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west virginia department of environmental protection

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Division of Water and Waste Management  
601 57th St. SE  
Charleston, WV 25304  
Phone: (304) 926-0499  
Fax: (304) 926-0465

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

**Revised February 4, 2021**

**APPLICATION FOR A MAJOR MODIFICATION  
TO TRANSFER A SOLID WASTE FACILITY PERMIT**

1. Applicant's Name, Address and Telephone Number:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No: \_\_\_\_\_

2. Original Permit Holder's Name, Address and Telephone Number:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No: \_\_\_\_\_

Under the names listed above, and as the original permit holder, and having been  
 Issued Permit No: \_\_\_\_\_  
 For the permitted area (acres): \_\_\_\_\_  
 For the disposal area (acres): \_\_\_\_\_  
 Type of Facility: \_\_\_\_\_  
 In the District of: \_\_\_\_\_  
 In the County of: \_\_\_\_\_

I hereby, by the submission of this Application, petition the Director of the Division of Water and Waste Management of the West Virginia Department of Environmental Protection to transfer said permit to the Applicant listed in Item No. 1 above.

3. Bond Information:

Name of Original Bond Holder: \_\_\_\_\_  
 a. Bond Amount: \$ \_\_\_\_\_  
 b. Type of Bond: \_\_\_\_\_  
 c. Bond Number: \_\_\_\_\_

4. Name of New Bond Holder: \_\_\_\_\_

a. Bond Amount: \$ \_\_\_\_\_  
 b. Type of Bond: \_\_\_\_\_  
 c. Bond Number: \_\_\_\_\_

**NOTE:** The new bond amount must be adequate to cover the entire area of the original permit and must satisfy the financial assurance (bonding) requirements of W.Va. Code §§22-15-12 and the rules promulgated thereunder.

5. If the applicant (assignee) is a business entity other than a single proprietor, give the names and addresses of every "person," as defined in W.Va. Code §22-15-2(24) together with the name and addresses of any person of record owning five (5) percent or more interest, beneficial or otherwise, or other person conducting or managing the affairs of the applicant or of the proposed licensed premises, in whole or in part.

<u>NAME</u>	<u>TITLE</u>	<u>ADDRESS</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Has the applicant, or any officer, partner, director, principal shareholder, or the applicant, any subsidiary, affiliate or persons controlled by, or under common control with the applicant, ever:
- a. Been an officer, partner, director or principal shareholder in a company, which has ever held a federal or solid waste facility permit, which in the five year period prior to the date of submission of this application, has been permanently suspended or revoked or has had a performance bond or similar security deposited in lieu of bond, forfeited?  
  
(    ) Yes    (    ) No    If yes, attach an explanation.
  - b. Demonstrated a general lack of respect for law and order, or for the laws and rules governing the disposal of solid wastes, either by his or her police record or by his or her record as a permittee, under Chapter 22, Article 11 through Article 19, or W.Va. Code Chapter 20?  
  
(    ) Yes    (    ) No    If yes, attach an explanation.
  - c. Misrepresented a material fact in applying to the Director for a permit?  
  
(    ) Yes    (    ) No    If yes, attach an explanation.
  - d. Been convicted of a felony or other crime involving moral turpitude?  
  
(    ) Yes    (    ) No    If yes, attach an explanation.
  - e. Exhibited a pattern of violating environmental laws in any state or the United States or combination thereof?  
  
(    ) Yes    (    ) No    If yes, attach an explanation.
  - f. Had any permit revoked under the environmental laws of any state or the United States?  
  
(    ) Yes    (    ) No    If yes, attach an explanation.

7. List all names under which the applicant, officer, director, partner or principal shareholder operated a solid waste facility operation in the United States within the five year period prior to the date of this application:

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8. List all permits now under bond in the state:

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9. Is the disclosure statement information included with this submission?

( ) Yes ( ) No

10. Give a description of the legal documents upon which the applicant bases his or her legal right to enter and conduct operations on the proposed permit area (i.e., contract, lease, agreement, etc.)

Is this right subject to pending court litigation? ( ) Yes ( ) No

11. List a schedule of all cessation orders or permanent suspension orders resulting from a violation of any law or rule of the United States or any department or agency of any state, pertaining to air or environmental protection, received by the applicant in connection with any solid waste facility operation within the three (3) year period prior to the date of this application. Indicate the final resolution of any such cessation or permanent suspension.

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12. Does the applicant agree to conduct solid waste facility operations in accordance with the Solid Waste Management Act (§§22-15), all rules promulgated thereunder, and the terms and conditions of the facility permit?

( ) Yes ( ) No

**CERTIFICATION**

I, \_\_\_\_\_, having been duly sworn, depose and attest that all the representations contained in the foregoing application are true to the best of my knowledge; that I am the principal executive officer of the original permit and that this application has been executed by the persons required by law.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF WEST VIRGINIA  
COUNTY OF: \_\_\_\_\_

Taken, subscribed and sworn to before me the undersigned authority in my said county this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STAMP OR SEAL

*We will process your personal information (email address, mailing address and/or telephone number) in accordance with the State of West Virginia's Privacy Policy for appropriate and customary business purposes. Your personal information may be disclosed to other state agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. The Division of Water and Waste Management will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact the DEP's Chief Privacy officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).*