ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
200 Fair Oaks Lane
FRANKFORT, KY 40601
TELEPHONE NUMBER (502) 564-6716

Disclosure Statement
Form DEP 7087 (1/07)

1. **APPLICABILITY – This form must be complete and submitted to the Cabinet by persons requesting the issuance, renewal or transfer of a permit for a solid waste management facility pursuant to KRS 224.40-330.**

2. **ASSISTANCE – Questions regarding this form may be directed in writing to the Division of Waste Management, Solid Waste Branch at the address listed above or by calling (502) 564-6716.**

3. **SUBMISSION – Submit the original of the completed Disclosure Statement form to the Division of Waste Management at the address listed above. If an item is not applicable, check the appropriate box or write "N/A" in the space provided. Please type or print legibly in permanent ink.**

4. **FILING FEES – Fees are not applicable for disclosure.**

5. **LAWS AND REGULATIONS – Applicants are expected to understand and comply with all applicable laws and regulations.**

Statutes and regulations may be viewed online at the following website address: **http://www.lrc.ky.gov/search.htm**

Solid waste application forms are available at the following website address: **http://www.waste.ky.gov/forms/**

To assist you in the submittal of a complete and accurate application, the Division has identified the most common errors made in the review process. These errors are listed below for your convenience.

1. **Failure to complete the application. All attachments and supplemental data must be submitted with this application.**

2. **Failure to provide complete and accurate legal documentation of any Criminal or judicial findings, which may result in significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations.**

3. **Failure to properly sign and notarize the application. An individual with signature authority for the applicant as defined by KRS 224.01- 010(44) and 401 KAR 47:160 must sign and notarize the appropriate signature sections of the application.**

4. **Failure to provide appropriate, fully completed attachments. Maps, drawings, narratives or any 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.**

Applicant Disclosure Statement

The Applicant is the person, partnership, association, company, corporation, government agency, etc., which owns or operates the facility.

Type or print your responses legibly in indelible ink.

1. ☐ New Facility - A Permit and Agency Interest number will be assigned by the Cabinet.
2. ☐ This is updated disclosure information for one or more existing facilities.

3. Applicant's complete name: _____

4. Applicant's mailing address: _____

5. State of Incorporation or Application: _____

6. City: _____ **7.** State: ____ **8.** Zip Code: _____-_____

9. Contact Person: _____ **10.** Title: _____

11. Phone #: (____)____-_____ **12.** Cell #: (____)____-_____ **13.** Fax #: (____)____-_____

14. E-Mail Address: _____

15. When updating disclosure information for one or more Kentucky facilities, list all of the applicable sites and include the Agency Interest # and historic permit # for each site in the following table: Provide this data as **Attachment 1** if additional pages are necessary.

Site Name	Agency Interest #	Permit #
1.		-
2.		-
3.		-
4.		-
5.		-
6.		-
7.		-
8.		-
9.		-
10.		-
11.		-
12.		-
13.		-
14.		-
15.		-
16.		-
17.		-

Attachments

16. Provide as **Attachment 2**, a description of the applicant's and the applicant's key personnel's experience in managing solid waste including any past or present permits or licenses held by the applicant or the applicant's key personnel within the previous five (5) years.

If not applicable, check here. ☐

17. Provide as **Attachment 3**, a description of the applicant's and the applicant's key personnel's experience in managing hazardous waste including any past or present permits or licenses held by the applicant within the previous five (5) years.

If not applicable, check here. ☐

18. Provide as **Attachment 4**, a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars ($1,000) within five (5) years before the date of the submission of this application.

Each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation.

If not applicable, check here. ☐

19. Provide as **Attachment 5**, a description of all civil and administrative complaints against the applicant and its key personnel for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment.

Each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation.

If not applicable, check here. ☐

20. Provide as **Attachment 6**, a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the applicant and its key personnel within five (5) years before the date of submission of this application.

Each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint.

If not applicable, check here. ☐

21. Provide as **Attachment 7**, a description of all judgments of criminal conviction entered against the applicant and its key personnel within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law.

Each description shall include the following: style, case number, forum in which the complaint was entered, date of judgment, sentence imposed, the identity and a description of each law the applicant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal.

If not applicable, check here. ☐

22. Provide as **Attachment 8**, a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the applicant and its key personnel within five (5) years before the date of submission of this application.

Each description shall include the following: style, case number, forum in which the complaint was entered, date of judgment, sentence imposed, the identity and a description of each law the applicant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal.

If not applicable, check here. ☐

23. Provide as **Attachment 9**, a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the applicant or any of its key personnel has a financial or equitable interest, or is an officer, director, or manager.

If not applicable, check here. ☐

24. As defined by KRS 224.01-010(44), provide the names of all key personnel and their titles or positions. Provide this data as **Attachment 10** if additional pages are necessary.

A completed Key Personnel Disclosure Statement must be submitted for each individual listed as a Key Person. Sole proprietors and government agencies are not required to submit key personnel disclosure statements. **If not applicable, check here.** ☐

	Key Person	**Title/Position**
1.		
2.		
3.		
4.		
5.		
6.		
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10.		
11.		
12.		
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30.		
31.		

Applicant Certification Statement & Signature

25. Pursuant to 401 KAR 47:160, Section 6, a responsible official (company owner, corporate officer, mayor, county judge executive, LLC member or other authorized official) must sign the certification statement below.

NOTE: Consultants or other persons that do not conform to the statutory definition of a "responsible official" may not sign the following certification statement unless that person possesses and supplies a copy of a Power of Attorney.

"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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name of Signatory (type or print): _____

Title of Signatory (type or print): _____

Signature of Applicant: _____ Date: ____-____-_____

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

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

KEY PERSONNEL DISCLOSURE STATEMENT

All key personnel are required to submit the following information to the Cabinet.

Sole proprietors (a private owner) and government agencies are exempt.

26. Key Person (print): _____

27. Mailing Address: _____

28. City: _____ **29.** State:____ **30.** Zip Code: _____-_____

31. Phone #: (____)____-_____ **32.** Fax #: (____)____-_____ **33.** Cell #: (____)____-_____

34. E-Mail Address: _____

35. What is the relationship between the registrant and key person? See KRS 224.010-010(44).

☐ Partner ☐ Shareholder ☐ Corporate Official ☐ LLC Member

☐ Other (describe): _____

Attachments

36. Provide as **Attachment 11**, a description of the key person's experience in managing solid waste including any past or present permits or licenses held by the key person within the previous five (5) years.

If not applicable, check here. ☐

37. Provide as **Attachment 12**, a description of the key person's experience in managing hazardous waste including any past or present permits or licenses held by the key person within the previous five (5) years.

If not applicable, check here. ☐

38. Provide as **Attachment 13**, a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars ($1,000) within five (5) years before the date of the submission of this application.

Each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation.

If not applicable, check here. ☐

39. Provide as **Attachment 14**, a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment.

Each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation.

If not applicable, check here. ☐

40. Provide as **Attachment 15**, a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the key person within five (5) years before the date of submission of this application.

Each description shall include the following: the style of the case and the identifying ease number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint.

If not applicable, check here. ☐

41. Provide as **Attachment 16**, a description of all judgments of criminal conviction entered against the key person within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law.
Each description shall include the following: style, case number, forum in which the complaint was entered, date of judgment, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal.

If not applicable, check here. ☐

42. Provide as **Attachment 17**, a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the key person within five (5) years before the date of submission of this application.

Each description shall include the following: style, case number, forum in which the complaint was entered, date of judgment, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal.

If not applicable, check here. ☐

43. Provide as **Attachment 18**, a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the key person has a financial or equitable interest, or is an officer, director, or manager.

If not applicable, check here. ☐

Key Personnel Certification Statement & Signature

44. Pursuant to 401 KAR 47:160, Section 6(4), the Key Person must sign this item.

"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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name of Key Person (type or print): _____

Title of Key Person (type or print): _____

Signature of Key Person: _____ Date: ____-____-_____

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

Notary Public Signature _____

State of _____ County of _____ My commission expires _____