

Permit Type: Fill Material Operation (FMO)

FMO permitting falls under the jurisdiction of the NYC Department of Sanitation (DSNY) and the NYC Business Integrity Commission (BIC). An FMO Permit is issued for a six month time period and is renewable.

Purpose: For remediation projects that require the removal and disposal of contaminated soil, the excavated soil will often need to be replaced with fill material. Materials comprised of earth, dirt, concrete, rock, gravel, stone and sand may be imported as “clean fill material” under an FMO permit.

Prerequisites:

1. The Initial Evaluation Letter describes the project’s requirements and once submitted, determines if the FMO is eligible for an exemption or variance and if additional documentation is required during the application process. Initial evaluation letters should include:
 - a. Location (Block and Lot)
 - b. Amount of material in cubic yards
 - c. Origination of material (borrow/remediation site or purchased)
 - d. Trucking company that will be delivering the material
 - e. Only the designated trucking company can transport to the site
 - f. Project start and completion dates
 - g. FMO permits are valid for six (6) months. If an extension is required DSNY should be notified
 - h. Operating hours- material can only be accepted during daylight hours
2. For remediation projects, DEC approval letters and any information submitted to DEC should be included.

Application Process:

1. Complete Initial Evaluation Letter (see Prerequisites)
2. DSNY will determine if the FMO is eligible for an exemption or variance and if additional documentation is required during the application process, and inform the applicant.
3. Applicant will receive or shall request an FMO Application by contacting the Department of Sanitation: Permit and Inspection Unit.
4. Complete the FMO Application, gather all applicable documentation, and complete all applicable requirements.
5. Each principal associated with the project must complete a Certification Form and execute a Release Authorization.
6. Non-DSNY Permits or Exemptions (see below) must also be attached.

Submission

1. Submit the Initial Evaluation Letter to Lisa Brunie at the DSNY Permitting and Inspection Unit prior to full application submittal.
2. Pending approval of the Initial Evaluation Letter by DSNY, submit two (2) original copies of the FMO permit application with supporting documents and attachments which must be mailed or hand-delivered as hard copy. Submit one (1) application each, to DSNY and the BIC.
 - a. Questions on Sections A-B of the FMO Permit Application should be directed to DSNY
 - b. Questions on Section C of the FMO Permit Application should be directed to BIC
3. BIC will review the application and provide DSNY with an approval or denial letter based on the results of their background investigation of the applicant's company.
4. Once the DSNY has received a letter of approval from the BIC, DSNY will review the application and approve or deny the application.

Required Documentation

5. FMO Permit Application (Sections A-B to DSNY, Section C to BIC)
6. Proof of property ownership
7. Notarized consent letter from the property owner(s) (i.e. principals) giving approval to conduct the landfill work requested in the application. (If the owner of the land proposed to be filled is not the applicant)
8. Detailed site plan submitted by a licensed land surveyor or professional engineer. The plan must be sealed and signed originally
9. Proof of worker's compensation insurance
10. List of contractors and subcontractors who will be dumping at the site
11. List of locations, which will be supplying fill material to the applicant
12. If the applicant is doing business under an assumed name, certified "Doing Business" papers should be submitted
13. If applicable, certified partnership agreement papers and a copy of the company's Certificate of Incorporation and the corporations filing receipt on File with the Secretary of State of New York

Attachments (Permits or Exemption Letter):

1. Department of Transportation Land Contour Permit
2. Department of Transportation Sidewalk Crossing Permit
3. Department of Small Business Services Fill Work Permit
4. Department of Buildings Construction Permit
5. New York State Department of Environmental Conservation Wetlands Permit
6. Army Corp of Engineers Fill Work Permit
7. (Staten Island only) DOB Superintendent

Fee: Permit fee is based on the following- 999 cubic yards or under \$625, 1,000 cubic yards or over \$1250

Permit Timeline: Allow time for DSNY review (30 days) and BIC review (4 months).

Websites	<p>Helpful Websites:</p> <ul style="list-style-type: none"> • The import of material to bring excavated areas to desired grade is regulated by Title 16, Chapter 3 of the Rules of the City of New York, “Lands, Land under Water and Landfills.” (RCNY Title 16, §3-02(c)) (http://24.97.137.100/nyc/) • Department of Transportation Land Contour Permit (http://home2.nyc.gov/html/dot/downloads/pdf/hwyrules.pdf (Section 2-06; page 38-46, as well as information required in Section 2-02; pages 3-8) • Department of Transportation Sidewalk Crossing Permit (http://www.nyc.gov/html/dot/downloads/pdf/permapp.pdf) • Department of Small Business Services Fill Work Permit (http://24.97.137.100/nyc/rcny/Title66_2-03.asp) • New York State Department of Environmental Conservation Wetlands Permit (http://www.dec.ny.gov/permits/6058.html (Freshwater) and http://www.dec.ny.gov/permits/6039.html (Tidal)) • Army Corp of Engineers Fill Work Permit (http://www.usace.army.mil/cw/cecwo/reg/eng4345a.pdf) 		
Contacts	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Agency Contact:</p> <p>Lisa Brunie Administrative Project Manager Department of Sanitation 125 Worth Street, Room 723 New York, NY 10013 646-885-4711 lbrunie@dsny.nyc.gov</p> <p>New York City Business Integrity Commission General Information Line 100 Church Street, 20th Floor New York, NY 10007 212-676 - 6219</p> </td> <td style="width: 50%; vertical-align: top;"> <p>OER Green Team Coordinator:</p> <p>Cavy Chu, P.E. NYC Office of Environmental Remediation 100 Gold Street, 2nd Floor New York, NY 10038 CavyC@dep.nyc.gov 212-788-3774</p> </td> </tr> </table>	<p>Agency Contact:</p> <p>Lisa Brunie Administrative Project Manager Department of Sanitation 125 Worth Street, Room 723 New York, NY 10013 646-885-4711 lbrunie@dsny.nyc.gov</p> <p>New York City Business Integrity Commission General Information Line 100 Church Street, 20th Floor New York, NY 10007 212-676 - 6219</p>	<p>OER Green Team Coordinator:</p> <p>Cavy Chu, P.E. NYC Office of Environmental Remediation 100 Gold Street, 2nd Floor New York, NY 10038 CavyC@dep.nyc.gov 212-788-3774</p>
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