

INSTRUCTIONS AND PROCEDURES FOR SUBMITTING AN APPLICATION FOR A SOLID WASTE PROCESSING FACILITY

**DIVISION OF ENVIRONMENTAL QUALITY
OFFICE OF LAND RESOURCES
5301 NORTSHORE DRIVE
NORTH LITTLE ROCK, ARKANSAS 72118
COMPLIANCE: (501) 682-0877
PERMITS: (501) 682-0841
PROGRAMS: (501) 682-0594
FAX: (501) 682-0880**

Authority: Act 237 of the 1971 Arkansas Legislative Session, as amended, makes it unlawful to construct, install, alter, modify, use, or operate any solid waste processing facility or processing site without a permit from the Division. Arkansas Pollution Control and Ecology Commission Regulation No. 22 provides that applicants for new solid waste processing facilities prepare and submit an application on forms prepared by the Division containing certain information.

GENERAL INSTRUCTIONS

1. Before completing an application for a processing facility, the applicant should familiarize themselves with the statutory and regulatory requirements for permitting, constructing, and operating the facility. This would include Arkansas Code Annotated §§ 8-6-201 et. seq., Arkansas Pollution Control and Ecology Commission (APC&EC) Regulations No. 8, No. 9, and No. 22, as well as other applicable federal, state, and local rules and regulations.

2. Completed applications shall be mailed to:

Arkansas Energy and Environment
Attn: Division of Environmental Quality – Office of Land Resources
5301 Northshore Drive
North Little Rock, AR 72118-5317

Inquiries may be directed by telephone to (501) 682-0841 or by fax to (501) 682-0228.

3. Construction of solid waste processing facilities shall not commence until the Director has issued a final permit decision.

4. An application that is not administratively complete (see below) may not be accepted by the Division.

PROCEDURAL INFORMATION

1. The Division may require the applicant to attend a meeting to discuss application requirements and the findings of the preliminary site investigation.
2. If the Division determines that the application is not administratively complete, it will notify the applicant of its findings and may, at its option, return the application for revision.
3. The application will be reviewed for technical adequacy and regulatory conformance. The applicant will be notified of any deficiencies in writing. Any deficiencies in the application form or supporting documents must be corrected or otherwise answered by the applicant in writing.
4. Upon review of the final application package, the Director will make a preliminary decision to deny or grant a permit. A decision to deny the permit will be announced in accordance with the requirements of APC&EC Regulation No. 8 and will be appealable to the Commission in accordance with the provisions of that regulation.
5. If the Director decides to issue the permit, a draft permit shall be prepared and provided to the applicant. The Division will prepare a public notice of the preliminary decision and the applicant is responsible for paying the cost of publication of the notice.
6. All written comments received during the designated comment period and written or oral comments received at any public hearing called for by the Division shall be considered by the Division in the development of a final permit decision.

APPLICATION INSTRUCTIONS

Part I. Facility Type - The applicant should check the class of facility for which the application is being submitted.

Parts II, III & IV. Facility, Applicant, Owner - The name and address of the facility, applicant, and owner must be provided. The applicant must be the owner or operator of the facility and if the applicant does not perform both roles, the other party also must be identified.

Part V. Site Information - The proposed site must be described in terms of a legal description, location referenced to common highways or landmarks, and provides the type of access from dedicated public roads.

Part VI. Facility Information - The anticipated communities, cities, and counties that will be served by this processing facility should be indicated. A description of daily volume of the solid waste received at the facility, annual solid waste throughput, maximum storage time of any waste, and where all waste will be disposed should be provided.

Part VII. Application Contents - All the design drawings, plans, design calculations, and other documents that are enclosed with the permit application should be listed.

Part VIII. Required Attachments - The required attachments are those necessary along with the properly completed application form to be considered administratively complete. In order to provide a timely, efficient review, it is recommended that these materials be submitted in an organized manner and indexed for easy reference.

Composting Facilities:

- Completed application form;
- Application fee in accordance with current fee schedule;
- Map or aerial photograph indicating land use and zoning within ½ mile of the facility;
- Maps showing the existence of any wetlands or floodplains on or adjacent to the site. To determine if the proposed site is in a floodplain, flood insurance rate maps (FIRMs) published by Federal Emergency Management Agency (FEMA) can be used;
- A site plan prepared by registered professional engineer showing proposed composting areas, access roads, site topography, drainage characteristics including any run-on and run-off systems;
- Design narrative and design calculations prepared by a registered professional engineer;
- Operating plans (narrative) prepared by a registered professional engineer;
- Geotechnical report describing site conditions to a depth of 10 feet;
- Closure plan containing a schedule and description of the steps necessary to close the facility and cost estimates for a third party to perform closure activities.
- Any additional information deemed necessary by the Division for a determination as to the issuance of the permit;
- See APC&EC Regulation No. 22, Chapter 8 for composting rules and requirements.

Transfer Stations (TS), Solid Waste Recovery (WRF), and Construction and Demolition Recovery (CDRF) Facilities:

- Completed application form;
- Application fee in accordance with current fee schedule;
- Location Demonstration including: Map or aerial photograph indicating land use and zoning within ½ mile of the facility;
- Certificate of Need (TS & WRF) and other required approvals;
- Maps showing the existence of any wetlands or floodplains on or adjacent to the site. To determine if the proposed site is in a floodplain, flood insurance rate maps (FIRMs) published by Federal Emergency Management Agency (FEMA) can be used;
- A site plan showing storage areas for incoming solid waste, access roads, site topography, drainage characteristics including any run-on and run-off systems;
- Design narrative or specifications describing the facility design prepared by a registered professional engineer;
- Operating plans (narrative) prepared by a registered professional engineer;
- Any additional information deemed necessary by the Division for a determination as to the issuance of the permit which complies with APC&EC Regulation No. 22;
- See APC&EC Regulation No. 22, Chapter 9 for transfer stations/solid waste recovery facilities for rules and requirements; See Chapter 10 for CDRF rules and requirements.

Part IX. Certification - The application shall be signed by the applicant or an authorized person as defined in Section 22.301(h). The application shall also be signed by the Engineer who is retained by the applicant as required by 22.301(i).

SOLID WASTE PROCESSING FACILITY APPLICATION FORM

DIVISION OF ENVIRONMENTAL
OFFICE OF LAND RESOURCES
5301 NORTHSORE DRIVE
NORTH LITTLE ROCK, AR 72118-5317

Act 237 of the 1971 Arkansas General Assembly, as amended, makes it unlawful to construct, install, alter, modify, use or operate any solid waste processing facility without a permit. Section 22.303 of Arkansas Pollution Control and Ecology Commission Regulation No. 22, Solid Waste Management, requires that applicants for new solid waste processing facilities prepare and submit an application on forms prepared by the Division and the form is to include certain information.

I. FACILITY TYPE

(Check the one that applies)

- _____ Yard Waste Composting Facility (Y)
- _____ Organic Waste Composting Facility (O)
- _____ Mixed Solid Waste Composting Facility (S)
- _____ Solid Waste Transfer Station (TS)
- _____ Solid Waste Recovery Facility (WRF)
- _____ Construction and Demolition Recovery Facility (CDRF)

Facility is: _____ New _____ Existing

II. FACILITY IDENTIFICATION

Facility Name: _____ Site Manager: _____

Facility Location: _____

Street Address: _____

City: _____ State: _____ Zip: _____

County: _____ Telephone Number: _____ Fax Number: _____

Longitude: _____ Latitude: _____

Section/Township/Range: _____

III. APPLICANT IDENTIFICATION

Name of Applicant:_____

Address of Applicant:_____

City:_____ State:_____ Zip:_____

Applicant Telephone Number:_____ Fax Number:_____

Applicant Email Address:_____

Is the applicant the Facility Owner? Yes:_____ No:_____ If no, please fill out Section IV.

IV. OWNER IDENTIFICATION

Name of Facility Owner:_____

Address of Facility Owner:_____

City:_____ State:_____ Zip:_____

Facility Owner Telephone Number:_____ Fax Number:_____

Facility Owner Email Address:_____

V. SITE INFORMATION

Legal description:_____

(Continue on additional sheets if required)

Directions to the site:_____

Location of property referenced to known landmarks describing access roads to site:_____

Describe site and area drainage: _____

For Transfer Stations and Solid Waste Recovery Facilities:

Houses/Dwellings/Places of Business within ½ mile of site & method used to determine: _____

Water supplies within ½ mile of site & method used to determine: _____

For Composting Facilities:

Houses/Dwellings/Places of Business within ½ mile of site & method used to determine: _____

Water supplies within ½ mile of site & method used to determine: _____

Describe the nature and type of waste the facility will process: _____

VI. FACILITY INFORMATION

Describe facility service area: _____

Identify the average weight or volume of the material that this facility will receive or process:

_____	Cubic yards or tons received per day
_____	Cubic yards or tons received annually
_____	Cubic yards or tons per day residual (if applicable)

Provide a brief description of the disposition of transferred/processed material, and, if applicable, how any residual material will be disposed: _____

Identify the average and maximum time that waste is anticipated to be stored on site: _____

VII. APPLICATION CONTENTS

Permit Drawings *(Identify below each design drawing or document included with this application)*

Drawing Number	Title	Date	Revision Number

VIII. REQUIRED ATTACHMENTS

- A disclosure statement, if required;
- A 7.5 minute quadrangle map showing the location of the facility property including processing facility boundaries, area dwellings and water supplies;
- Documentation on whether the selected site is in conformance with the applicable airport safety, floodplain, wetlands, and separation distances location restrictions;
- Assurance in the form of a deed, lease, option, license, or other document that the permit applicant has the legal authority to enter the lands for purposes of performing site investigations and studies, and authority to process solid waste upon issuance of a permit;
- Local authority approval if required by Section 22.203-22.205 of APC&EC Regulation No. 22;
- Location of the site in an appropriate scale on a city or county map;
- Notification to regional solid waste management district and to local city or county with jurisdiction over the proposed site if required by Section 22.204 of APC&EC Regulation No. 22 and Certificate of Need from the Regional Solid Waste Management District for Transfer Stations or Solid Waste Recovery Facilities (See APC&EC Regulation No. 22.205);
- See APC&EC Regulation No. 22, Chapter 8 for composting rules and requirements.

ADDITIONAL REQUIRED ATTACHMENTS

COMPOSTING FACILITIES:

- Application fee as required by APC&EC Regulation No. 9 of the Division;
- A map or aerial photograph indicating land use and zoning within ½ mile of the facility and showing all residences, structures, surface waters, public and private water supply sources, access roads, airports, and other existing and proposed man-made features relating to the project;
- A site plan prepared by a registered professional engineer showing proposed composting areas, location of existing and proposed access roads, site topography, existing and proposed drainage characteristics including any run-on and run-off control systems;
- A design narrative and calculations prepared by a registered professional engineer;
- Operating Plan or Narrative that addresses the criteria in Section 22.804 of APC&EC Regulation No.22 prepared by a registered professional engineer;
- A geotechnical report describing site conditions to a depth of 10 feet (Type O & S);
- Closure plan;
- Any other information requested by the Division.

TRANSFER STATION, SOLID WASTE RECOVERY AND CONSTRUCTION AND DEMOLITION RECOVERY FACILITIES:

- Application fee as required by APC&EC Regulation No. 9 of the Division;
- A map or aerial photograph indicating land use and zoning within ½ mile of the facility and showing all residences, structures, surface waters, public and private water supply sources, access roads, airports, and other existing and proposed man-made features relating to the project;
- A site plan showing storage areas for incoming solid waste, location of existing and proposed access roads, site topography, existing and proposed drainage characteristics including any run-on and run-off control systems;
- A design narrative or specifications describing the facility design;
- Operating Plan or Narrative prepared by a registered professional engineer that addresses the criteria in Section 22.904 or 22.1004, as applicable, of APC&EC Regulation No. 22;
- Closure Plan;
- Any other information requested by the Division;
- See APC&EC Regulation No. 22, Chapter 9 for transfer stations/solid waste recovery facilities for rules and requirements; See Chapter 10 for CDRF rules and requirements.

IX. CERTIFICATION

To the best of my knowledge and belief, I certify the information provided in this application is true and accurate:

APPLICANT

Signature & Title

Printed Name

Date

ENGINEER/CONSULTANT

Signature & Title

Printed Name

Date

CONFIDENTIALITY: This application shall be available for public inspection, provided, however, that the Division shall not disclose, except to authorized persons, any information which the Director determines is entitled by law to protection as trade secrets without the consent of the applicant. Trade secrets shall not include the name and address of the applicant, nor any information necessary, as determined by the Director, for the public to evaluate the hazards associated with the proposed operation, nor any other information required by law to be available to the public.