

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

**FOR DEP USE ONLY**

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

**LICENSE TRANSFER APPLICATION FOR SOLID WASTE FACILITY**

This form shall be used to request approval to transfer a solid waste facility license, pursuant to 38 MRSA, Section 1301 et seq., and Maine's Solid Waste Management Regulations.

**PLEASE TYPE OR PRINT**

Existing DEP Permit Number: \_\_\_\_\_

**Current Permittee name:** \_\_\_\_\_ Tel. No. \_\_\_\_\_

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

Name of Contact or Agent: \_\_\_\_\_ Tel. No. \_\_\_\_\_

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

**Applicant 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: \_\_\_\_\_

**Location of Activity**

Name of Project: \_\_\_\_\_

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

Municipality or Township: \_\_\_\_\_ County: \_\_\_\_\_

**PLEASE SEE PAGE 2 - SIGNATURES REQUIRED**

## SIGNATURE OF PERMITTEE

By signing this application, the current permittee certifies that he or she agrees to the transfer of his or her permit to the applicant named on this form.

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_  
(Current Permittee)

PRINTED OR TYPED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

## 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 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.

I also certify that I will comply with all terms and conditions of the applicable license and that I will satisfy all statutory or regulatory criteria that are applicable to this facility.

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

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

**PLEASE SEE ATTACHED FEE SCHEDULE TO DETERMINE THE APPLICATION FEE TO TRANSFER A SOLID WASTE FACILITY LICENSE**

## INSTRUCTIONS

1. Timing of application submittal and approval. An application for the transfer of a solid waste disposal facility license must be approved by the Department prior to the transfer of ownership of the property, facility, or structure which constitutes or is part of the solid waste disposal facility. Application for the transfer of all other types of solid waste facility licenses must be submitted to the Department within two weeks after any transfer of property subject to the license.
2. Fill out the application completely. Attach all documentation necessary to fulfill the information requirements listed on pages 5 and 6 of this application packet.

Please refer to the “Maine Solid Waste Management Regulations” and the facility license to understand the standards and requirements for the operation of this solid waste facility. If you have any questions about this facility or the applicable regulatory requirements, please contact the DEP Solid Waste Program staff.

3. Publish the PUBLIC NOTICE OF INTENT TO FILE FORM (see next page) once in a newspaper circulated in the area where the project is located. (A form for this is attached to this application.) The notice should appear in the newspaper within 30 days prior to filing the application with the DEP.
4. Send by certified mail, a copy of the PUBLIC NOTICE OF INTENT TO FILE FORM 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.
5. Send by certified mail, a copy of the PUBLIC NOTICE OF INTENT TO FILE FORM to the chief municipal officer and chairperson of the planning board in the municipality where the project is to be located. Send one complete copy of the application to the Municipal Office of the town within which the project is located. If the project is located in an unorganized area, send the PUBLIC 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 municipal office within 30 days prior to filing with the DEP. The application must be filed in the municipal office at the time of filing with the DEP.

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 MRSA, Section 1301 et. seq.  
(estimated submittal date)  
and Maine's Solid Waste Management Regulations.

The application is for \_\_\_\_\_

\_\_\_\_\_ (summary of project)

at \_\_\_\_\_

(project location)

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 for the Board of Environmental Protection to assume jurisdiction over this 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 (or county office if project is to be located in an unorganized township) 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 (207 287-7688 or 1-800-452-1942).

REQUIRED INFORMATION:

1. Provide a breakdown of costs for any unfinished construction and for project operation. These must include costs resulting from compliance with any Order of the Board or Department.
2. Provide evidence of the availability and commitment of funds sufficient to complete any unfinished project construction and to operate the project as approved. Submit one of the following:
  - a. a letter of commitment from a financial institution or funding agency for a specified amount of funds and their use, or
  - b. the most recent corporate annual report and supporting documents indicating sufficient funds to finance the development, or
  - c. copies of bank statements or other evidence indicating availability of the unencumbered funds, when the developer will personally finance the project.
  - d. if the applicant is a governmental entity, evidence that the entity has the bonding or other capacity to finance the proposed project.
3. Provide a narrative describing applicant's technical ability to complete or maintain this development (see Chapter 400, section 4.C).
4. Provide a complete copy of the deed, lease, purchase option or other documented evidence of the applicant's title, right or interest in the development.
5. Provide a copy of the completed "Notice of Intent to File" and evidence of compliance with the public notice requirements delineated in items 3, 4, and 5 of the instructions.
6. If the facility is a solid waste landfill or incinerator, provide a narrative describing how the facility will continue to be operated to provide the public benefit and/or meet the municipal disposal capacity needs for which the facility was sited, developed and for which it is currently operated. Alternatively, you may demonstrate that you have made substantially equivalent, alternative provisions to satisfy these municipal disposal capacity needs or that these disposal capacity needs no longer exist.
7. Provide a disclosure statement containing the following information:
  - A. Persons. All applicants for a new or amended license or to transfer ownership of a solid waste facility shall submit, at the time of application, a disclosure statement with the Department containing information about the following persons:
    - (1) The individual applicant; or
    - (2) If the applicant is a business entity,
      - (a) any officers, directors, and partners,
      - (b) all other persons or business concerns, having managerial or executive authority and holding more than 5 percent of the equity in or debt of that business unless the debt is held by a chartered lending institution,
      - (c) all other persons or business concerns other than a chartered lending institution having a 25 percent or greater financial interest in the applicant, and
      - (d) the managerial person with operational responsibility for the facility; or
    - (3) If the applicant is a public entity, all persons having managerial or executive authority over the solid waste disposal facility.
  - B. Applicant Information. The full name, business address, home address, date of birth, social security number (if requested) and Federal Employer Identification number of the persons required to disclose under this section:

- C. Related Companies. The full name and business address of any company that collects, transports, treats, stores, or disposes of solid waste or hazardous waste in which any of the persons required to disclose under this section holds at least a 5% equity interest;
- D. Criminal Convictions. A listing and explanation of any criminal convictions of the State, other states, the United States, or another country of the persons required to disclose under this section;
- E. Civil Violations. A listing and explanation of any adjudicated civil violations of environmental laws or rules administered by the State, other states, the United States, or another country by any of the persons required to disclose under this section in the 5 years immediately preceding the filing of the application;
- F. Consent Decrees and Administrative Orders or Agreements. A listing and explanation of administrative agreements or consent decrees entered into by, or administrative orders directed at, any of the persons required to disclose under this section for violations of environmental laws administered by the Department, the State, other states, the United States or another country in the 5 years immediately preceding the filing of the application.
- G. Other Proceedings. A listing and explanation of any ongoing court proceeding, administrative consent agreement negotiation, or similar ongoing administrative enforcement action not already provided in which the applicant or any of the persons required to disclose under this section is a party and which concerns environmental laws administered by the Department or the State; and
- H. Other Information. A listing of any agencies outside of Maine that have regulatory responsibilities over the applicant in connection with its collection, transportation, treatment, storage or disposal of solid or hazardous wastes and any other information required by the Department or the Office of the Attorney General that relates to the enforcement history or character of the applicant.

**END**