

New York State Department of Environmental Conservation
Division of Materials Management, Bureau of Permitting and Planning
625 Broadway, 9th Floor, Albany, NY 12233-7251

WASTE TRANSPORTER (PART 364/381)

PERMIT APPLICATION

Additional information and forms can be found at:
<http://www.dec.ny.gov/chemical/8483.html>

Note: All applications and any proposed changes to an existing permit must be recorded on these new forms, available on the Department's website or by request at (518) 402-8792. All new applications must be mailed to the above address. All modifications and/or renewals can be faxed (518-402-9034) or e-mailed (transport@dec.ny.gov). Once issued, permits will be mailed to applicants and will not be available at 625 Broadway for receipt. **Do not send payment with your application, modification, or renewal. You will be billed separately.**

TYPE OF APPLICATION: (check one)

- New Permit Application (Complete Sections **A-F**)

Once approved, a permit number will be assigned to new permits.

Have you ever had a Part 364 Permit? Yes, Permit Number _____

Do you have a New York City Business Integrity Commission (BIC)
Number? Yes, BIC Number _____

- Modification Application (Complete Sections **A and B**, as well as any changes to Sections **C-F**).

Permit Number _____

Application Sections Include the Following:

- A** - Name and Address
- B** - Certification
- C** - Wastes to be Transported
- D** - Vehicle Information
- E** - Insurance
- F** - Disposal Facility Information

Note: Any of the sections of the application that are not complete will be indicated, and the entire application may be returned to the applicant. Such returned application will serve as the Department's "**Incomplete Notice.**" Once corrected, the entire application must be returned to the Department.

SECTION A – NAME and ADDRESS**PERMIT NO.** _____

Business Name _____

Business Address _____

City _____ County _____

State/Province _____ Zip Code _____

Phone _____ E-mail _____

Address where vehicles are stored when not in use

Street _____

City _____ State/Province _____

Zip Code _____

SECTION B – CERTIFICATION**PERMIT NO.** _____

I hereby certify that the information contained in this new permit application, permit renewal or modification submitted in support of obtaining a New York State Regulated Waste Transporter Permit contains no information that I know to be false, to be incomplete, or to have changed without notification to the Department. I also certify that all employees who are or will be involved in the transportation and handling of hazardous materials or medical waste have been or will be trained (**every three years**) in accordance with the requirements set forth in 49 CFR § 172.700 subpart H, and 29 CFR §1910.120 and 1910.1200 (**conducted annually**) before they handle hazardous materials (see instructions on the above web site). I also certify that all insurance coverages referenced herein comply with 6 NYCRR 364.5. I am aware that if I have knowingly omitted or falsified any information required to be disclosed, processing of the application may be delayed, and the certification or permit sought by the application may be denied or subsequently revoked. I am aware that false statements or omissions herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the NYS Penal Law, and that failure to pay all outstanding fees, provide proof of general liability insurance (hazardous, low level radioactive and medical waste transporters only), evidence of workers compensation insurance or submit an annual report for the previous calendar year, may delay processing or result in revocation of the permit. Further, I affirm that all transfer, storage, treatment and disposal facilities to which I transported waste are authorized to accept the waste(s) identified by this permit, and have provided me with written permission to dispose of this waste. Finally, I agree to indemnify and hold The People of the State of New York, the Department, their officials, employees and contractors harmless from any claim or liability arising directly or indirectly out of this permit application, and the information contained herein, and any permit issued pursuant thereto.

Print Name _____ Title _____

Date of Birth _____

Signature _____ Date _____

SECTION C - WASTES TO BE TRANSPORTED PERMIT NO. _____

(check all that apply or draw a line through those you wish to delete)

- Residential Septage
- Residential Raw Sewage or Portable Toilet Waste
- Non-residential Raw Sewage or Sewage Contaminated Waste
- Sewage Sludge (Biosolids)
- Water Treatment Plant Residuals
- Grease Trap Waste
- Waste Oil (EPA ID# _____)
- Petroleum Contaminated Soil
- Waste Tires
- Asbestos Waste
- Low Level Radioactive Waste
- Low Level Radioactive Waste Mixed With Hazardous Waste
- Hazardous Industrial/Commercial Waste (EPA ID# _____)
- Regulated Medical Waste or other Biohazard Waste
- Oil and Gas Well Drill Cuttings from processes utilizing oil-based/polymer-based mud containing mineral oil lubricant
- Oil and Gas Well Completion or Production Wastes (flowback water, production brine, treatment residues, etc)
- Other Non-Hazardous Industrial/Commercial Waste. Please specify:
_____ (e.g., including but not limited to pharmaceutical waste, rendering waste, waste from household hazardous waste collection events)

PLEASE TAKE NOTICE, that transport of regulated waste not identified on your permit (**Section C**) in a vehicle not listed on your permit (**Section D**), and/or disposal of regulated waste at an unauthorized facility (**Section F**), or at an authorized facility not listed on your permit (**Section F**) is a violation of the provisions of Environmental Conservation Law (“ECL”) §27-0305(5) and the regulations promulgated pursuant thereto 6 NYCRR §364(3)(a)(2)(3) and (4). ECL §71-2703 provides that any person who violates any of the provisions of, or who fails to perform any duty imposed by title 3 of article 27 of this chapter or any rule or regulation promulgated pursuant thereto, or any term or condition of any certificate or permit issued pursuant thereto, or any final determination or order of the commissioner made pursuant to this title shall be liable for civil and/or criminal penalties.

NOTE: If you will be working in the New York City area, we recommend you contact the New York City Business Integrity Commissioner (BIC), at (212) 437-0555, or via the Web at <http://www.nyc.gov/html/bic/html/home/home.shtml>, as they may have additional requirements to operate in New York City.

SECTION D – VEHICLE INFORMATION

PERMIT NO.

Please type or print legibly the license plate number(s) of the vehicles proposed to be used to transport regulated waste and where registered. For permit renewals or modifications, list only the vehicles you want added or deleted and check the appropriate box. Attach additional pages if needed.

License Plate #	State/Province	What should be done with this plate on the permit?	Used for Septage and/or Residential Raw Sewage only?
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Add <input type="checkbox"/> Delete	<input type="checkbox"/> Yes <input type="checkbox"/> No

Note: Fees Required to be Paid Annually for each Transport Vehicle

1. *Septage and Residential Raw Sewage or Portable Toilet Waste* - \$250 for first vehicle; \$100 for each additional vehicle of same waste type.
2. *All Other Regulated Waste* - \$500 for first vehicle; \$200 for each additional vehicle of same waste type.
3. For questions concerning fees, please contact the Regulatory Fee Unit at 518-402-9343.

SECTION E – INSURANCE
1. LIABILITY INSURANCE – HAZARDOUS AND MEDICAL WASTE ONLY
<i>Proof of insurance as identified below must be submitted with your application or renewal. This proof of insurance must be submitted in the form of a certificate of insurance, showing NYS Department of Environmental Conservation as the certificate holder.</i>
Policy or bond limits shall be:
<ol style="list-style-type: none"> 1. \$1,000,000 for the transport of waste oil and/or hazardous wastes not requiring a Hazardous Waste Manifest; 2. \$5,000,000 for the transport of hazardous wastes requiring a Hazardous Waste Manifest or low level radioactive wastes in any vehicle which exceeds 10,000 pounds maximum gross weight. 3. \$1,000,000 for the transport of hazardous waste or low level radioactive waste which does not exceed 10,000 pounds maximum gross weight. 4. \$100,000 for the transport of regulated medical waste. 5. Policies of insurance surety bonds must remain in effect throughout the term of the permit. 6. Only policies which provide a 35 day notice of intent to cancel by the insurer to the Department fulfill the requirement.

2. NYS WORKERS' COMPENSATION INSURANCE – ALL TRANSPORTERS
<i>Proof of insurance as identified below must be submitted with your application or renewal. This proof of insurance must be submitted in the form of a certificate of insurance, showing NYS Department of Environmental Conservation as the certificate holder. For additional information contact the Workers' Compensation Board at (866)298-7830 or at www.wcb.ny.gov</i>
CE-200 Certificate of Attestation of Exemption; or
C-105.2 or NTSIF U-26.3 Certificate of Workers' Compensation Insurance; or
SI-12 or GSI-10.52 Certificate of Workers' Compensation Self Insurance

SECTION F – DISPOSAL FACILITY INFORMATION PERMIT NO.

Please use the waste types found in Section C and type or print legibly the disposal facility name, address, phone number and permit or registration number. For permit renewals or modifications, list only the facilities you want added or deleted. Attach additional pages if necessary.

Waste Type	Disposal Facility Name, Address and Phone Number	FACILITY Permit/Reg. No. or Beneficial Use Determination (BUD) No.	What should be done with this facility on the permit?
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove

Waste Descriptions:

“Residential septage” means the contents of a septic tank, cesspool or other individual sewage treatment facility that receives domestic sewage wastes. It does not include contents of portable toilets.

“Residential raw sewage or portable toilet waste” means any untreated sanitary waste from residential sources or portable units.

“Non Residential raw sewage or sewage contaminated waste” means any untreated sanitary waste from an industrial/commercial source.

“Sewage sludge (biosolids)” means the accumulated semi-solids or solids resulting from treatment of waste waters from publicly or privately owned or operated sewage treatment plants.

“Water treatment plant residuals” means the solids resulting from the treatment of raw water at Municipal or private water treatment plants.

“Grease trap waste” means the impure cooled oil and grease that floats to the top of wastewater as it drains and is collected in a trap or tank (located inside or outside of a building).

“Waste oil” means used engine lubricating oil and any other oil, including but not limited to, fuel oil, motor oil, gear oil, cutting oil, transmission fluid, hydraulic fluid, dielectric fluid, oil storage tank residue, animal oil, and vegetable oil, which has been contaminated by physical or chemical impurities, through use or accident, and has not subsequently been re-refined.

“Waste tires” means waste tires transported for a fee for the purpose of reuse, recycling, or disposal, except those tires collected and transported incidental to the collection and transportation of solid waste.

“Asbestos waste” means the same meaning as found in Part 360 of this Title and includes any friable asbestos material containing more than one-percent asbestos, and that can be crumbled or reduced to powder by hand pressure.

“Low-level radioactive waste or LLRW” means radioactive material that is not high-level radioactive waste, transuranic waste, spent nuclear fuel or the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, and the U.S. Nuclear Regulatory Commission, consistent with federal law, classified as low-level radioactive waste."

“Hazardous waste” means solid waste that is a RCRA or NYS hazardous waste as defined in Part 371 of this Title.

“Industrial-commercial waste” means a waste which originates at, is generated by, or occurs as a result of any industrial or commercial activity. See 6 NYCRR Part 364 regulations for details.

“Oil and Gas Well Drilling Cuttings” from processes utilizing oil-based/polymer-based mud containing mineral oil lubricant.

“Oil and Gas Well Completion or Production Wastes” (flowback water, production brine, treatment residues, etc.).

“Regulated medical waste” means waste generated in diagnosis, treatment or immunization of humans, or animals, in research pertaining thereto, or in production and testing of biologicals; provided, however, that regulated medical waste shall not include hazardous waste and household medical waste.

“Biohazard waste” means waste contaminated with an infectious agent, or substance derived from an organism, that poses a threat, primarily to human health. This can include regulated medical waste, biohazard incident waste, trauma scene waste, human remains management waste, prion or animal prion waste, animal and contaminated food supply waste, or samples of microorganisms or toxins from a biological source that can impact human health or the environment. It can also include biological substances harmful to animals.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management, Bureau of Permitting and Planning
625 Broadway, 9th Floor, Albany, New York 12233-7260
P: (518) 402-8678 | F: (518) 402-9024
www.dec.ny.gov

WASTE TRANSPORTER PERMIT PROGRAM APPLICATION INSTRUCTIONS

NEW APPLICATION

1. Complete the 7-Page Application Form:

Start by checking the **New Permit** box on Page 1:

- If you have previously held a permit, indicate the old Permit Number.

Section A – requests information regarding the name, address and telephone number of the transporter. The primary location of vehicle(s), if different from the company's address (PO Boxes are not accepted), is also required. If you wish to add a separate address to receive mail, please do so at the bottom of page 2 and indicate "mailing address."

Section B – refers to certification that information provided on the application is accurate/valid, that appropriate OSHA training (if appropriate for waste type being hauled, i.e., hazardous waste, low-level radioactive waste, regulated medical waste) has been obtained. Signature indicates that information submitted is accurate/valid. This section should be completed/signed by the person responsible for ensuring information is accurate/valid.

Section C – requests information on the general type(s) of waste the applicant plans to transport. Check the boxes for all waste types that apply. With the exception of residential septage and residential raw sewage categories, the fee is the same regardless of how many waste categories you check. In order to haul hazardous waste or waste oil a US EPA ID# is required and can be obtained by contacting US EPA at 212-637-4106.

Section D – list the vehicle license plate number(s), the state/province the vehicle plate is registered in, what should be done with the vehicle plate(s) (i.e., check add or delete), and if the vehicle with that license plate number will be used for septage and/or residential raw sewage only (i.e., check yes or no). Note, the fee amounts associated with vehicle license plates is listed at the bottom of this section (Page 4 of 7).

Section E – describes the appropriate proof of insurance required to obtain a NYS Part 364 Waste Transporter Permit. Haulers of hazardous waste, waste oil, and regulated medical waste must provide proof of general liability and automobile liability, as per the bond limits listed under Section E on Page 5 of 7 of the application.

ALL haulers, regardless of waste type being hauled, must provide proof of workers compensation coverage or proof of exemption (acceptable forms of proof are listed under No. 2 in this Section).

Proofs of coverage must be in the form of a certificate(s) of insurance showing NYS Department of Environmental Conservation as the certificate holder. Failure to provide appropriate certificates of insurance will result in delay or denial of your permit.

Section F – requests information on where the waste will be hauled. Haulers must provide the waste type, disposal facility name, address, phone number, and facility permit and/or registration number (third column of this Section) in order to list a facility on the permit. To obtain the facility's permit and/or registration number, the hauler must contact the facility to verify that the facility can and will accept the desired waste from the hauler. When approval from the facility is received, the hauler must obtain the facility's permit and/or registration number to list in this box. If the waste type to be hauled will be hauled under a Beneficial Use Determination (BUD) approval, the BUD number for the disposal location must be listed in this column.

PLEASE TAKE NOTICE, that transport of regulated waste not identified on your permit (**Section C**) in a vehicle not listed on your permit (**Section D**), and/or disposal of regulated waste at an unauthorized facility (**Section F**), or at an authorized facility not listed on your permit (**Section F**) is a violation of the provisions of Environmental Conservation Law (ECL) §27-0305(5) and the regulations promulgated pursuant thereto 6 NYCRR §364(3)(a)(2)(3) and (4). ECL §71-2703 provides that any person who violates any of the provisions of, or who fails to perform any duty imposed by title 3 of article 27 of this chapter or any rule or regulation promulgated pursuant thereto, or any term or condition of any certificate or permit issued pursuant thereto, or any final determination or order of the commissioner made pursuant to this title shall be liable for civil and/or criminal penalties.

2. The completed application form for a new permit must be mailed to the Department at the address listed on the front of the application, and must bear the original signature.
3. Allow four to six weeks processing time. Under the Uniform Procedures Act the Department has 60 days from the date of receipt of application to make a permit decision on new permits. The waste transporter permit will be mailed to the applicant when it is issued. The applicant is NOT authorized to transport waste until the permit is received. The hauler will receive an invoice separately for the cost of the permit.

ANNUAL RENEWALS

1. Approximately 60 days prior to your permit expiration date, you will receive a Renewal Notice in the mail which will list all current information (license plate numbers, waste types, etc.) on your permit.
2. When you receive the Renewal Notice, you must complete it, making any necessary changes, and mail, e-mail (transport@dec.ny.gov) or fax (518-402-9034) it back to the Department by the specified date. You must also submit an Annual Report, Certificates of Insurance, and any additional required documentation at this time.
3. Once your renewal is processed, you will receive your renewed permit in the mail listing all of the waste types that you are authorized to transport and all of the vehicles that are authorized to transport such waste.

4. If you decide you do not wish to renew your permit, please check “Do Not Renew” on Page 1 of the renewal packet and return with the annual reporting information completed. You will receive a confirmation letter that your permit has been discontinued.

Note: Changes submitted to the Department via your renewal application will only be effective when the renewed permit takes effect. If you wish for these changes to take effect during the remaining time of your current permit, you must submit a separate Permit Modification request (as described below).

PERMIT MODIFICATIONS

1. Check the Modification box on Page 1 and indicate the Permit Number. Pages 1 and 2 are required to be completed for ALL modifications.
 - If modification only involves changes to addresses or contact person/information, only Pages 1 and 2 are required to be completed.
 - If modification only involves vehicle plates, only Page 4 is required to be completed **in addition to Pages 1 and 2.**
 - If modification only involves waste types/disposal facilities, only Page 6 is required to be completed **in addition to Pages 1 and 2.**
 - If all items are being modified, Pages 1, 2, 4 and 6 are required to be completed.
 - Modification requests can be mailed, e-mailed (transport@dec.ny.gov), or faxed (518-402-9034). (Do not submit more than once).
2. Your modification request will be processed and an updated permit will be mailed to you.

REGULATORY FEES

1. Transporters are required to pay an annual environmental regulatory fee. The amount is determined by the number of vehicles on the permit and the category of waste carried:

Transportation of SEPTAGE exclusively:	\$250 for the first vehicle plate
	\$100 for each additional vehicle plate
Transportation of ANY OTHER WASTE TYPE	\$500 for the first vehicle plate
	\$200 for each additional vehicle plate
2. You will be sent a bill approximately one month after your permit is issued. Questions relating to your regulatory fee bill should be referred to the Regulatory Fee Unit at 518-402-9343.

FOR FURTHER INFORMATION

If you have questions regarding the DEC’s Waste Transporter Permit Program, staff in our Waste Transporter Program can be reached at 518-402-8792, via e-mail at transport@dec.ny.gov, or by mail at the above address.