



**Connecticut Department of  
Energy & Environmental Protection**  
Bureau of Materials Management & Compliance Assurance  
Emergency Response & Spill Prevention Division

## **Instructions for Completing the License Application for Marine Terminals**

*Use these instructions to: 1) complete the license application form DEEP-MT-APP-300 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 application. Remember, it is your responsibility to comply with all applicable laws.*

### **Introduction**

Section 22a-449(b) of the Connecticut General Statutes (CGS) governs the loading or unloading of petroleum or chemical liquids and other potentially hazardous products from vessels. A marine terminal is any facility or area used for the loading or discharge of petroleum or chemical liquid or products to or from vessels. Pursuant to this section, any person who owns or operates a marine terminal facility must apply for a license from the Department of Energy and Environmental Protection (DEEP). If you have any questions, please contact the Marine Terminal Program Coordinator at the DEEP Bureau of Materials Management and Compliance Assurance at 860-424-3298.

### **Application Submittal, License Issuance and Expiration Date**

Timely and sufficient applications for a marine terminal license need to be submitted to DEEP no later than March 1<sup>st</sup>. Marine terminal licenses will expire on June 30<sup>th</sup> three years from the date of issuance.

### **Who Needs a License?**

#### *New Application*

An owner or operator of a new or unlicensed marine terminal facility must submit a completed application and obtain a license from DEEP to operate such facility prior to commencing operations..

#### *License Renewal Application*

An owner or operator of an existing marine terminal facility must submit a completed application for such a facility to DEEP at least one-hundred-twenty (120) days prior to expiration of the existing license. If the submission of the application is later than 120 days but before the expiration date, you will be required to pay additional fees in accordance with section 22a-6j(b) CGS.

#### *License Modification*

Prior to implementing any modifications, the owner or operator must provide written notification to:

MARINE TERMINAL PROGRAM COORDINATOR  
DEPARTMENT OF ENERGY AND  
ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

Examples of modifications include (but are not limited to): a change in the identity of the facility's owner or operating company; a change to the facility such as tank reconstruction, renewal or addition; dock or bulkhead alterations; or loading or off-loading area modifications.

After receipt and review of the proposed modification, DEEP will notify you if you need to submit a revised license application.

Please also be aware that *all* changes in phone numbers must be immediately reported to the Marine Terminal Program Coordinator at 860-424-3298; followed by a confirmation, in writing, within 30 days of the change.

If there are any changes or corrections to your company/facility or individual mailing or billing address or contact information, please complete and submit the [Request to Change Company/Individual Information](#) to the address indicated on the form. If there is a change in name of the entity holding a DEEP license or a change in ownership, contact the Office of Planning and Program Development (OPPD) at 860-424-3003. For any other changes you must contact the specific program from which you hold a current DEEP license.

## How To Apply

Your license application must include the following:

- A *License Application for Marine Terminals* (DEEP-MT-APP-300) and all Supporting Documents,
- A fee of one hundred dollars (\$100.00), 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 application, label your supporting documents as directed on your application form and always include, on each document, the applicant's name as indicated on the application form. When additional space is necessary to answer a question stated in the application, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name as indicated on the application form along with the corresponding part number and question number indicated on the license application form. You should retain a copy of all documents for your files.

## License Application Instructions (DEEP-MT-APP-300)

Please read the application form and instructions carefully. They have been designed to obtain specific information and any information that is missing or unclear will cause delays in the review process. If any questions are 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 application form and in the instructions.

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

Check the "Available Resources" section at the end of these instructions for assistance in obtaining guidelines, maps, etc., which are referenced in these instructions.

## Part I: Application Type

Please indicate whether you are applying for a new license or for a renewal of an existing license by checking the appropriate box. A license is deemed to be "existing" *only* if it has not yet expired on the date you file your

application. Please provide the existing license number.

Provide the town location of the subject activity and a brief description of the activity. The description should be specific to identify the application. For example, construction of a marine terminal in Norwalk, CT.

## Part II: Fee Information

The fee for each application is \$100.00, and must be submitted with the application. DEEP will not process an application unless the required fee has been paid. There is no discount for municipalities.

## Part III: Applicant Information

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. Please note, for those entities registered with the Secretary of State, the registered name will be the name used by DEEP. 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.). If the applicant is a governmental body, identify the city or town of such body followed by the relevant department, board or division.
- *Phone* - Unless otherwise indicated, the phone number provided should be the number where the corresponding 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* – Provide an accurate e-mail address when completing their application form. The e-mail address may be used for future correspondence from DEEP to your business.

1. *Applicant Type* - Complete the information concerning the applicant type.
2. *Billing Contact* – Complete the information concerning the applicant’s billing contact, if different than the applicant.
3. *Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for *you* during the processing of the permit application, complete this section. DEEP will direct copies of all correspondence and inquiries to this primary contact. Please be aware that for legal reasons there will be circumstances when DEEP will notify the applicant instead of the primary contact.
4. *Attorney* - It is not required that an applicant be represented by an *attorney* or any other agent. If you do have an attorney acting for you in this process, complete this section.
5. *Facility Owner* - List the owner(s) of the facility to be licensed.
6. *Terminal Operator* - List the entity responsible for managing the terminal 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. In addition, list the alternate operator and a terminal manager, if different than the terminal operator.
7. *Qualified Individual and Alternate Qualified Individual* - List the qualified individual and alternate qualified individual as listed in the facility response plan (33 CFR 154.1026), if different than the terminal operator, alternate

operator or terminal manager.

- 8. *Engineers or Consultants* - List engineers or consultants employed or retained to assist in preparing the application or to design, construct or inspect the proposed facility.

### Part IV: Site Information

- 1. The site name, if applicable, should be the name by which the facility is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. Include the street address and municipality. If the property 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 1000 feet north of its intersection with Bear Swamp Road."

***If you are submitting a timely permit renewal, with no proposed modifications to the terminal, documentation from the previous application can be used to respond to information requests #2 - #6 below. If you have questions on this section of the application please contact the Marine Terminal Program Coordinator at 860-424-3298.***

- 2. Check the appropriate box to specify if the site is or will be located on federally recognized Indian lands.

***DEEP strongly encourages all applicants to conduct a review of the following Coastal, Natural Diversity Data Base and Aquifer Protection information as soon as possible and to resolve any outstanding issues, where feasible, before submitting their permit application to DEEP to ensure a more timely and efficient review of their permit application.***

### 3. Coastal Management Act Consistency

Activities within the state's coastal area must be consistent with the Connecticut Coastal Management Act (sections 22a-90 through 22a-112 CGS). You may be required to complete a Coastal Consistency Review Form (DEEP-APP-004) to demonstrate that the activity is consistent with the standards and policies of the Connecticut Coastal Management Act. To determine whether this requirement pertains to you, you must first decide if your activity is, or is proposed to be, located in either the coastal area or the coastal boundary.

The coastal area, as defined in section 22a-94 (a) CGS, includes the land and water within the following towns:

Branford	Guilford	Old Saybrook
Bridgeport	Hamden	Orange
Chester	Ledyard	Preston
Clinton	Lyme	Shelton
Darien	Madison	Stamford
Deep River	Milford	Stonington (Borough and Town of)
East Haven	Montville	Stratford
East Lyme	New London	Waterford
Essex	New Haven	West Haven
Fairfield	North Haven	Westbrook
Greenwich	Norwalk	Westport
Groton (City and Town of)	Norwich	
	Old Lyme	

The *coastal boundary*, as defined in section 22a-94(b) CGS, is a designated region within the coastal area. It is delineated on DEEP-approved coastal boundary maps which are available for review at the DEEP Office of Long Island Sound Programs (OLISP), the DEEP File Room, and municipal offices of towns located in the coastal area. Copies of these maps may also be purchased from DEEP Maps and Publications. The map can also be viewed at: [www.cteco.uconn.edu/map\\_catalog.asp](http://www.cteco.uconn.edu/map_catalog.asp) (Select the town and then select coastal boundary. If the town is not within the coastal boundary you will not be able to select the coastal boundary map.)

#### ***Activities within the coastal boundary:***

If your activity is, or is proposed to be,

located in the coastal boundary, and you are applying for a new permit or a modification of an existing permit where the physical footprint of the subject activity changes, you must complete a [Coastal Consistency Review Form](#) (DEEP-APP-004) and submit it with your application as Attachment C.

For renewals or other modifications of existing permits for activities located within the coastal boundary, you are not required to submit a Coastal Consistency Review Form with your initial application materials. However, DEEP may notify you that submission of this form is required to process your application depending upon the specific activities to be conducted and their potential impact on coastal resources.

***Activities outside the coastal boundary but within the coastal area:***

For permit applications (new permits, modifications, or renewals) for activities located outside of the coastal boundary, but within a town in the coastal area, you are not required to submit a Coastal Consistency Review Form with your initial application materials. However, DEEP may notify you that submission of this form is required to process your application depending upon the specific activities to be conducted and their potential impact on coastal resources.

For assistance in completing the form, or if you have questions on this process, call the Office of Long Island Sound Programs (OLISP) at 860-424-3034.

**4. *Natural Diversity Data Base (NDDDB) - Endangered And Threatened Species***

Section 26-310 (a) of the Connecticut General Statutes states that each state agency, in consultation with the DEEP commissioner, shall conserve endangered and threatened species and their essential habitats, and shall ensure that any activity authorized, funded or performed by such agency does not threaten the continued

existence of any endangered or threatened species or result in the destruction or adverse modification of habitat designated as essential to such species.

Please refer to “*Requests for Natural Diversity Data Base State Listed Species Reviews*” located on the DEEP website at: [www.ct.gov/deep/nddbrequest](http://www.ct.gov/deep/nddbrequest) to determine if your activity is located within an area identified as a habitat for endangered, threatened or special concern species. If applicable, prior to submitting the subject application, you must submit a *Request for NDDDB State Listed Species Review*” form (DEEP-APP-007) to NDDDB. Please note that NDDDB review generally takes 4 to 6 weeks. You must then submit a CT NDDDB response and copies of any other correspondence to and from the NDDDB, including a copy of the completed *Request for NDDDB State Listed Species Review*” form (DEEP-APP-007) with your application as Attachment D.

**5. *Aquifer Protection Areas***

Aquifer protection areas are defined in CGS section 22a-354a through 22a-354bb and are the areas that contribute water to public water supply wells. Many towns within the state are required to establish Aquifer Protection Areas. Level A areas are final, regulated areas under the aquifer protection program. Level B areas are preliminary approximations of aquifer protection areas that have not yet been mapped to final standards, so the shape of the area may change when final mapping is completed. Level B maps provide an approximation of the Aquifer Protection Areas.

Review the [Aquifer Protection Area](#) maps to determine if your site is located in a Level A or Level B mapped aquifer protection area and check the appropriate box.

If your site is within a Level A aquifer protection area and your business is registered with either the local aquifer protection agency or DEEP, then no action is

required.

If your site is within a Level A aquifer protection area and your business is not already registered, check the [Table of Regulated Land Uses](#) to determine if your activity is required to be registered under the Aquifer Protection Area Program. If you determine your activity is required to be registered, then contact the [local aquifer protection agent](#) or DEEP to take appropriate actions.

If your site is within a Level B aquifer protection area, then no action is required at this time. However, you may be required to register under the Aquifer Protection Area Program in the future when the area is delineated as Level A.

For more information on the Aquifer Protection Area Program visit the DEEP website at [www.ct.gov/deep/aquiferprotection](http://www.ct.gov/deep/aquiferprotection) or contact the program at 860-424-3020.

## 6. *Conservation or Preservation Restriction*

If the subject site has a conservation or preservation restriction, proof of written notice of this application to the holder of such restriction or a letter from the holder of such restriction verifying that this application is in compliance with the terms of the restriction, must be submitted as Attachment E. The municipality where the site is located may have information concerning such restrictions.

## **Part V: Facility Inspection Documentation**

Include in the table provided, the most recent inspections conducted by a Connecticut licensed professional engineer for each tank, dock, bulkhead and piping shown on the detailed site plans; a schedule for future tank inspections; and a testing schedule for any tank overflow alarms. Please be aware that the license will require that the current facility inspection forms

are maintained at the terminal and that they will be immediately made available upon request.

## **Part VI: Supporting Documents**

All permit applications must include Attachments A through L, unless otherwise noted in these instructions. Place a check mark in the appropriate box by each applicable attachment as verification that all applicable attachments have been submitted. Please label all attachments as referenced in the license application form and these instructions and be sure to include the name of the applicant as indicated on the application form. ***Attachments F through L need to be submitted in an electronic format on a CD.*** Please be aware that the license will require that the original hard copies of Attachments (F through L, as applicable) are maintained at the terminal and that they will be immediately made available upon request.

### **Attachment A: United States Geological Survey (USGS) Map**

Submit as Attachment A, a full size original of a USGS topographic quadrangle map, at a scale of 1:24,000, indicating the exact location of the facility. DEEP will use this map to enter your project location into its Geographic Information System (GIS). It is important that you accurately locate the project site and proposed activities because the GIS generates natural resource information relevant to your site. An inaccurate description of the project location will delay processing of your application.

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

Section 22a-6m CGS provides for DEEP review of an applicant's record of compliance with the environmental laws of Connecticut, any other state and the federal government. Under the law, DEEP may consider the applicant's environmental compliance record, as well as the record of the applicant's principals and any parent companies or subsidiaries, when reviewing a permit application. All permit

applications for activities not previously permitted by DEEP must include a completed *Applicant Compliance Information Form* (DEEP-APP-002) as Attachment B.

### **Attachment C: Coastal Consistency Review Form**

Activities within the state's coastal area must be consistent with the Connecticut Coastal Management Act (CGS Sections 22a-90 through 22a-112). You may be required to complete a Coastal Consistency Review Form (DEEP-APP-004) to demonstrate that the activity is consistent with the standards and policies of the Connecticut Coastal Management Act. Please refer to the instructions in Part IV, Item 3, to determine if this requirement pertains to you.

### **Attachment D: CT NDDB Information**

Submit copies of any correspondence provided to or received from the CT NDDB program, including a copy of a completed *Request for NDDB State Listed Species Review* form (DEEP-APP-007) as Attachment D, as explained in Part IV, item 4 of these instructions.

### **Attachment E: Conservation or Preservation Restriction**

If the property is subject to a conservation or preservation restriction, submit proof of written notice of this application to the holder of such restriction or a letter from the holder of such restriction verifying that this application is in compliance with the terms of the restriction, as Attachment E.

*Attachments F through L need to be submitted in an electronic format on a CD.*

### **Attachment F: Spill Prevention Control and Countermeasure (SPCC) Plan**

The Spill Prevention Control and Countermeasure (SPCC) Plan must present, in detail, information required in 40 Code of Federal Regulations (CFR) Part 112.1 through 112.7. The SPCC Plan must be certified by a Connecticut Licensed Professional Engineer

knowledgeable in terminal design and construction. All plans should be replaced or modified in accordance with 40 CFR Part 112.1 through 112.7 whenever there are tank, dock or loading rack changes. Additionally, all SPCC plans must be recertified by a Connecticut Licensed Professional Engineer every three years.

### **Attachment G: Detailed Site Plan**

Each site plan should measure approximately 24" x 36", and show:

- current capacities of tanks and dikes;
- type of product stored and tank numbers;
- locations of all tanks, piping, pumps and valves;
- loading racks;
- dock facilities; and
- size and location of holding tanks or separators.

All required information does not have to be placed on one site plan. The site plan must be stamped and signed by a Connecticut Licensed Professional Engineer or Land Surveyor.

Whenever there are modifications to the terminal structures listed above, you must submit a revised site plan to the Marine Terminal Program Coordinator.

### **Attachment H: Facility Response Plan**

All applicable facility response plan(s), required by the United States Coast Guard (33 CFR Part 154.1010 through 154.1075), the United States Environmental Protection Agency (40 CFR Part 112.20) and all other federal agencies under the Oil Pollution Act of 1990 (OPA 90) must accompany the application. For example, facilities which receive product transfers from vessels, or have capacity over 42,000 gallons may be required to have a USCG Response Plan

and should check with the Coast Guard at (203) 468-4468.

### **Attachment I: Spill Containment Equipment List**

A listing of all spill containment equipment stored at the facility (size, type and amount of containment boom, boat, motors, trailer, etc.) must be included in your application as Attachment I. Section 22a-457a of the Connecticut General Statutes requires a boom or other device to contain oil spills. Include in Attachment I, a listing of the number of feet of boom committed to this purpose, the alternate method used or the booming contractor used.

### **Attachment J: Terminal Operations Manual**

The Terminal Operations Manual as required by the U. S. Coast Guard under 33 CFR Part 154.300 through 154.325 must be included in your application as Attachment J.

### **Attachment K: Additional Spill Prevention and Emergency Notification Precautions for Automated Terminals**

Automated terminals operating without terminal employees in attendance at any time, need to submit an outline, of additional spill prevention and emergency notification precautions as Attachment K.

### **Attachment L: U. S. Coast Guard Certificate of Adequacy**

Include the most recent Certificate of Adequacy or other evidence of review from the U. S. Coast Guard as Attachment L.

## **Part VII: Application Certification**

After the application has been completed it must be reviewed and signed by both the applicant and the individual(s) who actually prepared the application. By their signature, they certify that to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the application 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 applicant authorized by law.

An application will be considered insufficient unless all required signatures are provided.

### **Available Resources**

Below is a list of possible resources for specific information required for this application. Be sure to also check the DEEP website, [www.ct.gov/deep](http://www.ct.gov/deep) and your local town hall or library for maps and other reference materials.

Both the DEEP Maps and Publications 860-424-3555 and the DEEP File Room 860-424-4180 are located on the store level at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

For general assistance regarding a **license for marine terminals**, contact the Marine Terminal Program Coordinator at 860-424-3298

For the subject application form, instructions and other required documents visit the DEEP website at: [www.ct.gov/deep/wastepermitapps](http://www.ct.gov/deep/wastepermitapps)



- Coastal Boundary Areas: Town Hall and/or DEEP Maps and Publications; "Coastal Boundary Map". Additional information: Office of Long Island Sound Programs: 860-424-3034  
[http://magic.lib.uconn.edu/connecticut\\_data.html#water](http://magic.lib.uconn.edu/connecticut_data.html#water)
- [Coastal Consistency Review Form](#)
- Coastal Resource Maps: Town Hall and/or DEEP Maps and Publications 860-424-3555
- USGS Topographic Quadrangle Map: [\(USGS\) Topographic Quadrangle Map: \(www.ct.gov/deep/gis\)](#); DEEP Maps and Publications, 860-424-3555, or USGS Office, 303-202-4700, or US Geological Survey, Western Distribution Branch, Box 25286, Denver Federal Center, Denver, CO 80225 (sells USGS maps and publications) [www.usgs.gov](http://www.usgs.gov)
- Endangered or Threatened Species Areas: DEEP File Room; "State and Federal Listed Species and Natural Communities"; [www.ct.gov/deep/endangeredspecies](http://www.ct.gov/deep/endangeredspecies)
- Aquifer Protection Area Maps: [www.ct.gov/deep/aquiferprotection](http://www.ct.gov/deep/aquiferprotection), DEEP Maps and Publications
- Pollution Prevention: A variety of pollution prevention publications are available from DEEP's Office of Pollution Prevention 860-424-3297
- State and federal statutes and regulations are available for review at various locations:

On the web:

- State Statutes: [www.cga.ct.gov/asp/menu/Statutes.asp](http://www.cga.ct.gov/asp/menu/Statutes.asp)
- DEEP website for Statutes and Regulations: [www.ct.gov/deep/laws-regs](http://www.ct.gov/deep/laws-regs)

- US EPA website for Federal Laws, Regulations (Code of Federal Regulations; CFR), Policy, Guidance and Legislation: [www.epa.gov/lawsregs](http://www.epa.gov/lawsregs)

Book Format:

- State Library (Hartford)
- University Law Schools (UConn-Hartford, Yale)
- Superior Courthouse Libraries (located throughout the state)
- Town Halls and Libraries (statutes)

For guidance on federal regulations, contact the U.S. Environmental Protection Agency, Region 1 Call Center at (617) 918-1111 or the U. S. Coast Guard Captain of the Port in New Haven at (203) 468-4464.

### **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.