| Logo for the Virginia Department of Environmental Quality | Emergency Debris Wastepile Permitting Criteria & Application Form |
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This is an application for an emergency permit to dispose of waste generated as the result of natural or man-made disasters. The emergency permit request may be oral or written. If oral, it shall be followed within five days by a written emergency permit application. Oral responses can only be given if the applicant is fully aware of the siting requirements outlined in this application, otherwise a written request must be provided using this application. Send the written request to the Department.

*Emergency Permits are valid for 90 days from the time they are issued.*

*All associated waste activities must be inclusive in the 90-day period.*

# ****INSTRUCTIONS:****

Read all sections carefully. Fill in all of the information on DEQ Form EDWP-01 and all applicable information on DEQ Form EDWP-02. Public notice information required by the applicant is found on EDWP-03 and a certification signature is required on EDWP-04. Note that a site map, flood map, US Fish and Wildlife Service National Wetlands Inventory Map and a list of wastes to be received, and the manner and location of their treatment, storage and disposal must accompany this application. The site may either be selected prior to the emergency or immediately after the emergency. The Department encourages pre-selection. Follow the applicable guidelines below.

## Pre-Selected Sites:

If the site is pre-selected, public participation must be held in accordance with the Virginia Solid Waste Management Regulations **(VSWMR) § 9 VAC 20-81-410.B.4**. Pre-selected sites, if approved, will be granted an emergency permit upon request at the time of the emergency. The applicant needs only to contact the Department, either orally or in writing, and provide public notice that a pre-selected site will be used for the present emergency. The notice shall include, as a minimum, the applicants name and contact information, the nature of the emergency, and the location of the site and owners name. Oral requests shall be followed with a written request within five days. A copy of the public notice per § 9 VAC 20-81-410.B.4 must accompany the written notification. DEQ Form EDWP-01 and DEQ Form EDWP-02 must be on file with the Department prior to the emergency for all pre-selected sites. The public notice form is found on form EDWP-03.

## Post Emergency Sites:

In the case of selecting a site immediately after an emergency, the Department may grant a temporary emergency permit through oral or written requests. The applicant may verbally relate the information requested on DEQ Form EDWP-01 and DEQ Form EDWP-02 but must provide written copies within five days or as soon as the infrastructure support will allow. In addition, a public notice as per **§ 9 VAC 20-81-410.B.4** shall be published, by the applicant, within five days of the request, or as soon as practicable, in order for the emergency permit to become effective. A copy of the advertisement shall be sent to the Department once it is published. Disposal of waste may commence upon verbal approval but all waste activities must cease after 90 days.

Emergency Debris Wastepile Permit Application

DEQ Form EDWP-01

**Please indicate the type of application:**

[ ]  Pre-Selected Site Application

[ ]  Post-Emergency Site Application, Specify Emergency:

## Emergency Debris Wastepile Applicant Information

**Authority or Agency Name:**

**Mailing Address:**

**City, State, Zip:**

**Primary Contact Person:**       **Contact Title:**

**Contact Phone:**       **Contact E-mail:**

**Secondary Contact Person:**       **Contact Title:**

**Contact Phone:**       **Contact E-mail:**

## Emergency Debris Site Information

**Emergency Site Name:**

**Emergency Site Location:**

**Latitude:**       Deg       Min      Sec North **Longitude:**       Deg       Min      Sec West

**Approximate site:**       acres

**Owner of Site:**

**Owner’s Address:**

**City, State, Zip:**

**Owner’s Phone:**

**Types of waste to be managed** *(See Attachment D for typical waste types. Additional sheets may be used):*

**Typical treatment, storage, and disposal options** *(Additional sheets may be used)*:

DEQ Form EDWP-02

## Emergency Debris Wastepile Siting Criteria

Please answer the following questions to indicate whether the features outlined in the Siting Criteria table below are present at the proposed emergency debris wastepile site. Additional information is provided in Attachments A-E to support these questions. Please read each criterion carefully. **Be sure to sign the certification on DEQ Form EDWP-04.**

| Q# | Siting Criteria | Response  |
| --- | --- | --- |
| 1 | Is the site prone to base floods (100 year flood plain, coastal flooding) or inundation? | [ ]  Yes [ ]  **No** |
| 2 | Is the site is geologically stable (see Attachment A)? | [ ]  **Yes** [ ]  No |
| 3 | Does the site have adequate berm area and terrain to manage leachate release? | [ ]  **Yes** [ ]  No |
| 4 | Is the site > 100 feet from any regularly flowing surface water body or river? | [ ]  **Yes** [ ]  No |
| 5 | Is the site > 200 feet from any well, spring, or other groundwater source of drinking water? | [ ]  **Yes** [ ]  No |
| 6 | Does the site contain wetlands (see Attachment B)? | [ ]  Yes [ ]  **No** |
| 7a | Does the site contain slopes > 33%? | [ ]  Yes [ ]  **No** |
| 7b | Does the site contain springs, seeps, or other groundwater intrusions? | [ ]  Yes [ ]  **No** |
| 7c | Are gas, water, sewage, electrical, or other transmission lines under the site? | [ ]  Yes [ ]  **No** |
| 7d | Is there an existing open dump, unpermitted landfill, lagoon, or similar facility on site? | [ ]  Yes [ ]  **No** |
| 7e | Are there any specific site conditions which may be considered for exemption (applies only to site characteristics questions 7a-7d). If so, please specify:       | [ ]  Yes [ ]  No [ ]  N/A |
| 8a | Are there strip mines, exposed bedrock, or quarries present (see Attachment C)? | [ ]  Yes [ ]  **No** |
| 8b | If yes to 8a, does the site have a liner as per Attachment C? | [ ]  **Yes** [ ]  No |
| 9 | Can a 50-ft firebreak around disposal areas and from all tree lines be maintained? | [ ]  **Yes** [ ]  No |
| 10 | Is there an impact to cemeteries (public, private, pet) or culturally sensitive areas? | [ ]  Yes [ ]  **No** |
| 11 | Is there ample access for delivery vehicles? | [ ]  **Yes** [ ]  No |
| 12 | Is anticipated waste acceptable for disposal (see Attachment D)? | [ ]  **Yes** [ ]  No |
| 13 | Can the waste be segregated for disposal (see Attachment D)? | [ ]  **Yes** [ ]  No |
| 14 | Can the site be closed in accordance with Department standards (see Attachment E)? | [ ]  **Yes** [ ]  No |

## Siting Criteria Attachments

Be sure to include the following attachments with DEQ Form EDWP-02 to support the answers to the above questions.

[ ]  Site Location Map

[ ]  FEMA Map or Equivalent showing site relative to floodplains

[ ]  US Fish and Wildlife Service National Wetlands Inventory Map

DEQ Form EDWP-03

## Public Notice for Emergency Permits

VSWMR 9 VAC 20-81-410.B.4 requires a public notice to be accompanied with the written permit. The **Applicant** will modify the template provided send it to a newspaper in the largest circulation for that municipality. The template contains the required information. A copy of the advertisement from the newspaper must be submitted to the Department within 24 hours after submitting the contact information and siting checklist. Once the Department receives the required permit application and a copy of the advertisement from the applicant the permit will be signed and issued. The actual publication date of the advertisement should be the soonest date possible depending on the soonest newspaper publication date.

The following template is provided for use by applicants to satisfy the public notice requirements. The blue italicized words should be replaced with information specific to the applicant, emergency, and debris site. Additional modifications to the template can be made so long as the following minimum required information is included:

* Name and address of the office granting the emergency authorization;
* Name and location of the facility so permitted;
* A brief description of the wastes involved;
* A brief description of the action authorized and reasons for authorizing it; and
* Duration of the emergency permit.

## Public Notice Template

PUBLIC NOTICE FOR A TEMPORARY EMERGENCY PERMIT TO TREAT AND STORE SOLID WASTE DUE TO *(named emergency)* FOR *(city, town, county)*, VA

Due to the recent emergency from *(named emergency)*, and pursuant to the requirements of 9 VAC 20-81-410.B.4 of the Virginia Solid Waste Management Regulations (VSWMR), Permitting of Solid Waste Management Facilities, The Virginia Department of Environmental Quality (DEQ), *(specify Regional Office and address)*, hereby authorizes *(Authority or Agency)* to operate a temporary emergency debris site located at *(site address or location description)*.

The site will receive the following solid wastes: *(list wastes to be managed)*.

Typical treatment, storage, and disposal options will include: *(brief description of waste management activites to occur)*.

The site meets the minimum siting requirements deemed necessary for environmental protection and public safety. Groundwater monitoring is not required but leachate management and run-off control are required. The permit will expire 90 days from the date of verbal or written authorization given on *(insert date of verbal or written permit issuance)*.

Closure shall include the removal of wastes, waste constituents, and all temporary features used in support of the waste activities associated with deposit, environmental protection, maintenance, and operation. Final closure should return the site to as near as natural condition as possible prior to the disposal of waste. If there are any questions or concerns regarding the issuance of the temporary emergency permit, please contact the DEQ at *(DEQ Regional Office phone number (XXX) XXX-XXXX)* or at the above address.

DEQ Form EDWP-04

## Certification

I hereby affirm that the information provided on this application is accurate and complete to the best of my knowledge. I fully understand the requirements of the siting criteria and that an emergency permit is valid for 90 days from the time of issuance. All activities must be inclusive in the 90-day period. Failure to provide accurate and complete information or follow the requirements and conditions of this application may result in permit denial or revocation. I have enclosed a copy of the advertisement that was published in the local newspaper.

SIGNATURE: DATE:

NAME:

TITLE:

The following items must be returned to the Department to complete the Emergency Debris Wastepile permit application:

[ ]  Contact Information (EDWP-01)

[ ]  Siting Checklist (EDWP-02) with attachments

[ ]  Copy of Advertised Public Notice

[ ]  Certification (EDWP-04)

## ATTACHMENT A: GEOLOGY

Emergency debris (ED) wastepiles shall not be sited in geologically unstable areas where inadequate foundation support for the structural components of the wastepile exists. Factors to be considered when determining unstable areas shall include:

1. Soil conditions that may result in differential settling and subsequent failure of containment berms;

EXAMPLES: highly compressible clays; liquefiable soil; expansive soils; peat; collapsible soils; frost-susceptible soil; soils susceptible to hydrocompaction; or other conditions not explicitly listed

1. Geologic or geomorphologic features that may result in sudden or non‑sudden events and subsequent failure of containment berms;

EXAMPLES: landslide prone areas; abandoned river channels and lakes; highly erosion-prone areas; over sole source aquifer; highly karstic areas; groundwater seeps; structural discontinuities such as extreme folding, faulting, fracturing and jointing; or other conditions not explicitly listed

1. Man‑made features or events (both surface and subsurface) that may result in sudden or non‑sudden events and subsequent failure of containment berms;

EXAMPLES: emergency routes; unpermitted landfills; sludge lagoons; unsuitable fill; adjacent to highly explosive products such as chemical, petroleum, or fertilizer storage bins; downstream of weakened or damaged dams or other water retention structures; over underground excavations such as storage tanks, sewer, and traffic tunnels, mine shafts; or other conditions not explicitly listed

1. Presence of sink holes within the disposal area.

## ATTACHMENT B: WETLANDS

Wetlands shall be avoided at all times. Existing wetland delineation maps prepared the US Fish and Wildlife Service shall be used to determine prohibited areas. *Attach an applicable Wetlands Inventory Map with this application*. Wetlands that are encountered on the site yet are not covered by the map shall not be used unless the U.S. Army Corps of Engineers provides an approval letter and it is attached to this application.

## ATTACHMENT C : STRIP MINES, EXPOSED BEDROCK AND QUARRIES

In strip mine pits, all coal seams and coal outcrops shall be isolated from solid waste materials by a minimum of five feet of natural or compacted soils with a hydraulic conductivity less 1x10‑7cm/sec. Exposed bedrock and quarry faces shall also be lined with five feet of natural or compacted soil with a hydraulic conductivity ≤1x10‑7cm/sec.

## ATTACHMENT D: WASTE

### **Acceptable Waste**

Demolition waste, construction waste, debris waste, land clearing debris, discarded tires, and white goods, free of chloroflourocarbons and PCBs. No other wastes are authorized for the ED wastepile. Liquid waste, sludge waste, radioactive waste, friable asbestos, medical waste and other similar waste shall be prohibited.

Hazardous waste shall be prohibited from the emergency wastepile except when a separate, distinct area can be lined with concrete, collection berms and ditches are erected, and containment booms, in conjunction with other containment strategies, are used.

### **Segregation**

1. The limits of the wastepile shall be large enough to allow segregation of waste with 50-foot firebreak between each segregated area and any adjacent wastepiles or treelines.

2 Each segregated area shall be large enough to accommodate expected volume of waste type.

3. The following wastes require separate storage areas within the limits of the emergency wastepile.

1. Yard Waste and Woody Products such as trees, stumps, untreated wood and timber, paper products, and untreated wooden household furnishings.
2. Treated and Painted Wood Products
3. White Goods
4. Tires
5. Concrete, Asphalt and Building Material (friable asbestos is prohibited)
6. Hazardous Waste (if allowed)

## ATTACHMENT E: CLOSURE

Closure shall include the removal of wastes, waste constituents and all temporary features used in support of the waste activities associated with deposit, environmental protection, maintenance and operation. Final closure should return the site to as near as natural condition as possible prior to the disposal of waste.