

PUBLIC NOTICE

The Minnesota Pollution Control Agency (MPCA) invites public comments on the proposed reissuance of a hazardous waste facility permit for the BAE Systems, L.P. hazardous waste containment and treatment facility located at 4800 East River Road, Fridley, Minnesota. The public comment period runs from November 29, 2012, through January 14, 2013.

The MPCA commissioner has made the preliminary determination that the draft permit should be reissued. The purpose of the permit is to approve the plan for the operation of a hazardous waste containment and treatment facility.

The regulated unit at this facility is a closed landfill that was constructed to contain contaminated soils that were excavated at the original FMC Corporation (FMC) site. The regulated unit was constructed as an interim response measure to abate groundwater pollution. The landfill is approximately 330 feet by 265 feet. Approximately 38,600 cubic yards of contaminated soil were placed in the landfill to an average depth of 15 feet below the original ground surface. The remainder of the landfill was filled with clean soil. The primary contaminant in the soil is trichloroethylene. Other contaminants include other volatile organic compounds and metals. Essential features of the landfill design include a double-liner system, a leachate-collection-and-removal system, a leak-detection system, a multilayer cap, and a gas-collection-and-treatment system for volatile organics. Since the regulated unit performs both containment and treatment functions, it has been described as a containment and treatment facility (CTF).

Wastes generated at the CTF include leachate removed from the leachate-collection and leak-detection systems and spent carbon from the gas-treatment system. The leachate consists of precipitation that contacted contaminated soils in the CTF during construction. It is pumped from the CTF to a sanitary sewer pursuant to an approval between the permittee and Metropolitan Council Environmental Services. Spent carbon is placed in U.S. Department of Transportation-approved containers and shipped to an off-site facility for disposal.

A copy of the draft permit and fact sheet will be mailed to any interested person if a request is made by writing to the MPCA or by calling Tin Tran at the MPCA at 651-757-2789, TDD 612-282-5332 (toll-free and TDD outside the Twin Cities metro area: 800-657-3864).

The permit application, draft permit, fact sheet, and public notice are available for review on the MPCA website at www.pca.state.mn.us. The website may be accessed at the Anoka County Library, Northtown-Central Branch, 707 Highway. 10 Northeast, Blaine, Minnesota 55434.

For more information about the permit, please contact Tin Tran at the phone numbers above or write to him at:

Tin Tran
Minnesota Pollution Control Agency
Industrial Division
520 Lafayette Rd. N.
Saint Paul, MN 55155-4194

Through January 14, 2013, interested persons may submit written comments on the draft state permit to the MPCA at the above address, request a public meeting, or request a contested case hearing in

accordance with Minn. R. 7001.0110, 7001.0130, and 7001.0670. Under these rules, written comments must include (1) a statement of the person's interest in the permit; (2) a statement of the action the person wishes the MPCA to take, including specific references to sections of the draft permit that the person believes should be changed; and (3) the reasons supporting the person's position, stated with enough specificity to allow the MPCA to investigate the merits of that position.

After the close of the public notice period, all comments and requests for all public informational meetings or contested case hearings will be reviewed. A final determination on the reissuance of the permit will be made at that time. A formal response to these comments will be prepared in accordance with MPCA rules. Notification of the permit reissuance decision will be provided to each person who submitted written or oral comments or requested a notice of decision.



BAE Systems, L.P.: proposed RCRA permit reissuance

The Minnesota Pollution Control Agency (MPCA) has drafted a Resource Conservation and Recovery Act (RCRA) permit reissuance for the BAE Systems, L.P. for its hazardous waste containment and treatment facility at 4800 East River Road in Fridley.

The purpose of the permit is to approve the plan for the maintenance and monitoring of a closed hazardous waste containment and treatment facility. The MPCA has tentatively determined that BAE Systems has met the applicable hazardous waste facility regulatory standards, which include: proper maintenance and monitoring of the facility; accessibility to routine inspection by BAE Systems and MPCA staff; and financial assurance.

The MPCA Commissioner has made the preliminary determination that the draft permit be reissued.

Facility's closed landfill is now regulated

In the past, open land on the property was used for the unregulated disposal of hazardous waste from the plant.

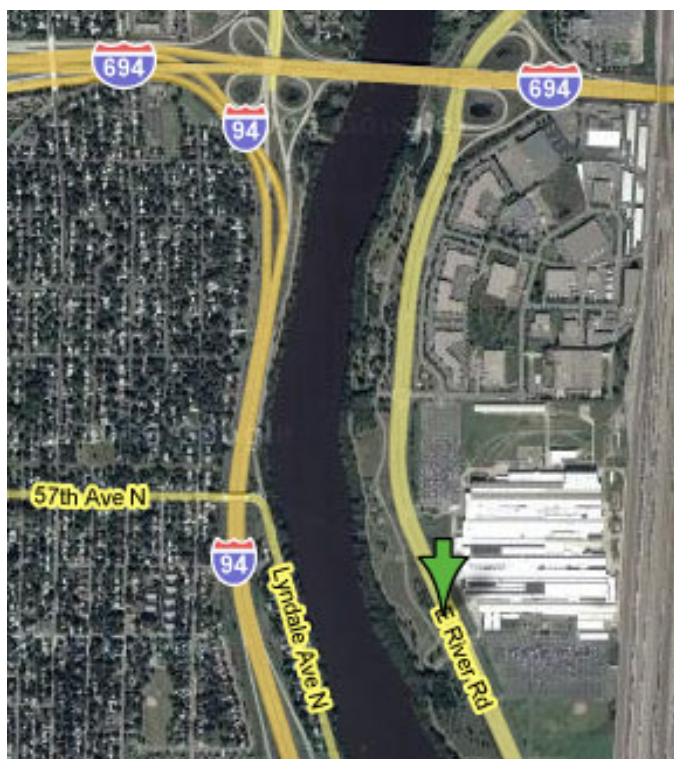
The area now regulated at this facility is a closed landfill that was built to contain contaminated soils that were excavated from the original FMC Corporation site to reduce groundwater pollution. The landfill contains about 39,000 cubic yards of soil contaminated with industrial solvents and metals.

The landfill design includes a double liner system; a leachate collection and removal system; a leak-detection system, a multilayer cap; and a gas collection and treatment system.

One waste generated at the facility is leachate, which is liquid that has drained out of contaminated soil contained in the landfill. This leachate is pumped out of the leachate collection and leak detection systems and disposed of in the sanitary sewer, as approved by Metropolitan Council Environmental Services.

The gas collection and treatment system produces another waste, spent carbon, which is shipped off site for appropriate disposal.

An MPCA permit is proposed to be reissued in accordance with Minn. R. ch. 7001 and 7045. The proposed permit will be effective for five years from the date of issuance or until it is terminated, revoked or modified by the MPCA.



The MPCA operates a hazardous waste permit program authorized by the federal government. Other portions of the site are also subject to actions under the Comprehensive Liability Act and the Minnesota Environmental Response Liability Act

The permit process and public participation

The MPCA will accept public comments on the reissuance of the proposed permit until 4:30 p.m. on January 14, 2013.

Under Minn. R. ch. 7001.0110, written comments must include:

1. a statement of the writer's interest in reissuance of the proposed permit, the corrective actions at the solid waste management units or closure of the fire training basin;
2. a statement of the actions that the writer is requesting the MPCA to take; and
3. the reasons supporting the writer's position, stated with sufficient specificity to allow the commissioner to investigate the merits of the person's positions and including specific references to the draft permit language to be changed.

In addition to providing written comments, interested persons may submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board consider this matter.

Also, interested persons may request that the MPCA hold a public informational meeting.

Finally, interested persons may request that the MPCA hold a contested-case hearing, which is a formal hearing before an administrative law judge. These requests go before the Board. Pursuant to Minn. R. ch. 7000.1900, the Citizens' Board will approve the request for a contested-case hearing if:

- there is a material issue of fact in dispute concerning the permit;
- the Board determines that the MPCA has the authority to make decisions about the disputed material issue of fact; and
- there is a reasonable basis underlying the disputed material issue of fact such that holding a contested-case hearing would allow the introduction of information that would help the MPCA to resolve the disputed facts to make a final decision about these matters.

After the public comment period ends on January 14, 2013, all comments, petitions, and requests are reviewed. The decision about whether or not to approve reissuance of the proposed permit will be presented to the Board if:

- the MPCA Commissioner grants the petition requesting the matter be reviewed by the Board;
- a Board member asks to hear the matter before the MPCA Commissioner makes a final decision about these matters; or
- there is a request for a contested-case hearing.

If the Citizens' Board does not hear the matter, the MPCA Commissioner will make the final decision.

Notification of the decision will be provided to each person who submitted written comments or requested a notice of decision.

For more information

A copy of the permit reissuance application, the draft permit, and public notice are available to interested citizens for review on the MPCA website at www.pca.state.mn.us. This website may be accessed at the Anoka County Library, Northtown-Central Branch, 707 Highway 10 Northeast, Blaine, Minnesota 55434.

The MPCA will also mail a copy of the draft permit and this fact sheet to any interested person. For more information, call Tin Tran of the MPCA at 651-757-2789 or toll-free at 800-657-3864, or write to:

Tin Tran
MPCA Industrial Division
520 Lafayette Rd. N.
Saint Paul, MN 55155-4194

Citizens may also contact Tim Ruda of BAE Systems, L.P. at 763-572-6906.