



Illinois  
Environmental  
Protection Agency

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

**APPLICATION FOR PRIOR CONDUCT CERTIFICATION (35 IAC 745)**

Applicant Name: \_\_\_\_\_ Social Security No. \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Site Name: \_\_\_\_\_ Site Code: \_\_\_\_\_

Is this application New \_\_\_\_\_ Supplemental \_\_\_\_\_ Annual Update \_\_\_\_\_

I. Other waste disposal sites owned or operated (anywhere) at anytime at which you were the chief operator: (If more than one, attach the name, address and nature of each site.)

Site Name: \_\_\_\_\_ Site Code: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name of Site: Hazardous \_\_\_\_\_ Special \_\_\_\_\_ General Municipal Refuse \_\_\_\_\_ Other \_\_\_\_\_ (Attach Explanation)

II. All of the following questions need to be answered. If the answer to any of the following is affirmative attach a copy of any final administrative or judicial determination. Part II does not need to be filled out if there has been no change since the last report.

- |  |     |    |
|--|-----|----|
| 1) Have you ever violated any federal, state or local laws, regulations or ordinances governing the operation of any waste disposal site?                          | YES | NO |
| 2) Have you 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? | YES | NO |
| 3) Have you ever been proven to have shown gross carelessness in the handling, storing, processing, transporting or disposing of any hazardous waste in any state? | YES | NO |
| 4) Have you ever had a prior conduct certification denied, cancelled or revoked?   | YES | NO |

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 provide a description including the name of the Illinois EPA or Court, title, docket No. and status.

IV. For Annual Update Applications- YES NO

Is there a change in any of the information required by section II or III above: (If yes please note in section II or III above and attach proper supplemental information).

V. For Supplemental Applications – complete sections I, II, and III, attach all required information, and specifically identify the reason for submitting this application.

**CERTIFICATION STATEMENT**

I certify under penalty of law that the information submitted is, to the best of my knowledge and belief, true, accurate, and completed. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 ½, Section 1039. Disclosure of this information is required under that Section. Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## **INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR PRIOR CONDUCT CERTIFICATION**

Illinois regulations require that all waste disposal sites have a chief operator who has a prior conduct certification (See 35 Ill. Adm. Code Subtitle G, Part 745). A chief operator means the person in responsible charge of a waste disposal site. A site may have more than one certified chief operator, however, an operator may not serve in that capacity at more than one site.

A site may have more than one permitted unit (even with different site numbers), but as long as the site meets the definition under Part 702, or Part 807 and is one contiguous piece of property only one chief operator with prior conduct certification is required.

Applications are required from the chief operator at all waste disposal sites initially by April 1, 1988 (such that operators may be certified by July 1, 1988). Operators are also required to provide supplemental information to pending applications within 30 days after any change in circumstances which renders the original applications incomplete or inaccurate. For certified operators, an annual update of information is due 90 days prior to expiration of their existing certification. Finally, an operator must provide supplemental information upon Agency request pursuant to 35 Ill. Adm. Code 745.124.

If an operator ceases to become chief operator at one site and becomes chief operator at another site, a new application must be submitted.

### **COMPLETING THE APPLICATION**

**General:** Provide the operator's name, Social Security number, and address as well as the site name and site code. The site name should be the same as the name on the most recent operating permit.

**Part I:** Information on ownership and/or operation of other waste disposal sites, even if located in other states, must be provided. If more than one additional site is owned/operated, attach this information.

**Part II:** This part of the application deals with the operator's prior conduct, in other states as well as in Illinois. If there is any confusion on completing this part, the operator should attach a complete explanation as well as any supporting documentation. If an administrative citation final order (Sec. 21(P) of the Act) has been issued against the facility, relevant information should be discussed in an attachment. If the operator submitting this application was a named respondent in an administrative citation final order the response to question II-1 should be affirmative. The fact that an operator has allowed his certification to lapse would not be reason to answer affirmatively to question II-4. In this case a completely new application would be required. Part II does not need to be filled out for annual update if there has been no change since the last report.

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

**Part IV:** For annual updates if there is no change in the information provided previously in Parts II and III, please indicate "no" in this part. If an operator has previously marked "yes" to one of the questions in Part II, and supporting information has previously been provided, and no additional convictions or violations have occurred, there is no need to submit copies of administrative or judicial determinations.

**Part V:** If supplemental information is to be submitted it is imperative that a thorough discussion explaining that information be presented.

An original and two copies of all applications shall be submitted by registered or certified mail to:

Illinois Environmental Protection Agency  
Bureau of Land - #33  
Prior Conduct Certification Review  
1021 N. Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276