



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Solid Waste Management
Permits for Solid Waste Management Facility Modifications

BWP SW 07	Modification of a Large Handling Facility
BWP SW 11	Landfills – Major Modification
BWP SW 16	Combustion Facilities
BWP SW 21	Modification of a Small Handling Facility
BWP SW 22	Landfills – Minor Modification
BWP SW 45	Any Facility – Alternative Review

Instructions and Supporting Materials

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- 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.



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Permits for Solid Waste Management Facility Modifications
BWP SW 07, 11, 16, 21, 22, 45
Permit Fact Sheet

1. What is the purpose of these permits?

This permit is intended to protect public health, safety and the environment by comprehensively regulating modifications to the design and construction of facilities for the storage, 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 are issued for approvals of modifications to previously approved (permitted) solid waste management facilities. These approvals include, but are not limited to, modifications of design plans, construction, facility operation, maintenance and corrective actions.

Legislative authority for this permit is stated in MGL c. 21A, ss. 2 and 8, c. 111, s. 150A and the Acts of 1987 c. 584. Authority for the Class II Recycling Program may be found at M.G.L. 25A Section 11F(d). Regulations promulgated pursuant to these laws are codified in 310 CMR 19.000, Solid Waste Management Regulations. Section 19.039 of these regulations is pertinent to this permit approval.

2. Who must apply?

Any individual, business or organization that intends to modify a previously approved (permitted) solid waste management facility must apply for this permit modification in accordance with 310 CMR 19.039.

BWP SW 07

- a. All permit modifications to transfer stations or other handling facilities which receive 50 tons per day or more.
- b. All permit modifications to composting facilities which receive more than 10 tons per day of solid waste.

BWP SW 21

- a. All permit modifications to transfer stations or other handling facilities which receive less than 50 tons per day.
- b. All permit modifications to composting facilities which receive no more than 10 tons per day of solid waste.

BWP SW 11 is used for all major permit modifications to landfills. A major modification is defined as a design change that will result in the construction of an appurtenance or structure.

BWP SW 22 is used for all minor permit modifications to landfills. A minor modification is defined as a change in operations, equipment or daily capacity but not construction of an appurtenance or structure.

BWP SW 16 is used for all types of modifications (except capacity expansion) to combustion facilities.

BWP SW 45 is used for all permit modifications submitted in accordance with 310 CMR 19.039(6)



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3. What other requirements should be considered when applying for this permit?

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

A valid facility permit issued in accordance with 310 CMR 19.000 is a prerequisite applicable to all facilities seeking a permit modification.

Note: 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.

b. What concurrent applications are related to this permit?

The following may be needed depending on the type of modification requested:

- 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)

Authorizations to operate (BWP SW 06, BWP SW 10, BWP SW 20) may be required before the facility can begin operations depending on the type of modification requested.

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include **all** additional requirements.

4. What is the application fee?

BWP SW 07	\$2,635
BWP SW 11 , when MEPA review is required.....	\$4,305
BWP SW 11 , when no MEPA review is required.....	\$3,160
BWP SW 16	\$4,305
BWP SW 21	\$1,125
BWP SW 22	\$1,125
BWP SW 45	\$550

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:
Department of Environmental Protection
 _____* **Regional Office**
Solid Waste Management

Reserve Copy Location:
Not required.

* Find your region: <http://mass.gov/dep/about/region/findyour.htm>



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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 www.mass.gov/dep/files/permits/fees.htm

8. How long are these permits in effect?

The permit modification may state, as a condition of approval, how long the permit modification is in effect. Otherwise, the timelines established by the facility permit or authorization to operate govern how long the permit modification is valid.

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

- a. The applicant should contact MassDEP prior to submitting a permit modification so MassDEP can determine what plan components set forth in 310 CMR 19.030(3)(c) are necessary to evaluate the feasibility and potential impact of the proposed modifications on the public health, safety or the environment.
- b. Carefully review the criteria for review of applications for a permit modification (19.038) to ensure that all applicable criteria have been identified and are comprehensively addressed in the submission.
- c. Submit fee and one copy of the MassDEP Transmittal Form <http://mass.gov/dep/service/online/transmfrm.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. Solid Waste Management Regulations, 310 CMR 19.000.
- b. 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

Unofficial copies of the above regulations are available on MassDEP's website at: <http://www.mass.gov/dep/>



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Application Completeness Checklist

- The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- Application Checklist has been completed.
- One copy of the modifications with reports (if applicable) are attached.
- A Massachusetts Registered Professional Engineer has prepared the modified plans and reports and signed them.
- Certification statement submitted and 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 two copies 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:

BWP SW 07	\$2,635
BWP SW 11 , when MEPA review is required.....	\$4,305
BWP SW 11 , when no MEPA review is required.....	\$3,160
BWP SW 16	\$4,305
BWP SW 21	\$1,125
BWP SW 22	\$1,125
BWP SW 45	\$550

in the form of a 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



Massachusetts Department of Environmental Protection
 Bureau of Waste Prevention – Solid Waste Management

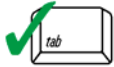
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 Transmittal Number

 Facility ID# (if known)

Application for Solid Waste Management Facility Modification

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.

A. Project Information (all applicants must complete this section)

1. Which permit category are you applying for?
- BWP SW 07 BWP SW 11 BWP SW 16 BWP SW 21 BWP SW 22 BWP SW 45

2. Is MEPA review required for this project? Yes No

3. Permit Modification (310 CMR 19.039)
- a. General Description (310 CMR 19.039(1))
- (1) Effect on Current Operation
- (2) Effect on Capacity
- (3) Effect on Operating Life
- b. Effect on Public Health Safety or the Environment (310 CMR 19.039(3))
4. Currently Valid Department Approvals

Plan/Report # Page #

DEP USE ONLY

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Note:
 Complete only sections applicable to requested modification. Enter NA if not applicable.

B. Project Information

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. Plan/Report Modifications and/or Revisions
- 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)
- (2) Recycling/Composting Plan (310 CMR 19.030(3)(c)2.) MSW and Demolition Landfills and Combustion Facilities
- (3) Facility Design Plan (310 CMR 19.030(3)(c) 3.)

Plan/Report # Page #

DEP USE ONLY

_____	_____
_____	_____
_____	_____
_____	_____
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B. Project Information (cont.)	Plan/Report #	Page #	DEP USE ONLY
(4) Operation and Maintenance (310 CMR 19.030(3)(c) 4.)	_____	_____	_____
(5) Closure/Post-Closure Plan (310 CMR 19.030(3)(c) 5.)	_____	_____	_____
(6) Hydrogeological Study (310 CMR 19.104(3))	_____	_____	_____
(7) Class II Recycling Program (310 CMR 19.303) (Engineer's Supervision sign-off not required)	_____	_____	_____

C. Permit Review Documentation and Criteria

Note:
 Complete all sections applicable to requested modification. Refer to referenced regulation citation for applicability. Enter NA if not applicable.

	Plan/Report #	Page #	DEP USE ONLY
1. Documentation			
a. Site Assignment Documentation {310 CMR 19.030(3)(e)}	_____	_____	_____
b. MEPA Status {310 CMR 19.030(3)(f)}	_____	_____	_____
c. Wetlands Order of Conditions	_____	_____	_____
d. Waste Disposal Contract (Transfer Station)	_____	_____	_____
e. Financial Assurance Estimate and Mechanism (310 CMR 19.051)	_____	_____	_____
2. Permit Criteria (310 CMR 19.038)			
a. MEPA Compliance	_____	_____	_____
b. Site Assignment Limits	_____	_____	_____
c. Compliance with Facility Specific Regulations	_____	_____	_____
d. Health & Environmental Impact Assessment	_____	_____	_____
e. Compliance with other applicable laws and regulations	_____	_____	_____



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C. Permit Review Documentation and Criteria (cont.)

	Plan/Report #	Page #	DEP USE ONLY
f. Compliance with Waste Control	_____	_____	_____
g. Enforcement Status	_____	_____	_____
h. Bird Hazard	_____	_____	_____
i. Structural Support	_____	_____	_____
j. Wildlife Endangerment	_____	_____	_____
k. 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	_____	_____	_____
b. Public Water Supply	_____	_____	_____
c. IWPA	_____	_____	_____
d. Sole Source Aquifer	_____	_____	_____
e. Unmonitorable Area	_____	_____	_____
f. Gas Control	_____	_____	_____
g. Leachate Containment Structures	_____	_____	_____
h. Waste Deposition Setbacks	_____	_____	_____



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C. Permit Review Documentation and Criteria (cont.)

	Plan/Report #	Page #	DEP USE ONLY
i. Seismic Impact Zone	_____	_____	_____
j. Unstable Area	_____	_____	_____

D. 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

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