



## Connecticut Department of Energy & Environmental Protection

# Instructions for Completing a License Transfer Form

Use these instructions to: 1) complete the License Transfer Form DEEP-APP-006 and 2) prepare supporting documents. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this registration. Remember, it is your responsibility to comply with all applicable laws.

## Introduction

Pursuant to section 22a-60 of the Connecticut General Statutes (CGS), no person may act under a Department of Energy and Environmental Protection (DEEP) license issued to someone else unless such license has been transferred to such a person. A transfer is only effective if DEEP notifies the licensee and transferee that the license has been transferred. Under the law, the licensee and proposed transferee (transferee) must register the proposed transfer of ownership of a licensed facility or activity within thirty days of the transfer of ownership. However, DEEP strongly recommends submitting such transfer registration *prior* to the actual transfer of the facility. For the transfer of Resource Conservation and Recovery Act (RCRA) licenses, the licensee and transferee must register the proposed transfer of ownership at least 90 days prior to the transfer. Note that no person may conduct an activity requiring a license from DEEP without first obtaining such license. Please note a transfer of property may also trigger the requirement that the parties file under the property transfer law CGS sections 22a-134 through 22a-134e. For further information call the Property Transfer Program at 806-424-3705.

If you are applying for a transfer of a RCRA license, a National Pollutant Discharge

Elimination System (NPDES) license, or an Air license, the transfer must be consistent with the requirements of the applicable federal law. Refer to the “Supporting Documents” section of these instructions for specific requirements applicable to the transfer of particular licenses.

If the commissioner determines that the transferee is able to comply with the terms and conditions of the existing license, DEEP will notify both parties confirming the registration and acknowledging the applicability of the license to the transferee. Upon receipt of DEEP approval of the transfer, the new licensee shall comply with all the terms and conditions of the license transferred for the remaining period of time the existing license is in effect. Please note, DEEP may require information in addition to the *License Transfer Form* to determine whether the transferee can comply with the terms and conditions of the license. The transferee may not conduct the activity without first receiving notice confirming the registration and acknowledging the applicability of the license.

## Who Needs to Register?

Any person proposing to transfer a DEEP license to another person must submit a *License Transfer Form* (DEEP-APP-006) and transfer fee to DEEP. The *License Transfer Form* may only be used for changes in ownership or operators of the licensed activity; if other

changes are proposed to the facility, the site, and/or to facility operations, the transferee must also obtain a license modification. For further information concerning license transfers or modifications, please refer to the “Available Resources” section at the end of these instructions for a listing of telephone numbers to contact each program area within the department.

## How To Register

Your registration must include the following:

- A *License Transfer Form* (DEEP-APP-006) and all supporting documents;
- The applicable non-refundable transfer fee, paid by check or money order, made payable to the “Department of Energy and Environmental Protection”.

You must submit the above materials together as a package to:

CENTRAL PERMIT PROCESSING UNIT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

When submitting your *License Transfer Form*, label your supporting documents as directed on the form and always include, on each document, the current licensee’s name as well as the transferee’s name. You should retain a copy of all documents for your files.

For the purpose of completing a *License Transfer Form*, the transferee is considered the registrant/applicant.

## License Transfer Instructions (DEEP-APP-006)

Please read the *License Transfer Form* and instructions carefully. They have been designed to obtain specific information. Any information that is missing or unclear will cause delays in the review process. If any question is not applicable to your specific activity, please enter “N/A” in the space provided. If a question or

supporting document is only required for specific activities, it will be noted on the registration form and in the instructions.

Please be advised that these instructions are not a substitute for any state or federal statutes or regulations. Be sure to refer to the applicable statutes and regulations while completing your registration form.

Check the “Available Resources” section at the end of these instructions for obtaining additional assistance.

## Part I: License Type and Fee Information

Please indicate, by checking the appropriate spaces, which license types are subject to transfer. Also indicate the number of licenses subject to transfer for each license type. The transfer fee identified on the *License Transfer Form* must be submitted for *each* license proposed to be transferred.

Use one *License Transfer Form* when one or more licenses are proposed to be transferred to the same owner(s) or operator(s) on one site. Use a separate *License Transfer Form* for each license with a different proposed new owner or operator or a different site.

## Transferrable General Permit Registrations:

Refer to the [List of General Permits Fact Sheet](#) to determine which General Permit Registrations are transferrable.

Identify the date of closing of the facility. Indicate whether the date stated is the proposed or actual date of the closing.

- If the closing takes place after submittal of the license transfer registration form and before the license transfer is approved, you must complete and submit a *Confirmation of Closing – Before License Transfer Approval Form* immediately after said closing to confirm the change in ownership of the facility.

- If the closing takes place after the license transfer is approved, you must complete and submit a *Confirmation of Closing – After License Transfer Approval Form* immediately after said closing to confirm the change in ownership of the facility and for the license transfer to be effective.

**Table A: Licenses Being Transferred**

Identify the licenses subject to transfer by indicating the license type, license number and expiration date of the existing license.

**Table B: Other Licenses or Regulated Activities Not Being Transferred**

Identify any licenses or regulated activities **not** being transferred by indicating the license type, license number and expiration date of the existing license. Also indicate whether or not the licensed or regulated activity will continue and the reason for not transferring.

**Table C: Pending Applications/Enforcement Actions**

Identify any pending applications or enforcement actions by indicating the application name or the enforcement action, the application or enforcement case number and the date the application was submitted or the date of the enforcement action.

**Part II: General Information**

1. Identify the site by name or project name and number. The name of the site should be the name by which the site is commonly known and/or uniquely identified.

Provide the address of the site at which the licensed activity takes place. Include the street address and municipality. If the site does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, “. . . on River Street, approximately 1,000 feet north of its intersection with Bear Swamp Road.”

When completing this part, please use the following standards:

- *Name* - Provide the *full, legal company/firm name*. (If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on the registration.) This information can be accessed at [CONCORD](#). If identifying an *individual*, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr., Sr., II, III, etc.).
- *Phone* - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during daytime business hours.
- *Contact Person* - Provide the name of the specific individual within the company whom DEEP may contact.
- *E-Mail* – Registrants must provide an accurate e-mail address when completing their registration form. The e-mail address may be used for future correspondence from the DEEP to your business.

2. *Current Licensee* – Complete the information concerning the current licensee.
3. *Transferee* – Complete the information concerning the transferee.
4. *New Billing Contact* – If the registrant is not the billing contact, complete this section.
5. *New Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for *you* during the processing of the transfer registration, complete this section. DEEP will direct copies of all correspondence and inquiries to this primary contact.
6. *New Authorized Representative* – (If

applicable). The individual who has been designated to sign the subject registration on behalf of the transferee. This individual must be an entity listed as proper signatory under Part IV of these instructions.

7. *New Attorney* - It is not required that a licensee or transferee be represented by an attorney or any other agent. If you do have an attorney, complete this section.
8. *New Site Owner* - Please list the owner of the site at which the licensed activity is conducted, if different than the transferee.
9. *New Facility Owner* – Please list the owner of the facility at which the licensed activity is conducted, if different than the transferee.
10. *New Facility Operator* - List the entity responsible for *managing* the facility operation. The operator may be different than the owner. Examples of separate owner and operator are a lessee of the land or buildings on which the facility is located, or a person under contract specifically to conduct the day-to-day business of the facility.
11. *Preparer* – List the entity that has prepared the subject registration, if different than the transferee.

### **Part III: Supporting Documents**

All *License Transfer Forms* must include the Attachments A through J, unless otherwise noted in these instructions. Check the box by each applicable attachment as verification that the attachment has been submitted. Please label all attachments as referenced in the *License Transfer Form* and these instructions and be sure to include the name of the licensee as it exists on the license and the name of the transferee.

Note: Refer to the “Summary of License Types and Supporting Documents/Attachments” at the end of these instructions for documentation that

must be submitted for each type of license you are proposing to transfer.

#### **Attachment A: Applicant Background Information**

A completed Applicant Background Information Form (DEEP-APP-008) must be submitted as Attachment A for all license transfers, except for solid waste facilities and landfills. For transferring such solid waste licenses, the information detailed for Attachment E must be submitted.

#### **Attachment B: Applicant Compliance Information Form**

Section 22a-6m of the Connecticut General Statutes provides for DEEP review of a registrant’s record of compliance with the environmental laws of Connecticut, any other state and the federal government. Under the law, DEEP may consider the registrant's environmental compliance record, as well as the record of the registrant's principals and any parent companies or subsidiaries, when reviewing a license transfer registration. All license transfer registrations must include a completed *Applicant Compliance Information Form* (DEEP-APP-002) as Attachment B.

#### **Attachment C: Confirmation of Closing**

Submit a completed *Confirmation of Closing Form – Before License Transfer Approval* (DEEP- APP-006B) as Attachment C **only** in the case where the closing has occurred after submittal of the license transfer registration form and before the department has approved the transfer of licenses. Once such closing has been completed, submit the completed form to the address indicated on the form.

**Attachment D:** *Submit the following as Attachment D, only for transfer of licenses for CGS Section 22a-454 Facilities, Hazardous Waste Landfills, RCRA Hazardous Waste TSDF’s and Stewardship Permits:*

##### **1. Business Information**

*Facility Ownership, Control and Use Agreements:* The transferee must provide signed copies of any lease, deed or other agreements regarding the ownership, control, or use of the facility. Such documents include but are not limited to the following: land deeds (e.g., warranty deed; certified deed; lease agreement; Schedule A; etc.)

*Agreements Between Parties and Service Agreements and Contracts:* Provide copies of all contracts and agreements with markets, users and final disposal sites (e.g., bridge agreements; agreements between the transferee and owner, operator, municipality(s), regional authority, markets, disposal facility(s), other processing facilities, etc.).

Also include an organization chart, which illustrates the relationship among all parties involved in the ownership and management of the facility.

## 2. **Financial Assurance**

Financial assurance mechanisms must be identified and submitted as Attachment C. Acceptable financial assurance mechanisms are discussed in the draft guidance document “Non-RCRA Hazardous CGS section 22a-454 Waste Facility Standards and Guidance for Commercial Operations” (rev. 6/92).

## 3. **For RCRA Facilities Only - Completed EPA Application for a Hazardous Waste Permit - Part A and Part B (Submit only for transfer of: 1) licenses for facilities which treat, store or dispose of their own RCRA hazardous waste (RCRA Hazardous Waste TSDF’s), 2) licenses for RCRA post closure, and 3) licenses for CGS section 22a-454 RCRA Hazardous Waste Facilities and Landfills)**

Please complete and submit an [EPA Application for a Hazardous Waste Permit - Part A](#), as Attachment D. Please fill out this form in accordance with its instructions. The

EPA application is considered part of the *License Transfer Form*. Please complete and submit any changes to the [RCRA Part B Permit Application and Application Checklist](#). The revised permit application must be completed and submitted in accordance with 40 CFR Part 270.40.

**Attachment E:** *Submit the following only for transfer of licenses for Solid Waste Facilities and Solid Waste Landfills:*

### 1. **Background Information** (DEEP-SW-APP-101)

Submit as Attachment E, on the form provided by DEEP, background information requested regarding the registrant, owner, and operator of the solid waste facility. If the registrant, owner and operator are different entities, copies of the form must be completed by each entity.

### 2. **Business Information** (DEEP-SW-APP-103)

Submit as Attachment E, on the form provided by DEEP, the following business information for each facility. If you are transferring more than one license for multiple facilities located on the same site, be sure to identify the solid waste facility type that you are referring to on each document.

*Financial Stability Information:* Include a detailed statement from a Certified Public Accountant which demonstrates the financial capacity of the registrant to develop and operate the project in a manner consistent with Connecticut environmental laws and standards.

For a facility that is currently not in operation, with respect to the costs of financing, design, construction and start-up of the subject facility, provide the following information:

- a. Estimated cost and identification of the source of funds for each facility;
- b. Identification and discussion of the proposed method of financing costs which will not be paid from the registrant's own resources;
- c. For costs to be paid from the registrant's own resources, demonstration that such resources are available (which may include third party assurances);
- d. Has the registrant, or its affiliates, ever implemented a project of comparable magnitude? If so, explain.

If the proposed facility involves one million dollars or more in total capital cost, include a statement from an independent third party, certifying as to the reasonableness of such information.

For a facility currently in operation, with respect to the on-going operation of the facility, provide the following information:

- a. An estimate of the cost of operating and maintaining the facility, and a discussion of the source of revenues to pay such costs;
- b. A discussion of the financial capacity of the registrant to properly operate the facility, and the proposed method of addressing potential, unexpected costs associated with environmental compliance, breakdowns, malfunctions and related events;
- c. If other parties will be responsible for the operation of the facility, demonstrate the ability of such parties to meet the financial capacity to do so.

*Land Ownership Documents:* In accordance with RCSA section 22a-209-4(b)(1), the registrant must provide signed copies of any lease, deed or other agreements regarding

the ownership, control, or use of the facility by the registrant. Such documents include but are not limited to land deeds (e.g., warranty deed; certified deed; lease agreement; etc.).

*Agreements Between Parties and Service Agreements and Contracts:* Provide copies of all contracts and agreements (e.g., bridge agreements; agreements between the registrant and owner, operator, municipality(s), regional authority, markets, disposal facility(s), other processing facilities, etc.)

(Note: All contracts required pursuant to CGS section 22a-213 and RCSA section 22a-209-5 involving a municipality must be approved by DEEP.)

*Organization Chart:* Include an organization chart, which illustrates the relationship between all parties involved in the ownership and management of the facility (and signatory authority, if applicable).

**Attachment F:** *Submit Attachment F only for transfer of licenses for Waste Transporters:*

1. ***List of Transporter Licenses Held in Other States*** (DEEP-WEED-APP-401)

Submit as Attachment F, on the form provided by DEEP, a list of all licenses held by the registrant in other states for the transportation of regulated wastes. Please identify the type of license, the state that issued the license, the license number and the expiration date.

2. ***Certification of Insurance***

Submit as Attachment E, Certification of Insurance which includes:

- an original Certificate of Insurance listing the Connecticut Department of Energy and Environmental Protection, Bureau of Materials Management and Compliance Assurance, 79 Elm Street,



Hartford, CT 06106-5127 as a certificate holder; and

- an MCS-90 Endorsement to the policy(ies) identified on the Certificate of Insurance to verify that the registrant has met the minimum levels of financial responsibility as required by 49 CFR Part 387.

3. ***Supplemental Application for Spill Clean-up Contractors*** (DEEP-WEED-APP-407)

If you are applying for a transfer of a Spill Contractor Permit, submit as Attachment E, on the form provided by DEEP, a completed Spill Clean-up Contractor Application. Remember that if you are transferring a Spill Contractor Permit, you must also transfer the corresponding Hazardous Waste Transporter Permit.

4. ***Additional Registrant Information***

If the registrant is a corporation, submit as Attachment F, the date, city and state of incorporation, and list the names, titles and addresses of all corporate officers.

If the registrant, including all partners and corporate officers, engages in other activities or owns other companies that transport, treat, store, recover, or dispose of oil and chemical waste, hazardous waste, and/or biomedical waste, submit as Attachment F, identification of the owners of such companies or activities, the name of the company, the company address and the type of activities performed.

**Attachment G:** *Submit Attachment G only for transfer of licenses administered by OLISP pursuant to statutes regulating work in tidal, coastal or navigable waters or tidal wetlands:*

1. Submit as a portion of Attachment G, a copy of the permit drawings identifying the components of the project that have been completed and the portion of the project or work elements that remain to be conducted.

If you do not have a copy of the approved drawings, please contact the Office of Long Island Sound Programs to obtain a copy.

2. Submit as a portion of Attachment G, photographs of the project site or other documentation that the completed work has been constructed/conducted in accordance with the permit. If the work authorized consisted of dredging, provide a current bathymetric survey of the dredged area.

**Attachment H:** *Submit Attachment H only for transfer of licenses for Title V:*

If applicable, complete and submit the *Written Authorization Form* (DEEP-AIR-SIG-REG-002) as Attachment H. Provide the name and title of the person(s) designated by the registrant as the authorized representative pursuant to RCSA section 22a-174-2a(a).

**Attachment H-1:** *Submit Attachment H-1 only for transfer of a Title IV license or a Title V license with a Title IV license incorporated within:*

A completed [EPA Phase II Acid Rain Permit Application Form](#) (EPA Form 7610-16) signed by the new designated representative or alternate designated representative. A copy should also be sent to EPA Region 1: Mr. Ian Cohen, US EPA, 5 Post Office Square, Suite 10, Mail Code O(o)EP0(zero)5-2, Boston, MA 02109-3912

Please note that the *Written Authorization Form* may not be necessary if already completed and approved by the Bureau for the signatory who has signed other documents being submitted. See RCSA section 22a-174-2a(a)(2)(B) for guidance.

**Attachment I:** *Submit Attachment I only for transfer of registrations and permits for the Aquifer Protection Area Program:*

- For Aquifer Protection Area Registrations, submit the [Certification of Best Management Practices](#) found on p.5 of 7 of the Registration Form for Regulated Activities in Aquifer Protection Areas

(DEEP-APA-REG-100)

- For Aquifer Protection Area Permits, submit the [Certification of Best Management Practices](#) found on p.7 of 9 of the Permit Application to Add a Regulated Activity to a Registered Facility in an Aquifer Protection Area (DEEP-APA-APP-200)

For transfer of registrations and permits for the Aquifer Protection Area Program, send a copy of the completed transfer form and the Certification of Best Management Practices to the municipality, the Department of Public Health and any affected water company.

For contact names and addresses refer to:

[Municipal Contact Directory](#)

[Water Company Contact Directory](#)

Connecticut Department of Public Health  
Drinking Water Division  
410 Capitol Avenue, MS #51 WAT  
Hartford, CT 06134-0308

#### **Attachment J: Description of Applicant Qualifications and Relevant Experience (DEEP-EWASTE-APP-002B)**

*Submit Attachment J only for transfer of an existing Covered Electronic Recycler (CER) Approval*

Submit as Attachment J, a completed [Description of Qualifications and Relevant Experience](#) (DEEP-EWASTE-APP-002B) form. In order to be considered an approved CER, the applicant must demonstrate that they possess the experience and qualifications to manage electronic waste, specifically including CEDs. This can be demonstrated through the number of years the applicant has managed electronic waste including CEDs; the qualifications of the applicant including any titles held; trade association memberships; speaking engagements on electronics recycling; articles written; and any other relevant information.

1. Complete the table by listing current and previous projects and contracts over the past five (5) years in managing and recycling electronic waste, specifically including CEDs. In the corresponding columns, provide a description of each project or contract listed as well as a dollar value in price per pound, if ascertainable, for each. You must provide a dollar value for each project or contract listed;
2. List the number of years the applicant has managed electronic waste including CEDs;
3. List any relevant experience of the applicant including any titles held (e.g., previous owner or operator of recycling business);
4. List any awards, recognitions, certifications earned, current trade association memberships, articles written and speaking engagements. Attach copies of such awards, certifications, or membership information, etc.;
5. List any other relevant information that has not otherwise been described in this attachment.

#### **Part IV: Registration Certification**

After the *License Transfer Form* and all supporting documents have been completed they must be reviewed and signed by both the licensee(s) and the transferee(s) and the individual(s) who actually prepared the registration. By their signature, they certify that to the best of their knowledge and belief the information contained in the *License Transfer Form*, including all attachments, is true, accurate and complete.

The certification of the registration package must be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive



officer of at least the level of vice president;

3. For a limited liability company (LLC): a manager, if management of the LLC is vested in a manager(s) in accordance with the company's "Articles of Organization", or a member of the LLC if no authority is vested in a manager(s);
4. For a partnership: by a general partner;
5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such registrant authorized by law.

To expedite the registration review, if the subject business entities are registered with the Secretary of State's database (CONCORD), the authorized representative for the current licensee and proposed transferee should be listed as a principal, and also listed in the Applicant Background Information (Attachment A) submitted with this complete registration. If the authorized representative is not listed in CONCORD, please provide documentation that verifies the signatory is authorized to sign on behalf of the business entity.

In the case of a foreclosure, or dissolution, refer to CGS for proper signatory requirements and submit documentation of written consent to sign the subject registration on behalf of the *current licensee*.

**A registration will be considered insufficient unless all required signatures are provided.**

## Available Resources

For further assistance in transferring licenses, contact the following:

Program	Phone
Air Emissions	860-424-4152
Aquifer Protection Area Program	860-424-3020
Inland Water Resources	860-424-3019
Office of Long Island Sound Program	860-424-3034
Waste Transportation	860-424-3366
Solid Waste Facilities (includes landfills)	860-424-3366
CGS Section 22a-454 Waste Facilities	860-424-3366
Hazardous Waste TSDF (includes landfills)	860-424-3366
Stewardship	860-424-3366
E-Waste	860-424-3372
Water Discharges	860-424-3018
Permit Assistance Office	860-424-3003

## Affirmative Action, Equal Employment Opportunity and Americans with Disabilities

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act (ADA). Please contact us at (860) 418-5910 or [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov) if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint.

## Summary of License Types and Supporting Documents/Attachments

Attachments											
License Types	A: Applicant Background Info	B: Applicant Compliance Info	C: Confirmation of Closing Form – Before License Transfer Approval (DEEP-APP-006B)	D: Business Information, Financial Assurance, RCRA Facilities: EPA RCRA Part A and Changes to Part B	E: Background Info, Business Info	F: Waste Transporter Info	G: Coastal License Info	H: Air Emissions – Signatory for Title V only	H-1: Air Emissions - Title IV, Title V info	I: Aquifer Protection Area Program Info	J: E-Waste- CER Approval Program Info
<b>*Air Emissions</b>	●	●	○					○	●		
<b>Aquifer Protection Area Program</b>	●	●	○							●	
<b>*Inland Water Resources</b>	●	●	○								
<b>*Office of Long Island Sound Program</b>	●	●	○				●				
<b>*Waste and Materials Management</b>											
Waste Transportation	●	●	○			●					
Solid Waste Facilities, Solid Waste Landfills		●	○		●						
Hazardous Waste Facilities, Landfills, RCRA Hazardous Waste TSD, CGS section 22a-454 Waste Facilities, Stewardship Permits	●	●	○	●							
Electronic Waste – Covered Electronic Recycler Approval	●	●	○								●
<b>*Water Discharges</b>	●	●	○								

- Supporting Documents/Attachments required to be submitted for each license type as part of the License Transfer Form
- Supporting Documents/Attachments to be submitted for each license type as part of the License Transfer Form, **if applicable**

\*Refer to the [List of General Permits Fact Sheet](#) to determine which General Permit Registrations are transferrable.