



Michigan Department of Environmental Quality, Environmental Resource Management Division
**INSTRUCTIONS FOR COMPLETING
MOTOR CARRIER REGISTRATION AND PERMIT APPLICATION FOR THE
UNIFORM PROGRAM FOR LIQUID INDUSTRIAL WASTE TRANSPORTATION,
FORM EQP 5122**

GENERAL APPLICATION INSTRUCTIONS

All transportation of Liquid Industrial Waste (LIW) in the State of Michigan (Michigan) must be one of the following:

1. Registered and permitted under the Uniform Hazardous Materials Program and registered under the Michigan LIW Uniform Program.
NOTE: Transportation of hazardous waste in Michigan requires participation under the National Uniform Hazardous Materials Program. Failure to maintain a proper National Uniform Hazardous Materials Program credential invalidates the LIW credential. If the credential is invalidated full participation in the registration and permit process of Michigan LIW Uniform Program is required to transport LIW in Michigan.

OR

2. Registered and permitted under the Michigan LIW Uniform Program.
NOTE: Transportation of only Michigan LIW requires completion of the Michigan "Motor Carrier Registration and Permit Application for the Uniform Program for Liquid Industrial Waste Transportation" form EQP 5122 and subsequent registration and permitting under that program.

NOTE: If registered and permitted under the Uniform Hazardous Materials Program or the Michigan Uniform LIW Program, appropriate apportioned vehicle fees must be paid for LIW transportation activity in Michigan utilizing the Michigan Department of Environmental Quality, Liquid Industrial Waste Uniform Program Fee Worksheet, Attachment A (Attachment A) to EQP 5122.

- **REVIEW THESE INSTRUCTIONS BEFORE COMPLETING THE APPLICATION, FORM EQP 5122.**
- **Website available for more information and helpful hints on completing your application - www.michigan.gov/deq/0,1607,7-135-3312_7235-8849--,00.html**
- **Application not to be completed by a transporter participating in the National Uniform Hazardous Materials Program (Only complete Attachment A)**
- The application (complete) must be submitted at least **90 days** (timely) prior to the expiration of the current registration/permit.

NOTE: Failure to submit a complete and timely application may jeopardize the applicants ability to continue to transport waste after expiration of the current registration/permit.

- **The application, if applicable, Attachment A, and fees are to be mailed to:**
Cashiering
Michigan Department of Environmental Quality
P.O. Box 30657
Lansing, Michigan 48909

For overnight/express mail delivery:

*Michigan Department of Environmental Quality
Cashier's Office 5th Floor, South
525 W. Allegan Street
Lansing, Michigan 48933*

- Questions should be directed to Ms. Sandra Ray. Additionally, if the applicant's company ownership, applicant's name, principal place of business, or business/emergency telephone number, has changed during the time a registration or permit is effective, the applicant shall notify the Michigan Department of Environmental Quality (MDEQ) of the change by submitting an amended application, no later than 30 days after the change. This notice is to be mailed to:

*Ms. Sandra Ray
Transportation Program Section
Environmental Resource Management Division
Michigan Department of Environmental Quality
27700 Donald Court.
Warren, MI 48092-2793
Internet address: Rays1@michigan.gov
Phone: 586-753-3850
Fax: 586-753-3831*

- The term "applicant" as used in the application refers to the company or individual seeking a registration or permit.
- The application must be completely filled out. **Do not leave any item blank.** If an item does not apply to the applicant, write **N/A** and, if appropriate, include a brief explanation.
- The application should be typewritten, or filled out clearly and neatly with black ink. Pencil will not be accepted. Illegible responses will result in your application being returned for correction.
- If the space provided on the form is not sufficient to answer any questions, attach additional sheets (in the same dimensions as the application) to the back of the application. Note attachments in Part II, Section J of the application form.
- Remittance of all registration and/or permit fees is required at the time the application is submitted to Michigan. Michigan will not process the application unless all applicable fees are enclosed.
- All questions and all information requested shall be answered completely and truthfully. Fraudulent, deceptive, or misleading answers may result in denial or revocation of permit and potential initiation of enforcement activities. Applications will be returned to applicant if requested information is missing or omitted. The applicant is expected to make reasonable efforts to check his/her company records so that complete and accurate answers are provided. Falsification may subject the applicant to additional penalties as provided for under state law.
- If the applicant encounters difficulty in completing the form or has any questions, please contact MDEQ for assistance. Correcting errors before submitting the form will greatly reduce the possibility of enforcement actions and/or delays due to return of your submittal for amendment.

- After completing all sections, the information must be certified by an authorized representative of the applicant (Part III).

Annual Renewal of Three Year Permit

A permit issued under the Michigan LIW Uniform Program is valid for three years, if and only if, for the second and third years in which the permit is valid, the carrier registers using Parts I and III of the Michigan LIW Uniform Program application and submits all required registration fees. The Part II permit review fee is to be paid with the initial application for the three year permit and every three years thereafter.

NOTE: The permit fee is not allowed to spread over the three year life of the permit.

Part I. Line Specific Instructions for Registration Application, Form EQP 5122

- 1a. Provide the name of the applicant company.
 - 1b. Provide Employer ID Number. If Michigan determines that the applicant has miscalculated its program fees resulting in a refund, the Employer ID Number **is required** in order to issue a refund.
 2. Provide the mailing address for the applicant.
 3. Provide the street address of the location where records are kept, if different from the mailing address.
 4. Provide the name of the person within the applicant company who should be contacted concerning any questions or requests for additional information regarding the application.
 5. Provide the contact's title.
 6. Provide the contact's telephone number.
 7. Provide the contact's fax number.
 - 8a. Provide the applicant's USDOT Motor Carrier Number as defined in 49 CFR Part 391.21. If an interstate carrier, and a number has not been assigned, contact USDOT at 517-377-1866 to obtain a number. Currently intrastate carriers are not required to obtain a number and should enter "N/A" in the space provided.
 - 8b. For intrastate carriers, provide the state identification number, if one was issued by the Michigan State Police, Motor Carrier Division. Enter "N/A" if no number has been issued.
 - 9a. Provide the USDOT HazMat Registration Number issued to the applicant by the US Department of Transportation Research and Special Programs Administration. If the applicant does not carry hazardous materials of a type or quantity that requires a federal hazardous materials registration number, enter "N/A" in the space provided.
- NOTE: This number changes with each annual registration. The applicant should provide the most recently issued number.***
- 9b. Provide the EPA Identification Number (ID), if the applicant company is required to have such number in accordance with the federal requirements for transporting hazardous waste under 40 CFR 263.11 or used oil under 40 CFR 279. If the applicant's services do not require an EPA ID number, enter "N/A" in the space provided.

- 9c. Provide the MDEQ assigned transporter identification number as required in accordance with the provisions of Part 121, Liquid Industrial Wastes, Michigan Compiled Laws 324.12101 et seq., of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The EPA Identification Number, if assigned, is to be used. If a new applicant, contact the MDEQ, Notification Unit at 517-335-2690 and a number will be assigned.
- 9d. Indicate whether the applicant company transports hazardous waste subject to the manifest requirements of 40 CFR 262.20 or Michigan requirements relating to the Uniform Hazardous Waste Manifest.
- 9e. Indicate whether the applicant company transports hazardous material subject to 49 CFR 171 such as flammable or corrosive materials.
10. Provide a 24-hour phone number where the applicant company may be contacted in case of an incident or emergency involving a power unit owned or operated. This number can include voice-mail, an answering machine, or an answering service during non-business hours. This number CANNOT be the number for a commercial emergency response telephone service such as Chemtrec.
11. Indicate the previous twelve-month period for which information in this application is provided. Utilize either the calendar year or fiscal year.
- 12a. Provide the average number of power units, below and at or above 10,000 pounds gross vehicle weight (GVW), owned, leased or operated for the time period indicated in Part 1, Item 11 of this application. For purposes of the Michigan LIW Uniform Program, the definition of a power unit is the same as "truck" and "truck tractor" as defined in 49 CFR 390.5. The following categories of vehicles may be excluded from the average reported:
- Vehicles that are used exclusively for the transportation of personnel, as opposed to freight, including fleet maintenance vehicles.
 - Power units that do not operate on public highways.

NOTE: Include entire fleet – not just the power units operating in Michigan!!!!

- 12b. Provide the percentage of **ALL** transportation activity for the previous year involving LIW regardless of the state. This percentage is determined by using either of the following:
1. For less than truckload shipments, divide the weight of all of the motor carrier's LIW shipments transported during the previous year by the total weight of all shipments transported during the same year, and then multiply by 100.
 2. For truckload shipments, divide the total number of LIW shipments during the previous year by the total number of all shipments transported during the same year, and then multiply by 100.

NOTE: If the applicant is only transporting LIW the percentage is 100%.

- 12c. Provide the percentage of **ALL** transportation mileage in Michigan including LIW, hazardous material, commodities, etc. This percentage is determined by dividing the number of miles traveled in this state by the number of miles traveled nationwide, and then multiplying by 100. For interstate carriers, the International Registration Plan (IRP) percentage should be used.

NOTE for 12b. and 12c.: For example, Michigan LIW intrastate carriers, only transporting LIW, should report 100 percent as their transportation activity for both percentages. For interstate applicants, reporting less than 100 percent for either percentage, complete documentation of ALL transportation activity must be supported and submitted with this application. As an alternative, the applicant may assume both percentages are 100% and report as such. All percentages should be rounded to the next whole percentage e.g., 13.247% = 14%; 14.785% = 15%. If participating in the IRP, the midpoint of the 10% range may be utilized.

13. If the applicant owns, leases, or operates cargo tanks, please provide the average number of units in the space provided. Otherwise, enter "N/A" in the space provided.
14. Provide the total amount of fees submitted with the application as calculated utilizing Attachment A. The total should include:
 - the application processing fee (\$50/annual basis),
 - registration fees (apportioned vehicle fee - \$50/vehicle/annual basis), and
 - the Part II permit review fee (\$500/3 years).

NOTE: TO CALCULATE THE APPROPRIATE FEES, EACH APPLICANT MUST USE ATTACHMENT A AND SUBMIT A COPY WITH THE APPLICATION.

PART II. PERMIT APPLICATION

Section A: Corporate Structure

1. Mark the type of carriage: (a. interstate or intrastate, and b. private or for hire) the applicant conducts. If Other (e.g., government agency), please explain.
2. Mark the type of business structure of the applicant. If your type of business is not listed, mark "other" and explain.
- 3a. Provide the number of years the applicant has been in the business as a LIW transporter under the current name.
- 3b. Provide the number of years the applicant has transported hazardous materials under the current name.

Section B: Permits Withdrawn, Denied, Suspended, or Revoked

Indicate yes or no. If yes, list and explain any transportation registration/permit/licenses held by the applicant in the last three years that have been withdrawn, denied, suspended, or revoked. For each event, provide:

- the action taken,
- the reason for that action,
- date of the action,
- jurisdiction/agency taking action,
- the type of permit or registration involved, and
- any reinstatement of same registration/permit/license.

Provide this information as an Attachment to the application.

Section C: USDOT Safety Rating

1. Provide a copy of the applicant's most recent USDOT Safety Rating issued by FHWA Office of Motor Carriers, if available.

Section D: History of Applicant's Violations Related to the Transportation

1. Indicate yes or no. If yes, list federal, state and local fines the applicant has been assessed or paid for transportation violations in the last three years, including pending violations, except for parking violations.

For each violation, provide the following information for each violation:

- Date of assessment,
- Amount of assessment,
- Issuing agency,
- Type of violation,
- Type of LIW, hazardous material and/or other commodity involved, and
- Final agency assessment.

Provide this information as an attachment to the application.

Persons completing the application should check with company officials knowledgeable about such fines and violations to ensure full and acceptable disclosure. (Any violations may trigger a request for additional information, including but not limited to interviews with the jurisdictions that imposed fines and interviews with appropriate company officials.)

2. Indicate yes or no. If applicant has been fined or convicted in last three years for any transportation activity without a license, permit, registration, or similar type of credential, provide the following information for each fine or conviction:

- Date of fine/conviction,
- Issuing agency,
- Type of violation, and
- Type of LIW, hazardous material and/or other commodity involved.

Provide this information as an attachment to the application.

(A "yes" answer may trigger a request for more detailed information on convictions and penalties. The base state may interview representatives of the jurisdictions that discovered the violation to gain details.)

3. Answer yes or no as to whether the applicant's parent company, any subsidiary and/or corporate officer or director of the parent or any subsidiary has been convicted, assessed, paid or otherwise found culpable in legal proceedings related to transportation at the federal, state, tribal or local level in the last three years with penalties. If yes, provide the following information for each legal proceeding:

- Fines/penalties/judgments levied,
- Date of the action,
- Nature of the violation,
- Cause or reason for the action, and
- Remedial action taken to mitigate the situation, if any.

Provide this information as an Attachment to the application.

NOTE: Additional documentation may be requested of such legal proceedings from the applicant, if appropriate.

Section E: Reportable Transportation Incidents

Answer yes or no as to whether the applicant has been involved in transportation incidents/accidents that resulted in any of the following:

- A person is killed,
- A person receives injuries requiring his or her hospitalization,
- Estimated carrier or other property damage exceeds \$1,000,
- An evacuation of the general public occurs,
- One or more transportation arteries or facilities are closed.

If yes, provide the following information for each incident/accident:

- Date,
- Location,
- Cause of the incident/accident,
- Details of the remediation process, and
- Agency that supervised the remediation.

Provide this information as an attachment to the application.

(An inadequate explanation will trigger a request for additional information about such incidents. Michigan may contact the jurisdiction where the incident(s) occurred for more information. Michigan may ask for a copy of the applicant's emergency response plan and details of its employee training program.)

Section F: Michigan Terminals

List the addresses of all applicable terminals owned and operated by the applicant in Michigan.

For purposes of the Michigan LIW Uniform Program, "terminal" is defined as: A facility owned, leased or operated by the applicant where:

- Applicant's motor vehicles used to transport LIW are loaded, unloaded, or dispatched incidental to transportation;
- Applicant's motor vehicles used to transport LIW are cleaned, maintained, or inspected;
- Applicant's motor vehicles used to transport LIW are fueled or repowered;
- Applicant stores LIW incidental to transportation; or
- Applicant maintains records related to the transport of LIW including vehicle maintenance files and hours-of-service records.

NOTE: CERTIFICATIONS FOR SECTIONS G, H, AND I BELOW SHOULD BE SEPARATELY INITIALED TO THE LEFT OF THE CERTIFICATION BY THE APPROPRIATE OFFICIAL OF THE APPLICANT COMPANY. All information in the permit, including the certifications, is subject to verification through a desk or on-site audit. If all information is not found to be true and accurate, this will be grounds for withholding, suspending, or revoking the permit.

Section G: Inspections

Periodic inspections are required by USDOT as outlined in 49 CFR 396.17 (adopted in Act 181, PA 1963, as amended). This certification ensures that all vehicles owned and/or operated by the applicant have been inspected in the past year and that documentation of the inspection is on file.

Section H: Financial Responsibility

1. Financial responsibility for transporting LIW in Michigan is required. This certification guarantees that the applicant will maintain the proper insurance liability coverage at all times and has the appropriate MCS-82 or MCS-90 form on file. A motor carrier is to maintain financial responsibility for bodily injury, property damage, or environmental damage to third parties caused by accidental occurrences. The minimum amount is \$750,000 per occurrence or \$300,000 for vehicles under 10,000 pounds gross vehicle weight.
2. The applicant must submit the required form as an attachment to the application.

NOTE: ANY CHANGES TO THE MCS-82 OR MCS-90 MUST BE IMMEDIATELY REPORTED TO MDEQ.

Section I: Other Certifications

1. This certification ensures that all applicant drivers maintain a current Commercial Driver's License with all applicable endorsements subject to 49 CFR 383.
2. This certification affirms that the applicant is in compliance with the drug and alcohol testing requirements of 49 CFR Part 382 (adopted in Act 181, PA 1963, as amended).
3. This certification affirms that the applicant is in compliance with 49 CFR Part 392 regarding driving motor vehicles (adopted in Act 181, PA 1963, as amended).
4. This certification affirms that the applicant is in compliance with 49 CFR Part 395 regarding hours of service or the Michigan provisions (adopted in Act 181, PA 1963, as amended).

Section J: Attachments

A list of the attachments is to be included. Refer to the section and number for each of the attachments.

NOTE: At a minimum, this would include: Attachment A; transportation activity documentation relating to LIW (if less than 100% LIW transportation activity in Michigan); Part II documentation of compliance activity, if applicable; and MCS-82 or MCS-90.

PART III: GENERAL APPLICATION CERTIFICATIONS

Review the application certification and complete the needed information with an authorized signature.