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Emily B Caudill
REGULATIONS COMPILER

1 ENERGY AND ENVIRONMENT CABINET

2 Department Of Environmental Protection

3 Division Of Waste Management

4 (Amendment)

5 401 KAR 47:110. Registered permit-by-rule.

6 RELATES TO: KRS 224.01-010, 224.10-100, 224.10-105, 224.40-100, 224.40-110, 224.40-120,

7 224.40-305, 24.40-310, 224.40-315, 224.40-320, 224.40-325, 224.40-330, 224.40-340, 224.40-

8 605, 224.40-650, 224.43-010, 224.43-020, 224.43-070, 224.43-310, 224.43-315, 224.43-330,

9 224.43-340, 224.43-345, 224.43-350, 224.70-100, 224.70-110, 224.99-010, 224.99-020

10 STATUTORY AUTHORITY: KRS 224.10-100(19)(c) and[;] (24), 224.40-100, 224.40-305

11 NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(19)(c) and[;] (24), and

12 224.40-305 authorize the cabinet to promulgate administrative regulations for the management,

13 processing, and disposal of wastes. KRS 224.40-305 requires that persons engaging in the

14 management, processing, and disposal of waste obtain a permit. This administrative regulation

15 establishes requirements for registered permits-by-rule and the standards for the certification

16 program.

17 Section 1. Issuance of Registered Permit-by-rule.

18 (1) Before accepting waste, the owner or operator of a solid waste site or facility

19 established[~~specified~~] in 401 KAR 47:080, Section 2(6) shall notify the cabinet by submitting a

20 registration. [~~For solid waste sites or facilities other than medical waste transfer stations,~~]The

21 registration shall become effective thirty (30) calendar[~~five (5) business~~] days after the cabinet

1 receives it unless the cabinet approves or denies the registration within that time. A registration
2 shall be denied if the registration is incomplete or the registration fails to demonstrate compliance
3 with the requirements established in 401 KAR Chapters 47 and 48.~~[For medical waste transfer~~
4 ~~stations, the registration shall become effective thirty (30) days after the cabinet receives it unless~~
5 ~~the cabinet denies the registration within that time.]~~ The cabinet shall hold a public hearing in
6 accordance with 401 KAR 47:140, Section 10, prior to accepting or denying the registration upon
7 the request of any individual. The owner or operator of a registered permit-by-rule facility shall
8 comply with the environmental performance standards in 401 KAR 30:031 in order for the
9 registered permit-by-rule to remain effective.

10 (2) The registration for a registered permit-by-rule facility shall be submitted to the cabinet on
11 one (1) of the following registration forms:

12 (a) DEP 7059; Solid Waste Transfer Station, Convenience Center, and Recycling Center;

13 (b) DEP 7059-A; Solid Waste Composting Facility;

14 (c) DEP 7059-E; Class I Solid Waste Landfarm;

15 (d) DEP 7059-H; Less-than-one-acre Construction/Demolition Debris (CDD) Landfill; or

16 (e) DEP 7059-J; Solid Waste Incinerator.

17 (3) ~~[A registration that is determined to be administratively incomplete may be denied within five~~
18 ~~(5) business days after receiving the registration. Thereafter,]~~ If the cabinet determines that a
19 registration that is not approved or denied pursuant to subsection 1 of this section fails to include
20 all of the information required, the cabinet shall notify the operator that the registration is
21 deficient. The owner or operator shall submit the requested information within thirty (30)
22 calendar days of the date of the notice of deficiency. The cabinet shall review the

1 ~~registration~~~~(cabinet's review shall be conducted)~~ in accordance with the requirements of 401
2 KAR 47:025.

3 (4) Prior to submission of the registration, the owner or operator shall prepare a groundwater
4 protection plan in accordance with 401 KAR 5:037.

5 (5) The owner or operator shall publish a notice two (2) weeks prior to submission of the
6 registration in a daily or weekly newspaper of general circulation where the proposed facility is
7 located. Public notices shall be of a size to include not less than two (2) column widths for
8 advertising and shall be in a display format. The public notice shall contain ~~[the following]~~:

- 9 (a) Name and address of the owner or operator;
- 10 (b) The type of facility;
- 11 (c) A brief description of the business to be conducted; and
- 12 (d) Name and address of the facility.

13 Section 2. Operating Requirements for Registered Permit-by-rule Facilities.

14 (1) The owner or operator of a facility operating under a registered permit-by-rule, except as
15 ~~established~~~~(provided)~~ in Section 3 of this administrative regulation, shall not:

- 16 (a) Store, treat, or dispose of solid waste not specified in the registration; or
- 17 (b) Exceed the design capacities specified in the registration.

18 (2) The owner or operator of a facility operating under a registered permit-by-rule shall comply
19 with the environmental performance standards in 401 KAR 30:031.

20 (3) The owner or operator of a registered permit-by-rule facility shall keep records as
21 ~~established~~~~(provided)~~ in this section.

- 22 (a) The owner or operator of a less-than-one (1) acre or expanded less-than-two (2) acre
23 construction or ~~[/]~~demolition debris landfill or solid waste incinerator shall report quarterly

1 pursuant to KRS 224.43-330. In addition, the owner or operator shall submit DEP 7046, Annual
2 Waste Quantity Report, to the cabinet annually and upon closure of the facility.

3 (b) The owner or operator of a composting facility shall report quarterly pursuant to KRS
4 224.43-330. In addition, the owner or operator shall submit DEP 7108, Annual Report for a
5 Solid Waste Composting Facility, to the cabinet annually and upon closure of the facility.

6 (c) The owner or operator of a landfarming facility shall report quarterly pursuant to KRS
7 224.43-330. In addition, the owner or operator shall submit DEP 7064, Annual Report for a
8 Class I Solid Waste Landfarm, to the cabinet annually and upon closure of the facility.

9 (d) The owner or operator of a registered permit-by-rule convenience center, transfer station or
10 commercial recycling center shall document records on DEP 7046, Annual Waste Quantity
11 Report. Records shall be kept on site and available for inspection for at least three (3) years.

12 (4) The owner or operator of a solid waste incinerator shall conduct the Toxicity Characteristic
13 Leaching Procedure (TCLP) test established~~[described]~~ in 401 KAR 31:030, Section 5, before
14 the initial disposal of any ash and if~~if whenever~~ the characteristics of the waste accepted by the
15 incinerator significantly change. The owner or operator shall keep a record of the current TCLP
16 laboratory analysis report required by this section available for inspection by the cabinet for at
17 least three (3) years. The owner or operator of a solid waste incinerator shall report the volume
18 of ash generated to the cabinet annually and upon closure of the facility. The report shall be
19 submitted no later than January 31 for the preceding calendar year.

20 Section 3. Changes to a Registered Permit-by-rule.

21 (1) A revised registration shall be submitted as established in paragraphs (a) through (c) of this
22 subsection~~[follows]~~:

1 (a) Solid wastes not previously identified in the registration may be stored, treated, or disposed
2 at a facility operating under a registered permit-by-rule if the owner or operator submits a
3 revised registration to the cabinet prior to that change.

4 (b) The owner or operator of a facility operating under a registered permit-by-rule shall submit
5 a revised registration to the cabinet prior to increasing the design capacity of processes used at
6 a facility.

7 (c) The owner or operator of a facility operating under a registered permit-by-rule shall submit
8 a revised registration to the cabinet prior to changing the processes for the storage, treatment,
9 or disposal of solid waste, using additional processes, or changing the owner or operator.

10 (2) The revised registration shall become effective thirty (30) calendar~~[five (5) business]~~ days
11 after the cabinet receives it, unless the cabinet approves or denies the registration within that
12 time. The cabinet shall review the registration in accordance with Section 1 of this administrative
13 regulation.

14 Section 4. Revocation of a Registered Permit by Rule. The cabinet may revoke a registered permit-
15 by-rule for the following causes:

16 (1) Noncompliance by the owner or operator with a condition of the registration;

17 (2) The owner, operator, or key personnel fail~~[owners, operator's, or key personnel's failure~~
18 ~~during the registration process]~~ to disclose all information required by the cabinet during the
19 registration process;

20 (3) The owner, operator, or key personnel misrepresent~~[owner's, operator's, or key personnel's~~
21 ~~misrepresentation of]~~ any information required by the cabinet at any time;

22 (4) The cabinet determines~~[cabinet's determination]~~ that the operation endangers human health,
23 safety, or the environment;

1 (5) The owner, operator, or key personnel violate~~[owner's, operator's or key personnel's violation~~
2 ~~of]~~ any requirement of KRS Chapter 224 or 401 KAR Chapters 30 through 49~~[the administrative~~
3 ~~regulations promulgated pursuant thereto];~~ or

4 (6) A change to the registered-permit-by-rule that was made without complying with Section 3
5 of this administrative regulation.

6 Section 5. Incorporation by Reference.

7 (1) The following material is incorporated by reference:

8 (a) DEP 7059; "Solid Waste Transfer Station, Convenience Center, and Recycling Center",
9 November 2016;

10 (b) DEP 7059-A; "Solid Waste Composting Facility", November 2016;

11 (c) DEP 7059-E; "Class I Solid Waste Landfarm", November 2016;

12 (d) DEP 7059-H; "Less-than-one-acre Construction/Demolition Debris", July 2024~~[November~~
13 ~~2016];~~

14 (e) DEP 7059-J; "Solid Waste Incinerator", November 2016;

15 (f) DEP 7064; "Annual Report for a Class I Solid Waste Landfarm", November 2016;

16 (g) DEP 7108; "Annual Report for a Solid Waste Composting Facility", November 2016; and

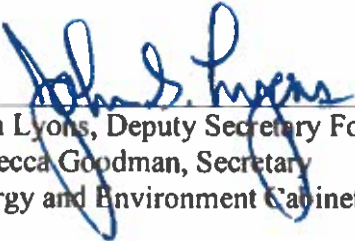
17 (h) DEP 7046; "Annual Waste Quantity Report", November 2016.

18 (2) This material may be inspected, copied, or obtained at the Division of Waste Management,
19 300 Sower Boulevard, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.,
20 or at any of the division's field offices Monday through Friday, 8 a.m. to 4:30 p.m.; 2642
21 Russellville~~[Russelville]~~ Road, Bowling Green, Kentucky 42101; 2751 Campbellsville Road,
22 Columbia, Kentucky 42728; 8020 Veterans Memorial Drive, Suite 110, Florence, Kentucky
23 41042; 1332 State Highway 15, Hazard, Kentucky 41701; 875 South Main Street, London,


1 Kentucky 40741; 9116 Leesgate Road, Louisville, Kentucky 40222-4925; Madisonville State
2 Office Building, 625 Hospital Drive, Madisonville, Kentucky 42431; 525 Hecks Plaza Drive,
3 Morehead, Kentucky 40351; 130 Eagle Nest Drive, Paducah, Kentucky 42003.

4 (3) This material is also available at the division Web site at eec.ky.gov/environmental-
5 [protection/waste](http://eec.ky.gov/environmental-protection/waste).

401 KAR 47:110. Registered permit-by-rule is approved for filing.



John Lyons, Deputy Secretary For
Rebecca Goodman, Secretary
Energy and Environment Cabinet



Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2024, at 10:00AM Eastern Standard Time. Please note that registration is required to participate in this hearing. You must either email your name and mailing address to Tyler.Shields@ky.gov or mail this information to Tyler Shields, Department for Environmental Protection, Division of Waste Management, 300 Sower Boulevard, Frankfort, Kentucky 40601. Please put “401 KAR 47:110” as the subject line, and state in the body of the message if you plan to speak during the hearing. Individuals interested in being heard at this hearing shall register to speak by November 14, 2024. If no one registers to speak by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2024. Send written notification of intent to be heard at the public hearing, or written comments on the proposed administrative regulation, to the contact person.

The hearing facility is accessible to persons with disabilities. Requests for reasonable accommodations, including auxiliary aids and services necessary to participate in the hearing, may be made to the contact person at least five (5) workdays prior to the hearing.

Contact person: Tyler Shields
Environmental Control Supervisor
Department for Environmental Protection
Division of Waste Management
300 Sower Boulevard
Frankfort, Kentucky 40601
Phone (502) 782-5325
Fax (502) 564-4245
Email: Tyler.Shields@ky.gov (Subject line: “401 KAR 47:110”)

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

401 KAR 47:110

Contact person: Tyler Shields, Environmental Control Supervisor

Phone: (502) 782-5325

Email: Tyler.Shields@ky.gov

- (1) Provide a brief summary of:
 - (a) What this administrative regulation does: This administrative regulation establishes requirements for registered permits-by-rule and the standards for the certification program.
 - (b) The necessity of this administrative regulation: KRS 224.10-100(19)(c) and (24), and 224.40-305 authorize the Cabinet to promulgate administrative regulations for the management, processing, and disposal of wastes. KRS 224.40-305 requires that persons engaging in the management, processing, and disposal of waste obtain a permit. This administrative regulation establishes requirements for registered permits-by-rule and the standards for the certification program.
 - (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 224.10-100(19)(c) and (24), and 224.40-305 authorize the Cabinet to promulgate administrative regulations for the management, processing, and disposal of wastes. KRS 224.40-305 requires that persons engaging in the management, processing, and disposal of waste obtain a permit.
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists in the effective administration of the statutes by establishing requirements for registered permits-by-rule and the standards for the certification program.
- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
 - (a) How the amendment will change this existing administrative regulation: The amendments will change multiple sections of the existing administrative regulation. Sections of this administrative regulation are amended to revise the registration review period from five (5) business days to thirty (30) calendar days unless the Cabinet approves or denies the registration within that time. The exception for medical waste transfer station in Section 1(1) is being removed as those facilities currently adhere to a thirty (30) day review period. Section 2 of the administrative regulation is amended to include expanded less than two (2) acre construction or demolition and debris landfills to conform with KRS 224.40-120 and 224.43-330. Sections 5 and 6 of this administrative regulation are amended to update the edition of a form incorporated by reference to correct the address of the Bowling Green Regional Office, respectively. The administrative regulation is amended throughout in accordance with KRS Chapter 13A.

- (b) The necessity of the amendment to this administrative regulation: The current review period established in the administrative regulation does not allow adequate review time for staff to address deficiencies, thus requiring staff to deny an entire registration instead of working with the registrant to revise deficient documentation. The amendment to include language referencing expanded less than two (2) acre construction or demolition debris landfills is necessary to comply with KRS 224.40-120 and KRS 224.43-330.
 - (c) How the amendment conforms to the content of the authorizing statutes: KRS 224.10-100(19)(c) and (24), and 224.40-305 authorize the Cabinet to promulgate administrative regulations for the management, processing, and disposal of wastes. KRS 224.40-305 requires that persons engaging in the management, processing, and disposal of waste obtain a permit.
 - (d) How the amendment will assist in the effective administration of statutes: The amendments to the administrative regulation will allow the division to implement and enforce requirements of registered permit-by-rules and the standards for the certification program.
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation.

This administrative regulation will affect existing and new owners or operators of: recycling centers (101), convenience centers (50), solid waste transfer stations (133), solid waste composting facilities (28), solid waste incinerator facilities (0), class one (1) solid waste landfills (2), less than one (1) acre construction or demolition debris landfills (82) or expanded less than two (2) acre construction or demolition debris landfills (0), and medical waste transfer stations (11). Additionally, the administrative regulation will affect any local government or municipality who have a specified facility within their jurisdiction. Landowners where the specified facility is located or is proposed to be located will also be affected by this administrative regulation.

- (4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
- (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The entities identified will have to comply with the established requirements and standards when submitting or modifying registration for a registered permit-by-rule and comply with operating requirements in accordance with this administrative regulation.
 - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): This administrative regulation does not establish fees for a registered permit-by-rule, however indirect fees are established in 401 KAR 47:090 for registration, modification, and annual permit renewal of a registered permit-by-rule.

- (c) As a result of compliance, what benefits will accrue to the entities identified in question (3): As a result of compliance with this administrative regulation, registrants will be certified to own and operate a registered permit-by-rule facility established in this administrative regulation.
- (5) Provide an estimate of how much it will cost to implement this administrative regulation:
- (a) Initially: The agency will not incur any initial costs for the implementation of this administrative regulation as this certification program is already established within the Solid Waste Branch of the Division of Waste Management.
- (b) On a continuing basis: The agency will not incur any additional costs for the implementation of this administrative regulation as this certification program is already established within the Solid Waste Branch of the Division of Waste Management.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:
- This administrative regulation utilizes the General Fund (0100) to pay the Division of Waste Management personnel template (AP0175/AP0179).
- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:
- No increase in fees or funding is necessary to implement this administrative regulation. This administrative regulation has established indirect fees for registration, modification, and annual permit renewal of a registered permit-by-rule which are established in 401 KAR 47:090.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:
- While this administrative regulation package does not establish new fees, this administrative regulation has established indirect fees for registration, modification, and annual permit renewal of a registered permit-by-rule which are established in 401 KAR 47:090.
- (9) TIERING: Is tiering applied? (Explain why or why not)
- No, this administrative regulation establishes requirements for registered permits-by-rule and the standards for the certification program.

FEDERAL MANDATE ANALYSIS COMPARISON

401 KAR 47:110

Contact person: Tyler Shields Environmental Control Supervisor

Phone: (502) 782-5325

E-mail: Tyler.Shields@ky.gov

1. Federal statute or regulation constituting the federal mandate.

40 CFR Part 257 describes the criteria for classification of solid waste disposal facilities and practices excluding municipal solid waste landfill units, under authority of 42 U.S.C. 6907(a)(3), 6912(a)(1) and (d); 33 U.S.C. 1345(d) and (e).

2. State compliance standards.

KRS 224.40-100(19)(c) and (24), and KRS 224.40-305

3. Minimum or uniform standards contained in the federal mandate.

40 CFR Part 257 Subpart A describes classifications of solid waste disposal facilities and practices, while 40 CFR Part 257 Subpart B sets disposal standards for the receipt of very small quantity generator waste at non-municipal non-hazardous waste disposal units. Pursuant to this administrative regulation amendment package, 40 CFR 248.2 defines *construction and demolition (C&D) landfills*, subject to the requirements in part 257, subparts A and B. Only C&D landfills that meet the requirements of 40 CFR Part 257, subpart B may receive very small generator waste (defined in 40 CFR 260.1).

4. Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?

This administrative regulation is broader in scope as it establishes requirements for registered permits-by-rule and the standards for the certification program, while the federal regulations reference general disposal requirements.

5. Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.

This administrative regulation is broader in scope as it establishes requirements for registered permits-by-rule and the standards for the certification program, while the federal regulations reference general disposal requirements. Solid waste disposal, including nonhazardous industrial waste, is overseen by the states.

FISCAL IMPACT STATEMENT

401 KAR 47:110

Contact Person: Tyler Shields, Environmental Control Supervisor

Phone: (502) 782-5325

Email: Tyler.Shields@ky.gov

- (1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 224.40-100(19)(c) and (24), 224.40-305 and 40 CFR Part 257, Subpart A and B.

- (2) Identify the promulgating agency and any other affected state units, parts, or divisions:

Energy and Environment Cabinet, Department for Environmental Protection, Division of Waste Management.

- (a) Estimate the following for the first year:

This certification program is already established within the Division of Waste Management.

Expenditures: The Cabinet's current program expenditures total \$623,095. There is no increase in expenditures expected.

Revenues: The Cabinet does not expect an increase in revenues. The Cabinet estimates the revenue generated from annual permit renewal fees, pursuant to 401 KAR 47:090, to total \$359,250. An additional source of revenue is generated from registration and modification fees for a registered permit-by-rule, established in 401 KAR 47:090. The registration and modification fees for registered permit-by rule facilities include a \$2,500 fee for transfer stations or convenience centers, \$4,500 for less than one-acre construction or demolition debris landfills, \$3,000 for compost facilities, \$4,000 for Class I landfarm facilities, and \$20,000 for solid waste incinerators.

Cost Savings: By extending application review periods, the Cabinet will have additional time to work with regulated entities to address deficiencies and avoid denial of the registration or modification, resulting in potential cost savings to the registrant.

- (b) How will expenditures, revenues, or cost savings differ in subsequent years?

The Cabinet does not anticipate the expenditures, revenues, or cost savings to differ in subsequent years. It should be noted that registration and modification fee submissions fluctuate pursuant to new applicants and requests for modification which could potentially impact revenues generated by this program.

- (3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

Local entities that will be affected by this administrative regulation include any local municipality that owns or operates a registered permit-by-rule facility established in this administrative regulation.

(a) Estimate the following for the first year:

Expenditures: Pursuant to 401 KAR 47:090, publicly owned facilities are exempt from fees associated with this administrative regulation.

Revenues: The Cabinet will not generate revenues from local entities as they are exempt from fees associated with this administrative regulation.

Cost Savings: Pursuant to 401 KAR 47:090, publicly owned facilities are exempt from fees associated with this administrative regulation.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

The Cabinet does not anticipate the expenditures, revenues, or cost savings to differ in subsequent years.

(4) Identify additional regulated entities not listed in questions (2) or (3):

Entities affected by the amendments in this administrative regulation package include owners or operators of a registered permit-by-rule facility established in this administrative regulation.

(a) Estimate the following for the first year:

Expenditures: Owners or operators of facilities operating under a registered permit-by-rule will be subject to a registration, modification, and annual permit renewal fees as established in 401 KAR 47:090.

Revenues: The Cabinet estimates revenues to remain consistent with the current revenues for the program of \$359,250.

Cost Savings: Pursuant to the amendments of this administrative regulation, by extending application review periods the Cabinet will have additional time to work with regulated entities to address deficiencies and avoid denial of the registration or modification, resulting in potential cost savings.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

The Cabinet does not anticipate the expenditures, revenues, or cost savings to differ in subsequent years.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

This administrative regulation has indirect fees for the registration, modification, and annual permit renewal for facilities operating under a registered permit-by-rule, as

established in 401 KAR 47:090. Pursuant to 401 KAR 47:090, public-owned facilities are not subject to the established fees.

(b) Methodology and resources used to determine the fiscal impact:

The fees associated with the fiscal impact of this administrative regulation are established in 401 KAR 47:090.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

This proposed administrative regulation will not have a major economic impact as the indirect fees established in 401 KAR 47:090 are not being amended.

(b) The methodology and resources used to reach this conclusion:

While this administrative regulation does not include fees, indirect fees are established in 401 KAR 47:090, registration or modification fees for registered permit-by rule facilities include a \$2,500 fee for transfer stations or convenience centers, \$4,500 for less than one-acre construction or demolition debris landfills, \$3,000 for compost facilities, \$4,000 for Class I landfarm facilities, and \$20,000 for solid waste incinerators. Additionally, these facilities are required to submit an annual permit renewal fee, pursuant to 401 KAR 47:090. The annual permit renewal fee for each facility specified in this administrative regulation are as follows: \$2,500 fee for transfer stations or convenience centers; \$500 for less than one-acre construction or demolition debris landfills receiving 1,000 or less tons of waste per year, \$1,500 for less than one-acre construction or demolition debris landfills receiving more than 1,000 and less than \$5,000 tons of waste per year, and \$3,000 for less than one-acre construction or demolition debris landfills receiving 5,000 or more tons of waste per year; \$3,000 for compost facilities; \$4,000 for Class I landfarm facilities; and \$1,000 for solid waste incinerators. Pursuant to 401 KAR 47:090, public-owned facilities are not subject to the established fees. In addition, there are financial assurance requirements established in 401 KAR Chapters 47 and 48 for registered permit-by-rule facilities.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

The "Registration for a Less-Than-One Acre Construction / Demolition Debris (CDD) Landfill", Form DEP 7059H, is the 10-page permit application form that owners or operators of a less than one-acre or expanded less than two-acre construction and demolition debris landfill are required to file before engaging in accepting waste. KRS 224.40-120 requires owners or operators of a less than one-acre or expanded less than two-acre construction and demolition debris landfill to complete a permit application form prescribed by the cabinet.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

The "Registration for a Less-Than-One Acre Construction / Demolition Debris (CDD) Landfill", Form DEP 7059H, is the 10-page permit application form that owners or operators of a less than one-acre or expanded less than two-acre construction and demolition debris landfill are required to file before engaging in accepting waste. The format of the form was amended to the current application format, resulting in the reduction of page numbers from 13 (thirteen) to 10 (ten) pages. Page 1, which included instructions for use of the form, was amended to be placed after the application portion of the form beginning on Page 7. Sections 1 through 3 were amended to condense the information into the new format. Page 2 (Section 1) was amended to include a checklist for modification type of the application and to add "expansion" as an option for type of modification. A section for "Preparer Information" was added to capture information on other personnel who contributed to the application. Information regarding the nearest community, highway intersection, and stream were removed as they are no longer required to locate a facility. Page 3 (Section 1) was amended to remove the Latitude and Longitude table which was to be completed by the Cabinet. This section was often completed incorrectly by the applicant. Page 4 (Section 1) was amended to remove the checkboxes in Item 34 for the legal structure of the registrant. The registered process agent item was reduced to request only the name and email address. The statement for the applicant to sign indicating a copy was provided to the local governing body of the solid waste management area was revised to be a checkbox with Yes or No responses. Page 5 (Section 1) was amended to streamline the certification statement and remove the requirement for the statement to be notarized. Pages 6-8 (Section 2) was amended to condense the information into the new format. Separate registrant certification statement was removed. Pages 9-11 (Section 3) was amended to condense the information into the new format. Page 12 (Addendum #1) was amended to condense the information into the new format and remove the requirement for the statement to be notarized. Page 13 (Addendum #2) was amended to provide an additional public notice template for a modification other than an expansion pursuant to KRS 224.40-120 as well as a template for a modification that includes an expansion pursuant to KRS 224.40-120. A new section was added to page 5 of the amended form to provide instructions for a revised registration for expansion to no more than two (2) acres. This section requires the application to check a box indicating compliance with the current permit, provide an updated operational plan, an updated topographic map, an updated site plan and updated financial assurance.

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
SOLID WASTE BRANCH
300 Sower Boulevard, Second Floor
FRANKFORT, KENTUCKY 40601
(502) 564-6716

**REGISTRATION FOR A
REGISTERED PERMIT-BY-RULE
LESS-THAN-ONE-ACRE
CONSTRUCTION/DEMOLITION
DEBRIS (CDD) LANDFILL**

This registration shall become effective five (5) business days after the cabinet receives it unless the cabinet denies the registration within that time.

Any person who knowingly provides false information in any document filed or required to be maintained under KRS Chapter 224 shall be guilty of a Class D felony and upon conviction thereof shall be punished by a fine not to exceed twenty-five thousand dollars (\$25,000), or by imprisonment for a term of not less than one year and not more than five years, or by both fine and imprisonment.

The NREPC does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in the employment or provision of services. Upon request, the NREPC will provide reasonable accommodations including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in programs and activities. To request an alternate format for this registration, contact the Solid Waste Branch at (502) 564-6716.

INSTRUCTIONS

carefully read each of the following application requirements. Check each box provided to ensure the requirements are met as you complete them. Type or print your responses legibly in indelible ink.

- All items in the application must be answered. Failure to answer any item will result in the return of this application for completion. If an item is not applicable to your facility, write "N/A".
- It is strongly recommended that you contact the regional field office for your area to get a site suitability inspection conducted before beginning construction.
- If you are submitting a modification to an existing permitted facility, attach a cover letter explaining this and complete only those parts of the application being changed.
- All maps, attachments, and addendums must be submitted with this application to prevent delays in processing.
- The owner or operator of a less-than-one-acre construction/demolition debris landfill shall comply with the operator certification requirements of KRS 224.40-605.
- DEP 7046 must be maintained on site at all times to comply with regulatory recordkeeping requirements. Detach this form now. Do not return DEP 7046 when submitting this application.

The statutes and regulations that apply to less than one acre construction/demolition debris landfills include, but are not limited to, the following: KRS 224.01-010, KRS 224.40-120, KRS 224.40-305, KRS 224.40-330, KRS 224.40-605, KRS 365.015, 401 KAR 5:037, 401 KAR 30:031, 401 KAR 47:025, 401 KAR 47:070, 401 KAR 47:080, 401 KAR 47:110, 401 KAR 47:120, 401 KAR 47:160, 401 KAR 48:050, 401 KAR 48:310, and 401 KAR 48:320. It is strongly recommended that you obtain a complete set of solid waste statutes and regulations. These can be ordered by calling the Program Planning and Administration Branch at (502) 564-6716. Statutes and regulations are also available at the following website address: www.lrc.state.ky.us/home.htm.

- All solid waste permit application forms are available at the following website address: www/nr.state.ky.us/nrpep/dep/waste/forms/forms.htm.

Submit the original and two copies of the completed application and all attachments to the Solid Waste Branch.

All signatures on the original application must be original.

DEP 7059-H

(November 2016)

Section I
APPLICATION FOR A REGISTERED PERMIT-BY-RULE
LESS-THAN-ONE-ACRE
CONSTRUCTION/DEMOLITION DEBRIS LANDFILL

Registrant (Owner or Operator) & Facility Information

1. New Application – Registration number will be assigned by the Cabinet.
 Modification – Registration # _____ -- _____
2. Registrant Name _____
(corporation, business, person, or government agency that owns or operates the facility)
3. Registrant Mailing Address _____
4. City _____ 5. State _____ 6. Zip _____ 7. County _____
8. Contact Person _____ 9. Title _____
10. Phone Number (_____) _____ - _____ 11. Fax Number (_____) _____ - _____
12. E-Mail Address _____
- Facility Name _____
14. Facility Location _____
(street or physical location only – no P. O. Box numbers)
15. City _____ 16. Zip _____ 17. County _____
18. Facility Contact Person _____ 19. Title _____
20. Phone Number (_____) _____ - _____ 21. Fax Number (_____) _____ - _____
22. E-Mail Address _____
23. What community is nearest to the proposed facility? _____
24. What highway intersection is nearest to the proposed facility? _____ & _____
25. What stream is nearest to the proposed facility? _____
26. What is the estimated daily and annual amount of waste that will be disposed at the facility?
- DAILY: Cubic Yards _____ Tons _____ ANNUAL: Cubic Yards _____ Tons _____

7. What disposal site will accept any non-construction/demolition debris waste from this facility?

Facility Name	Permit Number	State

28. List all anticipated sources of waste by county and state and estimate the monthly tonnage to be disposed. If there are more than three (3) waste sources, provide the additional information and LABEL AS ATTACHMENT 1. If accepting waste from an entire state, write the state name in the space provided.

Source of Waste (County and State)	Monthly Quantity (Tons)

29. Describe, in detail, the following: the equipment to be used, operating hours, number of personnel on site daily, and the contingency plans for emergencies such as fire, spills, and equipment failure, etc. LABEL AS ATTACHMENT 2.

30. Include one (1) current, original U.S.G.S. 7.5 minute topographic map with the original and each copy of the application. Clearly mark the location of the facility and property boundaries. Do not send aerial photographs in lieu of topographic maps. LABEL AS ATTACHMENT 3. Maps may be ordered by calling Map Sales at (502) 564-4715.

To Be Completed by the Cabinet	
Latitude <u> 3 </u> ° <u> </u> ' <u> </u> "	Longitude <u> 8 </u> ° <u> </u> ' <u> </u> "

31. Submit a site plan drawing showing all buildings, roads, property boundaries, fences, etc. Include a North arrow. The site plan may be hand-drawn. LABEL AS ATTACHMENT 4.

32. Is the proposed facility located in a wellhead protection area? Yes No If yes, provide engineering drawings that meet the requirements of 401 KAR 48:320, Section 3. LABEL AS ATTACHMENT 5.

33. Indicate the appropriate legal organizational structure of the registrant:
- Proprietorship Corporation Partnership General Joint Venture
- Partnership Limited Governmental Agency Other (describe) _____

34. Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant and check the box that applies. LABEL AS ATTACHMENT 6.
- Partnership agreement (partnership)
- Certificate of Incorporation from the Kentucky Secretary of State (in-state corporation)
- Certificate of Authority to transact business in Kentucky (out-of-state corporation)
- Not Applicable (if the registrant is a sole proprietor or government entity)

35. If the registrant is a corporation, limited partnership, or general partnership operating under an assumed name, submit a copy of the approved Certificate of Assumed Name as provided by the Secretary of State. LABEL AS ATTACHMENT 7. If not applicable, check here .

36. If a corporation, identify the resident agent in Kentucky for service of process.

Name _____ Title _____

Address _____

Phone Number (_____) _____ - _____ Fax Number (_____) _____ - _____

37. If the owner of the property on which the proposed landfill is to be located is not the registrant, then the registrant must submit a notarized statement (see ADDENDUM #1 attached to this application) signed by the property owner. If not applicable, (if the registrant is the property owner) check here .

38. Publish a notice using ADDENDUM #2. Provide a tear sheet and affidavit of publication LABEL AS ATTACHMENT 8.

39. I, _____, certify that a copy of this application has been
(Registrant's signature)

delivered to the governing body of the solid waste management area in which the facility will be located.

40. Attach your Performance Bond (Form # DEP 6053-A) along with the appropriate financial assurance mechanism (i.e., letter of credit, surety bond, certificate of insurance, etc.). Government agencies are required to provide financial assurance in the form of a Fiscal Year Budget. Budgets are to be revised and submitted annually. LABEL AS ATTACHMENT 9.

Contact the Solid Waste Branch, Permit Administration Section, at (502) 564-6716 for the appropriate financial assurance forms and/or questions about completing these forms.

1. Pursuant to 401 KAR 47:160, Section 6, a responsible official (company owner, corporate officer, mayor, county judge executive, or other appropriate official) must sign the certification statement below. Consultants or other persons may not sign the certification statement unless that person possesses and supplies a copy of a power of attorney.

"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 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, including the possibility of fine and imprisonment for such violations."

Name (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

Section II
REGISTRANT DISCLOSURE STATEMENT

Registrant's complete name (print) _____
(Registrant is the corporation, business, person, or government agency that owns or operates the facility)

2. State of Incorporation or Application _____

3. Mailing Address _____

4. City _____ 5. State _____ 6. Zip _____

7. Phone Number (_____) _____ - _____ 8. Fax Number (_____) _____ - _____

9. Provide the names of all key personnel as defined by KRS 224.01-010(44) and their titles or positions. Attach additional pages if necessary and LABEL AS ATTACHMENT 10. A completed Key Personnel Disclosure Statement (Section III) must be submitted with the application for each individual listed below. Sole proprietors and government agencies are not required to submit key personnel disclosure statements. If not applicable, check here .

Key Person	Title/Position
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____

10. Submit a description of the registrant's experience in managing solid waste including any past or present permits or licenses held by the registrant within the previous five (5) years. LABEL AS ATTACHMENT 11. If not applicable, check here .

11. Submit a description of the registrant's experience in managing hazardous waste including any past or present permits or licenses held by the registrant within the previous five (5) years. LABEL AS ATTACHMENT 12. If not applicable, check here .

12. Submit a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is

REGISTRANT DISCLOSURE STATEMENT continued

based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. LABEL AS ATTACHMENT 13.

13. Submit a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. LABEL AS ATTACHMENT 14.

Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the registrant and its key personnel within five (5) years before the date of submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. LABEL AS ATTACHMENT 15.

15. Submit a description of all judgments of criminal conviction entered against the registrant and its key personnel within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here .

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 16.

16. Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant and its key personnel within five (5) years before the date of submission of this application. LABEL AS ATTACHMENT 17. If not applicable, check here .

REGISTRANT DISCLOSURE STATEMENT continued

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 18.

17. Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the registrant or any of its key personnel has a financial or equitable interest, or is an officer, director, or manager. LABEL AS ATTACHMENT 19. If not applicable, check here .

Pursuant to 401 KAR 47:160, Section 6(4), "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 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, including the possibility of fine and imprisonment for such violations."

Name of Registrant's Responsible Official (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

**Section III
KEY PERSONNEL DISCLOSURE STATEMENT**

**Sole proprietors and government agencies
are not required to submit key personnel disclosure statements.**

Before beginning, make additional blank copies of Section III for each person listed as key personnel in Section II, Item 9. All key personnel of the registrant are required to submit the following information to the Cabinet before the application can be accepted. This disclosure is also required prior to a change in key personnel of the registrant.

1. Key Person (print) _____
2. Mailing Address _____
3. City _____ 4. State _____ 5. Zip _____
6. Phone Number (_____) _____ - _____ 7. Fax Number (_____) _____ - _____
8. What is the relationship between the registrant and key person? Reference KRS 224.010-010(44).
 Partner Shareholder Corporate Official Other _____

Submit a description of the key person's experience in managing solid waste including any past or present permits or licenses held by the key person within the previous five (5) years. LABEL AS ATTACHMENT 20. If not applicable, check here .

10. Submit a description of the key person's experience in managing hazardous waste including any past or present permits or licenses held by the key person within the previous five (5) years. LABEL AS ATTACHMENT 21. If not applicable, check here .
11. Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. LABEL AS ATTACHMENT 22.

KEY PERSONNEL DISCLOSURE STATEMENT continued

Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. LABEL AS ATTACHMENT 23.

13. Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the key person within five (5) years before the date of submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. LABEL AS ATTACHMENT 24.

14. Submit a description of all judgments of criminal conviction entered against the key person within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here .

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 25.

15. Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the key person within five (5) years before the date of submission of this application. LABEL AS ATTACHMENT 26. If not applicable, check here .

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 27.

KEY PERSONNEL DISCLOSURE STATEMENT continued

- .. Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the key person has a financial or equitable interest, or is an officer, director, or manager. LABEL AS ATTACHMENT 28. If not applicable, check here .

Pursuant to 401 KAR 47:160, Section 6(4), "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 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, including the possibility of fine and imprisonment for such violations."

Name of key person (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

ADDENDUM #1

OWNER'S ACKNOWLEDGEMENT OF LIABILITY

1. Property Owner (print) _____
2. Mailing Address _____
3. City _____ 4. State _____ 5. Zip _____
6. Contact Person _____ 7. Title _____
8. Phone Number (_____) _____ - _____ 9. Fax Number (_____) _____ - _____
10. E-Mail Address _____

I am aware of the facility that has been proposed for my property; and, I have been given a copy of the application outlining this project. I hereby give permission for the registrant to proceed with this project. I understand that I am fully liable if the registrant fails to comply with the statutory and regulatory requirements for less-than-one-acre construction/demolition debris landfills, including any enforcement actions by the Energy and Environment Cabinet.

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

ADDENDUM #2

1. **Fill in all blanks.**
Submit this notice for publication to a newspaper of general circulation in the county where the proposed waste management facility will be located.
3. Inform the newspaper that the public notice shall be of a size to include not less than two (2) column widths for advertising and shall be in a display format.
4. Request a tear sheet and affidavit of publication from the newspaper publishing the notice. The tear sheet and affidavit must be submitted to the Division of Waste Management along with your completed application. **LABEL AS ATTACHMENT 7.**

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

_____ proposes to submit an application for a registered
(facility owner or operator)
permit-by-rule less-than-one-acre construction/demolition debris facility to the Energy
and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110. The
registration shall become effective five (5) business days after the Cabinet receives it unless the Cabinet denies
: registration within that time. The proposed facility will:

(description of business conducted)

The proposed facility will be located at the following address:

(facility name)

(facility address)

(city, state, zip)

For questions regarding this proposed facility, contact:

_____ at
(facility owner or operator)

_____ (phone number including area code)

Questions concerning the application process for registered permits-by-rule can be directed to the Division of
Waste Management, Solid Waste Branch, 300 Sower Boulevard,
Second Floor, Frankfort, KY 40601, (502) 564-6716.

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
SOLID WASTE BRANCH
300 Sower Boulevard, Second Floor
FRANKFORT, KENTUCKY 40601
(502) 564-6716

**REGISTRATION FOR A
REGISTERED PERMIT-BY-RULE
LESS-THAN-ONE-ACRE
CONSTRUCTION/DEMOLITION
DEBRIS (CDD) LANDFILL**

This registration shall become effective five (5) business days after the cabinet receives it unless the cabinet denies the registration within that time.

Any person who knowingly provides false information in any document filed or required to be maintained under KRS Chapter 224 shall be guilty of a Class D felony and upon conviction thereof shall be punished by a fine not to exceed twenty-five thousand dollars (\$25,000), or by imprisonment for a term of not less than one year and not more than five years, or by both fine and imprisonment.

The NREPC does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in the employment or provision of services. Upon request, the NREPC will provide reasonable accommodations including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in programs and activities. To request an alternate format for this registration, contact the Solid Waste Branch at (502) 564-6716.

INSTRUCTIONS

carefully read each of the following application requirements. Check each box provided to ensure the requirements are met as you complete them. Type or print your responses legibly in indelible ink.

- All items in the application must be answered. Failure to answer any item will result in the return of this application for completion. If an item is not applicable to your facility, write "N/A".
- It is strongly recommended that you contact the regional field office for your area to get a site suitability inspection conducted before beginning construction.
- If you are submitting a modification to an existing permitted facility, attach a cover letter explaining this and complete only those parts of the application being changed.
- All maps, attachments, and addendums must be submitted with this application to prevent delays in processing.
- The owner or operator of a less-than-one-acre construction/demolition debris landfill shall comply with the operator certification requirements of KRS 224.40-605.
- DEP 7046 must be maintained on site at all times to comply with regulatory recordkeeping requirements. Detach this form now. Do not return DEP 7046 when submitting this application.

The statutes and regulations that apply to less than one acre construction/demolition debris landfills include, but are not limited to, the following: KRS 224.01-010, KRS 224.40-120, KRS 224.40-305, KRS 224.40-330, KRS 224.40-605, KRS 365.015, 401 KAR 5:037, 401 KAR 30:031, 401 KAR 47:025, 401 KAR 47:070, 401 KAR 47:080, 401 KAR 47:110, 401 KAR 47:120, 401 KAR 47:160, 401 KAR 48:050, 401 KAR 48:310, and 401 KAR 48:320. It is strongly recommended that you obtain a complete set of solid waste statutes and regulations. These can be ordered by calling the Program Planning and Administration Branch at (502) 564-6716. Statutes and regulations are also available at the following website address: www.lrc.state.ky.us/home.htm.

- All solid waste permit application forms are available at the following website address: www.nr.state.ky.us/nrepc/dep/waste/forms/forms.htm.

Submit the original and two copies of the completed application and all attachments to the Solid Waste Branch.

All signatures on the original application must be original.

DEP 7059-H

(November 2016)

Section I
APPLICATION FOR A REGISTERED PERMIT-BY-RULE
LESS-THAN-ONE-ACRE
CONSTRUCTION/DEMOLITION DEBRIS LANDFILL

Registrant (Owner or Operator) & Facility Information

1. New Application – Registration number will be assigned by the Cabinet.
 Modification – Registration # _____ - _____
2. Registrant Name _____
(corporation, business, person, or government agency that owns or operates the facility)
3. Registrant Mailing Address _____
4. City _____ 5. State _____ 6. Zip _____ 7. County _____
8. Contact Person _____ 9. Title _____
10. Phone Number (____) _____ - _____ 11. Fax Number (____) _____ - _____
12. E-Mail Address _____
- Facility Name _____
14. Facility Location _____
(street or physical location only – no P. O. Box numbers)
15. City _____ 16. Zip _____ 17. County _____
18. Facility Contact Person _____ 19. Title _____
20. Phone Number (____) _____ - _____ 21. Fax Number (____) _____ - _____
22. E-Mail Address _____
23. What community is nearest to the proposed facility? _____
24. What highway intersection is nearest to the proposed facility? _____ & _____
25. What stream is nearest to the proposed facility? _____
26. What is the estimated daily and annual amount of waste that will be disposed at the facility?
DAILY: Cubic Yards _____ Tons _____ ANNUAL: Cubic Yards _____ Tons _____

7. What disposal site will accept any non-construction/demolition debris waste from this facility?

Facility Name	Permit Number	State

28. List all anticipated sources of waste by county and state and estimate the monthly tonnage to be disposed. If there are more than three (3) waste sources, provide the additional information and LABEL AS ATTACHMENT 1. If accepting waste from an entire state, write the state name in the space provided.

Source of Waste (County and State)	Monthly Quantity (Tons)

29. Describe, in detail, the following: the equipment to be used, operating hours, number of personnel on site daily, and the contingency plans for emergencies such as fire, spills, and equipment failure, etc. LABEL AS ATTACHMENT 2.

30. Include one (1) current, original U.S.G.S. 7.5 minute topographic map with the original and each copy of the application. Clearly mark the location of the facility and property boundaries. Do not send aerial photographs in lieu of topographic maps. LABEL AS ATTACHMENT 3. Maps may be ordered by calling Map Sales at (502) 564-4745.

To Be Completed by the Cabinet	
Latitude <u>3</u> ° <u>'</u> <u>"</u>	Longitude <u>8</u> ° <u>'</u> <u>"</u>

31. Submit a site plan drawing showing all buildings, roads, property boundaries, fences, etc. Include a North arrow. The site plan may be hand-drawn. LABEL AS ATTACHMENT 4.

32. Is the proposed facility located in a wellhead protection area? Yes No If yes, provide engineering drawings that meet the requirements of 401 KAR 48:320, Section 3. LABEL AS ATTACHMENT 5.

33. Indicate the appropriate legal organizational structure of the registrant:

Proprietorship Corporation Partnership General Joint Venture

Partnership Limited Governmental Agency Other (describe) _____

34. Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant and check the box that applies. LABEL AS ATTACHMENT 6.

Partnership agreement (partnership)

Certificate of Incorporation from the Kentucky Secretary of State (in-state corporation)

Certificate of Authority to transact business in Kentucky (out-of-state corporation)

Not Applicable (if the registrant is a sole proprietor or government entity)

35. If the registrant is a corporation, limited partnership, or general partnership operating under an assumed name, submit a copy of the approved Certificate of Assumed Name as provided by the Secretary of State. LABEL AS ATTACHMENT 7. If not applicable, check here .

36. If a corporation, identify the resident agent in Kentucky for service of process.

Name _____ Title _____

Address _____

Phone Number (____) _____ - _____ Fax Number (____) _____ - _____

37. If the owner of the property on which the proposed landfill is to be located is not the registrant, then the registrant must submit a notarized statement (see ADDENDUM #1 attached to this application) signed by the property owner. If not applicable, (if the registrant is the property owner) check here .

38. Publish a notice using ADDENDUM #2. Provide a tear sheet and affidavit of publication LABEL AS ATTACHMENT 8.

39. I, _____, certify that a copy of this application has been
(Registrant's signature)

delivered to the governing body of the solid waste management area in which the facility will be located.

40. Attach your Performance Bond (Form # DEP 6053-A) along with the appropriate financial assurance mechanism (i.e., letter of credit, surety bond, certificate of insurance, etc.). Government agencies are required to provide financial assurance in the form of a Fiscal Year Budget. Budgets are to be revised and submitted annually. LABEL AS ATTACHMENT 9.

Contact the Solid Waste Branch, Permit Administration Section, at (502) 564-6716 for the appropriate financial assurance forms and/or questions about completing these forms.

1. Pursuant to 401 KAR 47:160, Section 6, a responsible official (company owner, corporate officer, mayor, county judge executive, or other appropriate official) must sign the certification statement below. Consultants or other persons may not sign the certification statement unless that person possesses and supplies a copy of a power of attorney.

"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 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, including the possibility of fine and imprisonment for such violations."

Name (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

Section II
REGISTRANT DISCLOSURE STATEMENT

Registrant's complete name (print) _____
(Registrant is the corporation, business, person, or government agency that owns or operates the facility)

2. State of Incorporation or Application _____

3. Mailing Address _____

4. City _____ 5. State _____ 6. Zip _____

7. Phone Number (____) _____ - _____ 8. Fax Number (____) _____ - _____

9. Provide the names of all key personnel as defined by KRS 224.01-010(44) and their titles or positions. Attach additional pages if necessary and LABEL AS ATTACHMENT 10. A completed Key Personnel Disclosure Statement (Section III) must be submitted with the application for each individual listed below. Sole proprietors and government agencies are not required to submit key personnel disclosure statements. If not applicable, check here .

Key Person	Title/Position
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____

10. Submit a description of the registrant's experience in managing solid waste including any past or present permits or licenses held by the registrant within the previous five (5) years. LABEL AS ATTACHMENT 11. If not applicable, check here .

11. Submit a description of the registrant's experience in managing hazardous waste including any past or present permits or licenses held by the registrant within the previous five (5) years. LABEL AS ATTACHMENT 12. If not applicable, check here .

12. Submit a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is

REGISTRANT DISCLOSURE STATEMENT continued

based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. LABEL AS ATTACHMENT 13.

13. Submit a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. LABEL AS ATTACHMENT 14.

Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the registrant and its key personnel within five (5) years before the date of submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. LABEL AS ATTACHMENT 15.

15. Submit a description of all judgments of criminal conviction entered against the registrant and its key personnel within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here .

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 16.

16. Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant and its key personnel within five (5) years before the date of submission of this application. LABEL AS ATTACHMENT 17. If not applicable, check here .

REGISTRANT DISCLOSURE STATEMENT continued

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 18.

17. Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the registrant or any of its key personnel has a financial or equitable interest, or is an officer, director, or manager. LABEL AS ATTACHMENT 19. If not applicable, check here .

Pursuant to 401 KAR 47:150, Section 6(4), "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 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, including the possibility of fine and imprisonment for such violations."

Name of Registrant's Responsible Official (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

**Section III
KEY PERSONNEL DISCLOSURE STATEMENT**

**Sole proprietors and government agencies
are not required to submit key personnel disclosure statements.**

Before beginning, make additional blank copies of Section III for each person listed as key personnel in Section II, Item 9. All key personnel of the registrant are required to submit the following information to the Cabinet before the application can be accepted. This disclosure is also required prior to a change in key personnel of the registrant.

1. Key Person (print) _____
2. Mailing Address _____
3. City _____ 4. State _____ 5. Zip _____
6. Phone Number (_____) _____ - _____ 7. Fax Number (_____) _____ - _____
8. What is the relationship between the registrant and key person? Reference KRS 224.010-010(44).
 Partner Shareholder Corporate Official Other _____

Submit a description of the key person's experience in managing solid waste including any past or present permits or licenses held by the key person within the previous five (5) years. LABEL AS ATTACHMENT 20. If not applicable, check here .

10. Submit a description of the key person's experience in managing hazardous waste including any past or present permits or licenses held by the key person within the previous five (5) years. LABEL AS ATTACHMENT 21. If not applicable, check here .
11. Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. LABEL AS ATTACHMENT 22.

KEY PERSONNEL DISCLOSURE STATEMENT continued

Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment. If not applicable, check here .

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. LABEL AS ATTACHMENT 23.

13. Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the key person within five (5) years before the date of submission of this application. If not applicable, check here .

If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. LABEL AS ATTACHMENT 24.

14. Submit a description of all judgments of criminal conviction entered against the key person within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here .

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 25.

15. Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the key person within five (5) years before the date of submission of this application. LABEL AS ATTACHMENT 26. If not applicable, check here .

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. LABEL AS ATTACHMENT 27.

KEY PERSONNEL DISCLOSURE STATEMENT continued

Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the key person has a financial or equitable interest, or is an officer, director, or manager. LABEL AS ATTACHMENT 28. If not applicable, check here .

Pursuant to 401 KAR 47:160, Section 6(4), "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 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, including the possibility of fine and imprisonment for such violations."

Name of key person (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

ADDENDUM #1

OWNER'S ACKNOWLEDGEMENT OF LIABILITY

1. Property Owner (print) _____
2. Mailing Address _____
3. City _____ 4. State _____ 5. Zip _____
6. Contact Person _____ 7. Title _____
8. Phone Number (____) _____ - _____ 9. Fax Number (____) _____ - _____
10. E-Mail Address _____

I am aware of the facility that has been proposed for my property; and, I have been given a copy of the application outlining this project. I hereby give permission for the registrant to proceed with this project. I understand that I am **fully liable** if the registrant fails to comply with the statutory and regulatory requirements for less-than-one-acre construction/demolition debris landfills, including any enforcement actions by the Energy and Environment **Center**.

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

ADDENDUM #2

1. **Fill in all blanks.**
Submit this notice for publication to a newspaper of general circulation in the county where the proposed waste management facility will be located.
3. Inform the newspaper that the public notice shall be of a size to include not less than two (2) column widths for advertising and shall be in a display format.
4. Request a tear sheet and affidavit of publication from the newspaper publishing the notice. The tear sheet and affidavit must be submitted to the Division of Waste Management along with your completed application. LABEL AS ATTACHMENT 7.

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

_____ proposes to submit an application for a registered
(facility owner or operator)
permit-by-rule less-than-one-acre construction/demolition debris facility to the Energy
and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110. The
registration shall become effective five (5) business days after the Cabinet receives it unless the Cabinet denies
(registration within that time. The proposed facility will:

(description of business conducted)

The proposed facility will be located at the following address:

(facility name)

(facility address)

(city, state, zip)

For questions regarding this proposed facility, contact:

_____ at
(facility owner or operator)

_____ (phone number including area code)

Questions concerning the application process for registered permits-by-rule can be directed to the Division of
Waste Management, Solid Waste Branch, 300 Sower Boulevard,
Second Floor, Frankfort, KY 40601, (502) 564-6716.

Kentucky Department for Environmental Protection
 Division of Waste Management
 Solid Waste Branch
 300 Sower Boulevard – Frankfort KY 40601
 (502) 564-6716

FOR OFFICIAL USE ONLY. DO
 NOT WRITE IN THIS SPACE

Registration for a Less-Than-One Acre Construction or Demolition Debris (CDD) Landfill

1. Application Information

Type of Registration	<input type="checkbox"/> New facility	<input type="checkbox"/> Modification of existing facility
Modification Type	<input type="checkbox"/> Waste source county change <input type="checkbox"/> Alternate disposal facility change <input type="checkbox"/> Change of ownership <input type="checkbox"/> Expansion pursuant to KRS 224.40-120 Section 2 <input type="checkbox"/> Other Describe: _____ If not applicable, check here <input type="checkbox"/>	
Agency Interest Number	_____	
Solid Waste Permit Number	_____	
Fee Submitted	Amount: \$ _____	Check or Money Order #: _____
	<input type="checkbox"/> Exempt from fee	

2. Registrant Information

Registrant Name: _____		
Registrant Mailing Address: _____		
City: _____	State: _____	Zip Code: _____
Contact Person: _____	Title: _____	
Email Address: _____		
Phone Number: () -	Cell Number: () -	

3. Facility Information

Facility Name: _____		
Physical Address (No PO Box): _____		
City: _____	Zip Code: _____	County: _____
Contact Person: _____	Title: _____	
Email Address: _____		
Phone Number: () -	Cell Number: () -	

4. Preparer Information

Preparer Name: _____		
Mailing Address: _____		
City: _____	State: _____	Zip Code: _____
Contact Person: _____	Title: _____	
Email Address: _____		
Phone Number: () -	Cell Number: () -	

5. Waste Volumes			
Daily Tons	<input type="text"/>	Daily Cubic Yards	<input type="text"/>
Annual Tons	<input type="text"/>	Annual Cubic Yards	<input type="text"/>
6. Governing Body Notification			
Has a copy of this registration has been delivered to the governing body of the solid waste management area in which the facility will be located?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Reason: <input type="text"/>

7. Disposal sites for non-CDD waste		
Facility Name	Permit or AI Number	State
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
8. Operational Attachments and Descriptions		
<p>Attachment 1. Provide a table of counties and state(s) that will be waste sources for the facility. Include the monthly quantity in tons of waste to be accepted from each waste source county.</p>		
<p>Attachment 2. Provide a detailed description of the following: the equipment to be used, operating hours, number of personnel onsite daily, provisions for temporary storage, and the contingency plans for emergencies or equipment failure.</p>		
<p>Attachment 3. Provide a current, original United States Geologic Services 7.5-minute topographic map. Clearly mark the location of the proposed waste boundary and property boundary.</p>		
<p>Attachment 4. Provide a site plan drawing.</p>		
<p>Attachment 5. For a facility proposed to be sited in a wellhead protection area, provide engineering drawings that meet the requirements of 401 KAR 48:320, Section 3. If not applicable, check here <input type="checkbox"/></p>		
<p>Attachment 6. Provide a financial assurance mechanism for closure of the facility and a corresponding performance agreement.</p>		
9. Ownership Information		
Legal Organizational Structure of Registrant	<input type="checkbox"/> Government agency	<input type="checkbox"/> Proprietorship
		<input type="checkbox"/> Private Entity
Registered with Kentucky Secretary of State?	<input type="checkbox"/> Yes	<input type="checkbox"/> No Reason: <input type="text"/>
Registered process agent: <input type="text"/>	Agent Email Address: <input type="text"/>	
<p>Attachment 7. Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant or provide a copy of an approved Certificate of Assumed Name as provided by the Kentucky Secretary of State.</p>		

10. Public Notice

Attachment 8. Using the appropriate template below, publish a public notice.

Template for New Facility

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

(Insert name of Registrant) proposes to submit a registration for a registered permit-by-rule for a less-than-one acre construction / demolition debris landfill facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110. The registration shall become effective thirty (30) business days after the cabinet receives it unless the cabinet denies the registration within that time.

The proposed facility will be located at *(Insert facility name and physical address with zip code)*.

For questions regarding this proposed facility, contact *(Insert name of facility owner or operator)* at *(Insert phone number including area code)*. Questions concerning the registration process for registered permits-by-rule can be directed to the Kentucky Department for Environmental Protection, Division of Waste Management, Solid Waste Branch, 300 Sower Boulevard, Second Floor, Frankfort, KY 40601, (502) 564-6716.

Template for Modification other than an Expansion pursuant to KRS 224.40-120

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

(Insert name of Registrant) proposes to submit a revised registration for a registered permit-by-rule for a less-than-one acre construction/demolition debris landfill facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110. The registration shall become effective thirty (30) business days after the cabinet receives it unless the cabinet denies the registration within that time. The proposed revision is to *(Describe proposed modification)*.

The proposed facility will be located at *(Insert facility name and physical address with zip code)*.

For questions regarding this proposed facility, contact *(Insert name of facility owner or operator)* at *(Insert phone number including area code)*. Questions concerning the registration process for registered permits-by-rule can be directed to the Kentucky Department for Environmental Protection, Division of Waste Management, Solid Waste Branch, 300 Sower Boulevard, Second Floor, Frankfort, KY 40601, (502) 564-6716.

Template for an Expansion pursuant to KRS 224.40-120

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

(Insert name of Registrant) proposes to submit a revised registration for a registered permit-by-rule for a less-than-one acre construction/demolition debris landfill facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110 and KRS 224.40-120. The registration shall become effective thirty (30) business days after the cabinet receives it unless the cabinet denies the registration within that time. The proposed revision is to expand the size of the landfill to less-than-two acres. *(Describe any additional modifications being sought.)*

The proposed facility will be located at *(Insert facility name and physical address with zip code)*.

For questions regarding this proposed facility, contact *(Insert name of facility owner or operator)* at *(Insert phone number including area code)*. Questions concerning the registration process for registered permits-by-rule can be directed to the Kentucky Department for Environmental Protection, Division of Waste Management, Solid Waste Branch, 300 Sower Boulevard, Second Floor, Frankfort, KY 40601, (502) 564-6716.

11. Property Owner's Acknowledgment of Liability

Property Owner Name: Mailing Address: City: State: ZIP Code: Contact Person: Title: Email Address: Phone Number: () - Cell Number: () -

"I am aware of the facility that has been proposed for my property; and, I have been given a copy of the registration outlining this project. I hereby give permission for the registrant to proceed with this project. I understand that I am fully liable if the registrant fails to comply with the statutory and regulatory requirements for less-than-one-acre construction/demolition debris landfills, including any enforcement actions by the Energy and Environment Cabinet."

Name of Signatory/Person with Signature Authority: Signature: Date: / / If not applicable (the registrant is the property owner), check here:

12. Past performance information for the Registrant

Attachment 9. Provide a description of the registrant's experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held.

If not applicable, check here .

Attachment 10. Provide a list of the waste sites or facilities, including location information, in which the registrant has a financial or equitable interest, or is an officer, director, or manager.

If not applicable, check here .

Attachment 11. Provide a description of all civil and administrative complaints against the registrant for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration.

If not applicable, check here .

Attachment 12. Provide a description of all civil and administrative complaints that have been brought or filed against the registrant for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment.

If not applicable, check here .

Attachment 13. Provide a description of all pending criminal complaints alleging the violation of a state or federal environmental protection law that have been filed against the registrant within five (5) years before the date of submission of this registration.

If not applicable, check here .

Attachment 14. Provide a description of all judgments of criminal conviction entered against the registrant within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law.

If not applicable, check here .

Attachment 15. Provide a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant within five (5) years before the date of submission of this registration.

If not applicable, check here .

13. Key Personnel	
Name of Key Person	Title/Position
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

14. Expansion Modification		
Pursuant to KRS 224.40-120 Section 2, upon request of the applicant, the cabinet may increase the size of the construction or demolition site permitted under subsection 1 of KRS 224.40-120 to a total of no more than two (2) acres.		
Is the registrant compliant with all permit requirements for the currently permitted construction or demolition waste disposal site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attachment 16. Provide an updated operational plan.		
Attachment 17. Provide an updated current United States Geologic Survey 7.5-minute topographic map.		
Attachment 18. Provide an updated site plan drawing.		
15. Financial Assurance		
<input type="checkbox"/> A new financial instrument in the amount of \$10,000 is enclosed with this revised registration.		
<input type="checkbox"/> A revised financial instrument in the amount of \$20,000 is enclosed with this revised registration.		
<input type="checkbox"/> An updated Performance Agreement (DWM 4650) has been included with this revised registration.		

16. Registration Certification	
<p>"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 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, including the possibility of fine and imprisonment for such violations."</p>	
Name of Registrant: _____	
Name of Responsible Official _____	Title: _____
Signature: _____	Date: ____ / ____ / ____

17. Past performance information for Key Personnel

Name of Key Person:

Address:

City:

State:

Zip Code:

Email Address:

Phone Number: () -

Cell Number: () -

Attachment 19. Provide a description of any experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held.
If not applicable, check here .

Attachment 20. Provide a listing of the waste sites or facilities, including location information, in which you have a financial or equitable interest, or are an officer, director, or manager.
If not applicable, check here .

Attachment 21. Provide a description of all civil and administrative complaints against you for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration.
If not applicable, check here .

Attachment 22. Provide a description of all civil and administrative complaints that have been brought or filed against you for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment.
If not applicable, check here .

Attachment 23. Provide a description of all pending criminal complaints alleging the violation of a state or federal environmental protection law that have been filed against you within five (5) years before the date of submission of this registration.
If not applicable, check here .

Attachment 24. Provide a description of all judgments of criminal conviction entered against you within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law.
If not applicable, check here .

Attachment 25. Provide a description of all judgments of criminal conviction of a felony entered against you within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law.
If not applicable, check here .

18. Certification for Key Personnel

"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 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 KRS 224.99-010 provides for penalties."

Name of Key Person: Title: Signature: Date: / / Name of Registrant:

GENERAL INSTRUCTIONS
Registration for a Less-Than-One Acre Construction / Demolition Debris (CDD) Landfill

Instructions provided are for the DEP 7059H, Registration for a Less-Than-One Acre Construction / Demolition Debris (CDD) Landfill form. For any questions regarding any section of this form, please contact the Division of Waste Management's Solid Waste Branch (SWB). This form must be completed either by typing or by printing legibly with black ink.

If a previous approved registration is needed, request a copy by completing an open records request through the Department of Environmental Protection at (502) 564-3999 or EEC.KORA@ky.gov.

All sections of this form must be completed to be accepted by the cabinet. For any future changes in information, a revised registration form shall be submitted pursuant to 401 KAR 47:110. All information submitted on this form will be subject to public disclosure to the extent provided by Kentucky law. Persons filing this form may make claims of confidentiality in accordance with 400 KAR 1:060.

Submit DEP 7059H form via postal mail to the following address:

Kentucky Department for Environmental Protection
Division of Waste Management
Solid Waste Branch
300 Sower Boulevard, Second Floor
Frankfort, KY 40601

Submit DEP 7059H electronically using the eForms portal: <https://dep.gateway.ky.gov/eForms/Account/Home.aspx>

Section	1.	<p>Application Information</p> <ul style="list-style-type: none"> • Type of Registration- Check the appropriate box to indicate if this is a registration for a new facility or a modification of an existing facility. • Modification Type- If this is an application to modify an existing landfill, designate the type of modification sought. If the modification is an expansion pursuant to KRS 224.40-120 Section 2, Section 16 of this form must be completed. • Agency Interest Number: Provide the Agency Interest Number assigned to the facility, if known. • Solid Waste Permit Number: Provide the solid waste permit number assigned to the facility, if known. • Fee Submitted- Provide the amount of the fee submitted for this application and the check or money order number. If exempt from the fee due to being a publicly owned facility, check the box. Fees may be found in 401 KAR 47:090.
Section	2.	<p>Registrant Information- Provide the name and address information of the registrant. The registrant is the entity that is applying for the permit and may be the property owner or the operator of the facility. The name of the registrant must be consistent throughout the registration. Also provide the name and contact information for the person who will be the registrant contact.</p>
Section	3.	<p>Facility Information- Provide the exact name of the facility, the facility address and county name. Provide the name, title, and contact information for the person who will be the facility contact.</p>
Section	4.	<p>Preparer Information- Provide the name and contact information of the preparer of the form, if different from the registrant or facility contact person.</p>
Section	5.	<p>Waste Volumes- Enter the amount of waste anticipated to be received by the facility, in tons and cubic yards, on a daily and annual basis.</p>
Section	6.	<p>Governing Body Notification- Check the box indicating whether or not a copy of this registration has been delivered to the solid waste management area in which the facility will be located. If No, provide a reason why not.</p>
Section	7.	<p>Disposal sites for non-CDD waste- Provide the facility name, permit or agency interest number, and US state for any facility that will accept non-CDD waste from this proposed facility for disposal. The disposal facility must be able to accept waste from the listed waste source counties in Attachment 1.</p>
Section	8.	<p>Operational Attachments</p> <ul style="list-style-type: none"> • Attachment 1- List all anticipated sources of waste by county and state. If accepting waste from an entire state, write the name of the state in the first column. Estimate the monthly tonnage to be received from each source. • Attachment 2- Provide a detailed description of the operation of the facility that includes the equipment to be used to manage waste, the facility's operating hours, the number of personnel on-site daily, provisions for temporary storage of waste, and contingency plans for emergencies or equipment failure. • Attachment 3- Provide a current United States Geologic Survey 7.5-minute topographic map. The map should be printed at a size of 24 inches wide and 29 inches high. Clearly mark the location of the proposed waste boundary and the property boundary. Do not send an aerial photograph instead of a topographic map. • Attachment 4- Provide a site plan drawing showing the proposed facility. The drawing should include all buildings, roads, property boundaries, and fences as well as a north arrow. The drawing should show that waste

		<p>placement will meet the siting requirements of 401 KAR 48:050, Sections 1,2, and 3. The proposed site must also meet the 750 yard buffer of 401 KAR 48:320, Section 4(2)(i).</p> <ul style="list-style-type: none"> • Attachment 5- If the proposed landfill is in a wellhead protection area, provide drawings prepared by a professional engineer licensed in Kentucky that meet the requirements of 401 KAR 48:320, Section 3. • Attachment 6- Provide financial assurance using either DWM4660, DWM4665, DWM4670 or DWM4675. Provide a performance agreement using form DWM4650. Governmental agencies are required to provide financial assurance in the form of a Fiscal Budget. Budgets are to be revised and submitted annually.
Section	9.	<p>Ownership Information</p> <ul style="list-style-type: none"> • Legal Organizational Structure of Registrant- Check the box that indicates the appropriate option. • Registered in Kentucky- Indicate whether or not the registrant is registered in Kentucky. If No, provide reason why not. • Registered Agent- Provide the name and contact information for the registrant's registered agent in Kentucky. • Attachment 7- Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant or provide a copy of an approved Certificate of Assumed Name as provided by the Kentucky Secretary of State.
Section	10.	<p>Public Notice- Fill in all sections in italics in the applicable template provided. Submit the completed notice for publication to a newspaper of general circulation in the county where the proposed waste management facility will be located. Inform the newspaper that the public notice shall be of a size to include not less than two (2) column widths for advertising and shall be in a display format. Request a tear sheet and affidavit of publication from the newspaper publishing the notice to submit with the completed registration. Submit the tear sheet and affidavit as Attachment 8.</p> <p>The public notice must be run at least 14 days before submitting the completed registration or the registration shall be denied.</p>
Section	11.	<p>Property Owner's Acknowledgment of Liability- Complete the identifying information for the owner of the property on which the proposed landfill is to be constructed. The certification statement shall be signed by a person with signature authority for the property owner. If the registrant is the property owner, check the box for "not applicable".</p>
Section	12.	<p>Past performance information for the Registrant</p> <ul style="list-style-type: none"> • Attachment 9- Provide a description of the registrant's experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held. If not applicable, check the box. • Attachment 10- Provide a list of the waste sites or facilities, including location information, in which the registrant has a financial or equitable interest, or is an officer, director, or manager. If not applicable, check the box. • Attachment 11- Provide a description of all civil and administrative complaints against the registrant for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration. If not applicable, check the box. Describe each civil or administrative complaint which resulted in the fine or penalty. Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the amount of the fine(s) or penalty(s); whether the fine or penalty has been paid; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; and state whether the fine was a result of a settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. • Attachment 12- Provide a description of all civil and administrative complaints that have been brought or filed against the registrant for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment. If not applicable, check the box. Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; an explanation of all corrective action measures performed to correct or mitigate the alleged violation; and a description of the alleged endangerment to public health or the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order to judgement. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. • Attachment 13- Provide a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that that been filed against the registrant within the five (5) years before the date of submission of this registration. If not applicable, check the box. Include in the description: the style of the complaint and the identifying case number; the date the complaint was filed; the forum in which the complaint is pending; the identity and a description of each law or regulation alleged to have been violated; whether the alleged violation is a misdemeanor or felony; and all actions and pleadings which have occurred or have been filed in association with the complaint. • Attachment 14- Provide a description of all judgments of criminal conviction entered against the registrant within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law. If not applicable, check the box.

		<p>Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal.</p> <ul style="list-style-type: none"> • Attachment 15- Provide a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant within five (5) years before the date of submission of this registration. If not applicable, check the box. <p>Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal.</p>
Section	13.	Key Personnel- List the names of all key personnel as defined by KRS 224.1(44). Include the title or position of each key person.
Section	14.	<p>Expansion Modification- Pursuant to KRS 224.40-120 Section 2, upon request of the applicant, the cabinet may increase the size of the construction or demolition site permitted under subsection 1 of KRS 224.40-120 to a total of no more than two (2) acres.</p> <ul style="list-style-type: none"> • Permit Compliance- Check the box indicating whether the registrant is compliant with all permit requirements for the currently permitted construction or demolition waste disposal site. • Attachment 16- Provide an updated operational plan including, at a minimum, the equipment to be used, operating hours, number of personnel onsite daily, provisions for temporary storage, and the contingency plans for emergencies or equipment failure. • Attachment 17- Provide an updated current United States Geologic Survey 7.5- minute topographic map showing the property boundary and the proposed expanded waste boundary. The map should be printed at a size of 24 inches wide and 29 inches high. Do not send an aerial photograph instead of a topographic map. • Attachment 18- Provide an updated site plan drawing showing the proposed expanded waste boundary. The drawing should include all buildings, roads, property boundaries, and fences as well as a north arrow. The drawing should show that waste placement meets the siting requirements of 401 KAR 48:050, Sections 1,2, and 3. The proposed expansion must also meet the 750-yard buffer of 401 KAR 48:320, Section 4(2)(i).
Section	15.	Financial Assurance- Check the box indicating the provision of financial assurance for this landfill expansion. Check the box indicating an updated Performance Agreement has been included for new or updated financial assurance.
Section	16.	Registration Certification- Complete the certification statement provided. Pursuant to 401 KAR 47:160 Section 6(4), a person with signature authority such as a sole proprietor, owner, partner, plant manager, LLC member, mayor, county judge executive or other authorized official must sign this certification statement. Consultants may not sign the certification statement. A new certification statement shall accompany each submittal in the case of a notice of deficiency.
Section	17.	<p>Past performance information for Key Personnel- Complete this section for each person listed as key personnel in Section 13. Duplicate the page as needed.</p> <ul style="list-style-type: none"> • Attachment 19- Provide a description of the key person's experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held. If not applicable, check the box. • Attachment 20- Provide a list of the waste sites or facilities, including location information, in which the key person has a financial or equitable interest, or is an officer, director, or manager. If not applicable, check the box. • Attachment 21- Provide a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration. If not applicable, check the box. Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the amount of the fine(s) or penalty(s); whether the fine or penalty has been paid; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; and state whether the fine was a result of a settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. • Attachment 22- Provide a description of all civil and administrative complaints that have been brought or filed against the key person for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment. If not applicable, check the box. Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; an explanation of all corrective action measures performed to correct or mitigate the alleged violation; and a description of the alleged endangerment to public health or the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order to judgement. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. • Attachment 23- Provide a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that that been filed against the key person within the five (5) years before the date of submission of this registration. If not applicable, check the box.

		<p>Include in the description: the style of the complaint and the identifying case number; the date the complaint was filed; the forum in which the complaint is pending; the identity and a description of each law or regulation alleged to have been violated; whether the alleged violation is a misdemeanor or felony; and all actions and pleadings which have occurred or have been filed in association with the complaint.</p> <ul style="list-style-type: none"> • Attachment 24- Provide a description of all judgments of criminal conviction entered against the key person within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law. If not applicable, check the box. Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal. • Attachment 25- Provide a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the key person within five (5) years before the date of submission of this registration. If not applicable, check the box. Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal.
Section	18.	Certification for Key Personnel- Each completed Section 14 must be accompanied by a certification. Complete the certification statement provided.

Kentucky Department for Environmental Protection
 Division of Waste Management
 Solid Waste Branch
 300 Sower Boulevard – Frankfort KY 40601
 (502) 564-6716

**FOR OFFICIAL USE ONLY. DO
 NOT WRITE IN THIS SPACE**

**Registration for a Less-Than-One Acre
 Construction or Demolition Debris (CDD) Landfill**

1. Application Information

Type of Registration	<input type="checkbox"/> New facility	<input type="checkbox"/> Modification of existing facility
Modification Type	<input type="checkbox"/> Waste source county change <input type="checkbox"/> Alternate disposal facility change <input type="checkbox"/> Change of ownership <input type="checkbox"/> Expansion pursuant to KRS 224.40-120 Section 2 <input type="checkbox"/> Other Describe: _____ If not applicable, check here <input type="checkbox"/>	
Agency Interest Number	_____	
Solid Waste Permit Number	_____	
Fee Submitted	Amount: \$ _____	Check or Money Order #: _____
	<input type="checkbox"/> Exempt from fee	

2. Registrant Information

Registrant Name: _____		
Registrant Mailing Address: _____		
City: _____	State: _____	Zip Code: _____
Contact Person: _____	Title: _____	
Email Address: _____		
Phone Number: () -	Cell Number: () -	

3. Facility Information

Facility Name: _____		
Physical Address (No PO Box): _____		
City: _____	Zip Code: _____	County: _____
Contact Person: _____	Title: _____	
Email Address: _____		
Phone Number: () -	Cell Number: () -	

4. Preparer Information

Preparer Name: _____		
Mailing Address: _____		
City: _____	State: _____	Zip Code: _____
Contact Person: _____	Title: _____	
Email Address: _____		
Phone Number: () -	Cell Number: () -	

5. Waste Volumes			
Daily Tons	_____	Daily Cubic Yards	_____
Annual Tons	_____	Annual Cubic Yards	_____
6. Governing Body Notification			
Has a copy of this registration has been delivered to the governing body of the solid waste management area in which the facility will be located?	<input type="checkbox"/> Yes	<input type="checkbox"/> No Reason: _____	

7. Disposal sites for non-CDD waste		
Facility Name	Permit or AI Number	State
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
8. Operational Attachments and Descriptions		
Attachment 1. Provide a table of counties and state(s) that will be waste sources for the facility. Include the monthly quantity in tons of waste to be accepted from each waste source county.		
Attachment 2. Provide a detailed description of the following: the equipment to be used, operating hours, number of personnel onsite daily, provisions for temporary storage, and the contingency plans for emergencies or equipment failure.		
Attachment 3. Provide a current, original United States Geologic Services 7.5-minute topographic map. Clearly mark the location of the proposed waste boundary and property boundary.		
Attachment 4. Provide a site plan drawing.		
Attachment 5. For a facility proposed to be sited in a wellhead protection area, provide engineering drawings that meet the requirements of 401 KAR 48:320, Section 3. If not applicable, check here <input type="checkbox"/>		
Attachment 6. Provide a financial assurance mechanism for closure of the facility and a corresponding performance agreement.		
9. Ownership Information		
Legal Organizational Structure of Registrant	<input type="checkbox"/> Government agency	<input type="checkbox"/> Proprietorship
		<input type="checkbox"/> Private Entity
Registered with Kentucky Secretary of State?	<input type="checkbox"/> Yes	<input type="checkbox"/> No Reason: _____
Registered process agent: _____	Agent Email Address: _____	
Attachment 7. Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant or provide a copy of an approved Certificate of Assumed Name as provided by the Kentucky Secretary of State.		

10. Public Notice

Attachment 8. Using the appropriate template below, publish a public notice.

Template for New Facility

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

(Insert name of Registrant) proposes to submit a registration for a registered permit-by-rule for a less-than-one acre construction / demolition debris landfill facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110. The registration shall become effective thirty (30) business days after the cabinet receives it unless the cabinet denies the registration within that time.

The proposed facility will be located at (Insert facility name and physical address with zip code).

For questions regarding this proposed facility, contact (Insert name of facility owner or operator) at (Insert phone number including area code). Questions concerning the registration process for registered permits-by-rule can be directed to the Kentucky Department for Environmental Protection, Division of Waste Management, Solid Waste Branch, 300 Sower Boulevard, Second Floor, Frankfort, KY 40601, (502) 564-6716.

Template for Modification other than an Expansion pursuant to KRS 224.40-120

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

(Insert name of Registrant) proposes to submit a revised registration for a registered permit-by-rule for a less-than-one acre construction/demolition debris landfill facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110. The registration shall become effective thirty (30) business days after the cabinet receives it unless the cabinet denies the registration within that time. The proposed revision is to (Describe proposed modification).

The proposed facility will be located at (Insert facility name and physical address with zip code).

For questions regarding this proposed facility, contact (Insert name of facility owner or operator) at (Insert phone number including area code). Questions concerning the registration process for registered permits-by-rule can be directed to the Kentucky Department for Environmental Protection, Division of Waste Management, Solid Waste Branch, 300 Sower Boulevard, Second Floor, Frankfort, KY 40601, (502) 564-6716.

Template for an Expansion pursuant to KRS 224.40-120

**PUBLIC NOTICE
REGISTERED PERMIT-BY-RULE**

(Insert name of Registrant) proposes to submit a revised registration for a registered permit-by-rule for a less-than-one acre construction/demolition debris landfill facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to 401 KAR 47:110 and KRS 224.40-120. The registration shall become effective thirty (30) business days after the cabinet receives it unless the cabinet denies the registration within that time. The proposed revision is to expand the size of the landfill to less-than-two acres. (Describe any additional modifications being sought.)

The proposed facility will be located at (Insert facility name and physical address with zip code).

For questions regarding this proposed facility, contact (Insert name of facility owner or operator) at (Insert phone number including area code). Questions concerning the registration process for registered permits-by-rule can be directed to the Kentucky Department for Environmental Protection, Division of Waste Management, Solid Waste Branch, 300 Sower Boulevard, Second Floor, Frankfort, KY 40601, (502) 564-6716.

11. Property Owner's Acknowledgment of Liability

Property Owner Name: _____

Mailing Address: _____

City: _____

State: _____

ZIP Code: _____

Contact Person: _____

Title: _____

Email Address: _____

Phone Number: (____) ____ - ____

Cell Number: (____) ____ - ____

"I am aware of the facility that has been proposed for my property; and, I have been given a copy of the registration outlining this project. I hereby give permission for the registrant to proceed with this project. I understand that I am fully liable if the registrant fails to comply with the statutory and regulatory requirements for less-than-one-acre construction/demolition debris landfills, including any enforcement actions by the Energy and Environment Cabinet."

Name of Signatory/Person with Signature Authority: _____

Signature: _____

Date: ____ / ____ / ____

If not applicable (the registrant is the property owner), check here: **12. Past performance information for the Registrant**

Attachment 9. Provide a description of the registrant's experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held.

If not applicable, check here .

Attachment 10. Provide a list of the waste sites or facilities, including location information, in which the registrant has a financial or equitable interest, or is an officer, director, or manager.

If not applicable, check here .

Attachment 11. Provide a description of all civil and administrative complaints against the registrant for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration.

If not applicable, check here .

Attachment 12. Provide a description of all civil and administrative complaints that have been brought or filed against the registrant for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment.

If not applicable, check here .

Attachment 13. Provide a description of all pending criminal complaints alleging the violation of a state or federal environmental protection law that have been filed against the registrant within five (5) years before the date of submission of this registration.

If not applicable, check here .

Attachment 14. Provide a description of all judgments of criminal conviction entered against the registrant within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law.

If not applicable, check here .

Attachment 15. Provide a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant within five (5) years before the date of submission of this registration.

If not applicable, check here .

13. Key Personnel	
<u>Name of Key Person</u>	<u>Title/Position</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____

14. Expansion Modification		
<p>Pursuant to KRS 224.40-120 Section 2, upon request of the applicant, the cabinet may increase the size of the construction or demolition site permitted under subsection 1 of KRS 224.40-120 to a total of no more than two (2) acres.</p>		
<p>Is the registrant compliant with all permit requirements for the currently permitted construction or demolition waste disposal site?</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Attachment 16. Provide an updated operational plan.</p>		
<p>Attachment 17. Provide an updated current United States Geologic Survey 7.5-minute topographic map.</p>		
<p>Attachment 18. Provide an updated site plan drawing.</p>		
15. Financial Assurance		
<input type="checkbox"/> A new financial instrument in the amount of \$10,000 is enclosed with this revised registration.		
<input type="checkbox"/> A revised financial instrument in the amount of \$20,000 is enclosed with this revised registration.		
<input type="checkbox"/> An updated Performance Agreement (DWM 4650) has been included with this revised registration.		

16. Registration Certification	
<p><u>"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 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, including the possibility of fine and imprisonment for such violations."</u></p>	
<p>Name of Registrant: _____</p>	
<p>Name of Responsible Official _____</p>	<p>Title: _____</p>
<p>Signature: _____</p>	<p>Date: ____ / ____ / ____</p>

17. Past performance information for Key Personnel

Name of Key Person: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Email Address: _____

Phone Number: () - _____

Cell Number: () - _____

Attachment 19. Provide a description of any experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held.
If not applicable, check here .

Attachment 20. Provide a listing of the waste sites or facilities, including location information, in which you have a financial or equitable interest, or are an officer, director, or manager.
If not applicable, check here .

Attachment 21. Provide a description of all civil and administrative complaints against you for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration.
If not applicable, check here .

Attachment 22. Provide a description of all civil and administrative complaints that have been brought or filed against you for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment.
If not applicable, check here .

Attachment 23. Provide a description of all pending criminal complaints alleging the violation of a state or federal environmental protection law that have been filed against you within five (5) years before the date of submission of this registration.
If not applicable, check here .

Attachment 24. Provide a description of all judgments of criminal conviction entered against you within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law.
If not applicable, check here .

Attachment 25. Provide a description of all judgments of criminal conviction of a felony entered against you within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law.
If not applicable, check here .

18. Certification for Key Personnel

"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 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 KRS 224.99-010 provides for penalties."

Name of Key Person: _____

Title: _____

Signature: _____

Date: ____ / ____ / ____

Name of Registrant: _____

GENERAL INSTRUCTIONS
Registration for a Less-Than-One Acre Construction / Demolition Debris (CDD) Landfill

Instructions provided are for the DEP 7059H, Registration for a Less-Than-One Acre Construction / Demolition Debris (CDD) Landfill form. For any questions regarding any section of this form, please contact the Division of Waste Management's Solid Waste Branch (SWB). This form must be completed either by typing or by printing legibly with black ink.

If a previous approved registration is needed, request a copy by completing an open records request through the Department of Environmental Protection at (502) 564-3999 or EEC.KORA@ky.gov.

All sections of this form must be completed to be accepted by the cabinet. For any future changes in information, a revised registration form shall be submitted pursuant to 401 KAR 47:110. All information submitted on this form will be subject to public disclosure to the extent provided by Kentucky law. Persons filing this form may make claims of confidentiality in accordance with 400 KAR 1:060.

Submit DEP 7059H form via postal mail to the following address:

Kentucky Department for Environmental Protection
Division of Waste Management
Solid Waste Branch
300 Sower Boulevard, Second Floor
Frankfort, KY 40601

Submit DEP 7059H electronically using the eForms portal: <https://dep.gateway.ky.gov/eForms/Account/Home.aspx>

Section	1.	<p>Application Information</p> <ul style="list-style-type: none"> • Type of Registration- Check the appropriate box to indicate if this is a registration for a new facility or a modification of an existing facility. • Modification Type- If this is an application to modify an existing landfill, designate the type of modification sought. If the modification is an expansion pursuant to KRS 224.40-120 Section 2, Section 16 of this form must be completed. • Agency Interest Number: Provide the Agency Interest Number assigned to the facility, if known. • Solid Waste Permit Number: Provide the solid waste permit number assigned to the facility, if known. • Fee Submitted- Provide the amount of the fee submitted for this application and the check or money order number. If exempt from the fee due to being a publicly owned facility, check the box. Fees may be found in 401 KAR 47:090.
Section	2.	<p>Registrant Information- Provide the name and address information of the registrant. The registrant is the entity that is applying for the permit and may be the property owner or the operator of the facility. The name of the registrant must be consistent throughout the registration. Also provide the name and contact information for the person who will be the registrant contact.</p>
Section	3.	<p>Facility Information- Provide the exact name of the facility, the facility address and county name. Provide the name, title, and contact information for the person who will be the facility contact.</p>
Section	4.	<p>Preparer Information- Provide the name and contact information of the preparer of the form, if different from the registrant or facility contact person.</p>
Section	5.	<p>Waste Volumes- Enter the amount of waste anticipated to be received by the facility, in tons and cubic yards, on a daily and annual basis.</p>
Section	6.	<p>Governing Body Notification- Check the box indicating whether or not a copy of this registration has been delivered to the solid waste management area in which the facility will be located. If No, provide a reason why not.</p>
Section	7.	<p>Disposal sites for non-CDD waste- Provide the facility name, permit or agency interest number, and US state for any facility that will accept non-CDD waste from this proposed facility for disposal. The disposal facility must be able to accept waste from the listed waste source counties in Attachment 1.</p>
Section	8.	<p>Operational Attachments</p> <ul style="list-style-type: none"> • Attachment 1- List all anticipated sources of waste by county and state. If accepting waste from an entire state, write the name of the state in the first column. Estimate the monthly tonnage to be received from each source. • Attachment 2- Provide a detailed description of the operation of the facility that includes the equipment to be used to manage waste, the facility's operating hours, the number of personnel on-site daily, provisions for temporary storage of waste, and contingency plans for emergencies or equipment failure. • Attachment 3- Provide a current United States Geologic Survey 7.5-minute topographic map. The map should be printed at a size of 24 inches wide and 29 inches high. Clearly mark the location of the proposed waste boundary and the property boundary. Do not send an aerial photograph instead of a topographic map. • Attachment 4- Provide a site plan drawing showing the proposed facility. The drawing should include all buildings, roads, property boundaries, and fences as well as a north arrow. The drawing should show that waste

		<p>placement will meet the siting requirements of 401 KAR 48:050, Sections 1, 2, and 3. The proposed site must also meet the 750 yard buffer of 401 KAR 48:320, Section 4(2)(i).</p> <ul style="list-style-type: none"> • Attachment 5- If the proposed landfill is in a wellhead protection area, provide drawings prepared by a professional engineer licensed in Kentucky that meet the requirements of 401 KAR 48:320, Section 3. • Attachment 6- Provide financial assurance using either DWM4660, DWM4665, DWM4670 or DWM4675. Provide a performance agreement using form DWM4650. Governmental agencies are required to provide financial assurance in the form of a Fiscal Budget. Budgets are to be revised and submitted annually.
Section	9.	<p>Ownership Information</p> <ul style="list-style-type: none"> • Legal Organizational Structure of Registrant- Check the box that indicates the appropriate option. • Registered in Kentucky- Indicate whether or not the registrant is registered in Kentucky. If No, provide reason why not. • Registered Agent- Provide the name and contact information for the registrant's registered agent in Kentucky. • Attachment 7- Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant or provide a copy of an approved Certificate of Assumed Name as provided by the Kentucky Secretary of State.
Section	10.	<p>Public Notice- Fill in all sections in italics in the applicable template provided. Submit the completed notice for publication to a newspaper of general circulation in the county where the proposed waste management facility will be located. Inform the newspaper that the public notice shall be of a size to include not less than two (2) column widths for advertising and shall be in a display format. Request a tear sheet and affidavit of publication from the newspaper publishing the notice to submit with the completed registration. Submit the tear sheet and affidavit as Attachment 8.</p> <p>The public notice must be run at least 14 days before submitting the completed registration or the registration shall be denied.</p>
Section	11.	<p>Property Owner's Acknowledgment of Liability- Complete the identifying information for the owner of the property on which the proposed landfill is to be constructed. The certification statement shall be signed by a person with signature authority for the property owner. If the registrant is the property owner, check the box for "not applicable".</p>
Section	12.	<p>Past performance information for the Registrant</p> <ul style="list-style-type: none"> • Attachment 9- Provide a description of the registrant's experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held. If not applicable, check the box. • Attachment 10- Provide a list of the waste sites or facilities, including location information, in which the registrant has a financial or equitable interest, or is an officer, director, or manager. If not applicable, check the box. • Attachment 11- Provide a description of all civil and administrative complaints against the registrant for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration. If not applicable, check the box. Describe each civil or administrative complaint which resulted in the fine or penalty. Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the amount of the fine(s) or penalty(s); whether the fine or penalty has been paid; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; and state whether the fine was a result of a settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. • Attachment 12- Provide a description of all civil and administrative complaints that have been brought or filed against the registrant for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment. If not applicable, check the box. Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; an explanation of all corrective action measures performed to correct or mitigate the alleged violation; and a description of the alleged endangerment to public health or the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order to judgement. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. • Attachment 13- Provide a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that that been filed against the registrant within the five (5) years before the date of submission of this registration. If not applicable, check the box. Include in the description: the style of the complaint and the identifying case number; the date the complaint was filed; the forum in which the complaint is pending; the identity and a description of each law or regulation alleged to have been violated; whether the alleged violation is a misdemeanor or felony; and all actions and pleadings which have occurred or have been filed in association with the complaint. • Attachment 14- Provide a description of all judgments of criminal conviction entered against the registrant within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law. If not applicable, check the box.

		<p>Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal.</p> <ul style="list-style-type: none"> • Attachment 15- Provide a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant within five (5) years before the date of submission of this registration. If not applicable, check the box. <p>Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal.</p>
Section	13.	Key Personnel- List the names of all key personnel as defined by KRS 224.1(44). Include the title or position of each key person.
Section	14.	<p>Expansion Modification- Pursuant to KRS 224.40-120 Section 2, upon request of the applicant, the cabinet may increase the size of the construction or demolition site permitted under subsection 1 of KRS 224.40-120 to a total of no more than two (2) acres.</p> <ul style="list-style-type: none"> • Permit Compliance- Check the box indicating whether the registrant is compliant with all permit requirements for the currently permitted construction or demolition waste disposal site. • Attachment 16- Provide an updated operational plan including, at a minimum, the equipment to be used, operating hours, number of personnel onsite daily, provisions for temporary storage, and the contingency plans for emergencies or equipment failure. • Attachment 17- Provide an updated current United States Geologic Survey 7.5- minute topographic map showing the property boundary and the proposed expanded waste boundary. The map should be printed at a size of 24 inches wide and 29 inches high. Do not send an aerial photograph instead of a topographic map. • Attachment 18- Provide an updated site plan drawing showing the proposed expanded waste boundary. The drawing should include all buildings, roads, property boundaries, and fences as well as a north arrow. The drawing should show that waste placement meets the siting requirements of 401 KAR 48:050, Sections 1,2, and 3. The proposed expansion must also meet the 750-yard buffer of 401 KAR 48:320, Section 4(2)(i).
Section	15.	Financial Assurance- Check the box indicating the provision of financial assurance for this landfill expansion. Check the box indicating an updated Performance Agreement has been included for new or updated financial assurance.
Section	16.	Registration Certification- Complete the certification statement provided. Pursuant to 401 KAR 47:160 Section 6(4), a person with signature authority such as a sole proprietor, owner, partner, plant manager, LLC member, mayor, county judge executive or other authorized official must sign this certification statement. Consultants may not sign the certification statement. A new certification statement shall accompany each submittal in the case of a notice of deficiency.
Section	17.	<p>Past performance information for Key Personnel- Complete this section for each person listed as key personnel in Section 13. Duplicate the page as needed.</p> <ul style="list-style-type: none"> • Attachment 19- Provide a description of the key person's experience in managing solid or hazardous waste within the previous five (5) years including any past or present permits or licenses held. If not applicable, check the box. • Attachment 20- Provide a list of the waste sites or facilities, including location information, in which the key person has a financial or equitable interest, or is an officer, director, or manager. If not applicable, check the box. • Attachment 21- Provide a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that resulted in a fine or penalty greater than one thousand dollars (\$1,000) within the five (5) year period immediately preceding the submission date of this registration. If not applicable, check the box. <p>Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the amount of the fine(s) or penalty(s); whether the fine or penalty has been paid; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; and state whether the fine was a result of a settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation.</p> <ul style="list-style-type: none"> • Attachment 22- Provide a description of all civil and administrative complaints that have been brought or filed against the key person for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law or regulation and that presented a substantial endangerment to public health or to the environment. If not applicable, check the box. <p>Include in the description: the style of the complaint; the case, file or other identifying number; the identity of all parties named in the complaint; the forum in which the complaint was filed; the identity of each state or federal agency involved with or named in the complaint; the identity and a description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based; an explanation of all corrective action measures performed to correct or mitigate the alleged violation; and a description of the alleged endangerment to public health or the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order to judgement. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation.</p> <ul style="list-style-type: none"> • Attachment 23- Provide a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that that been filed against the key person within the five (5) years before the date of submission of this registration. If not applicable, check the box.

		<p><u>Include in the description: the style of the complaint and the identifying case number; the date the complaint was filed; the forum in which the complaint is pending; the identity and a description of each law or regulation alleged to have been violated; whether the alleged violation is a misdemeanor or felony; and all actions and pleadings which have occurred or have been filed in association with the complaint.</u></p> <ul style="list-style-type: none"> • Attachment 24- <u>Provide a description of all judgments of criminal conviction entered against the key person within five (5) years of the date of submission of this registration for the violation of any state or federal environmental protection law. If not applicable, check the box.</u> <u>Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal.</u> • Attachment 25- <u>Provide a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the key person within five (5) years before the date of submission of this registration. If not applicable, check the box.</u> <u>Include in the description: the style of the complaint, the identifying case number, and forum in which the complaint was entered; the date of judgment; the sentence imposed; the identity and a description of each law the registrant was convicted of violating; whether the conviction was the result of a plea agreement or a trial; if currently on appeal, the status of the appeal.</u>
Section	18.	Certification for Key Personnel- <u>Each completed Section 14 must be accompanied by a certification. Complete the certification statement provided.</u>