



**Department of
Environmental
Conservation**

DEPARTMENT USE ONLY

DEC APPLICATION NO.

ACTIVITY NUMBER(S)

DIVISION OF MATERIALS MANAGEMENT APPLICATION FOR A SOLID WASTE MANAGEMENT FACILITY PERMIT

Please read all instructions before completing this application

Reset Form

Please **TYPE** or **PRINT** clearly

1. APPLICATION TYPE (CHECK ALL APPLICABLE BOXES):

☐ Initial (New) ☐ Modification ☐ Renewal (Existing permit expiration date: _____)

2. APPLICANT IS:

☐ Facility Owner ☐ Facility Operator

3. IS APPLICATION FILED BY OR ON BEHALF OF A MUNICIPALITY?

☐ YES (Name of municipality: _____) ☐ NO

4. FACILITY NAME AND LOCATION (Attach USGS Topo Map showing exact location)

Name: _____

Address: _____

Town: _____ County: _____

Coordinates: NYTM-E _____ NYTM-N _____

Existing solid waste management facility permit number (if applicable): _____

☐ Check here if facility owner, operator and/or real property owner has changed since last application was submitted.

5. FACILITY OWNER'S INFORMATION

Name: _____

Address: _____

City/State/Zip: _____

Phone number: _____

Email: _____

6. FACILITY OPERATOR'S INFORMATION

Name: _____

Address: _____

City/State/Zip: _____

Phone number: _____

Email: _____

7. ENGINEER'S INFORMATION

Name: _____

NYS Professional Engineer License #: _____

Firm Name: _____

Address: _____

City/State/Zip: _____

Phone number: _____

Email: _____

8. REAL PROPERTY OWNER'S INFORMATION

Name: _____

Address: _____

City/State/Zip: _____

Phone number: _____

Email: _____

☐ Check here if facility owner is not real property owner.
See instruction page for written permission requirement.

9. TYPE OF FACILITY (CHECK ALL APPLICABLE BOXES)

- ☐ Combustion & Thermal Treatment (362-1)
- ☐ C & D Debris Handling & Recovery (361-5)
- ☐ Composting & Other Organics Processing (361-3)
- ☐ Household Hazardous Waste Collection (362-4)
- ☐ Land Application & Associated Storage (361-2)
- ☐ Landfill (363)
- ☐ Regulated Medical Waste (365)
- ☐ Mulch Processing (361-4)
- ☐ Municipal Solid Waste Processing (362-2)

- ☐ Navigational Dredge Material Handling & Recovery (361-9)
- ☐ Nonspecific Facilities (360.17)
- ☐ Recyclables Handling & Recovery (361-1)
- ☐ Research, Development, and Demonstration (360.18)
- ☐ Transfer (362-3)
- ☐ Waste Oil (374-2)
- ☐ Waste Tire Handling & Recovery (361-6)
- ☐ Used Cooking Oil & Yellow Grease (361-8)

10. NAME(S) OF ALL MUNICIPALITIES IN SERVICE AREA:**11. SOLID WASTE ACCEPTED: Identify facility capacity and throughput of each waste type, as applicable****FOR MODIFICATION APPLICATION ONLY****12. DOES THE MODIFICATION APPLICATION INVOLVE (CHECK ALL APPLICABLE BOXES):**

☐ New waste type ☐ New equipment ☐ Waste acceptance rate increase ☐ Facility expansion (including landfill)

SKIP QUESTION #13 AND #14 IF APPLYING FOR RENEWAL ONLY**13. APPLICATION DESCRIPTION**

Include a brief description of new or modification request

14. FACILITY SIZE

a. Facility size proposed (acres) _____

b. Total site area (acres) _____

For modification application ONLY

c. Associated facility size change (acres) _____

For Landfill ONLY

d. Facility size ultimately planned (acres) _____

e. Existing landfill area on this site and adjacent properties (acres) _____

f. Ultimate facility height above ground level (feet) _____

15. IS A VARIANCE REQUESTED FROM ANY PROVISION OF 6 NYCRR PART 360 SERIES?

☐ Yes ☐ No If yes, submit an application for variance and cite specific provision(s) here: _____

16. REAL PROPERTY OWNER CERTIFICATION

☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ Municipality/other government entity ☐ Other: _____

I hereby attest that I am the owner of the real property on which the facility is located or the proposed or modified facility will be located and am signing in my individual capacity.

Or if signing in a representative capacity: I hereby attest that I am the (indicate title or capacity) _____, an authorized representative of the owner of the real property on which the facility is located or the proposed or modified facility will be located). I am duly authorized on behalf of said owner to sign make this certification on this application.

I grant permission for the applicant to apply for the permit, and construct and operate the facility described in the application in accordance with a final DEC permit or approval. I also grant permission for the department to access the above-described real property, including any adjacent areas, during all reasonable times (including but not limited to 7:00 am to 7:00 pm Monday through Friday, and additional facility hours of operation, and as appropriate during emergencies and similar exigent circumstances) without the property owner, applicant or other representative of the property owner or facility present. If the property is posted with "keep out" signs or fenced with an unlocked gate, department staff may still enter the property. Department staff may traverse the property, inspect the facility, take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the property, and conduct other activities necessary to evaluate the permit application or assess the facility's compliance with the permit and any other applicable statutory or regulatory requirements.

I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signature: _____ Print Name: _____ Date: _____

Title or Representation if signing in a representative capacity: _____

17. APPLICANT CERTIFICATION

☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ Municipality/other government entity ☐ Other: _____

I hereby attest that I am the (check one) ☐ President/Vice President ☐ General Partner ☐ Sole Proprietor ☐ Duly Authorized Municipal Representative of (APPLICANT) _____ and the legally responsible party for this application as presented to NYSDEC. I affirm that the statements and information provided on this application and all attachments submitted herewith are true, accurate, and complete.

I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. I accept full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agree to indemnify and hold harmless the State from any and all causes of action in law or equity, resulting from the said project.

Signature: _____ Print Name: _____ Date: _____

Instructions for the completion of an Application for a Solid Waste Management Facility Permit

General

This application form is prescribed by the New York State Department of Environmental Conservation (DEC) for solid waste management facilities pursuant to the requirements of 6 NYCRR Parts 360, 361, 362, 363, 365, and 621. In order to be determined complete, the application must satisfy the requirements established in Subpart 621.3 and 621.4 and the plans, reports, and other supporting information required by Parts 360, 361, 362, 363, and 365. Applicants should make every effort to enter the information requested in the spaces provided on this form **but may attach additional sheets where space prohibits full and complete answers**. For the purposes of this form, the term “facility” shall mean “solid waste management facility.”

Applicant is encouraged to reach out to Regional Permit Administrator for the DEC region (in which the facility is located or is proposed to be located) for a pre-application meeting prior to submitting solid waste management facility application. Submit all application materials to the Regional Permit Administrator for the DEC region. See Part 621 Appendix 1.

If applicable, a certificate of status with the seal of the New York State Department of State to the department and a certificate of doing business under assumed name (“D/B/A”) with the county clerk in the county where the facility is located should be submitted by facility owner and operator with the application.

Note: The applicant should retain a copy of the completed application form.

Item Number

1. Check all boxes that pertain to the type of permit sought.
An initial permit is the first permit the owner or operator receives for the facility. See 360.16
A permit renewal is used when intending to construct or operate beyond the current permit period. Enter the expiration date of current solid waste management facility permit. See 360.16(g) and 621.13
A permit modification is used for any change or amendment whatsoever to a current permit. See 360.16(f) and 621.13
Note: Landfill expansion application should check “Modification”.
2. Check the box that describes the applicant’s affiliation with the facility. The applicant must either be the owner of the facility or the entity or person responsible for the overall operation of the facility. See 360.2(b)(13)
3. If the application is submitted by or on behalf of a municipality, enter the name of the municipality. See 360.2(b)(179) and (180)
4. Enter the facility’s name, address, and solid waste management facility permit number (if applicable). Attach a USGS Topographic Map, or a copy of one, showing the exact location of the facility.
For renewal and modification applications: Check the box if the facility owner, operator, or real property owner information has changed since the solid waste management facility application was last submitted.
5. Identify the entity or person who owns the facility. See definition of “person”, 360.2(b)(198).
6. Identify the entity or person responsible for the overall management and operation of the facility.
7. Identify the individual licensed to practice engineering in the State of New York who is responsible for the design of the facility, and the preparation and certification of any supporting information required to be submitted with this application. Include the name of the firm which employs the engineer, where applicable. See 360.6 and 621.3(a)(1)
8. Identify the entity or person who owns the real property on which the facility is situated, or who will own the real property on which the proposed facility will be situated. See 360.2(b). If the facility owner is different from the real property owner, check the box and obtain written permission from the real property owner(s) of land to construct and operate the proposed facility on the real property. See 360.16(c)(1)(iii)
9. Check the box that most closely describes the facility that is the subject of this application. For combination facilities check all applicable boxes. For Research, Development and Demonstration permits and Nonspecific permits, see 360.18 and 360.17 respectively.
10. Enter the name of all municipalities in the existing and/or proposed service area of the facility. See 360.2(b)(246) and 360.16(c)(5) & (d)

11. Enter the specific wastes to be accepted at the facility. See 360.2 for definitions for various types of wastes.
If applying for a permit renewal or modification, enter the new or existing “approved design capacity” from the current permit. See 360.2(b)(14). For initial permit and modification, enter the proposed “approved design capacity”. See 360.2(b)(14) & (15).
Generally, units must be expressed as tons per day, except that waste oil must be in gallons, waste tires must be number of tires, and land application and composting must be dry tons per day.
12. FOR MODIFICATION APPLICATION ONLY. Check all boxes that pertain to the type of modification sought. Facility expansion includes any vertical or horizontal expansion of the facility footprint. If none of the options is applicable, leave this section blank.
13. This section can be skip if applying for renewal ONLY. Otherwise, enter brief project description.
14. This section can be skip if applying for renewal ONLY.
 - a. Enter the area proposed to be occupied by the facility, not including access roads, appurtenances, and land buffer areas. See 360.2(b)(101)
 - b. Enter the area of the contiguous property on which the facility is situated, including the area of the facility, access roads, appurtenances, land buffer and unused areas.
 - c. FOR MODIFICATION APPLICATION ONLY. Enter the area that is impacted, changed or included by the modification request.
 - d. FOR LANDFILL ONLY. For facilities that are to be developed in stages, enter the total facility area that is ultimately proposed, inclusive of all stages.
 - e. FOR LANDFILL ONLY. Enter any existing landfill area on the site and on adjacent properties that were subdivided from this site within the previous five years.
 - f. FOR LANDFILL ONLY. Enter the heights of the highest point of the proposed facility as measured from existing ground level.
15. Identify all provisions of Part 360 Series regulations from which a variance is sought. The variance request must satisfy the requirements of 360.10 and 621.3(a)(5). Attach documentation as necessary. A variance request that is submitted on behalf of a facility with a current permit must be submitted as an application for a permit modification. Application form for variance request is available on NYSDEC website at: https://www.dec.ny.gov/docs/materials_minerals_pdf/360varapp.pdf
16. The certification block must be completed by the real property owner or an authorized representative of the real property owner.
17. The certification block must be completed by the applicant or an authorized representative. See 360.16(a) and 621.3(a)(2)
Part 360.16(a) indicates the form must be signed by:
 - (1) corporations: by a duly authorized principal executive officer of at least the level of vice president;
 - (2) partnership or limited partnership: by a general partner;
 - (3) sole proprietorship: by the proprietor; or
 - (4) a municipal, State, or other governmental entity: by a duly authorized principal executive officer or elected official.