# PERMIT-BY-RULE NOTIFICATION

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT
SFN 19534 (6-2019)

| FOR STATE USE ONLY: |
|---|
| Facility ID Number |

Telephone: 701-328-5166
Fax Number: 701-328-5200
Website: https://deq.nd.gov/WM

Clear Fields

The North Dakota Solid Waste Management Rules, NDAC 33.1-20, provide a Permit-by-Rule process for certain small solid waste facilities that are operated in compliance with the state solid waste rules. For this notification, please check the type of facility below:

☐ **Inert Waste Landfill** operated for municipalities servicing populations of less than one thousand (1,000)

☐ **Drop Box Facility** (such as for rural collection facilities)

☐ **Waste Pile for composting grass and leaves** operated for ten thousand (10,000) or fewer people

☐ **Scrap Tire Pile** - a tire dealer, a municipality, or a county may accumulate a pile which contains either 1300 or fewer tires or the equivalent in volume to one twin-axle semitrailer-load or less

Please complete all applicable sections of this form and include copies of each required map and drawing. Please keep copies of all information for your records and for use by site operating personnel. Refer to the North Dakota Solid Waste Management Rules, NDAC 33.1-20 (pertinent sections are attached), and any pertinent (Department) Guidelines for additional information concerning site selection and facility operation.

## 1. Background Information

| Property Owner: | | | Business Telephone Number |
|---|---|---|---|
| Contact Person: | | | Home Telephone Number |
| Address | City | State | Zip Code |

## Legal Description of Site:

| 1/4 of | 1/4 of | 1/4 of | Section: | Township: |
|---|---|---|---|---|
| Range: | Township Name: | | | |
| County: | | Total Number of Acres in Site: | | |

| Facility Operator(s): | | | Business Telephone Number |
|---|---|---|---|
| | | | Home Telephone Number |
| Address | City | State | Zip Code |
| Area(s) from which solid waste will be accepted: | | | |
| Projected Lifetime of Facility: | | | |
| Have there been past waste disposal activities at the proposed site?<br>☐ No ☐ Yes, please explain: | | | |

For Inert Waste Landfills or Drop Box Facilities - Indicate Types of Waste Deposited at Site:

| | |
|---|---|
| ☐ Construction and/or demolition | ☐ White goods (stockpiled for recycling) |
| ☐ Grass, brush and tree trimmings | ☐ Lime sludge |
| ☐ Tires | ☐ Other: |

Types of equipment used at site:

**2. Figures and Maps**

Include the following maps and information, with the site delineated in red pencil, to help in assessing the site and soil characteristics (this information should be available from local Natural Resources Conservation Service/NRCS and Agricultural Stabilization and Conservation Service/ASCS offices): **Please check:**

☐ Copy of county soil survey map (if the county has been mapped) or other appropriate soil details with copies of the interpretation sheets

☐ Topographic map with exact landfill location marked

☐ County road map of area with site location marked

☐ Large scale aerial photo - available from ASCS

**3. Site and Soil Characteristics**

| | | | |
|---|---|---|---|
| Site Slope (percent): | Distance to surface Water: ☐ Feet ☐ Miles | Distance to Nearest Building or Residence (feet): | Depth to Water Table (feet): |
| Soil Type: ☐ Sand ☐ Loam ☐ Clay | Location of Nearest Wells: | | Depth of Wells: |

**4. Compliance with Waste Management Rules - Please check:**

| | |
|---|---|
| ☐ Population served: less than 1,000 for inert waste | ☐ Prohibit disposal of liquids |
| ☐ Population served: less than 10,000 for compost pile | ☐ Stockpile topsoil (for landfills and compost sites) |
| ☐ Permanent sign | ☐ Access control (locked gate and fence) |
| ☐ Record of notice with County Register of Deeds (for landfills) | ☐ Prohibit open burning |
| ☐ All-weather access road | |

| | |
|---|---|
| Are there any easements on the property? ☐ Yes ☐ No | Are local zoning and health officials knowledgeable of the facility and the practices to be employed at the site? (List of local Health Districts attached.) ☐ Yes ☐ No |

**5. For Small Scrap Tire Piles:**

| | | | |
|---|---|---|---|
| Is the access controlled (locked gate and fence)? ☐ Yes ☐ No | | Does the site have provisions to control insects and vermin? ☐ Yes ☐ No | |
| Is location accessible by fire control and emergency equipment? Describe provisions. ☐ Yes ☐ No | | | |
| Name of Local Fire Contact | | | Telephone Number |
| Address | City | State | Zip Code |
| Describe where tires or scrap rubber will be transported to for recycling or disposal | | | |

**6. Site Development, Operation and Closure Plans - Please check:**

Include appropriate facility development, operation and closure plans or drawings as well as supporting narrative (check all that are enclosed) including:

- ☐ Facility fences, gates, signs, roads, adjacent land features (including wetlands or drainage features), etc.
- ☐ Projected areas to be used for waste management during the facility life
- ☐ Location of pertinent waste management features including trenches and wood burn areas (for landfills), compost pads or areas, recyclable material stockpiles, tire piles, drop box or dumpster locations, etc.
- ☐ Stockpile areas for Suitable Plant Growth Material (SPGM - normally the soil A and upper B layers)
- ☐ Stockpile areas for soil cover material (for landfills)
- ☐ Recycling or disposal of tires and/or recycling of other materials
- ☐ Site closure plans, diagrams and revegetation seed mix

What equipment will be readily available for site operation and closure?

Who will have the key(s) for the facility so as to control access to the site?

**7. Local Zoning Approval - Please check:**

The owner/operator of any solid waste management facility should make sure the facility is in accordance with any local zoning and Health District requirements. Does the site identified in this application meet the requirements of any local zoning (county, township, city, etc.) and Health District jurisdiction in the area of the facility?

☐ Yes ☐ No

**8. Owner's/Operator's Signature/Certification**

Owners/operators of Permit-by-Rule facilities must comply with applicable North Dakota Waste Management Rules including:

1. Section 33.1-20-02.1-02 Permits-by-Rule;
2. Section 33.1-20-02.1-04 Record of Notice for Landfills;
3. Section 33.1-20-04.1-01 General Location Standards;
4. Section 33.1-20-04.1-02 General Facility Standards;
5. Section 33.1-20-04.1-05 General Closure Standards;
6. Section 33.1-20-04.1-06 Drop Box Facilities;
7. Section 33.1-20-04.1-07 Piles (Compost or Tires) Used for Storage or Treatment;
8. Section 33.1-20-04.1-09 General Disposal Standards;
9. Section 33.1-20-05.1 Inert Waste Landfills; and
10. Section 33.1-20-13 Water Protection Provisions.

| Name |
|---|
| Name of Facility: |

I, the above-named certify the Permit-By-Rule facility will be operated in compliance with the rules and regulations listed above.

| Signature | | Date | |
|---|---|---|---|
| Title | | Telephone Number | |
| Address | City | State | Zip Code |

Prepared by:

| Signature | | Date | |
|---|---|---|---|
| Title | | Telephone Number | |
| Address | City | State | Zip Code |

***Mail to:*** North Dakota Department of Environmental Quality
Division of Waste Management
918 E. Divide Ave. 3rd Floor
Bismarck, ND 58501-1947

***NOTE: PLEASE RETAIN COPIES FOR YOUR RECORDS AND FOR FACILITY OPERATING PERSONNEL.***

## 9. General Information

The North Dakota Solid Waste Management Rules contain a Permit-by-Rule provision for the following solid waste facilities: **Inert Waste Landfill** for municipalities servicing populations of less than one thousand (1,000), **Drop Box Facility** (such as for rural collection facilities), **Waste Pile** for composting grasses and leaves operated for ten thousand (10,000) or fewer people, and a **Scrap Tire Pile** for tire dealers, municipalities, or counties who may manage modest amounts of tires. Facilities are considered Permitted-by-Rule if they are in suitable locations and comply with basic operational requirements.

A Permit-by-Rule is contingent upon compliance with the appropriate sections of North Dakota Administrative Code (NDAC), Article 33.1-20, North Dakota Solid Waste Management Rules as follows:

1. 33.1-20-02.1-02. Permits-by-Rule;
2. 33.1-20-02.1-04. Record of Notice;
3. 33.1-20-04.1-01. General Location Standards;
4. 33.1-20-04.1.02. General Facility Standards;
5. 33.1-20-04.1-05. General Closure Standards;
6. 33.1-20-04.1.06. Drop Box Facilities;
7. 33.1-20-04.1.07. Piles (compost and tires) Used for Storage or Treatment;
8. 33.1-20-04.1-09. General Disposal Standards (for landfills); and
9. 33.1-20-05.1. Inert Waste Landfills.

The Permit-by-Rule provisions of the state rules require that the owner or operator of a new facility or lateral expansion of an existing facility notify the Department, in writing, on forms available from the Department prior to construction. The Department acknowledges that many facilities may already exist. The new provision is a good opportunity for communities with unpermitted facilities to come into compliance with the state rules.

Attached is notification form SFN-19534 discussed above. A copy of this form is also available on the Departments website at: https://deq.nd.gov/wm. If you have an unpermitted facility that qualifies, please obtain the applicable rules and complete all sections on the form and return it to the Department. Copies of applicable sections of the waste management rules and various guidance documents are available from the Department upon request. In addition, training on inert waste landfill operation and yard waste composting is available as time and interest allow.