



west virginia department of environmental protection

Division of Water and Waste Management
601 57th St. SE
Charleston, WV 25304
Phone: (304) 926-0499
Fax: (304) 926-0465

Harold D. Ward, Cabinet Secretary
dep.wv.gov

Revised January 28, 2021

**REGISTRATION FORM TO OPERATE
A (NONCOMMERCIAL) CLASS D SOLID WASTE FACILITY**

Any person applying for this Registration, the Registrant, must be the operator of the (Noncommercial) Class D Solid Waste Facility and must also be the generator of the construction/demolition waste.

Prior to submitting this registration form the registrant should have requested and received a letter of instruction and attachments, including a "Class D General Permit", from the West Virginia Department of Environmental Protection (WVDEP). Any person who submits this registration form should have thoroughly read the WVDEP letter and all attachments, especially the Class D General Permit. By the submittal of this registration, the registrant is agreeing to accept the terms and conditions of all included documents. The registrant must have submitted and received approval of the Groundwater Protection Plan (GPP) from the Division of Water and Waste Management, Groundwater Section, prior to submitting this registration form to the Division of Water and Waste Management, Solid Waste Management Unit (SWMU). A copy of the GPP and the letter of approval issued by the Groundwater Section must be included as a part of this registration form. There shall be one registrant only for each Class D registration.

-----DEP USE ONLY-----

REGISTRATION NUMBER: SWF-GP-NC-CLASS D- _____

Effective Date: _____ Expiration Date: _____

Registrants must provide the following information:

Registrant's Information:

Registrant's Name (a person's name):

Name of Registrant's Company: _____

Registrant's Address: _____

Registrant's Telephone No.: _____

Property Owner's Information:

Property Owner's Name: _____

Property Owner's Address: _____

Property Owner's Telephone No.: _____

Facility Information:

Facility Name: _____

Facility Address: _____

County: _____

Facility's Telephone No.: _____

Name of Receiving Stream and Watershed:

Center of Disposal Area:

Latitude: _____ Longitude: _____

Proposed Hours of Operation:

Monday, _____ a.m. to _____ p.m. Thursday, _____ a.m. to _____ p.m.

Tuesday, _____ a.m. to _____ p.m. Friday, _____ a.m. to _____ p.m.

Wednesday, _____ a.m. to _____ p.m. Saturday, _____ a.m. to _____ p.m.

Additional Required Information

Map information. Registrants must attach the following:

General County Highway Map (Available from the WV Department of Highways)

- Attach an original county, general highway map(s) (1" = 1 mile) showing:
- Site location of the disposal area
- Latitude and longitude lines crossing at the center of the disposal area
- Latitude and longitude, shown in degrees, minutes and seconds
- Surrounding area within 4 miles of the center of the disposal area

Zoning Map, if available

- Attach a copy of the pertinent portion of the zoning map. The zoning map needs to include, at a minimum, the site area and the adjoining areas.
- Indicate the location of the site on the zoning map. Provide definition of the zones with the zoning map.

Other map(s) of sufficient detail, if necessary, showing:

- Attach map(s) or drawing(s) of sufficient detail and clarity depicting:
- The proposed disposal site at capacity
- All proposed borrow areas
- All proposed access roads
- The perimeter of the proposed two (2) acre site at the expiration date of this registration, if the registration is issued
- All property lines within one thousand five hundred (1,500) feet of the perimeter of the site
- All highway, natural, existing and proposed drainage associated with the facility
- The 100-year floodplain
- All dwellings within five hundred (500) feet of the site that is or will be occupied
- All rivers, streams, creeks, branches, brooks, wetlands, lakes or ponds (natural or constructed) within three hundred feet (300) of the perimeter of the site
- Other areas prohibited by federal, state or local agencies within the applicable distance requirements and 33CSR1 Section 3
- All Class D solid waste facilities or other solid waste facilities of any type, active or abandoned, within two hundred (200) feet of the site
- Cross sections showing the proposed disposal area and the immediate adjacent areas as the proposed site would exist at capacity.

Is the registrant the property owner? Yes: _____ No: _____. If "No," the attached Agreement between the Property Owner and the Waste Generator must be completed, notarized, and submitted with this registration form. The Agreement must be approved by the WVDEP.

Estimate total quantity of fill material to be disposed: cubic yards: _____
and tons: _____

The solid waste facility shall be located and operated in accordance with all applicable federal, state, county or local laws, rules, ordinances, or restrictions.

Are there any zoning restrictions that prohibit a landfill/ solid waste facility in the proposed location? Yes: _____ No: _____

The landfill must be operated as a noncommercial solid waste facility, which accepts only construction/demolition wastes deemed acceptable and not prohibited in Attachment "A" to this registration form. These wastes must be generated solely by the activities of the registrant.

There is a nonrefundable filing fee of two hundred and fifty dollars (\$250.00).

A registration will not be processed until the fee is received. A ten percent (10%) refiling fee may be levied to reprocess registration forms, which are submitted incomplete.

A registration will not be issued until or unless a registration is deemed complete and approved by the WVDEP. This registration is valid for one year and expires on the date shown on the first page of this registration or when the facility reaches capacity.

Registrations which expire cannot be renewed nor may they be transferred to another person. If a facility has remaining capacity within the two (2) acre site prior to the time of expiration of this registration, then the registrant may apply for a new registration prior to the date of expiration. Registrants applying for a new registration must initiate the entire registration process again. Any subsequent registration cannot include any new or additional acreage over and above the acreage approved in the initial Registration. Any disposal activity in any subsequent registration must be conducted within the same two (2) acre area identified in the original registration.

No disposal may be performed after the expiration date of this Registration. Closure and post-closure activities are hereby authorized and must be completed in accordance with the requirements in the Class D General Permit. These closure and post-closure activities must be performed in accordance within the dates and times specified in the Class D General Permit. After the expiration date of the Registration: *Provided*, That all reclamation activities must be completed within thirty (30) days of the site reaching final capacity.

A Class D solid waste facility, including all structures, improvements and activities therein, shall not exceed two (2) acres (87,120 square feet) in size, shall not exceed the height of the existing, adjacent contour elevations, and shall have the same slopes (not to exceed 3H:1V), as the adjacent, natural terrain.

The property owner is responsible for any and all waste placed in the fill area. The property owner will be responsible for removing unauthorized waste and taking this waste to an approved facility for proper disposal. The property owner shall maintain records of such disposal.

The registrant must operate the facility in accordance with the requirements of the Class D General Permit. This Class D General Permit will be in effect until October 25, 2021. On or before October 25, 2021 the DEP will send you a copy of the renewed Class D General Permit for you to use until the expiration date of the Registration. You will have the option of canceling the Registration if the terms and conditions of the renewed Class D General Permit are not acceptable.

Also attached is "Attachment 'A' ", a list of allowable and prohibited construction/ demolition materials. If you have construction/demolition items that are questionable and not listed in either category, please contact the WVDEP/Solid Waste Management Unit at (304) 926-0499.

The Registrant must submit one (1) original and two (2) copies of this registration form to:

**Division of Water and Waste Management
Solid Waste Management Unit
601 57th Street
Charleston, WV 25304
Phone: (304) 926-0499 Fax: (304) 926-0456**

Persons submitting this registration form must submit the following certifications.

CERTIFICATION

I certify under penalty of law that this registration form and all attachments were prepared under my direction or supervision and that 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 revocation of registration, fine and/or imprisonment for knowing violations.

(Signature of Generator/Registrant)

(Date)

STATE OF WEST VIRGINIA
COUNTY OF: _____

Taken, subscribed and sworn to before me, a Notary Public, in and for the County and State
aforesaid this _____ day of _____, 20 _____.

My commission expires: _____

Notary Public

STAMP OR SEAL

**CERTIFICATION OF THE WASTE GENERATOR
TO OPERATE THE PROPOSED CLASS D SOLID WASTE FACILITY
AS A "NONCOMMERCIAL SOLID WASTE FACILITY"**

I, _____ certify under penalty of law that as
(Print personal name of registrant)

the _____ I will be the
(registrant, agent, or other legal representative [specify])

waste generator of record for this Registration. As such, I accept full, legal and all other responsibilities for the operation along with any and all waste to be deposited at the (proposed) Class D Solid Waste Facility. I further certify that I will operate the facility as a "Noncommercial Class D Solid Waste Facility". I understand that I may not receive compensation in any form associated with the disposal of construction/demolition wastes allowed during the operation and closure of the proposed facility. I understand that use of this facility on a commercial basis is strictly prohibited and may result in fines and/or imprisonment and the revocation of my eligibility to acquire any future Registration otherwise authorized under a Class D General Permit.

(Signature and title of waste generator) (Date)

STATE OF WEST VIRGINIA
COUNTY OF _____

Taken, subscribed and sworn to before me, a Notary Public, in and for the County and State aforesaid this _____ day of _____, 20 _____.

My commission expires: _____

Notary Public

STAMP OR SEAL

**AGREEMENT BETWEEN THE
PROPERTY OWNER AND THE WASTE GENERATOR
TO PLACE CONSTRUCTION/DEMOLITION WASTE FILL MATERIAL ON, OR IN,
PROPERTY NOT OWNED BY THE WASTE GENERATOR**

NOTE: This agreement is not necessary if the generator of the waste identified in the "Registration Form to Operate a (Noncommercial) Solid Waste Facility" is also the property owner.

I, _____, having read the Registration Form
(Print name of property owner)

and all attachments proposed to be submitted by the Registrant to the West Virginia Department of Environmental Protection, do hereby grant permission to:

_____ to place construction/demolition waste (fill)
(Print name of waste generator/registrant/operator)

material on my property and to operate the Class D Solid Waste Facility as a noncommercial solid waste facility. I understand that, by granting this permission, the waste generator will be allowed reasonable access to the site until the site is reclaimed to the satisfaction of the WVDEP as necessary to complete all required closure and post-closure work. I also understand that, as the property owner, I may be held responsible for any and all unacceptable waste placed in the fill, and I may be responsible for removing unauthorized waste and taking such wastes to an approved solid waste disposal facility authorized to accept such wastes. I also understand that I may be held responsible for any and all inappropriate actions of the waste generator and any environmental impacts caused by the placement of the fill or related structures should the Registrant above fail to fulfill the requirements of the Registration and/or attachments. As the property owner it is my responsibility to maintain records of disposal; to reflect these records in the deed notation, as required by the Class D General Permit; to properly record a deed notation with the deed on file in the county courthouse as specified in the Class D General Permit; and to assure that a copy of the deed notation is sent to the WVDEP as specified in the Class D General Permit.

(Signature of property owner)

(Signature of waste generator)

STATE OF WEST VIRGINIA
COUNTY OF _____

Taken, subscribed and sworn to before me, a Notary Public, in and for the County and State aforesaid this _____ day of _____, 20 _____.

My commission expires: _____

STAMP OR SEAL

Notary Public

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 depprivacyofficer@wv.gov.