

**APPLICATION FOR A COASTAL ZONE ACT PERMIT**

**Division of Climate, Coastal, & Energy**

[Applicant’s Name]

[Project name]

[Date of Submission]

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# **Permit Application Instructions**

1. Complete all parts of the application. If a section is not applicable to your project, state why; do not leave it blank. Each answer should contain enough information to stand alone without having to reference other parts of the application. Do not provide responses to multiple sections in a narrative form.
2. Include all attachments specifically listed in Part 11 of the application.
3. Provide references, data, and other documentation not specifically listed to support any analyses and adequately respond to the application.
4. Submit an electronic copy of the permit application to CZA\_Program@delaware.gov. Provide a hard copy of any schematics larger than 11x17 inches to:

DNREC Coastal Zone Act Program

100 W. Water St., Ste. 7B

Dover, DE 19904

1. Include documentation for payment of the application fee. Acceptable payment types are ACH, money orders, or checks. Make checks payable to “State of Delaware.”
2. Be advised that the application for a Delaware Coastal Zone Act Permit is a public document, which will be displayed on the internet. If this application requires you to place confidential information or data in the application to make it administratively complete, note the Delaware Freedom of Information Act ([29 Delaware Code, Chapter 100](http://delcode.delaware.gov/title29/c100/index.shtml)) and [DNREC’s Freedom of Information Act Regulation](http://regulations.delaware.gov/AdminCode/title8/900.pdf), Section 6 (Requests for Confidentiality), for the proper procedure in requesting confidentiality.
3. An application will not be considered administratively complete until all required documentation has been provided and all parts of the application are complete and substantive, including a sufficient offset proposal.

*This application template was created by DNREC on September 1, 2021.*

# **Part 1. Certification by the Applicant**

 Under the penalty of perjury pursuant to 11 Delaware Code §1221-1235, I hereby certify that all the information contained in this Delaware Coastal Zone Act Permit Application and in any attachments is true and complete to the best of my belief.

 I hereby acknowledge that any falsification or withholding of information will be grounds for denial of a Coastal Zone Permit.

 I also hereby acknowledge that all information in this application will be public information subject to the Delaware Freedom of Information Act, except for clearly identified proprietary information agreed to by the Secretary of the Department of Natural Resources & Environmental Control.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name of Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

# **Part 2. Applicant Information and Site Identification**

2.1 Identification of the applicant

Company Name:

Address:

Phone Number:

Fax:

2.2 Primary Contact: Preferred contact for your company in case DNREC needs to contact you regarding this application

Name:

Phone Number:

Email:

2.3 Authorized agent (if any): Provide written authorization from client to authorized agent

Name:

Affiliation:

Address:

Phone Number:

Fax:

2.4 Project property location (street address, parcel number(s))

2.5 Map of appropriate scale to clearly show the project site

(Attach)

2.6 Is the applicant claiming confidentiality in any section of their application?

☐ Yes

☐ No

If yes, refer to the instructions on page 4.

# **Part 3. Property Record and Evidence of Local Zoning and Planning Approval**

3.1 Project Property Record

3.1.1 Name and address of project premises owner(s) of record

3.1.2 Name and address of project premises equitable owner(s)

3.1.3 Name and address of lessee(s)

3.1.4 Is the project premises under option by permit applicant?

 ☐ Yes

 ☐ No

3.1.5 What is the present zoning of the land for this entire project site?

3.2 Evidence of Local Zoning and Planning Approval

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (County, City, or Town)

do hereby affirm that the project proposed by

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

located at

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

in the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ zoning district

is in full compliance with the zoning code as it applies to this project.

The above named applicant’s project is in compliance with the adopted comprehensive development plan for the geographic area within which the project will be located.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

*While the applicant is strongly advised to use this form, the local zoning jurisdiction may utilize a different form or document to demonstrate “evidence of local zoning approval,” provided such documents contain the same information above and are signed and dated by the proper official.*

# **Part 4. Project Construction and Operations**

4.1 Describe the step-by-step procedures or processes for site operations. Provide a flow diagram as an attachment to illustrate procedures.

4.2 Describe the characteristics of all products utilized by the proposed project. Include in the description (using attachments, if necessary):

1. the raw materials, intermediate products, byproducts, and final products and characteristics of each
	* review any materials’ risk of carcinogenicity, toxicity, mutagenicity, and/or the potential to contribute to the formation of smog
	* provide safety data sheets (SDS) if available
2. the nature of the materials mentioned above in 4.2(a) as to whether the materials require special means of storage or handling
3. the size and contents of any anticipated aboveground or underground storage tank systems that may be constructed or utilized in support of facility operations
4. the maximum production rate

4.3 List the machinery (new and/or existing) to be utilized by this project

4.4 Provide evidence that the applicant has, or will have, the ability to maintain and utilize all pollution control equipment/management techniques in a consistently proper and efficient manner (for example, college transcripts, certifications, records of training courses, summary of experience of person(s) responsible for maintaining the equipment, and/or copies of contracts with companies to be responsible for maintaining and utilizing this equipment) as attachments.

4.5 List any new buildings or other facilities to be utilized

4.6 Describe daily hours of plant operations and the number of operating shifts.

4.7 How many acres of land in total are required for this proposed project?

1. Existing/currently utilized/developed land:
2. New land:

4.8 Provide a site plan of this project as an attachment to this application with:

1. a north arrow
2. a scale of not less than one inch to 200 feet
3. identity of the person responsible for the plan, including any licenses and their numbers
4. the acreage of the applicant’s entire property and acreage of the proposed project
5. property lines of the entire property
6. lines designating the proposed project area for which this application is being filed, clearly distinguished from present facilities and operating areas (if any)
7. existing and proposed roads, railroads, parking and loading areas, piers, wharfs, and other transportation facilities
8. existing water bodies and wetlands and proposed dredge and fill areas
9. existing and proposed drainage ways, gas, electric, sewer, water, roads, and other rights-of-way

4.9 Provide a project timeline for the completion of the proposed project as an attachment to this application.

4.10 Provide information regarding other coordination with the Department, including additional permits applied for as part of the proposed project.

# **Part 5. Environmental Impact of Proposed Use**

Submit an Environmental Permit Application Background Statement as an attachment to this application (if applicable), pursuant to [7 Delaware Code, Chapter 79 §7902](https://delcode.delaware.gov/title7/c079/sc01/index.shtml).

Describe environmental impacts of the proposed project for each of the following factors:

## 5.1 Air Pollution

5.1.1 Complete the chart below and describe project emissions (new, as well as any increase or decrease over current emissions) by type and amount under maximum operating conditions.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Pollutant** | **Existing** **Emissions** | **Net Increase/ Decrease** | **New Total Emissions** | **Percent Change****(compare tons/year)** |
| *Lbs/day* | *Tons/year* | *Lbs/day* | *Tons/year* | *Lbs/day* | *Tons/year* |
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5.1.2 Describe how the above emissions change in the event of a mechanical malfunction or human error.

5.1.3 Describe any pollution control measures to be utilized to control emissions to the levels cited above in 5.1.1.

## 5.2 Waste Generation

5.2.1 Will this project result in the generation of any solid waste?

☐ Yes

☐ No

If yes, describe each solid waste type and volume (including biowastes) generated by this project and the means used to transport, store, and dispose of the waste(s).

5.2.2 Will there be any onsite recycling, reuse, or reclamation of solid wastes generated by this project?

☐ Yes

☐ No

 If yes, describe.

5.2.3 Will any waste material generated by this project be destroyed onsite?

☐ Yes

☐ No

 If yes, describe how.

5.2.4 Will the proposed project result in the generation of any hazardous waste as defined by the [“Delaware Regulations Governing Hazardous Waste”](http://regulations.delaware.gov/AdminCode/title7/1000/1300/1302/index.shtml)?

☐ Yes

☐ No

 If yes, identify each hazardous waste, its volume, and how it is generated.

5.2.5 Describe the transport of any hazardous waste and list the permitted hazardous waste haulers that will be utilized.

5.2.6 Will the proposed project cause the applicant to store, treat, and/or dispose of hazardous waste?

☐ Yes

☐ No

 If yes, describe.

5.2.7 Does the applicant currently generate any hazardous waste at this stie?

☐ Yes

☐ No

 If yes, describe.

## 5.3 Impacts to Flora and Fauna and Their Habitat(s)

5.3.1 Will the proposed project result in the loss of any undisturbed natural habitat or public use of tidal waters?

☐ Yes

☐ No

 If yes, how many acres?

5.3.2 Do threatened or endangered species (as defined by DNREC and/or the Federal Endangered Species Act) exist at the site of the proposed project or immediately adjacent to it?

☐ Yes

☐ No

 If yes, list each species.

5.3.3 Will the proposed project have any effect on any threatened or endangered species?

☐ Yes

☐ No

 If yes, explain.

5.3.4 What assurances can be made that no threatened or endangered species exist on or near or will be affected by the proposed project site?

5.3.5 Will the proposed project have any effect on any other flora and/or fauna at the proposed project site?

☐ Yes

☐ No

 If yes, describe.

## 5.4 Impacts to Wetlands

5.4.1 Will the proposed project result in the loss of any wetland habitat?

☐ Yes

☐ No

 If yes, describe.

5.4.2 Will any wastewater and/or stormwater be discharged into a wetland?

☐ Yes

☐ No

 If yes, will the discharge water be of the same salinity as the receiving wetlands?

5.4.3 Describe any filling, dredging, or draining that may affect nearby wetlands or waterways.

## 5.5 Impacts to Site Drainage, Land Erosion, and Flood Control

5.5.1 If dredging is proposed, how much will occur and where will the dredged materials go for disposal?

5.5.2 Will the proposed project’s operations impact drainage at the site and/or in the surrounding area?

☐ Yes

☐ No

 If yes, describe.

5.5.3 Will the proposed project’s operations result in changes in land erosion at the site and/or in the surrounding area?

☐ Yes

☐ No

 If yes, describe.

5.5.4 Will the proposed project’s operations result in changes in flood control at the site and/or in the surrounding area?

☐ Yes

☐ No

 If yes, describe.

## 5.6 Impact on Water Quality and Quantity

5.6.1 Complete the chart below and describe wastewater discharge (new, as well as any increase or decrease compared to current discharge levels) due to project operations.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Pollutant** | **Current Discharge Concentration****(ppm)** | **New or Changed Discharge****Concentration****(ppm)** | **Current Discharge** | **Net Increase/ Decrease** | **New Total Emissions** |
| *Lbs./ day* | *Tons/ year* | *Lbs./ day* | *Tons/ year* | *Lbs./ day* | *Tons/ year* |
|  |  |  |  |  |  |  |  |  |
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5.6.2 Describe the current method of employee sanitary wastewater disposal and any proposed changes to that system due to this project.

5.6.3 Identify the number, location, and name of receiving water outfall(s) of any and all process wastewater discharge (new or current) affected by this proposed project. Provide NPDES Permit numbers for each discharge affected.

5.6.4 Identify the number, location, and name of receiving waters of stormwater discharges. Provide permit number for each discharge.

5.6.5 Describe the sources of stormwater runoff (roofs, storage piles, parking lots, etc.)

5.6.6 Describe the amount of stormwater runoff increase over current levels that will result from the proposed project.

5.6.7 Describe any pollutants likely to be in the stormwater.

5.6.8 Describe any pollution control device(s) or management technique(s) to be used to reduce the amount of stormwater generated, and devices to improve the quality of the stormwater runoff prior to discharge.

5.6.9 Describe any new or improved stormwater drainage system required to safely carry off stormwater without flooding the project site or neighboring areas down gradient.

5.6.10 Will this project result in a thermal discharge of water or an increase in the flow or temperature of a current thermal discharge?

☐ Yes

☐ No

 If yes, state:

1. the volume of the new flow or increase from the existing thermal discharge, both in flow and amount of heat
2. how warm the water will be when it is discharged into a receiving waterway, discharge canal, or ditch, and what the difference in discharge temperature and ambient temperature will be at various seasons of the year after all cooling water mechanisms have been applied to the hot water
3. the equipment and/or management techniques that will be used to reduce the thermal load of the discharge water

5.6.11 Will any proposed new discharge or change in existing discharge cause, or have potential to cause, or contribute to, the exceedance of applicable criteria appearing in the [“State of Delaware Surface Water Quality Standards”](http://regulations.delaware.gov/AdminCode/title7/7000/7400/7401.shtml)?

☐ Yes

☐ No

 If yes, explain.

5.6.12 Describe any oils discharged to surface waters due to this proposed project.

5.6.13 Describe any settleable or floating solid wastes discharged to surface waters due to this project.

## 5.7 Water Needs

5.7.1 Estimate the amount of water to be used for each specified purpose, including cooling water. State:

1. daily and maximum water use in the unit of gallons per day for each purpose and source of water
2. whether water use will vary with the seasons, time of day, or other factors

5.7.2 Identify the source of water needed for the proposed project, including potable water supplies.

5.7.3 Are wells proposed to be used?

☐ Yes

☐ No

 If yes, identify:

1. the aquifer to be pumped and the depth, size, and pumping capacity of the wells
2. if a permit has been applied for to do this
3. how close a proposed well is to any well(s) on adjacent lands

5.7.4 Will this project use a new water intake device or increase the use (flow) from an existing intake device?

☐ Yes

☐ No

 If yes, state:

1. the volume of water to be withdrawn and
2. describe what will be done to prevent entrainment and/or entrapment of aquatic life by the intake device.

## 5.8 Impacts from Glare, Heat, Noise, Vibration, Radiation, Electromagnetic Interference, and Obnoxious Odors

5.8.1 Describe any impacts from the factors listed above in 5.8

5.8.2 Identify any other similar impacts not listed.

5.8.3 Describe any efforts to minimize and monitor such effects

## 5.9 Impacts of Raw Materials, Intermediate Materials, Byproducts, and Final Products

## 5.10 Potential to Pollute

5.10.1 Describe environmental impacts in the event of a major mechanical malfunction or human error for factors including:

1. air
2. waste
3. flora, fauna, and habitat
4. wetlands
5. drainage, erosion, and flood control
6. water quality and quantity
7. glare, heat, noise, vibration, radiation, electromagnetic interference, and obnoxious odors
8. other notable factors

5.10.2 Describe any backup controls, backup power, and safety provisions planned for this project to minimize any such accidents.

# **Part 6. Economic Effects Analysis**

Describe the economic effects of the proposed use, including the following elements:

6.1 Jobs

6.1.1 How many additional full-time jobs will be created as a result of the proposed project? Will they be temporary or permanent?

6.1.2 How many additional part-time jobs will be created as a result of the proposed project? Will they be temporary or permanent?

6.1.3 If employment attributable to the proposed project will vary on a seasonal or periodic basis, explain the variation and estimate the number of employees involved.

6.1.4 Disclose any local hiring or purchasing preferences.

6.1.5 Disclose any community benefit agreements.

6.1.6 Will any workforce development or educational programs be implemented as a result of the proposed project?

6.1.7 Estimate the weekly construction payroll

6.1.8 Estimate the percent distribution of annual wages and salaries (based on regular working hours) for employees attributable to this project

|  |  |
| --- | --- |
| Wage/Salary | Percent of Employees |
| <$10,000 |  |
| $10,000-14,999 |  |
| $15,000-24,999 |  |
| $25,000-34,999 |  |
| $35,000-49,999 |  |
| $50,000-64,999 |  |
| $65,000-79,000 |  |
| $80,000-100,000 |  |
| >$100,000 |  |

6.2 Tax Revenues

6.2.1 Estimate the amount of tax revenues that will accrue to state and local government, including:

1. property
2. gross receipts
3. personal income
4. any others

6.3 Estimate the economic impact of the project on individuals who are directly or indirectly dependent on natural resources from:

1. loss of natural habitat
2. degraded water
3. degraded air quality

# **Part 7. Aesthetic Effects**

7.1 Describe whether the proposed project will be located on a site readily visible from a public road, residential area, public park, or other public meeting place (such as schools or cultural centers)

7.2 Is the project site location within a half mile of a place of historic or scenic value?

☐ Yes

☐ No

7.3 Describe any previous attempt to make the proposed facility aesthetically compatible with its neighboring land uses (such as landscaping or screening).

7.4 Describe any planned attempt to make the proposed facility aesthetically compatible with its neighboring land uses. Include schematic plans and/or drawings of the proposed project after it is complete, including any landscaping and screening.

# **Part 8. Supporting Facilities Requirements**

8.1 Describe the number and type of new supporting facilities and services that will be required as a result of the proposed project, including, but not limited to:

1. roads
2. bridges
3. piers and/or docks
4. railroads
5. microwave towers
6. special fire protection services not now available
7. traffic signals
8. sewer expansion
9. energy-related facilities expansion
10. pipelines

8.2 Describe the impact of such facilities on all factors listed in Parts 5, 6, 7, 9, and 10 of this application.

# **Part 9. Effects on Neighboring Land Uses**

9.1 How close is the nearest year-round residence to the site of the proposed project?

9.2 Will the proposed project interfere with the public’s use of existing public or private recreational facilities or resources?

☐ Yes

☐ No

 If yes, explain.

9.3 Will the proposed project interfere with public access to tidal waters?

☐ Yes

☐ No

 If yes, explain.

9.4 Will the proposed project utilize or interfere with agricultural areas?

☐ Yes

☐ No

 If yes, explain.

9.5 Is there the possibility that the proposed project could interfere with a nearby existing business, commercial, or manufacturing use?

☐ Yes

☐ No

 If yes, explain.

# **Part 10. Offset Proposal**

10.1 Proposed projects with any negative environmental impacts must submit an Environmental Offset Proposal, including the following information:

1. A qualitative and quantitative description of how the offset project will “clearly and demonstrably” more than offset the negative impacts from the proposed project
2. How the permittee plans to perform or complete the offset
3. Over what period of time the permittee plans to perform or complete offset project
4. Environmental benefits from the offset project and when they will be achieved
5. Scientific evidence concerning the efficacy of the offset project in producing its intended results
6. How the success or failure of the offset project will be measured, qualitatively and quantitatively, in both the short and long term
7. A monitoring schedule that describes a process for third-party verification of the offset project’s operation, completion, and efficacy
8. Any public outreach initiatives regarding the proposed project and the results of said initiatives
9. A description of the process used in identifying potential offset projects and the reason for any determination that it was not practicable to match the location, pollutant, or environmental medium of the proposed project’s environmental impacts
10. Any negative impacts associated with the offset project

10.2 Has the applicant undertaken any past voluntary improvements that may require them to provide less of an offset than applicants without a similar record of past achievements?

☐ Yes

☐ No

 If yes, describe.

10.3 Complete the Coastal Zone Environmental Impact Offset Matrix at the end of Part 10.

10.3.1 List all environmental impacts in the column labeled “Describe Environmental Impacts”

10.3.2 Reference page numbers of the application or attachment that detail each environmental impact

10.3.3 Describe the environmental offset proposal for each impact

10.3.4 Reference page numbers of the application or attachment that detail the offset proposal

**Environmental Impact Offset Matrix**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Environmental Impact** | **Environmental Impact Description** | **Page #** | **Offset Proposal** | **Page #** |
| Air Pollution |  |  |  |  |
| Solid Waste |  |  |  |  |
| Hazardous Waste |  |  |  |  |
| Flora and Fauna |  |  |  |  |
| Threatened/Endangered Species |  |  |  |  |
| Habitats |  |  |  |  |
| Wetlands |  |  |  |  |
| Site Drainage |  |  |  |  |
| Land Erosion |  |  |  |  |
| Flood Control |  |  |  |  |
| Surface Water |  |  |  |  |
| Groundwater |  |  |  |  |
| Water for Processing |  |  |  |  |
| Water for Cooling |  |  |  |  |
| Water for Effluent Removal |  |  |  |  |
| Glare |  |  |  |  |
| Heat |  |  |  |  |
| Noise |  |  |  |  |
| Odors |  |  |  |  |
| Vibration |  |  |  |  |
| Radiation |  |  |  |  |
| Electromagnetic Interference |  |  |  |  |
| Raw Materials |  |  |  |  |
| Intermediate Products |  |  |  |  |
| Byproducts |  |  |  |  |
| Final Products |  |  |  |  |
| Other Effects |  |  |  |  |

# **Part 11. Attachments or Appendices (figures, tables, maps, forms, etc.)**

11.1 Attachments to this application must include the following documentation, in addition to any documentation not specifically mentioned that may be necessary to fully complete each response:

Map of Project Location

Process Diagram

Safety Data Sheets

Project Site Plan

Project Timeline

Evidence of Ability to Operate Pollution Control Equipment

Environmental Permit Application Background Statement