

ATTN: LIBRARIANS AND POSTMASTERS  
**PLEASE POST**  
THIS IS AN OFFICIAL REQUEST FROM THE MINNESOTA POLLUTION CONTROL  
AGENCY THAT YOU POST THIS NOTICE IN YOUR BUILDING IN A LOCATION  
CONSPICUOUS TO MEMBERS OF THE PUBLIC.

**DUAL PUBLIC NOTICE  
of the  
REISSUANCE of a PERMIT  
for CONSTRUCTION and OPERATION of a SOLID WASTE DISPOSAL FACILITY  
and  
MAJOR MODIFICATION**

**as well as  
PUBLIC NOTICE  
ON AN  
ENVIRONMENTAL ASSESSMENT WORKSHEET**

**Public Notice Number: 12-SW-2253**

**Public Notice Issued On:** February 4, 2013

**Last Day to Submit Comments:** March 6, 2013

**Name and Address of Applicant:**

1. Owner: Blue Earth County  
Government Center  
Environmental Services  
410 South Fifth Street, P.O. Box 3566  
Mankato, Minnesota 56002-3566

**Name and Location of Facility:**

Ponderosa Sanitary Landfill  
20028 Gooseberry Lane  
Section 28/29/32, T 108 N, R 27 W  
South Bend Township, Blue Earth County  
Mankato, Minnesota 56001

2. Operator: Ponderosa Management Company, LLC  
2160 Ringhofer Drive  
North Mankato, Minnesota 56033

**Brief Description of Facility:** The above-referenced facility is a municipal solid waste disposal landfill. If approved, the permit will allow the proposed operation for a term of ten (10) years.

**MPCA Staff Contact:** Sherri Nachtigal  
Minnesota Pollution Control Agency  
18 Wood Lake Drive Southeast  
Rochester, Minnesota 55904  
800-657-3864 or 507-206-2600

## NOTICE

The Minnesota Pollution Control Agency (MPCA) has received an application for a permit to continue the construction and operation of the existing solid waste facility identified above. The repermit application also includes a major modification that includes the addition of airspace in Phases 4, 5, 6, and 7, and leachate recirculation in the lined portion of the landfill. The facility is located approximately four (4) miles southwest of the City of Mankato, Minnesota, off CSAH #34.

Permit Submittal: On July 31, 2012, the MPCA received a repermit application for the Ponderosa Sanitary Landfill that included a major modification to expand the existing facility. The facility was originally permitted in 1972, and repermitted with a capacity of 2,952,000 cubic yards of capacity in 1973. Of that, 1,686,000 cubic yards was designed for the unlined area, and 1,266,000 cubic yards was designed for the lined area. Approximately 236,150 cubic yards, or less than three years of capacity, remain at current fill rates. The expansion proposes filling Phases 4, 5, 6, and 7, which has a capacity of 2,360,600 cubic yards. The waste footprint for the lined area of the facility will be expanded 12.4 acres (Phase 6 only) for a total of 32.0 acres. Phases 4, 5, and 7, are proposed as a vertical development above Phases 1, 2, 3, and 6. With the proposed expansion, the revised capacity in the lined area will be 1,266,000 cubic yards + 2,360,000 cubic yards = 3,626,000 cubic yards.

The facility is also proposing to recirculate leachate. Leachate recirculation is proposed for Cells 4-15, as they are developed. The facility will use subsurface trenches to add leachate to the waste. Leachate may also be added to the waste by spraying it to the working face. Leachate will also continue to be treated in two aerated leachate holding and treatment basins, land applied, or hauled to the Mankato wastewater treatment plant if the other methods are not available.

Capacity: The total airspace previously approved in the old unlined area is 1,686,000 cubic yards. The total airspace previously approved in both the lined and unlined area is 2,952,000 cubic yards ultimate capacity. This includes Phases 1 – 3. The proposed revised ultimate capacity is 2,952,000 cubic yards + 2,360,000 cubic yards (expansion) = 5,312,600 cubic yards. The proposed permitted capacity needed for the 10 year permit is the previously approved capacity plus Phase 6 – Cells 11-15. The revised permitted capacity will be Phase 6 capacity added to the previously permitted capacity (2,952,000 cubic yards + 1,196,700 cubic yards = 4,148,700 cubic yards).

Monitoring System: The environmental monitoring system consists of 15 groundwater monitoring wells (seven subject to surface water quality standards), two surface water monitoring locations, four water supply wells, twelve active leak detection lysimeters, eight methane gas probes, and one continuous-methane meter. Leachate is stored and treated in two leachate holding ponds that have a total storage capacity of 1,700,000 gallons. Treated leachate is land applied in an area that is directly west of the municipal solid waste (MSW) landfill. The leachate land application site has a monitoring system that consists of two groundwater wells. Groundwater and surface water samples are collected and analyzed three times per year. Landfill gas is monitored at a minimum of four times per year. An active gas system is used to control

methane gas and odors from the closed and active MSW landfill units. Methane gas condensate is sampled four times per year. Fifteen gas wells are proposed for the lined MSW landfill unit. An on-going evaluation of VOCs in groundwater from the closed landfill continues.

Variances No variances from Minnesota Rules are being requested at this time.

Certificate of Need Minn. Stat. § 115A.917 provides that no new capacity for disposal of MSW may be permitted in counties outside the metropolitan area without a Certificate of Need (CON) from the MPCA. "Capacity" in this context refers to just the non-processed MSW that is picked up at the curb and hauled directly to the landfill. It does not include industrial, demolition, or asbestos waste, all of which also get disposed of in the Ponderosa Sanitary Landfill. It also does not include MSW processing residuals resulting as byproduct from the processing of MSW, which also is disposed of at the Ponderosa.

The landfill was permitted with 2,952,000 cubic yards of landfill capacity in 1973. Based on the July 2012 repermit application, approximately 236,150 cubic yards of that volume remains to be utilized. It will take less than three years for the landfill to utilize this capacity based on current flow rates. Once the 2,952,000 cubic yards of capacity has been utilized, Blue Earth County must obtain a CON from MPCA to continue disposing of unprocessed MSW. The current 2001-2013 Blue Earth County Solid Waste Management Plan (SWMP) is scheduled to be updated and submitted by June 25, 2013. The 2001-2011 SWMP was public noticed and approved with a two year extension by the MPCA on August 16, 2010. The Goal Volume Table will be revised and approved with the SWMP process in June 2013. The Permittee is responsible for tracking the permit and CON numbers and ensuring compliance with the MPCA permit and the SWMP CON volumes.

Environmental Assessment Worksheet An Environmental Assessment Worksheet (EAW) is required at this time, in accordance with Minn. R. 4410.4300, subp. 17. An EAW must be prepared for projects that meet or exceed the thresholds listed in Minn. R. 4410.4300. For landfills that receive less than 100,000 cubic yards of MSW waste fill per year, and expand by 25 percent or more of previous MSW capacity, and EAW must be completed. Because the expansion exceeds more than 25% of previous permitted MSW capacity, the MPCA completed an EAW.

A copy of the Environmental Assessment Worksheet is available on the MPCA website at <http://www.pca.state.mn.us/news/eaw/index.html> or by going to [www.pca.state.mn.us](http://www.pca.state.mn.us) and searching for "environmental assessment worksheets." Copies are also available by contacting Beth Tegdesch of the MPCA at 651-757-2100. Written comments on the worksheet should be submitted to William Lynott, planner principal with the MPCA, at [william.lynott@state.mn.us](mailto:william.lynott@state.mn.us) or 520 Lafayette Road N., St. Paul MN 55155-4194.

After review of application materials, the Commissioner of the MPCA has made a preliminary determination to approve the application and issue the permit. The MPCA has developed a draft permit. The MPCA will mail a copy of the draft permit to an interested person upon request to the MPCA staff contact. The file with regard to this permit, including all comments received, will be available for inspection between the hours of 8:00 a.m. and 3:00 p.m. at the MPCA office

located at 18 Wood Lake Drive Southeast, Rochester, Minnesota. The MPCA will make copies from this file upon request. There is a charge for copy orders greater than 20 pages. To arrange a time to review the file contact the MPCA staff contact. To request information regarding charges for copies, contact Jill Wolf at 507-285-7343.

The procedures that the MPCA will follow with regard to this permit application are set forth in its operating and procedural rules, Minn. R. chs. 7000 and 7001. Copies of these rules are available on <http://www.pca.state.mn.us/rulesregs/index.html>, at most local libraries, and by request directed to the MPCA. The MPCA strongly recommends that interested persons review these rules.

#### COMMENTS SOLICITED

By this Notice, interested persons are invited to submit comments to the MPCA on the pending application. If this application concerns modification of an existing permit, comments will only be considered regarding the portion of the permit that is proposed to be modified. To ensure consideration, comments must be received by the last day to submit comments identified above, and should include the following:

- A. a statement of the person's interest in the permit application or the draft permit;
- B. a statement of the action the person wishes the agency to take, including specific references to sections of the draft permit that the person believes should be changed; and
- C. the reasons supporting the person's position, stated with sufficient specificity as to allow the commissioner to investigate the merits of the person's positions.

Deliver or mail all comments to Sherri Nachtigal, Minnesota Pollution Control Agency, 18 Wood Lake Drive Southeast, Rochester, Minnesota, 55904. The MPCA will consider all comments received during the comment period and may modify the proposed permit based on those comments.

#### REQUESTS FOR PUBLIC INFORMATIONAL MEETING, CONTESTED CASE HEARING, AND/OR MPCA BOARD CONSIDERATION

Public informational meeting. A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. The MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above under the section of this Notice titled "Comments Solicited" and should in addition include:

- A. a statement of the reasons the person desire the agency to hold a public informational meeting; and
- B. the issues that the person would like the agency to address at the public informational meeting.

The Commissioner of the MPCA will hold a public informational meeting if the Commissioner (or the MPCA Board) determines that a public informational meeting would help clarify and resolve issues regarding the Commissioner's preliminary determination to issue the permit or the terms of the draft permit. If a public informational meeting will be held, notice will be published as required under Minn. R. 7001.0120. Comments received from the public during the meeting will be considered by the MPCA.

Contested case hearing. A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. Interested persons may petition the MPCA to hold a contested case hearing on this proposed permit. To be timely, a request for a contested case hearing on a permit **must be received during the public comment period established by this Notice.** The rules of the MPCA establish what must be included in a petition for a contested case hearing, and the standard that the MPCA will apply in determining whether that petition should be granted. *See* Minn. R. 7000.1800-1900. The MPCA strongly recommends those persons petitioning for a contested case hearing review the rules before submitting a petition. If a petition for a contested case hearing is received, the MPCA Board will consider the issuance of the permit and whether the petition for the contested case should be granted.

MPCA board consideration. Interested persons may petition the MPCA Board to consider this permit by asking the Commissioner to place the matter on the MPCA Board meeting agenda, or by asking an MPCA Board member to request that the Commissioner place the matter on an MPCA Board meeting agenda. To be timely, a petition must be served by mail at least 24 days before the meeting during which a petition would like the matter to be considered, or by personal service or facsimile at least 21 days before the meeting. *See* Minn. R. 7000.0650. The MPCA Board will consider the matter if requested by an MPCA Board member. Names and addresses of MPCA Board members are available at: <http://www.pca.state.mn.us/about/board/bdlist.html>.

The Commissioner may deny a request to place a matter on the MPCA Board meeting agenda, but must inform the MPCA Board members of that decision.

## PERMIT ISSUANCE

If there are no requests for a public informational meeting, contested case hearing, or MPCA board consideration, the MPCA Commissioner will make the final decision on the proposed permit. Persons who have submitted comments during the comment period will be notified of the Commissioner's decision.