



# Minnesota Pollution Control Agency

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August 29, 2012

TO: INTERESTED PARTIES:

RE: Veolia Environmental Services Rolling Hills Mixed Municipal Solid Waste Landfill Project  
Environmental Impact Statement Final Scoping Decision Document

On August 28, 2012, the Minnesota Pollution Control Agency Citizens' Board voted to adopt the Final Scoping Decision Document for the proposed Veolia Environmental Services Rolling Hills Mixed Municipal Solid Waste Landfill Project Environmental Impact Statement (EIS), Wright County. We appreciate the time and effort of those who submitted comments on the Scoping Decision Document. Your input helped to clarify the final documents and will be helpful in moving forward with the EIS.

These documents can be reviewed at the following locations: the MPCA offices in St. Paul; and the Minneapolis Public Library at 300 Nicollet Mall, Minneapolis. The document can also be viewed on our MPCA website at <http://www.pca.state.mn.us/news/eaw/index.html>. Requests for copies of these documents may be made by contacting the St. Paul office at 651-757-2101.

Sincerely,

A handwritten signature in black ink, appearing to read "John Linc Stine".

John Linc Stine  
Commissioner

JLS:mbo

**STATE OF MINNESOTA  
MINNESOTA POLLUTION CONTROL AGENCY**

**SCOPING DECISION DOCUMENT  
VEOLIA ENVIRONMENTAL SERVICES ROLLING HILLS  
MIXED MUNICIPAL SOLID WASTE LANDFILL PROJECT, WRIGHT COUNTY  
ENVIRONMENTAL IMPACT STATEMENT**

An Environmental Impact Statement (EIS) is being prepared by the Minnesota Pollution Control Agency (MPCA) on a proposal by Veolia Environmental Services Rolling Hills Landfill, Inc. (Proposer or Veolia) to construct a new disposal area (Project) at the existing Veolia Landfill (Facility) in Monticello Township, Wright County. The Project will be designed to accept mixed municipal solid waste (MSW), MPCA-approved industrial waste and construction and demolition debris. This EIS is being prepared as a mandatory EIS under the requirements of Minn. R. 4410.4400, subp. 13 (A) for construction of a mixed MSW disposal area for 100,000 cubic yards (cy) or more per year. The MPCA is the responsible governmental unit (RGU) for this EIS. Contacts for the environmental review of the Project are as follows.

	<b>Responsible Governmental Unit</b>	<b>Proposer</b>
Entity	MPCA	Veolia Environmental Services Rolling Hills Landfill, Inc.
Contact	Nancy Drach	Chris Basgall
Title	Project Manager	General Manager
Address	520 Lafayette Road North	175 County Road 37 NE
City, State, ZIP	St. Paul, Minnesota 55155-4194	Buffalo, Minnesota 55313
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## **INTRODUCTION**

The Facility consists of an active industrial waste disposal area and the two closed mixed MSW disposal areas operated and maintained in accordance with MPCA Solid Waste Permit SW-60 and MPCA Air Permit No. 17100089-001. The Facility is located in Monticello Township, Wright County, Minnesota, approximately four miles north of the city of Buffalo. The Facility is located within approximately 470 acres of Veolia-owned property on the south side of Wright County State Aid Highway (CSAH) 37 and east of CSAH 12. Undeveloped and agricultural land is located to the south and east. The surrounding area includes scattered farms and residential dwellings. The predominant land use is agricultural.

The existing permitted capacity includes 5,316,700 cubic yards (cy) for industrial solid waste disposal area and 2,700,000 cy of in closed mixed MSW area maintained by the Proposer. The proposed Project would construct a new disposal area in phases that would encompass approximately 72 acres within a 93-acre grading limit.

The Project is being designed for an ultimate capacity of 11,000,000 cy of mixed MSW. Site life is dependent on actual waste flow quantities. Based on estimates of potentially available waste, the site life is anticipated to be between 25 and 30 years; therefore, the intent of the EIS is to review a project with a maximum timeframe of 30 years. The Project would include systems for leachate management, active gas extraction, surface runoff management, and other ancillary features, as well as wetland mitigation and conservation areas.

## PREVIOUS ENVIRONMENTAL REVIEW

The Facility, originally known as Yonak Sanitary Landfill, first began accepting waste in 1965. The Facility was permitted by the MPCA in 1971, as an unlined mixed MSW disposal facility approximately 52.5 acres in size. The SW Permit (SW-60) has been reissued periodically, in accordance with MPCA solid waste rules.

In 1996, the Facility was acquired by Superior FCR Landfill, Inc. In 1999 it was determined that additional mixed MSW disposal capacity was not needed, at which time the Facility stopped accepting mixed MSW and became an industrial solid waste landfill facility.

## EIS SCOPING PROCESS

The purpose of an EIS is the evaluation and disclosure of information about the environmental effects of the proposed action. The EIS is not intended to justify a project or to recommend approval or denial of future permits. Rather, the information in the EIS is intended to be used by governmental units as a guide in considering permits or approvals for the Project and in identifying measures necessary to avoid or mitigate adverse environmental effects.

In order to reduce the size and bulk of an EIS, Minn. R. 4410.2100 provides that a scoping process be implemented for any EIS. The scoping process identifies only those potentially significant issues relevant to the proposed Project, defines the form, level of detail, content, alternatives, timetable for preparation and preparers of the EIS, and identifies the permits for which information will be developed concurrently with the EIS.

The MPCA distributed a Scoping Environmental Assessment Worksheet (Scoping EAW) and a draft Scoping Decision Document (SDD) as the first step in the EIS process. These documents described the project, issues, impacts, and the alternatives proposed to be addressed in the EIS, the expected schedule of completion, and any studies that are necessary. A public scoping meeting was held on July 9, 2012, from 7:00 to 9:00 p.m. at the Rockford Township Hall, 3039 Degue Avenue SE, Buffalo, Minnesota. The scoping process concludes with the approval of the SDD by the MPCA Citizens' Board. After adoption of the SDD, the EIS preparation phase will begin with the publication of an EIS Preparation Notice in the *EQB Monitor*.

## SCHEDULE

A tentative schedule for the development and review of the draft EIS and final EIS is provided below. The EIS schedule will be coordinated with the submittal of a Certificate of Need (CON) request to the MPCA and the development of MPCA permits. The Proposer will submit applications and supporting information to the MPCA for required permits and approvals, and MPCA staff will develop proposed permits and conduct permit processes concurrent with the EIS process. To the extent possible, MPCA staff will also seek to coordinate EIS preparation with local permit and approval processes.

**Tentative EIS Schedule**

<b>Steps</b>	<b>Date</b>
Scoping EAW distributed, comment period begins	June 11, 2012
Scoping Public Meeting	July 9, 2012
Comment period ends	July 25, 2012
Final Scoping Decision approved (MPCA Citizens' Board Meeting)	August 28, 2012
Draft Certificate of Need (CON) Request submitted to MPCA	September 15, 2012
EIS Preparation Notice published	October 2012
Release of Draft EIS/public meeting	April 2013
Final EIS issued	July 2013
EIS Adequacy Determination	August 2013

## **CERTIFICATE OF NEED**

Minn. R. 9215.0890, subp. 1 provides that applicants for existing or proposed disposal facilities outside of the metropolitan area cannot be issued a permit for new capacity for disposal of unprocessed mixed MSW without a CON issued by the MPCA. Minn. R. 9215.0890, subp. 1 requires that a CON request be submitted before a preliminary solid waste permit application is submitted to the MPCA. The CON application must include an alternatives analysis for the new disposal capacity. That alternatives analysis will be prepared as part of the EIS. The MPCA will review the draft CON request prior to the publication of the EIS Preparation Notice. A final CON request will be submitted when the EIS is complete and must be approved before an MPCA solid waste permit can be issued for the landfilling of unprocessed mixed MSW.

## **RECORD OF DECISION**

Among the objectives for Minnesota's environmental review process are to provide usable information about the primary environmental effects of a proposed Project and to encourage accountability in public and private decision making. A "Record of Decision" documents how EIS information was considered in making the decision.

For the proposed Project EIS, a Record of Decision shall be maintained for the following governmental approvals.

- MPCA Solid Waste Disposal Facility Permit (SW-60)
- MPCA Title V Air Emissions Permit
- MPCA Industrial Stormwater Water Permit
- MPCA CON Decision

## **SCOPE AND CONTENT OF EIS**

This section outlines the issues that will be addressed in the Project EIS as well as those issues that will not be carried forward to the EIS. The information will be presented in the standard format provided in Minn. R. 4410.2300. This will include:

### **Cover Sheet**

The cover sheet will include the name of RGU, the title and location of the proposed Project, the name, address, and telephone number of the MPCA contact person and the Proposer's representative, a designation of the statement as a draft, final or supplement, a one paragraph abstract of the EIS, the date of the public meeting on the draft EIS, and the date following the meeting by which comments on the draft EIS must be received by the MPCA.

### **Summary**

The EIS will include a summary that stresses the major findings, areas of controversy, and the issues to be resolved, including the choice among alternatives.

### **Preparers**

The EIS will contain a list that includes the names and qualifications of the persons who were primarily responsible for preparing the EIS or significant background papers.

### **Project Description**

Environmental Quality Board rules explicitly direct that a proposed Project be described only in sufficient detail to identify its purpose, size, scope, environmental setting, location, and anticipated phases of development.

### **Permits and Approvals**

The EIS will identify the known governmental permits and/or approvals required for the proposed Project along with the unit of government responsible for each decision.

Those permits for which all necessary information has been gathered and presented in the EIS shall be identified.

### **Alternatives**

An EIS is required to include at least one alternative of each of the following types, or provide an explanation of why no alternative is included in the EIS: alternative sites, alternative technologies, modified designs or layouts, modified scale or magnitude, no action/no build, and alternatives incorporating reasonable mitigation measures identified through comments received during the EIS scoping and draft EIS comment periods. For any alternative analyzed in the EIS, the analysis will include a succinct discussion of potentially significant direct or indirect, adverse, or beneficial effects associated with that major alternative.

- **Alternative Sites**

The EIS will evaluate the feasibility of constructing the Project at another site owned by the Proposer at a location near the existing MSW service area. These locations may include Proposer-owned facilities near Eau Claire or Wisconsin Rapids in Wisconsin. The EIS will also evaluate an alternative site within Wright County not currently owned by the Proposer.

- **Alternative Technologies**

Several alternatives for waste processing exist, including composting, refuse derived fuel (RDF), source separation of organics, and mass burn (i.e., incineration). Each of these alternative technologies would still require the use of a landfill for processing rejects and ash disposal, but has the benefit of substantially reducing the volume and weight of wastes that need to be landfilled. Using information from the technical report that will be completed for the EIS, the feasibility of these alternative technologies will be evaluated in the EIS.

- **Modified Designs or Layouts**

The proposed Project must meet specific design specifications that are required by federal, state, and local regulations. The EIS will evaluate the feasibility of modifying the proposed design on the Project site while meeting certain design requirements. These may include changing the proposed footprint, lowering the overall height, modifying the final cover slopes, reclaiming the old unlined MSW disposal area, and different phase development sequencing.

- **Modified Scale or Magnitude**

Landfills are sized to reach optimal capacity in order to maximize the life of the Facility and reduce the need to build additional landfills in a service area. The EIS will evaluate modified scale or magnitude as part of the evaluation of design alternatives.

- **No Build**

The EIS will analyze the No Build alternative, which will be based on information and data used to develop the solid waste technical report that will be completed for the EIS. The analysis will include an inventory of available solid waste management facilities that process waste in the region. Based in the solid waste report analysis, the consequences of the No Build alternative will be evaluated.

### **Environmental Impacts**

The EIS will present information on the topics listed below. Based on the Scoping EAW and comments received, environmental impacts from some areas have been identified as requiring further evaluation in the EIS. For other areas, adequate information and analysis are available and no further evaluation is required for the EIS.

- Project magnitude
- Cover types
- Wildlife

- Water use
- Water surface quality
- Wastewater
- On-site generation of solid waste, hazardous waste, and storage tanks
- Traffic
- Vehicle-related air emissions
- Air quality
- Odors
- Dust
- Land use and planning
- Historical and archeological resources
- Nearby resources (cultural resources and prime farmland)
- Public infrastructure

The potential environmental impacts that will be evaluated in the EIS, along with proposed mitigation measures, will be evaluated based on studies already completed and/or currently underway for the proposed Project. The studies are listed for each of the potential environmental impacts.

- Ecologically Sensitive Resources  
The EIS will discuss the ecologically sensitive resources on the Project site that could potentially be impacted by the proposed Project. These resources are to include, but not be limited to, rare plants and habitat. Previous studies will be used as a basis for evaluation of the potential impact on these resources. These studies include: *Veolia ES Rolling Hills Property Rare Plant Survey* (November 2011), Minnesota Department of Natural Resources Natural Heritage Database Review (January 2012), and *Wetlands Delineation Report* (September 2011). Necessary mitigation measures will be identified and evaluated as part of the EIS, including avoidance and minimization through the alternatives analysis.
- Water Resources  
The EIS will identify and discuss the water resources within and in close proximity to the Project site. The EIS will describe regulations associated with development and/or water quality standards that may apply to these water resources. The EIS will evaluate the potential impacts of the proposed Project on these water resources, including potential direct and indirect impacts to wetlands based on the *Wetlands Delineation Report* (September 2011). Mitigation measures will be identified, as needed, and evaluated as part of the EIS, including avoidance and minimization through the alternatives analysis.
- Groundwater  
A technical report on groundwater will be prepared. Information from the report will be presented in the EIS to identify and describe the groundwater regulations and groundwater quality standards applicable to the proposed Project, and assess groundwater impacts. The groundwater assessment will utilize existing data collected from hydrogeologic investigations that were previously completed for the *Phase I Hydrogeologic Report and Phase II Investigation* (October 2011). The Proposer will also conduct groundwater modeling after MPCA review and approval of the proposed design. Additional available data will also be used to complete EIS analysis for potential groundwater impacts. This information will be used to address the following issues.
  1. Soils and geologic conditions at the Project site
  2. Hydrogeologic conditions in the vicinity of the Project site
  3. Groundwater modeling for the Project site
  4. Proposed groundwater monitoring system and program for the project site

- Surface Water Runoff  
The EIS will identify and describe applicable stormwater regulations, including construction and industrial stormwater requirements. The EIS will describe the stormwater management practices to be employed at the Project site and compare the quantity, quality, and velocity of surface runoff waters from the Project site before development of the proposed Project, during initial construction, during ongoing operation and development, and after final closure. This comparison will use a 25-year 24-hour storm event, as well as a 100-year storm scenario, and will include a comparison of the potential changes in quantity of sediment loading from surface runoff waters routed to different watersheds. Evaluations will be based on the new design features of the proposed Project. The EIS will also identify the routes of stormwater runoff to adjacent wetlands and discuss the ability of these wetlands to handle the potential change in hydraulic and sediment loading during a 25-year and 100-year storm event.
- Solid Waste Management  
A technical report will be prepared as part of the EIS to illustrate MSW generation in the region, and the proposed quantities of MSW as a result of the proposed Project. The MPCA will evaluate the information and compare it to information that MPCA tracks regarding capacities at existing MSW landfills, to determine if there is a need for new MSW landfill capacity. The technical report will also identify and analyze existing mixed MSW landfill capacity within the region and evaluate how the proposed Project fits into the overall waste management system within the state and region. This report will be prepared using currently available data and information and through consultation with entities within the region including Wright County, surrounding counties, and the MPCA.
- Stationary Source Air Emissions and Odors  
A technical report will be prepared on air quality and air permitting considerations, including a discussion of the direct and indirect greenhouse gas emission sources related to the proposed Project, using the most recent MPCA environmental review guidance. A detailed evaluation of the potential impacts and the mitigation of odor from the proposed Facility will be provided in the air quality technical report. In addition to the information included with the Scoping EAW and the air quality technical report, the EIS will identify additional modifications and mitigation that may be needed to the existing odor control measures.
- Noise  
The EIS will include and discuss the results of the impact study submitted as part of the Scoping EAW and evaluate the feasibility of the alternative on-site operational truck route identified in the noise impact study submitted as part of the Scoping EAW. Additional on-site alternative operational routes may also be developed and evaluated.
- Visual Impacts  
The EIS will evaluate potential visual impacts through analysis and graphical illustration. The evaluation will examine different phases of development and potential impacts from different vantage points and receptors near the Project site. In addition to the key locations selected, the illustrations will include the “no build” alternative. Potential mitigation opportunities and costs will be provided, as needed, through computerized renderings and will include screening of receptors with the use of berms, fences, vegetation, and mitigation landscaping and screening.
- Compatibility with Land Use  
The EIS will identify and summarize the local, regional, state, and federal land use plans and regulations that affect the proposed Project. Compatibility with current and proposed, known long-term surrounding land uses will be identified, including potential conflicts with surrounding recreational and residential uses located within one-quarter of a mile from the boundaries of the Project site.

- **Cumulative Effects**

The EIS will evaluate the cumulative effects of the known solid waste activities that would occur within the vicinity of the proposed Project. These include activities occurring on the Project Proposer's property (i.e., the existing active industrial solid waste disposal area, the closed municipal solid waste disposal areas, and proposed construction project) and activities occurring on Wright County property (i.e., Wright County recycling facility). A cumulative effects discussion will be included under each topic area carried forward to the EIS.

**Economic and Sociological Impacts**

The EIS will discuss the potential for the Project and major alternatives to directly and indirectly affect local economic and social conditions. The proposed Project's impact on cost to the user of the Facility and general public will be identified. The effect of the proposed Project on regional and county solid waste system costs and public economic risks will be evaluated. This assessment will include a discussion of the effects resulting from early closure of the Facility and will compare predicted costs with present disposal costs and cost for the "no build" alternative. The EIS discussion will also include the potential for beneficial as well as adverse effects on tax base and property values.

**Mitigation Measures**


For those instances where the impact analyses have identified the potential for adverse effects, the EIS will identify reasonably available measures that could lessen or eliminate the adverse effect. The types of measures that may result in significant mitigation of impacts range from facility specific modifications in design and/or operation or broader policy-based action at all governmental levels. Mitigation measures that could reasonably be applied to eliminate or minimize adverse environmental effects will be identified in the EIS in both the section describing environmental effects, and in a separate section for permitting reference.

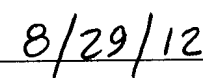
**APPENDICES**

Appendices may be included in the EIS, when applicable: a) material prepared in connection with the EIS, as distinct from material that is so prepared and that is incorporated by reference; b) material that substantiates any analysis fundamental to the EIS; and c) permit information that was developed and gathered concurrently with the preparation of the EIS.

**MATERIAL INCORPORATED BY REFERENCE**

Materials may be incorporated by reference to reduce the bulk of the EIS. Such materials will be cited in the EIS, and its content will be briefly described. Generally, these materials will not be distributed for public review, but will be available for inspection at the MPCA office in St. Paul or be accessible via the MPCA website.

  
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Commissioner John Linc Stine  
Chair, Citizens' Board  
Minnesota Pollution Control Agency

  
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Date