

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Solid Waste Program, Attn: Geraldine Travers
17 State House Station
Augusta, Maine 04333-0017
Telephone: (207) 287-2651

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

APPLICATION FOR A SOLID WASTE PROCESSING FACILITY

This form shall be used to request approval for the establishment of a new solid waste processing facility, pursuant to 38 M.R.S., Section 1301 *et seq.*, and Maine's *Solid Waste Management Rules*.

PLEASE TYPE OR PRINT

Company Name: _____ **Telephone:** _____
 Applicant's Last Name: _____ First Name: _____
 Contact Person: _____ Telephone: _____

Address Information

Applicant Name: _____ **Agent/Consultant Name:** _____
 Telephone: _____ Telephone: _____
 Mailing Address: _____ Mailing Address: _____
 Street Address: _____ Street Address: _____
 Town: _____ State: ___ Zip: _____ Town: _____ State: ___ Zip: _____

Address: Billing
 Name: _____
 Mailing Address: _____
 Street Address: _____
 Town: _____ State: ___ Zip: _____

Site/Activity Information

Project Description: Processing facility - New
 Location: _____
 Directions to site: _____

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 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 SEE ATTACHED FEE SCHEDULE TO DETERMINE THE APPLICATION FEE FOR FOR A SOLID WASTE PROCESSING FACILITY.

INSTRUCTIONS

1. **Please refer to Chapters 400 and 409 of the Maine Solid Waste Management Rules to understand the standards and requirements for the design and operation of a solid waste processing facility.** 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. **Pre-Application meeting.** Applicants proposing to establish a new solid waste processing facility are encouraged to meet with DEP staff to discuss the proposed project. The meetings can help avoid unnecessary expense and processing delays.
3. **Fill out the application completely.** INCOMPLETE APPLICATIONS WILL BE RETURNED, CAUSING UNNECESSARY DELAYS IN THE REVIEW PROCESS. 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.
4. 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.
5. 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.
6. 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 Planning 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.
7. 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 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.
8. 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 Planning 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 LUPC at the time of filing with the DEP.
9. **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.
10. 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.

THIS FORM IS FOR USE IN NOTIFYING ABUTTING PROPERTY OWNERS, THE MUNICIPALITY,
AND PUBLISHING THE NOTICE IN THE NEWSPAPER.

PUBLIC NOTICE OF INTENT TO FILE

Please take notice that _____

(name, address and telephone number of applicant)

is intending to file an application with the Maine Department of Environmental Protection (DEP) on or about _____ pursuant to the provisions of 38 M.R.S., Section 1301 *et seq.*

(estimated submittal date)

and Maine's *Solid Waste Management Rules*.

The application is for _____

(summary of project)

at _____

(project location)

owned by _____ and operated by _____

(landowner)

(site operator 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. (town)

Send all correspondence to: Maine Department of Environmental Protection, Bureau of Remediation and Waste Management, 17 State House Station, Augusta, Maine 04333-0017 (207-287-7866 or 1-800-452-1942), or to the appropriate regional office, if known.

**REQUIRED INFORMATION FOR
APPLICATION FOR A SOLID WASTE PROCESSING FACILITY**

- 1. Description.** Provide a brief description of the proposed processing facility, including the types of waste to be handled.

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, the waste facility boundary and the property boundary. If the facility will be handling putrescible wastes, also show all airports within 10,000 feet of the waste handling area. 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 4, 5, and 6 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 Rules*.

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: _____

Plumbing permit: _____ Highway entrance license: _____

Air emissions license: _____ Other (describe): _____

11. Fitting harmoniously into the natural environment. Identify all unusual natural areas on or adjacent to the facility site and include evidence that affirmatively demonstrates that the proposed facility will not unreasonably adversely affect protected natural resources. Also, submit information confirming that the waste handling area at the proposed facility will not be:

- (a) Closer than 100 feet to the solid waste boundary of an active, inactive or closed solid waste landfill;
- (b) Within a 100 year flood plain;
- (c) Within 100 feet of a protected natural resource;
- (d) In, on or over a protected natural resource, or on land adjacent to the following areas, without first obtaining a permit pursuant to 38 M.R.S. section 480-A *et seq.*:
 - (i) A coastal wetland, great pond, river, stream or brook, or significant wildlife habitat contained within a freshwater wetland; or
 - (ii) Freshwater wetlands consisting of or containing:
 - under normal circumstances, at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, except for artificial ponds or impoundments or
 - peatlands dominated by shrubs, sedges and sphagnum moss;
- (e) Closer than 300 feet to off-site water supply wells or water supply springs;
- (f) Closer than 100 feet to public roads and property boundaries;
- (g) Closer than 10,000 feet to any airport runway used by turbojet aircraft, or within 5,000 feet of any airport runway used by only piston-type aircraft, when putrescible waste is to be handled outdoors in an uncovered or exposed condition; and
- (h) Closer than 500 feet to residences in existence at the time the application is filed, other than residences owned by the facility owner or operator.

12. Site Design Information. Please submit the following:

- (a) Site Plan. A detailed plan of the area within 500 feet of the waste handling area, at a scale of 1 inch = 100 feet or a larger engineering scale and prepared by a qualified professional. This plan must clearly show, if applicable: all structures; protected natural resources; roads; property boundaries; receiving, processing, curing and storage areas; residences; erosion and sedimentation control features; odor control structures; water supply wells and springs; water quality monitoring points; and barriers or fencing and gates to prevent unauthorized persons access to the site. For facilities involving outdoor handling of putrescible wastes in an uncovered or exposed condition, this plan must also note the direction and distance of airports within 10,000 feet of the waste and waste handling area.
- (b) Plan views of structures and utilities. A large scale construction plan view drawing, with a minimum engineering scale of 1 inch = 40 feet, clearly showing any building(s) with foundations; processing unit(s); utilities; leachate, storm water, and erosion and sedimentation control details; and, if applicable, odor control systems.

(c) **Subsurface Investigation Information.** Whenever the proposed processing facility includes the use of in-situ soils as any part of a soil base pad for handling solid wastes, including structures requiring foundations, or includes subsurface wastewater holding or disposal systems, the application must include information from a subsurface investigation. The subsurface investigation must provide soil test data in the proposed handling areas from a certified professional describing the surficial geology and/or the subsurface soils. This information must demonstrate that the facility design is compatible with the site's soil characteristics and will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur, as determined by applicable engineering standards of practice.

(d) **Aquifer map.** Submit a copy of the most recent Maine Geological Survey Significant Aquifer Map or Sand and Gravel Aquifer Map with the facility site and the waste handling area clearly delineated.

13. Process Design Information. Please submit a general description of the facility's waste processing system. This must include, if applicable, process flow diagram(s), the source, volume, and characteristics of wastes to be received, the products and wastes to be generated; the methods to be utilized to mix, process and store wastes and products; the processing equipment to be used on site; provisions for characterization, including analytical information demonstrating that the incoming wastes meet the classification proposed to be handled at the facility; an identification of applicable standards for the product that the facility will produce, including, when applicable, an identification of waste derived product standards from Chapter 418, and/or residual standards from Chapter 419, or other applicable standards from these rules, and a description of how these standards will be met.

14. Environmental Monitoring Plan. A processing facility may be required to submit an environmental monitoring program for review and approval by the Department if the Department determines that the facility may pose a potential threat to public health or safety or to the environment because of the nature of the waste proposed to be handled and/or the location, design and operation of the facility. This plan may include a waste characterization plan. The department may make the determination that such a plan is needed as part of a pre-application meeting process or after the application has been received and initially reviewed.

15. 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).

16. 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).

17. Air Quality. Provide information sufficient to meet the standards and submission requirements of Chapter 400, section 4(G). This may include a demonstration that the materials handled at the facility do not generate objectionable odors; comparative studies with similar existing facilities taking into account similarities and differences in feed stocks, composting processes, facility design, throughput, proximity to neighbors, meteorological conditions and topography; or odor dispersion modeling studies demonstrating that the facility will not cause more than a one hour average odor impact of 2 dilutions to threshold (2D/T), in any calendar year at any occupied buildings.

18. Stormwater and erosion and sedimentation control. Provide information sufficient to meet the standards and submission requirements of Chapter 400, section 4(H) and Chapter 400, section 4(J).

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. Flooding.** Provide information sufficient to meet the standards and submission requirements of Chapter 400, section 4(M). This must include the most recent Federal Emergency Management Agency's flood insurance rate map of the area, if applicable, with the location of the facility site clearly marked when the site is within ¼ mile of the 100 year floodplain.
- 22. Residuals and waste derived product distribution plan.** Where residuals are proposed for agronomic utilization, the applicant must also submit the application information required for licensing under Chapter 419. Where waste derived products are proposed for other beneficial uses, the applicant must also submit the application information required for licensing under Chapter 418. The applicant must describe the disposition of other materials generated at the facility that are not covered under a beneficial use or agronomic utilization program. The Department may require financial assurance in the form of a letter of credit, escrow account, or other approved financial security to finance the cost of potential remediation or disposal of waste or secondary products.
- 23. 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 applicable requirements specified in Chapter 409, section 4. Variances from operational requirements may be requested pursuant to Chapter 400, Section 13 of the *Solid Waste Management Rules*.
- 24. 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.

END