

**STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY**

**In the Matter of the Decision
on the Need for an Environmental
Impact Statement for the Proposed
Wilmarth Ash Disposal Facility Expansion, SW-298**

**FINDINGS OF FACT
AND CONCLUSIONS**

Northern States Power (NSP) is proposing to expand its ash disposal facility in Mankato, Minnesota. Pursuant to Minn. R. 4410.1000 - 4410.1600, Minnesota Pollution Control Agency (MPCA) staff has prepared an Environmental Assessment Worksheet (EAW) for the project. Based on the EAW and comments or information received during the EAW comment period, the MPCA hereby makes the following Findings of Fact and Conclusions.

FINDINGS OF FACT

I. PROJECT DESCRIPTION

A. Project Proposal.

NSP is proposing to expand its ash disposal facility horizontally to the east and south immediately adjacent to the existing landfill to provide future capacity at the site at the same time it repermits its ash disposal facility. NSP submitted a repermit application to the MPCA (November 1998) and included development of additional cells (cells 5-10) to provide future capacity at the site, as well as permit reissuance for the entire facility. The repermit application proposes to increase the disposal capacity at the site by 989,550 cubic yards bringing the total ultimate disposal capacity at the facility to 1,646,400 cubic yards. The increase in permitted capacity will provide NSP with disposal capacity to the year 2016.

B. Project Site.

The expansion area is immediately adjacent and contiguous to the existing Ash Disposal Facility. The NSP Wilmarth Ash Disposal Facility is located in the N $\frac{1}{2}$ of Section 32, Township 108N, Range 27W in Blue Earth County, Minnesota (approximately 3.5 miles southwest of Mankato). The landfill portion of the facility is located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, and the sedimentation pond is located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32. The property encompasses an area of approximately 42 acres. The property immediately to the northeast is owned by Blue Earth County and is operated as the Ponderosa Sanitary Landfill (MPCA Solid Waste Permit SW-87).

The site is situated in an old abandoned river meander, now an alluvial terrace, lying approximately 50 feet above the present level of the Blue Earth River. Consequently, it is not in the 100-year floodplain, despite its proximity to the river. The Blue Earth River lies approximately 600 feet to the northwest of the fill at its nearest point.

C. Major Elements.

CELL CONSTRUCTION

Liner Design. The new ash disposal cells will be constructed with a single synthetic upper liner with primary leachate collection, which is underlain with a composite lower liner with secondary leachate collection.

Leachate Collection. The facility produces leachate, consisting predominantly of rain and snow melt, which infiltrates the ash and percolates through it to the leachate collection system. The leachate collection system consists of perforated pipes bedded in coarse aggregate. Leachate enters the perforated pipes and flows by gravity to a lift station, which pumps it to a 20,000-gallon leachate storage tank. All of the leachate collected in this system is transported from the landfill in tanker trucks capable of transporting 6,000 gallons per trip. The leachate is discharged to an intercept located at the Mankato Wastewater Treatment Plant (WWTP). No other wastewater is produced or treated at the site.

FACILITY OPERATION

Ash Placement and Operation. Ash delivered to the site would be placed in the cell by spreading and compacting the daily ash in 1-foot lifts. Ash lifts will be built on top of each other to a maximum height of 8 feet. The lifts will then be covered with 1 foot of intermediate cover. Intermediate cover will consist of clays and silts or other low permeability soils.

Final Cover Design. The final cover is designed to contain or divert precipitation from filled areas of the site. The cover soils will consist of 18 inches of on site soil or topsoil. The upper six inches will be topsoil capable of sustaining vegetation. The final cover topsoil layer will be mulched and seeded with shallow-rooted, drought-tolerant grasses.

Surface Water Control. The final cover run off produced by the design storm at this site will be directed through two sedimentation basins, which will manage, although not contain, the complete volume of the storm event. The ponds have been designed to manage the 25-year, 24-hour Type II storm event of 5.0 inches.

Site Security and Reporting. Access to the site is controlled by Blue Earth County. NSP in conjunction with Blue Earth County will maintain adequate security at the site to control unauthorized access and allow only ash disposal. NSP will keep an operating record of all site activities, including a log of ash volumes placed and the amount of leachate generated and transported for treatment and/or disposal. NSP will perform routine inspections to ensure all equipment is operational and functioning properly. Inspections and maintenance plans will apply to the leachate collection system, the ground water monitoring system, and landfill operation equipment.

Post - Closure. A series of monitoring wells will be placed around the ash disposal facility to detect any groundwater contamination throughout the proposed site life and for at least 30 years after the site is closed, which is consistent with current regulations. Future regulations may change this time period. The disposal facility will be inspected and monitored during operation and for at least 30 years following closure. NSP will provide financial assurance for closure, contingency action, and the long-term monitoring and maintenance of the site.

ENVIRONMENTAL MONITORING

To assure that its facilities are operated in an environmentally-sound manner, NSP has established numerous monitoring programs to assess and monitor the effect or potential effect of facility operations on the environment.

Leachate Monitoring Program. The Wilmarth Ash Disposal Facility is designed so that all of the water that runs over the surface of the ash (contact water) and the water that percolates through the ash (leachate) is collected in a leachate storage tank. NSP routinely monitors the chemical composition of the leachate collected at the Wilmarth Ash Disposal Facility. The contents of this tank, also referred to as leachate, is delivered via tanker truck to the Mankato WWTP, where it is treated along with municipal wastewater from the city of Mankato. In the event that the Mankato WWTP is

not available for use, NSP would use one of the approved Metropolitan Council Environmental Services WWTP in the Minneapolis/St. Paul area.

Ground Water Monitoring. The purpose of this monitoring is to assess the impact, if any, on the local ground water. To date, as stated in the 1998 NSP Annual Report for the site, no significant water quality impacts as a result of landfill operations have been found.

Surface Water Monitoring. Sedimentation ponds will be monitored at a frequency of three times/year to determine if surface water is carrying contaminants from the ash disposal area. The site is designed with the purpose of containing all ash contaminated liquids in the leachate handling system. Testing of the surface water ponds will indicate if any surface water is coming in contact with the ash.

Ash Evaluation Program. The results from the testing of the ash generated from the Wilmarth Ash Disposal Facility showed that the ash is not hazardous, and therefore may be disposed of in accordance with the rules promulgated by the MPCA in April of 1992.

II. PROJECT HISTORY

- A. The project involves construction of a mixed municipal solid waste energy recovery facility ash landfill receiving ash from an incinerator that burns refuse-derived fuel or mixed municipal solid waste.
- B. An (EAW) was prepared on the proposed project and distributed to the Environmental Quality Board mailing list and other interested parties on April 16, 1999.
- C. A press release containing the notice of availability of the EAW for public review was provided to media serving the project area on April 19, 1999.
- D. The public comment period for the EAW began on April 19, 1999, and ended on May 19, 1999. Comment letters from the Minnesota Department of Natural Resources, Minnesota Historical Society and a concerned citizen were received during the 30-day comment period. Responses to comments received have been prepared by MPCA staff and are hereby incorporated by reference.

III. CRITERIA FOR DETERMINING THE POTENTIAL FOR SIGNIFICANT ENVIRONMENTAL EFFECTS

In deciding whether a project has the potential for significant environmental effects, the MPCA must consider the four factors set out in Minn. R. 4410.1700, subp. 7.A. These criteria are A) the type, extent, and reversibility of environmental effects; B) cumulative potential effects of related or anticipated future projects; C) the extent to which the environmental effects are subject to mitigation on ongoing public regulatory authority; and D) the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other Environmental Impact Statements (EISs). The MPCA findings with respect to each of these issues are set forth below.

A. TYPE, EXTENT, AND REVERSIBILITY OF ENVIRONMENTAL EFFECTS

The first factor that the MPCA must consider is the "type, extent, and reversibility of environmental effects," Minn. R. 4410.1700, subp. 7.A. The MPCA findings with respect to each of these issues are set forth below.

1. Ecologically Sensitive Resource.

The National Heritage database compiled by the Department of Natural Resources (DNR) was searched for sensitive ecological resources in or near the proposed site expansion. Portions of Blue Earth County were recently surveyed (summer 1998). The location of the proposed expansion was not surveyed, however, similar natural areas in the vicinity, only 2.5 miles east of the facility, were found to contain a state species of special concern, the snow trillium. Also found, to a lesser extent, was the American ginseng. According to the County Biological Survey Ecologist it is very likely, therefore, that these species may also be present on the slopes to the south and southeast of the facility. A survey was conducted by Joel Anderson (DNR), Ken Frederick, and Jean Lundquist (Blue Earth County) and Sharon Sarappo (NSP). The results of the survey found that there were literally hundreds of snow trillium present not only on the wooded slopes near the landfill expansion area, but throughout all the wooded slopes surrounding this site, including the landfill entrance road. A voucher specimen was collected. All areas surveyed contained snow trillium. Other spring wildflowers present included Dutchman's breeches, dog-tooth violet, hepatica, bloodroot, and woodland anemone. The snow trillium is present in the landfill expansion area. However, since the snow trillium population is well established throughout the entire area surrounding the landfill, the taking of a few plants during construction of the additional cells is not expected to cause a significant impact. By definition, a species is considered a species of special concern if, the species is not endangered or threatened, it is extremely uncommon in Minnesota, or has unique or highly specific habitat requirements and deserves careful monitoring of its status. According to the Minn. R. Ch. 6134.0150, "Species designated as species of special concern are not protected by Minnesota statutes, section 84.0895, or rules adopted under that section." NSP will work with the DNR to design appropriate mitigation measures for the protection of the snow trillium if necessary. The MPCA finds that the approach to the identification and protection of this species of special concern will be protective of the resource.

2. Installation of New Wells. New monitoring wells will be installed, and existing ones will be abandoned as part of the Environmental Monitoring System. The MPCA finds that installation and/or abandonment of wells at this site by licensed well drillers will be protective of ground water.
3. Erosion and Sediment. Approximately 56,000 cubic yards will be excavated for the expansion. Fill requirements are 65,000 cubic yards. The remaining fill requirement will be obtained from an on site stockpile. All soils adjacent to the landfill are susceptible to erosion if vegetation is removed. Construction activities at the landfill will require preparation of an erosion control plan, and a National Pollutant Discharge Elimination System (NPDES) construction activity permit will be obtained if more than five acres are disturbed. Erosion and sedimentation control measures to be employed during and after construction include mulching, rapid-growing vegetation, fabric mats, hay bales, filter barriers, and sediment traps. The cap of the landfill will be planted with shallow-rooted native prairie grasses and forbs. A sedimentation pond is included in the design of the landfill. Drainage ditches will generally be grass-lined. Where high run-off velocities are expected, ditches will be rock-lined to provide further erosion protection. Run-off erosion and sedimentation will also be controlled by minimizing the amount of land being graded at any one time. Wind erosion during construction will be minimized by the use of water, as necessary. Any soils where vegetation is disturbed or removed would be revegetated by seeding and mulching. The MPCA finds that with the implementation of these measures, the potential environmental effects of the project related to erosion and sedimentation are not significant.

4. **Dust.** Dust can be generated by a number of sources on and off-site both during and after construction. The issue of refuse derived fuel (RDF) combustor ash dusting has been raised and evaluated in several previous EAWs or permits for ash storage facilities. Concerns have been raised that ash deposited on the site would be subject to wind erosion and therefore create fugitive dust emissions. NSP has conducted an air modeling study at Becker, Minnesota for the RDF Landfill to determine the likelihood of wind erosion of RDF ash. Previous studies have determined that ash dusting would not occur in sufficient quantities to cause detrimental impacts to humans or the environment. The low concentrations of heavy metals and organics present in the ash would also minimize potential environmental impacts. A number of measures would be taken to ensure that fugitive dust is not a serious problem. The moisture content of the ash is similar to that of a moist sand (22 to 29 percent) and is self-cementing. The ash would be compacted and moist ash would be periodically added to increase the moisture content. This would be the primary method used to prevent significant ash dusting. Site operations would be restricted during windy weather to prevent significant ash dusting problems. The exposed surfaces for ash filling would also be minimized and the site would be re-seeded after placement of intermediate and final cover. Observations at the Wilmarth landfill indicate that the combined bottom and fly ash tend to solidify on the surface layers. This crust also helps to prevent significant ash dusting. These factors, in conjunction with the proper operation of the landfill, reduce the potential for fugitive dust releases. The MPCA finds that with the implementation of these measures, the potential environmental effects of the project related to dust are not significant.
Leachate Treatment. The Mankato WWTP processes over two billion gallons of wastewater per year, of which 1.5 million gallons is NSP leachate. This represents less than one percent of the total volume of wastewater processed at the WWTP. The WWTP removes solids from the effluent by precipitating them out in the sludge. Approximately 75 percent of the solids are precipitated into the sludge. Within that sludge are metals which had previously been contained in the effluent. Sludge generated at the WWTP is disposed of according to Minn. R. Ch. 7041. The leachate collected at the NSP Wilmarth Ash Disposal Facility is treated at the WWTP, where metals are removed from the waste stream through precipitation into the sewage sludge. This wastewater goes through several additional treatments with disinfecting chemicals such as chlorine. The treated water is then released into the Minnesota River. This treated wastewater must meet NPDES standards established by the Clean Water Act and enforced by the MPCA and the US Environmental Protection Agency. In addition, the Mankato WWTP conducts bioassays for acute and chronic toxicity of the water released to the Minnesota River. The acute toxicity testing is performed in January, while the chronic toxicity testing is conducted in April, June and October. The bioassay testing of the water samples is conducted on a fish, fathead minnow (*Pimephales promelas*) and two invertebrate species, water fleas (*Ceriodaphnia dubia* and *Daphnia magna*). The data for the testing of the wastewater from the Mankato WWTP show that the wastewater is not acutely toxic to the species tested. These data are reported to the MPCA. The MPCA finds that the level of wastewater treatment to be required by the proposed discharge permit will protect the water quality of the receiving waters, the Mississippi River, and its associated use for fisheries and recreational purposes.
5. **Leachate Treatment.** The Mankato WWTP processes over two billion gallons of wastewater per year, of which 1.5 million gallons is NSP leachate. This represents less than one percent of the total volume of wastewater processed at the WWTP. The WWTP removes solids from the effluent by precipitating them out in the sludge. Approximately 75 percent of the solids are precipitated into the sludge. Within that sludge are metals which had previously been contained in the effluent. Sludge generated at the WWTP is disposed of according to Minn. R. Ch. 7041. The leachate collected at the NSP Wilmarth Ash Disposal Facility is treated at the WWTP, where metals are removed from the waste stream through precipitation into the sewage sludge. This wastewater goes through several additional treatments with disinfecting chemicals such as chlorine. The treated water is then released into the Minnesota River. This treated wastewater must meet NPDES standards established by the Clean Water Act and enforced by the MPCA and the US Environmental Protection Agency. In addition, the Mankato WWTP conducts bioassays for acute and chronic toxicity of the water released to the Minnesota River. The acute toxicity testing is performed in January, while the chronic toxicity testing is conducted in April, June and October. The bioassay testing of the water samples is conducted on a fish, fathead minnow (*Pimephales promelas*) and two invertebrate species, water fleas (*Ceriodaphnia dubia* and *Daphnia magna*). The data for the testing of the wastewater from the Mankato WWTP show that the wastewater is not acutely toxic to the species tested. These data are reported to the MPCA. The MPCA finds that the level of wastewater treatment to be required by the proposed discharge permit will protect the water quality of the receiving waters, the Mississippi River, and its associated use for fisheries and recreational purposes.
6. **MPCA Findings.** The MPCA finds that the project as it is proposed does not have the potential for significant environmental effects.

B. CUMULATIVE POTENTIAL EFFECTS OF RELATED OR ANTICIPATED FUTURE PROJECTS

The second factor that the MPCA must consider is the "cumulative potential effects of related or anticipated future projects," Minn. R. 4410.1700, subp. 7.B. The MPCA findings with respect to this factor are set forth below.

1. The proposed project is intended to provide capacity for the disposal of RDF ash from NSP’s Wilmarth stream plant for the next 16 years.
2. The MPCA finds that there are no related or anticipated future actions which could result in cumulative, adverse, environmental effects.

C. THE EXTENT TO WHICH THE ENVIRONMENTAL EFFECTS ARE SUBJECT TO MITIGATION BY ONGOING PUBLIC REGULATORY AUTHORITY

The third factor that the MPCA must consider is "the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority," Minn. R. 4410.1700, subp. 7.C. The MPCA findings with respect to this factor are set forth below.

1. The following permits or approvals will be required for the project:

<u>Units of Government</u>	<u>Permit or Approval Required</u>	<u>Status</u>
State		
MPCA	Repermit application of Permit SW-298	Pending
	NPDES stormwater permit	To be determined
County		
Blue Earth County	Sanitary Landfill License	Obtained (renewed annually)
Local		
City of Mankato	Leachate Treatment	Obtained (renewed annually)

2. The project will be subject to regulatory control by the MPCA through the process associated with the issuance of its Solid Waste permit.
3. The project will be subject to regulatory control by the MPCA through the process associated with the issuance of its NPDES permit.

4. The project will be subject to regulatory control by the Blue Earth County through the process associated with the issuance of its Sanitary Landfill License.
5. As a result of operation, the project will be subject to regulatory control by the city of Mankato through the issuance of its Leachate Treatment License.
6. The MPCA finds that the permits and monitoring reports required by public regulatory authority will provide additional opportunity to mitigate the environmental effects of the project, if necessary.

D. THE EXTENT TO WHICH ENVIRONMENTAL EFFECTS CAN BE ANTICIPATED AND CONTROLLED AS A RESULT OF OTHER AVAILABLE ENVIRONMENTAL STUDIES UNDERTAKEN BY PUBLIC AGENCIES OR THE PROJECT PROPOSER, INCLUDING OTHER EISs.

The fourth factor that the MPCA must consider is "the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs," Minn. R. 4410.1700, subp. 7.D. The MPCA findings with respect to this factor are set forth below.

1. The proposed ash landfill expansion and other similar type projects have been reviewed by the MPCA staff.
2. There are no elements of the project that pose the potential for significant environmental effects which cannot be addressed in the project design and permit development processes.
3. The MPCA finds that the environmental effects of the project can be anticipated and controlled as a result of environmental review, previous environmental studies, and permitting processes undertaken by the MPCA on similar projects.

CONCLUSIONS

1. The EAW, the permit development process, the facility planning process, and responses prepared by MPCA staff in response to comments on the EAW, have generated information adequate to determine whether the project has the potential for significant environmental effects.
2. Areas where the potential for significant environmental effects may have existed have been identified and appropriate mitigative measures have been incorporated into the project design and permits. The project is expected to comply with all MPCA standards.
3. Based on the criteria established in Minn. R. 4410.1700, the project does not have the potential for significant environmental effects.
4. An Environmental Impact Statement is not required.
5. Any findings that might properly be termed conclusions and any conclusions that might properly be termed findings are hereby adopted as such.

Karen A. Studders
Commissioner

Date

COMMENTS AND RESPONSES TO COMMENTS

1. Minnesota Department of Natural Resources (DNR), letter dated May 17, 1999.

Comment 1-1: Based on the information provided, the DNR sees no need for environmental review.

Response: No comment necessary

2. Minnesota Historical Society, letter dated May 17, 1999.

Comment 2-1: The commenter states, with regards to the issues discussed under question 25a, two archaeological properties were identified in the project area. However, it does not appear that either of these properties are significant.

Response: No response necessary.

3. Gladys Schmitz, SSND, letter dated May 18, 1999.

Comment 3-1: The commenter stated concerns about the way the Mankato Wastewater Treatment Plant (WWTP) removes contaminants (metals) from the wastewater. What assurance are there that long term ingestion is not harmful? Do we have any studies to show that mixtures of these contaminants have no more harmful effects than the individual element or its compound has? Are there really good studies used as a basis for the assumption of 'NO harm' either for the individual substance or for a mixture of substances, since the latter is really always the reality?"

Response: The Mankato WWTP removes solids from the effluent by precipitating them out in the sludge. Approximately 75 percent of the solids are precipitated into the sludge. Within that sludge are metals which had previously been contained in the effluent. Sludge generated at the WWTP is disposed of according to Minnesota Rules Chapter 7041.

The leachate collected at the Northern States Power (NSP) Wilmarth Ash Disposal Facility is treated at the WWTP, where metals are removed from the waste stream through precipitation into the sewage sludge. This waste water goes through several additional treatments with disinfecting chemicals such as chlorine. The treated water is then released into the Minnesota River. This treated waste water must meet National Pollution Discharge Elimination System standards established by the Clean Water Act and enforced by the Minnesota Pollution Control Agency (MPCA) and the US Environmental Protection Agency. In addition, the Mankato WWTP conducts bioassays for acute and chronic toxicity of the water released to the Minnesota River. The acute toxicity testing is performed in January, while the chronic toxicity testing is conducted in April, June and October. This testing is conducted in accordance with procedures outlined in Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms (Fourth Edition, EPA/600/4-90/027). The bioassay testing of the water samples is conducted on a fish, fathead minnow (*Pimephales promelas*) and two invertebrate species, water fleas (*Ceriodaphnia dubia* and *Daphnia magna*). The data for the testing of the waste water from the Mankato WWTP show that the waste water is not acutely toxic to the species tested. These data are reported to the MPCA.

The WWTP processes over 2 billion gallons of waste water per year, of which 1.5 million gallons is NSP leachate. This represents less than one percent of the total volume of waste water processed at the WWTP.

Comment 3-2: The commenter stated concern about what assurance is there that dioxins and furans would remain at the levels that were listed in the EAW.

Response: The combustion process at Wilmarth is at such a high temperature that the formation of dioxin and furan compounds is minimized. In addition, the fuel is sorted during processing to reduce the pollutants contained in it and produce a cleaner fuel. The Wilmarth plant monitors the furnace temperature to ensure that complete combustion is taking place. The Wilmarth Plant emissions are controlled with a scrubber/baghouse system which operates in compliance with the dioxin/furan limits set by the MPCA. The scrubber/baghouse purpose is as follows: to utilize the scrubber to drop the flue gas temperature through the dioxin reformation temperature zone quickly. The baghouse then captures any dioxin that may be reformed and attached to particulate material (fly ash).

Dioxins and any precursors are byproducts of incomplete combustion. Just by the nature of the Refuse-Derived Fuel there will always be some amount of organic material available for dioxin reformation. Currently, Wilmarth annually conducts stack tests for all pollutants with air quality emission limits. Upon issuance of the new Title V permit from the MPCA, the requirement will be to conduct annual stack tests for several pollutants including dioxins to further ensure that complete combustion is taking place.

The best analysis available shows that there are no dioxins or furans present in the leachate collected from the Wilmarth Ash Disposal Facility.

Comment 3-3 : The commenter stated that the fugitive dust releases should be eliminated.

Response: While ash has moisture in it which prevents it from being dusty, dusting is reduced by the placement of intermittent cover and limiting the amount of exposed ash.

The ash rules state that when ash lies exposed for more than seven days it must be covered with intermittent cover. Intermittent cover can be either native soils (with fairly low permeability – not sandy) or, in the active work area, newly delivered ash. The percent moisture of the exposed ash must never be less than 10 percent. This practice is used to reduce dusting due to dry ash (Minn. R. Ch. 7035.2885 Sub 10). The existing and the new operating permit for this facility deals with the control of fugitive dust on the site.

Comment 3-4: The commenter asks who decides it is too windy to spread the ash and how is it decided.

Response: The operator decides how windy it is. The operator at NSP Wilmarth has been so for a number of years, and so has gained considerable experience determining the site's wind factor. Also, the ash has a specific moisture content that would not make it readily airborne. During previous site inspections dusting has never been an issue at this site.

Comment 3-5: The commenter stated concern about the safety of those working at the landfill in regards to fugitive dust.

Response: The truckers hauling the ash from the plant to the landfill have been tested to determine the amount of dust from the ash that they have been exposed to. The workers also wear suits to protect them from excessive exposure to the ash. The testing showed that dust exposure was below Occupational Safety and Health Administration (OSHA) limits. Dust monitoring was also conducted by NSP for workers inside the boiler and air quality equipment at the Wilmarth Plant. As a result of this testing these plant workers are wearing respirators while cleaning this equipment. Workers are protected by programs administered by OSHA.

Comment 3-6: The commenter states that a 30-year post closure time frame for monitoring wells and maintenance is not long enough.

Response: Provisions for monitoring of the landfill following closure are in the post-closure care and contingency action plan. If any ground water contamination is detected following closure, monitoring of the ground water may be required past the 30-year period.

Comment 3-7: The commenter stated concerns about the type and level of oversight and inspections that occur at the site, and if visitors were ever allowed.

Response: In addition to a general inspection of the landfill every day, the landfill operator inspects the facility for the following conditions: uncontrolled vegetative growth, erosion on sideslopes, vandalism, damage from rodents or burrowing animals, malfunctions of the leachate detection or collection systems, excessive settlement of soil in completed areas, blocking or improper functioning of any surface water control structures, evidence of deterioration or damage to liner systems, and monthly for dust emissions. The landfill is given a thorough inspection quarterly by NSP staff. A copy of the quarterly NSP inspection form is attached. The landfill is also inspected on a regular basis by the MPCA. A copy of the MPCA inspection form is also included. During construction of the landfill a detailed record is kept, and is on file, documenting the construction process. Photos of the construction were taken and are also on file in order to document that the landfill was constructed properly.