



NON-MSW LANDFILL INDIVIDUAL AQUIFER PROTECTION PERMIT APPLICATION CHECKLIST

SUBMITTAL OF APPLICATION

This checklist is required to be completed and attached to your application. A complete application should consist of a cover letter, the Non-MSW landfill application, this checklist and the associated supporting documentation and technical information. Please note the following:

- Ensure that any design drawings and/or calculations are sealed by an Arizona-registered professional of an appropriate discipline.
- For calculations, state any assumptions made and provide references for values and information used.
- Should you deem an Application element “not applicable,” please formally address the item in the Application and state “not applicable” and the basis for that determination.
- The completeness, organization, and clarity of your submittal will assist ADEQ in facilitating its review. Please number pages, and use good editorial practices such as section headers, and a Table of Contents. Provide technical references as appropriate.

Use the checklist to ensure that you do not forget to include an application component. The checklist also includes a cross-reference column in which the applicant is to note the location of the requested information in its application package.

Please note that an applicant that intends to manage waste from conditionally exempt small quantity generators of hazardous waste must seek approval as a municipal solid waste landfill, and must complete the appropriate application.

Should you have any questions regarding this process, please contact the Permits and Plan Review Unit at (602) 771-4123.



**NON-MSW LANDFILL
INDIVIDUAL AQUIFER PROTECTION
PERMIT APPLICATION
CHECKLIST**

NON-MSW LANDFILL INDIVIDUAL AQUIFER PROTECTION PERMIT CHECKLIST

I.	GENERAL INFORMATION	CITATION(S)	LOCATION OF MATERIAL IN APPLICATION
<input type="checkbox"/>	Name and mailing address of applicant	A.A.C. R18-9-A201(B)(1)(a)	
<input type="checkbox"/>	Name and mailing address of the owner of the facility	A.A.C. R18-9-A201(B)(1)(b)	
<input type="checkbox"/>	Name and mailing address of the operator of the facility	A.A.C. R18-9-A201(B)(1)(c)	
<input type="checkbox"/>	Legal description of the location of the facility	A.A.C. R18-9-A201(B)(1)(d)	
<input type="checkbox"/>	Expected operational life of the facility	A.A.C. R18-9-A201(B)(1)(e)	
<input type="checkbox"/>	Demonstration of the ability to maintain the technical capability necessary to carry out the terms of the permit including licenses, certifications, professional training, and/or experience.	A.A.C. R18-9-A202(B)	

II.	DOCUMENTS NEEDED	CITATION(S)	LOCATION OF MATERIAL IN APPLICATION
<input type="checkbox"/>	Copy of the Certificate of Disclosure (or statement that Disclosure is not required)	A.R.S. §49-109 A.A.C. R18-9-A201(B)(2)	
<input type="checkbox"/>	Evidence that the facility complies with applicable municipal or county zoning ordinances, codes and regulations	A.A.C. R18-9-A201(B)(3) A.R.S. §49-767	
<input type="checkbox"/>	Copies of any other federal or state environmental permits issued to the applicant for this facility	A.A.C. R18-9-A201(B)(1)(f)	
<input type="checkbox"/>	Two copies of the required technical information described below	A.A.C. R18-9-A201(B)(4)	
<input type="checkbox"/>	Financial assurance information required by A.A.C. R18-9-A203(B) and described in Section VI below	A.A.C. R18-9-A203(B)	
<input type="checkbox"/>	Closure cost estimates for closure and post-closure activities	A.A.C. R18-9-A201(B)(5)	
<input type="checkbox"/>	Certification in writing that the information submitted in the application is true and accurate to the best of the applicant's knowledge	A.A.C. R18-9-A201(B)(7)	
<input type="checkbox"/>	A draft of the restrictive covenant to be placed on the disposal area of the facility	A.R.S. §49-771(A)	

III.	LOCATION RESTRICTIONS	CITATION(S)	LOCATION OF MATERIAL IN APPLICATION
<input type="checkbox"/>	Landfill location and operation shall not restrict the flow of a 100-year flood, reduce the temporary water storage capacity of the floodplain, or result in washout of solid waste	40 CFR §257.3-1 A.R.S. §49-772(C)	

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III.	LOCATION RESTRICTIONS	CITATION(S)	LOCATION OF MATERIAL IN APPLICATION
<input type="checkbox"/>	No landfill shall be located where any part of the facility is within 1/2 mile of a 100-year floodplain that has 100-year flows in excess of 25,000 cfs as determined by the Federal Emergency Management Agency	A.R.S. §49-772(A)(2)	
<input type="checkbox"/>	A landfill will not be located at a location where an irrigation grandfathered right is appurtenant to all or any part of the site	A.R.S. §49-772(A)(1)	
<input type="checkbox"/>	Landfill construction and operation shall not cause or contribute to the taking of any endangered or threatened species of plants, fish or wildlife	40 CFR §257.3-2	
<input type="checkbox"/>	Landfill location or operational practices shall not result in the destruction or adverse modification of the critical habitat of endangered or threatened species	40 CFR §257.3-2	
<input type="checkbox"/>	Landfills shall not be located in wetlands, unless the owner or operator can demonstrate the following: (1) A practicable alternative site that does not involve wetlands is not available (2) The construction and operation of the landfill will not cause, contribute to the violation of any applicable state water quality standard, toxic effluent standard or prohibition, or jeopardize endangered or threatened species or critical habitat. (3) The construction and operation of the facility will not cause or contribute to significant degradation of wetlands. (4) To the extent required under §404 of the Clean Water Act or applicable state wetland laws, steps have been taken to achieve no net loss of wetlands	A.R.S. §49-772(D)	
<input type="checkbox"/>	Landfills that are sited within 10,000 feet of any airport runway end used by turbojet aircraft or within 5,000 feet of any airport runway used only by piston-type aircraft shall demonstrate in the facility plan that the facility is designed and operated so that it does not pose a bird threat to aircraft	A.R.S. §49-772(B)	
<input type="checkbox"/>	Landfills shall not be located within 200 feet of a fault that has had displacement in Holocene time unless the owner or operator can demonstrate in the facility plan that an alternative setback distance of less than 200 feet will prevent damage to the structural integrity of the facility and will protect public health and the environment	A.R.S. §49-772(E)(1)	
<input type="checkbox"/>	Landfills shall not be located in seismic impact zones unless the owner or operator can demonstrate in the facility plan that all containment structures, including liners, leachate collection systems, and surface water control systems are designed to resist the maximum horizontal acceleration in lithified earth material for the site	A.R.S. §49-772(E)(2)	
<input type="checkbox"/>	Owners and operators of landfills located in an unstable area shall demonstrate in the facility plan that engineering measures have been incorporated into the facility design to ensure that the integrity of the structural components of the facility will not be disrupted, including at a minimum an analysis of the following: (1) On-site or local soil conditions that may result in significant differential settling (2) On-site or local geologic or geomorphologic features (3) On-site or local man-made surface or subsurface features or events	A.R.S. §49-772(F)	

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IV.	DESIGN INFORMATION <i>Instructions: Provide the information requested below. Ensure that any design drawings or calculations are sealed by an Arizona-registered professional of an appropriate discipline.</i>	CITATION(S)	LOCATION OF MATERIAL IN APPLICATION
<input type="checkbox"/>	A topographic map, or other appropriate map approved by the Department, of the facility location and contiguous land area showing the known use of adjacent properties, all known water well locations found within one-half mile of the facility, and a description of well construction details and well uses, if available	A.A.C. R18-9-A202(A)(1)	
<input type="checkbox"/>	A facility site drawing showing all known property lines, structures, water wells, injection wells, drywells and their uses, topography, and the location of points of discharge. The facility's site plan shall include all known borings unless the Department determines that borings are numerous and the requirement may be satisfied by a narrative description of the number and location of the borings	A.A.C. R18-9-A202(A)(2)	
<input type="checkbox"/>	The facility design documents indicating proposed or as-built design details and proposed or as-built configuration of basins, ponds, waste storage areas, drainage diversion features, or other engineered elements of the facility affecting discharge. When formal as-built submittals are not available, the applicant shall provide documentation, sufficient to allow evaluation of those elements of the facility affecting discharge, following the demonstration requirements of A.R.S. §49-243(B)	A.A.C. R18-9-A202(A)(3) A.R.S. §49-243(B)	
<input type="checkbox"/>	A description of the proposed facility discharge activities including the characteristics of the discharge, anticipated volumes, and the area of impact (e.g., pollutant management area). This may include leachate or other discharge activities.	A.A.C. R18-9-A202(A)(4)	
<input type="checkbox"/>	A description of the Best Available Demonstrated Control Technology (BADCT) to be employed in the facility, including:	A.A.C. R18-9-A202(A)(5)	
<input type="checkbox"/>	A statement of the technology, processes, operating methods, or other alternatives that will be employed to meet the requirements of A.R.S. §49-243(B). The statement shall describe:	A.A.C. R18-9-A202(A)(5)(a) A.R.S. §49-243(B)	
<input type="checkbox"/>	The alternative discharge control measures considered,	A.A.C. R18-9-A202(A)(5)(b)	
<input type="checkbox"/>	The technical and economic advantages and disadvantages of each alternative, and	A.A.C. R18-9-A202(A)(5)(c)	
<input type="checkbox"/>	The justification for the selection or rejection of each alternative.	A.R.S. §49-243(B)	
<input type="checkbox"/>	An evaluation of each alternative discharge control technology relative to the amount of discharge reduction achievable, site specific hydrologic and geologic characteristics, other environmental impacts, and water conservation or augmentation;	A.R.S. §49-243(B)	
<input type="checkbox"/>	An industry-wide evaluation of the economic impact of implementation of each alternative control technology	A.A.C. R18-9-A202(A)(5)(c)	
<input type="checkbox"/>	Identify the proposed points of compliance for the facility based on A.R.S. §49-244. An applicant shall demonstrate that:	A.A.C. R18-9-A202(A)(6) A.R.S. §49-244	
<input type="checkbox"/>	The facility will not cause or contribute to a violation of the Aquifer Water Quality Standards at the proposed point of compliance, or	A.A.C. R18-9-A202(A)(6)(a)	
<input type="checkbox"/>	If an Aquifer Water Quality Standard for a pollutant has been exceeded in an aquifer at the time of permit issuance, no additional degradation of the aquifer relative to that pollutant and determined at the proposed point of compliance will occur as a result of the discharge from the proposed facility (A.A.C. R18-9-A202(A)(6))	A.A.C. R18-9-A202(A)(6)(b)	

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<input type="checkbox"/>	A contingency plan	A.A.C. R18-9-A202(A)(7) A.A.C. R18-9-A204	
<input type="checkbox"/>	A hydrogeologic study that defines the discharge impact area for the expected duration of the facility. Information from a previous study of the affected area may be included to meet a requirement of the hydrogeologic study, if the previous study accurately represents current hydrogeologic conditions. The hydrogeologic study shall demonstrate:	A.A.C. R18-9-A202(A)(8)	
	<input type="checkbox"/> That the facility will not cause or contribute to a violation of the Aquifer Water Quality Standards at the applicable point of compliance; or <input type="checkbox"/> If an Aquifer Water Quality Standard for a pollutant has been exceeded in an aquifer at the time of permit issuance that no additional degradation of the aquifer relative to that pollutant and determined at the applicable point of compliance will occur as a result of the discharge from the proposed facility;	A.A.C. R18-9-A202(A)(8)(a)(i) A.A.C. R18-9-A202(A)(8)(a)(ii)	
<input type="checkbox"/>	Based on the quantity and characteristics of pollutants discharged, methods of disposal, and site conditions, the Department <u>may require</u> the applicant to provide: <i>The necessity of the following items can be best determined in a pre-application meeting before the proposed facility solid waste plan is submitted.</i>	A.A.C. R18-9-A202(A)(8)(b)(i)	
	<input type="checkbox"/> A description of the surface and subsurface geology, including a description of all borings, and the quantity, quality, and direction of flow of groundwater;	A.A.C. R18-9-A202(A)(8)(b)(i)	
	<input type="checkbox"/> The location of any perennial, intermittent, or ephemeral surface water bodies;	A.A.C. R18-9-A202(A)(8)(b)(ii)	
	<input type="checkbox"/> The characteristics of the aquifer and geologic units with limited permeability, including depth, hydraulic conductivity, and transmissivity;	A.A.C. R18-9-A202(A)(8)(b)(iii)	
	<input type="checkbox"/> Rate, volume, and direction of surface water and groundwater flow, including hydrographs, if available, and equipotential maps;	A.A.C. R18-9-A202(A)(8)(b)(iv)	
	<input type="checkbox"/> The precise location or estimate of the location of the 100-year flood plain and an assessment of the 100-year flood surface flow and potential impacts on the facility;	A.A.C. R18-9-A202(A)(8)(b)(v)	
	<input type="checkbox"/> Documentation of the existing quality of the water in the aquifers underlying the site, including, where available, the method of analysis, quality assurance, and quality control procedures associated with the documentation;	A.A.C. R18-9-A202(A)(8)(b)(vi)	
	<input type="checkbox"/> Documentation of the extent and degree of any known soil contamination at the site;	A.A.C. R18-9-A202(A)(8)(b)(vii)	
	<input type="checkbox"/> An assessment of the potential of the discharge to cause the leaching of pollutants from surface soils or vadose materials;	A.A.C. R18-9-A202(A)(8)(b)(viii)	
	<input type="checkbox"/> Any anticipated changes in the water quality expected because of the discharge;	A.A.C. R18-9-A202(A)(8)(b)(x)	

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	<input type="checkbox"/>	A description of any expected changes in the elevation or flow directions of the groundwater that may be caused by the facility;	A.A.C. R18-9-A202(A)(8)(b)(xi)	
	<input type="checkbox"/>	A map of the facility's discharge impact area;	A.A.C. R18-9-A202(A)(8)(b)(xii)	
	<input type="checkbox"/>	The criteria and methodologies used to determine the discharge impact area or the criteria and methods used to determine the discharge impact area.	A.A.C. R18-9-A202(A)(8)(b)(xiii)	
	<input type="checkbox"/>	The proposed location of each point of compliance.	A.A.C. R18-9-A202(A)(11)	
<input type="checkbox"/>	If there will be a discharge to waters of the United States there must be an Arizona Pollutant Elimination Discharge Permit issued by the ADEQ Water Quality Division		40 CFR §257.3-3(a)	
<input type="checkbox"/>	Applicant should verify with the Corps of Engineers about the applicability of a Corps 404 permit for the facility		40 CFR §257.3-3(b)	

V.	OPERATIONAL INFORMATION <i>Instructions: For each item below, provide a plan, procedure, or process for assuring compliance with each element (e.g., application of cover materials, management of explosive gases, fire management plan, vector control, control of public access, etc.).</i>		CITATION(S)	LOCATION OF MATERIAL IN APPLICATION
<input type="checkbox"/>	There will be an application and compaction of soil or other suitable material over dispersed solid waste at the end of each operating day or at such frequencies and in such manner as to reduce the risk of fire and to control disease vector's access to the waste		40 CFR §257.3-6(a) and 40 CFR §257.3-8(b) and (e)(6)	
<input type="checkbox"/>	The concentration of explosive gases generated by the landfill facility shall not exceed: (1) Twenty-five percent of the lower explosive limit for the gases in facility structures, and (2) The lower explosive limit for the gases at the property boundary.		40 CFR §257.3-8(a)	
<input type="checkbox"/>	Identify measures for controlling fire hazards		40 CFR §257.3-8(b)	
<input type="checkbox"/>	Identify measures for minimizing the potential for the attraction of birds to the area		40 CFR §257.3-8(c)	
<input type="checkbox"/>	A landfill shall not allow uncontrolled public access so as to expose the public to potential health and safety hazards at the disposal site		40 CFR §257.3-8(d)	
<input type="checkbox"/>	The owner/operator of a non-municipal waste disposal unit must record and maintain at or near the facility an operating record containing:		(40 CFR §257.30)	
	<input type="checkbox"/>	Any location restrictions		
	<input type="checkbox"/>	Required monitoring and testing results		

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VI.	FINANCIAL ASSURANCE <i>Instructions:</i>	CITATION(S)	LOCATION OF MATERIAL IN APPLICATION
	A person applying for non-municipal landfill approval shall demonstrate financial capability to close and assure proper post-closure care of the facility.	A.R.S. §49-770(A) A.A.C. R18-9-A203(B)	
<input type="checkbox"/>	Cost Estimates	A.A.C. R18-9-A203(B)	
<input type="checkbox"/>	<input type="checkbox"/> Closure Costs	A.A.C. R18-9-A209B)	
<input type="checkbox"/>	<input type="checkbox"/> Post-closure monitoring/maintenance	A.A.C. R18-9-A209(C)	
<input type="checkbox"/>	Financial Demonstration (including Financial Assurance mechanism)	A.A.C. R18-9-A203(B) A.A.C. R18-9-A203(C)	
<input type="checkbox"/>	Closure and post-closure plans and strategies	A.A.C. R18-9-A202(A)(10)	

Pursuant to Arizona Revised Statutes (A.R.S. § 41-1030):

- (1) ADEQ shall not base a licensing decision, in whole or in part, on a requirement or condition not specifically authorized by statute or rule. General authority in a statute does not authorize a requirement or condition unless a rule is made pursuant to it that specifically authorizes the requirement or condition.
- (2) Prohibited licensing decisions may be challenged in a private civil action. Relief may be awarded to the prevailing party against ADEQ, including reasonable attorney fees, damages, and all fees associated with the license application.
- (3) ADEQ employees may not intentionally or knowingly violate the requirement for specific licensing authority. Violation is cause for disciplinary action or dismissal, pursuant to ADEQ's adopted personnel policy. ADEQ employees are still afforded the immunity in A.R.S. §§ 12-821.01 and 12-820.02.

— End of Non-Municipal Solid Waste Landfill
Individual Aquifer Protection Permit Application Checklist —