



P.O. Box 99 • Ray Brook, New York 12977

www.apa.ny.gov

APA
General Permit/Order
2002G-1RA

APA Project Permit
No. _____

Application and Certification for Disposal of
Uncontaminated Wastes from Maintenance and
Construction Activities by Highway and Municipal
Sewer and Water Departments

Instructions: Please answer all of the questions in each section and complete the required attachments. Submit this form in person or by mail to the Deputy Director, Regulatory Programs, Adirondack Park Agency at the above address. A site visit by Agency staff is required. You may not begin to prepare the waste disposal site (e.g., clearing, grading) or dispose of waste materials at the site until you have received this certification signed by authorized APA staff.

Section A -Application

Highway or Municipal Sewer and Water Departments Name (Applicant and Permittee):

Authorized Representative:

Mailing Address:

Telephone Number (daytime):

FAX:

Prior Agency Contact:

Has your Department had any previous discussions with Agency staff regarding the project generating the waste materials or the proposed waste disposal site, or has any Agency staff visited the waste disposal site with you or your representative?

___ No

___ Yes, staff person's name: _____

Date of Contact: _____

Has the highway or sewer and water project site generating the waste material or the proposed waste disposal site(s) been the subject of a past Agency action (i.e., project permit, order, variance, jurisdictional inquiry, enforcement case or wetland flagging)?

___ No

___ Yes, If known, provide the following number and date:

Past Project Permit, Order or Variance Number: _____

Jurisdictional Inquiry Number: _____

Enforcement Case Number: _____

Wetland Boundary Flagging : _____

Contractor doing the waste disposal work (co-applicant):

Name of Company:

Authorized Representative:

Mailing Address:

Telephone No:

FAX:

Location of Highway or Municipal Sewer and Water Project Site (the project site generating the waste material):

Town(s): Village: County (ies):

Nearby Road(s): Nearby Waterbody:

Describe by mile-marker or intersecting roads, the project location:

Location of Waste Disposal Site:

Town(s): Village: County (ies):

Nearby Road(s): Nearby Waterbody:

Provide Tax Map Number (s): (list all involved parcels including section, block and parcel):

Waste Disposal Site Property Landowner(s): (all as named on the current deed of record)

Names(s) and addresses of each landowner:

Telephone No:

FAX:

Waste Disposal Materials

Describe the type and estimated quantities of all waste materials to be disposed of at the proposed waste disposal site.

Type of Waste Material	Estimated Quantity (in cubic yards)

By signing this permit application, the applicants and landowners agree to strictly comply with the terms and conditions of this application and certification as outlined in Section B and C. **No approved permit exists until this application is returned with Agency signatures.**

X _____
Signature of Highway Department Authorized Representative

X _____
Signature of Authorized Representative for Contractor

X _____
Signature of Waste Disposal Site Landowner

Section B - Terms

Waste Disposal from State, County and Municipal Highway and Municipal Sewer and Water Projects

Applicability:

1. This general permit/order may be used in Low Intensity Use, Moderated Intensity Use, Rural Use, Resource Management, and Industrial Use land use areas as shown on the Adirondack Park Land Use and Development Plan Map, except that the waste disposal area may not be to be located in:
 - a. a highway "critical environmental area" (within 150 feet of the right-of-way of a State highway in an area designated Rural Use or within 300 feet of the edge of the right-of-way of a State highway in an area designated Resource Management),
 - b. a State land "critical environmental area," (within 1/8 mile of State Forest Preserve lands classified as Wilderness, Primitive or Canoe areas outside of Hamlet and Industrial Use areas), or
 - c. an area governed by an Agency approved local land use program.
 - d. The State Forest Preserve.
2. Waste disposal sites authorized herein may not occur within:
 - a. a wetland or within 100 feet of an APA jurisdictional wetland or other surface water body (e.g., intermittent or permanent stream, pond, lake) or
 - b. the "river area" of a designated river in the New York State Wild, Scenic and Recreational Rivers System, and
 - c. The 100-year floodplain of navigable waterbodies.

New York State Department of Transportation, working in consultation with New York State Department of Environmental Conservation, shall be responsible to ensure that there is a field delineation of the boundary between forest preserve lands and the highway right-of-way in the vicinity of each work site before waste disposal starts in that area. NYS DOT and NYS DEC shall agree on the methods used to delineate the boundary and provide the NYS DOT Resident Engineer with that information. The intent is to ensure that there is no work or other site disturbance involving forest preserve lands as a result of this waste disposal activity.

3. Waste disposal sites may be approved under this general permit/order for up to but no more than 5,000 cubic yards of waste material, provided site conditions are determined appropriate by Agency staff.

4. This general permit is issued only for the disposal of uncontaminated waste materials resulting from construction and maintenance activities performed by State, county and municipal highway and municipal sewer and water departments. These waste materials include: trees, branches, stumps, wood chips, recognizable concrete and concrete products (including steel or fiberglass reinforcing embedded in concrete), asphalt pavements, brick, stone, rock and soil.
5. The above materials may not be contaminated with any other materials, including paint, fuels, solvents, or other petroleum products nor contain garbage and other household waste.
6. This permit does not apply to regulated construction and demolition wastes regulated under 6 NYCRR Part 360, including such materials as painted, treated or coated wood products; railroad ties; electrical wiring; pipes; empty buckets and containers; roofing material; and similar materials. Also, this permit does not apply to the disposal of asbestos, ballasts, batteries, contaminated soils, empty drums, automotive fluids of any kind, refrigerants, greases, herbicides, pesticides, fertilizers or any hazardous waste material.

Field Visit Requirements: (to be completed by the project applicant prior to the required field visit by Agency staff unless otherwise agreed to in advance by Agency staff)

1. Identify with orange flagging a 100 foot setback area from the edge of all wetlands and surface water bodies that are near the proposed waste disposal site.
2. Field delineate with stakes and red flagging the outer limits of all proposed waste disposal area(s).
3. Field delineate with stakes the approximate location of all property lines that are located within 100 feet of the edge of any proposed waste disposal area.

Required Attachments: (unless otherwise agreed to in advance by Agency staff)

1. Attach a copy of current deed of record for the waste disposal site parcel.
2. Attach a Property Boundary Map which may be a labeled, scaled copy of a survey map, deed plot or current real property tax map showing the property boundaries of the disposal site and labeled with the tax map number(s).
3. Attach a site plan map at 1" = 50' showing the proposed waste disposal area and limits of vegetative clearing and a site location map at 1" = 2,000' showing the boundaries of the waste disposal site and the property upon which the site is located.
4. Provide Engineering Details:
 - a) latitudinal and longitudinal cross-sections every 50 feet showing existing and proposed grading,
 - b) type and depth of cover material, temporary and permanent erosion and sediment control practices to be employed,
 - c) final stabilization methods (e.g., topsoiling and seeding, planting of trees and shrubs),
 - d) undisturbed buffers to nearby wetlands, surface water bodies, and adjoining land uses, and
 - e) security plan.
5. Attach a written explanation describing:
 - a) the activities generating the waste materials,
 - b) whether the waste disposal site is intended solely for the disposing of construction and maintenance waste materials or for another purpose (e.g., create a building site, flatten highway embankment slopes, create a parking area),
 - c) efforts taken to minimize impacts on the character of nearby and adjoining land uses, and
 - d) means to prevent unauthorized disposal and site security plan.

Section C - Conditions

1. This general permit/order is issued based on the expressed understanding that the project will be undertaken and completed only as described in the submitted and approved application and certification and in compliance with the Terms (Section B) and Conditions (Section C) herein. In the case of conflict, the conditions control.
2. Nothing contained in this general permit/order shall be construed to satisfy any legal obligation of the applicants to obtain any governmental approval or permit from any other entity other than the Agency, whether federal, State, regional or local.
3. The waste disposal activities described in this application and required attachments may not be undertaken unless and until the agency has made the required site visit and this application and certification is signed by an authorized representative of the Adirondack Park Agency and is returned to the permittee.
4. Failure to comply with this general permit is a violation and may subject the applicant, successors and assigns to civil penalties and other legal proceedings, including modification, suspension or revocation of the permit.
5. By signing the application and certification, the highway department and its contractors, accept the full legal responsibility for all damages, direct or indirect, of whatever nature and by whomever suffered, arising out of the project and indemnify the APA for any damages suffered.
6. This permit does not grant the permittee any right to trespass upon the lands of others, or interfere with the riparian rights of others in order to perform the permitted work, nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.
7. The permittee shall require that any agent, contractor, project engineer, or other person responsible for the overall supervision of this project read and understand this permit and all terms and conditions and provide them with a copy of the permit. The permit shall be kept at the waste disposal site during disposal and site restoration activities.
8. Any proposed deviation from the type of project authorized or the terms and conditions of this permit must be expressly approved in writing and in advance by authorized staff of the Agency.
9. All waste disposal sites shall be final graded to naturally stable slopes and blended smoothly into the surrounding topography as shown on the approved engineering plans.
10. All waste shall be covered with 6 inches of soil and seeded with native species and mulched within three days of final grading to establish an erosion resistant turf.
11. Any roads or access drives disturbed or damaged as a result of the waste disposal activities shall be restored to their original condition.
12. The work shall be scheduled and conducted to minimize erosion of soils and to completely prevent silts or sediments from eroding into wetlands or surface waterbodies. Erosion and sediment control measures shall be used as per the approved plan.
13. The site shall be secured to prevent unauthorized entry and disposal.
14. The waste disposal and site restoration activities shall be completed within one construction season unless otherwise authorized herein. The work shall be completed by _____.
(Date to be filled in by APA Representative)

(Additional conditions, if any, as determined by the Project Review Officer and Deputy Director of Regulatory Programs based on site conditions:)

15.

(Both signatures required before disposal activity can be started)

X _____
Signature of APA Environmental Program Specialist

Date: _____

X _____
Signature of Deputy Director, Regulatory Programs

Date: _____

Attach as a part of the approved certification an 8-1/2" x 11" reduced copy of the overall site plan referenced in Item 3. of the "Required Attachments" stated above.