

# Waste Storage/Land Application Permit Application

Revised: 12/19/2018

## **Introduction:**

This permit application is for land application/storage of industrial waste, biosolids, water treatment residuals, or domestic wastewater. Any applicant submitting this permit application shall comply with all of the General Information (Part I), Procedural Information (Part II), Technical Requirements (Part III), and the Complete Application listed below.

## **Part I** **General Information**

### **Please read the following prior to completing the application:**

1. The applicant is advised to review all applicable State and Federal regulations, including, but not limited to: Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 et seq.), Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation No. 2, and Title 40 Code of Federal Regulations Part 503.
2. Applications may be submitted by one of the following methods:
  - a. Electronically at <https://eportal.adeq.state.ar.us/>
  - b. Emailed to [Water-Permit-Application@adeq.state.ar.us](mailto:Water-Permit-Application@adeq.state.ar.us)
  - c. Mailed to:

Arkansas Department of Environmental Quality  
Permits Branch, Office of Water Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317
3. The application must be signed by an individual authorized to bind the applicant, such as the individual owner, an authorized corporate officer, a partner, a principal, member, manager or someone delegated with signatory authority by any of the above individuals. In all cases, the person signing the application should be authorized to do so by the applicant.
  - a. For the purposes of this section, an authorized corporate officer is defined as:
    - i. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
    - ii. the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - b. In the case of a partnership or sole proprietorship, the application must be signed by a general partner or the proprietor, respectively.
  - c. In the case of a limited liability company (LLC), the application must be signed by an individual authorized to bind the LLC under the terms of that LLC's operating agreement.
  - d. For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer

of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

- e. For any entity above, those applications signed by an authorized person other than those described above must also include appropriate documentation delegating such signatory authority.
4. APC&EC Regulation No. 9 requires that, if applicable, a fee be paid by the applicant prior to the issuance of a permit, a permit modification or a renewal of a permit. Permit fees are payable by check or money order and must be received before the permit can be issued. The Department will issue an invoice when the draft permit is sent to public notice.
5. All construction and operating information contained in the waste management plan and permit application, as well as any change, modification or alteration of the waste management plan or permit application submitted in writing and approved by the Department in writing shall become an integral part of the permit. All information supplied to the Department shall be available for public inspection unless the information is submitted to the Department as confidential and the Director determines that the information is entitled by law to protection as confidential. Waste analysis data cannot be considered confidential.
6. Prior to implementation of any changes in operational procedures of a permitted facility, the permittee must request Department approval, in writing, describing the proposed changes. A change in operational procedures includes, but is not limited to, the following:
  - a. A change in waste source, composition or volume. (This change may require a permit modification.)
  - b. A change in land application sites. (This change requires a permit modification.)
  - c. A change in waste treatment, handling or disposal. (The Department may require a permit modification, construction plans and specifications, an amended waste management plan, and any other pertinent information as needed.)
7. Permits are issued with a 5-year expiration date. **An application to renew an existing permit must be submitted no less than 180 days prior to the expiration date of that existing permit.** A timely renewal application will allow the permitted facility to continue operations subject to the existing permit until the effective date of the new permit even if that new permit has an effective date past the existing permit's expiration date. Permittees applying for a renewal must go through the same process as obtaining a new permit, including fee payment and public notice requirements. If any operational changes coincide with a permit renewal, a revised waste management plan must be submitted to the Department with the renewal application.
8. APC&EC Regulation No. 3 Chapter 3 requires that, if applicable, every owner of a wastewater treatment plant is required to employ a licensed operator with license classification at least equivalent to the treatment plant's classification.
9. If a change of ownership or control of a permitted facility occurs, the permit may be transferred to the new owner(s) by submitting a completed **"Request for Permit Transfer"** form signed by the current Permittee and the prospective permittee. A permit may be automatically transferred if the prospective permittee notifies the Department thirty (30) days in advance of the proposed transfer date by submitting a completed **"Request for Permit Transfer"** form signed by the current Permittee and the prospective permittee and submits a completed **"Disclosure Statement"** form. The required forms are available on the Department website:

<https://www.adeq.state.ar.us/water/permits/nodischarge/individual.aspx>

## ***Part II***

### **Procedural Information**

Procedures for permit applications are governed by APC&EC Regulation No. 8. Any conflict or ambiguity between APC&EC Regulation No. 8 and the subsequent procedural information is wholly subject to APC&EC Regulation No. 8 and any relevant Federal and State statutes, regulations and applicable case law.

1. Upon receipt of an individual permit application, the Department will review the application for administrative completeness. The Department will not process any application until all information required to properly classify the application as administratively complete has been received. During the review, the Department may contact the applicant or consultant for clarification or to request additional information. **If an application is severely lacking in detail or requested information is not submitted in a timely manner, the application may be returned or placed in an inactive status.**
2. After receiving an administratively complete application, the Department will prepare a public notice of the application and forward it directly to an appropriate newspaper for publication. A public notice of an administratively complete application is required for an individual permit application (new, renewal, or major modification) to construct or operate storage and/or land application of industrial waste or biosolids (Class A or B). The notice must be published for one day in a newspaper of general circulation in the county in which the proposed facility or activity is to be located. Any interested person may request a public hearing on the proposed permit by giving the Department a written request within ten (10) business days of the publication of the notice. APC&EC Regulation No. 8 requires the applicant to bear the expense of all public notices. **Once the public notice has been published, an affidavit and proof of payment for the public notice of the administratively complete application must be submitted to the Department by the applicant.**
3. After the administratively complete application public notice is complete, the Department will conduct a technical review of the submitted permit application.
4. Following the technical review, the Director will issue a proposed decision to grant the permit and issue a draft permit or deny the permit application. A second public notice will be prepared and forwarded directly to an appropriate newspaper for publication by the Department regarding the Director's decision. A thirty (30) day comment period must follow publication of this notice. Any interested person may submit written comments or request a public hearing on the proposed permit. APC&EC Regulation No. 8 requires the applicant to bear the expense of all public notices. **Once the public notice has been published, an affidavit and proof of payment for the public notice of the draft publication must be submitted to the Department by the applicant.**
5. If the Director makes a final decision to issue the permit, the applicant may commence construction once the permit becomes effective. If the permit does not include any type of construction, the applicant may commence operation once the permit become effective. The facility must be constructed, modified and/or operated in accordance with the final design plans and specifications prepared by an Arkansas Licensed Professional Engineer and approved by the Department. Within 30-days after construction is complete, a professional engineer (P.E.) licensed in the State of Arkansas must submit a **construction certification** to the Department stating that the facility was constructed according to the final design plans and specifications approved by the Department. The P.E. must justify any modifications made to the facility during construction.
6. After receiving the construction certification, the Department will issue a letter of authorization to commence operation of the facility.

***Part III***  
**Technical Requirements**

Below are the Department's technical requirements for land application/storage of industrial waste, biosolids, water treatment residuals, or domestic wastewater. Any applicant submitting a permit application for land application shall comply with all of the technical requirements listed below.

**All permit application shall include the following**

1. **Completed Permit Application** – In accordance with APC&EC Regulation No. 8.203, an applicant shall file a permit application with the Office of Water Quality.
2. **Disclosure Statement** - In accordance with APC&EC Regulation No. 8.204 (B), all applicants for the **issuance (new, modification, and renewal) or transfer** of any permit under the environmental laws of Arkansas shall submit a “**Disclosure Statement**” to the Department.
3. **Land Use Contract/Deed/Lease** - Proof of ownership or control of land must be submitted to the Department for all land to be permitted for waste storage or land application under the waste management plan. The applicant shall determine if the land application sites are currently permitted or in use by another user. In the event that the Department determines that any land application site is permitted for land application under another permit, the Department may void your permit.
  - a. For land owned by the applicant, a copy of the deed (or other legal document proving ownership) must be submitted.
  - b. For land leased by the applicant, a copy of the lease agreement with the landowner granting control of the land for the purpose proposed in the application must be submitted.
  - c. For land that is neither owned nor leased by the permit applicant, a land use contract between the applicant and landowner granting authority to apply waste must be submitted for each application site not owned by the applicant. Each land use agreement must be maintained in effect during the permit term. A copy of the signed land use agreement must be available onsite during land application operations. If a land use agreement becomes void during the permit term, the permit applicant must notify the Department for a minor modification of the permit.
4. **Arkansas Department of Health Notification** - Applicants for new permits or permit modifications to add land application sites must notify the Arkansas Department of Health Division of Engineering that a permit application has been submitted to the Department of Environmental Quality. This notice must include a complete set of maps (**as described in Part III.5.d**) indicating the location of the facility, all land application sites and a description (type, size, etc.) of the operation. The notice should be mailed to:

Arkansas Department of Health  
Engineering Division, Slot # 37  
4815 West Markham  
Little Rock, AR 72205

**A copy of the letter transmitting the above documents to the Arkansas Department of Health must be submitted with your application to this Department.**

5. **Waste Management Plan** - Design and implementation of the waste management plan shall be in accordance with all applicable State and Federal regulations. The waste management plan, construction plans, specifications and design calculations must be prepared and certified by an Arkansas Licensed Professional Engineer, or when applicable, an authorized Natural Resources Conservation Service (NRCS) engineer or technician. The waste management plan must include, but is not limited to, the following information:

**a. Waste Information:**

- i. Type of the industrial waste or biosolids (including the daily and yearly volumes);
- ii. Type of pretreatment (if applicable);
- iii. Waste transportation;
- iv. Evenly distributed application methods (surface or subsurface);
- v. Waste application rate calculations used in the design of the proposed waste disposal system, including the following:
  1. Flow rates;
  2. Storage volumes;
  3. Nutrient application rates;

<b>Table I: Plant Available Nitrogen Equations</b>	
For Surface applied waste, PAN(ppm)	$0.3(\text{TKN} - \text{NH}_3) + 0.5\text{NH}_3 + \text{NO}_3 + \text{NO}_2$
For Subsurface applied or Incorporated waste, PAN(ppm)	$0.3(\text{TKN} - \text{NH}_3) + \text{NH}_3 + \text{NO}_3 + \text{NO}_2$
Conversion from PAN(ppm <sup>1</sup> ) to PAN(lbs/Dry Ton(DT))	$0.002 * \text{PAN}(\text{ppm}^1)$
Conversion from PAN(ppm <sup>2</sup> ) to PAN(lbs/1,000 gallons)	$0.00834 * \text{PAN}(\text{ppm}^2)$

<sup>1</sup>Dry Basis  
<sup>2</sup>Wet Basis

4. Pollutant loading rates;

$$\frac{\text{Pounds}}{\text{Acre}} = \text{Concentrations} \left( \frac{\text{mg}}{\text{l}} \right) * 8.34 * \text{Application Rate} \left( \frac{\text{million gallons}}{\text{acre}} \right)$$

$$\frac{\text{Pounds}}{\text{Acre}} = \text{Concentrations} \left( \frac{\text{mg}}{\text{kg}} \right) * 0.002 * \text{Application Rate} \left( \frac{\text{Dry Tons}}{\text{acre}} \right)$$

5. Size(s) and location of pump(s) and residence time(s); and

- vi. **For land application of domestic or industrial wastewater** (excluding any solids), the following must be submitted and address in the waste management plan:

1. A monthly water balance must be submitted.
2. The applicant shall make reasonable effort to notify all adjacent landowners that an application for land application of **domestic wastewater** under a No-Discharge Permit has been submitted to the Department. This notice shall also contain the permittee's name, mailing address, type of permit action, type of waste, amount of waste that will be applied, and location. In order for the application to be deemed complete, **the applicant must submit a copy of the letter sent to each landowner with the application.**

- vii. **For land application of biosolids**, the following must be submitted and addressed in the waste management plan:
  1. The quality classification of the biosolids proposed to be land-applied (i.e. Exceptional Quality, Class A, or Class B), as defined in Title 40 CFR Part 503, as amended.
  2. A wetland determination for each land application site. The wetland determination must be performed by a District Conservationist from the Natural Resources Conservation Service or any other individual certified to perform wetland determinations. All wetland determinations must be submitted with the permit application.
  3. The applicant shall make reasonable effort to notify all adjacent landowners that an application for land application of Class A or B biosolids has been submitted to the Department. This notice shall also contain the permittee's name, mailing address, type of permit action, type of waste, amount of waste that will be applied, and location. In order for the application to be deemed complete, **the applicant must submit a copy of the letter sent to each landowner with the application.**
- viii. Analysis of the physical and nutrient properties of the waste. The analysis must contain all parameters listed in Table 1. Additional parameters may be required during the technical review. All solid waste analysis shall be reported on a dry basis in mg/kg and all liquid waste analysis shall be reported on a wet basis in mg/L, unless indicated otherwise.

Arsenic	Cadmium	Copper
Lead	Mercury	Molybdenum
Nickel	Selenium	Zinc
% Total Solids	Electrical Conductivity	Sodium Absorption Ratio
Nitrate Nitrogen	Nitrite Nitrogen	Ammonia Nitrogen
Total Kjeldahl Nitrogen	Total Phosphorus	Water Extractable Phosphorus <sup>1</sup>
Total Potassium	Oil and Grease <sup>2 &amp; 3.</sup>	pH
Carbonaceous Biochemical Oxygen Demand (CBOD) <sup>3</sup>	Total Suspended Solids (TSS) <sup>3</sup>	Fecal Coliform Bacteria (FCB) <sup>3</sup>
Polychlorinated Biphenyls (PCB's) <sup>4</sup>	Aluminum <sup>5</sup>	Iron <sup>5</sup>

<sup>1</sup> Required to be sampled in the Nutrient Surplus Area, see Paragraph 6 of Part III.

<sup>2</sup> Required to be sampled for industrial waste

<sup>3</sup> Required to be sampled for effluent.

<sup>4</sup> Required to be sampled for biosolids.

<sup>5</sup> Required to be sampled for water treatment residuals.

**b. Land Application Site Information:**

- i. Location - A legal description of each land application site must be provided to the nearest section. The latitude and longitude for the center of each site must also be provided. All land application sites included in the application must be located in the same county. Land application sites located outside that county must be submitted in a separate permit application.
- ii. Nearest Stream - The name and distance to the nearest stream(s) (i.e. tributary to the Arkansas River, Red Creek, or Bayou Meto) must be included for each site.

- iii. Cover Crop - The proposed cover crop and/or use of each application site must be provided, including the corresponding nitrogen uptake rate or the phosphorus index (for sites located within the Nutrient Surplus Area, see Paragraph 6 of Part III). Land application sites shall maintain adequate vegetation to ensure the nitrogen uptake rate of the cover crop is accurate. Land application sites containing forage crops shall maintain 100% coverage with a minimum of 80% density. Land application sites containing row crops must be planted in a manner to produce the typical yield. Below are the most commonly used cover crops on land application sites. If you want to use a different cover crop than what is listed below, you shall provide the nitrogen uptake rate with scientific justification.

<b>Table III: Nitrogen Uptake of Cover Crops</b>			
Crop Name	Uptake (lbs/acre)	Crop Name	Uptake (lbs/acre)
Barley	59	Bermuda	300
Corn	240	Fescue	138
Oats	132	Rice	124
Ryegrass	178	Sorghum	185
Soybeans	226	Wheat	143

- iv. Slope – The allowable slope for the land application site depends on the type of waste and the waste application method. Allowable slopes listed below

<b>Table IV: Slopes</b>	
<b>Maximum Slope %<sup>2</sup></b>	<b>Acceptable Application Methods</b>
6	<ul style="list-style-type: none"> <li>• Surface application of liquid waste</li> <li>• Injection of liquid waste</li> <li>• Surface application of dewatered waste solids</li> <li>• Surface application of dewatered waste with immediate incorporation</li> </ul>
12	<ul style="list-style-type: none"> <li>• Injection of liquid waste</li> <li>• Surface application of dewatered waste solids</li> <li>• Surface application of dewatered waste with immediate incorporation</li> </ul>
15	<ul style="list-style-type: none"> <li>• No application of liquid wastes without extensive runoff control<sup>1</sup></li> <li>• Surface application of dewatered waste with immediate incorporation</li> </ul>

<sup>1</sup> Land application of liquid waste on sites with a slope greater than 12% will not be allowed unless the applicant demonstrate runoff controls for each land application site. If runoff controls are not demonstrated during the permitting process, the applicant will not be able to land apply liquid waste to sites with a slope greater the 12%.

<sup>2</sup> Land application of any industrial waste will not be permitted with slopes greater than 15%.

- v. Setbacks –
1. **For land application of biosolids or domestic wastewater;** the land applications sites shall have at least 3-foot of separation from seasonal high groundwater table. **This must be documented in the Waste Management Plan.**
  2. Waste shall not be land applied within 100 feet of streams including intermittent streams, ponds, lakes, springs, sinkholes, rock outcrops, wells and water supplies; or 300 feet of extraordinary resource waters as defined by APC&EC Regulation No. 2. Buffer distances for streams, ponds and lakes must be measured from the ordinary high water mark.
  3. Waste shall not be land applied within 50 feet of property lines or 500 feet of neighboring occupied buildings existing as of the date of the permit. The restrictions regarding property lines or neighboring buildings may be waived if the

adjoining property is also approved as a land application site under a permit issued by the Department or if the adjoining property owner consents in writing.

4. All boundaries, cited above, must be flagged prior to and present during any land application event for all land application sites
- vi. Soil Analysis - At least one (1) soil composite sample must be taken for every forty (40) acres of land application area. Soil samples must be analyzed for the parameters listed in Table 2. Additional parameters may be required during the technical review. Analysis must be reported on a dry basis in mg/kg, with the exception of pH, cation exchange capacity and salt content.

Table V: Soil Parameters		
Arsenic	Cadmium	Copper
Lead	Mercury	Molybdenum
Nickel	Selenium	Zinc
Nitrate Nitrogen	Electrical Conductivity	Sodium Absorption Ratio
Potassium	Phosphorus	pH
Cation Exchange Capacity	Aluminum <sup>1</sup>	Iron <sup>1</sup>

<sup>1</sup> Required to be sampled for water treatment residuals.

**c. Storage Information:**

- i. A description of storage facilities, including location, volume, freeboard, and construction drawings showing design details.
- ii. A description of the emergency containment structure, when required. An emergency containment structure is required for all facilities utilizing above ground waste storage tanks. The emergency containment structure must be able to contain 1.5 times the capacity of the largest above ground waste storage tank to be used. The emergency containment area must be lined to prevent seepage of spilled waste into the groundwater with a permeability of  $1 \times 10^{-7}$  centimeters per second or less. Disposal of accumulated rainfall and erosion control must also be addressed.
- iii. Design plans verifying that the top elevations of waste storage structures and emergency containment structures shall be twelve (12) inches above the Federal Emergency Management Agency (FEMA) designated 100-year flood elevation. If the proposed site for waste storage is in or near the designated 100-year flood plain, the design must indicate both the 100-year flood elevation and the top elevation of the berms. All elevations shall be expressed relative to mean sea level.
- iv. All plans and specification for storage facilities, emergency containment structures, pond levees, and process equipment shall be prepared and certified by an Arkansas Licensed Professional Engineer.

**d. Maps:**

- i. Aerial Map - Copies (8 ½" X 11") of an aerial map (e.g. Google Earth) which shows the locations of each land application site, the nearest potentially affected stream(s), and the required setbacks (**listed in Part 5.b.v**). All features (such as buildings, ponds, etc.) in existence but not shown on the map(s) must be noted. In addition, approximate soil series boundaries, water supplies, streams, ponds, property lines, dwellings, roads, field slopes, buffer zones and any other information deemed relevant by the applicant should be indicated.
- ii. Topographic Map and County map(s) - Copies (8 ½" X 11") of both USGS topographic map(s) (quad sheet) and county map(s) showing the location of the facility, the nearest potentially affected streams, and the distance and directions from the nearest State Highway intersection or community. All features (such as buildings, ponds, etc.) in existence but not shown on the map(s) must be noted. Maps may be obtained from the Arkansas Highway Department and the Arkansas Geological Commission in Little

Rock. The name of the USGS topographic map(s) used for each map submitted in the waste management plan must be indicated.

6. **Nutrient Management Plan** – In accordance with Ark. Code Ann. § 15-20-1106, a facility cannot apply designated nutrients to soil or associated crops within the Nutrient Surplus Area unless the nutrient application is done in compliance with a Nutrient Management Plan approved by the Arkansas Natural Resource Commission (ANRC) or at a protective rate established by the ANRC. Any land application site located within the Nutrient Surplus must submit a Nutrient Management Plan including a phosphorus index.
7. **40 CFR Part 257** – The Department has adapted the criteria contained in 40 CFR Part 257 for land application of certain industrial waste. If the criteria in 40 CFR Part 257 are not met, the solid waste disposal facility or practice may pose a reasonable probability of adverse effects on health or the environment. To protect underground drinking water sources and to ensure the applicant complies with 40 CFR Part 257.3-4, the Department requires certain land application operations to demonstrate compliance by means of performing a Toxicity Characteristic Leaching Procedure (TCLP) of the wastewater, proof of a soil confinement zone, installation of groundwater monitoring, or other proposed methods.
8. **Nonmunicipal Domestic Sewage Treatment Works** – Ark. Code Ann. § 8-4-203(b)(1)(A) forbids the Arkansas Department of Environmental Quality from issuing, modifying, renewing, or transferring a permit for a nonmunicipal domestic sewage treatment works without the applicant first fulfilling the trust fund requirements set forth in that section. Ark. Code Ann. § 8-4-203(b)(1)(B) defines “nonmunicipal domestic sewage treatment works” as a device or system operated by an entity other than a city, town, or county that treats, in whole or in part, waste or wastewater from humans or household operations and must continually operate to protect human health and the environment despite a permittee’s failure to maintain or operate the device or system. NDSTW’s can include, but are not limited to:
  - Sewer Improvement Districts;
  - Subdivisions,
  - Mobile Home Parks,
  - Property Owner’ Associates,
  - RV parks, and
  - Apartments

***Exclusions*** Excluded from these requirements for trust fund contribution fees are:

- State or federal facilities,
- Schools,
- Universities and colleges,
- Entities that continuously operate due to a connection with a city, town, or county, and
- Commercial or industrial entity that treats domestic swage from its operations and does not accept domestic sewage from other entities or residences.

The trust fund form may be obtained from the ADEQ web site at:

PDF: <https://www.adeg.state.ar.us/water/permits/pdfs/ndstw-trust-fund-certification-form.pdf>  
Word: <https://www.adeg.state.ar.us/water/permits/pdfs/ndstw-trust-fund-certification-form.doc>

9. **Waste Storage Pond Closure** – Prior to closure of any facility or termination of any permit with permeant waste storage ponds, all permeant waste storage ponds shall be closed in accordance with the Office of Water Quality, Waste Storage Pond Closure Guidelines.

# Waste Storage/Land Application Permit Application

Revised: 12/19/2018

## **ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY NO-DISCHARGE PERMITS OFFICE OF WATER QUALITY**

### **WASTE STORAGE POND CLOSURE GUIDELINES**

1. Permitted facilities are required to notify the Department at least **sixty (60) days** prior of any planned removal, closure or abandonment of any waste storage or treatment structure containing waste or residuals from confined animal facilities, municipal water or wastewater treatment facilities, processing plants or other wastes.
2. A closure plan must be submitted to the Department for approval prior to closure of the structure. The closure plan must be developed by the Natural Resources Conservation Service (NRCS), an Arkansas Soil and Water Conservation District water quality technician or an Arkansas Licensed Professional Engineer. .
3. A closure plan must contain the following information:
  - a. Permittee name, type of permit and permit number.
  - b. Facility location, type of facility and county.
  - c. Type and size of waste storage structure to be closed (pond, concrete tank, etc.)
  - d. Quality and quantity of waste contained in waste storage structure.
  - e. Method of waste disposal.
  - f. Final status of waste storage structure (i.e. destroyed, removed, remain in place, convert to fresh water pond, etc.).
4. For earthen ponds and lagoons converted to fresh water ponds, a minimum of six (6) inches of soil must be removed from the bottom and inside levees of the pond. The disposal of this waste must be addressed in the closure plan.
5. If remaining waste will be land applied, the following additional information is required:
  - a. Legal description and identification of proposed waste application site.
  - b. Permit status of proposed waste application site (i.e. is it included in the current permit?)
  - c. Solids content (%) of waste.
  - d. Plant Available Nitrogen (PAN) of waste.
  - e. Waste application rate.
  - f. Cover crop at waste application site and the corresponding nutrient uptake rate.
  - g. Total number of acres required for disposal of remaining waste.

\*For waste application sites located in a designated Nutrient Surplus Area, waste must be applied in compliance with a Nutrient Management Plan in accordance with Ark. Code Ann. § 15-20-1106.

6. Any waste disposal methods other than land application must be described in sufficient detail and include the final destination of the waste at a permitted facility.

# Arkansas Department of Environmental Quality No-Discharge Section Permit Application

Waste Storage/Land Application for  
Industrial Waste, Biosolids, Water Treatment Residuals, or Domestic Wastewater

Revised: 12/19/2018

<b>Permit No.:</b>	<b>AFIN:</b>	<b>SIC Code:</b>	<b>NAICS Code:</b>
(Office Use Only)	(Office Use Only)		

**1. Permit Action and Type** *(Please check one of the following):*

Operator Type: <input type="checkbox"/> Corporation (State of Incorporation: _____) <input type="checkbox"/> Limited Liability Company (State of LLC: _____)	
<input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship/Private <input type="checkbox"/> Other _____	
<input type="checkbox"/> New Permit <input type="checkbox"/> Renewal <input type="checkbox"/> Modification of Permit, Describe: _____	
<input type="checkbox"/> Biosolids <input type="checkbox"/> Industrial Waste <input type="checkbox"/> Oil and Gas Waste <input type="checkbox"/> Treated Effluent Residuals	
<input type="checkbox"/> Water Treatment Residuals <input type="checkbox"/> Water Based Drilling Fluids <input type="checkbox"/> Other _____	

**2. Permittee Legal Name and Mailing Address:** *(Must Match Arkansas's Secretary of State)*

Owner Name:		
Address:		Phone Number:
City:	State:	Zip Code:
Contact Person: <i>(Mr. / Mrs. / Ms.)</i>		Email:
Title:	Phone Number:	Cell Number:

**3. Facility Location** *(physical address is required; NO P.O. BOX):*

Facility Name:		
Address <i>(911 Address):</i>		Phone Number:
City:	State:	Zip Code:
1/4 Sec.:	Section:	Township:
Range:		
Latitude: ___ Deg ___ Min ___ Sec.	Longitude ___ Deg ___ Min ___ Sec.	Source Datum:
County:		Nearest Town:
Nearest Stream:		Distance: (ft) Stream Segment:
Licensed Operator Name <i>(if applicable):</i>		Lic. # and Class:

**4. Consultant Information:**

Name:		Consulting Firm:
Email:		Phone Number:
Address:		Cell Number:
City:	State:	Zip Code:

**Please read the following carefully and sign below.**

**I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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, which may include fines and/or imprisonment.**

**SIGNATORY REQUIREMENTS:**

The information contained in this form must be certified by a **responsible official** as defined in the instructions, Part I, Section 3. For example:

**Corporation:** principal officer at least the level of vice president

**Partnership:** a general partner

**Sole Proprietorship:** the proprietor/owner

**Limited Liability Company:** a member or manager as designated by the operating agreement

**Municipal, state, federal, or other public facility:** principal executive officer, or ranking elected official

Responsible Official: \_\_\_\_\_ Title: \_\_\_\_\_

Responsible Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Responsible Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Cognizant Official** is an individual that is given signature authority from the Responsible Official

Cognizant Official: \_\_\_\_\_ Title: \_\_\_\_\_

Cognizant Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Cognizant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PERMIT REQUIREMENT VERIFICATION** (Please check the following to verify the completion of permit requirements.)

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Complete Application<br>Does the Owner name match the Secretary of State (Corporation or Limited Liability Company)?<br>Does the Responsible Official match the Secretary of State? |
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Waste Management Plan<br>Stamped & Signed by an Arkansas Registered PE/ ADH Designated Representative<br>Are maps and site description included?                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Closure Plan (Oil and Gas/Water Based Drilling Fluids)<br>Is the cost estimate included?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Disclosure Statement (completed and executed)<br>Not required for public entity   |
| <input type="checkbox"/> | <input type="checkbox"/> | Submittal of Land use Contract/Deed/Lease  |
| <input type="checkbox"/> | <input type="checkbox"/> | Arkansas Department of Health notification letter (letter transmitting documents to ADH)<br>(New permits or modified permits)  |
| <input type="checkbox"/> | <input type="checkbox"/> | Provide Certificate of Good Standings with the Arkansas Secretary of State<br>(If foreign corporation, provide Certificate of Good Standings from the state of Origin)                           |

### Land Use Contract

I, \_\_\_\_\_, agree to allow \_\_\_\_\_  
Name of Landowner Name of Permittee (matches application & AR SoS)

to land apply \_\_\_\_\_ waste from \_\_\_\_\_  
Type of Waste Waste Source or Type of Waste Facility

to \_\_\_\_\_ acres of my property located in \_\_\_\_\_ County.  
Total Acreage Available County of Application Site

Field ID	New/ Existing	Section	Township	Range	Latitude	Longitude	Available Acreage*

\*Available acreage is the total acreage minus buffer zone areas

I am also aware that the land applicator or the owner of the operation is to apply \_\_\_\_\_ in  
Type of Waste

accordance with the management plan developed and submitted to the Arkansas Department of Environmental Quality (ADEQ) as well as the requirements and conditions set forth in the permit issued by ADEQ. In addition to these guidelines, the following requirements must also be satisfied when land applying to my property:

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The landowner agrees to provide or allow permittee to conduct soil analysis as required by ADEQ for each field listed in this land use contract prior to land application. Additionally, this approval may be terminated with written notice from the landowner.

\_\_\_\_\_  
Permittee's Signature                      Date                      \_\_\_\_\_  
Landowner Signature                      Date