

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>WK</u>	Activity: <u>P</u>	Fees Paid: _____
Project Analyst: _____			Check No.: _____

**NOTIFICATION FOR PERMIT BY RULE FOR SELECTED NEW  
 BARK AND WOODCHIP PROCESSING FACILITIES**

Wood waste processing facilities that meet all of the standards of Chapter 409, Section 7 of the Solid Waste Management Regulations are eligible for a solid waste permit-by-rule. This completed notification form must be received by the Department at least 18 working days prior to development and operations of the processing facility.

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: Wood waste processing facility - Permit-by-Rule  
 Location: \_\_\_\_\_ Directions: \_\_\_\_\_

**PLEASE SEE OTHER SIDE OF SHEET - SIGNATURE REQUIRED**

## SIGNATURE OF APPLICANT

By signing this notification, the applicant certifies that he or she has: (1) provided public notice in accordance with Chapter 400, section 3(B)(1)(c)(iii) to the chief municipal officer and chair of the municipal planning board of the municipality in which the project is located; (2) filed a complete copy of this notification in the municipal office of the municipality in which the project is located; (3) reviewed the appropriate state laws that relate to the proposed project; and (4) the standards and requirements of Chapter 409, section 7 will be met throughout operation and closure of the facility.

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.)

### INSTRUCTIONS

**For assistance in filling out this notification, please contact the Division of Materials Management, Bureau of Remediation and Waste Management.**

Send this notification along with all attachments to: Maine Department of Environmental Protection, Bureau of Remediation and Waste Management, 17 State House Station, Augusta, Maine 04333-0017.

Keep a copy of this completed form for your files. This copy will be helpful in communications with the DEP staff if any questions arise during the review of a project.

**PLEASE SEE ATTACHED FEE SCHEDULE TO DETERMINE THE NOTIFICATION FEE FOR A PERMIT-BY-RULE FACILITY**

### **Standards for Permit-by-Rule Wood Waste Processing Facilities.**

- (1) The processing facility may only handle wood waste. It may not accept for processing painted wood, treated wood, chipboard, plastic, wood with fasteners, nails, paint or coatings, or wood that is otherwise contaminated.
- (2) The total waste handling area may not exceed three (3) acres and on-site storage areas may not exceed one (1) acre. Individual storage piles may not exceed 10,000 square feet.
- (3) The facility site may not lie within a 100-year flood plain.
- (4) There must be a minimum of a 100-foot setback from the waste handling area to property boundaries.
- (5) There must be a minimum of a 500 foot setback from the waste handling area to all water supply springs.
- (6) There must be a minimum of a 500 foot setback from the waste handling area to all water supply wells and all residences not owned by the facility operator or owner.
- (7) The facility site may not be located within 100 feet of, 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.*:
  - (a) A coastal wetland, great pond, river, stream or brook, or significant wildlife habitat contained within a freshwater wetland; or
  - (b) Freshwater wetlands consisting of or containing:
    - (i) 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
    - (ii) peatlands dominated by shrubs, sedges and sphagnum moss.
- (8) Soils: The applicant may only process and store wood wastes on:
  - (a) Soils that a Maine certified soil scientist has determined are moderately well drained to well drained, as classified by the Natural Resources Conservation Service, and that are at least 24 inches above the seasonal high water table, bedrock, and sand or gravel lenses;

- (b) A pad constructed with the top at least 2 feet above the seasonal high water mark and is either composed of:
    - (i) 2 feet of glacial till (having between 15 and 35% fines) covered with a 6 inch drainage layer of gravel; or
    - (ii) soil covered with asphalt or concrete;
  - (c) A surface determined by a Maine certified soil scientist, soil engineer or other qualified individual as being suitable for the proposed activity, taking into account the other aspects of the facility design; or
  - (d) On a land area under a permanent, roofed structure.
- (9) Drainage: Surface water drainage must be diverted away from processing and storage areas.
- (10) The facility must be operated so that it does not contaminate water, land or air from the handling, storage or processing of wood wastes.
- (11) Inspection and access control: The operator must control unauthorized access to the site and visually inspect incoming materials so that only permitted wood wastes are deposited at the facility.
- (12) Distribution: Processed wood wastes must be distributed for use or disposal within two years of receipt at the facility.
- (13) Fire control: The operator must develop and implement a plan to prevent spontaneous combustion in wood waste and wood chip piles.
- (14) Annual Report: By January 31st of each year, the operator must submit an annual report covering the previous calendar year. The annual report must contain;
- (a) The estimated weight or volume of wood wastes received at the facility;
  - (b) The estimated volume or weight of wood wastes distributed from the facility;
  - (c) The estimated volume or weight of wood wastes stored on site as of December 31st; and
  - (d) A description of any problems in operations encountered during the year, and steps taken to correct those problems.
- (15) Closure: The facility must be closed in a manner that minimizes the need for further maintenance; and so that the closed facility will not pollute any waters of the state, contaminate the ambient air, constitute a hazard to health or welfare, or create a nuisance. At a minimum, the applicant must remove all wastes and wood chips from the facility; and broom clean the facility structures and equipment.

**REQUIRED INFORMATION FOR A PERMIT-BY-RULE NOTIFICATION  
FOR A WOOD WASTE PROCESSING FACILITY**

1. **Description.** Please provide a brief description of the proposed project including a description of the waste to be processed.
2. **Title, Right, or Interest.** Submit information that demonstrates sufficient title, right or interest to property proposed for development, as specified in 06-096 C.M.R. Chapter 2, section 7.
3. **Topographic Map.** Include the most recent full size U.S. Geological Survey topographic map (7 1/2 minute series, if available) of the area, showing the location of the proposed facility, and the property boundary.
4. **Flood Plain Map.** When the site is within 1/4 mile of a 100 year flood plain, include the most recent Federal Emergency Management Agency flood insurance rate map of the area with the location of the facility clearly marked.
5. **Tax Map.** Submit a copy of the local tax map marked with the facility location and the names and addresses of abutters marked on it. The map must indicate all residences within 500 feet of the waste handling area.
6. **Soil and Pad Design.** Submit one of the following:
  - (a) A certification from a Maine certified soil scientist that the soils where wood wastes will be processed and stored are moderately well drained to well drained, as classified by the Natural Resources Conservation Service, and that are at least 24 inches above the seasonal high water table, bedrock, and sand or gravel lenses.
  - (b) A description of the pad or other surface that the wood waste will be processed and stored on, and which of the standards in Chapter 409, section 7(B)(8)(b) that surface meets;
  - (c) A certification from a Maine certified soil scientist, soil engineer or other qualified individual that the surface is suitable for the proposed activity, taking into account the other aspects of the facility design; or
  - (d) A certification that all processing and storage will be conducted under a permanent, roofed structure.
7. **Fire Control Plan.** Submit a fire control plan to prevent spontaneous combustion in wood waste and wood chip piles.

**8. Public Notice.** Include a copy of the Public Notice given in accordance with the following requirements:

Within 30 days prior to filing this application, you must provide public notice of intent to file a permit-by-rule notification with the Department. The notice must be mailed by certified mail or Certificate of Mailing to the municipal office of the municipality(ies) where the project will be located.

The public notice must include the following information:

- a. Name, address and telephone number of the applicant;
- b. Citation of the statutes or rules under which the permit-by-rule notification is being processed;
- c. Location of the activity;
- d. Summary of the activity;
- e. Anticipated date for filing the permit-by-rule notification with the Department; and
- f. A statement that public comments on the permit-by-rule notification may be provided to the Department within 10 days of the filing of the permit-by-rule notification, together with the mailing address of the Department.

Please note that public notice for this permit-by-rule notification does not require the publishing of a notice in a newspaper or the serving of a notice upon abutters to the project.

**END**