WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID AND HAZARDOUS WASTE DIVISION

SOLID WASTE GUIDELINE #3

"Solid Waste Facility Permit Application Form"

1.0 Introduction

This guideline transmits the solid waste facility permit application form and provides information on how the form should be completed. The permit application form is attached to this guideline.

Submission of the enclosed permit application form (1 page, double-sided) is required for every solid waste management facility submitting an operating (new or renewal) or closure permit application under the solid waste management rules and regulations. The permit application form presents summary information on the facility and is used for all applicable signatures required by rule and regulation, including the applicant oath as required at W.S. § 35-11-506.

An application consists of the application form and all information necessary to demonstrate compliance with the general permitting, location, construction/design, operation, monitoring, and closure/post-closure and financial assurance requirements of the applicable regulations. The regulations require the submission of three (3) copies of the application, each bound in a three-ring binder and organized to conform to the requirements of the rules and regulations. However, until an application is determined complete and technically adequate, the applicant may submit one (1) paper and one (1) electronic copy of the application. Once the application is determined complete and technically adequate, the department will request that two (2) complete paper copies and one (1) complete electronic copy be submitted. One (1) of the paper copies of the application must contain an application form with original signatures and seals. Specific instructions for completing the permit application form are included in this guideline.

A fully completed application form needs to be included with the initial submittal of a permit application. An application form does not need to accompany information submitted in response notices that an application is incomplete, deficient, or technically inadequate. Additional information submitted must be accompanied by a cover letter signed by the applicant and application documents must be signed, sealed, and dated by a professional engineer registered in Wyoming who is responsible for the application preparation and/or supervision. If the additional information includes geological services or work, these documents must also be signed, sealed, and dated by a professional geologist registered in Wyoming. After the application is determined complete, technically adequate and suitable for publication, a fully completed application form must be submitted before a permit is issued.

2.0 Application Form Information

The following sections describe the type of information which is required to complete the various sections of the permit application form.

2.1 Applicant Information

- In the case of a public body such as a city, county, board, commission, district or other public body, the applicant is the public body.
- In the case of an individual (sole proprietorship), the applicant is that individual.
- In the case of a corporation or limited liability company (LLC), the applicant is the company. Please write "corporation" or "LLC" in parenthesis after the company name.
- In the case of a general partnership or limited partnership, the applicant is the partnership. Please list all of the partners.
- In the case of a joint venture, the applicant is the joint venture. Please list all members of the joint venture.

2.2 Landowner Information

All facility landowners of record must be identified on the application form. If the landowner is the applicant, please insert the phrase "Applicant is the landowner" on this portion of the application form. If more than one landowner exists, please provide the required information on an attached piece of paper.

Landowner information *is not* required if the application is for a mobile facility.

2.3 Lienholder Information

All lienholders of public record must be identified on the application form. Lienholders of public record include those lienholders that have filed a lien with the county registrar of deeds, which is normally the county clerk. If there are no lienholders, please insert the phrase "No lienholders" on this portion of the application form. If more than one lienholder exists, please provide the required information on an attached piece of paper.

Lienholder information *is not* required if the application is for a mobile facility.

2.4 Facility Information

- Application Type: Identify the type of application using one of the following descriptors:

  Operating (operating permit application for a new or an existing facility)
  Closure (closure permit application for an existing facility)

- Township, Range, Section: Identify the township, range and section(s) in which the

facility is located. The complete legal description including a metes and bounds description is not required on the permit application form, but must be included in the permit application document.

- County, Total Acreage: Identify the name of the county in which the facility is located. Also identify the total facility acreage as defined in the permit application document.

- Service Area: Identify the geographic or political area or region from which the facility will receive wastes. If the facility will receive wastes from a specific commercial or industrial facility, please identify the name of the facility.

- Total Disposal Capacity: Identify the total volumetric disposal capacity of all disposal units. Please identify capacity in cubic yards (solid wastes).

- Total Transfer/Treatment/Storage Capacity: Identify the total volumetric storage and/or processing capacity of the all transfer/treatment/storage units. Please identify storage capacity in cubic yards (solid wastes) or gallons (liquid wastes), and processing capacity as a mass or volume per unit time (e.g., tons/day, cubic yards/day, gallons/minute).

- Facility Classification - Identify the facility classification using one of the following descriptors. For a complete description of each facility classification, please see Chapter 1, Section 1(e) "Definitions" of the Solid Waste Rules and Regulations.

  Sanitary Landfill / Type I (equal to or greater than 20 tons/day of municipal solid waste)
  Sanitary Landfill / Type II (less than 20 tons/day of municipal solid waste, no evidence of groundwater contamination, and serves a community with no practicable waste management alternatives.)
  Industrial Landfill / Greater than one acre
  Industrial Landfill / Less than one acre
  Construction/Demolition Landfill
  Transfer/Treatment/Storage Facility
  Low-Hazard/Low-Volume Facility
  Mobile Facility
  Commercial Facility (greater than 500 tons/day of municipal or mixed municipal and industrial waste)

- Waste Types - Identify all waste types which are transferred, treated, stored or disposed by the facility using the following descriptors. For a complete description of each waste type, please see Chapter 1, Section 1(e) "Definitions" of the Solid Waste Rules and Regulations.

  Municipal Solid Waste (may include commingled industrial and/or construction/ demolition wastes)
  Industrial Solid Waste (please provide a more specific name, if possible)
  Construction/Demolition Debris
  Scrap Tires
  Non-Friable Asbestos

Friable Asbestos
Petroleum Contaminated Soils
Petroleum Storage Tanks
Used Oil

2.5 Landowner Approval

The application form must be signed and dated by all landowners of public record to indicate consent to facility operations and acknowledge any associated land use restrictions and/or deed notice. If the landowner is a state or federal agency, the landowner consent letter contained in *Appendix A* may be used to demonstrate compliance with the landowner approval requirement. Landowner approval signatures may be deferred until the application is deemed complete and technically adequate. If the landowner is the applicant, please insert the phrase "Applicant is the landowner" on this portion of the application form.

Application forms for mobile facilities *do not* have to be signed by the landowner. However, mobile facility operators are required to obtain landowner consent prior to mobilization.

2.6 Lienholder Approval

The application form must be signed and dated by all lienholders to indicate consent to facility operations and acknowledge any associated land use restrictions and/or deed notice. Lienholder approval signatures may be deferred until the application is deemed complete and technically adequate. If there are no lienholders, please insert the phrase "No lienholders" on this portion of the application form.

Application forms for mobile facilities *do not* have to be signed by the lienholder.

2.7 Professional Engineer Certification

The application form must be signed, sealed, and dated by a professional engineer registered in Wyoming who is responsible for the application preparation and/or supervision. Modifications to the Professional Engineer Certification statement must be approved by the department.

Application forms for low-hazard/low-volume facilities and mobile facilities *do not* have to the signed, sealed or dated by a professional engineer.

2.8 Professional Geologist Certification

The application form must be signed, sealed, and dated by a professional geologist registered in Wyoming who is responsible for the application preparation and/or supervision. Modifications to the Professional Geologist Certification statement must be approved by the department. This certification is not required if the application does not include geological services or work.

Application forms for low-hazard/low-volume facilities and mobile facilities *do not* have

to the signed, sealed or dated by a professional geologist.

2.9 Applicant Oath

Each application must be signed under oath by the applicant subject to penalty of perjury and be acknowledged by a notary. The applicant oath also acknowledges the department's authority to inspect the facility and associated equipment and records for purposes of evaluating compliance with the permit and other department rules and regulations. The Applicant Oath signatures may be deferred until the application is deemed complete and technically adequate. The Applicant Oath must be signed by the following:

If the applicant is a ...	The signer must be ...
Public Body	The head of the public body or ranking elected official
Sole Proprietorship (individual)	The sole proprietor (individual)
Corporation	At least two principal, executive officers authorized to bind the corporation (see supporting documentation below)
General Partnership or Limited Partnership	One general partner authorized to bind the partnership with documentation adequate to confirm their status (e.g., a copy of the appropriate sections of the partnership agreement)
Joint Venture	One venturer or management official authorized to bind the joint venture with documentation adequate to confirm their status (e.g., a copy of the appropriate sections of the joint venture agreement) NOTE: If the venturer signing is a corporation, see requirements for corporations above.

Application forms submitted by corporations must be accompanied by formal documentation which confirms that the principal executive officers who have signed the permit application form were duly authorized to bind the corporation to the terms of the permit on the date they signed the application form. Formal documentation (see attached sample) must include *both* of the following:

- A certified copy of corporate by-law or resolution (still in full force and effect) conferring requisite authority on a specific corporate officer or officers. NOTE: If authority given is unclear, then provide a letter on corporate letterhead from the corporate counsel stating that the by-law or resolution citied in the certification does authorize the designated officers to bind the corporation to the terms of the specific permit application.

- Certification that the individuals who signed the application form held the specified office on the date they signed the application.

3.0 Further Information

Further information can be obtained from the following Solid and Hazardous Waste Division offices. Comments and suggestions for improvements are always appreciated.

Casper: (307) 473-3450
Cheyenne: (307) 777-7752
Lander: (307) 332-6924

4.0 Guideline Approval

I have reviewed and approved the policies and procedures described in this guidance document.

Signed

4/4/2012

Administrator
Solid and Hazardous Waste Division

Date

Attachments

Appendix A "Generic State/Federal Landowner Consent Letter"
Appendix B "Solid Waste Permit Application Form"

Guideline History

October 3, 1989:	Original Version
October 12, 1995:	2nd Version - Applicant oath modified to provide consent for department access to facility.
August 16, 1999:	3rd Version - Application form reformatted. Information on service population and remaining site capacity deleted. Provisions of Professional Geologist Act incorporated. Low-Hazard/Low-Volume facility and Mobile facility requirements incorporated. Clarified requirements for persons who sign the applicant oath.
April 27, 2007:	4th Version - Revised application form to make room for PE and PG stamps and for applicant signatures and improved the applicant and notary signature sections.
February 21, 2012:	Current Version - Added provisions for electronic submittals, clarified when forms need to be submitted.

"Generic State/Federal Landowner Consent Letter"

Administrator
Solid and Hazardous Waste Division
Department of Environmental Quality
122 West 25th Street
Cheyenne, Wyoming 82002

To Whom It May Concern:

The Department of Environmental Quality requires that owners of lands on which municipal sanitary landfills are located must consent to the operations of those landfills, before a state permit can be issued to the operator.

The INSERT: operator name, city, county, solid waste disposal district, other is authorized to operate a sanitary landfill site under a Recreational and Public Purposes Act lease number WYW-INSERT: lease number. This lease was issued by the Bureau of Land Management on INSERT: lease issue date. A copy of this lease is currently in effect, and covers the following lands:

INSERT: legal description

Under this lease, the operator is responsible to comply with all federal, state, and local laws governing landfill operations. Applicable laws include, but are not limited to, the following:

Federal - Municipal sanitary landfills located on federal lands must comply with the U.S. Environmental Protection Agency's sanitary landfill criteria. The criteria which are currently in effect are contained in 40 CFR Part 258.

State - All municipal sanitary landfills located within Wyoming must comply with Chapters 1 (General Provisions) and 2 (Sanitary Landfill Regulations), and applicable portions of Chapters 6 (Transfer, Treatment, Processing and Storage Facility Regulations), 7 (Financial Assurance Requirements), and 8 (Special Waste Management Standards), of the Wyoming Solid Waste Management Rules and Regulations.

Local - The Bureau is not aware of any local solid waste regulations applicable to the facility.

The Solid and Hazardous Waste Division of the Department of Environmental Quality has received approval from the EPA which demonstrates that its current state laws and regulations are at least as stringent as current federal sanitary landfill criteria, contained at 40 CFR Part 258. Therefore, if the operator has met, and continues to meet, all state regulations relating to the operation of its sanitary landfill, the operator is allowed to operate a sanitary landfill under the above-described Recreational and Public Purposes Act lease authorization

We have reviewed the operator's sanitary landfill permit application dated INSERT: date of application. The operator has submitted this application to demonstrate compliance with Department of Environmental Quality laws and regulations. Presuming that the operations as described in the application are in compliance with those laws and regulations, the Bureau consents to the operations described therein.

Sincerely,

District Manager
copy : INSERT: Operator's Name