



Massachusetts Department of Environmental Protection

Bureau of Air & Waste - Solid Waste Program

BWP SW 49 - Certification for Transfer of a Permit

Pursuant to 310 CMR 19.044

C. Transferee (New) Responsible Official

Responsible Official Name

Responsible Official Title

Organization Name

Address

City/Town

State

ZIP Code

Email Address

Telephone Number

D. Transferee (New) Owner & Operator Information

New Owner Name

Organization Name

Facility's New "Doing Business As" Name

Address

City/Town

State

ZIP Code

Email Address

Telephone Number

Type of Property Ownership (check appropriate boxes):

Private Ownership: Corporation Limited Liability Corp. Partnership Sole Proprietor Trust Other – Specify:

Public Ownership: Municipal State Federal Tribal Other – Specify:

New Operator Name

Organization Name

Address

City/Town

State

ZIP Code

Email Address

Telephone Number

F. Transfer Details

Type of Permit Being Transferred:

Permit Code (e.g. BWP SW)

Transmittal Number for This Permit

Date Permit Was Issued (MM/DD/YYYY)

Effective Date of Permit Transfer (MM/DD/YYYY)

Have you filed notice that the facility is operating in the registry of deeds, or if the site is registered land, in the registry section of the land court for the district wherein the land lies in accordance with 310 CMR 19.044?

Yes No

Important: This notice shall be incorporated in full or by reference into all future deeds and any other instrument of transfer, which conveys an interest in and/or a right to use the land on which the facility, or a portion thereof, is located.

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F. Transfer Details (continued)

Please answer Question 1 and either Question 2 or Question 3 below.

Important: A transfer of a permit does not relieve previous owners of liability for the site under M.G.L. c. 21E or c. 21H.

If the facility is required to maintain financial assurance, has the Transferee (new permit holder) obtained financial assurance as required pursuant to 310 CMR 19.051? Note: If a municipality was a holder of the permit prior to transfer but will not be a holder of the permit after transfer, then the transferee is required to provide financial assurance for the transfer to be valid. Yes No N/A

Please answer Question 1 or Question 2, as applicable, below.

Important: A transfer of a permit does not relieve previous owners of liability for the site under M.G.L. c. 21E or c. 21H.

1. Where the permit being transferred is any permit except a post-closure use permit for construction and/or operation of a solar energy generation facility at a solid waste management facility: does the Transferee (new permit holder) agree to be responsible to operate and maintain the solid waste management facility in accordance with all applicable laws and regulations; in accordance with conditions of the site assignment, all permits, approvals, and authorizations; and to correct any and all conditions at the site of facility which result in a threat to public health, safety, or the environment or constitute violations of the site assignment laws, regulations, or conditions of the permit, approvals, or authorizations? Yes No

2. Where the permit being transferred is a post-closure use permit for a solar energy generation facility: does the Transferee (new permit holder) agree to be responsible to operate and maintain the solar energy generation facility in accordance with all applicable laws and regulations, and in accordance with the conditions of the site assignment, the post-closure use permit(s) and any modifications thereto, and to correct any and all conditions, at the site of the post-closure use permit activity, which result in a threat to public health, safety, or the environment or constitute violations of the laws, regulations, or conditions of any permit, approval, or authorization, and are caused by or related to the activity authorized by the post-closure use permit being transferred? Yes No

Important: If you check "No" in answer to any of the questions above, MassDEP will not consider the facility permit transferred in accordance with the regulatory requirements of 310 CMR 19.044.

G. Certification

"I attest under the pains and penalties of perjury that:

1. I am duly authorized to bind the entity (corporation, limited liability corporation, public entity, trust, partnership or sole proprietorship, etc.) which is subject to these regulations and that I am fully authorized to make this attestation on behalf of this entity;
2. I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this certification statement;
3. based on my inquiry of those individuals responsible for obtaining the information, the information contained in this submittal is to the best of my knowledge, true, accurate, and complete;
4. I hereby approve the transfer of the permit identified in part F from the transferor to the transferee as identified herein;
5. procedures and plans to maintain compliance are in place at the operation and will be maintained even if processes or operating procedures are changed; and
6. I am aware that there are significant penalties, including, but not limited to, possible administrative and civil penalties, fines and imprisonment, for submitting false, inaccurate, or incomplete information."

Signature of Transferee (New) Responsible Official

Print Name of Transferee (New) Responsible Official

Date (MM/DD/YYYY)

Signature of Transferor (Previous) Responsible Official

Print Name of Transferor (Previous) Responsible Official

Date (MM/DD/YYYY)