



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

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July 19, 2012

Mr. Michael Roske
Petitioners' Representative
12487 Collegeville Road
St. Joseph, MN 56374

Re: Huls Brothers Trucking, Inc.

Dear Mr. Roske:

On June 14, 2010, the Minnesota Pollution Control Agency (MPCA) received your petition for an Environmental Assessment Worksheet (EAW) on the proposal by Huls Brothers Trucking, Inc. to expand their turkey litter storage area capacity from 250 tons to 4,000 tons. MPCA staff determined that because the proposed activity at the site primarily involved manure storage, the preparation of an EAW for the proposal was likely to be mandatory because of the corresponding number of animal units associated with the proposed increase in manure storage capacity. Prior to making a formal determination on this question, the project proposer volunteered for an EAW on August 9, 2010.

On May 29, 2012, the proposer informed MPCA staff that he did not intend to proceed with the original proposal, but, rather, intended to pursue a smaller project that would reduce the proposed capacity to 1,540 tons. This would correspond to 990 animal units; hence, an EAW would not be mandatory under Environmental Quality Board (EQB) Rules pertaining to animal feedlot projects (Minn. R. 4410.4300, subp. 29). Furthermore, a project of this size may be exempt from environmental review pursuant to EQB Rules, unless it lies in a "sensitive area" such as shoreland and floodplains. After consultations with the Minnesota Department of Natural Resources and Stearns County, it does not appear that the site is located within either of these protected areas.

The duration of effect of a petition for an EAW is one year from the date on which it was filed with the EQB. This is specified in Minn. R. 4410.1100, subp. 9. As indicated above, MPCA staff concluded that the project for which the petition was filed had been withdrawn and that the project subsequently proposed is substantially different from the project that was identified in the petition. Consequently, an EAW will not be prepared on the original project, and the petition is no longer in effect. Governmental actions to grant permits or approvals for the current proposal are no longer prohibited.

Mr. Michael Roske

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If you have any questions, please don't hesitate to contact me at 651-757-2181.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Affeldt", with a stylized flourish at the end.

Craig Affeldt
Supervisor, Environmental Review Unit
Resource Management and Assistance Division

CA:mbo

cc: John Huls, Huls Brothers Trucking, Inc.

Becky Von Holdt, Stearns County Environmental Services Department

William Lynott, MPCA – St. Paul

George Schwint, MPCA – Willmar

Brian Schwiess, MPCA – St. Paul

Justin Barrick, MPCA – Brainerd

John Pokorney, MPCA – Brainerd

Ken Moon, MPCA – St. Paul