



BWP SW 49 - Certification for Transfer of a Permit 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.



BWP SW 49 - Certification for Transfer of a Permit Permit Fact Sheet

1. What is the purpose of these permits?

Solid waste permits are only valid to the specific owner and/or operator as identified on the permit. When there is a change in ownership of a solid waste facility, the new owner must identify itself to MassDEP for the facility's permit to remain valid.

Legislative authority for this permit is stated in MGL C. 21A, ss. 2 and 8, and C. 111, s. 150A. Regulations promulgated pursuant to these laws are codified in 310 CMR 19.000, the "Solid Waste Management Facilities Regulations."

2. Who must apply?

Any time a solid waste permit is transferred from the existing owner (transferor) to a new owner (transferee) the new owner must submit a BWP SW 49 certification.

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

Before a permit can be transferred it must satisfy the requirements as specified in 19.044 including proof of notice that the facility is operating or was operated has been recorded 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.

If a municipality, as a holder of the permit being transferred, has provided an alternative financial assurance mechanism but is not one of the new permit holder(s), then the new permit holder is required to provide financial assurance for the transfer to be valid.

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

4. What are the application fees?

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

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://www.mass.gov/eea/agencies/massdep/about/contacts/>

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

The timelines are available on the MassDEP Website:
<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

7. What is the annual compliance fee?

There is no annual compliance fee associated with this permit.



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8. How long are these permits in effect?

A transfer of permit certification is valid until the ownership of the permit changes.

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

- a. Before making a submission ensure the application meets all the requirements stated in 19.044.
- b. Submit fee and one copy of the MassDEP Transmittal Form
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>
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 Facility 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



BWP SW 49 - Certification for Transfer of a Permit Application Completeness Checklist

- The MassDEP Transmittal Form is completed:
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>
- Application Completeness Checklist has been completed.
- Certification statement submitted and signed (310 CMR 19.011).
- Signature of appropriate responsible party.

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://www.mass.gov/eea/agencies/massdep/about/contacts/>

- Send fee of:

\$595 for BWP SW 49;

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