

Agency of Natural Resources
Department of Environmental Conservation
Waste Management Division
Solid Waste Management Program
103 South Main Street
Waterbury, VT 05671-0407
802-241-3444 Fax 802-244-5141

INSIGNIFICANT WASTE MANAGEMENT EVENT APPROVAL GUIDANCE DOCUMENT AND APPLICATION FORM

Introduction:

The short term disposal of certain types of wastes may be determined by the Secretary of the Agency of Natural Resources (Agency) to constitute an Insignificant Waste Management Event Approval (IWMEA) under the definition found in Section 6-301(c) of the Solid Waste Management Rules (Rules), if properly sited and managed. Under an IWMEA, an exemption to the Rules requiring conventional landfill disposal may be granted.

This document has been prepared for those individuals, facilities, contractors, and businesses who desire to obtain approval from the Solid Waste Management Program (Program) of the Agency for disposal events that involve appropriate materials and siting and that will occur over a relatively short period of time, generally six months duration or less.

Determinations of qualifications for an IWMEA are premised not in terms of volumes, but are based upon a finding that disposal activity and waste materials will not result in a threat to public safety, public health, or the environment, or create a nuisance. Therefore, disposal of certain waste types determined to be inert may be considered for an IWMEA regardless of the volumes of waste involved.

The limitations, siting standards, and operational requirements for an IWMEA was developed from the Rules, which are promulgated under the authority of 10 V.S.A. Section 6603. Violations of the conditions of the IWMEA are enforced as violations of applicable statutes and Rules and may involve substantial penalties.

There is no fee for the IWMEA.

Potential applicants need only submit a completed application form along with the necessary attachments. It is suggested that a careful review of this document and a thorough check of the application and attachments be performed, as the completeness of the application will have a direct bearing upon how quickly an application can be reviewed.

We recommend that you contact the Permit Specialist assigned to the Region where the project is located. The Permit Specialist will identify other state permits you may need to obtain prior to starting your project. Please see the attached map to identify your local Regional Office.

Prohibited Areas:

Waste may not be disposed of in the following prohibited areas as defined in Section 6-502 of the rules:

1. Within the Green Mountain National Forest (with a few exceptions);
2. Class I and II Ground Water Areas;
3. Regulated wetland areas and associated buffer zones as outlined in the Vermont Wetland Rules;
4. National Wildlife Refuge Areas;
5. Agency designated Wildlife Management Areas;
6. An Agency designated threatened or endangered species habitat area;
7. Watershed areas for Class A stream or stream segment;
8. Within the floodway portion of a 100 year flood plain or below the 100 year flood stage elevation;
9. Within 500 feet of an Outstanding Natural Resource Water as designated by the Water Resources Board;
10. Over areas previously used for disposal unless otherwise approved by the Program.

The Agency may be contacted for assistance in determining whether any of these areas may be present in the proposed disposal site. Please consult with the Permit Specialist assigned to your area.

The application will be evaluated by the Program for conformance with these prohibitions and a statement must be included with the application providing evidence of conformance with the criteria.

Qualifying Materials:

Inert Wastes

Most permits for IWMEAs are for short term disposal of inert materials developed from a single source or project. These inert materials are defined in Section 6-309 of the Rules. The following qualifying materials may be disposed of under an IWMEA:

1. Stumps, brush, and untreated wood;
2. Used road asphalt (bituminous concrete);
3. Clean concrete (not painted or treated, with external reinforcing rod removed);
4. Clean non-recycled glass;
5. Bricks, masonry, and mortar;
6. Other inert materials that may be approved by the Secretary of the Agency on a case-by-case basis. The applicant must provide sufficient evidence to support the claim that the material(s) is/are not: a potential source of fires; potential vermin habitat; source of leachate; does not constitute a threat to public health, public safety, or the environment; and will not create a nuisance.

Siting Criteria:

Inert Wastes

The following minimum siting criteria generally apply to the disposal of inert wastes in non-prohibited areas:

1. Minimum distance from the edge of the disposal area to adjoining property lines - 50 feet. (This requirement may be waived if a written agreement exists between the applicant and the adjacent landowner and a copy is provided along with the application form.)
2. Minimum distance from the edge of the disposal area to a perennial stream or other surface waters - 100 feet.
3. Minimum distance to seasonal high groundwater - 3 feet.
4. Minimum distance to bedrock - 6 feet.

These may be determined by a backhoe excavation of a soil pit and examination of the pit for soil mottling and depth to bedrock by a person qualified to certify sites for septic tank installation. A written statement from this person concerning the separation distances must accompany the application form.

Alternatively, or if there is insufficient separation distance, sufficient virgin soils may be placed on the proposed disposal area to achieve the required separation distance.

5. Maximum sloped disposal areas - 1:3 (33 1/3%)

If sloped areas are to be used for disposal, written evidence must be provided as part of the application that indicates how down slope migration of wastes, silt, and other materials will be controlled.

6. Minimum distance to surface waters or drinking water supplies - 100 feet.

Application Procedures:

In addition to completing the application form attached to this guidance document, persons requesting an IWMEA must include the following items:

1. A site map (minimum size 8 1/2" X 11" - may be hand drawn) showing the layout of the area and the proposed disposal area. The map must show the location of property lines, buildings, wells, surface waters, wetlands, roads, and areas previously used for waste disposal. The map must indicate the distance of each of the preceding items from the proposed disposal area. The map may be drawn to scale.
2. A Soil Conservation Service (SCS) soil map for the area (if available) or copy thereof, along with the listings of the soil types involved in the area shown on the map. The location of the proposed disposal site must be indicated on the map or map copy. The location of the nearest SCS office may be

determined by checking the White Pages in you local telephone directory under U.S. Government/Department of Agriculture.

3. A USGS topographical map for the proposed area or applicable copy thereof with the quadrangle title listed on the copy, with the location of the proposed disposal site indicated on the map or the copy. USGS maps are usually available at sporting goods stores or may be obtained at the State Geologist's Office, 103 South Main Street, Waterbury VT 05671-0301.
4. A letter or report from a person qualified to certify sites for septic tank installation confirming separation distances and the method used to make the determination.
5. A letter from the person requesting the IWMEA describing the source(s) of the waste(s), how the site conforms to all the siting criteria and prohibited areas, and how compliance was determined, as well as how the applicant plans to control dust, silt, noise, access to the disposal site, and any other potential nuisance creating problems that may result from the IWMEA.
6. This application form must be accompanied by a letter from the landowners where the IWMEA is to occur giving their permission for the waste disposal. The application form must include the information concerning the landowner(s), person(s) responsible for the disposal of the involved waste(s), volume(s) and type(s) of waste, and the duration period of disposal

Landowners will be considered co-applicants for the IWMEA authorization and will be jointly and severally responsible for compliance with the terms and conditions of the IWMEA.

Enforcement of Violations:

Issued IWMEAs will be only for the waste listed in the application, and will be issued based on the information submitted as part of the application. The person(s) receiving the IWMEA are obligated to ensure that only the waste approved for disposal are buried and to prevent other wastes from being disposed of at the site.

Violators of an IWMEA may be subject to enforcement, which may include revocation of the IWMEA and substantial fines. Currently, administrative penalties range up to \$100,000 with criminal sanctions ranging up to \$50,000 and six months imprisonment per violation. Each day's continuing activity may be considered a separate and distinct violation.

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**INSIGNIFICANT WASTE MANAGEMENT EVENT APPROVAL
APPLICATION FORM**

Person completing form: _____

Signature: _____

Person(s) responsible for disposal (applicant(s)):

1. Landowner Name: _____

Address: _____

Telephone number: _____

2. Other(s) (e.g. contractor, waste source generator, where different from landowner)

Name: _____

Address: _____

Telephone Number: _____

3. Waste Description

Type of Waste

Source of Waste

Volume of Waste

4. Dates of Disposal: Starting: _____ Ending: _____

Attachments:

- A. Letter from the person(s) requesting the IWMEA outlining the activity, compliance with siting and prohibited areas criteria, and steps that will be taken to prevent nuisance conditions.
- B. Site map, SCS map, and USGS map (or copies thereof) with the disposal site indicated on the maps.
- C. Permission letter from landowner.
- D. Letter from a qualified person assessing the site's conformance with the required separation distances to seasonal high groundwater and bedrock.
- E. Other pertinent information, such as local permits, a site assessment report by an Act 250 office, etc., that may be helpful in reviewing the application.

Applicant(s) Signature:

Landowner

Date

Other (co-applicant(s))

Date

Minor Revisions 2/28/01
IWMEA Retyped 10/98