



Air Pollution Control Permits to Construct and/or Operate Transfer of Ownership Procedures



The Air Pollution Control Division ("Division") requires an amendment of an existing Air Pollution Control Permit ("Permit") whenever there is a change in ownership of a facility. The procedures that must be followed in amending the Permit depend on the degree of changes that will occur at the facility as a result of the change in ownership.

All subsequent owners and/or operators of a Facility must complete and submit this Transfer of Ownership form within 30 days following the transfer. All subsequent owners and/or operators shall also submit to the Agency as part of the request all such information the Agency deems necessary to establish legal ownership and/or interest in the property. The terms and conditions of the existing Permit issued to the prior owner/operator shall remain in full force and effect and be binding upon the new owner/operator until the issuance of an amended Permit or denial. Should the Secretary deny the request, the new owner and/or operator must take whatever action is necessary to comply with the denial.

Facilities that currently hold a Federal Title V permit are also required, **prior to the closing**, to submit a letter from the future owner acknowledging the permit and providing, in advance, a specific date for transfer of permit responsibility, coverage and liability.

Simple changes to the ownership or operational control of the facility which will not involve any other change in facility equipment or operations, permit limits, or permitted emission rates may be processed as an **administrative amendment** [5-1002(4)]. Completion of a "Transfer of Ownership Form", submitted to the Division with the additional materials detailed below, will normally be sufficient for processing an administrative amendment.

Materials to be submitted with a completed "Transfer of Ownership Form":

1. Materials demonstrating the new owner's rights and interest in the property being transferred. Acceptable materials include: property tax transfer form, deed, purchase & sales agreement, lease agreement, or other documentation approved in advance by the Division.
2. A "Certification of Information Accuracy" and "Consent for Access to Property" form must be read, completed and signed by a company official certifying the information contained in the application is complete and accurate to the best of his/her knowledge and granting access to the property to verify information. This form is available on the internet:
http://www.anr.state.vt.us/air/Permitting/docs/certificationofinfoaccuracy_form.pdf
3. Permit Application fee – The fee for an administrative amendment is \$100. Please submit a \$100 check made payable to: "State of Vermont - Air Pollution Control Division."

Changes in the method of operation of the facility (such as changes in the use of the building) or alterations of the equipment of the facility may require a new review under the full requirements of Subchapters V and X of the *Vermont Air Pollution Control Regulations*. Please contact the Division and review the application requirements for a "Permit to Construct" and a "Permit to Operate" for more information regarding requirements for such amendments.

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<http://www.anr.state.vt.us/air/>



Air Pollution Control Permit to Construct and/or Operate Transfer of Ownership Form



This transfer of ownership does not affect the operation of the Facility and will not involve the addition of new air contaminant generating equipment or increases in permitted emissions.

True. Transfer of ownership can be made with an administrative amendment. Complete and submit this form to the Division.

False. Additional application materials and fees may be needed prior to processing the transfer of ownership request. In addition to completing this form, please contact the Division to discuss additional requirements. No substantive physical or operation changes may be made without the prior approval of the Agency.

FACILITY: _____ **DEC PIN #:** _____

CURRENT PERMITTEE _____ **CONTACT PERSON** _____

DATE OF TRANSFER OF PERMIT RESPONSIBILITY, COVERAGE, AND LIABILITY FROM CURRENT PERMITTEE TO NEW PERMITTEE: _____

NEW PERMITTEE – CORPORATE ENTITY¹: _____

CORPORATE MAILING ADDRESS _____

CORPORATE PHONE NUMBER: _____

OPERATOR OR FACILITY MAILING ADDRESS _____

FACILITY PHONE NUMBER: _____

PERMIT/APPLICATION CONTACT NAME: _____

PERMIT CONTACT ADDRESS/PHONE # _____

FACILITY CONTACT NAME:
(if different then above): _____

FACILITY CONTACT ADDRESS/PHONE #
(if different then above): _____

PLEASE INDICATE THE MATERIALS ATTACHED DEMONSTRATING THE NEW OWNER’S INTEREST IN AND RIGHTS TO THE PROPERTY: _____

I certify that I have reviewed and will comply with the conditions of the current permit until a revised permit is issued.

NAME OF RESPONSIBLE OFFICIAL: (PLEASE PRINT) _____

SIGNATURE OF RESPONSIBLE OFFICIAL: _____ **DATE:** _____

¹ Official corporate name as registered with the Secretary of State’s Office (<http://www.sec.state.vt.us/corps/corpidex.htm>). Please include any applicable trade name/dba/other as registered with the Secretary of State.