



west virginia department of environmental protection

Division of Water and Waste Management
Solid Waste Permitting Unit
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BACKGROUND INVESTIGATION DISCLOSURE STATEMENT APPLICATION

INTRODUCTION

Attached is the Background Investigation Disclosure Statement Application (“Application”). The Background Investigation Disclosure Statement Application must be filled out accurately and completely.

INSTRUCTIONS

Each **person** (defined by West Virginia Code, Chapter 22, Article 15, Section 2(25)) that is required to be listed in Questions 2 and 6 must answer all questions contained in the Application. If the **person** is able to affirm all statements contained in the attached Affidavit, then the Affidavit shall be filed with this application. However, if this affirmation is not possible, then an addendum form must be filed for each spouse, child, sibling and parent of the **person** with this application. The filing of this affidavit does not preclude the Director from requiring an addendum to be submitted later.

All individuals listed in either Question 2 and Question 6 may fill out an affidavit instead of the addendum if the individuals are able to affirm all the statements contained in the affidavit. However, if this affirmation is not possible, then an addendum form must be filed for each spouse, child, sibling and parent of the individual. The filing of the affidavit does not preclude the Director from requiring an addendum to be submitted at a later date. Any person listed on an addendum may be required to complete a Background Investigation Disclosure Statement application at the Director’s discretion.

All persons listed below in Questions 2 and 6 must answer Questions 7 through and including Question 24. **A separate background investigation disclosure statement is required for each person listed.**

Each individual listed in the application in Questions 2 and 6 is required to submit two fingerprint cards, Form FD-258. The Division can supply the necessary fingerprint cards upon request.

For all **persons** listed in Questions 2 and 6 a nonrefundable one thousand (\$1,000.00) dollars per **person** investigation fee must be submitted to the Division of Water and Waste Management with this application and fingerprint cards in order to initiate review. Any **person**, who at the Director's discretion, is required to file an application at a later date, will have to submit the nonrefundable one thousand (\$1,000.00) dollars per **person** investigation fee at that time. This fee is required pursuant to subdivision 3.14.b. of 33CSR1 "Solid Waste Management Rule".

All information in Questions 8, 9, 10, 11 and 22 shall fully describe the information required for the previous ten (10) years of the filing date of this application.

If this application is being submitted by a partnership, this application must be signed by each of its partners. If this application is being submitted by a limited partnership, this application only needs to be signed by each of its general partners. If this application is being submitted by a corporation, the permit application must be signed by its president, its chairman of the board, any other chief executive officer thereof, its secretary, and its treasurer.

The application shall be filed by submitting one original set of all papers that is notarized and one certified copy of all papers. All documents must contain original signatures. The Division must be notified of any future changes to the application.

If you have any questions, please contact the Solid Waste Management Unit at (304) 926-0499, or:

West Virginia Department of Environmental Protection
Solid Waste Management
601 57th Street
Charleston, WV 25304

**BACKGROUND INVESTIGATION
DISCLOSURE STATEMENT APPLICATION
FOR A SOLID WASTE FACILITY PERMIT**

A. As defined by West Virginia Code §22-15-2(2) “Applicant” means:

the person applying for a commercial solid waste facility permit or similar renewal permit and any person related to such person by virtue of common ownership, common management or family relationships as the director may specify, including the following: Spouses, parents and children and siblings.

B. As defined by West Virginia Code §22-15-2(25) “Person” or "persons" means:

any industrial user, public or private corporation, institution, association, firm or company organized or existing under the laws of this or any other state or country; State of West Virginia; governmental agency, including federal facilities; political subdivision; county commission; municipal corporation; industry; sanitary district; public service district; drainage district; soil conservation district; watershed improvement district; partnership; trust; estate; person or individual; group of persons or individuals acting individually or as group; or any legal entity whatever.

NOTE: All questions on this application must be answered. Please print or type.

If more space is needed, attach additional sheets.

C. Application Information

1. Purpose of the application (Permit modification, permit transfer, permit closure, or operational permit): _____

2. List all applicable information for the Permit Applicant.

Full Name (First, Middle, Last. Individual or business, whichever applies):

Have you ever used an alias? _____

If **yes**, what alias have you used?

Business Address: _____

Home Address: _____

Is your mailing address the same as your residential address? _____

If **not**, what is your mailing address?

Email Address: _____

Telephone number: _____

How do you wish to be contacted, telephone or email? _____

Date of Birth: _____ / _____ / _____

State Tax ID: _____

Social Security No.: _____ - _____ - _____

Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

Gender: _____ Race: _____ Ethnicity: _____

Preferred Language: _____

3. List the following information for any contractor who recovers gas or energy from the proposed operation if the contractor is a person other than the applicant.

Name of Contractor: _____

Business Address: _____

Telephone No.: (_____) _____ - _____

4. List the following information for the owners of record of all surface and subsurface areas within, and contiguous to, the proposed permit area.

Name: _____

Address: _____

5. List the following information for the holders of record to a leasehold interest in all surface or subsurface areas within, and contiguous to, the proposed permit area.

Name: _____

Address: _____

6. List the name of every officer, director, manager, or shareholder owning five (5) percent or more of capital stock, beneficial or otherwise, general or limited partner, any person performing a function similar to a director, United States parent corporations, including ultimate parent corporations, agent, or associates of the permit applicant.

Name: _____

Address: _____

Telephone No.: (_____) _____ - _____

Date of Birth: _____ / _____ / _____

Social Security No. or State Tax ID: _____

7. Provide the full name and business address of any company which collects, transports, treats, stores, disposes or processes solid waste or hazardous waste in which any person listed in Question 2 or Question 6 currently owns or operates, or owned or operated, in the previous ten (10) years.

Name: _____

Address: _____

Telephone No.: (_____) _____ - _____

State Tax ID No.: _____

8. A description of the experience and credentials, including any past or present permits or licenses, for the collection, transportation, treatment, storage, disposal or processing of solid waste or hazardous waste possessed by any person listed in Question 2 or 6 and Question 7.

Type of Permit/ License: _____

Permit/ License Number: _____

Location: _____

Issuance Date: _____

Expiration Date: _____

9. A listing, explanation and status of any notices of violation, citations, indictments, subpoenas, prosecutions, administrative orders or other similar action, permit/ license revocations, permit/ license denials, or permit/ license suspensions issued by any state or federal authority, which are pending or have resulted in a finding, a settlement or a conviction of a violation of any law or regulation relating to the collection, transportation, treatment, storage, disposal or processing of solid waste or hazardous waste by any person listed in Question 2 or 6 and Question 7.

Type of action: _____

Date: _____

Explanations, including nature of action: _____

Status: _____

10. A listing, explanation and status of any judgment of liability, bond forfeiture action, civil administrative penalty, consent order, plea, plea bargain, consent adjudication, consent decree or settlement agreement, or other similar acts or convictions which were rendered pursuant to any state or federal statute, state or federal regulation, or local ordinance against any person listed in Question 2 or 6 and Question 7.

Type of action: _____

Date: _____

Explanations: _____

Status: _____

11. A listing, explanation and status of any misdemeanor or felony conviction, or plea of guilt or no contest, that have been obtained against any person listed in Question 2 or 6 and Question 7.

Date of Conviction: _____

Crime or Offense: _____

Explanation: _____

Disposition: _____

12. A listing of any agency outside West Virginia which has regulatory responsibility over any person listed in Question 2 or 6 and Question 7 in connection with its collection, transportation, treatment, storage, disposal or processing of solid waste or hazardous waste.

13. Nature of interest and role of the **person** listed in Question 2 or Question 6 (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation - Officer |
| <input type="checkbox"/> Manager | <input type="checkbox"/> Corporation - Agent |
| <input type="checkbox"/> Proposed permitted premise | <input type="checkbox"/> Corporation - Director |
| <input type="checkbox"/> Associates | <input type="checkbox"/> Corporation -
5% Shareholder |
| <input type="checkbox"/> Children | <input type="checkbox"/> Parent Corporation |
| <input type="checkbox"/> Sibling | <input type="checkbox"/> Partner |
| <input type="checkbox"/> Spouse | <input type="checkbox"/> Partnership - General |
| <input type="checkbox"/> Parent | <input type="checkbox"/> Partnership - Limited |
| <input type="checkbox"/> Corporation | |

14. All business, partnerships or corporations for which any person listed in Question 2 or Question 6 is presently an owner, partner, officer, director or manager.

Business Name: _____

Position Held: _____

Address: _____

15. The occupation record of the person listed in Question 2 or Question 6 for the past 10 years.

Date: From: _____ To: _____

Business Name: _____

Position Held: _____

Address: _____

16. Will the person listed in Question 2 or Question 6 take an active part in the operation of the person seeking this permit?

Yes: _____ No: _____

If yes, explain the nature of activity: _____

17. Has the person listed in Question 2 or Question 6 ever been known by any other names (including maiden name and nicknames)?

Yes: _____ No: _____

If yes, state each such name: _____

18. Has the person listed in Question 2 or Question 6, or any business partnership or corporation in which the person listed in Question 2 or Question 6 was a principal, ever filed a petition in bankruptcy court or has been judged to be bankrupt?

Yes: _____ No: _____

If yes, give details: _____

19. Are there any arrest, indictments or summonses (except for misdemeanor traffic infractions) pending against the person listed in Question 2 or Question 6?

Yes: _____ No: _____

If yes, state below the date of the alleged crime and offense action (arrest, indictment or summons): _____

20. Has the person listed in Question 2 or Question 6 ever applied anywhere for a license or permit to transport regulated waste material or regulated hazardous material as an individual, business, partnership or corporation in which the person listed in Question 2 or Question 6 was a principal?

Yes: _____ No: _____ If yes, answer Questions 20a. and 20b.

20a. State name and address of business and date of filing:

Name of Business: _____

Address: _____

Date of Filing: _____

20b. Has such license or permit ever been revoked, canceled or otherwise involuntarily terminated?

Yes: _____ No: _____ If yes, state date and action taken:

21. Has the person listed in Question 2 or Question 6 ever been found in a civil proceeding to have committed a negligent or intentional act in violation of laws or regulations related to handling, storing, treating, disposing or transporting of hazardous waste, solid waste, hazardous material, or any other material in this state or any other state?

Yes: _____ No: _____ If yes, state date filed and disposition:

22. A listing of all permit applications denied the person listed in Question 2 or 6 and Question 7.

Business/ Individual for whom application was denied:

Date denied: _____

By what agency: _____

23. List the principal shareholders that have also been principal shareholders of other corporations which have committed violations of environmental laws or regulations.

Shareholder: _____

Violation: _____

Date: _____

24. All individuals listed in Question 2 and Question 6 must submit four fingerprint cards with this disclosure form -- two cards issued by the state of West Virginia and two cards issued by the federal government.

Cards attached? Yes: _____ No: _____

We will process your personal information (email address, mailing address and/or telephone number) in accordance with the state of West Virginia's Privacy Policy for appropriate and customary business purposes. Your personal information may be disclosed to other state agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. The Division of Water and Waste Management will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact the DEP's Chief Privacy officer at deprivacyofficer@wv.gov.