



ADMINISTRATIVE RULES OF MONTANA



17.50.1603 LANDFARM FACILITY LICENSE APPLICATION

- (1) A person may not construct, expand, or operate a landfarm facility after March 11, 2017, without a landfarm license from the department, except as provided in 17.50.1601(2).
- (2) An applicant for a landfarm facility license shall submit an application to the department on a form provided by the department.
- (3) An applicant for a landfarm facility license shall submit the following application materials:
 - (a) name and mailing address of the proposed facility owner/operator;
 - (b) name and mailing address of the landowner where the facility will be located;
 - (c) documentation of the applicant's ownership of the property or documentation demonstrating that the applicant has the right to operate a solid waste management system on the property;
 - (d) applicant must provide signed documentation granting access to the property by the department, private contractors, and the facility owner/operator to perform activities associated with approved facility operations of the landfarm;
 - (e) proposed facility name, mailing address, legal location, and property geocode;
 - (f) total acreage of the proposed facility and acreage to be used for treatment cells;
 - (g) location of any lakes, rivers, streams, springs, or bogs, on-site or within one mile of the facility boundary;
 - (h) hydrogeological, and soils characterization information required in ARM 17.50.1311(2);
 - (i) present uses of property within one mile of the proposed facility boundary and the property owners' names and current addresses;
 - (j) certification that there are no local government zoning restrictions or ordinances that prohibit the proposed activity at the proposed site;
 - (k) regional map(s), with a minimum scale of 1:62,500 and a minimum size of 8 1/2 inches by 11 inches, that delineate(s) the following:
 - (i) the location of the closest population centers; and
 - (ii) the local transportation systems, including highways, airports, bridges, and railways;
 - (l) vicinity map(s), with a minimum scale of 1:24,000 and a minimum size of 8 1/2 inches by 11 inches, that delineate(s) the following within one mile of the facility boundaries:

- (i) zoning, existing, and allowed land use;
 - (ii) property boundaries and residences within one mile of the proposed site;
 - (iii) surface waters;
 - (iv) floodplain map;
 - (v) historic sites; and
 - (vi) other existing and proposed artificial or natural features relating to the project;
- (m) site plan(s), with a minimum scale of 1:24,000 with five-foot contour intervals and a recommended minimum size of 8 1/2 inches by 11 inches, that delineate(s) the following within, or associated with, the facility:
- (i) proposed waste management areas and license boundaries;
 - (ii) the location of existing and proposed:
 - (A) soil borings;
 - (B) monitoring wells;
 - (C) buildings and appurtenances;
 - (D) fences;
 - (E) gates;
 - (F) roads;
 - (G) parking areas;
 - (H) drainages;
 - (I) culverts;
 - (J) storage facilities or areas;
 - (K) loading areas;
 - (L) existing and proposed elevation contours;
 - (M) the location, within one mile of the proposed licensed boundary, of potable wells, surface water bodies, and drainage swales;
 - (N) direction of prevailing winds;
 - (O) other maps and drawings related to the design or environmental impact of the proposed facility if requested by the department;
 - (P) name and address of individual operator;
 - (Q) proposed operation and maintenance plan;
 - (R) closure and post-closure care plans;
 - (S) other information necessary for the department to comply with the Montana Environmental Policy Act or "MEPA," Title 75, chapter 1, parts 1 through 3, MCA;

- (4) An applicant shall submit with the application a copy of a proposed policy of general liability insurance to cover bodily injury or property damage to third persons caused by sudden accidental occurrences at the facility that meet the requirements of ARM 17.50.1114.
- (5) In addition to the materials required in (2) through (4), an applicant for a minor, intermediate, or major landfarm facility license shall also submit:
 - (a) technical design specifications;
 - (b) construction plans; and
 - (c) a detailed site plan that includes:
 - (i) information concerning any material that will be used to construct a liner or berm, including but not limited to:
 - (A) type, quantity, and source;
 - (B) compaction density;
 - (C) moisture content;
 - (D) design permeability; and
 - (E) liner construction quality assurance and quality control (QA/QC) plans;
 - (ii) design and location of any proposed storage or treatment areas;
 - (iii) design and location of any liquid containment or storage structures; and
 - (iv) design, location, and grades of any surface water diversion and drainage structures.
- (6) In addition to the materials required in (2) through (4), an applicant for a one-time landfarm facility license shall submit the following application materials:
 - (a) name and address of the proposed facility owner/operator;
 - (b) name and address of the landowner where the facility will be located;
 - (c) documentation of the applicant's ownership of the property or documentation demonstrating that the applicant has the right to operate a solid waste management system on the property;
 - (d) total acreage of the proposed facility and dimensions of the treatment cell;
 - (e) location of any surface water bodies, including intermittent drainages and floodplains, on-site or within one mile of the facility boundary;
 - (f) legal description of the site to the nearest quarter-quarter section;
 - (g) depth to ground water, source of ground water information, and copies of logs from ground water wells within one-mile of the proposed facility;
 - (h) location of public water supplies within five miles of the proposed facility;
 - (i) results of background soil sampling;
 - (j) estimated volume and characterization of soils to be landfarmed at the proposed facility including:

- (i) cause of soil contamination;
 - (ii) analytical results;
 - (iii) proposed date soils will be applied to landfarm site;
 - (iv) current use of proposed landfarm site; and
 - (v) proposed use of site after treatment is completed;
- (k) summary of the proposed facility operations and maintenance plan that includes the following:
 - (i) soil tilling schedule;
 - (ii) number and frequency of soil sampling activities;
 - (iii) proposed fertilizer, moisture, or other remediation-enhancing product additions; and
 - (iv) propose site reclamation and closure activities;
- (l) vicinity map(s), with a minimum scale of 1:24,000 and a minimum size of 8 1/2 inches by 11 inches, that delineate(s) the following within one mile of the facility boundaries:
 - (i) zoning, existing, and allowed land uses;
 - (ii) residences;
 - (iii) surface waters;
 - (iv) access roads;
 - (v) bridges;
 - (vi) railroads;
 - (vii) airports;
 - (viii) historic sites; and
 - (ix) other existing and proposed artificial or natural features relating to the project;
- (m) site plan(s), with a minimum scale of 1:24,000 with five-foot contour intervals and a minimum size of 8 1/2 inches by 11 inches, that delineate(s) the following within, or associated with, the facility:
 - (i) proposed waste and licensed boundaries;
 - (ii) the location of existing and proposed buildings and appurtenances, including:
 - (A) fences;
 - (B) gates;
 - (C) roads;
 - (D) parking areas;
 - (E) drainages;
 - (F) culverts;

- (G) storage facilities or areas; and
- (H) loading areas; and
- (n) closure and post-closure care plan.

Authorizing statute(s): 75-10-204, MCA

Implementing statute(s): 75-10-204, MCA

History: NEW, 2017 MAR p. 285, Eff. 3/11/17.