

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Remediation and Waste Management
17 State House Station
Augusta, Maine 04333-0017
Telephone: (207) 287-7688

FOR DEP USE
ATS ID _____
DEP #S- _____
Date Received _____
Fees Paid _____ Ck# _____

APPLICATION TO AMEND A SEPTAGE LAND APPLICATION SITE APPROVAL

under the

HAZARDOUS WASTE, SEPTAGE, AND SOLID WASTE MANAGEMENT ACT

(38 M.R.S. §§ 1301 to 1319-Y)

Please type or print clearly

APPLICANT INFORMATION:

Name of Applicant: _____

Address: _____

Telephone Number: _____

Local Contact (name): _____

Address of Contact: _____

Local Contact Telephone Number: _____

SITE LOCATION INFORMATION:

Road/Street, or Route Nearest Site: _____

City/Town/Plantation: _____ County: _____

THIS APPLICATION PROPOSES:

- NO RULE VARIANCE
- RULE VARIANCE

Name of Applicant: _____

By signing this application, the applicant certifies that he or she has within 30 days prior to filing: (1) published the public notice form once in a newspaper circulated in the area where the project is proposed to be located; (2) sent a copy of the public notice form by certified mail to the chief municipal officer, chair of the municipal planning board of the municipality in which the project is located and all abutting landowners; (3) filed a complete copy of this application, including all supporting documents and amendments, with the appropriate town clerk, city clerk or, county commissioner of the municipality in which the project is located; (4) reviewed the instructions contained in this application form; and (5) reviewed the appropriate state laws that relate to the proposed project.

CERTIFICATION

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: _____

Signature of Applicant or Authorized Agent
(If signature is other than applicant, attach letter of agent authorization.)

Print Name & Title

The qualified professional person responsible for preparing this application and/or attaching pertinent site and design information hereto, by signing below, certified that the information is complete and accurate to the best of his/her knowledge and belief:

Date

Signature of Professional

Reg/Cert/Lic #

Maine Certified Soil Scientist

Maine Reg. Professional Engineer

Maine Certified Geologist

Other (Maine Reg. or Certified)

INSTRUCTIONS
Septage Land Application Site Amendment

1. For assistance in filling out this application please contact the Division of Solid Waste Management, Bureau of Remediation and Waste Management at (207) 287-2651.
2. Read and understand Department Regulations *Septage Management Rules*, 06-096 C.M.R ch. 420 (effective September 8, 1997), and *Rules Concerning the Processing of Applications*, 06-096 C.M.R. ch. 2 (last amended October 19, 2015). Applications will be processed according to the *Maine Hazardous Waste, Septage and Solid Waste Management Act* 38 M.R.S. §§ 1301 to 1319-Y, and other applicable laws and regulations.
3. Fill out the application completely. **INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT.** If some questions in the application do not apply to your proposed amendment, please write N/A or “not applicable” adjacent to the question, and provide a brief statement as to why the question does not apply.
4. The Department requires that applicants comply with the public notice requirements specified below. If the required procedures are not followed, an approval issued may be invalid.
5. Publish the **PUBLIC NOTICE OF INTENT TO FILE FORM** once in a newspaper circulated in the area where the project is located. (A form for this is attached to this application as Appendix A.) The notice should appear in the newspaper within 30 days prior to filing the application with the DEP.
6. 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.
7. 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 and any amendments which 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 **PUBLIC NOTICE** and application to the appropriate Office of the County Commissioners and the the Maine Department of Agriculture, Conservation and Forestry, Land Use Planning 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.
8. The Department does not require that the applications be prepared by professionals except as required by the rules, or by law. However, past experience has shown that professional assistance is helpful and in many cases this help can overcome site limitations through proper design and site management.
9. If the application is signed by someone other than the applicant, or authorized agent, a statement must be provided explaining that this person has the permission to do so.
10. If the applicant is a corporation, attach a Certificate of Good Standing from the Secretary of State of Maine (*telephone 287-3676*).

11. Send the original and 2 copies of the application along with all attachments (ALL PLANS MUST BE FOLDED TO 8 1/2 X 11 INCHES) to: Maine Department of Environmental Protection, Bureau of Remediation and Waste Management, Division of Materials Management, 17 State House Station, Augusta, Maine 04333-0017.
12. Be sure to submit your application well in advance of the date on which you plan to start the project. The DEP staff can provide the best estimate of the amount of time it will take to review the proposed project.
13. Keep a copy of the completed application form for your files. This copy will be helpful in speeding up communications with the DEP staff if any questions arise during the review of a project.
14. Upon the approval by the Department of Environmental Protection, a permit will be issued and sent to the applicant. The applicant should read through the permit issued in order to become familiar with any conditions placed on the project approved. Failure to comply with conditions of approval may lead to the revocation of a permit.
15. Fees. The applicant must pay the applicable new or expanded fee, or amendment fee at the time of application submittal. (Check payable to Treasurer, State of Maine) applications without the required payment will be returned as incomplete. A fee schedule should be attached to this form; if not, please request a schedule from the Department.

38 M.R.S. §§1305(6) states that: "... any person may provide a site for disposal of septage. In addition to making application to the Department of Environmental Protection for approval of any site, that person shall have written approval for the site location from the municipality in which it is located, unless the site is located in a Resource Protection District under the jurisdiction of the Maine Land Use Regulatory Commission. A municipality may determine whether approval of the site must be obtained first from the department or the municipality. The municipal officers shall approve, after hearing, any such private site if they find that the site complies with municipal ordinances and with local zoning and land use controls. In the absence of applicable municipal ordinances and local zoning and land use controls, the municipality shall base its approval of the site on compliance with the siting and design standards in the department's rules relating to septage management. For the purposes of this subsection, a "municipality" means a city, town, or plantation."

The above statute requires the municipal officers, in the municipality which the proposed site is located, to determine whether the site location must be approved before the department issues a license or after the department issues a license. **If the amendment proposal is to reduce or eliminate the originally-licensed landspreading area, municipal approval is not required.** Otherwise, the following must be completed by an authorized municipal official:

The municipal officers of the municipality of _____ (municipality) have been provided with a copy of an application for approval of a Septage Land Application Site. The application has been submitted by _____ (applicant), and is for approval of a site located at _____ (location). Pursuant to 38 M.R.S. §§1305(6), the municipality has determined that municipal approval of the site must (check only one of the following):

- _____ be obtained prior to issuance of a Department Order
- _____ be obtained after issuance of a Department Order

Printed Name and Title of Authorized Municipal Official

Signature of Authorized Municipal Official and Date Signed

If municipal approval is required prior to approval by the department, the following must be completed:

The municipal officers of the municipality of _____ (municipality), after a hearing on _____ (date), have determined that the proposed septage site described in this application complies with municipal ordinances, and with local zoning and land use controls, or, because of the absence of municipal ordinances, and local zoning and land use controls, have determined that the proposed site complies with the siting and design standards in the department's rules relating to septage management. THEREFORE, the municipality APPROVES the site location described in the application of _____ (applicant).

Printed Name and Title of Authorized Municipal Official

Signature of Authorized Municipal Official and Date Signed

1. DESCRIPTION OF PROJECT

A. Briefly describe the proposed project:

B. Is the proposed site to be operated as (*check appropriate item*):

- Septage Utilization (see definition in Chapter 420)
- Septage Non-utilization (see definition in Chapter 420)
- Septage Storage (see definition in Chapter 420)

2. TITLE, RIGHT, OR INTEREST

A. Name(s) and address(es) of property owner(s):

B. Attach a copy of the property deed.

C. If the applicant is not the property owner, attach a copy of a lease agreement or contract between the applicant and the property owner(s). The agreement or contract must contain the following information:

- (1) Map and lot number(s) of the property;
- (2) Authorization from property owner(s) for the applicant to use the site;
- (3) Certification by property owner(s) that the property owner(s) has read and understands the facility operating and closure requirements of Chapter 420, and will allow the site to be closed, when required, in accordance with the requirements of Chapter 420;
- (4) The dated signature of the property owner(s);
- (5) The dated signature of the applicant;
- (6) The total acreage authorized for use; and
- (7) Duration of the agreement (initiation and termination dates).

3. ABUTTING PROPERTY OWNERS

List the names and addresses of the owners of the property abutting the parcel of land upon which the proposed site is located:

NAME	ADDRESS

4. VARIANCES

Is a variance to any provision of the Septage Management Rules being requested? ___Yes ___No

If yes, you must include the following:

- A. Identification of the specific provisions of the rule from which a variance is sought;
- B. The reasons why a variance is required, including environmental and technological justifications;
- C. Alternative operational procedures and site alterations proposed, and the reasons why the alternatives meet the intent of the Chapter 420; and
- D. Any other information which you feel is relevant to support the variance request.

5. ESTIMATED SITE DEVELOPMENT SCHEDULE

- A. Estimated date for starting site development: _____
- B. Estimated date for completing site development: _____

6. EXISTING SITE USE

What is the current use of the site: _____

7. SITE HISTORY

- A. Has septage, sludge, or other wastes or residuals been applied to the proposed site? _____
- B. If yes, what types of wastes were applied and when? (please include DEP license numbers if known):

8. PROJECT COSTS AND FINANCING

- A. Accurate and complete cost estimate for the entire project: \$_____
- B. To verify the applicant's ability to finance the proposed project, attach copies of bank statements or other evidence that funds are available to fully complete and operate the facility, or a binding letter from a financial institution, government agency, or other sufficient funding source stating a commitment to provide a specified amount of funds and particular use of the funds.

9. TECHNICAL ABILITY

- A. Include an explanation of the applicant's technical ability to develop and operate the proposed site:

- B. List all Notices of Violation issued by the Department to the applicant and/or site operator, and all Administrative Consent Agreements entered into with the Board:

10. ENDANGERED SPECIES

- A. If the proposed site is not currently an existing, active, agricultural site, is the proposed site within the critical or essential habitat of a threatened or endangered species? _____
(Applicants should check with the Maine Department of Inland Fisheries and Wildlife (Phone - 287-8000)).
- B. If yes, what are the suggested operational or management alternatives proposed to mitigate adverse effects to the threatened or endangered species, or the species' critical or essential habitat?
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-

11. TOPOGRAPHIC MAP

Attach a copy of the most recent U.S. Geological Survey topographic map with the proposed land application site (and storage site, if applicable) clearly delineated, and the total parcel of land upon which the proposed site is located clearly delineated.

12. TAX MAPS

Attach copies of all appropriate municipal tax maps with the proposed land application site (and storage site, if applicable) clearly delineated, the total parcel of land upon which the proposed site is located clearly delineated, and, on the appropriate lots, the names of owners of property which abut the parcel of land upon which the proposed site is located.

13. SITE MAPS

Maps of the proposed land application site (and storage site, if applicable) must be submitted. The maps must be at a scale of one inch equal to a maximum of 100 feet. The area shown on the maps must extend at least 300 feet beyond the boundary of the proposed site.

- A. For the proposed septage land application area, the maps must include:
- (1) A signed and stamped high intensity soils map, prepared by a Maine Certified Soil Scientist, completed in conformance with the Class B standards as published by the Maine Association of Professional Soil Scientists - Standards for Soil Survey, except that contour lines are not required unless specifically requested by the Department;
 - (2) Soil sampling locations, and proposed or existing water quality monitoring locations;
 - (3) Direction and percent slope at each test pit and boring;
 - (4) Perennial water, intermittent streams, drainage ditches, drainage depressions and waterways;
 - (5) Roads;
 - (6) Bedrock outcrops;
 - (7) Property lines;
 - (8) Restrictive fences and gates;
 - (9) Storage facilities and other structures;
 - (10) Boundary of area suitable for land application; and
 - (11) Areas proposed for topdressing, injection, and incorporation.

B. For the area up to 300 feet beyond the proposed septage land application area, the map(s) must include:

- (1) Critical or essential habitat of a threatened or endangered species;
- (2) Surface waters;
- (3) Roads;
- (4) Houses and other structures;
- (5) Public and private wells; and
- (6) Property lines.

14. SAND AND GRAVEL AQUIFER

A copy of the most recent Significant Sand and Gravel Aquifer map of the proposed area must be attached with the proposed land application site (and storage site, if applicable) clearly delineated. *(NOTE: Maps may be obtained from the Maine Geological Survey (Phone - 287-2801). Please note that a site cannot be located over a significant sand and gravel aquifer.)*

15. FLOODPLAINS

If any portion of the proposed site is within 300 feet of a 100-year flood zone, attach a copy of the most recent Federal Emergency Management Agency (FEMA) flood zone map, or other suitable flood map, with the proposed land application site (and storage site, if applicable) clearly delineated *(NOTE: FEMA maps are generally available at the municipal office).*

16. BUFFER ZONES

Provide a summary of the distance and direction from the nearest boundary of the proposed site to the following features:

Type of Feature:(Name if applicable)	Compass direction to feature	Distance to feature (in feet)
Public well:		
Private well:		
Property line:		
Dwelling:		
Perennial waterbody:		
Intermittent stream:		
Ditch/Constructed waterway:		
Public road:		

17. SOIL INFORMATION

The following information about soils at the proposed site must be submitted:

- A. Complete logs of all test pits. Logs must be prepared and signed by the Maine Certified Soil Scientist who investigated the site. Test pit logs must provide a description of all organic and mineral horizons in accordance with the standards established by the National Cooperative Soil Survey. Test pits must be excavated to a minimum of 48 inches or refusal, and must be of sufficient number to properly evaluate subsurface conditions.

B. List each soil type located at the site, including the drainage class and acreage of each:

Soil Type (Name)	Drainage Class	Acres
	TOTAL	

C. A minimum of one composite, representative topsoil sample must be collected per eight (8) acres of septage land application site. Each sample must be analyzed for the following:

- (1) pH;
- (2) available phosphorus;
- (3) available potassium;
- (4) available calcium;
- (5) available magnesium;
- (6) available nitrogen;
- (7) cation exchange capacity (C.E.C.);
- (8) percent C.E.C. saturation with potassium;
- (9) percent C.E.C. saturation with calcium;
- (10) percent C.E.C. saturation with magnesium; and
- (11) percent organic matter.

Analyses results must be attached.

18. METHOD OF LAND APPLICATION

Provide an explanation of how septage will be land applied, including the type of equipment to be used for transportation and spreading:

19. APPLICATION RATES

Provide a summary of annual application rates based on crop requirements, soil characteristics, and soil analyses results (SEE Appendix B of this application for guidance).

20. TRAFFIC

- A. What will be the average daily vehicle flow to and from the site? _____
- B. What will be the average hourly vehicle flow to and from the site? _____
- C. One of the following must be submitted as evidence of adequate sight distances from the site entrance and exit:
- (1) An existing Maine Department of Transportation M.D.O.T. or town permanent site entrance permit;
 - (2) A copy of a completed application for a M.D.O.T. or town permanent site entrance permit; or
 - (3) A written evaluation of sight distance adequacy based on the standards contained in Chapter 420, section 4(F).

21. VOLUME OF SEPTAGE PRODUCED

For *MUNICIPAL* applicants only, an estimate of the annual volume of septage generated in the municipality must be provided. The estimate must be made by using past septage pumping records or by assuming that twenty percent of the total septic tank volume in the municipality will be pumped annually. Estimate of annual septage generation: _____ gallons.

22. SITE PREPARATION

Describe any site clearing or other preparation which will be necessary to develop the site:

23. OPERATING PLAN

Attach the site operating plan, which must include the following:

- A. Operator(s) name(s);
- B. Name, address, and phone number for individual(s) to contact for entry to the site;
- C. Hours of operation;
- D. Names of individuals and companies who will use the site;
- E. Origin of septage to be land applied;
- F. Pathogen Reduction and Vector Attraction Reduction methods to be used;
- G. Description of how septage will be screened;
- H. Location of licensed solid waste facility for screenings disposal
- I. Septage application rates;
- J. Phased use of the site (if applicable);
- K. Methods to be used for on-site dust control;
- L. Testing protocol and environmental monitoring, to include sampling and analysis methods and responsibilities; and
- M. Record-keeping and reporting protocol.

SUPPLEMENTARY INFORMATION REQUIREMENTS FOR SEPTAGE STORAGE

The following items must be addressed if the proposed site will include construction and/or use of a septage storage facility:

25. STORAGE FACILITIES

For concrete structures to be poured in place, the construction information must be developed, stamped and signed by a Maine Registered Professional Engineer. For pre-fabricated storage facilities, all information developed by the manufacturer relating to the storage facility must be provided. The following design and construction information must be submitted:

- A. Type of materials to be used for facility construction;
- B. Soils information from a Maine-certified soil scientist;
- C. Excavation and installation details;
- D. If the storage facility consists of tanks previously used for petroleum storage, a statement signed by a certified inspector must be submitted which certifies that the tank has been properly cleaned of all fuel residues and is suitable for septage storage;
- E. A description of tank coating or other requirements necessary to prevent corrosion;
- F. Volume of storage facility;
- G. Area for discharging septage into storage facility;
- F. System for leak detection;
- H. System for containing spills from vehicles discharging to facility, for containing leaks if facility ruptures or fails, and for leachate collection;
- I. Access control;
- J. System for screening septage;
- K. Alkaline stabilization system;
- L. Erosion and sediment control plan;
- M. Filling;
- N. Grading; and
- O. Seeding.

26. OPERATING PLAN

In addition to the Operating Plan information required by item #24, the applicant shall include a section in the operating plan which addresses instructions for storage facility use, to include: discharging septage, volume measuring, spill clean-up, record-keeping, and security.

Form A

THIS FORM IS FOR USE IN NOTIFYING ABUTTING 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

_____ pursuant to the provisions of 38 M.R.S. §§ 1301 to 1319-Y
(submittal date)

and 06-096 CMR ch. 420 (effective September 8, 1997).

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 written request for a public hearing, or that the Board of Environmental Protection assume jurisdiction of the application, must be received by the Department 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: Attn: Residuals Management Unit, BRWM, Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333-0017 (207-287-7688 or 1-800-452-1942).

APPENDIX B

GALLONS OF SEPTAGE WHICH MAY BE APPLIED PER ACRE PER YEAR BASED ON CROP NITROGEN REQUIREMENTS

Pounds of Nitrogen Required per Acre	*Soil Drainage: WD / MWD / SPD	**Soil Drainage: EXD / SEXD
50	19,000 gallons	9,500 gallons
60	22,800 gallons	11,400 gallons
70	26,600 gallons	13,300 gallons
80	30,400 gallons	15,200 gallons
90	34,200 gallons	17,100 gallons
100	38,000 gallons	19,000 gallons
110	41,800 gallons	20,900 gallons
120	45,600 gallons	22,800 gallons

* WD = Well-drained
 MWD = Moderately well-drained
 SPD = Somewhat poorly-drained

** EXD = Excessively-drained
 SEXD = Somewhat excessively-drained

++ To calculate septage volume necessary to meet nitrogen requirements other than those listed above:
 For *WD/MWD/SPD soils*, multiply pounds of nitrogen required per acre by **380**.
 For *EXD/SEXD/PD soils*, multiply pounds of nitrogen required per acre by **190**.