



**Massachusetts Department of Environmental Protection**  
Bureau of Air & Waste – Solid Waste Management  
Permits for Solid Waste Management Facilities  
**SW 06 Authorization to Operate Large Handling Facility**  
**SW 10 Authorization to Operate Landfill**  
**SW 20 Authorization to Operate Small Handling Facility**  
**Instructions & Supporting Materials**

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## **Introduction**

These authorizations are intended to protect the public health, safety and the environment by ensuring that the construction of a solid waste management facility has been completed in accordance with the approved permit and subsequent operation will not result in pollution of land, air and water or nuisance conditions. An authorization to operate is required prior to the start of facility operations, but after construction of all new or expanded facilities, excluding non construction and demolition (C&D) waste transfer stations. Transfer stations that are not C&D waste transfer stations are required to submit a certification in accordance with 19.035 prior to the start of facility operation.

If a new or existing facility is developed in phases, authorization is required prior to operating in any new phase of a facility. Renewals of authorization to operate pursuant to 19.042(4) are also subject to the permit approval requirements listed here. Also, some facility modification permits issued pursuant to SW 07, SW 11, SW 21 or SW 22 may also require this authorization to operate prior the start of facility operations, as identified in conditions of the permit modification. You must obtain permits to construct or modify the appropriate solid waste facility before applying for this authorization.

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 19.042 of these regulations applies to this permit approval.

## **Who must apply?**

Any individual, business, or organization that intends to operate a solid waste facility (excluding non-construction and demolition waste transfer stations) must apply for this authorization in accordance with 310 CMR 19.042. If a new, modified or existing facility is developed in phases, this authorization is required to operate in any new or modified phase of a facility, in accordance with those same regulations. For purposes of this permit:

- A handling facility is defined as a transfer station, storage facility or other facility used primarily for the storage, processing or treatment of solid waste.
- A large handling facility is a transfer station or other handling facility which receives 50 tons per day or more of solid waste.
- A small handling facility is a transfer station or other handling facility which receives less than 50 tons per day of solid waste.
- A Construction and Demolition (C&D) Waste Transfer Station is a transfer station permitted by the Department to accept fifty (50) tons per day or more of construction and demolition waste. A C&D waste transfer station may accept other types of solid waste in accordance with its permit.
- A landfill is a facility or part of a facility for disposal of solid waste into or on land.



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### **Pre-Application Consultation**

You should contact the appropriate MassDEP Regional Office early in the process of preparing to apply for an Authorization to Construct. A pre-application conference can save you time, spare you frustration, and often results in faster processing by the agency. If you submit an application without scheduling such a meeting, MassDEP may require one, before it can determine whether your application is administratively complete. Find Your Region:

<https://www.mass.gov/service-details/massdep-regional-offices-by-community>

### **Instructions for Completing an Application for an Authorization to Operate**

The application is an online form that can be found at <https://permitting.state.ma.us/CitizenAccess>.

You will need to create an account to access the form. Screen by screen instruction to assist you in completing the form is available at <https://www.mass.gov/how-to/sw-06-10-20-operate-an-existing-facility>.

Please note that when completing the form online, every field with a red asterisk is required data. You will not be able to advance to the next page in the form or submit the form without entering something in each field of the form marked with a red asterisk.

The form allows the preparer to “Save and Resume Later” for any form you start. It is recommended that the first person to open a form in the online system enter the first page of data and then click “Save and Resume”. This action will create a PIN that can be shared with another person (consultant, staff or signatory). Once another person activates the PIN in their account, they will be able to open the form and add information or approve it as the signatory. See <https://www.mass.gov/how-to/sw-06-10-20-operate-an-existing-facility> for more instruction on activating a PIN and sharing a form.

You will use this form for both the initial application and the renewal. When it is time to renew, a renewal link will appear next to the authorization listed on the user’s home page and a reminder notice will be sent. Instead of starting a new application, click on this renewal link instead. The renewal form will be prepopulated with information from the initial approval but will need to be updated with changes made since the initial approval.

The following provides general instruction on the forms by section.

#### **Step 1. Facility Information**

Provide general information such as facility name, facility owner, and address. You must search for your facility from a pre-loaded list. A new facility cannot be created with this application. If there has been a facility name change, notify the Department in advance of starting this application.

The form also requires you to enter information about the facility Owner and Contact. If you have previously completed an on-line application for the same facility or owner, you may be able to look up and select ownership information. Otherwise enter the required owner type, owner name and contact information as required.



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**Step 2. Application Information**

This application asks for the following information. In addition to this, a series of attachments are required including a completed, signed and PE certified SW 06, SW10, SW20 form.

The following are the items that need to be provided in the online form:

Owner Type - Select from the list provided

General Information - In the general information section, information about the operator and engineer of record is required.

Also, in this section, the applicant should provide a brief project description as well as

- Indicate if the project is subject to MEPA
- Identify the proposed waste disposal capacity
- Identify the size of the site assigned area
- Identify the size of the waste handling area, and
- Identify the size of the parcel or parcels in which the site assigned area is located.

Approved Modifications - The next section is a table which asks for a list of all approved modifications since issuance of the last ATO. This refers to MassDEP Approvals only.

To begin click on the “Add a Row” button. A box will pop up with three fields: Transmittal Number, Description of the Modification and Approval Date. Complete a row for each modification approved for the site. If there have been no modifications, you may skip this table and continue to the next section.

Compliance History - The next section is also a table. This table asks the applicant to list any enforcement documents received for this facility since the date of the last ATO.

Again, click on the “Add a Row” button to get started. The user can click on the arrow to the right of the “Add a Row” button to add multiple rows at once. A box will pop up with three fields: Enforcement document type (this would be a warning letter, notice of noncompliance, consent order or similar), Date document executed or issued and a brief description of the nature of the violation for which the applicant was cited.

If there have been no compliance issues or enforcement, you must still add a row and enter “None” or “NA”. You do not need to complete the date field.

Financial Assurance - The final table requires entry of the financial assurance mechanism(s) or FAM that has been obtained for the facility operation. More than one option can be listed.

Click “Add a Row” to begin. The first field will ask for the type of Financial Assurance. Only the types authorized by regulation are listed. Select the appropriate type and provide the following about each type:

- The name of the entity that issued the FAM
- The monetary amount of the FAM
- The term of the FAM in years

If there is more than one FAM, “Add a Row” for each FAM type in use.



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**Step 3. Documents**

Step 3 is where documents are attached to support the application. The documents include such things as copies of the current site assignment and site plans for the proposed project. A list of the minimum documents to be attached is presented on this page. Each required document must be uploaded separately; the application will not accept one scanned document containing the four or five required documents. Typically, the following are required:

- The Permit Application Form, signed and certified by the PE
- The Report/ Narrative
- Site Plans and As-Built Facility plans
- Initial or Updated Operation & Maintenance plan
- Initial or Updated Waste Ban Plan

The SW10 will also require a copy of an updated Gas Management Plan. Other documents may be required based on answers provided in the form.

The document attachment process is very similar to attaching a document to an email. Start by clicking on the “Browse” button. This will bring up a pop-up box. Click on “Browse” again and you can search your computer for the document you want to attach. Once you have attached the document, you click “Continue” which brings you back to the main screen.

On the main screen you will be asked to identify the attachment type (pick from a drop down list) and provide a brief description of the attachment. The description can be no more than 50 characters including spaces.

**Step 4. Special Fees**

310 CMR 4.00 identifies certain circumstances where special fees are applied. If the applicant is eligible for a special fee, the applicant should pick the applicable fee exemption type and provide supporting information on this page. The Department will confirm to reject the request for a special fee based on the criteria in 310 CMR 4.0.

**Step 5. Applicants and Contributors**

This page is where the “Responsible Official” (hereafter called the signatory) for the application is identified. You will NOT enter a name (unless the person filling out the application is the signatory). First, you will be asked to fill in the company name, pick the appropriate organization type (LLC, Corporation, or Sole Proprietorship). This is called “Source of Signatory Authority.” Then pick the appropriate title or position of the person who will be the signatory.

The Signatory or Responsible Official must create an account in ePLACE and access the application to submit it. No other person can submit the application. When the signatory logs into the application, their name as provided in their account information will show up in the box labelled “Applicant Information”

**Step 6. Application Review and Submittal**

The entire application is presented for final review in this step. You can reopen the application to edit it by clicking on the “Edit Application” button at the top or, if the information provided is complete and accurate you can proceed to submit the application.

At the bottom of the review page is the applicant certification statement. The applicant (signatory) should read the certification statement and click the box below the statement indicating acceptance with the terms of certification. The system will insert the date of the application and the content of the application will be “locked” once applicant accepts the certification.



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The permit fee can be paid either online or by check through the mail. The Applicant is asked to select the preferred method. If the applicant chooses to pay the fee online, an electronic check or credit card payment is allowed. Both carry a nominal handling fee. The applicant will be sent to a payment page and asked to complete information specific to the credit card or electronic check.

If the applicant chooses to pay by mail a check should be sent to the **Massachusetts Department of Environmental Protection, PO Box 4062, Boston, MA 02211**. An email with this address information will be sent to the applicant as well.

Once the applicant certifies, pays the application fee (or indicates that the fee will be paid by mail) and clicks the “Continue” button, the application is submitted. The applicant will receive email notice of a successful submittal and within five minutes the applicant will receive a printable copy of the application as submitted (minus attachments).

**After Submittal**

If you log into ePLACE and click on the “My Records” button, you will be able to view the status of your application through the review and approval process. The timeline for review will not start until the fee has been paid or a fee exemption (if requested) has been verified.

You can also see your application and all of its attachment on the public viewer at <https://eeaonline.eea.state.ma.us/EEA/PublicApp/>

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## **Frequently Asked Questions**

### **1. What other requirements should be considered when applying for these permits?**

- a. You must obtain permits to construct or modify the appropriate solid waste facility before applying for this authorization. These are issued by MassDEP's Solid Waste Management Section.
- b. You must submit documentation that any and all required local, state and federal permits have been issued.
- c. Concurrent permits may include, but are not limited to:
  - i. Wetlands Order of Conditions (310 CMR 10.00), issued by the conservation commission in the city or town where the facility is located.
  - ii. Sewer Connection (314 CMR 7.00), issued by Water Pollution Control or Industrial Wastewater.
  - iii. 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.

### **2. What is the application fee?**

|                    |                |
|--------------------|----------------|
| <b>SW 06</b> ..... | <b>\$1,940</b> |
| <b>SW 10</b> ..... | <b>\$1,940</b> |
| <b>SW 20</b> ..... | <b>\$ 985</b>  |



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**3. Where can I get a copy of the timelines?**

The timelines are available on the MassDEP Website: <https://www.mass.gov/media/1078346>

**4. What is the annual compliance fee?**

Current annual compliance fees can be found on the MassDEP Website at <https://www.mass.gov/media/1078346>

**5. How long are these permits in effect?**

This authorization to operate will be valid for the time period which is specified as a condition of approval of the authorization. Generally, authorizations to operate are valid for 5 to 10 years or the life of an individual phase of the facility, whichever comes first.

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

- a. It is strongly recommended that the applicant have a pre-application conversation with MassDEP to discuss the scope and content of the application.
- b. Make sure that all conditions of the Authorization to Construct Permit have been complied with and documented.
- c. Provide documentation that all other local, state and federal permits have been issued and/or complied with as applicable.
- d. Submit construction certification and as-built plans, both signed and stamped by a registered professional engineer.
- e. Provide documentation that appropriate financial assurance has been secured in accordance with 310 CMR 19.051.
- f. Make sure the application has a professional engineering stamp and certification by all parties responsible for the submission.

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

These regulations include, but are not limited to:

- a. Site Assignment Regulations, 310 CMR 16.00.
- b. Solid Waste Landfill Regulations, 310 CMR 19.000.
- c. 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