

DEPARTMENT OF ENVIRONMENTAL PROTECTION

**Mail To:**  
**Attn: Geraldine Travers**  
**Solid Waste Program, DEP**  
**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: _____	Activity: _____	Fees Paid: _____
Project Analyst: _____			Check No.: _____

**APPLICATION FOR A COMPOST FACILITY – GENERAL PROCEDURE**

This form shall be used to request approval for a solid waste compost facility pursuant to the *Maine Solid Waste Management Rules: Composting Facilities*, 06-096 CMR 410, pursuant to the *Maine Hazardous Waste, Septage and Solid Waste Management Act*, 38 M.R.S.A. §§ 1301 to 1319-Y, and Maine's other Solid Waste Management Rules.

The application is for a (check one):

<b>N</b>	New license – This request is for a license for a new compost facility.
<b>A</b>	Amendment – Significant modification to an existing licensed compost facility.
<b>M</b>	Minor Revision – Minor change(s) to an existing licensed compost facility.

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: \_\_\_\_\_

**PLEASE SEE PAGE 2- SIGNATURE REQUIRED**

## 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 proposed 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, the property owner or lessee, 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.)

PLEASE SEE ATTACHED FEE SCHEDULE TO DETERMINE THE APPLICATION FEE FOR  
A REDUCED PROCEDURE COMPOST FACILITY

# INSTRUCTIONS

1. **Please refer to 06-096 CMR 400 and 06-096 CMR 410 of the Maine Solid Waste Management Rules to understand the standards and requirements for the design and operation of a solid waste compost facility.** If you have any questions that arise at any point during the application or review process, please contact the DEP Solid Waste Program staff.
2. Pre-Application meeting. Applicants proposing to establish a new transfer station or storage site are encouraged to meet with DEP staff to discuss the proposed project. The meetings can help avoid unnecessary expense and processing delays.
3. Fill out the application completely. INCOMPLETE APPLICATIONS WILL BE RETURNED, CAUSING UNNECESSARY DELAYS IN THE REVIEW PROCESS. All work to support the investigation, design, and construction of a solid waste facility must be undertaken by individuals whose training, experience and professional certification is appropriate to accomplish the specific tasks with accuracy and technical proficiency. Reports, plans or other materials submitted in support of the application must bear the signature and, if appropriate, the seal of the individual who drafted or supervised the drafting of each document.
4. Publish a "Notice of Intent to File" this application once in a newspaper circulated in the area where the project is located. (A form for this notice is attached to this application.) The notice should appear in the newspaper within 30 days prior to filing the application with the DEP.
5. Send by certified mail, a copy of the "Notice of Intent to File" 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.
6. Send by certified mail, a copy of the "Notice of Intent to File" to the chief municipal officer and to the chairperson of the planning board in the municipality where the project is to be located. If the project is located in an unorganized area, send the notice and application to the appropriate Office of the County Commissioners and the Maine Land Use Planning Commission, 22 State House Station, Augusta, Maine 04333-0022. The notice must be filed in the appropriate office within 30 days prior to filing with the DEP.
7. Submit to the Department the application along with all attachments, a copy of the "Notice of Intent to File", and a check for the appropriate application fee made payable to "Treasurer, State of Maine". Please consult with DEP staff to determine how many copies of the completed application form and supporting reports must be submitted to the Department. In general, three copies of site plans, drawings, soil maps, or other data on sheets larger than 8½" x 14" copies must be submitted unless the staff determines that fewer copies are needed. ALL PLANS SHOULD BE FOLDED TO SIZE 8½" x 11" unless otherwise indicated by DEP staff. Any part of the application which has been prepared by a P.E., C.G. or C.S.S. must be stamped and signed by that person. If the applicant is a corporation, a certificate of good-standing from the Secretary of State must be included.
8. Send one complete copy of the application and any amendments that are subsequently submitted to the Municipal Office of the town within which the project is located. If the project is located in an unorganized area, send the application to the appropriate Office of the County Commissioners and the Maine Land Use Planning Commission, 22 State House Station, Augusta, Maine 04333-0022. The application must be filed in the municipal office or at the County Commissioners Office and LUPC at the time of filing with the DEP.
9. Keep a copy of the completed application for your files. This copy will be helpful in speeding up communications with the DEP staff if any questions arise during the review of the project.
10. Upon the approval by the Department of Environmental Protection, a permit will be issued and sent to the applicant. The applicant should read the permit carefully in order to become familiar with any conditions. Failure to comply with the approved plan and conditions of approval may lead to enforcement action or the revocation of a permit.

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 \_\_\_\_\_ (*estimated submittal date*) pursuant to the provisions of 38 M.R.S.A. §§ 1301 to 1319-Y and 06-096 CMR Chapter 400 et seq.

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

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

at \_\_\_\_\_  
(project location)

owned by \_\_\_\_\_ and operated by \_\_\_\_\_  
(landowner) (site operator if different)

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 that the Board of Environmental Protection assume jurisdiction of the 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 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), or to the appropriate regional office, if known.

**REQUIRED INFORMATION FOR  
APPLICATION FOR A COMPOST FACILITY – GENERAL PROCEDURE**

*Please submit:*

- 1. Description.** Description of the nature and purpose of the project.

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- 2. Schedule.**

- A. Proposed date of start of construction: \_\_\_\_\_
- B. Proposed date of start of operation: \_\_\_\_\_
- C. Anticipated lifetime of facility use: \_\_\_\_\_

- 3. Topographic Map.** Legible copy of the most recent full size U.S.G.S. topographic map (7.5 minute series if available) showing the waste facility boundary and the property boundary.
- 4. Site Size.** Size of facility site: \_\_\_\_\_ acres (see 06-096 CMR 400 for the definition of “facility site”).
- 5. Title, Right, or Interest.** Copies of deeds, leases, contracts or agreements that establish the applicant's title, right or interest for the proposed site.
- 6. Abutters.** Legible copy of the municipal tax map with the proposed site and names of abutting property owners clearly marked. Also, include a list of the names and addresses of all the owners of property abutting the proposed facility site.
- 7. Notice of Intent to File.** A copy of the completed “Notice of Intent to File” and evidence of compliance with the public notice requirements delineated in items 4, 5, and 6 of the instructions.
- 8. Financial Ability.** Estimated cost of development and evidence that affirmatively demonstrates the financial ability of the applicant to develop the project in a manner consistent with the State environmental standards and laws. Refer to 06-096 CMR 400(4)(B) for standards and submission requirements.
- 9. Technical Ability.** Evidence that affirmatively demonstrates that the applicant has the technical ability to design, construct, operate, maintain and close the facility. If the proposed project will be managed by other than the applicant, state the persons or businesses that will be responsible for management and operation of the facility. This information should include the applicant's or operator's prior experience and/or appropriate training related to the nature of the proposed facility, and a description of the personnel who will be employed to design, construct, operate, maintain and close the facility.
- 10. Disclosure Statement.** Criminal or civil record of the owner, operator, or anyone having a legal interest in the applicant or the facility, as described in 06-096 CMR 400(12)(A) of the Maine Solid Waste Management Rules.

**11. Other Authorizations.** Environmental and/or land use licenses, permits, or authorizations which are or may be required by any governmental agency. Indicate those now held with an asterisk (\*); indicate when the remaining licenses and permits will be obtained.

Building permit: \_\_\_\_\_ Waste discharge license: \_\_\_\_\_  
Plumbing permit: \_\_\_\_\_ Highway entrance license: \_\_\_\_\_  
Air emissions license: \_\_\_\_\_ Other (describe): \_\_\_\_\_

**12. Fitting Harmoniously into the Natural Environment.** Identify all unusual natural areas on or adjacent to the facility site and include evidence that affirmatively demonstrates that the proposed facility will not unreasonably adversely affect protected natural resources.

**13. Setbacks/Buffers.** Information confirming that the waste handling area at the proposed facility will not be:

- A. Closer than 100 feet to the solid waste boundary of an active, inactive or closed solid waste landfill;
- B. Within a 100-year flood plain;
- C. Within 100 feet of a protected natural resource;
- D. In, 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.A. section 480-A et seq.:
  - (1) A coastal wetland, great pond, river, stream or brook, or significant wildlife habitat contained within a freshwater wetland; or
  - (2) Freshwater wetlands consisting of or containing:
    - 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
    - peatlands dominated by shrubs, sedges and sphagnum moss;
- E. Closer than 300 feet to off-site water supply wells or water supply springs;
- F. Closer than 100 feet to public roads and property boundaries;
- G. Closer than 10,000 feet to any airport runway used by turbojet aircraft, or within 5,000 feet of any airport runway used by only piston-type aircraft, when putrescible waste is to be handled outdoors in an uncovered or exposed condition; and
- H. Closer than 500 feet to residences in existence at the time the application is filed, other than residences owned by the facility owner or operator.

**14. Site Design Information.**

- A. Site Plan. A detailed plan of the area within 500 feet of the waste handling area, at a scale of 1 inch = 100 feet or a larger engineering scale and prepared by a qualified professional. This plan must clearly show: all structures; protected natural resources; roads; property boundaries; receiving, processing, curing and storage areas; residences; erosion and sedimentation control features; odor control structures; water supply wells and springs; water quality monitoring points; and barriers or fencing and gates to prevent unauthorized persons access to the site. For facilities involving outdoor handling of putrescible wastes in an uncovered or exposed condition, this plan must also note the direction and distance of airports within 10,000 feet of the waste and waste handling area.
- B. Plan views of structures and utilities. A large scale construction plan view drawing, with a minimum engineering scale of 1 inch = 40 feet, clearly showing any building(s) with foundations; processing unit(s); utilities; leachate, storm water, and erosion and sedimentation control details; and odor control systems.

- C. Subsurface Investigation Information. Whenever the proposed processing facility includes the use of in-situ soils as any part of a soil base pad for handling solid wastes, including structures requiring foundations, or includes subsurface wastewater holding or disposal systems, the application must include information from a subsurface investigation. The subsurface investigation must provide soil test data in the proposed handling areas from a certified professional describing the surficial geology and/or the subsurface soils. This information must demonstrate that the facility design is compatible with the site's soil characteristics and will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur, as determined by applicable engineering standards of practice.

For outdoor compost facilities, instead of the subsurface investigation information, the applicant may submit a report from a Maine Certified Soil Scientist or other qualified individual that either:

- (1) Verifies that the waste handling areas for the proposed facility are on soils that are moderately well drained to well drained, as classified by the Natural Resources Conservation Service, and are at least 24 inches above the water table, bedrock, and sand or gravel deposits; or
- (2) Identifies all major limitations to the proposed development presented by the soil characteristics and describes the techniques to be used to overcome the soil limitations identified in the soil survey.

- D. Aquifer map. A legible copy of the most recent Maine Geological Survey Significant Aquifer Map or Sand and Gravel Aquifer Map with the facility site and the waste handling area clearly delineated.

**15. Process Design Information.** A general description of the facility's waste processing system. This must include process flow diagram(s), the source, volume, and characteristics of wastes to be received, the products and wastes to be generated; the methods to be utilized to mix, process and store wastes and products; the processing equipment to be used on site; provisions for characterization, including analytical information demonstrating that the incoming wastes meet the classification proposed to be handled at the facility; and an identification of applicable standards for the product that the facility will produce.

The compost facility process design description must also include the following:

- A. Type of composting method used at the facility (i.e. static pile, aerated static pile, windrow, passive aerated windrow system, in vessel, agitated bin, etc.);
- B. Methods used in mixing, constructing compost piles or windrows, curing and storage;
- C. Mixing, windrow construction, screening, turning, and aeration equipment;
- D. Ratio of residuals and other ingredients that will be mixed together taking into account the intended use of the processed residual; and based on a recipe that balances the mixture's:
  - (1) ratio of available carbon to nitrogen;
  - (2) moisture content throughout the process;
  - (3) bulk density throughout the pile;
  - (4) volatile solids content; and
  - (5) pH
- E. Proposed dimensions of compost piles or windrows;
- F. Method and frequency of aeration, including turning frequency or mechanical aeration equipment;
- G. Duration of composting process, including curing or storage time; and
- H. When applicable, the standards in 06-096 CMR 419 that the residual is being processed to meet, and provisions to monitor residual temperature, oxygen and moisture or other parameters to demonstrate that the standard is met.

**16. Environmental Monitoring Plan.** A processing facility may be required to submit an environmental monitoring program for review and approval by the Department if the Department determines that the facility may pose a potential threat to public health or safety or to the environment because of the nature of the waste proposed to be handled and/or the location, design and operation of the facility. This plan may include a waste characterization plan. The Department may make the determination that such a plan is needed as part of a pre-application meeting process or after the application has been received and initially reviewed.

**17. Specific Odor Control for Sludge and/or Septage Composting.** For facilities that compost wastewater treatment sludge from publicly owned treatment works and facilities that compost septage: An odor management plan must be submitted that includes provisions for the prevention and control of nuisance odor during routine operations and construction activities based upon the location, design, and operational procedures of the proposed facility. The odor management plan must include the following information:

- A. An evaluation of potential process odor and potential off-site influences;
- B. Proposed methods to prevent nuisance odor which may include systems for the enclosure of nuisance odor-producing materials and processes;
- C. Proposed methods to control, reduce or eliminate nuisance odor; and proposed uses of technology and an evaluation of the effectiveness of the technology to control, reduce or eliminate nuisance odor;
- D. Provisions to monitor and formally document facility nuisance odor if identified at the property boundary;
- E. A procedure to formally record and respond to odor complaints in a timely manner;
- F. Odor response procedures that include response actions to be implemented after the occurrence of an odor event or the determination of nuisance odor is made. The procedures must outline the responsibilities of facility personnel, notification provisions to the Department and the community, and include potential actions that may be taken along with associated timeframes for implementation;
- G. Provisions to maintain and store back-up equipment or obtain replacement equipment in a timely manner during shutdown and malfunction events that is critical to the function of the odor control system; and
- H. Provisions to record odor related information, including monitoring data and any exceedances which may occur.

**18. Traffic Movement.** Submission requirements of 06-096 CMR 400(4)(D)(2) to demonstrate that the facility will meet the standards of 06-096 CMR 400(4)(D)(1).

**19. Existing Uses and Scenic Character.** Submission requirements of 06-096 CMR 400(4)(F).

**20. Air Quality.** Submission requirements of 06-096 CMR 400(4)(G). This may include a demonstration that the materials handled at the facility do not generate objectionable odors; comparative studies with similar existing facilities taking into account similarities and differences in feed stocks, composting processes, facility design, throughput, proximity to neighbors, meteorological conditions and topography; or odor dispersion modeling studies demonstrating that the facility will not cause more than a one hour average odor impact of 2 dilutions to threshold (2 D/T), in any calendar year at any occupied buildings (include reference to specific odor control requirements for sludge/septage composting per item 17 of this application).

**21. Stormwater and Erosion and Sedimentation Control.** Submission requirements of 06-096 CMR 400(4)(H) and 06-096 CMR 400(4)(J).

**22. Other Natural Resources.** Submission requirements of 06-096 CMR 400(4)(I).

**23. Adequate Provisions for Utilities.** Submission requirements of 06-096 CMR 400(4)(L).

**24. Flooding.** Submission requirements of 06-096 CMR 400(4)(M). This must include the most recent Federal Emergency Management Agency's flood insurance rate map of the area, if applicable, with the location of the facility site clearly marked when the site is within ¼ mile of the 100 year floodplain.



- 25. Residuals and Waste Derived Product Distribution Plan.** If residuals are proposed for agronomic utilization, the applicant must also submit the application information required for licensing under 06-096 CMR 419. If waste-derived products are proposed for other beneficial uses, the applicant must also submit the application information required for licensing under 06-096 CMR 418. The applicant must describe the disposition of other materials generated at the facility that are not covered under a beneficial use or agronomic utilization program. The Department may require financial assurance in the form of a letter of credit, escrow account, or other approved financial security to finance the cost of potential remediation or disposal of waste or secondary products.
- 26. Operations Manual.** Operations manual, suitable for use by the facility, which includes at a minimum all information that would enable supervisory and operating personnel and persons evaluating the operation of the facility to determine what sequence of operation, plans, diagrams, policies, procedures, and legal requirements are to be followed for orderly and successful operation on a daily and yearly basis. The operations manual must address all the applicable requirements specified in 06-096 CMR 410(4). Variances from operational requirements may be requested pursuant to 06-096 CMR 400(13) of the Solid Waste Management Rules.
- 27. If a variance or variances are being requested as part of this application, specify the nature of the variance and the justification for why it should be granted.** Refer to 06-096 CMR 400(13) of the Solid Waste Management Rules for the standards and submissions required in this variance application.

**END**