

CHAPTER 9215
OFFICE OF ENVIRONMENTAL ASSISTANCE
SOLID WASTE PLANNING; CERTIFICATE OF NEED

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9215.0110 Repealed, 17 SR 1405
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GENERALLY

9215.0500 PURPOSE.

The purpose of this chapter is to: establish requirements for the preparation and implementation of solid waste management plans, ~~plan updates,~~ and plan amendments by counties and solid waste management districts and multi-county areas outside of the seven-county metropolitan area, ~~to encourage regional planning, and to reflect demographic, geographic, regional and solid waste system differences that exist among the counties.~~ The plans, ~~plan updates,~~ and plan amendments must be approved by the Office of Environmental Assistance.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405; L 1999 c 73 s 5

9215.0510 DEFINITIONS.

Subpart 1. **Scope.** As used in this chapter, the terms defined in this part have the meanings given them.

Subp. 2. **Ash.** "Ash" means the incombustible material that remains after a fuel, including solid waste, is incinerated.

Subp. 3. **Composting.** "Composting" means the controlled microbial degradation of organic waste to yield a humus-like product.

Subp. 4. **Construction and demolition debris.** "Construction and demolition debris" means uncontaminated materials resulting from the alteration, construction, demolition, rehabilitation, or repair of buildings, roads, and other artificial structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, plastic building parts, plumbing fixtures, roofing materials, wallboard, carpet, built-in cabinetry and packaging. Construction and demolition debris does not include or is not limited to; asbestos wastes, wood waste treated with chemical preservatives, fluorescent tubes, ballast and high intensity discharge lamps, furniture, mattresses, adhesives including their containers, applicators, or tubes, agriculture chemicals or their containers, appliances, chemical containers, hazardous waste, packaging materials including cardboard, paper, shrink-wrap and Styrofoam, paints, thinners, solvents, varnishes, foundry waste, carpet and padding, batteries, waste containing mercury, petroleum products, containers, filters including oil, grease and fuel.

Subp. ~~4~~⁵. **County.** "County" means a county board of commissioners, established outside the metropolitan area.

~~Subp. 5. **Demolition debris.** "Demolition debris" means solid waste resulting from the demolition of buildings, roads, and other artificial structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts. Demolition debris does not include asbestos wastes.~~

Subp. 6. **Director.** "Director" means the director of the Office of Environmental Assistance.

Subp. 7. **Disposal facility.** "Disposal facility" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 10.

Subp. 8. **District.** "District" means the Western Lake Superior Sanitary District Board or a board established outside the metropolitan area as a solid waste management district pursuant to Minnesota Statutes, sections 115A.62 to 115A.72.

Subp. 9. **Electronic Products.** "Electronic Products" means devices containing complex circuitry, circuit boards and/or signal processing capabilities for processing and/or displaying information. Examples include, but are not limited to, computer monitors, computers, televisions, photocopiers, facsimile machines, video monitors and equipment, telephones

and telecommunications equipment, cordless rechargeable appliances and audio equipment.

Subp. 10. **Feasible:** "Feasible" refers to an alternative that is consistent with sound engineering practices and there is a known method or technology which can successfully be put into practice to accomplish the task.

Subp. 11. **Integrated Solid Waste Management System:** "Integrated Solid Waste Management System means a solid waste management system" that is focused on the preferred hierarchy of waste management practices found in Minnesota Statutes, Section 115.02 with an emphasis on waste reduction and recycling in order to promote resource conservation and environmental protection.-

Subp. ~~91~~~~2~~. **Major appliances.** "Major appliances" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 17a.

Subp. ~~101~~~~23~~. **Metropolitan area.** "Metropolitan area" has the meaning given it in Minnesota Statutes, section 473.121, subdivision 2.

Subp. ~~11~~~~134~~. **Mixed municipal solid waste.** "Mixed municipal solid waste" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 21.

Subp. 145 **Motor vehicle fluids.** "Motor vehicle fluids" means motor oil, brake fluid, power steering fluid, transmission fluid and antifreeze. Ref: Minnesota Statutes, section 115A.916

Subp. 156. **Multi-county area.** "Multi-county area" means a geographical area consisting of two or more ~~than one~~ counties ~~outside~~ all of which are ~~outside the metropolitan area.~~

Subp. ~~12~~~~167~~. **Office.** "Office" means the Office of Environmental Assistance.

Subp. ~~13~~~~178~~. **Person.** "Person" has the meaning given it in Minnesota Statutes, section 116.06, subdivision 17.

Subp. ~~14~~~~189~~. **Plan.** "Plan" means a solid waste management plan prepared under this chapter.

Subp. ~~15~~~~1920~~. **Plan amendment.** "Plan amendment" means a document that is submitted to the Office of Environmental Assistance by a county, ~~or~~ district, or multi-county area when required by this chapter.

Subp. 16. ~~Plan update.~~ "Plan update" means the update of the comprehensive solid waste management plan required by Minnesota Statutes, section 115A.46, and this chapter.

Subp. 201 **Prudent:** "prudent" refers to an alternative that is not expected to result in extraordinary, unusual, or unique impacts more adverse than such impacts from a proposed facility or integrated solid waste management system.

Subp. ~~17~~~~212~~. **Recyclable materials.** "Recyclable materials" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 25a.

Subp. ~~18~~~~223~~. **Recycling.** "Recycling" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 25b.

Subp. ~~19~~~~234~~. **Resource recovery.** "Resource recovery" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 27.

Subp. ~~20~~~~245~~. **Solid waste.** "Solid waste" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 31.

Subp. ~~21~~~~56~~. **Solid waste management.** "Solid waste management" means activities which are intended to affect or control the generation of solid waste and activities which provide for or control the collection, processing, and disposal of solid waste.

Subp. 267. **Source-separated compostable materials.** "Source-separated

compostable materials" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 32a Source-separated organics materials has the same meaning as source-separated compostable materials.

Subp. ~~2872~~. **Waste facility.** "Waste facility" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 35.

Subp. ~~2983~~. **Waste reduction.** "Waste reduction" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 36a.

Subp. ~~30294~~. **Yard waste.** "Yard waste" means the garden wastes, leaves, lawn cuttings, weeds, tree and shrub waste, and prunings generated at residential, commercial, industrial, or institutional properties.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405; L 1999 c 73 s 5

9215.0520 APPLICABILITY.

This chapter applies to all counties, ~~and~~ districts, and multi-county areas outside of the metropolitan area.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

COUNTY ~~AND~~, DISTRICT AND MULTI-COUNTY PLANS

9215.0530 OBLIGATIONS OF COUNTIES ~~AND~~, DISTRICTS AND MULTI-COUNTY AREAS.

Subpart 1. **Implementation.** Each county ~~or~~, district or multi-county area shall maintain and implement a solid waste management plan that has been approved by the office.

Subp. 2. **Sanctions.** A county ~~or~~, district or multi-county area that fails to gain approval and maintain and implement an approved solid waste management plan is in violation of Minnesota Statutes, section 115A.46, and this chapter.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.0540 CONTENTS OF PLANS, ~~UPDATES~~, AND AMENDMENTS.

County ~~and~~, district or multi-county area solid waste management plans, including ~~updates and~~ amendments, when necessary, must describe solid waste management programs for a ten-year period immediately following plan approval and must contain the information required by parts 9215.0550 to 9215.079820. A Plans must reflect demographic, geographic, regional and solid waste system differences that exist among the counties.

STAT AUTH: MS s 115A.06; MS s 115A.46, subd.1(g)

HIST: 17 SR 1405

9215.0550 EXECUTIVE SUMMARY.

A plan must include an executive summary that provides an overview of the county's ~~or~~, district's or multi-county area's integrated solid waste management system proposed in the plan.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.0560 BACKGROUND INFORMATION.

Subpart 1. **Scope.** A plan must contain narrative descriptions and numeric estimates described in this part that identify demographic, geographic and regional characteristics that are inherent within each county, district or multi-county area.

~~A plan must contain narrative descriptions and numeric estimates described in this part.~~

Subp. 2. **Demographic, geographic and regional information.** The plan must include demographic, geographic and regional information that relates or directly impacts the generation or management of solid waste in the county, district or multi-county area to include:

- A. current population distribution and population projections for the next ten years;
- B. current and projected land use patterns;
- C. current and projected employment and wages;
- D. local and regional economic conditions, and median household income;
- E. a summary of demographic, geographical and regional constraints and opportunities that either have or may impact the existing or proposed integrated solid waste management system.

~~The plan must include demographic information that relates directly to the generation or management of solid waste in the county or district or multi-county area, including current population distribution, population projections for the next ten years, land use, employment, local economic conditions, and median household income.~~

Subp. 3. **Solid waste collection and generation.** The plan must include the following solid waste collection and generation information:

- A. an estimate of the amount of solid waste generated annually in the county;
- B. an estimate of the percentages of city and rural residents with solid waste collection service;
- C. an estimate of the annual percentage of solid waste disposed of on site by generators;
- D. the solid waste collection and disposal rate structure, including the current range of residential collection rates, the current range of commercial/industrial collection rates, and financial incentives for waste reduction and recycling;
- E. a description of the composition of the overall solid waste generated in the county ~~or~~ district or multi-county area; and
- F. an estimate of the annual percentage of solid waste from residential and commercial/industrial waste generators.
- G. a summary of solid waste collection and generation constraints and opportunities that either have or may impact the existing or proposed integrated solid waste management system.

Subp. 4. **Construction and Demolition debris.** The plan must include an estimate of the quantity of construction and demolition debris generated annually in the county ~~or~~ district or multi-county area.

Subp. 5. **Major solid waste generators.** The plan must include identification of the major commercial, industrial, and institutional solid waste generators in the county ~~or~~ district or multi-county area, including estimates of the volumes and types of solid waste generated annually.

Subp. 6. **Solid waste planning history.** The plan must describe the history of solid waste planning in the county ~~or~~ district or multi-county area for the previous five years and must:

- A. include a description of any current local and regional planning activities;
- B. include a description of past impediments or barriers to the development of projects on a regional basis; and
- C. address the resolution of conflicting, duplicative, or overlapping local solid waste management efforts.

STAT AUTH: MS s 115A.06

9215.0570 EXISTING INTEGRATED SOLID WASTE MANAGEMENT SYSTEM

Subpart 1. **Content.** The plan must include an overview described in this part on the existing integrated solid waste management system in the county, district, or multi-county area.

Subpart 2. **Existing system.** The county, district or multi-county area shall describe in summary form its existing integrated solid waste management system to include:

- A. Policy and goals;
- B. history in the development of the system to the present;
- C. existing resource recovery programs or facilities presently in use;
- D. land disposal facilities in use;
- E. costs associated with operating and maintaining the system; and
- F. summary of the achievements, opportunities, challenges or problems with the existing system to include, but is not limited to, market and economic conditions, availability of resource recovery programs or facilities and the availability of local and state funding resources.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.0580 PROPOSED INTEGRATED SOLID WASTE MANAGEMENT SYSTEM

Subpart 1. **Content.** The plan or plan amendment must include information described in this part on the proposed integrated solid waste management system that will be developed and implemented in the county, district, or multi-county area. Each system shall be designed to achieve the most feasible and prudent reduction in the need for and practice of land disposal of mixed municipal solid waste.

Subpart 2. **Goals.** The county, district, or multi-county area shall develop and describe: the goals of it's proposed integrated solid waste management system over the ten year planning period. The goals shall be consistent with the following policies and purposes contained in Minnesota Statutes Section 115A.02 (a):

- A. Reduction in the amount of and toxicity of waste generated;
- B. Separation and recovery of materials and energy from waste;
- C. Reduction in indiscriminate dependence on disposal of waste;
- D. Coordination of solid waste management among political subdivisions; and
- E. Orderly and deliberate development and financial security of waste facilities including disposal facilities.

Subpart 3. **Objectives.** The county, district or multi-county area shall describe the specific and quantifiable means including policies and programs that will be implemented to achieve the goals developed and described under Subpart 2. The means or methods shall be described in Sections 9215.0590 through 9215.0730.

Subpart 4. **Landfill disposal system.** Those systems, plans or plan amendments proposing land disposal as the primary management method must include a description of the technical, financial, demographic, geographic, regional and solid waste system constraints or barriers that limit the county's, district's and multi-county area's ability to achieve greater independence from land disposal. The information must demonstrate that there are no solid waste system alternatives that are more feasible and

prudent than the proposed land disposal system.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.0570 ASSESSMENT OF ALTERNATIVES TO A LANDFILL-BASED DISPOSAL SYSTEM.

Subpart 1. **Content.** The plan shall include a discussion of landfill abatement alternatives to land disposal according to this part.

Subp. 2. **Currently using resource recovery.** A county or district that is currently using resource recovery to manage the majority of its solid waste by volume shall evaluate its resource recovery programs to identify opportunities for maximizing resource recovery and minimizing land disposal.

Subp. 3. **Proposing resource recovery.** A county or District that is proposing a resource recovery system must identify mixed municipal solid waste processing alternatives that the county or district analyzed before choosing the proposed system. The assessment shall include a financial analysis, discussion of environmental impacts, and plans and schedules for future studies of the most feasible alternatives analyzed. The county or district must explain why any technologies were eliminated from consideration.

Subp. 24. **Landfill-based system.** If the county proposes to manage the majority of its solid waste for the ten-year period through land disposal, the plan must demonstrate in practical and financial terms why alternative resource recovery options such as source separated organic and mixed municipal solid waste composting or incineration or a combination of other alternatives to land disposal described in 9215.0580 through 9215.0700 are not the most feasible and prudent alternatives. The plan must include an environmental, financial, and technical analysis of the following:

A. existing resource recovery facilities available for use; and

B. technologies available for use or development

including but not limited to, source separated organic and mixed municipal solid waste composting, cocomposting, refuse-derived fuel processing, and incineration.

C. demographic, geographic and transportation considerations;

D. potential partnerships with other counties, districts or multi-county areas to develop and implement alternative waste recovery programs.

In addition, the county or ,district or multi-county area shall develop ten-year system cost projections for the most feasible of the technologies or facilities that the county or ,district or multi-county area considered. This

analysis shall include a ten-year system cost projection for at least one of the following management systems: solid waste composting, co-composting, refuse-derived fuel processing, or incineration.

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HIST: 17 SR 1405

9215.05890 SOLID WASTE REDUCTION.

Subpart 1. **Content.** The plan must include the information on solid waste reduction programs and practices in the county-or , district or multi-county area described in this part.

Subp. 2. **Policies and goals.** The plan must contain a description of the solid waste reduction policies and goals established by the county, , district or multi-county area including the annual amount or quantity of solid waste to be reduced.

Subp. 3. **Existing solid waste reduction practices.** The plan must describe existing public and private sector solid

waste reduction programs in place in the county ~~or~~, district or multi-county area.

Subp. 4. **Specific ~~solid waste reduction programs~~ to be developed.** The plan must describe any new or existing the solid waste reduction programs that the county, ~~or~~ district or multi-county area proposes to maintain or implement or expand in the next ten years, including the responsible persons and annual staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must identify annual costs that will be incurred by the county, ~~or~~ district or multi-county area in implementing and managing solid waste reduction programs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of proposed solid waste reduction programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.059600 SOLID WASTE EDUCATION.

Subpart 1. **Content.** The plan must include the information regarding the solid waste education programs and practices in the county, ~~or~~ district or multi-county area described in this part.

Subp. 2. **Policies and goals.** The plan must contain a description of the solid waste education policies and goals that the county, ~~or~~ district or multi-county area has established and must describe the promotional program that includes publishing quarterly articles pursuant to Minnesota Statutes, section 115A.552, subdivision 3, paragraph (a).

Subp. 3. **Existing solid waste education practices.** The plan must describe existing public and private sector solid waste education programs including solid waste education providers and annual financial and staff commitment in the county, ~~or~~ district or multi-county area.

Subp. 4. **Specific ~~programs~~ to be developed.** The plan must ~~describe~~ any new or existing the solid waste education programs that the county, ~~or~~ district or multi-county area proposes to maintain or implement or expand, including the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must include the projected annual costs incurred by the county, ~~or~~ district or multi-county area for implementing and managing the solid waste education program, including staff time, advertising or publicity materials, and other associated costs, and annual costs for the next ten years.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of proposed solid waste education programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.06010 RECYCLING.

Subpart 1. **Content.** The plan must include the information on the recycling programs and practices in the county, ~~or~~ district or multi-county area described in this part.

Subp. 2. **Policies and goals.** The plan must contain a description of the recycling goals and policies that the county, ~~or~~ district or multi-county area has established to meet or exceed the

recycling goal requirements in Minnesota Statutes, section 115A.551, subdivision 2, the opportunity to recycle requirements in Minnesota Statutes, section 115A.552, and the organized collection requirements of Minnesota Statutes, section 115A.94~~7~~, if a county has organized collection.

Subp. 3. **Existing recycling practices.** The plan must:

A. describe the existing public and private sector recycling system in the county, ~~or district~~ or multi-county area including collection, processing, and marketing, including the number of haulers operating in the county, ~~or district~~ or multi-county area and collection or processing facilities used by haulers in the county, ~~or district~~ or multi-county area; and

B. identify the annual recycling tonnages collected, processed, and marketed by sector or program, for the last ~~two~~ five years, if available, the county's annual financial and staff commitment, and local market conditions for recyclable materials.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ recycling programs that the county, ~~or district~~ or multi-county area proposes to ~~maintain or~~ implement or expand during the next ten years.

The description shall include the annual recycling tonnages to be collected, processed, and marketed, the responsible persons and estimated annual staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or district~~ or multi-county area in implementing and managing recycling programs over the next ten years, including itemized capital and operating costs such as staff time, land, buildings, equipment, redemption costs, and other associated costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of proposed recycling programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.06~~2~~0 YARD WASTE PROGRAMS.

Subpart 1. **Content.** The plan must include the information on the yard waste management programs and practices in the county, ~~or district~~ or multi-county area described in this part.

Subp. 2. **Policies and goals.** The plan must:

A. contain a description of the yard waste separation and composting goals and policies that the county, ~~or district~~ or multi-county area has established;

B. describe methods for identifying the portions of the waste stream such as leaves, grass clippings, tree and plant residue, and paper for use in agricultural practices in accordance with Minnesota Statutes, section 115A.46, subdivision 2, paragraph (d); and

C. recognize the prohibition on disposal of yard waste in the land and at resource recovery facilities in Minnesota Statutes, section 115A.931.

Subp. 3. **Existing yard waste management programs.** The plan must describe existing public and private sector yard waste management programs in the county, ~~or district~~ or multi-county area. The plan must also include an estimated level of backyard composting, the yard waste collection system including licensed haulers, if any; number of county, district, and municipal composting sites; tonnages collected for the last ~~two~~ five years, if available; the

county's, ~~or~~ district's or multi-county area's financial and staff commitment; and local market conditions for finished yard waste compost.

Subp. 4. **Specific programs to be developed.** The plan must describe the any new or existing yard waste programs that the county, ~~or~~ district or multi-county area proposes to ~~maintain or i~~implement or expand during the next ten years, including the annual yard waste tonnage to be collected, processed and marketed, the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district or multi-county area in implementing and managing yard waste programs over the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of proposed yard waste programs described in this part.

Subp. 7. **Environmental risksimpacts of yard waste management.** The plan must briefly describe any odor problems, leachate generation, or other impacts of yard waste management that have occurred in the county, ~~or~~ district or multi-county area.

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HIST: 17 SR 1405

9215.06+530 SOURCE SEPARATED ORGANIC MATERIALS COMPOSTING

Subpart 1. **Content.** Counties, districts or multi-county areas proposing to develop, implement or use source separated organic materials composting programsThe plan must include in the plan information on the source separated organics collection/processing composting programs that are being used or proposed to be used to manage all or a portion of the organic materials generated in the county, district or multi-county area.

Subp. 2. **Policies and goals.** The plan must contain a description ofdescribe the county, district, or multi-county area goals and policies on source-separated organics materials composting.

Subp. 3. ~~Existing source separated materials composting programs.~~ The plan must contain a description of the collection system used to collect source separated organic materials, the amount and types of source separated organic material collected annually, generators of the material, the location of the composting facility, composting methods employed and finished compost marketing efforts.

Subp. 4. **Environmental and public health impacts.** The plan must consider and evaluate known and potential environmental and public health impacts. The plan must include a proposed course of action to alleviate those impacts. For existing facilities, the results of compost testing must be used to evaluate the quality of the finished compost and propose methods to reduce contaminant levels. The plan must include a history of the results of inspections and monitoring by the appropriate state regulatory agency, and assessment of operational safety at the facility during the past five years.

Subp.5 **Specific programs to be developed.** The plan must describe any new or existing source separated composting programs that the county, district or multi-county area proposes to implement or expand in the next ten years, including a description of the proposed collection system used to collect source separated organic materials, the amount and types of source separated organic material to be collected annually and generators of the material, the location of the proposed composting facility, composting methods to be employed and finished compost marketing strategy. Collection. If not described in 9215.0560, subp 3, the plan must contain a description of the collection system used to separately collect source separated organic materials. Including: an estimate of the amount of source separated organic materials to be

collected,
the origin of the source separated organic materials
the collection and disposal rate structure
???

~~Subp. 4. **New or existing source separated organics composting facilities.** If proposing a new facility the plan must:~~
~~identify types and quantities of source separated organic materials to be processed at the facility,~~
~~address waste assurance issues,~~
~~sitting issues, including those raised if expanding an existing facility,~~
~~describe the proposed facility and its operations,~~
~~include a cost estimate for constructing the facility,~~
~~estimate the ongoing O & M costs for the facility, and~~
~~identify markets for composted product, including and estimate sale price for the compost product.~~

~~If proposing to change or expand an existing compost facility, the plan must:~~
~~describe the existing facility, including types and quantities of organic materials currently being processed, how that materials is being processed and the uses for the finished compost,~~
~~describe the impact on the surrounding neighbors of expanding the existing facility,~~
~~describe the changes needed to the existing facility,~~
~~develop projections for the operation of the changed or expanded facility, and~~
~~discuss current markets for finished compost and identify new markets.~~

~~Subp. 5. **Neighborhood, environmental and public health impacts.** The plan must consider and evaluate known and potential neighborhood, environmental and public health impacts. The plan must include a proposed course of action to alleviate those impacts. For existing facilities, the results of compost testing must be used to evaluate the quality of the finished compost and propose methods to reduce contaminant levels, if appropriate. Where appropriate, the plan must include a history of the results of inspections and monitoring by the appropriate state regulatory agency, and assessment of operational safety at the facility during the past two years.~~

~~Subp. 6. **Specific programs to be developed.** The plan must describe the source separated organics composting facility and programs that the county, district or multi-county area proposes to maintain, implement, or participate in during the ten-year planning period, including source separated collection methods, projected volumes, compost marketing, the responsible staff person, and an estimated of staff time necessary to implement or manage each program.~~

~~Subp. 76. **Program Budget.** The plan must estimate the annual cost to be incurred by the county, district or multi-county area in implementing and maintaining a source separated organics composting collection and processing system programs during the ten-year planning period, including itemized capital, operating and maintenance costs.~~

~~Subp. 7. **Schedule of Implementation timeline.** The plan must include a schedule for the implementing implementation of the proposed source separated organics composting facility programs described in this section of the rule part.~~

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HIST: 17 SR 1405

9215.06240 MIXED MUNICIPAL SOLID WASTE COMPOSTING.

Subpart 1. **Content.** Counties, districts and multi-county areas proposing to develop, implement or use mixed municipal solid waste composting must include in the plan~~The plan must include the information described~~
~~in this part, on mixed municipal solid waste composting~~

~~facilities if used or proposed to be used to manage all or a portion of the county's, or district's or multi-county area's mixed municipal solid waste.~~

Subp. 2. **Policies and goals.** The plan must describe the county's, ~~or~~ district's, ~~or~~ multi-county area's goals and policies on mixed municipal solid waste composting.

Subp. 3. **Existing mixed municipal solid waste composting facilities.** The plan must:

A. describe the mixed municipal solid waste composting facility or facilities where the county's, ~~or~~ district's ~~or~~ multi-county area's mixed municipal solid waste is managed; and

B. include information on facility operational history and management, removal of problem wastes, volumes managed, and compost marketing.—

~~Subp. 4. **Environmental and public health impacts.** The plan must consider and evaluate known and potential environmental and public health impacts and propose a course of action to alleviate those impacts. The plan must include results of compost testing, results of inspection and monitoring by the appropriate state regulatory agency, and assessment of operational safety at the facility during the past five years.~~

~~Subp. 4. **Environmental and public health impacts.** The plan must consider and evaluate known and potential environmental and public health impacts and propose a course of action to alleviate those impacts. The plan must include results of compost testing, results of inspection and monitoring by the appropriate state regulatory agency, and assessment of operational safety at the facility during the past two years.~~

~~Subp. 55. **Specific programs to be developed.** The plan must describe the any new or existing mixed municipal solid waste composting facilities and programs that the county, ~~or~~ district ~~or~~ multi-county area proposes to maintain, implement, expand or participate in during the next ten years, including the annual amount or quantity of waste to be composted, the responsible persons and estimated staff time necessary to implement ~~or~~ and manage each program.~~

Subp. 66. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district ~~or~~ multi-county area in implementing and maintaining the mixed municipal solid waste composting programs during the next ten years, including itemized capital and operating costs.

Subp. 7. **Implementation timeline.** The plan must include a schedule for the implementation of the proposed mixed municipal solid waste composting programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.06350 SOLID WASTE INCINERATION AND ENERGY RECOVERY.

Subpart 1. **Content.** Counties, districts and multi-county areas proposing to develop, implement or use solid waste incineration and energy recovery, must include in the plan the information described in this part, on solid waste incineration and energy recovery facilities if used or proposed to be used to manage all or a part of the county's, or district's or multi-county area's mixed municipal solid waste.

Subp. 2. **Policies and goals.** The plan must describe the county's, ~~or~~ district's ~~or~~ multi-county area's goals and policies on solid

waste incineration and energy recovery.

Subp. 3. **Existing solid waste incineration and energy recovery facilities.** The plan must:

A. describe the facility or facilities where the county's, ~~or~~ district's or multi-county area's mixed municipal solid waste is or will be managed; and

B. include information on the operational history, removal of problem wastes, facility management, volumes managed for the past ~~two-five~~ years, and energy marketing.

Subp. 4. **Environmental and public health impacts.** The plan must consider and evaluate known and potential environmental and public health impacts and propose a course of action to alleviate those impacts. The plan must include results of ash and emissions testing, results of inspection and monitoring by the appropriate state regulatory agency, and assessment of operational safety at each facility during the past ~~two-five~~ years. The plan must include the plans and programs for reducing the toxicity and quantity of incinerator ash.

Subp. 5. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ energy recovery facilities and programs that the

county, ~~or~~ district or multi-county area proposes to ~~maintain,~~ implement, expand or participate in during the next ten years, including the annual amount or quantity of waste to be incinerated or recovered, the responsible persons and estimated staff time necessary to implement ~~or~~ and manage each program.

Subp. 6. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district or multi-county area in implementing and maintaining the energy recovery programs during the next ten years, including itemized capital and operating costs.

Subp. 7. **Implementation timeline.** The plan must include a schedule for the implementation of the proposed energy recovery programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.06~~46~~0 LAND DISPOSAL OF MIXED MUNICIPAL SOLID WASTE.

Subpart 1. **Content.** Counties, districts and multi-county areas proposing to develop, implement or use land disposal facilities ~~The plan must include in the plan~~ information on land disposal facilities described in this part. ~~if they are being used or proposed for use to manage all or part of the county's, or district's or multi-county area's mixed municipal solid waste.~~

Subp. 2. **Policies and goals.** The plan must describe the county's, ~~or~~ district's or multi-county area's goals and policies on land disposal.

Subp. 3. **Existing land disposal facilities.** The plan must:

A. identify and discuss the status of closed landfills within the county, ~~or~~ district or multi-county area and whether the county, ~~or~~ district or multi-county area is implementing any programs for mitigating the environmental effects of past disposal practices;

B. describe the land disposal facility or facilities where the county's, ~~or~~ district's or multi-county area's mixed municipal solid waste is managed;

C. include a table indicating the amount received, processed, and disposed during the previous ~~two-five~~ years; and

D. include information on the operational history,

removal of problem wastes, and facility management.

Subp. 4. **Environmental and public health impacts.** The plan must evaluate known and potential environmental and public health impacts of operating and proposed disposal facilities and propose a course of action to alleviate those impacts. The plan must include information summarizing the results of recent inspections by the appropriate state agency, report on the results of ground and surface water monitoring at the facilities, and assess operational safety at each facility during the past two-five years.

Subp. 5. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ land disposal facilities and programs that the county, ~~or~~ district or multi-county area proposes to ~~maintain,~~ implement, expand or participate in during the next ten years, including:

A. the annual amount or quantity of waste to be landfilled; and

AB. the responsible persons and estimated staff time necessary to implement ~~or~~and manage each program; and

BC. the following information about mixed municipal solid waste land disposal programs and practices in the county, ~~or~~ district or multi-county area:

- (1) permitting schedule;
- (2) schedule of phase development;
- (3) status of financial assurance; and
- (4) status of leachate treatment.

Subp. 6. **Program budget.** The plan must estimate the annual costs that will be incurred by the county, ~~or~~ district or multi-county area in implementing and managing the land disposal programs during the next ten years, including itemized capital and operating costs.

Subp. 7. **Schedule of implementation.** The plan must include a schedule for the implementation of the proposed land disposal programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.06~~5~~70 WASTE TIRE DISPOSAL AND RECOVERY.

Subpart 1. **Content.** The plan must include the information in this part on waste tire recovery programs and practices in the county, ~~or~~ district or multi-county area.

Subp. 2. **Policies and goals.** The plan must contain a description of the waste tire disposal goals and policies that the county, ~~or~~ district or multi-county area has established that comply with Minnesota Statutes, section 115A.914, subdivision 3.

Subp. 3. **Existing waste tire practices.** The plan must describe existing public and private sector waste tire disposal programs and practices in place throughout the county, ~~or~~ district or multi-county area. The description must include the waste tire management system including permitted storage and processing facilities, location of known unpermitted tire dumps, transportation and disposal system used by local collectors, annual amount or quantity of waste tires recovered, current end uses of the waste tires, and status of any county solid waste ordinance relative to waste tire management.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ waste tire programs that the county, ~~or~~ district or multi-county area proposes to ~~maintain or i~~implement or expand during the next ten years, including the annual amount or quantity of waste tires to be recovered,

responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district or multi-county area in

implementing or maintaining the waste tire programs during the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of the proposed waste tire programs.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.0680 ~~RE~~ELECTRONIC PRODUCTS

Supart 1. **Content.** The plan must include the information described in this

part on electronic product management programs and practices in the county, district or multi-county area.

Subp 2. **Policies and goals.** The plan must contain a description of the electronic products and management goals and policies that the county, district or multi-county area has established to comply with Minnesota Statutes, sections 115A.9565.

Subp 3. **Existing electronic products management practices.** The plan must describe the existing public and private sector electronic products management programs in the county, district or multi-county area. The description must indicate the process used by the county, district or multi-county area to comply with applicable state, federal, and local regulations for disposal of used electronic products and capture of hazardous waste contained in the ~~appliances~~ products. The description must also include the annual amount or quantity of electronic products recovered, public education efforts, and collection options for processing, recycling and disposal.

Subp 4. **Specific programs to be developed.** The plan must describe ~~the~~ any new or existing electronic products and programs that the county, district or multi-county area proposes to implement and maintain or expand during the next ten years, including the annual amount or quantity of electronic products recovered, public education efforts, collection options for processing, recycling and disposal, the ~~responsible persons and estimated staff time necessary to implement and manage each program.~~

Subp 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, district or multi-county area in implementing or managing the electronic products management programs for the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a time schedule for the implementation of the proposed electronic products management programs described in this part.

STAT AUTH: MS s 115A.956506

HIST: 2003 c 128 art 1 s 12917 SR 1405

9215.06690 MAJOR APPLIANCE MANAGEMENT.

Subpart 1. **Content.** The plan must include the information described in this part on major appliance management programs and practices in the county, ~~or~~ district or multi-county area.

Subp. 2. **Policies and goals.** The plan must contain a description of the major appliance management goals and policies that the county, ~~or~~ district or multi-county area has established that comply with

Minnesota Statutes, sections 115A.552, subdivision 1, and

115A.9561.

Subp. 3. **Existing appliance management practices.** The plan must describe the existing public and private sector major appliance management programs in the county, ~~or~~ district or multi-county area. The description must indicate the process used by the county, ~~or~~ district or multi-county area to comply with applicable state, federal, and local regulations for disposal of used appliances and capture of hazardous wastes contained in the appliances.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ major appliance management programs that the county, ~~or~~ district or multi-county area proposes to ~~maintain or imp~~implement or expand during the next ten years, including the responsible persons, estimated staff time, and education campaigns necessary to implement ~~or and~~ manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district or multi-county area in implementing or managing the major appliance management programs for the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a time schedule for the implementation of the proposed appliance major management programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.0670700 AUTOMOTIVE MERCURY SWITCHES, MOTOR VEHICLE FLUIDS AND FILTERS, USED MOTOR OIL, LEAD-ACID AND DRY CELL BATTERIES MANAGEMENT.

Subpart 1. **Content.** The plan must include the information described in this part on automotive mercury switches, motor vehicle fluids and filters, used motor oil, lead-acid and dry cell battery management programs and practices in the county, ~~or~~ district or multi-county area.

Subp. 2. **Policies and goals.** The plan must contain a description of the automotive mercury switch, motor vehicle fluids and filters, used motor oil, lead-acid and dry cell battery management goals and policies that the county, ~~or~~ district or multi-county area has established that comply with Minnesota Statutes, sections 115A.915, 115A.9155, and 115A.916.

Subp. 3. **Existing automotive mercury switch, motor vehicle fluids and filters, used motor oil, lead-acid and dry cell battery programs and practices.** The plan must describe the existing public and private sector automotive mercury switch, motor vehicle fluids and filters, used motor oil, lead-acid and dry cell battery management programs and practices in the county, ~~or~~ district or multi-county area, including the amount or quantity of materials recovered by type, public education, collection options, processing, recycling, and disposal.

Subp. 4. **Specific programs to be developed.** The plan must describe any new or existing~~the specific~~ automotive mercury switch, motor vehicle fluids and filters, used motor oil, lead-acid and dry cell battery programs that the county, ~~or~~ district or multi-county area proposes to ~~maintain or i~~implement or expand during the next ten years, including the amount or quantity of materials to be recovered by type, the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district or multi-county area in

implementing and maintaining the automotive mercury switch, motor vehicle fluids and filters, used motor oil, lead-acid and dry cell battery management programs during the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of the proposed automotive mercury switch, motor vehicle fluids and filters, used motor oil, lead-acid and dry cell battery management programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.068710 HOUSEHOLD HAZARDOUS WASTE MANAGEMENT.

Subpart 1. **Content.** The plan must include the information described in this part on the household hazardous waste management programs and practices in the county, ~~or~~ district or multi-county area.

Subp. 2. **Policies and goals.** The plan must contain a description of the household hazardous waste goals and policies established by the county, ~~or~~ district or multi-county area that comply with the requirements in Minnesota Statutes, section 115A.96, subdivision 6.

Subp. 3. **Existing programs and practices.** The plan must describe existing household hazardous waste management programs including collection, separation from mixed municipal solid waste, the amount or quantity of materials recovered and education and promotion to reduce the use of household hazardous waste. ~~A description of Very Small Quantity Generator, agricultural pesticide, fluorescent lamp, and product exchange programs must also be included.~~

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the~~ any new or existing household hazardous waste programs that the county, ~~or~~ district or multi-county area proposes to ~~maintain or implement~~ or expand during the next ten years, including, the amount or quantity of materials to be recovered, the responsible persons and estimated staff time necessary to develop and manage each program. These programs must include a broad-based public education component, a strategy for reduction of household hazardous waste, and a strategy for separation of household hazardous waste from mixed municipal solid waste and the collection, storage, and proper management of that waste.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district or multi-county area in implementing and maintaining the household hazardous waste management programs during the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of the proposed household hazardous waste management programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.069720 CONSTRUCTION AND DEMOLITION DEBRIS.

Subpart 1. **Content.** The plan must include the information described in this part on construction and demolition debris management programs and practices in the county, ~~or~~ district or multi-county area.

Subp. 2. **Policies and goals.** The plan must contain a

description of the construction and demolition debris management goals and policies that the county, ~~or~~ district or multi-county area has established.

Subp. 3. **Existing construction and demolition debris practices.** The plan must describe existing construction and demolition debris practices and programs including the amount or quantity of materials recovered and disposed of, and private and public sector Pollution Control Agency permitted facilities.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing construction and~~ demolition debris programs that the county, ~~or~~ district or multi-county area proposes to ~~maintain or implement~~ or expand during the next ten years, including the amount or quantity of materials to be recovered and disposed of, the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, ~~or~~ district or multi-county area for construction and demolition debris programs for the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of the proposed construction and demolition debris programs described in this part.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.07~~30~~ SOLID WASTE ORDINANCE.

Subpart 1. **Content.** The plan must include the information described in this part on the solid waste management ordinance in the county, ~~or~~ district or multi-county area.

Subp. 2. **Status of solid waste ordinance.** The plan must describe the status of the county's, ~~or~~ district's or multi-county area's solid waste ordinance. The plan must list any problems with implementing or enforcing the current ordinance. The plan must include a copy of the county, ~~or~~ district or multi-county area's solid waste ordinance as an appendix item in the plan.

Subp. 3. **Ordinance amendments.** The plan must describe any planned amendments to the ~~county~~ solid waste ordinance. The description must include the responsible persons and estimated staff time necessary annually to monitor or enforce the ordinance.

STAT AUTH: MS s ~~115A.06~~

~~HIST: 17 SR 1405~~ 115A.46, Subd. 2 (h)

9215.07~~40~~ SOLID WASTE STAFF.

Subpart 1. **Content.** The plan must include the information described in this part regarding the county, ~~or~~ district or multi-county area solid waste staff.

Subp. 2. **Existing county, ~~or~~ district or multi-county area solid waste staff.**

The plan must describe existing levels of staffing for solid waste programs in place throughout the county, ~~or~~ district or multi-county area.

Subp. 3. **Future staffing needs.** The plan must include estimates of staffing needed to implement the programs described in the plan.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.07~~25~~0 SOLID WASTE PROGRAM FUNDING.

Subpart 1. **Content.** The plan must include the information described in this part regarding the county, ~~or~~ district or multi-county area solid waste program funding.

Subp. 2. **Policies and goals.** The plan must contain a description of the future solid waste program funding goals and policies that the county, ~~or~~ district or multi-county area has established.

Subp. 3. **Existing solid waste funding practices.** The plan must include a description of the county's, ~~or~~ district's or multi-county area's existing solid waste management financing mechanisms. The plan must indicate the current year and future projected amounts and sources of funding for solid waste programs including:

A. tipping fees at solid waste transfer, processing, and disposal facilities; and

B. governmental subsidies of waste management.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.07~~63~~0 PLAN REVIEW AND ~~TENFIVE~~-YEAR UPDATE.

The plan must contain a description of the process and timelines for developing the county's, ~~or~~ district's or multi-county area's ~~tenfive~~-year update.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.07~~47~~0 GOAL-VOLUME TABLE.

The plan must include a numeric presentation of the county's, ~~or~~ district's or multi-county area's goals and the volumes of solid waste to be managed for a ten-year period immediately following plan approval. It must include the recycling goal as required in Minnesota Statutes, section 115A.551; an estimate of land disposal capacity needed for the ten-year period in acre feet, tons, and cubic yards; and an estimate of remaining capacity at land disposal facilities that will be used. The table must be on-in a format approved by the director.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.07~~58~~0 ITEMIZED SOLID WASTE BUDGET.

The plan must include a projected ten-year county, ~~or~~ ~~D~~district or multi-county area solid waste budget. The budget must include itemized capital and operating costs for each major solid waste program and the annual cost per ton and cost per household. The budget must be in a format approved by the director. A narrative discussion of the financial assumptions used in development of the budget shall be included.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.07~~69~~0 ALTERNATIVES TO PROPOSED SYSTEM.

The plan must include a description of the process that the ~~E~~county, ~~or~~ district or multi-county area will use to evaluate, identify, and implement alternatives to the proposed system if the system described in parts 9215.0~~620~~~~590~~ to 9215.0~~640~~~~730~~ is not developed or has major operational difficulties.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.077800 ENVIRONMENTAL AND PUBLIC HEALTH RISKSIMPACTS.

Subpart 1. **Content.** In addition to the discussion of environmental and public health impacts required in parts 9215.06420 to 9215.06460, the plan must address the county's, ~~or~~ district's or multi-county area's plans and programs for mitigating the environmental and public health risks ~~impacts~~ associated with each item identified.

Subp. 2. **On-site disposal.** The plan must describe plans and programs for mitigating impacts to land, air, surface water, and groundwater and avoiding nuisance conditions from the on-site disposal of mixed municipal solid waste at farms or households.

Subp. 3. **Illegal disposal.** The plan must describe plans and programs for mitigating impacts to land, air, surface water, and groundwater from the practice of illegal disposal.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.07810 SOLID WASTE FACILITY SITING PROGRAM.

Plans that indicate the development of new or expanded waste facilities must contain a detailed siting procedure and development program to ensure the orderly location, permitting, development, and financing of new or expanded solid waste facilities and services sufficient for the ten-year planning period. The procedure and program must be consistent with applicable rules of the office, the Pollution Control Agency, the Department of Natural Resources, the Environmental Quality Board, and other state agencies. The procedure and program must include siting criteria and a program for public participation.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.079820 PUBLIC PARTICIPATION.

Subpart 1. **Documentation.** The plan must explain the methods for documenting public participation during the development and implementation of the solid waste management plan. The plan must include the location of where documentation of public input by interested parties including citizens, public advisory committees, regional authorities, adjacent counties or districts, local units of government, and waste service companies conducting business within the county, ~~or~~ district or multi-county area is kept.

Subp. 2. **Ongoing public input.** The county, ~~or~~ district or multi-county area shall describe a process to ensure the ongoing involvement of and consultation with persons who are concerned with solid waste management including those listed in subpart 1.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

REGIONALMULTI-COUNTY -PLANNING

9215.08030 REGIONALMULTI-COUNTY -PLANNING.

RegionalMulti-county plans prepared by two or more counties is are encouraged. A joint plan, plan update, or plan amendment may be submitted by a regional planning groupmulti-county area formed with the consent of the Directorthrough a joint powers agreement. It must:

A. indicateA. indicate how each county, ~~or~~ district or multi-county area in the region will comply with the county or district goals or responsibilities prescribed in statute or rule;

B. be adopted by each participating county, ~~and~~
District or multi-county area; and
C. delineate the responsibility of each county, ~~or~~
district or multi-county area and ~~the joint powers board~~ with respect to
implementation of the joint plan, ~~plan update~~, or plan amendment.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

APPROVAL AND SUBMITTAL OF PLANS, ~~PLAN UPDATES,~~
AND PLAN AMENDMENTS

~~9215.0810 REQUIREMENTS FOR PLAN, PLAN UPDATE, AND PLAN AMENDMENT
APPROVAL.~~

~~Subpart 1. **Goals and objectives.** Each solid waste
management plan including updates and amendments, when
necessary, must provide for the implementation of policies and
programs that are designed to achieve the state policy as
declared by Minnesota Statutes, section 115A.02, of reducing the
need for land disposal of unprocessed mixed municipal solid
waste to the maximum extent possible.~~

~~Subp. 2. **Ten-year plan.** Each plan must address the
county's, ~~or district's~~ or multi-county area's methods for managing solid
waste in the county, ~~or district~~ or multi-county area for the ten-year
period immediately following adoption of the plan.~~

~~Subp. 3. **Land disposal reduction.** Each solid waste
management plan must contain an integrated solid waste
management system to achieve the most feasible and prudent
reduction in the need for and practice of land disposal of mixed
municipal solid waste. Plans proposing land disposal as the
primary management method must contain technical, financial, and
other documentation demonstrating that there are no solid waste
management alternatives available to manage the solid waste
stream that are more feasible and prudent than the proposed land
disposal. Economic considerations alone will not justify the
rejection of alternatives to land disposal. In determining
feasibility and prudence, the office shall consider the factors
in items A to C.~~

~~A. The plan must include a review of whether the
proposed system is based on proven methods and technologies
capable of commercial scale application and whether the
technologies can be successfully put into practice.
Alternatives that are experimental or theoretical and cannot be
put into commercial-scale application will not be considered
feasible and prudent.~~

~~B. The plan must indicate whether the proposed system
can be implemented consistent with projected revenues and
budgets for solid waste management as prepared under part
9215.0750.~~

~~C. The plan must indicate whether the proposed system
promotes solid waste management practices that minimize adverse
impacts on natural resources.~~

~~STAT AUTH: MS s 115A.06~~

~~HIST: 17 SR 1405~~

9215.08240 SUBMITTAL OF PLANS, ~~PLAN UPDATES,~~ AND PLAN AMENDMENTS
FOR APPROVAL.

Subpart 1. **Draft planPlan.** A county, ~~or~~ district or multi-county area
seeking approval of a solid waste management plan shall submit its draft
plan to the director. The draft plan must contain the
information required in parts 9215.0540 to 9215.079820.

~~Subp. 2. **Plan update.** A county or district seeking~~

~~approval of a plan update shall submit updated information required by parts 9215.0540 to 9215.0790 to the director. In addition, the county, or district or multi-county area shall also provide in the update:~~

A. an evaluation of the progress that has been made since approval of the plan to achieve the goals and policies of the programs proposed in the existing plan;

B. a discussion of the problems that have been encountered by the county, or district or multi-county area in implementing the existing plan and the solutions established;

C. a discussion of the changes in the ~~updated draft~~ plan from the existing plan; and

D. information required by new statutes or rules that have been adopted since the existing plan was approved.

Subp. ~~32~~. **Plan amendment.** A county, or district or multi-county area seeking approval of a plan amendment shall submit the amendment to the director. The county, or district or multi-county area shall include the following information in its amendment:

A. the reasons for the proposed plan amendment;

B. the benefits of the changes proposed in the plan amendment, including: the purposes achieved by the conservation and recovery of resources and the furtherance of any regional waste management programs;

C. the consistency of the amendment with the policies and purposes expressed in Minnesota Statutes, section 115A.02;

D. updated goals and a revised goal-volume table as required in part 9215.07~~470~~;

E. an updated itemized solid waste budget for the county, or district or multi-county area as required in part 9215.07~~850~~;

F. updated implementation information relevant to the changes proposed by the county, or district or multi-county area as required in parts 9215.0570 to 9215.08~~30~~;

G. updated information on environmental and public health risk impacts as required in part 9215.07~~7800~~ and updated waste facility siting information as required by part 9215.07~~8810~~ if new information relating to planned activities has been developed since approval of the plan or ~~plan update plan amendment~~; and

H. for amendments that would result in an increase in the previously certified need for land disposal, documentation that the revised system is now the most feasible and prudent for the county, or district or multi-county area.

Subp. ~~43~~. **Format.** A county, or district or multi-county area submitting a plan, ~~plan update,~~ or plan amendment to the director for approval

shall submit two copies of the plan and accompanying information. The plan must be ~~in a three ring binder,~~ single-spaced, and printed on both sides ~~if possible.~~ An electronic copy of the plan in a format approved by the Director shall may also be submitted with the paper copy.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.08~~350~~ TIMING OF SUBMITTAL.

Subpart 1. **Submittal of plan.** ~~A county or district that has not submitted a solid waste management plan by December 14, 1992, shall submit a draft plan to the office within 90 days of that date.~~

Subp. 2. **Submittal of plan update.** Each county or

~~D~~district or multi-county area shall submit a plan ~~update~~ to the office when six months remains on the approval of the latest plan.

Subp. ~~32~~. **Submittal of plan amendment.** Each county, ~~or~~ district or multi-county area shall submit a plan amendment according to items A to C.

A. Each county, ~~or~~ district or multi-county area shall submit an amendment to the approved plan when the county, ~~or~~ district or multi-county area is proposing to make substantial changes in its solid waste management system from what was contained in the approved plan.

B. If the director determines that an amendment to the plan is required due to substantial changes in solid waste management in the county, ~~or~~ district or multi-county area, including, but not limited to, an increase in the amount of waste needing land disposal, the director shall notify the county, ~~or~~ district or multi-county area in writing of the need to amend its plan. The county, ~~or~~ district or multi-county area shall have six months from the receipt of notice to submit an amendment to the director.

C. If changes in statute or rule require plans to be amended on a schedule other than indicated in plan approval, the county, ~~or~~ district or multi-county area shall submit a plan amendment in accordance with statutory and rule requirements.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.08~~46~~0 REVIEW BY OFFICE OF ENVIRONMENTAL ASSISTANCE.

Subpart 1. **Preliminary review.** On receipt of a draft plan, ~~plan update~~, or plan amendment, the director shall review the draft and notify the county, ~~or~~ district or multi-county area of any part of the submittal that requires redrafting and resubmittal. The office shall complete its review of the draft plan, ~~plan update~~, or plan amendment within 45 days of receipt.

Subp. 2. **Supplemental information.** If advised by the office that a redraft and resubmittal are necessary, the county, ~~or~~ district or multi-county area shall submit its redraft to the director within 90 days of the director's request for a redraft. The redraft shall be reviewed according to the procedures in subpart 1.

Subp. 3. **Preliminary decision to approve plan.** The director shall make a preliminary decision to approve a plan, ~~plan update~~, or plan amendment within 90 days of the county's, ~~or~~ district's or multi-county area's submittal of a draft and all additional information required by the director. When the director makes a preliminary decision to approve a plan, ~~plan update~~, or plan amendment, the ~~director county, district or multi-county area director~~ shall provide public notice of the preliminary decision and an opportunity for public comment in accordance with parts 9215.08~~57~~0 and 9215.08~~68~~0.

Subp. 4. **Preliminary decision to disapprove plan.** If the ~~county, or~~ district or multi-county area does not resubmit a redraft and other additional information in response to a request by the director for the information, the director shall notify the county, ~~or~~ district or multi-county area that the director intends to disapprove the plan, ~~plan update~~, or plan amendment.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405; L 1999 c 73 s 5

9215.08~~57~~0 PUBLIC NOTICE AND PUBLIC COMMENT.

Subpart 1. **Public notice.** The ~~director county or district~~ director shall prepare and issue a public notice of the director's preliminary decision to

approve a plan, ~~plan update,~~ or plan amendment. The public notice must include, at a minimum:

A. the business address and telephone number of the County, ~~or district or multi-county area chair,~~ the address and telephone number of the office, and a statement that additional information may be obtained at these offices;

B. a brief description of the solid waste management plan ~~or plan update~~ or plan amendment, the duration of the approval, and any conditions of the approval;

C. a brief description of the procedures the office will use to reach a final decision on approval of the plan ~~or plan update~~ or plan amendment, including procedures for requesting that the county, ~~or district or multi-county area~~ hold a public informational meeting; and

D. a statement that during the public comment period a person may submit comments to the ~~office county, district or multi-county area~~ office on the plan, ~~plan update,~~ or plan amendment, a statement of the dates on which the public comment period begins and ends, and a statement of the information a person is required to include in the comments.

E. the procedure to request the Director to hold a public meeting.

Subp. 2. **Distribution of public notice.** The ~~director county, district or multi-county area~~ director shall distribute the public notice by:

A. ~~making mailing~~ making a copy of the public notice ~~available at to available at the office-~~ the office;

B. ~~mailing providing mailing~~ mailing a copy of the public notice to the chair of the county, ~~or district or multi-county area~~ whose plan is subject to approval and to the Pollution Control Agency; and

C. by posting the notice in a building or buildings used by the general public in the county, ~~or district or multi-county area~~ whose plan, ~~plan update,~~ or plan amendment is subject to approval, and by placing an advertisement containing the information required in subpart 1 in one or more newspapers of general circulation in the county, ~~or district or multi-county area.~~

~~D. mailing a copy of the newspaper advertisement and affidavit attesting to its date of publication to the office.~~

Subp. 3. **Public comments.** The public shall have a minimum of 30 days to comment on the director's preliminary decision to approve a plan, ~~plan update,~~ or plan amendment. All comments shall be submitted in writing. Comments must include the following:

A. a statement of the person's interest in the plan, ~~plan update,~~ or plan amendment;

B. a statement of the action the person wishes the director to take, including specific references to the plan, ~~plan update,~~ or plan amendment that the person believes should be changed; and

C. the reasons for the person's position, stated with sufficient specificity to allow the director to assess the merits of the person's statements.

Subp. 4. **Extension of comment period.** The ~~director county, district or multi-county area~~ director may extend the public comment period if the ~~director county, district or multi-county area~~ finds an extension of time is necessary to facilitate additional public comment.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.08680 PUBLIC INFORMATIONAL MEETING.

Subpart 1. **Request.** A person may request the director to

hold a public informational meeting on a plan, ~~plan update,~~ or plan amendment. A person requesting a public informational meeting shall submit the following information as part of the request:

A. a statement why a public informational meeting is necessary;

B. the issues the director should address at the public informational meeting; and

C. a proposed time and place for the public informational meeting.

Subp. 2. **Decision to hold public informational meeting.** If the director determines that a public informational meeting would help clarify and resolve issues regarding the plan ~~or plan update~~ or plan amendment, the director shall hold a public informational meeting. The director may decide to hold a public informational meeting without receiving a request from the public.

Subp. 3. **Location of meeting.** The director must hold the public informational meeting in the geographical area of the county, ~~or~~ district or multi-county area included in the plan, ~~plan update,~~ or plan amendment.

Subp. 4. **Notice of public informational meeting.** The director shall prepare a notice of the public informational meeting. The notice must contain a reference to the public notice of the preliminary approval of the plan, ~~plan update,~~ or plan amendment, including the dates of issuance of the public notice; the date, time, and location of the public informational meeting; a concise description of the manner in which the public informational meeting will be conducted; and the issues to be discussed.

Subp. 5. **Distribution of notice.** The director shall publish the notice in a newspaper of general circulation in the geographical area of the plan ~~or plan update~~ or plan amendment, and shall mail a copy of the notice to the county, ~~or~~ district or multi-county area and all other persons determined by the director to have an interest in the plan, ~~plan update,~~ or plan amendment.

Subp. 6. **Joint meeting.** If the director determines that no person would be adversely affected by consolidating two or more plans, ~~plan updates,~~ or plan amendments into one public informational meeting, the director may elect to do so.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.08790 FINAL DECISION.

Subpart 1. **Record.** The director shall consider all information submitted by the county, ~~or~~ district or multi-county area in seeking approval of its plan, ~~plan update,~~ or plan amendment and all information received from the public during the public comment period and all information submitted during the public informational meeting if one was held in making a final decision on the plan, ~~plan update,~~ or plan amendment.

Subp. 2. **Notification.** The director shall notify the ~~county,~~ ~~or~~ district or multi-county area and all persons who submitted public comments or participated in a public informational meeting of the final decision on the plan, ~~plan update,~~ or plan amendment.

Subp. 3. **Approval of plan.** The director shall approve those plans, ~~plan updates,~~ and plan amendments that meet the requirements of parts 9215.0540 to 9215.079810 and 9215.0810. The director's approval shall remain in effect for ~~five~~ ten years unless the director determines that a shorter period of time is

required to ensure that the county, ~~or~~ district or multi-county area implements the plan.

Subp. 4. **Approval of amendment.** The approval of a plan amendment shall not change the due date of the county's, ~~or~~ district's or multi-county area's next plan ~~update~~ unless the director determines in the decision approving the amendment that the amendment eliminates the need to update the plan. If so, the director shall determine when the next ~~update plan~~ will be required.

Subp. 5. **Resolution.** Before final approval of the plan, ~~plan update,~~ or plan amendment, the director shall request the county, ~~or~~ district or multi-county area to submit a certified copy of a resolution, passed by the county, ~~or~~ district or multi-county area, that approves the plan, ~~plan update,~~ or plan amendment as the county's, ~~or~~ district's or multi-county area's solid waste management plan. No approval by the director of a plan, ~~plan update,~~ or plan amendment shall be final until a resolution is received by the office.

Subp. 6. **Submittal of final plan.** On final approval of a ~~plan, plan update,~~ or plan amendment, the county, ~~or~~ district or multi-county area shall submit two copies of the final plan to the director. The plan must be ~~submitted in a three-ring binder, must be~~ single-spaced, and must be printed on both sides of the page ~~if possible.~~ An electronic copy of the plan or plan amendment in a format approved by the Director shall may also be submitted with the paper copy.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405

9215.0~~889~~00 REVOCATION OF APPROVAL.

Subpart 1. **Failure to implement.** The director shall require the county, ~~or~~ district or multi-county area to amend its plan pursuant to part 9215.08~~24~~0, subpart ~~32~~, if the director determines that a county, ~~or~~ district or multi-county plan has failed to implement substantial programs contained in the plan as approved.

Subp. 2. **Failure to amend.** The director shall revoke the approval of a plan if the director determines that a county, ~~or~~ district or multi-county area has failed to submit a plan amendment within six months of being notified by the director that an amendment is required.

STAT AUTH: MS s 115A.06

HIST: 17 SR 1405