

TO: SOLID WASTE PERMITTEES

**FROM: DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)
LAND PROTECTION DIVISION**

RE: PERMIT TRANSFER REQUIREMENTS

The Land Protection Division (formerly the Waste Management Division) developed this document to assist you in preparing your request to transfer your solid waste permit. We are enclosing a copy of excerpts from the **Oklahoma Administrative Code (OAC)** that lists the DEQ rules regarding permit transfers. We are also enclosing a copy of the applicable Oklahoma statutes that identify the scope and requirements of a disclosure statement. Also enclosed, for your convenience, is a Disclosure Statement Form. We trust this information is responsive to your needs, but if you have any questions or concerns, please contact us.

SUGGESTED FORMAT FOR SUBMISSION OF TRANSFER REQUEST

1. Cover letter.

A letter from the current permit holder requesting the permit be transferred. The letter should include the name and address of the facility, as well as the names and addresses of all parties involved in the transfer. It should be addressed to:

Oklahoma Department of Environmental Quality
Land Protection Division
P. O. Box 1677
707 N. Robinson
Oklahoma City, OK 73101-1677

2. Letter of acceptance.

A letter from the prospective transferee agreeing to:

- a. Accept the existing permit as amended or modified, as well as the permit application, plans and specifications;
- b. Comply with all applicable laws, regulations and final administrative orders current at the time of transfer;
- c. Submit financial assurances for closure (and post-closure for landfills) in a type and amount approved by the Department.

3. Request for site inspection.

A current inspection must demonstrate that the facility is in substantial compliance with current regulations, the existing permit, and any outstanding orders. The transfer request should include a request for a facility inspection to determine compliance status.

In addition, the existing file must show substantial compliance with current regulations. Determination of compliance status will be based on current site operations, as well as historical data, and includes, but is not limited to a review of the following:

- a. Adequacy of monitoring well construction and screening;
- b. Compliance with upgrade requirements;
- c. Timely submission of required monitoring, operational and construction reports;
- d. No evidence of contamination of surface or groundwater; and
- e. No leachate leaving the site.

4. Disclosure statement.

The prospective transferee must submit a disclosure statement as required by the Solid Waste Management Act. (A Disclosure Statement Form is enclosed for your convenience.)