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THIS IS AN OFFICIAL REQUEST FROM THE MINNESOTA POLLUTION CONTROL AGENCY THAT YOU POST THIS NOTICE IN YOUR BUILDING IN A LOCATION CONSPICUOUS TO MEMBERS OF THE PUBLIC.

**PUBLIC NOTICE
REGARDING
SOLID WASTE FACILITY PERMIT**

Public Notice Number: 09-SW-2135

Public Notice Issued On: December 2, 2009

Last Day to Submit Comments: January 4, 2010

Name and Address of Applicant:

Roseau County
606 5th Avenue SW
Roseau, MN 56751

Name and Location of Facility:

Roseau County SW Transfer Station/Demolition Landfill
31660 County Road 13
Salol, MN 56756

Brief Description of Facility: The facility is an existing mixed municipal solid waste transfer station and demolition debris land disposal facility. If approved, the permit will allow the proposed operation for a term of 5 years.

MPCA staff contact:

Kathleen Holland-Hanson, P.E.
Principal Engineer
Minnesota Pollution Control Agency
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NOTICE

The Minnesota Pollution Control Agency (MPCA) has received an application for a permit to continue the operation of the solid waste facility identified above. On September 16, 1996, the Minnesota Pollution Control Agency (MPCA) issued permit SW-518 to Roseau County for the construction and operation of a mixed municipal solid waste (MSW) transfer station on 3.6 acres adjacent to the closed Salol Sanitary Landfill (SW-137). At the time, the transfer station consisted of an office, scale and a 5,000 square foot bi-level concrete tipping pad with eight 22-foot roll-off containers providing a maximum storage capacity of 500 cubic yards. On April 27, 1998, the MPCA issued permit SW-540 to Roseau County for the construction and operation of a demolition debris land disposal facility on 15 acres of the former soil borrow pit for the Salol Sanitary Landfill (SW-137). The landfill provided a design capacity of 170,000 cubic yards for waste and cover materials to be developed in six phases from east to west. On December 21, 2004, the MPCA modified and reissued permit SW-518 combining the demolition debris land disposal facility with the MSW transfer station into one permit and revoked permit SW-540. The permit authorized the disposal of up to 100,000 cubic yards of demolition waste and cover materials in the landfill, and the management of up to 70 tons per day or 20,000 tons per year of MSW at the transfer station, along with the temporary storage of appliances, scrap metal, batteries and tires.

The active fill area of the demolition landfill is located on 7.2 acres along the facility access road on the western portion of the property. The design capacity for the demolition landfill has been increased to 182,975 cubic yards of demolition debris and cover material. At the time of the permit application submittal, 46,961 cubic yards of material

had already been placed in the landfill. If approved, the permit will authorize the placement of up to 117,176 cubic yards of material in the first lift of Phases 1 - 6. Additional airspace may be granted through future repermitting. The demolition debris disposal area accepts materials identified on the MPCA's Approved C & D List as published in the MPCA's Demolition Landfill Guidance, August 2005. As such, the facility is classified as a Class I Demolition Landfill. The draft permit includes a requirement for the applicant to install a groundwater monitoring system prior to reissuance of the next facility permit in five years.

The MSW transfer station consists of an all weather Class V road surface, a 120 foot x 75 foot office/shop which includes storage for electronics and batteries, a 24 foot x 60 foot scale house, an electronic scale, separate storage outdoor areas for scrap metal, appliances and tires, and the outdoor transfer station consisting of eight 22 foot and ten 24 foot roll-off containers on a 5,000 square foot bi-level concrete unloading pad. If approved, it will continue to be a permitted with a capacity of up to 70 tons/day, or 20,000 tons/year. The facility separately stores waste tires for collection and disposal. The facility separately stores metals, electronics, appliances and batteries for recycling.

After review of application materials, the Commissioner of the MPCA has made a preliminary determination to approve the application and issue the permit. The MPCA has developed a draft permit. The MPCA will mail a copy of the draft permit to an interested person upon request to the MPCA staff contact. The file with regard to this permit, including all comments received, will be available for inspection between the hours of 8:00 a.m. and 3:00 p.m. at the MPCA's office located at 714 Lake Avenue, Detroit Lakes, Minnesota. The MPCA will make copies from this file upon request. There is a charge for copy orders greater than twenty pages. To arrange a time to review the file contact the MPCA staff contact. To request information regarding charges for copies, contact Dianne Mitzuk at (615)297-8499.

The procedures that the MPCA will follow with regard to this permit application are set forth in its operating and procedural rules, Minn. Rules chs. 7000 and 7001. Copies of these rules are available on <http://www.pca.state.mn.us/rulesregs/generalrules.html>, at most local libraries, and by request directed to the MPCA. The MPCA strongly recommends that interested persons review these rules.

COMMENTS SOLICITED

By this Notice, interested persons are invited to submit comments to the MPCA on the pending application. If this application concerns modification of an existing permit, comments will only be considered regarding the portion of the permit that is proposed to be modified. To ensure consideration, comments must be received by the last day to submit comments identified above, and should include the following:

- A. A statement of the person's interest in the permit application or the draft permit.
- B. A statement of the action the person wishes the agency to take, including specific references to sections of the draft permit that the person believes should be changed;
- C. The reasons supporting the person's position, stated with sufficient specificity as to allow the commissioner to investigate the merits of the person's positions.

Any submissions should display the public notice number, 09-SW-2135, next to the address on the envelope and on each page of any submitted comments, and include a return mailing address and telephone number. The MPCA will consider all comments received during the comment period and may modify the proposed permit based on those comments.

REQUESTS FOR PUBLIC INFORMATIONAL MEETING, CONTESTED CASE HEARING, AND/OR MPCA BOARD CONSIDERATION

Public informational meeting. A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above under the section of this Notice titled "Comments Solicited" and should in addition include:

- A. A statement of the reasons the person desire the agency to hold a public informational meeting.
- B. The issues that the person would like the agency to address at the public informational meeting.

The Commissioner of the MPCA will hold a public informational meeting if the Commissioner (or the MPCA Board) determines that a public informational meeting would help clarify and resolve issues regarding the Commissioner's preliminary determination to issue the permit or the terms of the draft permit. If a public informational meeting will be held, notice will be published as required under Minn. R. 7001.0120. Comments received from the public during the meeting will be considered by the MPCA.

Contested case hearing. A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. Interested persons may petition the MPCA to hold a contested case hearing on this proposed permit. To be timely, a request for a contested case hearing on a permit **must be received during the public comment period established by this Notice.** The rules of the MPCA establish what must be included in a petition for a contested case hearing, and the standard that the MPCA will apply in determining whether that petition should be granted. *See* Minn. R. 7000.1800-1900. The MPCA strongly recommends that persons petitioning for a contested case hearing review the rules before submitting a petition. If a petition for a contested case hearing is received, the MPCA Board will consider the issuance of the permit and whether the petition for the contested case should be granted.

MPCA board consideration. Interested persons may petition the MPCA Board to consider this permit by asking the Commissioner to place the matter on the MPCA Board meeting agenda, or by asking an MPCA Board member to request that the Commissioner place the matter on an MPCA Board meeting agenda. To be timely, a petition must be served by mail at least 24 days before the meeting during which a petition would like the matter to be considered, or by personal service or facsimile at least 21 days before the meeting. *See* Minn. R. 7000.0650. The MPCA Board will consider the matter if requested by an MPCA Board member. Names and addresses of MPCA Board members are available at <http://www.pca.state.mn.us/about/board/bdlist.html>. The Commissioner may deny a request to place a matter on the MPCA Board meeting agenda, but must inform the MPCA Board members of that decision.

PERMIT ISSUANCE

If there are no requests for a public informational meeting, contested case hearing, or MPCA board consideration, the MPCA Commissioner will make the final decision on the proposed permit. Persons who have submitted comments during the comment period will be notified of the Commissioner's decision.

