

Inert Waste Variances



Waste Variance Rule

- North Dakota Administrative Code:
 - 33-20-01.1-14. Variances.
 - Whereupon written application the department finds that by reason of **exceptional circumstances** strict conformity with any provisions of this article would cause undue hardship or would be unreasonable, impractical, or not feasible under the circumstances, the department may permit a variance from this article upon such conditions and within such time limitations as it may prescribe.

Waste Variance Types

Waste Variance Types:

- Emergency Waste Disposal Variance Notification: Dead or Diseased Livestock (Guideline 14)
- Emergency Waste Disposal Variance Notification
- Department of Transportation Projects Inert Waste Disposal Variance Application
- Stockpile Variances
- Land Treatment Variances
- Waste Disposal Variance Application
- **Inert Waste Disposal Variance Application**
- Other Miscellaneous or Operational Variances

Waste Variance Rule

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Exceptional Circumstances

- Determination may involve a combination of factors
 - Generally intended for remotely-located individuals with no access to a nearby landfill which can handle the amount of waste to be disposed
 - Even if an exceptional circumstance is valid, the variance may not be approved for other reasons such as deficiencies, unsuitable location, etc.
- Commonly listed reasons/justification for variance:
 - Too expensive to haul to landfill
 - Too far to haul to landfill
 - Too much waste to haul to local landfill
 - Distance and volume to a landfill may be considered, but **cost alone is not a valid reason for a variance!**

Strict Conformity



CHAPTER 23-29

SOLID WASTE MANAGEMENT AND LAND PROTECTION

ARTICLE 33-20

SOLID WASTE MANAGEMENT AND LAND PROTECTION

- “...**strict conformity** with any provisions of this article...”
- **Strict conformity**- application process for a landfill, operation and closure as required by the Solid Waste Management Rules

Variances

- Can give flexibility where options may be too expensive, impractical or not feasible
- Can provide a local solution
- Can reduce transportation and some environmental impact
- Can provide important flexibility in emergencies (ex. disease, catastrophic events, etc. – local management through a well-executed variance can help control spread of disease)

Variance ≠ Easy Disposal

- A variance may initially appear to save money and be an easy alternative to landfill disposal, but it's not!
 - One-time use
 - 90 day limit
 - Out-of-state waste rarely justifiable
 - No substitute for local responsibility, planning and enforcement
 - Separation of prohibited items from disposal
 - Limited future use of closed area
 - Notice of Disposal submittal to Register of Deeds
 - Additional time and labor
 - Project delay while application is reviewed
 - Application denial could further delay the project

Variance ≠ No Rules

- **A variance from strict conformity does not mean no conformity at all!**
 - A variance does not excuse activities or operations that violate the Solid Waste Management Rules
 - Other applicable rules under the North Dakota Department of Health and other agencies still apply
 - Does not substitute for effective intermediate and long range planning
 - Additional forms may be needed:
 - Application for Open Burn Variance
 - Notification of Demolition and Renovation

Variance Alternatives

- It may be more practical to recycle or reuse a portion of the inert waste
 - Crush concrete/asphalt
 - Chip wood
 - Etc.



Do I Need an Inert Waste Variance?

- North Dakota Century Code 23-29-14.

Exemption:

- “The provisions of this chapter, and the rules, regulations, or orders authorized herein, do not prevent any natural person who resides on unplatted land in unincorporated areas of this state from disposing of that person’s normal household wastes on that person’s property, so long as no health hazard or nuisance is created thereby.”

Do I Need an Inert Waste Variance?

- Demolished building being buried on another property? Yes!
- Commercial building being buried on the same property? Yes!
- Fire-damaged building on a platted and/or incorporated property? Yes!
- Other situations may apply or require a different variance form. Contact the Department for questions and more information.

Where Do I Find the Variance?

North Dakota nd.gov Official Portal for North Dakota State Government

NORTH DAKOTA DEPARTMENT of HEALTH
Waste Management

Air Quality Laboratory Services Municipal Facilities Waste Management Water Quality EHS Home

Division Of Waste Management

Main Office
918 East Divide Avenue, 3rd Floor
Bismarck, ND 58501-1947
Telephone: 701.328.5165
Fax: 701.328.5200

Field Offices
[Fargo and Fargo Landfill](#)
[Big Dipper Enterprises](#)
[Sawyer Disposal Services](#)

This Division consists of three Programs designed to assist the solid waste, hazardous waste and underground storage tank industries in complying with North Dakota environmental regulations. The Programs have also been tasked with other duties as listed within the program descriptions.

Hazardous Waste Program

- [Law](#)
- [Rules - Amended 1 January 2016](#)
- [Brownfields](#)
- [Polychlorinated Biphenyls \(PCB's\)](#)
- [Permitted Facilities](#)
- [State/EPA Site Identification](#)
- [Hazardous Waste Report](#)
- [Household Hazardous Waste](#)
- [Mercury](#)
- [Inspections](#)
- [Compliance Assistance](#)
- [Training](#)

Solid Waste Program

- [Law](#)
- [Rules - Amended 1 January 2016](#)
- [Abandoned Motor Vehicle \(scrap metal\)](#)
- [Pollution Prevention](#)
- [Recycling](#)
- [Electronic Waste](#)
- [Infectious Waste](#)
- [Medication/Pharmaceutical Waste](#)
- [Transportation](#)
- [Training](#)

Division of WM page, go to Publications on left side

Division

- [Staff/E-Mail](#)
- [Publications](#)
- [Public Notices](#)
- [New Or Changed Rules](#)
- [Environmental Covenants/Institutional Controls \(for contaminated property\)](#)
- [Environmental Incident Reporting](#)
- [Environmental Records Requests](#)

State

- [Material Exchange](#)
- [Project Safe Send](#)
- [ND Geographic Information Systems](#)

Federal

- [Environmental Protection Agency](#)
- [Related Federal Agencies](#)

Non-Governmental

- [Coalition for Conservation and Environmental Education](#)
- [Keep North Dakota Clean](#)
- [North Dakota Solid Waste And Recycling Association](#)
- [Miscellaneous Environmental](#)

Where Do I Find the Variance?

[Guideline 3 Corrective Action Of Solid Waste Management Facilities](#)

[Guideline 9 Signs Required At Solid Waste Management Facilities](#)

[Guideline 10 Closure Of Old Landfills And Open Dumps](#)

[Guideline 13 Information To Include With Disposal Facility Plat](#)

[Guideline 17 Wastes Excluded From Acceptance At Landfills](#)

[Guideline 18 Financial Assurance Mechanisms For Closure And Post Closure For Publicly And Privately Owned Landfills](#)

[Guideline 20 Closure And Post Closure Care Cost Estimates For Publicly And Privately Owned Landfills](#)

[Guideline 23 Waste Disposal Variance](#)

[Guideline 24 General Native Grass Seeding](#)

[Guideline 25 Preliminary Landfill Selection Criteria](#)

[Guideline 26 Soil Surveys And Management Of Suitable Plant Growth Material And Plant Rooting Soil For Solid Waste Disposal Facilities](#)

[Guideline 28 Evaluating Final Vegetative Cover Of Closed Landfill Areas](#)

[Guideline 33 Landfill Operator Certification Continuing Education Program](#)

[Guideline 40 Waste Transportation Acceptance And Spillage Issues For Solid Waste Facilities](#)

[Landfill Development Sequence](#)

[Notice Of Waste Disposal](#)

[Transfer Stations](#)

[Typical Landfill Layout](#)

[Pay As You Throw In North Dakota](#)

Landfills - Industrial

[Guideline 19 Liability Requirements For Industrial Waste Landfills](#)

[Industrial Waste Landfills](#)

Landfills - Inert

[Department Of Transportation Projects Inert Waste Disposal Variance Application](#)

[Guideline 16 Operation Of Inert Waste Landfills](#)

[Guideline 22 Inert Waste Disposal Variance](#)

[Inert Waste Disposal Variance Application](#)

[Inert Waste Landfills](#)

[Inert Waste Landfill Annual Report](#)

[Inert Waste Landfills - Permit By Rule](#)

[Permit By Rule Notification](#)

Landfills - Municipal

[Guideline 4 Recordkeeping And Reporting By Owners Or Operators Of Municipal Waste Landfills](#)

[Guideline 8 Variable Rates Or Volume-Based Rates For Municipal Solid Waste Services](#)

[Guideline 29 For The Development Of Operating Plans For Existing Municipal Solid Waste Landfills](#)

[Landfill Methane Outreach Program](#)

[Municipal Waste Landfills](#)

Landfills - Special

[Special Waste Landfills](#)

Scroll down until you
see Landfills-Inert
under the Solid Waste
Program

Guideline 22 – Inert Waste Disposal Variance



GUIDELINE 22 - INERT WASTE DISPOSAL VARIANCE

North Dakota Department of Health - Division of Waste Management

918 E. Divide Ave., 3rd Fl., Bismarck, ND 58501-1947

Telephone: 701.328.5166 • Fax: 701.328.5200 • Website: www.ndhealth.gov/wm

Updated 12-2009

I. Introduction

The North Dakota Department of Health (Department) regulates solid waste storage, transportation, and disposal through the North Dakota Solid Waste Management Rules (NDAC 33-20). In most instances, regulation is accomplished through permits issued to waste haulers, transfer stations, or landfills. Section 33-20-01.1-14 NDAC allows the Department to issue variances from the state solid waste rules as follows:

"Variances. Whereupon written application the department finds that by reason of exceptional circumstances strict conformity with any provisions of this article would cause undue hardship or would be unreasonable, impractical, or not feasible under the circumstances, the department may permit a variance from this article upon such conditions and within such time limitations as it may prescribe."

The Department, in reviewing variance requests for one-time inert waste disposal events, considers various practical factors, including: (1) waste characteristics, (2) waste volume, (3) emergencies, (4) proximity of the waste source to permitted landfills, and (5) characteristics of the proposed waste disposal site. The duration of the inert waste disposal variance must be limited to no more than 90 days to accomplish the project, and must be restricted to inert waste disposal. By definition, inert waste does not form contaminated leachate or serve as food for vectors. Inert waste examples include: metal, wood, bricks, asphalt or cement concrete, and other building construction materials such as plaster, drywall, siding, shingles, insulation, and glass.

The Department's Solid Waste Program has prepared this guideline and documents required for the application completion to provide information and guidance for those persons interested in applying for a one-time, 90-day inert waste disposal variance. The application includes: (1) the inert waste disposal variance application; (2) supplemental forms for open burning variances and asbestos inspections; and (3) information on prohibited wastes and recycling. At a minimum, the inert waste disposal variance form and supporting maps, plans, diagrams, narrative, etc., must be completed to receive the variance. Supplemental forms for certain activities (open burning, asbestos inspection) may also require completion to receive the variance. Please refer to applicable sections of this guideline to determine which supplemental forms may be required with the application, or contact the Department's Solid Waste Program (SWP) at 701.328.5166 with questions.

II. Prohibited Waste or Materials

- A. A one-time disposal variance will be granted only for disposal of inert waste (concrete, wood, metal, etc.). All waste, including structures scheduled for demolition, should be

Useful information to read and consider before applying for an inert waste disposal variance

The Application



INERT WASTE DISPOSAL VARIANCE APPLICATION
NORTH DAKOTA DEPARTMENT OF HEALTH
DIVISION OF WASTE MANAGEMENT
SFN 50278 (3-2007)

Clear Fields

FOR STATE USE ONLY

File
County

Please read the Department's Inert Waste Disposal Variance Guideline before completing this variance application. In addition, applicable portions of the state solid waste management regulations should be referenced in completing the applications. The source, type, and characteristics of your waste will determine which rules apply. Applications must be thorough and complete to be considered. A written Waste Disposal Variance must be received from the Department before disposal may begin. Please call the Department's Solid Waste Program at (701) 328-5166 to coordinate your application with a Department staff member.

1. Waste Description

Waste Source	Waste Type	Waste Volume	
General Geographic Location		County	
Legal Description or Street Address			
Responsible Party		Telephone	
Address	City	State	Zip Code

2. Reason or Justification for Variance

--

3. Proposed Inert Waste Disposal Location

of Section:	Township	Range	County
Total Acreage			
Property Owner			Telephone
Address	City	State	Zip Code
Present Land Use	Future Land Use		

4. Contractor For Waste Disposal

Name	Contact		
Address	City	State	Zip Code
Telephone	Mobile Telephone		
Equipment Used For Waste Disposal			

5. Maps

Indicate which maps accompany the application (see Instructions in Disposal Site Selection of guideline):

☐ Published Soil Survey Map ☐ Unpublished Soil Survey Map ☐ CFSA Map ☐ Topographic Map

First Page:

- 1 - Waste Description
- 2 - Reason or Justification for Variance
- 3 - Proposed Inert Waste Disposal Location
- 4 - Contractor For Waste Disposal
- 5 - Maps

The Application

SFN 50278 (3-2007)
Page 2 of 2

6. Disposal Site And Soil Characteristic

Site Slope (percent)	Distance to Surface Water (feet)	Depth to Seasonal High Water Table (feet)
Soil Type and Texture		

7. Disposal Site Design (Enclose appropriate diagrams, maps, cross sections, and narrative.)

Site Plan View	
One to Two Cross Sections Showing Trench Depth	Waste Placement
Final Cover Design	Final Vegetation
Diagrams Enclosed of These Components <input type="checkbox"/> Yes <input type="checkbox"/> No	

8. Supplemental Application Forms

Indicate which supplemental forms are completed and attached to the application:

☐ Application for Open Burn Variance ☐ Notification of Demolition and Renovation

9. Local Zoning Approval

Inert waste disposal must not conflict with local zoning ordinances. Consult with representatives of the applicable zoning jurisdiction (county, township or city) to determine inert waste disposal compliance with zoning ordinances. A representative of the local zoning jurisdiction must sign the application.

I, the undersigned, certify that inert waste disposal at the location described on this application does not conflict with local zoning ordinances.

Signature	Printed Name	Date
Zoning Jurisdiction	Printed Name	Date

10. Signatures

Signatures are required by the following: the party responsible for the waste and/or owner of the property scheduled for demolition; the contractor, and owner of inert waste disposal site.

Party Responsible for Waste: The inert waste and/or the structure scheduled for demolition has been inspected. Prohibited waste or materials described in the Department's "Guideline 22 - Inert Waste Disposal Variances" will not be disposed and/or will be removed from the structure prior to demolition.

Signature	Printed Name	Date
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Contractor: The inert waste disposal site will be operated and closed according to Guideline 22.

Signature	Printed Name	Date
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Disposal Site Owner: A notification of inert waste disposal will be filed with the County Register of Deeds. The notification will be completed according to "Guideline 22 - Inert Waste Disposal Variance." The Department will be provided with a certified copy of the notice within thirty (30) days of filing.

Signature	Printed Name	Date
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Mail this application and supplemental forms to:
ND Department of Health
Division of Waste Management
918 E. Divide Ave., 3rd FL
Bismarck, ND 58501-1947

Telephone: 701-328-5166 · Fax: 701-328-5200 · Website: www.ndhealth.gov/wm

Second Page:

- 6 – Disposal Site and Soil Characteristics
- 7 – Disposal Site Design
- 8 – Supplemental Application Forms
- 9 – Local Zoning Approval
- 10 – Signatures

The Application



INERT WASTE DISPOSAL VARIANCE APPLICATION

NORTH DAKOTA DEPARTMENT OF HEALTH

DIVISION OF WASTE MANAGEMENT

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Please read the Department's Inert Waste Disposal Variance Guideline before completing this variance application. In addition, applicable portions of the state solid waste management regulations should be referenced in completing the applications. The source, type, and characteristics of your waste will determine which rules apply. Applications must be thorough and complete to be considered. A written Waste Disposal Variance must be received from the Department before disposal may begin. Please call the Department's Solid Waste Program at (701) 328-5166 to coordinate your application with a Department staff member.

- Review Guideline 22 first
- Reference applicable rules in application if possible
- Submit a completed application
- A written Waste Disposal Variance Approval MUST be received from the Department BEFORE disposal may begin

1 – Waste Description

1. Waste Description

Waste Source	Waste Type	Waste Volume
General Geographic Location	County	
Legal Description or Street Address		
Responsible Party	Telephone	
Address	City	State Zip Code

- Waste Source – Is it a residential/commercial building, shed, etc.?
- Waste Type – Must be inert. Examples include concrete, wood, etc.
- Waste Volume – Approximate amount of waste to be disposed of.
- General Geographic Location – Location the generated waste will be coming from.
- Responsible Party – Who is the current generator/owner of the waste?



What are potential issues?

2 – Reason or Justification

2. Reason or Justification for Variance

- First Ask:
 - Are there any alternatives for reuse or recycling?
 - Is the variance (if approved) worth the associated challenges and risks?
- Remember, a variance from strict conformity does not equal no conformity at all!
- What qualifies this situation/project to be an exceptional circumstance?
- The more information the better

3 – Proposed Disposal Location


3. Proposed Inert Waste Disposal Location

of Section:	Township	Range	County	
Total Acreage				
Property Owner			Telephone	
Address	City		State	Zip Code
Present Land Use	Future Land Use			

- Land Use Consideration:

- Is the current use of the proposed location involve disturbance, heavy use, or is a sensitive area?
- What are the impacts to land surrounding the proposed area?
- Is there a proper location nearby to temporarily stockpile soils for cover, and what are the impacts to the surrounding area?

3 – Proposed Disposal Location



Is the limitation on
future land use
acceptable to the
property owner?

4 – Contractor for Disposal

4. Contractor For Waste Disposal

Name	Contact		
Address	City	State	Zip Code
Telephone	Mobile Telephone		
Equipment Used For Waste Disposal			

- Contractor Considerations:

- Does the contractor have a waste hauler permit (WH-____)?
 - Check with contractor or the Department
- Does the contractor have access to equipment to perform the necessary requirements for site design and cover?
- Is the contractor familiar with the requirements of waste separation, prohibited wastes for disposal, and any additional rules and applicable forms/applications for the project?

5 – Maps

5. Maps

Indicate which maps accompany the application (see Instructions in [Disposal Site Selection](#) of guideline):

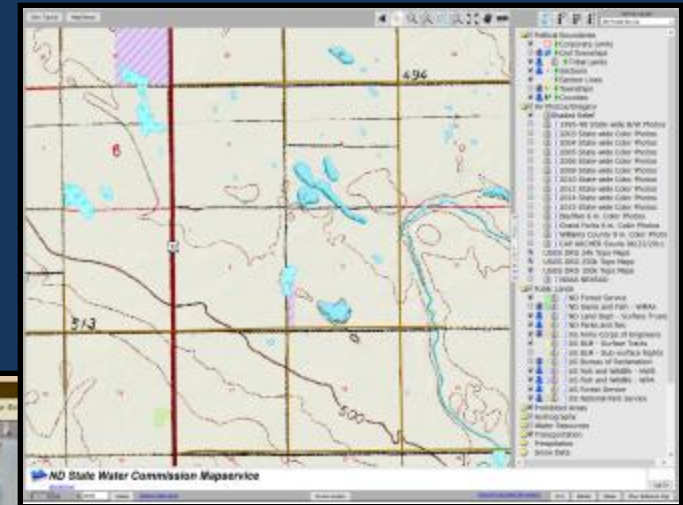
☐ Published Soil Survey Map

☐ Unpublished Soil Survey Map

☐ CFSA Map

☐ Topographic Map

- Included maps must be legible
- Include an outline on the map of the disposal area (can be outlined by hand)
- Additional maps that pertain to the project or disposal location may be included



5 – Maps

5. Maps

Indicate which maps accompany the application (see Instructions in [Disposal Site Selection](#) of guideline):

☐ Published Soil Survey Map ☐ Unpublished Soil Survey Map ☐ CFSA Map ☐ Topographic Map

- A **Soil Survey Map** can be accessed online or through your local Natural Resources Conservation Service (NRCS) office.
 - Published – Most common, includes information on soil types
 - Unpublished – Use if no published soil survey is available. Usually produces poor-quality photocopies.
- A **Consolidated Farm Services Agency (CFSA) Map** may be used if soil survey data is unavailable.
- A **Topographic Map** should be included with the disposal area outlined

Soil Survey Map



USDA United States Department of Agriculture
Natural Resources Conservation Service

Web Soil Survey

You are here: Web Soil Survey Home

The simple yet powerful way to access and use soil data.

START WSS


Welcome to Web Soil Survey (WSS)

Web Soil Survey (WSS) provides soil data and information produced by the National Cooperative Soil Survey. It is operated by the USDA Natural Resources Conservation Service (NRCS) and provides access to the largest natural resource information system in the world. NRCS has soil maps and data available online for more than 95 percent of the nation's counties and anticipates having 100 percent in the near future. The site is updated and maintained online as the single authoritative source of soil survey information.

Soil surveys can be used for general farm, local, and wider area planning. Onsite investigation is needed in some cases, such as soil quality assessments and certain conservation and engineering applications. For more detailed information, contact your local [USDA Service Center](#) or your [NRCS State Soil Scientist](#).

Four Basic Steps

- 1 Define...**
Area of Interest (AOI)
Use the Area of Interest tab to define your area of interest.

Click to view larger image.
- 2 View...**
Soil Map
Click the Soil Map tab to view or print a soil map, and detailed descriptions of the soils in your Area of Interest.


I Want To...

- Start Web Soil Survey (WSS)
- Learn the requirements for running Web Soil Survey — will Web Soil Survey work in my web browser?
- Know the Web Soil Survey hours of operation
- Find what areas of the U.S. have soil data
- Find information by topic
- Know how to hyperlink from other documents to Web Soil Survey
- Know the SSURGO data structure

Announcements/Events

- Web Soil Survey 3.1 has been released! View description of new features and fixes.
- Web Soil Survey Release History
- Sign up for e-mail updates via GovDelivery

I Want Help With...

- Getting Started With Web Soil Survey
- How to use Web Soil Survey
- How to use Web Soil Survey Online Help
- Known Problems and Workarounds
- Frequently Asked Questions
- Citing Web Soil Survey as a source of soils data

Tips & Shortcuts WSS

Go to :
<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm> and hit the green button!

Other helpful information regarding interpretation, tips and shortcuts are located on this page.

Soil Survey Map

Area of Interest (AOI) Soil Map Soil Data Explorer Download Soils Data Shopping Cart (Free)

Search

Area of Interest

Import AOI

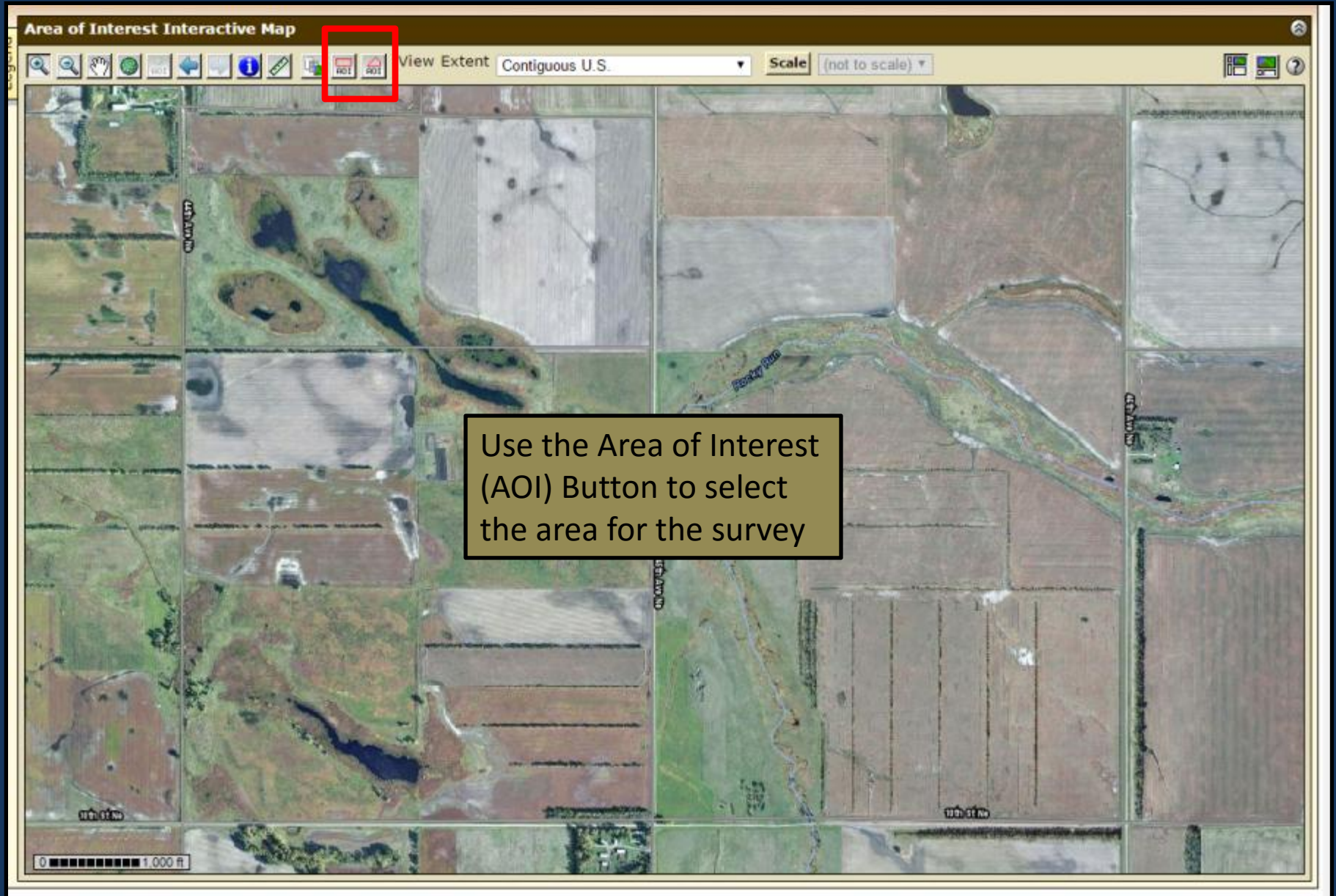
Quick Navigation

- Address
- State and County
- Soil Survey Area
- Latitude and Longitude
- PLSS (Section, Township, Range)
- Bureau of Land Management
- Department of Defense
- Forest Service
- National Park Service
- Hydrologic Unit

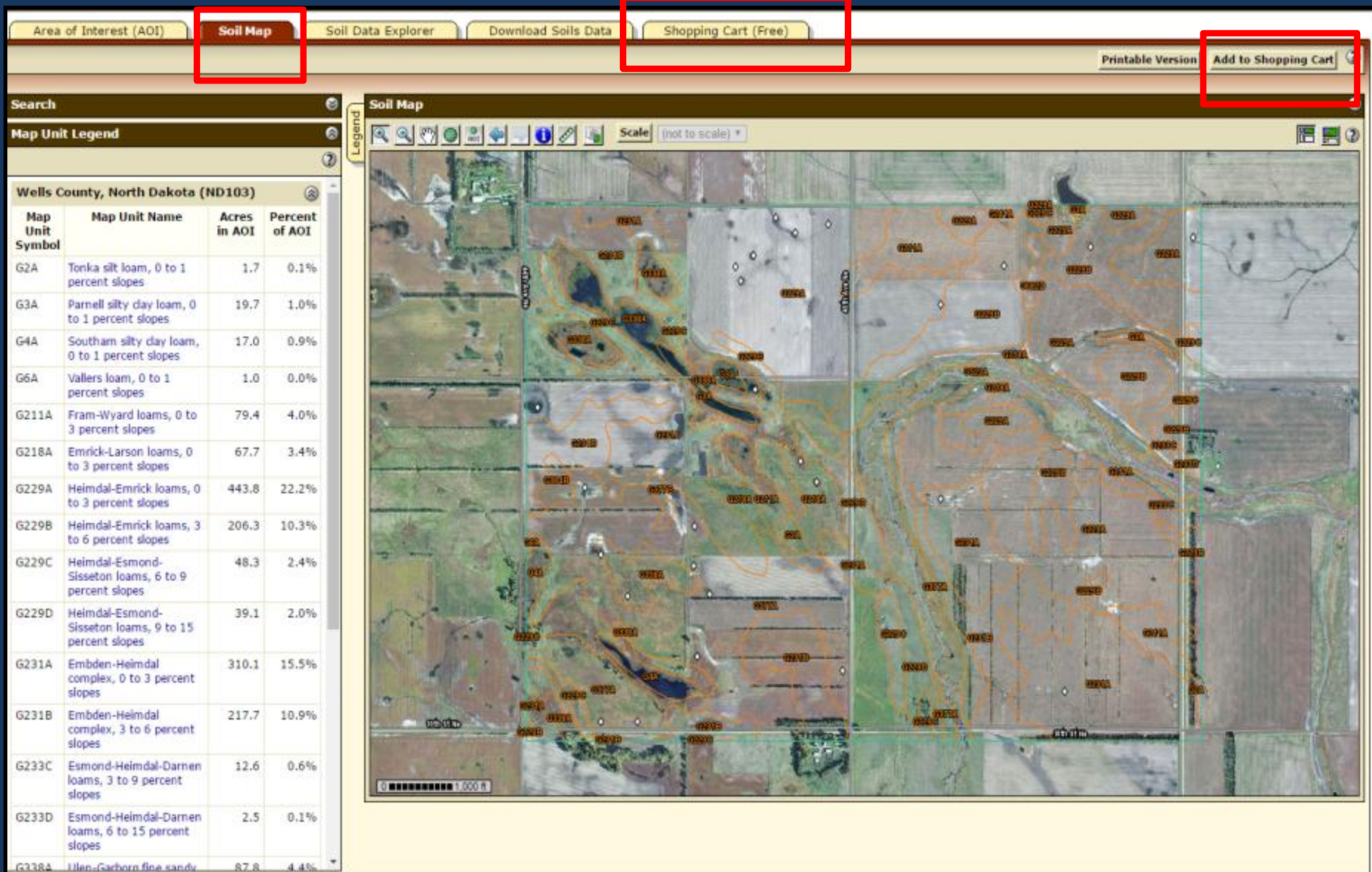
Area of Interest Interactive Map

View Extent: Contiguous U.S. Scale: (not to scale)

Soil Survey Map



Soil Survey Map



Soil Survey Map

Area of Interest (AOI)

Soil Map

Soil Data Explorer

Download Soils Data

Shopping Cart (Free)

Check Out ?

Search

Report Properties

Map Options

Table of Contents

Title

Map Options

Table of Contents

Title

Custom Soil Resource Report for Wells County, North Dakota

Subtitle

Area of Interest Name: (none defined)

Custom Subtitle:

None

Map Options

Map Scale

Fit to page ▾

Printed Sheet Size

A landscape (11" × 8.5") — 1 sheet ▾

Show UTM Coordinate Ticks

☒

Table of Contents

☒ Custom Soil Resource Report for Wells County, North Dakota

☒ Cover

☒ Preface

☒ Contents

☒ How Soil Surveys Are Made

☒ Soil Map

☒ Soil Map

☒ Map Unit Legend

☒ Map Unit Description

☒ Soil Data Explorer

☒ All Uses

☒ References

☐ Glossary

Checkout Options

Delivery Options

Select a Delivery Method

☒ Get now

☐ Download later

Cancel

OK

Soil Survey Map

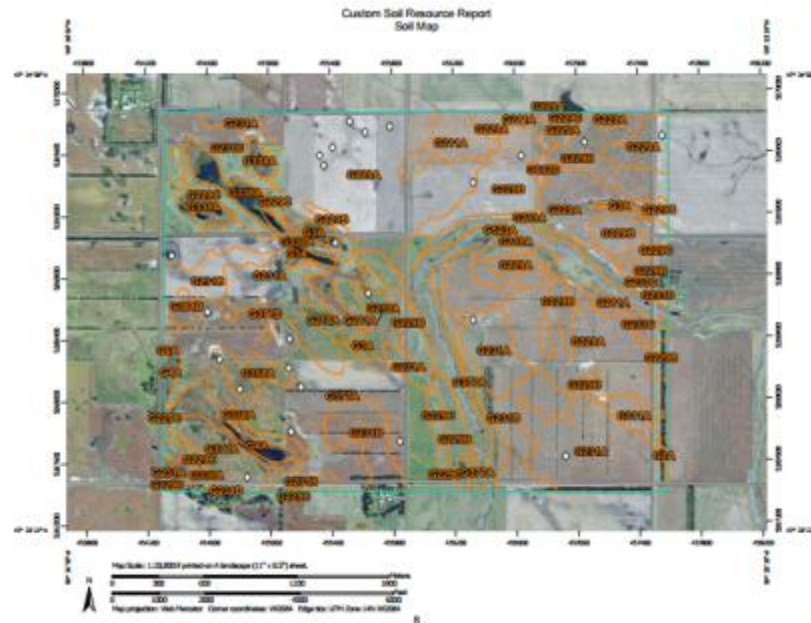


United States
Department of
Agriculture
NRCS
National
Resources
Conservation
Service

Custom Soil Resource Report for Wells County, North Dakota



Submit this to the
Department with
your application



Custom Soil Resource Report

G3A—Parnell silty clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2q3q
Elevation: 880 to 2,130 feet
Mean annual precipitation: 17 to 24 inches
Mean annual air temperature: 37 to 46 degrees F
Frost-free period: 120 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Percent and order soils: 94 percent
Moist components: 39 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Parnell

Setting

Landform: Depressions
Landform position (three-dimensional): Dip
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Local alluvium

Typical profile

A1 - 0 to 15 inches: silty clay loam
A2 - 15 to 25 inches: silty clay loam
Bg1 - 25 to 32 inches: silty clay loam
Bg2 - 32 to 55 inches: silty clay
SCg - 55 to 79 inches: silty clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Very poorly drained
Runoff class: Insignificant
Capacity of the most limiting layer to transmit water (Ksat): Moderately low (0.01 to 0.14 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: Frequent
Calcium carbonate, maximum in profile: 3 percent
Gypsum, maximum in profile: 1 percent
Salinity, maximum in profile: Non saline to very slightly saline (0.0 to 3.0 meq/liter)
Sodium adsorption ratio, maximum in profile: 1.3
Available water storage in profile: High (about 10.3 inches)

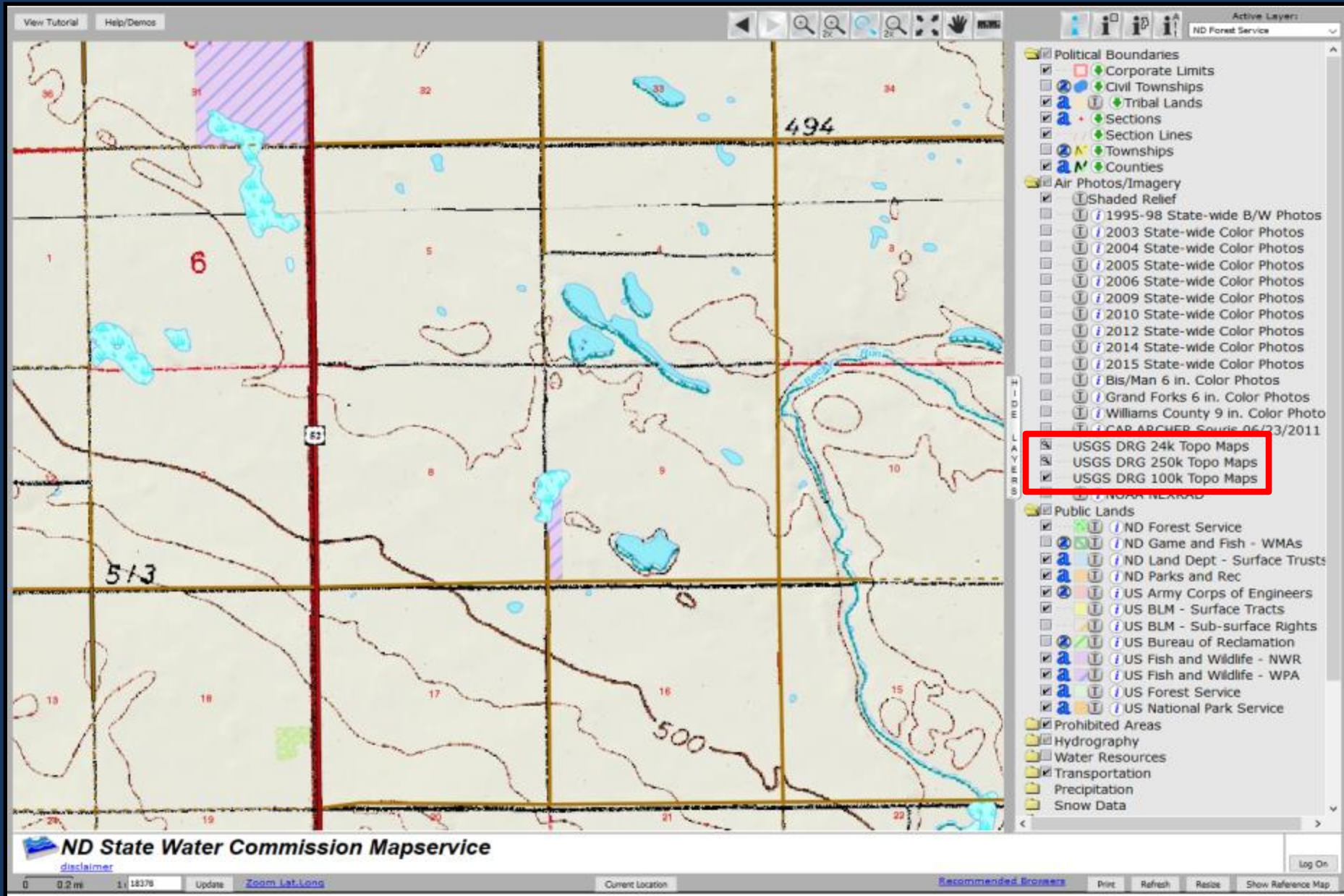
Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w

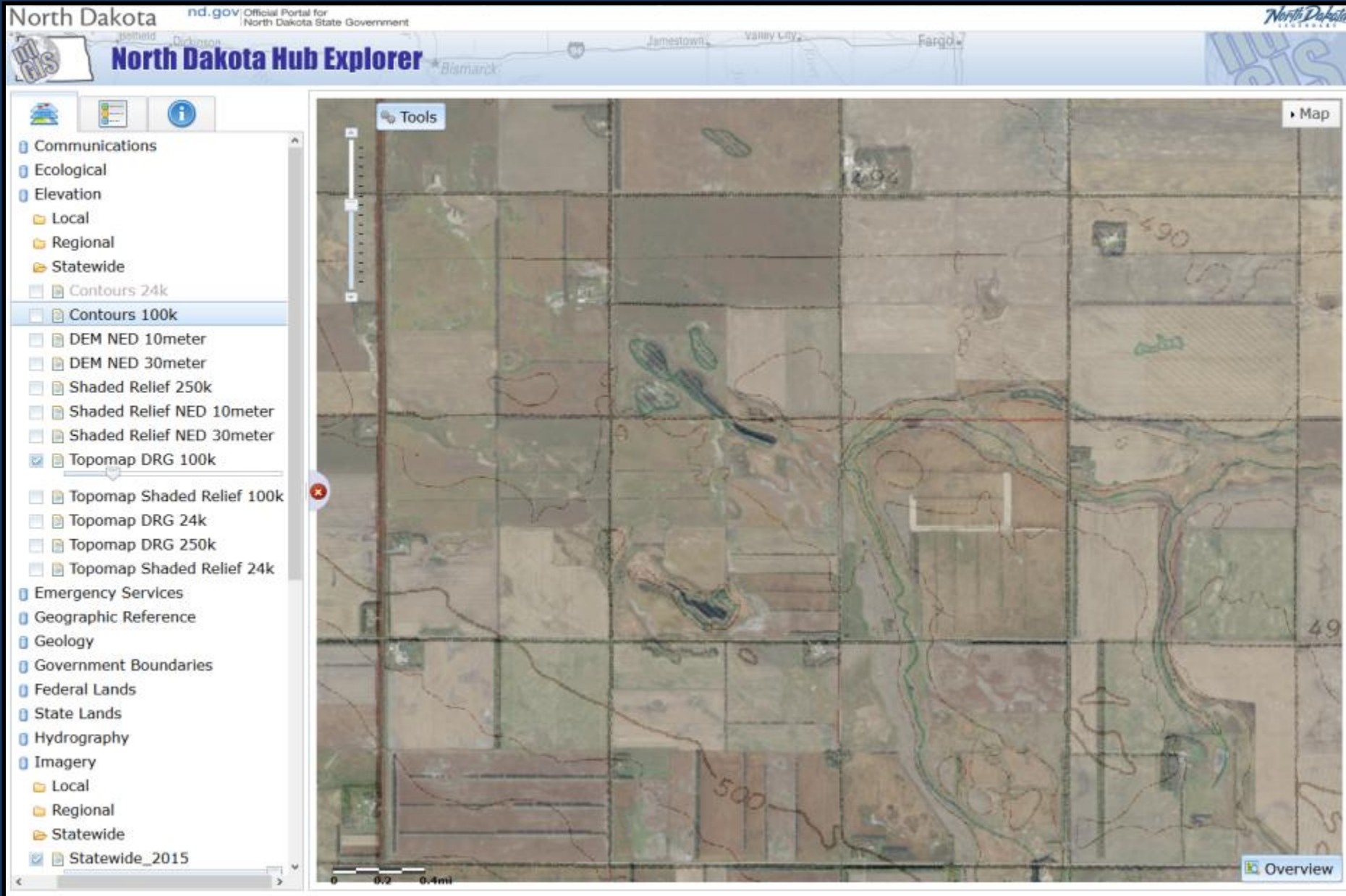
Topographic Map

- Multiple free versions available
- North Dakota State Water Commission
Mapservice : <http://mapservice.swc.state.nd.us/>
- North Dakota GIS Hub (middle button hub
explorer): <https://www.nd.gov/itd/statewide-alliances/gis>
- Option on Web Soil Survey (but difficult to view
with soil information)

Topographic Map



Topographic Map



Topographic Map

USDA United States Department of Agriculture
Natural Resources Conservation Service

Web Soil Survey

Contact Us | Subscribe | Archived Soil Surveys | Soil Survey Status | Glossary | Preferences | Link | Logout | Help

Area of Interest (AOI) | **Soil Map** | Soil Data Explorer | Download Soils Data | Shopping Cart (Free)

Printable Version | Add to Shopping Cart

Search

Map Unit Legend

Legend

Map Legend

Layer Properties Menu

- ☐ Soil Rating Lines
- ☐ Soil Rating Points
- ☒ Special Point Features
- ☒ ** Special Line Features
- ☐ Political Features
 - ☐ States
 - ☐ Counties
- ☐ Urban Areas
- ☐ Cities
- ☐ Postal Code
- ☐ PLSS Township and Range
- ☐ PLSS Section
- ☐ Federal Land
 - ☐ Bureau of Land Management
 - ☐ Bureau of Reclamation
 - ☐ Department of Defense
 - ☐ Fish and Wildlife Service
 - ☐ Forest Service
 - ☐ National Park Service
 - ☐ Tennessee Valley Authority
- ☒ Water Features
 - ☐ Oceans
 - ☒ Streams and Canals
 - ☐ 8-Digit Hydrologic Units
- ☒ Transportation
 - ☒ Rails
 - ☒ Interstate Highways
 - ☒ US Routes
 - ☒ Major Roads
- ☒ Background
 - ☒ Topographic Map
 - ☒ Aerial Photography

Map Unit Symbol

G2A

G3A

G4A

G6A

G211A

G218A

G229A

G229B

G229C

G229D

G231A

G231B

G233C

G230

G231A

Scale (not to scale)

0 2,000 ft

NATIONAL WATERFOWL PRODUCTION AREA

Rocky

-A topographic option is also available on Web Soil Survey but is more difficult to view

6 – Disposal Site Characteristics

6. Disposal Site And Soil Characteristic

Site Slope (percent)	Distance to Surface Water (feet)	Depth to Seasonal High Water Table (feet)
Soil Type and Texture		

- Most of this information can be found in the Web Soil Survey
- Information is used to help determine suitability of the site for disposal and successful reclamation of the site

6 – Disposal Site Characteristics

Custom Soil Resource Report

Wells County, North Dakota

G2A--Tonka silt loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2q3tp

Elevation: 980 to 2,130 feet

Mean annual precipitation: 17 to 24 inches

Mean annual air temperature: 37 to 46 degrees F

Frost-free period: 120 to 150 days

Farmland classification: Prime farmland if drained

Map Unit Composition

Tonka and similar soils: 73 percent

Minor components: 27 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Tonka

Setting

Landform: Depressions

Landform position (three-dimensional): Dip

Down-slope shape: Concave

Across-slope shape: Concave

Parent material: Local alluvium over till

Typical profile

Ap - 0 to 7 inches: silt loam

A - 7 to 13 inches: silt loam

E - 13 to 19 inches: loam

Bt - 19 to 34 inches: silty clay loam

2BC - 34 to 50 inches: clay loam

2Cg - 50 to 79 inches: loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): Moderately low (0.01 to 0.14 in/hr)

Depth to water table: About 0 to 18 inches

Frequency of flooding: None

Frequency of ponding: Frequent

Calcium carbonate, maximum in profile: 10 percent

Gypsum, maximum in profile: 2 percent

Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 3.0 mmhos/cm)

Sodium adsorption ratio, maximum in profile: 2.0

Available water storage in profile: High (about 10.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: C/D

Ecological site: Wet Meadow (R055BY071ND)

-Maps usually come with a scale on the website or small measuring tool that can be used to determine distance to a surface water feature

-Other sources/methods may provide more accurate information

7 – Disposal Site Design

7. Disposal Site Design (Enclose appropriate diagrams, maps, cross sections, and narrative.)

Site Plan View	
One to Two Cross Sections Showing: Trench Depth	Waste Placement
Final Cover Design	Final Vegetation
Diagrams Enclosed of These Components <input type="checkbox"/> Yes <input type="checkbox"/> No	

- **Site Plan View** – Design showing the trench, soil stockpiles, nearby structures and features
- **Cross Sections** – Design showing the depth, length, width and cap planned for the disposal area
- **Waste Placement** – where the waste will be located within the trench
 - Must maintain at least two feet between waste and original ground elevation before stripping of topsoil
- **Final Cover Design**- displays the final cover over the disposal area
 - Must receive at least two and one-half feet of soil cover

7 – Disposal Site Design

7. Disposal Site Design (Enclose appropriate diagrams, maps, cross sections, and narrative.)

Site Plan View	
One to Two Cross Sections Showing: Trench Depth	Waste Placement
Final Cover Design	Final Vegetation
Diagrams Enclosed of These Components <input type="checkbox"/> Yes <input type="checkbox"/> No	

- Final Vegetation** – What native grass will be planted or other vegetation as approved
- Including diagrams and a summary of the disposal site design is preferred
- Don't forget stormwater controls!
- A permit for stormwater discharge may be required by the Division of Water Quality if the disposal area exceeds one acre
- Be sure to mention operations such as topsoil stripping, open burning preparation (if applicable), debris compaction

8 – Supplemental Application Forms

8. Supplemental Application Forms

Indicate which supplemental forms are completed and attached to the application:

☐ Application for Open Burn Variance

☐ Notification of Demolition and Renovation

-Application for Open Burn Variance

-<http://www.ndhealth.gov/aq/openburning.aspx>

-Intention to open burn must be mentioned in application and include a copy of the form submitted to the Division of Air Quality



APPLICATION FOR OPEN BURNING VARIANCE

North Dakota Department of Health
Division of Air Quality
SFN 8509 (11-15)

Instructions: (1) Complete both pages of this form, (2) obtain signatures of approval from appropriate health unit and fire department personnel, and (3) send completed application to the address listed on the last page.

Applicant's Name		Company Name		Telephone Number	
Mailing Address		City		State	Zip Code
Location of Burn Site		1/4 Section	Section	Township	Range
		County			
Description of Material To Be Burned					

Open burning causes air pollution. The Department encourages waste reduction programs and recycling as practical alternatives to disposing of refuse and other combustible material by open burning.

The North Dakota Air Pollution Control Rules, North Dakota Administrative Code (NDAC) Chapter 33-15-01-07 allows variances in instances of "exceptional circumstances" as follows:

"Where upon written application of the responsible person or persons the department finds that by reason of exceptional circumstances, strict conformity with any provisions of this article would cause undue hardship, would be unreasonable, impractical, or not feasible under the circumstances, the department may permit a variance from this article upon such conditions and within such time limitations as it may prescribe for prevention, control, or abatement of air pollution in harmony with the intent of the state and any applicable federal laws."

Explain why this request for a variance should qualify as "exceptional circumstances." (Continue on reverse if necessary)	Burning Will Be Supervised By Name:
	Organization:
	Telephone Number:
	Approximate Burning Date(s):

ASBESTOS

In accordance with NDAC 33-15-13, if this request is for the burning of a facility, the facility must be inspected for asbestos, a Notification of Demolition and Renovation form (SFN17987) must be submitted to this Department and all asbestos must be removed prior to burning. In most cases, a facility includes all types of structures except a single family home or an apartment building having no more than four units.

Date SFN17987 Form Submitted (if applicable)

TOWNS OR OCCUPIED RESIDENCES WITHIN ONE MILE

Name	Direction From Burn Site	Distance From Burn Site

APPLICANT AND COORDINATION SIGNATURES:

I, the undersigned, understand that approval to conduct open burning does not exempt or excuse any person from the consequences, damages, or injuries which may result therefrom. I also agree to comply with the conditions of Chapter 33-15-04 of the North Dakota Air Pollution Control Rules and the conditions listed on the Variance Approval to Open Burn, if granted by the Department.

Applicant's Signature: _____ Date: _____

Local or District Health Unit Approval Signature:	Health Unit:	Title:	Date:
Printed:			
City or Rural Fire Department Approval Signature:	Fire Department:	Title:	Date:
Printed:			

NOTE: Unless your local health unit has final authority, written approval must be received from the North Dakota Department of Health before burning can take place.

8 – Supplemental Application Forms

8. Supplemental Application Forms

Indicate which supplemental forms are completed and attached to the application:

☐ Application for Open Burn Variance

☐ Notification of Demolition and Renovation



ASBESTOS NOTIFICATION OF DEMOLITION AND RENOVATION

North Dakota Department of Health
Division of Air Quality
SFN 17567 (2/13)

I. Type of Notification		THIS NOTICE MUST BE SUBMITTED 10 WORKING DAYS BEFORE BEGINNING THE ACTIVITY			
<input type="checkbox"/> Original <input type="checkbox"/> Revised <input type="checkbox"/> Cancelled		Date: _____			
II. Type of Operation		III. Is Asbestos Present?			
<input type="checkbox"/> Demolition <input type="checkbox"/> Renovation <input type="checkbox"/> Ordered Demolition <input type="checkbox"/> Emergency Renovation		<input type="checkbox"/> Yes <input type="checkbox"/> No			
IV. Dates of Asbestos Removal (MM-DD-YY)		V. Dates of Demolition or Renovation (MM-DD-YY)			
Start: _____ Stop: _____		Start: _____ Stop: _____			
VI. Facility Information (Identify owner and operator, if applicable)					
Owner Name: _____					
Owner Address: _____		City: _____	State: _____ Zip Code: _____		
Contact Person: _____		Email: _____	Telephone Number: _____		
Operator (if different than owner): _____					
Operator Address: _____		City: _____	State: _____ Zip Code: _____		
Contact Person: _____		Email: _____	Telephone Number: _____		
VII. Facility Description (include building name, number and floor or room number)					
Building Name: _____					
Building Address: _____		City: _____	State: _____ Zip Code: _____ County: _____		
Site Location (floor or room number(s)): _____					
Building Size (Sq. Ft.): _____		Number of Floors: _____	Age of Building/Year Built: _____		
Present Use: _____		Prior Use: _____			
VIII. Asbestos Contractor (If applicable, please enter Demolition or Renovation Contractor information on page 2)					
Contractor Name: _____		ND License Number: _____			
Contractor Address: _____		City: _____	State: _____ Zip Code: _____		
Contact Person: _____		Telephone Number: _____			
IX. Asbestos Inspector or Project Monitoring Firm (if applicable)					
Firm Name: _____		ND License Number: _____			
Firm Address: _____		City: _____	State: _____ Zip Code: _____		
Name of Inspector or Onsite Hygienist: _____		Telephone Number: _____			
X. Approximate Amount of Asbestos, including:					
	Regulated Asbestos-Containing Material (RACM) to be Removed	Nonfriable Asbestos-Containing Material to be Removed		Nonfriable Asbestos-Containing Material not to be Removed	
		Category I	Category II	Category I	Category II
Pipe (Linear Ft.)					
Surface Area (Sq. Ft.)					
Volume from Facility Component(s) (Cu. Ft.)					

-Notification of Demolition and Renovation

-<http://www.ndhealth.gov/AQ/IAQ/ASB/>

-Required unless demolition/renovation involves single family homes (not part of a larger project) or apartment building having no more than four units

9 – Local Zoning Approval

9. Local Zoning Approval

Inert waste disposal must not conflict with local zoning ordinances. Consult with representatives of the applicable zoning jurisdiction (county, township or city) to determine inert waste disposal compliance with zoning ordinances. A representative of the local zoning jurisdiction must sign the application.

I, the undersigned, certify that inert waste disposal at the location described on this application does not conflict with local zoning ordinances.

Signature	Printed Name	Date
Zoning Jurisdiction	Printed Name	Date

10 – Signatures

10. Signatures

Signatures are required by the following: the party responsible for the waste and/or owner of the property scheduled for demolition; the contractor; and owner of inert waste disposal site.

Party Responsible for Waste: The inert waste and/or the structure scheduled for demolition has been inspected. Prohibited waste or materials described in the Department's "Guideline 22 - Inert Waste Disposal Variance" will not be disposed and/or will be removed from the structure prior to demolition.

Signature	Printed Name	Date
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Contractor: The inert waste disposal site will be operated and closed according to Guideline 22.

Signature	Printed Name	Date
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Disposal Site Owner: A notification of inert waste disposal will be filed with the County Register of Deeds. The notification will be completed according to "Guideline 22 - Inert Waste Disposal Variance." The Department will be provided with a certified copy of the notice within thirty (30) days of filing.

Signature	Printed Name	Date
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Important to have all signatures before submittal!

Responsibilities

-WASTE GENERATOR:

- Variance applications should be submitted by the waste generator
 - Should provide explanation for the variance, amount of waste, etc.
 - It is the generator's responsibility to ensure a project is completed in accordance with state rules

-CONTRACTOR:

- Variance request from contractor for under-bidding a contractor who would manage waste in conformance with the rules at permitted facilities or recycling facilities does not constitute an "exceptional circumstance"

-PROPERTY OWNER:

- Must ensure a notice is placed on the deed to the property
- Must ensure the site will not be disturbed or mis-managed
- Must ensure the site will be properly managed in perpetuity

Review Process



- The application will be reviewed after submittal to the Department
- Be as detailed and complete as you can in your application
 - Helps reduce review time
 - Reduces additional information the Department may request
 - Call the Department if you have questions
- Don't wait until the last minute to submit the application!

Approval/Denial

-IMPORTANT!!! AN APPROVAL LETTER FROM THE DEPARTMENT MUST BE RECEIVED BEFORE DISPOSAL MAY BEGIN!!!

- Failure to do so could result in contamination of the environment, violation of Department rules, penalties and enforcement action.

-Except in emergencies, **variances are only approved in writing**

-You will also receive a letter from the Department if a variance is denied and the reason for denial

- Most common reason for denial is site location issues, so to save time, be sure to review the characteristics for the site location prior to application submittal

-ALSO REMEMBER A NOTIFICATION OF INERT WASTE DISPOSAL MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS AND A CERTIFIED COPY PROVIDED TO THE DEPARTMENT!

Questions?

