



ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
200 FAIR OAKS LANE, SECOND FLOOR
FRANKFORT, KY 40601
TELEPHONE NUMBER 502-564-6716

Disclosure Statement
Form DEP 7087 (6/10)

Statutes and regulations may be viewed online at the following website address: <http://www.lrc.ky.gov/search.htm>

Solid waste forms are available at the following website address: <http://www.waste.ky.gov>

General Instructions

- 1. APPLICABILITY – This form must be complete and submitted to the cabinet by persons requesting the issuance, renewal or transfer of a permit for a solid waste management facility pursuant to KRS 224.40-330.**
- 2. ASSISTANCE – Questions regarding this form may be directed in writing to the Division of Waste Management (DWM), Solid Waste Branch at the address listed above or by calling (502) 564-6716.**
- 3. SUBMISSION – Type or print legibly in permanent ink. Submit the original of the completed Disclosure Statement form to the DWM at the address listed above. If an item is not applicable, check the appropriate box or write “N/A” in the space provided.**
- 4. FILING FEES – Fees are not applicable for disclosure.**
- 5. LAWS AND REGULATIONS – Applicants are expected to understand and comply with all applicable laws and regulations.**

To assist you in the submittal of a complete and accurate application, the DWM has identified the most common errors found during the review process. These errors are listed below for your convenience.

1. **Failure to complete the application. All attachments and supplemental data must be submitted with this application.**
2. **Failure to provide complete and accurate legal documentation of any criminal or judicial findings, which may result in significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations.**
3. **Failure to properly sign and notarize the application. An individual with signature authority for the applicant as defined by KRS 224.01- 010(44) and 401 KAR 47:160 must sign and notarize the appropriate signature sections of the application.**
4. **Failure to type or print your responses legibly in permanent ink.**
5. **Failure to properly identify the applicant. The applicant is the person, partnership, association, company, corporation, government agency, etc., which owns or operates the facility.**
6. **Failure to properly identify key personnel as defined by KRS 224.01-010(44) and submit the required key personnel disclosure statements signed by the key person.**

Warning! Due to the potential for identity theft, do not provide social security numbers to the DWM as part of this application. If this information is required during the normal course of review of the application, a cabinet representative will contact the appropriate individual to acquire this information in a secure format.



15. Provide, as **Attachment 2**, a description of the applicant's and the applicant's key personnel's experience in managing solid waste including any past or present permits or licenses held by the applicant or the applicant's key personnel within the previous five (5) years.

If not applicable, check here.

16. Provide, as **Attachment 3**, a description of the applicant's and the applicant's key personnel's experience in managing hazardous waste including any past or present permits or licenses held by the applicant within the previous five (5) years.

If not applicable, check here.

17. Provide, as **Attachment 4**, a description of all civil and administrative complaints against the applicant and its key personnel for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application.

Each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation.

If not applicable, check here.

18. Provide, as **Attachment 5**, a description of all civil and administrative complaints against the applicant and its key personnel for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment.

Each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation.

If not applicable, check here.



19. Provide, as **Attachment 6**, a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the applicant and its key personnel within five (5) years before the date of submission of this application.

Each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint.

If not applicable, check here.

20. Provide, as **Attachment 7**, a description of all judgments of criminal conviction entered against the applicant and its key personnel within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law.

Each description shall include the following: style, case number, forum in which the complaint was entered, date of judgment, sentence imposed, the identity and a description of each law the applicant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal.

If not applicable, check here.

21. Provide, as **Attachment 8**, a description of all judgments of criminal conviction of a felony under the laws of any state or the United States that are entered against the applicant and its key personnel within five (5) years before the date of submission of this application.

Each description shall include the following: style, case number, forum in which the complaint was entered, date of judgment, sentence imposed, the identity and a description of each law the applicant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal.

If not applicable, check here.

22. Provide, as **Attachment 9**, a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the applicant or any of its key personnel has a financial or equitable interest, or is an officer, director, or manager.

If not applicable, check here.

23. Provide the names of all key personnel in the following table. Include their positions or titles. Provide this data as **Attachment 10** if additional pages are necessary.

A completed Key Personnel Disclosure Statement must be submitted for each individual listed as a Key Person. Sole proprietors and government agencies are not required to submit key personnel disclosure statements.

If not applicable, check here.



Applicant Certification

24. Pursuant to 401 KAR 47:160, Section 6, a person with signature authority such as a sole proprietor, owner, partner, corporate officer, plant manager, LLC member, mayor, county judge executive, or other authorized official shall sign this certification statement.

NOTE: Consultants may not sign the following certification statement.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, 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 such violations.”

Name of Person Signing (type or print): Linda Gorton

Title of Person Signing: Mayor

Date: 6 - 7 - 2023

Signature per 401 KAR 47:160: *Linda Gorton*

Subscribed and sworn to before me this 7th day of June, Year 2023

Notary Public Signature: *Mackenzie Summers* ID# 635048

State of KY County of Fayette My commission expires: 11/7/2023





ENERGY AND ENVIRONMENT CABINET
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DIVISION OF WASTE MANAGEMENT
200 FAIR OAKS LANE, SECOND FLOOR
FRANKFORT, KY 40601
TELEPHONE NUMBER 502-564-6716

Application for Renewal of a Formal Permit
Form DEP 7095 (8/10)

Statutes and regulations may be viewed online at the following website address: <http://www.lrc.ky.gov/search.htm>

Solid waste application forms are available at the following website address: <http://www.waste.ky.gov>

DWM OFFICAL USE ONLY

AI#: _____ Application #: _____

GENERAL INSTRUCTIONS

1. **APPLICABILITY** - This form must be complete and submitted to the cabinet by persons requesting the renewal of a permit for a solid or special waste management facility. The cabinet will publish a public notice for applicable solid waste facilities pursuant to the requirements of KRS 224.40-310(14).
2. **ASSISTANCE** – Questions regarding this form may be directed in writing to the Division of Waste Management (DWM), Solid Waste Branch at the address listed above, or by calling 502-564-6716.
3. **SUBMISSION** – Please type or print legibly in permanent ink. Submit the original and two (2) copies of the completed form to the DWM at the address listed above. If an item is not applicable, write “N/A” in the space provided.
4. **FILING FEES** –Special Waste Facilities must submit a filing fee at the time of application submittal in accordance 401 KAR 45:250, Section 2. For Solid Waste facilities, 401 KAR 47:090, Section 2 does not require a fee for renewal applications.
5. **LAWS AND REGULATIONS** – Applicants are expected to understand and comply with all laws and regulations applicable to the facility.

To assist you in the submittal of a complete and accurate application, the DWM has identified the most common errors found during the review process. These errors are listed below for your convenience.

1. Failure to provide the appropriate fee for special waste facilities. **Note:** As of August, 2010, solid waste facilities no longer pay a fee for renewal applications.
2. Failure to finish all parts of the application, including appropriate, fully completed attachments.
3. Failure to comply with public notice requirements. See KRS 224.40-310 and 401 KAR 47:140, Section 7 for more information.
4. Failure to comply with financial assurance requirements. If the existing financial assurance is insufficient to fully cover current closure and post-closure costs, updates will be required.
5. Failure to properly sign and notarize the application. See KRS224.01-010(44), 401 KAR 47:160, Section 6 and 401 KAR 45:030, Section 10 for more information.

Warning! Due to the potential for identity theft, do not provide social security numbers to the DWM as part of this application. If this information is required during the normal course of review of the application, a cabinet representative will contact the appropriate individual to acquire this information in a secure format.



Application for Renewal of a Formal Permit

General Information

1. Permit Number: 034 - 00007 2. County: Fayette
3. Date Submitted: - -
4. Agency Interest Number: 1068 5. Permit Expiration Date: 12 - 16 - 2023
6. Number of years for which the Renewal is requested: 5
7. The applicant proposes to extend the expiration date of the permit to: 12 - 16 - 2028
8. Fee submitted: \$. **Note:** Solid waste facilities are exempt from this fee.
9. Check or Money Order #:
10. Method of payment: Check
 Money Order
 Cashier's Check
 Exempt (Publicly Owned Facility)
 Other – explain:

Applicant Information

11. Permittee Name: Lexington Fayette Urban County Government
12. Mailing Address: 200 East Main Street
13. City: Lexington 14. State: KY 15. Zip Code: 40507
16. Contact Person: Sarah Donaldson
17. E-mail Address: sdonaldson@lexingtonky.gov
18. Phone #: 859 - 425 - 2518 ext.
19. Cell #: - - 20. Fax #: - -



Permit Information

53. Permit Type: Check all that are applicable.

- Contained Landfill Facility
- Construction/Demolition Debris Landfill Facility
- Residual Landfill Facility
- Residential Landfill Facility
- Special Waste Landfill Facility
- Special Waste Landfarm Facility
- Special Waste Composting Facility
- Other – Explain: **Composting - Solid Waste**
- Other – Explain: **Transfer Station - Solid Waste**
- Other – Explain:
- Other – Explain:

54. Provide the following information for the current approved permit:

- a. Total Permit Area: **424.0** acres
- b. Permitted Waste Disposal Area: **278.80** acres
- c. Is the facility currently accepting waste? Yes No
- d. If yes, what is the anticipated closure date? - -
- e. Current Average Fill Rate: . Tons Per Day; Days Per Week
- f. Remaining air space as of last annual survey: . Cubic Yards
- g. If the remaining air space is calculated by any method other than an annual survey, describe the method used.

Financial Information

55. Complete the following section for all Financial Instruments currently on file for this facility:

<input type="checkbox"/>	Mechanism	Name of Provider	Instrument #	\$ Amount
<input type="checkbox"/>	Letter of Credit			\$.
<input type="checkbox"/>	Surety Bond			\$.
<input type="checkbox"/>	Escrow Agreement			\$.
<input checked="" type="checkbox"/>	Budget	LFUCG		\$ 3,220,840.00
<input type="checkbox"/>	Financial Test			\$.
<input type="checkbox"/>	Certificate of Insurance			\$.
<input type="checkbox"/>	Trust Account			\$.
<input checked="" type="checkbox"/>	Other – Explain: Landfill Fund	LFUCG	Reserve	\$ 45,274,305.00
<input type="checkbox"/>	Other – Explain:			\$.
<input type="checkbox"/>	Other – Explain:			\$.

56. Provide, as **Attachment 1**, a current worst-case closure and post-closure maintenance cost estimate.

57. Provide Past Performance Information (Disclosure):

For a Solid Waste Facility, complete **Form DEP 7087**.



Certification

58. Pursuant to 401 KAR 47:160, Section 6, a person with signature authority such as a sole proprietor, owner, partner, corporate officer, plant manager, LLC member, mayor, county judge executive or other authorized official must sign this certification statement.

NOTE: Consultants may not sign the following certification statement.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, 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 such violations.”

Name of Person Signing (type or print): Linda Gorton

Title of Person Signing: Mayor

Date: 6-7-2023

Signature per 401 KAR 47:160: Linda Gorton

Subscribed and sworn to before me this 7th day of June, Year 2023

Notary Public Signature: Margenjo Summers ID# 635046

State of KT County of Fayette My commission expires: 11/7/2023



ATTACHMENT 1
FINANCIAL CLOSURE ESTIMATES

ESTIMATED 2 YEAR CLOSE PERIOD FOR HALEY RD LANDFILL

YEAR	CAPPING	LONG TERM CARE	LEACHATE MANAGEMENT	WATER MONITORING	ENGINEERING SERVICES	METHANE MONITORING	TOTAL
FY14	0	250,000	50,000	80,000	25,000	30,251	435,251
FY15	0	250,000	50,000	80,000	25,000	31,159	436,159
TOTAL	0	500,000	100,000	160,000	50,000	61,410	871,410

ESTIMATED 30 YEAR POST CLOSURE FOR HALEY RD LANDFILL

YEAR	CAPPING	LONG TERM CARE	LEACHATE MANAGEMENT	WATER MONITORING	ENGINEERING SERVICES	METHANE MONITORING	TOTAL
FY16	0	250,000	50,000	80,000	25,000	32,093	437,093
FY17	0	250,000	50,000	80,000	25,000	33,056	438,056
FY18	0	250,000	50,000	80,000	25,000	34,048	439,048
FY19	0	250,000	50,000	80,000	25,000	35,069	440,069
FY20	0	250,000	50,000	80,000	25,000	36,121	441,121
FY21	0	250,000	50,000	80,000	25,000	37,205	442,205
FY22	0	250,000	50,000	80,000	25,000	38,321	443,321
FY23	0	250,000	50,000	80,000	25,000	39,471	444,471
FY24	0	250,000	50,000	80,000	25,000	40,655	445,655
FY25	0	250,000	50,000	80,000	25,000	41,875	446,875
FY26	0	250,000	50,000	80,000	25,000	43,131	448,131
FY27	0	250,000	50,000	80,000	25,000	44,425	449,425
FY28	0	250,000	50,000	80,000	25,000	45,758	450,758
FY29	0	250,000	50,000	80,000	25,000	47,130	452,130
FY30	0	250,000	50,000	80,000	25,000	48,544	453,544
FY31	0	250,000	50,000	80,000	25,000	50,001	455,001
FY32	0	250,000	50,000	80,000	25,000	51,501	456,501
FY33	0	250,000	50,000	80,000	25,000	53,046	458,046
FY34	0	250,000	50,000	80,000	25,000	54,637	459,637
FY35	0	250,000	50,000	80,000	25,000	56,276	461,276
FY36	0	250,000	50,000	80,000	25,000	57,964	462,964
FY37	0	250,000	50,000	80,000	25,000	59,703	464,703
FY38	0	250,000	50,000	80,000	25,000	61,494	466,494
FY39	0	250,000	50,000	80,000	25,000	63,339	468,339
FY40	0	250,000	50,000	80,000	25,000	65,239	470,239
FY41	0	250,000	50,000	80,000	25,000	67,197	472,197
FY42	0	250,000	50,000	80,000	25,000	69,212	474,212
FY43	0	250,000	50,000	80,000	25,000	71,289	476,289
FY44	0	250,000	50,000	80,000	25,000	73,428	478,428
FY45	0	250,000	50,000	80,000	25,000	75,630	480,630
TOTALS	0	7,000,000	1,400,000	2,240,000	700,000	1,377,802	13,589,212



"Long Term Care" includes money set aside for remediation of unexpected problems and for maintenance items such as mowing, seeding, leachate system repairs and cap repairs. Leachate management will be necessary during the 2 year closure period and entire 30 year post closure period. Costs are based on current 2013 dollars.

ESTIMATED TO CLOSE ON HALEY RD LANDFILL

YEAR	CAPPING	LONG TERM	LEACHATE MANAGEMENT	WATER MONITORING	ENGINEERING SERVICES	METHANE MONITORING	TOTAL
FY'23		250,000	50,000	80,000	225,000	39,471	644,471
TOTAL	0	250,000	50,000	80,000	225,000	39,471	644,471

ESTIMATED 30 YEAR LIABILITY ON HALEY RD LANDFILL

YEAR	CAPPING	LONG TERM	LEACHATE MANAGEMENT	WATER MONITORING	ENGINEERING SERVICES	METHANE MONITORING	TOTAL
FY'24		250,000	50,000	80,000	325,000	40,655	745,655
FY'25		250,000	1,050,000	80,000	25,000	41,875	1,446,875
FY'26		250,000	50,000	80,000	25,000	43,131	448,131
FY'27		250,000	50,000	80,000	25,000	44,425	449,425
FY'28		250,000	50,000	80,000	25,000	45,758	450,758
FY'29		250,000	50,000	80,000	25,000	47,130	452,130
FY'30		250,000	50,000	80,000	25,000	48,544	453,544
FY'31		250,000	50,000	80,000	25,000	50,001	455,001
FY'32		250,000	50,000	80,000	25,000	51,501	456,501
FY'33		250,000	50,000	80,000	25,000	53,046	458,046
FY'34		250,000	50,000	80,000	25,000	54,637	459,637
FY'35		250,000	50,000	80,000	25,000	56,276	461,276
FY'36		250,000	50,000	80,000	25,000	57,964	462,964
FY'37		250,000	50,000	80,000	25,000	59,703	464,703
FY'38		250,000	50,000	80,000	25,000	61,494	466,494
FY'39		250,000	50,000	80,000	25,000	63,339	468,339
FY'40		250,000	50,000	80,000	25,000	65,239	470,239
FY'41		250,000	50,000	80,000	25,000	67,197	472,197
FY'42		250,000	50,000	80,000	25,000	69,212	474,212
FY'43		250,000	50,000	80,000	25,000	71,289	476,289
FY'44		250,000	50,000	80,000	25,000	73,428	478,428
FY'45		250,000	50,000	80,000	25,000	75,630	480,630
FY'46		250,000	50,000	80,000	25,000	77,899	482,899
TOTALS	0	5,750,000	2,150,000	1,840,000	875,000	1,319,373	11,934,373
							12,578,844

**Summary of Revenue and Appropriations
FY 2023 Council Adopted Budget
Landfill Fund**

	FY 2021 Adopted	FY 2022 Adopted	FY 2023 Adopted	\$ Change	% Change
Revenue					
Services	\$ 7,040,000	\$ 7,138,000	\$ 7,148,500	\$ 10,500	0.1%
Investments	450,000	71,700	18,000	(53,700)	-74.9%
Other Income	130,000	115,000	115,000	-	
Total Revenue	\$ 7,620,000	\$ 7,324,700	\$ 7,281,500	\$ (43,200)	-0.6%
Fund Balance, July 1 (Reserve)	16,000,000		250,000	250,000	
Total Funds Available	\$ 23,620,000	\$ 7,324,700	\$ 7,531,500	\$ 206,800	2.8%
Appropriations					
Operating Expenses					
Personnel	\$ 1,397,260	\$ 1,481,779	\$ 1,726,911	\$ 245,132	16.5%
Operating	3,377,366	3,406,149	4,815,138	1,408,989	41.4%
Total Operating	\$ 4,774,626	\$ 4,887,928	\$ 6,542,048	\$ 1,654,120	33.8%
Capital Expenses					
CIP Capital	\$ 40,000	\$ 850,000	\$ 815,000	\$ (35,000)	-4.1%
Operating Capital	-	-	140,000	140,000	
Total Capital	\$ 40,000	\$ 850,000	\$ 955,000	\$ 105,000	12.4%
Total Appropriations	\$ 4,814,626	\$ 5,737,928	\$ 7,497,048	\$ 1,759,120	30.7%
Fund Balance, June 30 (Reserve)	\$ 18,805,374	\$ 1,586,772	\$ 34,452	\$ (1,552,320)	-97.8%