



# Illinois Environmental Protection Agency

Bureau of Land • 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

## Instructions for the Completion of the 39(i) Certification

Pursuant to Sections 39(i) of the Illinois Environmental Protection Act, before issuing any new or modified RCRA permit, permit for a waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, waste incinerator, waste transportation authorization, permit or interim authorization for a clean construction or demolition debris fill operation, or permit required under section 55-d of the Illinois Environmental Protection Act, the Illinois EPA shall conduct an evaluation of an owner or operator's prior experience in waste management operations, clean construction or demolition debris fill operations, and tire storage site management. The 39(i) certification is the first step in that evaluation. A completed 39(i) certification must be submitted with each permit application for the above-referenced operations by the owner and operator of the site that is the subject of the permit application. If the owner and operator are the same entity, only one 39(i) certification is necessary.

Read Instructions carefully. Failure to complete the 39(i) certification correctly could result in rejection of the application and forfeiture of fees.

### I. Applicant Information

**Site Name** – This is the name of the site for which a permit application is submitted. For waste transportation applications, this is the hauling company's legal name.

**IEPA BOL No.** – This is the applicant's unique ten-digit identification number assigned by the Illinois EPA. Applicants that have not yet received an identification number may leave this field blank.

**Site address** – This is the physical address of the site for which an application is submitted. For waste transportation applications, this may be the hauling company's legal address.

**USEPA ID Number** - For waste transportation permits, this is the identification number obtained using the USEPA 8700-12 application. Please contact Illinois EPA at 217-782-3559 or **online** for additional information on receiving a USEPA ID number.

**Owner Name** – Provide the site owner's name. Depending on the nature of the operation, the owner may be an individual or a legal entity.

**Owner Address**- Provide the site owner's physical address. This section should be completed even if it is the same as the applicant information.

**Operator Name** – Provide the name of the operator identified in the permit application. Depending on the nature of operation, the operator may be an individual or a legal entity.

**Operator Address**- Provide the site operator's physical address. This section should be completed even if it is the same as the applicant information.

The entity completing the form should only select one of the following items from the conclusion of Section I of the application reflecting the entity for which the 39(i) certification is submitted: owner; operator; owner and operator are the same entity.

### II. Officers and Employees with Site Responsibility

**Officers** – Provide the name and title of each officer of the entity completing the 39(i) certification that will have personal involvement or active participation in the permitted operation. There is no need to provide information for officers whose duties and responsibilities do not include personal involvement or active participation in the permitted activity.

**Employees**- Provide the name and title of each employee of the entity completing the 39(i) certification that will have personal involvement or active participation in the oversight and execution of the permitted operation. There is no need to provide information for employees whose duties and responsibilities do not include personal involvement or active participation in oversight and execution the permitted activity.

### III. Owner, Operator, Officer, and Employee Information

This Section must be completed for every individual identified in Section II. If the responses to the questions for each individual are identical, only one submission is necessary.

**A. Prior Conduct Identification-** Provide responses to the background information questions related to owner, operator, identified officers, and employees' felony convictions, environmental law, regulation, or permit violations, and instances of gross carelessness or incompetence.

**B. Pending Proceedings** - Provide responses to the background information questions related to pending proceedings involving the owner, operator, identified officers, and identified employees that may result in a felony conviction, finding of a violation of environmental law, regulation, or permit violation, or a finding of gross carelessness or incompetence.

**C. Prior Application Information** – Any applicant that has previously submitted a 39(i) certification for the site identified in the 39(i) certification may indicate that none of the information included in Sections III(A) and (B) has changed since the most recent permit application by checking the box in Section III(C) and identifying the most recent permit application that included the requested information.

**Certification Statements** – The 39(i) certification must be hand-signed by an officer of the applicant, attesting to the accuracy of the included information to the best of his/her knowledge and belief.

**Attachment A** – An Attachment A is only required for any individual identified in Section II for whom an affirmative response was required in Section III. The Attachment A may be completed by the named individual or the applicant, but must accompany the 39(i) certification.

**Name and Title-** Provide the name and title of the individual for whom a disclosure is necessary.

**Prior Findings or Convictions** – Provide responses to the background information questions related to named individual's felony convictions, environmental law, regulation, or permit violations, and instances of gross carelessness or incompetence. A copy of each final administrative order or judicial determination supporting any affirmative response must be provided with the 39(i) certification.

**Pending Proceedings** – Provide responses to the background information questions related to pending proceedings involving the named employee that may result in a felony conviction, finding of a violation of environmental law, regulation, or permit violation, or a finding of gross carelessness or incompetence. The applicant must provide a narrative description of each proceeding that required an affirmative response. The description should identify the parties involved, the adjudicating body, the docket number, the nature of the proceed, and the status of the proceeding as of the date of completion of the 39(i) certification.