



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

**BWP SW 46 Permit for Recycling, Composting or Conversion (RCC)
Operation**

BWP SW 47 Modification or Renewal of an RCC Permit

Instructions & 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
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Permits for New or Expanded Solid Waste Management Facilities

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Permit Fact Sheet

Application Completeness Checklist

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, construction and operation of activities for the recycling, composting or conversion (RCC) of recyclable or organic materials. RCC operations must be designed, constructed and operated to prevent pollution of land, air and water and to prevent nuisance conditions.

These permits identify the requirements for approving the construction and operation of a new or modified RCC operation. 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 16.00.

2. Who must apply?

Any individual, business or organization that intends to construct a new, or modify an existing, RCC operation as defined in 310 CMR 16.05 must apply for one of these permits. Also, an operation that has an existing and valid Determination of Need (DON) issued in accordance with section 16.05(6) of regulations 310 CMR 16.00 in effect before November 23, 2012, must apply for an RCC permit if it intends to operate after the transition period identified in 16.01(12)(a). Please see the description below for the applicability of each permit.

BWPSW46

Any request to construct or operate a **new** RCC operation.

BWPSW47

- a. Any request to modify an existing RCC permitted operation, unless MassDEP determines the modification is major (such as a significant redesign of the operation) and requires a BWP SW 46 application;
- b. Any request to operate beyond the expiration date established in its RCC permit; or
- c. Any request to convert a valid Determination of Need (DON) issued before November 23, 2012, to an RCC permit.

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

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

As required by 16.05(2)(a), you must have a pre-application meeting with MassDEP before submitting a BWP SW 46 or 47 permit application. At that meeting, MassDEP will determine what information needs to be submitted in the application based on the specifics of the proposed RCC activity.

b. What concurrent applications may be related to this permit?

The following may be needed depending on RCC's activity, location and design:

- Title V (subsurface wastewater 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).
- Air Quality (310 CMR 7.00)



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Please note: (a) This list of additional requirements is intended to serve as a guide to the applicant. This list does not necessarily include **all** additional requirements. (b) At this time no MEPA threshold has been established for RCC activities although other MEPA thresholds may apply.

4. What is the application fee?

BWP SW 46

- For a transfer operation limited to organic material only that receives a maximum of 2 tons per day and has no more than 5 tons on site at any time:\$1,000
- For any other recycling, composting or conversion operation:\$8,750

BWP SW 47

- For a transfer operation limited to organic material only that receives a maximum of 2 tons per day and has no more than 5 tons on site at any time:\$200
- For any other recycling, composting or conversion operation:\$1,458

5. Where Do I Submit the Application?

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

<http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>

Also, send one copy of the application to the local Board of Health.

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

The timelines are available on the MassDEP Website at:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

7. What is the annual compliance fee?

For a transfer operation limited to organic material only that receives a maximum of 2 tons per day and has no more than 5 tons on site at any time:\$400

For any other recycling, composting or conversion operation:\$1,700

8. How long are these permits in effect?

In accordance with 16.05(4)(t) MassDEP will establish an expiration date in the permit approval. Generally, a RCC permit will expire after ten (10) years.



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

- a. Hold a pre-application meeting with MassDEP (see 3.a. above) before the application is submitted.
- b. Make sure plans and reports address each and every component of the operation's specific requirements.
- c. Make sure that all applicable criteria for permit review have been identified and are comprehensively addressed in the submission.
- d. Make sure the application has a professional engineering stamp (where applicable) and certification by all parties responsible for the submission.
- e. Please note that the permit application form (BWPSW46 or 47) serve as a "table of contents" for your submittal. Please identify the location (report/plan name and page number) where the specific required information can be found.

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

These regulations include, but are not limited to the Site Assignment Regulations, 310 CMR 16.00. 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

An unofficial copy of these can be found at:

<http://www.mass.gov/eea/agencies/massdep/recycle/regulations/310-cmr-16-000.html>



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- The MassDEP Transmittal Form is completed:
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>
- Application Form BWP SW 46 or 47 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 (310 CMR 16.05(2)(b)(3)).
- Certification statement has been signed (310 CMR 16.07).
- Send one copy of the application to the local Board of Health.

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://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>

- Send fee of:

BWP SW 46

- For a transfer operation limited to organic material only that receives a maximum of 2 tons per day and has no more than 5 tons on site at any time:\$1,000
- For any other recycling, composting or conversion operation:\$8,750

BWP SW 47

- For a transfer operation limited to organic material only that receives a maximum of 2 tons per day and has no more than 5 tons on site at any time:\$200
- For any other recycling, composting or conversion operation:\$1,458

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