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Massachusetts Dept. of Environmental Protections  
Solid Waste Management Program  
Attn: James McQuade  
1 Winter Street  
Boston, MA 02108

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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Holliston Board of Health  
Attn: Scott Moles, Health Director  
703 Washington Street, Room 005  
Holliston, MA 01746

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

**M&M ESTATES LLC AND  
HOLLISTON ASPHALT & CONCRETE INC.**

6 OREGON ROAD  
SOUTHBOROUGH, MASSACHUSETTS 01772

May 26, 2022

**VIA EMAIL moless@holliston.k12.ma.us  
and UNITED STATES CERTIFIED MAIL  
RECEIPT NO. 7019 0700 0000 5238 4097  
RETURN RECEIPT REQUESTED; and  
UNITED STATES FIRST CLASS MAIL**

Holliston Board of Health  
Attn: Scott Moles, Health Director  
703 Washington Street, Room 005  
Holliston, MA 01746

**VIA EMAIL james.mcquade@mass.gov  
and UNITED STATES CERTIFIED MAIL  
RECEIPT NO. 7019 0700 0000 5238 4103  
RETURN RECEIPT REQUESTED and  
UNITED STATES FIRST CLASS MAIL**

Massachusetts Department of Environmental  
Protection  
Solid Waste Management Program  
Attn: James McQuade  
1 Winter Street  
Boston, MA 02108

**RE: COMPLIANCE CERTIFICATION PURSUANT TO 310 CMR 16.06(1)(A)(1) WITH  
RESPECT TO TRANSFER OF RECYCLING, COMPOSTING OR  
CONVERSION PERMIT FMF NUMBER: 526217 TRANSMITTAL NUMBER  
X267053 LOCATED AT 157 AND 165 LOWLAND STREET, HOLLISTON, MA  
01746 ISSUED TO AMERICAN RECYCLED MATERIALS, INC.**

Dear Mr. Moles and Mr. McQuade:

The undersigned Weliton A. Sousa, Thiago Xavier, Myrelly Tavares and Henrique A. Oliveira, as Managers of M&M Estates LLC (the “**Real Estate Owner**”), and Weliton A. Sousa, Thiago Xavier and Henrique A. Oliveira as the officers and directors of the Real Estate Owner’s affiliate Holliston Asphalt & Concrete Inc. (the “**Operating Entity**,” with the Real Estate Buyer, the “**Buyers**”), the Buyers of the above referenced property containing approximately 7.07 acres of land on 157 and 165 Lowland Street, Holliston, Massachusetts (the “**Property**”) and business asset Buyers of American Recycled Materials, Inc. (the “**Seller**”) write in follow up to that letter sent to each of you by certified and first class mail on April 15, 2022 with respect to the transfer of the Recycling, Composting or Conversion (“**RCC**”) permit issued the Seller, FMF Number 526217, transmittal number X267053, with an effective date of June 6, 2018 and an expiration date of June 6, 2023 (the “**2018 RCC Permit**”) , a copy of which is enclosed.

Our counsel sent the April 15, 2022 notice pursuant to 310 CMR 16.05(7) which requires the Buyers to notify the Massachusetts Department of Environmental Protection and the Town of Holliston Board of Health of proposed changes in design or operation where the design and/or management of the operation is altered. The Buyers purchased the Property and the business

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Attn: Scott Moles, Health Director  
and  
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operated thereon on April 1, 2022. A copy of the recorded deed with respect to the Property and the bill of sale with respect to the business assets are enclosed.

#### Intended Operations Going Forward

The 2018 RCC Permit issued to the Seller, American Recycled Materials, Inc. allows for the solid waste recycling operation of asphalt pavement, brick and concrete rubble in the amount of 400 tons per day on average, and not to exceed 500 tons per day maximum segregated into individual product stockpiles for use in off-site construction projects with operating hours from Monday through Saturday from 7:00AM to 7:00PM.

The Buyers' proposed plan is to continue the same operations as were previously carried out by the Seller prior to the transfer of title to the Property and the business assets and purchase of business assets. The Buyers plan to continue offering solid waste recycling of asphalt pavement and concrete rubble, however, do not plan on offering services related to the recycling of brick. The Buyers propose to maintain a total of 2 stockpiles, one of which will consist of broken up asphalt and the other brick and concrete. The Buyers' goal is to maintain the stockpiles at a smaller scale than the Seller kept its stockpiles so as to operate a cleaner and more organized site.

The Buyers pledge to keep the Property clean and organized consistently and will organize the Property to create more room for flow of truck traffic. The Buyers intend to maintain concrete materials of between 7,000-8,000 yards and between 5,000-6,000 yards of asphalt materials on the Property. The Buyers estimate, based on review of costs reported by other companies that provide concrete and asphalt crushing services that costs to process and crush both concrete and asphalt materials will range between \$2.65 and 3.50 per yard.

Furthermore, as reported in the April 15, 2022 notice, the Buyers will continue to accept 400 tons per day on average of material, and not to exceed 500 tons per day maximum to be segregated into individual product stockpiles for use in off-site construction projects with the same operating hours of Monday through Saturday from 7:00AM to 7:00PM. The Buyers also agree to comply with the General and Specific Conditions as set forth in the permit.

In advance of the purchase of the Property and the business assets of the Seller, the Buyers undertook extensive due diligence on the operations at the Property under the 2018 RCC Permit and, as the current owners, have a full understanding of the conditions at the Property.

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Proposal with Regard to Funding of FAM Plan

In order to fund the FAM Plan required under Massachusetts law with respect to the facility, the Buyer has estimated that the cost of clean-up of the site in the event of a shutdown in operations will be \$20,000 or less. To ensure the availability of those funds in the event a third-party shutdown were ever necessary, the Buyer proposes to obtain a performance bond through Ohio Casualty Insurance Company, an affiliate of the Liberty Mutual Insurance group that specializes in Surety bonds. The Buyer shall pay the annual required premiums with respect to such bond until such time as the Buyer no longer operates asphalt and concrete recycling at the location and has cleaned the site to the satisfaction of the DEP and the Town of Holliston.

Warranties of the Buyers Pursuant to MGL Chapter 310, §16.06 and 310 CMR 16.06

Accordingly, the undersigned state pursuant to Section 16.06(1)(A)(1) of Chapter 310 of the Code of Massachusetts Regulations (310 CMR 16.06(1)(A)(1)) that:

- (1) The Property and all operations thereon are currently in compliance with the with the applicable requirements as listed in the 2018 RCC Permit and those contained in 310 CMR 16.00;
- (2) The Buyers and the undersigned managers, officers and directors executing this certification commit to identify to each of the Solid Waste Management Program of the Massachusetts Department of Environmental Protection (the “**Department**”) and to the Holliston Board of Health (the “**Board**”) any violations of 310 CMR 16.00 that occur immediately upon the undersigned’s discovery thereof;


**We, the undersigned Weliton A. Sousa, Thiago Xavier and Henrique A. Oliveira, as the managers and officers and directors of the Buyers, attest under the pains and penalties of perjury:**

- (a) **We have each personally examined and are familiar with the information contained in this submittal, including any and all documents accompanying this certification statement;**
- (b) **Based on our inquiry and our familiarity with the Property and the operations thereon, the information contained in this submittal is to the best of each of our knowledge, true, accurate, and complete;**


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and  
Massachusetts Department of Environmental Protections  
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- (c) **The systems to maintain compliance with the 2018 RCC Permit, upon transfer to the Buyers, are in place at the operation and will be maintained even if processes or operating procedures are changed;**
- (d) **We are fully authorized to make this attestation on behalf of the Buyers and the operations to be conducted at the Property; and**
- (e) **We are each aware that there are significant penalties, including, but not limited to possible fines and imprisonment, for submitting false, inaccurate, or incomplete information.**

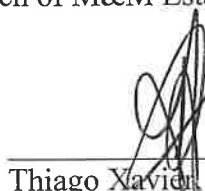
Signed under oath and under penalty of perjury as of the date first above written by the undersigned Managers, Officers and Directors of each of M&M Estates LLC and Holliston Asphalt & Concrete Inc.



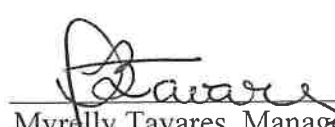
\_\_\_\_\_  
Weliton A. Sousa, Manager of  
M&M Estates LLC and President and  
Director of Holliston Asphalt & Concrete Inc.



\_\_\_\_\_  
Henrique A. Oliveira, Manager of  
M&M Estates LLC and Secretary and  
Director of Holliston Asphalt & Concrete Inc.



\_\_\_\_\_  
Thiago Xavier, Manager of  
M&M Estates LLC and Treasurer and  
Director of Holliston Asphalt & Concrete  
Inc



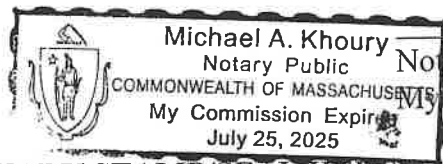
\_\_\_\_\_  
Myrelly Tavares, Manager of  
M&M Estates LLC

Holliston Board of Health  
Attn: Scott Moles, Health Director  
and  
Massachusetts Department of Environmental Protections  
Solid Waste Management Program  
Attn: James McQuade  
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**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this 26<sup>th</sup> day of May 2022 before me, the undersigned notary public, personally appeared the above-named **WELITON A. SOUSA**, who proved to me through satisfactory evidence of identification, which was a valid Massachusetts Driver's License bearing his photographic image to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose in the above noted capacities and acknowledged under oath and under penalty of perjury that the foregoing is correct to the best of his knowledge, information, and belief.



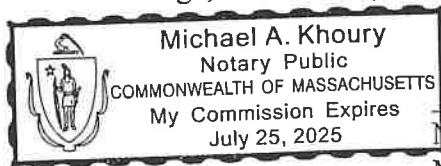
Notary Public: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

[PLACE NOTARY STAMP/SEAL HERE]

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this 26<sup>th</sup> day of May 2022 before me, the undersigned notary public, personally appeared the above-named **THIAGO XAVIER**, who proved to me through satisfactory evidence of identification, which was a valid Massachusetts Driver's License bearing his photographic image to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose in the above noted capacities and acknowledged under oath and under penalty of perjury that the foregoing is correct to the best of his knowledge, information, and belief.



Notary Public: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

[PLACE NOTARY STAMP/SEAL HERE]

Holliston Board of Health  
Attn: Scott Moles, Health Director  
and  
Massachusetts Department of Environmental Protections  
Solid Waste Management Program  
Attn: James McQuade  
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**COMMONWEALTH OF MASSACHUSETTS**

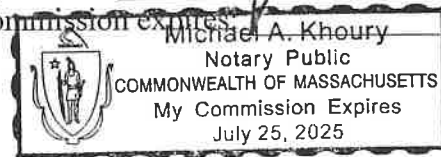
Middlesex, ss.

On this 26<sup>th</sup> day of May 2022 before me, the undersigned notary public, personally appeared the above-named **MYRELLY TAVARES**, who proved to me through satisfactory evidence of identification, which was a valid Massachusetts Driver's License bearing her photographic image to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose in the above noted capacity and acknowledged under oath and under penalty of perjury that the foregoing is correct to the best of her knowledge, information, and belief.

Notary Public: \_\_\_\_\_

My commission expires: \_\_\_\_\_

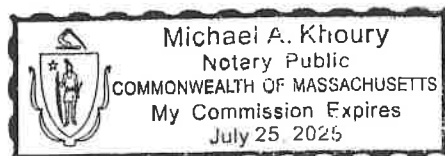
[PLACE NOTARY STAMP/SEAL HERE]



**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this 26<sup>th</sup> day of May 2022 before me, the undersigned notary public, personally appeared the above-named **HENRIQUE A. OLIVEIRA**, who proved to me through satisfactory evidence of identification, which was a valid Massachusetts Driver's License bearing his photographic image to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose in the above noted capacities and acknowledged under oath and under penalty of perjury that the foregoing is correct to the best of his knowledge, information, and belief.



Notary Public: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[PLACE NOTARY STAMP/SEAL HERE]

