



Massachusetts Department of Environmental Protection  
Bureau of Waste Prevention – Business Compliance Division

## **BWP AQ 11**

# **Operating Permit Administrative Amendment 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](http://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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### **(1) Who Must Apply for an Administrative Amendment?**

An owner or operator of a facility holding an Operating Permit (OP) if the proposed change is:

- A change in business name, division name, or facility name; mailing address; company stack designation; telephone number, or name of facility contact; or
- A transfer of ownership of the facility for which an Operating Permit is in effect, where the Department determines that no other change in the OP is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the Department; or
- A change to monitoring, reporting, record keeping, or testing requirements that is more frequent than previously specified in the Operating Permit; or
- The Department, EPA, or Permittee determines that the Operating Permit contains typographical errors.

### **(2) How is an Administrative Amendment Processed and What are the Timelines?**

For an owner or operator of a facility to apply for an administrative amendment to their Operating Permit, a complete application must be filed in duplicate. The application must be submitted on Form BWP AQ11 and in accordance with the timelines established at 310 CMR 7.00: *Appendix C(4)*. A timely application is one that is submitted concurrent with initiation of the proposed change.

- The Department shall take final action within 15 days of receipt of said application and may incorporate such changes without providing notice to the public or affected states. The Department shall submit a copy of the revised OP to EPA.
- The source may make the change upon receipt by the Department of the proposed Administrative Amendment.
- An administrative amendment for the purposes of the acid rain portion of the Operating Permit shall be governed by 40 CFR part 72.
- The permit shield provisions of 310 CMR 7.00: *Appendix C(12)* shall not apply to changes made under 310 CMR 7.00: *Appendix C(8)(a)1*.

**(3) What is the application fee?** None.

### **(4) What is the Primary Permit Location? What is the Reserve Copy Location?**

*Primary Permit Location:*

Dept. of Environmental Protection  
\_\_\_\_\_ \*Regional Office  
Bureau of Waste Prevention

*Reserve Copy Location:*

Dept. of Environmental Protection  
\_\_\_\_\_ \*Regional Office  
Bureau of Waste Prevention

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

As evident above, a completed application package shall be submitted in duplicate (one primary copy, one reserve copy) to the appropriate regional office for review and approval.

Upon approval of the application, MassDEP stamps the reserve copy and returns it to you for your records along with the updated pages of the OP. In this manner, MassDEP and the applicant have identical copies of the approved submittal.



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**(5) How can I avoid the most common mistakes made in applying for an Administrative Amendment?**

- Answer all questions on the form and indicate “N/A” (not applicable) where appropriate.
- Submit all supplementary information requested in the application.
- Submit two copies of the application to the regional office for review. One copy must have original signatures. The reserve, or duplicate, may be a photocopy.

**(6) What are the regulations that apply to these permits? Where can I get copies?**

These regulations include, but are not limited to:

- Air Pollution Control Regulations, 310 CMR 6.00-8.00
- 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  
Springfield, MA 01103  
413-784-1376**

Commonwealth of Massachusetts Air Regulations may be searched at the Commonwealth’s World Wide Web Site at:

<http://mass.gov/dep/air/laws/regulati.htm>



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(1) Directions for completing the Administrative Amendment form:

- (A) Facility Information: Complete using information directly from the current Operating Permit
- (B) Reason for Submission: Check the appropriate box and attach documentation.
- (C) Describe Reason(s) for Submission in Detail: Elaborate on reason, using additional sheets if necessary.
- (D) Certification: Any application form, report, or compliance certification submitted pursuant to 310 CMR 7.00: *Appendix C* shall contain certification by a responsible official of truth, accuracy, and completeness in accordance with 310 CMR 7.01(2).



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# **Operating Permit Administrative Amendment Application Completeness Checklist**

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The MassDEP Transmittal Form is completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>

Form BWP AQ 11 is completed.

A cover letter is attached explaining the request.

To submit the application package:

Checklist items have been completed.

Send two copies of the application along with two copies of the MassDEP Transmittal Form to:

Department of Environmental Protection

\_\_\_\_\_ \* Regional Office

Bureau of Waste Prevention

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



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## Operating Permit Administrative Amendment

Transmittal Number

SSEIS Number

FMF Number

SIC Code(s)

### 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.



1. Facility - the site or works at which the regulated activity occurs:

Name

Street Address

City

State

Zip Code

2. Mailing address:

Street/PO Box:

e-mail address (optional)

City

State

Zip

Telephone Number

Facility Contact Person:

Contact person's title

3. Effective Date of Change:

### B. Reason for Submission: (check all that apply)

- Change in business name, division name, facility name, mailing address, company stack designation, telephone number, or name of facility contact.
- Transfer of ownership (attach a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee).
- Change to more frequent monitoring, reporting, record keeping, or testing requirements.
- Correct typographical errors
- Other (specify):

### C. Describe Reason(s) for Submission in Detail: (Attach Additional Sheets as Necessary)

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Transmittal Number

\_\_\_\_\_  
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\_\_\_\_\_  
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\_\_\_\_\_  
SIC Code(s)

### D. Certification

The following statements must be signed by a responsible official:

Pursuant to 310 CMR 7.00: Appendix C(5)(b)(9)(e), "I hereby accept the Department's authority to enter the premises of the permitted facility and perform reasonable inspections and sampling, as described in 310 CMR 7.00: Appendix C(3)(g)."

\_\_\_\_\_  
Name of Official

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Pursuant to 310 CMR 7.00:Appendix C(5)(b)8.c, I state that "Except for those units identified as not in compliance and for which a schedule is attached, I certify that the facility will continue to comply with all current applicable requirements and will meet the requirements for applicable requirements that will become effective during the term of this permit on a timely basis."

\_\_\_\_\_  
Name of Official

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Pursuant to 310 CMR 7.01(2)(c) "I certify that I have personally examined the foregoing and am familiar with the information contained 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 for submitting false information, including possible fines and imprisonment."

\_\_\_\_\_  
Name of Official

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date