



ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
200 FAIR OAKS LANE, SECOND FLOOR
FRANKFORT, KY 40601
TELEPHONE NUMBER (502) 564-6716

**Notice of Intent to Apply for a Petroleum Contaminated Soil
Treatment Facility
Form DEP 7128 (April 2011)**

Statutes and regulations may be viewed online at the following Web site:

<http://www.lrc.ky.gov/search.htm>

Solid waste application forms are available at the following Web site:

<http://waste.ky.gov/SWB/Pages/FormsandRegs.aspx>

DWM OFFICAL USE ONLY

AI#: _____

Application #: _____

GENERAL INFORMATION

- 1. APPLICABILITY – This form shall be completed and submitted to the cabinet by persons submitting a Notice of Intent to Apply for a Petroleum Contaminated Soil Treatment Facility pursuant to 401 KAR 47:205, Section 3 and 4. If the operator is also the property owner, the applicant shall submit the form as the operator, and it shall be understood that the applicant is both the facility operator and owner. When the operator is not the property owner, both the property owner and the operator shall sign the application.**
- 2. ASSISTANCE – Questions regarding this form may be directed in writing to the Division of Waste Management (DWM), Solid Waste Branch at the address listed above or by calling (502) 564-6716.**
- 3. SUBMISSION – Type or print legibly in permanent ink. Submit the original and one (1) copy of the completed form to DWM at the address listed above. If an item is not applicable to your facility write “N/A” in the space provided.**
- 4. LAWS AND REGULATIONS – Applicants are expected to understand and comply with applicable laws and regulations.**

To assist you in the submittal of a complete and accurate report, DWM has identified the most common errors. These errors are listed below for your convenience:

1. Failure to complete the report. Maps, attachments, and supplemental data shall be submitted with this report.
2. Failure of the owner and operator to properly sign and notarize the application. An individual with signature authority for the applicant as defined by 401 KAR 47:160 shall sign and notarize the appropriate signature sections.
3. Failure to provide appropriate, fully completed attachments. Maps, drawings, narratives, or attachments that lack sufficient detail or drawings that are not signed, dated, and sealed by a professional engineer or geologist may cause delays in the review and approval of the application.

Notice of Intent to Apply for a Petroleum Contaminated Soil Treatment Facility

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Notice of Intent to Apply for a Petroleum Contaminated Soil Treatment Facility

Type or print in permanent ink.

1. Is the operator of the facility also the property owner?

Yes No

If "Yes", you may skip items 17 – 32.

Applicant Information for Operator

2. Operator Name:

This refers to the corporation, LLC, business, person, government agency, or similar entity that operates the facility.

3. Operator Mailing Address:

4. City:

5. State:

6. Zip Code:

7. Operator Location:

Provide the street or physical location. Do not use P. O. Box #.

8. City:

9. State:

10. Zip Code:

11. Process Agent or Contact Person:

Corporations and LLCs must list the Process Agent.

12. Title:

13. E-Mail Address:

14. Phone #: () - ext.

15. Cell #: () -

16. Fax #: () -

Applicant Information for Owner

17. Owner Name:

18. County:

This refers to the corporation, LLC, business, person, government agency, or similar entity that owns the property that is the facility.

19. Owner Mailing Address:

20. City:

21. State:

22. Zip Code:

23. Facility Location:

Provide the street or physical location. Do not use P. O. Box #.



24. City: 25. State: 26. Zip Code:

27. Process Agent or Contact Person: 28. Title:
Corporations and LLCs must list the Process Agent.

29. E-Mail Address:

30. Phone #: () - ext.

31. Cell #: () - 32. Fax #: () -

Preparer Information

Complete Items 33 – 42 if the person preparing this form is different from the contact persons named in Items 9 and 20.

33. Preparer's Name: 34. Company:

35. Mailing Address:

36. City: 37. State: 38. Zip Code:

39. E-Mail Address:

40. Phone #: () - ext.

41. Cell #: () - 42. Fax #: () -

Siting Information

43. Provide, as **Attachment 1**, an original, current USGS 7.5 minute topographic map showing the following:

- (a) Latitude and longitude measurements for the entrance to the site;
- (b) The current and proposed waste boundaries;
- (b) The property boundaries; and
- (c) The area within one (1) mile of the proposed waste boundary.

Geological Information

44. Provide the name of applicable USGS Quadrangle(s):

- (a)
- (b)
- (c)
- (d)

45. Provide, as **Attachment 2**, a review of the existing information on geology, hydrogeology, and hydrology for the site including:

- Geology including karst features, structural features, and lithologic description;
- Hydrogeology of the groundwater resources and aquifers that shall be monitored;
- Hydrology including streams, wetlands, and other surface water bodies; and
- Caves and excavations, including mined or quarried areas.

46. Provide, as **Attachment 3**, a proposed rock coring plan, pursuant to 401 KAR 47:205, Section 4, including the following:

- (a) Procedures to obtain data to evaluate the geologic features to the level of the first confining layer below the uppermost aquifer, and geologic units hydraulically connected to the uppermost aquifer;
- (b) Procedures to obtain data to describe the site geology, the local aquifers that are hydrogeologically associated with the site, and the transmissivity of the aquifers;
- (c) Procedures to obtain relevant field data and appropriate test methods for determining hydrogeologic parameters;
- (d) Directions for closure of the rock core borings using grout. The closure of the investigative excavations shall be acknowledged in writing by a professional engineer pursuant to KRS 322, or professional geologist pursuant to KRS 322A;
- (e) The methods and accuracy to be used to determine the location of the rock corings and soil borings during the subsurface investigation in accordance with 401 KAR 47:205 Section 4(5); and
- (f) A procedure for written documentation when the locations of corings or borings are adjusted in the field.

47. Provide, as **Attachment 4**, a geotechnical investigation map pursuant to 401 KAR 47:205, Section 4, including the following:

- (a) The proposed rock coring locations of a minimum of four (4) rock corings.
- (b) For sites with more than fifty (50) acres, an additional coring shall be required for each additional twenty-five (25) acres or part thereof.
- (c) Placement of the corings shall be dependent on geologic features.
- (d) Additional corings shall be required when four (4) rock core borings fail to characterize the geology.

48. Check the sources to be researched for site specific information pursuant to 401 KAR 47:170:

- Surface mining permits;
- Subsurface excavation and mining permits;
- Kentucky Geological Survey; and
- Kentucky Department of Natural Resources
- Other. Describe:
- Other. Describe:

Public Notice Information

Complete the information in this section for the public notice which complies with 401 KAR 47:207, Section 3. Return this information to the cabinet. The bill for the public notice requirements shall be sent to the address listed in Items 2 through 6.

49. County where the facility is proposed to be located:

50. Brief description of business to be conducted:

51. Driving directions from a known public landmark or major intersection:

52. Contact Person:

53. E-mail Address:

54. Phone #: () - ext.

55. Complete, in **Attachment 5**, a list of adjacent property owners. Include mailing addresses and contact information.

Certification by Operator

56. I certify that a copy of the application has been delivered to the county fiscal court or KRS 109 Solid Waste District where the facility is to be located pursuant to 401 KAR 47:205, Section 2.

57. Pursuant to 401 KAR 47:160, a person with signature authority for the operator such as a sole proprietor, owner, partner, corporate officer, plant manager, LLC member, mayor, county judge executive, or other authorized official shall sign this certification statement.

NOTE: Consultants may not sign the following certification statement.

"I certify under penalty of law that this document and all attachments were prepared under my direction or 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 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 KRS 224.99-010(4) provides for penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name of Person Signing (type or print):

Title of Person Signing:

Date: - -

Signature per 401 KAR 47:160: _____

Subscribed and sworn to before me this _____ day of _____, Year 20_____

Notary Public Signature: _____

State of _____ County of _____ My commission expires: _____



Certification by Owner

Complete if the owner is different from the operator.

58. Pursuant to 401 KAR 47:160, a person with signature authority for the owner such as a sole proprietor, owner, partner, corporate officer, plant manager, LLC member, mayor, county judge executive, or other authorized official shall sign this certification statement.

NOTE: Consultants may not sign the following certification statement.

"I certify under penalty of law that this document and all attachments were prepared under my direction or 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 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 KRS 224.99-010(4) provides for penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name of Person Signing (type or print):

Title of Person Signing:

Date: - -

Signature per 401 KAR 47:160: _____

Subscribed and sworn to before me this _____ day of _____, Year 20 _____

Notary Public Signature: _____

State of _____ County of _____ My commission expires: _____



Attachment 5: Adjacent Property Owners

If necessary, copy this sheet and include additional pages with this attachment.

1. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

2. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

3. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

4. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

5. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

6. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

7. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

8. Name: [] Phone #: ([]) [] - []
Address: []
City: [] State: [] Zip Code: []

