

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.

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

**Public Notice Number:** 12-SW-2233

**Public Notice Issued On:** July 3, 2012

**Last Day to Submit Comments:** August 2, 2012

**Name and Address of Applicant:**

Chad Martin  
City of Moorhead Operations Director  
PO Box 779  
Moorhead, MN 56560

**Name and Location of Facility:**

Moorhead Transfer Station  
2727 Highway 10 East  
Moorhead, MN 56560

**Brief Description of Facility:** The facility is a solid waste transfer site. The facility manages mixed municipal solid waste (MSW), construction and demolition debris, and recyclable materials such as white goods, tires, batteries, and electronics. If approved, the permit will allow the proposed operation for a term of five years.

**MPCA staff contact:** Lisa Mojsiej  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, MN 55155  
lisa.mojsiej@state.mn.us

**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. The applicant proposes to increase the annual throughput capacity of the facility from 25,000 tons to 30,000 tons per year. The permitted capacity will include 2250 tons/month of mixed municipal solid waste (MSW), 250 tons/month of construction and demolition debris for transfer to permitted disposal facilities. The maximum on-site storage capacity is 140 cubic yards for MSW. The facility also accepts household hazardous waste and recyclable materials including white goods, tires, batteries, and electronics. The facility consists of two buildings, one that house the transfer station and one that housed the recycling and household hazardous waste. All waste activities occur indoors to minimize odors and litter.

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, 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 Rd, St. Paul, MN 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. Rules 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 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.
- 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-2233** 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 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 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 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 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/index.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.