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**PUBLIC NOTICE REGARDING THE REISSUANCE OF A  
SOLID WASTE FACILITY PERMIT**

**Public Notice Number: 12-SW-2202**

**Public Notice Issued On: June 22, 2012**

**Last Day to Submit Comments: July 23, 2012**

**Name and Address of Applicant:**

Mr. John Dean, Vice President for Operations  
Southern Minnesota Beet Sugar Cooperative  
83550 County Road 21  
P.O. Box 500  
Renville, MN 56284

**Name and Location of Facilities:**

Southern Minnesota Beet Sugar Cooperative  
83550 County Road 21  
P.O. Box 500  
Renville, MN 56284

**BRIEF DESCRIPTION**

Southern Minnesota Beet Sugar Cooperative (SMBSC) is located in Renville County on a 640 acre site adjacent to U.S. Highway 212 near Renville, Minnesota. SMBSC is authorized by their solid waste permit, SW-282, to operate a nonhazardous Industrial Solid Waste Landfill for storage or disposal of Precipitated Calcium Carbonate (PCC) generated at the plant during beet processing. PCC is classified by Minnesota Department of Agriculture requirements and Minnesota Pollution Control Agency (MPCA) solid waste rules as an agricultural liming agent. During the past five years much of the SMBSC generated PCC has been used for agricultural liming. As a result the landfill has been used primarily for temporary storage of PCC. Future use of the landfill for either storage or disposal is dependent on quantity of PCC applied to cropland. If approved, the permit will allow the proposed operation for a term of 5 years.

MPCA staff contact: Neal Wilson  
Minnesota Pollution Control Agency  
Industrial Division, 4<sup>th</sup> Floor  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
651-757-2827

## NOTICE

The MPCA has received an application for a permit to continue the operation of the Industrial Solid Waste Landfill identified above. The SMBSC Industrial Landfill known as the Lime Storage Unit (LSU) occupies approximately 38 acres within the 640 acre SMSBC plant in Renville. The LSU is classified as an Industrial Solid Waste Landfill, used either for storage or disposal site for PCC.

This proposed permit reissuance authorizes the disposal of PCC and Tare 2 (beet soils) in the fill area, and continued authorization to operate the existing LSU and the Phase 1 development for storage of PCC. In accordance with Minnesota Department of Agriculture requirements and MPCA solid waste rules the PCC generated at the Renville sugar beet processing plant is classified as a by-product of lime. This classification allows PCC to be used as a liming agent on Minnesota cropland.

During the past five years much of the PCC generated at the sugar beet processing plant has been put to beneficial use as an agricultural liming agent (Ag-lime). During this period, the LSU has been used primarily as a temporary storage facility for PCC prior to land application on cropland. The LSU's future use as either a storage or disposal site will continue to depend on the quantity of PCC used on cropland. If the land application of PCC is less than the amount generated at the sugar beet processing plant, then some PCC will likely have to be disposed at the LSU. If the use of PCC as an agricultural liming agent were completely discontinued, the remaining disposal capacity in Phase 1 would accommodate approximately ten years of PCC disposal.

As of November 2010, there were approximately 1,400,000 cubic yards of PCC, Tare 2 and cover soils within the LSU. The approved fill area (Phase I development) of the existing LSU is comprised of four cells constructed on top of the existing disposal/storage area. Phase 1 development will begin at elevation 1110 feet above the existing LSU disposal area, and the top elevation will remain at 1162 feet. The proposed PCC filling sequence will begin from the southwest area, and will proceed to the northeast area of the LSU. Dry mud solids (Tare 2) will be stockpiled within the LSU disposal area and utilized for construction of the cover system (intermittent, intermediate and final).

The total Phase 1 capacity including PCC and cover material is approximately 900,000 cubic yards. The Permittee has proposed a revision to their Phase 2 expansion in keeping with the Ultimate Capacity of the facility conceptual design. Phase 2 is only proposed and is not open for active filling under the terms of this permit.

Dry mud solids will continue to be stockpiled in the LSU to be used in construction and as intermittent, intermediate and final cover material. Final cover will be placed according to the Construction Plans once the fill reaches final elevations. The underlying clay soil and PCC creates an in-place barrier that is considered adequate in relation to the waste types being disposed of in the landfill.

Stormwater from the interior of the Phase 1 fill area is proposed to be collected at the return water line located at the top of the LSU, and at the existing south stormwater pond. The existing south stormwater pond pump station would pump stormwater and contact water from the south stormwater pond to the sugar beet processing plant wastewater treatment system for treatment prior to discharge. The Phase 1 development also includes a west sedimentation basin, and ditches and berms for treatment of stormwater coming off the final cover system.

The facility has a ground water monitoring system in place used to evaluate ground water quality due to the storage or disposal of PCC and beet soils. The reissued permit will include conditions to monitor the ground water, to control and minimize seepage and run off, and monitor site activities to assure compliance with MPCA rules. The effectiveness of these and other control measures at the facility are evaluated under the terms and conditions of the permit.

After review of application materials, the Commissioner of the MPCA has made a preliminary determination to approve the application and reissue 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 Web site 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 520 Lafayette Road North, St. Paul, Minnesota 55155. The MPCA will make copies from this file upon request. There is a charge for copy orders greater than twenty 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/index.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. Because 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.
- 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-2202**, 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. Comments received by the MPCA in response to this notice will be made part of the public record with regard to this permit.

### **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.
- 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 Citizens' Board (Board)] determines that a public informational meeting would help clarify and resolve issues regarding the Commissioner's preliminary determination to modify 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 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 Board to consider this permit by asking the Commissioner to place the matter on the Board meeting agenda, or by asking a Board member to request that the Commissioner place the matter on a 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 Board will consider the matter if requested by a Board member. Names and addresses of Board members are available at <http://www.pca.state.mn.us/about/board/index.html>. The Commissioner may deny a request to place a matter on the Board meeting agenda, but must inform the Board members of that decision.

## **PERMIT ISSUANCE**

If there are no requests for a public informational meeting, contested case hearing, or 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.