



City of Cherryvale Excavation Permit Application

	EXCAVATION PERMIT <u>CITY OF CHERRYVALE, KANSAS</u>	NO.
OWNER	JOB ADDRESS	DATE ISSUED
	NAME	RECEIPT NO.
	MAILING ADDRESS	FEE
	CITY	PHONE
CONTRACTOR	NAME	
	ADDRESS	
	CITY	PHONE
ENVIRONMENTAL	<p>WILL THE PROPOSED EXCAVATION INVOLVE DISTURBANCE OF SMELTER RESIDUE MATERIAL (SRM) REQUIRING A PERMIT IN ACCORDANCE WITH CITY ORDINANCES? _____ YES _____ NO</p> <p>If "YES", Applicant must adhere to the provisions outlined in Attachment 1 to this Permit. Check "YES" for any excavation project on private property if access to the property was not granted in the City-wide SRM survey conducted in 2016 under the supervision of the Kansas Department of Health and Environment (KDHE), unless the property has been remediated under the supervision of KDHE or the U.S. Environmental Protection Agency.</p>	



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<ul style="list-style-type: none"><input type="radio"/> NEW<input type="radio"/> ADD<input type="radio"/> ALTER<input type="radio"/> REPAIR<input type="radio"/> DEMOLISH<input type="radio"/> MOVE	PLOT PLAN (INDICATE BUILDING SETBACKS, ABUTTING STREET, ALLEY, ETC.)
SIGNATURE OF APPLICANT	DATE
APPROVED BY	DATE

CITY CLERK



Attachment 1

City of Cherryvale Excavation Permit

Provisions for SRM Disturbance

Note: These provisions apply when smelter residue material and associated impacted soil (collectively referred to as “SRM” in this attachment) is expected to be encountered on or below the surface of the ground (“SRM Disturbance”) within the corporate limits of the City outside the former National Zinc Site (excluding all operating and abandoned railroad rights of way), requiring a permit in accordance with City Ordinances. In addition, a permit is required for any excavation project on private property on which access was not granted in the City-wide SRM survey conducted under the supervision of KDHE in 2016, unless the property has been remediated under the supervision of KDHE or the U.S. Environmental Protection Agency.

Excavation Permit Applicants must adhere to the following:

1. Key Soil-Waste Management Plan (SMP) provisions for a City Excavation Permit. A copy is included with this approved permit as a Quick Reference Guide (“*Required Environmental Provisions for a City Excavation Permit: Quick Reference Guide*”). A simplified brochure providing key highlights related to SRM management during excavation activities is included in this Quick Reference Guide as Attachment 2 (“*Simple Guide: SRM Management During Excavation Activities*”). Complete requirements are published in the SMP (Exponent 2017) for SRM available at the [KDHE website](http://www.kdheks.gov)¹, the City Hall and the Cherryvale Library.
2. Applicable City Ordinances listed below, which provide detailed legal requirements. A copy is included with this approved permit (see Attachment 1 to the Quick Reference Guide).
3. Any special conditions specified by the City in the last section of this attachment.

Applicable City of Cherryvale Ordinances

- Chapter XIII, Article 2, Section 13-201, “Excavation Permit”
- Chapter XV, Article 2, Section 15-214, Subsection (a), “Excavation”
- Chapter XV, Article 5, Section 15-513, “Excavation”

¹ http://www.kdheks.gov/remedial/site_remediation/download/NatZinc_SoilWasteMgtPlan.pdf



- Chapter VIII, Article 9, “Excavations and Miscellaneous”, Section 8-901, “Excavating in or under brick sidewalks and brick driveways on private property”
- Chapter VIII, Article 9, “Excavations and Miscellaneous”, Section 8-902, “Excavating in or under abandoned railroad right-of-way”
- Chapter VIII, Article 9, “Excavations and Miscellaneous”, Section 8-903, “Excavating below orange marker fabric”
- Chapter VIII, Article 9, “Excavations and Miscellaneous”, Section 8-904, “Excavation on private property”
- Chapter VIII, Article 9, “Excavations and Miscellaneous”, Section 8-905, “Collection and disposal of smelter residue material found on the surface of private property”
- Chapter XVI, Article 3, “Zoning Regulations” – Use limitations in Article 4 of the District Regulations

Copies of these Ordinances are provided as Attachment 1 to the Quick Reference Guide included with this approved permit.

Reporting

Excavation Permit Applicants must conduct required reporting as noted in the enclosed Quick Reference Guide. This includes submission of a letter report to the City within 30 days of completion of the SRM disturbance activity, including the following:

- Date, location and extent of SRM encountered.
- Location and extent of SRM residual remaining in-place, including the location and depth of orange marker fabric if installed.
- Transportation company, disposal location, volume of SRM, and dates of transport and disposal, if SRM is removed and disposed.

Special Conditions: