

Chapter 305: NATURAL RESOURCES PROTECTION ACT

PERMIT BY RULE



Section 17: Transfers and Permit Extensions

NOTE: This Section-by Section version of Permit By Rule is re-formatted to increase usability and includes additional guidance, annotations, and addendum. The entire rule, as published, is available below.

[Link to Permit By Rule Section 1 \(Introductions & Compliance Info\)](#)

Official Chapter 305 Rule (all sections):

<https://www.maine.gov/sos/rulemaking/agency-rules/department-environmental-protection-rules>

AMENDED:

May 25, 2005 – filing 2005-174 December 5, 2006 – filing 2006-496

February 25, 2008 – Section 20 only, filing 2008-88

July 15, 2009 – filing 2009-339

July 30, 2011 – Section 16 only, filing 2011-211 (Final adoption, major substantive)

June 8, 2012 – filing 2012-146 (Final adoption, major substantive)

December 27, 2022 – Section 16-A only, filing 2022-256

December 9, 2023 - Section 16 only, filing 2023-231 (Final adoption, major substantive)

June 17, 2025 – filing 2025-129



NRPA Permit By Rule Section 17

A. APPLICABILITY

1

This section allows an individual permit, general permit or tier review approval issued under the [Natural Resources Protection Act](#) to be transferred from the permittee to the applicant when the permitted project changes ownership.

2

This section allows an individual permit, general permit or tier review approval issued under the Natural Resources Protection Act to be extended one time provided the approved activity has not begun and the permit has not expired. This section does not apply to an extension request for a permit previously extended under this chapter.

B. SUBMISSIONS

Submissions for all sections:



PBR Notification Form



Location Map

Submissions for Section 17:

1



For a transfer, the applicant must submit an affidavit attesting to the fact that the applicant has received, read, understand and will comply with the terms of the DEP Order(s) and conditions of approval for the activity.

2



For a transfer, the applicant must submit a copy of the DEP Order(s) to be transferred as well as a copy of documents establishing proof of ownership of the property on which the activity is located or sufficient title, right or interest to complete the activity in accordance with the requirements of the permit and the NRPA.

3



For a transfer, the original permittee must submit a statement attesting that they agree to the transfer of the permit to the applicant.

4



For a transfer of a project that requires compensation, the applicant must submit documentation that demonstrates sufficient expertise and financial resources to complete the approved compensation work, including subsequent monitoring and corrective actions.

5



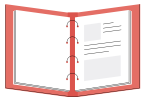
For permit extensions, a copy of the DEP Order(s) to be extended must be submitted to the DEP along with a written reason for the extension request.

C. DEFINITIONS

The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

- 1** **Affidavit.** A written declaration made under oath before a notary public.
- 2** **Extension.** A DEP approval to extend an unexpired permit. An extension is valid for 2 years.

HOW TO SUBMIT YOUR PERMIT BY RULE



STEP 1

DETERMINE APPLICABLE
PERMIT-BY-RULE
SECTION(S)

Permit-by-Rule regulations (Chapter 305) apply to certain activities that require a permit under the Natural Resources Protection Act (NRPA). Find the appropriate section for the activity you are proposing to see the requirements.



STEP 2

REVIEW CHAPTER 305
PBR SECTION
STANDARDS

Find the section for your type of proposed activity in the Chapter 305 standards. Read the applicability section that describes in further detail which activities are included and where they are allowed. Read and comply with all the standards contained in the section.



STEP 3

MAINE ENTERPRISE
LICENSING SYSTEM
(MELS) HUB

Use the MELS Hub, which is the centralized DEP resource designed to apply for your PBR electronically. Payment is also accepted during this process:

[Maine DEP: MELS Hub](#)

<https://www.maine.gov/dep/mels/hub.html>



STEP 4

WAIT 20 WORKING DAYS AND
PROCEED WITH PROJECT
FOLLOWING STANDARDS

The PBR becomes effective 20 working days (M-F excluding holidays) from the date the Department receives the completed MELS submission, unless otherwise notified by the Department.

The PBR becomes effective 20 working days from the date the Department receives the MELS submission unless otherwise notified by the Department.

GUIDANCE & RESOURCES



Natural Resources Protection Act (NRPA) Basics & Submitting a Permit By Rule (Video)

<https://youtu.be/cPmqZYE0XZY>