



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Solid Waste Management
Permits for New or Expanded Solid Waste Management Facilities

Permit and Authorization to Construct:

BWP SW 05	Large Handling Facilities
BWP SW 19	Small Handling Facilities
BWP SW 26	New Large Landfill or Major Expansion
BWP SW 27	New Medium Landfill or Medium Expansion
BWP SW 28	New Small Landfill or Small Expansion
BWP SW 29	New or Expanded Woodwaste Landfill

Authorization to Construct – Additional Phases:

BWP SW 08	Landfills – Phase Approval
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Permit to Construct or Operate:

BWP SW 15	New or Expanded Combustion Facility
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Instructions and Supporting Materials

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- permit fact sheet
- completeness checklist

Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



BWP SW 05, 08, 15, 19, 26, 27, 28, 29

Permit Fact Sheet

1. What is the purpose of these permits?

These permits are intended to protect public health, safety and the environment by comprehensively regulating the design and construction of facilities for the storage, transfer, processing, treatment or disposal of solid waste. Solid waste management facilities must be designed and constructed to prevent pollution of land, air and water and to prevent nuisance conditions.

These permits consist of engineering design approval for construction of a new or expanded Solid Waste Management Facility or a new phase of a solid waste landfill. Legislative authority for this permit is stated in MGL c. 21A, ss. 2 and 8, c. 111, s. 150A and Acts of 1987, c. 584. Regulatory authority is stated in 310 CMR 19.000.

2. Who must apply?

Any individual, business or organization that intends to construct a new or expanded solid waste management facility, as defined by 310 CMR 19.020, 19.030, 19.032 must apply for one of these permits. Please see the description below for the applicability of each permit.

BWP SW 05

- a. Authorization to construct a transfer station or other handling facility which receives 50 tons per day or more of solid waste.
- b. Authorization to construct a composting facility which receives more than 10 tons per day of solid waste.

BWP SW 08

Authorization to construct in an existing permitted landfill area where construction requires additional approval in phases.

BWP SW 15

Permits for construction or operation of a new solid waste combustion facility or expansion of an existing facility.

BWP SW 19

- a. Authorization to construct a transfer station or other handling facility which receives less than 50 tons per day of solid waste.
- b. Authorization to construct a composting facility which receives no more than 10 tons per day of solid waste.

BWP SW 26

- a. Permit to construct a new landfill with equal to or greater than 250 acrefeet of disposal volume.
- b. Permit to expand a permitted landfill by equal to or greater than 250 acrefeet of disposal volume.

BWP SW 27

- a. Permit to construct a new landfill with greater than 25 acrefeet but less than 250 acrefeet of disposal volume.
- b. Permit to expand a permitted landfill by greater than 25 acrefeet but less than 250 acrefeet of disposal volume.



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Permit Fact Sheet

BWP SW 28

- a. Permit to construct a new landfill with up to 25 acre-feet of disposal volume.
- b. Permit to expand a permitted landfill by up to 25 acre-feet of disposal volume.

BWP SW 29

Permit to construct a wood waste landfill or to expand wood waste capacity of a permitted landfill.

3. What other requirements should be considered when applying for these permits?

a. What prerequisites should be considered before applying for this permit?

Other permits include site assignment - BWP SW 01 (310 CMR 16.00).

b. What concurrent applications are related to this permit?

The following may be needed depending on location and design:

- Title V (subsurface disposal).
- Wetlands Order of Conditions (310 CMR 10.00).
- Sewer Connection (314 CMR 7.00).
- National Pollution Discharge Elimination System (NPDES) (314 CMR 5.00).

Please note:

- a. Permits to operate (BWP SW 06, BWP SW 10, BWP SW 20) must be approved before the facility can begin operation.
- b. These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include **all** additional requirements.
- c. Permits of this type may require MEPA review. Please carefully examine 301 CMR 11.00, the MEPA Regulations, to determine if your project exceeds the MEPA review thresholds, or for more information contact the MEPA Unit of the Executive Office of Environmental Affairs (100 Cambridge Street, Boston, MA 02202; (617-727-5830). **MassDEP cannot complete technical review of the permit application until the MEPA process has been concluded.** Copies of MEPA filings (with reference to any applicable Transmittal numbers) should be sent to the appropriate program offices in Boston and the MEPA Coordinator in the appropriate Regional Office.

4. What is the application fee?

BWP SW 05	\$5,890
BWP SW 08	\$1,080
BWP SW 19	\$1,690
BWP SW 27	\$23,240
BWP SW 28	\$8,640
BWP SW 29	\$11,620

BWP SW 15 and **BWP SW 26** are individual rule projects and its fee is subject to the provisions in 310 CMR 4.05.

5. Where Do I Submit the Application?

Submit the application with the MassDEP Transmittal Form to the Solid Waste Section at the MassDEP Regional Office that covers the municipality in which the facility is located.



BWP SW 05, 08, 15, 19, 26, 27, 28, 29

Permit Fact Sheet

6. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website: www.mass.gov/dep/service/online/fees.htm

7. What is the annual compliance fee?

Current annual compliance fees can be found on the MassDEP Website at <http://mass.gov/dep/service/online/fees.htm>

8. How long are these permits in effect?

These permits approve the construction of the facility (or phase of the facility) only. If construction of the facility or first phase thereof has not been completed or no solid waste has been processed or disposed at the facility within three years of the date of issuance, this permit shall expire. An extension may be requested in accordance with 19.041(4). Separate permits to operate (BWP SW 06, BWP SW 10, BWP SW 20) need to be obtained before the facility shall operate.

9. How can I avoid the most common mistakes made in applying for these permits?

- a. Make sure that all applicable criteria for permit review have been identified and are comprehensively addressed in the submission, especially for facilities required to demonstrate integrated solid waste management and recycling criteria.
- b. Make sure documentation of valid site assignment and documentation of public notice are submitted.
- c. Make sure plans and reports address each and every component of the facility specific requirements.
- d. Make sure the application has a professional engineering stamp and certification by all parties responsible for the submission.
- e. Submit fee and one copy of the MassDEP Transmittal Form <http://mass.gov/dep/service/online/trasmfrm.shtml> to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to these permits? Where can I get copies?

These regulations include, but are not limited to:

- a. Site Assignment Regulations, 310 CMR 16.00.
- b. Solid Waste Landfill Regulations, 310 CMR 19.000.
- c. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

- The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- Application Form BWP SW 05, 08, 15, 19, 26, 27, 28, 29 has been filled in completely and included with the submission.
- One copy of the design plans and reports is attached.
- A Massachusetts Registered Professional Engineer has prepared the plans and reports and signed them.
- Certification statement has been signed (310 CMR 19.011).
- Signature of appropriate responsible party (signatories 310 CMR 19.030(11)).
- Variances requested are identified.

To submit the application package:

- Checklist items have been completed.
- Send one copy of the application along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
_____ * Regional Office
Solid Waste Management
*Find your region: <http://mass.gov/dep/about/region/findyour.htm>

- Send fee of:

\$5,890 for BWP SW 05; \$1,080 for BWP SW 08; the negotiated amount for BWP SW 15;
\$1,690 for BWP SW 19; the negotiated amount for BWP SW 26; \$23,240 for BWP SW 27;
\$11,620 for BWP SW 28; \$11,620 for BWP SW 29;

in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the MassDEP Transmittal Form to:

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



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Bureau of Waste Prevention – Solid Waste Management

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BWP SW 28 New Small Landfill or Small Expansion
BWP SW 29 New or Expanded Woodwaste Landfill

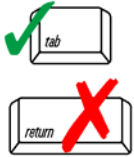
Transmittal Number

Facility ID# (if known)

Application for New or Expanded Solid Waste Management Facility

A. Facility Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Directions: Specify the plan/report and page numbers in which the following information is located.

For BWP SW 08, complete sections I & II. For all others, complete sections II - V.

Enter N/A if information requested is not applicable.

Important Note: Engineering Plans must be stamped by a Registered Professional Engineer (PE). Property Line Location must be stamped by a Registered Land Surveyor (RLS).

- 1. Which permit category are you applying for?
BWP SW 05 BWP SW 08 BWP SW 15 BWP SW 19
BWP SW 26 BWP SW 27 BWP SW 28 BWP SW 29

I. Authorization to Construct (ATC) a new phase in an existing permitted landfill (BWP SW 08 only):

- A. Copy of approved facility permit
B. Identify the phase for which the ATC is being requested
C. Design complies with 310 CMR 19.000

II. Authorization to Construct – Other Permits/Approvals (19.041(3))

- A. Surface Water Discharge Permit (314 CMR 3.00)
B. Ground Water Discharge Permit (314 CMR 5.00)
C. Storm Water Discharge permit
D. Sewer Connection Permit (314 CMR 7.00)
E. Federal Water Pollution Control Act
F. Other local, state, federal etc.

III. Plan Submissions

- A. Waste Control Plans (310 CMR 19.017)
B. Facility Plan (310 CMR 19.030(3)(c))
1. Site Plan (310 CMR 19.030(3)(c)(1))

Table with 4 columns: Plan/Report #, Page #, and DEP Use Only. It contains multiple rows for data entry.



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Transmittal Number _____

Facility ID# (if known) _____

Application for New or Expanded Solid Waste Management Facility

A. Facility Information (cont.)

	Plan/Report #	Page #	DEP Use Only
2. Recycling/Composting Plan (310 CMR 19.030(3)(c)2.) for MSW and Demolition Landfills and Combustion Facilities	_____	_____	_____
3. Facility Design Plan (310 CMR 19.030(3)(c)3)	_____	_____	_____
4. Operation and Maintenance Plan (310 CMR 19.030(3)(c)4)	_____	_____	_____
5. Closure/Post Closure Plan (310 CMR 19.030(3)(c)5)	_____	_____	_____
6. Hydrogeological Study (310 CMR 19.030(2))(310 CMR 19.104(3)) required for Landfills	_____	_____	_____
IV. Documentation			
A. Public Health Report (310 CMR 19.030(3)(d))	_____	_____	_____
B. Site Assignment Documentation (310 CMR 19.030(3)(e))	_____	_____	_____
C. MEPA Status (310 CMR 19.030(3)(f))	_____	_____	_____
D. Wetlands Order of Conditions	_____	_____	_____
E. Waste Disposal Contract (Transfer Stations)	_____	_____	_____
F. Financial Assurance Estimate (310 CMR 19.051(5))	_____	_____	_____
V. Permit Criteria (310 CMR 19.038)			
A. MEPA Compliance	_____	_____	_____
B. Site Assignment Limits	_____	_____	_____
C. Compliance with Facility Specific Regulations	_____	_____	_____



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A. Facility Information (cont.)

	Plan/Report #	Page #	DEP Use Only
D. Public health, safety or environmental considerations	_____	_____	_____
E. Compliance with Other Applicable Laws and Regulations	_____	_____	_____
F. Compliance with Waste Control	_____	_____	_____
G. Enforcement Status	_____	_____	_____
H. Bird Hazard	_____	_____	_____
I. Structural Support	_____	_____	_____
J. Wildlife Endangerment	_____	_____	_____
K. Capacity Utilization	_____	_____	_____
L. Waste Diversion & Processing	_____	_____	_____
M. Integrated Solid Waste Management Effects	_____	_____	_____
N. Location Restrictions			
1. Combustion Facilities and Handling Facilities			
a. Zone II	_____	_____	_____
b. IWPA	_____	_____	_____
c. Unmonitorable Area	_____	_____	_____
d. Waste Handling Setbacks	_____	_____	_____
2. Landfills			
a. Zone II	_____	_____	_____



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A. Facility Information (cont.)

	Plan/Report #	Page #	DEP Use Only
b. Public Water Supply	_____	_____	_____
c. IWPA	_____	_____	_____
d. Sole Source Aquifer	_____	_____	_____
e. Unmonitorable Area	_____	_____	_____
f. Gas Control	_____	_____	_____
g. Leachate Containment Structures	_____	_____	_____
h. Waste Deposition Setbacks	_____	_____	_____
i. Seismic Impact Zone	_____	_____	_____
j. Unstable Area	_____	_____	_____

B. Certification & Engineer’s Supervision: 310 CMR 19.011

Engineer’s Supervision:

All papers pertaining to design, operation, or engineering of this site or facility shall be completed under the supervision of a Massachusetts registered professional engineer knowledgeable in solid waste facility design, construction and operation, and shall bear the seal, signature and discipline of said engineer. The soils, geology, air monitoring and groundwater sections of the application or monitoring report shall be completed by competent professionals experienced in the fields of soil science and soil engineering, geology, air monitoring and groundwater, respectively, under the supervision of a Massachusetts registered professional engineer. All mapping and surveying shall be completed by a registered surveyor.

 Print Name

 Authorized Signature

 Position/Title

 Company

 P.E. #

 Date



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B. Certification & Engineer’s Supervision: 310 CMR 19.011 (cont.)

Certification

Any person, required by these regulations or any order issued by the Department, to submit papers shall identify themselves by name, profession, and relationship to the applicant and legal interest in the facility, and make the following certification: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties both civil and criminal for submitting false information including possible fines and imprisonment.

Print Name

Authorized Signature

Position/Title

Date