



BWP SW 43 Determination of Landfill Closure Completion Instructions and Supporting Materials

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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.



**Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Solid Waste Management
Determination Of Landfill Closure Completion**

BWP SW 43

Application Completeness Checklist

1. What is the purpose of this permit?

This permit is intended to protect the public health, safety and the environment by ensuring that the closure construction of a solid waste landfill facility has been completed in accordance with the approved permit and subsequent post-closure use of the site will not result in adverse affects on public health or safety, pollution of land, air and water or nuisance conditions. The date of the approval by the Department of the closure completion establishes the start date for the post-closure period. For information purposes, the construction of closure at a landfill is often referred to as capping or constructing a cap.

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. Regulations promulgated pursuant to these laws are codified in 310 CMR 19.000, Solid Waste Management Facility Regulations. Section 19.140 of those regulations applies to this permit approval.

2. Who must apply?

- Any individual, business, or organization that has completed construction of closure of a solid waste landfill must apply for this determination in accordance with 310 CMR 19.140
- A **landfill** is a facility or part of a facility established in accordance with a valid site assignment for disposal of solid waste into or on land.

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

You must obtain permits for Final Closure/Post-Closure Plans prior to construction of the landfill closure, then complete closure construction before applying for this determination. These are issued by MassDEP's Solid Waste Management. Other requirements may be found in 310 CMR 19.140 and in the Application Completeness Checklist. You must submit documentation that any and all required local, state and federal permits have been issued.

Concurrent permits may include, but are not limited to:

- Wetlands Order of Conditions (310 CMR 10.00), issued by the conservation commission in the city or town where the facility is located.
- Sewer Connection (314 CMR 7.00), issued by Water Pollution Control or Industrial Wastewater.
- National Pollution Discharge Elimination System (NPDES) (314 CMR 5.00), issued by Water Pollution Control or Industrial Wastewater.

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 43.....\$2050

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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Application Completeness Checklist

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

There is no public comment review period for this determination.

7. What is the annual compliance fee?

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

8. How long is this determination in effect?

This determination will be valid until, or if, such time the department approves a modification of or a superseding permit for the site.

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

- a. Make sure that all conditions of the Final Closure and Post-Closure Use Permit have been complied with and documented
- b. Provide documentation that all other permits, local, state and federal, have been issued and/or complied with as applicable.
- c. Submit construction certification and as-built plans, both signed and stamped by a registered professional engineer.
- d. Provide documentation that appropriate financial assurance has been secured in accordance with 310 CMR 19.051.
- 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 this determination? 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**

Also, unofficial copies of these regulations can be found on the MassDEP web site at

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>
- Information requested on application has been supplied.
- One copy of the as-built plans and reports is attached.
- Certification statement submitted and signed (310 CMR 19.011).
- 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:

\$2050 for BWP SW 43;

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



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

Transmittal Number _____

BWP SW 43 Landfill Closure Completion

Application for Determination of Landfill Closure
 Completion and Post Closure Planning

Facility ID# (if known) _____

A. Applicant Information

 Name

 Street Address

 City/Town

 State

 Zip Code

 Telephone

 Contact Person

 Contact Telephone

B. Project Information

Page #

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 where the information is located. 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).

	Plan/Report #	Page #	DEP Use Only
1. Landfill Assessment summation report	_____	_____	_____
a. Public health, safety or environmental concerns	_____	_____	_____
b. Closure design description	_____	_____	_____
2. Final Closure Construction	_____	_____	_____
a. Construction report. Description of general construction activity especially unusual, unexpected or other changes to intended design.	_____	_____	_____
b. As-Built Plans	_____	_____	_____
(1) QA/QC documentation 310 CMR 19.106	_____	_____	_____
(2) P.E. signed and stamped	_____	_____	_____
(3) Construction Certification 310 CMR 19.107	_____	_____	_____
3. Post Closure Requirements	_____	_____	_____
a. Post closure maintenance plan	_____	_____	_____
(1) Final cover evaluation	_____	_____	_____



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Application for Determination of Landfill Closure
 Completion and Post Closure Planning

B. Project Information (cont.)

	Plan/Report #	Page #	Page # DEP Use Only
(2) Landfill gas controls	_____	_____	_____
(3) Leachate management	_____	_____	_____
(4) Surface water management	_____	_____	_____
(5) Erosion and sedimentation control	_____	_____	_____
b. Post closure monitoring plan	_____	_____	_____
(1) Sampling locations	_____	_____	_____
(2) Sampling frequency	_____	_____	_____
(3) Sampling parameters	_____	_____	_____
(4) Narrative summary of monitoring data (previous 5 years)	_____	_____	_____
c. Corrective action plan	_____	_____	_____
4. Post-closure use	_____	_____	_____
a. Description of post-closure use	_____	_____	_____
b. Specific post-closure use monitoring maintenance, and assessment methods	_____	_____	_____
5. Deed Notice (19.041(6))	_____	_____	_____
6. Financial Assurance for Post-Closure Care (310 CMR 19.051)	_____	_____	_____
a. Mechanism (310 CMR 19.051(12))	_____	_____	_____
b. Amount (310 CMR 19.051(5))	_____	_____	_____
7. Reporting Requirements	_____	_____	_____
a. Identify all reporting requirements for inspection, assessment and environmental monitoring activities, etc	_____	_____	_____
b. Provide a summary table of all reporting requirements including item, frequency, and submission requirements	_____	_____	_____



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Completion and Post Closure Planning

Facility ID# (if known)

C. 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