| deqgood | Solid Waste Management Facility  Change of Owner/Operator Form |
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# GENERAL INFORMATION

## Current Facility Information

Facility Name:       Permit No.

Location Address:

Owner on Permit:

Operator on Permit:

## Facility Name Change No Change

New Facility Name:

Effective Date: Click or tap to enter a date.

## Change of Ownership No Change

New Owner:

Effective Date: Click or tap to enter a date.

Mailing Address:

City, State, Zip:

Contact Person:

Contact Title:

Contact Phone:

Contact E-mail:

## Change of Operator No Change Same as Owner

New Operator:

Effective Date: Click or tap to enter a date.

Mailing Address:

City, State, Zip:

Contact Person:

Contact Title:

Contact Phone:

Contact E-mail:

## Billing Information

Billing Contact:

Mailing Address:

City, State, Zip:

Contact Phone:

Contact E-mail:

## Are any other changes to the permit requested? Yes No

If yes, please explain changes:

# ATTACHMENTS

The following items shall be provided as an attachment to this form, and will constitute the facility’s permit modification request for change of owner or operator. Please indicate whether each item is ‘provided’ or ‘not applicable’ to the request.

|  | **Provided** | **N/A** |
| --- | --- | --- |
| 1. Disclosure Statement, DEQ Forms DISC-01 and DISC-02 |  |  |
| 1. Demonstration of legal control over the site |  |  |
| 1. State Corporation Commission Certification |  |  |
| 1. Proof of Financial Assurance specified under 9 VAC 20-70 |  |  |
| 1. DEQ SW PTB or PBR Application Form (Provide if ‘Yes’ to I.F.) |  |  |
| 1. Permit Fee specified under 9 VAC 20-90, if applicable |  |  |

# RESPONSIBLE OFFICIAL SIGNATURE

## Certification Statements

Check each of the following boxes to indicate you certify and understand the statements.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete.

I understand that upon modification or issuance of a solid waste permit, the entity identified above will become the permittee and will be subject to all existing permit conditions. Any other modification of an existing permit or permit conditions will need to be handled separately or in addition to this form.

I understand the entity identified above is responsible for updating and maintaining an Operations Manual in accordance with 9 VAC 20-81-485.

I understand that the solid waste management facility identified above shall operate under the direct supervision of a waste management facility operator licensed by the Board for Waste Management Facility Operators in accordance with **§** 10.1-1408.2.

## Signature

Please sign below acknowledging you understand and agree to the certification statements above.

Signature: Date:

Name:

Title:

Instructions for Completing Change of Owner/Operator DEQ Form

This DEQ Form is provided as guidance by the solid waste program to ensure the necessary documentation is provided to the Department following a change in the owner or operator of a permitted solid waste management facility. Under the Virginia Solid Waste Management Regulations (VSWMR, 9 VAC 20-81), permits may NOT be transferred by the permittee; instead, the Department will either revoke and reissue the permit to the new owner/operator or issue a minor permit modification following the property transfer and receipt of the documentation outlined herein and releasing the old permittee from permit obligations. These instructions are designed to assist solid waste management facilities with the completion of this form. The descriptions below are listed in the order as they appear on the DEQ Form.

# GENERAL INFORMATION

## Current Facility Information

**Facility Name:** Enter the name of the facility currently identified on the solid waste permit.

**Permit No.** Indicate the existing permit number using the 6-digit alpha-numeric ID. Applicable alpha IDs are SWP, PBR, EMG, or EXP.

**Location Address:** Provide the street address of the facility’s physical location (may be Rural Route/Box No. if 911 address is not available).

**Owner on Permit:** Enter the name of the current facility owner identified on the solid waste permit.

**Operator on Permit:** If different from the owner,enter the name of the current facility operator identified on the solid waste permit.

## Facility Name Change

Note that if the facility name is not changing as part of an owner or operator change, mark the ‘No Change’ box and leave this section blank.

**New Facility Name:** Provide the new name for the solid waste management facility.

**Effective Date:** Use the calendar drop down (or enter the date in MM/DD/YYYY format) to indicate the effective date of the name change for the facility.

## Change of Ownership

Note that if the owner is not changing as part of this request, mark the ‘No Change’ box and leave this section blank.

**New Owner:** Provide the name of the new owner for the solid waste management facility. Owner listed shall match SCC documentation provided with the NOI, if applicable.

**Effective Date:** Use the calendar drop down (or enter the date in MM/DD/YYYY format) to indicate the effective date of the name change for the facility.

**Mailing Address, City, State, and Zip:** Provide the mailing address of the legal owner of facility.

**Owner Contact, Title, Phone, and Email:** Provide information for the person responsible for preparing the permit application. This person should be associated with the facility named. DEQ will consider the person listed as the main contact for correspondence relating to the facility’s permit.

## Change of Operator

Note that if the operator is not changing as part of this request, mark the ‘No Change’ box and leave this section blank, or if the Operator is the same entity as the Owner, mark the ‘Same as Owner’ box and leave this section blank.

**New Operator:** Provide the name of the new operator for the solid waste management facility. If the Operator is the permit holder, the Operator listed shall match SCC documentation provided with the NOI, if applicable.

**Effective Date:** Use the calendar drop down (or enter the date in MM/DD/YYYY format) to indicate the effective date of the name change for the facility.

**Mailing Address, City, State, and Zip:** Provide the mailing address of the legal owner of facility.

**Operator Contact, Title, Phone, and Email:** Provide information for the person responsible for preparing the permit application. This person should be associated with the facility named. DEQ will consider the person listed as the main contact for correspondence relating to the facility’s permit.

## Billing Information

**Billing Contact, Mailing Address, Phone, and Email:** Provide information for the person responsible for annual solid waste billing fees.

## Are any other changes to the permit requested?

If other changes are requested, such as changes to specific permit conditions or facility design, construction, operation, monitoring, closure, or post-closure care, mark yes and provide a brief description of the modifications planned.

**Note:** This form only addresses facility name and owner/operator changes. Other changes requested to the permit or permit conditions will need to be addressed using the applicable permit application form (DEQ Form SW PTB for SWP permit modifications or DEQ Form SW PBR for PBR modifications) and can be processed either with the owner/operator change or requested separately following the owner/operator permit update.

# ATTACHMENTS

This list acts as a checklist for the application. Please indicate whether the attachment is provided with the application. There are instances where some of the attachments are not applicable to a facility request. In these instances, please mark ‘N/A.’ Details on each of the attachments can be found in the DEQ Submission Instructions and Part V of 9 VAC 20-81 (Sections 400 through 600). Note that all attachments should identify the same business entity as owner or operator as identified on this form.

1. Disclosure Statement, DEQ Forms DISC-01 and DISC-02

The purpose of a disclosure statement is to identify all key personnel at a permitted solid waste management facility. The disclosure statement must be updated on a regular basis to always be complete and accurate. A disclosure statement is a required permit application attachment, unless the disclosure statement on file is materially complete and accurate.

1. Demonstration of legal control over the site

This documentation will be required for any change of property ownership, or change in lease agreement in the case of an operator holding the solid waste permit.

1. State Corporation Commission (or SCC) Certification

The purpose of the State Corporation Commission, or SCC, Certification is to ensure that the permittee is a valid business entity in the Commonwealth of Virginia. The attachment shall include the Certification of Incorporation and either a Certificate of Good Standing (for corporations) or a Certificate of Fact (for LLCs) from the State Corporation Commission (SCC) for the designated owner and/or operator as indicated on this form.

1. Proof of Financial Assurance specified under 9 VAC 20-70

Reference: [9 VAC 20-70](https://law.lis.virginia.gov/admincode/title9/agency20/chapter70/) - https://law.lis.virginia.gov/admincode/title9/agency20/chapter70/

The proposed permittee business entity should be listed as the applicant, principal, insured, or grantor on the financial assurance mechanism provided.

1. DEQ Form SW PTB or DEQ Form SW PBR Application Form

If other permit modifications are also being requested by the new owner/operator which will require a modification of the permit or PBR as discussed in Instruction I.F., please submit the appropriate DEQ permit application form for the proposed modifications.

1. Permit Fee specified under 9 VAC 20-90

Fees are only required for a PBR modification. The PBR modification fee is $390. Modifications to change the owner or operator for SWPs or EXPs are considered minor modifications in accordance with 9 VAC 20-81-490.G. and do not require a fee unless other modifications to the permit requiring a fee are being requested. If additional permit modifications are requested, please contact your Regional Permit Writer to determine the appropriate permit modification type and associated fee to be submitted.

# RESPONSIBLE OFFICIAL SIGNATURE

This form must be signed by a responsible official. A responsible official is defined in the Virginia Solid Waste Management Regulations (9 VAC 20-81-10) as:

“1. For a business entity, such as a corporation, association, limited liability company, or cooperative: a duly authorized representative of such business entity if the representative is responsible for the overall operation of one or more operating facilities applying for or subject to a permit. The authority to sign documents must be assigned or delegated to such representative in accordance with procedures of the business entity;

2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively; or

3. For a municipality, state, federal, or other public agency: a duly authorized representative of the locality if the representative is responsible for the overall operation of one or more operating facilities applying for or subject to a permit. The authority to sign documents must be assigned or delegated to such representative in accordance with procedures of the locality.”