



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

Table of Contents

- Introduction
- Who Must Apply
- Pre-Application Consultation
- Instructions for Completing an Application
- Frequently Asked Questions
- Important Contacts

Introduction

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.

The following application types are currently in ePlace and online filing is required:

- SW46A: Initial Permit for a Small RCC Operation
- SW47A: Initial Permit for a Large RCC Operation
- SW46B: Modification or Renewal of a previously issued SW46A.
- SW47B: Modification or Renewal of a previously issued SW47A.

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. Please see the description below for the applicability of each permit.

SW46A

Any request to construct or operate a **new** RCC operation limited to receiving a maximum 2 tons per day and has no more than 5 tons per day on site at any time

SW47A

Any request to modify an existing SW46A RCC permitted operation, unless MassDEP determines the modification is major (such as a significant redesign of the operation);
b. Any request to operate beyond the expiration date established in its RCC permit; or



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

c. Any request to convert a valid Determination of Need (DON) issued before November 23, 2012, to an RCC permit.

SW46B

Any request to construct or operate a new RCC operation with capacity greater than 2 tons per day and 5 tons on site at any time.

SW47B

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);
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.

Pre-Application Consultation

As required by 310 CMR 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. Contact staff of the MassDEP Regional Office Solid Waste Section early in the process of preparing to apply for an RCC Permit.

Instructions for Completing an Online Application

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 instructions to assist you in creating an account are available here: <https://www.mass.gov/media/1981>

For each existing Permit, a record has already been created. MassDEP will issue a PIN number for each existing Permit record in the system. This PIN needs to be activated in the applicant's account before the applicant will see the record created for the existing facility permit. See the Linking Instructions found at <https://www.mass.gov/how-to/sw-46-47-recycling-composting-or-conversion-rcc-operation-permit-modification-or-renewal> to learn more about linking your account to the existing Permit by Activating the PIN.

The applicant must start each of the modification or renewal applications (Annual Certification) from the "My Records" tab (Not the big Blue button). If the user goes to the My Records Tab and facility Permit is not listed there with a "Renew" or "Amendment" Action link, please contact the primary Facility Contact or MassDEP for assistance. Lack of a link to amend or modify means the person trying to access the permit record has not linked to the record with the PIN.



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

Once on the My Records tab, The Action Link will be to the right of the permit record. Most of the time, the link that appears will be “Amendment”. The “Amendment” Link is used to update any information in the permit as necessary (changes to contact names, email addresses, etc.) Please note; only one Amendment can be processed at a time. Please plan accordingly. Once an Amendment has been submitted, the Amendment action link will disappear from the record until the Amendment has been approved or denied.

180 Days prior to the expiration date of an existing license a “Renew” link will appear next to the record. Notice will also be sent that a renewal is due. The Renewal link is used to complete an SW47A or SW47B Renewal.

The first time an existing record is accessed either to modify or renew, the form will require additional information that will not be required in subsequent submittals.

Finally, 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 following pages provide general instructions on the forms by section.

Step 1. Facility

Facility Information

To permit a new facility, the first step is to select the facility record. Type in some identifying information and click “Search” to find the facility. It is suggested that you use address for your search. If the facility name at the address you select is not correct, please contact MassDEP to update the facility name BEFORE starting the application. We cannot implement a name change once an application has been started. If you are applying to renew or modify an existing permit, the facility information will be pre-populated when you open the permit. This can't be changed.

Owner Information

Owner information can be entered, updated or changed by clicking on “Add New” and providing the required information. Do not use the “Look up” button. Owner information required includes:

- Organization name
- Organization address including street, city/ town, state, country and zip
- Contact Person with telephone number and email



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

Step 2. Application Information

Owner Type

- Select from a drop down list including county, federal , municipal, private, state and tribal

General Information

- Land Owner Name and contact Information including phone and email
- Operator Type- county, federal , municipal, private, state or tribal
- Operator Company Name, Contact and Contact Information including email and phone
- Questions about the Site
 - ✓ Description of the Site
 - ✓ Description of abutting land uses
 - ✓ Total Area of Site
 - ✓ Size of material Handling area on site
 - ✓ GPS Coordinate for operation or detailed physical description
 - ✓ Whether or not the project requires design and construction
- Questions about the permitting process:
 - ✓ Is the project subject to MEPA review?
 - ✓ Has a copy of the application been provided to the Board of health
 - ✓ Details of the pre-application consult with MassDEP (Date, location)

Proposed Modifications (Amendments only)

This table will only appear if the applicant is proposing to modify the existing approval. The table requires the applicant to provide some detail about the modifications that are proposed. The following is required:

- Description of the Modification (Text)
- Reason for the modification (Text)
- The document(s) being modified (Select from a drop down list)
- The page(s) being modified in that document (text)

Create a row for each separate document being modified and you may need to create multiple rows per document if the modifications are described or cited differently. If you open the amendment form and an older/ already approved modification is in the table, delete that row(s) and start a new list of modifications.

RCC Materials Table

A table allows the applicant to identify all of the material to be brought onto the site



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

Click “Add a Row” to add a new material or click the box to the left of an existing row to edit or delete that row. This table requires a row for each material type and source. For example, if Company A and Company B supplies the same material for processing, two rows are required. The data required for each row includes:

- A description of the Recyclable or Organic Material
- The estimated daily quantity of the material (including the unit of measure such as pounds, tons or yards)
- The estimated annual quantity of the material (including the unit of measure such as pounds, tons or yards)
- The Source of the material
- The chemical or physical characteristic of the material (e.g.dry solid, sludge, liquid)

RCC Technology Table

This table requires the applicant to identify the recycling, composting or conversion method used on site. At least one row is required. Add more rows if there are multiple environmental controls used or to describe various phases of the processing. Information required in this table includes:

- A brief description of the RCC Handling method
- An indication of whether a more complete descriptions will be attached

RCC Products

In this table the applicant is asked to identify the type of product produced, the composition of the product (e.g. gas, solid), The quantity of the product produced, a description of how the product can or will be used and the markets for the product. If a product will have multiple uses or multiple markets, add a row for each use or market.

Process Residuals

In this table, the applicant is asked to describe the residuals remaining from the process. Add a row for each type of residual or each different way the residual will be managed. The applicant is asked the following for the residuals:

- Identify the residual
- Estimated quantity of the residual per day per type of residual
- The composition of the residual and
- A description of how the residual will be managed.



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

Financial Assurance

The applicant must provide MassDEP a description of the financial assurance mechanism (FAM) obtained for the RCC site and operation. Financial Assurance requirements can be waived but only with written MassDEP approval. Even if waived, this table is required. The table asked for the following:

- Identify the FAM Type (from a drop down table). A Municipality can select “Exempt”. An applicant with written approval of a waiver from financial assurance can chose that option from the drop down list. Except for those two circumstances, only one of the listed Financial Assurance types can be selected and used to satisfy regulatory requirements.
- Where a FAM type is not “exempt” or “MassDEP approved”, indicate the Name of the Issuer of the FAM
- Indicate the amount of the FAM
- Indicate the term of the FAM

Permit Status

This table is a list of all, state, local or federal licenses required for the activity. Data required include:

- Description of the license (Text)
- The Issuing Authority (Text)
- The Status of the license (select from a drop down list including application filed- Decision pending, Application not yet filed, Approved, Denied- Appeal Filed and Not Applicable)

If no licenses are required enter one row with “None” as the description of the license

Step 3. Documents

The application will require the user to attach documents in support of the application. Each required document must be uploaded separately; the application will not accept one scanned document containing all of the required documents. The following are the minimum required for an RCC Permit:

- Contingency Plan
- Design Plan and Process Flow Chart and supporting information
- Detailed Description of Products and Residuals
- Expanded Description of RCC Activity
- Operation and Maintenance Plan
- Permit Application Form with PE Certification and Applicant Certification Completed
- Report/ Narrative
- Site Plans and Maps



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

The Applicant can also attach other documents such as an expanded description of the facility or simply "Other".

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.

The maximum file size for each attached document is 50 MB. The file name should be no more than 75 characters in length including spaces.

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.

If preparing an application for a modification, the applicant will have an additional table to indicate what modifications are proposed. In this table the applicant will also indicate which documents are being modified. The system will then prompt the applicant to attach only those documents plus the signed certification form.

Step 4. Applicants and Contributors

This step is where the Responsible Official or Signatory for the application is identified. 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.

At this point, the Signatory or Responsible Official must create an account in ePLACE and access the application to submit it. 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 5. Application Review and Submittal

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



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

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.

NOTE: Once an application is submitted, the only person who can access the application to make edits during review is the last person who clicked the “Submit” button. The person who makes the final submittal should be responsible for making edits should the need arise. If that person is not the Responsible Official, we ask that the Responsible Official provide a signed Certification Statement as an attached document with each application and subsequent edition of the document if edits are made. Failure to provide certification will result in delay in license review.

The license 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 paying by mail, send a check to the Massachusetts Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211. You will receive an email with this information, 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 an 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

The Responsible Official or party who made the final submittal can follow the status of the permit review in ePLACE. When that person logs into ePLACE and clicks on the “My Records” button, they will be able to view the status of your application through the review and approval process. The timeline for MassDEP to review the application will not start until the fee has been paid.

Anyone may also see the application and all of its attachments on the public viewer at:
<https://eeaonline.eea.state.ma.us/EEA/PublicApp/>



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials

Permit Renewal

The “My Records” button is where you will find the application/ approval information. The status of the permit will change to “About to Expire” one hundred and eighty (180) days before the expiration date in the permit. At that time a blue “Renew” link will appear next to the permit. Click on this link to renew the permit.

Once the application is reopened for renewal, the application will be pre-populated with information from the previous application. The applicant has the opportunity to update this information as needed. The applicant will also be required to attach new and/ or updated documents as described previously under Step 3.

If the person who made the original submittal is no longer with the company, the new person responsible for submitting the renewal will need a PIN number to link to the approval in ePLACE and prepare the renewal. Please contact the ePLACE help desk or MassDEP Program staff for the PIN number.

Frequently Asked Questions

What other requirements should be considered when applying for these licenses?

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)

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.

What is the application fee? Where can I get a copy of the permit review timelines? What is the annual compliance fee?

Time and fee information is available here: <https://www.mass.gov/media/1078346>

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 either five (5) or ten (10) years.



Massachusetts Department of Environmental Protection
Bureau of Air & Waste
Solid Waste Management
**SW46A/47A, SW46B/47B Permit for Recycling, Composting or
Conversion (RCC) Operation- New, Modification and Renewal
Instructions & Supporting Materials**

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

- Hold a pre-application meeting with MassDEP (see 3.a. above) before the application is submitted.
- Make sure plans and reports address each and every component of the operation's specific requirements.
- Make sure that all applicable criteria for permit review have been identified and are comprehensively addressed in the submission.
- Make sure the application has a professional engineering stamp (where applicable) and certification by all parties responsible for the submission.
- Attach a sign application and certification form. 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.
- Provide a copy of your application to the board of Health in the Community in which the operation will be located

What are the regulations that apply to these licenses? 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 House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State House West Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376

Important Contacts

- For technical assistance regarding on-line filing, contact the ePlace Help Desk Team at (844) 733-7522 or ePLACE_helpdesk@state.ma.us
- For other questions, contact your regional office. You can look up your regional office and their contact information at: <https://www.mass.gov/service-details/massdep-regional-offices-by-community>
- To see a copy of the application after submittal, also see: <https://eeaonline.eea.state.ma.us/EEA/PublicApp/>