# APPLICATION FOR A SOLID WASTE MANAGEMENT FACILITY PERMIT

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT
SFN 19269 (6-2019)

Clear Fields

## 1. GENERAL INFORMATION

| Facility Name | Permit Number | Application Date | Telephone Number |
|---|---|---|---|
| Physical Address | City | State | ZIP Code |
| Mailing Address | City | State | ZIP Code |

| Geographic Location | Section | Township | Range | County |
|---|---|---|---|---|

Latitude and Longitude (degrees, minutes, and seconds)

| ID Number Assigned to Organization by the ND Secretary of State | State under which your organization is organized | Is registration with the Secretary of State required? (701) 328-4284 ☐ No ☐ Yes |
|---|---|---|

## 2. FACILITY TYPE

Application for What Type of Facility

- ☐ Inert Waste Landfill
- ☐ Municipal Waste Landfill
- ☐ Industrial Waste Landfill
- ☐ Special Waste Landfill
- ☐ Surface Impoundment
- ☐ Land Treatment Facility
- ☐ Solid Waste Processing
- ☐ Treatment or Resource Recovery Facilities
- ☐ Transfer Station
- ☐ Putrescible Waste
- ☐ Other Waste: _____
- ☐ Waste Pile (for example, tire piles more than 800 tires; yard waste compost piles serving more than 10,000 people)
- ☐ Other (Specify)_____

## 3. APPLICANT INFORMATION

| Name of Applicant | Telephone Number | Fax Number |
|---|---|---|
| Address | City | State / ZIP Code |

Is Applicant a Political Subdivision? ☐ No ☐ Yes

Is Applicant a Private Entity, Partnership, Corporation, etc.? ☐ No ☐ Yes

If the applicant is not a political subdivision in the state of North Dakota, please enclose appropriate information to describe any sole ownership, partnership, corporation, etc. Please include a description of the major stockholders of any corporate entity, the membership of the board of directors, a copy of the articles of incorporation, and any other information necessary to describe the legal status of the applicant. **Is this information enclosed?** ☐ No ☐ Yes

**4. Surveyed Land Description**: The applicant must provide a formal surveyed description of the proposed facility signed by a Registered Land Surveyor in the state of North Dakota and formally identify the facility boundaries. The applicant must demonstrate that he either owns the property and has legal access to it or show that he has a formal lease or rental agreement signed by the property owner showing approval and access to use the site as a solid waste facility.

| Is Survey Description of Property Attached? ☐ No ☐ Yes | Name of Property Owner | Telephone Number |
|---|---|---|
| Address | City | State / ZIP Code |

Is a Certified Copy of the Deed Showing Property Ownership Enclosed? ☐ No ☐ Yes

If the property is not owned by the operator, is a copy of the lease, rental agreement, or other documentation signed by the property owner showing approval to use the site as a solid waste facility enclosed? ☐ No ☐ Yes

**5. Easements or Encumbrances**: A description of any easements around the property must be provided. This would include a description and a copy of any above ground or underground pipeline or transmission line easements, right-of-way easements, wetland easements, etc. The location of all such facilities and easements must be clearly identified on appropriate maps and legal descriptions attached to this application.

| Does the applicant have clear and unencumbered access to the property to be used as a solid waste management facility? ☐ No ☐ Yes | Is information on any easements or access stipulations enclosed with this application? ☐ No ☐ Yes |
|---|---|
| Total acreage of proposed site | Acreage usable for solid waste management activities as described in plans |

**6. General Site Information**: To help the Department assess the suitability of the facility, general site information and maps must be provided with the application. At a minimum, the following information with the proposed facilities clearly defined should be enclosed with the application.

| Topographic map of the area (USGS) ☐ No ☐ Yes | Map depicting area drainage and surface water flow patterns ☐ No ☐ Yes | Aerial photographs of the site ☐ No ☐ Yes | County road map of the area ☐ No ☐ Yes |
|---|---|---|---|
| Land ownership map of the area (county atlas) ☐ No ☐ Yes | Other Information | | |

**7. Preapplication**: For new or lateral expansion of land treatment units, surface impoundments closed with waste in place, municipal waste landfills, industrial waste landfills, and special waste landfills, has a preapplication assessment of the proposed site been approved? ☐ No ☐ Yes

**8. Facility Access and Hauling**: Please enclose any maps and supporting narrative identifying the suitability and adequacy of roads and bridges used as access routes to support loaded vehicles. Also indicate the modes of transportation and the waste haulers. Is this information enclosed? ☐ No ☐ Yes

**9. Compliance History**: Please enclose an accurate description of the compliance history of the permit applicant. Include any identified violations of the North Dakota Solid Waste Management Rules and/or any violations of state or federal rules at any other facilities or through any activities engaged in by the applicant. Is this information enclosed? ☐ No ☐ Yes

**10. Waste Information**: The application must include a description of the nature and quantity of materials or wastes proposed to be handled, processed, stored, or disposed during the period of the permit along with an identification of the generators (industries, businesses, municipalities, individuals, and populations) to be served by the proposed facility. As necessary, waste characterization and waste acceptance information must be provided.

**11. Disposal, Recycling, Treatment, or Resource Recovery**: For a transfer station, solid waste processing, treatment, or resource recovery facility, or a waste pile, the applicant must identify the end use, the location and/or the facility to which the waste will eventually be transferred. The applicant must demonstrate that all solid waste, recycled material, residues, and leachate will be managed at a state approved/permitted solid waste facility or at a facility that is in compliance with the regulations of the state, tribal, or federal agency having jurisdiction. Is this information enclosed? ☐ No ☐ Yes

**12. Compliance with Rules**: Permit applicants must include all appropriate information necessary to show how the facility will be in compliance with all state and federal rules and regulations. Appropriate sections of the North Dakota Solid Waste Management Rules that must be addressed include, but are not necessarily limited to, the following:

| | |
|---|---|
| Chapter 33.1-20-01.1 General Provisions. Is this information enclosed? ☐ No ☐ Yes | Chapter 33.1-20-02.1 Permit Provisions and Procedures. Is this information enclosed? ☐ No ☐ Yes |
| Chapter 33.1-20-03.1 Permit Application Provisions. Is this information enclosed? ☐ No ☐ Yes | Date the affidavit from the official county newspaper will be submitted to the Department certifying that the two public notices have been published (see subsection 4, Section 33.1-20-03.1-02 NDAC). |
| Chapter 33-20-04.1 General Performance Standards. Is this information enclosed? ☐ No ☐ Yes | |

Specific facility standards appropriate for the type of facility operation including the following (check those that apply):

| | |
|---|---|
| | Chapter 33.1-20-05.1 Inert Waste Landfills. |
| | Chapter 33.1-20-06.1 Municipal Waste Landfills. |
| | Chapter 33.1-20-07.1 Industrial Waste Landfills. |
| | Chapter 33.1-20-08.1 Surface Impoundments. |
| | Chapter 33.1-20-09 Landfills Treatment Provisions. |
| | Section 33.1-20-04.1-06 Transfer Stations, Baling and Compaction Systems, Processing Systems, and Drop Box Facilities. |
| | Section 33.1-20-04.1-07 Piles Used for Storage and Treatment Standards. |
| | Section 33.1-20-04.1-08 Solid Waste Treatment or Resource Recovery Facilities. |

Please refer to the Department's "Quality Assurance Guidelines" for information to be obtained for construction quality assurance and reporting for appropriate facilities. Other guidance information may be available for certain facilities.

**13. Water Protection**: The facility must demonstrate compliance with the General Location Standards of Section 33.1-20-04.1-01 NDAC and the Water Protection Provisions of Chapter 33.1-20-13. Please refer to the Department's "Guidelines for Hydrogeologic Investigations of Solid Waste Facilities" and "Guidelines for Corrective Action of Solid Waste Facilities" for additional information and guidance. Is the information to demonstrate compliance enclosed? ☐ No ☐ Yes

**14. Storm Water Compliance**: The facility should demonstrate the ability to properly manage storm water and must demonstrate compliance with the NDPDES storm water permit program. A completed application for an industrial and/or construction permit should be filed for approval thirty (30) days prior to the start of operation. Please refer to the enclosed fact sheet for more information. Has an application been filed? ☐ No ☐ Yes

| | |
|---|---|
| If no, Specify When an Application Will Be Filed | Is storm water management addressed in the solid waste application? ☐ No ☐ Yes |

**15. Personnel**: Enclose a narrative describing the duties, experience, and training of operators and other personnel for the facility. For municipal waste landfills, demonstrate how the facility will be in compliance with the requirements for certification of operators, Chapter 33.1-20-16 NDAC. Is the information enclosed? ☐ No ☐ Yes

16. Life of Facility: Describe the estimated life of the facility and attach a description of the method used to calculate this figure. Is the description attached?

| | |
|---|---|
| ☐ No ☐ Yes | Estimated Life |

**17. Site Development**: Please enclose a timetable showing the proposed site development schedule for the facility and showing timelines for completing the activities proposed in the permit application. Is the information enclosed? ☐ No ☐ Yes

| | |
|---|---|
| Proposed Opening Date of Facility | Proposed Closing Date of Facility |

**18. Insurance**: Provide the name and address of the insurer of the facility and/or attach a copy of the general liability insurance policy. Provide a statement regarding the limits of the policy for sudden and nonsudden liability coverage. Is a statement of coverage attached? ☐ No ☐ Yes

| Name of Insurer | | | Telephone Number |
|---|---|---|---|
| Address | City | State | ZIP Code |

**19. Financial Assurance**: Please demonstrate how the facility will comply with the financial assurance requirements of Chapter 33.1-20-14 NDAC. Is the information enclosed? ☐ No ☐ Yes

**20. Local Zoning**: Does the site meet the requirements of any local zoning jurisdiction in the area of the facility (county, township, city, etc.)? ☐ No ☐ Yes

Please enclose a copy of any pertinent local zoning ordinances, maps, and a statement from the local zoning authorities and/or political subdivisions that the use of the property for a solid waste management facility as described in this application is consistent with local zoning and/or permitting ordinances. Please enclose a copy of any required local permits. Is this information enclosed? ☐ No ☐ Yes

**21**. Are local health officials knowledgeable of the facility and the practices to be employed at the site? ☐ No ☐ Yes

**22. Fees**: Depending on the type and size of the facility, enclose an appropriate application processing fee and annual permit fee as identified in Chapter 33.1-20-15. Are the appropriate fees attached? ☐ No ☐ Yes

**23. Other Permits**: Will any other structures or features be constructed at the site that require any other permits (for example, underground tanks, air pollution sources, etc.)? If yes, please enclose information to show such facilities will be in compliance with state or federal regulations. ☐ No ☐ Yes

**24. Signatures**: A permit application must be signed as follows:

a. For a corporation, by a principal executive officer of at least the level of vice-president or the duly authorized representative or agent of the executive officer if the representative or agent is responsible for the overall operation of the facility that is the subject of the permit application;

b. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively;

c. For a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official;

d. If the operator of the facility for which the application is submitted is different from the owner, by both the owner and the operator according to Items A to C;

e. For solid waste management facilities, by the facility owner and landowner under Items A to C if the landowner is different from the owner of the facility for which the application is submitted; and

f. For a firm preparing the necessary reports and plans for a solid waste management facility permit application, by an engineer registered in North Dakota.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who will manage this system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

| Owner's Signature | Date Signed |
|---|---|
| Print Name | Official Title |

| Operator's Signature | Date Signed |
|---|---|
| Print Name | Official Title |

| Landowner's Signature | Date Signed |
|---|---|
| Print Name | Official Title |

| Engineer's Signature | Date Signed |
|---|---|
| Print Name | Registration |

Return this form (and application fee if applicable) to:

North Dakota Department of Environmental Quality
Division of Waste Management
918 E Divide Ave., 3rd Fl.
Bismarck, ND 58501-1947

## General Information
## Form SFN-19269 Application for A Solid Waste Management Facility Permit

Attached is application form, SFN 19269, for a North Dakota Solid Waste Management Facility Permit. This application form, along with the appropriate attachments, must be completed in order to obtain a permit pursuant to Chapter 23.1-08 of the North Dakota Century Code (NDCC) and Article 33.1-20 of the North Dakota Administrative Code (NDAC). **For your convenience, the application form and rules are also found on the Department's website at https://deq.nd.gov/WM**. Applicants should obtain a copy of these rules and related guidelines and be knowledgeable of the requirements prior to completing the application. Any permit issued by the Department will be based on the permit application information.

Please be sure that you address all information required on the form as well as all other information required under the Solid Waste Management Rules. Return this completed form along with the attachments and other information necessary to complete an application. In certain cases the Department may already have on file information from previous permits or facility evaluations. If the Department deems this material adequate, the applicant may reference these documents, the date they were submitted, and the date they were approved. In the event an application is not considered complete, or is inaccurate or deficient as outlined in the North Dakota Solid Waste Management Rules and Departmental guidelines, the Department will notify the applicant as promptly as possible so that the applicant has the opportunity to revise the submittal.

Permit preapplication provisions are identified in Section 33.1-20-03.1 of the North Dakota Solid Waste Management Rules. All applications for new solid waste management facilities must comply with the preapplication procedures. Submittal of an application for a new or modified permit requires the applicant to publish a Public Notice as specified in Section 33.1-20-03.1-02 NDAC. Department permit application review and action procedures are contained in Section 33.1-20-03.1-03 NDAC. This section also indicates which public participation processes are appropriate for new or modified applications. The Department consults with the North Dakota Geological Survey, the North Dakota State Water Commission, the Department's Division of Water Quality, and any other agencies necessary to help assess a site's suitability. Thus, a minimum of four copies of application materials is required. Additional copies may be necessary for other affected state or federal agencies and any local political subdivisions, etc.

A permit from the Department does not supersede local zoning authority or any other requirements of any political subdivision of the state. Coordination with any local zoning officials, local health officials, and any other necessary local, state or federal programs and agencies are necessary prior to submitting the application. Corroboration of such information is necessary to proceed with the application review. The Department encourages all applicants to work closely with local political subdivisions and local health officials, as well as the Department, throughout the permitting process.

For questions, please contact the Division of Waste Management at (701) 328-5166.
For questions regarding securing of registration numbers from the ND Secretary of States Office, call (701) 328-4284.