

ATTN: LIBRARIANS AND POSTMASTERS

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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.

**PUBLIC NOTICE  
REGARDING A SOLID WASTE FACILITY PERMIT**

Public Notice Number: 12-SW-2142

Public Notice Issued On: December 18, 2012

Last Day to Submit Comments: January 16, 2013

Name and Address of Applicant:

Mr. Tom Kraemer  
16820 County Road 158  
Cold Spring, MN 56320

Name and Location of Facility:

TK Demolition Disposal, LLC  
16820 County Road 158  
Cold Spring, MN 56320

Brief Description of Facility: TK Demolition Disposal, LLC is an unlined construction and demolition debris landfill with ancillary recycling and yard waste composting operations. If approved, the permit, MPCA solid waste facility permit SW-333, will allow the proposed operation for a term of 10 years.

MPCA staff contact: Minnesota Pollution Control Agency  
North Central Regional Office  
Attn: Daniel Vleck  
7678 College Road, Suite 105  
Baxter, MN 56425

**NOTICE**

The Minnesota Pollution Control Agency (MPCA) has received an application for a permit to continue the operation of the solid waste facility identified above. TK Demolition Disposal, LLC (Facility) currently occupies approximately 50 acres of an 80 acre parcel and is located in the W 1/2, SW 1/4 of Section 13, Township 123 North, Range 30 West, Wakefield Township, Stearns County, Minnesota. The Facility has been in operation since the MPCA issued their first permit on April 6, 1989. The Facility is an unlined landfill that may accept for disposal construction and demolition debris as detailed in the approved documents and the facility permit. The Demolition Landfill Guidance, August 2006, has been applied to this Facility. The Facility is a Class 1 demolition landfill with groundwater monitoring. Waste screening is

required to remove unacceptable materials before pushing the waste to the working face of the landfill. The Facility has a network of four groundwater monitoring wells which are tested on a regular schedule. An additional groundwater monitoring well will be installed.

If reissued, the 10 year permit authorizes additional airspace disposal capacity of 427,678 cubic yards in redesigned phases 1 through 12 of the approved plans. This is the remaining disposal capacity for the landfill. The five year average waste acceptance for the facility is approximately 34,000 cubic yards/year. The in-place waste capacity at the Facility is approximately 594,226 cubic yards as of the 2011 annual survey. The permitted capacity includes previously filled airspace, 10 years of airspace for the permit and can include up to an additional five years of airspace. The permitted capacity is therefore limited by the design capacity of 1,021,904 cubic yards. The remaining site life based on the current design is approximately 14 years.

In addition to landfill operations: approximately 2,500 cubic yards of yard waste are composted annually at the Facility; white goods are collected and shipped off for recycling; concrete, bituminous and rock are stockpiled prior to crushing and recycling; wood pallets are stored for shredding; and the local fire authority may permit the Facility to stockpile and burn brush in the southeast corner of the property.

The permittee operates a municipal solid waste transfer facility at the entrance of the Facility, which is not covered by this permit.

After review of application materials, the MPCA Commissioner 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 or the information is also available for review on the MPCA website at [www.pca.state.mn.us/news](http://www.pca.state.mn.us/news). 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's office located at 7678 College Road, Suite 105, Baxter, 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 Dianne Mitzuk at 651-757-2573.

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/generalrules.html> at most local libraries, and by requests 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.

Any submissions should display the public notice number, 12-SW-2142, next to the address on the envelope and on each page of any submitted comments, and include a return mailing address and telephone number. 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 CITIZENS' BOARD CONSIDERATION

Public Informational Meeting. A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. 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 MPCA Commissioner will hold a public informational meeting if the MPCA Commissioner (or the MPCA Citizens' Board) determines that a public informational meeting would help clarify and resolve issues regarding the MPCA 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 that 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 Citizens' Board Consideration.** Interested persons may petition the MPCA Citizens' Board to consider this permit by asking the MPCA Commissioner to place the matter on the MPCA Citizens' Board meeting agenda, or by asking an MPCA Citizens' Board member to request that the MPCA Commissioner place the matter on an MPCA Citizens' 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 Citizens' Board will consider the matter if requested by an MPCA Citizens' Board member. Names and addresses of MPCA Citizens' Board members are available at <http://www.pca.state.mn.us/about/board/bdlist.html>. The MPCA Commissioner may deny a request to place a matter on the MPCA Citizens' Board meeting agenda, but must inform the MPCA Citizens' Board members of that decision.

## **PERMIT ISSUANCE**

If there are no requests for a public informational meeting, contested case hearing, or MPCA Citizens' 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 MPCA Commissioner's decision.