

WASTE OIL STORAGE FACILITY APPLICATION

INTRODUCTION

The criteria for the proper establishment and operation of a waste oil storage facility are presented in the Hazardous Waste Management Rules: Chapter 860 - Waste Oil Management Rules adopted by the Board of Environmental Protection under the authority of 38 M.R.S.A., Section 1301 et seq.. In addition, the criteria for approval of an application includes the standards set forth in 38 M.R.S.A., Section 481 et seq., Site location of Development; and 38 M.R.S.A. Section 541 et seq., Oil Discharge Prevention and Pollution Control Act. Copies of the rules and laws are available from the DEP. The application should become familiar with the appropriate rules and laws before submitting an application for facility approval.

General Instruction

1. Be sure to submit the application well in advance of the date on which you plan to construct or operate the facility. The DEP staff can provide a better estimate of the amount of time it will take to review the application.
2. Prior to completing the application, the applicant is required to meet with the DEP staff to discuss the proposed facility. You may contact the Licensing Unit Leader at (207) 287-2651 to arrange a pre-application meeting.
3. The following references are recommended for use in completing the application form:
 - A) DEP Waste Oil Management Rules, June, 1988
 - B) DEP Administrative Regulation, Chapter 2, April 1, 2003
 - C) 40 CFR Part 279
4. Answer all questions. **INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT UNPROCESSED RESULTING IN DELAYS IN THE APPLICATION REVIEW PROCESS.**
5. If a question does not apply, indicate that and explain why.
6. Applicants should not hesitate to contact the DEP staff if questions arise at any point while completing the application or during the application review process.
7. All drawings, site plans and maps must be on sheets no smaller than 8 1/2" x 11" and no larger than 30" x 40" in size. All drawings, plans and maps should be folded to size 8 1/2" x 11" and be stamped and signed by a State of Maine certified Professional Engineer.
8. All engineering designs, reports, plans and other technical engineering documents must be signed and certified by a State of Maine Registered Professional Engineer.

9. All geological work must be signed and certified by a State of Maine Certified Geologist, except that soils work maybe signed and certified by a State of Maine Soil Scientist.
10. All property survey work must be signed and certified by State of Maine Registered Land Surveyor.
11. Publish a PUBLIC NOTICE in accordance with Chapter 860, Section 11A(11) of the Department's Waste Oil Regulations.
12. Sign the application. Refer to Chapter 860, Section 11A(10) for guidance as to who may sign and certify the applications. Where the owner and operator are not the same person, either may obtain the license but both must sign and certify the application.
13. Send the application including all supporting documents plus 4 copies to:

State of Maine Department of Environmental Protection
Attn: Division of OHWFR Licensing Unit
Bureau of Remediation and Waste Management
17 State House Station
Augusta, Maine 04333-0017
14. Send a copy of the public notice and a duplicate of the application to the clerk of the municipality in which the facility is or will be located, or if the facility is or will be located in an unorganized territory, then with the county clerk of the appropriate county and to the Land Use Regulation Commission (LURC).
15. Send evidence demonstrating that the public notice has been published in the legal section of at least one daily or weekly newspaper circulated in the are within 5 calendar days of its publication.
16. Send a written notification to all owners of property abutting the proposed or existing facility giving a brief description of the project.
17. Be sure to submit the application well in advance (minimum of 6 months) of the date on which you plan to construct or operate the facility.
18. Keep a copy of the completed application for your files. This copy will be helpful in speeding communications with the DEP staff should questions arise during the review process.

Maine Department of Environmental Protection
Bureau of Remediation and Waste Management
Division of Oil & Hazardous Waste Facilities Regulation
17 State House Station
Augusta, Maine 04333-0017
Telephone: (207) 287-2651

**APPLICATION FOR WASTE OIL STORAGE FACILITY LICENSE
UNDER THE MAINE HAZARDOUS WASTE, SEPTAGE AND
SOLID WASTE MANAGEMENT ACT
(38 M.R.S.A., SECTION 1301 et seq.)**

PLEASE TYPE OR PRINT IN INK:

Name of Applicant: _____

Mailing Address: _____ Telephone No.: _____

City: _____ State: _____ Zip Code: _____

Social Security or business identification number: _____

Contact Person (Name, Address & Telephone Number): _____

Other companies or businesses owned by applicant, including any out-of-state locations and affiliations, if applicable (attach separate sheet as necessary):

Company Name: _____

Mailing Address: _____ Telephone No.: _____

City: _____ State: _____ Zip Code: _____

LOCATION OF ACTIVITY

Name of Facility: _____

Street or Route Name: _____

Municipality or Township: _____

Has the facility obtained a U.S. EPA Identification Number? Yes _____ No _____

If yes, the number is: _____

Has the facility obtained a State of Maine Interim Hazardous Waste Facility License? Yes _____ No _____

If yes, indicate license number and date of issue: _____

Has the facility obtained a State of Maine Hazardous Waste or Waste Oil Transporter License? Yes _____ No _____

If yes, indicate license number and date of issue: _____

Facility Owner (if different from applicant): _____

[Owner's Mailing Address and Telephone No.]: _____

Key contact person is event of an emergency (if different from above): _____

Ownership of the facility is: (check one)

- A) _____ Federal
- B) _____ State
- C) _____ Municipal
- D) _____ Private
- E) _____ Other Entry

By signing this application the applicant certifies that public notice has been given and that appropriate documents have been filed in accordance with Chapter 860, Section 11(A)11) of the Department of Environmental Protection Waste Oil Rules.

The applicant authorizes 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.

The applicant certifies that he or she has given public notice and filed the appropriate documents in accordance with Chapter 2, Section 9 of the Department of Environmental Protection's Regulation for the Processing of Applications (August, 1994).

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Date: _____

(Signature of Applicant)

(Printed Name and Title)

Date: _____

(Signature of Applicant)

(Printed Name and Title)

SECTION I

GENERAL REQUIREMENTS

1. **ATTACH** a copy evidence of the applicant's title, right or interest to the property (refer to Chapter 860, Section 11A(3) for guidance).
2. State below the estimated total cost of the facility as proposed in this application. Itemize major categories of costs and include estimated costs of activities to be undertaken to minimize or prevent adverse effects upon the surrounding environment during construction and/or operation of the facility.

_____ Legal	_____ Ground water monitoring
_____ Surveys	_____ Construction/Operation
_____ Roads	_____ Quality Control
_____ Engineering	_____ Long-term maintenance
_____ Capital equipment	_____ Closure
_____ Site preparation	_____ Sampling/Testing
_____ Landscaping	_____ Liability insurance
_____ Erosion control	_____ License Fees
_____ Leachate collection	_____ Other
TOTAL COST \$ _____	

ATTACH a statement which describes how the facility is to be financed. Provide evidence of the applicant's financial capacity (including projections of utilization of the facility) to construct, operate and maintain all aspects of the facility in accordance with the requirements of statutes and rules.

[NOTE: Although an annual financial report may be submitted, that by itself may not be considered sufficient for determining financial capacity].

3. **ATTACH** evidence that the applicant has acquired liability insurance for the facility in accordance with Chapter 860, Section 11C(1)-(4).
4. **ATTACH** appropriate application fee (refer to Chapter 860, Section 11D for guidance as to the amount of the fee. \$ _____ Amount of fee submitted).
5. State below the number of acres included in the facility site:

_____ Total acreage

- A) _____ Acres owned
- B) _____ Acres leased
- C) _____ Acres under option
- D) _____ Other (explain)

6. **ATTACH** a coy of a current survey of the facility site which is accurate and up to date.

7. Method of waste oil storage (check as appropriate):

A) _____ Storage in tanks

(1) Above ground: _____ yes _____ no

(2) Underground: _____ yes _____ no

(3) If the answer to #(2) is yes, is the tank part of an oil/water separator? _____ yes _____ no

If yes, capacity: _____. Please attach a brief description of the underground tank's purpose.

B. _____ Storage in containers other than tanks

C. _____ Storage in surface impoundments (lagoons)

D. _____ Treatment processes. _____

E. Other:

Explain: _____

[NOTE: Storage of waste oil in underground tanks or surface impoundments is prohibited.]

8. A) State approximate date of start of construction. _____

B) If existing facility, state approximate date of any proposed modification or alterations to the facility. _____

C) State approximate date facility will be operational. _____

D) State anticipated hours per day and days per week of operation. _____

9. Describe the applicant's prior experience and/or training which demonstrates the applicant's technical ability to construct, operate and maintain the facility as s proposed. (Use additional sheets as necessary).

10. Describe the qualifications of personnel to be employed to operate the facility including those employed to install, operate and maintain pollution control measures and equipment associated with the facility. (Use additional sheets as necessary).

11. A) Identify all environmental or land use licenses, permits, or authorizations which are required by any governmental agency for the facility. Indicate those now held, date of issuance, date of expiration and date of application (for those not yet held). If issued, **ATTACH** a copy.

These include, but are not limited to:

- Air Emission license
- Wastewater Discharge license
- Hazardous Waste Transporter license
- Hazardous Waste Facility license
- Solid Waste Disposal license
- Site Location of Development license
- Building permit
- Plumbing permit
- Highway entrance permit
- Fire Marshall permit (Public Safety)
- Stream Alteration permit
- Local Fire Department permit
- Other (Describe)

B) Has any permit held by the applicant or operator or owner of the facility for any environmental or land use license, permit, or authorization been used with a variance? Yes _____ No _____

C) has any application by the applicant or operator or owner of the facility for any environmental or land use license, permit, or authorization been denied? Yes _____ No _____

D) Has any environmental license, permit or authorization held at any time by the applicant or owner or operator of the facility ever been not renewed or reissued, or been revoked? Yes _____ No _____

E) Has any environmental license, permit or authorization held at any time by the applicant or owner or operator of the facility ever been the subject of any fines or penalties? Yes _____ No _____

F) If yes to any of the three preceding questions, explain in detail using separate sheets as necessary. **ATTACH** copies of the subject documents.

12. **ATTACH** a list of the names and mailing addresses of the owners of property abutting the facility site.

SECTION II

SITE LOCATIONS CONSIDERATIONS

1. Indicate whether the facility or facility property will:

- A) lower the ground water table in the vicinity of the facility site. Yes _____ No _____
- B) increase the noise level greater than 10 decibels above background level. Yes _____ No _____
- C) affect the preservation of historic sites or unusual natural areas. Yes _____ No _____
- D) be located on land identified as a wetland. Yes _____ No _____
- E) be located within a 100 year floodplain or within 100 feet of the level of any documented floor of greater magnitude. Yes _____ No _____

NOTE: If located within a 100 year floodplain, indicate the source of the data for that determination and ATTACH a copy of the relevant Federal Insurance Administration flood map (refer to 40 CFR 122.25(a)(11)(iii) and (iv) for guidance and additional submission requirements).]

- F) overlie any portion of a surface or subsurface sand and gravel aquifer or its primary recharge zone or a high yield bedrock aquifer. Yes _____ No _____

NOTE: Maps of significant sand and gravel aquifer are available for portions of the state from the Maine Geological Survey, Department of Conservation, Augusta.

- G) be located within the boundaries of a federal or state park or designated wilderness area. Yes _____ No _____
- H) be located within 1,500 feet of any underground source of public drinking water, or within 1,000 feet of any source of potable water for humans or livestock. Yes _____ No _____
- I) be located such that it may post a threat to fisheries or wildlife or other natural resources in an area including a sanctuary, refuge, or preserve; a state or federal park, sanctuary or designated wilderness area, or a critical area or to fish in a fish hatchery. Yes _____ No _____

2. **ATTACH** an explanation of the methods and resources use as well as a copy of those studies conducted to make the determination above.

NOTE: The Waste Oil management Rules incorporate some very specific siting criteria, including some prohibitions, for facilities. (Refer to Chapter 860, Section 10 for guidance.)

3. Is a variance being requested as part of this application? Yes _____ No _____

If yes, explain in detail (including additional sheets as necessary). _____

SECTION III

FACILITY INFORMATION

1. **ATTACH** a copy of the general inspection schedule of the facility. Include, where applicable, those requirements specified in the Waste Oil Management Rules, Chapter 860, Section 10E.
2. **ATTACH** a plan of operation forth for the facility (refer to Chapter 860, Section 11B(3)(c) for guidance and specific requirements).
3. **ATTACH** a waste oil analysis plan (refer to Chapter 860, Section 5 and Section 11B(3)(c)(ii) for specific requirements).
4. **ATTACH** a copy of the Spill Prevention Control and Countermeasure Plan (refer to Chapter 860, Section 11B(3)(d) for specific requirements).
5. **ATTACH** a copy of the Personnel Training program for the facility (refer to Chapter 860, Section 11B(3)(e) for specific requirements).
6. **ATTACH** a schedule that lists all records and report to be kept or made for the facility (refer to Chapter 860, Section 13B, C, D for guidance and specific requirements).
7. **ATTACH** copies, if applicable, of all state and municipal zoning restriction to the facility property and to the area within one-half (1/2) mile of the property boundaries.
8. **ATTACH** a current topographic map (1:24,000 scale) which extends one mile beyond the facility site (boundaries) and depicts the facility and the location of all public and private drinking water supplies.
9. **ATTACH** a scale drawing (1:500) of the storage facility showing property boundaries, a north arrow, 2' contours, and the location of all:
 - A) roadways, buildings, containers tanks, dikes, containment areas, separators, fire equipment, loading zone, and equipment associated with operation at the facility; and
 - B) wells, springs, ponds, streams and other bodies of water on the facility site.
10. If an existing facility, **ATTACH** recent photographs of the facility which clearly delineate all existing structures, existing waste oil handling areas and sites of proposed waste oil handling areas. Each photograph shall be submitted with a description which details the items shown in the photograph.

11. **ATTACH** a diagram/description of the waste oil storage facility which includes detailed information on the following:
 - A) total design capacity of the facility including total storage capacity and annual volume anticipated to be handled by the facility;
 - B) number, size, and capacity of all waste oil storage tanks, tank specifications, and date of manufacture;
 - C) diagram of the foundation and structural support for each tank;
 - D) engineering drawings including plans and profile views of all buildings, storage tanks, spill containment system and related structures;
 - E) diagram of piping, instrumentation and process flow;
 - F) description of feed systems, safety cut-offs, bypass systems, leak detection systems and pollution control equipment; and
 - G) diagram and description of the collection system for surface run-off.
12. **ATTACH** a copy of the groundwater assessment conducted of the site. **NOTE: The direction of groundwater flow and the background groundwater quality are important components of this assessment.**
13. **ATTACH** a copy of the groundwater monitoring plan, if proposed. **NOTE: The department views the monitoring of waste facilities as an important part of any license approval.**
14. **ATTACH** a copy of the closure plan, including cost estimate, for the waste oil storage facility (refer to Chapter 860, Section 11B(3)(f & g) for guidance).

SECTION IV

ENVIRONMENTAL HISTORY INFORMATION

1. If applicant is a corporation, **ATTACH** a Certificate from the Secretary of State of Maine demonstrating applicant's authority to conduct business in Maine.
2. Identify all of the operator's(A) and owner's (O) places of business and terminals where waste oil generation, transportation, storage, treatment, disposal or other handling facilities or activities are conducted in Maine.

3. Identify the form of management under which the operator and owner conduct their business in maine (check one):

A	B	A	B
_____	_____ Individual	_____	_____ Partnership
_____	_____ Municipality	_____	_____ Limited Partnership
_____	_____ Sole Proprietorship	_____	_____ Governmental Agency
_____	_____ Corporation	_____	_____ Other (identify the nature of the business relationship.)

4. Complete the following where applicable:

- A) If operator or owner is a corporation, list the names, dates of birth and addresses of all principals of the corporation. This shall include the following: corporate officers, members of the board of directors, and principal stockholders who own, hold or control stock of 5% or more of a publicly-held corporation or 10% or more of a privately-held corporation. List the IRS tax identification number and/or employer identification number of corporations and other business entities.
- B) List and designate the relationship of all parent corporations of the operator and owner, including ultimate parent corporations, and all United States subsidiary corporations and their principal places of business. Include the IRS identification number of the corporations listed.
- C) If the operator or owner is a partnership, list the names, dates of birth, and addresses of all partners, both general and limited; or if an individual or sole proprietorship, list the name, date of birth and address of the individual or sole proprietor.

5. List the addresses and telephone numbers of each location of business (other than those listed on the front page of the application), including other companies owned or operated by the individuals listed on the front page of the application. This listing should include out-of-state locations and affiliates.

6. Identify any solid waste management facility, area or activity in Maine since 1970 or hazardous waste transportation, storage, treatment, disposal or other handling facility located outside of Maine, which the owner, operator, or any person or entity identified in this Section, currently owns or operates, or previously owned or operated, but which is not listed under any of the above responses. This shall include any solid waste oil or hazardous waste management activities which are no longer permitted or licensed or which were never under permit or license. Include the location(s) of all such facilities, areas, or activities, the type of operation, and identify any federal, state, or local licenses or permits pursuant to which they operated or have operated.

7. With respect to each facility and activity identified in this Section, identify all enforcement or compliance actions taken by the State of Maine or federal agency including notices of violation, administrative orders, administrative consent agreements, civil enforcement actions, criminal enforcement actions including any convictions and pleas of nolo contendere, court orders, judicial consent decree, bond forfeiture proceedings or permit/license suspensions or revocations. **Explain in detail and ATTACH the subject documents.**

8. With respect to each facility and activity located outside the State of Maine, identify all of the following enforcement or compliance actions taken by a state or federal agency since 1970: final administrative orders, pending and final civil enforcement actions, pending and final criminal enforcement actions including any convictions and pleas of guilty or nolo contendere, court orders, judicial consent decrees bond forfeiture proceedings or permit/license suspension or revocation. **Explain in detail and ATTACH the subject documents.**

9. Identify all criminal enforcement actions involving fraud of any kind including any convictions and pleas of guilty or nolo contendere, taken by a state or federal agency against any owner or operator of a facility or other person identified in this application. **Explain in detail and ATTACH the subject documents.**

10. List below the types and estimated quantities of solid waste to be generated by the development. Indicate the method of collection (i.e.: private, municipal, or commercial) and the location of the solid waste disposal facility for each waste listed. If you intend to use a commercial landfill, attach a copy of contracts which cover the hauling and disposal of the solid waste for the next three (3) years.

(Ref. Chapter 373, Section 3)

	CUBIC YARDS	COLLECTION	FACILITY
Stumps/Grubbings	_____	_____	_____
Construction Debris	_____	_____	_____
Demolition Debris	_____	_____	_____
Household Solid Waste	_____	_____	_____
Industrial Solid Waste	_____	_____	_____
Hazardous Waste	_____	_____	_____
Other	_____	_____	_____

1. To be advertised once by the applicant in a newspaper of general circulation in the area of the project location.
2. To be mailed by certified mail to all abutting landowners, and municipal office of the municipality where the project is located.
3. A copy of the published notice is to be submitted with the application.
4. Please refer to the attached **Time Line**.

**COMBINED NOTICE OF INTENT TO FILE
and
NOTICE OF PUBLIC INFORMATIONAL MEETING**

Please take notice that _____

(name, address, and phone number of applicant)

is filing an application for a WASTE OIL STORAGE FACILITY with the Maine Department of Environmental Protection (DEP) pursuant to the provisions of **Title 38 M.R.S.A., Section 1301, et seq.** for treatment and storage of waste oil _____. The application is for _____
(estimated submittal date)

(summary of project)

at _____ in _____.
(project street address) (municipality)

A **Public Informational Meeting** will be held at _____, located
(facility)
on _____ in _____ between the
(Street address) (Town or City and State)

hours of _____ and _____ on _____. The purpose of this
(start time) (end time) (Date)

meeting is to provide information about this project to any interested parties.

A request for a **public hearing** or a request that the Board of Environmental Protection assume jurisdiction on 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. Public comment on the application will be accepted throughout the processing of the application.

The application and supporting documentation are available for review at Department offices in Augusta, located in the Ray Building on the AMHI Complex off Hospital Street during normal working hours. A copy of the application and supporting documentation may also be seen at the municipal office in _____, Maine.
(town)

Written public comments may be sent to the licensing unit leader at the **Bureau of Remediation and Waste Management, 17 State House Station, Augusta, Maine 04333-0017.**

Time Line for Combined Notice

- 1. Mail Notices
- 3. Hold Public Information Meeting

Day	0	3	10	11	20	29	30
*							

- 2. Publish Notices
- 4. File Application

Steps:

1. **Mail Notices**-The clock starts at day 0 when the notices are sent by certified mail to the abutters and to the municipal office.
2. **Public Notices**-Publication data must be within 3 days of mailing notices. Publication must be made in newspaper of general circulation in the area of the project.
3. **Hold Public Informational Meeting**-Meeting must be held at least 10 days after mailing notices and 7 days after publishing notices. Meeting must be held before the application is filed.
4. **File Application**- Application must be filed with the Department no more than 30 days after the notices are mailed. Please allow yourself ample time between the meeting data and the filing date to be able to reports results of the meeting on the application. You may also find that as a result of the public meeting you may want or need to modify your application to address concerns of the public.

* **Note: Days refer to calendar days. If day 30 falls on a weekend or holiday it may move the next business day.**