



Solid Waste Facility Permitting Process Checklist

This form is intended for use by KDHE Bureau of Waste Management staff. Check boxes, and initial and date next to boxes when each item is completed. Note information as appropriate.

Existing/Pending Permit #:

Permittee/Applicant:

Facility Name:

Facility Location:

Requested Action

See definition of a Significant Modification in 28-29-3(fff) and BWM Policy 1998-P5. Permit transfers are considered Significant.

- New permit
- Significant modification
- Non-significant modification
- Permit to reopen a closed site or facility

Preliminary Evaluation

Per regulation items 1-4, and 6 must be completed prior to Technical Review.

- 1. Background investigation: Conduct background investigation of the applicant per K.S.A. 65-3407(c). This includes review of business concern/public entity disclosure statement, compliance history, and other relevant information.
- 2. Criminal investigation: Internal KDHE-BWM review. And optional, if there is justification, request attorney general performs a criminal background investigation of the applicant per K.S.A. 65-3407(d).
- 3. Local government certification, SWMP consistency: Confirm signature on application form per K.S.A. 65-3407(m)(1). Not required for landfills solely for onsite-generated industrial waste or onsite-generated C&D waste.

- 4. Local government certification, Zoning/land use consistency: Confirm signature on application, if required by K.S.A. 65-3407(m)(2).
- 5. SWMP confirmation: Request determination from Solid Waste Planning staff as to whether the solid waste management plan would allow the proposed new facility or significant modification per 65-3407(b) and Bureau Director's policy e-mail 6/28/04.
- 6. Proof of ownership: Confirm receipt of proof that the applicant owns the subject property, if required per K.S.A. 65-3407(m)(3).
- 7. Application fee: New permits only. K.S.A. 65-3407(e) and K.A.R. 28-29-84.
- 8. Application and Supporting Document Completeness: Confirm application form is completed.
- 9. Initial review of location restrictions: Determine whether the proposed facility clearly fails to satisfy prohibitive statutory or regulatory siting.

Review

- 10. Send letter to local to health agency: notify them of the application and request "advice and counsel" per K.S.A. 65-3407(b).
- 11. Send letter to county commission: notify them of the application per K.S.A. 65-3407(b) and offer to attend a meeting.
- 12. Email the District office: notify them of the application.
- 13. Email Compliance and Enforcement: notify them of the application.
- 14. Landfill Unit Permit Documents
 - Hydrogeologic investigation, K.A.R. 28-29-104(b)
 - Location restrictions
 - Agency notifications, Policy BWM 05-01
 - Design/closure plan
 - Groundwater monitoring system
 - Sampling and Analysis Plan (SAP)
 - Facility Operating Plan (FOP)

- Written closure & post-closure plan
- Closure & post-closure cost estimate
- Construction Quality Assurance (CQA) plan

15. Processing Unit Permit Documents

- Location Restrictions 28-29-23(d)
- Agency notifications Policy BWM 05-01
- Design plan 28-29-_____
- Closure Plan 28-29-_____
- Facility Operating Plan (FOP) 28-29-_____
- Closure cost estimate 28-29-_____
- Safety plan 28-29-_____
- Contingency plan 28-29-_____

16. Financial assurance: Determine compliance with K.A.R. 28-29-2101 et seq.

17. Liability insurance: Determine compliance with K.A.R. 28-29-2201.

18. Restrictive covenant: Determine compliance with K.A.R. 28-29-20.

19. Prepare Draft Permit

20. BWM Concurrence: The purpose of this is to present the draft permit to the Bureau director prior to public notice

Public Involvement

21. Public notice: Issue public notice per K.A.R. 28-29-6a and Policy BWM-1998-P5.

22. Public hearing: Hold public hearing (if necessary) per K.A.R. 28-29-6a. Public notice of the public hearing is also required. Hearings are usually preceded by a brief public meeting (during the hour before the hearing) in which staff provide a brief summary of the application followed by a question-and-answer session.

23. Response to comments: Prepare responses per K.A.R. 28-29-6a. Wait to issue responses until after concurrence routing.

Final Processing

- 24. KDHE concurrence routing: Preliminary routing of proposed permit (and draft responses to public comments, if any) from author to compliance section, planning section, district office, and hydrogeologic unit. Then circulate proposed permit from author to unit chief, financial assurance auditor, legal counsel, section chief, bureau director, and division director.
- 25. Final signature: Receive signed permit from division director's office. Add date on permit. Stamp plans "APPROVED", sign and date.
- 26. Issue permit (original): Transmit original permit.