



Illinois
Environmental
Protection Agency

Bureau of Land
1021 North Grand Avenue East
Box 19276
Springfield, IL 62794-9276

39(i) Certification
(for a Legal Entity)

For Operating a Waste Management Facility

PRIOR EXPERIENCE IN OPERATING A WASTE STORAGE SITE, SANITARY LANDFILL, WASTE DISPOSAL SITE, WASTE TRANSFER STATION, WASTE TREATMENT FACILITY, WASTE INCINERATOR, ANY WASTE TRANSPORTATION OPERATION OR A CLEAN CONSTRUCTION OR DEMOLITION DEBRIS (“CCDD”) FILL OPERATION

Site Name: _____ Site ID: _____

Applicant Name: _____

FEIN: _____

Address: _____ P.O. Box: _____

City: _____ State: _____ Zip: _____

Permit Number(s): _____

- I. Has the applicant, or any of its owners or officers, ever owned or operated other waste sites, waste transportation operations, or CCDD fill operations (anywhere) at anytime? If yes, please attach additional sheets identifying the name of the site, address of the site, license or permit number of the site, type of activity conducted at the site and type of waste received at the site. YES NO
- II. All of the following questions need to be answered. If the answer to any of the following is yes, attach a copy of any final administrative or judicial determination.
- 1) Has the applicant or any of its owners or officers, ever been convicted of a violation of any federal, state, or local laws, regulations or ordinances governing the operation of any waste management facility or site or CCDD facility or site? YES NO
 - 2) Has the applicant or any of its owners or officers, ever been convicted in Illinois or any other state of any crime which is a felony under Illinois law or been convicted of a felony in a federal court, or been convicted in Illinois, another state or federal court of any of the following: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition? YES NO
 - 3) Has the applicant or any of its owners or officers, ever been proven to have shown gross carelessness or incompetence in the handling storing, processing, transporting or disposing of any waste or CCDD or in using CCDD as fill in any state? YES NO

IL 532-2857
LPC 643 1/08

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

III. Is there any administrative or judicial proceeding, which is still pending, which:

- | | | |
|---|-----|----|
| 1) Could result in a determination of the type described in section II above; or | YES | NO |
| 2) Could result in the reversal of any administrative or judicial determination provided in response to section II above. | YES | NO |

If the answer to any of the above is yes, please provide a description including the name of the Agency or Court, title, docket No. and status below. Attach additional sheets as needed.

AUTHORIZATION FOR RELEASE OF INFORMATION

The undersigned authorizes any representative of the Illinois Environmental Protection Agency bearing this release to obtain any information from the Illinois State Police pertaining to the criminal records of the applicant and hereby directs the Illinois State Police to release such information upon request of the bearer. The undersigned authorizes a review of and full disclosure of all records, or any part thereof, concerning the applicant's criminal records by and to a duly authorized agent of the Illinois Environmental Protection Agency, whether said records are of public, private, or confidential nature. The intent of this authorization is to give consent for full and complete disclosure of the applicant's criminal records. The undersigned fully understands that any information which is developed directly or indirectly, in whole or in part, as a result of this authorization will be considered in determining whether a permit shall be issued by the Illinois Environmental Protection Agency under the Environmental Protection Act [415 ILCS5/1]. The undersigned further agrees to release the Illinois State Police and the Illinois Environmental Protection Agency, its agents and designees under this release, from any and all liability which may be incurred as a result of compliance with this authorization for release of information.

CERTIFICATION STATEMENT

I certify under penalty of law that 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 knowing violations.

Signature of Applicant, Representation

Print Name

Title

Date

INSTRUCTIONS FOR COMPLETING THE 39i FORM

(for a Legal Entity)

This form should be completed for a legal entity such as a municipality, corporation, limited liability company, partnership, estate, or trust. A sole proprietor or individual including owners and officers of a legal entity must complete the 39i Form for a Person.

As part of the Illinois Environmental Protection Agency ("Illinois EPA") review of a permit application for a waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, waste incineration, any waste-transportation operation, or clean construction or demolition debris ("CCDD") fill operation, the Illinois EPA conducts an investigation of the prior experience of the owner and operator, including officers and employees of the owner and operator. This 39i Form for a Legal Entity should be completed and submitted by an official representative of the applicant who is considered authorized to sign applications. If there is a separate owner and operator, both owner and operator and their officers must individually complete a 39i form. Those persons authorized to sign applications are identified in 35 IAC 702.126, 807.205(d), 812.104, 830.105. In responding, please identify all the authorized official representatives of the applicant, and their titles in a cover letter. For example, a corporation should identify the president, vice president, secretary and treasurer, and any other person who performs similar policy or decision making functions. Failure to comply with this request will result in a delay in the processing of a permit application, and may result in denial. Furthermore, the Illinois EPA, at its discretion, may request additional information on any employee of the owner or operator or prospective owner or operator.

This form must be submitted anytime a permit application is submitted for a new facility, a renewal of a permit, or a transfer of a permit. This form must also be submitted at any time when a change occurs that would result in a change to information contained in a previously submitted form

General: Provide applicant's FEIN and address as well as the site name and site identification number and permit number(s) of the site. The site name should be the same as the name on the most recent permit or permit application. The applicant is the entity for whom the form is providing 39i certification.

Part I: Information on ownership and/or operation of other waste storage sites, sanitary landfills, waste disposal sites, waste transfer stations, waste treatment facilities, waste-transportation operations, or CCDD fill operations, even if located in other states, must be provided. Provide this information on a separate sheet of paper and attach to the 39i form.

Part II: This part of the application deals with prior conduct in other states as well as in Illinois. If any answers are "yes", the applicant should attach a complete explanation as well as any supporting documentation. At a minimum, this information must include dates, jurisdiction, and reference case numbers. Also, any mitigating factors, such as individual control over the facility and operations, should be included.

Part III. This part deals with pending actions that could impact the application. If final decisions are reached during the certification review it is the applicant's responsibility to provide supplemental information within 30 days.

An original and two copies of this form must be submitted by registered or certified mail to:

Illinois Environmental Protection Agency
Division of Land Pollution Control - #33
39(i) Certification
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

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