

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

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

**NOTIFICATION FOR PERMIT BY RULE FOR
PROCESSING SOILS CONTAMINATED WITH VIRGIN O IL**

Existing asphalt batching plants, temporary asphalt batching plants that operate for less than 30 days per year and existing cement kilns may receive a permit-by-rule to process soil contaminated with virgin oil provided that the facility meets all of the standards of Chapter 409, Section 5 of the Solid Waste Management Regulations. This completed notification form must be received by the Department at least 18 working days prior to acceptance of the first shipment of any virgin oil contaminated material.

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: _____
Telephone: _____
Mailing Address: _____
Street Address: _____
Town: _____ State: ___ Zip: _____

Site/Activity Information

Project Description: Processing facility – soil contaminated with virgin oil 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 5 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 for Processing Virgin Oil Contaminated Soil

- (1) A temporary facility must obtain written permission from the property owner and the owners of all occupied buildings within 1000 feet of the waste handling area.
- (2) The facility may only process virgin oil-contaminated soil material that is accompanied by a shipping manifest provided by the Department as part of a Department-supervised clean-up project.
- (3) The facility owner or operator must maintain records identifying the origins of the material, quantities accepted, and the dates of acceptance. The owner or operator must submit a summary of these records to the Department by January 31st of each year of operation for the previous calendar year, and upon Department request.
- (4) If oil-contaminated soil material is stored for more than 24 hours at the batching plant, the material must be stored either:
 - (a) In a covered building, in a covered leak proof container or under an impermeable synthetic cover on a concrete pad provided the material is not stored for more than 18 months; or
 - (b) Uncovered, provided the uncovered storage is limited to 100 tons of waste, the waste is bulked with sufficient aggregate so that liquids will not leach from the pile, and storage of oil-contaminated soil material does not exceed 9 months in any calendar year.
- (5) The facility must be operated so that it does not contaminate water, land or air from the handling, storage or processing of virgin oil-contaminated soil.
- (6) Any virgin oil-contaminated soil material received at the asphalt batching plant that is not processed must be disposed of at a facility licensed and approved by the Department to accept such wastes.

PLEASE NOTE: Asphalt batching plants processing virgin oil-contaminated soil material may be required to conduct air emission testing pursuant to 38 M.R.S. section 608(A). The Department's Bureau of Air Quality should be contacted prior to such processing.

**REQUIRED INFORMATION FOR A PERMIT-BY-RULE FOR
THE PROCESSING OF VIRGIN OIL CONTAMINATED SOIL**

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. This map must indicate all residences within 1000 feet of the waste handling area.
4. **Written permission from adjacent property owners.** Provide copies of the written permission obtained from the property owner and the owners of all occupied buildings within 1000 feet of the waste handling area.
5. **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 chief municipal officer and chair of the municipal planning board of the municipality in which 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 (i.e. Chapter 400 and Chapter 409, section 5 of the *Solid Waste Management Rules*);
- 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