped with a 2.5-inch remote access foam line as required by local fire officials.

Section II consists of three tanks: two vertical storage tanks T-6 and T-7 having a capacity of twenty thousand (20,000) gallons each which contain waste water and T-5 which is a twenty thousand (20,000) gallon horizontal waste oil treatment tank. T-6 and T-7 are cone bottomed constructed on a 5-foot high steel skirt

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allowing for inspection of the tank bottoms. The tanks are constructed of carbon steel and are equipped with an overflow pipe which is directed to the 1300 gallon receiving tank for overflow protection. Tank T-5 is a heated tank constructed of ¼ inch gauge carbon steel equipped with a high-level alarm system. The high level alarm is triggered at a liquid level of 2.5 feet from the tank top and high/high level alarm is activated at 2 feet from the tank top. Tank T-5 is also serviced by a remote firefighting foam line similar to the tanks described in section I above. CLEAN HARBORS utilizes heat and chemical demulsifiers to treat waste oil at the Rumery facility. The process begins by heating the waste oil to 180° - 210°F. The heating begins the separation process by reducing the viscosity of oil. Chemical demulsifiers are also added to enhance the separation process. The combination of heat and chemical demulsifiers promotes gravitational settling of solids and the separation of the oil and water fractions. Once the separation process has been completed, reclaimed oil is pumped from the treatment tanks to a finished product storage tank. The finished product is then analyzed prior to being transferred to tanker trucks for shipment to an end user.

ii. Filter Press Area:

This area contains a recessed plate filter press that is used as the final stage in the waste water treatment processes. Sludge from the treatment process are pumped to the filter press for dewatering. The dewatering process generates a non-hazardous hydroxide sludge. The sludge's are then stored in roll-off containers of up to 40 yards in capacity prior to disposal at a licensed facility.

iii. Loading Area:

The loading area is a concrete pad, measuring 60 feet by 12 feet on which the tank trucks are loaded with treated waste oil prior to leaving the facility. A remote automatic fire suppression line (foam) also extends to this area for fire protection. Run-off from this area drains to a low point and is collected by facility personnel using a vacuum truck. Once collected the run-off is pumped to tanks T-6, T-7, T-8 or T-9 for processing. CLEAN HARBORS also has the ability to pump storm water run-off having an oily sheen to tanks T-3 through T-5 for processing.

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iv. Unloading Area:

The unloading area consists of a concrete pad upon which vehicles park while unloading waste oil to the receiving tank. The pad is sloped toward the receiving room and serves to contain spills that may occur during the unloading operation. The unloaded waste oil is pumped into a below grade receiving tank located in the receiving room. The concrete receiving room floor is sloped toward the receiving room tank that helps to prevent any spills that may occur from escaping to other areas of the facility. The receiving room tank is a one thousand three hundred (1300) gallon capacity steel tank located in a below ground, steel lined concrete vault. The tank is located on legs and can be inspected from all sides for leaks.

v. Waste Water Treatment System Area:

The waste water treatment system (WWTS) area consists of tanks and equipment that are used to treat waste water from the oil reclamation process, runoff from the loading and offloading areas, dike containment water, oily waste water and other non-hazardous waste waters accepted at the facility. The WWTS area includes the WWTS building, the squad room and the electrical room. The WWTS contains the continuous flow physical/chemical waste water treatment system. The squad room contains the WWTS control panel. The electrical room contains the effluent pump and discharge flow meter control panel.

2. STATUTORY CRITERIA

The Department of Environmental Protection (hereinafter the "Department") finds under the statutory criteria of 38 M.R.S.A. § 1319-X that:

The criteria for facility development apply to an application for a waste oil storage facility in addition to other criteria established by law or rule for those facilities. The criteria that must be met include:

- A. Financial Capacity: The applicant has the financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.

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- B. No Adverse Effect on the Natural Environment: The applicant has provided adequately for fitting the project harmoniously into the existing natural environment and the project will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.
- C. Groundwater: The proposed project does not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.
- D. Soil Types and Erosion: The project will be built on soil types suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment.
- E. Traffic Movement: The applicant has provided adequately for traffic movement of all types into, out of, or within the project area. The department shall consider traffic movement both on site and off site, including safety and congestion along waste conveyance transportation routes.
- F. Infrastructure: The applicant has provided adequately for utilities including water supplies, sewerage facilities, solid waste disposal and roadways required for the project and the project will not have an unreasonable adverse effect on the existing or proposed utilities and roadways in the municipality or area served by those services.
- G. Flooding: The project will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to a structure.
- H. Protection of Water Supply Sources: The Department may not issue a license for waste oil storage facilities if the proposed facility overlies a significant groundwater aquifer or primary sand and gravel recharge area.

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3. REGULATORY CRITERIA

The Department finds that according to Maine's Waste Oil Management Rules, 06-096 CMR 860, (10) (A) through (E) the following regulatory criteria must be met prior to issuance of a waste oil facility license:

A. Rebuttable Presumption:

A waste oil storage facility located in the following areas is presumed to pose a serious threat to public health or welfare or to the environment such that a license for a facility cannot be issued. The presumption applies if:

- i. The facility or facility property overlies any portion of a surface or subsurface sand and gravel aquifer or its primary recharge zone or a high yield bedrock aquifer; or
- ii. The facility or facility property is located within 1,500 feet of any underground source of public drinking water or within 1,000 feet of any source of potable water for people or livestock; or
- iii. The facility property is located on land defined as a wetland under statutes or regulations administered by the following Departments: Environmental Protection; Agriculture, Conservation, and Forestry (including the Land Use Planning Commission-LUPC), Inland Fisheries & Wildlife; Marine Resources; or
- iv. The facility or facility property is located within 100 feet of any 100 year flood plain so designated by the Federal Insurance Agency or within 100 feet of the level of any documented flood of a greater magnitude; or
- v. The facility or facility property is located such that it may pose a threat to the fisheries, wildlife or other natural resources of a sanctuary, refuge, preserve, state or federal park, designated wilderness area, critical area or fish hatchery; or
- vi. The facility property is located within the boundaries of a state or Federal Park or designated wilderness area.

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An applicant seeking a license to establish, construct, alter or operate a waste oil storage facility in such a location must overcome this presumption by clear and convincing evidence that the facility is unique in some way that allows for compliance with the intent of the rebuttable presumptions.

B. Environmental Performance Standards:

All waste oil storage facilities shall be located, designed, constructed, altered, operated, maintained, and closed in a manner that will ensure protection of public health and welfare and the environment. Protection of public health and welfare and the environment shall include, but not be limited to:

- i. Prevention of adverse effects on groundwater quality;
- ii. Prevention of adverse effects on surface water quality;
- iii. Prevention of adverse effects on air quality; and
- iv. Prevention of adverse effects due to migration of waste constituents in the subsurface environment.

C. Design Standards: The following design standards must be met:

- i. The waste oil handling areas of a waste oil storage facility must be fenced at the perimeter and access to the site must be controlled.
- ii. The waste oil loading, unloading and storage areas of the facility must have a base that is a firm working surface, such as asphalt or concrete. It must be impervious and must be kept entire. Run-off from these areas must be collected and is subject to applicable state, federal and local waste water discharge requirements.
- iii. Each storage area must have a containment and collection system the effective capacity of which is not less than the greater of:
 - (1) 20% of the total capacity of all containers and tanks, or

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(2) 110% of the capacity of the largest container or tank.

- iv. A tank which is used for the storage of waste oil must be designed and installed so that it can be fully inspected for structural integrity, deterioration and leaks except that a tank whose base cannot be fully inspected must be designed and installed above an impermeable flexible membrane liner. The liner must have undergone compatibility testing with waste oil and have been shown through previous testing or research to be compatible with those components commonly comprising waste oil. The liner must have a minimum thickness of 30 mils. The Department may consider the use of a clay liner if the applicant can demonstrate that it will provide the same level of protection as a synthetic liner.
- v. All tanks used for the storage of waste oil must meet Underwriters Laboratories, Inc., "Standards for Steel Aboveground Tanks for Flammable and Combustible Liquids," UL-142 1981 as amended and must be installed in accordance with NFPA 30, "Flammable and Combustible Liquids Code" 1984.
- vi. The storage of waste oil in underground tanks by a waste oil dealer is prohibited except that the Board may approve on a case by case basis the use of a tank which is an integral part of an oil/water separator if the Board finds that the applicant has made adequate provisions to protect the public health, safety and welfare and the environment.
- vii. Storage or treatment of waste oil in a surface impoundment by a waste oil dealer is prohibited.
- viii. All waste oil storage tanks must be equipped with a level sensing device and a high level alarm which is both audible and visible to the person filling the tank.
- ix. All waste oil storage containers must be located and managed in a manner that allows access for inspection, fire or safety equipment and remedial action.

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- x. The facility must meet all applicable requirements, codes, and standards of the Department of Public Safety (State Fire Marshal's Office).

D. Operation Requirements: The following operational standards must be met.

- i. A tank shall not be used to store waste oil for a period of time that exceeds the design life of the tank.
- ii. The operator of a waste oil storage facility must establish an inspection and maintenance program for the facility.
- (1) Daily inspection shall be made to ensure that the working surface, containment and collection systems, pipes, pumps, valves, tanks, etc. are in good condition and free from cracks and leaks.
 - (2) All monitoring equipment, such as gauges and alarms, must be inspected weekly to insure that it is in good working order.
 - (3) Any equipment that is found to be malfunctioning or otherwise unsafe shall be taken out of service immediately. Any damage to containment and collection systems shall be repaired immediately.
- iii. The owner or operator of a waste oil storage facility must maintain a written record and/or diagram showing the following:
- (1) The layout of the facility and, if there are dedicated tanks, the location of each type of waste oil.
 - (2) Details of all inspections of and repairs to the tanks, piping, liners, containment and collection systems, and other waste oil transfer or storage equipment.
 - (3) Details of all accidents and spills, including date and time of discharge or discovery, date and time of reporting, volume of spill and method of clean-up. The record/diagram must be maintained at the facility. Copies of such records shall be made available to the Department upon request.

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4. In support of its application CLEAN HARBORS has submitted the following:

A. Facility Operating Plan:

CLEAN HARBORS operates the Rumery Road facility up to seven days a week, twenty-four hours per day. Days and hours of operation may vary due to business demands. CLEAN HARBORS accepts both specification and off specification waste oil at this facility. CLEAN HARBORS anticipates a maximum weekly volume of two hundred and fifty thousand (250,000) gallons of waste oil. Waste oil arrives at the facility by tank, vacuum truck or non-bulk containers. Non-bulk containers are unloaded from trucks via forklifts and poured into the one thousand three hundred (1,300) gallon receiving tank or removed from non-bulk containers using vacuum trucks and pumped into the receiving tank. CLEAN HARBORS also has the ability to temporarily store non-bulk containers in order to meet operational needs such as pending analytical results prior to being pumped into the receiving tank. Incoming trucks unload their bulk waste oil into the same one thousand three hundred (1,300) gallon receiving tank as mentioned above. From this tank, the waste oil is pumped to tanks T-3, T-4, and /or T-5 which are equipped with heating coils to elevate the oil temperature. Demulsifiers are also added at this stage to expedite gravitational separation. Once separation of the oil has been accomplished, the reclaimed oil is pumped into tanks T-1 or T-2 as a finished product. The batched oil is then analyzed once the tanks (T-1 or T-2) are full. After analysis the reclaimed oil is transferred from tank T-1 and T-2 via the loading rack to bulk transports for delivery to the end users. When offloading high quality waste oil the facility operator may allow it to be pumped directly into T-1 or T-2 after initial analysis but without prior treatment in CLEAN HARBORS's oil treatment system.

CLEAN HARBORS cleans and visually inspects the inside of its waste oil tanks on a quarterly basis. These inspections may vary due to such activities as emergency response requiring the tanks to remain in operation. The cleaning of the tanks on a quarterly basis also helps control odors that may be generated during the waste oil treatment process.

CLEAN HARBORS conducts out of service inspections of the waste oil storage and treatment tanks on a five-year schedule. These inspections conform to the

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standards established in the American Petroleum Institute's Publication # 653 and are performed by an independent contractor with expertise in above ground tank design and construction. The sludge and solids removed as part of the tank cleaning operations are consolidated into roll-off containers and mixed with a solidifying agent such as calcium sulfate, lime, fly ash, sawdust, woodchips or other absorbent material to dry the sludge and make it suitable for land filling. The sludge is tested prior to disposal to ensure that the sludge goes to a properly permitted facility. The metal hydroxide sludge generated by CLEAN HARBORS's waste water treatment system and the tank cleaning sludge and solids are both disposed of at properly permitted secure landfills. Solids are sampled annually to ensure they meet the receiving facilities standards.

B. Waste Oil Reclamation Process:

CLEAN HARBORS utilizes both heat and chemical demulsification to enhance gravitational separation of oil from water and solid components. Chemical additives and separation rates differ between tanks due to the variability of incoming waste oils at the facility. The system behaves like sequential sets of batches rather than a continuous operation.

Upon analytical verification of acceptability, the waste oil is off-loaded through a course screen into the receiving tank. The coarse screen located on top of the receiving tank removes sand, grit and gross solids. Split loads of oil and water are separated during offloading by the operator through visual observation. The operator directs the oil fraction to waste oil treatment tanks and the water phase to waste water treatment tanks. Screened solids are removed by hand and mixed with process sludge for disposal.

Waste oil treatment begins by heating the waste oil in one of the three treatment tanks (T-3, T-4 and T- 5) to between 180°-210°F. Chemical demulsifiers are added at this time to enhance separation. The heating and chemical addition reduces viscosity of the oil, promoting gravitational settling of solids and separation of the oil and water factions.

The reclaimed oil is then pumped to tanks T-1 and T-2 for outgoing analysis and resale to the end user. Waste water generated by the process is pumped to tanks T-6 and T-7 for treatment and disposal via the South Portland Waste Water Treatment Plant. See Figure 2 for the process flow chart.

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The wastewater collected in tanks T-6 and T-7 is continually treated in a wastewater treatment system manufactured by Lancy International. The wastewater is treated at a rate of 20-50 gallons per minute from the storage tanks. Water enters an acidification reactor where acid is added. This drops the pH to a typical range of 2 to 4, cracking the oil water emulsion and prompting gravitational separation. At this stage an oil water separator removes oil and gross solids from the water, returning the oil to the process tanks.

Subnatant then flows from the separator to the first stage reactor where a coagulant such as Alum Sulfate and Activated Carbon are added for coagulation and co-precipitation of oil and grease. The subnatant then flows to a secondary reactor where lime slurry is added increasing the pH to a typical range of 10.0 to 10.5. The lime enhances the Alum precipitation and raises the pH above the solubility range for heavy metals. This causes the heavy metals in the waste water to precipitate out of solution as metal hydroxide sludge. The final step is the addition of an anionic polymer that flocculates particles into an aggregate. An inclined plate, lamella type clarifier then separates the solids from the effluent. Metal hydroxide/powder activated carbon sludge is pumped from the clarifier to a 15,000-gallon sludge thickener prior to dewatering by a recessed-plate filter press. The dewatering process generates a non-hazardous filter cake that is stored in roll-off containers prior to disposal at a properly licensed secure landfill.

Clarifier effluent (waste water) is pumped through two granular activated carbon columns (containing 1,000 pounds of carbon per column). The treated water is then pumped to tanks T-11, T-12 or T-13. These tanks are twenty thousand (20,000) gallon effluent storage tanks utilized to store waste water for testing prior to discharge to the municipal sewer of the City of South Portland. The treatment unit is capable of a maximum flow of seventy two thousand (72,000) gallons per day.

C. Facility Traffic Information:

The facility is located in an industrial park near Cash Corner. Traffic enters the Rigby Industrial Park via Rumery Road off Main Street. A total of approximately 20 vehicles comprised of 10 passenger vehicles and 10 bulk tank trucks enters and leaves the facility daily.

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D. Facility Inspection Plan:

CLEAN HARBORS has its inspection plan divided into two segments: (1) general facility inspection and (2) specific operations unit inspection. They include among other things, checking for leaks, cracks, and proper operation of tanks, associated pumps and pipe lines, containment structures, and equipment. Inspections are documented by inspectors on inspection report forms and electronically in Clean Harbors' WIN Web electronic data base maintained at Clean Harbor's headquarters.

If an inspection indicates remedial or corrective actions are necessary a specific work ticket is generated by the inspector via the Win Web compliance screen for each issue/discrepancy noted by the inspector. The work ticket form contains pertinent corrective work orders. The work order is then assigned to the appropriate personnel by the facility manager for implementation. The completed form is routed to the compliance/safety manager for use as a re-inspection reminder and follow up documentation. The work order remains highlighted in the electronic data base until the required activity has been completed and data entered indicating the appropriate remedial activities have been taken.

The daily inspection plan covers the condition of containment and collection systems, loading and unloading areas, boiler room, fencing, squad room, process and storage tanks, pipes valves, roll-off containers etc.

The weekly inspections cover safety equipment, monitoring equipment, spill response equipment and virgin chemical storage containers, on site waste generation and storage.

Completion of the electronic forms may be conducted by either:

1. The inspector using an electronic tablet or similar device, that displays the inspection forms. The inspector's findings are recorded at the point of inspection in real time on the device. Upon completion of the inspection, the inspector will download the data to the Win data base.

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2. The inspector conducts the inspection recording results on a paper form then manually enters the data into the electronic data base on the same day that the inspection was conducted.

The facility compliance manager is responsible for implementation of the inspection program. Inspection results with written and or electronic documentation are made directly to the facility supervisor. The facility supervisor is responsible to implement required corrective measures or remedial actions. Each inspector is trained on how to conduct inspections prior to being responsible for performing inspection functions.

E. Facility Training Plan

CLEAN HARBORS's training program instructs personnel on the properties and hazardous nature of waste oils treated and stored at the facility. The plan encompasses emergency procedures, equipment, systems and personal safety equipment. New employees involved with the handling of waste oils and hazardous waste receive both general and specific training. General training is conducted within thirty (30) days of hire and consists of the following:

- i. CLEAN HARBORS Orientation
- ii. Compliance Awareness
- iii. Health and Safety Training Awareness
- iv. RCRA Labeling and Manifest Requirements; and
- v. Hazardous communication Right to Know Training

The on-the-job training consists of the following topics:

- i. Properties and Hazardous Nature of Waste Oil.
- ii. Contingency and Spill Containment Control and Countermeasures (SPCC)Plan Training

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- iii. Procedures to be Used to Inspect, Repair, and Replace Facility Emergency and Monitoring Equipment
- iv. Personal Safety and Emergency Equipment Use
- v. CLEAN HARBORS Licenses, Permits and Approvals; and
- vi. Standard Operating Procedures

Documentation of on-the-job training is completed by the employee supervisor. Once training has been completed to the supervisor's satisfaction the new employee can begin performing the job. Documentation of on-the-job training is maintained at the facility and training is reviewed and recertified annually. Employees are trained at the time of hire, and then annually thereafter. CLEAN HARBORS evaluates training records on an annual basis. Additional annual training is provided to personnel as determined by the facility compliance manager.

F. Facility Contingency Plan and Spill Control and Countermeasures Plan.

The facility contingency plan describes the procedures to be followed in the event of fire, explosion, spill or other release. The Spill Prevention Control and Countermeasures Plan list the spill potential at the facility and the preventative measures in place to prevent such an incident. The plans address the activation of alarm systems, shutting down operations, and evacuation of the facility and notification of federal, state and local authorities. Complete copies of the Contingency Plan have been sent to the local fire and police department, Mercy Hospital, Cumberland County Civil Emergency preparedness, and the Maine Department of Environmental Protection. The Contingency plans were last updated by CLEAN HARBORS on March 21, 2012. The facility SPCC plan was last updated by CLEAN HARBORS on November 2, 2011.

G. Facility Financial Information

CLEAN HARBORS is a publicly held company organized under the Commonwealth of Massachusetts. CLEAN HARBORS has submitted copies of its annual report and Form 10-K Annual Report for the year ending December 31,

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2010, as evidence of its financial capacity to construct and operate the facility. Clean Harbors net revenues for the year ending December 31, 2010 were (in thousands) \$130,515.

Clean Harbors Rumery Road South Portland Maine facilities estimated costs of on-going activities for 2012 is \$ 877, 500.

H. Facility Insurance Information:

CLEAN HARBORS submitted a Certificate of Liability Insurance for its activities at Rumery Road issued by Steadfast Insurance Company of Schaumburg, Illinois. The limits of liability are \$1,000,000 each occurrence and \$2,000,000 annual aggregate exclusive of legal defense costs. The policy expires on November 1, 2012. This policy is renewed on an annual basis and a certificate of insurance is submitted to the Department annually. The current certificate of insurance was issued on November 1, 2012 expiring on November 1, 2013.

I. Facility Waste Analysis Plan

CLEAN HARBORS's waste analysis plan is a four part process to ensure the proper handling of waste oils accepted and shipped off-site for resale from the facility. The details of each portion of the plan are summarized below:

- i. Pre-Acceptance Procedures are designed to determine the acceptability of a particular waste stream pursuant to license conditions and operating capabilities. This is the point where CLEAN HARBORS makes an initial decision to accept or reject a particular load at the facility. CLEAN HARBORS reviews information from the generator which include a waste profile sheet (WPS) or equivalent; a representative sample of the waste oil if provided; and other documentation to ensure the waste oil is acceptable pursuant to the facility's license conditions. CLEAN HARBORS's also requires generators to go through the pre-acceptance procedure whenever there is a change in the generator's process, which could change the generator's waste stream.
- ii. Incoming Load Procedures are designed to verify that delivered waste oil matches the accompanying manifest or pre-acceptance documentation. For each separate waste stream, the initial load is subjected to "Mandatory

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Analysis" for flash point and total halogens. CLEAN HARBORS utilizes the following field test as a pre- acceptance method for total halogens ASTM D5384-96 (Dexsil Chlor-d-Tect) for waste oil being delivered to CLEAN HARBORS's Rumery facility. This method has a minimum detection level (MDL) of 200 ppm. CLEAN HARBORS may use other approved methods for Total Halogens in oil such as Method EPA SW 846-9076 (Chlorine by oxidative combustion and microcoulometry) and Method EPA SW 846-0975 (Chlorine by X-ray Fluorescence). Samples of waste oil found to exceed 1,000 ppm total halogens is sent for further analysis at CLEAN HARBORS's lab's or a third party independent laboratory to ensure it is not contaminated with hazardous waste. Waste oil determined to exceed 4,000 ppm utilizing the above methods is considered a hazardous waste under 06-096 CMR 860 (4) (D) of the Department's Rules and is not accepted by CLEAN HARBORS at the Rumery facility.

Other "Supplemental Analysis" may also be conducted on a case by case basis. These analyses could include specific parameters required for treatability studies and health and safety concerns, BTUs, oil and grease, PCBs, pH, sulfide, cyanide, and ammonia screens.

- iii. Process Operations Procedures are designed to maintain safe and appropriate storage or movement of waste oil through the facility. As each shipment of waste oil is off-loaded, it is checked against the accompanying manifest, bill of lading or other documentation to verify volume and material identification. Inspection, sampling and approval of the incoming load will be performed prior to off-loading in accordance with methods described earlier. Waste oil is then off-loaded into a treatment or storage tank, and then pumped to a reclaim tank. When a sufficient amount of oil has been accumulated in the reclaim storage tank, it is treated as a batch. All information pertaining to the batches of waste oil (date processed, batch ID #, and storage tank) and processed waste oil is recorded and kept on file at the facility. Batches of processed waste oil are given a new ID # and resampled upon the addition of processed oil.
- iv. Outgoing Load Procedures are performed to properly classify the waste oils being sent for re-sale.

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CLEAN HARBORS's final procedure is the analysis of outgoing waste oil. These analyses define whether the oil meets specification or off specification waste oil parameters. Each batch of outgoing waste oil is analyzed for the parameters required by 06-096 CMR 860, (4) of the Rules. These parameters are arsenic, cadmium, chromium, lead, polychlorinated biphenyls, total halogens, and flash point.

CLEAN HARBORS proposes to use the following test methods for outgoing waste oil shipments. The list of test methods include those methods as required by Maine's Waste Oil Management Rules 06-096 CMR Appendix I for use on waste oil, and alternate methods not provided in 06-096 CMR 860. CLEAN HARBORS's proposed analytical methods have been approved by EPA for the analysis of waste oil. Chapter 860, Appendix I provides for the approval of alternative methods of analysis provided the method is fully documented, its accuracy and precision is established, and all applicable references are listed. The Department has determined that the following laboratory methods proposed by CLEAN HARBORS are acceptable due to their precision, accuracy and associated documentation. These methods provide adequate assurance for ensuring the proper characterization of outgoing waste oil shipments.

<u>Constituent/Property</u>	<u>Test Method</u>
Flash Point	EPA Method 1010 ASTM D-3278
Metals	EPA SW 846 -3050B/6010B
Polychlorinated biphenyl's	EPA SW 846-8080 600/4-81-045 SW-846-8082
Total Halogens	ASTM D808 (Bomb Method)* and ASTMD512 (Titration) or EPA SW846-9076 (Oxidative Combustion & Microcoulometry) or

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EPA SW 846-9075 (X-ray Fluorescence) or
EPA SW846-5050 (Bomb)/9252 (Titration) or
EPA SW846-5050 (Bomb)/9253 (Titration)

* Test method found in 06-096 CMR 860, Appendix I of the Department's Waste Oil Management Rules.

Although CLEAN HARBORS states their proposed analytical methods, CLEAN HARBORS does not state how it will express its analytical results. 06-096 CMR 860 of the Rules requires analytical results to be expressed on a dry weight basis.

Waste oil shipped to CLEAN HARBORS Rumery facility for treatment from out of state sources is initially analyzed for total halogens and flash point parameters set forth in 06-096 CMR 860 (4) (B) and (C) and a review of the waste material profile sheet or a full analysis of the Maine Waste Oil parameters in 06-096 CMR 860 (4) (B) and (C). The shipment is then approved by CLEAN HARBORS Central Profile Group (CPG) prior to acceptance at the facility. This group ensures through, testing (field and lab), generator description, and knowledge of the generation process that the shipment would not exceed the off-specification standards found in Chapter 860, Section 4 C of the Department's Waste Oil Management Rules. The field test results and the Waste Profile Number from the analysis are listed in section 14 of the Uniform Hazardous Waste Manifest must accompany all shipments of waste oil being imported from out of state to CLEAN HARBORS Rumery facility. Clean Harbors requires out of state waste oil generators to conduct an analysis of their waste oil or provide waste material profile sheet on the initial load proposed to be collected by Clean Harbors and annually thereafter if a regular client and when there has been any change in the clients waste oil generation process.

CLEAN HARBORS has stated in its application that waste oil having a total halogen concentration in excess of 4,000 ppm will not be accepted at its Rumery facility. Maine's Waste Oil Management Rules 06-096 CMR 860 (4) (D) considers waste oil with excess of 4,000 ppm total halogens as a hazardous waste. The federal used oil management rules, 40 CFR 279.10 (b)(1) state that oil containing halogen concentrations greater than 1,000 ppm is presumed to be mix

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with a hazardous waste. The federal rules allow CLEAN HARBORS to rebut the 1,000 ppm hazardous waste presumption by use of generator knowledge and /or testing. If the waste oil generator cannot document the source of the halogens, CLEAN HARBORS would analyze the waste oil for total or individual organic halogens.

J. Facility Monitoring Plan:

CLEAN HARBORS has conducted groundwater monitoring at its facility since March of 1986 to satisfy environmental performance standards pursuant to 06-096 CMR 860, (10)(C)(1) through (4). CLEAN HARBORS is currently conducting groundwater sampling and analysis three times a year for Total Extractable Petroleum Hydrocarbons (Mass DEP Total EPH), and volatile organic compounds (VOCs) EPA method 8260. CLEAN HARBORS's is currently monitoring three (3) groundwater monitoring wells to satisfy the environmental performance standards of 06-096 CMR 860.

Groundwater monitoring data for the three (3) wells submitted by CLEAN HARBORS in its last ground water monitoring report dated March 6, 2011 indicated:

i. Five (5) volatile organic contaminants:

1. 2- chlorotoluene (maximum of 16 ppb);
2. chlorobenzene (including dichlorobenzene, maximum of 3 ppb);
3. methyl- tertiary butyl ether (MTBE, up to 44 ppb);
4. T-amyl methyl ether (TAME at 1.5 ppb); and
5. t-butyl alcohol (maximum of 51 ppb).

Ground water samples contained Total Extractable Petroleum Hydrocarbons (TEPH) ranging from 82 ppb to 383 ppb.

Although contaminated, the results of the 2011 report indicate groundwater contamination is within historical ranges at the site. The facility is located in a heavily industrialized area of South Portland. Other activities adjacent to the Clean Harbors facility include auto recovery storage, truck washing services, storage container operations and the Rigby Yard railroad area. The site was previously utilized by shark oil for the storage of waste oil.

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Clean Harbors has also taken proactive measures to help eliminate environmental risks from its operations by removing or abandoning below ground piping and tanks as part of the ongoing maintenance and upgrades to the facility.

K. Facility Closure Plan:

The closure plan submitted by CLEAN HARBORS provides for the removal of all waste oil and waste oil residues and the decontamination of all waste oil equipment upon cessation of use of all or any portion of the facility. CLEAN HARBORS's updated estimate of itemized closure costs for the facility is \$369,519.00.

Closure activities will be completed within ninety (90) days from its initiation. Closure tasks include the following:

- i. Bulk storage tanks: Vacuum out all liquids, scrape ceilings and sides, squeegee residual material into vacuum hose, steam clean inside of tank and vacuum up any remaining material.
- ii. Pipelines and Equipment: Pipelines and oil processing equipment will be cleaned using a high-pressure water rinse. Rinsate will be collected and properly disposed of off-site.
- iii. Containment Areas, Walls, and Floors: These areas will be steam cleaned. Rinsate will be collected and transported to a properly licensed facility for disposal.
- iv. Soil Testing and Monitoring: CLEAN HARBORS would collect and analyze soil samples to assess possible contamination in and around the processing and storage areas upon direction from the Department.

5. OTHER FINDINGS

- A. CLEAN HARBORS notified its property abutters of the pending renewal application by certified mail on March 17, 2012 and published public notice of its

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application in the Portland Press Herald on March 21, 2012. The Department received comments from one abutter in a letter dated March 26, 2012 concerning operations at Clean Harbor's treatment facility. The abutter had concerns about odors in the area that were presumed to be from the waste oil operation, noise at night, and the possibility of oil discharging into the street and nearby drainage ditches. On May 23, 2012 Department staff contacted Clean Harbor's and the abutter concerning the March 26th comments. Department staff scheduled a meeting among the interested parties on May 23, 2012. The meeting was held at the Clean Harbor's facility. The facility manager explained what actions had been taken to prevent odors at the facility such as the installation of a vapor collection system that collects vapors from the vents on tanks 1-7. Vapors are put through two chemical scrubbers prior to being discharged to the ambient air. An explanation of the treatment process and the safety features available to prevent oil discharges from impacting surrounding areas was also discussed at the meeting. Department staff and Clean Harbors were thanked for providing the meeting and discussing the concerns raised in the comments and providing contact information for any additional questions. Department staff sent a copy of the draft order to the abutter for review and comment. The abutter has had no complaints about odors from the facility but is unhappy with the Clean Harbors facility location.

- B. CLEAN HARBORS does not store waste oil in underground oil storage tanks at this facility. CLEAN HARBORS's receiving tank is located below grade in a steel lined concrete vaulted structure that can be inspected from all sides and the bottom.
- C. CLEAN HARBORS will not accept hazardous waste or waste oil that exceeds the off-specification standards found in 06-096 CMR 860, (4)(C) of the Department's Waste Oil Management Rules.
- D. The property is not located in a natural resource area, including a wetland, sanctuary, refuge or preserve, a state or federal park, designated wilderness area, a critical area or fish hatchery, or within 100 feet of a hundred year flood plain or within 100 feet of the level of a documented flood of a greater magnitude.
- E. The facility property does not overlie sand and gravel aquifer, recharge zone or a high yield bedrock aquifer nor is it located within 1,500 feet from an underground source of public drinking water for humans or livestock.

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- F. CLEAN HARBORS has the aboveground waste oil storage tanks inspected every five (5) years to ensure the tanks are fit for service and meet the appropriate standards including the API 653 inspection requirements, and "Flammable and Combustible Liquids Code" NFPA 30. CLEAN HARBORS submitted tank inspection results dated July-August 2011 indicating that its waste oil storage and treatment tanks were fit for their intended service. The inspections were performed by API Inspector # 6278 and a State of Maine Licensed Professional Engineer # 8092.
- G. CLEAN HARBORS's existing groundwater monitoring program has determined that groundwater contamination exists in the vicinity of the facility. From the existing groundwater monitoring system, the specific source of the contamination is unclear. However, the facility if operated in accordance with this application, the rules and this Order will not contribute additional adverse effects to the groundwater. CLEAN HARBORS's facility will not have adverse effects on surface water quality, air quality, existing uses, and scenic character or contribute to the migration of waste constituents from the site. All CLEAN HARBORS's oil handling lines and equipment are aboveground to minimize the risk of any discharge to ground water.
- H. CLEAN HARBORS accepts nonhazardous waste waters and nonhazardous glycol based coolants at its facility. The waste water is treated in the same process used by CLEAN HARBORS for treating waste water generated through the oil reclamation process. The coolants are stored in a self-contained tank prior to being sent off site for recycling.
- I. CLEAN HARBORS submitted a Certificate of Insurance for site closure in the amount of \$ 369,519.00 dollars to ensure funds are available in the event the Department must assume closure operations for this facility.
- J. Title Right and Interest to the property:
To demonstrate title, right and interest to the property, CLEAN HARBORS submitted the following:
- i. Clean Harbors in its original application that the Department has on file submitted a copy of a quit claim deed found in book 899 pages 28 through 29 dated November 16, 1989 from the Cumberland county Registry of Deeds for the treatment and storage tank area.

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- ii. a copy of a an extension of a lease agreement signed on January 28, 2010 with the Guardian and Conservator of Carmine Rumo for a parcel of land located at the rear of 380 Main Street, South Portland, Maine. The extension of the lease agreement expires on December 31, 2014. This lease is for a paved area used for parking vehicles and storing equipment.

K. CLEAN HARBORS is a foreign corporation registered in the Commonwealth of Massachusetts doing business in Maine. Clean Harbors is in good standing with the State of Maine Office of the Secretary of State.

L. Clean Harbors installed an odor control system in July 2009. The system consists of vapor recovery duct work, 2 wet packed bed chemical scrubbers and an odor neutralizing polishing step. Vapors are collected from duct work connected to oil treatment tanks (T3, T4, and T5), waste water storage tanks (T6, T7), reclaimed oil tanks (T1, T2), the receiving tank, the waste water treatment system and the off-loading tank. Vapors from the collection areas are fed into the inlet for scrubber one. The discharge from scrubber one feeds into scrubber two and scrubber two discharges to the scrubber blower and out the stack.

The wet packed chemical scrubbers work in series. The scrubbers remove vapor causing constituents by four mechanisms: (1) vapor mist removal, (2) water washing of oily vapors, (3) pH neutralization, and (4) chemical oxidation.

The final stage of treatment is "polishing" the addition of a chemical odor neutralizer, Eco Sorb 606; this is an essential oil that chemically neutralizes most odor causing constituents. It is fed as an atomized mist after the discharge of scrubber # 2 and before the inlet of the blower. The EcoSorb 606 is a biodegradable food grade blend of essential oils, safe for animals, humans and plant life. Manufacturer testing has shown that the EcoSorb will neutralize common odors caused by Hydrogen Sulfide, Sulfide Dioxide, Ammonia and Mercaptans that may be generated by the treatment process.

6. INSPECTION RESULTS

On May 2, 2012 Department staff inspected CLEAN HARBORS's Rumery Facility and found the following:

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- A. CLEAN HARBORS conducts waste oil handling operations on asphalt and concrete working surfaces that are kept entire and impervious. CLEAN HARBORS has resurfaced the dike floors during the summer of 2011. The dike floors were scarified and cleaned prior to applying the epoxy coating to ensure a proper application. Epoxy coating was also applied during 2012 as part of the maintenance program for these areas.
- B. CLEAN HARBORS conducts daily and weekly inspections of the facility equipment as required by Department's Waste Oil Management Rules 06-096 CMR 860, (10)(E)(2). Logs and or files of these inspections are maintained at the facility for review upon request by the commissioner. Clean Harbors is using an electronic inspection system. This system will automatically issue a work order for needed maintenance to the compliance and facility managers. The system flags the work order as open until the needed repairs have been made and the work order closed. Print outs of the inspections are available upon request by Department staff.
- C. CLEAN HARBORS maintains analytical records on site of all out going shipments.
- D. CLEAN HARBORS uses hazardous waste manifests to track waste oil being imported into Maine from other states.
- E. CLEAN HARBORS properly abandoned a four inch underground oil transfer line that ran from tanks T-1 and T-2 under the pressroom to the truck loading rack. The line was cleaned and hydro tested for possible leaks prior to being abandoned in place by filling it with a cement slurry. Department staff were on site during the hydro test and approved the abandonment in place after hydro testing indicated the line had no apparent leaks. The underground line has been replaced with two four (4) inch diameter above ground lines.
- F. On August 6, 2012 fire suppression foam lines were tested by Hiller New England. The lines were found to be in good condition with no corrective action recommended. The facility was inspected by the South Portland Fire Department on June 8, 2012 and found to meet existing fire codes without any changes or upgrades. CLEAN HARBORS has received a flammable liquids and hazardous materials license from the City of South Portland dated August 10/2012 that expires on April 1, 2013.

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- G. Maintenance activities proposed in Clean Harbor's renewal application include the resealing of cement areas in the rear of the facility including the truck loading rack, and upgrades to the fencing surrounding the facility.

BASED on the above Findings of Fact and subject to the Conditions listed below, the Board makes the following CONCLUSIONS:

1. CLEAN HARBORS's renewal application and supporting documents therein for the renewal of its existing waste oil storage and processing facility license number O-154-97-D-R are consistent with the requirements set forth in Maine's Waste Oil Management Rules 06-096 CMR 860.
2. CLEAN HARBORS proposed to analyze for total halogens by ASTM D808 (Bomb Method) as required by Appendix I of Maine's Waste Oil Management Rules, 06-096 CMR 860 and by alternate methods EPA SW 846- 9076 or EPA SW 846-9075 or EPA SW 846-5050/9252 which are alternate methods not provided in 06-096 CMR 860. These alternative methods are approved by EPA for the analysis of waste oil.
 - A. CLEAN HARBORS is proposing to use the following EPA approved methods Method 3050B/6010B in lieu of that provided for in Chapter 860. ASTM D2788 is required by Chapter 860 for total metals analysis but was discontinued by EPA in 1985.
 - B. CLEAN HARBORS is proposing to use EPA Method 1010 or ASTM D-3278 for Flash Point and EPA SW 846-8080 or EPA SW 846-8082 or EPA Report 600/4-81-045 for Polychlorinated biphenyl's (PCBs) in lieu of analytical methods for these parameters as required by Chapter 860. The alternate analytical methods proposed by CLEAN HARBORS are comparable to or replace those found in Chapter 860.
 - C. CLEAN HARBORS utilizes test method ASTM D5384-96 (Dexsil-Chlor-d-Tect) as an initial screening at its facility and at generator locations to determine total halogen content prior to accepting waste at the facility from in state generators. CLEAN HARBORS is also proposing to use EPA approved test Methods SW 846-9075 or SW 846-9075. Waste oil determined to contain over 1000 ppm total halogens is held for further evaluation to ensure it has not been blended with a hazardous waste.

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D. The Department concludes that the alternative test methods EPA SW 846- 9076, EPA SW 846-9075, EPA SW 846-5050/9252, EPA SW 846- 3050B/6010B, EPA Method 1010, EPA SW 846-8080, EPA SW 846- 8082, and EPA Report 600/4-81-045 are acceptable methods for analysis of waste oil per the approval provisions of Chapter 860, Appendix I.

3. CLEAN HARBORS's existing groundwater monitoring program has determined that groundwater in the vicinity of the site has been impacted by contaminants. However additional adverse effects should not result provided the facility is operated as proposed in this Order and in accordance with the rules to prevent releases or spills from occurring. CLEAN HARBORS's facility should not result in adverse effects on surface water, air quality, existing uses or scenic character in the area providing that the facility is or will be operated, located, designed, constructed, maintained, monitored and properly closed in a manner to assure protection of human health, welfare and the environment; and the facility will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur provided that:

- A. It is operated in accordance with Maine's Waste Oil Management Rules and this Order;
- B. Clean Harbors follows all the applicable procedures, including but not limited to QA/QC measures for alternate EPA analytical methods being proposed for outgoing shipments of waste oil.
- C. Clean Harbors continues to implement a groundwater monitoring program approved by the department at this site.
- D. A consolidated copy of the application is submitted.

4. The applicant has demonstrated sufficient financial capacity to construct, operate, maintain and properly close all aspects of the facility in accordance with the requirements of the statues and rules. The Board recognizes, however, that over time the financial capability of CLEAN HARBORS as with any businesses may change.

Therefore CLEAN HARBORS must maintain sufficient financial capacity for the term of any license granted, including any renewal license, and annually on or before August 30

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of each year, Clean Harbors must demonstrate to the satisfaction of the Department the current financial capacity to properly close the facility.

5. The facility or facility property is not located in such a way that it would pose a threat to fisheries or wildlife or other natural resources in the area.
6. CLEAN HARBORS has made adequate provisions for the movement of traffic in and about the facility.
7. The facility is built on soil types suitable for the undertaking.
8. CLEAN HARBORS has provided evidence of its technical ability to operate and maintain the facility.
9. The public notice requirements for this application have been met. The Department received comments from one abutting property owner concerning Clean Harbor's activities. A meeting was held with the abutting property owner, Clean Harbors and Department staff to discuss the concerns.
10. CLEAN HARBORS does not accept hazardous waste or waste oil that exceeds the off-specification waste oil parameters found in Maine's Waste Oil Management Rules 06-096 CMR 860, (4)(C)..
11. Clean Harbors has received a flammable liquids and hazardous materials storage license form the city of South Portland that expires on April 1, 2013.
12. CLEAN HARBORS has submitted a quit claim deed registered with the Cumberland County Registrar of Deeds and a lease agreement for a portion of its facility which will expire on December 31, 2014 demonstrating title, right and interest.
13. Clean Harbors accepts industrial and non-industrial waste waters for treatment at its facility and nonhazardous glycol based coolants for storage prior to being sent off site for recycling.

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THEREFORE, THE BOARD APPROVES the above noted application of CLEAN HARBORS ENVIRONMENTAL SERVICES INCORPORATED for a waste oil storage and processing facility located at the Rigby Yard Industrial Park in South Portland, Maine, SUBJECT TO THE ATTACHED CONDITIONS and all applicable standards and regulations:

1. Standard Conditions of Approval (a copy is attached) as Appendix A.
2. This license expires on September 28, 2017.
3. The licensee shall submit within sixty (60) days of the signing date of this Order one consolidated copy of the application with plans that depict the facility structure and operation, as finally amended and approved. The purpose of this submittal is to consolidate and compile the facility application and various revisions such that the Department receives one completed document.
4. CLEAN HARBORS shall report all required analytical results on a dry weight basis.
5. Clean Harbors may use Method ASTM D5384-96 (Dexsil-Chlor-d-Tect); a field test method for determining total halogens in waste oil may be used for internal purposes only and not for compliance with the reporting requirements required by the Rules on out going shipments.
6. CLEAN HARBORS shall close its facility when waste oil is no longer handled at this site or at the direction of the Department. The licensee shall close its facility after notification to the Department and only in accordance with the Rules and the approved closure plan. Upon completion of closure of the facility or any portion of the facility, the licensee must submit to the Department certification, both by the licensee and by a State of Maine registered professional engineer, that the facility has been closed in accordance with the specification in the approved closure plan. CLEAN HARBORS shall notify the Department forty five (45) days prior to termination of its activities. Certification by CLEAN HARBORS and an independent State of Maine registered professional engineer shall be submitted within ninety (90) days from the date when CLEAN HARBORS no longer accepts waste oil at the facility.
7. The licensee shall submit financial and insurance instruments and updates by August 30 of each year following the signing date of this license.

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LICENSE# O-154-97-E- R)	RENEWAL LICENSE

8. Transfer of ownership or operation shall only occur after approval by the Board and only in accordance with the Rules.
9. CLEAN HARBORS shall not accept waste oil for storage or treatment at this facility that exceeds the parameters for off specification waste oil found in Maine's Waste Oil Management Rules 06-096 CMR 860, (4)(C).. Waste oils exceeding the parameters in 06-096 860, (4) (C) are considered hazardous waste in Maine. CLEAN HARBORS shall not accept waste waters or Glycol coolants at its Rumery Road facility that are determined to be a hazardous waste due to characteristics of hazardous waste or through its generation process. Clean Harbors shall make analytical or other documentation available used by Clean Harbors to determine if waste waters or used glycol based coolants can be accepted for treatment or storage at the facility to Department staff upon request.
10. CLEAN HARBORS shall submit all groundwater analytical results within 30 days of sampling. An electronic data deliverable, either in the form of a computer disk or e-mail submittal, which contains laboratory and field data in a format approved by the DEP for uploading into the DEP groundwater database, must be submitted to the DEP in conjunction with the written report. A complete record of all historical data generated over time for the site must be provided to the DEP. A complete groundwater monitoring report shall be submitted by January 30 of each year that includes at a minimum:
- (a) A complete groundwater analytical results data base including blind or open duplicates.
 - (b) Field sampling, custody and laboratory data sheets for the most recent sampling round;
 - (c) complete historical water level data base with well construction data including top of riser, ground surface, screen top and bottom elevations;
 - (d) Piezometric phreatic surface map(s) that illustrate the location and direction of movement of contaminated ground water for the most recent sampling round;
 - (e) Map(s) showing analytical results for at least the latest round if there are detections;

CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.	33	MAINE HAZARDOUS WASTE, SEPTAGE & SOLID WASTE MANAGEMENT ACT
RUMERY ROAD, SOUTH PORTLAND CUMBERLAND COUNTY, MAINE)	
WASTE OIL FACILITY LICENSE)	
LICENSE# O-154-97-E- R)	RENEWAL LICENSE

- (f) Graphs demonstrating concentration vs. time axis for each well showing continuous contaminant detection.
 - (g) The ground water monitoring is approved with monitoring wells 1 through 9 being gauged for static water level and sampled for pH, specific conductance, turbidity and dissolved oxygen with laboratory analysis being required for monitoring wells 3, 5, and 7.
 - (h) The Department reserves the right to increase the number of monitoring wells to be sampled for laboratory analysis or require additional analysis if it is necessary to protect the public health or the environment.
11. CLEAN HARBORS shall submit no later than December 31, 2014 a copy of the renewed lease agreement for property being leased for its facility.
 12. CLEAN HARBORS's shall use approved analytical methods or alternate analytical methods approved by the Department for determining contaminates in waste oil.
 13. CLEAN HARBORS shall submit no later than April 1, 2013, a copy of an approved Flammable liquids and hazardous materials storage license from the City of South Portland.
 14. The invalidity or unenforceability of any provision, or part thereof, of this license shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all aspects as if such invalid or unenforceable provisions or part thereof had been omitted.

DONE AND DATED AT AUGUSTA, MAINE THIS _____ DAY
 OF _____, 2012.

BOARD OF ENVIRONMENTAL PROTECTION

BY: _____
 Robert A. Foley, Chair

CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.	34	MAINE HAZARDOUS
RUMERY ROAD, SOUTH PORTLAND)	WASTE, SEPTAGE & SOLID
CUMBERLAND COUNTY, MAINE)	WASTE MANAGEMENT ACT
WASTE OIL FACILITY LICENSE)	
LICENSE# O-154-97-E- R)	RENEWAL LICENSE

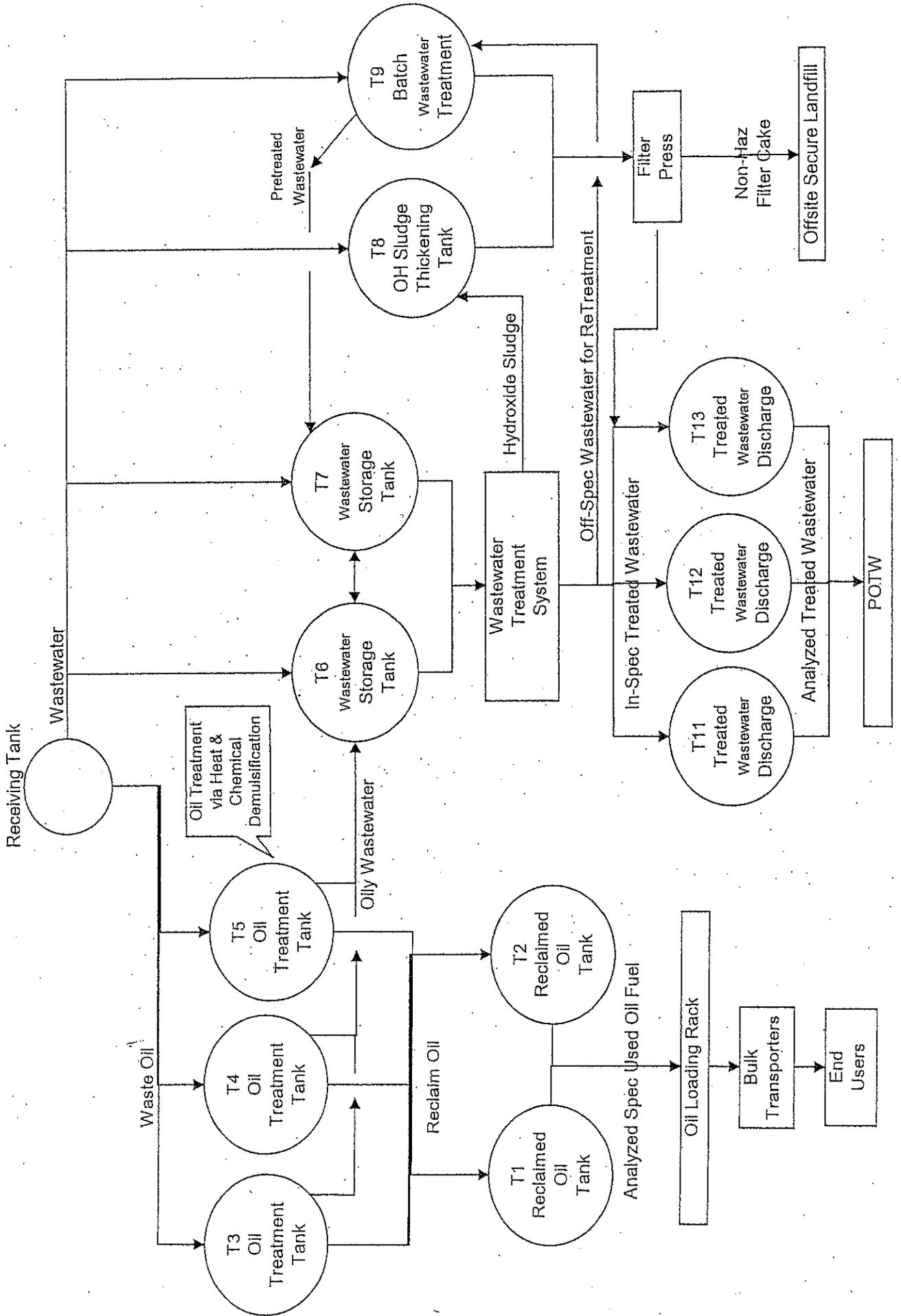
PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

Date of initial receipt of application: April 2, 2012

Date application accepted for processing: April 19, 2012

xrk74550/dlp

Oil Reclamation Process Figure 2



APPENDIX AWaste Oil Facility Standard Conditions

1. The licensee shall not operate, construct or maintain a waste oil storage facility other than as described in the application approved by the Board.
2. Relation of License to Application: A license issued under this rule is valid only as long as the information supplied in the application remains accurate. Approval of an application is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed by the applicant. Any variation from the plan, proposals and supporting documents is subject to the review and approval of the Board prior to implementation.
3. Duty to Comply: The licensee shall comply with all conditions of the license. Noncompliance with any condition constitutes a violation of law and is grounds for enforcement action, for license suspension or revocation, or for denial of any renewal application.
4. Liability Insurance: A license shall have liability insurance coverage in force at all times. The coverage shall be appropriate for the licensed activity and for the risk involved.
5. Local, State and Federal Permits: A licensee shall hold all other local, state and federal permits, licenses and certifications required for the licensed activity and shall comply with all applicable local, state and federal laws and rules.
6. Duty to Provide Information: The licensee shall furnish to the Commissioner, upon request, and information which the Commissioner may require to determine compliance with the terms and conditions of the license. The licensee shall also furnish to the Commissioner, upon request, copies of records required to be kept by the licensee and not otherwise required to be filed with the Department.
7. Recordkeeping: The licensee shall comply with all applicable state and federal requirements regarding the use of manifest or log and the maintenance of other required records.
8. Prohibition Against Mixing: The licensee shall not mix any hazardous waste with waste oil.
9. Duty to Ensure Safe Operation: It is the duty of a licensee to ensure that his licensed activity is carried out in safety and does not create a threat to public health or safety or the environment. A licensee shall ensure that all of his methods, equipment and personnel are adequate and capable to this end.

10. Inspection and Training Requirements: The licensee shall comply with all state and federal inspection and training requirements as may from time to time be applied by law, rule or license Maine Waste Oil Management Rules use condition to the licensed activity.
11. Response to an Emergency: A licensee agrees to provide to the Department and to public safety agencies all information necessary for response to emergency situations involving the licensed activity and agrees that he will assist the Department in obtaining compliance with this rule.
12. Discharge of Waste Oil: In the event of a discharge of waste oil in any amount, the licensee shall take immediate action to protect public health, safety and welfare and the environment and shall immediately report the discharge to the Maine Department of Environmental Protection in accordance with 38 M.R.S.A. Section 541 et. seq. and the terms and conditions of the facility license.
13. Duty to Mitigate: The licensee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this license.
14. Duty to Reapply: If the licensee wishes to continue an activity regulated by the license after the expiration date of the license, the licensee shall apply for and obtain a new license.
15. Prior to Construction: All preconstruction terms and conditions must be met before construction begins.
16. Construction/Operation within Two Years: If the construction or operation of the activity is not begun within two years, the approval shall lapse and the applicant shall reapply to the Board for a new approval. The applicant may not begin construction or operation of the development until new approval is granted. Reapplications for approval shall state the reasons why the development was not begun within two years from the granting of the initial approval and the reasons why the applicant will be able to begin the activity within two years from the granting of a new approval, if granted. Reapplications for approval may include information submitted in the initial application by reference.
17. Bid Specifications: A copy of this approval must be included in or attached to all contract bid specifications for the development.
18. Contractor Copy: Work done by a contractor pursuant to this approval shall not begin before the contractor has been given a copy of the license by the licensee.
19. Disclosures: The licensee shall prominently disclose on the sales invoice at the time of sale that the product being sold is derived wholly or in part from waste oil.
20. Severability: The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provisions. This license shall be constructed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.