

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
**Solid Waste Program, Attn: Geraldine Travers**  
**17 State House Station**  
**Augusta, Maine 04333-0017**  
**Telephone: (207) 287-7688**

<b><u>FOR DEP USE ONLY</u></b>	
ATS ID: _____ Seq: _____ DEP ID: _____	Received by DEP: _____
Bureau: <u>S</u> Type of Application: <u>WF</u> Activity: <u>N</u>	Fees Paid: _____
Project Analyst: _____	Check No.: _____

**APPLICATION FOR A CONSTRUCTION/DEMOLITION DEBRIS, LAND CLEARING DEBRIS, AND WOOD WASTE LANDFILL**

This form shall be used to request approval for the establishment of a new construction/demolition debris, land clearing debris, and wood waste landfill, pursuant to 38 MRSA, Section 1301 et seq., provided the proposed facility meets all of the siting, design, and operational requirements of Chapter 401, section 7 of Maine's Solid Waste Management Regulations.

**Company and Address Information**

<b>Company Name:</b> _____	<b>Telephone:</b> _____
Applicant's Last Name: _____	First Name: _____
Contact Person: _____	Telephone: _____
<b>Applicant Name:</b> _____	<b>Agent/Consultant Name:</b> _____
Telephone: _____	Telephone: _____
Mailing Address: _____	Mailing Address: _____
Street Address: _____	Street Address: _____
Town: _____ State: _____ Zip: _____	Town: _____ State: _____ Zip: _____

**Billing Information**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Site/Activity Information**

Project Description: < 6 Acre Construction Demolition Debris Landfill - New

911 address: \_\_\_\_\_ GPS Location: \_\_\_\_\_

Directions: \_\_\_\_\_

**PLEASE SEE PAGE 2 - SIGNATURE REQUIRED**

## SIGNATURE OF APPLICANT

By signing this application, the applicant certifies that he or she has: (1) published the public notice form once in a newspaper circulated in the area where the project is located, (2) sent a copy of the public notice form to the owners of property abutting the land upon which the project is located, (3) sent a copy of the public notice form to the chief municipal officer and chair of the municipal planning board of the municipality in which the project is located (4) filed a complete copy of this application in the municipal office of the municipality in which the project is located, (5) reviewed the instructions contained in this application form, and (6) reviewed the appropriate state laws that relate to the proposed project.

I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I, the property owner or lessee, authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_  
(Applicant)

TITLE: \_\_\_\_\_  
(If other than applicant, attach letter of agent authorization.)

PLEASE CALL GERALDINE TRAVERS AT 287-7865 TO DETERMINE THE FEE FOR A NEW ≤6 ACRE CONSTRUCTION/DEMOLITION DEBRIS, LAND CLEARING DEBRIS, AND WOOD WASTE LANDFILL APPLICATION.

# INSTRUCTIONS

1. **Please refer to Chapters 400 and 401, section 7 of the “Maine Solid Waste Management Regulations” to understand the standards and requirements for the design and operation of a small construction/demolition, land clearing, and wood waste landfill.** If you have any questions that arise at any point during the application or review process, please contact the DEP Solid Waste Program staff.
2. Preliminary Site Assessment Report. At least two months prior to scheduling a pre-application meeting, applicants proposing to establish a new small construction/demolition, land clearing, and wood waste landfill facility must submit a Preliminary Site Assessment Report to the Department. Requirements for the Preliminary Site Assessment report are described in Chapter 401, section 7(E) of the Solid Waste Management Regulations.
3. Pre-Application meeting. Unless otherwise waived by the Department, applicants must meet with DEP staff to review the Preliminary Site Assessment Report and discuss development of a complete application for the proposed project in conformance with the standards and requirements of Chapter 401, section 7.
4. Notification of Potential Municipal Intervenors. At least 60 days prior to submitting an application to the Department, provide preliminary notification to the Department and the municipal officers of the municipality in which the facility site is to be located in accordance with the requirements of Chapter 400, section 7.B(2).
5. Fill out the application completely. INCOMPLETE APPLICATIONS WILL BE RETURNED, CAUSING UNNECESSARY DELAYS IN THE REVIEW PROCESS. The Applicant’s name must be the “Legal Entity” name as it is recorded with the Maine Secretary of State. All work to support the investigation, design, and construction of a solid waste facility must be undertaken by individuals whose training, experience and professional certification is appropriate to accomplish the specific tasks with accuracy and technical proficiency. Reports, plans or other materials submitted in support of the application must bear the signature and, if appropriate, the seal of the individual who drafted or supervised the drafting of each document.
6. Public Informational Meeting. Prior to submitting an application to the Department, you must provide public notice of and hold a public informational meeting in accordance with the requirements of Chapter 2, section 8 of the Department’s rules.
7. Publish a “Notice of Intent to File” this application once in a newspaper circulated in the area where the project is located. (A form for this notice is attached to this application.) The notice should appear in the newspaper within 30 days prior to filing the application with the DEP.
8. Send by certified mail, a copy of the “Notice of Intent to File” to all the owners of property abutting the project. Their names and addresses can be obtained from town tax maps or local public officials. Abutters must receive notice within 30 days prior to filing the application with the DEP. If your project abuts a road or other public or private right-of-way, the person on the opposite side of the right-of-way must be notified.
9. Send by certified mail, a copy of the “Notice of Intent to File” to the chief municipal officer and to the chairperson of the planning board in the municipality where the project is to be located. If the project is located in an unorganized area, send the notice and application to the appropriate Office of the County Commissioners and the Maine Land Use Regulation Commission, 22 State House Station, Augusta, Maine 04333-0022. The notice must be filed in the appropriate office within 30 days prior to filing with the DEP.

10. Submit to the Department the application along with all attachments, a copy of the "Notice of Intent to File", and a check for the appropriate application fee and intervenor assistance fee [see Chapter 400, section 7.B(4)] made payable to "Treasurer, State of Maine". Please consult with DEP staff to determine how many copies of the completed application form and supporting reports must be submitted to the Department. In general, three copies of site plans, drawings, soil maps, or other data on sheets larger than 8½" x 14" copies must be submitted unless the staff determines that fewer copies are needed. **ALL PLANS SHOULD BE FOLDED TO SIZE 8½" x 11"** unless otherwise indicated by DEP staff. Any part of the application which has been prepared by a P.E., C.G. or C.S.S. must be stamped and signed by that person. If the applicant is a corporation, a certificate of good-standing from the Secretary of State must be included.
11. Send one complete copy of the application and any amendments that are subsequently submitted to the Municipal Office of the town within which the project is located. If the project is located in an unorganized area, send the application to the appropriate Office of the County Commissioners and the Maine Land Use Regulation Commission, 22 State House Station, Augusta, Maine 04333-0022. The application must be filed in the municipal office or at the County Commissioners Office and LURC at the time of filing with the DEP.
12. Keep a copy of the completed application for your files. This copy will be helpful in speeding up communications with the DEP staff if any questions arise during the review of the project.
13. Upon the approval by the Department of Environmental Protection, a permit will be issued and sent to the applicant. The applicant should read the permit carefully in order to become familiar with any conditions. Failure to comply with the approved plan or conditions of approval may lead to enforcement action or the revocation of a permit.

1. To be advertised once by the applicant in a newspaper of general circulation in the area of the project locations, within 30 days prior to the filing of the application.
2. To be mailed by certified mail to all abutting landowners, and municipal office of the municipality where the project is located, within 30 days prior to the filing of the application.
3. A copy of the published notice is to be submitted with the application.

### **NOTICE OF INTENT TO FILE**

Please take notice that \_\_\_\_\_  
*Type name, address and phone number of applicant*

is intending on filing an application with the Maine Department of Environmental Protection (DEP) on or about \_\_\_\_\_ pursuant to the provisions of **Title 38 M.R.S.A., Section 1301, et seq.** and and 06-096 CMR Chapter 400 et seq.

The application is for \_\_\_\_\_  
*Type summary of project here*

at \_\_\_\_\_ owned by \_\_\_\_\_  
*Type project location here* *Type landowner here*

and operated by \_\_\_\_\_  
*Type site operator here if different*

According to Department regulations, interested parties must be publicly notified, written comments invited, and if justified, an opportunity for public hearing given. A request for a public hearing, or that the Board of Environmental Protection assume jurisdiction of the application, must be received by the Department, in writing, no later than 20 days after the application is accepted by the Department as complete for processing.

The application and supporting documentation are available for review at the Bureau of Remediation and Waste Management (BRWM) at the appropriate DEP regional office, during normal working hours. A copy of the application and supporting documentation may also be seen at the municipal office in

\_\_\_\_\_ Maine.  
*Type Town here*

Send all correspondence to: Maine Department of Environmental Protection, Bureau of Remediation and Waste Management, 17 State House Station, Augusta, Maine 04333-0017 (207-287-7688 or 1-800-452-1942), or to the appropriate regional office, if known.

**REQUIRED INFORMATION FOR APPLICATION FOR A CONSTRUCTION/  
DEMOLITION DEBRIS, LAND CLEARING DEBRIS, AND WOOD WASTE LANDFILL**

- 1. Description.** Provide a brief description of the proposed landfill, including the types of waste to be handled and the municipalities to be served.
  
- 2. Schedule.**
  - a. Proposed date of start of construction:
  - b. Proposed date of start of operation:
  - c. Anticipated lifetime of facility use:
  
- 3. Topographic Map.** Submit the most recent full size U.S.G.S. topographic map (7.5 minute series if available) showing the location of the proposed facility site, the waste handling area, the solid waste boundary and the property boundary. The map must include all surrounding areas within one mile of the proposed waste handling area.
  
- 4. Title, Right, or Interest.** State the number of acres included in the facility site (see Chapter 400 for the definition of “facility site”) Attach copies of deeds, leases, contracts or agreements that establish the applicant's title, right or interest for the proposed site.
  
- 5. Abutters.** Attach a copy of the municipal tax map with the proposed site and names of abutting property owners clearly marked. Also, include a list of the names and addresses of all the owners of property abutting the proposed facility site.
  
- 6. Notice of intent to file.** Provide a copy of the completed “Notice of Intent to File” and evidence of compliance with the public notice requirements delineated in items 6, 7, and 8 of the instructions.
  
- 7. Financial ability.** Submit evidence that affirmatively demonstrates the financial ability of the applicant to develop the project in a manner consistent with the State environmental standards and laws. Refer to Chapter 400, section 4.B for standards and submission requirements.
  
- 8. Technical ability.** Include evidence that affirmatively demonstrates that the applicant has the technical ability to design, construct, operate, maintain and close the facility. If the proposed project will be managed by other than the applicant, state the persons or businesses that will be responsible for management and operation of the facility. This information should include the applicant's or operator's prior experience and/or appropriate training related to the nature of the proposed facility, and a description of the personnel who will be employed to design, construct, operate, maintain and close the facility.
  
- 9. Disclosure statement.** Include the criminal or civil record of the owner, operator, or anyone having a legal interest in the applicant or the facility, as described in Chapter 400, Section 12(A) of the Maine Solid Waste Management Regulations.
  
- 10. Other authorizations.** Identify all environmental or land use licenses, permits, or authorizations which are or may be required by any governmental agency. Indicate those now held with an asterisk(\*); indicate when the remaining licenses and permits will be obtained.

Building permit:

Waste discharge license:

NRPA license:

Plumbing permit:

Highway entrance license:

Air emissions license:

Other (describe):

**11. Siting criteria and setbacks.** Submit information confirming that:

- a. The area within the solid waste boundary is located where the thickness of undisturbed soil material is at least five feet.
- b. The area within the solid waste boundary is located where the thickness of undisturbed soil material is at least three feet above the seasonal high water table.
- c. The waste handling area is not within a 100 year flood plain.
- d. The facility site does not overlie an unstable area as defined in Chapter 400.
- e. The area within the solid waste boundary is not located within 200 feet of a fault that has had displacement in Holocene time.
- f. The facility site is not located in, on or over a coastal sand dune system, coastal wetland, or fragile mountain area as those terms are defined in 38 MRSA §480-B.
- g. The landfill waste handling area is not located within 1000 feet of Class AA or SA waters, as defined in 38 MRSA §465 and 465-B.
- h. The area within the solid waste boundary does not overlie and is not within 300 feet of a significant sand and gravel aquifer.
- i. The following setbacks will be maintained:
  - (1) A minimum 300 foot setback between the waste handling area and all public roads;
  - (2) A minimum 300 foot setback between the solid waste boundary and the property boundary;
  - (3) A minimum 1000 foot setback between the solid waste boundary and the nearest residence not owned by the applicant at the time the application is filed with the Department;
  - (4) A minimum 100 foot setback between the solid waste boundary and stratified sand and gravel deposits;
  - (5) A minimum 250 foot setback between the waste handling area and classified surface water;
  - (6) A minimum 1000 foot setback between the solid waste boundary and any water supply spring at the time the Preliminary Site Assessment report is filed with the Department; and
  - (7) A minimum 1000 foot setback between the solid waste boundary and any water supply well not owned by the applicant at the time the Preliminary Site Assessment Report is filed with the Department.
- j. The area within the solid waste boundary is located on soils that contain less than 15% by volume of stones, cobble, or boulders and the soils contain a minimum 15% fines.
- k. The facility site is not located in, on or over a significant wildlife habitat, as this term is defined in 38 MRSA §480-B.

*No variances are allowed from a through f above. Applicants may apply for variances to g through h above (see #22 below).*

**12. Site Assessment Report.** Submit a site assessment report in conformance with the requirements of Chapter 401, section 7.F(1)(b).

**13. Maps, Drawings, and Sections.** Submit maps, drawings, and sections in conformance with the requirements of Chapter 401, section 7.F(1)(c).

**14. Landfill Capacity and Waste Management Plan.** Submit information to demonstrate that the landfill has been designed to meet the disposal needs of the applicant for no more than 20 years. Include a waste management plan addressing all items described in Chapter 401, section 7.F(3).

**15. Design Information.** Submit information sufficient to demonstrate that the general facility standards of Chapter 401, section 7.D(4)(c) and (d) and the design requirements of Chapter 401, section 7.F(2) are met.

**16. Environmental Monitoring Plan.** Submit a plan for monitoring the quality of classified surface water located near the landfill. This plan must be in conformance with the surface water monitoring requirements of Chapter 405. The determination that such a plan is needed may be made as part of a pre-application meeting process.

- 17. Traffic Movement.** Submit information in compliance with the submission requirements of Chapter 400, section 4.D(2) to demonstrate that the facility will meet the standards of Chapter 400, Section 4.D(1).
- 18. Existing Uses and Scenic Character.** Describe the existing use of the site. Also, provide information sufficient to meet the standards and submission requirements of Chapter 400, section 4.F.
- 19. Other Natural Resources.** Provide information sufficient to meet the standards and submission requirements of Chapter 400, section 4.I.
- 20. Adequate Provisions for Utilities.** Provide information sufficient to meet the standards and submission requirements of Chapter 400, section 4.L.
- 21. Operations manual.** Submit an operations manual, suitable for use by the facility, which includes at a minimum all information that would enable supervisory and operating personnel and persons evaluating the operation of the facility to determine what sequence of operation, plans, diagrams, policies, procedures, and legal requirements are to be followed for orderly and successful operation on a daily and yearly basis. The operations manual must address all the requirements specified in Chapter 401, section 7.H. Variances from operational requirements may be requested pursuant to Chapter 400, Section 13 of the Solid Waste Management Regulations.
- 22. If a variance or variances are being requested as part of this application, specify the nature of the variance and the justification for why it should be granted.** Refer to Chapter 400, Section 13 of the Solid Waste Management Rules for the standards and submissions required in this variance application. Variances are not allowed to the prohibitive siting criteria and general facility standards contained in Chapter 401, section 7.
- 23. Host Community Agreement.** If the proposed landfill is a commercial disposal facility, please submit information demonstrating that you have met the host community agreement requirements of Chapter 400, section 7.A.
- 24. Liability Insurance.** Submit proof of liability insurance for sudden and accidental occurrences as required in Chapter 400, section 10. (Applicants who are public entities are exempt from this requirement.)

**END**